



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
June 18, 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, June 18, 2015.

**SPECIAL EVENT ADVISORY COMMITTEE AND PUBLIC ART ADVISORY BOARD
INTERVIEWS**

- | | | |
|---------|---|-------|
| 1:00 PM | Special Event Advisory Committee Interviews | PG 5 |
| 2:00 PM | Public Art Advisory Board Interviews | PG 12 |

CLOSED SESSION

2:45 pm To discuss Property, Personnel and Litigation

WORK SESSION

- | | | |
|---------|---|--------|
| 4:15 pm | Council Questions and Comments and Manager's Report | |
| 4:30 PM | Final Budget Discussion | PG18 |
| 5:00 PM | Mountain Accord Blueprint and Interlocal Agreement Discussion | PG 217 |

REGULAR MEETING

6:00 PM

II. ROLL CALL

III. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

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

V. CONSIDERATION OF MINUTES

- | | | |
|----|--|--------|
| 1. | Consideration of Minutes from May 28, 2015 | PG 249 |
|----|--|--------|

VI. CONSENT AGENDA

1. Consideration of the 2015 Park City LED Lighting Retrofit Installation Contract Award in a Form Approved by the City Attorney's Office with SES Green Energy, in the Amount of Sixty-Eight Thousand Twenty-Two Dollars and Fifty Cents \$68,022.50. PG 257

VII. NEW BUSINESS

1. 2015 Wildfire Season and Possible Ordinance Prohibiting Open Fires and Restricting the Use of Fireworks PG 274

Public Hearing/Action

2. Consideration of an Ordinance for the 1021 Park Avenue Subdivision, Located at 1021 Park Avenue, Park City, Utah, Pursuant to Findings of Fact, Conclusions of Law and Conditions of Approval in a Form Approved by the City Attorney. PG 283

Public Hearing/Action

3. Consideration of an Ordinance Approving the Conrad Replat, Located at 119 Woodside Avenue, Park City, Utah Pursuant to Findings of Fact, Conclusions of Law and Conditions of Approval in a Form Approved by the City Attorney. PG 308

Public Hearing/Action

4. Consideration of the Mountain Accord Interlocal Agreement PG 323

5. Consideration of an Ordinance Adopting a Revised Budget for Fiscal Year 2015 and a Budget for Fiscal Year 2016 PG 348

Public Hearing/Action

6. Consideration of an Ordinance Adopting the City Fee Schedule PG 351

Public Hearing/Action

7. Consideration of an Ordinance for Council Compensation PG 353

Public Hearing/Action

8. Consideration of a Resolution Adopting the Comprehensive Emergency Management Plan (CEMP) PG 356

Public Hearing/Action

9. Consideration of a Resolution Adopting the Emergency Management Procedure Manual PG 359

Public Hearing/Action

10. Consideration of a Resolution Adopting the Personnel, Policies and Procedures Manual PG 362

Public Hearing/Action

11. Consideration of an Ordinance for the Cardinal Park Subdivision, 550-560 Park Avenue & 545 Main Street – Plat Amendment to Create Three (3) Lots of Record from Five (5) Lots Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney

Public Hearing/CONTINUE TO A DATE UNCERTAIN

12. Consideration of an Ordinance for the -259, 261, 263 Norfolk Ave- Consideration of the First Amended Upper Norfolk Subdivision Plat-Amending Conditions of Approval on Ordinance No. 06-55 Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney

Public Hearing/CONTINUE TO JULY 16, 2015

VIII. ADJOURNMENT INTO REDEVELOPMENT AGENCY MEETING

**Park City RDA Meeting
Summit County, UT**

I. Roll Call

II Consent Agenda

Consideration of an Ordinance Adopting the Redevelopment Agency Budget PG 367

III. ADJOURNMENT INTO MUNICIPAL BUILDING AUTHORITY MEETING

**Park City Municipal Building Authority Meeting
Summit County, UT**

I. Roll Call

II. Consent Agenda

Consideration of the Municipal Building Authority Adoption of the Fiscal Year 2015/16 Budget PG 370

III. ADJOURNMENT INTO WATER SERVICE DISTRICT MEETING

I. Roll Call

II. Consent Agenda

Consideration of the Second Amendment to the Agreement Between
Mountain Regional Summit County and Park City PG 373

III. 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: 06/15/15 See: www.parkcity.org

Notice is hereby given that a majority of the City Council of Park City will meet for a social gathering with the Park City Planning Commission on Tuesday, June 16th, 2015 at 5:30 pm at the home of Mayor Jack Thomas. No City business will be conducted.



DATE: June 18, 2015

TO HONORABLE MAYOR AND COUNCIL

SEAC Interviews Were Conducted on June 5, 2015. an Additional 2 Applicants Will be Interviewed on June 18, 2015. We Are Requesting that Council Appoint 4 Members to Serve for SEAC with the Following Terms: 2 Members be Appointed to Serve Two 3 Year Terms, 2 Members to Serve Two 2 Year Terms.

Respectfully:

Jennifer Diersen,

To: Mayor and City Council
From: Jason Glidden & Jenny Diersen, SEAC Liaisons
Subject: Special Events Advisory Committee (SEAC) Interviews
Date: Thursday, June 18, 2015

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.

On December 4, 2014 Council provided direction and support to implement next steps staff proposed in order 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 to work towards completing these goals. One of the steps was the creation of a Special Event Advisory Committee.

On March 26, 2015, staff returned to Council with additional information including a proposed mission and make-up of the committee. Council directed the Special Events department to move forward with the creation of the SEAC. SEAC’s role is purely advisory to City Council and is not in any way mandated by law or ordinance. Members must reside within City limits. They serve at the discretion of Council and are traditionally appointed for a three year term. SEAC will meet on a quarterly basis throughout the year.

SEAC’s mission is to provide recommendations to City Council and staff on:

- Event Threshold – Provide input of suggested event threshold levels in regards to event types, venue guidelines, and total number of events.
- Event Resource Assistance – Make recommendations on the level of City services to be provided to an event.
- Event Debrief – Provide information on event performance once the event is complete

SEAC Board Applicant Information:

There are four (4) seats on the Special Events Advisory Committee (SEAC) for full terms. All applicants are applying for SEAC as first time applicants.

Members shall be appointed to serve on the committee based on the following:

1. Special Event Advisory Committee (SEAC) shall be appointed to advise and make recommendations to City Council on special events being permitted within Park City.
2. The SEAC will work with members from the following stakeholder groups:
 - Historic Park City Alliance (HPCA)
 - Park City Lodging Association
 - Park City Area Restaurant Association
 - Park City Chamber of Commerce & Visitors Bureau
 - Representatives from Vail Resort & Deer Valley Resort
 - Mountain Trails Foundation

Each stakeholder group will be responsible for providing a representative to sit on the committee.

3. The City Council shall appoint four (4) at large community members to serve on the committee. These community members must reside within City limits, and should not be an active member of the boards or commissions of any of the above mentioned stakeholder groups. The four at large members should represent a cross section of various neighborhood areas throughout Park City. Each at large member shall be appointed to a three year term, although for the initial term 2 members will be appointed for 2 years and 2 members will be appointed for 3 years in order to stagger the appointments.

SEAC Board Applicant Information:

*All appointed terms would begin 6/2015.

Kathy Kahn - interview scheduled on 6/18
Marilyn (Mellie) Owen - interview scheduled on 6/18

Interviews were conducted on Friday, 6/5/2015 with the following applicants below:

- John Stevenson
- Hilary Nitka
- Cheryl Fox
- Kate Boyd
- Liz Lee
- Maria McNulty
- Meg Parker
- Michael O'Hara
- Puggy Holmgren
- Sarah Klingenstein

DRAFT Resolution for Special Events Advisory Committee is below. The Resolution was adopted by City Council on Thursday, June 4, 2015.

RESOLUTION TO APPOINT A SPECIAL EVENT ADVISORY COMMITTEE TO ADVISE THE COUNCIL ON HOSTING EVENTS THAT WILL CREATE A DIVERSE AND WELL BALANCED OFFERING TO THE LOCAL COMMUNITY

WHEREAS, Park City plays hosts to various special events;
WHEREAS, Council has a goal to maintain a balanced cultural event offering;
WHEREAS, Council has a goal to create a world class multi-seasonal resort economy;
WHEREAS, Clear communication and coordination between local non-profits, committees and organizations and the City Council is vital to the overall success and fabric of the Park City community.

NOW THEREFORE, be it resolved by the Park City Council as follows:

1. The City Council will appoint an advisory committee, to be referred to as the Special Event Advisory Committee (SEAC), to advise and make recommendations to City Council on special events being permitted within Park City.

2. The SEAC be made up of the following stakeholder groups:

- Historic Park City Alliance (HPCA)
- Park City Lodging Association
- Park City Area Restaurant Association
- Park City Chamber of Commerce & Visitors Bureau
- Representatives from Vail Resort & Deer Valley Resort
- Mountain Trails Foundation

Each stakeholder group will be responsible for providing a representative to sit on the committee.

3. The City Council shall appoint four (4) at large community members to serve on the committee. These community members must reside within City limits, and should not be an active member of the boards or commissions of any of the above mentioned stakeholder groups. The four at large members should represent a cross section of various neighborhood areas throughout Park City. Each at large member shall be appointed to a three year term, although for the initial term 2 members will be appointed for 2 years and 2 members will be appointed for 3 years in order to stagger the appointments.

This Resolution shall become effective upon adoption, dated this ____th day of June, 2015.

PARK CITY MUNICIPAL CORPORATION

Mayor Jack Thomas

Attest:

Marci Heil, City Recorder

Approved as to form:

City Attorney's Office



Special Event Advisory Committee

At-Large Application Form

The Mayor and Park City Council are seeking four (4) at-large community applicants for the Special Events Advisory Committee (SEAC).

The SEAC committee members provide recommendations to the City Council regarding events that will create a diverse and well balanced offering to the local community. SEAC will discuss events with regards to citywide carrying capacity and thresholds, levels of recommended city services provided, as well as overall event review and performance evaluation.

SEAC consists of four at-large community members who collaborate with representatives from community groups (for example: Historic Park City Alliance, Mountain Trails Foundation, Park City Chamber of Commerce, Vail Resorts, Deer Valley Resort, Park City Restaurant Association, and Park City Lodging Association).

Those interested in serving on this committee must reside within the city limits of Park City, and should not be an active member of the boards or commissions of any of the above-mentioned community groups. Additionally, they should represent different geographic areas or neighborhoods within Park City. Applicants will be submitting for a three year term. Meetings will be held quarterly, starting in June, 2015.

Applications must be submitted by email to specialevents@parkcity.org or in hard copy format, to the Office of Sustainability, 445 Marsac Ave. Park City, UT. 84060.

Name: _____

E-mail Address: _____

Street Address: _____

Phone: (home) _____ (cell) _____

1. How long have you lived within Park City limits? _____
2. What is your profession and/or involvement in the community? _____

3. What is your experience with special events? _____

4. What is your involvement with Park City Municipal Corporation? _____

5. Meetings will likely be quarterly during working hours and be approximately 1.5 hours. Are you willing to commit to attending on a regular basis? (Yes) _____ (No) _____
6. Why are you interested in serving on SEAC? _____

7. What specific skills and/or qualities will you bring to the Committee if selected? _____

8. Do you foresee any conflicts of interest you might encounter concerning the recommendation regarding special events? _____

Selected applicants will be required to sign an Authorized Release of Information for a background check, which will be conducted by the City. Additionally, all members of the Committee will be required to sign a Disclosure Affidavit and acknowledge the City's Ethics policy referenced in Title 3 –Ethics, of the Park City Municipal Code.



DATE: June 18, 2015

TO HONORABLE MAYOR AND COUNCIL

The applications will be sent out in a separate packet to protect confidential information. Staff is looking for the following positions to be filled:

- Appoint Three (3) Members to a Serve Two (2) Year Terms Expiring After June 2017.
- Appoint One (1) Member to Serve-Out the Vacant Term, Expiring After June 2016.
- Appoint Student(S) to Serve as a Student Liaison(S) to the Board.

Respectfully:

Jennifer Diersen,

To: Mayor and City Council
From: Jenny Diersen, PAAB Liaison
Subject: Public Art Advisory Board (PAAB) Interviews
Date: Thursday, June 18, 2015

Background:

The Public Art Advisory Board shall have seven (7) members appointed by the City Council. Composition of the Board will include representation from the professional art community and the general public, and should consist of visual artists, performing or film artists, a design professional, an art educator, art professional, producer, designer, gallery director, or curator, and representatives from the Park City community and business community who are interested in serving on the Public Art Advisory Board. Board members shall live in Park City proper. Board members shall serve for no more than one two-year term every five years. The Special Events and Facilities Manager or her designee shall serve ex-officio without vote. It is also encouraged that students from the community be included on the panel to serve ex-officio without vote. Staggered terms shall be assigned by the City Council in the selection process. This board shall be reviewed as part of the budget process in 2005.

The primary functions/responsibilities of the Public Art Advisory Board are:

1. Review a cultural assessment of the Park City cultural community.
2. Create a strategic public art plan that would include public art policy refinements and recommendations of expenditures of the Public Art Fund. Ensure that public art is safe, accessible, durable, and compatible with community standards.
- 2a. Upon completion of the strategic public art plan and review of the cultural assessment, the Public Arts Advisory Board shall meet with City Council in a work session to obtain approval.
3. Establish guidelines for implementation of the Public Art Policy, including methods of selecting artists and commissioning works of art. Process must be consistent with City purchasing procedures.
4. Process public art proposals submitted to Park City Municipal and make recommendations regarding appropriations for works of art and art projects to the City Manager.
5. Review, on an annual basis, the artwork projects of the Public Art Policy as a reflection of the program's intent, and recommend appropriate maintenance requirements.
6. Make recommendations for future funding of the Public Art Fund.
7. Make recommendations for the establishment of a contribution percentage for art based on construction cost of public and private development.
8. Make quarterly updates to the City Council on the progress of the Public Art Policy.

After the Public Art Advisory Board makes recommendations to City Council, the Council shall have final approval.

Recommendation:

Three terms on the Public Art Advisory Board (PAAB) expire in June. An additional current term (Hannah Palmer) will need to leave position early due to change in life circumstances. We noticed the vacancies on the City's website, through the Park City Summit County Arts Council and by sending out notice to our contact list and received four applications, one from a current member (Holly Erickson) who is eligible to serve an additional two year term. The other applicants have not applied to the Park City Public Art Board before (Kathy Kahn, Jocelyn Scudder, Stephanie Bass).

As pertains to PAAB Policy, it is highly encouraged that students are involved with the PAAB but do not have voting rights. After reaching out to the Kimball Art Center and the Park City School District we received two (2) student applications (Sam Bush and Jane Tomlinson). We have included them in the interview schedule.

The interview for appointment is tentatively scheduled on your Thursday, June 18th, 2015 agenda. Staff requests that you interview the candidates and take the following actions:

- Appoint three (3) members to a serve two (2) year terms expiring after June 2017.
- Appoint one (1) member to serve-out the vacant term, expiring after June 2016.
- Appoint student(s) to serve as a Student Liaison(s) to the Board.

As in the past, we have provided sample questions for your consideration.

Interviews are to be scheduled on Thursday, June 18th, 2015:

Kathy Kahn

Jocelyn Scudder

Holly Erickson

Jane Tomlinson

Sam Bush

Stephanie Bass * at the time application was submitted she notified staff that she would be out of town on June 18th.

I would be glad to provide hard copies if you wish.



PARK CITY MUNICIPAL CORPORATION
APPLICATION FOR APPOINTMENT TO
PUBLIC ART ADVISORY BOARD

Application deadline is 5:00 p.m. on Monday, May 11, 2015. Applications may be submitted by email to jenny.diersen@parkcity.org or in person to Jenny Diersen, Special Events Office, Park City Municipal Corporation/City Hall, 445 Marsac Avenue – 3rd Floor, PO Box 1480, Park City UT 84060.

Questions? Contact Kathy Hunter director@pcscarts.org or Jenny Diersen, jenny.diersen@parkcity.org / 435.615.5188.

Public Art Advisory Board page on the website included links to the Strategic Plan, Public Art Master Plan, and Policies documents.

Name of Applicant: _____

Address (Mailing)

Address (Physical)

Telephone: Residence _____ Cell: _____

E-mail _____

Questions:

1. How long have you lived within the City limits of Park City?

2. What is your involvement with the community?

3. What is your involvement with Park City Municipal Corporation?

4. The Public Art Advisory Board meets the 2nd Monday of each month, as needed. Would you be able to attend meetings beginning at 5:00 p.m.?
Yes _____ No _____

5. Why are you interested in serving on the Public Art Advisory Board?

6. What specific skills and/or qualities will you bring to enhance the effectiveness of the Public Art Advisory Board?

7. List three issues you consider to be of prime importance which the PAAB should address and briefly outline your concern and position on each issue:

8. What do you perceive as the mission of the Public Art Advisory Board?

All applicants will be required to sign an Authorization for Release of Information for a background check which will be conducted by the City. Additionally, all members of the Committee will be required to sign a Disclosure Affidavit and acknowledge the City's Ethics policy referenced in Title 3 –Ethics, of the Park City Municipal Code.

AUTHORIZATION FOR RELEASE OF INFORMATION

I, _____, have made application for a position with the Public Art Advisory Board, and it is my understanding that a comprehensive investigation of my background will be conducted in connection with my application. It is further my understanding that any history adversely reflecting on my qualifications for service on this Board by such investigation may be cause for disqualification for appointment, or my dismissal upon due consideration of the facts by the City Council.

I hereby give to the Park City Police Department and/or City Attorney's Office, or duly authorized representative of the Police Department and/or City Attorney's Office, the authority to conduct any comprehensive investigation of my background the City Attorney's Office deems necessary, including but not necessarily limited to, oral discussions with any person concerning my background. Also, generally, I hereby authorize a review and full disclosure of all records, or any part, thereof, concerning myself by/to any authorized representative of the Police Department and/or City Attorney's Office, whether said records are public or private, including those which may be deemed to be a privileged or confidential nature. In particular, I hereby authorize the full and complete disclosure of any and all records pertaining to criminal and employment background.

I hereby appoint any authorized representative designated by the Police Department and/or City Attorney's Office as an authorized agent for me for the purpose of inspecting any arrest records information maintained by any law enforcement agency concerning me.

To the custodian of the records discussed herein, I hereby direct you to release such information to the bearer of the Authorization for Release of Information or a copy thereof. A copy of this release form will be valid as an original hereof, even though that copy does not contain an original writing of any signature.

I hereby release the custodian or custodians of such records and the Police Department or the city of Park City, including any of their agents, employees or representatives in any capacity, from any and all claims of liability or damage of whatever kind or nature which any time could result to me, my heirs, assigns, associates, personal representative or representatives of any nature because of compliance by said custodian or custodians with this Authorization of Release of Information and my request contained herein for this release or because of any use of these records by the Police Department or the city of Park City. This release is binding, now and in the future, on me, my heirs, assigns, associates, personal representative or representatives of any nature.

Applicant's Signature

Date

Subscribed and sworn to before me this ____ day of _____, 2015.

Notary Public



DATE: June 18, 2015

TO HONORABLE MAYOR AND COUNCIL

Staff recommends City Council hold a public hearing on the adoption of the Final Budget as well as adopt the FY 2015 Adjusted Budget and the FY 2016 Budget by ordinance. In addition, staff recommends Council approve recommendations and revisions to the Policies and Objectives of the Budget Document for Park City Municipal Corporation. Council should also adopt the Fee Schedule and CEMP by resolution as well as the Council Compensation ordinance that were discussed on June 4. Finally, staff recommends City Council adopt by resolution revisions to the Personnel Policies and Procedures Manual.

Respectfully:

Kory Kersavage, Budget Analyst



City Council **Staff Report**

Subject: Final FY 2015 Adjusted and FY 2016 Budget
Author: Jed Briggs and Nate Rockwood
Department: Budget, Debt, & Grants
Date: June 18, 2015
Type of Item: Legislative

Executive Summary: Staff recommends City Council hold a public hearing on the adoption of the Final Budget as well as adopt the FY 2015 Adjusted Budget and the FY 2016 Budget by ordinance. In addition, staff recommends Council approve recommendations and revisions to the Policies and Objectives of the Budget Document for Park City Municipal Corporation. Council should also adopt the Fee Schedule and CEMP by resolution as well as the Council Compensation ordinance that were discussed on June 4. Finally, staff recommends City Council adopt by resolution revisions to the Personnel Policies and Procedures Manual.

Topic/Description:

FY 2015 Adjusted Budget and FY 2016 Budget; Recommendations for revisions to the Policies and Objectives in the Budget Document.

Acronyms:

BFO – Budgeting for Outcomes
FY- Fiscal Year
CIP – Capital Improvement Plan
RDA – Redevelopment Authority
ACA - Affordable Care Act
FIAR - Financial Impact Assessment Report
URS – Utah Retirement System
CEMP – Comprehensive Emergency Management Plan
P&P - Personnel Policies and Procedures
LOS – Level of Service
IFT- Inter Fund Transfer

Background:

This budget season is the second year of the budget biennium. Between now and June we have been working on adjusting the FY 2015 Budget as well as developing the FY 2016 Budget.

The City Manager Recommended Budget is constructed drawing upon Council input and direction received during the Council Retreat in January/February, as well as Council input received during work sessions and study sessions throughout the year. During a Council work session (Feb. 26), Council was

presented with the Financial Impact Assessment Report (FIAR) projection of the City's expenditures and revenues over the next ten years. In essence, the FY16 budget has to fit within the confines of the FIAR's projected expenditure increases (based off of a 10-year historical analysis of an average annual increase of Park City's expenditures), approved by Council. The funding level recommendation has to account for what could be considered "inflationary" increases like Pay Plan, health insurance, and retirement as well as more discretionary increases like Affordable Care Act (ACA) provisions, departmental requests, CIP enhancement, etc.

Below are the City's Long-Term Budget Strategies for crafting the City Manager Recommended Budget:

1. Budget draws upon Council input from Council Retreat and FIAR projections as a guide
 - Priority-driven operating budget based upon Council's goals, objectives, and desired outcomes
2. Two-year budget process with fewer budget requests coming in the —off-yearll (the —off-yearll is FY16 in this particular biennium budget)
 - Second-year budget requests that will be considered are ones that
 - i. will come with revenue offsets;
 - ii. are accompanied by expense reductions, or that;
 - iii. are required by law; or
 - iv. are necessitated by market/environment changes that happened since the last budget adoption (since the adoption of the FY15 budget, in this case)
3. Budget committees' recommendations will be considered
 - Committees include Results Team as well as CIP, Pay Plan, Benefit, and Fleet committees and any other ad hoc committees needed for unique circumstances
 - Results Team will make recommendations by considering BFO score, manager's bid request, established need, available resources, and performance measures
4. All operating and capital budget requests should be considered during the budget process
5. General Fund budget surplus should be used for capital projects

BUDGET RECOMMENDATIONS



The high level timeline for the strategic planning and budget process was provided to City Council during their annual retreat and is as follows:

ID	Task Name	Start/Ongoing	Finish	Duration	2015												2016	
					Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	
1	Council Retreat	2/4/2015	2/6/2015	3d														
2	Results Team deliberation	2/16/2015	3/30/2015	31d														
3	Quarterly Goal Update (Q3.FY15)	4/1/2015	4/15/2015	11d														
4	Council Budget Hearings	5/7/2015	6/25/2015	36d														
5	Quarterly Goal Update (Q4.FY15)	7/1/2015	7/15/2015	11d														
6	Business Plan FY16 Update	7/1/2015	9/1/2015	45d														
7	Biennial Plan FY16 Revision	7/1/2015	9/1/2015	45d														
8	Quarterly Goal Update (Q1.FY16)	10/1/2015	10/15/2015	11d														
9	BFO Departmental Submission	12/1/2015	1/29/2016	44d														
10	Biennial Plan FY16 Off-year Update	12/16/2015	1/15/2016	23d														
11	Quarterly Goal Update (Q2.FY16)	1/1/2016	1/15/2016	11d														

The timelines and process for the budget hearings is detailed below:

Feb 26 – FIAR presentation, monthly budget report, budget kickoff (Biennial Strategic Plans update).

May 4 - Staff delivered the City Manager Recommended Budget (Tentative or Proposed Budget) to City Council. Discussion/action is slated for these dates as follows, barring changes as needed:

May 7 – Presentation of the Tentative Budget, Budget Overview & Timeline, Update of Financial Impact Assessment Report (FIAR), and Benefits (pay plan, URS-Retirement, Health Insurance). Presentation and adoption of the Tentative Budget.

May 14 – CIP Budget presented.

May 28 – Operating Expenditures - Biennial Strategic Plan Team Presentations.

June 4 –City Fee Presentation, Council Compensation, Budget Policies, CEMP Presentation

June 18 – Presentation & Adoption of Final Budget (if no property tax increase), Adoption of Provisional Budget (if property tax will be increased), Budget Policies, City Fee Resolution, and Council Compensation adoption.

Analysis:

Final Adoption of the Budget

Attached to this staff report is an ordinance adopting a Revised Budget for FY 2015 and a Budget for FY 2016 for Park City Municipal Corporation. The budget ordinances for the Municipal Building Authority (MBA) and the Redevelopment Agency (RDA) are also included. State statute requires that annual budgets be adopted by June 22. Council should hold a public hearing for each entity and adopt their respective budgets on June 18.

Changes to FY 15 Adjusted Budget:

- Added \$20K into 023-43328-04520-000-380 to pay for an Economic Development grant in FY15.
- Added \$54K to Workers Compensation revenue 064-36991. This money would be added to this fund at the end of the year anyways, when Finance closes out all holding accounts.
- Added \$5K to the Workers Compensation Department (064-40139).

- Added \$179K to 064-40132-04124-000-000 for a Self-Insurance Adjustment. This brings the budget in line with this year's actuals. Due to actuals (claims, insurance premiums, legal services).
- Adjusted the Ice budget up by \$78,347. This will pay for overages in utilities, inventory retail and marketing.
- Adjusted the Building Maintenance Utilities budget up by \$33K.
- Increased Engineering's Engineering Service line by \$61,500 to pay for additional inspections at PC Heights and North Silver Lake.
- Moved \$80k from the Historical Incentive Grant Contract Services Line in the General Fund to the respective RDAs.
- Increased Utilities/Alarms in Transportation by \$2,100.
- Decreased Golf Self-Insurance IFT by \$52,072. Increased Water IFT by \$52,072. Technical error.
- Vacancy factor Adjusted
 - Decreased Vacancy Factor Budget in City Manager by \$42,000
 - Decreased Vacancy Factor Budget in Budget, Debt & Grants by \$52,000
 - Decreased Vacancy Factor Budget in Finance by \$43,000
 - Decreased Vacancy Factor Budget in IT by \$136,000
 - Decreased Vacancy Factor Budget in Building Maintenance by \$39,000
 - Decreased Vacancy Factor Budget in City Recreation by \$156,000
 - Decreased Vacancy Factor Budget in Community Affairs by \$26,000
 - Decreased Vacancy Factor Budget in Economy by \$4,000
 - Decreased Vacancy Factor Budget in Police by \$312,000
 - Decreased Vacancy Factor Budget in Communication Center by \$39,000
 - Decreased Vacancy Factor Budget in Engineering by \$32,000
 - Decreased Vacancy Factor Budget in Planning by \$70,000
 - Decreased Vacancy Factor Budget in Parks & Cemetery by \$97,000
 - Decreased Vacancy Factor Budget in Library by \$57,000
 - Decreased Vacancy Factor Budget in Ice by \$57,000
 - Decreased Vacancy Factor Budget in Fields by \$34,000
- Inter Fund Transfers (IFTs)
 - Increased Fleet Fuel Sales (062-38111) by \$150,000
 - Increased Gas Fleet Services Budget in Water by \$7,000
 - Increased Gas Fleet Services Budget in City Rec by \$1,050

- Increased Gas Fleet Services Budget in Transportation by \$132,750
- Increased Gas Fleet Services Budget in Building Maintenance \$500
- Increased Gas Fleet Services Budget in Parks/Cemetery by \$10,000
- Decreased Gas Fleet Services Budget in Parking by \$1,300
- Increased Transfer from Debt Service Fund (031-38271) by \$13,069,371
- Increased Trans to CIP Budget-Series 2015 Sales Tax Bond Proceeds (070-40796-09271-000-000) by \$5,424,196
- Increased Trans to CIP Budget-Series 2015 Sales Tax Bond Proceeds (070-40798-09271-000-000) by \$6,645,175
- Decreased Trans to 070-38131 from GF by \$11,631
- Decreased Transfer to Sales Tax Bond Debt Service Fund by \$11,631
- Increased Transfer to 070-38231 by \$134,321
- Decreased from 031-40821-09275-000-460 by \$8,804
- Increased Transfer from 031-40821-09275-000-499 by \$125,517
- Decreased Transfer to 070-38234 by \$68,588
- Decreased Transfer From 034-40821-09275-000-468 by \$69,588
- McPolin Barn Personnel increased by \$5,000 (Technical Adjustment).
- Increased the Fleet Budget Materials and Supplies by 250,360 to bring the budget in-line with actuals.
- Added \$10,000 into the General Fund Mortgage Assistance Line.
- Increased Materials and Supplies in Fund 23 by \$15,895

Changes to FY 16 Working Budget:

- Decreased grades by \$50, so that there is a \$200 increase to grades in order to account for an increase in deductible from \$500 to \$700.
- Created a new Account for Water Contingency (051-40982) and moved \$100K into it from the old Water Contingency account (051-40981).
- Added \$54K to Workers Compensation revenue 064-36991. This money would be added to this fund at the end of the year anyways, when Finance closes out all holding accounts.
- Moved \$8K from Economy's Contract Services Line to Pay for an intern out of Personnel.
- Increased City Council overall wages by \$4k to be in line with the council ordinance

- Increased Vacancy Factor by \$12,000
- Inter Fund Transfers (IFTs)
 - Increased Water Fund Admin IFT by \$16,970.
 - Increased Golf Fund Admin IFT by \$859 in Pro Shop and Golf Maintenance departments.
 - Increased Transportation Fund Admin IFT by \$17,666.
 - Increased General Fund IFT to Self-Insurance fund by \$30,893
 - Decreased Golf Fund IFT to Self-Insurance fund by \$2,933
 - Decreased Transportation Fund IFT to Self-Insurance fund by \$33,847
 - Increased Water Fund IFT to Self-Insurance fund by \$35,327
 - Increased Fleet Fuel Sales (062-38111) by \$150,000
 - Increased Gas Fleet Services Budget in Water by \$7,000
 - Increased Gas Fleet Services Budget in City Rec by \$1,050
 - Increased Gas Fleet Services Budget in Transportation by \$132,750
 - Increased Gas Fleet Services Budget in Building Maintenance \$500
 - Increased Gas Fleet Services Budget in Parks/Cemetery by \$10,000
 - Decreased Gas Fleet Services Budget in Parking by \$1,300
 - Decreased transfer out of 034-40622-09111-000-000 and transfer into RDA Administration 011-38164 by \$30,000
 - Decreased transfer out of 011-40126-09275-000-000 by \$14,691
 - Increased transfer into 070-38231 by \$1,163,222
 - Increased transfer out of 031-40821-09275-000-499 by \$1,177,913
 - Decreased transfer out of 033-40821-09275-000-468 and transfer into 070-38236 by \$2,938
 - Decreased transfer out of 034-40821-09275-000-468 and transfer into 070-38234 by \$116,115

Library FY16 Budget

Budget and Sustainability staff have reviewed the history of the Library’s energy expenditures and recommend maintaining the Library’s proposed electricity and natural gas budget. Library renovations included substantial improvements in insulation, air sealing, lighting, IT, and HVAC. There will be increased utility costs related to the addition of air conditioning and staff anticipates that this increase will be offset by increased efficiencies in the rest of the renovation. Secondly, Park City experiences a relatively short cooling season.

Changes to the CIP for FY15-FY20 Budgets:

000371 Streets and Water Maintenance Building – Changed Budget Amounts (this was covered on May 14 as part of the CIP discussion)

- Total funding for project 5,000,000 to 6,050,000 (General Fund from 3,126,000 to 2,700,000)
 - *General Fund:* FY 2016 from 446,000 to 385,221, FY 2017 from 1,670,000 to 1,442,418, FY 2018 1,010,000 to 872,361.
 - *Water Fund:* FY 2017 1,224,000 to 2,700,000
 - *Transit Fund:* Stayed the Same \$650,000 in FY 17

000412 Little Bessie Storm Drains - New Project

- This project was added to better track expenses for work done on storm drains located on Little Bessie Avenue. This is a net zero budget change; the funding for this project came from CP0256 Storm Water Improvements.

000411 Parks and Golf Maintenance Buildings – New Project

- This was outlined during the CIP discussion on May 14.

Impact Fee Interest amounts were added to:

- CP0336 Prospector Avenue Reconstruction (\$450 in FY15)
- CP0100 Neighborhood Parks (\$3,540 in FY15).

CP0005 City Park Improvements:

- The Lower Park RDA funding for this project was added back into the capital budget for FY 16 to FY 20, with an annual amount of \$100,000. This was inadvertently removed from the adopted tentative budget.

CP0150 Ice Facility Capital Replacement:

- The Budget Department conducted a reconciliation of the Synderville Basin Recreation District Contribution to the Ice Fund from 2006 to 2015. As a result of the reconciliation the Budget Department recommends that \$38,047 be added to FY2015. These funds are from the Synderville Basin Recreation District Contribution and will fix any accounting inconsistencies between the two agencies.

CP0013 Affordable Housing:

- **CP0013-031467** The budget was adjusted to the affordable housing project by \$45,873.46 for collected rent contribution in FY 15.

Fund 23

- The Historical Incentive Grants budget was increased by \$20,000 to match actual expenses in FY 15. The abatement budget was adjusted up by \$3,940 to cover expenses in FY 15. Due to these changes the transfer from fund 23 to 33 was adjusted to include these changes. The Historical Incentive Grants budget for FY16 is \$50,000 (Lower Park RDA).

Fund 24

- The Historical Incentive Grants budget for FY16 is \$30,000 (Main Street RDA). The transfer from fund 24 to 34 was adjusted to include these changes.

Water Fund Projects:

- The Water Bond that was originally planned to be issued in FY 15 will not be issued. The water projects that were anticipated to use the water bond as funding source were changed to water service fees. This action results in a zero net budget change.

Water Fund Projects									
CIP #	Project Name	Funding Source	Project Total	2015	2016	2017	2018	2019	2020
CP0354	Streets and Water Maintenance Building	OTHER MISCELLANEOUS	2,700,000	-	-	2,700,000	-	-	-
CP0366	HR: Applicant Tracking Software (Recruiting software)	WATER SERVICE FEES	2,000	-	2,000	-	-	-	-
CP0370	C7 - Neck Tank to Last Chance	WATER SERVICE FEES	320,707	-	-	-	-	-	320,707
CP0371	C1 - Quinns WTP to Boothill - Phase 1	WATER SERVICE FEES	1,101,080	-	-	-	-	-	1,101,080
CP0372	Regionalization Fee	WATER SERVICE FEES	200,000	-	-	-	-	-	200,000
CP0373	Operational Water Storage Pond	WATER SERVICE FEES	2,700,000	-	-	-	2,700,000	-	-
000411	Parks and Golf Maintenance Buildings	WATER SERVICE FEES	770,000	-	-	770,000	-	-	-
CP0007	Tunnel Maintenance	WATER SERVICE FEES	1,476,477	233,466	238,135	242,898	247,756	252,711	261,511
CP0010	Water Department Service Equipment	WATER SERVICE FEES	429,442	63,672	95,770	70,000	90,000	30,000	80,000
CP0026	Motor Change-out and Rebuild Program	WATER SERVICE FEES	181,239	27,719	28,688	29,692	30,731	31,807	32,602

Water Fund Projects										
CIP #	Project Name	Funding Source	Project Total	2015	2016	2017	2018	2019	2020	
CP0040	Water Dept Infrastructure Improvement		5,300,000	800,000	900,000	900,000	900,000	900,000	900,000	
			113,964	113,964	-	-	-	-	-	
			-98,176	(98,176)	-	-	-	-	-	
CP0069	Judge Water Treatment Improvements		3,755,412	1,955,412	1,600,000	100,000	100,000	-	-	
		2012B WATER REVENUE & REFUNDING BONDS	-63,220	(63,220)	-	-	-	-	-	
		2014 WATER REVENUE BONDS	-393,412	(393,412)	-	-	-	-	-	
CP0070	Meter Reading Upgrade	WATER SERVICE FEES	25,000	25,000	-	-	-	-	-	
CP0075	Equipment Replacement - Computer	WATER SERVICE FEES	143,279	43,619	19,932	19,932	19,932	19,932	19,932	
CP0081	OTIS Water Pipeline Replacement	WATER SERVICE FEES	2,592,302	353,003	1,170,815	280,294	233,972	273,688	280,530	
		2014 WATER REVENUE BONDS	-476,883	(476,883)	-	-	-	-	-	
CP0140	Emergency Power	WATER SERVICE FEES	150,000	-	-	150,000	-	-	-	
CP0141	Boothill Transmission Line	EXISTING USERS	18,245	-	18,246	-	-	-	-	
		NEW GROWTH	9,861	-	9,861	-	-	-	-	
CP0178	Rockport Water, Pipeline, and Storage	WATER SERVICE FEES	6,015,384	-	(12,382)	1,100,000	1,100,000	1,244,549	1,275,663	1,307,554
		2014 WATER REVENUE BONDS	2,073,924	-	2,073,924	-	-	-	-	-
CP0181	Spiro Building Maintenance	WATER SERVICE FEES	587,055	-	73,915	100,000	100,000	113,141	100,000	100,000
CP0239	PC Heights Capacity Upgrade (tank)	WATER IMPACT FEES	650,000	-	-	-	650,000	-	-	-
CP0240	Quinn's Water Treatment Plant	WATER SERVICE FEES				218,926	218,926	-	-	-
		NEW GROWTH				305,185	305,185	-	-	-
		2012B WATER REVENUE & REFUNDING BONDS				-197,674	(197,674)	-	-	-
		2014 WATER REVENUE BONDS				3,073,563	(326,437)	-	3,000,000	400,000
CP0273	Landscape Water Checks	WATER SERVICE FEES			35,544	5,544	6,000	6,000	6,000	6,000
CP0274	PC Heights Development Infrastructure	WATER IMPACT FEES			236,119	(228,135)	464,254	-	-	-
CP0275	Smart Irrigation Controllers	WATER SERVICE FEES			86,327	13,305	13,770	14,252	15,000	15,000
CP0276	Water Quality Study	WATER SERVICE FEES			550,000	250,000	150,000	150,000	-	-
CP0277	Rockport Capital Facilities Replacement	WATER SERVICE FEES			780,301	125,831	151,146	125,831	125,831	125,831
		2014 WATER REVENUE BONDS			294,386	294,386	-	-	-	-
CP0301	Scada and Telemetry System Replacement	WATER SERVICE FEES			2,000,000	150,000	1,850,000	-	-	-
CP0302	Deer Valley Drive - Water Infrastructure	WATER SERVICE FEES			400,056	400,056	-	-	-	-
		2012B WATER REVENUE & REFUNDING BONDS			-92,028	(92,028)	-	-	-	-
		2014 WATER REVENUE BONDS			-383,791	(383,791)	-	-	-	-
CP0303	Empire Tank Replacement	2014 WATER REVENUE BONDS			4,050,000	50,000	250,000	1,750,000	2,000,000	-
CP0304	Quinn's Water Treatment Plant Asset Repl	WATER IMPACT FEES			-142,243	(142,243)	-	-	-	-
		WATER SERVICE FEES			2,206,258	301,424	163,383	169,198	172,253	1,200,000
CP0305	Quinn's Dewatering	NEW GROWTH			500,000	-	-	500,000	-	-
CP0312	Fleet Management Software	WATER SERVICE FEES			2,250	2,250	-	-	-	-
CP0330	Spiro/Judge Pre-treatment	WATER SERVICE FEES			8,582,602	1,040,000	270,400	224,973	233,972	3,649,959
CP0331	Micro-Hydro/Thaynes Pump Station	WATER SERVICE FEES			0	(1,000,000)	-	-	-	1,000,000
CP0341	Regional Innterconnect	BOND PROCEEDS			500,000	-	250,000	250,000	-	-
CP0342	Meter Replacement	WATER SERVICE FEES			950,000	50,000	270,000	270,000	120,000	120,000
CP0343	Park meadows Well	BOND PROCEEDS			1,650,000	100,000	200,000	600,000	750,000	-
CP0344	PRV Improvements for Fire Flow Storage	BOND PROCEEDS			805,000	-	-	-	805,000	-
CP0345	Three Kings/Silver King Pump Station	BOND PROCEEDS			1,108,783	-	-	-	-	1,108,783
CP0346	Fairway Hills to Park Meadows Redundancy	BOND PROCEEDS			200,000	-	-	-	200,000	-
CP0347	Queen Esther Drive				669,143	-	-	-	-	669,143

City Fee Schedule

Special Council Meeting

The special Council meeting fee has been adjusted and appears as follows in the fee schedule:

3.1 SPECIAL COUNCIL MEETING \$257 per application

When a special council meeting (not regularly scheduled) must be called in order to accommodate an applicant for a license, permit or any other issue not requested by Council or staff, the applicant will be assessed a \$257 fee per application. If there are multiple applications considered at a meeting, each application will be assessed a \$257 fee.

Adoption of Resolutions and Ordinances

During the Council work session on June 4 the City fee Schedule, Budget Policies, Council Compensation and CEMP were presented to Council for their consideration. Changes that council has requested have been incorporated and explained in this staff report. The resolutions and ordinances that adopt the City Fee Schedule, Budget Policies, Council Compensation, and CEMP have been attached and staff recommends that they be adopted in the regular session.

Changes to the Personnel Policies and Procedures Manual

The recommendation for revisions to the employee Policies and Procedure Manual results from changes in federal regulations, updates to pay practices, and changes in technology, input provided by the City Manager, Legal Department, Management Team, Policies and Procedures Committee, Human Resources and City Council. The Policies and Procedures Committee consisted of employees from each team throughout the organization.

Each year the City Council adopts by resolution revisions to the Personnel Policies and Procedures Manual. Policy requires the manual be updated once every calendar year through this revision process and approved by City Council. The manual was last updated on July 1 of 2014.

The following are the amendments and changes to the 2014 Employee Policies & Procedures Manual proposed by the (P&PM) Revision Committee:

Section 2.7 Hiring Relatives

Title changed to "Section 2.7 Hiring Relatives & Dating."

Language added "The City does not permit romantic relationships or dating between supervisors and subordinates. For purposes of this policy, a supervisor includes any supervisor within the same line of authority as the subordinate or any person charged with evaluating the subordinate. If such a relationship develops, the supervisor involved is responsible to immediately disclose the existence of the relationship in writing to his/her supervisor. It is within City's sole discretion that one or both of the persons involved may be transferred or given a different assignment. ||

Section 3.8 Separation Agreement

Language deleted and added; "Such an agreement ~~with compensation~~ in excess of six months' salary, ~~not including~~ other compensation/benefits, requires the approval of the City Council, ~~unless the agreement is pursuant to a Court order.~~"

Section 4.26 Wellness Benefit

Section added; "The City offers privileges at City recreational facilities such as the PC MARC, Golf Course and the Ice Arena to city employees. All active part time, full time, seasonal and intern status employees are eligible to request Wellness benefits. Certain individuals under special employment agreements may also be eligible depending on their employment agreement. Benefits may also be requested for spouses, domestic partners and dependents.

a. Administration

The individual recreation facility (PC MARC, Ice, Golf) will handle enrollment, tracking and reporting of participants. Interested employees must complete the applicable Wellness agreements and/or forms in the facility offering the program. HR will regularly inform the participating recreational facilities of active employees so they may enroll the employee according to their specific procedures. HR will also regularly inform the participating recreation facilities of terminated employees so they may cancel any passes according to their specific procedures.

Benefits can only be used while employed by Park City Municipal Corporation. All completed Employee Benefit Forms and receipts should be scanned and emailed to the Accounting Manager in the Finance Department if taxation of the benefit applies. Each facility monitors and tracks the discounts given. Benefits offered are subject to change and/or cancellation at any time without notice. Current offerings are available at each corresponding facility.

b. Duration

Certain privileges such as punch cards, pass, classes and memberships have varied expiration dates.

c. Taxation Consideration for Participants

Benefit use by employees, their spouse and/or dependents which does not create an additional cost to the facility or at a 20% discount or less are a tax free benefit. Due to IRS regulations the employee will need to pay payroll and incomes taxes on the value of domestic partner's benefits.

Any discounted cost of a recreation program above 20% will be subject to income and payroll taxes.

d. Seasonal Employees

Upon approval by the HR Department and employee's Department Manager, a seasonal staff may receive a recreation benefit voucher as an end of season bonus. This must be submitted in the same format required of any end of season

bonus. This benefit would be a taxable fringe benefit and must be shown on or prior to their final paycheck.

e. Limitations

Employees and their spouses/domestic partners/dependents receiving any of the benefits listed above may be subject to blackout dates and restrictions in any and all programs and recreational facilities. Employees and their family members are expected to defer to the paying customer during heavy use times see recreation department policies for details.

Per the discretion of the Recreation, Ice & Golf Department Manager and approved by the HR Manager and City Manager, Wellness benefits are subject to change at any time without notice.

The Wellness benefit is not part of the City's core benefit package.

Section 6.3 Employee Transfer and Discharge Appeal Rights and Procedure

Titles and Positions deleted, added, and changed:

- City Treasurer (Finance Manager)
- Chief of Police
- Administrative Secretary
- Police Captains
- Ice Rink General Manager
- Golf Manager
- Recreation Manager
- Budget Operations Manager
- Capital Budget, Debt & Grants Manager
- Chief Building Official
- Deputy Chief Building Official
- Library Director
- ~~Planning Director~~
- Current Planning Manager
- **Community Development Director**
- Economic Development Manager
- Public & Community Affairs Manager
- **Transit & Public Works Director**
- Information Technical & Customer Services Director
- Human Resources Manager
- Water ~~Manager~~ **Utility Director**
- Water Engineer and/or any superintendents
- Water Quality Manager
- ~~Transit and~~ Transportation **Planning** Manager
- City Attorney
- Deputy City Attorney
- City Manager

- Assistant City Manager
- Regional Community Development Director
- City Recorder
- ~~Senior City Recorder~~ Executive Assistant
- City Engineer

Emergency Management Procedure Manual

The Emergency Management Procedure Manual (EMPM) is a sub-manual of the Park City Personnel Policy and Procedure Manual. This manual was last updated in 2013.

The updates to the EMPM are predominately in Section II. Employee Identification Cards, now III. Employee Identification Cards and Identification/Door Key Fob Cards. This section has been updated to include the new electronic access fobs that are now a part of some identification cards, the inclusion of Vendor cards and updating the policy to reflect actual operations since electronic access controls have been added to city buildings. Further this policy has been re-written to be in a policy and procedure format similar to that used for other City policies.

Section III. Emergency Work Requirements has had minor changes to update locations and one additional policy has been added to the list in Section V. Other Emergency Management Policies.

Water Nonreciprocal Interfund Activity

In late May 2015, the Finance Department received clarification and audit procedures from the Utah State Auditor regarding the appropriate accounting treatment for nonreciprocal interfund activity for enterprise funds. It has been determined that the use of water for General Fund purposes including, parks and landscape irrigation, represents a Nonreciprocal Interfund Activity between the General Fund and the Water Fund. This transaction is required to be reflected in the Adopted Budget for FY 2016 and the Adjusted FY 2015 Budget and will be reflected in the 2015 Comprehensive Annual Financial Report (CAFR).

The guidance specifies that *“The value of the services provided by a utility enterprise fund to another fund should be estimated or calculated at the same rate as other similar customers of the fund”*. The Water and Budget staff has determined that based on current water rates and uses in the General Fund, the annual water cost for FY 2015 and FY 2016 would range from \$625,000 to \$765,000 depending on the type of season - wet/dry. The amount of \$715,000 has been added to the General Fund and Water Fund budget, signifying the nonreciprocal use of water in the General Fund. No exchange of actual cash or interfund transfer will occur. However, showing this nonreciprocal value in both funds is required by the State Auditor’s Office.

In addition to showing this value in the Budget and the Comprehensive Annual Financial Report, the State Compliance Audit Guide requires that a public notice shall be mailed or transmitted to each enterprise fund customer. The State Compliance Audit Guide further explains:

State laws for local governments require that when there are " ... allocations or transfers

from an enterprise fund to another fund that are not reasonable allocations of costs between the enterprise fund and the other fund, the governing body shall: ... " publish public notice and hold a public hearing to disclose the transfer. Essentially, if resources (cash, goods, or services) are transferred out of an enterprise fund and equivalent resources are not received in return (meaning no cash is exchanged or no overhead is allocated) the entity must publish notice and hold a public hearing regarding the transaction.

In the future, this notice will be mailed or transmitted to Water Fund customers notifying of the public budget hearings which will includes the disclosure of the nonreciprocal water value. Due to the late notice of the auditing requirement, the City was unable to get a notice to Water Fund customers before the final budget hearing. In the next water bill (July 1, 2015), the City will include a separate notice for a public hearing and will detail the City's intention to include the value of the nonreciprocal goods and services from the Water Fund to the General Fund in the FY 2016 Budget and that a budget value of \$715,000 was adopted in the FY 2015 Adjusted Budget and 2016 Budget. This notice must be mailed or transmitted to all Water Fund customers at least 7 days before the public hearing. The notice will include:

- *Date, time, and place of hearing*
- *Purpose of the hearing.*
- *The enterprise fund from which the cash or goods would be transferred.*
- *The fund to which the cash or goods would be transferred.*
- *The amount/value of cash or goods transferred.*

Alternatives:

A. City Council should do the following:

1. Staff recommends that Council hold a public hearing regarding the final budget and adopt the FY 2015 Revised Budget and FY 2016 Budget by ordinance.
2. The recommendations and revisions to the Policies and Objectives of the Budget Document will go into effect July 1st upon Council approval for all employees (unless otherwise specified in the manual).
3. Adopt the Park City Fee Schedule by resolution.
4. Adopt the Council Compensation Ordinance.

B. Deny:

State statute requires at least one public hearing before the adoption of a final budget on or before June 22. If Council decides to forgo a public adoption of the budget at this time, the City would be in violation of State statute, unless a special meeting was held prior to June 22. The recommendations and revisions for the Policies and Objectives of the Budget Document will not go into effect and may result in noncompliance with federal and/or state regulations, which will diminish the City's ability to provide direction and/or enforce policies and procedures.

C. Modify:

Council may direct that changes be made to the final budget and adopt the budget ordinances with changes as noted. Council could also give staff direction to modify Policies and Objectives.

D. Continue the Item:

This has the same effect as Alternative B.

E. Do Nothing:

This also has the same effect as Alternative B.

Significant Impacts:

This would satisfy the requirements of state statute to adopt a final budget on or before June 22. If Policies and Objectives are not adopted, the recommendations and revisions will not go into effect and may result in noncompliance with federal and/or state regulations, which will diminish the City's ability to provide direction and/or enforce employee policies and procedures.

Consequences of not taking the recommended action:

If Council decides to forgo a public adoption of the budget at this time, the City would be in violation of State statute, unless a special meeting was held prior to June 22. The recommendations and revisions will not go into effect and may result in noncompliance with federal and/or state regulations, which will diminish the City's ability to provide direction and/or enforce employee policies and procedures.

Recommendation:

Hold a public hearing on the Adoption of the Final Budget. Adopt the FY 2015 Adjusted Budget and the FY 2016 Budget by ordinance. Approve recommendations and revisions to the Policies and Objectives of the Budget Document for Park City Municipal Corporation.

Attachments:

- A – Budget Summaries
- B – Ordinance adopting a Final Budget for Park City Municipal Corporation
- C – Ordinance adopting a Budget for the Park City RDA
- D– Ordinance adopting a Budget for the Park City MBA
- E – Ordinance adopting Council Compensation
- F – Resolution adopting City Fee Schedule
- G – Personnel Policies and Procedures Manual
- H – Resolution adopting the Personnel Policies and Procedures Manual
- I – Resolution adopting CEMP
- J – Emergency Management Procedure Manual
- K – Resolution Adopting Emergency Management Procedure Manual
- L – Fee Schedule
- M – Monthly Budget Report
- N - CEMP

Expenditure Summary by Fund and Major Object (FY 2015 Adjusted Budget)

Description	Personnel FY 2015	Mat, Supplies, Services FY 2015	Capital FY 2015	Debt Service FY 2015	Contingency FY 2015	Sub - Total FY 2015	Interfund Transfer FY 2015	Ending Balance FY 2015	Total FY 2015
Park City Municipal Corporation									
011 GENERAL FUND	\$18,036,066	\$6,804,470	\$373,511	\$0	\$246,000	\$25,460,047	\$2,231,840	\$10,616,549	\$38,308,436
012 QUINNS RECREATION COMPLEX	\$675,077	\$447,304	\$6,000	\$0	\$0	\$1,128,381	\$1,200	\$-3,646,713	\$-2,517,132
021 POLICE SPECIAL REVENUE FUND	\$0	\$0	\$30,144	\$0	\$0	\$30,144	\$0	\$0	\$30,144
022 CRIMINAL FORFEITURE RESTRICTED ACCOUNT	\$0	\$0	\$17,258	\$0	\$0	\$17,258	\$0	\$0	\$17,258
031 CAPITAL IMPROVEMENT FUND	\$0	\$0	\$50,455,012	\$0	\$0	\$50,455,013	\$251,079	\$5,471,946	\$56,178,038
038 EQUIPMENT REPLACEMENT CIP	\$0	\$0	\$2,479,575	\$0	\$0	\$2,479,575	\$0	\$363,218	\$2,842,793
051 WATER FUND	\$2,354,977	\$3,180,342	\$14,026,741	\$4,373,851	\$100,000	\$24,035,911	\$816,898	\$467,906	\$25,320,715
055 GOLF COURSE FUND	\$758,276	\$498,529	\$83,069	\$36,081	\$0	\$1,375,955	\$127,458	\$1,053,965	\$2,557,378
057 TRANSPORTATION & PARKING FUND	\$5,685,264	\$889,951	\$15,000,736	\$0	\$0	\$21,575,951	\$2,556,782	\$8,340,605	\$32,473,338
062 FLEET SERVICES FUND	\$817,413	\$2,187,600	\$10,000	\$0	\$0	\$3,015,013	\$0	\$676,961	\$3,691,974
064 SELF INSURANCE FUND	\$0	\$1,105,300	\$0	\$0	\$0	\$1,105,300	\$0	\$824,142	\$1,929,442
070 SALES TAX REV BOND - DEBT SVS FUND	\$0	\$430,000	\$0	\$8,741,106	\$0	\$9,171,106	\$12,069,371	\$6,514,375	\$27,754,852
071 DEBT SERVICE FUND	\$0	\$74,606	\$0	\$8,294,388	\$0	\$8,368,994	\$0	\$990,728	\$9,359,722
Total Park City Municipal Corporation	\$28,327,075	\$15,618,102	\$82,482,046	\$21,445,426	\$346,000	\$148,218,649	\$18,054,628	\$31,673,682	\$197,946,959
Park City Redevelopment Agency									
023 LOWER PARK AVE RDA SPECIAL REVENUE FUND	\$22,212	\$94,240	\$0	\$0	\$0	\$116,452	\$2,070,548	\$5,000	\$2,192,000
024 MAIN STREET RDA SPECIAL REVENUE FUND	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
033 REDEVELOPMENT AGENCY-LOWER PRK	\$0	\$580,000	\$12,356,214	\$0	\$0	\$12,936,214	\$326,938	\$2,990,491	\$16,253,643
034 REDEVELOPMENT AGENCY-MAIN ST	\$0	\$405,000	\$122,603	\$0	\$0	\$527,603	\$880,412	\$1,145,704	\$2,553,719
Total Park City Redevelopment Agency	\$22,212	\$1,079,240	\$12,478,817	\$0	\$0	\$13,580,270	\$3,277,898	\$4,141,195	\$20,999,363
Municipal Building Authority									
035 BUILDING AUTHORITY	\$0	\$0	\$66,585	\$0	\$0	\$66,585	\$0	\$459,542	\$526,127
Total Municipal Building Authority	\$0	\$0	\$66,585	\$0	\$0	\$66,585	\$0	\$459,542	\$526,127
TOTAL	\$28,349,287	\$16,697,342	\$95,027,448	\$21,445,426	\$346,000	\$161,865,503	\$21,332,526	\$36,274,419	\$219,472,449

Expenditure Summary by Fund and Major Object (FY 2016 Budget)

Description	Personnel FY 2016	Mat, Supplies, Services FY 2016	Capital FY 2016	Debt Service FY 2016	Contingen cy FY 2016	Sub - Total FY 2016	Interfund Transfer FY 2016	Ending Balance FY 2016	Total FY 2016
Park City Municipal Corporation									
011 GENERAL FUND	\$18,561,379	\$6,950,485	\$369,282	\$0	\$250,000	\$26,131,146	\$2,329,206	\$11,274,493	\$39,734,845
012 QUINNS RECREATION COMPLEX	\$739,960	\$378,957	\$6,000	\$0	\$0	\$1,124,917	\$1,200	\$-4,050,330	\$-2,924,213
021 POLICE SPECIAL REVENUE FUND	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$29,144	\$29,144
022 CRIMINAL FORFEITURE RESTRICTED ACCOUNT	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$17,258	\$17,258
031 CAPITAL IMPROVEMENT FUND	\$0	\$0	\$10,840,624	\$0	\$0	\$10,840,624	\$1,297,588	\$3,207,234	\$15,345,446
038 EQUIPMENT REPLACEMENT CIP	\$0	\$0	\$1,011,000	\$0	\$0	\$1,011,000	\$0	\$348,218	\$1,359,218
051 WATER FUND	\$2,393,327	\$3,260,907	\$9,487,293	\$4,272,501	\$100,000	\$19,514,028	\$904,227	\$5,672,814	\$26,091,070
055 GOLF COURSE FUND	\$778,404	\$498,529	\$115,565	\$27,060	\$0	\$1,419,558	\$117,077	\$1,063,276	\$2,599,911
057 TRANSPORTATION & PARKING FUND	\$5,850,622	\$889,951	\$1,748,443	\$0	\$0	\$8,489,016	\$2,598,204	\$8,040,822	\$19,128,043
062 FLEET SERVICES FUND	\$835,721	\$1,937,240	\$10,000	\$0	\$0	\$2,782,961	\$0	\$624,800	\$3,407,761
064 SELF INSURANCE FUND	\$0	\$946,300	\$0	\$0	\$0	\$946,300	\$0	\$628,508	\$1,574,808
070 SALES TAX REV BOND - DEBT SVS FUND	\$0	\$0	\$0	\$1,568,863	\$0	\$1,568,863	\$0	\$7,535,074	\$9,103,937
071 DEBT SERVICE FUND	\$0	\$0	\$0	\$4,288,380	\$0	\$4,288,380	\$0	\$983,250	\$5,271,630
Total Park City Municipal Corporation	\$29,159,414	\$14,862,369	\$23,588,207	\$10,156,804	\$350,000	\$78,116,794	\$7,247,503	\$35,374,561	\$120,738,859
Park City Redevelopment Agency									
023 LOWER PARK AVE RDA SPECIAL REVENUE FUND	\$22,634	\$750,000	\$0	\$0	\$0	\$772,634	\$1,641,125	\$5,033	\$2,418,792
024 MAIN STREET RDA SPECIAL REVENUE FUND	\$0	\$485,000	\$0	\$0	\$0	\$485,000	\$752,000	\$5,000	\$1,242,000
033 REDEVELOPMENT AGENCY-LOWER PRK	\$0	\$0	\$9,525,750	\$0	\$0	\$9,525,750	\$324,000	\$4,781,866	\$14,631,616
034 REDEVELOPMENT AGENCY-MAIN ST	\$0	\$0	\$0	\$0	\$0	\$0	\$803,885	\$1,093,819	\$1,897,704
Total Park City Redevelopment Agency	\$22,634	\$1,235,000	\$9,525,750	\$0	\$0	\$10,783,384	\$3,521,010	\$5,885,718	\$20,190,112
Municipal Building Authority									
035 BUILDING AUTHORITY	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$459,542	\$459,542
Total Municipal Building Authority	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$459,542	\$459,542
TOTAL	\$29,182,048	\$16,097,369	\$33,113,957	\$10,156,804	\$350,000	\$88,900,179	\$10,768,513	\$41,719,821	\$141,388,513

Change in Fund Balance

Fund	Actuals FY 2012	Actuals FY 2013	Actuals FY 2014	Adjusted FY 2015	Increase (red) FY 2015	% Inc (red) FY 2015	Budget FY 2016	Increase (red) FY 2016	% Inc (red) FY 2016
Park City Municipal Corporation									
011 GENERAL FUND	\$6,447,817	\$8,367,681	\$9,789,256	\$10,616,549	\$827,293	8%	\$11,274,493	\$1,558,035	16%
012 QUINNS RECREATION COMPLEX	\$-2,510,554	\$-2,919,038	\$-3,204,132	\$-3,646,713	\$-442,581	14%	\$-4,050,330	\$-325,625	9%
021 POLICE SPECIAL REVENUE FUND	\$27,532	\$28,644	\$29,144	\$0	\$-29,144	-100%	\$29,144	\$29,144	
022 CRIMINAL FORFEITURE RESTRICTED ACCOUNT	\$8,985	\$19,133	\$17,258	\$0	\$-17,258	-100%	\$17,258	\$6,580	62%
031 CAPITAL IMPROVEMENT FUND	\$19,876,401	\$18,771,186	\$27,106,574	\$5,471,946	\$-21,634,628	-80%	\$3,207,234	\$381,252	13%
038 EQUIPMENT REPLACEMENT CIP	\$1,244,133	\$1,586,254	\$1,902,793	\$363,218	\$-1,539,575	-81%	\$348,218	\$3,555	1%
051 WATER FUND	\$11,863,021	\$9,860,717	\$7,317,437	\$467,906	\$-6,849,531	-94%	\$5,672,814	\$-3,674,267	-39%
055 GOLF COURSE FUND	\$850,677	\$927,168	\$1,054,654	\$1,053,965	\$-689	0%	\$1,063,276	\$111,252	12%
057 TRANSPORTATION & PARKING FUND	\$17,656,077	\$18,038,096	\$18,794,937	\$8,340,605	\$-10,454,332	-56%	\$8,040,822	\$1,248,273	18%
062 FLEET SERVICES FUND	\$521,502	\$874,294	\$961,174	\$676,961	\$-284,213	-30%	\$624,800	\$-31,351	-5%
064 SELF INSURANCE FUND	\$1,848,254	\$1,423,816	\$1,208,215	\$824,142	\$-384,073	-32%	\$628,508	\$-206,933	-25%
070 SALES TAX REV BOND - DEBT SVS FUND	\$1,958,852	\$1,160,392	\$1,165,265	\$6,514,375	\$5,349,110	459%	\$7,535,074	\$6,383,869	555%
071 DEBT SERVICE FUND	\$412,312	\$407,093	\$432,580	\$990,728	\$558,148	129%	\$983,250	\$594,245	153%
Total Park City Municipal Corporation	\$60,205,009	\$58,545,436	\$66,575,155	\$31,673,682	\$-34,901,473	39%	\$35,374,561	\$6,078,029	769%
Park City Redevelopment Agency									
023 LOWER PARK AVE RDA SPECIAL REVENUE FUND	\$0	\$0	\$0	\$5,000	\$5,000		\$5,033	\$-24,455	-83%
024 MAIN STREET RDA SPECIAL REVENUE FUND	\$0	\$0	\$0	\$0	\$0		\$5,000	\$5,000	
033 REDEVELOPMENT AGENCY-LOWER PRK	\$9,084,417	\$9,877,290	\$8,183,095	\$2,990,491	\$-5,192,604	-63%	\$4,781,866	\$1,504,604	46%
034 REDEVELOPMENT AGENCY-MAIN ST	\$1,397,569	\$1,237,956	\$1,302,719	\$1,145,704	\$-157,015	-12%	\$1,093,819	\$253,513	30%
Total Park City Redevelopment Agency	\$10,481,986	\$11,115,246	\$9,485,814	\$4,141,195	\$-5,344,619	-76%	\$5,885,718	\$1,738,662	-7%
Municipal Building Authority									
035 BUILDING AUTHORITY	\$521,568	\$523,457	\$523,127	\$459,542	\$-63,585	-12%	\$459,542	\$-1,915	0%
Total Municipal Building Authority	\$521,568	\$523,457	\$523,127	\$459,542	\$-63,585	-12%	\$459,542	\$-1,915	0%

All Funds Combined

Revenue	Actual FY 2012	Actual FY 2013	Actual FY 2014	Adjusted FY 2015	Original FY 2016	% Total FY 2016
RESOURCES						
Property Taxes	\$18,320,525	\$18,191,179	\$18,111,591	\$18,849,592	\$18,333,711	13%
Sales Tax	\$13,366,791	\$14,039,372	\$17,518,455	\$18,199,646	\$19,674,936	14%
Franchise Tax	\$2,816,071	\$3,037,408	\$3,158,716	\$3,439,000	\$3,414,000	2%
Licenses	\$1,280,901	\$1,343,027	\$1,374,461	\$1,482,000	\$1,372,699	1%
Planning Building & Engineering Fees	\$1,427,160	\$1,932,448	\$3,777,866	\$5,333,000	\$4,505,000	3%
Other Fees	\$45,190	\$40,293	\$43,461	\$42,000	\$43,000	0%
Federal Revenue	\$7,656,860	\$1,287,283	\$3,395,326	\$6,304,000	\$3,060,000	2%
State Revenue	\$426,105	\$668,747	\$1,370,678	\$2,373,000	\$372,000	0%
County/SP District Revenue	\$107,855	\$790,534	\$375,001	\$100,000	\$60,000	0%
Water Charges for Services	\$9,915,490	\$12,199,081	\$13,128,172	\$15,055,155	\$15,660,141	11%
Transit Charges for Services	\$1,918,588	\$2,243,874	\$2,175,148	\$2,440,701	\$2,556,039	2%
Cemetery Charges for Services	\$19,196	\$24,777	\$26,250	\$26,000	\$27,000	0%
Recreation	\$2,694,849	\$3,020,781	\$3,163,875	\$3,234,850	\$3,344,596	2%
Ice	\$682,028	\$648,177	\$787,773	\$687,000	\$712,500	1%
Other Service Revenue	\$79,857	\$75,927	\$86,364	\$76,000	\$91,000	0%
Library Fines & Fees	\$19,661	\$19,079	\$16,124	\$21,000	\$21,000	0%
Fines & Forfeitures	\$621,446	\$757,842	\$739,304	\$769,200	\$679,200	0%
Misc. Revenues	\$3,891,592	\$1,635,205	\$3,243,186	\$2,638,203	\$1,277,856	1%
Interfund Transactions (Admin)	\$5,138,802	\$4,506,999	\$4,454,236	\$5,529,177	\$5,643,915	4%
Interfund Transactions (CIP/Debt)	\$4,038,841	\$3,160,141	\$9,474,901	\$16,518,348	\$5,839,598	4%
Special Revenues & Resources	\$1,694,513	\$720,067	\$904,174	\$594,510	\$694,500	0%
Bond Proceeds	\$244,982		\$9,243,543	\$39,890,969	\$18,400,000	13%
Beginning Balance	\$80,283,334	\$71,208,563	\$70,184,139	\$76,584,096	\$36,320,821	26%
TOTAL	\$156,690,637	\$141,550,802	\$166,752,742	\$220,187,447	\$142,103,513	100%

Attachment B

Ordinance No.

ORDINANCE ADOPTING A REVISED BUDGET FOR FY 2015 AND A BUDGET FOR FY 2016 FOR PARK CITY MUNICIPAL CORPORATION AND ITS RELATED AGENCIES.

WHEREAS, the Tentative Budget was adopted on May 7, 2015 following a public hearing, and additional hearings and/or public input was held May 14, 2015, May 28, 2015, and June 4, 2015;

WHEREAS, a public hearing on the final budget was held on June 18, 2015 at the City Council's regularly scheduled meetings;

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

SECTION 1. REVISED BUDGET ADOPTED. The budget as outlined in the City Manager's Recommended Budget presented on May 7, 2015 and with changes as summarized in the Attachments to this ordinance is hereby adopted as the Revised FY 2015 Operating Budget for Park City Municipal Corporation and its related agencies.

SECTION 2. BUDGET ADOPTED. The budget as outlined in the City Manager's Recommended budget presented on May 7, 2015 and with changes as summarized in the Attachments to this ordinance is hereby adopted as the budget for FY 2016 for Park City Municipal Corporation and its related agencies.

SECTION 3. CERTIFIED PROPERTY TAX RATE. The City's Budget Officer is authorized to compute and file the City's Certified Property Tax rate for FY 2016 at a "no tax increase rate". This ordinance hereby adopts the Certified Property Tax rate for FY 2016. The Budget Officer is also authorized to compute the City's Certified Property Tax rate for the issuance of General Obligation Bonds as approved by voters in November of 2001, 2002, 2006, and 2007.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect June 18, 2015 for the FY 2015 revised budget and July 1, 2015 for the FY 2016 budget.

PASSED AND ADOPTED this 18th day of June, 2015.

PARK CITY MUNICIPAL CORPORATION

Mayor Jack Thomas

Attest:

Marci Heil, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney

Attachment C

Ordinance No. _____

**ORDINANCE ADOPTING THE FISCAL YEAR 2015 REVISED BUDGET
AND THE FISCAL YEAR 2016 BUDGET
FOR PARK CITY REDEVELOPMENT AGENCY**

WHEREAS, a public hearing was held on May 7 and June 18, 2015 at the City Council's regularly scheduled meetings, complying with State law;

NOW, THEREFORE BE IT RESOLVED by the Redevelopment Agency of Park City, Utah that:

SECTION 1. REVISED BUDGET ADOPTED. The budget as outlined in the City Manager's Recommended Budget presented on May 7, 2015 and with changes as summarized in the attachments to this ordinance is hereby adopted as the Fiscal Year 2015 Redevelopment Agency Revised Budget for Park City, Utah.

