



**PARK CITY COUNCIL MEETING  
SUMMIT COUNTY, UTAH  
July 27, 2023**

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

**CLOSED SESSION - 3:00 p.m.**

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

**WORK SESSION**

4:00 p.m. - Discuss Options for Centralized Communication and Waste Management for the Main Street Business District

[Centralized Communication and Waste Management Staff Report](#)

[Exhibit A: Draft Scope for Centralized Communication and Waste Services for MSBD](#)

4:45 p.m. - Discuss Regulations to Provide Retail Water Service Outside the Municipal Boundary

[Water Service Area Staff Report](#)

[Exhibit A: Park City Water Service Map](#)

5:15 p.m. - Break

**REGULAR MEETING - 5:30 p.m.**

**I. ROLL CALL**

**II. APPOINTMENTS**

1. Appoint Jennifer Lewis as a Member of the Board of Appeals and Rory Murphy as an Alternate Member of the Board of Appeals Effective upon Appointment

[Board of Appeals Appointment Staff Report](#)

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

Council Questions and Comments

Staff Communications Reports

1. McPolin Farm Eco Plan

[2023 McPolin Farmlands Staff Report](#)

2. May 2023 Budget Monitoring and April Sales Tax Report

[May 2023 Budget Monitoring and April Sales Tax Report](#)

[Exhibit A: May Revenue](#)  
[Exhibit B: May Expenses](#)  
[Exhibit C: April Sales Tax Update](#)

3. Park Silly Sunday Market Mid-Season Review  
[PSSM 2023 Mid Season Staff Report](#)  
[Exhibit A: PSSM Mid Season Measures of Success 2023](#)
4. Renaming Round Valley Trailheads  
[Renaming Round Valley Trailheads Staff Report](#)
5. Childcare Update  
[Childcare Staff Report](#)

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

#### **V. CONSIDERATION OF MINUTES**

1. Consideration to Approve the City Council Meeting Minutes from June 22, 2023, and July 6 and 11, 2023  
[June 22, 2023 Minutes](#)  
[July 6, 2023 Minutes](#)  
[July 11, 2023 Minutes](#)

#### **VI. OLD BUSINESS**

1. Consideration to Approve the Final Action Letter for the Appeal of the Planning Commission's Denial of the Washington School House Conditional Use Permit (CUP) for a Minor Hotel, Located at 543 Park Avenue  
(A) Action  
[Washington School House Appeal Final Action Memo](#)  
[Exhibit A: Final Action Letter](#)

#### **VII. NEW BUSINESS**

1. Consideration to Authorize the City Manager to Execute a Design Professional Services Addendum with Horrocks Engineers, Inc., in a Form Approved by the City Attorney, Not to Exceed \$201,000 to Provide Right-of-Way Engineering Services for Homestake Roadway Reconstruction  
(A) Public Input (B) Action  
[Horrocks Contract Addendum Staff Report](#)  
[Exhibit A: Right of Way Map](#)  
[Exhibit B: Consultant Scope](#)
2. Consideration to Approve Ordinance No. 2023-37, an Ordinance Approving an Extension of City Council's July 21, 2022 Approval of Ordinance No. 2022-26, an Ordinance Approving 949 Empire Avenue Plat Amendment, Located at 949 Empire Avenue, Park City, Utah  
(A) Public Hearing (B) Action  
[949 Empire Avenue Staff Report](#)  
[Exhibit A: Draft Ordinance No. 2023-37 and Proposed Plat](#)  
[Exhibit B: Applicant Narrative](#)
3. Consideration to Authorize the City Manager to Execute an Agreement with Tyler Technologies, Not to Exceed \$527,200 in a Form Approved by the City Attorney, to Provide Integrated Financial Enterprise Resource Planning Software

(A) Public Input (B) Action

[Enterprise Resource Planning Software Staff Report](#)

4. Consideration to Authorize the City Manager to Execute an Agreement with HBME, LLC, Not to Exceed \$220,000 for a Five-Year Term, in a Form Approved by the City Attorney, to Provide Financial Audit and Single Audit Services

(A) Public Input (B) Action

[Financial Audit and Single Audit Services Staff Report](#)

[Exhibit A: Scope of Services](#)

5. Consideration to Authorize the City Manager to Acquire the Tiny Homes Located at 7700 Marsac Avenue, in the Amount of \$180,000, in a Form Approved by the City Attorney

(A) Public Input (B) Action

[Purchase of Tiny Homes Staff Report](#)

## **VIII. ADJOURNMENT**

A majority of City Council members may meet socially after the meeting. If so, the location will be announced by the Mayor. City business will not be conducted. Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the City Recorder at 435-615-5007 at least 24 hours prior to the meeting.

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

## **Council Agenda Item Report**

Meeting Date: July 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Sustainability

Item Type: Staff Report

Agenda Section: WORK SESSION

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### **Subject:**

4:00 p.m. - Discuss Options for Centralized Communication and Waste Management for the Main Street Business District

### **Suggested Action:**

### **Attachments:**

[Centralized Communication and Waste Management Staff Report](#)

[Exhibit A: Draft Scope for Centralized Communication and Waste Services for MSBD](#)



## City Council Staff Report

**Subject:** Centralized Communication & Waste Management for the Main Street Business District  
**Author:** Sarah Pearce, Jenny Diersen, Luke Cartin, Troy Dayley  
**Department:** Executive, Special Events, Sustainability, Public Works  
**Date:** July 27, 2023  
**Type of Item:** Work Session

### Recommendation

City Council should consider two options and provide direction for centralized communication and waste management for the Main Street Business District (MSBD).

### Executive Summary

A Business Improvement District (BID) for Main Street was created in 2007 after Summit County's decision to no longer provide commercial waste services. Despite a desire for coordinated services and communication between Main Street merchants and the City, there is no express authorization for the BID's continuation under Utah law.

The BID was a self-assessment tool (fee) used to fund Historic Park City Alliance (HPCA) operations specifically related to trash, communication, and marketing. These funds primarily paid for an Executive Director to manage the BID, which is a full-time, year-round position.

With the expiration of the BID, the HPCA is considering moving to a member-based association. It has been awarded a Restaurant Tax Grant to fund marketing efforts and will continue to explore other funding resources such as the Utah Office of Tourism grant and the Main Street America Association. They do not expect all past BID members will join the association but hope to capture a minimum of \$25,000 in member dues for marketing efforts.

With the change in BID structure, the City would benefit from a mechanism for centralized communications and waste management for MSBD.

### Background

#### Centralized Communications

For the past sixteen years, the City has relied on the HPCA to provide and be the communication conduit for 280 individual businesses. This is critical to the success of the area, as City departments coordinate and collaborate daily with the HPCA Executive Director on a myriad of initiatives, including, Convention Chain Business (CCB) regulations ([HRC 15-2.5-2-A.10](#) and [HCB 15-2.6-2-A.11](#)), Vibrant Commercial Storefront regulations ([4-2-15](#)), infrastructure projects, parking and transportation plans/DLS zones, special events and filming, construction impacts, and safety.

## Waste Management

The concept of a BID was prompted by the County's decision not to provide commercial waste services and concerns regarding discontinuing a single provider for commercial trash services. Since 2007, the challenges of managing a waste system have changed and increased drastically. Waste is a complex and important issue in our community to maintain health and safety and reach our climate goals. Waste management requires coordination among several City departments, Republic Services, Momentum Recycling, HPCA, merchants, and residents. [This link](#) reviews the history of Main Street waste and was prepared by former Executive Director of the HPCA, Alison Kuhlowl.

- In 2016, the City procured [a Professional Service Agreement with HPCA](#) to manage waste and recycling (among other tasks). The PSA was amended five times, twice due to the pandemic and once for to clarify communication tasks. This agreement expired on June 30, 2023.
- In 2022, the City procured a [Professional Services Agreement with Republic Services](#) to haul waste and recycling, which expires on November 30, 2027.
- In 2022, the City procured a [Professional Service Agreement with Momentum Recycling](#), which expires on April 30, 2024. Momentum is conducting a waste and infrastructure study that will be presented to the Council in the Spring of 2024.

## **Analysis**

There is a complete history of the Main Street BID [here](#). Most recently, on April 4, 2023 ([report](#) p. 6 / [minutes](#) p. 1), the City Council held a Work Session to discuss future opportunities for the Main Street BID. Council specifically requested information on the following:

- Additional research on Public Infrastructure Districts (PID) and Salt Lake City's special taxing district;
- Address concerns regarding subsidizing MSBD and not other business areas within the City; and,
- Garner support for a new funding model.

## PIDs/ Special Taxing Districts

PCMC's Economic Development department has researched PID tax funding. A PID could pay for infrastructure and capital projects but cannot be used for operational expenses (such as communications and waste management). Economic Development will return to a future meeting to discuss options for a small area plan and if a PID is a possible revenue stream for future capital improvements.

## Subsidizing MSBD

Main Street is unique when compared to other commercial locations in Park City. The City owns, regulates, and operates major aspects of the overall area, including streets, sidewalks, plazas, stairs, walkways, parking, and waste infrastructure. The street's historic aspects also require more careful and complex planning and zoning regulations. We depend on daily collaboration to operate the area effectively with the priority of health and safety.

## Options for Consideration

Two options for centralized communication and waste management in the MSBD are outlined below. Marketing is not part of this scope, because moving forward, HPCA will cover marketing through grant requests and membership dues.

Option 1 – Procure a Professional Services Agreement. We would follow the updated procurement rules to secure a service provider to manage the MSBD. A draft scope of required services to manage waste and communications is attached in **Exhibit A**. We recommend a one-year contract, with an option for the Council to renew after an annual check with the service provider and after the completion of a waste and infrastructure study in the Spring of 2024. This is an efficient and centralized option, providing the City and merchants with one contact for communications and waste management. The total cost is estimated \$80,000 with several options on how to fund this service (below in the funding section).

Option 2 – Add a Full Time City staff position to manage waste and recycling and coordinate communications.

This option would potentially create a more regulatory relationship verse the current model where HPCA balances businesses interests and city requirements. This would be a more expensive option estimated at \$105,000 including salary and benefits.

If the Council chooses this option, the City and HPCA will need time to make transitions and hire staffing. We are concerned it may be challenging to find staff that can manage both communications and recycling and act as a liaison to the merchant association.

## Funding

Depending on the outcome of the business license enhanced service fee study (anticipated Work Session in August) and understanding that HPCA currently spends 35% of its time managing waste, we estimate enhanced business license fees could cover \$22,750 of the Professional Services Agreement (Option 1 or Option 2). Parking revenues could be used to cover the remaining funding for Option 1 (~\$57,250). If this option is chosen, we will return to Council in August with the Professional Services Agreement for approval consideration.

If Council prefers to create a staff position, we would return to Council in August to amend the budget through a formal budget adjustment process.

## Exhibits

- A Draft Scope of Services for Centralized Communication and Waste Management

## **EXHIBIT “A”**

### **DRAFT SCOPE OF SERVICES**

- A. In collaboration with the City, provide communication to all the Main Street merchants and employees through various channels (i.e., newsletter, emails, phone calls, social media, merchant-to-merchant noticing and meetings) including, but not limited to special events and filming, parking, construction, trash/recycling, security and other City processes, information or surveys (i.e., Municipal Code amendments) that may impact the Main Street area. Provide bi-annually, or as mandated individually, an updated contact list for each business. Produce an annually updated strategic plan and protocol for communications.
- B. Responsible for gathering merchant feedback on topics requested by the City and providing an overview to appropriate City staff or City Council as needed.
- C. Provide communication to Main Street area businesses regarding trash services for the Main Street Business District (MSBD) and work with City staff to evaluate the program, specifically related to the renewal of the service contract with the solid waste hauler. Act as the primary point of contact between the City, solid waste service provider, and Main Street merchants, including but not limited to mitigating trash site cleanup issues, lack of service issues, etc.
- D. Provide an annual summary to the City, of how each of the services in the scope was met. The summary should include but is not limited to the following:
  - a. Updated Position Papers;
  - b. Summary of communication efforts regarding events, parking, construction, updated contact info for businesses, etc.;
  - c. Summary of amount and types of merchant input;
  - d. Summary of trash/recycling/waste reduction efforts as a district;
  - e. Summary of actions for cleanliness to reduce unsanitary conditions, misuse, and contamination.
- E. Hold trash/recycling meetings as requested by the City with the Trash and Recycling Committee to evaluate the program and monitor the shared account billing rates. Provide an agenda and summary of each meeting.
- F. Produce an electronic informational hand-out for newly licensed businesses within the MSBD educating them on waste management and City operations.



## **Council Agenda Item Report**

Meeting Date: July 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Public Utilities

Item Type: Work Session

Agenda Section: WORK SESSION

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### **Subject:**

4:45 p.m. - Discuss Regulations to Provide Retail Water Service Outside the Municipal Boundary

### **Suggested Action:**

### **Attachments:**

[Water Service Area Staff Report](#)

[Exhibit A: Park City Water Service Map](#)

## City Council Staff Report

**Subject:** Water Service Outside of Park City Municipal's Boundary  
**Author:** Clint McAfee  
**Department:** Public Utilities  
**Date:** July 27, 2023  
**Type of Item:** Informational

### Recommendation

Discuss a potential modification of Park City Municipal Code 13-1-25 to allow Park City to provide retail water service outside of its municipal boundary with the same water rates as customers inside the City; or continue to require annexation as a condition to water service from the City and remove references to differential water rates.

### Executive Summary

Park City Code section 13-1-25 states: *"It is the policy of the City to provide culinary water within the corporate limits of Park City. Those individuals or entities desiring connection to the Park City water system must petition the Park City Council for Annexation as a condition of water service. Those individuals and entities outside the corporate limits of Park City currently connected to the water system and receiving water shall agree to abide by the terms and conditions of this Title and shall pay double the applicable rate charged for water provided inside the corporate limits of Park City. Upon annexation, they will receive water service at the normal rate."*

This section no longer complies with state law, which specifically states that different rate classifications cannot be made "solely on the fact that a particular classification of retail customers is located either inside or outside of the municipality's corporate boundary."

### Background

The City has also not strictly adhered to the annexation requirement. In 2018, due to a failing and deficient water system, the 12-lot Mountain Top Subdivision petitioned the City to annex into the municipal boundaries. After considering a number of issues related to the land management code that would be created by bringing the subdivision into City limits, City Council ultimately annexed the Mountain Top Subdivision into the Park City Water Service District (not into the City as required by the code provision), allowing the City to provide water service to the subdivision. In 2019, Mountain Top completed all improvements required to connect to Park City's water system and are charged the normal water rate for water service.

Recently, four property owners of five properties located on the ridgeline above Park Meadows in unincorporated Summit County, with existing single-family residences and one vacant residential lot, requested water service from Park City due to concerns over the sufficiency and quality of their private water supply. All properties abut to Park City's boundary and are accessed from City roads. If these five properties were served by City water, the current code would require them to petition the City for annexation and pay double the water rate the City normally charges until annexed.

In 2020, Utah voters approved a constitutional amendment allowing municipalities to designate water service areas beyond municipal boundaries. The state legislature responded to this amendment by creating a [state law](#) that requires municipalities to establish by ordinance a Designated Water Service Area by publishing a map that includes areas where water is provided to customers at locations outside of the municipality's boundaries. These changes have made it easier to serve water outside of municipal boundaries if a municipality wishes to do so.

Annexation into the municipal boundary is a complicated process that requires significant staff time and resources, both during the process of annexation and potentially after annexing non-conforming infrastructure and buildings into the City limits. The new ability to serve water outside of the municipal boundary by simply adopting a Designated Water Service Area could be used when only a few properties are requesting service and extending water infrastructure to them is relatively simple. However, exercising this option would require modification of [Park City Code section 13-1-25](#).

### **Analysis**

[Park City Code section 13-1-25](#) needs to be amended to remove the double rate requirement that conflicts with state law. This presents an opportunity to reconsider the annexation requirement. By allowing the City to serve water outside of its boundary, and not requiring annexation as a condition, considerations are outlined below.

The amount of additional property tax collected from property annexed into the Park City Municipal boundary would be 0.542% for secondary properties and vacant land, or 0.2981% for primary properties, of the assessed property value. This would be additional revenue to the City.

Property proposed to be annexed into Park City must be within the Expansion Area Boundary outlined in the City's adopted Annexation Policy Plan (Land Management Code [Section 15-8-7](#)).

Petitions to annex into Park City must comply with Land Management Code [Chapter 15-8](#). Land Management Code Section 15-8-2 outlines the services provided to properties annexed into the City:

- Police protection
- Snow removal on public streets subject to standard City snow removal policies
- Street maintenance on existing streets, provided such streets are constructed or reconstructed to City Street standards or are acceptable to the City Engineer and City Council
- Planning, zoning, and code enforcement
- Availability of municipal-sponsored parks and recreational activities and cultural events and facilities
- Water services

In 2018, the decision to not annex the Mountain Top subdivision into the City was based in part on the fact that much of the existing development would not meet the requirements in the Land Management Code.

Depending on the location of the properties, providing water service could also be beneficial for the following reasons.

- Added capacity for fire protection would be created by the addition of fire hydrants closer to the properties. This reduces the risk of a fire spreading from a structure fire to neighboring vegetation and structures.
- Eliminates the potential need for replacement wells, potentially disrupting Park City's water supply.
- Eliminates potential requests for emergency water supply which is disruptive to servicing Park City customers.

### **Funding**

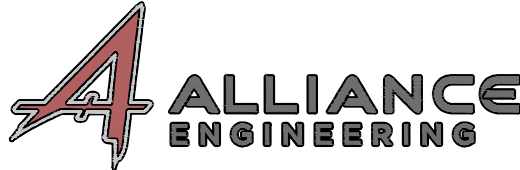
Whether annexed into the City or not, the property owners are responsible for funding all costs associated with getting water service from Park City, including all infrastructure costs, water impact fees, and water user fees. As discussed above, annexation would increase property tax revenues to the City but would also cost staff time during the annexation and potentially after.