SECTION 2. BUDGET ADOPTED. The budget as outlined in the City Manager's Recommended Budget presented on May 7, 2015 and with changes as summarized in the attachments to this ordinance is hereby adopted as the Fiscal Year 2016 Redevelopment Agency Budget for Park City, Utah.

SECTION 3. EFFECTIVE DATE. The Ordinance for the revised budget shall take effect on June 18, 2015 and the Ordinance for the budget shall take effect on July 1, 2015.

PASSED AND ADOPTED the 18th day of June, 2015.

PARK CITY REDEVELOPMENT AGENCY

Chairman Jack Thomas

Attest:

Marci Heil, Deputy Secretary

Approved as to form:

Mark D. Harrington, City Attorney

Attachment D

Ordinance No. _____

ORDINANCE ADOPTING THE PARK CITY MUNICIPAL BUILDING AUTHORITY REVISED BUDGET FOR FISCAL YEAR 2015 AND THE BUDGET FOR FISCAL YEAR 2016

WHEREAS, Utah State law requires that city budgets be adopted by Ordinance; and

WHEREAS, a public hearing was held on May 7 and June 18, 2015 at the City Council's regularly scheduled meetings, complying with State law;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Building Authority of Park City, Utah that:

SECTION 1. REVISED BUDGET ADOPTED. The budget as outlined in the City Manager's Recommended Budget presented on May 7, 2015 and with changes as summarized in the attachments to this ordinance is hereby adopted as the Fiscal Year 2015 Municipal Building Authority Revised Budget for Park City, Utah.

SECTION 2. BUDGET ADOPTED. The budget as outlined in the City Manager's Recommended Budget presented on May 7, 2015 and with changes as summarized in the attachments to this ordinance is hereby adopted as the Fiscal Year 2016 Municipal Building Authority Budget for Park City, Utah.

SECTION 3. EFFECTIVE DATE. The Ordinance for the revised budget shall take effect on June 18, 2015, the Ordinance for the budget shall take effect on July 1, 2015.

PASSED AND ADOPTED this 18th day of June, 2015.

PARK CITY MUNICIPAL BUILDING AUTHORITY

Chairman Jack Thomas

Attest:

Marci Heil, Deputy Secretary

Approved as to form:

Mark D. Harrington, City Attorney

Attachment E

Ordinance No. XX-XX

ORDINANCE ESTABLISHING COMPENSATION FOR THE MAYOR, CITY COUNCIL, AND STATUTORY OFFICERS FOR FISCAL YEAR 2015 – 2016 IN PARK CITY, UTAH

WHEREAS, the City Council has the power to establish compensation schedules pursuant to UCA Section 10-3-818; and

WHEREAS, the number of duties for the Mayor and City Council is significant and each elected officer is required to devote considerable time and expense to public service and community affairs; and

WHEREAS, a public hearing was duly advertised and held on June 18, 2015;

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

SECTION 1. REPEALER: All previous compensation ordinances regarding elected and statutory officers hereby are repealed.

SECTION 2. COMPENSATION FOR MAYOR, CITY COUNCIL, AND STATUTORY OFFICERS ADOPTED: The following salary levels are hereby adopted:

	<u>FY 2015-2016</u>
Mayor	\$3,633.75 per month
City Council	\$1,877.07 per month
City Manager	\$99,698 - \$151,058 per year
City Attorney	\$93,673 - \$141,928 per year
City Treasurer	\$78,717 - \$119,268 per year
City Engineer	\$78,717 - \$119,268 per year
City Recorder	\$37,379 - \$56,635 per year

SECTION 3. BENEFITS: The Mayor and each member of the City Council shall receive family medical insurance. This benefit may be received as cash in lieu of the insurance coverage. The Mayor shall also receive \$250 per month in

car allowance. In addition, the Mayor and Mayor Pro-Term shall receive \$100 per wedding performed. Statutory officers are eligible for all benefits available to regular FTE, unless otherwise determined by the Mayor and City Council.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be effective on publication and shall apply retroactively to July 1, 2015.

PASSED AND ADOPTED this 18th day of June, 2015

PARK CITY MUNICIPAL CORPORATION

Mayor Jack Thomas

Attest:

Marci Heil, City Recorder

Approved as to form:

Mark Harrington, City Attorney

Attachment F



Resolution No.

RESOLUTION AMENDING THE FEE RESOLUTION; AND REPLACING AND REPEALING RESOLUTION 08-14 IN ITS ENTIRETY

WHEREAS it is necessary to update the fee resolution to reflect the changing costs of performing services; and

WHEREAS, a public hearing was held on June 4 and 18, 2015, to receive public comments on the user fee increases,

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

SECTION 1. FEE SCHEDULE AMENDMENTS. The Park City Fee Schedule is hereby re-adopted with changes as outlined in Exhibit A

SECTION 2. EFFECTIVE DATE. This resolution shall take effect July 1, 2015

PASSED AND ADOPTED this 18th day of June, 2015.

PARK CITY MUNICIPAL CORPORATION

Mayor Jack Thomas

Attest:

Marci Heil, City Recorder

Approve as to form:

Mark D. Harrington, City Attorney

Attachment G – PPM Manual

July 01, 2014-2015

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Park City Municipal Corporation **Policies and Procedures Do Not Constitute a Contract**

The information contained in this policies and procedures manual was prepared as a guide to provide employees a better understanding of the responsibilities and obligations of employment with Park City Municipal ("City"). The policies and procedures stated in this manual and in other personnel statements or materials issued by the City are not intended to create either express or implied contract rights respecting the procedures, terms, conditions, or duration of employment nor any other obligation or liability on the part of the City. The City hereby reserves the right and authorizes the City Manager to unilaterally alter, amend or revoke any policy, practice or procedure without notice at any time and for any reason. The City's affirmative prohibition of certain discriminatory or other conduct does not create any contract, duty, obligation or liability on the part of the City.

Section One (1)

GENERAL PROVISIONS

This manual is published to provide guidelines to the Policies and Procedures of Park City Municipal Corporation (—Cityll). These policies shall be adopted and amended at the discretion of the City Council with recommendations from the City Manager and shall be subject and subordinate to applicable federal and state laws, rules, and regulations, and local ordinances. The City Manager may at any time, without notice, temporarily suspend or amend any policy herein by filing a written order with the Human Resources Manager. Such temporary policies shall be effective no longer than six months without the approval of City Council.

1.1 Interpretation

The City Manager shall exclusively hold the final authority, subject to appeal, to interpret these policies, rules and procedures adopted hereunder. Such authority shall include the application of these policies, rules and procedures to specific employees, positions, and circumstances.

It is the responsibility of all city employees to be familiar with the policies and procedures of the City.

All Managers should be familiar with the policies and procedures set forth in this manual so that they are able to address any questions and offer clear, accurate interpretations to any employee asking questions or desiring information on City policy or procedure.

Exceptions to any policy in this manual must have the approval of the City Manager.

1.2 Applicability

Except as specifically provided otherwise in this manual, these policies shall apply to all: full-time regular, part-time, seasonal, student intern, special employment agreements, and volunteers. The exceptions are those positions which by ordinance report directly to the City Council. These policies shall not apply to persons or firms rendering services to the City as —independent contractors. ll Employees under special employment agreements are covered under the policies and procedures contained in this manual except where superseded by terms of their contracts.

1.3 Violations

Violation of any personnel policy, rule, or procedure adopted hereunder shall be grounds for disciplinary action up to and including termination.

1.4 Maintenance

This manual shall be maintained and updated by the Human Resources Manager as directed by the City Manager. The Legal Department and a City Manager appointed Policies and Procedures (P&P) Task Force shall review this manual annually. The official copy of the Personnel Policies and Procedures shall be kept in the Human Resources department and is available on the employee portal ep.parkcity.org. Supervisors/managers having any questions on whether or not a policy is current should check with Human Resources for clarification. Employees who have suggested changes to this manual are encouraged to provide that information in writing to Human Resources and/or their manager for review.

1.5 Departmental Rules

Individual departments within the City may establish policies and rules that are more restrictive than those set forth in this manual. These department rules may not be less restrictive than the rules set forth herein.

City Departments may establish policies that are applicable to only a specific group (Front Desk in Recreation, Ice Rink Supervisors, etc.). Department Policies must be submitted first to the Human Resources Department and be approved before they are made effective. Department Policies must be resubmitted both annually during the month of April and any time changes are made for pre-approval. Job specific training manuals must always be approved by the HR Manager prior to initiating within the department.

1.6 Notice of Federal Employment Laws

[Title VII of the Civil Rights Act of 1964](#), as amended, prohibits employment discrimination based on race, color, religion, sex and/or national origin and protects qualified applicants and employees in hiring, promotion, discharge, pay, job training, fringe benefits, and other aspects of employment.

[The Americans with Disabilities Act of 1990 \(ADA\)](#), as amended, including the Americans with Disabilities Act Amendments of 2008 (ADAA), prohibits discrimination on the basis of disability and protects qualified applicants and employees with disabilities from discrimination in hiring, promotion, discharge, pay, job training, fringe benefits, and other aspects of employment. The law also requires that covered entities provide qualified applicants and employees with disabilities with reasonable accommodations that do not impose undue hardship on the employer. The law covers applicants and employees of local governments including Park City Municipal Corporation.

[The Health Insurance Portability and Accountability Act of 1996 \(HIPAA\)](#), as amended, protects employee privacy as it relates to treatment of pre-existing conditions, certificates of credible coverage, special enrollment right, availability of coverage, non-discrimination and protected health information.

[The Age Discrimination in Employment Act of 1967 \(ADEA\)](#), as amended, protects applicants and employees ages 40 years and older from discrimination on the basis of

age in hiring, promotion, discharge, compensation, terms, conditions or privileges of employment.

[Title II of the Genetic Information Nondiscrimination Act of 2008](#) protects employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. It prohibits employers from acquiring genetic information from applicants, employees or their family members.

[The Equal Pay Act of 1963](#), as amended, prohibits sex discrimination in payment of wages to women and men performing substantially equal work in the same establishment.

[Section 504 of the Rehabilitation Act of 1973](#), as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives federal financial assistance. Discrimination is prohibited in all aspects of employment against disabled persons who, with reasonable accommodation, can perform the essential functions of a job.

Retaliation against a person who files a charge of discrimination, participates in an investigation, or opposes an unlawful employment practice is prohibited by all these federal laws.

The [Consolidated Omnibus Reconciliation Act of 1986 \(COBRA\)](#) allows certain terminated employees, their spouses, and dependent children to continue medical and dental coverage under the group plan at their own costs for a period not to exceed 18 months, in most cases, and up to 29 to 36 months in some cases. For more information go to the U.S. Department of Labor website at <http://www.dol.gov>

The Family and Medical Leave Act of 1993 (FMLA) grants eligible employees the statutory right to take unpaid leave under specified circumstances. There are two separate types of leave along with applicable requirements. FMLA applies to all City employees who have met certain conditions. For more information go to the U.S Department of Labor website at <http://www.dol.gov> and the Park City Municipal Benefits Manual.

If you believe that you have been discriminated against under any of the above laws, please contact the Human Resources Department, the Legal Department or the City Manager.

Section Two (2) **EMPLOYMENT**

2.1 Equal Employment Opportunity

Park City Municipal Corporation (—Cityll) is dedicated to equal employment and advancement opportunities. It is the City's policy to provide equal employment opportunities to all individuals based on job-related qualifications and ability to perform a job, without regard to age, sex, race, color, religion, creed, national origin, sexual orientation, disability, pregnancy, childbirth, pregnancy-related condition or marital status, and to maintain an environment free from intimidation and harassment based upon these grounds.

2.2 Appointments

Employees' jobs are governed by the U.S. Department of Labor <http://www.dol.gov> and are either "exempt" or "nonexempt." Nonexempt employees are entitled to overtime pay. Exempt employees are not entitled to overtime pay.

The State of Utah is an —at willll employment state. Accordingly, all appointments not subject to [U.C.A. Section 10-3-1105\(1\)](#), as amended, are —at willll employment, and may be terminated at the convenience of the City Manager at any time with or without cause. All vacancies shall be filled by full-time regular appointment, part-time appointment, seasonal appointment, acting appointment, promotion, transfer, demotion, or special employment agreement. All full-time regular appointments must fill an approved budgeted position. Full-time regular appointments and special employment agreements shall be recommended by the Department Manager and submitted to the Human Resources Department for review. Following review, the Human Resources Department will submit the recommendations to the City Manager for final review and approval. All part-time and seasonal appointments shall be submitted by the Department Manager to Human Resources for review and approval. Supervisors and department managers are accountable for insuring that part-time, seasonal employees and student interns do not exceed the allowable and approved amount of hours in regards to their particular designation and those governed by the Fair Labor Standards Act (FLSA).

a. Probationary Appointment

This appointment represents the first six months of a non-Public Safety full-time regular job appointment whether resulting from an initial hire, a promotion, a demotion or a transfer. A probationary appointment for all full-time regular Public Safety (sworn and non-sworn personnel) represents the first twelve months of a full-time regular job appointment whether resulting from an initial hire, a promotion, a demotion or a transfer. Any employee serving a probationary period resulting from a new hire or change from part-time or seasonal status to full-time regular status shall not be moved from probationary status to full-time regular status until a full written evaluation has been performed and the Department Manager recommends the employee be released from probation.

Recommendations should be forwarded to Human Resources for review and submitted to the City Manager for final approval.

A manager may recommend an employee be changed from probationary status to regular status in less than six months for non-Public Safety employees and in less than twelve months in the case of Public Safety employees for exemplary performance. The Department Manager must forward written justification along with the Personnel Action Form (PAF) to the Human Resources Department for review and submission to the City Manager for final approval. Only under specially approved circumstances will an employee be allowed to serve a probationary period of less than three months. The probationary period may be extended beyond the initial six or twelve month period for up to six additional months if the employee's performance has been marginal or if there are any other performance, attitude, ethics and/or code of conduct issues which warrant extending the probationary period. A written performance evaluation must accompany any probationary period extension and an additional written evaluation will be required at the end of the extended period. A manager may award a pay increase as part of the evaluation based on performance, but probationary employees are not eligible for a lump merit increase for the time they are on probation.

Extensions require the approval of the City Manager. Probationary periods and restrictions for a promotion or transfer may be modified and/or waived with approval by the City Manager. During the probationary period, any probationary employee may be terminated by the City Manager at any time with or without cause and without progressive discipline.

All newly hired full-time probationary or promotional probation status employees are to be paid at no more than the new hire pay maximum determined as 65% of the pay grade range unless an exception is authorized by the City Manager. The City Manager may grant exceptions and allow appointments above the new hire maximum for such factors as a high level of experience and training or because the demands of the employment market affecting the position being recruited require a higher than new hire maximum pay rate.

b. Full-Time Regular Appointment

A full-time regular non-exempt employee is expected to work a 40 hour work week. Full-time regular exempt employees are expected to work whatever hours are necessary to accomplish the job duties and standards of their exempt position without the availability of overtime or administrative leave. All full-time regular employees must work no less than an average of 32 hours per week during the course of any month to qualify for full-time regular status and therefore remain eligible for the City's core benefits. (See the Employee Benefits Manual, the employee portal (<http://ep.parkcity.org/SitePages/Home.aspx>) or contact Human Resources for benefit details).

A full-time regular status appointment indicates that an employee has successfully completed his/her probationary period and will fill a budgeted position pursuant to [U.C.A. Section 10-3-1105](#), as amended.

c. Promotional Probation Appointment

An employee who receives a promotion will normally serve a probationary period of the same duration as if the promotion were a full-time regular appointment. See guidelines for Probationary Appointments in **Section 2.2.a. Probationary Appointment**. The City Manager may approve a probationary period that is shorter in length than that of a full-time regular probationary appointment. Employees on Promotional Probation may use vacation time.

d. Acting Appointment

The City Manager may fill any vacancy with an acting appointee who may serve until another employee assumes the position's duties. An acting appointee who serves for more than 30 consecutive days shall receive compensation at no less than the minimum of the salary range for that position during the acting appointment.

e. Part-Time Appointment

A part-time appointment indicates an employee who may work between one and 1500 hours per year (28.8 hours per week average) over a 12-month period. Part-time appointments may be for a defined period of time or specific to project work, but may also be for an indefinite period of time. Part-time employees with multiple appointments in the City may not work more than 1500 hours total per 12-month period for all positions held. Employees and managers are expected to monitor time worked to maintain totals below allowable averages.

Part-time employees are hired as —Variable Hour Employees as defined by [IRS Notice 2012-58](#): An employee is a variable hour employee if, based on the facts and circumstances at the date the employee begins providing services to the employer (the start date), it cannot be determined that the employee is reasonably expected to work on average at least 30 hours per week over a 12 month period.

Under limited circumstances, should part-time employee hour averages rise to 30 hours per week over the City's Standard Measurement Period or an employee's Initial Measurement Period, they may become eligible for medical benefits if they meet one of the following criteria:

- (i) From June 1 through May 31 (the City's Standard —Measurement Period) if an employee worked an average of at least 30 hours a week for the City during entire 12 month period. Medical Insurance eligibility would extend for a 12 month period and become effective July 1. **OR**
- (ii) During the 12 month period beginning on the first of the month following an employee's hire date (the employee's new hire —Initial Measurement Period) if an employee worked an average of at least 30 hours a week

for the City. Medical Insurance eligibility would extend for a 12 month period and become effective the first of the month following eligibility.

Part-time positions are not eligible for core benefits other than those required by law such as Social Security, workers' compensation insurance, unemployment insurance, and Medicare. Part-time employees who gain eligibility to Medical Insurance are not eligible for other core benefits. Part-time employees may be eligible for certain fringe benefits (See the Employee Benefits Manual, the employee portal ep.parkcity.org contact Human Resources for details).

f. Seasonal Appointment

A seasonal appointment is an appointment to a position which is open during a specific season defined at the time of hire such as parks maintenance crews, golf employees, seasonal recreation program staff members, snow removal crews, etc. Seasonal positions involve labor performed on a seasonal basis where, ordinarily, the employment pertains to or is of the kind exclusively performed at certain seasons or period of the year and which, from its nature, may not be continuous or carried on throughout the year ([29 CFR 500.20\(s\)\(1\)](#)). Seasonal employees may work full-time or part-time hours.

Seasonal employees are hired as —Variable Hour Employees as defined by IRS Notice 2012-58: An employee is a variable hour employee if, based on the facts and circumstances at the date the employee begins providing services to the employer (the start date), it cannot be determined that the employee is reasonably expected to work on average at least 30 hours per week over a 12 month period.

Under limited circumstances (such as appointment to two separate seasonal positions during the winter then summer season), should seasonal employee hour averages rise to 30 hours per week over the City's Standard Measurement Period or an employee's Initial Measurement Period, they may become eligible for medical benefits if they meet one of the following criteria:

- (i) From June 1 through May 31 (the City's Standard —Measurement Period) if an employee worked an average of at least 30 hours a week for the City during entire 12 month period. Medical Insurance eligibility would extend for a 12 month period and become effective July 1. **OR**
- (ii) During the 12 month period beginning on the first of the month following an employee's hire date (the employee's new hire —Initial Measurement Period) if an employee worked an average of at least 30 hours a week for the City. Medical Insurance eligibility would extend for a 12 month period and become effective the first of the month following eligibility.

Seasonal positions are not eligible for core benefits other than those required by law such as Social Security, Workers' Compensation Insurance, Unemployment Insurance and Medicare. Seasonal employees who gain eligibility to Medical Insurance are not eligible for other core benefits. Seasonal employees may be eligible for certain fringe benefits (See the Employee Benefits Manual, the employee portal (ep.parkcity.org) or contact Human Resources for details).

g. Special Employment Agreement

Special employment agreements are used for those employees who are appointed by the City Manager upon terms set forth in a written employment agreement signed by the employee, approved as to form by the Legal Department and signed by the City Manager. Employees under special employment agreements are (1) employed to carry out special projects with a specific end date and/or (2) the scope and nature of the work requires expertise not otherwise available.

h. Volunteers

Departments utilizing the services of volunteers should refer to the Park City Municipal Corporation Administrative Policy on Volunteers and contact Human Resources prior to the recruitment of any volunteers. For volunteers less than 18 years of age, see **Section 2.8 Child Labor Underage Workers**.

i. Community Service

Department utilizing the services of community service workers should refer to the Park City Municipal Corporation Administrative Policy on Volunteers and contact Human Resources prior to use of community service workers.

j. Student Intern

A student intern appointment indicates an employee who may work between one and 40 hours per week for the temporary period they are actively enrolled and attending an accredited College and/or University and may not work more than 1500 hours total per 12-month period. Student interns are positions which are not eligible for core benefits other than those required by law such as Social Security, Workers' Compensation Insurance, Unemployment Insurance, and Medicare. Student interns may be eligible for certain fringe benefits (See the Employee Benefits Manual, the employee portal (ep.parkcity.org) or contact Human Resources for details).

2.3 Rehire Policy

The City will consider all qualified applicants for employment with Park City Municipal Corporation. If an employee leaves the City and reapplies at a later date, the City will consider the employee's qualifications for the job and his/her prior work performance record with Park City Municipal Corporation.

It is the policy of the City not to rehire those employees who have been terminated for cause. Also, those who quit without giving the appropriate amount of written notice as specified may not be eligible for rehire.

A request for review may be made to the Human Resources Manager by any supervisor or manager interested in a former employee who has been terminated for cause or who

gave insufficient notice upon resignation. Exceptions to this policy may be made by the City Manager.

The written request must show supportable evidence of the following:

1. Why the rehire would be in the best interest of Park City Municipal Corporation;
2. Conditions surrounding the original separation;
3. Why no one else suitable for the position can be transferred or recruited and what assets/qualifications the applicant possesses that outweigh those of other qualified applicants.

Inactive employees who re-apply for other positions available city-wide will have their prior work performance and attendance records reviewed before re-hire in accordance with hiring qualifications.

2.4 "Fitness for Duty" Medical Examinations

The City may require that any applicant complete a —fitness for dutyll medical examination or functional analysis testing to determine whether or not an applicant can perform essential job functions with or without reasonable accommodation. Medical examinations are conducted at the conclusion of the hiring process and after the conditional job offer, but prior to the actual start date. Certain positions may also require a medical examination as part of state or federal regulations. City-requested medical examinations will be conducted at the City's expense.

The City may require any employee to complete a —fitness for dutyll examination, employer EAP referral, or functional analysis testing if it believes an employee may not be physically or emotionally able to perform essential job functions or if necessary to determine whether an employee performing a physically demanding job continues to be fit for duty. The City may also require a —fitness for dutyll examination after an employee returns from any extended leave including but not limited to short-term disability, long-term disability and return to work from personal or professional trauma, limited or light duty. City required examinations will be conducted by a provider of the City's choice or approval and at the City's expense.

2.5 Pre-Employment Drug Testing

The City has a responsibility to employees to make a reasonable effort to provide a safe work place and a responsibility to the public to make a reasonable effort to promote public safety. Therefore, applicants for certain positions may be required to submit and pass a drug screening test as a condition of employment (See 5.11 Use of Drugs and Alcohol).

2.6 Federally Required Drug Testing

The City is required to test certain employees for drugs pursuant to federal regulations. Such testing will take precedence over related provisions in this manual.

2.7 Hiring Relatives & Dating

Any qualified applicant who applies for a position with Park City Municipal Corporation will be considered for employment. The City reserves the right not to hire an applicant who is or may become related to a current employee. The City also reserves the right not to promote or transfer an employee who is or may become related to a current employee.

No member of an employee's immediate family shall be under the direct or indirect supervision of a said employee unless a specific exception has been granted by the City Manager prior to appointment and/or hire. Such requests for exceptions to the City Manager are generally disfavored. The immediate family shall include mother, father, brothers, sisters, aunts, uncles, grandparents, stepparents, children, wife, husband, mother-in-law, father-in-law, sisters-in-law, brothers-in-law, son-in-law, daughter-in-law, stepchildren, grandchildren, and domestic partners.

The City does not permit romantic relationships or dating between supervisors and subordinates. For purposes of this policy, a supervisor includes any supervisor within the same line of authority as the subordinate or any person charged with evaluating the subordinate. If such a relationship develops, the supervisor involved is responsible to immediately disclose the existence of the relationship in writing to his/her supervisor. It is within City's sole discretion that one or both of the persons involved may be transferred or given a different assignment.

2.8 Child Labor Underage Workers

The [Fair Labor Standards Act \(FLSA\)](#), as amended, permits the employment of under-age workers with restrictions. Under-age workers are defined to be any persons between the ages of 14-17. The City does not permit the employment of workers less than 14 years of age.

14-15 year-old restrictions:

- Work must take place during non-school hours;
- No more than 3 hours of work is permitted on a school day;
- No more than 18 hours of work is permitted in a school week;
- No more than 8 hours of work is permitted on a non-school day;
- No more than 40 hours on a non-school week;
- Work must take place between the hours of 7 a.m. and 7 p.m. (except from June 1 through Labor Day, when possible evening hours are extended to 9 p.m.);
- No hazardous work is permitted including transportation, public utilities, or operating power-driven machinery;
- Prohibited from driving in connection with their employment

16-17 year-old restrictions:

- No hazardous work is permitted including transportation, public utilities, or operating power-driven machinery;
- Prohibited from driving in connection with their employment

Minors, under the age of 18, are entitled to a meal period of at least 30 minutes not later than five hours from the beginning of their shift. A rest break is required for minors of at least 10 minutes for every three hour period or part thereof that is worked.

The City also requires a signed note from the parents or legal guardian of any individual less than 16 years of age acknowledging and approving work duties to be submitted with any new hire paperwork.

Section Three (3) **CHANGE IN EMPLOYMENT STATUS**

3.1 Transfer

A transfer is the appointment of an employee to a new position. Employees who are transferred are subject to a probationary period. See **Section 2.2 a. Probationary Appointment** for details.

When a job vacancy is announced, any City employee may apply to transfer to the position. All qualified applicants will be considered although no City employee is ensured of selection. If the employee successfully applies for transfer during his/her original probationary period, the employee shall undergo a new and separate probationary period in the position to which he/she is transferred. Any proposed changes in pay must be effective the first day of a City established pay period.

The City reserves the right to transfer its employees, either permanently or temporarily, from one job to another or one department to another, according to need. If employees refuse to be transferred and/or the City determines in its sole discretion that there is not work for them in their current positions they may be subject to a reduction in force.

Certain transfers are subject to appeal as described in **Section 6.3 ETDAH Appeal Rights and Procedures** in this manual.

3.2 Promotions

Promotion is the appointment of an employee to a position in a higher classification and/or salary range.

Insofar as it is consistent with the best interest of the City, promotional opportunities within the City's service shall be encouraged. However, vacancies may be advertised outside the City and promotional examinations or tests may be required.

When an employee is promoted to a higher position classification, the employee shall be eligible for an increase in pay within the pay range of the higher position classification. The exact percentage of the increase shall be recommended by the Department Manager, reviewed by the Human Resources Manager and submitted to the City Manager for final approval. The employee's new pay rate should be within the range for the pay grade assigned to that position and generally no more than the new hire maximum. Employees who are promoted to a new position are subject to a probationary period. See **Section 2.2 a. Probationary Appointment** for details.

In the case of part-time or seasonal employees, personnel action forms should be forwarded to the Human Resources Manager as the City Manager's designee for review and approval. The employee's new pay rate must be within the range of the pay grade assigned to that position.

3.3 Transfers for Disciplinary Reasons (Demotion)

Employees transferred for disciplinary reasons to a position in a lower salary/grade range will be paid at the lower rate when they begin the new job unless otherwise approved by the City Manager. A transfer for disciplinary reasons (demotion) shall be recommended by the Department Manager, reviewed by the Human Resources Manager and submitted to the City Manager for final approval.

A change in job title that does not affect the pay and classification of the employee shall not be considered a demotion. Certain demotions are subject to appeal as described in **Section 6.3 ETDAH** Appeal Rights and Procedures of this manual.

When an employee is placed into a lower grade resulting from inability to perform assigned work, the employee's pay will be adjusted to a rate no greater than the working level of the lower grade.

3.4 Department Reorganization

When an existing position is vacated or proposed for elimination from an existing department or when requirements, duties and job descriptions of a department have dramatically changed, a reorganization or department restructure may be proposed to the City Manager for consideration. The department must mitigate all potential impacts to internal and external customers caused by the reorganization or department restructure.

In cases where it is determined the reorganization or department restructure will eliminate or significantly change job descriptions, the Pay Plan Technical Committee will review the new job descriptions, conduct a market analysis using the latest available payroll benchmarks. If an appropriate benchmark is not available, the Technical Committee shall forward the reorganization information on those positions that do not have benchmarks available to the acting Pay Plan Committee for internal equity review. A final recommendation shall then be forwarded to the City Manager as to where the recommended job descriptions should be placed in the pay plan. See Administrative policy (Salary Adjustments Outside of Adopted Pay Plan). Reorganization or department restructure could result in an employee change in employment status (see Section 3 Change in Employment Status).

The department requesting the reorganization or department restructure must submit a proposal to the City Manager that includes a demonstrated need for the reorganization or department restructure, new organizational chart, potential costs or savings and changes in job descriptions for review.

The City Manager may review and approve, deny, or revise the request. The City Manager may initiate department reorganization or restructure at any time deemed necessary.

Requests for the elimination of an entire department or combination of two or more departments must be submitted to the City Manager and Legal department to determine whether the Municipal Code requires additional Council approval.

3.5 Resignation & Discharge

To resign in good standing, exempt and non-exempt employees must give the City Manager two calendar weeks' prior notice with the exception of and Management Team who must give the City Manager four calendar weeks prior notice. The department manager or supervisor shall submit the resignation to the Human Resources Manager. The Human Resources Manager will forward the resignation to the City Manager. Employees may not use vacation hours in lieu of straight time hours during their final two or four week notice period.

Failure to comply with this rule shall be entered into the personnel file of the employee and may be cause for denial of future employment with the City as well as any vacation or other benefits balance payouts (See **Section 4.23** Vacation Pay).

The City Manager may discharge any employee of Park City Municipal Corporation at any time subject to [U.C.A. Section 10-3-1105\(1\)](#), as amended, and to appeal described in **Section Six (6)**. See **Section 2.2** Appointments. A discharge may be cause for denial of future employment with the City, as well as ineligibility of vacation balances (See **section 4.23** Vacation Pay).

3.6 Reduction in Force

The City Manager may discharge any employee at any time in accordance with implementation of a Reduction In Force strategy as part of a reorganization or as provided in the City Budget Recession/Revenue Shortfall Plan, after consultation with the Legal Department.

3.7 Final Paycheck

All City property must be returned to the department manager or supervisor prior to release of the final paycheck. If an employee is involuntarily terminated, wages will be paid within one business day of termination. Final wages for employees who voluntarily resign will be paid on the next scheduled pay date.

3.8 Separation Agreement

If in the sole discretion of the City Manager a separation agreement is warranted which may or may not include compensation or other consideration, it will be negotiated on a case-by-case basis. Such an agreement ~~with compensation~~ in excess of six months' salary, **not including other compensation/benefits**, requires the approval of the City Council, **unless the agreement is pursuant to a Court order**. Any educational assistance, bonuses, or other benefits received by the employee within the last 12 months prior to separation will be taken into consideration.

Section Four (4) **Employee Pay and Work Practices**

4.1 Classification & Pay: Plan and Administration

The employee pay and position classification plan contains a list of grades and positions supported by written job descriptions detailing duties and responsibilities of each position and the qualifications necessary for appointment to a position. The classification system is not static and is not intended to fix positions permanently into grades. Instead, the system is periodically reviewed in order to adapt to changing conditions.

Park City Municipal Corporation operates within the guidelines of an established Pay Plan. The pay plan attempts to insure the uniform and equitable application of pay with due regard to the duties, responsibilities, most current available market data and requisite qualifications of each position classification. The City believes rewarding performance and not longevity is an equitable way of compensating employees for their contributions to the organization. All pay plan recommendations and individual employee salary increases or lump merit eligibility are subject to budget constraints and/or revenue availability and may be altered or rescinded by the City Manager at any time. See the Classification Plan Manual for details.

4.2 Employee Pay

City policy and practice comply with all laws, both State and Federal. In the event of an inadvertent or improper pay deduction, affected employees are requested to bring the situation to the attention of the Human Resources Department immediately. The City will review the situation thoroughly and make any corrections to an employee's pay deemed necessary. Questions or concerns about the City's policy should also be directed to the Human Resources Department.

Overpayment of wages or benefits will be deducted from upcoming employee's pay checks. Depending on the size of the overpayment of wages or benefits, a re-payment schedule and timeline may be approved by the Finance Director.

4.3 Work Week & Pay Periods

Park City Municipal Corporation operates its payroll system on a biweekly time period. The biweekly pay period is defined as the two-week period commencing at 12:01 a.m. Sunday and running to 12:00 midnight Saturday of the following week, running concurrently with the two-week period used to compute payroll. The standard work week for all non-public safety personnel at Park City Municipal Corporation begins on Sunday and ends Saturday of the same week. The standard work week for all public safety personnel is defined by the biweekly pay period of 80 hours. Time must be approved by Noon on the Monday following the end of the pay period. The normal work week for full-time regular employees is 40 hours per week, with the exception of public safety personnel which is the biweekly pay period of 80 hours.

Employees are paid every other Friday for the proceeding pay period. Employees not participating in a direct deposit program may pick up their paychecks beginning at Noon in a location designated by department managers on the respective payday. Checks remaining in Finance after 3:00 p.m. on any payday will be mailed to the address on file.

4.4 Break Time and Lunch Period

Policies covering break time and lunch periods vary by department. Employees should contact their Department Manager or the Human Resources Department. For lunch and break period requirements for employees less than 18 years of age, see **Section 2.8** Child Labor Underage Worker.

For break time requirements for nursing mothers, see **Section 4.18.a.** Medical Maternity Leave.

4.5 Time Keeping

Any non-exempt employee who works during a biweekly pay period is required to check in to work by an approved time-keeping method. This may include check in via a physical time clock, remote or computer check in. Employees are accountable for using the time keeping method approved by their supervisor, team or department. Employees are not permitted to save up hours worked and report them on a payroll other than the one coinciding with actual days worked. Employees who submit their time later than Noon on Monday following the end of the pay period may not be paid until the following pay period. Violation of time keeping policies or falsification of time reported may result in disciplinary action up to and including termination.

Time must be verified by the employee and approved by a supervisor and/or team member before forwarding to payroll for processing. Employees are compensated in quarter hour increments only. An employee may clock in or out at any time, other than their initial start time, and punches will be rounded to the nearest quarter hour. Employees with schedules established in the timekeeping system may punch in up to 15 minutes (referred to as a —grace period) prior to their scheduled starting time, but will not be compensated until their shift begins as scheduled. Employees with no schedules established may punch in up to 7 minutes prior to their scheduled starting time, but will not be compensated until their shift begins as scheduled. Employees punching in later than their approved start time and/or taking longer or shorter than their approved lunch period may be subject to disciplinary action up to and including termination. Employees are expected to be —clocked in and ready to work, at their work place by the time their shift starts.

Non-exempt employees are required to clock in or out using their department's approved time keeping method at the beginning and end of each shift and during unpaid meal breaks. Employees who fail to appropriately check in or out of work must have the hours

for that day verified according to their supervisor's or department's policy and have appropriate corrections made in the timekeeping system by an immediate supervisor.

Exempt employees who use any time other than Straight Time hours must indicate such use to payroll during the pay period in which the hours were used. This includes but is not limited to Sick Leave, Sick Leave FMLA, Sick Leave Family, Sick Leave Family FMLA, Vacation, Lump Merit Leave, Floating Holiday, Funeral Leave, Jury Duty Leave, Maternity Leave, Paternity Leave, and approved Administrative Leave. Actual hours of straight or —workedll time may vary from numbers pre-programmed in timekeeping software. Pre-programmed totals are for accounting purposes only, and must be updated to include time other than Straight Time. Exempt employees must approve all-time records before their submittal to payroll.

Falsification of time clock entries no matter what method used, or allowing any employee to punch in or out for another employee is prohibited and can result in immediate and severe disciplinary action, up to and including termination. Should any discrepancy occur in a time clock entry, employees should contact their supervisor immediately. Any team member or supervisor who signs another employee's timesheet is accountable for the verification and accuracy of the time declared.

Paid or unpaid administrative leave for all employees, exempt and non-exempt, must be pre-approved by the City Manager.

Qualified Sick Leave, Maternity Leave, Paternity Leave, Sick Leave Family and Workers' Compensation Leave may also be considered Family Medical Leave and deducted from the 12 weeks of FMLA available to all qualified employees, exempt & non-exempt, each pay period. See **Section 4.19** Family Medical Leave.

4.6 Overtime

For non-exempt and non- public safety employees, overtime is time in excess of a 40-hour work week. For non-exempt public safety employees, overtime is defined as those hours worked in excess of 80 hours during the biweekly pay period.

Hours actually worked (Straight Time) and actual on-call hours worked (On Call Pay) will be used for the purpose of calculating overtime. All other leave hours including Sick Leave, Sick Leave FMLA, Sick Leave Family, Sick Leave Family FMLA, Holiday Pay, Vacation, Floating Holiday, Funeral Leave, Jury Duty Leave, and Release Time are not used for calculating overtime hours. Administrative Leave is never used in the calculation of overtime.

An employee must obtain his/her supervisor's approval for overtime hours prior to working overtime hours. Each department has general rules relating to overtime. Employees should consult their supervisor or department manager for clarification on department specific practices. All hourly employees without overtime approval from their supervisor are required to conclude their day's work at the established quitting time. Any non-exempt employee must obtain his/her supervisor's approval to conduct City-business while off-duty. This includes but is not limited to answering or sending phone calls and emails for City-business while off-the-clock.

4.7 Garnishments & Wage Attachments

Occasionally the City will be served with a Garnishment Writ of Execution or wage attachments against an employee's wages. The City is required by law to comply with properly served garnishments. Garnishments create additional workload for City staff and therefore employees are urged to arrange promptly for the discharging of any amount of judgment against them. If the garnishment cannot be paid outright, it is suggested that an agreement to make periodic payments be arranged until the judgment is discharged. Alternatively, the employee should make arrangements for a loan to pay off the judgment.

4.8 Payroll Deductions

The law requires that certain deductions be withheld from an employee's paycheck. These include Social Security (FICA), Medicare, workers' compensation, federal and state taxes. These deductions are based on a schedule provided by the government and bear a direct relationship to the exemptions the employee claims and the employee's earnings. Additional deductions will be withheld according to the contributory benefits elected by employees, such as insurance premiums, retirement, employee purchase plans, etc. Employee payroll check stubs detail all deductions.

4.9 Flex Schedules

Employees are required to work either an eight or ten-hour day that includes —core hoursll defined by the department. Any department interested in allowing a modified flex schedule must have approval from the City Manager. Flex time schedules allow regular full-time exempt and non-exempt employees, with the approval of their supervisor and within certain limits, to set their starting and ending times for the workday. Managers must submit a flex plan and schedules including but not limited to recommendations, costs, benefits, and customer service impacts to the City Manager before scheduling begins. Offices and/or departments may not close between normal business hours due to flex schedules nor can customer service be diminished. Managers must submit flex schedules to HR annually in April of each year, as well as any time they are recommending changes to previously approved flex schedules.

The Human Resources Manager will compile and maintain a list of which departments and divisions are implementing or utilizing a flex schedule and present it to the City Manager annually. Flex schedules must comply with the Fair Labor Standards Act (FLSA) and the City's policy on overtime and work week designation as defined in **Section 4.6 Overtime**. Flex schedules may be modified or rescinded at any time by the department manager or City Manager.

4.10 Telecommuting

The City confirms its commitment to assisting employees in developing a work-life balance by supporting the use of telecommuting, when it is reasonable and practical to do so and when operational needs will not be adversely affected. It can also reduce absenteeism in certain situations and improve productivity. Telecommuting allows an employee to work from home all, or part of, their regular workweek. Telecommuting is not intended to permit employees to have time to work at other jobs or run their own businesses. It is not an entitlement or a City wide benefit, and can be altered or terminated at any time with or without notice, pursuant to City needs.

Please refer to the Administrative Policies found on the Employee Portal (ep.parkcity.org) or contact the Human Resources Department for information and direction on Telecommuting.

4.11 Absences & Tardiness

Employees are expected to report to work on time. Tardiness is expensive, disrupts workflow, compromises customer service and will not be tolerated. Unauthorized or excessive absences or tardiness may result in disciplinary action up to and including termination. An absence is considered to be unauthorized if the employee has not followed proper notification procedures or the absence has not been properly approved. Unsatisfactory attendance may also have an adverse effect on any promotional opportunities.

If an employee is going to be late or absent for any reason, he/she shall contact his/her supervisor or their designee at least one hour prior to their regular starting time. It is the employee's responsibility to ensure that proper notification is given. Leaving voice mail messages is not considered proper notice unless authorized by department supervisor; asking another employee, friend or relative to give this notification is acceptable only under emergency circumstances.

Employees who know they will be absent on three or more consecutive work days are required to notify their supervisor in advance of their absence. Employees who are absent on consecutive work days as a result of day-to-day illnesses are required to notify their supervisor each day. Employees who take sick leave for three or more consecutive shifts are required to provide their supervisor or department manager with a doctor's note from a certified medical provider upon return to duty verifying their ability to return to work full duty. Supervisors should forward all doctors notes to Human Resources. Absences occurring around regularly scheduled days off are considered consecutive. For example, Thursday, Friday, Monday absences are considered three consecutive work days for those working a typical work week.

Employees who exhibit a pattern of absences (three or more occurrences of two consecutive work day absences or more than 40 hours) in any three-month period may be required to furnish a doctor's note from a certified medical provider verifying each occurrence of illness until the employee's pattern of absences ceases.

Patterns of absences include but are not limited to Monday and Friday absences, absences prior to scheduled time off, holidays or sick leave taken on more than two consecutive scheduled work days in any month. This applies to both non-exempt and exempt employees.

Employees who are absent from work for three consecutive days without giving proper notice, communication or verification to a supervisor or manager will be considered to have voluntarily terminated his/her employment with the City. At that time, the termination will be formally noted in the employee's personnel file and the employee will be advised of the action by certified mail to the employee's last known address.

4.12 Salary Increase and Performance Evaluations

As part of the City budget process, the City Council will decide on the amount of funds appropriate for employee pay. Any recommended changes in pay levels must be effective the first day of an approved City pay period.

a. Position Reclassification Due to Pay Plan Review or Market Salary Adjustment

Council may approve an adjustment to pay plan grade levels. An employee whose current classification is moved to a higher pay grade will move into the new grade at their current wage or the minimum wage of the grade, whichever is greater.

b. Merit Increase to Employee Pay

All employees meeting expectations with no performance issues raised in the most recent evaluation will be eligible for an increase. Merit increases in pay must be effective concurrent with the annual performance review process effective January 1 of each year.

If an employee's salary is above the Top of Range rate for his/her position classification because the position was redlined due to employee transfer, etc. regardless of the reason, any increase will be calculated and treated as though the employee was at Top of Range.

Factors that will not affect eligibility for a merit pay increase are a department transfer within the same pay class or range or leave-without-pay for 30 or fewer calendar days.

c. Performance Reviews

Managers should assist in an employee's development to full potential, help overcome performance deficiencies, and develop an employee's understanding of performance requirements.

Realistic rating of each employee's performance should be conducted, and result in appropriate recognition of differences in individual performance. Eligibility for salary increases within a specific job is based upon how well an employee performs during any given review period. It is therefore essential that performance be formally reviewed and proper documentation is submitted to the Human Resources Department.

All written employee performance reviews, including self-evaluations and any actions resulting from the review shall become a part of the employee's permanent personnel file. Employees shall not be eligible for pay raises unless a written evaluation of the employee's performance is included with the pay raise request.

A performance review does not precipitate a salary adjustment. The program should not be construed as authorizing annual increases for employees. Annual performance reviews should be done whether or not the employee is being recommended for salary increase and/or lump merit. (See the Performance Reviews Manual for review process requirements and details).

d. Full-Time Regular Employee Reviews

Full-time regular employees will receive a performance evaluation for the review period of November 1 to October 31. Performance evaluation pay and bonuses are effective January 1 of the year preceding the evaluation. Full-Time regular employees may be eligible for a lump merit of up to 7% annually subject to performance which exceeds expectations, budget constraints and revenue availability. The amount of the performance lump merit will not result in a permanent increase to salary for that position. The City will, however, make retirement contributions on performance lump merits (lump sum) consistent with contributions on base pay.

Each employee who meets the standard identified in the job description of his/her position in their performance review will be eligible to receive a percentage of salary increase until such time they reach working level. In addition, an employee exceeding his/her performance goals may receive a lump merit up to the annual percentage while an employee who has been performing at or below competency levels may receive no lump merit. Employees who consistently demonstrate excellence in job duties and standards may be eligible for pay increases beyond working level to the grade maximum.

Proposed pay raises and lump merits shall be recommended by the Department Manager and approved by the City Manager or, in the case of part-time employees, the Human Resources Manager as the City Manager's designee.

No time spent on leave-without-pay will count toward lump merit eligibility. If the employee is on leave-without-pay status for over 30 days, no time spent in leave-without-pay over 30 calendar days will count toward merit increase eligibility. The new effective service date will be extended on a day-to-day basis with time taken for leave-without-pay calculated. Time considered as leave without pay includes Short-Term Disability (STD), unpaid Worker's Compensation Leave (WC), Long-Term Disability (LTD), Family Medical Leave (FMLA), Unpaid Leave and mandatory unpaid leave due to disciplinary actions.

For information on Part Time, Student Intern & Seasonal Employee Reviews, see section 4.13 Bonuses.

e. Pay upon Promotion

When a full-time regular status employee is promoted to a higher position classification, the employee shall be eligible for an increase in pay within the pay range of the higher position classification. The percentage of the increase shall be recommended by the Department Manager and submitted to the Human Resources Manager for review. Following review, the Human Resources Manager shall submit the recommendation to the City Manager for final approval. Only on special approval by the City Manager will an employee be allowed to immediately move to the working level of the pay range in which they are being promoted.

In the case of part-time or seasonal employees, personnel action forms should be forwarded to the Human Resources Manager as the City Manager's designee for review and approval. The employee's new pay rate must be within the range of the pay grade assigned to that position.

4.13 Bonuses

a. Purpose

The bonus program is designed to provide recognition for a specific incident that goes above and beyond an employee's normal job duties, as well as recognition for safety, accident record, and/or other on-the-job accomplishments and contributions. Gifts and gift cards purchased with City funds and given to employees are considered bonuses, and must be categorized and approved per the processes below.

b. Bonus Categories

1. Instant Bonus

Any employee may nominate another employee for an instant bonus to a maximum of \$100.00 with the Human Resources Manager's and the nominee's Manager's approval. Instant bonuses may be grossed up in the payroll system if the request for gross up is reflected on the Personnel Action Form (PAF)

2. Cost Savings Bonus - Outside Normal Job Duties or Description

Any employee may receive up to 10% of cost savings not to exceed \$3,000.00 that would be realized in the first year following the implementation of an employee's cost savings idea. Any cost savings bonus requires prior written approval of the City Manager. Nominations must be in writing and forwarded to the Human Resources Department. The cost savings idea must be outside of

an employee's normal job duties or job description. Cost savings bonuses may not be grossed up in the payroll system.

3. Merit Bonus

A merit bonus of up to \$400.00 may be recommended for a full-time regular exempt or non-exempt employee by his/her supervisor at any time throughout the year. Merit bonuses should be reserved for the most productive and estimable performances. They should be based upon the employee's contribution to a department or City essential project, completion of a specific project milestone, exceptional meritorious performance, and/or acknowledgement of efforts during particularly challenging work. Any meritorious bonus over \$100.00 must be approved by the City Manager. Projects or events that become ongoing will not be given a merit bonus beyond the year of implementation. Merit bonuses may be grossed up in the payroll system only with City Manager approval.

4. Part-Time and/or Seasonal Employee End-of-Season Bonus

A part-time and/or seasonal employee who is not eligible for performance or pro shop bonus programs may receive a bonus based on approved end-of-season time and shift requirements, safety, accident record, and/or other on-the-job accomplishments, contributions and specific department criteria. Each department with retention/end-of-season bonus programs must have the criteria by which the bonus is calculated approved by the City Manager and on file in Human Resources before any bonus is approved. All end-of-season bonuses over \$100.00 must be approved by the City Manager. End-of-season bonuses are funded by individual departments and should be budgeted accordingly. These bonuses may not be grossed up in the payroll system.

5. Part-time Employee Performance Bonus

Human Resources provide funding for part-time employee performance bonuses. A department manager who has staff that may be eligible for this bonus program must provide a list of positions and employees who may be eligible, and an estimate of the maximum amount of bonus for the employee in that position based on 4% of the annual hours worked at the employee's current rate of pay.

Each department requesting part-time employee performance bonuses must have the criteria by which the bonus is calculated and the employees eligible approved by the City Manager and on file in Human Resources. All part-time non-benefitted employee

performance bonuses over \$100.00 must be approved by the City Manager. These bonuses may not be grossed up in the payroll system.

6. Part-time and/or Seasonal Employee Pro Shop Bonus

Any employee who may be eligible to receive a bonus based on sales or pro shop revenue calculations and is not eligible for any other end-of-season or performance bonus programs may receive a bonus based on sales or pro shop revenue generation. Pro Shop Bonuses are only offered to those part-time and/or seasonal employees that actually work in pro shops of certain City departments such as the Racquet Club and the Golf Course. All Pro Shop Bonuses over \$100.00 must be approved by the City Manager. These bonuses may not be grossed up in the payroll system.

7. Perfect Attendance Bonus

To reward full-time regular, non-exempt employees who have been released from probation and who do not use Sick Leave, Sick Leave FMLA, Sick Leave Family, Sick Leave Family FMLA, disability or Workers' Compensation hours, the following incentive will be provided: For each quarter (Jan-Mar, Apr-Jun, Jul-Sep, Oct-Dec) of perfect attendance, full-time regular employees will receive a \$100 bonus. If the employee has perfect attendance for the entire calendar year, he/she will receive an additional \$200 at the end of the corresponding year. The bonuses will be paid within 30 days after the end of the quarter. Perfect attendance bonuses do not apply to employees on short- or long-term disability, or employees off work due to a Workers' Compensation related injury. Perfect Attendance Bonuses may be suspended at any time for any reason by the City Manager. Exempt employees are not eligible for this incentive.

c. Documentation and Procedure

Any department requesting performance, pro shop, or end-of-season bonuses for part-time employees must have the criteria by which the bonus is calculated, the employees' eligibility approved by the City Manager and on file in Human Resources.

A written memorandum articulating the specific reasons and/or employee eligibility must be submitted to Human Resources and approved by the City Manager prior to bonus recommendations. This documentation must be completed for each employee evaluated, and accompany a Personnel Action Form (PAF) with the appropriate approvals to the Human Resources Department for processing.

Part-time and/or seasonal employees are eligible for only one bonus. They are eligible for either a performance bonus, an end-of-season bonus, or a pro shop bonus. Full-time regular or employees under Special employment agreements are not eligible for end-of-season or pro shop bonuses.

4.14 Release Time

As part of the City's wellness program and with prior supervisory approval, eligible employees may be granted 30-60 minute periods, up to a maximum of 90 total minutes per week, to participate in an approved physical activity. Release time may only be granted during an employee's regularly scheduled work hours, at the beginning or end of their work shift or in conjunction with their lunch hour (provided the lunch break is not taken at the end or beginning of the shift). Release time is considered —non-productive time, and is not included in overtime calculations. Release Time must be pre-approved by supervisors at any time depending on department needs. This time will be recorded as Release Time on timesheets.

4.15 On-Call Pay

On-call employees shall receive \$15.00 per day and a two hour minimum pay per call out. Except for emergencies when phone conversations are necessary, travel time to and from work is considered non-productive time and therefore is not paid. On-call employees may be provided with a City vehicle which shall be used only by the employee for on-call emergencies.

On-call employees shall strictly adhere to all City policies and procedures and in particular Section 5.11 Use of Drugs and Alcohol of this manual. On-call employees shall not drive City vehicles or perform on-call emergency services while under the influence of drugs (legal or illegal) or alcohol.

This on-call policy does not apply to Police Officers or exempt employees.

4.16 Sick Leave & Sick Leave FMLA

Sick leave is leave with pay granted to a full-time regular employee who is suffering from an illness or a disability which prevents him/her from performing his/her usual duties and responsibilities. If an employee is sick, he/she will be paid at his/her regular pay rate for work hours missed due to the illness up to 120 hours per illness or occurrence.

When an employee is absent due to illness, doctor's appointment, or dental appointment, the time will be recorded as Sick Leave on time sheets. Employees taking three or more consecutive work days as leave will be required to provide documentation of illness or medical necessity from a physician upon return to work to their supervisor, team or the Human Resources department. Supervisors or teams receiving sick leave notes from employees should forward them to the Human Resources department immediately. It is the responsibility of the supervisor or team to monitor the amount of sick time being used and deal with abusers through the formal disciplinary procedures as provided in Section 5.14 Disciplinary Procedures. Employees with consistent patterns of sick leave, whether on paid or unpaid leave status, may be subject to disciplinary

action up to and including termination. Consistent patterns of illness may include Monday and Friday absences, or consistent sick leave taken in any month or over a period of several months. This applies to both non-exempt and exempt status employees.

All non-emergency, medically necessary surgeries or procedures requiring leave beyond 21 consecutive days must be approved in advance. The request must be accompanied by a physician's note which must specify medical necessity, prognosis, probable return to work date and fitness for duty status. At the end of 21 consecutive days due to the employee's illness, employees will be placed on Short-Term Disability status and may opt to supplement his/her pay with a vacation payout. See section 4.23 Vacation Pay. No more than a maximum of 120 hours of Sick Leave may be used either consecutively or non-consecutively by an employee for the same occurrence of illness or medical condition.

Employees returning to work with work restrictions must adhere to **Sections 4.20 Return to Work from Medical Leave & 4.21 Light Duty** policies. Employees may not substitute Vacation hours to supplement or to receive perfect attendance bonuses, or for any other reason.

Sick Leave used by employees considered to have a serious medical condition will also be counted toward the 12 weeks of eligibility for Family Medical Leave and time will be recorded as Sick Leave FMLA on time sheets. See section **4.19 Family Medical Leave**. Sick leave and perfect attendance bonuses are part of the City's core benefits package.

4.17 Sick Leave Family & Sick Leave Family FMLA

Sick Leave Family is paid leave granted to eligible employees due to an illness in his/her immediate family which requires the presence of the employee as primary care giver. For the purpose of this policy, immediate family is defined as dependents, children, spouse, parents, domestic partner and legal guardian. Employees taking three or more consecutive days for qualified family illness will be required to provide documentation of illness or medical necessity from a physician upon return to work.

Employees are allowed a maximum of 120 Sick Leave Family hours per 12-month period. The 12-month period of leave is considered as a rolling 12-month period, which is measured backward from the date the leave is used.

After 120 hours of Sick Leave Family due to the same occurrence of illness or medical condition of a member of the employee's immediate family, where an employee is designated by a medical provider or physician as the primary care giver, an employee may be allowed additional unpaid leave as designated and regulated by the Family Medical Leave Act (FMLA). An employee may supplement unpaid time with a vacation payout. See sections **4.23 Vacation Pay and 4.19 Family Medical Leave**.

Employees returning to work after caring for an immediate family member for more than 2 consecutive scheduled work days must adhere to **Sections 4.20 Return to Work from Medical Leave**. Employees may not substitute Vacation hours to supplement or to receive perfect attendance bonuses, or for any other reason.

Sick Leave Family used by employees whose immediate family member is considered to have a serious medical condition will also be counted toward the 12 weeks of eligibility for Family Medical Leave and time will be recorded as Sick Leave Family FMLA on time sheets. See **section 4.19 Family Medical Leave**. Sick leave and perfect attendance bonuses are part of the City's core benefits package.

4.18 Parental Leave

a. Maternity Leave

A total paid leave of 240 Maternity hours will be granted to female, full-time regular employees for pre-partum and post-partum care and/or recovery. This includes pre-birth doctor's visits and sick leave due to maternity care. Once medical maternity leave hours are exhausted, additional unpaid hours may be granted under the Family Medical Leave Act and an employee may supplement unpaid time with a vacation payout. See **Section 4.22 Vacation Pay**. Paid Maternity hours will be counted towards the 12 weeks of leave allowed by the Family Medical Leave Act. See **Section 4.18 Family Medical Leave**. Once maternity leave hours are exhausted, maternity care is not eligible for sick leave coverage. Only full-time regular employees are eligible for Maternity Leave. Maternity Leave is part of the City's core benefits package. In the case of adoption Maternity Leave may be granted based on the City's discretion. Upon return to work, nursing mothers are eligible to reasonable unpaid breaks during work time to express milk for their infants for one year after the child is born. A location other than a bathroom will be provided which is shielded from view and free from intrusion from co-workers and the public.

b. Paternal Leave to Provide Care/Assistance to Mother and/or Child

Paternal Leave up to 80 hours with pay will be granted to a father or domestic partner to provide care and assistance for the birth or adoption of a child and/or his/her mother. Once paternal leave hours are exhausted, additional unpaid hours may be granted under the Family Medical Leave Act (FMLA). Paid Paternity Leave hours will be counted towards the 12 weeks of leave allowed by the Family Medical Leave Act. See **Section 4.19 Family Medical Leave**. Once paternal leave hours are exhausted, Paternal Leave is not considered Family Illness unless specifically designated as such by a physician. Only full-time regular employees are eligible for Paternal Leave. Paternal Leave is part of the City's core benefits package.

c. Coordination with Family Medical Leave Policy

Maternity and Paternity Leave is counted toward the 12 weeks of eligibility for Family Medical Leave. See **Section 4.19 Family Medical Leave**.

4.19 Family Medical Leave

The Family and Medical Leave Act of 1993 (FMLA) grants eligible employees the statutory right to take unpaid leave under specified circumstances. This policy applies to all City employees who have met all of the following conditions:

- worked for the City a minimum of 1,250 hours in the 1 year period immediately preceding the request for leave.
- worked for the City for a total of 12 months. While the 12 months of employment need not be consecutive, employment periods prior to a break in service of seven years or more will not be counted unless the break was occasioned by the employee's fulfillment of his or her National Guard or Reserve military obligation.
- be an active employee.

There are two separate types of leave along with applicable requirements:

Medical and/or Qualifying Exigency Leave: eligible employees are entitled to take up to 12 weeks (480 hours) of leave during a 12-month period for any of the following:

- the birth and care of a newborn child of the employee,
- placement with the employee of a son or daughter for adoption or foster care,
- to care for a spouse, child, dependent, domestic partner and/or parent with a serious health condition,
- a serious health condition that makes the employee unable to perform his/her job functions
- if the employee's spouse, child or parent who is a member of the National Guard or Reserves (or a retired member of the regular Armed Forces) and who is either on active or inactive duty and has been notified of an impending federal call or order to active duty in support of a contingency operation. Contingency operations may include, but are not limited to, a call to war or national emergency declared by the President of the United States or Congress.

To be eligible for medical and/or qualifying exigency leave the employee must submit the applicable paperwork that can be obtained either online at the Department of Labor Website or employee portal, or in the Human Resources office (WH-380 for medical leave and WH-384 for qualifying exigency leave). The leave taken under this policy may not exceed 12 weeks (480 hours) in any 12-month period.

Military Caregiver Leave: eligible employees may be entitled to take up to 26 weeks (1040 hours) of leave for the care of a spouse, child, parent or next of kin who is a —covered military service memberll undergoing medical treatment, therapy or recuperation, who must have an outpatient status or be listed on the temporary disability retired list (TDRL) for a serious injury or illness. The serious injury or illness must have occurred in the line of duty while on active duty in the Armed Forces, and the injury must have rendered him or her —medically unfit to perform the duties of the member's office, grade, rank or rating.ll The leave taken under this policy may not exceed 26 weeks (1040 hours) of leave in any 12-month period. To be eligible for military caregiver leave the employee must submit the applicable paperwork that can be obtained either online or in the Human Resources office (WH-385).

A —serious health conditionll means an illness, injury, impairment, or physical or mental condition that involves one of the following:

- Inpatient care (i.e. an overnight stay) in a hospital, hospice, or residential medical-care facility, including any period of incapacity (i.e. inability to work, attend school, or perform other regular daily activities) or subsequent treatment in connection with such inpatient care.
- Continuing treatment by a health care provider, which includes:
 - A period of incapacity lasting more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition that also includes:
 - Treatment two or more times by or under the supervision of a health care provider (the first visit must be within 7 days and both within 30 days of the first day of incapacity) or
 - One treatment by a health care provider (an in-person visit within 7 days of the first day of incapacity) with a continuing regimen of treatment (i.e. prescription medication, physical therapy, etc.).
 - Any period of incapacity related to pregnancy or for prenatal care. A visit to the health care provider is not necessary for each absence
 - Any period of incapacity or treatment for a chronic serious health condition which continues over an extended period of time, requires periodic visits (at least twice a year) to a health care provider, and may involve occasional episodes of incapacity. A visit to a health care provider is not necessary for each absence.
 - A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective. Only supervision by a health care provider is required, rather than active treatment.
 - Any absence to receive multiple treatments for restorative surgery or for a condition that would likely result in a period of incapacity of more than three days if not treated.

Part-time and/or seasonal employees who do not work full time schedules will be eligible for a pro-rated amount of leave hours based on the total number of hours worked during the qualifying period of 1 year previous to a request for FMLA leave.

The 12-month period of leave is considered as a rolling 12-month period, which is measured backward from the current date. When used for a serious medical condition, sick leave, family sick leave, and worker's compensation leave, taken by an employee who is designated as qualifying for family leave may be counted toward the 12 weeks of leave. Maternity leave, paternity leave, short-term disability and long-term disability will be counted towards the 12 weeks of leave.

The definitions and rules set forth in the Family and Medical Leave Act of 1993 and the Department of Labor Rules and Regulations are used to determine if an employee qualifies for leave under this policy. Employees who request leave for their own serious health condition or for the serious health condition of a family member are required to provide the City with a complete U.S. Department of Labor Form WH-380 Certification of Health Care Provider. This form can be found in the HR section of the Employee Portal under *Employee Leave* and also in the Human Resources Department.

When leave is expected to last more than five days, the employee must request the leave, in writing, to his/her supervisor, who shall forward the request to the Human Resources Manager at least 30 days prior to commencement of the leave, or as soon as practical when employee is made aware of the need for leave if less than 30 days.

Oral notice of emergency leave must be followed by a written request and applicable forms as soon as possible.

If the City has reason to doubt the validity of a medical certification it may require an employee to obtain a second opinion at the City's expense. Pending receipt of the second (or third) medical opinion, the employee is provisionally entitled to the benefits of the Act, including maintenance of group health insurance benefits. If the certifications do not ultimately establish the employee's entitlement to FMLA leave, the leave shall not be designated as FMLA leave and may be treated as paid or unpaid leave under Park City's established leave policies. The City is permitted to designate the health care provider to furnish the second opinion, but the selected health care provider may not be employed on a regular basis by the City. If the opinions of the employee's and the City have designated health care providers differ, the employer may require the employee to obtain certification from a third health care provider, again at the City's expense. This third opinion shall be final and binding. The City will provide employees with a copy of the second and third medical opinions, where applicable, upon request.

Prior to returning to work, the City may require that an employee on leave for his or her own serious health condition submit a medical certification that the employee is able to return to work. See sections **4.20 Return to Work from Medical Leave** and **4.21 Light Duty**. The City may require a fitness for duty examination, functional analysis, and drug or alcohol testing if it has reasonable cause to believe that an employee may not be physically or emotionally able to perform essential job functions or if necessary to determine whether an employee performing a physically demanding job continues to be fit for duty. During periods of leave taken pursuant to this policy, the City continues to pay the employer's portions of the employee's health insurance premium. The employee is responsible for paying his or her portion of the monthly health insurance premium. The employee's failure to pay the employee portion of any health insurance premium may result in the loss of health insurance benefits.

Married employees who both work for the City are restricted to a combined total of 12 weeks of leave during any 12-month period if the leave is taken for the birth and care of child, or for the adoption of a child or placement of a child with the employee for foster care. This restriction does not apply to other types of leave the employees may qualify for under this policy.

Eligible employees who take leave under this policy are entitled to be restored to the same position they held when the leave began, or to an equivalent position with equivalent pay, benefits, and other terms and conditions of employment. The City reserves the right to designate certain employees as key employees, pursuant to the Family and Medical Leave Act of 1993 (FMLA). Under certain circumstances, key employees may not be entitled to return to work following leave.

The City's Maternity Leave, Paternity Leave, short-term disability and long-term disability hours run concurrently with FMLA hours. Other leave, such as accrued paid leave or unpaid leave granted by the City Manager may, upon approval, be taken by an employee to extend the overall leave duration. However, the protections and benefits provided by FMLA do not apply to leave which exceeds the eligible FMLA leave period per 12-month or 26-month maximum.

An employee may, if eligible, request a vacation payout during any and all portions of unpaid or partially paid FMLA leave, up to 100% of regular salary. Any partially paid portion (including worker's compensation, short and long term disability payments) shall be considered a portion of regular salary when determining payout eligibility. Employees are eligible for payouts only up to their current vacation balance. All vacation payouts will be subtracted from the current balance upon payment.

The application of this policy and any inconsistencies, conflicts, or issues that arise are governed by the provision of the Family and Medical Leave Act of 1993 (FMLA) and applicable federal regulations that interpret the Act.

4.20 Return to Work from Medical Leave

When an employee returns from any form of approved medical leave including workers' compensation leave, disability leave, sick leave, etc. with work restrictions ordered by a certified doctor or medical provider, the employee must report with that information to their immediate supervisor and/or the HR department before reporting to duty. The City will then determine whether that employee may return to his/her regular duties, whether modifications will be made, or if there is no modified work available. See **Section 4.21 Light Duty**.

Employees absent for three or more consecutive work days or regularly scheduled shifts will be required to provide documentation of illness or medical necessity from a physician upon return to work to their supervisor, team or the Human Resources department for any of the following types of leave: sick leave, sick leave FMLA, family sick leave, family sick leave FMLA, worker's compensation leave, short-term disability and long-term disability. For an employee regularly scheduled to work Monday-Friday, the weekend is not excluded from consecutive absences. For example, a doctor's note is required for absences Friday, Monday Tuesday or Thursday, Friday, Monday.

4.21 Light Duty

Light Duty / Return to Work policies are highly effective in containing and reducing employer's costs of Workers' Compensation as well as disability related leaves. Enabling the earliest possible return of injured/sick workers to perform productive work within their physical capabilities may also promote quicker employee rehabilitation by keeping the employee active and part of the work environment. It ultimately facilitates the employee's return to his/her regular position once released from light duty.

Light Duty is prescribed by a physician due to an employee's work related injury, personal injury or short or long term disability. It temporarily restricts an employee's physical abilities. These restrictions may present obstacles on the employee's ability to

perform tasks required by their normal position. Light duty enables supervisors to modify the employee's position to accommodate his/her restrictions or allow other positions or tasks within the City to be temporarily filled by the employee. Light duty may also be referred to as modified duty, limited duty, alternate duty, restricted duty or transitional duty.

This policy applies to all City employees including full-time regular, part-time non-benefitted, seasonal and special employment agreements, from all City departments.

Light duty assignments are developed at the City's discretion based on the physical capability, skills of the worker, City needs and the availability of light duty assignments. The City will determine appropriate work hours, shifts, duration and locations of all work assignments. The City also reserves the right to determine availability, appropriateness and continuation or cancellation of all light duty assignments at any time for any reason.

Preferably, light duty assignments will be a modification of the employee's current position. If this is not possible, an assignment within the same department or any other department or location within the City will be considered. Telecommuting may also be considered in certain cases. The assignment may require the employee to work a different schedule and/or hours per week than he/she normally does. The employee will continue to be compensated at the salary that he/she normally receives for hours worked. If the employee holds more than one position and light duty is not due to a work related injury, the employee may receive the salary equivalent to the lowest salary held.

The employee's salary will be charged to his/her normal department even if temporarily assigned to another department.

Light duty assignments may be approved for eligible employees for up to 90 consecutive days. The employee will not be displaced from that assignment during the 90-day period by another employee who subsequently requires light duty. The light duty assignments may change or be terminated within the 90 day period depending on City needs at any time for any reason.

The City may allow the employee to extend their light duty beyond the 90 day period. However, the City reserves the right to terminate the assignment at any time for any reason. Upon a physician's note stating the employee's ability to return to full duty without restrictions, the light duty assignment is immediately terminated and the employee will be reinstated into his/her normal position.

This policy does not limit the rights of employees covered by the Americans with Disabilities Act (ADA) to seek reasonable accommodations as provided under that law as amended. It also does not limit an employee's rights and protections under the Family Medical Leave Act (FMLA).

An employee returning from any form of approved leave including workers' compensation, short or long term disability, or sick leave with work restrictions ordered by a physician must submit that information to their supervisor before reporting to duty. The City will then determine whether that employee may return to his/her duties or whether modifications will be made.

The employee assigned to light duty must not exceed the duties of the position or go beyond the doctor's restrictions. The employee will submit all appropriate medical notes to his normal supervisor and also his temporary supervisor if assigned to a different department. If any medical restrictions change, the employee must notify his/her supervisor(s) immediately and provide a copy of the new medical release.

Supervisors will monitor work performance to ensure the employee does not exceed the requirements set by the attending physician. They will forward all documentation to the Human Resources Department.

Upon receipt of a physician's note indicating an employee return to work with light duty restrictions:

- The supervisor will evaluate the possibility of modifying the employee's current position to accommodate the physical restrictions.
- If the supervisor is unable to accommodate the restrictions, he/she will inform the Department Manager who will evaluate other assignments within the department for temporary placement.
- If the department is unable to provide the employee with light duty, HR will try to find proper placement elsewhere in the City and will inform the supervisor of the assignment.
- HR will complete the —Light Duty Assignment Record form and ensure the light duty assignment is in compliance with the employee's restrictions. HR will ensure that the employee and the supervisors are aware of their responsibilities and will track the duration of the assignment.
- The employee must submit all physician follow-up notes to his normal supervisor and if assigned to a different department, will also give a copy of this note to his assigned supervisor.
- Upon receipt of a return to full duty note from the physician, the employee will be promptly returned to his/her normal position.