### **Exhibits**

A – Map of properties requesting water service

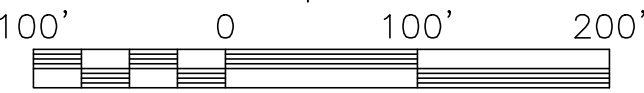
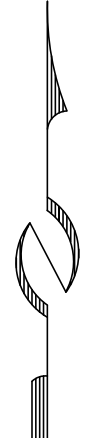


29 MARILYN COURT, 27 NORMAN'S WAY, 23 NORMAN'S WAY,  
124 MOUNTAIN TOP DRIVE & SS-59-8-A

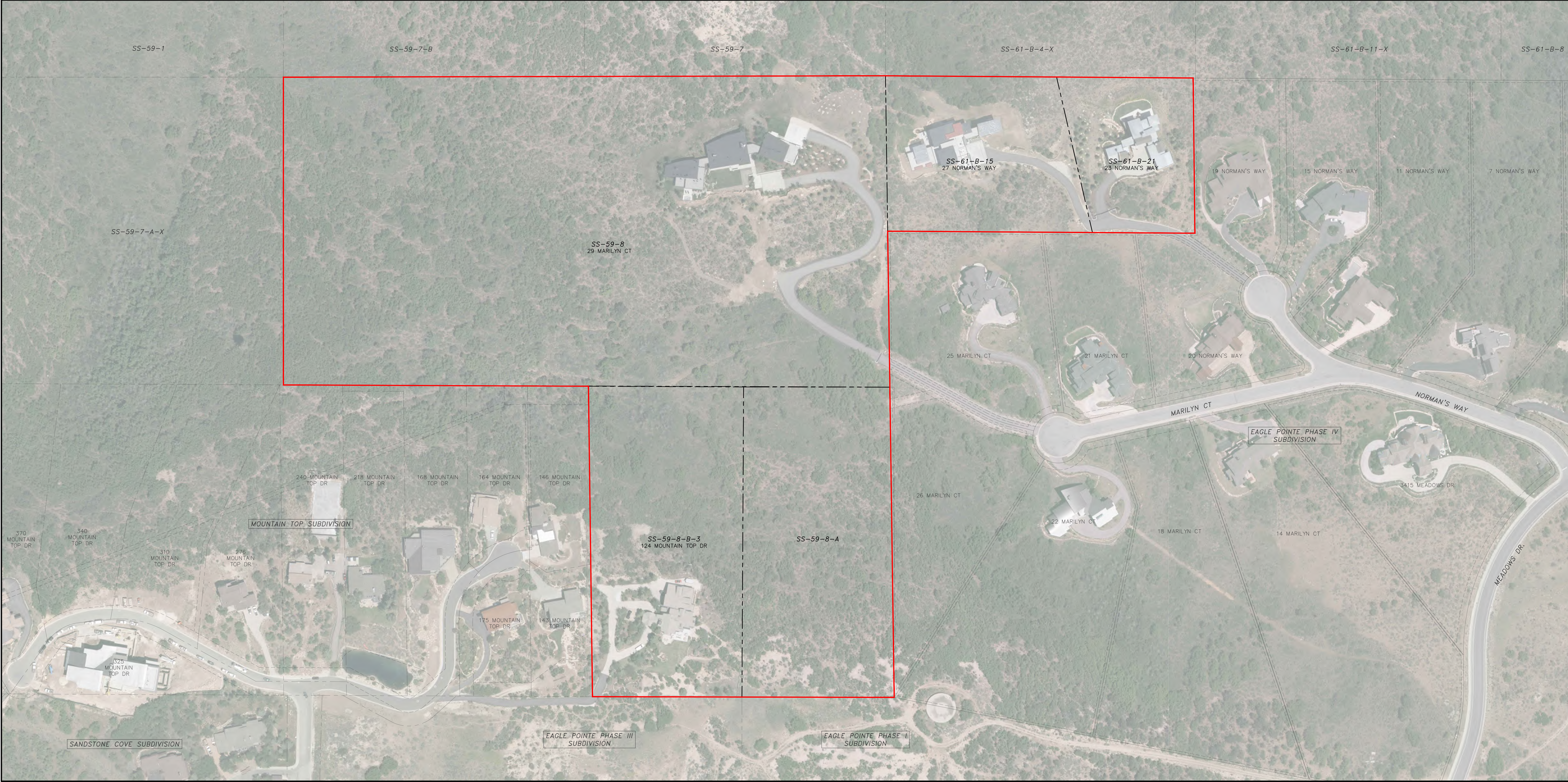
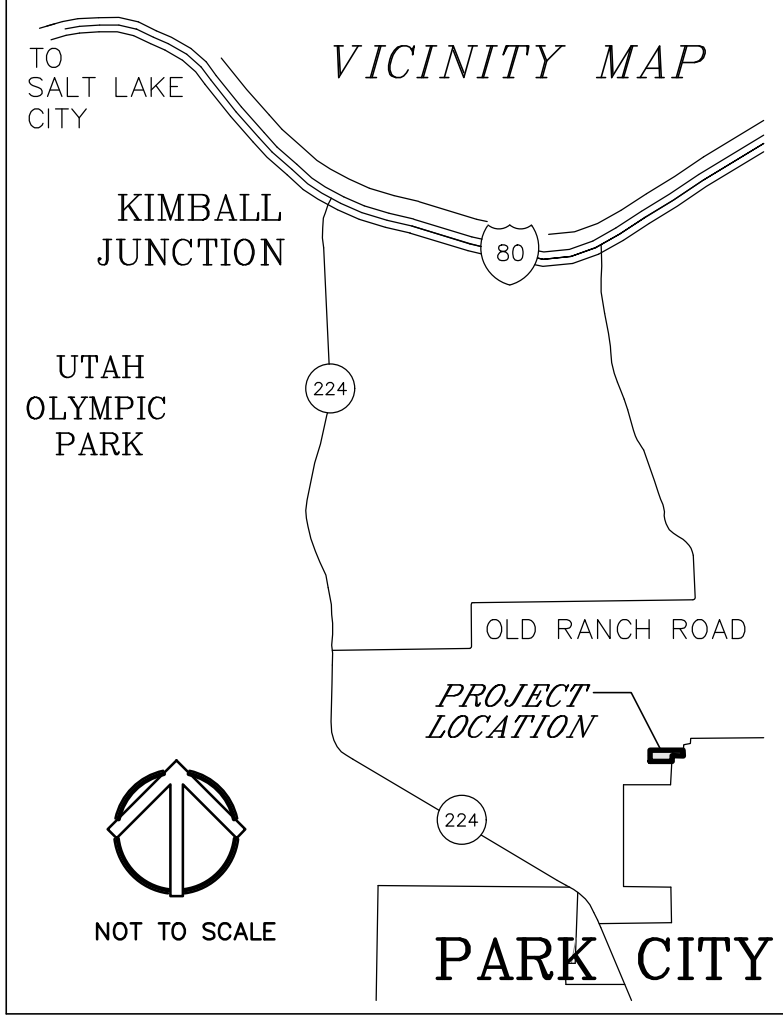


P.O. BOX 2664 | 2700 W. HOMESTEAD RD. STE 50,  
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DRAWING BY:  
ZACHARY ALHAMRA 06/23/23



LEGEND:  
— BOUNDARY OF PROPERTIES REQUESTING WATER SERVICE





## **Council Agenda Item Report**

Meeting Date: July 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Building

Item Type: Staff Report

Agenda Section: APPOINTMENTS

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### **Subject:**

Appoint Jennifer Lewis as a Member of the Board of Appeals and Rory Murphy as an Alternate Member of the Board of Appeals Effective upon Appointment

### **Suggested Action:**

### **Attachments:**

[Board of Appeals Appointment Staff Report](#)



## City Council Staff Report

**Subject:** Board of Appeals Appointments  
**Author:** Dave Thacker  
**Department:** Building Department  
**Date:** July 27, 2023  
**Type of Item:** Legislative

### Recommendation

Consideration to confirm the appointment of Jennifer Lewis to the Board of Appeals, and Rory Murphy as an alternate with terms beginning immediately upon the date of appointment.

### Background

The Park City [Board of Appeals](#) consists of three (3) members, and one alternate, who are qualified by experience and training to consider matters pertaining to building construction. Members shall be appointed by City Council and hold office at their pleasure. The Board hears appeals pursuant to the International Building Code, Abatement of Dangerous Buildings and Uniform Housing Code. The Chief Building Official acts as an ex officio member and Secretary of the Board.

### Analysis

One Board of Appeals seat and the alternate seat are currently vacant. The vacancies were advertised on the Park City Website, Park City Newsletter, and social media. After several weeks of advertising, two (2) applications were received. Upon review of the applications received and based upon the applicants' experience and knowledge, Staff recommends appointment of Jennifer Lewis as Board member, and Rory Murphy as an alternate.

### Department Review

The Legal and Executive Departments have reviewed this report.

## **Council Agenda Item Report**

Meeting Date: July 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Sustainability

Item Type: Staff Report

Agenda Section: COMMUNICATIONS AND DISCLOSURES FROM  
COUNCIL AND STAFF

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**Subject:**

McPolin Farm Eco Plan

**Suggested Action:**

**Attachments:**

[2023 McPolin Farmlands Staff Report](#)





## City Council Staff Communications Report

**Subject: 2023 McPolin Eco Plan**  
**Author: Heinrich Deters**  
**Department: Trails & Open Space**  
**Date: July 27, 2023**

Since 2020, Park City Municipal Corporation, Bill White Farms, and Summit Land Conservancy (SLC) have collaborated on initiatives to improve soil and forest health on the McPolin Farmlands. These efforts also involve effective communication with the public and enhancing the farm's ability to sequester carbon while maintaining its welcoming landscape for Park City residents.

In a staff communication dated [July 16, 2020](#) a comprehensive 3-year project list for the farmlands was presented. While some of the proposed projects have been implemented, others had to be postponed due to the impact of the pandemic and ongoing drought conditions.

Summit Land Conservancy has proposed to continue the agricultural and grazing practices initiated in 2020. These practices are familiar to residents and include the following:

1. Cattle grazing in rotating paddocks
2. Utilizing woodchips for soil amendment and noxious weed abatement
3. Planting small plots of cover crops

Bill White Farms, the current agricultural leasee for the city, will undertake the necessary labor and provide materials to implement the identified practices. They will also access the property with the required equipment when needed. SLC will support the project with additional signage and outreach efforts to effectively communicate the initiatives to the public.

The Environmental Sustainability Department has budgeted \$10,000 for implementation of the program.

On July 17<sup>th</sup>, the Trails & Open Space Department presented the proposal to the Friends of the Farm and received their valuable input and support.

The Sustainability Department, in collaboration with SLC, is planning a future work session with City Council to discuss water use on City agricultural properties at a policy level. This session will aim to balance community goals through appropriate measures ensuring sustainable water management.

## **Council Agenda Item Report**

Meeting Date: July 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Budget, Debt & Grants

Item Type: Staff Report

Agenda Section: COMMUNICATIONS AND DISCLOSURES FROM  
COUNCIL AND STAFF

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**Subject:**

May 2023 Budget Monitoring and April Sales Tax Report

**Suggested Action:**

**Attachments:**

[May 2023 Budget Monitoring and April Sales Tax Report](#)

[Exhibit A: May Revenue](#)

[Exhibit B: May Expenses](#)

[Exhibit C: April Sales Tax Update](#)



## Staff Communication

**Subject:** Budget Monitoring and Operating Insights  
**Author:** Budget Team  
**Department:** Budget, Debt, & Grants  
**Date:** July 27, 2023  
**Type of Item:** Informational

### April Sales Tax Update

Park City's economy showed signs of flattening growth trends in April as the City's sales taxes, excluding Transit and Transient Room taxes, were down -1.0% year-over-year as of April FY23. On the lodging front, Transient Room taxes exhibited a somewhat more significant reduction in April year-over-year revenues, down -43%. Transit sales taxes posted a level of -0.8% year-over-year. April remains one of the more minor revenue months for the City every year and tends to exhibit more volatility than the winter months.

In the City's General Fund, these effects translated into a similarly sized -2.0% reduction in year-over-year sales tax revenues in March. Despite this, General Fund sales tax revenues were still 24% above the City's planned and expected revenue budgets for the month. Cumulative sales tax revenues in the fund continued to track above the cumulative amount garnered in the fund as of the same month last year.

Trends in the City's Capital and Transportation funds, which also receive sales tax revenues, broadly mirrored the trends seen in the General Fund.

### May State Compliance Monthly Budget Reporting

The attachments to this report show monthly revenue and expenditure reports detailed by fund and major object type. There may be discrepancies in YTD actuals vs. estimated budget in some cases due to program seasonality, the timing of payments, capital projects, and bond transactions.

### Adjusted Budget

An adjusted budget has been uploaded to reflect the adjusted Capital (CIP) and Operating Budgets discussed on [June 15, 2023](#). This adjustment reflects the current CIP amount available for this fiscal year and previous years ("carry-forward"), resulting in a large variance between YTD actual and budget. The carry-forward budget reflects the true CIP budget for every project; however, it's not calculated until later in the fiscal year.

Notable Observations:

#### **Revenues**

- YTD revenue is tracking \$3M higher than FY22 and on track with FY23 projections.
- Planning, Building, and Engineering fees are tracking above FY22 actuals and the FY23 estimated budget due to a higher volume of plan checks and permits issued for two multi-use residential buildings in September.

- Special Event fees are currently tracking under budget by \$216k, but we anticipate one more payment for public event safety fees in FY23.
- Building, Planning and Engineering fees in the Water Fund are down year-over-year due to a significant commercial project in FY22 with a large water impact fee.
- Miscellaneous Water and Transportation Fund revenues are tracking above budget due to Trust Account/Bond interest earnings.
- Decrease in County/Special Improvement District revenue in the Capital Improvement fund due to variances year-over-year in the RAP Tax grant.
- A decrease in Federal revenue in Transportation due to the timing of the bus procurement reimbursement grant. This project is underway, and reimbursement will be completed by the end of FY23 and reflected in our year-end report.
- Parking revenues are up \$750k vs. FY22 and have surpassed the FY23 budget due to increased enforcement, extended paid parking hours, event parking fees, and permit fees.
- \$168k RAP Tax Grant received in Golf Fund for the purchase of electric mowers.

### ***Expenditures***

- Personnel is tracking above FY22 levels due to filling long-term vacancies and implementing the FY23 pay plan, yet tracking as expected within the FY23 budget projection.
- Special Service Contract final payments will be made at the end of the fiscal year after grantees have submitted their final report.
- Utility expenses will correlate more accurately to the FY23 budget when end-of-year entries are made in June.
- Significant variances in Capital expenditures in the Water, Transportation, and Capital Improvement Funds due to project timelines, invoicing, completion dates, and carry-forward amounts.

**Exhibit A:** Revenue Summary by Object and Type

**Exhibit B:** Expense Summary by Object and Type

**Exhibit C:** April Sales Tax Update

YTD Revenue - May 2023	FY21	FY22	YTD Actuals	YTD Monthly Budget Estimate	Variance YTD Actual vs YTD Monthly Estm \$	Variance YTD Actual vs YTD Monthly Estm %	Adjusted Budget
<b>- 011 GENERAL FUND</b>							
Property Taxes	12,645,653	12,759,190	12,213,059	12,580,527	-367,467	-3%	12,938,775
Sales Tax	13,531,612	18,475,743	19,689,883	19,441,007	248,876	1%	16,433,542
Franchise Tax	2,673,687	2,883,122	3,501,590	2,747,701	753,889	22%	3,297,706
Licenses	301,926	327,991	426,076	491,525	-65,449	-15%	500,088
Planning Building & Engineering Fees	2,666,148	3,717,095	4,787,396	3,492,836	1,294,560	27%	3,914,520
Special Event Fees	8,081	217,029	148,295	364,190	-215,895	-146%	381,319
Federal Revenue	32,825	41,366	55,145	19,996	35,149	64%	48,362
State Revenue	56,079	70,614	78,633	63,716	14,917	19%	68,086
County/SP District Revenue	24,635		15,000	21,827	-6,827	-46%	21,827
Cemetery Charges for Services	18,237	26,731	23,896	63,916	-40,021	-167%	70,098
Recreation	2,058,212	2,468,048	2,481,967	2,114,647	367,320	15%	2,359,858
Other Service Revenue	45,553	46,129	62,722	49,560	13,162	21%	56,768
Library Fees	11,695	15,482	13,070	12,580	490	4%	13,691
Misc. Revenues	235,882	183,158	298,424	84,323	214,100	72%	205,733
Interfund Transactions (Admin)	1,842,357	2,049,025	2,438,337	2,489,654	-51,317	-2%	3,430,983
Special Revenues & Resources	3,221,455	568,665	591,157	510,556	80,601	14%	510,529
<b>Total 011 GENERAL FUND</b>	<b>39,374,038</b>	<b>43,844,030</b>	<b>46,824,650</b>	<b>44,548,560</b>	<b>2,276,089</b>	<b>5%</b>	<b>44,251,885</b>
<b>- 012 QUINNS RECREATION COMPLEX</b>							
County/SP District Revenue	10,300						
Recreation	533	1,990	7,702	4,839	2,863	37%	5,218
Ice	564,258	779,889	864,096	857,372	6,724	1%	955,233
Misc. Revenues	114	324	-18	1,316	-1,334	7331%	1,316
Special Revenues & Resources	5,000						
<b>Total 012 QUINNS RECREATION COMPLEX</b>	<b>580,205</b>	<b>782,203</b>	<b>871,780</b>	<b>863,528</b>	<b>8,252</b>	<b>1%</b>	<b>961,767</b>
<b>- 022 DRUG CONFISCATIONS</b>							
State Revenue		3,021	750		750	100%	
<b>Total 022 DRUG CONFISCATIONS</b>		<b>3,021</b>	<b>750</b>		<b>750</b>	<b>100%</b>	
<b>- 023 LOWER PARK AVE RDA SPECIAL REVENUE FUND</b>							
Property Taxes	3,731,417	3,911,621	4,369,948	4,372,764	-2,815	0%	4,252,000

YTD Revenue - May 2023	FY21	FY22	YTD Actuals	YTD Monthly Budget Estimate	Variance YTD Actual vs YTD Monthly Estm \$	Variance YTD Actual vs YTD Monthly Estm %	Adjusted Budget
Total 023 LOWER PARK AVE RDA SPECIAL REVENUE F	3,731,417	3,911,621	4,369,948	4,372,764	-2,815	0%	4,252,000
- 024 MAIN STREET RDA SPECIAL REVENUE FUND							
Property Taxes	1,301,595	1,302,839	4,607	20,719	-16,112	-350%	21,319
Total 024 MAIN STREET RDA SPECIAL REVENUE FUND	1,301,595	1,302,839	4,607	20,719	-16,112	-350%	21,319
- 031 CAPITAL IMPROVEMENT FUND							
Property Taxes	794,793						
Sales Tax	7,040,413	10,474,193	11,088,046	7,998,212	3,089,834	28%	12,812,034
Planning Building & Engineering Fees	316,181	275,530	567,275	366,306	200,969	35%	419,695
Federal Revenue				29,478	-29,478		29,478
State Revenue	400,083	578,422	408,163	326,712	81,451	20%	375,029
County/SP District Revenue	801,027	1,785,652	139,126	452,688	-313,562	-225%	463,116
Misc. Revenues	1,662,330	94,163	1,134,235	204,326	929,909	82%	893,355
Interfund Transactions (CIP/Debt)				982,507	-982,507		2,953,987
Special Revenues & Resources	460,526	655,351	445,406	212,422	232,984	52%	396,901
Bond Proceeds				10,450,000	-10,450,000		11,400,000
Total 031 CAPITAL IMPROVEMENT FUND	11,475,354	13,863,312	13,782,252	21,022,651	-7,240,400	-53%	29,743,595
- 033 REDEVELOPMENT AGENCY-LOWER PRK							
Misc. Revenues	268,166						
Interfund Transactions (CIP/Debt)	2,834,821	2,834,821	2,834,821	2,519,953	314,868	11%	3,092,532
Total 033 REDEVELOPMENT AGENCY-LOWER PRK	3,102,987	2,834,821	2,834,821	2,519,953	314,868	11%	3,092,532
- 034 REDEVELOPMENT AGENCY-MAIN ST							
Interfund Transactions (CIP/Debt)	641,663	641,663	641,663	321,886	319,777	50%	400,000
Total 034 REDEVELOPMENT AGENCY-MAIN ST	641,663	641,663	641,663	321,886	319,777	50%	400,000
- 038 EQUIPMENT REPLACEMENT CIP							
Misc. Revenues	10,165		8,360		8,360	100%	
Interfund Transactions (CIP/Debt)	1,205,963	1,453,463	1,453,463	1,421,037	32,426	2%	1,585,600
Total 038 EQUIPMENT REPLACEMENT CIP	1,216,128	1,453,463	1,461,823	1,421,037	40,786	3%	1,585,600
- 051 WATER FUND							
Planning Building & Engineering Fees	1,402,594	1,164,984	766,837	1,077,147	-310,310	-40%	1,219,456
Federal Revenue			0	430,799	-430,799		469,962