4.22 Holiday Pay & Premium Pay

The City provides 12 paid holidays each year for full-time regular employees (11 City-observed holidays and a floating holiday eligible employees may use at their own discretion).

For each of the City-observed holidays listed below all full-time regular employees are eligible to receive eight hours of holiday pay. Only those employees who permanently work shifts of four 10-hour days will be eligible to receive 10 hours of holiday pay.

New Year's Day	January 1
Martin Luther King Day	3 rd Monday in January
Presidents' Day	3 rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Pioneer Day	July 24

Labor Day	1 st Monday in September
Thanksgiving	4 th Thursday after the 1 st Monday in November
Day after Thanksgiving	4 th Friday after the 1 st Monday in November
Christmas Eve or Day after Christmas	December 24 or 26
Christmas	December 25

If the holiday falls on a Saturday, the City will recognize the day before (Friday) as the holiday. If the holiday falls on a Sunday, the City will recognize the day after (Monday) as the holiday. Only the City Manager may change the holiday schedule. Holiday pay is paid and City offices are closed on City Manager approved, City-recognized holidays only.

All City employees are eligible for Premium Pay on holiday days worked. Premium pay is equivalent to one half an employee's regular pay and is paid in addition to straight time. Premium pay is paid on the actual dates of Federal holidays listed above only, regardless of the City recognized holiday (which changes to fall only on week days as described above).

Most eligible employees will have the day off and receive 8 hours of holiday pay. Holiday pay hours are not considered productive time and therefore are not 4 etc., who are required to work on holidays. Employees who are required to work on a holiday will receive premium pay according to the following policy:

1. If a full-time regular employee is paid for either the working day before or after a holiday, he/she will be paid for the holiday except when the first day of employment is the day after a holiday.
2. Part-time and/or seasonal employees are not eligible for Holiday pay.
3. Full-time regular non-exempt employees who are required to work on a City-recognized holiday will receive premium pay at the rate of time and one half for all hours worked on that day in addition to their eight hours of holiday pay.
4. Part-time and/or seasonal employees who are required to work on a City recognized holiday will receive premium pay at the rate of time and a half their regular hourly pay for all hours worked on that day. For example, an employee making \$10.00/hr will be paid at \$15.00/hr when working during a City-observed Holiday. Special Events Police officers who work voluntarily, and are not required to work holidays, are exempted from premium pay and will receive a rate equal to their hourly wage only.
5. Full-time regular employees who work regularly scheduled shifts of 10 hours or greater are eligible for 10 hours of holiday pay. Those employees working less than a regularly scheduled 10 hour shift will be paid for 8 hours of holiday pay.
6. Exempt full-time regular employees who are required to work on a City-recognized holiday may, at the City Manager's or department manager's discretion, be given but

are not entitled to administrative leave at another time for working the recognized holiday. Holiday and Premium Pay are only paid on those holidays recognized by the City and approved by the City Manager.

In addition to the above list of City-observed holidays, full-time regular employees are granted an 8 hour —Floating Holidayll which can be taken at their discretion with the supervisor’s approval. New employees must be released from probation and have 6 months left in the calendar year to be eligible for the floating holiday. The floating holiday is granted on the first of the year to eligible employees and must be taken in the calendar year it is given or it is lost. It cannot be carried forward. Paid Holidays are part of the City’s core benefits package.

4.23 Vacation Pay

Only full-time regular employees are granted vacation pay.

Employees are encouraged to take their vacation in blocks of time whenever possible. Because individual circumstances vary, the amount of vacation time an employee may use will be left to the discretion of the Department Manager. Vacation leave must be pre-approved by the employee’s Department Manager.

The vacation allowance for eligible employees for each vacation year is based on length of service according to the following schedule:

Completed Years of Service	Vacation Accrual
Less than 5 years	8 hours per month
5 years but less than 10 years	10 hours per month
10 years but less than 15 years	12 hours per month
15 + years	16 hours per month

Vacation benefits apply to full-time regular employees. Vacation leave is used by the hour. If an employee who is on a 10-hour day schedule takes a day of vacation, he/she will be charged 10 hours of vacation time.

Employees are allowed to accrue a bank of vacation time before they are subject to a —use or losell situation. This bank will allow eligible employees to take a vacation longer than the number of vacation days they accrue in one year. The size of vacation bank is determined by the length of service of each employee according to the following schedule:

Less than 5 years	--- 192 hours
5 years but less than 10 years	--- 240 hours
10+ years	--- 288 hours

Once an employee reaches his/her accrued vacation limit, he/she will then be in a —use or losell situation. For example, an employee with less than five years is not allowed to carry forward more than 192 hours from one calendar year to the next.

Any employee with a vacation bank balance larger than their years of service allows will lose all excess vacation hours at the end of each calendar year.

Department Managers and/or supervisors who feel an employee's effectiveness and/or productivity would be enhanced and improved can, at their discretion, require an employee to take vacation time.

Employees are required to request vacation leave in advance from their immediate supervisor. Vacation leave must be pre-approved. For vacation leave of one week or longer, employees should plan on providing one month advance notice for each week of vacation. For example, an employee requesting a two week vacation should make every attempt to provide two months of advance notice.

Employees may not use vacation hours in lieu of disability and/or sick leave benefits under qualifying medical leave approved by the HR department but may supplement income with a vacation payout up to 100% of total salary while on unpaid family leave, Short or Long Term Disability and Worker's Compensation leave.

Upon successful completion of probation, an employee will receive eight hours of credit for each month of probation time. Should an employee be terminated prior to successful completion of the probationary period, he/she is not entitled to receive vacation pay.

Probationary employees are not normally permitted to use vacation leave. Vacation leave due to extenuating circumstances, such as during a probationary period for transfer or promotion, may be approved by the Department Manager. Vacation is part of the City core benefits package.

Upon resignation, only those employees who give proper notice and resign voluntarily will be paid for their unused vacation leave bank up to the employee's allowed carry forward balance unless otherwise stated on the separation agreement. See **Section 3.5 Resignations & Discharges**.

Active employees may request vacation payouts of any unused vacation balance for unpaid Worker's Compensation Leave, Short- and Long-Term Disability and unpaid family medical leave (FMLA). All vacation payouts are not subject to retirement benefits.

4.24 Other Paid/Unpaid Leave

- a. Personal Leave: Written requests for personal leaves of absence will be received and reviewed by the City Manager. The employee's length of service, past performance record and reason for the requested absence will be taken into account, as well as the disruption the employee's absence will cause in his/her department. A personal leave must be approved by the City Manager. Personal leaves of absence are without pay and benefits unless specifically pre-approved by the City Manager.

- b. **Military Leave:** The City will adhere to any federal requirements governing military service, military personnel and/or military families. Should the employee be inducted or ordered to active duty in the armed forces of the United States, the employee will retain seniority and, upon return to work, the City will try to reinstate him/her in a job comparable in pay and classification to that held during the prior employment. Declaration for re-employment must be made within the time specified by law. Military leave is also granted to those employees with Reserve or National Guard obligations with partial pay, limited to 10 working days per year.
- c. **Jury Duty:** Employees who are required to serve as a juror or witness will be granted Jury Duty leave. Full-time regular employees who receive payment for appearing in court, either as a jury member or a subpoenaed witness, should endorse these payments to the City who will in turn pay the employee the full amount of his/her paycheck. An employee serving as a juror witness will be expected to work as much of his/her regularly scheduled shift as his/her jury duty schedule permits, to the extent that combined time on court duty and work does not exceed the number of scheduled work hours for that day.
- d. **Bereavement Leave:** Bereavement Leave will be granted for a maximum of five days or up to 40 hours with pay in the event of the death in an employee's immediate family. In the event of non-immediate family, a maximum of one day with pay may be granted at the discretion of the Department Manager. Immediate family is defined as spouse, parent, daughter, son, brother, sister, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparent, grandchild, step parents, step children, domestic partner, and a person who is legally acting in one of the above capacities.
- e. **Administrative Leave:** Exempt employees shall work the hours and time required to perform the duties of their positions and shall be entitled to neither compensatory time nor overtime pay. However, in recognition for extraordinary hours worked, the City Manager may, in his or her sole discretion, approve paid Administrative Leave for exempt employees. Administrative Leave must be approved in advance and be reflected on the employee's time sheet anytime it is used. Any employee may be placed on paid or unpaid administrative leave as authorized by the City Manager.

4.25 Employee Benefits

The Human Resources Manager shall prepare a benefits plan with cost projections for review by the City Manager. The City Manager shall then determine the final benefits plan to be submitted to the City Council for their adoption during the budget process.

See the Employee Benefits Manual, the employee portal or contact the Human Resources Manager for details on all City benefits.

4.26 Wellness Benefit

The City offers privileges at City recreational facilities such as the PC MARC, Golf Course and the Ice Arena to city employees. All active part time, full time, seasonal and intern status employees are eligible to request Wellness benefits. Certain individuals under special employment agreements may also be eligible depending on their employment agreement. Benefits may also be requested for spouses, domestic partners and dependents.

f. Administration

The individual recreation facility (PC MARC, Ice, Golf) will handle enrollment, tracking and reporting of participants. Interested employees must complete the applicable Wellness agreements and/or forms in the facility offering the program. HR will regularly inform the participating recreational facilities of active employees so they may enroll the employee according to their specific procedures. HR will also regularly inform the participating recreation facilities of terminated employees so they may cancel any passes according to their specific procedures.

Benefits can only be used while employed by Park City Municipal Corporation. All completed Employee Benefit Forms and receipts should be scanned and emailed to the Accounting Manager in the Finance Department if taxation of the benefit applies. Each facility monitors and tracks the discounts given. Benefits offered are subject to change and/or cancellation at any time without notice. Current offerings are available at each corresponding facility.

g. Duration

Certain privileges such as punch cards, pass, classes and memberships have varied expiration dates.

h. Taxation Consideration for Participants

Benefit use by employees, their spouse and/or dependents which does not create an additional cost to the facility or at a 20% discount or less are a tax free benefit. Due to IRS regulations the employee will need to pay payroll and incomes taxes on the value of domestic partner's benefits.

Any discounted cost of a recreation program above 20% will be subject to income and payroll taxes.

i. Seasonal Employees

Upon approval by the HR Department and employee's Department Manager, a seasonal staff may receive a recreation benefit voucher as an end of season bonus. This must be submitted in the same format required of any end of season bonus. This benefit would be a taxable fringe benefit and must be shown on or prior to their final paycheck.

j. Limitations

Employees and their spouses/domestic partners/dependents receiving any of the benefits listed above may be subject to blackout dates and restrictions in any and

all programs and recreational facilities. Employees and their family members are expected to defer to the paying customer during heavy use times see recreation department policies for details.

Per the discretion of the Recreation, Ice & Golf Department Manager and approved by the HR Manager and City Manager, Wellness benefits are subject to change at any time without notice.

The Wellness benefit is not part of the City's core benefit package.

Section Five (5) **CITY RULES**

5.1 Applicant & Personnel Files

An applicant's social security number, date of birth, or driver license number may not be obtained before a job offer is made unless required by law or before the time when initiating a credit, driving or criminal background check. Access to applicant information is limited to purposes of hiring, employment, or as required by law. Applicant information will not be retained longer than 2 years from the date received, unless the applicant is hired. Applications will be safely secured until destroyed. An applicant may, upon request, review this policy before being required to provide information as part of the initial selection process.

Individual employee files are considered confidential data unless otherwise classified public in accordance with state law and the City Retention Policy. Access to them is limited for official City business purposes and their confidential nature is safeguarded. An employee may review his/her personnel file. The only other people allowed to see the employee's records, unless otherwise ordered by a court of law with legal jurisdiction, are his/her supervisor and/or Department Manager, the City's financial auditors, employees of the Human Resources Department, the City Attorney, and the City Manager. A supervisor from a different City department considering an employee for a new position must have the employee's permission to review that employee's personnel file. If the employee's personnel record needs to be used as evidence in a grievance hearing, the personnel record may become part of the grievance proceeding.

No documents or information contained in an employee's personnel file shall be released to anyone other than the employee or the personnel identified above unless requested by the employee or approved by the City Attorney. Employees may authorize Human Resources to provide specific information to authorized loan, mortgage or financial institutions with signed approval.

Current, accurate records concerning each employee are essential. The Human Resources Department must be notified within 30 days if a change in any of the following occurs:

1. Name
2. Physical Address
3. Mailing Address
4. Telephone Number (home, cell and City-issued phone numbers).
5. Marital Status
6. Number of Dependents
7. Beneficiary Designations
8. Emergency Notification

Upon separation from the City, it is the employee's responsibility to provide the City with information regarding a change of address to ensure timely delivery of the employee's tax record and any other materials the City may need to forward to the former employee.

5.2 Privacy of Personnel File and Other Employee Information

The Human Resources Department will regard employee information as confidential and will respect the need for protecting each employee's privacy by established guidelines for the proper receipt, possession, use, retention, and transmittal of personal information used by the City to make appropriate judgments regarding prospective employees, current employees, and retirees. To this end, the City will collect and retain only such personal information pertinent to conduct City business and to administer personnel programs. Upon request, employees will be permitted to access their personal records. Employee files are archived or destroyed in accordance with the City's approved retention policy and State law.

5.3 Personal Property

The City assumes no responsibility for personal property which is lost, stolen, damaged, tampered with or destroyed at work. Personal property should be secured when left unattended and are brought on City property at the employee's own risk. Hand tools and toolboxes required by mechanics in Fleet Services will be insured by the City, but it is Fleet Services' responsibility to appropriately secure all personal and City property or equipment when left unattended.

5.4 Safety

The health and safety of employees and others on City property are of the utmost concern. It is the policy of Park City Municipal Corporation to maintain the highest possible level of safety in all activities and operations. Our goal is to comply with all health and safety laws by encouraging all employees to make every reasonable effort to keep public and work areas free of hazardous conditions.

It is the responsibility of each employee to work safely and do all that is possible to prevent accidents or injuries. Every worker is expected to report unsafe conditions, think before acting, and consciously take care to avoid unnecessary risk.

If an employee is injured in connection with employment, regardless of the severity of the injury, the employee must immediately notify his/her supervisor, seek necessary medical attention and complete a workers' compensation questionnaire. The questionnaire can be found in the Human Resources section of the employee portal (ep.parkcity.org) under —Workers Compl or with department supervisors. The questionnaire must be forwarded to the Human Resources Manager for completion and submission of the first report of injury form. It is the supervisor's responsibility to notify Human Resources of the injury.

5.5 Use of City Vehicles

City-owned vehicles are to be used for official business purposes only, and shall carry no passengers in them other than in connection with official City business. An employee authorized to drive a City vehicle must have a current Utah driver's license. The City may reserve the right to conduct a driver's license background check for any driver of any vehicle used for city business (i.e. private, city owned, leased).

In the case of heavy equipment operators and bus drivers, a driver must possess a valid Utah Commercial Driver's License (CDL). Bus drivers will also be required to have air brake and passenger endorsements in addition to the CDL. The City reserves the right to require additional endorsements to the CDL as the position may require. Employees operating City vehicles are encouraged to participate in driving courses that may be offered by the Risk Manager and shall obey Utah state law and City ordinances at all times, including the use of seat belts.

Employees who operate City vehicles are required to notify their supervisors within one day if they receive a conviction for driving under the influence of alcohol or drugs or if they have had their driver's license suspended or revoked for whatever reason. A license suspension or revocation may cause disciplinary action up to and including termination if such revocation interferes with the ability of an employee to perform their job functions as required.

City employees may use City vehicles for transportation needs when available and appropriate while performing City business. If a City car is not available, or if circumstances are such that it is not practical to use a City vehicle, the Department Manager may approve the use of a personal vehicle thereby authorizing reimbursement to the individual for such use. A personal vehicle used by an employee for City business and eligible for mileage reimbursement must be properly licensed, registered and insured. Reimbursement shall be at the current IRS mileage reimbursement rate. Individuals who are called in to work during off hours may be reimbursed for miles driven to and from work in their personal vehicle.

Employees who are issued City vehicles will be subject to the appropriate IRS regulations governing the use of issued vehicles. The Finance department will assess the appropriate IRS charges in regards to the use of the vehicle.

For more information on city vehicles and personal vehicles used for work purposes, see Administrative Policy Vehicle Use, Maintenance and Repair policy. Smoking is prohibited in all City vehicles.

5.6 Cellular Phones & Mobile Devices

City issued mobile devices, including cellular phones, smartphones, laptops, tablets, thumb drives and other handheld electronic equipment are considered to be —computersll and are subject to all computer and Internet use policies. Devices are to be used primarily for City business.

Personal use of City-owned devices will require the employee to reimburse the City for cost beyond City/department allowances for service/phone/data/txt plans.

For non-exempt employees use of City-owned wireless devices and smart phones for city business while not working (off the clock) is prohibited. Such use is considered compensable time and must be pre-approved by the employee's supervisor and reported to payroll on the employee's time card. Any phone calls or emails made to the employee or by the employee for City business must be pre-approved by the employee's supervisor commensurate with Over Time policy **Section 4.6** or otherwise approved in accordance with other computation of time rules/flexible schedules in Section 4.

Apps: Personal applications (apps) can be downloaded so long as they are paid for by the employee and comply with all City Policies. Apps cannot interfere or conflict with business use of the device or increase costs to the City. Employees assume all responsibility for any personal data and financial risk for the purchase of apps and/or accessories. The IT department will not support or guarantee any personal aspects of the device and will not be held liable for data loss or hardware/software incompatibilities.

IM: Instant messaging (IM) linked to or part of a City public safety software system, such as the Computer Aided Dispatch (CAD) system, shall be kept for a period of 6 months and not deleted by users. Other instant messaging should be considered similar to a phone conversation with the realization that the storage of the messaging may be limited by outside parties. Messages shall be kept for a minimum of 24 hours. Users may delete IM conversations older than 24 hours from mobile or computer devices when administrated need (if any) ends.

MMS, SMS, TXT: Multimedia Messaging Service (MMS), Simple Messaging Service (SMS), Text Messaging (TXT) and chat are discouraged for use in conducting substantive business. Text and related messages should be short and considered similar to a phone conversation with the realization that the storage of the messaging may be limited by outside parties. Messages shall be kept for a minimum of 24 hours. Users may delete text and related conversations older than 24 hours from mobile or computer devices when administrated need (if any) ends. Users are encouraged to start new text or related messages rather than add messaging to the back end of a long string of messages in one text conversation.

Personal Devices: The use of any personal devices (e.g. —Android, iPhone, iPad, audio recordings, memory devices, etc.) to conduct City business (or ancillary to assigned job duties) to collect or create data including documents, messages, video, photographs or audio recordings becomes the property of the City and cannot be copied, distributed, posted or printed beyond the official work need. Such data is subject to Social Media Policy, eDiscovery, and GRAMA requirements. Employees wanting to synchronize mobile devices with City messaging services must agree to and submit the —Personal Device Access Agreement form located on the employee portal under City Policies to their department for approval.

PIN: Policies enforced on mobile devices will require the use of a security pin. If multiple failed login attempts are made, (as determined by the software) data on the device will be erased.

USE: When using City or personal devices for work purposes, employees are expected to obey all applicable laws, exercise reasonable care, and follow all applicable

department, operating and safety guidelines. Employees should not use mobile phone devices for work or personal purposes while operating any motor vehicle.

- Employees should turn off their cell phone and any other equipment before driving and/or allow voicemail to handle calls.
- If an employee needs to place or receive a call, they should wait until they can legally stop at a safe location and place the vehicle in 'park' before using the phone.
- Using messaging services such as text and email while operating a motor vehicle is strictly prohibited.

EXCEPTIONS:

1. Public Safety/Law Enforcement or emergency service personnel acting in the course and scope of employment;
2. Communications during a medical emergency or when providing roadside or medical assistance;
3. 911 or other communications to report a safety hazard, an emergency or other public safety communication such as reporting criminal activity or assistance relating to criminal activity with reasonable care taken to perform the call which may include pulling over to the side of the road provided a safe and legal location is timely available;
4. Use of Transit and Snow Removal Driver two-way radios during shifts;
5. Use of GPS navigation services is allowed but must provide audio directions and be programmed and adjusted while the vehicle is safely parked;
6. Public Works on-call employee receipt of emergency/essential calls, with reasonable care taken to perform or take the call which may include pulling over to the side of the road provided a safe and legal location is available.

All staff authorized to drive a City vehicle or a personal vehicle on City business must complete an Inattentive Driving Training session. Employees shall refrain from doing any activity that would contribute to careless driving. Careless driving activity examples include any activity unrelated to operation of the vehicle such as eating, grooming, or searching for an item in the vehicle.

Any employee who is found guilty of careless driving while on City time and/or while driving a city vehicle: 1) will receive a safety violation that will be reflected in the employee's next performance evaluation and personnel file; 2) any city issued device may be removed from his/her possession; and 3) there may be revocation of his/her City business driving privilege. Utah law defines careless driving as committing a moving violation (other than speeding) while distracted by use of a handheld cell phone or other activities not related to driving. Repeated violations may result in the revocation of use of such equipment and/or City driving privileges, and progressive discipline up to and including termination.

Any employee who is observed/found using such equipment or doing any other inattentive driving activity while operating a motor vehicle during City business may receive a safety violation. Safety violations will be reflected in the employee's next performance evaluation and personnel file. Repeated violations may result in the

revocation of use of such equipment and/or City driving privileges and progressive discipline up to and including termination.

Employees who violate this policy risk having cellular or mobile device privileges revoked.

Lost or stolen devices must be reported immediately to the IT department for security and service changes. The cost of damaged or lost equipment due to employee negligence may be charged to the employee.

5.7 Personal Conduct & Hygiene

Employees are expected at all times to conduct themselves in a positive, courteous and appropriate manner in order to promote and reflect the best interests of the City. While on the job or representing their department or the City, all employees are expected to maintain an appearance that promotes a clean, positive and professional image. Employees are expected to dress in attire or uniform that is appropriate or required for the workplace and his/her work assignment. Employees are expected to maintain a high standard of cleanliness and personal hygiene.

5.8 Rules of Conduct

Disclaimer: The policies and procedures stated in this manual and in other personnel statements or materials issued by the City are not intended to create either expressed or implied contract rights respecting the procedures, terms, conditions, or duration of employment nor other obligation or liability on the part of the City. The State of Utah is an —at will employment state. Accordingly, employment with the City is on an at-will basis, meaning that it may be terminated by the employee or City Manager at any time, for any reason or for no reason, without notice, and without procedures or formality.

The City believes that certain rules and regulations regarding employee conduct and behavior are necessary for efficient business operations and for the benefit and safety of all employees. Conduct that interferes with operations, discredits the City, and/or is offensive to customers, the public, or coworkers will not be tolerated and may result in immediate dismissal. Inappropriate actions include but are not limited to:

- Refusal to support department and/or City goals and programs.
- Sleeping on the job.
- Neglect of duty.
- Disrespectful behavior and/or poor attitude.
- Failure or willful refusal to perform work as directed and/or insubordination.
- Lack of cooperation with or impeding a department, City or Police investigation.

- Negligence in observing or reporting fire prevention issues (including smoking in designated areas only), safety regulations or any condition that may cause harm to employees or the general public.
- Improper notification of sick leave to Manager; not providing notice of known upcoming sick leave of three or more days or not providing doctor's note after three or more days of consecutive days of day-to-day sick leave (see **Section 4.16 Sick Leave**); habitual tardiness or absenteeism.
- Unwillingness or inability to work in harmony with others. Behavior which shows clear lack of courtesy, and/or creates irritation or friction with others.
- Soliciting or distributing non-related City products and/or programs via e-mail and/or in person.
- Deliberate omission, alteration or falsification of information on employment applications, time records, medical reports, expense records, absentee reports, work related injury reports, unemployment reports, or other City records.
- Reporting to work under the influence of alcohol, illegal drugs, or narcotics; using, selling, or dispensing illegal drugs or narcotics on City premises; reporting to work under the influence of over-the-counter (OTC) drugs that may adversely affect performance or safety of the employee or others.
- Failure to reasonably comply with City policies governing City communications systems.
- Breach of confidentiality.
- Lack of proper hygiene, clothing inappropriate for the workplace. Failure to maintain uniforms to department standards.
- Engaging in or threatening acts of workplace violence, including but not limited to:
 1. Possessing firearms or other weapons on City property with the exception of Peace Officers and Law Enforcement Officials as defined by [Utah Code Section 76-10-523](#) and as authorized by [Utah Code Section 53-5-704](#).
 2. Fighting or assaulting a co-worker, guest, visitor, or customer
 3. Threatening or intimidating a co-worker, guest, visitor or customer
- Engaging in any form of harassment.
- Stealing, destroying, defacing, or misusing City property or another employee's, customer's, or guest's property.

- Misusing City communications systems including electronic mail, computers, Internet access, and telephones.
- Refusing to follow instructions concerning a job-related matter or insubordination.
- Failing to wear assigned safety equipment or failing to abide by safety rules or policies.
- Smoking where prohibited by **Section 5.20**, local and/or Utah State law.
- Using profanity or abusive language or actions.
- Gambling on City property.

The examples of inappropriate behavior described above are not intended to be an all-inclusive list. At management's discretion, any violation of the City's policies or any conduct considered inappropriate or unsatisfactory may subject an employee to disciplinary action up to and including termination. Any questions in connection with this policy should be directed to your supervisor or to Human Resources.

Employees are expected at all times to conduct themselves in a positive and appropriate manner in order to promote and reflect the best interests of the City. Appropriate employee conduct includes:

- Treating customers, visitors, the public and co-workers in a courteous and respectful manner.
- Refraining from behavior or conduct that is offensive or undesirable, or which is contrary to the City's best interests or core values.
- Reporting to management any suspicious, unethical or illegal conduct by co-workers, customers, suppliers or vendors.
- Reporting to management any threatening or potentially violent behavior by coworkers, customers or suppliers.
- Cooperating with a department, City or Police investigation.
- Complying with all City safety and security regulations.
- Wearing clothing appropriate for the work being performed.
- Performing assigned tasks efficiently and according to established quality standards.
- Reporting to work punctually and as scheduled.
- Giving proper advance notice when unable to work or report on time according to **Section 4.10** Absences and Tardiness or specific department policies.

- Smoking only at times and in places not prohibited by **Section 5.20**, and local or Utah State law.

5.9 Harassment

The City is committed to the belief that all employees have the right to work in an environment that is free from discrimination and harassment. The City strictly prohibits harassment of or by its employees, vendors, customers or others who enter our workplace in any form. All employees at any level of employment with the City must avoid offensive or inappropriate harassing behavior, and the City holds employees responsible for ensuring that the workplace is free from any type of harassment. Employees should at all times treat other employees with respect, dignity, and in a manner so as not to offend the sensibility of their co-workers. The City is committed to the vigorous enforcement of its harassment policy at all levels of employment and in all City workplaces.

The City bases its harassment policy on Title VII of the Civil Rights Act of 1964, the Equal Pay Act of 1963, the Age Discrimination in Employment Act of 1967, Title I and Title V of the Americans with Disabilities Act of 1990, Sections 501 and 505 of the Rehabilitation Act of 1973 and the Civil Rights Act of 1991. It also bases its policy on the Equal Employment Opportunity Commission's (EEOC) definition of sexual harassment, which is: "Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly a term or condition of an individual's employment; (2) submission to or rejection of such by an individual is used as the basis for employment or decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment."

Specifically, the City prohibits conduct that may include but is not limited to the following:

- a. Degrading words to describe an individual; threats; offensive comments; derogatory remarks; innuendos or taunts; off-color language or jokes; and sexually suggestive objects, books, magazines, photographs, cartoons, or pictures.
- b. Display, storage and/or transmitting of offensive, pornographic, racist or offensive language, signs, or images from any personal cell phone, PDA, computer or radio while on duty.
- c. Any verbal or physical conduct that has the purpose or effect of creating an intimidating, hostile, or offensive working environment.
- d. Sexual harassment, including sexual harassment of men by women, and same sex sexual harassment.
- e. Engaging in indecent exposure.

- f. Unwelcome sexual advances.
- g. Requests for sexual favors, whether or not accompanied by promises or threats with regard to the employment relationship.
- h. Other verbal or physical conduct of a sexual nature made to an employee that may threaten or insinuate, either explicitly or implicitly, that an employee's submission to or rejection of the sexual advances will in any way influence any personal decision regarding that person's employment, evaluation, wages, advancement, assigned duties, shifts, or any other condition of employment or career development.
- i. Other harassing conduct committed in the workplace by supervisors or non-supervisory personnel, whether physical or verbal.

Any type of harassing conduct may result in disciplinary action up to and including termination. Any supervisor or manager who has knowledge of such behavior yet takes no action to end it is also subject to disciplinary action. Employees are prohibited from harassing other employees whether or not the incidents of harassment occur on employer premises, or whether the incidents occur during business hours.

Employees who have complaints of harassment by anyone in the workplace including supervisors, co-workers or visitors, are urged to report such conduct to their supervisors or Department Managers, who will report the incident to the Human Resources Manager so that the City may investigate and resolve the problem. If the complaint involves an employee's supervisor or someone in the direct line of supervision, or if the employee for any reason is uncomfortable in dealing with his/her immediate supervisor, the employee may go directly to any Department Manager, any management team member or directly to the Human Resources Manager, City Attorney, or City Manager.

The City endeavors to investigate all complaints as expeditiously and professionally as possible. Where investigation confirms allegations of harassment, the City shall take appropriate corrective action.

If after careful investigation the City is unable to confirm an allegation of harassment, the City may transfer an employee to a new location where the employee will not have any contact with the alleged harasser.

To the extent possible by regulation or law, employees will be apprised of the investigation process and the conclusion of the investigation.

The City makes every attempt to keep confidential the information provided to it in the complaint and investigation process to the fullest extent permitted by the circumstances. Retaliation against employees for reporting harassment or for assisting the City in its investigation of a complaint is against the law and is not permitted. Retaliation may include, but is not limited to, such acts as refusing to recommend the employee for a benefit for which he/she qualifies, spreading rumors about the employee, encouraging hostility from co-workers, and escalating the harassment.

If after investigating any complaint of harassment the City learns that an employee provided false information regarding the complaint, the City may take disciplinary action against the employee.

5.10 Retribution and/or Retaliation

Supervisors, managers and/or employees are not permitted to engage in any form of:

- a. Retaliation: the taking of any unfavorable job or employment action against an employee who in good faith reports suspected instances of inappropriate business conduct, activity, safety and/or policies and procedures violation.
- b. Retribution: the dispensing of any punishment (formal or informal) against an employee who in good faith reports suspected instances of inappropriate business conduct, activity, safety and/or policies and procedures violation.

Any supervisor, manager, or employee who engages in retribution or retaliation against a reporting employee is subject to disciplinary action up to and including termination.

Any supervisor, manager or employee who purposely reports false information of retribution or retaliation in an attempt to settle personal grievances is subject to disciplinary action up to and including termination.

5.11 Use of Drugs and Alcohol

a. Objectives

Park City Municipal Corporation is concerned about employee health and safety. The City recognizes that illegal drug use and the abuse of alcohol can destroy health and adversely affect personal life and work performance. Employees who abuse drugs or alcohol are a source of danger to themselves and to their co-workers. The employee likely will incur medical costs much higher than those of other employees, which may increase health insurance premiums. In addition, the quality and efficiency of performance will suffer, and absenteeism and tardiness likely will increase. All of these symptoms of alcohol and drug abuse will damage the City's productivity and competitiveness in the marketplace.

To protect the safety of all employees and the general public and to prevent decreased productivity and work quality, the City may require employees to submit to testing for illegal drugs or alcohol under the following circumstances:

1. Investigation of possible individual employee impairment;
2. Investigation of accidents in the work place or incidents of work place theft;
3. Maintenance of safety for employees or the general public; or
4. Maintenance of productivity, quality of products or services, or security of property or information.

b. Definitions

The following definitions apply:

1. Alcohol - ethyl alcohol or ethanol.
2. Illegal Drugs - any substance recognized as a drug in the United States Pharmacopoeia, the National Formulary, the Homeopathic Pharmacopoeia, or other drug compendia, or supplement to any of those compendia or substances declared illegal under applicable state statutes (such as —spice, ll —bath salts, ll and similar natural or synthetic drugs). The term Illegal Drugs does not include a drug taken in accordance with a valid prescription if taken as prescribed or other use authorized by law.
3. Positive Test Results - the results of a test for Alcohol or drugs that shows the presence of detectable levels of Alcohol (detectable defined as blood alcohol level of .04 or above) or Illegal Drugs in your system (including without limitation blood and urine.)
4. Under the influence - (a) to be unable to perform work in a safe or productive manner, OR (b) to have impaired judgment, OR (c) to be a potential threat to personal safety or welfare or that of other employees or the general public, OR (d) to be impaired in physical or mental functioning in any respect resulting from the use of Alcohol or Illegal Drugs, OR (e) to receive a Positive Test Result indicating the presence of detectable levels of Alcohol or Illegal Drugs in your system.
5. Park City Municipal Corporation Premises - (a) all property, offices, facilities, manufacturing plants, land, buildings, structures, and installations used by the City in the course and scope of his/her employment; (b) automobiles, trucks, and all other vehicles and equipment, whether owned or leased by Park City Municipal Corporation or used by an employee in the course and scope of his/her employment; (c) any parking lot or any automobile parked on any parking lot used by employees of Park City Municipal Corporation to park their personal vehicles during work hours, (d) automobiles owned or leased by employees while those automobiles are being used on the City's business. The term Park City Municipal Corporation Premises also includes all customer properties, areas under Park City Municipal Corporation's control, and any other work locations or mode of transportation to and from those locations during working time and while in the course and scope of employment with Park City Municipal Corporation or while conducting City business.

c. Policy Application

This policy applies to all City employees, volunteers and employment applicants.

Park City Municipal Corporation will discipline any employee, up to and including immediate discharge, or refuse to hire any job applicant who violates this policy.

d. General Rules

1. Employees may NOT be under the influence of Alcohol while performing job responsibilities, operating an automobile, truck or other vehicle or equipment leased or owned by the City, operating a personal vehicle while on business for the City. Exceptions may be allowed for City functions (**See 5.11 Alcohol and Drug Use I. Alcohol Consumption at City Functions**).
2. Employees may NOT use or be under the influence of Illegal Drugs, regardless of whether the Illegal Drug use has any adverse impact on job performance.
3. Employees may NOT unlawfully use, manufacture, distribute, possess, purchase, or sell Illegal Drugs or Alcohol at any time. If convicted of a crime (under state or federal law) as the result of unlawful use, manufacture, distribution, possession, purchase, sale of Illegal Drugs or Alcohol, or DUI employees must report the conviction to the Human Resources Manager or the City Manager within 5 working days of conviction.
4. Employees may NOT tamper with the testing procedure in any manner that is designed to or that reasonably could interfere with the accuracy of the testing procedure [e.g., using an adulterant (either by ingesting a substance into the body or adding a substance to the testing sample in an attempt to interfere with or negate the test results), attempting to hydrate the body prior to testing or substituting urine or any other substance for the testing sample].

The Park City Municipal Corporation will discipline employees who violate any of the General Rules discussed above up to and including termination.

e. Drug and Alcohol Testing

Park City Municipal Corporation, in its sole discretion, may require employees to submit to a test for the presence of Illegal Drugs (including legal drugs not taken in accordance with a lawful prescription) and/or Alcohol under the following circumstances:

1. Pre-Employment Testing: As mentioned in **Section 2.5**, the City has a responsibility to employees to make a reasonable effort to provide a safe work place and a responsibility to the public to make a reasonable effort to promote public safety. Therefore, applicants may be required to submit and pass a drug screening test as a condition of employment. Positive test results will make candidates ineligible for hire for a minimum of one year.
2. Post-Accident Testing: Employees will be required to sign the appropriate consent and release form(s) and allow Park City Municipal Corporation to test them for Illegal Drugs and/or Alcohol if employees are involved in: (a) any on-the-job accident or other incident where the City reasonably believes Illegal Drug and/or Alcohol use may have been involved; (b) any on-the-job personal injury accident that results in the need for medical treatment by a clinic or hospital; or (c) any on-the-job accident which results in damages to property estimated equal to or in excess of \$1,500 commensurate with [Utah Code Ann. § 41-6a-401](#) as amended. Park City Municipal Corporation will require

post-accident testing for Alcohol only if it reasonably believes that the use of Alcohol may have caused or contributed to the accident.

3. For-Cause Testing: If a City supervisor reasonably believes an employee is using and/or under the influence of Illegal Drugs and/or Alcohol on Park City Municipal Corporation Premises, the employee will be required to sign the appropriate consent and release form(s) and allow the City to test for Illegal Drugs and/or Alcohol. Indications of individual, job-related impairment that constitute grounds for requesting a drug or Alcohol test include, but are not limited to, the manifestation of physical or physiological signs, symptoms, or reactions commonly caused by the consumption or ingestion of Alcohol or drugs (i.e., the odor of Alcohol, slurred or thickened speech, apparent loss of coordination or unsteady gait, or uncharacteristic emotional behavior), failure to meet performance standards, and attendance and tardiness problems. Any City supervisor or employee who observes possible Illegal Drug or Alcohol use must immediately inform the Human Resources Manager or the City Manager.

The City will count the time needed for testing as hours worked for compensation and benefits. Park City Municipal Corporation will keep written records of testing for Illegal Drugs and Alcohol. The City will treat all information, interviews, reports, statements, memoranda, or test results as confidential communications and will keep the information in a file separate from your personnel file. In accordance with state law, Park City Municipal Corporation will not provide information regarding testing results to any third party except as specifically allowed by law.

Employees will be discharged if he/she refuses to sign a requested release form(s) or to submit to testing for Illegal Drugs and/or Alcohol or if he/she tampers with the testing procedure in any manner that is designed to or that could nullify or interfere with the accuracy of the testing procedure. The City will discipline employees who receive a Positive Test Result for the presence of Illegal Drugs or Alcohol up to and including termination.

f. Testing Procedure

Employees will be transported to a testing facility and accompanied within a close proximity during testing by a Supervisor or designee. A licensed physician, testing clinic, or laboratory established by the City that meets applicable standards will collect the testing sample. Samples will be collected with reasonable regard for privacy unless the licensed physician, testing clinic, or laboratory reasonably believes that employees have altered or made substitutions to the testing sample.

A federally or state-certified laboratory or other appropriate laboratory facility will conduct the testing. Any Positive Test Result will be identified or confirmed by gas chromatography, gas chromatography-mass spectroscopy, or other comparably reliable analytical method, as determined by the testing laboratory. In the event the laboratory uses a testing sample other than a urine sample, it will use testing procedures (including appropriate confirmation testing) that meet applicable standards.

If the employee tampers with the testing procedure in any manner that is designed to or that reasonably could interfere with the accuracy of the testing procedure [e.g., using an adulterant (either by ingesting a substance into their body or adding a substance to their testing sample in an attempt to interfere with or negate the test results), attempting to hydrate the body prior to testing, or substituting urine or any other substance for the testing sample], the City will terminate their employment.

The laboratory will use testing procedures for the presence of Alcohol that meet applicable standards.

Park City Municipal Corporation will use a medical review officer (MRO) to interpret any first or second-test confirmed positive result. An MRO is a licensed health care provider who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate a positive test result as it relates to your medical history and any other biomedical information. The MRO will discuss the Positive Test Result with the employee, including obtaining information that may explain the Positive Test Result (e.g., drug taken in accordance with a lawful prescription, circumstances that may explain a false positive, etc.). If, after evaluating the information received from the employee, the MRO determines that the employee's Positive Test Result was the result of use of Illegal Drugs or Alcohol (including without limitation the taking of a drug not in accordance with a lawful prescription or over-the-counter instructions), the MRO will inform the Human Resources Manager or designee.

At the discretion of the City and employee, employees receiving a positive test result may be directed to the City's Employee Assistance Program (EAP). Employees will be subject to any treatment plan developed by the EAP and the City. The cost of the treatment will be the responsibility of the employee unless designated otherwise by the City Manager. However, the City maintains the right to terminate an employee at its discretion at any stage of the treatment process. Treatment will not be in lieu of discipline up to and including termination.

Employees will not be notified of negative test results unless he/she requests the test result from the City in writing within a reasonable time following the test.

The City will pay all costs of testing for Illegal Drugs and Alcohol required by the City, including the cost of transportation if the testing is conducted at a place other than the work site.

g. Appeal Procedure

If an employee receives a Positive Test Result, he/she may, at his/her option, contact the testing laboratory and request a new test of the same sample *at his/her own expense*. Any request for a re-test must occur within three business days of the date he/she is notified of a Positive Test Result (please contact Human Resources to obtain contact information for the testing laboratory). It also is the employee's responsibility to notify the City after he/she has requested a re-test of the original sample. The City has no responsibility to ensure that the re-test occurs. The results of any re-test must be forwarded by the testing laboratory directly to the City. If employees do not receive a Positive Test Result on the new test, the City may request that he/she sign the appropriate consent and release form(s) and be tested a final time. The final test may be of the same or of a new sample, at the City's sole discretion. If employees refuse to sign the appropriate consent and release form(s) for the final test, he/she will be discharged. If employees receive a Positive Test Result on the final test, the City may discipline up to and including termination.

h. Consent and Release Form(s)

At the time an employee is required to undergo testing for Illegal Drugs and/or Alcohol, he/she will be required to sign consent and release form(s) approved by the City at the testing facilities identified by the City. An employee will be discharged if he/she refuses to sign the consent and release form(s).

i. Use of Prescription Drugs or Over-the-Counter Medications

This policy does not prohibit the normal use of prescription drugs as ordered by a licensed health care provider or of over-the-counter medications. However, while employees are on Park City Municipal Corporation Premises, the City prohibits the use of any prescription medication that is not prescribed for the employee or that is not taken in accordance with the prescription instructions. In addition, the City prohibits the abuse of over-the-counter medications on City Premises.

The following general statements will apply:

1. If the employee has been informed or has reason to believe that his/her use of any prescription drug or over-the-counter medication may interfere with his/her ability to perform the essential functions of his/her job, the City encourages the employee to speak to his/her supervisor or the Human Resources Manager. The City will take steps as required by law to reasonably accommodate employees and to prevent a significant risk of substantial harm to the health and safety of employees and co-workers. Nothing set forth in this paragraph shall impose any contractual or other obligation on the part of Park City Municipal Corporation except as required by the Americans with Disabilities Act or any state or local statute or regulation prohibiting discrimination on the basis of disability or handicap.
2. While on Park City Municipal Corporation Premises, employees must NOT consume prescription drugs more often than instructed on the prescription label.
3. While on Park City Municipal Corporation/Customer Premises, employees must NOT allow a co-worker or other person to take the prescription medications of others.
4. While on Park City Municipal Corporation Premises, employees must keep all prescription and over-the-counter medication in its original container. All prescription medication must be in the name of the employee and have the doctor's name and prescription number on the label.

Employees may use over-the-counter medications or prescription medication provided that it will not adversely affect work performance. However, Park City Municipal Corporation at all times reserves the right to have a licensed health care provider determine if use of a prescription or over-the-counter drug or medication may adversely affect job performance or increase the risk of injury to employees or co-workers. In that event, the Park City Municipal Corporation may limit or suspend work activities until

employees are no longer using the over-the-counter medication or prescription drug, in accordance with applicable federal and state law.

j. Americans with Disabilities Act

Alcoholism is considered a disability under the Americans with Disabilities Act. If an employee believes he/she may suffer from Alcohol abuse associated with alcoholism, the City strongly encourages him/her to contact the Human Resources Manager or the City Manager. In accordance with the Americans with Disabilities Act, Park City Municipal Corporation will make reasonable accommodations if the employee suffers from alcoholism, including encouraging employees to participate in rehabilitation programs.

If an employee suffers from alcoholism, he/she will be held to the same job performance standards and behavior as other employees. The City will not tolerate tardiness, absenteeism, accidents, or other unsatisfactory job performance caused or created by alcoholism. The City will discipline an employee if alcoholism adversely affects job performance or conduct so that the employee may no longer be considered a qualified individual with a disability.

k. Rehabilitation

Park City Municipal Corporation does not have an Alcohol or drug rehabilitation program. However, if an employee believes he/she may have a substance abuse problem and would like assistance, please contact the Human Resources Manager. The City will not discipline an employee solely for seeking assistance or for admitting the use of Illegal Drugs or Alcohol. Employees disclosing the use of Illegal Drugs or the use of Alcohol at work, who have not received a request for testing from the City, will be referred to the City's EAP. The City will treat the request confidentially. Employees may receive financial assistance for rehabilitation programs through the City's group medical benefit plan, subject to the terms, conditions, and limitations set forth therein. The City may allow an employee a leave of absence to obtain treatment.

If an employee seeks assistance for an Illegal Drug or Alcohol abuse problem only after being notified that he/she will be tested, he/she will be required to complete the testing and may be disciplined for violation of this Policy.

Nothing in this Section prevents Park City Municipal Corporation from disciplining an employee for any violation of this policy. Nothing in this policy modifies an employee's status as an at-will employee.

l. Alcohol Consumption at City Functions

Possession, consumption or use of alcoholic beverages at City functions may occur only with prior approval from the City Manager and Manager of the department organizing the event. After granting approval, the manager of the organizing department has ultimate responsibility for ensuring that employees adhere to the guidelines presented below. All employees are responsible for adherence to City policy and event consumption

limitations. Failure to do so may result in disciplinary action up to and including termination.

City functions to which this policy applies may include, but are not limited to: receptions, meetings, recruitment socials, retirement and anniversary parties, end of season celebrations, City events and parties and service award recognition events.

Employees are subject to City policy on alcohol consumption unless an exception has been made by the City Manager if one of the following criteria is met:

- Alcohol consumed was purchased using City funds.
- Employees attending an event are operating in an official capacity as a required job function.

City functions involving the consumption of alcohol must adhere to the following:

1. Employees who choose to drink alcoholic beverages at City functions are expected to behave in accordance with usual business standards and all City policies.
2. The department manager of the department organizing a function where alcohol is served is responsible for ensuring adherence to these guidelines.
3. Alcoholic beverages are not served in offices or work areas.
4. Alcoholic beverages are served, rather than simply made available, to those who wish to partake. Self-serving of alcoholic beverages at City functions is strictly prohibited.
5. Any off-site functions are held in appropriately licensed facilities, with drinks served by professional bartenders.
6. Food must be available.
7. Alcoholic beverages will be served for a restricted period of time; generally no more than two hours. Possible exception: If the function is planned for a long period of time, e.g., a full or half day, alcohol may be served for a longer period with prior City Manager approval. However, alcohol service must cease no less than one hour prior to the end of the function.
8. Alcohol is not to be served to minors or anyone who appears to be impaired.
9. Safe passage home must be pre-arranged by an employee who plans to consume alcoholic beverages at City functions.

Employees are expected to use good judgment and discretion in regards to the use of alcohol.

5.12 Workplace Violence

Park City Municipal Corporation provides a safe workplace for all employees. To ensure a safe workplace and to reduce the risk of violence, all employees should review and understand all provisions of this workplace violence policy. The following guidelines have been adopted to deal

with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises. This policy applies to all full-time regular, special employment appointments, part-time and seasonal employees.

All employees (including managers, supervisors, part-time, seasonal, student interns and special employment agreement) and volunteers should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited from the premises of Park City Municipal Corporation without proper authorization. Possessing firearms or other weapons on City property with the exception of Peace Officers and Law Enforcement Officials as defined by [Utah Code Section 76-10-523](#) and as authorized by [Utah Code Section 53-5-704](#) is prohibited.

Conduct that threatens, intimidates, or coerces another employee, a customer, or a member of the public will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's sex, race, age, or any characteristic protected by federal, state, or local law.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to the employee's immediate supervisor or any other member of management. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, the employee should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Do not place yourself in peril. If you see or hear a commotion or disturbance near your work station, do not try to intercede or see what is happening.

Park City Municipal Corporation will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, Park City Municipal Corporation may suspend employees, either with or without pay, pending investigation.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

Any type of workplace violence committed by or against employees will not be tolerated. The following list of behaviors, while not all inclusive, provides examples of conduct that is prohibited:

- Causing physical injury to another person
- Making threatening remarks
- Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress
- Intentionally damaging employer property or property of another employee
- Possessing firearms or other weapons on City property or while on City business with the exception of Peace Officers and Law Enforcement Officials as defined by [Utah Code Section 76-10-523](#) and as authorized by [Utah Code Section 53-5-704](#)

- Committing acts motivated by, or related to, sexual harassment or domestic violence

Any potentially dangerous situations must be reported immediately to a supervisor, manager or the Human Resource Department. Employees are expected to exercise good judgment in recognizing dangerous situations. Such behavior includes:

- Discussing weapons or bringing them to the workplace
- Displaying overt signs of extreme stress, resentment, hostility, or anger
- Making threatening remarks
- Sudden or significant deterioration of performance
- Displaying irrational or inappropriate behavior

Employees are encouraged to bring their disputes or differences with other employees to the attention of their supervisors or the Human Resources Department before the situation escalates into potential violence. Park City Municipal Corporation is eager to assist in the resolution of employee disputes, and will not discipline employees for raising such concerns.

At any time if employees or the general public are threatened or may be in danger, please contact the Park City Police Department or dial 911 immediately.

5.13 Outside Employment

Outside employment includes self-employment and is defined as the performance of work other than City work for self or others for compensation. Full-time regular employees must provide a request for permission to accept outside employment to their Manager and the Human Resources Department, which will then forward the information to the City Manager. Outside employment must be approved by the City Manager. Outside employment permission forms are available in Human Resources or on the employee portal (ep.parkcity.org). Failure to provide notification of outside employment may result in disciplinary action up to and including termination. The request should include any pertinent information about the outside employer, the nature of the employment, and the hours of employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel or refusal to work overtime or different hours. Permission shall not be given if it is determined that such outside employment is likely to physically or mentally hamper the employee in his/her ability to do the job required of him/her by the City, or if it is likely to reflect discredit on the City's service or the employee, or if it is in conflict with one's position as a City employee. Any changes to position or employer must be re-approved.

Approval of outside employment is valid until the February following its approval. In February of each year all full-time regular employees must complete a new Outside Employment form and have his or her Manager, the Human Resources Department and the City Manager re-approve the outside employment position.

5.14 Disciplinary Procedures

Disclaimer: The policies and procedures stated in this manual and in other personnel statements or materials issued by the City are not intended to create either express or implied contracts respecting the procedures, terms, conditions, or duration of employment, or other obligation or liability on the part of the City. Unless otherwise provided by State law, employment with the City is at-will and shall remain as such

notwithstanding the procedures below, meaning that it may be terminated by the employer or City Manager at any time, for any reason or for no reason, without notice, and without procedure or formality.

It is the City's policy that all employees are expected to comply with City standards of behavior and performance, and that any noncompliance with these standards must be corrected.

Under normal circumstances, the City endorses a policy of progressive discipline in which it attempts to provide employees with notice of deficiencies and/or inappropriate behaviors and an opportunity to improve or correct deficiencies or behaviors. The procedures set out below are as complete as the City can reasonably make them. However, they are not necessarily all inclusive. The City may vary from the rules/procedures listed if, in its opinion, the circumstances require. As such, the City retains the right to administer discipline in any manner approved by the City Manager. This policy does not modify the status of employees who are employee's at-will. Supervisors must have manager approval before issuing any reprimands. Managers must meet with the Human Resources Manager or his/her designee prior to issuing any reprimand.

The normal application of progressive discipline:

1. Verbal Reprimand: If an employee is not meeting City standards of behavior or performance, the employee's supervisor should take the following action:
 - a. Supervisor shall discuss the matter with the employee.
 - b. Inform the employee of the nature of the problem and the action necessary to correct it. Explain what constitutes proper conduct, standards of behavior or performance.
 - c. The supervisor should prepare a written record documenting the meeting has taken place.
 - d. Verbal reprimands should be submitted to the Human Resources Department. They are not filed in employees' files.
2. Written Reprimand: If there is a second occurrence or intentional or repeated related or unrelated offenses:
 - a. Employee receives written notice of discipline or reprimand following intentional or repeated or unrelated offenses. A copy of the written notice is placed in the employee's personnel file.
 - b. The supervisor may suspend the employee with or without pay as approved by the City Manager.
 - c. Written reprimands should be submitted to the Human Resources Department. They are filed in employees' files.
3. 2nd Written Reprimand: If there are additional occurrences, the supervisor should take the following action depending on the severity of the conduct or offenses:

- a. Employee receives final written notice of discipline or reprimand following serious misconduct or further repeated related or unrelated offenses.
 - b. The supervisor may suspend the employee with or without pay as approved by the City Manager.
 - c. Written reprimands should be submitted to the Human Resources Department. They are filed in employees' files.
4. Termination: Employee is recommended for termination as the result of a serious offense or the final step in the progressive discipline process. Discharged employees may have rights of appeal as set forth in Section 6 Procedures for Employee Complaints, Discharge and Transfer Appeals of this Manual.

Employees, although they may not necessarily agree with the disciplinary action, must sign the form or memorandum signifying that they are aware that disciplinary action has been taken against them. If an employee refuses to acknowledge the disciplinary action with his/her signature, the supervisor shall have another supervisor witness the refusal and both supervisors will sign indicating the employee's refusal.

A Supervisor may recommend removing a written record from the employee's file after a specified time of meeting certain performance conditions outlined in the written notice or a subsequent performance review, with the approval of Human Resources and the City Manager. The specified time shall at a minimum include one (1) year. A written notice may be removed after that specified time based upon satisfactory performance as it relates to outlined conditions, no additional performance issues, and with the approval of the supervisor, Human Resources and the City Manager. The removal of written records is generally disfavored and may be approved or denied in the sole discretion of the City Manager. Removal requests will typically only be considered for relatively minor matters where the City Manager finds no further personnel need for the record and the employee's employment history would be unnecessarily tarnished by its continued inclusion in the file. Denials of such requests are not considered adverse job actions and may not be appealed.

5.15 Strikes and Work Stoppages

Every City employee, by accepting or retaining a position with the City, agrees that he/she will not engage in, threaten to engage in, encourage, or plan any strike or job action, whether it be in the nature of an immediate walk out or resignation after notice or job slow down. Any violation of this section shall be grounds for removal from the City employment and grounds for refusal of reinstatement or employment within the City.

5.16 Solicitations

Solicitations by employees or unauthorized vendors on City premises are prohibited. The prohibition applies both to employees on working time and to non-employees.

5.17 Gratuities

All employees who accept any type of gratuity (anything of monetary value) must report it on their timecard as wages commensurate with the IRS tips reporting guidelines referenced in [Publication 531](#), *Reporting Tip Income*. Employees shall not directly or indirectly solicit any gift or receive any gift whether in form of money, services, loan, travel, entertainment, hospitality, promise, or any other form except as specifically provided herein. Employees may be permitted to accept food and items of nominal value as defined by Section 3-1-4(C) of the Ethics Code, Title 3 of the Municipal Code <http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=247>. Any employee who is uncertain whether an offered gratuity may be accepted may request a ruling from the City Attorney as to the propriety of the offered gift.

Official Master Festival and Special Event sponsorship materials, tickets and event invitations that the City receives in its corporate capacity which may be distributed to officials and/or employees by the City Manager in his/her sole discretion shall not be considered a gift or gratuity for purposes of this section.

5.18 Information Technology (IT)

a. City Business Use

In general, IT systems and services are provided for City business, this includes but is not limited to computer equipment, phones, printers, photocopiers, FAX devices, email services, software, Internet access, wireless services (Wi-Fi, 3G/4G) and data storage. City systems are not to be used in a way that may be disruptive, offensive to others, in conflict with city business operations, or harmful to morale.

Users should have no expectation of privacy when using City equipment, data or networks. All electronic files and messages, sent and received using City systems or City provided Internet access, including web-based messaging systems, are subject to viewing, inspection, release, and archiving by authorized personnel at all times to the extent that such rights are not superseded by applicable laws. The City will comply with reasonable and compulsory requests from law enforcement and regulatory agencies for electronic records.

Users are responsible for the security of the equipment and data. It is paramount that users protect City and personal data. Do not store, copy, share or transmit any confidential data including but not limited to passwords, social security numbers, bank routing information, and credit card numbers outside of appropriate City Systems.

All City records must be maintained pursuant to City retention policies. It is prohibited to destroy, delete, erase or conceal City files or otherwise making such files or data unavailable or inaccessible in any manner inconsistent with such policies.

b. Internet Use

This policy governs all uses of Park City's network and Internet/intranet access at all offices, hotels, airports, employees' homes, and any other location when such access is for work purposes or on City equipment.

The Park City network and Internet access are intended primarily for business use only. Employees may access the Internet for personal use only during nonworking hours, and strictly in compliance with the terms of this policy.

All information created, transmitted, acquired, downloaded, or uploaded via the organization's network and Internet or intranet is the property of Park City Municipal Corporation. Employees should have no expectation of privacy regarding this information. The organization reserves the right to access, read, review, monitor and copy all messages, content and files on its computer system or network enabled device at any time and without notice. When deemed necessary, the organization may disclose text or images to law enforcement agencies or other third parties without the employee's consent.

Employees are reminded that information obtained from the Internet is not always reliable and should be verified for accuracy before it is used.

PROHIBITED ACTIVITIES

Employees are prohibited from using Park City's network or Internet access for the following activities, unless as part of an active internal or Police investigation:

1. Downloading and/or installing software without the prior written approval from the IT Director.
2. Disseminating or printing copyrighted materials, including articles and software, in violation of copyright laws including the use of peer-to-peer file sharing and/or storage of such materials on any city owned equipment.
3. Sending, receiving, printing, or otherwise disseminating Park City Corporation's proprietary data, or other confidential information in violation of organizational policy or written agreements.
4. Operating a business, election campaign activity, usurping business opportunities, soliciting money for personal gain, or searching for jobs outside Park City Municipal Corporation.
5. Making offensive or harassing statements and/or disparaging others based on race, color, religion, national origin, veteran status, ancestry, disability, age, sex or sexual orientation.
6. Viewing, downloading, uploading, sending, or soliciting obscene or pornographic sites, messages or images or otherwise viewing, downloading, uploading, sending or displaying sites or messages which violate the City's harassment policies.

7. Visiting sites featuring pornography, terrorism, espionage, theft, or illegal drugs.
8. Gambling or engaging in any other criminal activity in violation of local, state or federal law.
9. Engaging in unethical activities or content.
10. Participating in activities, viewing, or writing content that could damage Park City Municipal Corporation's professional reputation.

COMPLIANCE AND VIOLATIONS

1. Managers are responsible for ensuring employee compliance with this policy.
2. Employees who learn of policy violations should notify the HR or IT manager(s).
3. Employees who violate this policy or use Park City's network, Internet, or intranet access for improper purposes will be subject to discipline, up to and including termination.

Appropriate or approved classified ads on the employee portal are not considered prohibited activities.

c. Email Standardization

Professional e-mail transmission is important to maintaining the positive image of the City, its business and its government and therefore must adhere to the following guidelines: E-mail background must be white. All signature elements including logo, font and color must be found on the city's style reference website:
<http://style.parkcity.org>

The City's policy on access to and disclosure of electronic mail messages sent or received by Park City Municipal Corporation employees who use the electronic mail system may be changed at any time.

All electronic communication, phone, e-mail, text, smartphone, PDA, etc. are solely owned City property. Notwithstanding the assigning of individual passwords, the City reserves the right to access and disclose all messages sent over its electronic mail system and server domain or any communication system at any time for any business purpose including but not limited to ensuring employee performance and protecting confidential information.

Employees should not attempt to gain access to another employee's e-mail account or e-mail messages without the latter's express permission. However, City management reserves the right to enter an employee's e-mail files whenever there is a legitimate business need to do so. However, nothing herein shall affect the classification of e-mail pursuant to the Utah Government Records and Retention Act, or other state and federal standards.

E-mail transmissions are not actually deleted when a City employee deletes them from his/her computer. Deleted e-mail remains in memory storage and can be accessed by outside parties in the event of a lawsuit or other investigation. Because e-mail transmissions are discoverable documentary evidence, employees may be asked to explain e-mail transmissions before a judge in a court of law in the event that the City is involved in a lawsuit.

Transmission between any Park City employee and the Park City Legal Department which contains substantive legal material should be labeled —protected attorney-client communication, but absences of such label shall not preclude the City from classifying such communication as —protected after the fact.

d. Support

Technical support, record requests and GIS services are provided during regular business hours (8 am – 5 pm Monday-Friday). After-hours emergency support should only be utilized when critical services are unavailable or no other alternative exists. Unscheduled walk-in support is discouraged.

8. Web: <http://5123.parkcity.org> – Internal network only
9. Email: 5123@parkcity.org
10. Phone: 435-615-5123 (EMERGENCY SUPPORT ONLY)

e. Geographic Information Systems (GIS)

GIS data cannot be distributed or resold without permission. All data that is distributed requires a signed agreement. Contact IT support for more information. All GIS data must be saved in —GISDATA or —CITYWIDE network share.

Use of plotter may result in material costs to you or your department. Please make arrangements well in advance of your deadline.

f. Training

IT/GIS training are offered throughout the year and upon request but do not include specialized trainings for individual industry or job functions. Training can be requested through support or through the employee portal (ep.parkcity.org).

g. Equipment & Software Requests

Contact IT for all technology requests including software, hardware, printers, copiers, GPS and accessories.

h. Social Media & Other Websites

No City department, official, or employee may create a social media site or an identity/entity/presence on a website (such as Twitter, Facebook, YouTube, internet blogs or chat rooms and other websites) regarding City affairs or content without the

express approval of the City Manager. Authorized sites shall have a designated purpose and staff member assigned to maintain and moderate content.

Generally, City sites shall not allow public citizen comment, except as approved by the City Manager for designated and published public purposes. All sites shall contain a link with the following prohibitions on content:

1. No comments unrelated to purpose;
2. No content that promotes discrimination or harassment;
3. No posts that constitute or encourage illegal activity;
4. No solicitations of commerce [except for authorized public bidding site(s)];
5. No sexually related content or links to sexually related content;
6. No profane language;
7. No content that violates a legal ownership interest of another party;
8. No information that compromises safety or security of any information or person;
9. No comments regarding political campaigns or ballot measures [state law prohibits use of City resources for such];

Employees posting on City sites or third party sites, if the posting occurred in the scope of employment or concerns City business or information, shall adhere to the following rules:

- Social networking and video site users are required to write/post content under their own names. Pseudonyms and anonymous postings are prohibited, when using City equipment or City-hosted social networking or video sites.
- Unless approved by the City, employees are prohibited from mentioning the City or identifying themselves as employees of the City via text, photos, art, City logos, City uniforms, City letterhead, City products, City trademarks, or any other image, copy, or content, when using a personal social networking and video site.
- Employees must incorporate the following legal disclaimer into their personal social networking pages and public video site posts when making statements regarding matters of public concern that may in any way impact or be related to City business: —The opinions expressed on this social networking profile (video site) are my own personal opinions. They do not reflect the opinions of my employer.¶
- Employees are prohibited from attacking, defaming, harassing, discriminating against, menacing, threatening, or otherwise exhibiting inappropriate or offensive behavior, attitudes, opinions, or commentary toward or about coworkers, supervisors, executives, customers, vendors, shareholders, the media, or other third parties, when using a personal social networking site or public video site.
- Employees are prohibited from disclosing confidential, protected, proprietary, or private information about the City or obtained in the scope of employment.
- Employees are prohibited from disclosing information in regards to the City, its products, services, financials, plans, employees, customers, partners, suppliers, or other third parties, when using a personal social networking site or public video site.
- Employees are prohibited from using a City-provided or personal cell phone or smartphone camera or video recorder to take, transmit, download, or upload to social networking or video sites any photos or videos of coworkers, executives, customers,

suppliers, and any other third party without first securing the written permission of the subject if applicable and their Department Manager, and/or an authorized member of management.

- Employees are prohibited from using a City-provided or personal cell phone or Smartphone camera or video recorder to take, transmit, download, or upload any business- or City- related photos or videos to City computers, personal computers and social networking or video sites without first securing written permission from their Department Manager as well as an authorized member of City management if applicable. Banned photos and videos include, but are not limited to, the following:
 - (1) —funny, ll embarrassing, or unprofessional images of City employees, executives, customers, suppliers or other third parties;
 - (2) City buildings (internal and external), offices, facilities, operations, services, confidential data, and internal documents;
 - (3) City uniforms, logos, signage, trademarks, business cards, letterhead, literature, or any other printed or electronic content that can be used to identify the City or past and current employees.
- Employees are prohibited from disclosing financial information about the City without permission.
- Employees must adhere to the City’s written Personnel Policies and Procedures Handbook when using a personal social networking site or public video site. Prohibited content includes, but is not limited to, obscene, profane, adult-oriented, pornographic, harassing, discriminatory, menacing, threatening, and otherwise offensive text, art, photos, videos, graphics, cartoons, or other images and content.
- Employees may not post content or conduct activities that violates applicable local, state, or federal laws or regulations when using a personal social networking site or public video site, or a City-hosted social networking or video site.

Violation of City’s Social Media Site policy (or any other City policy) will result in disciplinary action, up to and including termination.

5.19 Code of Ethics

Park City employees are subject to the Code of Ethics, Title 3 of the Municipal Code and the Municipal Officers and Employees Ethics Act, Section 10-3-1301 *et seq.*, Utah Code Annotated 1953, as amended, which establishes standards of conduct for employees to disclose actual or potential conflicts of interest between public and personal duties. Employees are responsible for complying with the disclosure requirements for personal interest and restrictions governing the acceptance of gifts.

5.20 Smoking

All government buildings are designated as —smoke free ll under [Utah Code Annotated Section 26-38-3](#). The City recognizes that smoking in the workplace can adversely affect employees. Accordingly, smoking is restricted inside all City facilities. Smoking outside must conform to the rules set forth in the Utah Clean Air Act. Smoking is prohibited during the operation of City equipment or while driving City vehicles. Failure to comply with this policy may result in disciplinary procedure up to and including termination.

5.21 Consumer Reports

The City maintains the right to request consumer reports as a condition of hire, promotion or transfer when necessary, under the Fair Credit Reporting Act ([Title VI of the Consumer Credit Protection Act](#)). Consumer reports may consist of financial credit checks, criminal background checks, etc.

The City may at its discretion not extend an offer of employment, promotion or transfer to a candidate where debt history or standing may indicate financial irresponsibility for a position which requires financial honesty and aptitude.

[The National Child Protection Act of 1993 \(NCPA\)](#), as amended by the Volunteers for Children Act (VCA), authorizes a state and national criminal background check to determine the fitness of an employee or volunteer with unsupervised access to children, the elderly, or individuals with disabilities. Applicants for specified full-time, part-time, seasonal, and volunteer positions in which there may be unsupervised access or exposure to children, the elderly, or individuals with disabilities, will be required to apply for a criminal history background check as a condition of employment or volunteer purposes prior to final determination of appointment. The City reserves the right to deny employment or acceptance of a volunteer position to any person convicted of, or is under pending indictment for, a crime that bears upon his/her fitness to be employed or serve as a volunteer for a position of trust over children, vulnerable adults or persons with disabilities.

Candidates for employment who are required to submit to consumer reports such as background and/or credit checks must provide written authorization to do so, and may expect the following:

- Be notified before a report is obtained.
- Be informed of the name and address of the reporting agency.
- Should information obtained on a consumer report which prohibits a candidate from obtaining a position with the City, they will be informed with a notice which will include the name, address and phone number of the consumer reporting agency, a statement that the agency supplying the report did not make the decision to take adverse action and a notice of the individual's right to dispute the accuracy or completeness of any information furnished, and their right to an additional free report from the agency upon request within 60 days.

Information obtained from consumer reports will be available only to those staff members who have a legitimate need. Any employee who disseminates or uses information obtained from the consumer report for purposes other than that specified above will be subject to disciplinary action up to and including termination, and may also be subject to civil liability.

The City also maintains the right to perform consumer reports as part of an investigation of wrongdoing and/or policy violation of any current employee if applicable and as part of an ongoing investigation.

5.22 Youth Protection

The City has no tolerance for mistreatment of children or diminished capacity adults within the programs it administers. Staff or volunteers suspected of abuse will be removed from involvement with youth programs pending investigation. A finding of cause to believe that abuse occurred by an investigating agency shall be sufficient cause for disciplinary action up to, and including termination from employment or termination from volunteer service.

Every allegation of wrongdoing involving children shall be reported immediately to the Park City Police Department. City staff shall not take it upon themselves to investigate allegations of abuse by parents, guardians, City staff or volunteers, or any other person. City staff shall cooperate fully as necessary with investigations conducted by appropriate state agencies.

Isolated one-on-one contact between a staff member or volunteer and a child is discouraged, and should be avoided when possible or not prohibited by business need.

Section Six (6)

PROCEDURES FOR EMPLOYEE COMPLAINTS, DISCHARGE AND TRANSFER APPEALS

6.1 Complaint Procedure

Employees who have an issue or concern about their employment that does not involve a transfer or discharge shall have the opportunity to discuss the issue with management. The first step is a discussion of the issue or concern with the employee's immediate supervisor. If a satisfactory resolution is not reached, the employee shall have the right to pursue the issue through the organization's chain of command. If the employee does pursue the issue, it shall be his/her responsibility to inform the manager at each level of the intent to pursue resolution to the next level. The final step of this process shall be a discussion with the City Manager whose determinations shall be final.

6.2 Discharge and Pre-Termination Hearing

Only the City Manager or his/her designee may discharge an employee. Prior to being discharged, an employee shall have the right to know the reason for his/her discharge and have the opportunity to discuss the discharge with his/her Department Manager and/or the City Manager if he/she wishes to do so.

6.3 Employee Transfer and Discharge Appeal Rights and Procedure

Except as otherwise provided in Utah Code Ann. Section 10-3-1105(2) as amended, any employee, who is discharged, suspended for more than two days without pay, or involuntarily transferred from one position to another with less remuneration for any disciplinary reason, shall have the right to appeal the discharge, suspension without pay, or involuntary transfer to an Employee Transfer and Discharge Hearing Officer as set forth in Utah Code Ann. Sections 10-3-1105 and 10-3-1106 as amended.

Pursuant to Utah Code Annotated Section 10-3-1105(2), as amended, the Employee Transfer and Discharge appeal rights provided herein do not apply to the following positions:

- City Treasurer (Finance Manager)
- Chief of Police
- Administrative Secretary
- Police Captains
- Ice Rink General Manager
- Golf Manager
- Recreation Manager
- Budget Operations Manager
- Capital Budget, Debt & Grants Manager
- Chief Building Official

- Deputy Chief Building Official
- Library Director
- ~~Planning Director~~
- Current Planning Manager
- ~~Community Development Director~~
- Economic Development Manager
- Public & Community Affairs Manager
- ~~Public Works Operations Manager~~
- ~~Transit and Public Works Director~~
- Information Technical & Customer Services Director
- Human Resources Manager
- Water ~~Manager~~ Utility Director
- Water Engineer and/or any superintendents
- Water Quality Manager
- ~~Transit and~~ Transportation Planning Manager
- City Attorney
- Deputy City Attorney
- City Manager
- Assistant City Manager
- Regional Community Development Director
- City Recorder
- ~~Senior City Recorder~~ Executive Assistant
- City Engineer

Any other position specified in Utah Code Annotated Section 10-3-1105(2), as amended, including but not limited to a probationary employee of the municipality; 4a part-time or contract employee of the municipality; a seasonal employee of the municipality; and a student intern of the municipality.

Nothing in Utah Code Ann. Sections 10-3-1105 or 10-3-1106 as amended may be construed to limit a municipality's ability to define cause for an employee termination or reduction in force.

An employee to which Employee Transfer and Discharge appeal rights apply may not be discharged, suspended without pay, or involuntarily transferred to a position with less remuneration because of the employee's politics or religious belief, or incident to, or through changes, either in the elective officers, governing body, or heads of department.

Appeals to the Employee Transfer and Discharge Hearing Officer shall be taken by filing written notice of the appeal (Appendix A) with the City Recorder within ten calendar days of the discharge, suspension without pay, or involuntary transfer.

Upon the filing of the appeal, the City Recorder shall forthwith refer a copy of the same to the Hearing Officer. Upon receipt of the referral from the City Recorder, the Hearing Officer shall forthwith commence his/her investigation, take and receive evidence and fully hear and determine the matter which relates to the cause for the discharge or transfer.

The Hearing Officer shall have the power to subpoena witnesses and compel the production of evidence. The scope of the inquiry of the Hearing Officer shall be limited to determine if the City has proven the facts supporting the allegations made against the employee by substantial evidence and that the disciplinary sanction is proportionate to the alleged misconduct and consistent with discipline imposed against other similarly situated employees with appeal rights. Discovery shall be limited to that information which was actually considered in making the decision which is being appealed. The Hearing Officer is not required to follow the Utah Rules of Civil Procedure or the Utah Rules of Evidence.

The Employee shall be entitled to appear in person and to be represented by counsel (at the expense of the employee), to have a public hearing, to confront the witness whose testimony is to be considered, and to examine the evidence to be considered by the Hearing Officer.

The decision of the Hearing Officer shall be certified to the City Recorder no later than 15 days after the day on which the hearing is held . The City Recorder shall certify the decision to the employee affected, and also to the head of the department from whose order the appeal was taken.

In the event that the Hearing Officer does not uphold the discharge, or transfer, the Hearing Officer shall provide that the employee shall receive the employee's salary for the period of time which the employee is discharged or suspended without pay less any amounts the employee earned from other employment during this period of time; or any deficiency in salary for the period during which the employee was transferred to a position of less remuneration . The employee shall be paid his salary commencing with the next working day following the certification by the City Recorder of the Hearing Officer's decision, provided that the employee, or officer, concerned reports for his assigned duties during that next working day.

A final action or order of the Hearing Officer may be reviewed by the Court of Appeals by filing with that court a petition for review within 30 days after the issuance of the final action or order of the Hearing Officer.

6.4 Exit Interview

All Full-Time Regular employees will be given an exit interview questionnaire. The purpose of this questionnaire is to gather information on improvement of the City. All terminating full-time regular employees are encouraged to meet with the Human Resources Manager for an exit interview. The purpose of this interview is to gather information to assist management in identifying areas that are satisfactory and those that need improvement. Exit interview information is not confidential and may be disclosed to the employee's manager, the Human Resources Manager and/or the City Manager.

6.5 American with Disabilities Act Complaints

The Human Resources Manager is the City's Americans with Disabilities Act (ADA) Coordinator. The ADA Coordinator coordinates the ADA compliance effort and processes complaints in the compliance with the ADA grievance procedure to ensure

that qualified disabled individuals are not excluded from or denied the benefit of City programs. The procedure for handling potential ADA grievances is as follows:

- a. Complainants file verbal or written complaints with the Human Resources Manager.
- b. Complaints must include the complainant's name and address and should briefly describe the alleged ADA violation.
- c. Complainants must file their complaint within 10 days of becoming aware of the alleged ADA violation.
- d. The ADA Coordinator conducts a thorough investigation of the complaint and affords all interested persons and their representatives the opportunity to submit oral or documentary evidence relevant to the complaint.
- e. The ADA Coordinator issues a written determination as to the validity and resolution of the complaint and forwards a copy to the complainant no later than 30 days after the complaint is filed.
- f. If the complainant is dissatisfied with the resolution of the complaint, the complainant may request reconsideration. Complainants may file requests for reconsideration with the City Manager or the City Manager's designee within 10 days of issuance of the written documentation.
- g. The rights of complainants to prompt and equitable resolution of complaints filed hereunder are not impaired by the complainant's pursuit of other remedies, such as filing of an ADA complaint with the responsible federal department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
- h. The ADA Coordinator maintains City files and records relating to the filing and processing of ADA complaints.

Section Seven (7) **EMERGENCY MANAGEMENT**

7.1 Employee Identification Cards

Provide a means of quickly identifying PCMC employees and the capacity in which they serve the City. This identification will be used for security purposes in the event of a citywide emergency or disaster situation. The identification system may also be used as a means of identification for daily operations, building and/or restricted area access.

All PCMC employees are required to have a PCMC ID card while on duty and visibly displayed by the employee on a lanyard or clip.

Additional information on Employee Identification Card requirements can be found on the Emergency Management Procedure Manual found on the Employee Portal or in the Human Resources Department.

7.2 Emergency Work Requirements

Obligation to Work: In the event of a city emergency, employees (including contract, part-time and seasonal employees) will be required to report to work as soon as possible unless they are medically unable to do so. Employees must call the Emergency Hotline at 1-888-894-7275 to update their status.

Failure to contact PCMC as outlined in Section 4.11 of this manual may result in termination.

Additional information on Emergency Work Requirements can be found in the Emergency Management Procedure Manual found on the Employee Portal or in the Human Resources Department.

7.3 NIMS (National Incident Management System) Training

Mandatory NIMS training requirements, as outlined in either job descriptions, the Comprehensive Emergency Management Plan (CEMP) and/or by departments, must be completed within six (6) months from an employee's date of hire.

Additional information on NIMS Training requirements can be found in the Emergency Management Procedure Manual found on the Employee Portal or in the Human Resources Department.

7.4 Other Emergency Management Policies

The PCMC Administrative Policy & Procedure (AP&P) Manual has a number of additional policies that are Emergency Management related.

Additional information on other Emergency Management Policies can be found in the Emergency Management Procedure Manual found on the Employee Portal or in the Human Resources Department.

Attachment H



Resolution No.

**A RESOLUTION ADOPTING THE REVISED PERSONNEL POLICIES
AND PROCEDURES MANUAL, DATED JULY 1, 2015 FOR
PARK CITY MUNICIPAL CORPORATION**

WHEREAS, personnel policies and procedures may be adopted and amended at the discretion of the City Council and are subject and subordinate to applicable federal and state laws, rules, and regulations, and local ordinances; and

WHEREAS, purpose of the manual is to provide for guidance regarding the fair and consistent administration of city personnel, but neither any contract nor implied contract rights are created hereby; and

WHEREAS, the City Manager, Legal Department, Human Resources Department, management team and the Policies and Procedures Committee have reviewed the proposed amendments of the Revised Personnel Policies and Procedures and recommends adoption by the City Council; and

WHEREAS, the City Council deems it in the best interest of the employees of Park City Municipal Corporation to formally adopt them;

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

SECTION 1. ADOPTION. The Personnel Policies and Procedures Manual, dated July 1, 2015 attached hereto, is hereby adopted and the 2014 version is hereby repealed including any temporary amendments thereto adopted by the City Manager.

SECTION 2. EFFECTIVE DATE. This Resolution shall take effect on July 1, 2015.

PASSED AND ADOPTED THIS _____

PARK CITY MUNICIPAL CORPORATION

Mayor Jack Thomas

Attest:

Marci Heil, City Recorder

Approved as to form:

Mark Harrington, City Attorney

Attachment I



Resolution No. -15

**A RESOLUTION ADOPTING THE PARK CITY COMPREHENSIVE
EMERGENCY MANAGEMENT PLAN (CEMP)**

WHEREAS, the purpose of the CEMP is to develop a comprehensive emergency management program that will provide a system to mitigate the effects of an emergency or disaster, preserve life, respond during emergencies, provide necessary assistance, and establish a recovery system, in order to return the community to its normal state of affairs; and

WHEREAS, this plan attempts to define clearly the roles and responsibilities of each department and function within the City organization by providing guidance in accomplishing the objectives of this plan with lists of guidelines, plans, assessments and resources; and

WHEREAS, on February 28, 2003, the President issued Homeland Security Presidential Directive (HSPD) - 5 *Management of Domestic Incidents*, which directs the Secretary of Homeland Security to develop and administer a National Incident Management System (NIMS) and the directive also requires Federal Departments and agencies to make adoption of the NIMS by State, Tribal and local organizations a condition for Federal preparedness assistance beginning in Federal FY 2005; and

WHEREAS, certain State and Federal disaster reimbursements require local jurisdictions to adopt and train in a CEMP, NIMS and Incident Command Systems (ICS); and

WHEREAS, certain Federal grant programs now require an adopted CEMP; and

WHEREAS, the City Manager and the Emergency Management Group (EMG) have reviewed the updated Comprehensive Emergency Management Plan with all of its attachments as periodically amended by the EMG and recommends adoption by the City Council; and

WHEREAS, the City Council deems it in the best interest of Park City Municipal Corporation to formally adopt them;

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

SECTION 1. ADOPTION. The Comprehensive Emergency Management Plan, dated June, 2015 attached hereto, along with all appendices and compendiums as

periodically amended by the City Manager, are hereby adopted, to replace any and all others previously adopted. Any amendments approved by the City Manager shall be effective for not more than one year unless ratified by the City Council.

SECTION 2. EFFECTIVE DATE. This Resolution shall take effect upon adoption.

PASSED AND ADOPTED this 18th day of June, 2015

PARK CITY MUNICIPAL CORPORATION

Mayor Jack Thomas

Attest:

Marci Heil, City Recorder

Approved as to form:

Mark Harrington, City Attorney

Attachment J

EMERGENCY MANAGEMENT PROCEDURE MANUAL

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General Purpose

The City must be prepared for any type of emergency or disaster of any size that would affect normal operating procedures. The City's Comprehensive Emergency Management Plan (CEMP) requires preparedness for employees that includes planning, training, exercises, qualification and certification.

Employee Identification Cards and Identification/Door Key Fob Cards

- A. **Policy** Employee ID cards provide a means of quickly identifying PCMC employees and elected officials and the capacity in which they serve the City. This identification will be used for security purposes in the event of a citywide emergency or disaster situation. The identification system may also be used as a means of identification for daily operations, building and/or restricted area access, including vendors.

All PCMC employees, elected or appointed officials, volunteers and vendors who work in City buildings, are required to have a PCMC ID card while on duty and visibly displayed by the employee on a lanyard or clip. An ID card is for the sole use of the employee or vendor and may not be shared or loaned.

Any lanyard used for ID cards must be of a break-away variety. For job positions where a visible ID on a lanyard or clip may pose a safety threat, the department manager may exempt that position from visibly displaying an employee ID; however, the employee is not exempt from having their City ID card in their possession while on duty.

Elected Officials and designated personnel will also be issued an additional ID card that will grant them access to the Emergency Operations Center (EOC) should their presence be requested or required.

- B. **Description** - The ID cards are color coded to assist in easy identification of the

employee and capacity in which they serve the City. Color coded ID cards will be

issued to:

- Elected Official (green)
- Management Team (orange)
- Full-time Regular, including FT Contract (blue)
- Part-time or Seasonal (yellow)
- Volunteer (purple)
- City Approved Vendor (black)
- EOC- (red) One card will clearly identify elected officials, limited key employees and outside agencies that in the event of an emergency/disaster will have access to restricted areas including but not limited to the Emergency Operations Center (EOC). The City Manager or his/her designee will determine the necessity and/or revocation of Emergency Operations Center (EOC) identifications.
- EOC Media (pink)

~~All new employees will obtain an identification card during the hiring process. They must have their picture taken within 5 (five) days of employment.~~

~~All identification cards will have an expiration date and will be renewed annually. Seasonal employee cards will expire at the end of the designated season in which they were hired. Though cards will be reprinted yearly, employee photos will only be updated every three (3) years.~~

~~Identification cards are PCMC property. Identification cards must be returned to the City in the event an employee leaves under any employment circumstance. In the event of a lost or stolen identification card, employees should notify their supervisor immediately. There is no cost for the replacement card in the event of a lost or damaged card unless the employee requires more than one replacement per year. Replacements of greater than one per year may cost the employee \$25.00 each.~~

Cards will contain the following information on front;

- PCMC name and logo
- Employees photo (renewed every 3 years) [some vendor cards do not include a photo]
- Employee legal first and last name
- Employee department (certain positions will have a title instead of a department)
- Employee ID number (unique number, never repeated) [some vendor and volunteer cards do not have a number]
- Card expiration date
- Phone number to call to verify card validity
- Color code to indicate employment status

Cards will contain the following information on back:

- PCMC identification

- Return address and phone number in case card is found
- Employee signature
- Color code bar to indicate employment status
- Employee emergency hotline phone number
[removed for vendor cards]

- C. **Procedure** - All new and rehired employees will obtain an identification card during the hiring process. They must have their picture taken within 5 (five) days of employment. Photos may be taken by the employee's department, if set up to do so, or at the City Hall Front Desk—445 Marsac Ave.

All identification cards will have an expiration date and will be renewed annually. Seasonal employee cards will expire at the end of the designated season in which they were hired. Contract employees will expire at the end of their contract. Though cards will be reprinted yearly, employee photos will only be updated every three (3) years.

Identification cards are PCMC property. Identification cards must be returned to the City in the event an employee leaves under any employment circumstance. In the event of a lost, stolen or damaged identification card, employees must notify their supervisor immediately. There is no cost for the replacement card in the event of a lost or damaged card, unless the employee requires more than one replacement per year. Replacements of greater than one per year may cost the employee \$25.00 each.

Employees and Vendors must sign the appropriate Human Resources Form for each card acknowledging receipt and basic rules concerning the card.

- D. **Identification (ID)/Key Fob cards** – ID/Fob cards look just like a regular ID card with the exception that imbedded in the card is an electronic key used to open city facility doors as authorized for that employee. Each card is programmed to allow access on the days and times to the doors authorized by that Department's Manager. An ID/Fob card has the same policy and procedure requirements as outlined above for a standard ID card. Both authorized and unauthorized FOB/ID transactions are recorded for auditing purposes. Like a standard ID card, in the event of a lost, stolen or damaged identification card, employees must notify their supervisor immediately, so the card can be deactivated and replaced. Replacements of greater than one card per year may cost the employee \$25.00 each.

In the event an ID/Fob card stops working, an employee should contact their supervisor who can make arrangements with the IT department or Emergency/Security Manager to trouble shoot the problem.

An ID/Fob card may not be given or loaned to anyone and is for the sole use of the designated employee or vendor. Failure to follow this ID/ Fob card policy may include disciplinary action up to and including termination.

Emergency Work Requirements

In the event of a City emergency, employees (including part-time, seasonal and contract employees) will be required to report to work as soon as possible unless they are medically unable to do so. PCMC will collaborate with the Red Cross and other agencies to make every effort to provide services for employees' family and pets. Failure to contact PCMC as outlined in Section 4.6 of the Personnel Policy and Procedure Manual may result in termination.

A dedicated —Emergency Hot Linell number of 888-894-7275 (888-894-PARK) will be activated during emergencies. Employees can call this number and get information about the overall status of the City situation and about their work assignments. Employees will also have the ability to leave a message about their personal situation if they are unable to report for work.

Depending on the gravity and extent of the emergency situations, the City Manager has the authority to temporarily suspend any or all time off requests (vacation, holiday, etc.) Suspended time off will not be lost but will postponed to a later date.

Flexibility will be important and normal work schedules and/or the department they normally work in may be altered in order to reassign employees where their qualifications and skills will be most beneficial to the City and its residents.

Work Locations:

The first place where employees should report for work is at their normal workplace. If the normal place of work is damaged or inaccessible, employees must report to a secondary rally point, which is **the Public Works Complex at 1053 Ironhorse** or if that location is damaged or inaccessible, report to the Quinn's Recreation fields. There will ~~always be an a supervisor/manager be assigned staff~~ at the rally point to collect and dispense information and provide personal assistance. There will also be an information board for employees to communicate with their fellow co-workers.

During an emergency event where employees do not have any means of transportation, they are directed to call the —Emergency Hot Linell for information about possible shuttle service. PCMC will try to arrange shuttle service at defined times and locations in the greater Park City area to assist employees in their commute to and from work, if possible.

NIMS (National Incident Management System) Training

Mandatory NIMS training requirements, as outlined in job descriptions, the Comprehensive Emergency Management Plan (CEMP) and/or by departments, must be completed within six (6) months from an employee's date of hire. The City Manager may extend that deadline on a case by case basis depending on the job description up to one year.

Other Emergency Management Policies

The PCMC Administrative Policy & Procedure (AP&P) Manual has a number of additional policies that are Emergency Management related and are key to the City's and the City's staff's ability to respond to emergencies and disasters. Employees should be familiar with these additional policies which can be found in *Section 7 Emergency Planning of the Administrative Policy & Procedures Manual*.

- Assigned Emergency Equipment Policy
- AED – Automated External Defibrillators – Early Defibrillation Policy
- Blood Borne Pathogens Exposure Control Policy
- Comprehensive Emergency Management Plan (CEMP)
- Departmental Closures Due to Emergencies and/or Severe Weather Policy
- Emergency Manager Notification Policy
- Emergency Evacuation of City Facilities Policy
- Non-Punitive Sick-Leave During an Emergency or Pandemic Policy
- Reverse 911 Notification Use Policy
- 1700 AM Highway Advisory Radio System Policy Shelter-in-Place Policy
- Top Half Fuel Policy
- Utilization and Access of Building Closed Circuit Video Systems (CCVS)

Attachment K



Resolution No.

A RESOLUTION ADOPTING THE REVISED EMERGENCY MANAGEMENT
PROCEDURE MANUAL, DATED JULY 1, 2015 FOR
PARK CITY MUNICIPAL CORPORATION

WHEREAS, emergency management procedure may be adopted and amended at the discretion of the City Council and are subject and subordinate to applicable federal and state laws, rules, and regulations, and local ordinances; and

WHEREAS, purpose of the manual is to provide for guidance regarding the fair and consistent administration of city personnel, but neither any contract nor implied contract rights are created hereby; and

WHEREAS, the Emergency Manager and the Human Resources Manager has reviewed the proposed amendments of the Revised Personnel Policies and Procedures and recommends adoption by the City Council; and

WHEREAS, the City Council deems it in the best interest of the employees of Park City Municipal Corporation to formally adopt them;

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

SECTION 1. ADOPTION. The Emergency Management Procedure Manual, dated July 1, 2015 attached hereto, is hereby adopted and the 2012 version is hereby repealed including any temporary amendments thereto adopted by the City Manager.

SECTION 2. EFFECTIVE DATE. This Resolution shall take effect on July 1, 2015.

PASSED AND ADOPTED THIS _____

PARK CITY MUNICIPAL CORPORATION

Mayor Jack Thomas

Attest:

Marci Heil, City Recorder

Approved as to form:

Mark Harrington, City Attorney

Attachment L
PARK CITY FEE SCHEDULE (REVISED JUNE 4, 2015) RESOLUTION 28-14

SECTION 1. CONSTRUCTION AND DEVELOPMENT RELATED FEES

1.1 PLANNING FEES

1.1.1	<u>Plat/Subdivision *</u>	
	Plat Amendment	\$900 per application
	Subdivision	\$290 per lot/parcel
	Administrative lot line adjustment	\$300 per application
	Extension of Approval	\$330 per application
	 <u>Condominium</u>	
	Condominium or timeshare conversion	\$450 per unit
	Record of Survey	\$450 per unit
	Amendment to Record of Survey	\$100 per unit affected
	Extension of Approval	\$330 per application
1.1.2	<u>Master Planned Development (MPD) Process *</u>	
	Pre-Master Planned Development	\$1,200
	<i>Application includes one formal staff review and Planning Commission review of compliance with General Plan that includes a public hearing. If applicant files for formal Master Planned Development the \$1,200 will apply toward the application fee.</i>	
	Master Planned Development	\$560 per unit equivalent
	Modification to an MPD	\$330 per unit equivalent
1.1.3	<u>Conditional Use Permit (CUP) *</u>	
	Planning Commission Review	\$1,140 per application
	Steep Slope Review	\$1,330 per application
	Administrative Staff Review	\$330 per application
	Extension or Modification	\$330 per application
1.1.4	<u>Zone Changes *</u>	\$1,650
1.1.5	<u>Board of Adjustment *</u>	
	Variance	\$940 per application
1.1.6	<u>Architectural and Design Review</u>	
	<u>Historic District/Site</u>	
	New residential construction <1000 sf	\$200 per application
	New residential construction >=1000 sf	\$750 per application
	Commercial review	\$200 per unit equivalent for the first 10 units \$15/ue after
	 <u>Non-Historic District/Site</u>	
	New Residential - SF/Duplex	\$200 per application
	Multi-Family/Commercial	\$100 per unit equivalent up to 10 units then \$15/ue after

Residential Additions	\$100 per application
Commercial Additions	\$100 per unit equivalent up to 10 units then \$15/ue after
1.1.7 <u>Historic Review *</u>	
Historic Design Review (no increase in existing area)	\$210
Historic Design Review (increase in existing area)	\$1030
Determination of Significance	\$350
Certificate of Appropriateness for Demolition	\$300
1.1.8 <u>Land Management Code Review *</u>	\$2,000 per application
1.1.9 <u>General Plan Amendment *</u>	\$2,000 per application
1.1.10 <u>Sign Review</u>	
Master Sign Plan Review	\$320
Amendment to Master Sign Plan	\$120
Individual sign permit	\$120 (\$118.80) plus 1% state tax)
Sign permit under master sign plan tax)	\$130 (\$128.70) plus 1% state tax)
Temporary Sign Permit	\$60 (\$59.40) plus 1% state tax)
1.1.11 <u>Annexation *</u>	\$5,850
Annexation Fiscal Impact Analysis	\$1,550
<i>plus actual cost of City approved consultant fee</i>	
Modification to Annexation Agreement	\$4,150
1.1.12 <u>Appeals Fees *</u>	
Appeals to Board of Adjustment	\$500
Appeals to City Council	\$500
Appeals to Historic Preservation Board	\$500
Appeals to Planning Commission	\$500
1.1.13 TDR – Development Credit Determination	\$100
1.1.14 <u>Refund of Withdrawn Planning Applications</u>	
In the case of a withdrawal of an application, the associated fees shall be refunded, less the actual cost for professional services rendered by City staff.	
1.1.15 <u>Reactivation Fee</u>	
For projects that have been inactive by the applicant for more than six months a Reactivation Fee of 50% of orig. application fee will be assessed	
1.1.16 <u>Attorney or Other Professional Services</u>	
Reimbursement for actual expense incurred	

* Projects under these classifications may be assessed the additional cost of the property posting and courtesy mailing as required by Land Management Code regulations at the time of submittal.

1.2 BUILDING FEES

1.2.1 Impact Fee Schedule Impact fees are now located in the Park City Municipal Code, Title 11, Chapter 13.

1.2.2 Building Permit

Total Valuation	Free
\$1 and up	3/4 of 1% (.75%) of the total valuation of construction as herein above described with a minimum fee of \$15.

1.2.3 Plan Check Fees

a. Deposit. On buildings requiring plan checks at the time of building permit application, the applicant shall pay a deposit of \$500.00 for residential buildings; and \$2,000.00 for commercial buildings. The deposit shall be credited against the plan check fee when the permit is issued. This deposit is non-refundable in the event permits are not issued.

b. Fee. Except as otherwise provided herein, the plan check fee shall be equal to sixty-five percent (65.0%) of the building permit fee for that building. The plan check fee for identical plans shall be charged at a rate of \$54.26 per hour of total Community Development staff time. As used herein, ~~A~~identical plans means building plans submitted to Park City that: (1) are substantially identical to building plans that were previously submitted to and reviewed and approved by Park City; and (2) describe a building that is: (A) located on land zoned the same as the land on which the building described in the previously approved plans is located; and (B) subject to the same geological and meteorological conditions and the same law as the building described in the previously approved plans.

1.2.4 Mechanical Permit
Plus 1% State Surcharge

See fee table below. Building Department enters the total valuation for materials and labor for each sub-permit into the Fee Table to determine the permit fee.

Total Valuation	Fee
\$1.00 to \$500.00	\$23.50

\$500.00 to \$2000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.75 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.0 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00, or fraction thereof

1.2.5 Electrical Permit

See fee table below.

Total Valuation	Fee
\$1.00 to \$500.00	\$23.50
\$500.00 to \$2000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.75 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.0 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00, or fraction thereof

1.2.6 Plumbing Permit

See fee table below.

Total Valuation	Fee
\$1.00 to \$500.00	\$23.50
\$500.00 to \$2000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00

\$25,001.00 to \$50,000.00	\$391.75 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.0 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00, or fraction thereof

1.2.7 International Fire Code Fee Issuance Fee \$20.00

In Addition:

Aircraft Refueling Vehicles	\$30.00
Open Burning	\$10.00
Candles and Open Flames in Assembly Area	\$15.00
Compressed Gas	\$15.00
Excavations Near Flammable or Combustible	
Liquid Pipelines	\$15.00
Explosives or Blasting Agents	
\$150.00	
Fireworks (Displays)	
\$120.00	
Firework (Sales)	\$75.00
Flammable Liquids	\$15.00
Flammable or Combustible Liquid Tanks	
\$130.00	
Hot Work (welding)	\$15.00
Liquefied Petroleum Gases (heaters and devices up to 5 units)	\$55.00
Liquefied Petroleum Gases (heaters and devices) each additional unit	\$11.00
Liquefied Petroleum Gases on an active construction site (125+ gal)	
\$130.00	
Places of Assembly	\$15.00
Vehicles (liquid or gas fueled) within a building	
\$130.00	
Others not listed	\$15.00

Tents, air-supported structures and trailers \$.20 per square foot

Temporary structures built to permanent standards will be subject to fees set forth in Section 1.2.2.

For plans already on file and approved, the fee will be reduced to \$.13 per square foot

1.2.8 Grading Plan Review and Permit Fees

See fee table below.

Total Valuation	Fee
\$1.00 to \$500.00	\$23.50
\$500.00 to \$2000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.75 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.0 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00, or fraction thereof

1.2.9 Soil Sample Fee

\$100

1.2.10 Demolition Permit Fee

Total Valuation	Fee
\$1.00 to \$500.00	\$23.50
\$500.00 to \$2000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.75 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
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\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00, or fraction thereof

1.2.11 Flatwork Permit

Total valuation.

\$1 and up $\frac{3}{4}$ of 1% (.75%) of the total valuation of construction as herein above described with a minimum fee of \$15. Flatwork permits are subject to Plan Check fees as described above.

1.2.12 Other Inspections and Fees

Inspections outside normal business hours* hours)	\$150 per hour (minimum charge 2 hours)
Re-inspection fee hour)	\$75 per hour (minimum charge 1 hour)
Additional inspection services* hour)	\$75 per hour (minimum charge 1 hour)
For use of outside consultants for plan reviews, inspections or both	Actual cost**

* Or the total hourly cost to the City, whichever is greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employee involved. These services will be offered based on inspector availability.

** Actual Cost includes administrative and overhead costs.

1.3 ENGINEERING FEES

1.3.1 Construction Inspection Fees. Prior to receiving a building permit, a notice to proceed or plat approval, developers shall pay a fee equal to six percent (6%) of the estimated construction cost as determined by the City Engineer. In projects with private street systems that limit city inspection requirements to water, drainage, and other improvements, but not to streets, the inspection fee shall be four percent (4%) of the estimated construction cost of the improvements to be inspected as determined by the City Engineer. The city, upon notice to the developer, may charge the developer a fee of \$75 per man-hour to recoup costs to the city above the fee charged. The city may also charge \$75 per man-hour for re-inspections of work previously rejected.

1.3.2 Permit to Work in Public Right-of-Way

\$200 fee plus \$2,000 letter of credit or cashier's check plus proof of insurance

1.4 ADMINISTRATIVE CODE ENFORCEMENT (ACE) FEES

1.4.1 Civil Fee Schedule

Daily Violation Fee	\$100 per day
Re-inspection Fee	\$75

1.4.2 **Operating Without a Type 2 CSL** \$800 per violation

SECTION 2. WATER FEES

2.1 **WATER IMPACT FEES.** Water Impact Fees are located in the Park City Municipal Code, Title 11, Section 13.

2.2 MONTHLY WATER METERED SERVICES FEE SCHEDULE:

2.2.1 Base Rates (For all water billed on or after July 1, 2015~~2~~).

Individually Metered Residential (single-family, condo, townhouse)

<u>Meter size</u>	<u>Monthly Base/ Demand Charge</u>	<u>Meter Price</u>
5/8 x 3/4"	\$44.0739.35	\$699.13624.22
1"	\$59.4953.12	\$806.53717.44
1-1/2"	\$70.5562.99	\$1143.184020.70

Other than Individually metered Residential (Multi-Family, Commercial, Irrigation)

<u>Meter Size</u>	<u>Monthly Base/ Demand Charge</u>	<u>Meter Price</u>
3/4"	\$57.2951.15	\$699.13624.22
1"	\$96.9486.55	\$803.53717.44
1 – 1/2"	\$207.08484.89	\$1143.184020.70
2"	\$431.84385.57	\$2022.054805.40
3"	\$1123.754003.35	\$2392.102135.80
4"	\$2040.324821.71	\$4168.333721.72
6"	\$3846.103434.02	\$6485.095790.26
8"	\$6623.315913.67	\$9740.198696.60
Construction Meter	\$256.11228.67	
Indigent Rate*	\$3.493.12	

*Indigent Rate includes 10,000 gallons. Water consumption greater than 10,000 gallons is charged per the normal block structure presented in paragraph 2.2.3.

2.2.2 Water Consumption Rates. All water delivered through each meter, excepting commercial meters, between November 1 and May 31 of each year shall be charged at the rate of \$7.72 per thousand gallons. All water delivered through commercial meters shall be charged per Paragraph 2.2.3 year-round.

2.2.3 Water Conservation Rates (For all water billed on or after July 1st, 2015~~12~~). All water delivered through each meter serving single family residential, multi-family residential, commercial and landscape irrigation customers per month between June 1 and October 31 of each year shall be billed at the following rates:

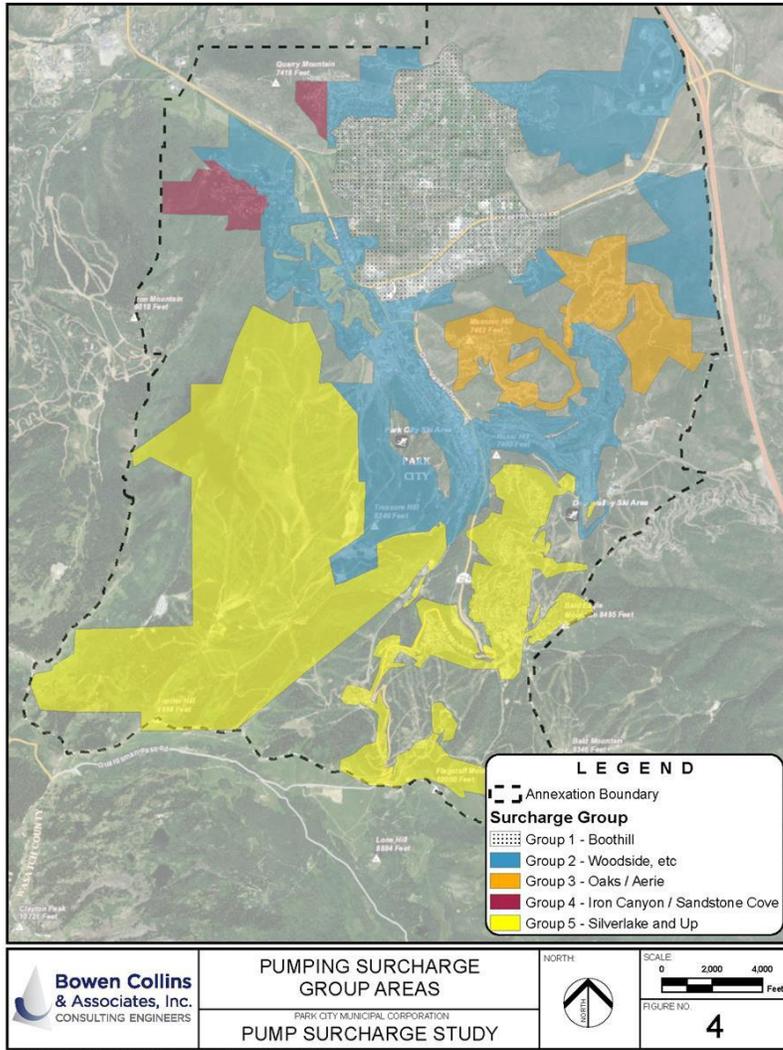
Type	Block 1 \$5.49 per 1,000 gals	Block 2 \$8.80 per 1,000 gals	Block 3 \$14.30 per 1,000 gals	Block 4 \$22.03 per 1,000 gals
Single Family	0-5,000	5,001 - 30,000	30,001 - 80,000	Over 80,000
Multi-Family				
3/4"	0-10,000	10,001-36,000	36,001-80,000	Over 80,000
1"	0-17,000	17,001-57,000	57,001-120,000	Over 120,000
1.5"	0-30,000	30,001-100,000	100,001- 200,000	Over 200,000

2"	0-48,000	48,001-160,000	160,001-320,000	Over 320,000
3"	0-96,000	96,001-320,000	320,001-640,000	Over 640,000
4"	0-150,000	150,001-500,000	500,001-1,000,000	Over 1,000,000
6"	0-180,000	180,001-600,000	600,001-1,200,000	Over 1,200,000
Irrigation				
3/4"		0-56,000	Over 56,000	
1"		0-90,000	Over 90,000	
1.5"		0-185,000	Over 185,000	
2"		0-300,000	Over 300,000	
3"		0-600,000	Over 600,000	
4"		0-935,000	Over 935,000	
6"		0-1,865,000	Over 1,865,000	
Commercial Year round		\$7.72 per 1,000 gals	\$11.95 per 1,000 gals	
3/4"		0-150,000	Over 150,000	
1"		0-300,000	Over 300,000	
1.5"		0-500,000	Over 500,000	
2"		0-750,000	Over 750,000	
3"		0-1,200,000	Over 1,200,000	
4"		0-1,700,000	Over 1,700,000	
6"		0-1,700,000	Over 1,700,000	
All users except construction between November & May	\$7.72 per thousand gals			
Construction Water	\$256.11 Monthly Base Chg.	\$10.15 thousand gals.		

PUMPING SURCHARGE FEE

For all water billed on or after July 1, 2015

Surcharge Group No.	Surcharge Group	Pressure Zone Numbers Included in Group	Cost (\$/kgal)
1	Boothill	29	\$0.00
2	Woodside, etc	8,10,17,18,19,20,21,22,	\$0.52
		23,24,25,26,27,42,48,49,30,32	
3	Oaks / Aerie	11,12,13,14,15,16	\$1.17
4	Iron Canyon / Sandstone Cove	28,31	\$1.55
5	Silver Lake and Up	1,37,2,3,4,5,6,7, 34,38,39,40,41	\$2.25



2.3 WATER VIOLATION PENALTIES

\$150.00	first violation
200.00	second violation
400.00	third violation
500.00	fourth violation
750.00	for the fifth violation and for each subsequent violation within that calendar year.

2.4 WATER SERVICE REINSTATEMENT FEE

\$100

2.5 WATER METER TESTING FEE

\$100 per test

- 2.6 **WATER LABOR RATE** 50 per Hour (rounded up to the nearest half hour)
- 2.7 **WATER PARTS & SUPPLIES RATE** Cost + 15% stocking fee
- 2.8 **FIRE HYDRANT METER DEPOSIT FEE**
 - 2 Inch Meter \$1,950.00~~\$1,050~~
 - ¾ Inch Meter \$500
 - Fire hydrant wrench deposit fee \$50
 - Metro Radio \$200~~400~~
- 2.9 **RENTER DEPOSIT** \$50
- 2.10 **NON-MAILED SHUT-OFF NOTICE FEE** \$75

SECTION 3. SPECIAL MEETINGS FEES

- 3.1 **SPECIAL COUNCIL MEETING and** **\$270 for initial 30 minutes**
\$133 per 30 minutes thereafter

When a special council meeting (not regularly scheduled) must be called in order to accommodate an applicant for a license, permit or any other issue not requested by Council or staff, the applicant will be assessed a \$270 fee per application. If the meeting is longer than 30 minutes the applicant will be charged an additional \$133 per 30 minute increment thereafter.

- 3.2 **TYPE 2 CSL SPECIAL MEETING** **\$76 per applicant**

SECTION 3. BEER AND LIQUOR LICENSE

~~See attached Beer and Liquor license fees adopted and incorporated herein by this reference.~~

SECTION 4. ~~PEDDLERS AND SOLICITORS~~BUSINESS LICENSING

- 4.1 ~~**Solicitors Licensing Fee.** \$75.00 annually for each person licensed as a solicitor, except that any business which has already paid its solicitation fee of \$75.00 shall pay \$10.00 annually for every additional solicitor.~~

PARK CITY BUSINESS LICENSE FEE SCHEDULE				
	Transit Service Enhancement Fee	Festival Facilitation, Service Enhancement	Enhanced Enforcement Fee	Administrative Fee

			Fee						
	Rate	Unit of Measure	Rate	Unit of Measure	Rate	Unit of Measure	Rate Renewals	Rate New/ Inspections	Unit of Measure
Ski Resort	\$0.26	Skier Day	\$0.01	Skier Day	-	-	\$22.00	\$149.00	License
Lodging	\$19.25	Per Bedroom	\$9.49	Per Bedroom	-	-	\$17.00	\$149.00	License
Restaurant	\$0.23	Per Sq. Ft.	\$0.10	Per Sq. Ft.	-	-	\$22.00	\$149.00	License
Outdoor Dining	\$0.06	Per Sq. Ft.	\$0.03	Per Sq. Ft.	-	-	\$22.00	\$149.00	License
Retail	\$0.23	Per Sq. Ft.	\$0.10	Per Sq. Ft.	-	-	\$22.00	\$149.00	License
Large Retail (>12,000 sq. ft.)	\$0.16	Per Sq. Ft.	\$0.07	Per Sq. Ft.	-	-	\$22.00	\$149.00	License
Office, Service, Other	\$0.21	Per Sq. Ft.	\$0.01	Per Sq. Ft.	-	-	\$22.00	\$149.00	License
Warehouse	\$0.06	Per Sq. Ft.	\$0.00	Per Sq. Ft.	-	-	\$22.00	\$149.00	License
Resort and Amusement	\$1.04	Per User	\$0.05	Per User	-	-	\$22.00	\$149.00	License
For-Hire Vehicles	\$37.50	Per Vehicle	\$1.75	Per Vehicle	\$45.58	Per Vehicle	\$71.83	\$71.83	License
Other Commercial Vehicles and Trailers	\$7.50	Per Vehicle	\$0.29	Per Vehicle	-	-	\$22.00	\$149.00	License

Employee Based	\$3.75	Per Employee	\$0.15	Per Employee	-	-	\$22.00	\$149.00	License
Commercial Vending, Game and Laundry Machines	\$18.75	Per Machine	\$0.73	Per Machine	-	-	\$22.00	\$149.00	License
Escort Services	\$3.75	Per Employee	\$0.15	Per Employee	\$46.19	Per Employee	\$22.00	\$149.00	License

4.2.1. Type 1 Convention Sales and Hospitality Licenses \$149.00

A fee of \$149.00 will be charged for each additional vendor or business listed on an umbrella application

4.2.2 Type 2 Convention Sales and Hospitality Licenses \$372.00

(effective during the Sundance Film Festival). A fee of \$372.00 will be charged for each vendor or business on an umbrella application.

4.3 Beer and Liquor Licensing Fee. \$100 per license

4.4 Solicitors Licensing Fee. \$75.00 annually for each person licensed as a solicitor, except that any business which has already paid its solicitation fee of \$75.00 shall pay \$10.00 annually for every additional solicitor.

4.25 Street Musicians. \$5.00 per day for no more than 10 days

~~4.3 Convention Sales.~~

~~4.3.1. Type 1 Convention Sales and Hospitality Licenses. \$149.00 plus 5% of the regular Park City business license fee for a business of that type, with the square footage based on the square footage of the meeting or convention facility (or portion thereof) rented or used by the licensee for his sales location site at the convention site. A fee of \$149.00 will be charged for each additional vendor or business listed on an umbrella application~~

~~4.3.1 Type 2 Convention Sales and Hospitality Licenses (effective during the Sundance Film Festival). The fee shall be \$372.00 plus 5% of the regular Park city business license fee for a business of that type, with the square footage based on the~~

~~square footage of the meeting or convention facility (or portion thereof) rented or used by the licensee for his sales location site at the convention site. A fee of \$372.00 will be charged for each additional vendor or business on an umbrella application.~~

4.6 Outdoor Sales

- \$ 5.00 In addition to the regularly issued business license for that business.
- \$4.00 In addition to the regularly issued business license for that business if
business is a member of merchant's association organizing the outdoor sale.
- \$50.00 Seasonal plants, Christmas trees or landscaping materials for a maximum
period of 8 weeks per year.

SECTION 5. MISCELLANEOUS LAW ENFORCEMENT FEES.

5.1 Alarm Monitoring Fees

- \$100.00 Cash deposit to be posted at time of installing each alarm system within
the Park City limits.
- \$ - 0 - First response within 6 months, no fee deducted from \$100.00 bond.
- \$25.00 Second response to premise within 6 months, and for each subsequent
response to said premise. [\$25 deducted from bond].

5.2 Direct Access Alarms

- \$100.00 Per alarm connected through a direct access device, and not per alarm
company, for the initial installation of the alarm.
- \$50.00 Per year, per alarm for subsequent years or parts thereof.

5.3 Dispatching Fee

- \$100.00 Per month for each private agency being dispatched from the City
Communication Center.

5.4 Vehicle Impound Fee

- \$20.00 Per vehicle, per impound (also see Section 7.7).

5.5 Contract Law Enforcement Services

- ~~\$45~~ — Per hour, per officer
- Police Officer (per employee, per hour - four hour minimum) \$75.00
- Holiday (per employee, per hour - four hour minimum) \$165.00

SECTION 6. GRAMMA (Government Records Access and Management Act) FEES.

6.1 Copies. Copies made at a city facility: \$.10 per page. Double-sided copies shall be charged as two pages.

6.2 Copies from outside copiers. The city reserves the right to send the documents out to be copied and the requestor shall pay the actual cost to copy the documents, including any fee charged for pick-up and delivery of the documents.

6.3 Copies retrieved from Utah State Archives or other storage facility. In addition to the copy fee, the requester must pay actual cost for staff time and mileage (computed using the current official federal standard mileage rate).

6.4 Compiling Documents in a form other than that normally maintained by the City, pursuant to U.C.A. 63G-2-203 (2008). In the event the City compiles a record in a form other than that normally maintained by the City, the actual costs under this section may include the following:

(a)(i) the cost of staff time for compiling, formatting, manipulating, packaging, summarizing, or tailoring the record either into an organization or media to meet the person's request;

(ii) the cost of staff time for search, retrieval, and other direct administrative costs for complying with a request; and

(iii) in the case of fees for a record that is the result of computer output other than word processing, the actual incremental cost of providing the electronic services and products together with a reasonable portion of the costs associated with formatting or interfacing the information for particular users, and the administrative costs as set forth in Subsections (i) and (ii).

(b) An hourly charge under this section may not exceed the salary of the lowest paid employee who, in the discretion of the custodian of records, has the necessary skill and training to perform the request.

(c) Notwithstanding Subsections (a) and (b), no charge may be made for the first quarter hour of staff time.

6.5 Fee Waiver for Public Benefit. The City may fulfill a record request without charge if it determines that: releasing the record primarily benefits the public rather than a person; the individual requesting the record is the subject of the record, or an individual specified in U.C.A. Subsection 63G-2-202(1) or (2); or the requester's legal rights are directly implicated by the information in the record, and the requester is impecunious.

SECTION 7. PARKING, METER RATES, VIOLATIONS, TOWING, AND IMPOUND FEES

7.1 Fines for meter violations are as follows:

First violation per registered owner(s): No fine or late fees. Vehicle license plate and/or VIN numbers will be logged into the system and a courtesy card issued to welcome to Main Street and educate user on the pay-and-display meter system.

Second thru Fifth (2nd - 5th) violation per registered owner(s):
\$20 from the date of violation until fourteen (14) days following the violation, escalating to:

\$40 after 14 days;
\$60 after 30 days;
\$80 after 60 days

More than five (>5) violations per registered owner(s):
\$40 from the date of violation until fourteen (14) days following the violation, escalating to:

\$60 after 14 days
\$80 after 30 days
\$100 after 60 days

7.2 Fines for mobility disabled space violations are as follows:

\$150 from the date of violation until fourteen (14) days following the violation, escalating to:

\$170 after 14 days;
\$190 after 30 days;
\$210 after 60 days

7.3 Fines for special event parking violations. When enacted by the City Manager under Section 7.7, the fines for special event parking violations are as follows:

A. Egregious violations (i.e., obstructing traffic on Main Street or along bus routes) or mobility disabled space violations. \$150 from the date of violation until fourteen (14) days following the violation, escalating to:

\$170 after 14 days;
\$190 after 30 days;
\$210 after 60 days

B. Fines for all other special event parking violations. \$75 from the date of the violation until fourteen (14) days following the violation.

\$95 after 14 days;
\$115 after 30 days;
\$135 after 60 days

7.4 FINES FOR TIME LIMIT PARKING VIOLATIONS are as follows: \$20 from the date of violation until fourteen (14) days following the violation, escalating to:

\$50 after 14 days;
\$70 after 30 days;
\$90 after 60 days

More than five (>5) violations in the previous three years per registered owner(s):
\$40 from the date of violation until fourteen (14) days following the violation, escalating to:

\$60 after 14 days;
\$80 after 30 days;
\$100 after 60 days;

7.5 Fines for all other parking violations are as follows:

\$30 from the date of violation until fourteen (14) days following the violation, escalating to:

\$50 after 14 days;
\$70 after 30 days;
\$90 after 60 days

More than five (>5) violations per registered owner(s):
\$50 from the date of violation until fourteen (14) days following the violation, escalating to:

\$70 after 14 days;
\$90 after 30 days;
\$110 after 60 days;

7.6 Parking Permits.

China Bridge Parking Permits – Employee Permit: A parking permit is available to Main Street employees for the China Bridge Parking for covered areas. The permit is not valid after 6:00pm on both Friday and Saturday or during major events. Alternative parking areas may be provided for these events. The cost is \$150 annually, \$100 if purchased after April 1st of each calendar year. A replacement permit can be purchased for \$100 subject to approval by the Parking Manager. Verification of employment at a Main Street business is required to purchase this permit.

Business Permit: Businesses with a Main Street area address and a valid business license are eligible to purchase a parking permit(s) valid for China Bridge and Gateway covered areas. The permit is not valid during major events. Alternative parking areas may be provided for these events. This permit allows parking beyond the 6 hour limit not to exceed 72 hours at one time in a parking space. Cost for this permit is \$300 annually, \$200 if purchased after April 1st of each calendar year. A replacement permit can be purchased for \$200 subject to approval by the Parking Manager.

7.7 Special Event Parking. The City Manager may implement Special Event Parking Permit Fees, Special Event Meter Rates and/or Special Event Parking Fines for events held under a Master Festival License. The fee for these Special Event Parking Permits and Special Event Meter Rates will not exceed \$50 per day.

7.8 Tow and Storage Fees. Vehicles towed from City parking and stored in private lots are subject to Utah State allowed amounts as outlined in the Park City Police Department Towing Rate Schedule.

7.9 Immobilization Fee \$35

7.10 Fees for Special Use of Public Parking are as follows:

Main Street, Heber Avenue, Park Avenue (Heber to 9 th St):	Daily rate of \$16 per space
Swede Alley:	Daily rate of \$12 per space
Sandridge, South City Park, Residential Permit Zones:	Monthly rate of \$20 per space
a. Up to two spaces for vehicle parking with approved and active building permit	\$0.00
b. Vehicle Permits	\$20 per space per month
c. Dumpster or Equipment Permit	\$50 per space per month
Pay station removal for construction:	\$1,000
Application Fee:	\$20

Applications are reviewed by appropriate divisions, such as Parking Services, Transportation, Police, Building Departments, and Special Events.

7.11 Meter rates are as follows:

For Main Street and the Brew Pub lot: \$1.50 per hour up to a three hour limit. Metered parked hours are 11am to 11pm daily. Minimum purchase is 20 minutes with coin, parking card, and tokens. No less than one hour can be purchased with a credit card. For event rates, see Section 7.7.

7.12 In-car meter devices:

Free with purchase of \$50 or more of prepaid parking time. In-car meter and prepaid card parking time is available to residents at a 46.67% discount equivalent to \$0.80 per hour.

7.13 Tokens are available for sale as follows:

Up to 50 tokens:	\$0.50 each
50-299 tokens:	\$0.40 each (20% discount)
300 or more tokens:	\$0.35 each (35% discount)

Large purchases subject to Parking Manager approval and are limited to Main Street business license holders.

7.14 Meter payment by cell phone:

Users sign up for a free account. Meter rates in Section 7.11 apply; no less than one hour can be purchased. City pays the convenience fee charged by the service provider.

SECTION 8. RECREATION SERVICES AND FACILITY RENTAL FEES

8.1 PURPOSE AND PHILOSOPHY. Recreation Services, the Parks Department, Miners Hospital Community Center and the Library are supported primarily by tax dollars through the City's General Fund. The Golf Course has been established as an enterprise fund and should be primarily supported by revenues other than taxes. This policy applies to Recreation Services and the Golf Course Enterprise fund.

The purpose of this section is to establish a level of operations and maintenance cost recovery for programs, activities and facilities, and direction for establishing fees and charges for the use of and/or participation in the programs, activities and facilities offered by the Recreation Services, Golf Course, Library, and Miners Hospital Community Center.

It is the intent of the City to offer its Recreation Services programs, activities and facilities to the entire community. To help offset the cost of providing these services, and since the primary beneficiaries of these services are users, it is appropriate to charge fees that are adequate to fund operation of the facility in line with other like programs.

8.2 COST RECOVERY. It is the intent of the City to recover roughly 70% of the operations and maintenance expenses incurred by the Recreation Department and the Recreation Center and 100% of the operations and maintenance expenses incurred by the Golf Course through sources of revenue other than taxes. The City's cost recovery plan is described in detail in the City's budget document. User fees should not be considered the only source for accomplishing this objective. Revenues may also include:

Increases in program participation.

- Fees charged for non-recreational use of facilities (conventions/special events)
- Rental income
- New programs or activities
- Private sponsorship of programs or activities
- Public agency grants or contributions.

8.3. ESTABLISHING USER FEES. Fees shall be set at a level which ensures program quality and meets the objectives of the City Council.

8.3.1 Area Resident Discount Those people whose primary residence is within the Park City School District limits; are currently paying property tax within Park City School District limits; or are holding a valid Park City business license and leasing or renting office space within Park City are entitled to receive a discount on user fees for the Recreation Center and Golf Course.

8.3.2 Recreation Program Fees The Recreation Department, the Recreation Center and the Golf Course offer a variety of organized programs and activities. Due to the fluctuations in the number of participants and frequent changes in circumstances, program fees are established on a program-by-program basis by dividing the number of projected participants by the estimated program costs. Fees are then published in the Recreation Services annual brochure (PLAY Magazine). In most cases, fees will be kept commensurate with fees charged by others providing like service.

8.3.3 Fees for Non-Recreational Activities at the Recreation Center. The fees charged for non-recreational or special event use will be competitive with the marketplace providing the fees cover a minimum of: a) the costs involved in the production of the event; and b) recovery of lost revenue.

The Recreation Center facility is principally for recreation. Non-recreation activities usually will be charged up to fifty percent (50%) more than the minimum. No fee waivers for non-recreational or special event use will be permitted. However, the City Council may authorize the City to pay all or a portion of the fee in accordance with the master festival ordinance provisions.

8.3.4 Fee Increases Recommendations for fee increases may be made on an annual basis. The City will pursue frequent small increases as opposed to infrequent large ones. Staff will be required to provide an annual review and analysis of the financial posture of the Golf Course Fund along with justification for any recommended increase. When establishing fees, the City will consider rates charged by other public and private providers as well as the ability of the users to pay. To establish and maintain the Council's objective of 70% cost recovery, the City Manager will have the authority to annually increase fees up to \$.50 or 10%, whichever is greater. Any requested increase over that amount will require Council action.

Fee increases will take place only if they are necessary to achieve the City Council's objective and maintain program quality, and only with the authorization of the City Manager or the City Council.

8.3.5 Discounting Fees The Recreation Services Manager may, at his or her discretion, discount fees when:

- Offering special promotions designed to increase use.
- Trying to fill non-prime time.
- Introducing new programs or activities.
- Playing conditions are below standard due to weather or facility disrepair.

8.3.6 Fee Waivers The City intends that no resident under 18 years old or over age 65 be denied the use of any program, activity or facility for reasons of financial hardship. The Recreation Services Manager may, at his discretion, waive all or a portion of a fee, or may arrange offsetting volunteer work for anyone demonstrating an inability to pay for services.

8.4. RECREATION CENTER:

8.4.1 Recreation Center Fees

Punch Card Admission. For ease of administration and convenience to users, a punch card system has been established for Recreation Center programs and activities. The purchase of a punch card may result in a savings off the regular rate.

Punch Passes	Resident	Visitor
Youth (3 to 17) 10 Punch	\$28	\$40
Adult 10 Punch	\$70	\$90
Senior & Military 10 Punch	\$60	\$70
Tennis Lesson 10 Punch (5hrs)	\$275	
Child Care 10 Punch (10 hrs)	\$35	

Tennis Punch Passes

Tennis Lesson 10 punch 5 hours	\$315
Clinic 20 punch 1.5 hours	\$200
Monthly clinic 1.5 hours	\$18 per clinic
Clinic 10 punch 2 hours	\$250
Monthly clinic 2 hours	\$20 per clinic

Tennis & Pickleball Court Charges
Fees

	<u>Indoor</u>	<u>Outdoor</u>
Resident rate	\$26	\$10
Visitor rate	\$36	\$12

Other Tennis Fees

Private Lesson 1 hour	\$70.00 \$74
Private Lesson 1/2 hour	\$38.00 \$40
Semi Private Lesson 1 hour (Per person)	\$74.00 \$39
Group of 3 (Per person)	\$78.00 \$28
Group of 4 (Per person)	\$82.00 \$22
Clinic drop-in fee 1.5 hours	\$24.00 \$26
Clinic drop-in fee 2 hours	\$30.00 \$34
Ball Machine per hour	\$12.00
Tennis Courts Non Athletic (Daily)	\$3,000

Daily Drop In	Resident	Visitor
Toddlers 2 & Under	Free	Free
Youth (3 to 17)	\$3	\$5
Adult	\$7	\$10
Senior 70+ & Military	\$6	\$7
Fitness Classes	\$9	\$12
Senior/Military Fitness Classes	\$8	\$9

Facility Passes: There are two types of facility passes one which includes all amenities except tennis and the other which includes all amenities except group fitness and tennis. Program fees are additional and are not included in pass fees.

Individual Rate

Term	Facility Rate	Class Add On	Total
1 Month	\$40	\$20	\$60
3 Month	\$110	\$50	\$160
6 Month	\$192	\$80	\$272
12 Month	\$345	\$144	\$489

Senior 70+ & Military Individual Rate

Term	Facility Rate	Class Add On	Total
1 Month	\$36	\$20	\$56
3 Month	\$99	\$50	\$149
6 Month	\$173	\$80	\$253
12 Month	\$310	\$144	\$454

Couple Rate

Term	Facility Rate	Class Add On	Total
1 Month	\$72	\$35	\$107
3 Month	\$216	\$90	\$306
6 Month	\$328	\$144	\$472
12 Month	\$590	\$260	\$850

Senior 70+ & Military Couple Rate

Term	Facility Rate	Class Add On	Total
1 Month	\$65	\$35	\$100
3 Month	\$194	\$90	\$284
6 Month	\$295	\$144	\$439
12 Month	\$531	\$260	\$791

Tennis Passes

Single Annual	\$1,210
Couple Annual	\$2,150
Family Annual (3 members)	\$2,375
Each Additional member	\$225

PC MARC Tennis Passes

Term	Single	Couple	Additional Family Member
1 Month	\$200	\$320	\$30
3 Month	\$475	\$760	\$60
6 Month	\$775	\$1,345	\$110
12 Month	\$1,210	\$2,150	\$225

Gymnasium

	Hourly Resident	Hourly Visitor	Daily
Full Gym	\$65	\$125	
Half Gym	\$35	\$75	
Non Athletic			\$1,400

Fitness Studios	\$65 (for profit)	\$125 (for profit)
	\$35 (non-profit)	\$75 (non-profit)

Other Fees

Visitor 10 Punch Card	\$90
1 Month Visitor Pass	\$90
Family Swim Pass	\$247.50
Child Care Per Hr	\$4
Personal Training 1 Hour	\$50
Personal Training Punch Card (12 visits)	\$500
Couple Personal Training Punch Card (12 visits)	\$699
Birthday Party	\$150
Party Room per hour	\$50

8.5 GOLF FEES. The Park City Municipal Golf Course is an 18 hole course and 6,743 yards in length. The fees listed below are established fees, however they may be altered for certain types of tournament play. To receive a resident discount, the recreation card (which must have a City resident designation) must be presented to the golf starter. Season passes are available only to those who possess a locals card. Playing conditions on the course may vary due to weather constraints, particularly early and late in the season. The Golf Manager may, at his discretion, discount the established fees in order to encourage use of the course when playing conditions are less than optimum.

Regular Season- Memorial Day through September
 Off-Season- Pre-Memorial Day, October and November

Resident Season Pass	\$1050
Junior Pass	\$425
Jr./Sr. Punch Pass	\$300
Corporate Pass	\$3,000
Resident 18 Hole	\$34
Resident 18 Hole with Cart	\$49
Non-Resident 18 Hole	\$47
Non-Resident 18 Hole with Cart	\$62
Resident 9 Hole	\$17.00
Resident 9 Hole with Cart	\$24.50
Non-Resident 9 Hole	\$23.50
Non-Resident 9 Hole with Cart	\$31.00
Resident Off-Season 18 Hole	\$26
Non-Resident Off-Season 18 Hole	\$30
Small Range Bucket	\$4
Large Range Bucket	\$8

8.6. LIBRARY FEES. The Park City Library Board routinely reviews non-resident fee options and recommends changes. Library services, which are funded by the General Fund, are provided without charge to property owners, residents, and renters within the City’s boundaries. Non-resident card fees are charged to those who request borrowing privileges but live outside the City’s taxing area. On September 8th, 2002, the Library Board voted to change the fee charged to some non-resident library users. **The Library also charges fines for materials that are overdue.**

Non-Resident Card Fees

Family membership	\$40.00 per year
Temporary membership (90 days)	\$20.00 plus
Students residing in Summit County (ages 5-18)	Free
Organization card - non-profit	\$45 per year
Organization card - for-profit	\$55 per year
Interlibrary Loans	\$1 charge per item

Late Fees

<u>Items</u>	<u>Fines</u>
Books, Audio Books, Maps, and Music CDs	\$0.10/day (\$5 Max)
Video and DVDs	\$0.10/day (\$5 Max)
Rapid Readers	\$1.00/day (\$10 Max)
Audiovisual Equipment	\$10.00/day
Lost or Damaged Items	Replacement cost plus a \$5.00 processing fee

Outstanding fines may be waived at the discretion of the Library Director in exchange for food, as specified in the adopted “Food for Fines” Policy (Approved 4/9/2014 Park City Library Board)

8.7. CEMETERY FEES. Anyone owning property, currently residing, or having resided in Park City for a period of more than ten years consecutively, is eligible to purchase cemetery property or may be buried in the Park City Cemetery. All cemetery plots will be sold on a first-come, first-served basis. The same criteria above are used for the rights to purchase a plaque space on the Memorial Walls in the Cemetery.

	<u>Resident Fees</u>	Eligible <u>Non-Resident Fees</u>
Single adult grave	\$300	\$600
Single infant grave	150	300
Opening and closing adult grave	600 480	600 480
Opening and closing infant grave	360	360

Removal of adult from one grave to another within cemetery	960	960
Removal of infant from one grave to another within cemetery	720	720
Removal of adult for interment outside cemetery	480	480
Removal of infant for interment outside cemetery	360	360
Schil for flower beds/grave	N/A	N/A
Additional charge for after hour burials including Saturdays, holidays, weekends	200	300
Interment of cremated remains	70	140
Monument grave marker maintenance	100	100
Memorial Wall plaque space	250	500

8.7.1. Cemetery Fee Waivers. Any or all of the fees associated with the operation of the Park City Cemetery may be waived by the Cemetery Sexton, however such consideration is focused on persons who provided exceptional community service or residents with proven financial hardship. Grave sites, located in the "veterans section" for Park City veterans, firemen and police officers will be provided free of charge, as well as fees for cemetery services. Family members wishing to be buried in this section of the cemetery will be charged for lots and services.

8.8. PARK PAVILLION RENTAL FEES. It is not mandatory that a fee be paid for the use of a park pavilion. However, those persons having reserved a pavilion and paid the reservation fee shall have the exclusive use to use that pavilion over others. Reservation fees for park pavilion use are as follows:

<u>Rotary and South-End of City Park Pavilions</u>	<u>Half Day</u>	<u>Full Day</u>
Residents within Park City School District	\$ 50	\$ 85
Non-residents/commercial +\$100 refundable cleaning deposit	125+	200+

8.9. MINERS HOSPITAL COMMUNITY CENTER FEES. This facility is located at 1354 Park Avenue. Reservation fees for use of the Miners Hospital Community Center are as follows:

- Group 1: Activities which are free and open to the public, or educational/informational.
- Group 2: Activities which are open for public participation but charge a fee for participation such as fundraisers, conferences or other promotional events.
- Group 3: Activities which are closed to the public such as private receptions, conferences or parties.
- Group 4: Activities which are held between the hours of 6:00 p.m. and 8:00 a.m.

Location	Group 1	Group 2	Group 3	Group 4
Miners Hospital 1 st Floor	Free	\$18/Hour	\$23/Hour	\$30/Hour
Miners Hospital 2 nd Floor	Free	\$18/Hour	\$23/Hour	\$30/Hour
Miners Hospital 3 rd Floor	Free	\$15/Hour	\$20/Hour	\$25/Hour
Miners Hospital Basement	Free	\$15/Hour	\$20/Hour	\$25/Hour

Function/Use Profit/Commercial	Park City/Snyderville Basin Resident or Non-Resident or Non-Profit Commercial Non-	
	Profit	Commercial
Single level:		
Hourly:		
First/additional up to 3 hours	\$25/\$16	\$42/\$25
Half day (4 hours)**	\$67	\$101
Whole day (8 hours)***	\$126	\$185
Entire building:		
Two hours minimum	\$101	\$185
Half day**	\$168	\$294
Whole Day (8 a.m. to 5 p.m.)**	\$210	\$336
Special events (weddings, receptions, etc.)***	\$673	\$925

Park City/Snyderville non-profit groups will receive 12 free rentals per year, after which time the standard rate applies.

Cancellation Policies for entire building reservations:

For two hour reservations, a \$25 handling fee will be charged for cancellations received less than one week prior to rental.

For half-day reservations, a \$50 handling fee will be charged for cancellations received less than two weeks prior to rental.

For whole day reservations, a \$75 handling fee will be charged for cancellations received less than two weeks prior to rental.

Notes:

~~*Snyderville Basin and Park City residents and groups were formerly charged two separate rates. Those groups have now been combined.~~

~~**a \$50 damage/cleaning deposit is required on all whole day rentals, refundable if the facility is left in satisfactory condition; full payment of all fees is due two weeks prior to the facility rental.~~

~~***a \$300 damage/cleaning deposit is required on all special events rentals, \$275 is refundable if the facility is left in satisfactory condition; full payment of all fees for special events is due 30 days prior to the date of the event.~~

~~Snyderville Basin Resident is defined as a resident or business that is located within the boundaries of the Park City School District and Park City Fire Service District.~~

~~Commercial is defined as any use of the facility wherein participants are charged fees for profit.~~

8.10. PARK CITY LIBRARY & ~~EDUCATION CENTER AUDITORIUM GATHERING ROOM~~ RENTAL RATES

~~Park City Library Facilities and Gathering Rooms are located at 1255 Park Avenue. The rates for the spaces are as follows.~~

~~Second Floor Rooms: Library Facility Use and Rental~~

~~Group 1: Activities which are free, open to the public, and educational/informational.~~

~~Group 2: Activities which are open for public participation but charge a fee for participation such as fundraisers, conferences or events.~~

~~Group 3: Activities which are closed to the public such as private receptions, conferences or parties, and/or which may promote or solicit business, sponsorship, membership or donations.~~

~~Group 4: Activities which are outside of Library operating hours.~~

~~First and Third Floor Rooms: Gathering Room Use and Rental~~

~~Group 1: Activities which are free, open to the public, and educational/informational.~~

~~Group 2: Activities which are open for public participation but charge a fee for participation such as fundraisers, conferences or events.~~

~~Group 3: Activities which are closed to the public such as private receptions, conferences or parties, and/or which may promote or solicit business, sponsorship, membership or donations.~~

~~Group 4: Activities which are outside of Library operating hours.~~

Location	Room	Occ.	Group 1	Group 2	Group 3	Group 4
Library 1 st Floor	Entry Hall	43	\$150/Hour	\$150/Hour	\$300/Hour	\$300/Hour
Library 1 st Floor	Entry Hall Patio	90	\$200/Hour	\$200/Hour	\$400/Hour	\$400/Hour
Library 1 st Floor	Public Meeting Room 101	34	Free	\$25/Hour	\$50/Hour	\$50/Hour
Library 2 nd Floor	Study Rooms 1 - 8	3 - 6	Free	Unavailable	Unavailable	Unavailable
Library 2 nd Floor	Meeting Room 201	34	Free	\$25/Hour	\$25/Hour	\$50/Hour
Library 2 nd Floor	North Conference Room	12	Free	\$20/Hour	\$20/Hour	\$40/Hour
Library 2 nd Floor	South Conference Room	12	Free	\$20/Hour	\$20/Hour	Unavailable
Library 3 rd Floor	Public Meeting Room 301	34	Free	\$25/Hour	\$50/Hour	\$50/Hour
Library 3 rd Floor	Jim Santy Auditorium	516	Free	\$95/Hour	\$200/Hour	\$200/Hour
Library 3 rd Floor	Community Room	85	Free for two (2) hours, \$25/Hour	\$75/Hour	\$150/Hour	\$150/Hour
Library 3 rd Floor	Kitchen	10	Free	\$30	\$40	\$40

PA System rental per event \$100.00

Notes:

1. Advance reservations and standard lease agreement required, tenants included.
2. It is the responsibility of the User to review the *Park City Library Facility Use and Rental Policy* as well as the *Gathering Room Use and Rental Policy*.
3. Special parking arrangements may be required for events for more than 250 participants and guests.
4. All rates are subject to change without notice.
5. All deposits and fees are to be paid in advance.
6. Rental rates for auditorium equipment are calculated separately.
7. The City intends that no resident under 18 years old or over age 65 be denied the use of any program, activity or facility for reasons of financial hardship. The Library Director may, at heris discretion, waive all or a portion of a fee, or may arrange offsetting volunteer work for anyone demonstrating an inability to pay for services.

This facility is located at 1255 Park Avenue. The rates for this facility are as follows:

<u>Number of</u>	<u>Refundable</u>	<u>5 Hours</u>	<u>Per Day</u>	<u>Deposit</u>
<u>Patrons</u>	<u>(or less)</u>			
Fewer than 50	\$ 84	\$168	\$100	
50 - 100	126	252	150	
100 - 150	252	505	300	
150 - 250	420	841	500	
More than 250 - 500	841	1,683	1,000	

PA system rental per event \$99

Notes:

1. ~~Advance reservations and standard lease agreement required, tenants included.~~
2. ~~Events without admission or fee or non-profit groups are eligible for 50% rate reduction.~~
3. ~~Tenants of the Park City Library and Education Center are eligible or a 50% rate reduction.~~
4. ~~Multi-day events (more than three days) are eligible for a 25% rate reduction.~~
5. ~~Special parking arrangements may be required for events for more than 250 participants and guests.~~
6. ~~All rates are subject to change without notice.~~
7. ~~All fees are to be paid in advance.~~
8. ~~Only one rate reduction may apply to any group or user (the largest allowable reduction will apply).~~
9. ~~City reserves the right to change fees, especially in the case of commercial enterprises.~~
10. ~~These rates apply to Auditorium rental only; rental rates for film equipment are calculated separately.~~

SECTION 9. ICE ARENA AND FIELDS RENTAL FEE SCHEDULE.