YTD Revenue - May 2023	FY21	FY22	YTD Actuals	YTD Monthly Budget Estimate	Variance YTD Actual vs YTD Monthly Estm \$	Variance YTD Actual vs YTD Monthly Estm %	Adjusted Budget
Water Charges for Services	17,422,173	16,862,094	17,513,365	16,810,408	702,958	4%	20,392,268
Misc. Revenues	206,488	146,349	741,847	157,636	584,211	79%	209,092
Bond Proceeds				80,290,371	-80,290,371		87,589,496
<b>Total 051 WATER FUND</b>	<b>19,031,255</b>	<b>18,173,426</b>	<b>19,022,049</b>	<b>98,766,360</b>	<b>-79,744,311</b>	<b>-419%</b>	<b>109,880,274</b>
<b>- 052 STORM WATER FUND</b>							
Water Charges for Services	1,192,896	1,458,580	1,493,565	1,674,568	-181,003	-12%	2,000,000
<b>Total 052 STORM WATER FUND</b>	<b>1,192,896</b>	<b>1,458,580</b>	<b>1,493,565</b>	<b>1,674,568</b>	<b>-181,003</b>	<b>-12%</b>	<b>2,000,000</b>
<b>- 055 GOLF COURSE FUND</b>							
County/SP District Revenue			168,363		168,363	100%	
Recreation	1,551,624	1,521,543	1,534,880	1,104,892	429,987	28%	1,365,189
Misc. Revenues	47,171	47,213	30,237	35,933	-5,696	-19%	38,959
Interfund Transactions (CIP/Debt)	22,913	22,913	22,913	22,913	0	0%	25,000
<b>Total 055 GOLF COURSE FUND</b>	<b>1,621,707</b>	<b>1,591,669</b>	<b>1,756,392</b>	<b>1,163,738</b>	<b>592,654</b>	<b>34%</b>	<b>1,429,148</b>
<b>- 057 TRANSPORTATION &amp; PARKING FUND</b>							
Sales Tax	6,901,243	11,555,316	12,755,150	9,498,859	3,256,291	26%	12,096,227
Licenses	907,000	911,366	966,833	978,952	-12,119	-1%	981,896
Federal Revenue	5,140,559	5,716,275	6,737,140	9,160,148	-2,423,008	-36%	21,713,819
State Revenue	70,000						
County/SP District Revenue		129,427	59,671		59,671	100%	
Transit Charges for Services	827,517	4,062,606	23,890	78,103	-54,213	-227%	83,243
Misc. Revenues	157,376	40,266	594,790	89,829	504,961	85%	287,265
Special Revenues & Resources	440,295	565,447	307,060	141,402	165,658	54%	289,087
<b>Total 057 TRANSPORTATION &amp; PARKING FUND</b>	<b>14,443,990</b>	<b>22,980,703</b>	<b>21,444,534</b>	<b>19,947,292</b>	<b>1,497,242</b>	<b>7%</b>	<b>35,451,537</b>
<b>- 058 PARKING FUND</b>							
Special Event Fees		7,195	55,101		55,101	100%	
Fines & Forfeitures	849,771	2,149,025	2,905,861	456,779	2,449,082	84%	2,603,364
Misc. Revenues	0	-40	37		37	100%	
<b>Total 058 PARKING FUND</b>	<b>849,771</b>	<b>2,156,180</b>	<b>2,960,999</b>	<b>456,779</b>	<b>2,504,220</b>	<b>85%</b>	<b>2,603,364</b>
<b>- 062 FLEET SERVICES FUND</b>							
Interfund Transactions (Admin)	1,770,000	2,158,325	2,516,635	2,863,061	-346,426	-14%	3,354,000

YTD Revenue - May 2023	FY21	FY22	YTD Actuals	YTD Monthly Budget Estimate	Variance YTD Actual vs YTD Monthly Estm \$	Variance YTD Actual vs YTD Monthly Estm %	Adjusted Budget
Total 062 FLEET SERVICES FUND	1,770,000	2,158,325	2,516,635	2,863,061	-346,426	-14%	3,354,000
- 064 SELF INSURANCE FUND							
Misc. Revenues	252,087	252,087	321,896	391,169	-69,273	-22%	450,000
Interfund Transactions (Admin)	1,282,457	1,451,505	1,552,815	1,551,484	1,331	0%	1,693,993
Total 064 SELF INSURANCE FUND	1,534,544	1,703,592	1,874,711	1,942,653	-67,942	-4%	2,143,993
- 070 SALES TAX REV BOND - DEBT SVS FUND							
Misc. Revenues	137,987	101,056	847,035		847,035	100%	
Interfund Transactions (Admin)	20,625						
Interfund Transactions (CIP/Debt)	6,792,434	6,382,035	6,388,063	5,548,277	839,786	13%	6,968,791
Total 070 SALES TAX REV BOND - DEBT SVS FUND	6,951,046	6,483,091	7,235,098	5,548,277	1,686,821	23%	6,968,791
- 071 DEBT SERVICE FUND							
Property Taxes	9,506,281	9,509,688	9,509,688	9,496,688	13,000	0%	9,496,688
Misc. Revenues	1,162	1,804	19,039		19,039	100%	
Total 071 DEBT SERVICE FUND	9,507,443	9,511,492	9,528,727	9,496,688	32,039	0%	9,496,688
- Grand Total							
TOTAL	118,326,038	134,854,030	138,625,004	216,950,516	-78,325,511	-57%	257,636,493
Total Without Bond Transactions and Debt Service	97,185,102	113,929,501	116,931,232	105,919,796	11,011,436	9%	134,149,399



YTD Expenses - May 2023	FY21	FY22	YTD Actuals	YTD Monthly Budget Estimate	Variance YTD Actual vs YTD Monthly Estm \$	Variance YTD Actual vs YTD Monthly Estm %	Adjusted Budget
<b>- 011 GENERAL FUND</b>							
PERSONNEL SERVICES	19,976,250	22,630,920	26,555,530	28,371,725	-1,816,196	-7%	31,177,035
MATERIALS, SUPPLIES AND SERVICES	725,365	1,058,107	1,337,996	1,266,871	71,124	5%	1,382,041
UTILITIES	653,421	657,577	810,427	1,486,700	-676,273	-83%	1,621,854
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	2,765,379	3,223,206	3,663,215	5,144,883	-1,481,669	-40%	5,612,600
PARTS/MAINTENANCE SUPPLIES	642,519	1,022,855	1,623,149	1,516,124	107,025	7%	1,653,953
SPECIAL SERV CONTRACT/MISC CHARGES	2,926,806	609,928	625,117	1,488,326	-863,209	-138%	1,623,629
CAPITAL OUTLAY	236,376	249,942	493,739	692,212	-198,473	-40%	755,140
INTERFUND TRANSFER	2,399,074	2,827,715	3,153,139	5,351,390	-2,198,251	-70%	5,837,880
<b>Total 011 GENERAL FUND</b>	<b>30,325,189</b>	<b>32,280,249</b>	<b>38,262,310</b>	<b>45,318,231</b>	<b>-7,055,921</b>	<b>-18%</b>	<b>49,664,132</b>
<b>- 012 QUINNS RECREATION COMPLEX</b>							
PERSONNEL SERVICES	727,485	872,614	943,645	1,008,105	-64,460	-7%	1,107,784
MATERIALS, SUPPLIES AND SERVICES	40,016	39,219	51,458	65,468	-14,011	-27%	71,420
UTILITIES	114,840	115,976	137,487	144,081	-6,594	-5%	157,179
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	34,787	61,383	69,689	95,709	-26,020	-37%	104,410
PARTS/MAINTENANCE SUPPLIES	36,572	44,833	40,826	47,685	-6,859	-17%	52,020
SPECIAL SERV CONTRACT/MISC CHARGES	19,814	20,965	23,669	19,250	4,419	19%	21,000
CAPITAL OUTLAY				917	-917		1,000
<b>Total 012 QUINNS RECREATION COMPLEX</b>	<b>973,515</b>	<b>1,154,991</b>	<b>1,266,774</b>	<b>1,381,215</b>	<b>-114,442</b>	<b>-9%</b>	<b>1,514,813</b>
<b>- 021 POLICE SPECIAL REVENUE FUND</b>							
CAPITAL OUTLAY				32,792	-32,792		35,773
<b>Total 021 POLICE SPECIAL REVENUE FUND</b>				<b>32,792</b>	<b>-32,792</b>		<b>35,773</b>
<b>- 022 DRUG CONFISCATIONS</b>							
CAPITAL OUTLAY		3,021	750	20,551	-19,801	-2641%	22,419
<b>Total 022 DRUG CONFISCATIONS</b>		<b>3,021</b>	<b>750</b>	<b>20,551</b>	<b>-19,801</b>	<b>-2641%</b>	<b>22,419</b>
<b>- 023 LOWER PARK AVE RDA SPECIAL REVENUE FUND</b>							
PERSONNEL SERVICES	4,230				0		
MATERIALS, SUPPLIES AND SERVICES	20,885			9,167	-9,167		10,000
UTILITIES	1,392	1,777	2,739	31,738	-28,999	-1059%	34,623
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	13,269	4,830	11,400	64,167	-52,767	-463%	70,000

YTD Expenses - May 2023	FY21	FY22	YTD Actuals	YTD Monthly Budget Estimate	Variance YTD Actual vs YTD Monthly Estm \$	Variance YTD Actual vs YTD Monthly Estm %	Adjusted Budget
SPECIAL SERV CONTRACT/MISC CHARGES				520,667	-520,667		568,000
INTERFUND TRANSFER	2,834,821	2,834,821	2,834,821	2,834,821	0	0%	3,092,532
Total 023 LOWER PARK AVE RDA SPECIAL REVENUE FUND	2,874,597	2,841,428	2,848,960	3,460,559	-611,599	-21%	3,775,155
- 024 MAIN STREET RDA SPECIAL REVENUE FUND							
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	10,903		6,830	45,833	-39,003	-571%	50,000
SPECIAL SERV CONTRACT/MISC CHARGES				371,250	-371,250		405,000
INTERFUND TRANSFER	641,663	641,663	641,663	366,667	274,996	43%	400,000
Total 024 MAIN STREET RDA SPECIAL REVENUE FUND	652,566	641,663	648,493	783,750	-135,257	-21%	855,000
- 031 CAPITAL IMPROVEMENT FUND							
PERSONNEL SERVICES	30,044	17,669	18,368		18,368	100%	
CAPITAL OUTLAY	5,398,600	3,584,455	7,539,192	81,132,896	-73,593,703	-976%	88,508,614
INTERFUND TRANSFER	3,281,960	3,826,746	3,828,990	3,828,986	4	0%	4,177,076
Total 031 CAPITAL IMPROVEMENT FUND	8,710,605	7,428,869	11,386,551	84,961,882	-73,575,331	-646%	92,685,690
- 033 REDEVELOPMENT AGENCY-LOWER PRK							
PERSONNEL SERVICES	548				0		
CAPITAL OUTLAY	199,006	34,419	39,419	2,580,486	-2,541,067	-6446%	2,815,075
INTERFUND TRANSFER	2,550,933	2,555,289	2,559,073	2,559,072	1	0%	2,791,715
Total 033 REDEVELOPMENT AGENCY-LOWER PRK	2,750,487	2,589,708	2,598,492	5,139,558	-2,541,066	-98%	5,606,790
- 034 REDEVELOPMENT AGENCY-MAIN ST							
CAPITAL OUTLAY			19,940	389,557	-369,617	-1854%	424,971
INTERFUND TRANSFER	959,541				0		
Total 034 REDEVELOPMENT AGENCY-MAIN ST	959,541		19,940	389,557	-369,617	-1854%	424,971
- 038 EQUIPMENT REPLACEMENT CIP							
CAPITAL OUTLAY	246,357	1,781,973	1,639,913	3,590,787	-1,950,874	-119%	3,917,222
Total 038 EQUIPMENT REPLACEMENT CIP	246,357	1,781,973	1,639,913	3,590,787	-1,950,874	-119%	3,917,222
- 051 WATER FUND							
PERSONNEL SERVICES	2,731,319	3,154,595	3,877,051	4,083,297	-206,246	-5%	4,487,041
MATERIALS, SUPPLIES AND SERVICES	379,555	561,499	585,295	448,260	137,035	23%	489,011
UTILITIES	751,300	596,935	667,856	1,262,879	-595,023	-89%	1,377,686
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	1,235,581	2,009,558	1,506,835	1,688,628	-181,794	-12%	1,842,140

YTD Expenses - May 2023	FY21	FY22	YTD Actuals	YTD Monthly Budget Estimate	Variance YTD Actual vs YTD Monthly Estm \$	Variance YTD Actual vs YTD Monthly Estm %	Adjusted Budget
PARTS/MAINTENANCE SUPPLIES	1,053,871	1,108,257	1,237,716	1,284,296	-46,580	-4%	1,401,050
SPECIAL SERV CONTRACT/MISC CHARGES	160,748	156,121	199,240	111,833	87,406	44%	122,000
CAPITAL OUTLAY	37,253,153	32,799,341	19,240,504	79,972,824	-60,732,320	-316%	87,243,081
DEBT SERVICE	3,762,235	3,813,401	7,133,544	8,621,881	-1,488,337	-21%	9,405,688
INTERFUND TRANSFER	959,827	1,001,396	1,230,394	1,916,742	-686,348	-56%	2,090,991
<b>Total 051 WATER FUND</b>	<b>48,287,589</b>	<b>45,201,102</b>	<b>35,678,433</b>	<b>99,390,640</b>	<b>-63,712,207</b>	<b>-179%</b>	<b>108,458,688</b>
<b>- 052 STORM WATER FUND</b>							
PERSONNEL SERVICES	588,044	667,706	646,100	649,793	-3,693	-1%	714,043
MATERIALS, SUPPLIES AND SERVICES	17,520	18,249	31,712	57,750	-26,038	-82%	63,000
UTILITIES	27,373	44,240	23,571	51,650	-28,079	-119%	56,345
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	77,128	24,372	51,031	137,156	-86,126	-169%	149,625
PARTS/MAINTENANCE SUPPLIES	27,400	9,912	13,426	37,956	-24,529	-183%	41,406
SPECIAL SERV CONTRACT/MISC CHARGES	4,606				0		
CAPITAL OUTLAY	233,229	30,440		1,115,285	-1,115,285		1,216,675
INTERFUND TRANSFER	108,703	124,168	144,265	150,908	-6,643	-5%	164,627
<b>Total 052 STORM WATER FUND</b>	<b>1,084,002</b>	<b>919,087</b>	<b>910,106</b>	<b>2,200,498</b>	<b>-1,290,392</b>	<b>-142%</b>	<b>2,405,721</b>
<b>- 055 GOLF COURSE FUND</b>							
PERSONNEL SERVICES	648,411	685,968	698,703	922,426	-223,723	-32%	1,013,633
MATERIALS, SUPPLIES AND SERVICES	54,451	42,546	43,670	63,433	-19,764	-45%	69,200
UTILITIES	47,103	36,759	70,142	133,681	-63,539	-91%	145,834
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	55,355	61,322	75,118	86,694	-11,575	-15%	94,575
PARTS/MAINTENANCE SUPPLIES	225,285	443,920	343,570	274,817	68,754	20%	299,800
SPECIAL SERV CONTRACT/MISC CHARGES	31,824	34,193	34,610	39,875	-5,265	-15%	43,500
CAPITAL OUTLAY	51,315	18,609	3,155	437,205	-434,049	-13757%	476,950
INTERFUND TRANSFER	135,836	130,515	154,088	157,073	-2,985	-2%	171,352
<b>Total 055 GOLF COURSE FUND</b>	<b>1,249,581</b>	<b>1,453,832</b>	<b>1,423,057</b>	<b>2,115,203</b>	<b>-692,146</b>	<b>-49%</b>	<b>2,314,844</b>
<b>- 057 TRANSPORTATION &amp; PARKING FUND</b>							
PERSONNEL SERVICES	7,158,343	6,319,668	8,855,858	9,012,196	-156,338	-2%	9,903,294
MATERIALS, SUPPLIES AND SERVICES	259,999	140,805	235,108	284,095	-48,987	-21%	309,922
UTILITIES	314,254	274,773	295,076	394,016	-98,940	-34%	429,836

YTD Expenses - May 2023	FY21	FY22	YTD Actuals	YTD Monthly Budget Estimate	Variance YTD Actual vs YTD Monthly Estm \$	Variance YTD Actual vs YTD Monthly Estm %	Adjusted Budget
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	782,470	425,880	1,111,546	1,928,498	-816,952	-73%	2,103,816
PARTS/MAINTENANCE SUPPLIES	50,625	40,574	50,992	32,083	18,909	37%	35,000
SPECIAL SERV CONTRACT/MISC CHARGES	17,077	25,820	38,527	15,125	23,402	61%	16,500
CAPITAL OUTLAY	1,808,365	815,470	7,359,005	43,125,907	-35,766,902	-486%	47,046,445
INTERFUND TRANSFER	2,522,375	3,030,962	3,293,345	3,443,682	-150,337	-5%	3,756,743
Total 057 TRANSPORTATION & PARKING FUND	12,913,506	11,073,951	21,239,458	58,235,603	-36,996,145	-174%	63,601,556
- 058 PARKING FUND							
PERSONNEL SERVICES	679,393	712,850	943,793	1,041,142	-97,350	-10%	1,144,087
MATERIALS, SUPPLIES AND SERVICES	143,293	219,150	286,696	433,125	-146,429	-51%	472,500
UTILITIES	5,645	7,789	6,191	9,167	-2,975	-48%	10,000
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	64,587	103,559	49,882	135,667	-85,785	-172%	148,000
PARTS/MAINTENANCE SUPPLIES	11,761	26,006	23,221	52,250	-29,029	-125%	57,000
SPECIAL SERV CONTRACT/MISC CHARGES	40,176	116,178	94,820	59,583	35,236	37%	65,000
CAPITAL OUTLAY	35,979	26,961	107,940	308,697	-200,756	-186%	336,760
INTERFUND TRANSFER	18,500	15,125	8,932	62,316	-53,384	-598%	67,981
Total 058 PARKING FUND	999,335	1,227,617	1,521,475	2,101,947	-580,472	-38%	2,301,328
- 062 FLEET SERVICES FUND							
PERSONNEL SERVICES	843,946	858,631	1,068,272	1,050,775	17,497	2%	1,154,672
MATERIALS, SUPPLIES AND SERVICES	59,441	61,344	65,830	58,621	7,209	11%	63,950
UTILITIES	551,329	842,837	1,058,525	963,325	95,200	9%	1,050,900
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	9,219	5,517	8,680	7,333	1,347	16%	8,000
PARTS/MAINTENANCE SUPPLIES	590,892	656,216	788,271	706,017	82,254	10%	770,200
CAPITAL OUTLAY			4,695	5,688	-993	-21%	6,205
Total 062 FLEET SERVICES FUND	2,054,826	2,424,544	2,994,273	2,791,758	202,514	7%	3,053,927
- 064 SELF INSURANCE FUND							
MATERIALS, SUPPLIES AND SERVICES	25,789	26,613	30,152	46,292	-16,140	-54%	50,500
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	534,977	514,326	885,415	1,046,789	-161,374	-18%	1,141,952
SPECIAL SERV CONTRACT/MISC CHARGES	743,825	899,012	1,079,940	1,118,333	-38,393	-4%	1,220,000
Total 064 SELF INSURANCE FUND	1,304,592	1,439,951	1,995,507	2,211,414	-215,907	-11%	2,412,452
- 070 SALES TAX REV BOND - DEBT SVS FUND							

YTD Expenses - May 2023	FY21	FY22	YTD Actuals	YTD Monthly Budget Estimate	Variance YTD Actual vs YTD Monthly Estm \$	Variance YTD Actual vs YTD Monthly Estm %	Adjusted Budget
DEBT SERVICE	2,638,452	2,642,208	2,615,918	6,397,683	-3,781,766	-145%	6,979,291
INTERFUND TRANSFER				874,488	-874,488		953,987
Total 070 SALES TAX REV BOND - DEBT SVS FUND	2,638,452	2,642,208	2,615,918	7,272,172	-4,656,254	-178%	7,933,278
- 071 DEBT SERVICE FUND							
DEBT SERVICE	9,512,316	9,500,688	9,487,477	8,705,297	782,179	8%	9,496,688
Total 071 DEBT SERVICE FUND	9,512,316	9,500,688	9,487,477	8,705,297	782,179	8%	9,496,688
- Grand Total							
TOTAL	127,537,055	124,604,880	136,537,885	330,103,414	-193,565,529	-142%	360,480,448
Total Without Capital, Bond Transactions and Debt Transactions	66,161,672	69,303,955	80,852,694	92,098,262	-11,245,568	-14%	100,838,464