9.1. Establishing User Fees. Fees shall be set at a level which ensures program quality and meets the objectives of the City Council. Area rates apply to residents of Park City, Summit County and Wasatch County. Outside rates apply to requests outside Summit and Wasatch Counties.

Field Fees

Additional Restroom Cleaning	\$30 per clean
Additional Field Prep (Softball/Baseball)	\$91 per field
Special Field Prep (Low grass Cut)	\$1,000 per field
Field Set Up (Lacrosse, Soccer, Football)	\$200 per field
Lights - PCSC & City Park	\$20 per hour

Field Prep, Bleachers, Banners & Clean Up

Full Prep (per field, one prep)	\$91.15
Partial Prep per field, one prep, drag and line only)	\$60.75
Drag Only (per field, one prep)	\$30.40
Chalk (per bag, not incl. labor)	\$8.50
Quick Dry (per bag, not incl. labor)	\$14.30

	Local	
Outside		
<u>Ice Arena Admission Fees</u>	<u>Area Rates</u>	<u>Area</u>
<u>Rates</u>		

Youth = 6 -17 year olds; Adult = 18 and over
 Youth Resident Rate Honored for all Seniors and Military

Public Skate – 5 years & under	Free	Free
Public skate – youth/ senior	\$6.00	\$10.00
Public skate – adult	\$6.50	\$10.50
Cheap Skate (includes skate rental)	\$6.00	\$9.50
Group Rates (20+) includes admissions & skates	\$7.00 \$6.00	\$11.00
School Rate – includes skate rental	\$6.00	N/A
Skate rental	\$3.50	\$3.50
Drop-in hockey - youth	\$8.00 \$7.50	
\$12.00\$11.00		
Drop-in hockey - adult	\$10.50 00	
\$14.00\$13.50		
Stick & Puck – youth	\$7.50	\$11.00
Stick & Puck – adult	\$10.00	\$13.50
Skills & Drills – youth	\$10.00	\$13.00
Skills & Drills – adult	\$12.50	\$15.50
Coached Drop-in Hockey – adult	\$12.50	\$16.00
Coached Drop-in Hockey - youth	\$10.00	\$13.00
Drop-in Hockey – Goalie	\$5.00*	\$5.00*

*Goalies may play for free if they do not wish to pre-pay and if space is available

Drop-in Speed Skating – youth	\$8.00	\$11.00	
Drop-in Speed Skating – adult	\$10.50	\$13.50	
Freestyle-Youth	\$8.00	\$7.50	\$12.00
Freestyle-Adult	\$10.50	\$8.25	
Drop-in Curling	\$12.50	\$15.00	
Drop-in Skating Class	\$15.00	\$17.00	
Off-ice Conditioning	\$11.50		\$14.00

10 Session Punch Cards will be sold to locals only - ~~\$0.50~~\$1-off each session or ~~\$5~~\$10 off in total.

Admission Passes (10 admissions)

Public Skate – youth/ senior	\$55	\$50	N/A
Public Skate – adult	\$60	\$55	N/A
Drop-in Hockey - youth	\$70	\$65	N/A
Drop-in Hockey – adult	\$95	\$90	N/A
Drop-in Hockey – goalie	\$50 (no additional discount)		
Coached Drop-in Hockey – youth	\$95		N/A
Coached Drop-in Hockey – adult	\$120		N/A
Stick and Puck – youth	\$65		N/A
Stick and Puck – adult	\$90		N/A
Skills and Drills – youth	\$90		N/A
Skills and Drills – adult	\$115		N/A
Freestyle – youth	\$70		N/A
Freestyle – adult	\$95		N/A
Drop-in Speed Skating – youth	\$75	\$65	N/A
Drop-in Speed Skating – adult	\$100	\$90	N/A
Off-ice conditioning – 5 punch	\$60		N/A
Off-ice conditioning – 10 punch	\$110	\$105	N/A

Internet Admissions Fees (discounted ~~\$1 fee~~ for registering on-line). Not all programs are available for pre-purchase online. Purchases need to be completed by 9:00 pm the day prior to the scheduled program. Sessions become available for purchase around the 15th of the month for the following month. Goalie fees are not discounted for pre-purchase online.

Adult Drop-in Hockey - adult	\$9.50	\$9.00
Youth Freestyle - youth	\$7.00	\$6.50

Off-Ice \$10.50
 Additional discount not provided on goalie punch card for sales online.

If a customer purchases 10 or more admissions for the same program in one transaction on-line, the price per session will be discounted an additional \$.50 per session.

Hourly Ice

User Groups*/Employees	\$195\$185
Locals / Businesses	\$210\$205
For-profit	\$285\$265

Daily Facility Rental

The daily facility rental fee includes the use of the party rooms with the applicable hourly ice rate when eight or more hours of ice are rented in one day.

*User Groups are defined as local, organized programs who rent weekly ice from the arena (minimum 25 hours per season).

Figure Skating Season Passes

Platinum (FS, S&C, PS, Sharpens)	\$4,300
Gold (FS, Ballet, S&C)	\$4,150
Silver (FS)	\$3,100
<u>Bronze (Public Skate) Season Passes (11 month season)</u>	
Family (4)*	\$550\$500
Additional Family Member	\$50 per person
Adult	\$260\$250
Youth (6-17 year olds/Senior +55 years)	\$190\$180

Birthday Parties

Basic Package	\$150
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Equipment (per hour)

Broomball	\$35.00\$30.00
Curling (2-hour minimum)	\$25/hour/lane\$50.00
Hockey (non-program rental)	\$10/week

Skate Services

Punch cards available for overnight services only. Pre-payment is required for all skate sharpening, the punch card is product of convenience.

Hockey Skate Sharpening	
24 Hours	\$5.50
Immediate	\$8.50
Punch Card (10 punch)	\$55
Goalie Skate Sharpening	
24 Hours	\$6.50
Immediate	\$9.50

Punch Card (10 punch)	\$65
Figure Skate Sharpening	
24 Hours	\$7.50
Immediate	\$10.50
Punch Card (10 punch)	\$75
Competitive Figure Skate Sharpening	
24 Hours	\$10.50
Immediate	\$13.50
Punch Card (10 Punch)	\$110
Custom Radius	\$20.00
Figure Skate Sealing	\$30.00
Rivets Replacements	\$2.00 (ea.)
Blade Holder Replacements	Varies with skate and blade type
Figure Skate Blade Mounting (per blade pair)	\$25.00 \$10.00

Room Rental

Multi-purpose Rooms	\$40/hr (ea.)
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User Groups can use the Party Room for 24 hours at no cost, but rooms must be booked in advance.

Locker Rental (Annual Fee)

	<u>First Floor</u>	<u>Second Floor</u>
Regular Locker	\$175	\$125
Large Locker	\$205	\$155

Gate Fees

The Park city Ice Arena will take 25% of any gate fees collected for an event.

Vendor Fees

The Park City Ice Arena will charge a flat fee of \$50/day for any food, beverage or merchandise sold. Vendors are not permitted to sell products that are sold by the Park City Ice Arena.

Advertising Fees and Sponsorship Fees

Dasher Board Ads	\$800-\$1600 (depending on location)
In Ice Ads \$25/sq. foot	\$2,000
Speed Skating Pad Pockets	\$150
Wall Banners	\$2,500
Glass Decals	\$400
Program Sponsorship	Varies by program
Information Screen	\$150 (per month)
Scoreboard Screen	\$150 (per month) / \$1,500 (per year)

Note: All user groups will receive a free dasher board ad on the east side to promote their activity. They can sell the ad, acknowledge their sponsors or promote their program.

9.2. Recreation Program Fees The Park City Ice Arena offers a variety of organized programs and activities. Due to the fluctuations in the number of participants and frequent changes in circumstances, program fees are established on a program-by-program basis by dividing the number of projected participants by the estimated program costs. ~~Fees are then published in the Recreation Services annual brochure. In most cases, fees will be kept commensurate with fees charged by others providing like service.~~

9.3. Fees for Non-Recreational Activities at the Ice Arena Facility The fees charged for non-recreational or special event use will be competitive with the marketplace providing the fees cover a minimum of: a) the costs involved in the production of the event; and b) recovery of lost revenue.

The Park City Ice Arena is principally for recreation. Non-recreation activities usually will be charged up to fifty percent (50%) more than the minimum. No fee waivers for non-recreational or special event use will be permitted. However, the City Council may authorize the City to pay all or a portion of the fee in accordance with the master festival ordinance provisions.

9.4. Fee Increases Recommendations for fee increases may be made on an annual basis. The City will pursue frequent small increases as opposed to infrequent large ones. Staff will be required to provide an annual review and analysis of the financial posture of the Ice Arena Fund along with justification for any recommended increase. When establishing fees, the City will consider rates charged by other public and private providers as well as the ability of the users to pay.

The City Manager will have the authority to annually increase fees up to \$.50 or 10%, whichever is greater. Any requested increase over that amount will require Council action. Fee increases will take place only if they are necessary to achieve the City Council's objective and maintain program quality, and only with the authorization of the City Manager or the City Council.

9.5. Discounting Fees The Ice Arena Manager may discount fees when:

1. Offering special promotions designed to increase use.
2. Trying to fill non-prime time.
3. Introducing new programs or activities.
4. Playing conditions are below standard due to weather or facility disrepair.

9.6. Fee Waivers. The City intends that no resident under 18 years old or over age 65 be denied the use of any program, activity or facility for reasons of financial hardship. The Ice Arena Manager may, at ~~heris~~ discretion, waive all or a portion of a fee, or may arrange offsetting volunteer work for anyone demonstrating an inability to pay for services.

9.7 **Establishing Fields User Fees:** Fees shall be set at a level which ensures field quality and meets the objectives of the City Council. Resident rates apply to residents of Park City School District. Visitor rates apply to requests outside of the Park City School District Boundaries. In order to receive the resident rate a

minimum of 75% of the participants must be residents of the Park City School District.

					FULL COMPLEX RATES	
	FULL DAY VISITOR	FULL DAY RESIDENT	HR/FIELD VISITOR	HR/FIELD RESIDENT	VISITOR TOTAL	RESIDENT TOTAL
PCSC Stadium SB	\$500	\$200	\$100	\$50		
PCSC Stadium SOC	\$500	\$200	\$100	\$50		
PCSC multipurpose	\$375	\$100	\$75	\$40	\$1,600	\$1,000
PCSC Sportexe	\$1,000	\$500	\$200	\$100		
PCHS BB	\$375	\$100	\$75	\$40		
PCHS SB	\$375	\$100	\$75	\$40		
PCHS LL	\$375	\$100	\$75	\$40	\$800	\$575
North 40 North	\$375	\$250	\$75	\$40		
North 40 South	\$375	\$250	\$75	\$40		
					\$500	\$350
City Park	\$375	\$250	\$75	\$40	\$375350	\$250
PCHS Dozier	\$1,000	\$500				
TMIS	\$375	\$100	\$75	\$40	\$675	\$450
Stakeholder Fee						\$200 per team per season youth

Volleyball Court Fees (per court)

(2 courts)

\$30/hr R \$45/hr NR
 \$120/day R \$180/day NR
 \$200/day R \$288/day NR
 \$300/team/season - adult

Stakeholder Fee

Additional Restroom Cleaning
 Additional Field Prep (Softball/Baseball)
 Special Field Prep (Low grass Cut)
 Field Set Up (Lacrosse, Soccer, Football)
 Lights - PCSC & City Park

\$30 per clean
 \$75 per field
 \$1,000 per field
 \$200 per field
 \$20 per hr

SECTION 10. MISCELLANEOUS FEES. The following fees are set to insure cost recovery and use fees for additional City services associated with but not limited to Master Festival, Special Event or Small Scale Community Licenses and approved filming activity.

10.1 Fee for in lieu of providing public parking \$40,000 per stall

10.2	<u>Returned Check Charge:</u>	\$25.00
10.3	<u>News Rack Application and Permit</u>	\$50 per application \$75 per three-year permit
10.4	<u>Bleachers</u>	
	Bleacher Rental (per bleacher, per day)	\$53.00
	Bleacher Delivery and Pick Up (per event, all bleachers)	\$93.25
10.5	<u>Banner Installation</u>	
	Street Banner Installation-entire Main	\$648.70
	Street Banner Installation-every other Main	\$486.55
	Street Banner Installation-every 3rd	\$324.35
	Street banner Installation- Roundabout	\$346.65
	Street Banner Installation- Kearns	\$1,431.00
	(Includes state permit, barricades and signage, required during install and takedown)	
10.6	<u>Parks Clean Up, Labor and Equipment</u>	
	Pressure Washing (per hour, incl operator)	\$47.70
	Pavilion Cleaning	\$157.95
	Trash Removal	\$33.90
	(public property only - not provided for private property)	
	Extra Trash Cans	\$6.75
	Trash Bags	\$2.10
10.7	<u>Public Safety</u>	
	Police Officer (per employee, per hour - four hour minimum)	\$75.00
	Holiday (per employee, per hour - four hour minimum)	\$165.00
10.9	<u>Parking Reservation Fees (Parking Department)</u>	
	Application Fee	\$22.25
	Main Street, Heber Avenue, Park Avenue (Heber to 9th St)	\$20.00
	Swede Alley Parking Space (per space, per day)	\$13.25
10.10	<u>Barricades (cost per barricade)</u>	
	Crowd Control Barricades	\$5.90
	Street Barricades	\$1.40
10.11	<u>Dumpsters</u>	
	8 Yard (delivery + haul off fee)	\$210.00
	30 yard (delivery + haul off fee)	\$210.00
	Landfill fee for 30 yard dumpster (per ton)	\$23.00
10.12	<u>Streets Equipment and Materials</u>	
	<u>Equipment</u>	
	(2 hour min. - billable rate is portal to portal, cost includes operator, fuel, maintenance)	

Large Loader (per hour, 1 staff)	\$103.20
Small Loader (per hour, 1 staff)	\$71.95
Street Mechanical Sweeper (per hour, 1 staff)	\$150.60
Unimog with Snow Blower (per hour, 1 staff)	\$180.20
Unimog Snowplow (per hour, 1 staff)	\$88.35
Loader with Blower (per hour, 1 staff)	\$218.65
1 Ton Truck with dump (per hour, 1 staff)	\$54.15
2 Ton Truck with dump (per hour, 1 staff)	\$86.55
Bucket Truck (per hour, 2 staff)	\$117.65
Skid Steer (Cat 262 - per hour, 1 staff)	\$55.90
Add Grinder	\$7.60
Add Snow Blower	\$6.35
Backhoe (per hour, 2 staff)	\$98.75
Air Compressor (per hour, 1 staff)	\$42.00
Graffiti Truck (per hour, 1 staff)	\$75.05
Portable Electronic Sign/ message board (per day)	\$151.20

10.13 Materials

Salt (per ton)	\$39.95
Road base (per ton)	\$13.50
Sand (per ton)	\$13.50
Cold Patch (per ton)	\$90.70
Hot Mix (per ton)	\$66.95

10.14 Personnel (total compensation per employee, per hour, during regular business hours)

Parks Dept. (PCMC employee - Seasonal Parks III –non-benefited)	\$23.30
Streets Department (Streets III employee)	\$30.25
Special Events Department (staff)	\$42.25
Cleaning Labor – restrooms, buildings and other (contract labor)	\$28.00

10.15 Application Fee (Processing and Analysis)

New Event	\$160
Reoccurring Event	\$ 80

10.16 Public Parking Lot Use Rates for approved Master Festival Events:

All lot fees are for approved Master Festival licensed events only. Regular parking rates apply at all other times.

Brew Pub Lot – Upper Lot	\$240 per day
Brew Pub Lot – Lower Lot	\$105 per day
North Marsac Lot	\$ 50 per day
Swede Alley Surface Lot	\$ 50 per day
Swede Alley Wall Lot	\$ 50 per day
Flag Pole Lot	\$ 50 per day

Sandridge lot – Upper/Lower
 Quinn’s Sports Parking Lots 1, 2, 3
 Mawhinney Parking Lot
 Library Parking Lot – Partial Use Only

\$ 50 per day/ per lot
 \$ 50 per day/ per lot
 \$ 50 per day
 \$ 50 per day

10.17 Trail Use Fees
Trail Use Fee and Deposit Schedule

ACTIVITY	NUMBERS	LOCAL NON-PROFIT	OUT OF AREA NON-PROFIT	LOCAL PROFIT	OUT OF AREA PROFIT
Mountain Biking	30-350	1% x \$150 x number of participants	2% x \$150 x number of participants	1.5% x \$150 x number of participants	3% x \$150 x number of participants
Cross Country Skiing*	30-350	.5% x \$150 x number of participants	1% x \$150 x number of participants	1% x \$150 x number of participants	1.5% x \$150 x number of participants
Triathlon*	30-350	1.5% x \$150 x number of participants	2.5% x \$150 x number of participants	2% x \$150 x number of participants	3.5% x \$150 x number of participants
Running/Walking/Snowshoe*	30-500	.5% x \$150 x number of participants	1% x \$150 x number of participants	1% x \$150 x number of participants	1.5% x \$150 x number of participants
Other (Events that may propose significant impacts to the system)	TBD	TBD	TBD	TBD	TBD

If Council approves additional participation above a capped quota of participants, add \$2/participant in addition to fees provided below.

*All winter events that propose to use the winter trails system may be subject to a grooming fees of \$30/hr. This fee may include pre-event preparation of the trails and post event maintenance of the trails.

**Attachment M – Monthly Budget Report
Revenue Summary by Object and Type**

Object Type	Actuals FY 2012	Actuals FY 2013	Actuals FY 2014	Prev Month Actuals FY 2015	YTD Actual FY 2015	Annual Budget FY 2015	Remaining Budget FY 2015
011 GENERAL FUND							
01 PERSONNEL SERVICES	15,170,608	15,722,555	16,906,148	14,639,334	16,766,258	17,870,264	1,104,006
02 MATERIALS, SUPPLIES AND SERVICES	1,141,083	1,108,543	1,113,051	810,191	950,990	1,113,076	162,086
03 UTILITIES	628,303	962,477	726,142	504,339	604,878	789,287	184,409
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	2,237,374	2,362,298	1,791,738	1,220,097	1,401,454	2,387,187	985,733
05 PARTS/MAINTENANCE SUPPLIES	923,502	874,810	983,655	627,898	687,159	971,027	283,868
06 SPECIAL SERV CONTRACT/MISC CHARGES	918,611	906,940	919,237	1,025,307	1,025,665	1,050,400	24,735
07 CAPITAL OUTLAY	96,826	167,822	208,870	131,153	149,553	373,511	223,958
09 INTERFUND TRANSFER	10,475,635	10,420,758	11,932,280	1,859,920	2,045,912	11,948,379	9,902,467
Total 011 GENERAL FUND	31,591,942	32,526,204	34,581,120	20,818,240	23,631,868	36,503,131	12,871,262
012 QUINNS RECREATION COMPLEX							
01 PERSONNEL SERVICES	678,502	720,419	701,623	543,817	619,898	725,387	105,489
02 MATERIALS, SUPPLIES AND SERVICES	58,084	63,517	48,642	32,166	36,301	53,040	16,739
03 UTILITIES	138,938	149,022	169,420	121,953	143,436	174,443	31,007
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	66,551	64,140	95,903	69,069	73,608	70,585	-3,023
05 PARTS/MAINTENANCE SUPPLIES	54,073	56,800	66,228	52,241	47,228	66,275	19,047
06 SPECIAL SERV CONTRACT/MISC CHARGES	6,666	8,885	12,106	10,166	10,166	4,500	-5,666
07 CAPITAL OUTLAY	7,245	7,439	1,903	78	78	6,000	5,922
09 INTERFUND TRANSFER	-2,509,354	-2,919,038	-3,204,032	1,000	1,100	-3,723,505	-3,724,605
Total 012 QUINNS RECREATION COMPLEX	-1,499,295	-1,848,817	-2,108,208	830,491	931,815	-2,623,275	-3,555,090
021 POLICE SPECIAL REVENUE FUND							
07 CAPITAL OUTLAY	300			200	200		-200
09 INTERFUND TRANSFER	27,532	28,644	29,144				
Total 021 POLICE SPECIAL REVENUE FUND	27,832	28,644	29,144	200	200		-200
022 CRIMINAL FORFEITURE RESTRICTED ACCOUNT							
07 CAPITAL OUTLAY	1,034	1,054		1	1		-1
09 INTERFUND TRANSFER	8,985	19,133	17,258			10,678	10,678
Total 022 CRIMINAL FORFEITURE RESTRICTED ACCOUNT	10,019	20,187	17,258	1	1	10,678	10,677
023 LOWER PARK AVE RDA SPECIAL REVENUE FUND							
01 PERSONNEL SERVICES				2,536	5,173	22,212	17,039

Object Type	Actuals FY 2012	Actuals FY 2013	Actuals FY 2014	Prev Month Actuals FY 2015	YTD Actual FY 2015	Annual Budget FY 2015	Remaining Budget FY 2015
02 MATERIALS, SUPPLIES AND SERVICES				9,150	9,750	20,000	10,250
03 UTILITIES				8,149	8,774	300	-8,474
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC				47,350	66,525	30,000	-36,525
09 INTERFUND TRANSFER				1,741,670	1,915,837	2,119,488	203,651
Total 023 LOWER PARK AVE RDA SPECIAL REVENUE FUND				1,808,854	2,006,060	2,192,000	185,941
031 CAPITAL IMPROVEMENT FUND							
01 PERSONNEL SERVICES	4,614	4,634	34,424	36,988	42,897		-42,897
07 CAPITAL OUTLAY	14,853,173	6,421,041	9,376,543	13,876,929	16,484,322	12,714,410	-3,769,912
09 INTERFUND TRANSFER	20,010,767	18,905,552	27,240,940	111,970	123,167	2,960,348	2,837,181
Total 031 CAPITAL IMPROVEMENT FUND	34,868,554	25,331,227	36,651,907	14,025,888	16,650,386	15,674,758	-975,628
033 REDEVELOPMENT AGENCY-LOWER PRK							
01 PERSONNEL SERVICES		274	5,365	5,929	7,322		-7,322
06 SPECIAL SERV CONTRACT/MISC CHARGES	597,298	557,051	525,297			580,000	580,000
07 CAPITAL OUTLAY	128,463	550,549	3,060,404	6,717,078	7,117,811	11,030,000	3,912,189
09 INTERFUND TRANSFER	9,592,392	10,345,387	8,534,271	272,450	299,695	3,604,200	3,304,505
Total 033 REDEVELOPMENT AGENCY-LOWER PRK	10,318,153	11,453,261	12,125,337	6,995,457	7,424,828	15,214,200	7,789,372
034 REDEVELOPMENT AGENCY-MAIN ST							
06 SPECIAL SERV CONTRACT/MISC CHARGES	330,519	271,927	281,491			405,000	405,000
07 CAPITAL OUTLAY	365,595	231,915	2,385				
09 INTERFUND TRANSFER	2,347,569	2,187,956	2,224,068	791,670	870,837	1,790,306	919,469
Total 034 REDEVELOPMENT AGENCY-MAIN ST	3,043,683	2,691,798	2,507,943	791,670	870,837	2,195,306	1,324,469
035 BUILDING AUTHORITY							
07 CAPITAL OUTLAY			2,844	66,575	66,575		-66,575
08 DEBT SERVICE	246,201	1,500					
09 INTERFUND TRANSFER	521,568	523,457	523,127			461,457	461,457
Total 035 BUILDING AUTHORITY	767,769	524,957	525,971	66,575	66,575	461,457	394,882
038 EQUIPMENT REPLACEMENT CIP							
07 CAPITAL OUTLAY	893,741	580,465	735,016	945,091	959,614	940,000	-19,614
09 INTERFUND TRANSFER	1,244,133	1,586,254	1,902,793			344,663	344,663
Total 038 EQUIPMENT REPLACEMENT CIP	2,137,874	2,166,719	2,637,809	945,091	959,614	1,284,663	325,049
051 WATER FUND							
01 PERSONNEL SERVICES	1,656,249	1,934,179	2,077,220	1,850,574	2,132,288	2,354,977	222,689

Object Type	Actuals FY 2012	Actuals FY 2013	Actuals FY 2014	Prev Month Actuals FY 2015	YTD Actual FY 2015	Annual Budget FY 2015	Remaining Budget FY 2015
02 MATERIALS, SUPPLIES AND SERVICES	272,520	214,913	192,431	149,361	163,895	278,055	114,160
03 UTILITIES	669,844	813,641	882,759	678,683	806,503	1,075,192	268,689
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	1,061,997	1,099,370	744,473	485,987	535,818	1,060,765	524,947
05 PARTS/MAINTENANCE SUPPLIES	472,295	531,919	823,086	482,970	514,611	838,230	323,619
06 SPECIAL SERV CONTRACT/MISC CHARGES	9,400	63,143	18,764	19,938	19,938	28,100	8,162
07 CAPITAL OUTLAY	9,008,529	5,560,278	7,965,236	4,703,552	5,090,131	8,016,278	2,926,147
08 DEBT SERVICE	3,207,425	4,300,405	4,361,654	1,834,660	1,838,160	4,373,851	2,535,691
09 INTERFUND TRANSFER	12,975,759	10,558,717	8,070,283	674,910	742,401	10,156,979	9,414,578
Total 051 WATER FUND	29,334,020	25,076,565	25,135,905	10,880,636	11,843,745	28,182,427	16,338,682
055 GOLF COURSE FUND							
01 PERSONNEL SERVICES	639,235	588,144	678,265	506,773	606,868	758,276	151,408
02 MATERIALS, SUPPLIES AND SERVICES	76,695	82,281	70,894	30,631	40,000	74,900	34,900
03 UTILITIES	46,743	60,817	56,458	22,415	40,924	58,387	17,463
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	98,130	69,628	70,196	54,533	60,126	93,942	33,816
05 PARTS/MAINTENANCE SUPPLIES	183,641	185,172	185,738	160,055	186,510	240,800	54,290
06 SPECIAL SERV CONTRACT/MISC CHARGES	21,193	22,571	23,565	22,130	22,130	30,500	8,370
07 CAPITAL OUTLAY	398,854	252,192	55,877	9,778	9,778	54,565	44,787
08 DEBT SERVICE	32,643	36,080	36,080		36,080	36,081	1
09 INTERFUND TRANSFER	984,277	1,065,768	1,176,585	106,220	116,842	1,079,482	962,640
Total 055 GOLF COURSE FUND	2,481,411	2,362,654	2,353,658	912,536	1,119,260	2,426,933	1,307,674
057 TRANSPORTATION & PARKING FUND							
01 PERSONNEL SERVICES	3,986,646	4,119,385	4,496,723	4,051,209	4,619,310	5,736,432	1,117,122
02 MATERIALS, SUPPLIES AND SERVICES	220,653	345,988	263,923	221,729	276,157	233,734	-42,424
03 UTILITIES	126,856	106,871	130,215	98,626	115,999	140,744	24,745
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	623,514	504,543	572,123	280,833	458,209	456,393	-1,816
05 PARTS/MAINTENANCE SUPPLIES	20,309	8,502	11,100	26,193	26,193	21,000	-5,193
06 SPECIAL SERV CONTRACT/MISC CHARGES	100,083	101,851	81,866	60,984	62,848	36,000	-26,848
07 CAPITAL OUTLAY	4,069,630	1,491,113	2,622,510	192,012	202,332	2,750,946	2,548,614
09 INTERFUND TRANSFER	19,969,969	20,463,096	21,135,122	2,021,374	2,223,488	9,217,881	6,994,393
Total 057 TRANSPORTATION & PARKING FUND	29,117,660	27,141,349	29,313,582	6,952,961	7,984,537	18,593,130	10,608,593
062 FLEET SERVICES FUND							
01 PERSONNEL SERVICES	614,394	635,023	670,854	648,272	744,196	817,413	73,218

Object Type	Actuals FY 2012	Actuals FY 2013	Actuals FY 2014	Prev Month Actuals FY 2015	YTD Actual FY 2015	Annual Budget FY 2015	Remaining Budget FY 2015
02 MATERIALS, SUPPLIES AND SERVICES	59,345	56,874	66,970	54,764	58,228	71,100	12,872
03 UTILITIES	631,680	1,309,680	1,118,663	904,765	1,025,721	1,155,900	130,179
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	8,929	3,747	3,133	1,988	1,988	4,200	2,212
05 PARTS/MAINTENANCE SUPPLIES	1,003,159	539,026	622,705	532,982	626,125	706,040	79,915
07 CAPITAL OUTLAY	278	13,288	6,794	2,354	6,354	10,000	3,646
09 INTERFUND TRANSFER	521,502	874,294	961,174			656,151	656,151
Total 062 FLEET SERVICES FUND	2,839,288	3,431,932	3,450,294	2,145,125	2,462,612	3,420,804	958,192
064 SELF INSURANCE FUND							
01 PERSONNEL SERVICES							
02 MATERIALS, SUPPLIES AND SERVICES	2,410	8,571	12,720	14,019	19,904	50,300	30,396
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	153,030	217,075	236,240	441,060	462,490	336,000	-126,490
06 SPECIAL SERV CONTRACT/MISC CHARGES	367,409	402,792	520,639	558,824	548,325	535,000	-13,325
09 INTERFUND TRANSFER	1,848,254	1,423,816	1,208,215			835,441	835,441
Total 064 SELF INSURANCE FUND	2,371,103	2,052,254	1,977,814	1,013,904	1,030,719	1,756,741	726,022
070 SALES TAX REV BOND - DEBT SVS FUND							
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC				226,606	429,374		-429,374
08 DEBT SERVICE	2,250,813	1,566,588	1,559,863	7,630,180	7,631,180	1,569,613	-6,061,567
09 INTERFUND TRANSFER	1,958,852	1,960,392	1,165,265			1,151,205	1,151,205
Total 070 SALES TAX REV BOND - DEBT SVS FUND	4,209,665	3,526,980	2,725,128	7,856,787	8,060,554	2,720,818	-5,339,736
071 DEBT SERVICE FUND							
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC		311	123,931	74,606	74,606		-74,606
08 DEBT SERVICE	4,662,823	4,657,485	7,107,411	4,124,525	8,280,100	4,832,513	-3,447,587
09 INTERFUND TRANSFER	412,312	407,093	7,596,740			389,005	389,005
Total 071 DEBT SERVICE FUND	5,075,135	5,064,889	14,828,082	4,199,131	8,354,706	5,221,518	-3,133,188
TOTAL	156,694,814	141,550,804	166,752,743	80,243,547	93,398,317	133,235,290	39,836,973

Expenditure Summary by Object and Type

Revenue Type	Actuals FY 2012	Actuals FY 2013	Actuals FY 2014	Prev Month Actuals FY 2015	YTD Actual FY 2015	Annual Budget FY 2015	Remaining Budget FY 2015
011 GENERAL FUND							
311 Property Taxes	9,964,464	10,023,934	9,279,024	9,443,865	9,601,251	10,085,000	483,749
312 Sales Tax	7,768,666	7,649,200	7,314,413	6,256,482	9,369,034	7,247,646	-2,121,388
313 Franchise Tax	2,816,071	3,037,408	3,158,716	2,009,568	2,608,443	3,277,000	668,557
321 Licenses	344,597	391,550	422,747	392,292	407,514	432,000	24,486
322 Planning Building & Engineering Fees	791,384	1,019,748	2,154,168	1,815,926	2,442,958	1,541,000	-901,958
326 Other Fees	33,890	38,793	41,961	37,300	34,955	42,000	7,045
331 Federal Revenue	68,325	24,841	69,654	17,576	25,076	60,000	34,924
332 State Revenue	78,973	297,567	69,198	71,726	76,726	72,000	-4,726
333 County/SP District Revenue		8,000					
344 Cemetery Charges for Services	19,196	24,777	26,250	31,741	35,992	26,000	-9,992
346 Recreation	1,430,096	1,695,154	1,836,326	1,256,409	1,705,266	1,808,000	102,734
349 Other Service Revenue	79,857	75,927	86,364	62,724	81,943	92,000	10,057
352 Library Fines & Fees	19,661	19,079	16,124	9,005	10,259	21,000	10,741
353 Fines & Forfeitures			100	150	150		-150
361 Misc. Revenues	362,046	313,916	348,604	98,514	125,431	395,000	269,569
381 Interfund Transactions (Admin)	1,471,500	1,415,722	1,346,991	1,088,649	1,330,571	1,451,534	120,963
391 Special Revenues & Resources	22,285	42,771	42,800	36,955	37,048	46,000	8,952
399 Beginning Balance	6,320,932	6,447,817	8,367,681			9,906,951	9,906,951
Total 011 GENERAL FUND	31,591,942	32,526,203	34,581,121	22,628,882	27,892,618	36,503,131	8,610,513
012 QUINNS RECREATION COMPLEX							
333 County/SP District Revenue		13,500	23,000	10,000	10,000	10,000	
346 Recreation				2,503	2,503		-2,503
347 Ice	682,028	648,177	787,773	563,818	657,494	707,500	50,006
361 Misc. Revenues	5,905	60	58	9	-21		21
399 Beginning Balance	-2,187,227	-2,510,554	-2,919,038			-3,340,775	-3,340,775
Total 012 QUINNS RECREATION COMPLEX	-1,499,295	-1,848,817	-2,108,208	576,329	669,976	-2,623,275	-3,293,251
021 POLICE SPECIAL REVENUE FUND							
332 State Revenue	750	1,112	500	1,000	1,000		-1,000
399 Beginning Balance	27,082	27,532	28,644				
Total 021 POLICE SPECIAL REVENUE FUND	27,832	28,644	29,144	1,000	1,000		-1,000

Revenue Type	Actuals FY 2012	Actuals FY 2013	Actuals FY 2014	Prev Month Actuals FY 2015	YTD Actual FY 2015	Annual Budget FY 2015	Remaining Budget FY 2015
022 CRIMINAL FORFEITURE RESTRICTED ACCOUNT							
332 State Revenue	5,843	11,201	-1,875				
399 Beginning Balance		8,985	19,133			10,678	10,678
Total 022 CRIMINAL FORFEITURE RESTRICTED ACCOUNT	5,843	20,186	17,258			10,678	10,678
023 LOWER PARK AVE RDA SPECIAL REVENUE FUND							
311 Property Taxes				2,271,727	2,281,344	2,192,000	-89,344
Total 023 LOWER PARK AVE RDA SPECIAL REVENUE FUND				2,271,727	2,281,344	2,192,000	-89,344
024 MAIN STREET RDA SPECIAL REVENUE FUND							
311 Property Taxes				1,247,414	1,255,247		-1,255,247
Total 024 MAIN STREET RDA SPECIAL REVENUE FUND				1,247,414	1,255,247		-1,255,247
031 CAPITAL IMPROVEMENT FUND							
311 Property Taxes			283,345				
312 Sales Tax	1,800,000	2,521,908	6,184,909	2,147,264	3,259,508	5,900,156	2,640,648
322 Planning Building & Engineering Fees	133,421	201,235	397,737	491,536	795,001	370,000	-425,001
331 Federal Revenue	31,741	61,492	12,613	4,091	4,091		-4,091
332 State Revenue	340,540	358,866	1,302,855	2,253,011	2,319,508	300,000	-2,019,508
333 County/SP District Revenue	107,855	640,010	341,001	90,000	90,000	50,000	-40,000
361 Misc. Revenues	2,637,875	477,063	1,785,454	1,511,914	1,552,605	200,000	-1,352,605
382 Interfund Transactions (CIP/Debt)	1,800,000	849,400	7,164,160				
391 Special Revenues & Resources	1,193,310	344,852	408,647	109,155	109,642		-109,642
392 Bond Proceeds						6,300,000	6,300,000
399 Beginning Balance	26,823,812	19,876,401	18,771,186			2,554,602	2,554,602
Total 031 CAPITAL IMPROVEMENT FUND	34,868,554	25,331,227	36,651,907	6,606,972	8,130,354	15,674,758	7,544,404
033 REDEVELOPMENT AGENCY-LOWER PRK							
311 Property Taxes	2,425,242	2,305,162	2,203,448				
361 Misc. Revenues	69,101	63,683	44,598			2,750,000	2,750,000
382 Interfund Transactions (CIP/Debt)				1,567,503	1,915,837	2,090,000	174,163
392 Bond Proceeds						9,000,000	9,000,000
399 Beginning Balance	7,823,811	9,084,417	9,877,290			1,374,200	1,374,200
Total 033 REDEVELOPMENT AGENCY-LOWER PRK	10,318,153	11,453,261	12,125,336	1,567,503	1,915,837	15,214,200	13,298,363
034 REDEVELOPMENT AGENCY-MAIN ST							
311 Property Taxes	1,349,915	1,284,211	1,263,060			1,251,000	1,251,000

Revenue Type	Actuals FY 2012	Actuals FY 2013	Actuals FY 2014	Prev Month Actuals FY 2015	YTD Actual FY 2015	Annual Budget FY 2015	Remaining Budget FY 2015
361 Misc. Revenues	14,017	10,019	6,927				
399 Beginning Balance	1,679,751	1,397,569	1,237,956			944,306	944,306
Total 034 REDEVELOPMENT AGENCY-MAIN ST	3,043,683	2,691,798	2,507,943			2,195,306	2,195,306
035 BUILDING AUTHORITY							
361 Misc. Revenues	4,716	3,389	2,513			3,000	3,000
392 Bond Proceeds	244,982						
399 Beginning Balance	518,071	521,568	523,457			458,457	458,457
Total 035 BUILDING AUTHORITY	767,769	524,957	525,970			461,457	461,457
038 EQUIPMENT REPLACEMENT CIP							
361 Misc. Revenues	35,555	17,586	146,554	14,740	16,329		-16,329
382 Interfund Transactions (CIP/Debt)	835,000	905,000	905,000	693,747	847,913	925,000	77,087
399 Beginning Balance	1,267,319	1,244,133	1,586,254			359,663	359,663
Total 038 EQUIPMENT REPLACEMENT CIP	2,137,874	2,166,719	2,637,808	708,487	864,242	1,284,663	420,421
051 WATER FUND							
322 Planning Building & Engineering Fees	502,355	711,464	1,225,961	1,415,651	2,245,970	1,100,000	-1,145,970
331 Federal Revenue			485,097	1,137,153	1,137,153		-1,137,153
341 Water Charges for Services	9,915,490	12,199,081	13,128,172	9,638,861	12,330,634	15,302,155	2,971,521
361 Misc. Revenues	342,605	302,999	435,958	139,812	233,852	178,023	-55,829
392 Bond Proceeds						5,200,000	5,200,000
399 Beginning Balance	18,573,569	11,863,021	9,860,717			6,402,249	6,402,249
Total 051 WATER FUND	29,334,020	25,076,564	25,135,905	12,331,477	15,947,610	28,182,427	12,234,817
055 GOLF COURSE FUND							
333 County/SP District Revenue		129,024	11,000				
346 Recreation	1,264,753	1,325,627	1,327,549	959,100	1,031,832	1,426,850	395,018
361 Misc. Revenues	25,931	32,326	62,941	9,076	10,352	48,850	38,498
382 Interfund Transactions (CIP/Debt)	25,000	25,000	25,000	18,747	22,913	25,000	2,087
399 Beginning Balance	1,165,727	850,677	927,168			926,234	926,234
Total 055 GOLF COURSE FUND	2,481,411	2,362,654	2,353,658	986,923	1,065,097	2,426,934	1,361,837
057 TRANSPORTATION & PARKING FUND							
312 Sales Tax	3,798,125	3,868,264	4,019,133	2,494,926	3,778,480	4,050,000	271,520
321 Licenses	936,304	951,477	951,713	1,029,416	1,036,314	931,215	-105,099
326 Other Fees	11,300	1,500	1,500	320	320		-320

Revenue Type	Actuals FY 2012	Actuals FY 2013	Actuals FY 2014	Prev Month Actuals FY 2015	YTD Actual FY 2015	Annual Budget FY 2015	Remaining Budget FY 2015
331 Federal Revenue	7,556,794	1,200,950	2,827,961	1,602,990	1,602,990	3,250,000	1,647,010
342 Transit Charges for Services	1,918,588	2,243,874	2,175,148	1,472,626	1,876,383	2,440,701	564,318
353 Fines & Forfeitures	621,446	757,842	739,204	795,469	862,142	679,200	-182,942
361 Misc. Revenues	92,207	128,922	108,100	33,308	42,537	92,500	49,963
391 Special Revenues & Resources	478,918	332,444	452,727	155,713	165,865	346,000	180,135
399 Beginning Balance	13,703,979	17,656,077	18,038,096			6,803,514	6,803,514
Total 057 TRANSPORTATION & PARKING FUND	29,117,660	27,141,349	29,313,582	7,584,768	9,365,031	18,593,130	9,228,099
062 FLEET SERVICES FUND							
361 Misc. Revenues	794						
381 Interfund Transactions (Admin)	2,428,600	2,910,430	2,576,000	1,935,621	2,365,759	2,580,800	215,041
399 Beginning Balance	409,894	521,502	874,294			840,004	840,004
Total 062 FLEET SERVICES FUND	2,839,288	3,431,932	3,450,294	1,935,621	2,365,759	3,420,804	1,055,045
064 SELF INSURANCE FUND							
361 Misc. Revenues	204,000	204,000	204,000	153,000	187,000	204,000	17,000
381 Interfund Transactions (Admin)	300,000		349,998	347,652	424,856	463,227	38,371
399 Beginning Balance	1,867,103	1,848,254	1,423,816			1,089,514	1,089,514
Total 064 SELF INSURANCE FUND	2,371,103	2,052,254	1,977,814	500,652	611,856	1,756,741	1,144,885
070 SALES TAX REV BOND - DEBT SVS FUND							
361 Misc. Revenues	10,857	6,540	2,747	1,779	2,595		-2,595
381 Interfund Transactions (Admin)	938,702	180,847	181,247	135,189	165,231	180,247	15,016
382 Interfund Transactions (CIP/Debt)	1,378,841	1,380,741	1,380,741	1,035,981	1,266,199	1,381,304	115,105
392 Bond Proceeds				12,785,018	24,992,543		-24,992,543
399 Beginning Balance	1,881,265	1,958,852	1,160,392			1,159,267	1,159,267
Total 070 SALES TAX REV BOND - DEBT SVS FUND	4,209,665	3,526,980	2,725,127	13,957,967	26,426,567	2,720,818	-23,705,749
071 DEBT SERVICE FUND							
311 Property Taxes	4,580,904	4,577,873	5,082,714	4,749,987	4,749,987	4,749,987	
361 Misc. Revenues	85,985	74,704	94,732	32,912	65,958	70,880	4,922
392 Bond Proceeds			9,243,543	3,539,845	3,539,845		-3,539,845
399 Beginning Balance	408,246	412,312	407,093			400,651	400,651
Total 071 DEBT SERVICE FUND	5,075,135	5,064,889	14,828,082	8,322,744	8,355,790	5,221,518	-3,134,272
TOTAL	156,690,637	141,550,802	166,752,742	81,228,465	107,148,328	133,235,290	26,086,962

Attachment N



PARK CITY MUNICIPAL CORPORATION

COMPREHENSIVE EMERGENCY MANAGEMENT PLAN (CEMP)

June 2015

Re-adopted 6/4/2015

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APPENDICES (provided under separate covers)

Appendix A.	Park City Municipal Code - Emergency Management & Responsibilities
Appendix B.	State of Utah Code Annotated 1953 - Title 53 – Emergency Management Act
Appendix C.	Hazard Identification and Vulnerability Analysis Worksheets and Emergency/Disaster Action Plans (HIVA/EAP) (Protected*)
Appendix D.	Emergency Preparedness for City Facilities (Protected*)
Appendix E.	Training, Implementation and Exercise Plan
Appendix F.	Incident Command Structure (ICS)
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Appendix M.	Community Preparedness Information and Plan
Appendix N.	Acronyms and Glossary
Appendix O.	Form and Log Templates
Appendix P.	Emergency Manager (EM) Notification Procedure
Appendix Q.	Standard Operating Procedures (SOP) in Support of ESF (Protected*)

* Some parts or all of these appendices are Private or Protected pursuant to UCA - 63-2-304 and UCA 62-2-106



Resolution No. -15

**A RESOLUTION ADOPTING THE PARK CITY COMPREHENSIVE
EMERGENCY MANAGEMENT PLAN (CEMP)**

WHEREAS, the purpose of the CEMP is to develop a comprehensive emergency management program that will provide a system to mitigate the effects of an emergency or disaster, preserve life, respond during emergencies, provide necessary assistance, and establish a recovery system, in order to return the community to its normal state of affairs; and

WHEREAS, this plan attempts to define clearly the roles and responsibilities of each department and function within the City organization by providing guidance in accomplishing the objectives of this plan with lists of guidelines, plans, assessments and resources; and

WHEREAS, on February 28, 2003, the President issued Homeland Security Presidential Directive (HSPD) - 5 *Management of Domestic Incidents*, which directs the Secretary of Homeland Security to develop and administer a National Incident Management System (NIMS) and the directive also requires Federal Departments and agencies to make adoption of the NIMS by State, Tribal and local organizations a condition for Federal preparedness assistance beginning in Federal FY 2005; and

WHEREAS, certain State and Federal disaster reimbursements require local jurisdictions to adopt and train in a CEMP, NIMS and Incident Command Systems (ICS); and

WHEREAS, certain Federal grant programs now require an adopted CEMP; and

WHEREAS, the City Manager and the Emergency Management Group (EMG) have reviewed the updated Comprehensive Emergency Management Plan with all of its attachments as periodically amended by the EMG and recommends adoption by the City Council; and

WHEREAS, the City Council deems it in the best interest of Park City Municipal Corporation to formally adopt them;

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

SECTION 1. ADOPTION. The Comprehensive Emergency Management Plan, dated June, 2015 attached hereto, along with all appendices and compendiums as periodically amended by the City Manager, are hereby adopted, to replace any and all

others previously adopted. Any amendments approved by the City Manager shall be effective for not more than one year unless ratified by the City Council.

SECTION 2. EFFECTIVE DATE. This Resolution shall take effect upon adoption.

PASSED AND ADOPTED this 4th day of June, 2015

PARK CITY MUNICIPAL CORPORATION

Mayor Jack Thomas

Attest:

Marci Heil, City Recorder

Approved as to form:

Mark Harrington, City Attorney



Resolution No. 23-07

A RESOLUTION ADOPTING THE USE OF THE NATIONAL INCIDENT
MANAGEMENT SYSTEM (NIMS)

WHEREAS, natural and man-made disasters may occur in any part of Park City, and;

WHEREAS, Utah State Code Title 63, State Affairs in General, Chapter 5a, Disaster Response and Recovery outlines authority, and;

WHEREAS, Park City is responsible to respond to emergency incidents as well as disasters with local responders, i.e. Law Enforcement, Fire, Emergency Medical Services, Public Services, and other such departments and divisions that might be required, and;

WHEREAS, City departments may be called to respond to and/or assist in response and/or recovery from the effects of emergency incidents and disasters, and;

WHEREAS, Park City is committed to achieving a system that will provide a consistent approach for local, state and federal governments to work effectively and efficiently together to prevent, prepare for, respond to and recover from domestic emergency and disaster incidents, regardless of cause, size or complexity, and;

WHEREAS, The Homeland Security Presidential Directive (HSPD-5) requires federal departments and local jurisdictions to adopt the National Incident Management Systems (NIMS), and;

WHEREAS, in times of disaster, local and state agencies work closely with federal agencies, and;

WHEREAS, NIMS provides a consistent nationwide template for all agencies to work together to prevent, prepare for, respond to and recover from all hazards, and;

WHEREAS, as a condition for federal preparedness assistance, beginning in federal Fiscal Year 2005, local organizations are mandated by HSPD-5 to adopt NIMS as the model for incident management in times of disaster;

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

SECTION 1. ADOPTION. Park City Municipal Corporation hereby adopts the National Incident Management System (NIMS) to be used by all City departments in response to all incidents and/or disasters within Park City.

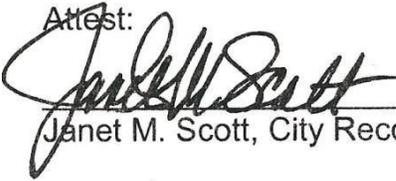
SECTION 2. EFFECTIVE DATE. This resolution shall take effect upon adoption.

PASSED AND ADOPTED by the City Council this 9th day of August, 2007.

PARK CITY MUNICIPAL CORPORATION

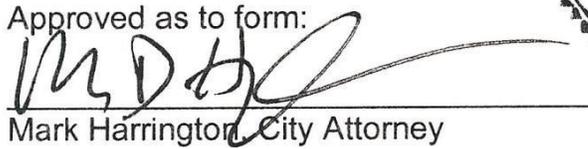


Mayor Dana Williams

Attest:


Janet M. Scott, City Recorder



Approved as to form:


Mark Harrington, City Attorney

**Park City Municipal Corporation
Comprehensive Emergency Management Plan
Record of Changes**

Pursuant to Resolution XX-15, the City Manager may approve amendments to the Comprehensive Emergency Management Plan (CEMP), which shall remain in effect for up to one year or until permanently ratified by the City Council.

Nature of Changes	Date of Change	Pages Affected	City Manager's Signature
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PARK CITY MUNICIPAL CORPORATION

COMPREHENSIVE EMERGENCY MANAGEMENT PLAN (CEMP)

PURPOSE

The purpose of the Park City Comprehensive Emergency Management Plan (CEMP) is to develop a comprehensive emergency management program that will provide a system to mitigate the effects of an emergency or disaster, preserve life, respond during emergencies, provide necessary assistance, and establish a recovery system in order to return the community to its normal state of affairs.

This plan attempts to define clearly the roles and responsibilities of each department and function within the City organization by providing guidance in accomplishing the objectives of this plan with lists of guidelines, plans, assessments and resources.

CONCEPT & PRINCIPALS

On February 28, 2003, the President issued Homeland Security Presidential Directive (HSPD) - 5 *Management of Domestic Incidents*, which directs the Secretary of Homeland Security to develop and administer a National Incident Management System (NIMS). This plan utilizes the tenants of NIMS, including the Incident Command System (ICS), as the basis for operations and to the level the various tenants apply to local government. In adopting this CEMP, Park City Municipal Corporation also adopts NIMS and ICS as required in HSPD-5.

It is the responsibility of Park City government to undertake comprehensive emergency management planning in order to protect life and property from the effect of an event prompted by natural or man-made occurrences. Local government has the primary responsibility of emergency management activities. When the emergency exceeds the local government's capabilities to respond, assistance will be requested from Summit County, and then the State of Utah. The Federal Government will provide assistance to the State when appropriate.

This plan is based upon the concept that the emergency functions for City departments, functions or groups will generally parallel their normal day-to-day functions. To the extent possible, the same personnel and material resources will be employed in both cases.

Day-to-day functions that do not contribute directly to the emergency response or operations may be suspended for the duration of the incident. The efforts that would normally be required for those functions will be redirected to accomplish the emergency response tasks.

A CEMP should be concerned with all types of emergency situations. It is more than an operational plan and it accounts for activities before, during and after the emergency operations. While the City has a plan as outlined herein, we realize that we may not have adequate resources to carry out all phases of the plan depending on the size and type of a specific emergency or disaster. The following are the four phases of a CEMP;

Phases of Emergency Management

1. Mitigation: Mitigation activities are those that eliminate or reduce the probability of an occurrence. Actions accomplished before an event to prevent it from causing a disaster, or to reduce its effects if it does, save the most lives, prevent the most damage, and are the most cost effective. City departments will enforce all public safety mandates including land use management and building codes; and recommend to governing bodies legislation required to improve the emergency readiness of the City. These activities also include long-term efforts that lessen the undesirable effects of unavoidable hazards.
2. Preparedness: Preparedness activities develop the response capabilities needed if an emergency arises. Preparedness consists of almost any pre-disaster action that is assured to improve the safety or effectiveness of disaster response. Preparedness consists of those activities that have the potential to save lives, lessen property damage, and increase individual and community control over the subsequent disaster response. Emergency/Disaster Action Plans spell out the scope of activities required for community response. Departments/agencies shall ensure that employees are trained to implement emergency and disaster procedures and instructions. Departments/agencies shall validate their level of emergency readiness through internal drills and participation in exercises selected by the Emergency Program Manager (EPM). Other government jurisdictions within and outside the city boundaries shall also participate in these exercises. Exercise results shall be documented and used in a continuous planning effort to improve the city's emergency readiness posture. In addition to the ongoing training and education of City employees and elected officials in the CEMP, local citizens and businesses shall also be educated on their responsibilities in preparing for an emergency.
3. Response: Response is the actual provision of services during the incident or crisis. These activities help reduce casualties and damage and speeds recovery from the incident. The active use of resources to address the immediate and short-term effects of an emergency or disaster constitutes the response phase and is the focus of department/agency Emergency/Disaster Action Plans. They include emergency and short-term medical care, return of vital life-support systems to minimum operating conditions, mass communications, evacuations and initial damage assessment. When any department/agency within the city receives information about a potential emergency or disaster, it will conduct an initial assessment, determine the need to alert others, and set in motion appropriate actions to reduce risk and potential impacts. Emergency response activities will be described in department/agency Emergency/Disaster Action Plans and may involve activating the Emergency Operations Center (EOC) for coordination and support of the Incident Command System (ICS). Departments/agencies will strive to provide support to warning and emergency public information, save lives and property, supply basic human needs, maintain

or restore essential services, and protect vital resources and the environment.

4. Recovery: Recovery is both a short-term and long-term process. They involve detailed damage assessments, complete restoration of vital life-support systems, financial assistance, and long-term medical care. There is no definite point at which response ends and recovery begins. However, generally speaking, most recovery efforts will occur after the emergency organization is deactivated and departments/agencies have returned to pre-disaster operation, and will be integrated with day-to-day functions. The recovery period is also an opportune time to institute mitigation measures, particularly those related to the recent incident. Examples of recovery actions would be: provision of temporary housing and food, restoration of non-vital government services, and reconstruction of damaged areas.

OBJECTIVES CONTAINED WITHIN THE CEMP

1. Defines clearly what the roles and responsibilities are of key members of City staff, City departments or functions and elected officials, in order to mitigate, prepare for, respond to and recover from the effects of any major emergency or disaster.
2. Establishes and defines roles and responsibilities within NIMS and ICS, as required by law.
3. Ensures that essential City services are maintained during an emergency or disaster.
4. Outlines the cooperative efforts between the City, the County, other governmental subdivisions and the State in response to an emergency or disaster.
5. Provides the necessary Mitigation, Preparedness, Response, Recovery, Mutual Aid, Action Plans, Hazard Identification, Risk Assessment, Emergency Support Functions, Resource Lists, Contact Lists and documents in appendices and compendiums to accomplish the activities laid out in this CEMP.

CHAPTER 1 – Authority

Emergency Authority

A compendium of existing local and state legislation pertaining to emergency management and authority are shown in Appendix A and B.

Mayor

Statutory Authority

The Mayor, as outlined in City Code 2-2-3, shall be the chief executive of the City. He/she shall be recognized as the head of the City government for all ceremonial and legal purposes, and he/she shall execute and authenticate legal instruments requiring his/her signature as such official. Further, the Mayor has emergency powers as set out in UCA 53-2a-205. The Mayor heads the Emergency Policy Council.

Proclamation of Local Emergency

In the event of or threat of, as disaster, attack, internal disturbance, natural phenomenon, or technological hazard, the Mayor may proclaim a state of —Local Emergencyll under UCA 53-2a-208.

Appointment of Special Police

Under City Code 2-4-12C, the Mayor may upon any emergency, riot, pestilence, invasion, or at any time he shall deem necessary for the peace, good order or health of the City, order the Chief of Police to appoint special policemen for a specified time.

City Council

Emergency Ordinances

Emergency ordinances, as outlined in City Code 2-3-7C, may be enacted by City Council for the preservation of public property, health, peace or safety. Further, the City Council may authorize expenditures for an emergency in excess of the budget as outlined in UCA 10-6-129.

Emergency Interim Successors

The City Council and Mayor shall annually set out Emergency Interim Successors for Local Officers as set out in UCA 53-2a-807 (see also Continuity of Government Operations - Succession of Command).

City Manager

Statutory Authority

The City Manager is the Chief Administrative Officer of the City as defined in City Code 2-4-1 and will administer all affairs of the City as directed in City Code 2-4-3 A through M. In the absence of the Mayor, the City Manager may proclaim a state of —Local Emergencyll as provided for in City Code and UCA 53-2a-203.

Administrative Authority

The City Manager or his/her designee or successor, as Chief Administrative Officer shall administer all emergency or disaster operations as outlined in the CEMP, including but not limited to EOC Operations Commander, Unified Commander (UC), Area Commander (AC) and/or Incident Commander (IC).

City Attorney

Statutory Authority

The City Attorney shall be the legal representative of the City and he shall advise the Mayor and Council and City officials in matters relating to their official powers and duties and perform such other duties as the Mayor and Council may prescribe by ordinance, resolution or otherwise as outlined in City Code 2-4-10 .

Chief of Police/Fire Marshal

Statutory Authority

The Chief of Police shall direct the police department in the enforcement of all the laws of the City and all statutes of the State of Utah applicable to the City as outlined in City Code 2-4-12, 6-3-6 and 11-9-2, including evacuation orders. The Chief of Police shall also serve as the City's Fire Marshal.

Emergency Program Manager

Administrative Authority

The Emergency Program Manager (EPM), also sometimes known as the Emergency Manager (EM) is hereby appointed by the City Manager to act as the City's designated manager to be involved in all areas of emergency management for the City. His or her responsibilities include; the keeping of the CEMP with all of its appendices (which must be updated annually); establishing and maintaining the City's state and federal NIMS compliance in the FEMA database; Emergency Operations Center (EOC) manager; establishes, maintains and participates in the training of all City staff in emergency preparedness and response; helps set City building preparedness and response to building specific emergencies; identifies and analyzes potential hazards to the community and the City's response; liaison to the County Emergency Manager and Region 2 of the Utah Division of Emergency Management; participates in individual incidents as a coordinator and review officer and in conjunction with the Community and Public Affairs Manager sets up citizen and business emergency preparedness programs. The EPM works with a policy and review body called the Emergency Management Group (EMG). The City Manager may reassign the responsibilities of EPM at any time with or without cause.

Community and Public Affairs Manager

Administrative Authority

The Community and Public Affairs Manager is hereby appointed by the City Manager to act as the City's designated Public Information Officer (PIO). The City Manager may reassign the responsibilities of the PIO at any time with or without cause.

Chief Building Official/Chief Fire Official

Statutory Authority

The Chief Building Official shall be responsible for the enforcement of the building codes, and all other such codes as adopted by the City and as outlined in City Code 6-1-2, 6-3-6, 11-2-2, 11-2-3 and 11-9-1. The Chief Building Official or his/her designee shall serve as the Deputy Fire Marshal.

CHAPTER 2 – Organization

Departments within the City will have emergency functions in addition to their normal duties. Each department is responsible for developing and maintaining its own emergency management procedures with assistance from the Emergency Manager and in concert with the CEMP. Departments will prepare plans, forms, documents and procedures to carry out their missions as outlined in the CEMP. Specific responsibilities for some departments may be outlined within the plan and/or in the appendix sections.

Emergency Management Group (EMG)

An Emergency Management Group (EMG) has been established to assist in the preparation of the CEMP, make periodic reviews and amendments, provide assistance and direction to the Emergency Program Manager (EPM) and assist departments with their components and implementation of the CEMP. The EPM is Chair of this group and the Police Chief is the Vice-Chair.

The Emergency Management Group (EMG) members are:

1. City Manager – Operations Commander
2. Assistant City Manager
3. Emergency Program Manager (EPM) - Chair
4. Community and Public Affairs Manager (PIO)
5. Information Technology Director
6. Chief of Police – Vice Chair
7. City Attorney
8. Public Works Director
9. Chief Building Official
10. City Engineer
11. Outside Agency and other members (as decided by the City Manager)

The Committee will ensure that emergency policies, activities, and resources, are coordinated among the City departments. On no less than an annual basis, the EPM will hold an EMG policy review meeting; make necessary CEMP amendments and a training session for the Committee members and the elected City officials.

As well, the EPM will facilitate on at least a bi-annual basis a City wide emergency response field training exercise or table top training exercise to evaluate this plan, its components and the individual department's emergency management procedures.

Departmental Emergency Management

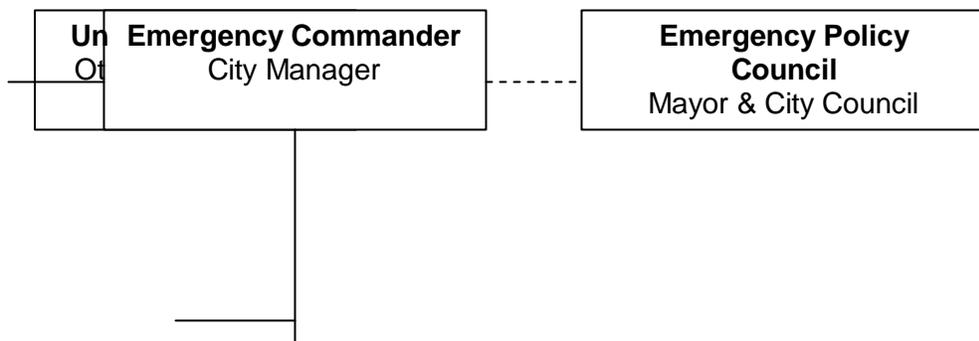
Under the direction of each City department manager or designee, each department will educate its employees on the CEMP and how it impacts their department, including individual and department roles and responsibilities, specific facility action plans and they will conduct regular training to meet the requirements of the CEMP. Further, training in the ICS will be conducted at all levels, including the need to complete tasks while under the supervision of an Incident Commander who may not be a regular supervisor. An outline of FEMA training required for various line and supervisory levels of City staff are outlined in Appendix E and F.

Direction and Control

The final responsibility for all emergency management belongs to the City Manager, a member of the Emergency Management Group (EMG) and Operations Commander. The EMG is responsible for all policy level recommendations and changes. The City Council shall adopt by resolution the CEMP and the federal NIMS, including all appendices and compendiums that encompass the total plan as periodically amended by the EMG. During response operations, elected official(s) will be available to, interact with constituents and forward community concerns, provide emergency policy direction, enact emergency legislation, provide for funding and provide designated public information in conjunction with the Public Information Officer (PIO) and/or other duties as agreed upon with the Operations Commander

The EPM has responsibility for coordinating the entire emergency plan and response program, and makes all routine decisions for this committee. During emergency operations, the EPM ensures that the policy and coordination of all groups are working in concerted, supportive effort to overcome the emergency.

CEMP Organizational Chart



**Emergency Program
Manager**

**Public Information
Officer**

Operations
Police,
Public Works,
Building,
Engineering
Fire Marshal

ESF #: 1, 2, 3, 8,
9,
10, 12, 13

Planning
Budget,
Public Works,
Police, Planning,
Building, IT,
Sustainability

ESF #: 7, 11, 12, 13,
14, 15, 16, 18

Logistics
Police,
Public Works, HR,
IT, Legal, Finance,
Recreation,
Sustainability

ESF #: 5, 6, 7, 11,
16, 17, 18

**Finance/
Administration**
Budget,
Finance,
HR, Legal

ESF #: 7, 14, 15

Continuity of Government Operations

Succession of Command

1. The line of succession of the City Manager as the Operations Commander is to the Assistant City Manager, the Chief of Police and then to the Emergency Manager. In the event the Emergency Manager assumes the Operations Commander position, he/she will be replaced by a trained Acting Emergency Manager.

The line of succession of the City Manager for his/her position as City Manager, i.e. appointment of an Acting City Manager, is to the Assistant City Manager, the City Attorney and then the Chief of Police. An Acting City Manager may not hold the position of Emergency Manager or Acting Emergency Manager at the same time.

2. The line of succession of each City department is according to the operating procedures established by each department and should be no less than three deep.
3. The line of succession of the Mayor is to the Mayor Pro Tempore, to the Alternate Mayor Pro Tempore and then to the most senior member of the City Council.



4. The line of succession of the City Council shall be governed by Park City Municipal Code 2-2-9. In the event a majority of Council members are unavailable or unable to fill vacancies by appointment, then emergency interim succession is pursuant to UCA 53-2a-807.

Preservation of Records

1. In order to develop after-action reports, all messages and logs will be maintained and submitted to the EPM immediately after deactivating emergency operations.
2. Documentation of emergency response actions is required for the following:
 - a. Accounting/reimbursement
 - b. Response action improvement
 - c. Possible legal action

Administrative Items

Emergency Authority

1. A compendium of existing state legislation pertaining to emergency management are shown in Appendix A and B.

Mutual Aid/Automatic Aid

1. Should local government resources prove to be inadequate during an emergency operation, requests will be made for assistance from other local jurisdictions and higher levels of government according to existing or emergency negotiated mutual aid/automatic aid agreements and memorandums of understanding entered into by duly authorized officials and will be formalized in writing whenever possible. See Appendix G.

Consumer Protection

1. Consumer complaints pertaining to alleged unfair or illegal business practices will be referred to the State Attorney General's Consumer Protection Division.

Accounting for Resources, Costs and Losses

In an emergency, proper accounting of costs and losses is required for insurance or federal disaster assistance reimbursements. Care should be taken to include all direct and indirect costs. Park City will use accounting methods in accordance with federal guidelines. The required documentation will be forwarded to appropriate state and federal agencies.

Incident Command System (ICS)

The Incident Command System is one of the key organizational systems of the National Incident Command System (NIMS). The ICS provides overall management at the incident site. The Incident Commander develops a management structure based on the needs of the incident. All appropriate elected officials, department heads, managers, supervisors and line personnel shall be trained in the ICS. See Appendix E and F.

Plan Development and Maintenance

If a plan is to be effective, its contents must be known and understood by those who are responsible for its implementation. The Emergency Program Manager (EPM) and members of the Emergency Management Group (EMG) will brief appropriate public/private sector officials in emergency management operations of this plan in particular.

The plan shall be updated at least once every year. Training for all employees and elected officials shall be ongoing.

CHAPTER 3 – Procedures and Operations

Emergency Levels

During the emergency operation, a timely and well-documented system of assessing the damage that is caused or expected is crucial for determining appropriate response actions, alleviating victim suffering and hardship, managing resources effectively, and planning future hazard mitigation activities.

When carrying out the Comprehensive Emergency Management Plan, the transition from normal operations to emergency operation must be orderly. To achieve unified response operations, it is important that all departments have a common definition and status of emergencies. These defined levels of an emergency provide a transition from normal operating posture to full alert and provide for coordination with other agencies. When responding to emergencies, the following apply:

Level III: NO OUTSIDE ASSISTANCE NECESSARY

An emergency that poses a threat to life, property, or the environment and where ample resources exist. The responding department(s) handles the incident with on-duty resources and notifies the City Manager or his/her designee via department notification protocols.

Level II: ENHANCED RESPONSE REQUIRED

An emergency of a greater hazard, which poses a threat to life, property, or the environment, and requires coordination between more than one City department. Park City personnel handle the emergency with City resources, mutual aid, and resource sharing. Once a Level II emergency is in effect, any request for assistance or resources from the on scene Incident Commander will take precedence over other daily activities.

Incident Commanders responding to Level II emergencies will notify the City Manager or his designee via department notification protocols. If needed, request for EOC activation may be made by responding Incident Commander(s), involved department chiefs or department heads, the City Manager, or the Emergency Program Manager.

Level I: MAJOR INCIDENT

An emergency involving a catastrophic incident. The incident may result from a natural or man-made disaster such as earthquake, flood, fire, terrorism, etc. The incident may result in an immediate threat to persons, property, or the environment and requires the resources of the entire City, including government, private, and outside assistance. The Mayor or designee may issue a formal declaration of emergency.

During response operations, responders maintain the principle of centralized control and decentralized execution. All response actions are in harmony and orchestrated by legal authority from the Emergency Operations Center.

As City departments, agencies, and non-governmental organizations progress from normal operations to an emergency posture, they go through the response conditions outlined below in accordance with the emergency level. For example, a Level II emergency would require Response Condition II.

Response Conditions

Response Condition - III: NO OUTSIDE ASSISTANCE NECESSARY

1. Monitor the situation regularly.
2. Review applicable plans and Standard Operating Procedures.
3. Review the status of all equipment and supplies.
4. Notify the City Manager and key personnel.

Response Condition II: ENHANCED RESPONSE REQUIRED

1. The Emergency Operations Center may be activated as needed with partial staffing.
2. Notify City Manager and key personnel.
3. Accelerate repair or procurement of equipment and supplies on an emergency basis 24 hours a day, if necessary. Emergency procedures for procurement of supplies and equipment may be implemented.
4. Place personnel on standby status as needed.

Response Condition I: MAJOR INCIDENT

1. Place Emergency Operations Center on full staffing.
2. Bring equipment and supplies to full operational status.
3. Recall personnel as necessary.
4. Freeze supplies and resources and commit them to the emergency as needed.
5. Notify the County and the State

The above procedures will not constrain or limit the emergency actions of any department or agency involved in a response.

Declaration of Emergency

Park City is the primary responder to a disaster in the City. As such, it rapidly mobilizes forces, assesses the situation, and plans a course of action. Once the situation exceeds Park City's capability to respond, officials will first seek supplemental resources from Summit County, then the State of Utah, and finally the Federal government.

A local emergency may be declared by proclamation of the Mayor. In the absence of the Mayor, the interim successor or City Manager may declare an emergency. Nothing in this section is intended to preclude the declaration of an emergency and the exercise of emergency powers as long as those actions are consistent with the requirements of declaring an emergency outlined herein.

The proclamation declaring the emergency will be filed with the City Recorder and will state four things:

- the nature of the emergency.
- the areas threatened.
- the various conditions which cause the emergency to be declared.
- the initial period of the emergency.

The declaration is kept on file with other supporting documentation to justify the disbursement of disaster assistance funds if available. See Appendix O for templates.