# April Sales Tax Update





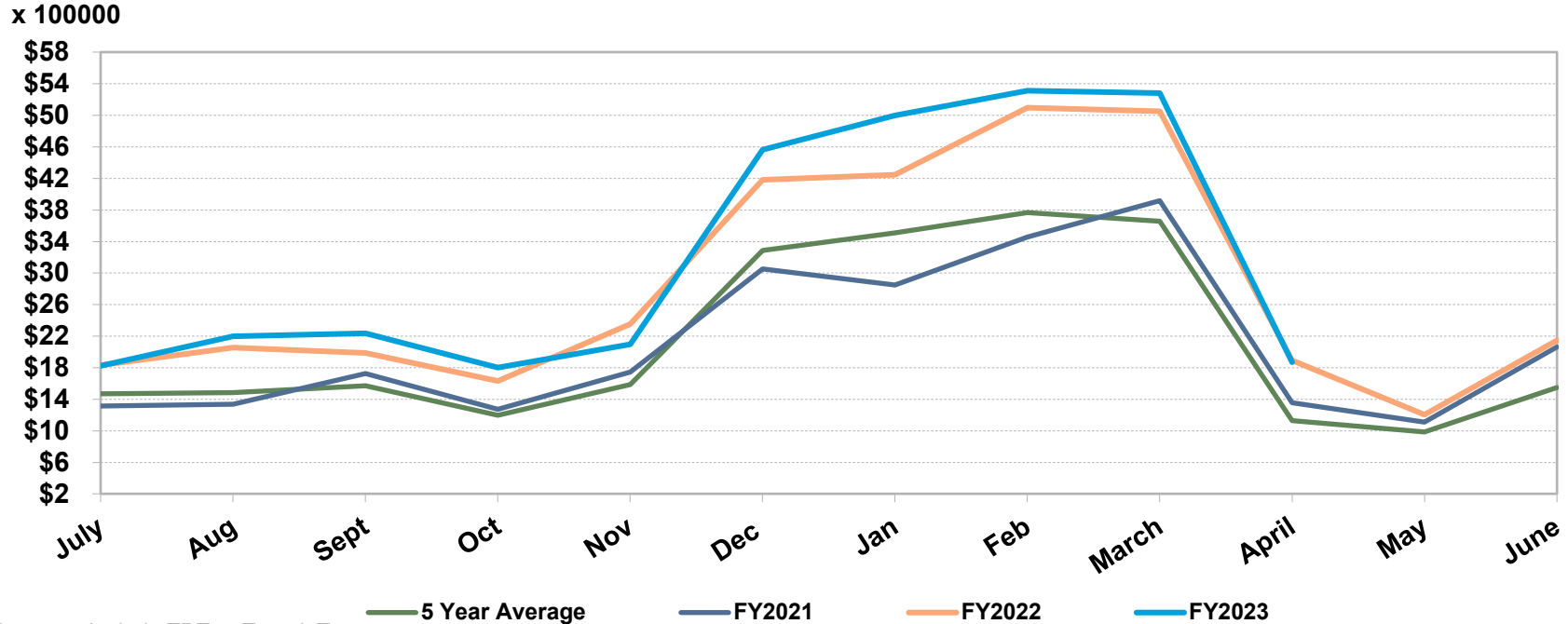
# Citywide

PARK CITY

1884

31

# Sales Tax Revenues through April



\*Does not Include TRT or Transit Tax

- Sales Taxes excluding TRT and Transit Sales Tax -1.0% vs. April FY22
- Transit Sales Tax -0.8% vs. April FY22
- TRT -43% vs. April FY22





# General Fund

# Sales Tax Summary – General Fund

General Fund - Sales Tax Summary - Monthly					
Month	FY20 Actual	FY21 Actual	FY22 Actual	FY23 Original Budget	FY23 Actual
July	\$890,546	\$767,523	\$1,047,907	\$1,074,186	\$1,046,685
August	\$839,320	\$777,490	\$1,171,593	\$979,767	\$1,252,313
September	\$912,173	\$991,597	\$1,132,767	\$802,432	\$1,274,432
October	\$715,887	\$735,086	\$934,102	\$997,539	\$1,034,396
November	\$820,365	\$995,487	\$1,328,051	\$1,104,877	\$1,195,669
December	\$1,877,541	\$1,709,314	\$2,326,666	\$2,123,076	\$2,535,657
January	\$2,167,578	\$1,587,251	\$2,346,656	\$2,476,324	\$2,748,907
February	\$1,936,051	\$1,915,684	\$2,798,863	\$2,303,499	\$2,919,371
March	\$1,318,256	\$2,175,133	\$2,790,344	\$2,004,792	\$2,915,972
April	\$374,250	\$792,166	\$1,086,870	\$859,084	\$1,065,644
May	\$439,622	\$742,106	\$708,047	\$734,302	
June	\$603,136	\$1,186,465	\$1,228,941	\$973,664	
<b>Total</b>	<b>\$12,894,725</b>	<b>\$14,375,301</b>	<b>\$18,900,806</b>	<b>\$16,433,542</b>	

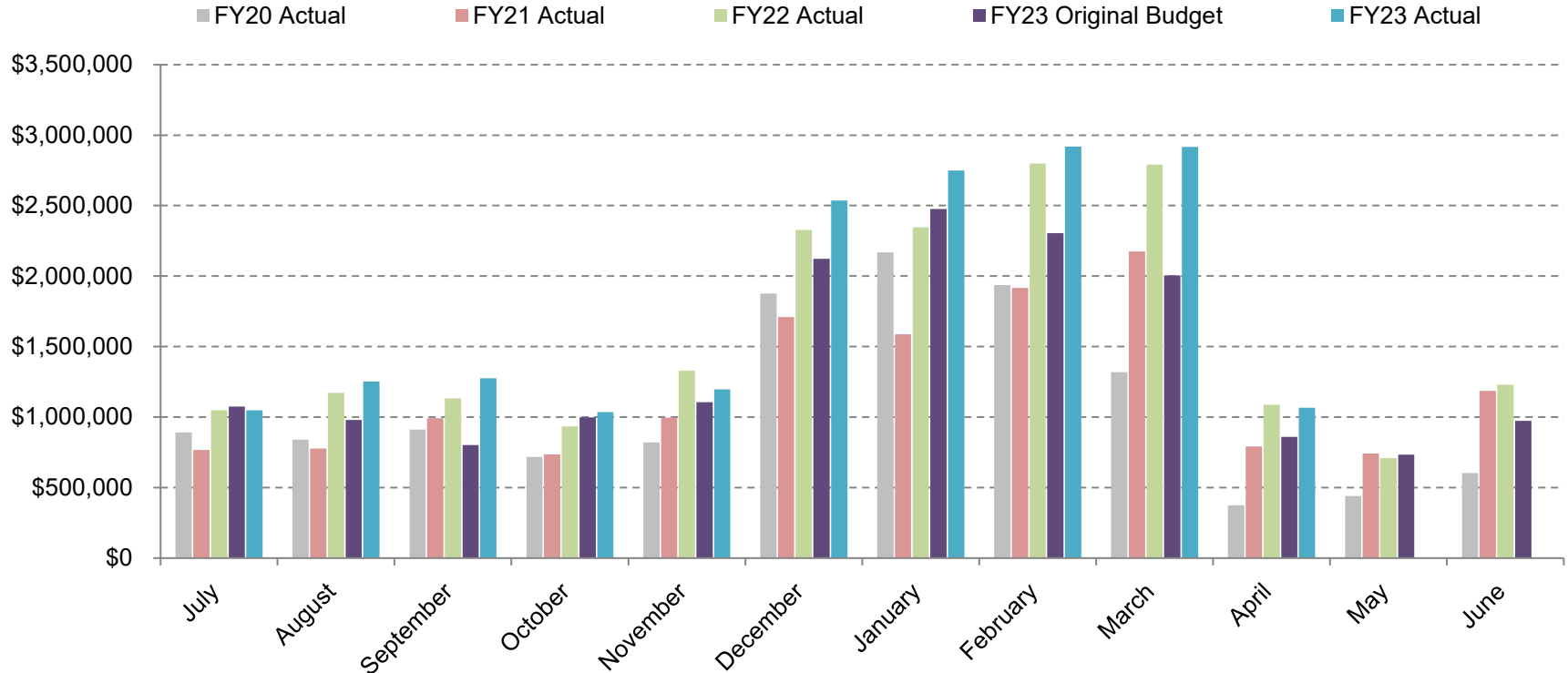
# Sales Tax Summary – General Fund

General Fund - Sales Tax Summary - \$ Change					
Month	FY21 Actual vs. FY20 Actual	FY22 Actual vs. FY20 Actual	FY23 Actual vs. FY21 Actual	FY23 Actual vs. FY22 Actual	FY23 Actual vs. FY23 Budget
July	(\$123,023)	\$157,361	\$279,162	(\$1,222)	(\$27,501)
August	(\$61,829)	\$394,102	\$474,822	\$80,720	\$272,545
September	\$79,424	\$141,170	\$282,835	\$141,665	\$472,000
October	\$19,198	\$199,016	\$299,310	\$100,294	\$36,857
November	\$175,122	\$332,565	\$200,183	(\$132,382)	\$90,792
December	(\$168,227)	\$617,352	\$826,343	\$208,991	\$412,582
January	(\$580,327)	\$759,405	\$1,161,656	\$402,251	\$272,584
February	(\$20,367)	\$883,179	\$1,003,687	\$120,508	\$615,872
March	\$856,876	\$615,211	\$740,840	\$125,629	\$911,181
April	\$417,916	\$294,704	\$273,478	(\$21,226)	\$206,560
May	\$302,484	(\$34,059)			
June	\$583,329	\$42,476			
<b>Total</b>	<b>\$1,480,576</b>	<b>\$4,402,482</b>	<b>\$5,542,316</b>	<b>\$1,025,228</b>	<b>\$3,263,470</b>

General Fund - Sales Tax Summary - % Change					
Month	FY21 Actual vs. FY20 Actual	FY22 Actual vs. FY20 Actual	FY23 Actual vs. FY21 Actual	FY23 Actual vs. FY22 Actual	FY23 Actual vs. FY23 Budget
July	-14%	37%	36%	0%	-3%
August	-7%	51%	61%	7%	28%
September	9%	14%	29%	13%	59%
October	3%	27%	41%	11%	4%
November	21%	33%	20%	-10%	8%
December	-9%	36%	48%	9%	19%
January	-27%	48%	73%	17%	11%
February	-1%	46%	52%	4%	27%
March	65%	28%	34%	5%	45%
April	112%	37%	35%	-2%	24%
May	69%	-5%			
June	97%	4%			
<b>Total</b>	<b>11%</b>	<b>31%</b>			

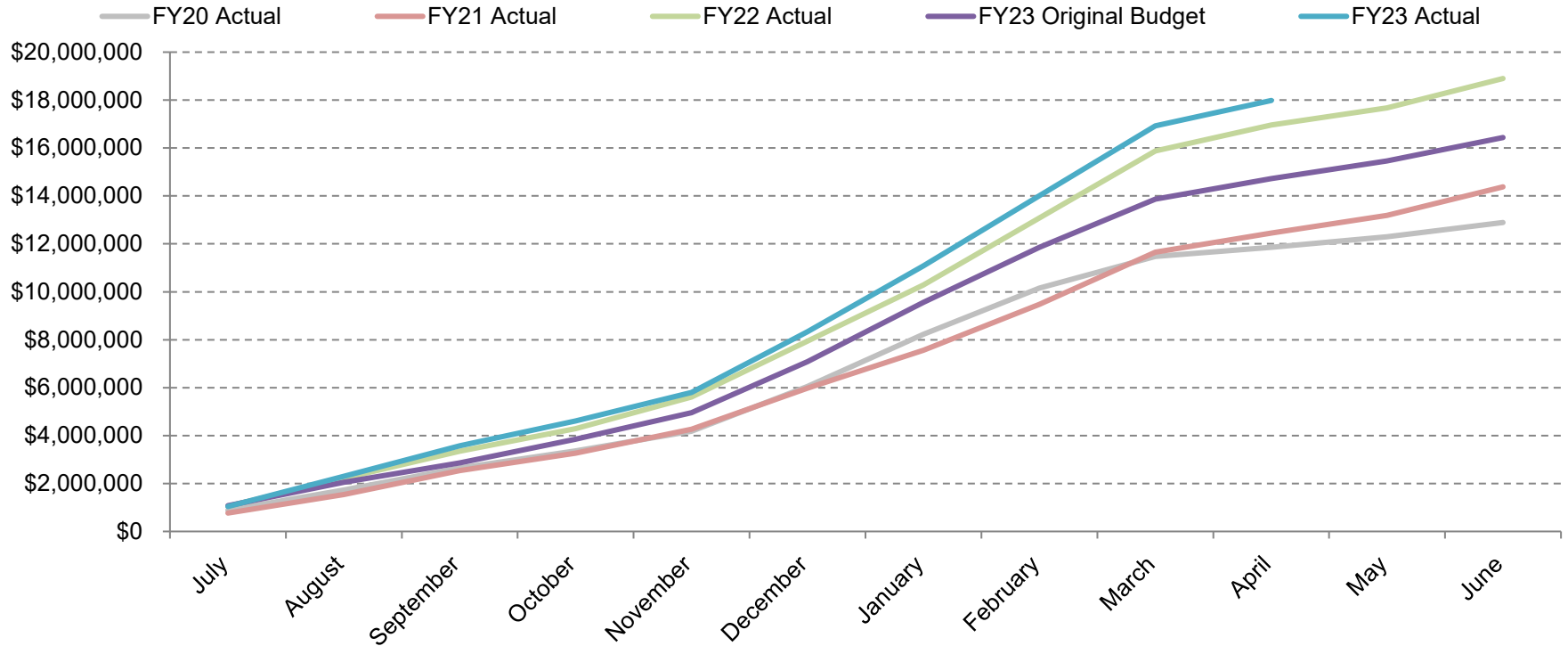
# Sales Tax Summary – General Fund

## General Fund Historical Sales Tax Revenues & Budgets Over Time by Month



# Sales Tax Summary – General Fund

## General Fund - FY23 Cumulative Annual Sales Tax Revenues Through Different Lenses



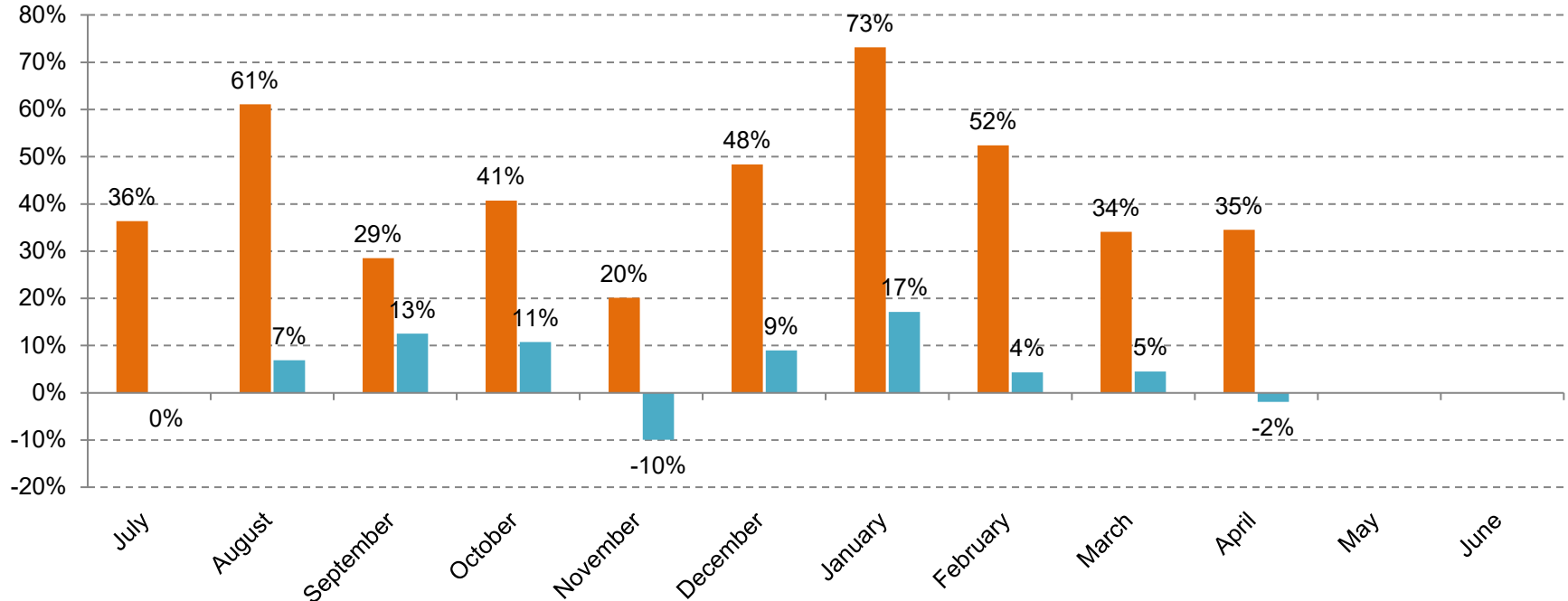
# Sales Tax Summary – General Fund

## General Fund

### FY23 Sales Tax % Change from Previous Fiscal Years

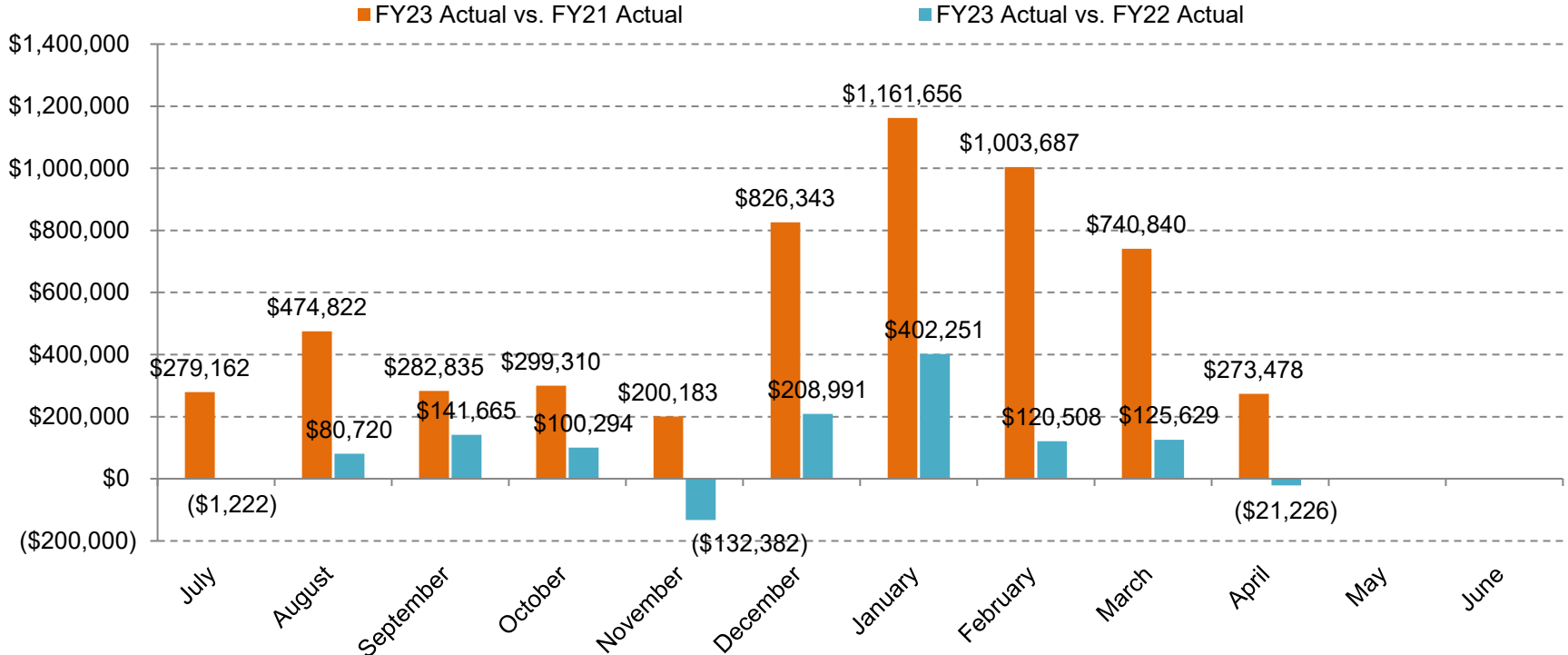
■ FY23 Actual vs. FY21 Actual

■ FY23 Actual vs. FY22 Actual



# Sales Tax Summary – General Fund

## General Fund FY23 \$ Change from Previous Fiscal Years







# Capital Fund

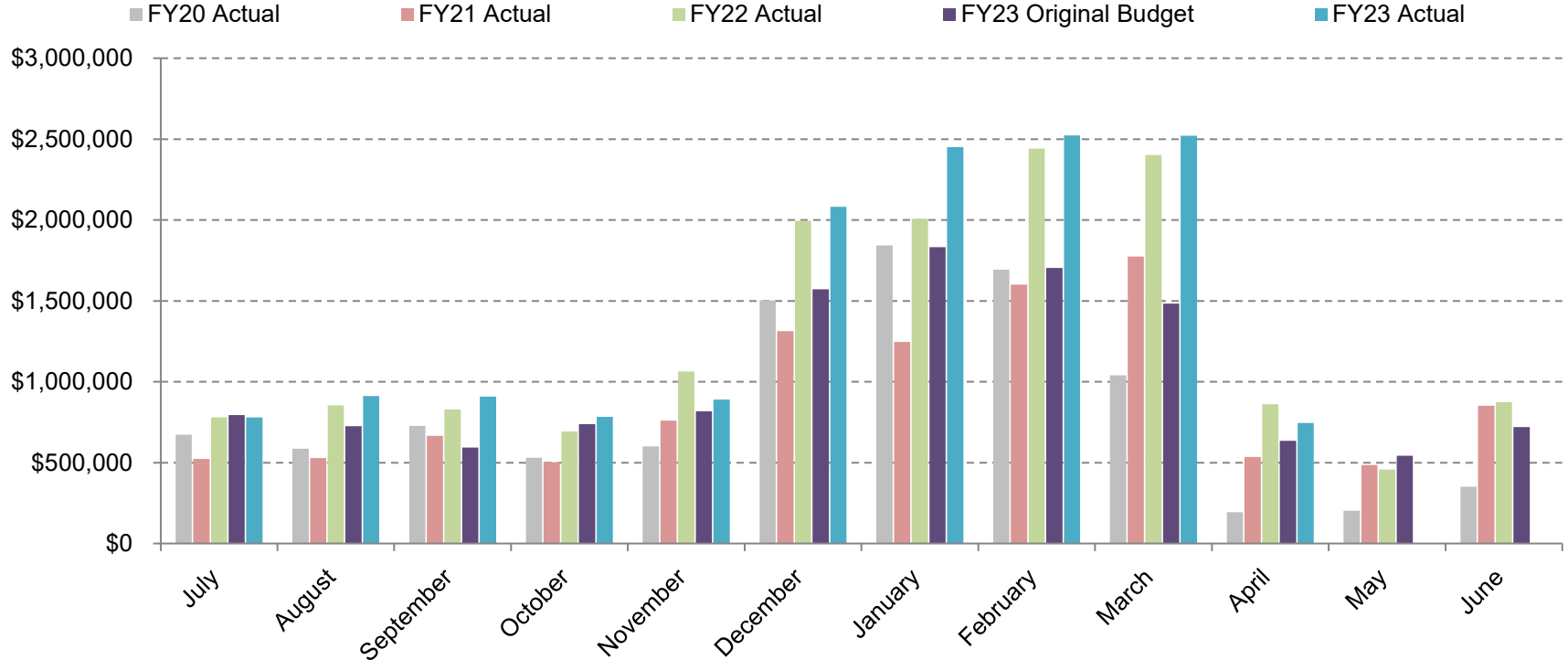


# Sales Tax Summary – Capital Fund

Capital Fund - Sales Tax Summary - Monthly					
Month	FY20 Actual	FY21 Actual	FY22 Actual	FY23 Original Budget	FY23 Actual
July	\$673,802	\$522,650	\$780,132	\$795,020	\$780,699
August	\$587,509	\$529,137	\$854,877	\$725,140	\$912,107
September	\$727,801	\$666,174	\$828,758	\$593,892	\$908,236
October	\$531,195	\$502,670	\$693,809	\$738,293	\$783,041
November	\$601,730	\$760,386	\$1,064,856	\$817,735	\$889,591
December	\$1,502,704	\$1,313,631	\$1,995,653	\$1,571,318	\$2,081,595
January	\$1,843,593	\$1,246,723	\$2,008,220	\$1,832,762	\$2,450,667
February	\$1,693,746	\$1,601,025	\$2,442,328	\$1,704,852	\$2,523,954
March	\$1,041,321	\$1,775,065	\$2,402,513	\$1,483,774	\$2,522,172
April	\$195,138	\$535,486	\$861,517	\$635,820	\$746,618
May	\$204,162	\$485,197	\$458,703	\$543,467	
June	\$352,198	\$852,122	\$874,417	\$720,622	
<b>Total</b>	<b>\$9,954,898</b>	<b>\$10,790,265</b>	<b>\$15,265,782</b>	<b>\$12,162,696</b>	

# Sales Tax Summary – Capital Fund

## Capital Fund Historical Sales Tax Revenues & Budgets Over Time by Month

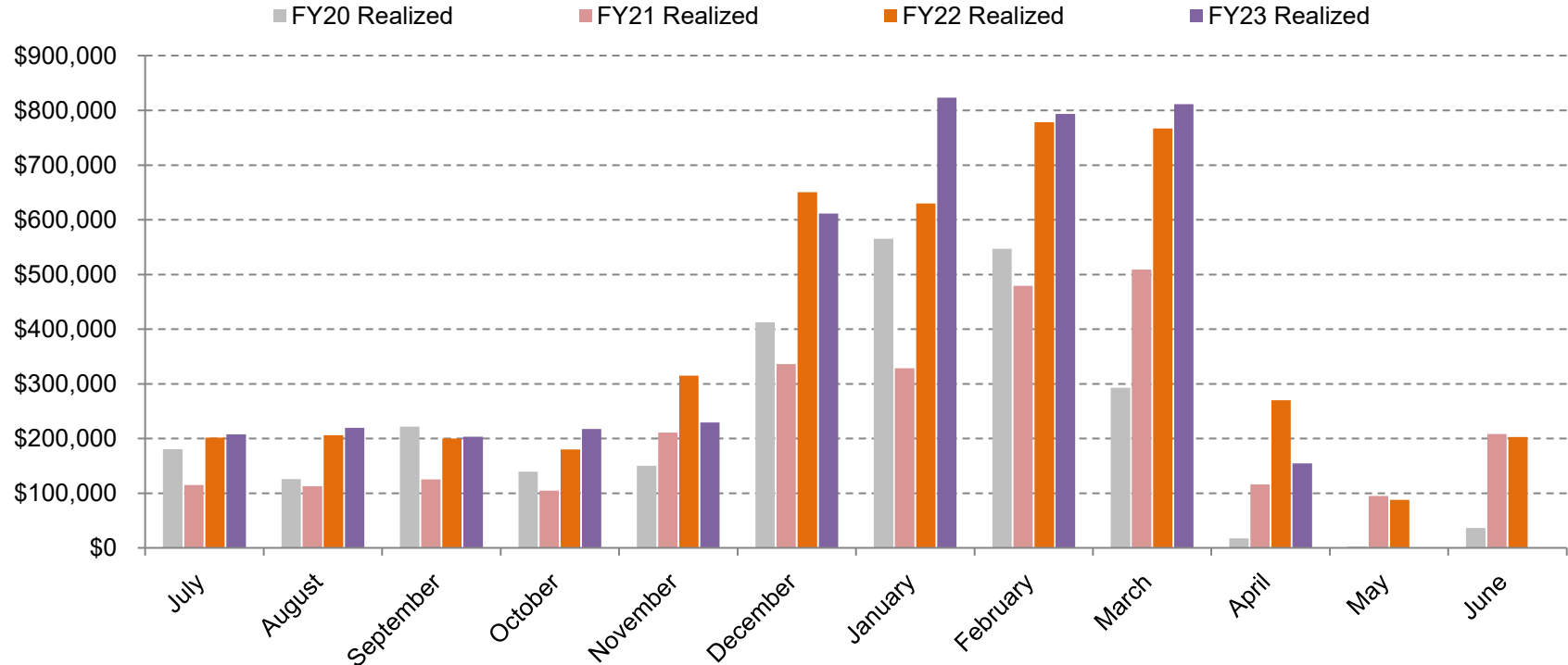


# Sales Tax Summary – Transient Room Tax

Transient Room Tax						
Monthly	FY20 Realized	FY21 Realized	FY22 Realized	FY23 Realized	FY23 vs. FY22, \$ Variance	FY23 vs. FY22, % Variance
July	\$180,669	\$114,918	\$201,780	\$207,936	\$6,156	3%
August	\$125,677	\$112,872	\$206,192	\$219,874	\$13,681	7%
September	\$221,639	\$125,348	\$200,321	\$203,178	\$2,857	1%
October	\$139,424	\$104,921	\$179,897	\$217,406	\$37,508	21%
November	\$150,563	\$210,795	\$315,172	\$229,493	(\$85,679)	-27%
December	\$412,832	\$336,374	\$650,240	\$611,583	(\$38,657)	-6%
January	\$565,442	\$328,467	\$630,062	\$823,076	\$193,014	31%
February	\$546,738	\$479,315	\$778,153	\$793,379	\$15,227	2%
March	\$292,669	\$509,063	\$767,199	\$811,367	\$44,168	6%
April	\$17,479	\$116,391	\$270,230	\$154,497	(\$115,733)	-43%
May	\$3,114	\$94,854	\$87,896			
June	\$36,423	\$208,432	\$203,021			
<b>Total</b>	<b>\$2,692,669</b>	<b>\$2,741,751</b>	<b>\$4,490,163</b>			

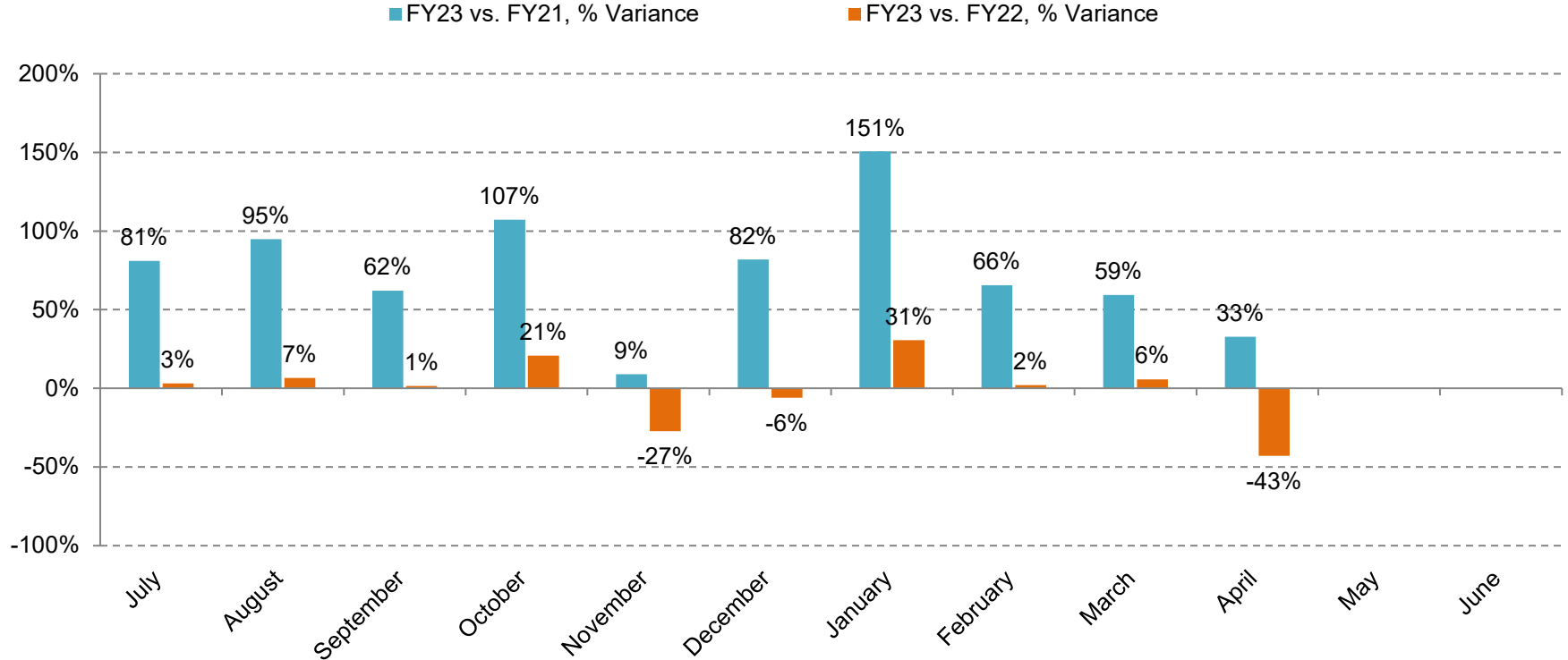
# Sales Tax Summary – Transient Room Tax

## Transient Room Tax Historical Revenues Over Time by Month



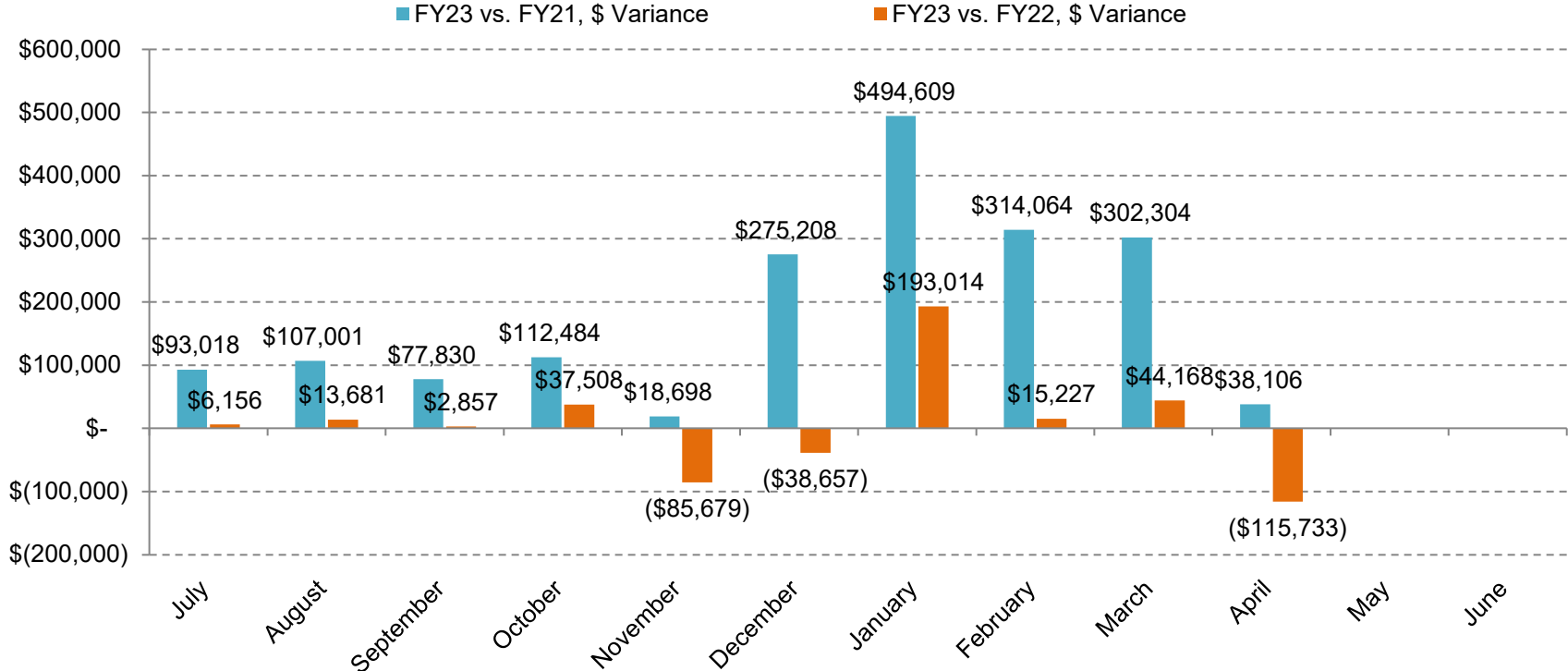
# Sales Tax Summary – Transient Room Tax

## Transient Room Tax % Change from Previous Fiscal Years



# Sales Tax Summary – Transient Room Tax

## Transient Room Tax \$ Change from Previous Fiscal Years





# Transportation Fund

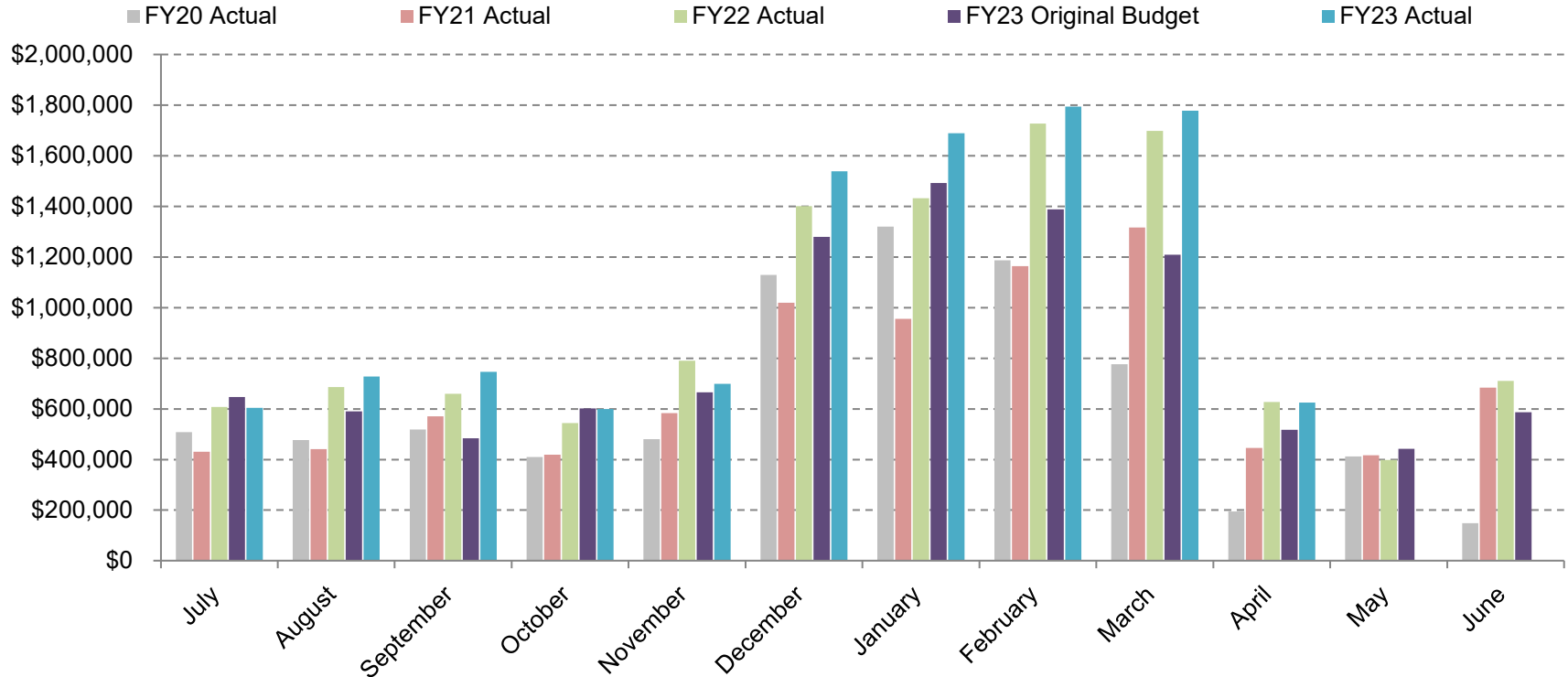


# Sales Tax Summary – Transportation Fund

Transportation Fund - Sales Tax Summary - Monthly					
Month	FY20 Actual	FY21 Actual	FY22 Actual	FY23 Original Budget	FY23 Actual
July	\$507,735	\$431,048	\$608,068	\$647,455	\$603,893
August	\$476,867	\$441,580	\$686,058	\$590,545	\$727,289
September	\$517,995	\$570,321	\$659,950	\$483,658	\$746,659
October	\$409,895	\$419,670	\$544,337	\$601,257	\$599,108
November	\$480,163	\$583,067	\$790,856	\$665,954	\$699,150
December	\$1,129,662	\$1,019,746	\$1,401,122	\$1,279,662	\$1,538,157
January	\$1,319,546	\$955,215	\$1,431,732	\$1,492,579	\$1,688,798
February	\$1,187,380	\$1,164,026	\$1,726,996	\$1,388,410	\$1,793,757
March	\$775,863	\$1,316,569	\$1,698,476	\$1,208,368	\$1,777,654
April	\$194,288	\$446,180	\$627,698	\$517,804	\$625,351
May	\$412,635	\$416,661	\$398,841	\$442,593	
June	\$148,275	\$684,361	\$710,502	\$586,866	
<b>Total</b>	<b>\$7,560,305</b>	<b>\$8,448,444</b>	<b>\$11,284,636</b>	<b>\$9,905,150</b>	