Emergency Operations Center (EOC)

The EOC serves as a centralized management center for emergency operations. Here, decisions are made by the EOC managers based upon information provided by the IC and other personnel. Regardless of size or process, every facility should designate an area where decision makers can gather during an emergency.

Each facility must determine its requirements for an EOC based upon the functions to be performed and the number of people involved. Ideally, the EOC is a dedicated area equipped with communications equipment, reference materials, activity logs and all the tools necessary to respond quickly and appropriately to an emergency.

EOC Resources:

- Communications equipment
- A copy of the emergency management plan and EOC procedures
- Blueprints, maps, status boards
- A list of EOC personnel and descriptions of their duties
- Technical information and data for advising responders
- Building security system information

- Information and data management capabilities
- Telephone directories
- Backup power, communications and lighting
- Emergency supplies

An Emergency Operations Center (EOC) has been established within the Police Facility Building, 2060 Park Avenue. Those participating in the EOC will be located in secure meeting space adjacent to Police Records/Reception (the Lloyd D. Evans, Sr. Meeting Room). The Emergency Policy Council (EPC) will be located in the secure Police Facility Administrative Conference Room. The general operations of the EOC functions will be conducted within the confines of the space available at the time of activation of the EOC.

1. Secondary Emergency Operations Center. Should the primary EOC location, become unavailable due to structure failure, road inaccessibility, etc., the EOC functions will be moved to the Public Works Facility or the Marsac Building and shall function at that location until such time as the primary EOC becomes operational or an alternate site is identified that can facilitate the EOC operations to a higher degree.

2. Alternative Emergency Operation Center. At the point that any Park City Municipal Corporation facilities available to be used as an EOC site become unavailable or unusable, the EOC function may be moved to the Summit County Emergency Operations Center at the Summit County Health Department in Park City, the Summit County Search & Rescue Building in Kamas or the Summit County Mobile Command Post (SCMCP).

3. Authority to Activate EOC. Activation of the Emergency Operations Center (EOC) is solely the responsibility of the City Manager, designee, or successor. The City Manager may consult with the Emergency Program Manager, Chief of Police, PIO, Public Works Director and the Mayor in making the determination to activate the EOC; however, the final decision rests with the City Manager. In the absence of the City Manager or an immediate successor, in order to expedite the City's emergency response, the Emergency Program Manager may activate the EOC.

4. EOC Command Structure. While the Emergency Operations Center (EOC) is functional, the City Manager will act as the EOC Commander, unless he/she relinquishes that responsibility to a designee. The City Manager will interact with the appropriate manager or managers when addressing the incident response, operations, assessment and recovery phases. Each City Department or function involved in any phase of an incident will have a management representative located within the EOC operations area, or in a location directed by the City Manager. The EPM or designee shall manage the EOC. See Appendix K.

CHAPTER 4 – Incident Response and Management

Emergency Support Functions (ESF) Concept

In order to facilitate the delivery of emergency services during a disaster, Park City has adopted the Emergency Support Function (ESF) concept found in the National

Response Framework (NRF). The Emergency Support Function concept is based on the idea of designating specific emergency response tasks to the City departments and outside organizations best suited to complete the designated task. Each function has an assigned department or organization responsible for that function with other departments and organizations playing supporting roles.

ESF Overview

The tasks that may need to be performed in emergency situations have been categorized as Emergency Support Functions (ESFs) under the National Incident Management System (NIMS) and Park City's CEMP has chosen to follow that categorization. The tasks have been grouped into 18 Emergency Support Functions. Each ESF is supported by Standard Operating Procedures (SOP) for that ESF. See ESF and SOP details in Appendix L and Q.

ESF 1 TRANSPORTATION **Public Works/Transit /Fleet**

Coordinate the use of transportation resources required to perform the emergency response, recovery and assistance mission.

ESF 2 COMMUNICATIONS **Police/Information Technology**

Coordinate and provide communication support, and, where necessary, establish temporary telecommunications support.

ESF 3 PUBLIC WORKS **Public**

Works/Streets/Building/Engineering

Assist in lifesaving or life-protection activity following a disaster. This may include technical advice and evaluation, engineering services, construction management and inspection, emergency contracting, and emergency repairs.

ESF 4 FIRE FIGHTING (PCFD) **Park City Fire District**

Manage and coordinate firefighting and emergency medical activity.

ESF 5 INFORMATION MANAGEMENT **Sustainability**

Collect, process, and organize information about a potential or actual disaster or emergency.

Disseminate accurate information to the public.

ESF 6 MASS CARE **Red**

Cross/FEMA/Recreation

Coordinate activities involved with emergency shelter, mass feeding, bulk distribution of relief supplies for victims of disaster, and disaster welfare information.

ESF 7 RESOURCE SUPPORT Mgr **Sustainability/Emergency**

Provide logistical and resource support. This includes provision of emergency relief supplies, space, office equipment, office supplies, telecommunications, contracting services, transportation services, and personnel.

ESF 8 HEALTH & MEDICAL SERVICES **Summit County Health/PCFD**

Provide assistance in identifying and meeting the health and medical needs of disaster victims and emergency responders.

ESF 9 URBAN SEARCH & RESCUE (PCFD) **Park City Fire District**

Provide support in locating, extricating and treating victims if buildings are damaged or collapse.

**ESF 10 HAZARDOUS MATERIALS
Health**

PCFD/Summit County

Provide support in response to actual or potential discharge and/or release of hazardous materials.

ESF 11 FOOD & WATER

Recreation Departments

Identify food and water needs. Identify sources of water; arrange for manpower and transportation to the disaster area and distribute as needed to responders and mass shelters.

**ESF 12 UTILITIES
Companies**

Public Works/Water/Utility

Assist in coordinating efforts to provide emergency power and fuel to support response operations as well as providing power and fuel to restore normal community functions.

ESF 13 LAW ENFORCEMENT

Police

Provide sufficient resources to maintain civil order under emergency conditions.

ESF 14 LEGAL

City Attorney/Legal

Review local legal authorities and state statutes relating to emergency activities and advise City decision makers.

ESF 15 FINANCE MANAGEMENT

Finance/Budget

Create a central management committee to oversee the emergency purchasing and reimbursement process. Maintain a disaster documentation system.

ESF 16 FACILITIES

Building/Engineering/Building Maint/Planning

Coordinate the inspection and use of City owned/operated facilities to support disaster response and recovery operations.

**ESF 17 VOLUNTEERS & DONATIONS
Budget**

Recreation Departments/Finance &

Coordinate the use of volunteers and donated goods in support of disaster recovery operations.

**ESF 18 ANIMALS
Services**

Summit County Animal

Provide for emergency evacuation, medical care, shelter food and water for domestic animals.

Departmental Roles and Responsibilities

General Responsibilities

1. General Preparedness Responsibilities

The following common responsibilities are assigned to each department listed in this plan. Further, each department shall create an internal emergency management organization and develop standard operating procedures (SOP) in accordance with the provisions of this plan. Preparation activities include:

- Establishing departmental and individual responsibilities (as indicated in this plan); identify emergency tasks.
- Working with other departments to enhance cooperation and coordination, and eliminate redundancy. Departments having shared responsibilities should work to complement each other.

- Establishing education and training programs so that each division and employee will know exactly where, when and how to respond.
- Developing site specific plans for department facilities as necessary.
- Ensuring that employee job descriptions reflect their emergency duties.
- Training staff and volunteer augmentees to perform emergency duties, tasks.
- Identifying, categorizing and inventorying all available departmental resources, including but not limited to fixed assets, personnel and contracts.
- Developing procedures for mobilizing and employing additional resources.
- Ensuring communication capabilities.
- Preparing to provide internal logistical support to department operations during the initial emergency response phase.
- Prepare Standard Operating Procedures (SOP) in support of ESF responsibilities.

2. General Response Responsibilities

The following common responsibilities are assigned to each department listed in this plan.

- Upon receipt of an alert or warning, initiate notification actions to alert employees and volunteer augmentees assigned response duties.
- As appropriate:
 - Suspend or curtail normal business activities
 - Recall essential off-duty employees
 - Send non-essential employees home
 - Evacuate departmental facilities
- As requested, augment the City's effort to warn the public through use of vehicles equipped with public address systems, sirens, radio, employees going from door to door, etc.
- Keep the Operations Commander informed of field activities, and maintain a communications link to the Incident Commander and/or EOC.
- Activate a control center to support and facilitate department response activities, maintain events log, and report information within the ICS or EOC.
- Report damages and status of critical facilities within the ICS or EOC.
- If appropriate or requested, send a representative to the EOC.
- Ensure staff members tasked to work with the EOC have the authority to commit resources and set policies.
- Coordinate with the EOC to establish protocols for interfacing with county, state, federal responders.
- Utilize only the Public Information Officer to release any information to the media.
- Submit reports to the EPM detailing departmental emergency expenditures and obligations.

Individual Responsibilities

1. Chief Administrative Officer/City Manager (Executive)
 - a. Provides overall administration, direction and control of the emergency, damage assessment and response operation within Park City
 - b. Is a member of the Emergency Management Group (EMG)
 - c. Commands the EOC
 - d. Coordinates with the Mayor and Emergency Policy Council
 - e. Provide risk management reporting and city insurance program
 - f. Provide supplies, equipment, and personnel as requested

2. Emergency Program Manager (Executive)
 - a. Assists the City Manager with the planning, management and control of emergency operations
 - b. Makes the Emergency Operations Center available to Park City officials for conducting overall direction/coordination of response and recovery operations. Manages and coordinates the EOC and interdepartmental operations
 - c. Maintains supplies and equipment for the Emergency Operations Center.
 - d. Coordinates department provision of supplies, equipment, and personnel as requested
 - e. Works with the PIO and volunteer agencies to inform citizens of the actions they should take for their protection
 - f. Coordinates with other departments to ensures that special needs populations receive information regarding actions taken for them to protect their life and property
 - g. Conducts after-action meetings and prepares after-action reports in conjunction with the Operations Commander and/or Incident Commander(s)
 - h. Additional responsibilities prior to an emergency include:
 - 1) Updating the Comprehensive Emergency Management Plan, and providing updated copies of the CEMP
 - 2) Coordinating emergency management exercises involving the City and community
 - 3) Participate in community preparedness training in conjunction with the PIO
 - 4) Coordinates the Special Needs Registry and assists in Special Needs community planning

3. Mayor and City Council
 - a. Monitors situations within their constituencies and coordinates information with City Manager or designee
 - b. Mayor submits formal local Declarations of Emergency
 - c. Meets formally as a City Council as necessary.
 - d. Mayor or designee acts as official City spokesperson in concert with the PIO, as needed
 - e. Provides emergency policy direction
 - f. Issue emergency rules and proclamations that have the force of law during proclaimed emergency period
 - g. Appropriate funds to meet disaster expenditure needs
 - h. Extend or terminate Declarations of Emergency

4. Finance

- a. Perform functions in the EOC or on-scene as assigned
- b. Assist IC and/or EOC initial situation/damage reports as per field units observations and reports from the general public
- c. Provide supplies, equipment, and personnel as requested
- d. Provide appraisers to assist with damage assessments
- e. Process emergency purchases/procurement
- f. Establish and maintain a system whereby incident costs are identified and accumulated for county, state and federal reimbursement
- g. Ensure payroll system setup to pay employees and contractors
- h. Coordinate financial resources
- i. Maintains records of expenditures and use of resources.
- j. In conjunction with Budget and EOC assistance manages any Donations Programs
- k. Under the direction of the City Manager, helps with the resolution of claims and accounting for resources expended during the emergency.

5. City Attorney

- a. Provides legal advice to staff and Council
- b. Becomes familiar with laws governing emergency powers and provides advice on all related issues
- c. Reviews and approves as to form all emergency documents signed by the Mayor or designee
- d. Perform functions in the EOC as needed or assigned
- e. Act as a liaison between the Emergency Policy council and the Operations Commander

6. City Recorder (Executive)

- a. Provides safekeeping of vital records during the emergency
- b. Co-signs all emergency documents signed by the Mayor or designee
- c. Assists in logging and documenting all actions during the emergency
- d. Provides administrative support to Operations Commander

7. Police

- a. Perform functions in the EOC or on-scene as assigned
- b. Provide IC and/or EOC initial situation/damage reports as per field unit observations and reports from the general public
- c. Provide supplies, equipment, and personnel as requested
- d. Augment warning system by providing siren-equipped and/or public address mobile units, and/or manpower for door-to-door warning
- e. Coordinate to lost persons, search and rescue, and coordination of heavy rescue operations in conjunction with PCFD and SCSD as needed
- f. Maintain law and order and provide public safety activities as required
- g. Provide security for key facilities
- h. Protect property in evacuated area
- i. Enforce orders of fire officers and implement/enforce evacuation orders, when necessary

- j. Provide law enforcement and traffic control in support of emergency actions
- k. Organizes auxiliary law enforcement personnel and commits available resources to maintain peace
- l. Coordinate City radio communication capabilities

8. Budget and Grants

- a. Perform functions in the EOC or on-scene as assigned
- b. Provide IC and/or EOC initial situation/damage reports as per field unit's observations and reports from the general public
- c. Provide supplies, equipment, and personnel as requested
- d. In conjunction with Finance and EOC assistance manages any Donations Programs
- e. Provides planning, logistic and financial support to operations

9. Sustainability/Community and Public Affairs

- a. Perform functions in the EOC or on-scene as assigned
- b. Provide IC and/or EOC initial situation/damage reports as per field unit's observations and reports from the general public
- c. Provide logistical and resource support as requested, which may include, the provision of emergency relief supplies, space, office equipment, office supplies, telecommunications, contracting services, transportation services, and personnel
- d. Serves as the Public Information Officer (PIO)
- e. Under the direction of the City Manager, collects, organizes, prepares and distributes public information materials about a potential or actual disaster or emergency.
- f. Participates with the EPM in disseminating and training in citizen and business preparedness plans
- g. In conjunction with the Mayor acts as the designated contact for the news media and public
- h. Ensures that special needs populations receive information regarding actions taken for them to protect their life and property

10. Public Works

- a. Perform functions in the EOC or on-scene as assigned
- b. Provide IC and/or EOC initial situation/damage reports as per field unit observations and reports from the general public
- c. Provide supplies, equipment, and personnel as requested
- d. Assist with initial infrastructure damage assessment of horizontal construction, i.e., roads, bridges, storm sewers, etc.
- e. Provide heavy equipment to support rescue operations
- f. Provide technical information on damaged structures
- g. Provide traffic control signs and barricades
- h. Assist with the identification of evacuation routes and keep evacuation routes clear of stalled vehicles
- i. Coordinate the disposal of solid waste from congregate care facilities (shelter/mass feeding)
- j. Coordinate emergency utility support requirements with public and private utilities

- k. Operate fleet repair facility
- l. Provide for availability of motor fuels, vehicles and fuel driven equipment
- m. Provide for storage of equipment and vehicles in a safe place
- n. Provide comprehensive list of City vehicles and equipment to IC or EOC
- o. Provides for the removal of debris and maintenance of roadways
- p. Obtains additional equipment and transportation resources
- q. Establishes contracts for outside services in compliance with FEMA schedules
- r. Coordinate transportation requirements for special needs agencies/individuals
- s. Provide buses for evacuations and temporary shelters
- t. Provide additional bus transportation resources
- u. Coordinate mobilization of emergency transportation services
- v. Use transportation communication links to provide damage assessment information
- w. Insures that transportation assets meet the demands of emergency response personnel
- x. Maintains a resource list of all Park City fleet equipment and provides the EOC with updates of disaster damage to fleet
- y. Maintains fuel resources, controls and rations fuel as needed

11. Information Technology

- a. Perform functions in the EOC or on-scene as assigned
- b. Provide IC and/or EOC initial situation/damage reports as per field unit observations and reports from the general public
- c. Provide supplies, equipment, and personnel as requested
- d. Maintain all communication and data systems
- e. Protect archives and necessary documents
- f. Provide supplies, equipment, and personnel as requested

12. Building/Fire Marshal/Engineering

- a. Perform functions in the EOC or on-scene as assigned
- b. Provide IC and/or EOC initial situation/damage reports as per field unit observations and reports from the general public
- c. Provide supplies, equipment, and personnel as requested
- e. Direct building inspectors and/or rapid assessment teams to assist with damage assessment and safety of City facilities
- f. Provide Fire Marshal services

13. Planning

- a. Perform functions in the EOC or on-scene as assigned
- b. Provide IC and/or EOC initial situation/damage reports as per field unit observations and reports from the general public
- c. Provide supplies, equipment, and personnel as requested
- d. Assist in initial planning and ongoing planning during an emergency
- e. Organize staff to support damage assessment teams and participate in City wide damage assessment and recovery with the Building Dept
- e. Provide documents and maps to assist in response and recovery
- f. Support building and engineering in their emergency functions.

14. Human Resources

- a. Perform functions in the EOC or on-scene as assigned
- b. Provide IC and/or EOC initial situation/damage reports as per field unit observations and reports from the general public
- c. Provide supplies, equipment, and personnel as requested
- d. Establish an employee call back system
- e. Establish a system to check on employee's families and communicate that information
- f. Assist with employee needs at work and with their families
- g. Track man power requests and needs and assist with obtaining outside staffing

15. Recreation [for the purpose of this document, —Recreationll refers to the Ice, Golf, Library and PC MARC departments working jointly]

- a. Perform functions in the EOC or on-scene as assigned
- b. Provide IC and/or EOC initial situation/damage reports as per field unit observations and reports from the general public
- c. Provide supplies, equipment, and personnel as requested
- d. Assist with the assessment of human needs during and after a disaster
- e. Obtain and supply food and water to city and emergency staff
- f. Coordinate with the Red Cross, and other agencies as necessary to provide emergency programs for basic human needs to include reception centers, shelters, mass feeding at City designated shelters
- g. Provide assistance in the registration of people at congregate care facilities (shelter/mass feeding)
- h. Work in close concert with Red Cross and others in activation and operation of short term, and longer-term shelters/disaster centers
- i. With assistance from the EOC manages and Volunteer Programs
- j. Provide facilities for emergency shelter, food, and water distribution points, child care facilities as needed
- k. Provide receiving and distribution sites
- l. Assist with the delivery of goods

CHAPTER 5 – Damage Assessment and Recovery

Damage Assessment and Analysis Information

- 1. Accurate damage assessment information must be obtained by Park City at the earliest possible time in order to:
 - a. Evaluate the impact on the population and socioeconomic system of Park City and its ability to respond and recover.
 - b. Assist the Governor with determining local and state level of contribution to the recovery effort.
 - c. Allow the State Coordination Officer and the Federal Emergency Management Agency Regional Director to determine the kinds and quantities of disaster assistance to be provided by the state and federal government, if appropriate.

- d. Document the need for supplementary federal assistance under a Presidential 'Emergency' or 'Major Disaster' Declaration.
- e. Notify insurers of damaged/destroyed property.

Damage Assessment and Reporting

1. Initial Damage Assessment. The nature and magnitude of a disaster will determine how quickly a complete Initial Damage Assessment can be conducted. Widespread debris, washed out bridges, inundated roads, and unsafe buildings are a few of the problems that can delay the assessment. Immediately after the occurrence of a disaster, it is important to get a preliminary assessment of the extent and magnitude of the damage. The Planning Department will assist in this function.

2. Damage Assessment Forms. During the response and recovery phases of a disaster, it is vital that the State Coordinating Officer and the Governor have accurate damage, cost and socioeconomic impact information available in summary form. This will determine how best to supplement the action taken by Park City and whether federal assistance is required. See Appendix O.

3. City Manager. It is the responsibility of the City Manager or his/her designee to coordinate with City and County elected officials to determine a systematic, unified course of action. The following items should be covered:

- Outline the extent (geographic area) and magnitude (severity) of the damage.
- Assess the socioeconomic impact on the City.
- Discuss the need for requesting outside assistance, the nature of such assistance and implications of accepting aid.
- Specify the geographic areas and damage categories, which need to be examined in greater detail.

4. Department Managers. It is the responsibility of department directors to oversee the gathering of damage assessment information in accordance with the assigned departmental duties. To assure accurate and efficient collection of data, department heads must take the following actions:

- Designate assessment teams of two or three people with specific areas of expertise.
- Assign the team to a specific geographic area or category of damage.
- Brief team members to ensure uniformity and understanding of damage categories, community impact, costs, reporting, procedures, etc.
- Identify damage sites by map location and street address. Roads and bridges should be listed by pre-assigned Utah State Department of Transportation numbers. Maps and photo identifications of damage sites will aid in conducting future surveys and on-site assessments.
- Provide each team with supplies to effectively perform the assessments (maps, cameras, list of property owners and locations). Have teams take photographs of damage sites and attach brief descriptions detailing vital information and describing the damage.
- Establish a deadline for gathering information so it can be summarized and

- presented to the governing body.
- Gather and maintain supporting documentation (invoices, contracts, expenditure records) for costs incurred in emergency response and mitigation work. Copies of emergency expenditure records should be maintained and attached to each damage site file.

Incident Reporting

1. Description and Purpose. Situation Reports should be made to continually update disaster status information. The information provided in the initial and subsequent Situation Reports should outline a sequential record of actions taken from the point of first response through restoration activities. The degree of detail will vary with the type and severity of the events.

2. Content and Format. Situation Reports contain specific data and answer the following basic questions:

- a. Location and nature of damage.
- b. Description of the categories and degree of damage.
- c. Socioeconomic impact on the community.
- d. Response actions being taken by local government.
- e. Form of supplemental state and federal assistance requested.
- f. Public assistance and individual assistance for the community.

Reports and Record Keeping

1. A number of prescribed documents, reports and records must be executed and maintained during disaster operations. These ensure prompt and coordinated state and federal disaster response and maximize financial assistance.

2. Once an emergency is declared an **'Emergency'** or **'Major Disaster'** by the President of the United States, the federal disaster assistance programs may be made available to the state and its designated political subdivision. The Federal Emergency Management Agency is responsible for coordinating and administering all federal disaster relief programs through the Region VIII office. Subsequent to a presidential declaration, the Federal Coordinating Officer will establish a field office in the disaster area to administer disaster relief programs according to Public Law 93-288, the Robert T. Stafford Disaster Relief and Emergency Assistance, and the Code of Federal Regulations, Title 44, Part 206.

3. An accurate record system maintained separately from normal day-to-day operations should be established immediately at the onset of the emergency. All recipients of state and federal monies must maintain adequate disbursement and accounting records of costs incurred for approved disaster work.

4. One of the main responsibilities of Park City officials involved in disaster operations will be the preparation and maintenance of all required documents, reports and records. The Governor's Authorized Representative is responsible for the execution of all necessary documents on behalf of the State of Utah for state and federal disaster

assistance including certifying any applications for public assistance. In addition, the Governor's Authorized Representative will provide guidance and assistance to Park City officials involved in the preparation and maintenance of their required reports and records.

5. All contracts must follow the **Procurement Guidance as found in Title 44 of the Code of Federal Regulations Part 13.36.**

END



DATE: June 18, 2015

TO HONORABLE MAYOR AND COUNCIL

The Mountain Accord is nearing the end of its Phase I with creation of the draft Blueprint found at <http://mountainaccord.com/where-are-we-now/>. On Monday, May 25, Executive Board members received a new outline of the draft Blueprint with significant changes including an amendment to the scope of Environmental Impact Statement (EIS). The change **excludes** any transportation link between Big Cottonwood Canyon and Park City at this time. In turn, the process would create a separate, nonbinding study for that link to more thoroughly understand the impacts of various modes to inform future decision makers about the impacts. The focus also shifts more effort and funding to the I-80 corridor for a regional link of various modes.

Respectfully:

Ann Ober, Community Relations



City Council **Staff Report**

Subject: Amended Mountain Accord Blueprint and Interlocal Agreement
Author: Ann Ober
Department: Executive
Date: June 18, 2015
Type of Item: Legislative

Summary Recommendations:

Council vote on all Blueprint topics outlined in report and approve the Interlocal Agreement for Phase II.

This staff report is an abbreviated report of the document City Council received on June 4, 2015, without the attachments. The only changes to the June 4 report are shown in green.

Attachments from the June 4 meeting can be found at <http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=15040>, starting on page 206.

At the June 4, 2015 City Council meeting, Council touched on all of the policy questions in this report, but only had time to discuss policy questions 1 and 2 in any detail. Those policy questions can be found below, in this report, and are shown in blue:

- *Answer to Policy Question 1: All members were supportive of removing the link between Park City and the Cottonwood Canyons from the Environmental Impact Statement process.*
- *Answer to Policy Question 2: A majority, but not all, were supporting of continuing to study, in a nonbinding process, the economic, transportation, and other benefits of a wide range of non-auto-based options to connect Park City with Big Cottonwood Canyon.*

Staff recommends taking Public Comment at the start of this discussion and closing the Public hearing. This will allow Council Members to hear final thoughts from the community prior to voting on each topic and the Interlocal.

Abbreviations:

Interlocal Agreement – ILA
National Environmental Policy Act – NEPA
Environmental Impact Statement - EIS

Executive Summary:

The Mountain Accord is nearing the end of its Phase I with creation of the draft Blueprint found at <http://mountainaccord.com/where-are-we-now/>. On Monday, May 25, Executive Board members received a new outline of the draft Blueprint with significant changes including an amendment to the scope of Environmental Impact Statement (EIS). The

change **excludes** any transportation link – excluding a train/tunnel, road or including aerial connection -- between Big Cottonwood Canyon and Park City at this time. In turn, the process would create a separate, nonbinding study for that link to more thoroughly understand the impacts of various modes to inform future decision makers about the impacts. The focus also shifts more effort and funding to the I-80 corridor for a regional link of various modes.

On May 7, 2015, Council requested significant time on the agenda to discuss these changes. Council also requested that this discussion take place prior to a vote on the Mountain Accord Interlocal Agreement (ILA). The ILA sections of the staff report and the ILA have been attached for discussion purposes only. The ILA will be added to a meeting later in June for consideration for approval.

Background:

The Mountain Accord Process started Fall 2012 as a collaborative public process to make long-term decisions and take action regarding transportation, environment, recreation, and economy in the central Wasatch Mountains (between I-80 and Little Cottonwood Canyon). The process was formalized after the signing of an ILA associated with the Phase 1 effort in July 2013.

For the past two years, Mountain Accord has been dedicated to the creation of the Blueprint (referenced above). During that time, four system groups met to set the framework to determine which solutions and strategies would idealize the various interests associated with the Wasatch Mountains. Those four system groups were: Transportation, Environment, Economy and Recreation. Park City Staff and Council Members were represented in all four groups.

Formal public comments were requested on the first draft of the Blueprint by May 1, 2015 (though comments are accepted ongoing throughout the process). The consultants then spent three weeks amending the draft Blueprint based on public comment, before the document was presented at the May 29, 2015 Executive Board meeting (attached). If the City wants to take a stance on these issues, it will need to do so prior to the July 13, 2015 Executive Board Meeting. As such, staff recommends a vote on these items at this meeting.

The new draft of the Blueprint would:

- Restrict EIS study of the transportation system to
 - (1) 7200/9400 S near North/South TRAX
 - (2) Top of Big Cottonwood Canyon
- Maintain focus on improving the integrity of the regional transportation system
- Develop legitimate and immediate study of rapid bus connection between Salt Lake City and Park City via Parley's and Kimball Junction
- Study transit improvements for SR-224, SR-248, and US-40 in Summit County
 - (1) Understand regional and local travel markets
 - (2) look at a wide range of modes/innovative solutions

- Study economic, transportation, and other benefits of a wide range of non-auto-based options to connect Park City with Big Cottonwood Canyon
- Actively support keeping Guardsman Pass Road closed in winter from Bonanza Flats to Big Cottonwood Canyon

Blueprint Analysis:

There are several portions of the draft Blueprint that could impact the City and should be taken into consideration by Council prior to developing the final document. Not all of these opportunities, even with Council support, have sufficient funding through the Mountain Accord for implementation. Therefore Council should consider prioritizing areas as to best focus political and staff resources. To facilitate discussion, staff has broken each topic listed above into individual questions that Council may wish to weigh in on.

1. Restrict EIS study of the transportation system to
 - (1) 7200/9400 S near North/South TRAX
 - (2) Top of Big Cottonwood Canyon

Does the Council support removing the link from the EIS at this time?

2. Study economic, transportation, and other benefits of a wide range of non-auto-based options to connect Park City with Big Cottonwood Canyon

Does it support continuing to study the link in a nonbinding process? Or does the Council want to eliminate further study by the Mountain Accord of this connection?

3. Maintain focus on improving the integrity of the regional transportation system

Staff believes this statement is in line with past City and County Council policies. Are any changes needed to meet the goals of our community?

4. Develop legitimate and immediate study of **transportation options (Still being determined)** between Salt Lake City and Park City via Parley's and Kimball Junction

Where does this fall with our other transportation priorities? Are there thoughts or criteria that Council would like to address in the discussions with the Mountain Accord team?

5. Study transit improvements for SR-224, SR-248, and US-40 in Summit County
 - (1) Understand regional and local travel markets
 - (2) Look at a wide range of modes/innovative solutions

Staff believes that funding through the Mountain Accord to this effort could be beneficial. The City and County are currently starting an update to the Short Range Transit Development Plan. This is a 5-7 year business plan for the

operation of the joint transit system. Any study through the Mountain Accord should be coordinated with this effort.

6. Actively support keeping Guardsman Pass Road closed in winter.

Staff believes this statement is in line with past City and County Council policies (though span of affected roadway should be clarified based on comments that areas into Big Cottonwood Canyon are not a part of "Guardsman Pass Road.") Are any changes needed to meet the goals of our community?

Interlocal

In preparation for Phase II, the Executive Board has asked that all participating partners approve the attached ILA. That agreement is largely operational, outlining contributions, conflict management and extraction from the process and is consistent with our current approach.

On January 8, 2015, Council discussed exit strategies associated with the Mountain Accord process. That staff report and discussion outlined the options for discontinuing in the Mountain Accord process, as well as making a staff recommendation that Park City continue to participate as a full member. Staff believes that the city remaining as an active member of the Executive Board and the Mountain Accord process affords us greater opportunity to protect and represent the needs of our community, influence the outcomes of the Mountain Accord recommendations, and benefit from possible recommendations. A copy of the report and minutes from the January 8, 2015 meeting may be found at:

<http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=14370>

Our agreement to participate in Phase 2 does not negate the City's ability to withdraw later on in the process. If any of the stipulations outlined in the ILA or future Phase II agreements show a negative impact on the City or cause the Council concern, the City could choose to leave immediately. As a reminder, there are also protections if the City chooses to participate, but does not support a transportation mode and/or strategy entering the City:

- Utah Transit Authority does not have authority outside of its jurisdictional boundaries. The Transit Authority would not be able to levy bonds or institute fees without Park City choosing to become a member of the service area or work in partnership with the agency.
- Operations cost for any transit project will be substantial and will have to come from local funds, Park City would need to be a willing financial partner unless UTA would choose to cover these (Staff does not believe this is likely).
- Federal transit funds are highly competitive and projects that are inconsistent with local zoning and/or do not have local support are much less competitive for federal funds.
- Local/state share would be required under any federally funded project and it is highly likely our financial participation would be required.

The attached ILA also has the following language should the City determine that participation is no longer in our best interest:

13. *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.*

Interlocal Agreement Benefits

Staff believes that our continued participation in the Mountain Accord offers the city several potential benefits. Those include:

- **Securing dedicated right-of-way for transit.** This right-of-way, or travel lanes, would be within UDOT controlled right-of-way along SR-248 and SR-224. The right-of-way would provide the space needed to implement a wide range of scalable transit solutions as the region and traffic grow. Transit could begin as simple as buses traveling in a managed bus/HOV lane eventually evolving into a fixed guide way (rail) operating in the center median. Obtaining this right-of-way has never been more possible than it is now with the Mountain Accord process and the accompanying attention of State and Federal legislators. Securing this right of way would be a solid first step in securing the region's transportation future.

- **Creation of an Environmental Assessment/Scorecard/Dashboard.** The Mountain Accord has also voted to support a \$250,000 Environmental Assessment/Scorecard/Dashboard. The program will 1) create a monitoring system based on select key environmental attributes that could be measured and evaluated over time; 2) provide a common understanding of current ecological conditions and trends over time, and 3) provide applicable vegetation, wildlife, and ecosystem data for use in management decisions. This information/dashboard could be used by elected officials, community members, non-profits and various agencies in their prioritization of expenditures for land preservation, stewardship, restoration, mitigation and maintenance.

- **Creation of a Trail Network.** A trail network connecting Park City-Solitude-Snowbird, expansion of the mid-mountain trail system through Hi-Ute and Lambs Canyon, and the completion of the millennial bike path from Park City to SLC are being proposed.

- **No Expansion of use for Guardsman Pass Road.** The current blueprint does not include expansion of the Guardsman Pass Road.

- **Additional land protections.** These are proposed along the ridge line and into Summit County in the White Pine Canyon region.

- **Study and potential funding for enhanced bus service up Parleys.**

- **Up to 25,000 acres of federal lands with additional protections.**

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	+ 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 (<i>Quality of Life Impact</i>)	Positive 	Neutral 	Neutral 	Positive 
Comments: 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 it has definitely engaged our public in a major discussion about where we are heading.				

Phase II Funding Source

Participating in Phase II will require a \$100,000 annual contribution for the next three years. Those funds are currently included in the Transit CIP Budget for 2015-2016.

Department Review: Transportation, Sustainability, Legal, Executive

Attachments:

BELOW IS A LIST OF THE ATTACHMENTS IN THE JUNE 4, 2015 REPORT.

To access these attachments, please use this link:

<http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=15040> and refer to page 206

Draft Accord – May 25, 2015

Phase II ILA

Emailed and Hardcopy Comments Feb. 4 - March 16

Emailed and Hardcopy Comments March 17 - May 1

FINAL Public Comment Summary 5 20 15

Open Ended Survey Responses for Web 2.4 - 5.1

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 County (“Wasatch County”). 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, Summit County and Wasatch Counties 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, 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”). The Program Charter will be maintained by the Program Manager (defined below) and will be updated as needed by consensus of the Executive Board (defined below);

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, although contracts for the Project Manager (defined below) and Environmental Technical Consultant (defined below) established under the Phase I Agreement may still be in effect. During Phase I, the parties to the Phase I Agreement (i) contributed to the Program and deposited funds into a holding account managed by UTA, and (ii) engaged a Mountain Accord Program Manager (“Program Manager”) and a consultant to provide environmental professional services (“Environmental Technical Consultant”). UTA will retain in that 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 6.
- C. The Parties anticipate that this phase of the Program (“Phase II”) will be up to a three year process that (i) will finalize a Mountain Accord Blueprint (“Blueprint”) that will be a landscape-scale vision for the Central Wasatch Mountains, addressing environmental protection, recreation, economic prosperity, and transportation issues; and (ii) will implement various components of the Blueprint, 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 approved Blueprint, 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. 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 HeightsMayor Kelvyn H. Cullimore, Jr.
Draper City.....Mayor Troy Walker
Metropolitan Water District
of Salt Lake & Sandy.....Michael L. Wilson, MWDSLS General Manager
Park CityCouncil Member Andy Beerman
Sandy.....Mayor Tom Dolan
Salt Lake CityMayor Ralph Becker
Salt Lake County.....Mayor Ben McAdams
Summit CountyCouncil Member Christopher Robinson
UDOTNathan Lee, Region 2 Director
UTAMichael Allegra, President/CEO, UTA
Wasatch CountyCouncil Member Michael Kohler

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 Program consultants, including the Program Manager, the Environmental Technical Consultant, and any other technical consultants hired for the Program, make recommendations to the Executive Board for formal decisions and conflict resolutions as necessary, and give direction to the Program Manager 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, David Whittekiend with the US Forest Service, 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. TERM. The term of this Agreement shall be up to three (3) years, unless otherwise agreed by the Parties in accordance with Paragraph 11. However, in no case shall this Agreement extend for a term that exceeds fifty (50) years.
5. 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
Wasatch County.....	\$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 September 30, 2015; one-third of each Party’s contribution will be due and payable on or before September 30, 2016, and one-third of each Party’s contribution will be due and payable on or before September 30, 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 6 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 is expected to be received on or before April 30, 2015 through a grant agreement between GOED and Utah Transit Authority. 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.

6. 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 Manager 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.

7. **CONTRACTOR ADMINISTRATION.** UTA shall be responsible for administration of the Program Manager and Environmental Technical Consultant contracts established under the Phase I 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; however, at such time as a Notice of Intent is issued to begin preparation of an environmental document in accordance with the National Environmental Policy Act (NEPA), the Environmental Technical Consultant will then take direction from the Lead Agencies, as defined by NEPA, regarding work scope and contract deliverables. The Lead Agencies will also review and approve the scope of work for the Environmental Technical Consultant regarding preparation of the environmental document(s). The Management Team will provide input to the Lead Agencies regarding the NEPA scope of work, deliverables, and decisions for the Program.

8. **CONTRACTOR SELECTION.** The Management Team, or their designated representative, shall prepare scopes of work for any new Program consultants, 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.

9. **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 the Program Manager for review, and to each Party's designated representatives for review and approval. For all contractor invoices other than the Program Manager's invoices, the Parties will request that the Program Manager provide the Parties a description of the expenditures with an evaluation of whether the invoice is consistent with the scope and budget of the associated contract. 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 6.
10. **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 Manager may speak on behalf of the Program to third parties, including the media, as authorized by the Scope of Work for the Program Manager. 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.
11. **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.
12. **RECORDS.** Records pertaining to this Agreement, specifically including but not limited to records pertaining to procurement or financial matters under this Agreement, will be maintained by UTA subject to the Utah Government Records

Access and Management Act and applicable Federal law. Records created by or through the work of the Program Manager and the technical consultants shall be maintained by such consultants in accordance with their respective Scopes of Work.

13. 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.

14. 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*.

15. 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.

16. 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

President/CEO Michael Allegra
669 West 200 South
Salt Lake City, UT 84101
Email: mallegra@rideuta.com

Copy to:

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

SALT LAKE CITY

Mayor Ralph Becker
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

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

And

Laura Briefer
Salt Lake City Department of Public
Utilities
1530 South West Temple
Salt Lake City, UT 84115
Email: 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

Copy to:

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

ALTA

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

PARK CITY

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

Copies to:

Diane Foster, City Manager

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

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

SANDY CITY

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

Copy to:

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

SALT LAKE COUNTY

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

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

SUMMIT COUNTY

Christopher Robinson
Summit County Council
P.O. Box 982288

Park City, Utah 84098
Email: cfrobinson@summitcounty.org

Copy to:

Tom Fisher
Summit County Manager
60 N. Main
P.O. Box 128
Coalville, Utah 84017
Email: tfisher@summitcounty.org

WASATCH COUNTY

Council Member Michael Kohler
25 North Main Street
Heber City, Utah 84032

Copy to:

Wasatch County Attorney
805 West 100 South
Heber City, Utah 84032

MWDSLS

Michael L. Wilson
Metropolitan Water District of Salt Lake
& Sandy
3430 East Danish Road
Cottonwood Heights, Utah 84093
Telephone: (801) 942-9685
Email: wilson@mwdsls.org

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

17. 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.

18. 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.

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

20. 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

Kim Carson, Council Chair

Approved as to Form

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

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

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

Signed this ___ day of _____, 2015.

COTTONWOOD HEIGHTS

ATTEST:

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

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

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

Signed this ___ day of _____, 2015.

WASATCH COUNTY

Michael Davis, County Manager

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: June 18, 2015

TO HONORABLE MAYOR AND COUNCIL

Please review the minutes from May 28, 2015 and consider approving.

Respectfully:

Marci Heil, City Recorder



PARK CITY COUNCIL MEETING MINUTES- DRAFT
SUMMIT COUNTY, UTAH
May 28, 2015

CLOSED SESSION

To discuss Property, Personnel and Litigation

WORK SESSION

Council Questions and Comments and Manager's Report

Council member Simpson continues to meet with the state forester and the group that ULCT put together to comment on future legislation that Senator Vickers is proposing which would allow communities to be reimbursed from the state on fighting wildfires. Currently the only entities that are able for reimbursement are counties. Reports they are working on creating a fund that would be available to municipalities as well.

Council member Matsumoto regrets missing the Lower Park Avenue Community workshop as she was out of town. Diane Foster states Staff is working on a summary that will update Council. Attended Planning Commission meeting on Wednesday where there was discussion on auxiliary buildings about whether they can have bathrooms, kitchens, etc. States these questions are coming up frequently and asked Staff to review the guidelines. Planning Director Kyla Sintz states they are looking at code changes and will incorporate them as needed. Matsumoto asked when her turn is up on the Planning Commission as she doesn't remember when her rotation began.

Council member Beerman says the Lower Park Avenue workshop was great and thanks staff for their hard work. States there was a great turnout. Has had multiple Mountain Accord meetings and will be taking all the information to their retreat which starts tomorrow. Will have a complete update next week.

Council member Henney participated in the transit rodeo and drove a big bus which was lots of fun. Attended the Bear Bench Plaza dedication. Thanks Water Dept for helping town of Oakley with their water crisis. Thanks Nate Rockwood for his explanation on the \$30 million that's going in to the budget for affordable housing. Thanks Ken Fischer for his letter to the woman who was concerned about the use of facilities by soccer teams. Thanks police department for the dog rescue. Wishes Council member Beerman good luck on his Mountain Accord retreat.

Council member Peek attended Friends of the Farm meeting and states they are gearing up for their "Your Barn Door is Open Event." Attended the Lower Park Avenue workshop and was great to hear the ideas. Attended the Bear bench dedication and reports there are apricot trees there instead of plum trees. States Round Valley has been annexed into city property.

Mayor Thomas attended the High West function where they acknowledged preservation month. Attended Lower PA workshop and was happy to see a great turnout from Council and the community. Attended the Council of Governments meeting in Coalville.

Foster states the Special Events Advisory Committee has upcoming interviews they would like to do on June 4th and asks for liaisons to go through them tomorrow so the report can go in Council's packet for Monday. Mayor Thomas and Henney say they are available. Council member Simpson asks if there's a residency requirement. Jenny Diersen, special events, states yes, they have to live within Park City proper limits and we're looking for four community members to join. Matsumoto feels we should select at least eight.

Foster introduced Alfred Knotts as the new transportation planning manager. Knotts states he is from Lake Tahoe and is passionate about the mountains, couldn't ask for a better town to blend in with. Hopes he can be the asset he has come here to be.

City Manager's Recommended Budget

Jed Briggs, Budget Manager and Kory Kersavage, Budget Analyst, spoke to the requests and recommendations from the Results Team members. Briggs discusses Council's goals, which they break out into desired outcomes which help guide the decision making process. Spoke to Budgeting for Outcomes Programs and states they will be presenting these today.

Captain Phil Kirk, Police Department, presented the Recreation part of the Results Team Recommendations, states the MARC has offered increased level of services and has asked for several new positions. New staff positions will result in a total increase of \$29,538.

Matt Abbott, Sustainability, presented the Economy section. Abbott states they recommend a \$50,000 increase to cover economic development grants.

Jason Christensen, Water Department, presented the Storm Water section. States recommendations include creation of new positions and/or reshuffling of current positions. The following positions would result in a net increase of \$93,306. Council member Simpson asks what material escalation means, to which Clint McAfee states it refers to inflationary costs for materials.

Briggs presented the Library section and states the director has requested a community engagement librarian and a youth library assistant, offsetting the Library Assistant position for a net increase of \$111,466. Briggs states the recommendations are due to new needs for community engagement and a higher level services. Council member Beerman asks if these positions will be filled internally. Foster states the Community Engagement position is recruitment.

Planning Director Kayla Sintz presented the Planning section. States Planning is asking for a \$30,00 increase in consultant services for Bonanza Park, Lower Park and Prospector Area plans. States Engineering is recommending adding a full-time Public Improvements Engineer for \$124,000.

Briggs presented the Organization Development section. Recommendations include an additional \$30,000 for training costs citywide. Human Resources is asking for \$15,000 for annual software maintenance.

Clint Daley, Parks Department, presented the Building Maintenance section. They're requesting \$10,000 for high-tech equipment costs, \$23,000 for MARC cleaning and supplies and \$17,000 for twice a day cleanings at Main Street, the Museum and Transit center bathrooms.

Kersavage addresses the personnel FTE net increases by fund. Council member Beerman asks again that they please include contract employees in these figures. Briggs says they will provide those figures in the next Staff report. Foster reiterates they didn't add any positions but understands Council wishes to see the breakdown. Beerman requested a breakdown by department.

Briggs concludes by summarizing the budget prioritization by Quartile, which reflects Council's goals and desired outcomes.

Pubic Art Advisory Board - Strategic Plan and Policy Changes Review and Provide Direction on Proposed Strategic Plan and Policy Changes

Jenny Diersen, Special Events, spoke to policy updates for the Board. They are keeping the two year, two-term per member policy. Diersen states the current allowed absences for each board member is three per year, but the Board feels they should only allow two per year since they only meet once a month. She also states members are allowed to participate electronically twice a year but are not allowed to vote on purchases via phone. States six members must be present to vote on purchases over \$25,000.

Diersen next spoke to the Proposed Strategic Plan changes, stating they are looking in to a de-acquisition policy which will be in place within six months; she will come back within the next few months with an update. Spoke to the Cultural and Economic Diversity and Vibrancy stating they hope to become more creative on the RFP process,

allowing artists to work together on creating pieces. Council member Beerman asks about rotating art and Council member Matsumoto asked if locations were made for these pieces. Jason Glidden states there are no designated locations for rotating art but staff is looking to find a place for this project which would rotate every six months. Also states cost is a factor that is high. Foster says they can have Staff come back to Council after conferring with the Board.

Diersen reports on the status of current art pieces/projects. Council member Simpson asked for clarification on funding for PAB art and states she feels there is too much going on in the Bear Bench area and there needs to be more attention paid to way finding in China Bridge. Council member Beerman states Centennial Park seems neglected as well. Foster asks for direction from Council for the PAAB. Lastly, Diersen states they have had people ask about donations or adoption of art pieces and that will report more on that in the future.

Water Elevation Based Surcharge

Clint McAfee and Jason Christensen, Water Department, spoke to the elevation surcharge, explaining the energy costs associated with moving water uphill, and explained the five potential surcharge groups in the city. Council member Matsumoto asked for clarification of certain boundaries, to which McAfee explains boundaries are based off of pressure zones and physical infrastructure. Christensen spoke to the total surcharge costs for each group and options for implementing charges. Council member Beerman asks about discounts for residents who conserve water and would like to see Staff come back with information on that. Beerman also asks if Council is interested in having surcharges reflect carbon footprint and water usage. Council agreed a carbon footprint surcharge should be Staff's first priority. Council says they are in favor of option one – making pumping surcharge effective 7/1/15, no other increase but directed staff to offer multiple public input opportunities, staff agreed to hold a public hearing on the upcoming meetings prior to this increase being adopted on June 18th.

REGULAR MEETING

6:00 PM

I. ROLL CALL – all present

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Foster says a number of interviews are on schedule for various boards and proposes Council hold a special meeting to interview candidates, otherwise Council meeting will have to start early in the morning on June 5th. Council agrees to hold a special meeting at 9:00 the morning of June 5th to interview SEAC members.

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

Jim Tedford commented on historic preservation in Park City, referring to a letter he read to Council in 2013 regarding Historic Main Street, and feels current Main Street projects do not reflect or support the historic nature of Main Street. Suggests Council and Planning Commission consider incorporating several changes into the General Code.

Jenny Diersen introduced artist Danielle Wyckoff, commissioned to work on art pieces at the Library. Wyckoff thanks Council member Beerman for pictures he sent that helped her better understand the area; also thanks Council and the community for their support. She will be finishing up her work by May 30th.

Charlie Sturgis, Mountain Trails, addresses what he feels is a hyper enforcement of leash laws. Suggests strategies such as high-enforcement and low-enforcement of leash law areas, no dog area trails, etc. Heinrich Dieters explains Staff will come back before Council June 18th to discuss leash laws in the city.

Phil Huffeldt, director of Snow Riders International, an international recreation organization based out of Denver, introduces himself and states he will be reaching out to Council on several of their campaigns such as climate change, decreased winter/snow seasons, improved resort transportation, etc.. Huffeldt

states they hope to have a beneficial relationship with Park City in the future

IV. CONSIDERATION OF MINUTES

1. Consideration of Minutes from March 26, April 2, and 16, 2015

Approved unanimously with changes

V. CONSENT AGENDA

Council moved to remove item number one off Consent Agenda

Approved unanimously

1. Moved off Consent Agenda: Council member Beerman moved to remove item number 1 from the Consent Agenda. Council member Simpson seconded. Approved unanimously.

2. Consideration Authorizing the City Manager to Execute the First Amendment to the Professional Services Agreement, in a Form Approved by the City Attorney, with AECOM (Formerly URS Corporation) for Services Related to the Engineering Evaluation/Cost Evaluation (EE/CA) Professional Services Aspects of the Richardson Flat Tailings Site OU4 (The Prospector Drain) Administrative Order on Consent (AOC) for an Increase to the Contract in an Amount Not to Exceed \$95,485

3. 2015 Pavement Management Program Accept the 2015 Pavement Management Bids and Authorize the City Manager to Enter into Agreements in a Form Approved by the City Attorney With: 1.Staker Parson Companies, for Rotomilling, Pavement Overlays, and Utility Adjustments in the Amount of \$509,908.05 2.Morgan Pavement, for Slurry Seals, and Crack Seal, in the Amount \$211,136.92 3.Kilgore Companies, for Trail Seal Coat in the Amount of \$18,844.65

4. Consideration Authorizing the City Manager to Sign the Service Provider/Professional Services Agreement with Fehr and Peers for Professional Services Related to the Preparation of a Transportation Demand Management Plan in the Amount of \$252,526 in a Form to be Approved by the City Attorney

Council member Peek moved to approve the consent agenda

Council member Simpson seconded

Approved unanimously

1. Council Consideration to Execute a Change Order in the Amount of \$23,700.34 Authorized by the City Manager for the Design and Construction Management of the Stoneridge Trails and Trailhead Project

Council member Simpson asks if there will be portable restroom at the trailhead. Dieters reports they're starting with port a potty's and will monitor it from there. Council member Beerman asks if the manager's report can include a discussion for use of Clark Ranch.

Council member Simpson moved to approve item number 1

Council member Beerman seconded

Approved unanimously

VI. PUBLIC HEARING

1. Public Hearing to Receive Comment with Regard to the City's Issuance of Approximately \$19,500,000 Industrial Revenue Refunding Bonds, Series 2015 (United States Ski and

Snowboard Association) and Final Approval by the City Council.

Mayor Thomas opens the public hearing for comments.

Tiger Shaw, president and CEO of USSA, thanked council for their opportunity to take advantage of this cost savings.

Mayor Thomas closed the public hearing.

VII. OLD BUSINESS

1. Consideration of the 205 Main Street Plat Condominium Record of Survey Pursuant to Findings of Fact, Conclusions of Law and Conditions of Approval in a Form Approved by the City Attorney.

Senior Planner Francisco Astorga, along with applicant representative Jack Johnson, states this record of survey was approved unanimously back in April by the Planning Commission but since then there were public comments against it and Staff was directed to clarify how this request got through the Historic District Design review. Astorga explains the intent of the project and how it met guidelines. Council member Matsumoto asked if this project truly met the store front ordinance intent. Tom Daley explained for Council that all that is before Council is the record of survey, and whatever they vote on tonight will not change the approval process.

Mayor Thomas opened the public hearing.

Eric Nelson referred to the Land Management Code and stated there are no purpose points in the code that this project fits under. States what worries him most is that during the entire process, no one was aware of this other than the original planner.

Hope Melville seconds Nelson's comments. Acknowledges it's too late to do anything about this project but feels something needs to change. Feels this project is a travesty and there needs to be a second level of review for projects of this nature.

Mike Sweeney also agrees this project is an unfortunate mistake and there needs to be change to preserve the continuation of storefronts on Main Street.

Greg Schnuff, Brew Pub owner, states he also feels a mistake has been made in allowing condos on Historic Main Street. He had faith in city officials to not allow this type of project to be approved but is disappointed it fell through the cracks.

Doug Clyde, representing Bill White, states this issue is not entirely about use. The application before Council tonight is about a structure, not necessarily solely use. States the applicant was able to bypass the store front guideline through the letter written by the applicant's architect. Explains not all hope is lost in that Council can ask Staff for a detailed analysis to provide clarification.

Alison Buttz, Park City Alliance, states she hopes Council will follow code to uphold the intent(s) under which it was written.

Jim Tedford asks when approval was given for this project. Daley states initial approval was given in October, 2012. Tedford states he's very disappointed that someone would build a project of this nature knowing full well that it goes against the nature of Historic Main Street.

Brooks Robinson asks if the applicant has applied for a conditional use permit as it appears to him that it qualifies for needing one. Astorga states the property was not found needing a conditional use permit.

Mayor Thomas closed the public hearing.

Council member Simpson states she was not on council when the vertical zoning ordinance was approved. Disagrees that it is not too late to keep this from happening again and states she is committed to revisiting the code in order to clarify the intention for which it was written.

Matsumoto states she takes responsibility for allowing this project and hopes Council can take a harder look at the code. Suggests Staff have a review process so they are not relying solely on an opinion of an applicant's architect. Council members Beerman, Henney state their disappointment in the failure of the process as well in allowing this project to go forth. Peek asks for clarification on several features of the project. Simpson asks Daley if Council can continue this item and ask for clarification from Staff. Daley states if there is a God, Mark Harrington is getting mauled by a shark right now. Mayor Thomas agrees this project is a travesty and goes against the nature of our town and Main Street. States there are things that are not clear with the project design and should have gone through the public process. Jack Johnson states they are a couple million dollars into this project and they need to have the plat approved before they draw more money. Also states his client will incur significant damage if no approval.

Council member Simpson moved to approve the plat. Motion failed due to lack of second.

Council member Beerman moved to continue this item with clarification on egress door swinging onto the adjacent property to a date uncertain.

Council member Henney seconded

Approved unanimously

Council member Simpson moved to create a special meeting for June 5th and 11th, 2015.

Council member Peek seconded

Approved unanimously

VIII. NEW BUSINESS

1. Council Consideration to Ratify Terms Associated with a Public Easement for a Pedestrian and Bicycle Pathway and Related Appurtenances Between Park Avenue Condominiums (PAC) and Park City Municipal Corporation (PCMC) with a Total Compensation of Eighty Eight Thousand Dollars. (\$88,000).

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

Council member Beerman moved to approve the ratification terms Associated with a Public Easement for a Pedestrian and Bicycle Pathway and Related Appurtenances Between Park Avenue Condominiums (PAC) and Park City Municipal Corporation (PCMC) with a Total Compensation of Eighty Eight Thousand Dollars. (\$88,000).

Council member Peek seconded

Approved unanimously

2. Consideration of the Master Festival License Application for the Library Grand Opening to be Held on June 13, 2015.

Jenny Diersen introduced Stewart Ashe, who is helping plan the Library Grand Opening. Event will run from 10:00 am – 5:00 pm. Diersen reports at noon there will be a ribbon cutting and approximately 500 volunteers will be needed for the book brigade. A street closure on Park Avenue will occur from 11:00 am – 1:00 pm for the brigade. Ashe states they would like Council to be on the stand for the ribbon cutting and asks Mayor Thomas to personally do the ribbon cutting.

Mayor Thomas opens the public hearing.

Brooks Robinson stated the previous book brigade did not go from the Marsac building but rather from the building on Main.

Mayor Thomas closed the public hearing.

Council member Matsumoto moved to approve the Master Festival License Application for the Library Grand Opening to be Held on June 13, 2015
Council member Simpson seconded
Approved unanimously

VX. ADJOURNMENT

Council member Beerman moved to adjourn
Council member Simpson seconded
Approved unanimously



DATE: June 18, 2015

TO HONORABLE MAYOR AND COUNCIL

2015 Park City LED Lighting Retrofit Contract Award – Installation of LED Lights in Eight Buildings; City Hall, Public Works, Marc, Compactor Shed, Transit Center, Police Station, China Bridge and the Ice Rink.

Respectfully:

Matthew Abbott, Environmental Program Manager



City Council **Staff Report**

Subject: 2015 Park City LED Lighting Retrofit
Installation Contract Award
Author: Cristina (Bina) Skordas
Department: Sustainability
Date: June 18, 2015
Type of Item: Administrative

Summary Recommendations:

Authorize the City Manager to enter into an agreement in a form approved by the City Attorney's Office with SES Green Energy, in the amount of Sixty-Eight Thousand Twenty-Two Dollars and Fifty Cents \$68,022.50.

Topic/Description:

2015 Park City LED lighting retrofit contract award – Installation of LED lights in eight buildings; City Hall, Public Works, Marc, Compactor shed, Transit Center, Police Station, China Bridge and the Ice Rink.

Background:

Park City Municipal has a history of retrofitting its facilities for energy efficiency. Staff completed a pilot interior LED lighting retrofit in the Office of Sustainability. The project will go in three phases to ensure work is completed in a timely manner. Phase 1 includes City Hall, China Bridge Parking Structure, Transit Center and the Compactor Shed. Phase 2 includes Public Works and the Ice Arena. Phase 3 includes the MARC and the Park City Police Station. City Hall is a priority because it is our flagship site and one point away from achieving Energy Star.

Analysis:

The Request for Proposals was advertised on May 11, 2015 through our typical channels.

A selection committee included the following participants:

PCMC:

Kayla Sintz, Planning
Lisa Roadfuss, Legal
Mike Lennon, Building
Matt Abbott, Sustainability
Kyle MacArthur, Water

Three firms responded:

- SES Green Energy
- Carver Electric

- Hidden Peak Electric

Selection of the firm was based on the following criteria:

- Ability to be responsive and available to City staff
- Overall quality of the firm's RFP response
- Firms experience
- Cost effectiveness and providing the requested services

Park City's purchasing policy states that Professional Service Contracts are exempt from competitive bidding, where the lowest quote need not necessarily be awarded the contract. Furthermore, the policy states that emphasis will be placed on quality, with cost being the deciding factor when everything else is equal. Secondly, the intent of this RFP was to achieve the maximum possible solar PV system for the allotted budget.

The selection committee met on May 27, 2015 and selected SES Green Energy. The selection was based on overall experience and success with a project for PCMC in the past. Their proposal addressed:

1. The ability to get the job done in a timely, effective manner
2. Pursuing Rocky Mountain Power's rebates for installing LEDs
3. Quality materials at a fair rate

SES Green Energy will be expected to stay on track with the project and report to the City's project manager.

Retrofitting interior lighting to LEDs will reduce electricity usage by approximately 5%. LEDs will also eliminate the cost and maintenance associated with ballasts used in our existing fluorescent light fixtures. PCMC currently replaces ballasts at least five times more frequently than average and struggles to get these ballasts replaced under warranty. Switching to LEDs will reduce the frequency of bulb changes by a factor of five and completely eliminate the cost of replacement ballasts and the associated labor.

Replacement bulbs will not change the existing fixtures; diminish the quality of light, or the overall aesthetic. This project will be funded with Building Maintenance's replacement funds.

This contract only addresses construction costs, bulbs are procured in a separate process.

The project deadline is July 10, 2015.

Department Review:

The report has been reviewed by representatives of Sustainability and Legal, their comments have been integrated into this report.

Alternatives:

A. Approve:

Authorize the City Manager to enter into a construction agreement in a form approved by the City Attorney’s Office with SES Green Energy, in the amount of Sixty-Eight Thousand Twenty-Two Dollars and Fifty Cents (\$68,022.50) **(Staff Recommendation)**

B. Deny:

Council could choose to deny the approval and not continue with the project at this time.

C. Modify:

Council could choose to modify the agreement, which would likely delay the schedule of the project.

D. Continue the Item:

Council may feel there is not enough information to make a decision and continue the item which will delay the project and the proposed schedule.

E. Do Nothing:

Same effect as continuance.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	<ul style="list-style-type: none"> ~ Balance between tourism and local quality of life + Internationally recognized & respected brand 	<ul style="list-style-type: none"> + Reduced municipal, business and community carbon footprints + Enhanced conservation efforts for new and rehabilitated buildings 	<ul style="list-style-type: none"> + Preserved and celebrated history; protected National Historic District + Primarily locally owned businesses ~ Skilled, educated workforce 	<ul style="list-style-type: none"> + Fiscally and legally sound + Well-maintained assets and infrastructure
Assessment of Overall Impact on Council Priority (Quality of Life Impact)	Neutral	Very Positive 	Positive 	Very Positive 
<p>Comments: LEDs are a best practice and will save the City money in energy costs and maintenance expenses. This LED project will help City Hall become an Energy Star rated building.</p>				

Funding Source:

Building Maintenance Replacement fund.

Consequences of not taking the recommended action:

Delay of LED implementation, return on investment, and reduced maintenance costs.

Recommendation:

Authorize the City Manager to enter into an agreement in a form approved by the City Attorney's Office with SES Green Energy, in the amount of Sixty-Eight Thousand Twenty-Two Dollars and Fifty Cents \$68,022.50.

Attachments:

Exhibit A – SES's Proposal

Exhibit A – SES's Proposal



670 West 400 North
Orem, UT 84057

tsmith@sesgreenenergy.com
801-234-0309

3640 Wagon Wheel Way
Park City, UT 84098

jdunn@sesgreenenergy.com
407-810-5183

www.sesgreenenergy.com

LED Lighting and Retrofit Projects

Prepared for:



Park City Municipal Corporation
P.O. Box 1480
Park City, UT 84060-1480

Creating Sustainable Energy Solutions

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Qualifications and Relevant Experience:

Tomi Smith

After experiencing extreme electric utility bill price increases at her first business, Kinderland, Inc in Orem Utah, Tomi decided to research available energy saving equipment. Initially Tomi found it difficult to get straight answers from local contractors and the utility company alike. After researching this herself, Tomi realized that LED lighting and retrofitting was the answer. She began looking for qualified contractors and equipment but again found it difficult. Living by her own entrepreneurial motto "Find a need and fill it", Tomi started SES Green Energy to serve the needs of energy conscious businesses.

John Dunn

As the owner of an advertising and marketing firm for over 20 years, John has helped launch dozens of products into various markets across the world. Energy efficiency has always been one of his passions. Life offered him the ability to help bring sustainable energy solutions to the masses three years ago. John now dedicates 100% of his time and energy educating and serving clients, helping them realize ongoing energy savings.

Tom Bogh

General Contractors Lic #5130826-5501

Tom has been in the construction and electrical contracting industry for over 20 years. His experiences led him to LED and solar installations and spans over 10 years. Tom has been project manager for dozens of energy savings initiatives. His ability to compete small to large-scale projects with great attention to detail and professionalism makes Tom a great asset to the SES Green Energy team.

Licensing Information

SES Green Energy, LLC
City of Orem, Utah
Issued February 26, 2015
Lic #2012-27290
Est March 3, 2012

Tom Bogh (SES Green Energy, LLC Staff Member)
State of Utah
Department of Commerce
Type: Contractor with LRFR100
Lic# 5130826-5501
Est August 1, 2003

Andy Cox Electric, LLC
State of Utah
Department of Commerce
Type: Master Electrician
Lic #339439-5502
Est February 11, 2007

Recent work history for similar projects:

AP Alarm

LED Design Build for entire building. AP Alarm came to SES for LED retrofit and custom LED lighting design. Despite tight project timelines, SES made this project a show piece and success.



The Montage Deer Valley

The Montage approached SES looking for an alternative to replacing their garage fixtures. With an initial bid of \$180,000, the Montage was ready to put the project on hold. SES Green Energy gave the Montage an LED lamp solution and labor for one third of their originally quoted price



Tesoro Fueling Stations & Convenience Stores

Tesoro came to SES Green Energy looking to retrofit their existing ceiling fixtures and cooler fixtures for several locations. SES was able to serve Tesoro with high quality LED products and labor, giving sustainable monthly savings.



AVEDA Salons

AVEDA salon contacted SES Green Energy to find a replacement solution for their energy consuming metal halide and halogen lamps. SES was able to retrofit all of their existing fixtures with a 30% reduction in power usage and an ROI under 1 year.



Park City

SES Green Energy was urged by one of our satisfied clients to contact Park City regarding upcoming LED retrofit projects. SES successfully installed two pilot projects in the City Hall Sustainability Office and street lamps on Iron Horse Dr. These retrofits were completed utilizing existing fixtures.



Client contacts:

Andrew Godaire
Head of Engineering
The Montage Hotel

AGodaire@montagehotels.com
435-604-1300 Main

Kevin Cox
Co-Owner
AP Alarm Systems

Kevin.c@alarmprotectionusa.com
801-602-4144 Cell

Rafe Sykes
GM Hilton Grand Vacation – Canyons
RSykes@HGVC.com
435-659-5607 Office
435-645-4551 Cell

Nick Lawniczac
Head of Engineering
St Regis Hotel
Nicholas.Lawniczac@stregis.com
435-640-9685 Cell

Richard Surber
President/CEO
Landis Lifestyle Salons
hudconsult@aol.com
801-580-7172

Forest Ringwood
General Contractor
FR Customs
frcustoms@hotmail.com
801-628-2996

Subcontractor Identification

Andy Cox Electric , 140 S 300 W, Manti, UT 84642 - 435-851-23670
Master Electricians Lic #339439-5502 Electrical Contractors Lic #5993383-5501
Andy started in the electrical trade in 1997 earned his title as a Master Electrician in 2005. Andy works exclusively with SES on all LED lighting and solar projects.

Legal Activity

Neither SES Green Energy, LLC or our sole subcontractor, Andy Cox Electric, LLC have in the past five (5) years or are currently engaged in any arbitration and/or litigation.

Neither SES Green Energy, LLC or our sole subcontractor, Andy Cox Electric, LLC have ever filed for reorganization or bankruptcy.

Construction Proposal

SES shall furnish all labor, materials and equipment to complete the Project, consisting of the work described in the Information for Bidders as the Basic Bid as specifically set out in the contract specifications, which is made a part hereof by reference, herein called the "Project." SES will install all new lighting within existing fixtures or as needed with new fixtures for fixture replacement.

SES Green Energy, LLC

- Hanging and Recessed Troffers:

Covers will need to be removed and center of the fixture in order to get to the ballast. Ballast will be disconnected and tombstones checked to see if they are shunted or non-shunted. If non-shunted then the tombstones will need to be replaced on the line side. Power and neutral will be wired into the tombstone and the ground will stay connected to the fixture.

- Down lights:

(retrofit/replacement) Are can lights with a ballast. The ballast will need to be disconnected and hot and neutral wired directly to the bulb connection within the fixture. The ballasts are difficult to and access to the attic of the ceiling will need to happen. When gaining access to the fixture the ballast will be disconnected and made LED ready.

- Salad bowl style:

(with metal halide and CFL stick) As needed the fixture will be dismantled in order to get access to the ballast. The ballast will then be disconnected and the hot and neutral will be wired directly to the socket holding the bulb.

- Director:

Are new fixtures. Hot's and neutrals will be wired directly to the cord coming from the fixture within an existing junction box. Grounds will be wired together and connected in the junction box.

- City Hall T5 hanging fixture:

Ballast will need to be disconnected and power and neutral wired directly to a new tombstone that is non shunted. Tombstones will need to be replaced and adjusted to fit the new bulb. Grounds will be left as is.

Note: When retro-fitting existing fixtures; all fixtures with ballasts will be disconnected and new tombstones may be necessary for the install of the LED bulb in which case all will be done. The existing ballast will be left in place, but disconnected from power and neutral.

LED tombstones are non-shunted and will need to be replaced if this is not met within retrofit fixtures. A direct connection to the tombstone from power and neutral will take place without shutting off power as needed.

A. SUBCONTRACTORS SES will be fully responsible to the City for the acts and omissions of its Subcontractors. SES makes every attempt to hire the best and will

SES Green Energy, LLC

maintain good quality and workmanship by managing all subcontractors with on site project manager and/or persons either directly or indirectly employed by them, as it is for the acts and omissions of persons directly employed by it.

B. STANDARDS OF WORKMANSHIP.

SES will demonstrate workmanship equal to or better than current industry standards for this Project. SES will use the best products and supplies on the market while maintaining the quality and workmanship necessary to maintain the SES name as a LEADER in LED.

C. INSPECTION AND TESTING

During construction, the work will be inspected and observed by the Project Manager or his designated representative. All work that is deficient or does not meet specifications shall be removed and replaced with proper material at SES expense.

D. WARRANTY

SES will stand by the products we use and will maintain warranties as set forth in the product description.

Project Work Schedule

Phase I

Installation can begin within three weeks of contract agreement and initial payment. Installation will begin with replacement of T5 and T8 tubes throughout all phase I buildings. Total phase I will be completed within 5 weeks of the start date to allow time for product delivery and special order lamps to match Park City street lamp color temperature on parking lot lights.

Phase II

Installation time frame is set at 4 weeks. The Ice Arena will begin with non-public areas to alleviate facility interruption. Public areas will be completed during low occupancy hours. Areas not capable of being empty during installation will be scheduled for hours when facilities are not occupied.

Phase III

Installation time frame is set for 4 weeks. The MARC will begin with non-public areas to alleviate facility interruption. Public areas will be completed during low occupancy hours. Areas not capable of being empty during installation will be scheduled for hours when facilities are not occupied.

Bonding and Insurance

SES Green Energy, LLC will provide the required bonding and insurance. SES Green Energy, LLC will provide PCMC with a Performance Bond and Labor and Materials for 100% of the total contract amount. SES Green Energy, LLC will supply a Certificate of Insurance. General Liability coverage shall be a minimum of \$4,000,000 with PCMC listed as an additional insured. As per statutory requirements, SES Green Energy, LLC shall keep Workers' Compensation Insurance.