# Sales Tax Summary – Transportation Fund

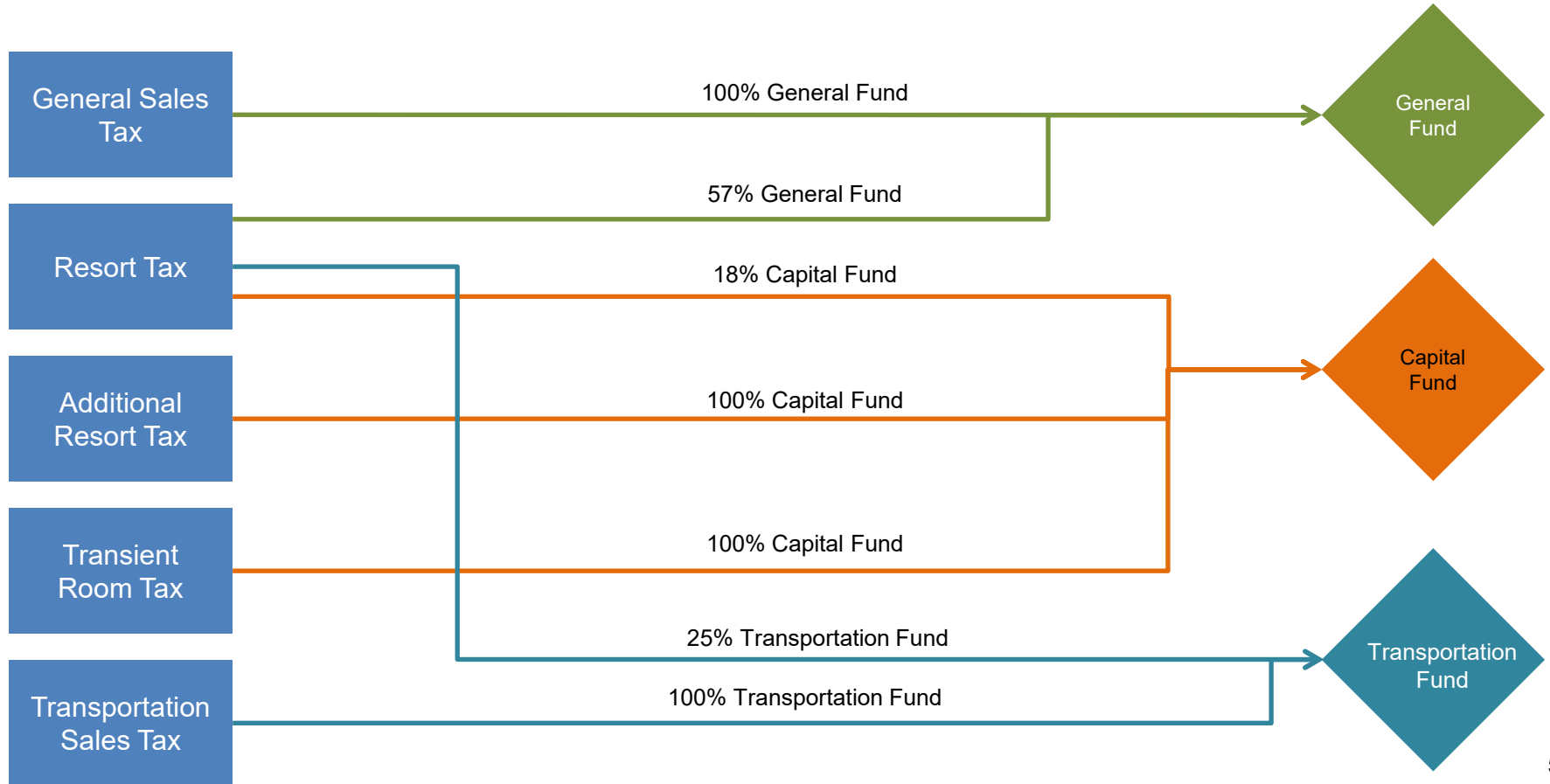
## Transportation Fund Historical Sales Tax Revenues & Budgets Over Time by Month



A photograph of a large, multi-story brick building, identified as Park City High School. The building features several tall, narrow windows and decorative architectural elements like cornices and small towers. In the foreground, there are lush green trees and a paved area with some benches. The sky is blue with scattered white clouds. The word "Appendix" is centered over the image, flanked by two horizontal white lines.

# Appendix

# Where Do Our Sales Taxes Go?



## **Council Agenda Item Report**

Meeting Date: July 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Sustainability

Item Type: Staff Report

Agenda Section: COMMUNICATIONS AND DISCLOSURES FROM  
COUNCIL AND STAFF

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**Subject:**

Park Silly Sunday Market Mid-Season Review

**Suggested Action:**

**Attachments:**

[PSSM 2023 Mid Season Staff Report](#)

[Exhibit A: PSSM Mid Season Measures of Success 2023](#)

## City Council Staff Communications Report

**Subject:** Park Silly Sunday Market Mid-Season Review  
**Author:** Jenny Diersen and Chris Phinney  
**Department:** Special Events  
**Date:** July 27, 2023

### Summary

This report provides a mid-season Park Silly Sunday Market (PSSM) review. The Special Events Department supports continuing the season's operations with no changes, which requires no further action.

### Executive Summary

Part of PSSM's [City Service Agreement \(CSA\)](#) requires a mid-season review for compliance purposes. To date, PSSM is operating consistently with the requirements of their CSA, and no operational issues are of concern. We have coordinated with the Historic Park City Alliance (HPCA) as part of the Working Group, and they have not requested any changes to this year's event. As part of the contract requirements, we will return on November 2, 2023, to provide an end-of-season debrief.

### Background

Council approved the 2023 PSSM supplemental plan on April 11, 2023 ([report](#) p. 840 / [minutes](#) p. 14). The event is held on Sundays, June 4 to September 24, with no events on July 2, July 30, or throughout August. The approval included significant changes such as reducing the number of event days, eliminating importers, and reducing noise impacts.

A history regarding PSSM is [linked here](#). This is the last year of the current Agreement, which expires on September 30, 2023. As requested, we will return to City Council to discuss future market options on August 22, 2023.

### Analysis

PSSM complies with the Council-approved "Measures of Success" metrics, CSA, and Level Five Special Event Permit. Exhibit A outlines the first five weeks (June 4 to July 11 – no event July 2) of the PSSM. Highlights include:

- Sustainable Measures – PSSM averaged an 84% diversion rate PSSM's overall diversion rate for the season is above the 80% requirement per the contract.
- Transportation Initiatives – PSSM continues to partner on transportation initiatives, including providing extra buses on September 3, offering a free bike valet, and promoting alternative transportation. Bike Valet has operated all five Sundays and has had a total of 886 bikes. PSSM performs bollard installation and has hired a company to assist pedestrians at the intersection of Heber and Main. This mitigation helps transit and many pedestrians pass through the intersection safely.



- City Transportation Initiatives – Several City departments work to reduce and mitigate transportation impacts during events. On May 11, the City increased parking rates to \$8/hour, \$35 max. Parking continues to fill between 11:30 a.m. and 4:00 p.m., and we continue to see increased transit ridership. Total ridership during PSSM is 21,219 with an average of 4,243 riders per Sunday. Comparatively, on a non-event day such as July 2, we saw 3,679 riders, compared to Savor the Summit's 3,766 riders. We monitored traffic on Park Avenue and Hillside and found less traffic on the first four Sundays, compared to Fridays and Saturdays, due to our mitigation efforts.
- Vendor Mix – PSSM is operating within the approved Vendor Mix Requirements. While PSSM is allowed to have up to 12 jewelers at each market, they have had no more than 10 jewelers at each market. No importers are allowed at the market.
- Noise Compliance – PSSM is allowed up to 75 decibels between 12:00 p.m. and 5:00 p.m. The Police Department has proactively taken noise readings at each market date, finding compliance with the Noise Variance. No noise complaints have been received to date.
- Working Group –The working group reviews operations of both PSSM and Car Free Days and helps maintain a collaborative relationship between PSSM, HPCA, and the City. HPCA reviewed the operations of the event in June and July, and no changes are requested at this time.
- Community Partnerships – PSSM continued to highlight nonprofit organizations, including Nuzzles & Co, Fight Against Domestic Violence, Paws for Life, Southern Utah Wilderness Alliance, Wasatch Back Country Rescue, Art Fest, Stand for the Silent, UT Olympic Legacy Foundation, KPCW, Dog Days Healing Paws, Connect Summit County, Avian Sanctuary, Speedy Foundation, First Utah Robotics, Peace House, PC Rotary, Ssejinja Children Foundation, PC Artist Association, Summit County, True Hearts for Healing Paws, In addition, at the request of the Transit Department, PSSM provided a free booth space to PC Transit to promote transit surveys and initiatives.

## Funding

As amended on January 5, 2023 ([report](#) p. 183, [minutes](#) p. 9), the [Agreement](#) outlines sections B.2.5(n) Pedestrian Management (at Heber and Main), C.6.1 Basic City Services, E.10.(c)(i) Bollard Installation, and E.10.(c)(ii) City Service Waivers. This includes that City Council agreed to waive City Services for 11 markets in exchange for PSSM providing bollard management and pedestrian management at no cost to the City. Bollard and pedestrian management are services the City pays to mitigate event impacts (value \$26,400).

City fees and hard costs estimates were originally estimated at \$82,969. Based on current operational costs we anticipate \$78,121 in City Services and Hard Costs which is a slight decrease and will be waived per the Agreement.

City Service Fee	PreSeason Estimate	Mid Season Estimate
Special Event Permit - Level 4 - CIE Rate (new fee schedule rate)	\$192	\$192
Building Permits	\$250	\$1,562
Parking Removal	\$15,400	\$15,400
Banner Installation	\$687	\$687
Public Safety Personnel	\$39,600	\$52,800
VMS & barricades/equipment	\$4,400	\$4,400
<b>Total City Service Fee Estimate</b>	<b>\$60,529</b>	<b>\$75,041</b>
Alternative Option: Mitigation on Park, Swede and Hillside	\$22,440	*Included additional police and kane (above and below).
Kane Security - Residential Mitigation on Main St at Grappa	*NA - see note	\$3,080
<b>Total City Service Fee Estimate w/ Alternative Option</b>	<b>\$82,969</b>	<b>\$78,121</b>
*In the Pre-Season Estimate Alternative Option included additional Police and Kane Security. These costs have decreased slightly from our original estimate.		

## Exhibits

A: PSSM Measures of Success

## Exhibit A: PSSM Mid Season Report and Measures of Success

Park Silly Sunday Market – 2023 Mid-Season Preview Measures of Success		<b>Legend</b> S – Succeeding in meeting Contracted I - In progress / Meeting Requirements U – Unsatisfactory - Not meeting
<b>Requirements</b>		
<b>Vendor Mix</b>		
Jewelers (allowed per week maximum) i. 2023- 12	<b>Notes:</b> Requirements are currently being met	I
On-site Food Vendors & Snack food Vendors (per week maximum ) i. 2023 - 12	<b>Notes:</b> Requirements are currently being met	I
PSSM will invite two (2) HPCA representatives in the jurying of jewelry vendors.	<b>Notes:</b> Requirement was met by PSSM.	S
PSSM will coordinate three (3) working group meetings with the HPCA and PCMC to identify possible conflicts and/or issues with vendor mix.	<b>Notes:</b> Meeting dates have been selected by HPCA, PSSM and the City. At this time no changes have been requested.	I
PSSM will provide to the City a list of vendor classification definitions along with preference criteria for vendor mix.	<b>Notes:</b> Requirements have been provided and met.	S
<b>Parking / Traffic / Pedestrian Management</b>		
Create event parking plan i. Identify vendor vehicle with license plate identification. ii. Identify public parking locations both in Old Town/Main Street along with alternative parking areas. iii. Identify locations where parking will be removed to provide space for event and mitigate impacts of event iv. Continue increased communication between departments and PSSM to encourage parking of vendors in suggested vendor locations.	<b>Notes:</b> PSSM continues to work with Staff & private parking garages to park vendors in appropriate areas. A resident parking area has been established and is being enforced along the west side of Park Ave.  Parking Enforcement continues to communicate with the residents to resolve parking concerns during the Park Silly Sunday Market. This increase in fees for parking in China Bridge and other areas will be monitored. An update will be given to council at the Mid-Season review.	I
Work with Special Events and Transit to get out alternate transportation messaging out with: i. Co- messaging with PC Transit Dept. ii. PSSM will create and implement different methods of informing the public (PSA's, print ads) iii. Create and implement a program encouraging non-motorized forms of transportation to the market. ix. Addition of Shuttle Service on expected heavy attendance day – July 24, July 4 and September 5.	<b>Notes:</b> While PSSM does not preform any paid marketing. Social media will focus on transportation alternatives including City transit, bikes or walking to attend.	I
Submit sign Plan to Staff at the time of Supplemental Plan containing the following: i. Locations ii. Size & Type iii. Message iv. Placement and removal times	<b>Notes:</b> Requirements are currently being met	I
Work with City to create a pedestrian management plan that addresses the crossings of Heber/Main and Swede Alley	<b>Notes:</b> PSSM is responsible for Pedestrian Management at Heber and Main	I
<b>Market Set-Up and Inspections</b>		
a. Weekly notification to staff of footprint or operational changes	<b>Notes:</b> Staff is working with PSSM to ensure that requirements are met.	S
b. Location of interior sponsor signs	<b>Notes:</b> Requirements are currently being met	I
<b>Street Cleaning and Trash Removal</b>		

## Exhibit A: PSSM Mid Season Report and Measures of Success

a. Pre-Meet with City's Street Department to create a street cleaning and trash removal plan.	<b>Notes:</b> Requirements are currently being met	I
b. Meet with Street Department two (2) additional times throughout summer to address any issues with plan.	<b>Notes:</b> Will meet during the 2023 Market Season – dates TBD No issues at this time.	I
<b>Coordination with PCMC and HPCA</b>		
a. PSSM will schedule monthly 'Working Group' meetings from June through September	<b>Notes:</b> Meetings have been scheduled and placed on calendars.	I
c. PSSM will schedule a weekly market walk through with City representatives	<b>Notes:</b> PSSM and the City have scheduled the weekly meetings.	I
d. PSSM will supply the City Representatives with weekly report containing the following i. Estimated attendance ii. Zero Waste statistics iii. Breakdown of number of vendors and types iv. Provide a list of other sustainable efforts throughout the event. v. PSSM to participate in and provide a list of City functions related to Green Event management that they participate in, as well as a lists of non-profits who they provide sustainable mitigation efforts for. vi. PSSM to present a year over year a comparison for sustainable effort comparison in coordination with the City during annual end of season review.	<b>Notes:</b> Requirements are currently being met. Total attendance has been 80,662. Other details are in the staff report.	I
e. PSSM will supply the City Representatives with an ongoing list of vendor and staff license plates: i. Prior to the start of the June 4 Market. ii. At any time they add license plates to the market throughout the 2023 season. iii. License plate lists should be provided to the City Representative no later than 10:00 a.m. each Sunday.	<b>Notes:</b> Requirements are currently being discussed to work on best coordination between PSSM and the City.	I
<b>Marketing and PR</b>		
a. HPCA logo on all advertisements & promotions	<b>Notes:</b> Requirements currently being met.	I
b. Engage in cross promotions with Chamber, HPCA, Park City Restaurant association	<b>Notes:</b> Requirements currently being met.	I
c. Media – The HPCA logo and sponsorship credits will be provided in all media placement that the PSSM currently employs, including but not limited to: I. Print ads II. Ads, links or info listings on Utah tourism, business and special internet websites; III. Periodic television coverage; IV. Radio PSAs and promotions; V. Website spots, summer guides, fairs, non-profit organization calendar listings; VI. Email blasts; and VII. Social media, 'if applicable'	<b>Notes:</b> Requirements currently being met. PSSM has significantly cut back on all marketing efforts, focusing only on social media locally.	I
<b>Other Items:</b>		
Quantify Marketing & PR Value	<b>Notes:</b> In progress. It is likely due to the cutback on marketing efforts that this value will be significantly less than previous years.	I
PSSM shall present an annual market plan. This report will contain the following: i. Estimated attendance ii. Zero Waste statistics iii. Breakdown of number of vendors and types	<b>Notes:</b> This was reported to Council in the 2022 End of Season Report. PSSM is aware of the requirement and currently has a 84% diversion rate.	I

## Exhibit A: PSSM Mid Season Report and Measures of Success

iv. List of non-profit groups attending the market v. Advertising information etc. vi. Transportation and parking counts – to be coordinated with PCMC Transportation Services Department		1
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## **Council Agenda Item Report**

Meeting Date: July 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Sustainability

Item Type: Staff Report

Agenda Section: COMMUNICATIONS AND DISCLOSURES FROM  
COUNCIL AND STAFF

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**Subject:**

Renaming Round Valley Trailheads

**Suggested Action:**

**Attachments:**

[Renaming Round Valley Trailheads Staff Report](#)





## **City Council Staff Communications Report**

**Subject: Renaming Round Valley Trailheads**

**Author: Heinrich Deters**

**Department: Trails & Open Space**

**Date: July 27, 2023**

The Trails & Open Space Department is renaming the Round Valley Way and Quinn's trailheads, located in Round Valley, to improve internet search results and ensure accurate information regarding the Round Valley trail system. Presently, the top search results are associated with directions to a small trailhead situated deep within Park Meadows, causing unnecessary impacts to the neighborhood.