Phase I Cost Proposal

Description	Qty	Rate	Total
445 Marsac (City Hall)			
T8' 4' 18W 4000K LED Lighting	404	22.50	9,090.00
T8 2' 10W 4000K LED Lighting	296	24.00	7,104.00
PL360 13W LALED Lighting 4000K	63	29.00	1,827.00
CHINA BRIDGE PARKING GARAGE			
T8' 4' 18W LED 5000K (Retro Fit 2 for 3 per fixture)	528	22.50	11,880.00
Garage Top Deck PL360 15W E40 Base 4000K	7	32.00	224.00
Garage Top Deck PL360 15W E40 Base 4000K	6	32.00	192.00
Garage Director Retro fit Core 22W E26 Base 4000K	10	98.00	980.00
Sidewalk Globe Lighting PL360 15W E40 Base 4000K	11	32.00	352.00
Wall Pack PL20 20W E40 Base 4000K	6	133.00	798.00
Globe Fixture PL360 15W E40 Base 4000K	11	32.00	352.00
T8' 4' 18W 4000K LED Lighting	4	22.50	90.00
T8 2' 10W 4000K LED Lighting	12	24.50	294.00
Transit Center Lighting			
Exterior Bus Waiting Area PL360 7W 4000K	58	29.00	1,682.00
Salad Bowl Retro Fit Core 22W Bulb with E26 Base 4000K	15	98.00	1,470.00
T8' 4' 18W LED 4000K Lighting	39	22.50	877.50
Exterior Accent Directors - PL360 15W 4000K	2	32.00	64.00
Accent Lights Transit Center - PL360 15W 4000K	21	32.00	672.00
Compactor Building			
T8' 4' 18W LED Lighting Retro fit 8' to 4'	24	22.50	540.00
T8 Retrofit kit for 8' to 4' fixtures	12	15.00	180.00
PL360 15W E26 Base 4000K	4	32.00	128.00
Material		\$38,796.50	
Labor Cost		\$14,705.00	
Shipping		\$ 775.93	
Equipment		\$ 650.00	
Phase I Total		\$54,151.50	

Phase II Cost Proposal

Description	Qty	Rate	Total
PHASE II			
Public Works Complex			
T8' 4' 18W LED Lighting	1,047	22.50	23,557.50
T8' 4' 18W LED Lighting 8' to 4' fixture	246	22.50	5,535.00
T8 Retrofit kit for 8' to 4' fixtures	82	15.00	1,230.00
PL40 40W Exterior Bulb 5500K	44	189.00	8,316.00
PL360 E26 15W Base LALED	17	32.00	544.00
PL360 9W Four Prong	82	29.00	2,378.00
BR20 11W 5100K Energy Star Rate Green Creative Dimmable	27	13.50	364.50
2' DELUXE L 55W/840 2G11 LED Replacement	114	59.00	6,726.00
Ice Skating Rink			
T8' 4' 18W 4000K LED Tube	658	22.50	14,805.00
Eco Downlight 6 Inches 12W 4000K Includes Breakout Box to compensate for Non-Code Can. Green Star Ready - WET AREA APPROVED	9	73.50	661.50
PL360 7W 4000K LED bulb	22	29.00	638.00
2' DELUXE L 55W/840 2G11 LED Replacement	300	59.00	17,700.00
Material		\$82,455.50	
Labor		\$24,587.50	
Shipping		\$ 1,641.64	
Equipment		\$950.00	
Phase II Total		\$109,634.60	
Phase II Total		\$109,634.60	

Please note: The Ice Arena has been quoted for an LED tube retrofit. Due to the light fixture utilizing bounce light off of the ceiling, there may be reduced lumens delivered to the floor. This will be determined by utilizing a test retrofit to confirm the lumens quality. If the lumens are diminished to a sub-acceptable level and a DLC approved fixture replacement is necessary, a change order of \$7,436 will be necessary for the increase of equipment costs.

SES Green Energy, LLC

Phase III Cost Proposal

Description	Qty	Rate	Total
MARC LIGHTING			
T8' 4' 18W 5000K LED Lighting	1,544	22.50	34,740.00
2' DELUXE L 55W/840 2G11 LED Replacement	81	59.00	4,779.00
Global Tech Retro Fit Kit for Tennis Court. RPT-LEDTC. DLC Approved	30	840.00	25,200.00
A19 120/220V Dimmable 9W E26 Green Creative	17	8.50	144.50
Salad Bowls PL360 13W 4000K LED Bulb	145	29.00	4,205.00
Can Lights PL360 13W 4000K LED Bulb	28	29.00	812.00
T8 3' 14W LED Bulb 4000K Tube	40	37.90	1,516.00
Parking Lot lighting PL20 2700K (Color to Match Street Light Project)	22	133.00	2,926.00
4' Retro Fit Plate	6	42.00	252.00
LED Track Lighting MR16 Green Creative Green Star Rated	14	16.00	224.00
NB Small LED Bulb Green Star Rated	26	19.00	494.00
Downlight Fixture 12W 6" Includes Breakout Box to compensate for Non-Code Can. Green Star Ready	16	67.20	1,075.20
Downlight Fixture 12W 6" Includes Breakout Box to compensate for Non-Code Can. Green Star Ready - WET AREA	12	73.50	882.00
T8 3' 14W 4000K LED Tubes	40	37.90	1,516.00
T8 2' 10W 4000K LED Tubes	12	24.00	288.00
Police Station			
T8' 4' 18W 4000K LED DLC Tubes	574	22.50	12,915.00
PAR16 GU10 Base 6W MR16 Replacement	6	16.00	96.00
PL20 20 Watt Core Direct Bulb 2700K (Color to match Street Lamp project)	19	133.00	2,527.00
PL360 15W Exterior Landscape Box	9	32.00	288.00
PL360 13W Salad Bowl Retro Fit Bulb	59	29.00	1,711.00
Eco Downlight 6 Inches 12W Includes Breakout Box to compensate for Non-Code Can. Green Star Ready - WET AREA APPROVED	6	73.50	441.00
T8 2' 10W Tubes	2	24.00	48.00
2' DELUXE L 55W/840 2G11 LED Replacement	54	59.00	3,186.00
Material Cost \$100,265.70			
Shipping \$ 2,290.00			
Total for Labor \$ 28,730.00			
Equipment Cost \$ 1,550.00			
Phase III Total			\$132,721.20

Phase I, II, III Total \$ 296,507.30
Bonding Cost \$ 8,895.22
Grand Total \$ 305,402.52

SES Green Energy, LLC

LED
www.etiled.us 1-888-347-9251

PL-V2 Series

Annual Energy Cost (3 bulbs)

\$7.00
\$6.00
\$5.00
\$4.00
\$3.00
\$2.00
\$1.00
\$0.00

\$6.02 (3 bulbs)
\$0.60 (3 bulbs)

3W LED Bulb vs 50W Incandescent

Warranty: Limited Lifetime Warranty

Lighting Facts

Light Appearance: Warm Cool

LED Life Time to 70% Brightness: 75,000 hours

LED Life in the Field: 68.4 years at 3 hours/day average

Brightness: 250-500 lm

Estimated Yearly Energy Cost: \$0.60

Life (at 3 hrs/day): 68.4 years

Energy Used: 3.8-5W

These LED lights replace 35-50W metal halides (PL-24).

FC RoHS CE

Model	Wattage	Replaces	Lumens	Lens	Normal Voltage	Available colors	CR	Dim
LL-PLV2-20W (color)	20W	150W Metal Halide	2000	180°	90-265V or 277V	WW, NW, CW	285	No
LL-PLV2-30W (color)	30W	175W Metal Halide	3100	180°	90-265V or 277V	WW, NW, CW	285	No
LL-PLV2-40W (color)	40W	200W Metal Halide	4100	180°	90-265V or 277V	WW, NW, AATW	285	Yes

Key for Available Colors: WW: Warm White (3000K) NW: Neutral White (4000K) CW: Cool White (5000K)

LEDBIAX® Lamps

DATE _____
JOB NAME _____
TYPE _____

Features:

- UL Listed
- >100LPW

Applications:

- Pendants
- Troffers
- Softfix
- Custom Fixtures

Manufacture: RPT Series: LEDBIAX Light Output: 1500LM-15W (14W) 2000LM-20W (22W) Color Temp: 3000K 4000K Base Type: J511 Options: _____

Ordering Example: RPT-LEDBIAX-1500LM-3000K-J511

Details:

Application Features: The LEDBIAX™ "BIAX to LED" lamps easily replace older bulb technologies. The lamps are perfect for new construction or retrofits. The LED lamp is designed to safely and quickly replace most existing bulb types. Product includes all of the mounting hardware and electrical connections required.

Electrical: 89% efficient UL Recognized internal driver, LM80 LEDs

Optics: Patent pending optical system delivers perfectly uniform light from the integral LED lamp. You will be unable to tell the difference between this LED lamp and traditional fluorescent.

Construction: UV protected and flame retardant plastic, anodized aluminum

Approvals: UL, FCC, RoHS

Manufactured: USA - 5 Year Warranty

Finish: White bottom, Diffused lens

120-277VAC

Black Line White

Dimensions:
1500LM: 16.6in x 1.7in x 1.2in
2000LM: 21.0in x 1.7in x 1.2in

Integral Tube LED

LED 3' Linear Tube 4000k Specifications

The ETI 14 watt 1400 lumen LED 3' tubes offers exceptional performance for precision lighting applications, while reducing energy and maintenance cost. These 3' linear LED tubes are high quality replacements for fluorescent lamps and are available in 2000K & 4000K. They are UL listed for use in damp locations and are RoHS compliant with no lead or mercury. Non-dimmable. Warranty period 5 years or 60 months. Suitable for installations from -4°F to 95°F

KEY FEATURES & BENEFITS

- 14 watt Low Power and High Performance
- 1400lms Linear Tube
- 4000K
- UL E349551 - Luminaire conversion kit
- UL E347350 - LED tube and driver system
- Rated Lifetime: 50,000 hours
- Easy, fast & safe installation
- wire to one endcap

LAMP DIMENSIONS

SKU# 54130141
Dimension A = 1.2"
Dimension B = 35.8"

This device complies with part 15 of the FCC Rules. Operation is subject to the following two conditions: (1) This device may not cause harmful interference, and (2) this device must accept any interference received, including interference that may cause undesired operation. For FCC Part 15 user information, please see www.etiled.us

APPLICATION INFORMATION

Typical applications for the LED tubes include retrofitting existing fluorescent fixtures. Includes: homes, museums, galleries, shop windows, restaurants, meeting rooms and hotel/motel locations.

ETI SOLID STATE™ LIGHTING INC.

855-384-7754 www.etiled.us

54130141 updated 10/8/2013

A19 9W DIM. TITANIUM LED SERIES 4.0

GREENCREAM

ENERGY STAR PROGRESS REPORT

BW REPLACES 60W Inc. 80% Energy Savings

PRO

\$151 Savings per lamp*

- Omnidirectional: 300° beam angle
- Exceptional efficacy 90 LPW in Warm White
- 40% more energy savings than CFL
- Comfortable warm diffused light
- Natural A-lamp shape fits all applications
- Ideal for lamps with shades

UL LISTED FC lighting facts LM 79 LM 80 TM 21 IES

A19 PRODUCT FEATURES

Omnidirectional Lighting

This A19 meets the new ENERGY STAR V1.1 requirements for omnidirectional bulbs by providing 300° of evenly distributed light intensity. In the 130° to 160° zone, the lamp emits 90% more lumens than what is required by ENERGY STAR, emitting a fuller light than other LED A-lamps.

Directional Efficiency

90° Beam Angle Efficiency

A19 LPW: This lamp's efficacy is more than 10% higher than the 70+ LPW of A19 CFLs. Replacement industry average and exceeds new ENERGY STAR requirements by up to 20%. This energy saving performance means this lamp is a smart retrofit choice for businesses and CFL bulbs.

www.greencream.com | 1-888-347-9251 | 1-760-898-7744-4477 | #Lighting2.0 | GREENCREAM



KEID T8 4 FOOT 18 WATT LED TUBE

Dimensions: 47.70" L x 1.26" W x 1.14" H
Weight: 0.83 lbs.



The Keid T8 4FT 18 Watt LED Tube is a great replacement of fluorescent tubes for offices, hospitals, schools and residences. The T8 is designed with high transmittance frosted lenses that provide bright glare free lighting. This product installs in existing fixtures by removing the ballast and wiring direct to a single end.

Warranty: 5 Year Warranty
LED Rated Life Time: 50,000 hours
Input Voltage: 120-277V AC
Working Temperature: -4°F to 104°F
Operating Humidity: 10% to 95%
Protection Grade: IP20

LALED Model Number	DLC Model #	DLC Product ID	Wattage	CTC (ft)	Lens	Lumens	Eff. (lm/W)	CR	Beam Angle	Power	Power Factor
KEID-T8-4FT-18W-WW-SEO-FR	N/A	N/A	18W	3000K	Frosted	1800 lm	100 lm/W	80	120°	Single End	0.9
KEID-T8-4FT-18W-NW-SEO-FR	0L-A12C-18W	PSA37V3A	18W	4000K	Frosted	1800 lm	100 lm/W	80	120°	Single End	0.9
KEID-T8-4FT-18W-CW-SEO-FR	0L-A12C-18W	PLR462H	18W	5000K	Frosted	2040lm	113 lm/W	80	120°	Single End	0.9



WW: Warm White (3000K) Key for Available Colors CW: Cool White (5000K)
KEID T8 4FT 18W Spec Sheet NW: Neutral White (4000K) Page 1

Super Thin Recessed LED 6" Round

Fits Where No Other Recessed Fixture Can. Save On Installation Time



- ✓ Dimmable
- ✓ Energy Star Certified
- ✓ Approved by CSA & UL Standards for Canada and USA
- ✓ Type IC Rated - Approved for Direct Contact with Insulation
- ✓ Pot Light Housing is NOT Required even for Insulated Ceilings
- ✓ Fast and Easy to Install in Limited Space Locations - Even Under Joists
- ✓ External Driver Factory Mounted Inside Connection Box - 120V or 277V-347V
- ✓ New Construction Rough-In Plates and Jumper Cables Available
- ✓ Options of Warm White 3000K and Neutral White 4100K
- ✓ Damp Location Approved & Air-Tight Certified
- ✓ 50,000 Hours Life, 5 Year Warranty

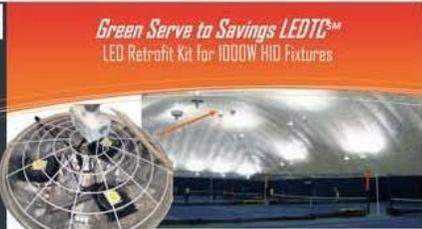
TECHNICAL SPECIFICATIONS:
CONSTRUCTION: Round 6" fixtures with integral LEDs. Isolated external driver factory installed inside connection box. One driver for every fixture required. PF>0.95. Maximum number of fixtures per standard 150W LED dimmer - 12
MOUNTING: Cut hole in ceiling and snap fixture in opening with attached spring clips. Clearance needed - 1 1/2" (38 mm)
ENERGY USED: 12W **AMBIENT TEMPERATURE:** -40° F (-40° C) to +104° F (+40° C) **CRI > 80**
BEAM ANGLE: 120° **LIGHT OUTPUT:** Warm White 700 lm, Neutral White 800 lm **HALOGEN EQUIVALENT:** 65W
DIMENSIONS: OD 6.3/4" (171 mm) ID 6.3/16" (157 mm) Cut out 6.5/16" x 1/8" (160 x 3 mm) **Thickness:** 1/2" (12mm)
Dimensions of the Connection box (with integral Driver): 3.5/16" (85 mm) x 3.5/16" (85 mm) x 1 1/8" (32 mm)
MODEL: LY6RCS / 30K (Warm) or 41K (Neutral) / WH (white) or BN (Brushed Nickel) Trim. 20 per case



- Options for locating the DRIVER that is INCLUDED with every fixture
1. Locate next to the fixture - run line voltage wiring to first connection box and "daisy chain" to the connection boxes of the other fixtures.
 2. Or install all drivers at one location and use low voltage extension cables to the fixtures. Interconnectable jumper cables 6' and 20' available. Maximum run 40'. Part # EXC6 and EXC20.
Optional - Rough-in plate for new construction - part # RIP6

DO NOT USE ANY OTHER DRIVERS EXCEPT THE LOTUS DRIVERS THAT ARE INCLUDED
DO NOT CONNECT MULTIPLE FIXTURES TO ONE DRIVER

tel. 1-844-24-LOTUS (1-844-245-6887) email: support@lotusledlights.com



SAFETY
The lamp is designed to meet UL & FCC code requirements. Light engine and driver are UL E150 Listed device.

LIGHT DISTRIBUTION
The light is guided by a patent-pending optical system for perfect uniform light distribution. Prevents extremely bright white light without special LED position.

EFFICIENCY
The LED system uses the most efficient LEDs and drivers available today. No other LED, HID or fluorescent system comes close to this performance. This means you will save money on air conditioning bills.

LONG LIFE
Utilizes LM 80 tested LEDs to ensure longest possible life. Beware of products using non-name brand LEDs.

COOLING
Our system uses high quality heat-sinking free fans.

DURABILITY
The precision and manufacturing techniques result in a sturdy, indestructible lamp.

ECO-FRIENDLY
No Mercury. Lead free. Manufactured proudly in the USA.

Technical Specifications/Comparison:

Parameter	Unit	Existing HID	Comparison LED-R	RemPhos LED-R
Power	watts	110w	36w	36w
Lifetime	years	10,000	30,000	60,000
Color of Light	Index	Warm - 2800K	Cool 8000K	Perfect-taught 8000K
Power Factor, THD		PF ~0.50, THD~20%	PF >0.85, THD~30%	PF >0.95, THD~20%
Cooling		None	2 fans	2 fans
Light Output		Target	60% (on target)	100-120% (off target)
Materials		Metal, Glass	Metal, Plastic	Aluminum
Adjustable Brightness		NO	NO	YES
Made in USA		NO	NO	YES

Potential Applications:
Use in any upwards facing HID fixture replacement:
• Tennis Courts
• Service Bays
• Gymsnasiums
• Auditoriums



Description

The RemPhos Green Serve to Savings LEDC™ is an easy to install LED retrofit for existing upwards or downwards facing 1000W HID tennis court fixtures. The retrofit includes a pre-assembled kit which simply drops into the existing fixture with no modification necessary. This upgrade will save an astonishing ~800W per fixture! The light quality on the tennis court will be brighter, and colors will look more realistic. Best of all the system is designed to last ~13years (12hr/day operation) completely maintenance free. Beware of competitors LED retrofits which use non-name-brand LEDs or drivers. Ours are built here in the USA and we stand 100% behind our products.



PL-360

LIGHTING WITH PURPOSE

WARRANTY
5 Year

LED LIFETIME (up to 70% brightness)
52,500 hours

LUMEN OUTPUT
710 - 1000 lm

WATTAGE
9 - 13 watts

TECHNICAL DATA

9W-13W	≥82	110V-240V or 277V	DRY ONLY
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Wattage CR Power Range IP Rating

LENS

FROST CLEAR

COLORS

WW NW CW

LIGHTING FACTS

WARM COOL

3000K WW 4000K NW 5000K CW

BASE

E26 B22 G240 G24Q GX23-2 G23-2

The PL-360 gives a 360 degree light spread. It is ideal for lamps, vanities, security lights, etc. This light replaces 27-34W CFL's. It only uses 9-13 watts (depending on model) and installs in existing fixtures.





DATE: June 18, 2015

TO HONORABLE MAYOR AND COUNCIL

The staff will review the current predictions for the 2015 Wildfire season in the Park City, Summit County area, along with the most recent weather and fire conditions. Based on the most recent conditions as of the date of the Council meeting, the Fire Code Official may recommend to Council that it is in the best interest of public safety to hold a public hearing and recommend Council adopt an ordinance restricting open ignition sources and fireworks.

Respectfully:

Hugh Daniels,



City Council **Staff Report**

Subject: 2015 Wildfire Season and Ordinance Prohibiting Open Fires and Restricting the Use of Fireworks
Authors: Hugh Daniels, CEM, Emergency Manager
Alexandra Morehead, Emergency Management Intern
Chad Root, Chief Building Official/Fire Code Official
Wade Carpenter, Fire Marshal/Chief of Police
Department: Public Safety, Executive and Building
Date: June 18, 2015
Type of Item: Legislative

Executive Summary: The staff will review the current predictions for the 2015 Wildfire season in the Park City, Summit County area, along with the most recent weather and fire conditions. Based on the most recent conditions as of the date of the Council meeting, the Fire Code Official may recommend to Council that it is in the best interest of public safety to hold a public hearing and recommend Council adopt an ordinance restricting open ignition sources and fireworks.

Recommendation: Take input from staff on the predictions for the 2015 Wildfire Season and hold a public hearing and based on Staff's recommendation at the hearing adopt the proposed Ordinance Prohibiting Open Fires and Regulating the Use of Fireworks within Park City during the 2015 fire season and Adopting the Summit County Process For Recovery of Costs for Responding to Emergencies Caused by an Aggravated Fire Emergency. At the public hearing staff may recommend the Council continue the action on the Ordinance to a future date, based on current weather and fire conditions.

Topic: Wildland Fire Potential for 2015 and consideration of an Ordinance Regulating Open Fires and the Use of Fireworks

Acronyms:

CEM – Certified Emergency Manager
NIFC – National Interagency Fire Center
NOAA – National Oceanic and Atmospheric Administration
GBCC – The Great Basin Coordination Center
WUI – Wildland Urban Interface

Background:

With this year's low snow pack and the continuing and in some areas increasing drought there has been significant concern over the upcoming wildfire season, which

runs from June through October. The lack of moisture in the ground this year coupled with extending drought conditions has some fuel's moisture content and the ability to burn, at record lows, particularly timber, coupled with wind, high temperature, low dew point, fuel load, dry lightning and dry conditions can lead to a significant increase in fire danger. While May weather was very wet, little of that moisture is absorbed by anything other than grass and first few inches of soil. Staff wishes to outline the current predictions for the 2015 fire season and discuss the need for a ban on open flames and fireworks for the July 4th and/or other impending holidays.

The use of consumer fireworks has been an ongoing problem over the years and has caused fires in Park City. In Utah, the greatest fire risks generally start in southern Utah and move north. Most fires are started by either lightning, fireworks or discharge of weapons. In the Park City area, moderate to severe drought (as predicted by NIFC); higher than normal predicted temperatures in July and August (as predicted by NOAA); extremely low moisture in both live and dead fuels, exacerbated by a low snow pack winter and fire season timing, leads all current forecasts to an increasing fire risk. Despite a current NIFC forecast of a "normal" fire season for Utah, a normal season in Utah is over 400 fires in the state and 60 in Summit County. The Rockport Fires of 2013, 2014 and the Fox Bay Fire of 2012 all occurred during a "normal" fire season.

Analysis:

The NIFC Predictive Services Unit of the GBCC which includes Utah, reports significant fire potential throughout the western states for June, July, August and September. While Utah currently is listed as "normal", most of our neighbor states have high to extreme wildfire potential beginning in July.

Wildfire will always be a concern in Park City and Summit County as a WUI area. Weather is also a key to how easy fires start and how quickly they expand. The good news is that 98% of brush and wildfires are stopped in the initial attack. The bad news is even a small wind coupled with dry fuels can lead to a significant fire. Higher elevation fuels are particularly dry this year. The dry winter has increased the curing or drying of fuels earlier than usual and the May rains have increased grass growth adding to carry-over dry grasses from 2014.

The difficult decision is balancing the celebrations of Independence Day and Pioneer Day with fire hazard. The Utah Legislature restricts the ability of the Council to ban fireworks during these holiday periods unless in a WUI area the Fire Code Official determines that the conditions are such, that allowing fireworks and open sources of ignition are a danger to the public's safety. Due to the timelines required to prepare the Council's packets, staff will be making a recommendation on whether to move forward with a fireworks ban as included herein or continue the item based on current weather and fire danger predictions. Further, we are in regular communications with Summit County, the Park City Fire District and the Utah Division of Fire Forestry and State Lands.

Should conditions require the Fire Code Official to recommend a ban, staff requests that you consider the following:

If a ban of ignition sources and fireworks is necessary due to the high fire risk to Park City, threat to public safety and risk of property loss, we, in consultation with the Park City Fire Service District, will recommend that Park City should adopt an ordinance banning fireworks and open ignition sources from June 18 through October 31, 2015. This ban may be lifted by an action of the Council at a later date should conditions so allow.

Fireworks may be used during professional displays with fire protection, such as the 4th of July celebration. Final decisions on public displays cannot be made until the day of the event, though every opportunity will be made to hold these displays if potential dangers can be mitigated and the weather cooperates.

The last time a similar bans were adopted were for the 2007, 2012, 2013 and 2014 fire seasons. Those years had similar low humidity, drought, windy, dry and hot weather conditions which led to an increase in wildfires throughout the state including Summit County.

During the 2013 Utah Legislative session amendments were made to Utah Code Section 53-7-225 which prohibits municipalities from banning a person from discharging fireworks, except for negligent discharge or as provided under Subsection 15A-5-202.5(1)(c), during prescribed times surrounding four holiday periods, July 4th, July 24th, New Year's and Chinese New Year's. Subsection 15A-5-202.5(1)(c) gives Council the authority, if the Fire Code Official determines that hazardous environmental conditions necessitate controlled use of any ignition source, including fireworks, lighters, matches, sky lanterns, and smoking materials, to prohibit only the ignition or use of the ignition source in mountainous, brush-covered, or forest-covered areas or the wildland urban interface area, which means the line, area, or zone where structures or other human development meet or intermingle with undeveloped wildland or land being used for an agricultural purpose.

What this means is that Council has the ability to ban fireworks in certain areas or within the entire WUI. The Utah Division of Forestry, Fire and State Lands have designated all of Park City and all of Summit County as Wildland Urban Interface. Research has shown that embers from a wildfire can travel as far as two and a half miles, therefore potentially endangering all of Park City.

Chad Root, Park City's Fire Code Official has determined that hazardous environmental conditions including but not limited to; intensifying drought; low snow pack with an early melt; higher than normal predicted temperatures in July, August and September; extremely low moisture in both live and dead fuels necessitate controlled use of any ignition source, including fireworks, lighters, matches, sky lanterns, and smoking materials.

Cost Recovery - As it is the position of the City and the Utah League of Cities and Towns that counties are responsible for the costs of wildland fires, the City wishes to extend the County's cost recovery authority to within the City limits. Therefore, the City should adopt Summit County Code 5-4-10 within the City limits.

Department Review:

Building Department, Police, Fire Marshal, Emergency Management, City Attorney, Budget, Finance and City Manager.

Alternatives:

A. Approve the Request:

Consider Adopting the Ordinance Prohibiting Open Fires and Regulating the Use of Fireworks within Park City for the 2015 Fire Season and Adopting the Summit County Process For Recovery of Costs for Responding to Emergencies Caused by an Aggravated Fire Emergency, based on current weather and fire conditions.

B. Deny the Request:

Council could choose to deny the request if not warranted by current conditions. Arguably, residents may still be subject to any restrictions adopted by the Park City Fire Service District and Summit County.

C. Continue the Item:

Council could choose to continue the item to a future date and reconsider adoption should conditions warrant it.

D. Do Nothing:

This would be the same as denying the request.

Significant Impacts Matrix

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	+ Accessibility during peak seasonal times + Multi-seasonal destination for recreational opportunities	+ Abundant preserved and publicly-accessible open space + Managed natural resources balancing ecosystem needs		+ Well-maintained assets and infrastructure + Engaged and informed citizenry
Assessment of Overall Impact on Council Priority (Quality of Life Impact)	Positive 	Very Positive 	Neutral 	Positive 
Comments: The economic impact of a major wildfire in the greater Park City area could be significant				

Significant Impacts/Consequences of not taking the recommended action:

Not adopting the ordinance when hazardous conditions exist would leave the City in a vulnerable position because of the high threat of fires resulting from the use of fireworks and open fires. Postponing the adoption may be an option depending on conditions.

Recommendation:

Take input from staff on the predictions for the 2015 Wildfire Season and hold a public hearing and based on Staff's recommendation at the hearing adopt the proposed Ordinance Prohibiting Open Fires and Regulating the Use of Fireworks within Park City during the 2015 fire season and Adopting the Summit County Process For Recovery of Costs for Responding to Emergencies Caused by an Aggravated Fire Emergency. At the public hearing staff may recommend the Council continue the action on the Ordinance to a future date, based on current weather and fire conditions.

Attachment: A

An Ordinance Prohibiting Open Fires and the Use of Fireworks within Park City During the 2015 Fire Season and Adopting the Summit County Process For Recovery of Costs for Responding to Emergencies Caused by an Aggravated Fire Emergency.

Attachment: A

Ordinance No. 15-__

AN ORDINANCE PROHIBITING OPEN FIRES AND THE USE OF FIREWORKS WITHIN PARK CITY DURING THE 2015 FIRE SEASON AND ADOPTING THE SUMMIT COUNTY PROCESS FOR RECOVERY OF COSTS FOR RESPONDING TO EMERGENCIES CAUSED BY AN AGGRAVATED FIRE EMERGENCY

WHEREAS, the City Council of Park City Municipal Corporation, Utah, (herein "City"), in conjunction with the Park City Fire Code Official and the Park City Fire Service District, has a desire to reduce the threat of wild fires within the City limits; and

WHEREAS, based on the forecasted drought, low fuel moisture, low snow pack, the fire risk for the year 2015 is expected to be high from June 18th through October 31, 2015; and

WHEREAS, weather and natural resource conditions have combined with continuing drought to produce a very high level of light fuels (grasses and other light vegetation), early curing (drying), carryover fuels from 2014 and record low ERC levels in heavier fuels in the Park City area; and

WHEREAS, the National Interagency Fire Center (NIFC) Predictive Unit is forecasting above normal potential for significant fire activity in the western states; and

WHEREAS, Park City and Summit County have the greatest amount of wildland urban interface in the state of Utah; and

WHEREAS, the City desires to reduce the risk of wildfires which may cause extensive damage and economic hardship within the City; and

WHEREAS, the use of explosive and other fireworks within the City substantially increase the risk of fires and under current conditions is a direct threat to the community at large; and

WHEREAS, the State of Utah has created the Utah Fireworks Act as found in U.C.A. Section 53-7-225 et seq. which allows discharge of Class C common state approved explosives from July 1st thru July 7th and July 21st thru July 27th; and

WHEREAS, pursuant to the authority of the Fire Code Official and U.C.A. Sections 10-8-56 and 84, it is the intent of the City Council to adopt a valid, time, place and manner regulations on the use of fireworks that do not conflict with U.C.A. Sections 53-7-220 through 53-7-225; and

WHEREAS, this ordinance based on specific and hazardous environmental factors identified by the Park City Fire Code Official and Park City Fire Marshal as being ripe for wildfire and is effective for only one "fire season" and is not a general or permanent regulation in conflict with U.C.A. Sections 53-7-220 through 53-7-225; and

WHEREAS, The Utah Division of Forestry, Fire and State Lands in consultation with local Fire Officials has designated all of Park City to be a Wildland Urban Interface area.

WHEREAS, pursuant to U.C.A. Section 53-7-225, the City Council has the authority to prohibit the ignition or use of any ignition source within the Wildland Urban Interface which includes all lands within the Park City limits.

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

SECTION 1. FIRE SEASON. The City hereby finds and determines that the fire season for the year 2015 shall be from June 18, 2015 through October 31, 2015.

SECTION 2. LOCATION WITHIN PARK CITY. All the lands within the city limits of Park City are designated by the Utah Division of Forestry, Fire and State Lands as Wild Land Urban Interface and are included in this ordinance.

SECTION 3. FIREWORKS. The use of any and all class "C" fireworks shall be prohibited within Park City during the entirety of the 2015 high risk fire season. Class "C" fireworks as defined by UTAH CODE ANN. ("U.C.A.") § 53-7-202(4)-(6) include:

- a) a firecracker, cannon cracker, salute, cherry bomb, or other similar explosive;
- b) a bottle rocket, skyrocket or any device other than a model rocket that uses combustible or explosive material;
- c) a roman candle or other device that discharges balls of fire;
- d) a tube or cone aerial firework that propels comets, shells, salutes, flash shells, or similar devices; and
- e) a chaser, whistler, or similar device.

Such prohibition shall not apply to displays expressly permitted by a special event license with a state licensed operator pursuant to U.C.A. § 53-7-223.

SECTION 4. OPEN FIRES. All open fires are prohibited during the 2015 high risk fire season. "Open fire" does not include use of LPG gas/natural gas and charcoal briquettes in approved fire pits.

SECTION 5. VIOLATIONS. Violations of this Ordinance shall be deemed a Class B misdemeanor and shall be punishable by a fine not to exceed \$1,000 for persons or \$5,000 for corporations, and/or imprisonment for a term not to exceed six (6) months.

SECTION 6. AGGRAVATED FIRE EMERGENCY. The City Council hereby adopts and extends the Summit County Code 5-4-10 to within the City limits. Additionally, an Aggravated Fire Emergency shall include a fire caused or contributed to by the failure to comply with state law, this Ordinance or an order from any City agency, department or official, or from the Park City Fire Service District.

SECTION 7. EFFECTIVE DATE; SEVERENCE CLAUSE. Due to immediate fire danger and the City Council's finding of necessity due to the immediate preservation of the peace,

health and safety of the City, this Ordinance shall become effective immediately upon its approval and passage. If any provision of this ordinance or the application of any provision of this ordinance is found invalid the remainder of this ordinance shall be given effect without the invalid provision or application.

Dated this 18th day of June, 2015.

PARK CITY MUNICIPAL CORPORATION

Mayor Jack Thomas

Attest:

Marci Heil, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney



DATE: June 18, 2015

TO HONORABLE MAYOR AND COUNCIL

The Applicant is requesting a plat amendment for the purpose of combining two (2) existing lots (Lots 5 & 6) into one (1) lot of record located in block 4 of the Snyder's Addition to the Park City Survey. The applicant currently owns both lots and had a historic home sitting over the property line of the two lots. The home has been through the Historic District Design Review Process, has a Preservation Plan in Place, and has been deconstructed. The home will be reconstructed per an approved preservation plan and in order to do so the applicant requests to combine the lots to create one (1) lot of record on which they plan to re-build the historic single-family home at 1021 Park Avenue.

Respectfully:

Marci Heil, City Recorder

City Council Staff Report



Subject: 1021 Park Avenue Subdivision Plat
Author: Christy J. Alexander, AICP, Planner II
Project Number: PL-15-02703
Date: June 18, 2015
Type of Item: Administrative – Plat Amendment

PLANNING DEPARTMENT

Summary Recommendations

Staff recommends the City Council hold a public hearing and consider approving the 1021 Park Ave Subdivision, based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Description

Applicant: Bill Hart, owner/Marshall King, representative
Location: 1021 Park Ave
Zoning: Historic Residential (HR-1)
Adjacent Land Uses: Single-family and Duplex homes
Reason for Review: Plat amendments require Planning Commission review and City Council action

Executive Summary

The applicant is requesting a Plat Amendment for the purpose of combining two (2) existing lots (Lots 5 & 6) into one (1) lot of record located in Block 4 of the Snyder's Addition to the Park City Survey. The applicant currently owns both lots and had a historic home sitting over the property line of the two lots. The home has been through the Historic District Design Review process, has a preservation plan in place, and has been deconstructed. The home will be reconstructed per an approved preservation plan and in order to do so the applicant requests to combine the lots to create one (1) lot of record on which they plan to re-build the historic single-family home at 1021 Park Avenue.

Purpose

The purpose of the Historic Residential (HR-1) District is to:

- (A) Preserve present land Uses and character of the Historic residential areas of Park City,
- (B) Encourage the preservation of Historic Structures,
- (C) Encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods,
- (D) Encourage single family development on combinations of 25' x 75' Historic Lots,
- (E) Define development parameters that are consistent with the General Plan policies for the Historic core, and

(F) Establish development review criteria for new development on Steep Slopes which mitigate impacts to mass and scale and the environment.

Background

On March 11, 2015 the applicant submitted a complete application for the 1021 Park Avenue Subdivision. The property is located at 1021 Park Avenue in the Historic Residential (HR-1) District.

Currently both Lots 5 & 6 are vacant of any structures due to the historic home having been deconstructed. Both lots are owned by Bill Hart. There have been several similar lot combinations in this neighborhood combining one and a half or two lots. Both lots are typical 1,875 sf Old Town lots and currently meet the minimum lot area standards as given for the HR-1 District. A preservation plan is in place which will require the owner to reconstruct the historic single-family home on the combined lot in the historic location which was across the shared lot line. The HDDR was approved on March 18, 2015 and the preservation guarantee for the reconstruction of the historic structure has been posted with the City.

A brief timeline and summary of the historic home, reasoning for deconstruction and intent to reconstruct:

- The structure was built c. 1901, according to the Historic Site Form. By 1940, a porch had been constructed along the length of the rear façade; this porch was enclosed by 1968 and a shed addition was built to the west of it.
- Currently, the main building (house) is approximately 1,008.4 square feet; of this, only approximately 699.7 square feet is the original four-room historic structure. A rear porch addition was constructed by 1940 and within the historic period, but enclosed after 1940; this addition totals approximately 196.3 square feet. The post-1941 shed addition contains approximately 112.4 square feet.
- Per Land Management Code (LMC) 15-11-15, in order for reconstruction to be approved, the historic structure must be found by the Chief Building Official to be hazardous or dangerous pursuant to Section 116.1 of the International Building Code. The Building Department issued a Notice and Order to repair, vacate, and demolish the structure on April 11, 2013 due to the severe overall deterioration of the building. The structure cannot be made serviceable through repair. Furthermore, the form, features, detailing, placement, orientation, and location of the Historic Building will be accurately depicted by means of new construction based on as-built measured drawings, historical records, and/or current or historic photos, as conditioned.
- Per the 2009 Historic Site Form, the one-story single wall structure with hipped roof is a pyramid style house constructed c. 1901. (The Physical Condition Report suggests the house was constructed prior to 1901.) The front porch is not original, but likely added sometime after the historic period. The site form suggests that the house was covered in shingles in 1978; however, the current owner removed this material c. 2003 and replaced it with new drop novelty siding.

- In 1978, the house was listed as —contributingll on the National Register of Historic Places—Thematic District of Residences of the Mining Boom Era.
- On August 23, 1994, the City received an application for a Certificate of Appropriateness for Demolition (CAD) from the present property owner; the CAD was closed by the Planning Department on December 29, 1995, due to inactivity.
- On December 5, 1994, the Historic District Commission (HDC) heard an appeal by Bill Hart, submitted on October 14, 1994, and the HDC found that the structures at 1015 and 1021 Park Avenue were historically significant.
- On April 11, 2013, the Park City Building Department issued a Notice and Order to Repair and Vacate for the structure at 1021 Park Avenue. The Notice and Order required that the building be secured, including covering windows and doors; the electrical meter be removed from the building and the meter base secured; the exterior branch circuit panel on the south side of the building removed; the chimney and roof be stabilized; and the building be vacated due to lack of sanitation and safety concerns.
- On November 5, 2013, the Building Department issued an Administrative Citation to Bill Hart for not complying with the April Notice and Order.
- On July 13, 2014, Administrative Law Judge Alissa Owed ruled in favor of the plaintiff, Park City Municipal Corporation, in an Administrative Code Enforcement (ACE) hearing. The ACE hearing found that the property owner had failed to comply with the requirements as delineated by the Notice and Order and Administrative Citation.
- The City commissioned a Physical Conditions Report for 1021 Park Avenue; SWCA submitted this report in an effort for the Building Department to move ahead on necessary repairs. The applicant submitted this report as part of his HDDR on February 13, 2015.
- Bill Hart submitted a Pre-HDDR application with the intent to work with the City on moving ahead on necessary repairs on December 11, 2014. A full HDDR application was submitted on February 13, 2015, and was deemed complete on February 19, 2015.
- The historic house was structurally unsound. There was a large hole in the pyramid roof on the rear elevation that has caused additional stress and strain on the single wall and limited stud wall construction beneath the roof collapse; the Building Department had found that the existing structural system was in danger of immediate collapse because of these defects.
- New siding was placed over the historic drop novelty siding. Much of the original siding suffers from wood rot and mold; in some cases, the siding is completely deteriorated and not salvageable. The removal of the wood shingles that clad the house c. 1970s had left nail holes that had accelerated the deterioration of the remaining historic siding.
- As early as 1994, site visits with the Planning and Building Departments found that the electrical system was inadequate and posed a fire hazard. The Building Department concluded the same in their 2013 site visits.
- The structure had significant mold due to the lack of foundation, deterioration of the single wall construction, and the collapse of the rear roof structure.

- The structure was in severe decline due to years of deferred maintenance. Due to its deteriorated state, the interior had significant mold growth that had rendered it uninhabitable. Paint deterioration and severe wood rot were also present on the exterior.

The Planning Commission held a public hearing and unanimously forwarded a positive recommendation at their May 13, 2015 meeting.

Analysis

The proposed plat amendment creates one (1) lot of record consisting of 3,750 square feet. The minimum lot area for a single family dwelling is 1,875 square feet. Neither lots currently contain any structures and are vacant due to the historic home having been deconstructed. The combined lot area meets the minimum lot size of 3,750 square feet for a duplex. The applicant submitted a Historic District Design Review application and plans for the deconstruction and proposed reconstruction with a small addition to the historic home on the lot to the Design Review Team. The Historic Design Review application for deconstruction was approved on March 18, 2015.

There are currently two (2) existing homes on either side of the proposed lot. The homes within 200 feet across the street on the east side of Park Ave consist of mainly single-family and duplex dwellings and vacant lots. Any new structure proposed for the combined lot created by this plat amendment would need to meet the current LMC code requirements of 5 feet side yard setbacks (10 feet total). Front and rear yard setbacks would need to meet current code standards of a minimum of ten feet (10'). The preservation plan in place calls for the historic home to be reconstructed in the historic location, placing the home in the exact location it was before deconstruction in which it straddled the lot lines. There is a financial guarantee in place which will ensure it is rebuilt.

The minimum lot width allowed in the district is twenty-five feet (25'). The proposed width will be fifty (50') feet. The proposed lot will be compatible with the existing neighborhood as the two lots either side of the proposed lot are approximately each thirty-seven and a half (37.5') feet. The houses within 200 feet to the north and south on the west side of Park Ave consist of typical —Old Townll single-family and duplex dwellings. The proposed lot combination meets the lot and site requirements of the HR-1 District described below:

Required	Existing/Historic	Permitted
Lot Size	3,750 square feet	1,875 square feet minimum
Building Footprint	The main building (house) is approximately 1,008.4 square	1,518.75 square feet maximum (based on the lot area of 3,750 square feet)

	feet	
Front/rear yard setbacks	Front 13 feet/Rear 16 feet	10 feet minimum, 20 feet total (based on the lot depth of 75 feet)
Side yard setbacks	11 feet on both sides	5 feet minimum, 10 feet total (based on the lot width of 50 feet).
Height	Approximately 20 feet above existing grade.	27 feet above existing grade, maximum. 35 feet above existing grade is permitted for a single car garage on a downhill lot upon Planning Director approval.
Height (continued)	Approximately 20 feet.	A Structure shall have a maximum height of thirty five feet (35') measured from the lowest finish floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters.
Final Grade	Final grade is exact same as existing grade.	Final grade must be within four (4) vertical feet of existing grade around the periphery of the structure.
Vertical Articulation	None, as it is a historic one-story home	A ten foot (10') minimum horizontal step in the downhill façade is required unless the First Story is located completely under the finish Grade on all sides of the Structure. The horizontal step shall take place at a maximum height of twenty three feet (23') from where Building Footprint meets the lowest point of existing Grade.
Roof Pitch	Approximately 7:12	Between 7:12 and 12:12. A roof that is not part of the primary roof design may be below the required 7:12 roof pitch.
Parking	None	None required, as it is a historic home

This plat amendment is consistent with the Park City LMC and applicable State law regarding plat amendments. Any new structures must comply with current LMC requirements. Recordation of this plat and completion and approval of a final Historic District Design Review (HDDR) and Steep Slope CUP, if required, application are required prior to building permit issuance for any construction on the proposed lot.

Good Cause

Planning Staff finds there is good cause for this plat amendment. Combining the lots will allow the historic house to be reconstructed and will remove the existing lot line between the two lots. The plat amendment will also utilize best planning and design practices, while preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.

Staff finds that the plat will not cause undo harm to adjacent property owners and all future development, including any additions to the historic structure, will be reviewed for compliance with requisite Building and Land Management Code, and applicable Historic District Design Guidelines requirements.

Department Review

This project has gone through an interdepartmental review. There were no issues raised by any of the departments or service providers regarding this proposal that have not been addressed by the conditions of approval.

Notice

The property was posted and notice was mailed to property owners within 300 feet in accordance with the requirements in the LMC on April 22, 2015. Legal notice was also published in the Park Record by April 25, 2015 and on the public notice website in accordance with the requirements of the LMC.

Public Input

Staff received one letter on May 1, 2015 from the property owner to the north, Ross Wilson and Richard Schust at 1025 Park Avenue in favor of the plat amendment. No other public input has been received at the time of this report. Public input may be taken at the regularly scheduled City Council public hearing.

Process

Approval of this application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18. Any new structures may require a Steep Slope CUP and will require a Historic District Design Review. A Building Permit is publicly noticed by posting of the permit.

Alternatives

- The City Council may approve the 1021 Park Avenue Subdivision as conditioned or amended; or

- The City Council may deny the 1021 Park Avenue Subdivision and direct staff to make findings for this decision; or
- The City Council may continue the discussion on the plat amendment to a date certain and provide direction to the applicant and/or staff to provide additional information necessary to make a decision on this item.

Significant Impacts

There are no significant fiscal or environmental impacts from this application.

Consequences of not taking the Suggested Recommendation

The proposed plat amendment would not be recorded and the two (2) existing lots would not be adjoined and remain as is. The lot at 1021 Park Avenue would remain vacant, thus hindering the reconstruction of the historic home. New construction would have to comply with the current LMC requirements for any new structures on typical —Old Townll single lots.

Recommendation

Staff recommends the City Council hold a public hearing and consider approving the 1021 Park Avenue Subdivision based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Exhibits

Draft Ordinance

Exhibit A –Proposed Plat

Exhibit B – Existing Conditions Survey

Exhibit C – Vicinity Map/Aerial

Exhibit D – Photographs

Exhibit E – HDDR Approval for Deconstruction

Draft Ordinance with Proposed Plat

Ordinance 15-

AN ORDINANCE APPROVING THE 1021 PARK AVENUE SUBDIVISION, LOCATED AT 1021 PARK AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the property known as the 1021 Park Avenue Subdivision located at 1021 Park Avenue, have petitioned the City Council for approval of the 1021 Park Avenue Subdivision; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code on April 25, 2015; and

WHEREAS, proper legal notice was sent to all affected property owners on April 22, 2015 according to the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on May 13, 2015 to receive input on the proposed subdivision;

WHEREAS, on May 13, 2015 the Planning Commission forwarded a positive recommendation to the City Council; and,

WHEREAS, on June 18, 2015 the City Council held a public hearing on the proposed 1021 Park Avenue Subdivision; and

WHEREAS, there is good cause and it is in the best interest of Park City, Utah to approve the proposed 1021 Park Avenue Subdivision.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The 1021 Park Avenue Subdivision, as shown in Exhibit A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The plat is located at 1021 Park Avenue within the Historic Residential (HR-1) District.
2. The 1021 Park Avenue Subdivision consists of Lots 5 & 6 of Block 4 of the Snyder's Addition to the Park City Survey.
3. On February 25, 2015, the applicants submitted an application for a plat amendment to combine two (2) lots containing a total of 3,750 square feet into one (1) lot of record.
4. The application was deemed complete on March 11, 2015.

5. The site is a developed parcel which had a historic structure which has been deconstructed, identified on the City's Historic Sites Inventory (HSI) as a —Landmarkll site.
6. The lots at 1021 Park Ave are currently vacant after the historic home was deconstructed in order to satisfy the Building Department's Notice and Order.
7. Approval of the HDDR for deconstruction was noticed on March 18, 2015.
8. The Encumbrance and Agreement for Historic Preservation for 1021 Park Avenue states that the historic home must be reconstructed as outlined in the Historic Preservation Plan by March 30, 2017.
9. The HR-1 zone requires a minimum lot area of 1,875 square feet for a single family dwelling.
10. The maximum footprint allowed in the HR-1 zone is 1,518.75 square feet for the proposed lot based on the lot area of the lot.
11. The plat amendment secures public snow storage easements of ten (10') feet across the frontage of the lot.
12. Lots 5 & 6 of Block 4 of the Snyder's Addition to the Park City Survey are located in a FEMA flood zone X, which is an area with an 0.2% annual chance of flooding or an areas with a 1% annual chance of flooding with average depths of less than one (1) foot.
13. The front yard setback is approximately 13 feet, the rear yard setback is approximately 16 feet and the side yard setbacks are approximately 11 feet each. These setbacks meet the requirements of the Land Management Code.

Conclusions of Law:

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. Approval of the plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Recordation of this plat is required prior to building permit issuance for any construction on the proposed lot.
4. Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final mylar prior to recordation.

5. A ten foot (10') wide public snow storage easement is required along the frontage of the lots with Park Avenue and shall be shown on the plat.
6. All conditions of approval from the HDDR approval of March 18, 2015 continue to apply.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this ____ day of _____, 2015

PARK CITY MUNICIPAL CORPORATION

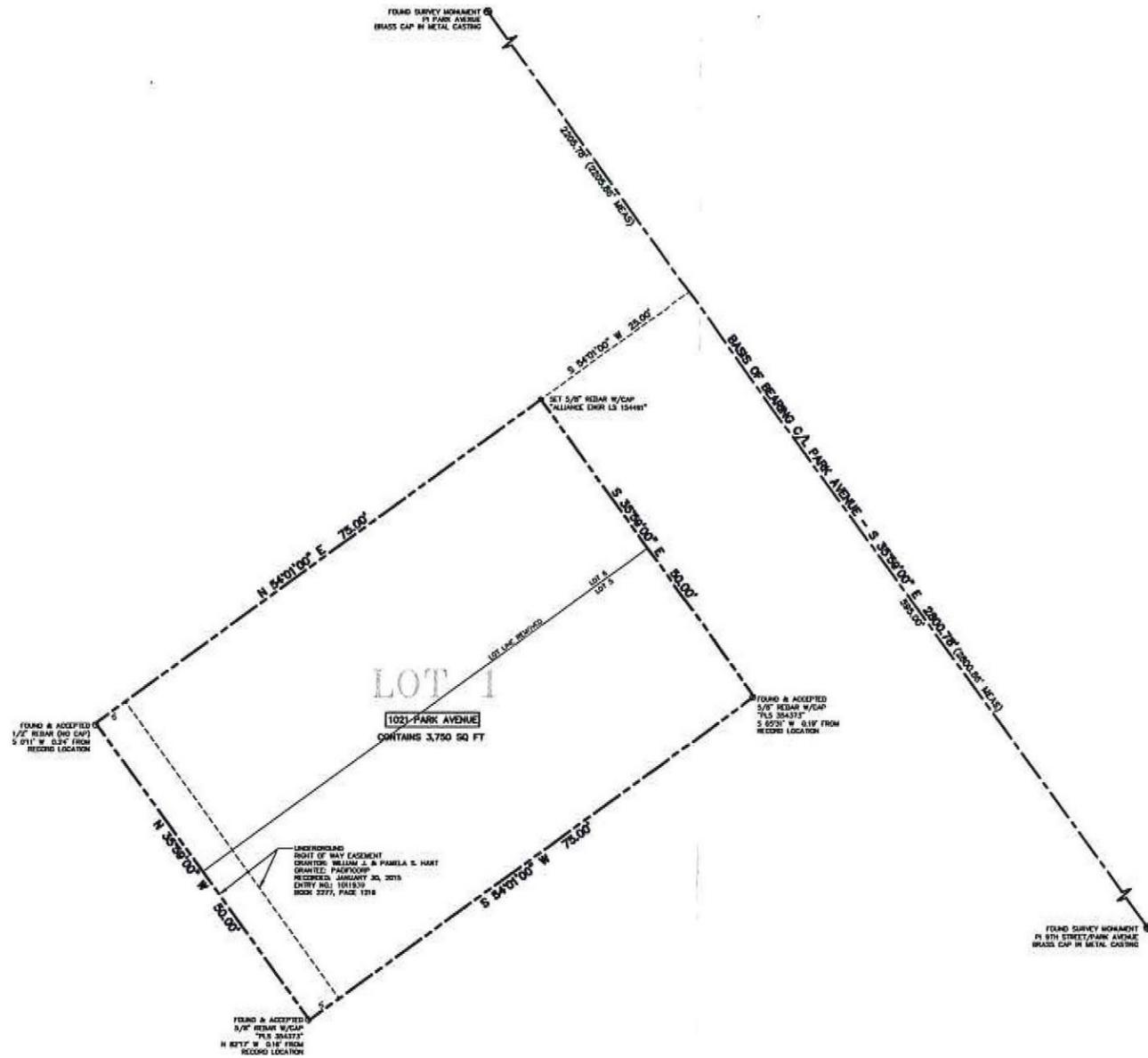
Jack Thomas, MAYOR

ATTEST:

Marci Heil, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney



SURVEYOR'S CERTIFICATE
 I, Martin A. Morrison, certify that I am a Registered Land Surveyor and that I hold Certificate No. 4938739, as prescribed by the laws of the State of Utah, and that by authority of the owners, I have prepared this Record of Survey map of 1021 PARK AVENUE SUBDIVISION and that the same has been or will be monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

BOUNDARY DESCRIPTION
 I of Lots 5 and 6, Block 4, SNYDER'S ADDITION TO PARK CITY SURVEY, as shown on the plat thereof on file and of record in the office of the Summit County Recorder.

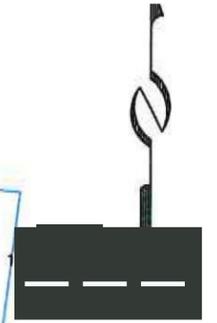
OWNER'S DEDICATION AND CONSENT TO RECORD
 KNOW ALL MEN BY THESE PRESENTS THAT, WILLIAM J. HART & PAMELA S. HART, HUSBAND & WIFE AS JOINT TENANTS, hereby certify that they have consented to be made and this amended Record of Survey Map to be prepared and hereby consent to the recording of this amended Record of Survey Map.
 By: Pamela S. Hart

ACKNOWLEDGMENT
 On this ___ day of _____, 2015, William J. Hart personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, William J. Hart acknowledged to me that he is the person whose name is subscribed to this instrument, and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

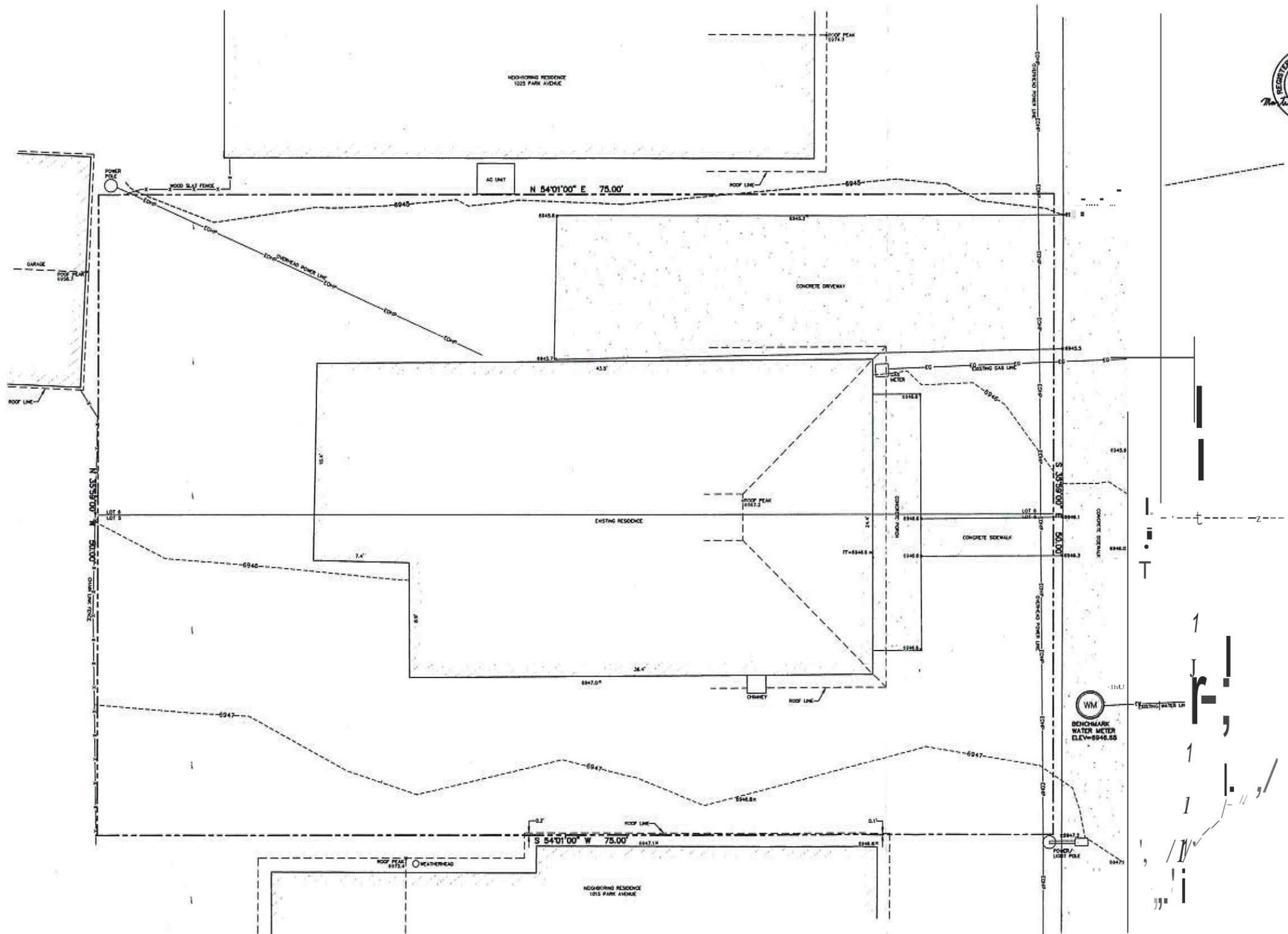
ACKNOWLEDGMENT
 On this ___ day of _____, 2015, Pamela S. Hart personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Pamela S. Hart acknowledged to me that she is the person whose name is subscribed to this instrument, and that she signed the above Owner's Dedication and Consent to Record freely and voluntarily.

NOTE:
 This subdivision is subject to the Conditions of approval in Ordinance 15-_____

A COMBINATION OF LOTS 5 & 6, BLOCK 4, SNYDER'S ADDITION TO PARK CITY SURVEY
1021 PARK AVENUE SUBDIVISION
 LOCATED IN THE NORTH HALF OF SECTION 16
 TO SHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
 PARK CITY, SUMMIT COUNTY, UTAH



 (435) 648-9467 CCII*MI* IMA-1-1 11/1/14 1/01/2015	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____ 2015 BY _____ CHAIR	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____ 2015 BY _____ CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____ 2015 BY _____ CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____ 2015 BY _____ PARK CITY ATTORNEY	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____ 2015 BY _____ MAYOR	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____ 2015 BY _____ PARK CITY RECORDER	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ COUNTY DATE _____ TJ, t _____ COUNTY
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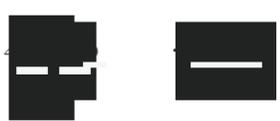


SURVEYOR'S CERTIFICATE

I, Martin A. Morrison, do hereby certify that I am a registered land surveyor and that I hold Certification No. 4938739 as prescribed under the laws of the State of Utah. I further certify that a topographic survey has been made under my direction of the lands shown and described hereon. I further certify that this topographic survey is a correct representation of the land surveyed at the time the field work was completed and is in compliance with generally accepted industry standards for accuracy.

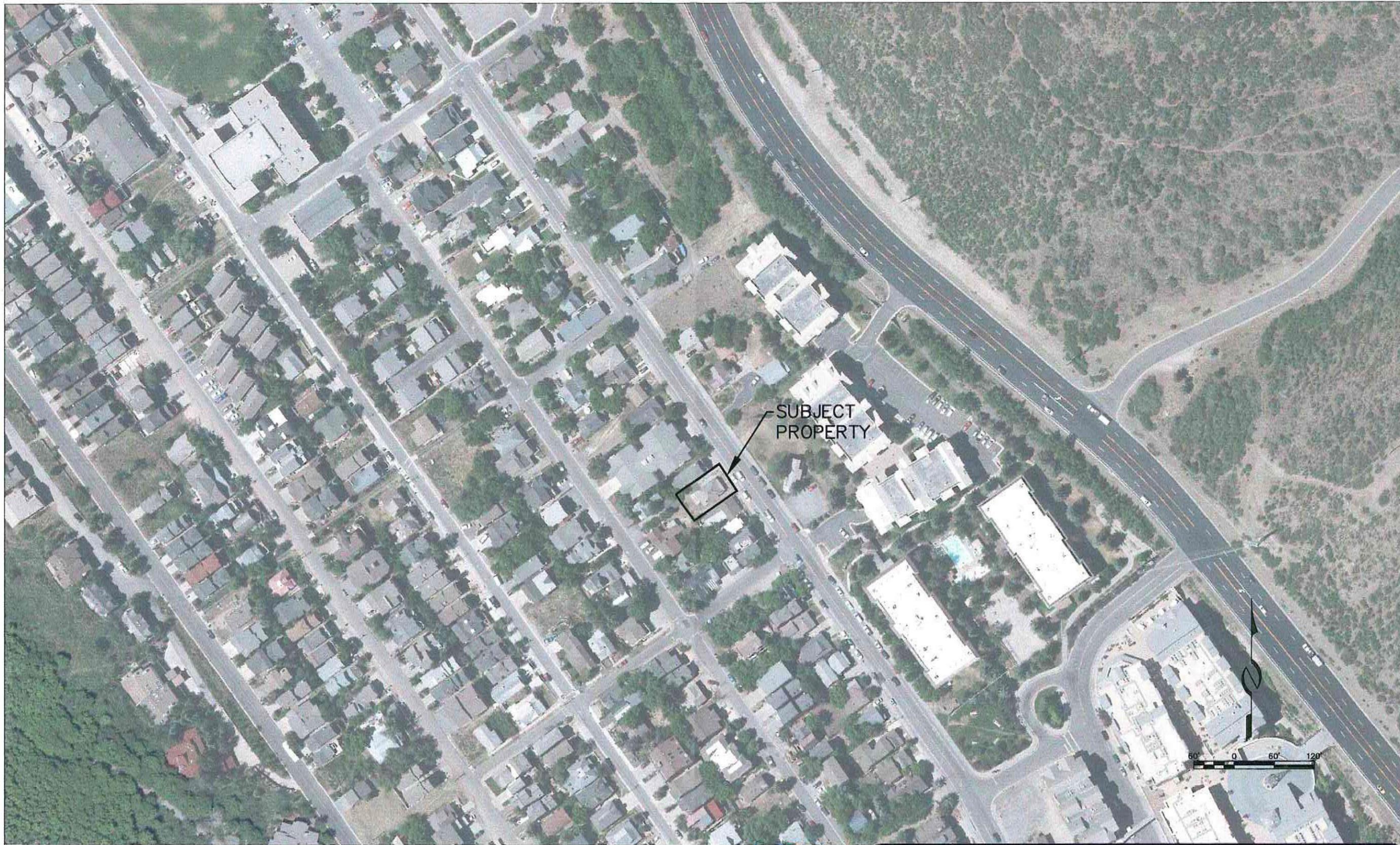
NOTES

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SUBJECT
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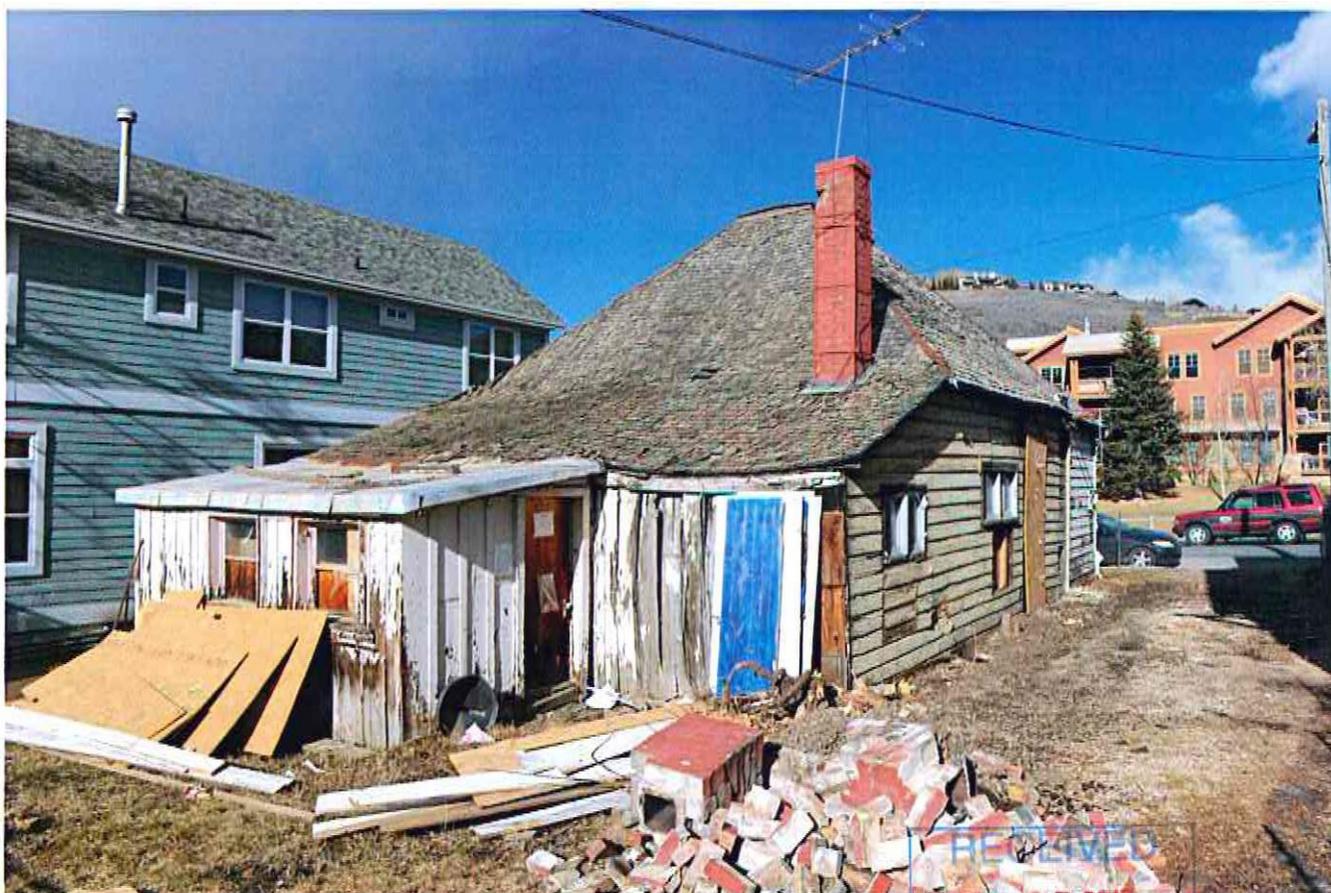
(435) 648-9487
Alliance
Engineering Inc.
 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
 527 Main Street P.O. Box 2084 Park City, Utah 84060-2084
STAFF:
 MARSHALL KING
 JEFF KITCHEN
DATE: 2/13/15

AERIAL PHOTOGRAPH
 LOTS 5 & 6, BLOCK 4
 SNYDER'S ADDITION TO PARK CITY SURVEY
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Looking East



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Looking West



Looking Southwest

FEB 25 2015

PARK CITY
PLANNING DEPARTMENT



PLANNING DEPARTMENT

March 18, 2015

Bill Hart
PO Box 1666
Park City, UT 84060

CC: David White

NOTICE OF PLANNING DEPARTMENT ACTION

<u>Project Address</u>	1021 Park Avenue
<u>Description</u>	Historic District Design Review
<u>Date of Action</u>	March 18, 2015
<u>Project #</u>	PL-14-02250

Summary of Staff Action

Staff reviewed this project for compliance with the Historic District Design Guidelines, specifically with Specific Guideline G. Reconstruction of Existing Historic Structures. The applicant proposes to reconstruct the historic structure and add a small addition; new construction following the deconstruction of the structure located at 1021 Park Avenue. Plans for the reconstruction will be reviewed through a separate Historic District Design Review (HDDR). This HDDR (PL-14-02250) only approves the deconstruction of the structure in order to meet the Building Department's Notice and Order dated April 11, 2013. This letter serves as the final action letter and approval for the proposed deconstruction of the Landmark structure at 1021 Park Avenue, as redlined subject to the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The property is located at 1021 Park Avenue.
2. The parcel is approximately 3,750 square feet in size. The minimum lot size in the Historic Residential -1 (HR-1) District is 1,850 square feet.
1. The property is located in the Historic Residential 1 (HR-1) District.
2. The site is a developed parcel with a historic structure, identified on the City's Historic Sites Inventory (HSI) as a "Landmark" site.
3. The structure was built c. 1901, according to the Historic Site Form. By 1940, a porch had been constructed along the length of the rear façade; this porch was

- enclosed by 1968 and a shed addition was built to the west of it. These two additions are described in the Physical Conditions Report completed by SWCA.
4. Currently, the main building (house) is approximately 1,008.4 square feet; of this, only approximately 699.7 square feet is the original four-room historic structure. A rear porch addition was constructed by 1940 and within the historic period, but enclosed after 1940; this addition totals approximately 196.3 square feet. The post-1941 shed addition contains approximately 112.4 square feet.
 5. Per Land Management Code (LMC) 15-11-15, in order for reconstruction to be approved, the historic structure must be found by the Chief Building Official to be hazardous or dangerous pursuant to Section 116.1 of the International Building Code. The Building Department issued a Notice and Order to repair, vacate, and demolish the structure on April 11, 2013 due to the severe overall deterioration of the building. The structure cannot be made serviceable through repair. Furthermore, the form, features, detailing, placement, orientation, and location of the Historic Building will be accurately depicted by means of new construction based on as-built measured drawings, historical records, and/or current or historic photos, as conditioned.
 6. Per the 2009 Historic Site Form, the one-story single wall structure with hipped roof is a pyramid style house constructed c. 1901. (The Physical Condition Report suggests the house was constructed prior to 1901.) The front porch is not original, but likely added sometime after the historic period. The site form suggests that the house was covered in shingles in 1978; however, the current owner removed this material c. 2003 and replaced it with new drop novelty siding.
 7. In 1978, the house was listed as “contributing” on the National Register of Historic Places—Thematic District of Residences of the Mining Boom Era.
 8. On August 23, 1994, the City received an application for a Certificate of Appropriateness for Demolition (CAD) from the present property owner; the CAD was closed by the Planning Department on December 29, 1995, due to inactivity.
 9. On December 5, 1994, the Historic District Commission (HDC) heard an appeal by Bill Hart, submitted on October 14, 1994, and the HDC found that the structures at 1015 and 1021 Park Avenue were historically significant.
 10. On April 11, 2013, the Park City Building Department issued a Notice and Order to Repair and Vacate for the structure at 1021 Park Avenue. The Notice and Order required that the building be secured, including covering windows and doors; the electrical meter be removed from the building and the meter base secured; the exterior branch circuit panel on the south side of the building removed; the chimney and roof be stabilized; and the building be vacated due to lack of sanitation and safety concerns.
 11. On November 5, 2013, the Building Department issued an Administrative Citation to Bill Hart for not complying with the April Notice and Order.
 12. On July 13, 2014, Administrative Law Judge Alissa Owed ruled in favor of the plaintiff, Park City Municipal Corporation, in an Administrative Code Enforcement (ACE) hearing. The ACE hearing found that the property owner had failed to comply with the requirements as delineated by the Notice and Order and Administrative Citation.

13. The City commissioned a Physical Conditions Report for 1021 Park Avenue; SWCA submitted this report in an effort for the Building Department to move ahead on necessary repairs. The applicant submitted this report as part of his HDDR on February 13, 2015.
14. Bill Hart submitted a Pre-HDDR application with the intent to work with the City on moving ahead on necessary repairs on December 11, 2014. A full HDDR application was submitted on February 13, 2015, and was deemed complete on February 19, 2015.
15. The historic house is structurally unsound. There is a large hole in the pyramid roof on the rear elevation that has caused additional stress and strain on the single wall and limited stud wall construction beneath the roof collapse; the Building Department has found that the existing structural system is in danger of immediate collapse because of these defects.
16. New siding was placed over the historic drop novelty siding. Much of the original siding suffers from wood rot and mold; in some cases, the siding is completely deteriorated and not salvageable. The removal of the wood shingles that clad the house c. 1970s has left nail holes that have accelerated the deterioration of the remaining historic siding.
17. As early as 1994, site visits with the Planning and Building Departments found that the electrical system was inadequate and posed a fire hazard. The Building Department concluded the same in their 2013 site visits.
18. The structure has significant mold due to the lack of foundation, deterioration of the single wall construction, and the collapse of the rear roof structure.
19. The structure is in severe decline due to years of deferred maintenance. Due to its deteriorated state, the interior has significant mold growth that has rendered it uninhabitable. Paint deterioration and severe wood rot are also present on the exterior.
20. At this time the applicant is proposing to deconstruct the structure in order to satisfy the Building Department's Notice and Order.
21. The proposed work complies with Specific Guideline G.1. in that the Chief Building Official has determined the structure to be a hazardous or dangerous building, pursuant to Section 115.1 of the International Building Code, AND the building cannot be made safe and/or serviceable through repair.
22. The proposed work complies with Specific Guideline G.2 as conditioned.
23. The proposed work complies with Specific Guideline G.3 as conditioned.
24. The proposed work complies with Specific Guideline G.4 as conditioned.
25. The proposed work complies with Specific Guideline G.5 as the applicant will preserve any historic material during the deconstruction and reuse any salvageable, remaining historic materials found to be safe and/or serviceable.
26. The proposed work complies with Specific Guideline G.6 as conditioned.
27. The proposed work complies with Specific Guideline G.7 as conditioned.
28. The proposed work complies with Specific Guideline G.8 as conditioned.
29. The proposed work complies with Specific Guideline G.9 as conditioned.

Conclusion of Law

1. The proposal complies with the 2009 Park City Design Guidelines for Historic Districts and Historic Sites as conditioned.
2. The proposal complies with the Land Management Code requirements pursuant to the Historic Residential (HR-1) District (lot size, setbacks, etc.).
3. The proposed building meets the applicable Historic District Design Guidelines for Historic Sites in Park City, as well as applicable Universal Design Guidelines.

Conditions of Approval

1. Receipt and approval of a Construction Mitigation Plan (CMP) by the Building Department is a condition precedent to the issuance of any building permit. The CMP shall consider and mitigate impacts to the existing neighboring structures, and existing infrastructure/streets from the construction. All anticipated road closures shall be described and permitted in advance by the Building Department.
2. Final construction details shall reflect substantial compliance with the Preservation Plan stamped in on February 12, 2015 and the Physical Conditions report stamped in on February 13, 2015, redlined and approved by the Planning Department on March 18, 2015. Any changes, modifications, or deviations from the approved design shall be reviewed and approved by the Planning Director prior to construction. Any changes, modifications, or deviations from the approved work that have not been approved by the Planning and Building Departments may result in a stop work order.
3. The designer and/or applicant shall be responsible for coordinating the approved documents with the approved construction documents. Any discrepancies found among these documents that would cause a change in the approved construction shall be reviewed and approved prior to construction. Any changes, modifications, or deviations from the approved construction that have not been approved by the Planning and Building Departments may result in a stop work order.
4. The applicant must provide the City with a Financial Guarantee to ensure compliance with the conditions and terms of the Historic Preservation Plan prior to obtaining a building permit.
5. If a building permit has not been obtained by March 18, 2016, this HDDR approval will expire, unless an extension is requested prior to the expiration date and granted by the Planning Department.
6. The City Engineer shall review and approval all appropriate grading, utility installation, public improvements, drainage plans, and flood plain issues, for compliance with City and Federal standards, and this is a condition precedent to building permit issuance.
7. Any area disturbed during construction surrounding the proposed work shall be brought back to its original state.
8. Construction waste should be diverted from the landfill and recycled when possible.

9. A second Historic District Design Review (HDDR) application will be submitted to the Planning Department for the reconstruction and proposed addition at 257 McHenry Avenue and approved by the Planning Department prior to the start of any construction to rebuild the historic structure.
10. The new construction shall comply with the Design Guidelines for Historic Sites in Park City.
11. The reconstruction shall be guided by documentation and physical evidence, as outlined in the Physical Conditions Report and as-built measured drawings, in order to facilitate an accurate re-creation.
12. Reconstruction shall not be based on conjectural designs or on a combination of different features from other historic buildings.
13. The reconstruction shall include recreating the documented design of the exterior features such as the roof shape, architectural detailing, windows, entrances and porches, steps and doors, and their historic spatial relationships.
14. The reconstructed building shall accurately duplicate the appearance of the historic building in materials, design, and texture.
15. The reconstructed building shall duplicate the historic building, and also the setting, placement, and orientation of the original structure.
16. The reconstruction shall re-establish the historic relationship between the building and historic site features.
17. The building shall not be reconstructed on a location other than its original site unless the Planning Director and Chief Building Official determine that unique conditions warrant the proposed relocation and/or reorientation on the existing site.
18. Any parts or elements of the building that can be salvaged shall be marked as they are systematically separated from the structure. Non historic siding should be removed from the north, south, and east elevations. Any salvageable historic siding should be reclaimed. Any siding that can be made safe and serviceable through repair shall be preserved and reused on the reconstruction. Contrasting colors of paint or carpenter wax crayons shall be used to establish a marking code for each component. The marking shall be removable or shall be made on surfaces that will be hidden from view when the structure is reassembled.
19. Important architectural features that can be salvaged shall be removed, marked, and stored before the structure or element is deconstructed.
20. The applicant shall salvage the two-over-two double hung window on the northeast corner of Addition 1. This salvaged window shall be used to reproduce new double-hung wood windows on the historic house. The non-historic siding around this window should be removed during the deconstruction to verify original trim measurements that were historically used on the house.
21. Non-historic siding should be removed on the façade to look for ghost lines or past evidence of a front porch, per B.7. of the Physical Conditions Report.
22. A plat amendment to the 1021 Park Avenue site shall be recorded with the Summit County Recorder's Office prior to the issuance of any building permits for new construction.
23. Approval of this HDDR was noticed on March 18, 2015, and any approval is subject to a 10 day appeal period.

24. All standard conditions of approval shall apply (see attached).

If you have any questions about this approval, please do not hesitate to contact me. I can be reached at (435) 615-5067, or via e-mail at anya.grahn@parkcity.org.

Sincerely,

A handwritten signature in black ink that reads "Anya E. Grahn". The signature is written in a cursive, flowing style.

Anya E. Grahn
Historic Preservation Planner

PARK CITY MUNICIPAL CORPORATION
STANDARD PROJECT CONDITIONS

1. The applicant is responsible for compliance with all conditions of approval.
2. The proposed project is approved as indicated on the final approved plans, except as modified by additional conditions imposed by the Planning Commission at the time of the hearing. The proposed project shall be in accordance with all adopted codes and ordinances; including, but not necessarily limited to: the Land Management Code (including Chapter 5, Architectural Review); International Building, Fire and related Codes (including ADA compliance); the Park City Design Standards, Construction Specifications, and Standard Drawings (including any required snow storage easements); and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City of Park City.
3. A building permit shall be secured for any new construction or modifications to structures, including interior modifications, authorized by this permit.
4. All construction shall be completed according to the approved plans on which building permits are issued. Approved plans include all site improvements shown on the approved site plan. Site improvements shall include all roads, sidewalks, curbs, gutters, drains, drainage works, grading, walls, landscaping, lighting, planting, paving, paths, trails, public necessity signs (such as required stop signs), and similar improvements, as shown on the set of plans on which final approval and building permits are based.
5. All modifications to plans as specified by conditions of approval and all final design details, such as materials, colors, windows, doors, trim dimensions, and exterior lighting shall be submitted to and approved by the Planning Department, Planning Commission, or Historic Preservation Board prior to issuance of any building permits. Any modifications to approved plans after the issuance of a building permit must be specifically requested and approved by the Planning Department, Planning Commission and/or Historic Preservation Board in writing prior to execution.
6. Final grading, drainage, utility, erosion control and re-vegetation plans shall be reviewed and approved by the City Engineer prior to commencing construction. Limits of disturbance boundaries and fencing shall be reviewed and approved by the Planning, Building, and Engineering Departments. Limits of disturbance fencing shall be installed, inspected, and approved prior to building permit issuance.
7. An existing conditions survey identifying existing grade shall be conducted by the applicant and submitted to the Planning and Building Departments prior to

issuance of a footing and foundation permit. This survey shall be used to assist the Planning Department in determining existing grade for measurement of building heights, as defined by the Land Management Code.

8. A Construction Mitigation Plan (CMP), submitted to and approved by the Planning, Building, and Engineering Departments, is required prior to any construction. A CMP shall address the following, including but not necessarily limited to: construction staging, phasing, storage of materials, circulation, parking, lights, signs, dust, noise, hours of operation, re-vegetation of disturbed areas, service and delivery, trash pick-up, re-use of construction materials, and disposal of excavated materials. Construction staging areas shall be clearly defined and placed so as to minimize site disturbance. The CMP shall include a landscape plan for re-vegetation of all areas disturbed during construction, including but not limited to: identification of existing vegetation and replacement of significant vegetation or trees removed during construction.
9. Any removal of existing building materials or features on historic buildings shall be approved and coordinated by the Planning Department according to the LMC, prior to removal.
10. The applicant and/or contractor shall field verify all existing conditions on historic buildings and match replacement elements and materials according to the approved plans. Any discrepancies found between approved plans, replacement features and existing elements must be reported to the Planning Department for further direction, prior to construction.
11. Final landscape plans, when required, shall be reviewed and approved by the Planning Department prior to issuance of building permits. Landscaping shall be completely installed prior to occupancy, or an acceptable guarantee, in accordance with the Land Management Code, shall be posted in lieu thereof. A landscaping agreement or covenant may be required to ensure landscaping is maintained as per the approved plans.
12. All proposed public improvements, such as streets, curb and gutter, sidewalks, utilities, lighting, trails, etc. are subject to review and approval by the City Engineer in accordance with current Park City Design Standards, Construction Specifications and Standard Drawings. All improvements shall be installed or sufficient guarantees, as determined by the City Engineer, posted prior to occupancy.
13. The Snyderville Basin Water Reclamation District shall review and approve the sewer plans, prior to issuance of any building plans. A Line Extension Agreement with the Snyderville Basin Water Reclamation District shall be signed and executed prior to building permit issuance. Evidence of compliance with the District's fee requirements shall be presented at the time of building permit issuance.

14. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
15. When applicable, access on state highways shall be reviewed and approved by the State Highway Permits Officer. This does not imply that project access locations can be changed without Planning Commission approval.
16. Vesting of all permits and approvals terminates upon the expiration of the approval as defined in the Land Management Code, or upon termination of the permit.
17. No signs, permanent or temporary, may be constructed on a site or building without a sign permit, approved by the Planning and Building Departments. All multi-tenant buildings require an approved Master Sign Plan prior to submitting individual sign permits.
18. All exterior lights must be in conformance with the applicable Lighting section of the Land Management Code. Prior to purchase and installation, it is recommended that exterior lights be reviewed by the Planning Department.

April 2007



DATE: June 18, 2015

TO HONORABLE MAYOR AND COUNCIL

The Property Located at 119 Woodside Avenue Consists of Lot 6 and Lot 7, Block 32 of the Park City Survey. the Entire Property is Owned by the Same Entity, Thomas Conrad. the Property Owner Desires to Unify the Two (2) Lots into One (1) Lot of Record by Removing the Lot Line Which Separates the Lots. 119 Woodside Avenue is in the Historic Residential (HR-1) District and the Current Adjacent Land Uses Are Residential. Plat Amendments Require Planning Commission Review and City Council Review and Action. Please hold a public hearing and consider approving the Ordinance for Conrad Replat.

Respectfully:

Hannah Turpen, Planner I

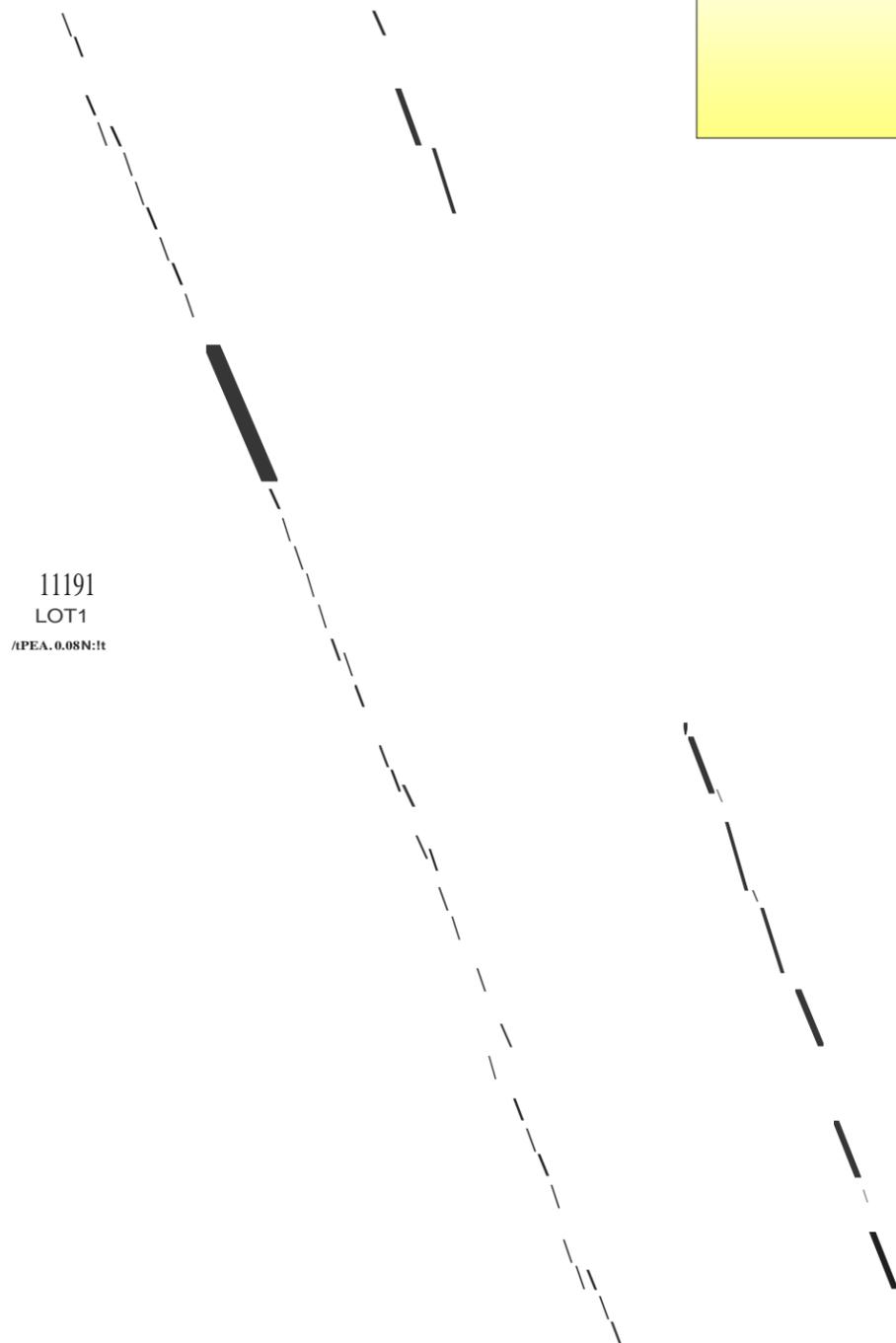
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Exhibit A

CONRAD REPLAT
LOT 68, LOT 7, BLOCK 32 PARK CITY SURVEY
LOCATED IN T1-U; SOLJT HEAST QUARTER OF SECTION 18
TOWNSHIP 2S RANGE 4E
SALT LAKE BASE AND MERIDIAN



GRAPHIC SCALE
1 INCH = 10 FEET



11191
LOT 1
AREA: 0.0881 ac

PC-1111-411

OWNER'S DEDICATION AND CONSENT TO FECCAD

THE UNDERSIGNED, HANNAH TURPEN, OWNER OF THE ABOVE DESCRIBED PARCEL OF LAND, HEREBY DEDICATES AND CONSENTS TO THE CITY OF PARK CITY, UTAH, THE CITY ENGINEER, FOR THE DEDICATION OF THE LOT 1, BLOCK 32, PARK CITY SURVEY, T1-U, SECTION 18, TOWNSHIP 2S, RANGE 4E, SALT LAKE MERIDIAN, TO THE CITY OF PARK CITY, UTAH, FOR THE USE OF THE CITY OF PARK CITY, UTAH, AS A PUBLIC TRAIL, TO BE KNOWN AS THE "WOODSIDE AVENUE TRAIL".

THIS DEDICATION IS MADE THIS 15th DAY OF MAY, 2014, BY HANNAH TURPEN, OWNER OF THE ABOVE DESCRIBED PARCEL OF LAND, AND KATE NBACH, HER ESTATE AGENT, FOR THE CITY OF PARK CITY, UTAH.

ACKNOWLEDGMENT

STATE OF UTAH,)
COUNTY OF SUMMIT,)
DAY OF _____, 2014,)

THE UNDERSIGNED, HANNAH TURPEN, OWNER OF THE ABOVE DESCRIBED PARCEL OF LAND, HEREBY ACKNOWLEDGES THAT SHE HAS READ AND UNDERSTANDS THE TERMS AND CONDITIONS OF THE DEDICATION AND CONSENT TO FECCAD, AND SHE HEREBY AGREES TO THE SAME.

MY COMMISSION EXPIRES
NOT MY PUBLIC _____

LEGAL DESCRIPTION:

LOT 1, BLOCK 32, PARK CITY SURVEY, T1-U, SECTION 18, TOWNSHIP 2S, RANGE 4E, SALT LAKE MERIDIAN, AS SHOWN ON THE PLAT OF THE CITY OF PARK CITY, UTAH, RECORDED IN THE SUMMIT COUNTY RECORDERS OFFICE.

81 QUINCY STREET, SUITE 200, PARK CITY, UTAH 84301
THE CITY OF PARK CITY, UTAH, ENGINEER: RMA
PLANNING & SURVEYING, INC.

LEGEND

- PROPERTY LINE
- BOUNDARY LINE
- EASE
- STREET ADDRESS ON WOODSIDE AVE.

SUBJECT'S EASE

THE CITY OF PARK CITY, UTAH, ENGINEER: RMA
PLANNING & SURVEYING, INC.

NOTES:

- 1. MODIFIED 1/25/14 BY THE CITY OF PARK CITY, UTAH, ENGINEER: RMA
- 2. THIS DEDICATION IS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF PARK CITY, UTAH.

f KrJIRI
SURVEYING, LLC

REVIEWED FOR CONFORMANCE WITH THE REQUIREMENTS OF THE CITY OF PARK CITY, UTAH, ENGINEER: RMA

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION
DATE: 5/15/14

ENGINEER'S CERTIFICATE
I HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

APPROVAL AS TO FORM
APPROVED BY THE CITY OF PARK CITY, UTAH, ENGINEER: RMA

CERTIFICATE OF ATTU
I HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

COUNCIL APPROVAL AND ACCEPTANCE
APPROVED BY THE CITY OF PARK CITY, UTAH, ENGINEER: RMA

RECORDED
DATE: 5/15/14 TIME: 10:00 AM BOOK: 111 PAGE: 1



							<p>FEE RECORDER</p>
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hannah.turpen
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Exhibit C



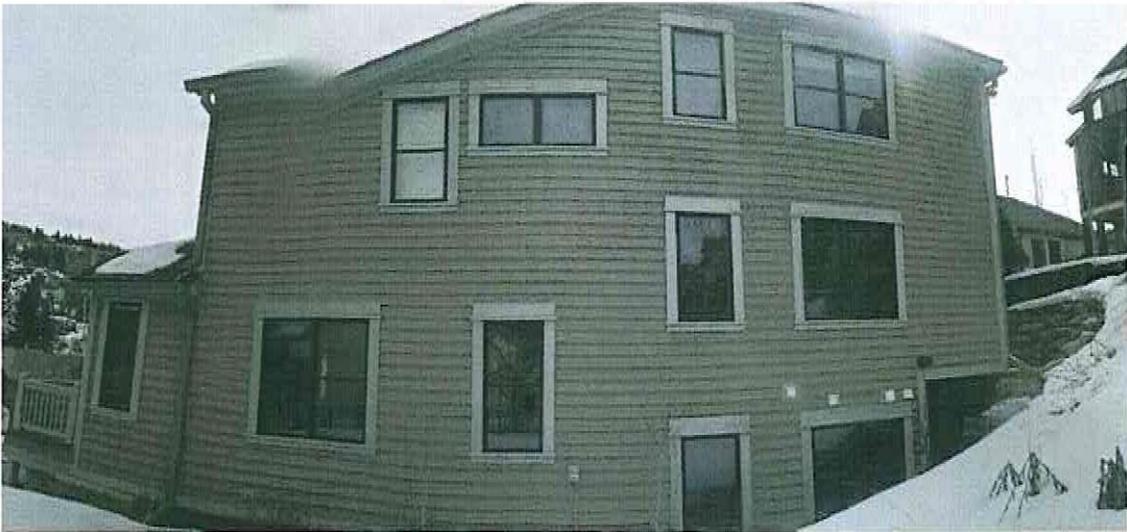
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View facing West.



View facing South

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View facing East



Alley on South side of house

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Exhibit G – LMC § 15-9-6 Non-Complying Structures
15-9-5

PARK CITY MUNICIPAL CODE - TITLE 15 LMC, Chapter 9 - Non-Complying and Non-Conforming Structures

15-9-6. NON-COMPLYING STRUCTURES.

No Non-Complying Structure may be moved, enlarged, or altered, except in the manner provided in this Section or unless required by law.

(A) REPAIR, MAINTENANCE, ALTERATION, AND ENLARGEMENT.

Any Non-Complying Structure may be repaired, maintained, altered, or enlarged, provided that such repair, maintenance, alteration, or enlargement shall neither create any new non-compliance nor shall increase the degree of the existing non-compliance of all or any part of such Structure.

(B) MOVING. A Non-Complying Structure shall not be moved in whole or in part, for any distance whatsoever, to any other location on the same or any other lot unless the entire Structure shall thereafter conform to the regulations of the zone in which it will be located.

(C) DAMAGE OR DESTRUCTION OF NON-COMPLYING STRUCTURE.

If a Non-Complying Structure is allowed to deteriorate to a condition that the Structure is rendered uninhabitable and is not repaired or restored within six (6) months after written notice to the Property Owner that the Structure is uninhabitable and that the Non-Complying Structure or the Building that houses a Non-Complying Structure, is voluntarily razed or is required by law to be razed, the Structure shall not be restored unless it is restored to comply with the regulations of the zone in which it is located. If a Non-Complying Structure is

involuntarily destroyed **in whole or in part** due to fire or other calamity and the Structure or Use has not been abandoned, the Structure may be restored to its original condition, provided such work is started within six months of such calamity, completed within eighteen (18) months of work commencement, and the intensity of Use is not increased.

(Amended by Ord. No. 06-35)

15-9-7. ORDINARY REPAIR AND MAINTENANCE AND STRUCTURAL SAFETY.

The Owner may complete normal maintenance and incidental repair on a complying Structure that contains a Non-Conforming Use or on a Non-Complying Structure. This Section shall not be construed to authorize any violations of law nor to prevent the strengthening or restoration to a safe condition of a Structure in accordance with an order of the Building Official who declares a Structure to be unsafe and orders its restoration to a safe condition.

15-9-8. APPEALS.

Appeal from a Board of Adjustment decision made pursuant to this Chapter shall be made to the district court and not to City Council. Any Person applying to the district court for review of any decision made under the terms of this Chapter shall apply for review within thirty (30) days after the date the decision is filed with the City Recorder as prescribed by state statute.

City Council Staff Report

Subject: Conrad Replat, 119 Woodside Avenue
Author: Hannah Turpen, Planner
Project Number: PL-15-02709
Date: June 18, 2015
Type of Item: Administrative – Plat Amendment

Summary Recommendations

Staff recommends the City Council hold a public hearing for the Conrad Replat Plat Amendment located at 119 Woodside Avenue and consider approving the proposed plat amendment based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Staff reports reflect the professional recommendation of the Planning Department. The City Council, as an independent body, may consider the recommendation but should make its decisions independently.

Executive Summary

The property located at 119 Woodside Avenue consists of Lot 6 and Lot 7, Block 32 of the Park City Survey. The entire property is owned by the same entity, Thomas Conrad. The property owner desires to unify the two (2) lots into one (1) lot of record by removing the lot line which separates the lots.

119 Woodside Avenue is in the Historic Residential (HR-1) District and the current adjacent land uses are residential. Plat Amendments require Planning Commission review and City Council review and action.

Description

Applicant: Thomas Conrad (represented by Seth Bockholt, Landscape Architect)
Location: 119 Woodside Avenue
Zoning: Historic Residential (HR-1)
Adjacent Land Uses: Residential
Reason for Review: Plat Amendments require Planning Commission review and City Council review and action

Acronyms in this Report

HR-1 District Historic Residential District
 HSI Historic Sites Inventory
 Pre-HDDR Pre-Historic District Design Review Application
 HDDR Historic District Design Review

Background

On March 3, 2015, the City received a Plat Amendment application for 119 Woodside

Avenue; the application was deemed complete on March 26, 2015. The property is located at 119 Woodside Avenue. The property is in the Historic Residential (HR-1) District. The subject property consists of all of Lot 6 and Lot 7, Block 32 of the Park City Survey.

Currently the site contains a non-historic house on Lot 6 which was constructed in 2013. The only structure on Lot 7 is a historic rock wall that is associated with the historic house located to the north at 133 Woodside Avenue.

In May 2007, a Steep Slope Conditional Use Permit was approved for the construction of a single-family dwelling located at 119 Woodside Avenue (Lot 6). In July 2007, the Historic District Design Review was approved for the single-family dwelling. Construction of the single-family dwelling on Lot 6 was completed in 2013. No new development has occurred on Lot 7.

The applicant applied for a Historic District Design Review (HDDR) application to construct an outdoor living space and storage shed on March 3, 2015.

The Planning Commission reviewed the plat amendment on May 27, 2015, and forwarded a positive recommendation to City Council with a vote of 6-0 in favor of the plat amendment. The Planning Commission clarified the language of the conditions of approval.

Purpose

The purpose of the Historic Residential (HR-1) District is to:

- (A) preserve present land Uses and character of the Historic residential Areas of Park City,
- (B) encourage the preservation of Historic Structures,
- (C) encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods,
- (D) encourage single family Development on combinations of 25' x 75' Historic Lots,
- (E) define Development parameters that are consistent with the General Plan policies for the Historic core, and
- (F) establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment.

Analysis

The proposed plat amendment creates one (1) lot of record from the existing two (2) lots equaling 3,750 square feet. A single-family dwelling is an allowed use in the Historic Residential (HR-1) District. The minimum lot area for a single-family dwelling is 1,875 square feet. The combined lot meets the requirements for a duplex which is a Conditional Use in the HR-1 zone. The proposed lot meets the minimum lot area for a single-family dwelling. The minimum lot width allowed in the HR-1 District is twenty-five feet (25'). The proposed lot is fifty feet (50') wide. The proposed lot meets the

minimum lot width requirement. Table 1 shows applicable development parameters for the combined lot in the Historic Residential (HR-1) District:

Table 1:

LMC Regulation	Requirements
Building Footprint	1,519 square feet, maximum based on lot size.
Front/Rear Yard Setbacks	10 feet minimum.
Side Yard Setbacks	5 feet minimum, 10 feet total.
Building (Zone) Height	No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade.
Final Grade	Final Grade must be within four vertical feet (4') of Existing Grade around the periphery [...].
Lowest Finish Floor Plane to Highest Wall Top Plate	A Structure shall have a maximum height of thirty five feet (35') measured from the lowest finish floor plane to the point of the highest wall top plate [...].
Vertical Articulation	A ten foot (10') minimum horizontal step in the downhill façade is required [...].
Roof Pitch	Roof pitch must be between 7:12 and 12:12 for primary roofs. Non-primary roofs may be less than 7:12.

Side Yard Setbacks

Existing Lot 6 contains a single-family dwelling built in 2013. The minimum side yard setbacks for a lot twenty-five feet (25') in width are three feet (3'). The minimum side yard setbacks for a lot fifty feet (50') in width are five feet (5'). When the single-family dwelling was built in 2013 on Lot 6, it was built with the minimum side yard setbacks of three feet (3') as the lot width qualified as such. Staff recognizes that once the two (2) lots are combined, it would make the existing single-family dwelling legal non-complying as the structure would not meet the increased side yard setbacks from three feet (3') to five feet (5'). Table 2 below illustrates the discrepancy:

	Proposed Lot Combination		Existing Lot	
	Minimum Setbacks 50' x 75' lot	Proposed Setbacks 50' x 75' lot	Minimum Setbacks 25' x 75' lot	Existing Setbacks 25' x 75' lot
Front (East)	10 ft.	10 ft.	10 ft.	20 ft.
Rear (West)	10 ft.	10 ft.	10 ft.	14 ft.
Side (North)	5 ft.	7 ft. (recommended)	3 ft.	3 ft.
Side (South)	5 ft.	3 ft.	3 ft.	3 ft.

Staff finds that this discrepancy should not hold the requested Plat Amendment as specific codes are written and adopted in the Land Management Code to address these

types of situations. See Exhibit E – LMC § 15-9-6 Non-Complying Structures.

Table 15-2.2 in the Land Management Code indicates that the side yard setbacks of a lot fifty feet (50') in width are five feet (5') minimum, and ten feet (10') total. The combined side yards are to be ten feet (10'). As currently built the house was designed three feet (3') from the south property line. Staff recommends adding a note on the plat that recognizes the discrepancy from the minimum standard and that the combined side yard setbacks of ten feet (10') shall still be complied with as the setback on the south side can be increased to seven feet (7') minimum.

In terms of the existing structure, this is the only discrepancy found as other standards have been reviewed, and staff has not found any other issues with the built structures, including other minimum setbacks, building footprint, building height, etc.

Good Cause

Planning Staff finds that there is good cause for this plat amendment as Staff finds that the plat amendment will not cause undo harm to adjacent property owners and all requirements of the Land Management Code for any future development can be met. The proposed lot area of 3,750 square feet is a compatible lot combination as the entire Historic Residential-1 District has abundant sites with the same dimensions.

Encroachments

A historic rock wall, which is associated with the historic structure located at 133 Woodside Avenue, extends along the east property line of Lot 7. The historic rock wall cannot be removed; therefore, the property owner must enter into an encroachment agreement with the owner(s) of 133 Woodside Avenue, as dictated by Condition of Approval #4.

To develop or redevelop the lot(s), a Historic District Design Review (HDDR) application shall be reviewed and approved by the Planning Staff.

Process

The approval of this plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC § 1-18.

Department Review

This project has gone through an interdepartmental review. No further issues were brought up at that time.

Notice

On May 13, 2015 the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record on May 9, 2015 according to requirements of the Land Management Code.

Public Input

No public input has been received by the time of this report. A public hearing is noticed

for both the Planning Commission and City Council meetings.

Alternatives

- The City Council may approve the 119 Woodside Avenue Plat Amendment as conditioned or amended; or
- The City Council may deny the 119 Woodside Avenue Plat Amendment and direct staff to make Findings for this decision; or
- The City Council may continue the discussion on 119 Woodside Avenue Plat Amendment.
- There is not a null alternative for plat amendments.

Significant Impacts

There are no significant fiscal or environmental impacts from this application.

Consequences of not taking the Planning Department's Recommendation

The site would remain as is. The site would contain one (1) single-family dwelling on Lot 6 and Lot 7 would be a vacant lot. The property owner would be able to build another single-family dwelling on Lot 7.

Summary Recommendation

Staff recommends the City Council hold a public hearing for the Conrad Replat Plat Amendment located at 119 Woodside Avenue and consider approving the proposed plat amendment based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Exhibits

Exhibit A – Draft Ordinance with Proposed Plat

Exhibit B – Existing Survey

Exhibit C – Aerial Photograph

Exhibit D – Site Photographs

Exhibit E – LMC § 15-9-6 Non-Complying Structures.

Exhibit H – May 27, 2015 Draft Planning Commission Minutes

Ordinance No. 15-XX

**AN ORDINANCE APPROVING THE CONRAD REPLAT PLAT AMENDMENT
LOCATED AT 119 WOODSIDE AVENUE, PARK CITY, UTAH.**

WHEREAS, the owner of the property located at 119 Woodside Avenue has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on May 13, 2015 the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on May 13, 2015 proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on May 27, 2015, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on May 27, 2015, forwarded a recommendation to the City Council; and,

WHEREAS, on June 18, 2015 the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, there is good cause and it is in the best interest of Park City, Utah to approve the 119 Woodside Avenue Plat Amendment.

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

SECTION 1. APPROVAL. 119 Woodside Avenue Plat Amendment as shown in Attachment 1 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 119 Woodside Avenue.
2. The property is in the Historic Residential (HR-1) District.
3. The subject property consists of Lot 6 and Lot 7, Block 32 of the Park City Survey.
4. Lot 6 contains a single-family dwelling, built in 2013. The building footprint of the single-family dwelling is approximately 841 square feet.
5. Lot 7 is currently vacant.
6. The proposed plat amendment creates one (1) lot of record from the existing area consisting of approximately 3,750 square feet.
7. A single-family dwelling is an allowed use in the Historic Residential (HR-1)

District.

8. The minimum lot area for a single-family dwelling is 1,875 square feet; the lot at 119 Woodside Avenue will be 3,750 square feet. The proposed lot meets the minimum lot area for a single-family dwelling.
9. The maximum building footprint for a lot this size, 3,750 square feet, is 1,519 square feet.
10. The proposed lot meets the minimum lot area for a duplex dwelling. Conditional uses are reviewed and approved by the Planning Commission.
11. The minimum lot width allowed in the district is twenty-five feet (25'). The proposed lot is fifty feet (50') wide. The proposed lot meets the minimum lot width requirement.
12. The minimum side yard setbacks for a twenty-five foot (25') wide lot are three feet (3').
13. The minimum side yard setbacks for a fifty foot (50') wide lot are five feet (5').
14. When the single-family dwelling was built in 2013, it was built with the minimum side yard setbacks of three feet (3') as the lot width qualified as such.
15. Once the two (2) lots are combined, it would make the existing single-family dwelling legal non-complying as the structure would not meet the increased side yard setbacks from three feet (3') to five feet (5').
16. The combined side yards setbacks are to be ten feet (10') per Table 15-2.2 in the Land Management Code.
17. As currently built the house was designed three feet (3') from the south property line.
18. There is an existing historic rock wall associated with the historic structure located to the north at 133 Woodside Avenue. The historic rock wall extends along the east property line of Lot 7. The historic rock wall cannot be removed.
19. ~~A note shall be added on the Plat that states the following:~~ Plat Notes need to be added on the proposed Plat Amendment stating the following:
 - a. The existing single-family dwelling was built with a three foot (3') side yard setback in 2013.
 - b. The north south side yard setback shall be seven feet (7'), minimum, to meet the minimum combined setback requirement of ten feet (10').
 - c. The combined side yard setbacks shall be ten feet (10'), minimum.
20. The proposed plat amendment will not cause undo harm to adjacent property owners.
21. The proposed lot area of 3,750 square feet is a compatible lot combination as the entire Historic Residential-1 District has abundant sites with the same dimensions.
22. The applicant applied for a Historic District Design Review (HDDR) application to construct an outdoor living space and storage shed on March 3, 2015. A Pre-Historic District Design Review
23. The applicant applied for a Plat Amendment application on March 3, 2015. The Plat Amendment application was deemed complete on March 26, 2015.
24. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law:

1. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding lot combinations.
2. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
3. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. A ten feet (10') wide public snow storage easement will be required along the Woodside Avenue frontage of the property and shall be shown on the plat prior to recordation.
4. The property owner must enter into an encroachment agreement with the owner(s) of 133 Woodside Avenue for the existing historic rock wall located on the east property line of Lot 7.
5. 13-D sprinklers are required for any new construction or significant renovation of existing.
6. A note shall be added on the Plat that states the following:
 - a. The existing single-family dwelling was built with a three foot (3') side yard setback in 2013.
 - b. The north south side yard setback shall be seven feet (7'), minimum, to meet the minimum combined setback requirement of ten feet (10').
 - c. The combined side yard setbacks shall be ten feet (10'), minimum.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 18th day of June, 2015.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

Marci Heil, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Attachment 1 – Proposed Plat



DATE: June 18, 2015

TO HONORABLE MAYOR AND COUNCIL

The Mountain Accord is nearing the end of its Phase I with creation of the draft Blueprint found at <http://mountainaccord.com/where-are-we-now/>. Should Council choose to participate in Phase II, the City must consent to the new Interlocal.

Respectfully:

Ann Ober, Community Relations

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 County (“Wasatch County”). 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, Summit County and Wasatch Counties 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, 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”). The Program Charter will be maintained by the Program Manager (defined below) and will be updated as needed by consensus of the Executive Board (defined below);

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, although contracts for the Project Manager (defined below) and Environmental Technical Consultant (defined below) established under the Phase I Agreement may still be in effect. During Phase I, the parties to the Phase I Agreement (i) contributed to the Program and deposited funds into a holding account managed by UTA, and (ii) engaged a Mountain Accord Program Manager (“Program Manager”) and a consultant to provide environmental professional services (“Environmental Technical Consultant”). UTA will retain in that 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 6.
- C. The Parties anticipate that this phase of the Program (“Phase II”) will be up to a three year process that (i) will finalize a Mountain Accord Blueprint (“Blueprint”) that will be a landscape-scale vision for the Central Wasatch Mountains, addressing environmental protection, recreation, economic prosperity, and transportation issues; and (ii) will implement various components of the Blueprint, 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 approved Blueprint, 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. 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 HeightsMayor Kelvyn H. Cullimore, Jr.
Draper City.....Mayor Troy Walker
Metropolitan Water District
of Salt Lake & Sandy.....Michael L. Wilson, MWDSLS General Manager
Park CityCouncil Member Andy Beerman
Sandy.....Mayor Tom Dolan
Salt Lake CityMayor Ralph Becker
Salt Lake County.....Mayor Ben McAdams
Summit CountyCouncil Member Christopher Robinson
UDOTNathan Lee, Region 2 Director
UTAMichael Allegra, President/CEO, UTA
Wasatch CountyCouncil Member Michael Kohler

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 Program consultants, including the Program Manager, the Environmental Technical Consultant, and any other technical consultants hired for the Program, make recommendations to the Executive Board for formal decisions and conflict resolutions as necessary, and give direction to the Program Manager 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, David Whittekiend with the US Forest Service, 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. TERM. The term of this Agreement shall be up to three (3) years, unless otherwise agreed by the Parties in accordance with Paragraph 11. However, in no case shall this Agreement extend for a term that exceeds fifty (50) years.
5. 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
Wasatch County.....	\$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 September 30, 2015; one-third of each Party’s contribution will be due and payable on or before September 30, 2016, and one-third of each Party’s contribution will be due and payable on or before September 30, 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 6 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 is expected to be received on or before April 30, 2015 through a grant agreement between GOED and Utah Transit Authority. 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.

6. 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 Manager 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.

7. **CONTRACTOR ADMINISTRATION.** UTA shall be responsible for administration of the Program Manager and Environmental Technical Consultant contracts established under the Phase I 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; however, at such time as a Notice of Intent is issued to begin preparation of an environmental document in accordance with the National Environmental Policy Act (NEPA), the Environmental Technical Consultant will then take direction from the Lead Agencies, as defined by NEPA, regarding work scope and contract deliverables. The Lead Agencies will also review and approve the scope of work for the Environmental Technical Consultant regarding preparation of the environmental document(s). The Management Team will provide input to the Lead Agencies regarding the NEPA scope of work, deliverables, and decisions for the Program.

8. **CONTRACTOR SELECTION.** The Management Team, or their designated representative, shall prepare scopes of work for any new Program consultants, 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.

9. **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 the Program Manager for review, and to each Party's designated representatives for review and approval. For all contractor invoices other than the Program Manager's invoices, the Parties will request that the Program Manager provide the Parties a description of the expenditures with an evaluation of whether the invoice is consistent with the scope and budget of the associated contract. 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 6.
10. **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 Manager may speak on behalf of the Program to third parties, including the media, as authorized by the Scope of Work for the Program Manager. 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.
11. **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.
12. **RECORDS.** Records pertaining to this Agreement, specifically including but not limited to records pertaining to procurement or financial matters under this Agreement, will be maintained by UTA subject to the Utah Government Records

Access and Management Act and applicable Federal law. Records created by or through the work of the Program Manager and the technical consultants shall be maintained by such consultants in accordance with their respective Scopes of Work.

13. 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.

14. 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*.

15. 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.

16. 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

President/CEO Michael Allegra
669 West 200 South
Salt Lake City, UT 84101
Email: mallegra@rideuta.com

Copy to:

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

SALT LAKE CITY

Mayor Ralph Becker
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

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

And

Laura Briefer
Salt Lake City Department of Public
Utilities
1530 South West Temple
Salt Lake City, UT 84115
Email: 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

Copy to:

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

ALTA

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

PARK CITY

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

Copies to:

Diane Foster, City Manager

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

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

SANDY CITY

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

Copy to:

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

SALT LAKE COUNTY

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

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

SUMMIT COUNTY

Christopher Robinson
Summit County Council
P.O. Box 982288

Park City, Utah 84098
Email: cfrobinson@summitcounty.org

Copy to:

Tom Fisher
Summit County Manager
60 N. Main
P.O. Box 128
Coalville, Utah 84017
Email: tfisher@summitcounty.org

WASATCH COUNTY

Council Member Michael Kohler
25 North Main Street
Heber City, Utah 84032

Copy to:

Wasatch County Attorney
805 West 100 South
Heber City, Utah 84032

MWDSLS

Michael L. Wilson
Metropolitan Water District of Salt Lake
& Sandy
3430 East Danish Road
Cottonwood Heights, Utah 84093
Telephone: (801) 942-9685
Email: wilson@mwdsls.org

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

17. 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.

18. **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.

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

20. **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

Kim Carson, Council Chair

Approved as to Form

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

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

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

Signed this ___ day of _____, 2015.

COTTONWOOD HEIGHTS

ATTEST:

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

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

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

Signed this ___ day of _____, 2015.

WASATCH COUNTY

Michael Davis, County Manager

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: June 18, 2015

TO HONORABLE MAYOR AND COUNCIL

Please hold a public hearing and consider adopting an Ordinance for Fiscal Year 2015 Revised Budget and Fiscal Year 2016 Final Budget.

Respectfully:

Kory Kersavage, Budget Analyst

ATTACHMENT B

Ordinance No.

ORDINANCE ADOPTING A REVISED BUDGET FOR FY 2015 AND A BUDGET FOR FY 2016 FOR PARK CITY MUNICIPAL CORPORATION AND ITS RELATED AGENCIES.

WHEREAS, the Tentative Budget was adopted on May 7, 2015 following a public hearing, and additional hearings and/or public input was held May 14, 2015, May 28, 2015, and June 4, 2015;

WHEREAS, a public hearing on the final budget was held on June 18, 2015 at the City Council's regularly scheduled meetings;

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

SECTION 1. REVISED BUDGET ADOPTED. The budget as outlined in the City Manager's Recommended Budget presented on May 7, 2015 and with changes as summarized in the Attachments to this ordinance is hereby adopted as the Revised FY 2015 Operating Budget for Park City Municipal Corporation and its related agencies.

SECTION 2. BUDGET ADOPTED. The budget as outlined in the City Manager's Recommended budget presented on May 7, 2015 and with changes as summarized in the Attachments to this ordinance is hereby adopted as the budget for FY 2016 for Park City Municipal Corporation and its related agencies.

SECTION 3. CERTIFIED PROPERTY TAX RATE. The City's Budget Officer is authorized to compute and file the City's Certified Property Tax rate for FY 2016 at a "no tax increase rate". This ordinance hereby adopts the Certified Property Tax rate for FY 2016. The Budget Officer is also authorized to compute the City's Certified Property Tax rate for the issuance of General Obligation Bonds as approved by voters in November of 2001, 2002, 2006, and 2007.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect June 18, 2015 for the FY 2015 revised budget and July 1, 2015 for the FY 2016 budget.

PASSED AND ADOPTED this 18th day of June, 2015.

PARK CITY MUNICIPAL CORPORATION

Mayor Jack Thomas

Attest:

Marci Heil, City Recorder

ATTACHMENT B

Approved as to form:

Mark D. Harrington, City Attorney



DATE: June 18, 2015

TO HONORABLE MAYOR AND COUNCIL

Please hold a public hearing and consider adopting the City Fee Schedule.

Respectfully:

Kory Kersavage, Budget Analyst



Resolution No.

RESOLUTION AMENDING THE FEE RESOLUTION; AND REPLACING AND REPEALING RESOLUTION 08-14 IN ITS ENTIRETY

WHEREAS it is necessary to update the fee resolution to reflect the changing costs of performing services; and

WHEREAS, a public hearing was held on June 4 and 18, 2015, to receive public comments on the user fee increases,

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

SECTION 1. FEE SCHEDULE AMENDMENTS. The Park City Fee Schedule is hereby re-adopted with changes as outlined in Exhibit A

SECTION 2. EFFECTIVE DATE. This resolution shall take effect July 1, 2015
PASSED AND ADOPTED this 18th day of June, 2015.

PARK CITY MUNICIPAL CORPORATION

Mayor Jack Thomas

Attest:

Marci Heil, City Recorder

Approve as to form:

Mark D. Harrington, City Attorney



DATE: June 18, 2015

TO HONORABLE MAYOR AND COUNCIL

Please hold a public hearing and consider adopting an Ordinance for Council Compensation.

Respectfully:

Kory Kersavage, Budget Analyst

Ordinance No. XX-XX

**ORDINANCE ESTABLISHING COMPENSATION FOR THE MAYOR, CITY COUNCIL,
AND STATUTORY OFFICERS FOR FISCAL YEAR 2015 – 2016
IN PARK CITY, UTAH**

WHEREAS, the City Council has the power to establish compensation schedules pursuant to UCA Section 10-3-818; and

WHEREAS, the number of duties for the Mayor and City Council is significant and each elected officer is required to devote considerable time and expense to public service and community affairs; and

WHEREAS, a public hearing was duly advertised and held on June 18, 2015;

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

SECTION 1. REPEALER: All previous compensation ordinances regarding elected and statutory officers hereby are repealed.

SECTION 2. COMPENSATION FOR MAYOR, CITY COUNCIL, AND STATUTORY OFFICERS ADOPTED: The following salary levels are hereby adopted:

	<u>FY 2015-2016</u>
Mayor	\$3,633.75 per month
City Council	\$1,877.07 per month
City Manager	\$99,698 - \$151,058 per year
City Attorney	\$93,673 - \$141,928 per year
City Treasurer	\$78,717 - \$119,268 per year
City Engineer	\$78,717 - \$119,268 per year
City Recorder	\$37,379 - \$56,635 per year

SECTION 3. BENEFITS: The Mayor and each member of the City Council shall receive family medical insurance. This benefit may be received as cash in lieu of the insurance coverage. The Mayor shall also receive \$250 per month in car allowance. In addition, the Mayor and Mayor Pro-Term shall receive \$100 per wedding performed. Statutory officers are eligible for all benefits available to regular FTE, unless otherwise determined by the Mayor and City Council.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be effective on publication and shall apply retroactively to July 1, 2015.

PASSED AND ADOPTED this 18th day of June, 2015

PARK CITY MUNICIPAL CORPORATION

Mayor Jack Thomas

Attest:

Marci Heil, City Recorder

Approved as to form:

Mark Harrington, City Attorney



DATE: June 18, 2015

TO HONORABLE MAYOR AND COUNCIL

Please hold a public hearing and consider adopting the Comprehensive Emergency Management Plan (CEMP)

Respectfully:

Kory Kersavage, Budget Analyst



Resolution No. -15

**A RESOLUTION ADOPTING THE PARK CITY COMPREHENSIVE
EMERGENCY MANAGEMENT PLAN (CEMP)**

WHEREAS, the purpose of the CEMP is to develop a comprehensive emergency management program that will provide a system to mitigate the effects of an emergency or disaster, preserve life, respond during emergencies, provide necessary assistance, and establish a recovery system, in order to return the community to its normal state of affairs; and

WHEREAS, this plan attempts to define clearly the roles and responsibilities of each department and function within the City organization by providing guidance in accomplishing the objectives of this plan with lists of guidelines, plans, assessments and resources; and

WHEREAS, on February 28, 2003, the President issued Homeland Security Presidential Directive (HSPD) - 5 *Management of Domestic Incidents*, which directs the Secretary of Homeland Security to develop and administer a National Incident Management System (NIMS) and the directive also requires Federal Departments and agencies to make adoption of the NIMS by State, Tribal and local organizations a condition for Federal preparedness assistance beginning in Federal FY 2005; and

WHEREAS, certain State and Federal disaster reimbursements require local jurisdictions to adopt and train in a CEMP, NIMS and Incident Command Systems (ICS); and

WHEREAS, certain Federal grant programs now require an adopted CEMP; and

WHEREAS, the City Manager and the Emergency Management Group (EMG) have reviewed the updated Comprehensive Emergency Management Plan with all of its attachments as periodically amended by the EMG and recommends adoption by the City Council; and

WHEREAS, the City Council deems it in the best interest of Park City Municipal Corporation to formally adopt them;

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

SECTION 1. ADOPTION. The Comprehensive Emergency Management Plan, dated June, 2015 attached hereto, along with all appendices and compendiums as periodically amended by the City Manager, are hereby adopted, to replace any and all others previously adopted. Any amendments approved by the City Manager shall be effective for not more than one year unless ratified by the City Council.

SECTION 2. EFFECTIVE DATE. This Resolution shall take effect upon adoption.

PASSED AND ADOPTED this 18th day of June, 2015

PARK CITY MUNICIPAL CORPORATION

Mayor Jack Thomas

Attest:

Marci Heil, City Recorder

Approved as to form:

Mark Harrington, City Attorney



DATE: June 18, 2015

TO HONORABLE MAYOR AND COUNCIL

Please hold a public hearing and consider adopting the Emergency Management Procedure Manual.

Respectfully:

Kory Kersavage, Budget Analyst



Resolution No.

**A RESOLUTION ADOPTING THE REVISED EMERGENCY MANAGEMENT
PROCEDURE MANUAL, DATED JULY 1, 2015 FOR
PARK CITY MUNICIPAL CORPORATION**

WHEREAS, emergency management procedure may be adopted and amended at the discretion of the City Council and are subject and subordinate to applicable federal and state laws, rules, and regulations, and local ordinances; and

WHEREAS, purpose of the manual is to provide for guidance regarding the fair and consistent administration of city personnel, but neither any contract nor implied contract rights are created hereby; and

WHEREAS, the Emergency Manager and the Human Resources Manager has reviewed the proposed amendments of the Revised Personnel Policies and Procedures and recommends adoption by the City Council; and

WHEREAS, the City Council deems it in the best interest of the employees of Park City Municipal Corporation to formally adopt them;

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

SECTION 1. ADOPTION. The Emergency Management Procedure Manual, dated July 1, 2015 attached hereto, is hereby adopted and the 2012 version is hereby repealed including any temporary amendments thereto adopted by the City Manager.

SECTION 2. EFFECTIVE DATE. This Resolution shall take effect on July 1, 2015.

PASSED AND ADOPTED THIS _____

PARK CITY MUNICIPAL CORPORATION

Mayor Jack Thomas

Attest:

Marci Heil, City Recorder

Approved as to form:

Mark Harrington, City Attorney



DATE: June 18, 2015

TO HONORABLE MAYOR AND COUNCIL

Please hold a public hearing and consider adopting the Personnel, Policies and Procedures Manual.

Respectfully:

Kory Kersavage, Budget Analyst



Resolution No.

**A RESOLUTION ADOPTING THE REVISED PERSONNEL POLICIES
AND PROCEDURES MANUAL, DATED JULY 1, 2015 FOR
PARK CITY MUNICIPAL CORPORATION**

WHEREAS, personnel policies and procedures may be adopted and amended at the discretion of the City Council and are subject and subordinate to applicable federal and state laws, rules, and regulations, and local ordinances; and

WHEREAS, purpose of the manual is to provide for guidance regarding the fair and consistent administration of city personnel, but neither any contract nor implied contract rights are created hereby; and

WHEREAS, the City Manager, Legal Department, Human Resources Department, management team and the Policies and Procedures Committee have reviewed the proposed amendments of the Revised Personnel Policies and Procedures and recommends adoption by the City Council; and

WHEREAS, the City Council deems it in the best interest of the employees of Park City Municipal Corporation to formally adopt them;

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

SECTION 1. ADOPTION. The Personnel Policies and Procedures Manual, dated July 1, 2015 attached hereto, is hereby adopted and the 2014 version is hereby repealed including any temporary amendments thereto adopted by the City Manager.

SECTION 2. EFFECTIVE DATE. This Resolution shall take effect on July 1, 2015.

PASSED AND ADOPTED THIS _____

PARK CITY MUNICIPAL CORPORATION

Mayor Jack Thomas

Attest:

Marci Heil, City Recorder

Approved as to form:

Mark Harrington, City Attorney



DATE: June 18, 2015

TO HONORABLE MAYOR AND COUNCIL

Please hold a Public Hearing and continue to a date uncertain.

Respectfully:

Francisco Astorga, Senior Planner



DATE: June 18, 2015

TO HONORABLE MAYOR AND COUNCIL

Please hold a Public Hearing and Continuation to the July 16, 2015 City Council meeting.

Respectfully:

Francisco Astorga, Senior Planner



DATE: June 18, 2015

TO HONORABLE MAYOR AND COUNCIL

Please hold a public hearing and consider adopting the Redevelopment Agency Budget.

Respectfully:

Kory Kersavage, Budget Analyst

Attachment C

Ordinance No. _____

**ORDINANCE ADOPTING THE FISCAL YEAR 2015 REVISED BUDGET
AND THE FISCAL YEAR 2016 BUDGET
FOR PARK CITY REDEVELOPMENT AGENCY**

WHEREAS, a public hearing was held on May 7 and June 18, 2015 at the City Council's regularly scheduled meetings, complying with State law;

NOW, THEREFORE BE IT RESOLVED by the Redevelopment Agency of Park City, Utah that:

SECTION 1. REVISED BUDGET ADOPTED. The budget as outlined in the City Manager's Recommended Budget presented on May 7, 2015 and with changes as summarized in the attachments to this ordinance is hereby adopted as the Fiscal Year 2015 Redevelopment Agency Revised Budget for Park City, Utah.

SECTION 2. BUDGET ADOPTED. The budget as outlined in the City Manager's Recommended Budget presented on May 7, 2015 and with changes as summarized in the attachments to this ordinance is hereby adopted as the Fiscal Year 2016 Redevelopment Agency Budget for Park City, Utah.

SECTION 3. EFFECTIVE DATE. The Ordinance for the revised budget shall take effect on June 18, 2015 and the Ordinance for the budget shall take effect on July 1, 2015.

PASSED AND ADOPTED the 18th day of June, 2015.

PARK CITY REDEVELOPMENT AGENCY

Chairman Jack Thomas

Attest:

Marci Heil, Deputy Secretary

Approved as to form:

Attachment C

Mark D. Harrington, City Attorney



DATE: June 18, 2015

TO HONORABLE MAYOR AND COUNCIL

Please hold a public hearing and consider adopting the Municipal Building Authority Budget

Respectfully:

Kory Kersavage, Budget Analyst

Attachment D

Ordinance No. _____

**ORDINANCE ADOPTING THE PARK CITY MUNICIPAL BUILDING
AUTHORITY REVISED BUDGET FOR FISCAL YEAR 2015 AND THE
BUDGET FOR FISCAL YEAR 2016**

WHEREAS, Utah State law requires that city budgets be adopted by Ordinance;
and

WHEREAS, a public hearing was held on May 7 and June 18, 2015 at the City
Council's regularly scheduled meetings, complying with State law;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Building Authority
of Park City, Utah that:

SECTION 1. REVISED BUDGET ADOPTED. The budget as outlined in the
City Manager's Recommended Budget presented on May 7, 2015 and with changes as
summarized in the attachments to this ordinance is hereby adopted as the Fiscal Year
2015 Municipal Building Authority Revised Budget for Park City, Utah.

SECTION 2. BUDGET ADOPTED. The budget as outlined in the City
Manager's Recommended Budget presented on May 7, 2015 and with changes as
summarized in the attachments to this ordinance is hereby adopted as the Fiscal Year
2016 Municipal Building Authority Budget for Park City, Utah.

SECTION 3. EFFECTIVE DATE. The Ordinance for the revised budget shall take
effect on June 18, 2015, the Ordinance for the budget shall take effect on July 1, 2015.

PASSED AND ADOPTED this 18th day of June, 2015.

PARK CITY MUNICIPAL BUILDING AUTHORITY

Chairman Jack Thomas

Attest:

Marci Heil, Deputy Secretary

Attachment D

Approved as to form:

Mark D. Harrington, City Attorney



DATE: June 18, 2015

TO HONORABLE MAYOR AND COUNCIL

Under a series of agreements, Weber Basin Water, Mountain Regional Water, and Park City Water own, operate, and maintain a raw water system that diverts water from the Rockport Reservoir and conveys it to Mountain Regional's and Park City's service areas. As a part of these agreements, Mountain Regional and Park City contribute to an asset management and replacement fund to maintain and replace infrastructure associated with this delivery system. The amount contributed needs to be increased to more accurately reflect actual costs.

Respectfully:

Clint McAfee, Water & Streets Director



City Council Staff Report

Subject: Amendment to Wheeling Agreement
Author: Clint McAfee
Department: Public Utilities
Date: June 11, 2015
Type of Item: Administrative

Summary Recommendations:

Staff recommends Council authorize the City Manager to execute the Second Amendment to the Agreement Between Mountain Regional Water Special Service District, Park City Water Service District, and Summit County Regarding Implementation of the Summit County Project, in a form approved by the City Attorney.

Executive Summary:

Under a series of agreements, Weber Basin Water, Mountain Regional Water, and Park City Water own, operate, and maintain a raw water system that diverts water from the Rockport Reservoir and conveys it to Mountain Regional's and Park City's service areas. As a part of these agreements, Mountain Regional and Park City contribute to an asset management and replacement fund to maintain and replace infrastructure associated with this delivery system. The amount contributed needs to be increased to more accurately reflect actual costs.

Acronyms used in this Report:

MRWSSD Mountain Regional Water Special Service District
PCWSD Park City Water Service District
WBWCD Weber Basin Water Conservancy District
MOU Memorandum of Understanding

Background:

In 1996, Mountain Regional Water Special Service District (MRWSSD), Park City Water Service District (PCWSD), and Weber Basin Water Conservancy District (WBWCD) entered into a Memorandum of Understanding (MOU) which provided for the development 6,600 acre feet of water under WBWCD water rights. The water was intended for use by Park City and Summit County. Phase I of the proposed project contemplated the development of 1,600 acre feet of ground water from wells. Phase II contemplated the importation of 5,000 acre feet from Rockport Reservoir. 4,100 acre-feet of the 1,600 acre feet was to be reserved for MRWSSD (which was then called the Atkinson Special Service District and later became Basin Water Special Service District before becoming MRWSSD) and 2,500 acre-feet reserved for PCWSD.

Summit County and MRWSSD completed the shallow wells and collection system near Rockport Reservoir and the State Engineer approved the diversion of 1,600 acre-feet.

In March 2004, MRWSSD, Summit County, and PCWSD entered into an agreement identifying the construction, ownership, and operation of infrastructure to deliver water from the Rockport Reservoir to the ridge line of the Promontory development. The MRWSSD treatment plant is located on this ridge, which is called Signal Hill. This agreement also acknowledges that the delivery system would need to be expanded to accommodate the combined demand of MRWSSD and PCWSD.

Summit County and MRWSSD subsequently constructed the infrastructure described in the March, 2004 agreement.

MRWSSD, Summit County, and PCWSD entered into an agreement dated March 1, 2007. That agreement outlines each parties' capacity rights in the project and cost allocations for each party. The cost allocations for Park City were included in a wheeling rate which included the following components.

1. Take or Pay Rate: this rate is charged by Mountain Regional to Park City, regardless of the amount of water used by Park City and includes the following cost proportional to Park City's capacity.
 - a. Infrastructure costs.
 - b. Fixed operations and maintenance cost.
 - c. Asset management and replacement contribution.
2. Water Usage Rate: this rate is charged by Mountain Regional to Park City and is based on the amount of water used by Park City. This rate reflects the power cost to pump water to Park City.

The March 1, 2007 agreement also outlined PCWSD's responsibility to construct infrastructure required to deliver water from Signal Hill to Park City. Park City subsequently completed construction of a pipeline from Signal Hill to the new Quinns Junction Water Treatment Plant and from there to Wyatt Earp Way.

In August, 2012, MRWSSD, Summit County, and PCWSD executed the first amendment to the March 1, 2007 agreement. The amendment increased Park City's capacity rights in the project by 400 acre feet, decreased MRWSSD's capacity by 400 acre feet, and adjusted cost allocations proportionally.

Analysis:

The asset management component of the wheeling rate established in the March 1, 2007 agreement was estimated based on best available information at the time. Since then, Mountain Regional has realized higher costs associated with this Project and the rate needs to be increased. Currently MRWSSD contributes \$56,916 per year and Park City contributes \$44,631 per year. The proposed second amendment would increase MRWSSD's contribution to \$85,374 per year and Park City's contribution to \$69,946.

This fund is used by MRWSSD for replacement expenses such as pumps, buildings, valves, pipes, electrical equipment, and communications equipment.

Department Review:

This report has been reviewed by representatives of Public Utilities, Legal, and Executive.

Alternatives:**A. Approve:**

This is staff's recommendation.

B. Deny:

Denying the request would result in insufficient funding for maintaining this critical infrastructure.

C. Modify:

Council could request modifications to the amendment.

D. Continue the Item:

Council could continue the request.

E. Do Nothing:

Council could do nothing. This alternative would have a similar effect as denying the recommendation.

Significant Impacts:

	Preserving & Enhancing the Natural Environment (Environmental Impact)
Which Desired Outcomes might the Recommended Action Impact?	+ Adequate and reliable water supply
Assessment of Overall Impact on Council Priority (Quality of Life Impact)	Positive 
Comments:	

Funding Source:

The current annual contribution of \$44,631 is included in the approved CIP budget. The proposed annual amount of \$69,946 is included in the proposed FY 16 CIP budget. The funding source for this cost is from water fees.

Consequences of not taking the recommended action:

If funding is not increased, MRWSSD and staff would not be able to maintain this critical infrastructure at the recommended level of service which would result in increased interruptions to this water supply.

Recommendation:

Staff recommends Council authorize the City Manager to execute the Second Amendment to the Agreement Between Mountain Regional Water Special Service District, Park City Water Service District, and Summit County Regarding Implementation of the Summit County Project, in a form approved by the City Attorney.

Exhibits:

Second Amendment to the Agreement Between Mountain Regional Water Special Service District, Park City Water Service District, and Summit County Regarding Implementation of the Summit County Project

**Second Amendment to Agreement
Between
Mountain Regional Water Special Service District,
Park City Water Service District and Summit County
Regarding Implementation of the Summit County Project**

This second amendment to the “Agreement Between Mountain Regional Water Special Service District, Park City Water Service District and Summit County Regarding Implementation of the Summit County Project” (the “Agreement”) is entered into this ____ day of June, 2015, by and between Mountain Regional Water Special Service District (**Mountain Regional**), a special service district organized and existing pursuant to the provisions of Section 17A-2-1301 et seq. Utah Code Annotated 1953, as amended; Park City Water Service District (**Park City Water**), a special service district organized and existing pursuant to the provisions of Section 17A-2-1301 et seq. Utah Code Annotated 1953, as amended and Summit County (**Summit County**), a county and political subdivision of the State of Utah pursuant to Section 17-50-1 et seq. Mountain Regional, Park City Water, and Summit County are hereinafter sometimes referred to as a **Party** and collectively as the **Parties**.

Whereas, the Parties entered into the Agreement on March 1, 2007, to set forth the terms by which Mountain Regional shall operate the Mountain Regional Facilities to deliver water from the shallow wells and the Snyderville Basin Project to the Park City Water Facilities; and

Whereas, the Parties entered into the First Amendment to the Agreement on or about August 2, 2012, to set forth the terms by which Mountain Regional transferred 400 acre feet of its Weber Basin leases and capacity in the Snyderville Basin Project and the Mountain Regional Facilities to Park City Water and to provide Park City Water with proportional capacity rights in Mountain Regional’s raw water pond adjacent to the Signal Hill Treatment Plant; and

Whereas, the Parties wish to increase the amount of the “capital asset management rate component” of the wheeling rate Mountain Regional charges to Park City Water under the terms of the 1st Amendment to the agreement, which is deposited into a repair and replacement reserve; and

Whereas, the Parties wish to increase the amount of the annual contribution made by Mountain Regional to the repair and replacement reserve;

Wherefore, the Parties agree to amend the terms of the March 1, 2007 Agreement as follows:

I. Amendment to Terms of Agreement

A. Section VIII, Paragraph A., Subparagraph 1c. shall be amended to state:

- c. The Agreement included a capital asset management rate component of \$38,547 (based upon Park City Water's proportionate capacity in the Expanded Lost Creek Canyon Project). Effective July 1, 2012, the amount of the capital asset management rate component was increased to \$44,631 annually, pursuant to the terms of the First Amended Agreement. Effective July 1, 2015, the amount of the capital asset management rate component will be increased 50% to \$66,946 annually. This portion of the rate shall be placed in a repair and replacement reserve account held by Mountain Regional.

The Agreement also included a contribution requirement from Mountain Regional of an additional \$63,069 per calendar year to the repair and replacement reserve account (based upon Mountain Regional's proportionate capacity in the Expanded Lost Creek Canyon Project). Effective July 1, 2012, Mountain Regional contribution was reduced pursuant to the First Amended Agreement to \$56,916 per calendar year to the repair and replacement reserve account. Effective July 1, 2015 Mountain Regional's contribution will be increased 50% to \$85,374 annually.

If, at the end of any calendar year, the balance in the repair and replacement reserve account exceeds \$1,000,000, the capital asset management rate component shall not be included in the next year's wheeling rate charged to Park City Water, and Mountain Regional shall not be required to make its annual contribution. All interest earned on the balance in the repair and replacement reserve account shall remain in the reserve account. Funds in this reserve may be used by Mountain Regional to maintain, repair, or replace all or any portion of the Expanded Lost Creek Canyon Project which benefit Park City and are beyond the reasonable and typical ongoing operations and maintenance of the related infrastructure that is funded by other cost components in the wheeling rate.

Mountain Regional shall provide Park City Water with a full accounting of payments made from this reserve and the interest earned on the cash balance each calendar year.

II. Remaining Terms

- A. The Parties intend and agree that all remaining terms of the Agreement and the First Amendment not affected by the terms of this Second Amendment shall remain in full force and effect.

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

**MOUNTAIN REGIONAL WATER
SPECIAL SERVICE DISTRICT**

By: _____
Chris Eggleton, Administrative Control Board Chair

ATTEST:

Mountain Regional Water Special Service
District Secretary

APPROVED:

Mountain Regional Water Special Service
District Attorney

PARK CITY WATER SERVICE DISTRICT

By: _____
Jack Thomas, Chair

ATTEST:

City Recorder/Secretary

APPROVED:

Park City Water Service District Attorney

SUMMIT COUNTY

By: _____
Tom Fisher, Summit County Manager

ATTEST:

County Clerk

APPROVED:

County Attorney