Renaming the Round Valley Way Trailhead to 'Sunny Slopes' and Quinn's Trailhead to 'Round Valley Quinn's' will alleviate the associated impacts and redirect users to the Round Valley Quinn's location, easily accessible from Highway 40, and with ample parking and amenities such as restrooms.

The Trails & Open Space Department is taking the following steps to implement the trailhead renaming:

1. **Contact Google:** We will contact Google to update their search results and maps to reflect the new trailhead names. This will ensure accurate information is readily available to the public and reduce confusion.
2. **Engage Trail Applications:** We will contact popular trail applications such as 'Trailforks' and 'All Trails' to update their databases with the revised trailhead names. By doing so, hikers and outdoor enthusiasts relying on these platforms will be informed of the changes and have access to accurate information.
3. **Update Trail Maps:** We will work collaboratively with mapping agencies and organizations to revise trail maps and include the new trailhead names. This will provide visitors with up-to-date and reliable information when navigating the Round Valley trail system.
4. **Modify Websites:** We will coordinate with relevant websites, local tourist information portals, and community platforms, to ensure the renaming is reflected. This will enhance consistency across online sources and provide accurate information to individuals researching the Round Valley trail system.
5. **Communication and Public Awareness:** To minimize confusion and inform the public about the renaming process, we will actively communicate the changes through various communication channels. These may include press releases, social media announcements, informational signage at the trailheads, and engagement with local community organizations. Public outreach will be essential to raise awareness and ensure a smooth transition for trail users.

## **Council Agenda Item Report**

Meeting Date: July 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Executive

Item Type: Staff Report

Agenda Section: COMMUNICATIONS AND DISCLOSURES FROM  
COUNCIL AND STAFF

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**Subject:**

Childcare Update

**Suggested Action:**

**Attachments:**

[Childcare Staff Report](#)



## City Council Staff Communications Report

**Subject:** Childcare Update  
**Author:** Michelle Downard, Resident Advocate  
**Department:** Executive  
**Date:** July 27, 2023

### Summary

This report is a project update of the Childcare Workgroup's efforts to develop recommendations for the \$1,000,000 childcare emergency allocation provided by Council.

The Workgroup is making great strides in developing recommendations for a stipend program to utilize the funding, which will help stabilize and sustain current childcare services. However, the administrative workload to manage the program will be significant and will likely require a request for proposal (RFP) and additional time. It is also important to address the overall need for increased childcare capacity and a sustainable long-term childcare support program. Therefore, in addition to the stipend program, the Workgroup will recommend future actions, including establishing a joint taskforce involving additional stakeholders. The Workgroup's recommendations will be discussed in more detail during a future council meeting.

### Background

Recently, Park City Council received extensive public comment regarding the lack of affordable and available childcare options in Park City, exacerbated by an impending reduction in Federal funding. City Council discussed the concerns with local childcare providers, received considerable public input, and met with various stakeholders and providers at multiple work sessions: [November 17, 2022](#), [May 11, 2023](#), [May 25, 2023](#), and [June 1, 2023](#). As a result, during the FY24 Budget process, City Council directed a one-time \$1,000,000 allocation ([June 22, 2023](#)). However, no funds will be distributed until a transparent program with an accountable allocation process and clear eligibility criteria is established. In addition, because the funding is a one-time allocation, the program will sunset once the funding is exhausted.

A working group was established, including Mayor Worel, Councilmember Gerber, Matt Dias, Michelle Downard, Sarah Mangano, Jed Briggs, Ken Fisher, Kristen Schulz (Early Childhood Alliance), Joel Zarrow (Park City Community Foundation), Tony Tyler (PC Tots), and Sue Banerjee (PC Tots). The working group proposed a program based on Council's public discussions and stakeholder input, the professional report submitted by the Early Childhood Alliance, clear eligibility criteria, and the one-time allocation. Specifically, the draft recommendation:

- Prioritizes lower-income Park City families;
- Encourages capacity-building in Park City's existing and new childcare facilities;
- Increases the use of Department of Workforce Services (DWS) funding in Park City; and

- Creates an allocation for Park City Municipal employees.

#### Phase 1- Stipend Program Recommendations

The Workgroup's proposed childcare funding allocation will include several benefit options for Council's future consideration possibly including:

- Tuition Stipend to Families;
- Childcare Provider DWS Incentive;
- Children Under Three Tuition Stipend; and
- PCMC Employee Benefit.

The administration of this program requires thorough documentation of requests, qualifications, and fund distribution. The program administration will be managed by a third-party vendor who will be identified through a transparent, open, and competitive process which will be overseen by the Workgroup including Councilmember Gerber and Mayor Worel, and advertised as soon as possible. The Workgroup will return to council on a future date for a comprehensive review of the contract for the administrative management and the funding allocation criteria.

#### Phase 2- Childcare Capacity and Long-term Childcare Support

While the stipend program outlined above is an effective first phase and will utilize the \$1,000,000 of funding to stabilize and sustain current childcare services, to address childcare capacity and a sustainable long-term childcare support program, the Workgroup recommends:

- Establishing a Joint Taskforce inviting stakeholders such as Summit County, Chamber of Commerce, Park City Community Foundation, School District, childcare providers, parents, and other stakeholders who are able to participate; and,
- PCMC's Human Resources Department will conduct an internal survey to benchmark current staff needs for childcare. The survey results will guide a recommendation for PCMC staff allocations beginning January 1, 2024.

The Workgroup's comprehensive recommendations will return to council on a future date for a comprehensive review of the contract for the administrative management and the funding allocation criteria.

## **Council Agenda Item Report**

Meeting Date: July 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Executive

Item Type: Staff Report

Agenda Section: CONSIDERATION OF MINUTES

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**Subject:**

Consideration to Approve the City Council Meeting Minutes from June 22, 2023, and July 6 and 11, 2023

**Suggested Action:****Attachments:**

[June 22, 2023 Minutes](#)

[July 6, 2023 Minutes](#)

[July 11, 2023 Minutes](#)



**PARK CITY COUNCIL MEETING MINUTES - DRAFT**  
**445 MARSAC AVENUE**  
**PARK CITY, SUMMIT COUNTY, UTAH 84060**

**June 22, 2023**

The Council of Park City, Summit County, Utah, met in open meeting on June 22, 2023, at 3:15 p.m. in the City Council Chambers.

Council Member Doilney moved to close the meeting to discuss property and advice of counsel at 3:15 p.m. Council Member Gerber seconded the motion.

**RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

**CLOSED SESSION**

Council Member Gerber moved to adjourn from Closed Meeting at 4:21 p.m. Council Member Dickey seconded the motion.

**RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

**WORK SESSION**

**Discuss Ground Lease with JF EngineHouse Developer, LLC for the City-Owned Property Located at 1875 Homestake Road:**

Jason Glidden, Housing Development Manager, and Rory Murphy and Ryan Davis, J. Fisher Development, were present for this item. Glidden reviewed the City entered into a memorandum of understanding (MOU) with J. Fisher in December 2021, and it was amended June 2022. The proposed affordable housing development would have 123 total units, of which 99 would be affordable. No exceptions to the Land Management Code (LMC) were requested. He stated soil remediation would begin soon and construction was scheduled to begin in August. He indicated the electric and magnetic fields (EMF) were studied and the analysis found there were no associated health risks with this project.

Glidden stated there would be a request to waive permit and impact fees on July 13. He indicated the lease would be for 65 years with possible lease extensions that would total 99 years. Regarding rental rates, the affordable units would be rented at 60% average



1 median income (AMI) and would change annually to adjust to that percentage. He  
2 reviewed the site improvements for the area, including parking spaces, bike storage,  
3 electric vehicle charging stations, space for bikeshare, and a sewer line extension. Park  
4 City would provide access to water, update the road, relocate the Recycle Center,  
5 provide a sewer line easement, and remediate the contaminated soils. Glidden stated J.  
6 Fisher could refinance at any time. If they wanted to sell, the City would have the first  
7 right to make a purchase offer. Before approving the lease, a public benefit analysis was  
8 required and those results would be presented later tonight.

9  
10 Mayor Worel expressed concern for the aesthetics of the 12-foot concrete wall planned  
11 for the area. Murphy stated they wanted to shield the substation, and there would be  
12 murals of railroads and trains on it to make it more appealing.

13  
14 Council Member Rubell asked how the substation would tie into the small area plan.  
15 Glidden stated it would be great to see the substation removed but it wouldn't affect any  
16 of the master plans. Council Member Rubell asked if there was a timeline for removing  
17 the substation, to which Glidden stated he did not know. Council Member Rubell asked  
18 to see a timeline before the final approval on this project. He asked why the lease  
19 structure and the length of the lease was being proposed. Glidden stated the financial  
20 partners wanted a 65-year minimum lease. Davis stated the land use restriction was a  
21 50-year requirement and the lenders wanted to see a 15-year tail on that. A longer lease  
22 would allow a longer time period that the units would be affordable. Council Member  
23 Rubell asked if all the developer's other projects were 99-year leases, to which Davis  
24 affirmed and noted another common breakdown was signing a 75-year lease with a 24-  
25 year extension.

26  
27 Council Member Toly asked about the construction and temporary parking plan. Glidden  
28 stated the parking plan was presented as a staff communication report on the June 15<sup>th</sup>  
29 meeting packet. They would pave the area and they would also utilize parking behind  
30 the former Kimball building for employee parking. The area would be used for  
31 construction mitigation for several projects in the area. This would prevent any impacts  
32 to residents on Homestake. There would also be parking on Munchkin Drive. Council  
33 Member Toly didn't think that space would be sufficient parking for this project. Glidden  
34 stated half of the Bonanza area would be paved and J. Fisher felt the unpaved area was  
35 sufficient for their vehicles. Council Member Toly asked if no construction would be  
36 occurring in the arts and culture district during the Homestake construction. Jen  
37 McGrath, Deputy City Manager, stated she was confident that nothing would be  
38 constructed during the next 18 months and reviewed the timeline for the feasibility  
39 study. Glidden stated the lease would come to Council on July 13<sup>th</sup> for approval.

## 40 41 **REGULAR MEETING**

### 42 43 **I. ROLL CALL**

44

Attendee Name	Status
Mayor Nann Worel Council Member Ryan Dickey Council Member Max Doilney Council Member Becca Gerber Council Member Jeremy Rubell (via Zoom) Council Member Tana Toly (via Zoom) Matt Dias, City Manager Margaret Plane, City Attorney Michelle Kellogg, City Recorder	<b>Present</b>
None	<b>Excused</b>

## II. APPOINTMENTS

### **1. Appoint Emma Zevallos and Reappoint Austin Lau and Amir Vonsover to the Police Complaint Review Committee for Three Year Terms Beginning June 30, 2023:**

Michelle Downard and Chief Carpenter presented this item. Downard indicated there were five voting members and three of the terms were expiring.

Council Member Gerber moved to appoint Emma Zevallos and reappoint Austin Lau and Amir Vonsover to the Police Complaint Review Committee for three-year terms beginning June 30, 2023. Council Member Doilney seconded the motion.

#### **RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

## III. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

### **Council Questions and Comments:**

Council Member Dickey noted the July 4<sup>th</sup> drone show would begin at 10:00 p.m. Council Member Gerber indicated the Latino Arts Fest was last weekend and it was great. Mayor Worel indicated they had 8,000 attendees at that event. Council Member Toly stated a Wildfire Risk Assessment open house would be held June 27<sup>th</sup>. Council Member Rubell indicated the Barn Door event was last week and it was well attended.

Mayor Worel indicated Council received a lot of public comment regarding the Snow Park Right-of-Way Vacation item. She appreciated the courtesy of the comments from residents, HOAs, and others. Currently, the existing Deer Valley (DV) plan was insufficient to find good cause. Some of the Council was meeting with DV to negotiate to find good cause. This item would come back and be presented in a public meeting. She noted other project transactions were resolved after hours of negotiations and hours of

public comments in public meetings. There would be another public hearing regarding this issue on July 6<sup>th</sup>.

**Staff Communications Reports:**

**1. Fourth of July Event Reminders:**

Mayor Worel asked if the drone show could be seen at the same distance as regular fireworks. Diersen stated the launch site was at Deer Valley so it would be elevated. She recommended viewing the show from the golf course and Park City Mountain Resort (PCMR) for the best view.

**2. Emergency Management Update:**

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

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

Mya Drexler lived in Park City for 23 years. She found her second home at the Kimball Art Center (KAC). She took various classes there and she asked Council to reconsider a home for KAC in the arts and culture center.

Lisa Shine 84060 KAC Board Chair, believed everyone should have access to the arts. She supported the Council action taken in 2017 to sell land to KAC.

Joel Shine 84060 was a real estate developer and a photographer. He thought the vacant Bonanza Park site was a hole in the City. Cities with art and theatres had a positive impact on the community.

Jocelyn Scudder, 84060, Arts Council Director, worked in the art sector for 10 years. She was proud of the Council when they announced a plan to have an arts and culture district. She asked Council to champion the arts.

Sadie Abuhaidar supported the building of the arts and culture district on the Bonanza Park parcel. It was difficult to find art opportunities and the KAC filled that need. She felt KAC helped children who had a passion for art, but not the resources.

Maggie Abuhaidar 84060 KAC Board Member, stated in 2017 Mayor Thomas announced the arts and culture district and she encouraged the Council to recommit itself to honor that vision.

Mary Bourke 84060 KAC board member, was excited to see KAC fill its vision of constructing a permanent home in the arts and culture district.

1 Emma Brake supported arts and culture in Bonanza Park.

2  
3 Kelly Gallagher 84098 advocated for a larger home for the KAC. She learned her  
4 profession at KAC and now had a business. The temporary home was too small and not  
5 everyone could participate in the classes.

6  
7 Katy Wang 84098, Executive Director of Park City Film, supported art and thought the  
8 arts and culture district should be built and KAC should build their home there.

9  
10 Joann Stack 84060 supported the KAC and stated art built bridges and brought the  
11 community together.

12  
13 Josh Pickus 84098 stated he was surprised and delighted there was so much art in  
14 Park City. He hoped art would continue to be a priority and that art in the City would be  
15 a world class area.

16  
17 Brad Senet 84098 worked providing fine art to hotels. He thought KAC was important to  
18 the community, and he supported having a permanent home for them.

19  
20 Mitch Bedke 84098 stated KAC was a treasure for the community. He hoped they could  
21 get their property and build their facility.

22  
23 Logan Whitesong 84060 thanked law enforcement. He felt residents lived in a bubble  
24 and he felt lucky to live here. He was against the LGBTQ+ flags flying on Main Street  
25 and asked for the Council's resignation.

26  
27 Matt Nagie thanked the Council for supporting the LGBT community.

28  
29 Karen Teurzian supported and loved the KAC. It was a great asset to the community  
30 and visitors. She asked Council to support a new home for KAC.

31  
32 Aldy Milliken 84098 Executive Director of KAC, thanked Council for sharing the values  
33 of an inclusive community. He indicated KAC had outgrown its space. In 2017, KAC and  
34 the City signed an agreement to have the KAC building on the planned arts and culture  
35 district. He asked for those commitments to be honored.

36  
37 Karen Kendall 84098 supported KAC and was excited in 2017 when the arts and culture  
38 district was announced. The KAC was an asset to the community. She taught art at the  
39 National Ability Center (NAC) and noted that was one of the things the organization did.

40  
41 Lance Peto eComment: "My wife & I are traveling in Europe, home on July 2nd. We  
42 watched the City Council meeting after the fact due to the time differences. I would like  
43 to point out the PTL position of on demand shuttles vs public buses is a rather selfish  
44 position. We in Fawngrove were particularly upset with "Becky's" position & statements

1 with regard to our complex. The majority of owners support Altera & strongly favor  
2 development of the unsightly parking lots. Snow Park actually offers "on demand"  
3 shuttle service & several complexes such as "Pinnacle" participate. They pay a minimal  
4 fee, shared by the homeowners & because they are not on the public bus route, it offers  
5 residents & guests a wonderful transportation alternative. Fawngrove used to participate  
6 in the shuttle but terminated it a few years ago due to the \$12,000 expense. Our 60  
7 units on 10 acres would be charged an insignificant amount of \$20/mo. which I  
8 supported but the Board did not. Now we take the VERY convenient public bus service.  
9 I also feel that if the City needs a 6' right of way to expand Deer Valley North to  
10 accommodate a bus lane, Fawngrove should cooperate. We live in the closest building  
11 to the street & have NO objection. Since the City is going to negotiate with Altera, I  
12 would suggest the PTL HOA's be offered an expanded PAID "on demand" shuttle by  
13 Snow Park. This would allow the public system to continue and combine it with a shuttle  
14 option. The tremendous convenience greatly outweighs the minimal expense. I am  
15 offering this email since the Council may not know about the existing shuttle service & it  
16 was not brought up at the meeting last week. Not mentioned by anyone but a huge  
17 alternative offered by PTL. It currently exists & could be easily expanded."

18  
19 Mayor Worel closed the public input.

20  
21 **V. CONSENT AGENDA**

22  
23 **1. Request to Authorize the City Manager to Execute a Water Conservation**  
24 **Software Contract with WaterSmart Software, Inc., Not to Exceed \$213,111.29, in a**  
25 **Form Approved by the City Attorney:**

26  
27 **2. Request to Approve a Film Permit "Amazing Grace" to be Finalized by the**  
28 **Special Events Department at the McPolin Farm in a Form Approved by the City**  
29 **Attorney:**

30  
31 **3. Request to Authorize the City Manager to Enter into a Contract with Computer**  
32 **Sciences Corporation for Risk Management Software, Not to Exceed \$146,000 for**  
33 **Three Years, in a Form Approved by the City Attorney:**

34  
35 **4. Request to Relocate Two Pieces of Public Art, "Dogs of Bark City" and "Up in**  
36 **Flames," Due to the Reconstruction of the Park Avenue Bus Shelters:**

37  
38 **5. Request to Authorize Two Utility Easements with Rocky Mountain Power**  
39 **Company across Property Owned by Park City Municipal Corporation:**

40  
41 **6. Request to Adopt Resolution 04-2023, Approving the Public Treasurer's**  
42 **Investment Fund Entity Resolution:**  
43

Council Member Gerber moved to approve the Consent Agenda. Council Member Dickey seconded the motion.

**RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

**VI. OLD BUSINESS**

**1. Consideration to Approve Resolution 11-2023, a Resolution Authorizing the Below-Market Ground Lease for the Engine House Affordable Housing Project located at 1875 Homestake Road:**

Cate Brabson, Deputy City Attorney, and Erik Daenitz, Economic Development Manager, presented this item. Daenitz reviewed the plans for the J. Fisher Engine House Development on Homestake. In the analysis, it was determined the City would receive a significant number of affordable housing units, and Council made affordable housing a priority. Additional benefits included public green space, accommodations for Summit County Bike Share, rideshare integration, e-bike charging, and more. Staff found a below-market ground lease was justified by the tangible and intangible benefits.

Mayor Worel opened the public hearing.

Joann Stack supported the Engine House Affordable Housing Project. She stated it would provide more housing for the workforce. The concern regarding the EMF was analyzed by experts and it was determined they were below a level of concern.

Mayor Worel closed the public hearing.

Council Member Toly did not think health, safety, and wellness were being achieved with this development since it was next to the substation. Experts stated EMFs were the cigarettes of decades ago. It was not dangerous until it was dangerous. She would not support the ground lease. Council Member Rubell noted Council was only asked to approve a step in the process. Brabson clarified this step would approve a one dollar a year lease rate. Council Member Rubell stated he wanted answers around moving the substation when the project came to Council for approval. Council Member Dickey noted there were unique perspectives on the presentation, such as a median income family could not get a mortgage in Park City since 2007. Council Member Gerber stated the housing was needed to create better relationships and lower the stress of the workforce.

Council Member Doilney moved to approve Resolution 11-2023, a resolution authorizing the below-market ground lease for the Engine House Affordable Housing Project located at 1875 Homestake Road. Council Member Gerber seconded the motion.



**RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, and Rubell

**NAY:** Council Member Toly

Davis indicated they received \$4 million in tax credits for this project.

**2. Consideration to Approve a Contract, in a Form Approved by the City Attorney, with J.W.W. Excavation LLC, for Soil Remediation Services on City-Owned Property Located at 1875 Homestake Road, Not to Exceed \$740,250:**

Jason Glidden, Housing Development Manager, Ryan Blair, Environmental Regulatory Manager, and John Russell, Stantec, presented this item. Glidden reviewed the RFP was put out in April and two bids were received. J.W.W. Excavation received the highest score from the evaluation committee based on their work experience in Park City.

Russell reviewed Stantec would provide three services: soil testing, neighboring ambient air monitoring during the remediation, and health and safety concerns. The soil had lead in excess of the soils ordinance. They would take that soil to a certified facility and they would have dust and stormwater control. They would test the soil to make sure the lead was removed. They would also establish a daily air monitoring project where levels would be analyzed and compared to background levels. The health and safety contractor would be responsible for its own environmental due diligence and they would be liable for their personnel onsite and their operations off site. Park City would not be liable for anything that had environmental implications. Glidden stated there would be multiple levels of monitoring with staff and Stantec to ensure the safe removal of the soil.

Council Member Doilney asked how these practices compared to past projects in terms of mitigating impacts. Glidden didn't know about past projects and stated they relied on Stantec for the highest level of monitoring. Council Member Doilney asserted the City was exceeding any other project in Park City. Russell indicated the Rio Grande Building project on Park Avenue had a high level of monitoring as well.

Mayor Worel opened the public input.

Sean Parker stated monitoring needed to go from end to end and suggested following the dump truck to make sure there was a cover on it. He thought the monitoring should be explicit.

John Kenworthy 84060 asked where the courtyard and green space in the Homestake project would be and wanted a comparative analysis between this project and the other project. He also wanted a discussion on the new Affordable Master Planned Development (AMPD). Mayor Worel indicated the public input was only for soil remediation.



1 Mayor Worel closed the public input.

2  
3 Council Member Dickey indicated he thought the cost to remediate the soil would be a  
4 lot more and he thanked staff for getting the cost down. Council Member Doilney stated  
5 there were many conversations on how to safely mitigate soils. He was happy to see a  
6 great plan and looked forward to seeing progress. Council Member Rubell agreed with  
7 Council Member Doilney and stated it was a great creative solution for the soil problem.  
8 The remediation would have to be done no matter what was built on the parcel. Council  
9 Member Dickey stated the value of the parcel was increased with the soil remediation.  
10 Council Member Toly hoped the solution could be used in other areas of town as well.

11  
12 Council Member Gerber moved to approve a contract, in a form approved by the City  
13 Attorney, with J.W.W. Excavation LLC, for soil remediation services on City-owned  
14 property located at 1875 Homestake Road, not to exceed \$740,250. Council Member  
15 Doilney seconded the motion.

16 **RESULT: APPROVED**

17 **AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

18  
19 **3. Consideration to Approve the Microtransit Service Agreement with High Valley**  
20 **Transit (HVT) for Service July 1, 2023 - April 13, 2024, in a Form Approved by the**  
21 **City Attorney, Not to Exceed \$1,297,010:**

22 Sarah Pearce, Deputy City Manager, presented this item and reviewed the discussion  
23 from the last meeting, including that Council decided summer data would be useful and  
24 requested a relaunch of the pilot.

25  
26 Mayor Worel opened the public input. No comments were given. Mayor Worel closed  
27 the public input.

28  
29 Council Member Rubell stated they were trying to find the right solutions for the  
30 community. He thought they could look at route configurations in the fall and tailor that  
31 to the community. He hoped to work with UDOT and the regional partners to get the  
32 microtransit vans access to the express lanes on SR 248. Council Member Doilney  
33 thought this was evidence that the City was trying new things to solve problems. He  
34 asked the community to be patient as solutions were tested. The City showed it was  
35 flexible and willing to try new things. Council Member Toly asked if there was a timeline  
36 for seeing updates throughout the year. Pearce stated she could give an update at the  
37 end of summer.

38  
39 Council Member Dickey moved to approve the microtransit service agreement with High  
40 Valley Transit for Service July 1, 2023 - April 13, 2024, in a form approved by the City  
41 Attorney, not to exceed \$1,297,010. Council Member Rubell seconded the motion.

**RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

**VII. NEW BUSINESS**

**1. Consideration to Approve Ordinance No. 2023-32 an Ordinance Adopting a Revised Budget for Fiscal Year 2023 and Final Budget for Fiscal Year 2024 for Park City Municipal Corporation:**

Jed Briggs, Penny Frates, and Kirsten Darrington, Budget Department, presented this item. Briggs reviewed last week's direction from Council to allocate \$1 million for childcare and noted he would come back later to discuss how those funds would be allocated. He also indicated Council approved a GO Bond going on the ballot for \$30 million to cover the MARC expansion, an outdoor ice sheet, and the Quinn's Sports Complex. He outlined the next steps for putting the bond on the ballot.

Council Member Rubell stated there was a Quinn's Recreation account and asked what the strategy was for that account. Briggs stated that was started about 18 years ago and it was to keep track of the ice arena's revenues over time. He could clean up the fund and would come back and look at it at a future meeting. Council Member Rubell stated the budget process this year was great and he was pleased.

Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed the public hearing.

Council Member Doilney stated the Council spent the last couple months focusing on finding money to help with the childcare shortfall. Council Member Gerber spent a lot of time working on this. They also spent time discussing recreation facilities. He didn't think one area was prioritized over another. Both things were needed. They asked the community to vote on whether they wanted the additional recreational facilities.

Council Member Gerber moved to approve Ordinance No. 2023-32 an ordinance adopting a revised budget for Fiscal Year 2023 and final budget for Fiscal Year 2024 for Park City Municipal Corporation. Council Member Doilney seconded the motion.

**RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

**2. Consideration to Approve Ordinance 2023-31, an Ordinance Establishing Compensation for the Elected and Statutory Officers for FY 2024:**

Kirsten Darrington, Budget Department, stated she brought the compensation for FY24 to Council for discussion on June 1<sup>st</sup>.

Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed the public hearing.

Council Member Gerber moved to approve Ordinance 2023-31, an ordinance establishing compensation for the elected and statutory officers for FY 2024. Council Member Doilney seconded the motion.

**RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

**3. Consideration to Adopt Resolution 09-2023, a Resolution Amending the Fee Schedule:**

Kirsten Darrington, Budget Department, presented this item and noted the fee schedule was brought to Council at a previous meeting and was discussed in detail.

Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed the public hearing.

Council Member Doilney moved to adopt Resolution 09-2023, a resolution amending the Fee Schedule. Council Member Gerber seconded the motion.

Council Member Rubell did not want to subsidize recreation services outside of the City limits and wanted to discuss this again next year.

**RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

**4. Consideration to Adopt Resolution 10-2023, a Resolution Adopting the Park City Comprehensive Emergency Management Plan:**

Mayor Worel opened the public hearing.

John Greenfield stated the City was lucky to have Mike McComb and Council should do what he advised.

Mayor Worel closed the public hearing.

Council Member Gerber moved to approve Resolution 10-2023, a resolution adopting the Park City Comprehensive Emergency Management Plan. Council Member Rubell seconded the motion.

**RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

**5. Consideration to Approve Ordinance 2023-33, an Ordinance Amending Section 13-1-1, Metered Service:**

Jason Christensen, Water Resources Manager, presented this item and stated the fees were just adopted in the fee schedule. That would allow users to adjust their base rate. Adjusting the base rate would require a code change and he proposed that the following code be adopted.

Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed the public hearing.

Council Member Rubell asked for numbers of people who self-selected and if it was worth the cost of administration. He asked for a six-month check in with Council. Christensen stated they would be tracking that and would present the numbers to Council.

Council Member Dickey was concerned about the water rates, especially for properties with a lot of common areas. He thought if those areas were divided into single family homes, far less water would be used. He thought those communities were being impacted and wanted to look at the rates to see if that was the effect they wanted. Council Member Doilney thought the use would be tracked. In theory, that use could happen, but there weren't that many in the lower income category that would be affected, and he thought the impact would be beneficial. Council Member Dickey didn't think the rates were fair for condos in terms of water rates and the mitigation costs to decrease water rates. He suggested amending the "Cash for Grass" incentive by scaling the payments to meters. Council Member Doilney agreed the City was trying to level the playing field and thought the rates could be looked at over the next nine months, but he stressed the City was getting better.

Council Member Gerber agreed with Council Member Dickey and stated families in condos would see a water bill increase and would also see a big jump in irrigation rates. She wanted to look at the rates for condos since the City was moving away from single family homes to condos. She thought this would affect affordability. Council Member Doilney stated the LMC code was being adjusted to ensure single family homes would not have large land management needs. He agreed the projects needed to be looked at and assist them in reducing their water usage.

Council Member Rubell stated people would not be paying twice. These were multifamily properties who were paying indoor water and then common area landscaping split between the users. He wanted to make sure that percentage was inline with other properties. He agreed it should be looked at. He also noted that

1 although these units were more affordable, they were not affordable housing units, and  
2 they had large green spaces.

3  
4 Council Member Dickey was not referring to deed restricted affordable properties, but  
5 Council needed to be conscious of those increases for other condo properties. Council  
6 Member Rubell suggested having Christensen return in late fall with an analysis.  
7 Christensen stated base rate shopping would be a good thing for the developments  
8 Council Member Dickey was talking about. The Council agreed to bring this item back  
9 for further discussion in the fall. Matt Dias asked if Council wanted to add water  
10 conservation measures in the future discussion, to which they affirmed.

11  
12 Council Member Dickey moved to approve Ordinance 2023-33, an ordinance amending  
13 Section 13-1-1, Metered Service. Council Member Doilney seconded the motion.

14 **RESULT: APPROVED**

15 **AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

16  
17 **6. Consideration to Approve an Updated Transportation Plan for Special Events at**  
18 **Deer Valley, including Deer Valley Music Festival (DVMF), Deer Valley Concert**  
19 **Series (DVCS), and the FIS World Cup (WC):**

20 Jenny Diersen, Special Events Manager, and Victoria Schlaepfer, Deer Valley Resort  
21 (DV) Transportation Director, presented this item. Diersen reviewed there were  
22 transportation changes for these event plans and indicated DV had collaborated with  
23 the City for many years. After the World Cup event, they debriefed and received public  
24 comments. The recommendations were short-term changes for specific events. One  
25 change was overflow parking was switched to the inside of the loop. Doe Pass would be  
26 closed to traffic when it was parked out. Transit would be prioritized on the opposite  
27 side. Police would communicate with Transit. Taxi staging would only be available for  
28 World Cup. The Communications team would encourage attendees to travel ahead of  
29 time to decrease congestion. Schlaepfer felt the new plan would be very effective in  
30 moving traffic.

31  
32 Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed  
33 the public hearing.

34  
35 Council Member Dickey asked what the plan did to reduce traffic outflow by cars parked  
36 at DV. Diersen stated the two-way traffic would take an hour to get cars out of Deer  
37 Valley, but one-way turns reduced the time to 20 minutes. Council Member Gerber  
38 asked if the cars flipped around to park on the inside of the loop. Andrew Leatham  
39 explained the outer loop was not optimal since the sidewalk was on the other side of the  
40 street, which was a public safety issue. This plan was developed in 2018 and it worked  
41 very well.  
42

Council Member Doilney moved to approve an updated transportation plan for special events at Deer Valley, including Deer Valley Music Festival, Deer Valley Concert Series, and the FIS World Cup. Council Member Gerber seconded the motion.

**RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

**7. Consideration to Authorize the City Manager to Execute a Design Professional Services Agreement with Horrocks Engineers, Inc., in a Form Approved by the City Attorney, Not to Exceed \$135,000 to Provide Cost Engineering and Design Review Services of the Snow Creek Tunnel:**

Gabe Shields, Transportation Engineer, presented this item and explained this contract was just for the cost engineering to determine the budget depending on what year it was built. This project was part of the walkability bond. He stated they would look at soils, utilities in that area, and the construction economy. They would look at value engineering the project to see where costs could be reduced. There would also be cost estimating from companies who had done similar projects. He indicated there were small area plan considerations because there were several projects going on in that area. He usually didn't wait for studies to finish since there were always ongoing studies.

Council Member Rubell thought the cost analysis was site specific. Shields indicated if the tunnel moved, they would still have site characteristics from the analysis for other areas. These were things that could be done now without having an exact tunnel location. Council Member Rubell asked how this analysis would play into the discussion about undergrounding utility lines. John Robertson, City Engineer, stated they could leverage that at that location. Council Member Gerber asked if this was done early to apply for grants, to which Shields affirmed.

Mayor Worel opened the public input.

Sean Parker, 84060, supported bike infrastructure and indicated he voted for the bond. During the outreach period, staff gave two alternatives: build a bridge or dig a tunnel. They didn't give other alternatives such as a HAWK installation. A HAWK signal would save millions of dollars. He also criticized the way the outreach was performed and stated a committee was reconvened from 2007. He stated there were no connections to the upstream trails. He thought it would be a tunnel to nowhere.

Ed Parigian 84060 stated he was on the Walkability II Committee and the goal was to get a safe crossing for bicyclists. He thought it was worth the money to find out the cost of the tunnel and to find out what was underground.

Mayor Worel closed the public input.



Council Member Rubell had a hard time with the contract since a strategic area plan was in the works. He didn't want to do spot projects while this was going on. He was opposed to doing this out of order and didn't think waiting a few months would hurt. Shields stated the risks included moving project momentum, lengthening the project and going into future seasons, and forfeiting all the work done in the field. If the value engineering said to relocate the gas line to save money, they could work on getting a contract for that next year. If it was delayed, it would not be until 2025.

Council Member Toly heard a light signal would be put on Homestake Road and Kearns. Shields stated a signal was permitted at that location, but requirements were needed. The City could not meet those requirements at this time. The Snow Creek driveway was not a permitted location for a signal by UDOT. Council Member Rubell asked if that could be an outcome of the small area plan. Shields stated the plan could suggest there would be enough traffic generation to warrant a signal, but a signal would not be put in until the traffic met the criteria. Jen McGrath, Deputy City Manager, clarified the small area plan and feasibility studies wouldn't be completed until January-March of 2024. Council Member Rubell asked when they would know enough to make informed decisions. McGrath stated she would have to look at the timelines to see the traffic recommendations, but the final recommendations would not be ready until next year. The plan would not give opinions on specific projects and she felt the work proposed was applicable regardless of if the site needed to be shifted.

Council Member Doilney stated they had looked at this for at least 10 years, and this was the property that made the most sense. This contract would help the City move quickly when the time was right. He thought this study could inform the small area plan. He didn't want to hold back. Council Member Dickey asked if knowing about a light at Homestake would eliminate the need for the tunnel or the location of the tunnel. Council Member Toly felt there would be a lot of traffic with Homestake and in the small area, and a signal would be needed. Council Member Dickey stated he would rely on staff's expertise and thought the contract could be reusable.

Council Member Doilney moved to authorize the City Manager to execute a design professional services agreement with Horrocks Engineers, Inc., in a form approved by the City Attorney, not to exceed \$135,000 to provide cost engineering and design review services of the Snow Creek Tunnel. Council Member Gerber seconded the motion.

**RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, and Gerber

**NAYS:** Council Member Rubell and Toly

**VIII. ADJOURNMENT**

**PARK CITY REDEVELOPMENT AGENCY MEETING**



**I. ROLL CALL**

Attendee Name	Status
Chair Nann Mayor Worel Board Member Ryan Dickey Board Member Max Doilney Board Member Becca Gerber Board Member Jeremy Rubell (via Zoom) Matt Dias, Executive Director Margaret Plane, City Attorney Michelle Kellogg, Secretary	<b>Present</b>
Board Member Tana Toly	<b>Excused</b>

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

Chair Worel opened the meeting for any who wished to speak or submit comments on items not on the agenda. No comments were given. Chair Worel closed the public input portion of the meeting.

**III. NEW BUSINESS**

**1. Consideration to Approve Resolution RDA 02-2023, a Resolution Adopting the Fiscal Year 2023 Revised Budget and the Fiscal Year 2024 Budget for Park City Redevelopment Agency:**

Chair Worel opened the public hearing. No comments were given. Chair Worel closed the public hearing.

Board Member Gerber moved to approve Resolution RDA 02-2023, a resolution adopting the Fiscal Year 2023 revised budget and the Fiscal Year 2024 budget for Park City Redevelopment Agency. Board Member Doilney seconded the motion.

**RESULT: APPROVED**

**AYES:** Board Members Dickey, Doilney, Gerber, and Rubell

**EXCUSED:** Board Member Toly

**IV. ADJOURNMENT**

**PARK CITY MUNICIPAL BUILDING AUTHORITY MEETING**

**I. ROLL CALL**

Attendee Name	Status
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Chair Nann Mayor Worel Board Member Ryan Dickey Board Member Max Doilney Board Member Becca Gerber Board Member Jeremy Rubell (via Zoom) Matt Dias, Executive Director Margaret Plane, City Attorney Michelle Kellogg, Secretary	<b>Present</b>
Board Member Tana Toly	<b>Excused</b>

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

Chair Worel opened the meeting for any who wished to speak or submit comments on items not on the agenda. No comments were given. Chair Worel closed the public input portion of the meeting.

**III. NEW BUSINESS**

**1. Consideration to Approve Resolution MBA 01-2023, a Resolution Adopting the Fiscal Year 2023 Revised Budget and the Fiscal Year 2024 Budget for Park City Municipal Building Authority:**

Chair Worel opened the public hearing. No comments were given. Chair Worel closed the public hearing.

Board Member Dickey moved to approve Resolution MBA 01-2023, a resolution adopting the Fiscal Year 2023 revised budget and the Fiscal Year 2024 budget for Park City Municipal Building Authority. Board Member Doilney seconded the motion.

**RESULT: APPROVED**

**AYES:** Board Members Dickey, Doilney, Gerber, and Rubell

**EXCUSED:** Board Member Toly

**IV. ADJOURNMENT**

With no further business, the meeting was adjourned.

\_\_\_\_\_  
Michelle Kellogg, City Recorder



**PARK CITY COUNCIL MEETING MINUTES - DRAFT**

**445 MARSAC AVENUE**

**PARK CITY, SUMMIT COUNTY, UTAH 84060**

**July 6, 2023**

The Council of Park City, Summit County, Utah, met in open meeting on July 6, 2023, at 3:15 p.m. in the City Council Chambers.

Council Member Gerber moved to close the meeting to discuss property at 3:15 p.m. Council Member Dickey seconded the motion.

**RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

**CLOSED SESSION**

Council Member Doilney moved to adjourn from Closed Meeting at 4:25 p.m. Council Member Dickey seconded the motion.

**RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

**WORK SESSION**

**CityTour 2023 Debrief:**

Paige Galvin and Myles Rademan, Leadership, presented this item. Galvin displayed photos of CityTour and reviewed the highlights of the cities they visited. Rademan indicated Fort Collins, Colorado, had a great arts center. They also visited Estes Park, Colorado, which was the gateway to Rocky Mountain National Park. Galvin stated a takeaway for the group was the commitment to invest in the downtowns. Bike and pedestrian access were important too.

Virginia Solomon reviewed the Leadership Class 29 project, which consisted of helping improve civic conversations. The group created a training to help people gain skills in having civil conversations to build community. The discussions in Fort Collins included examples of how community conversations could be done and could productively contribute to sense of belonging, civic life, and how these conversations could contribute to forming policy. The outline of the training would include lectures, but the main part would be practicing. There would be four modules, including self-awareness,

active listening, communicating to connect, and finding common ground. The process would begin with discussing things about an issue that people agreed on. Solomon hoped to have people from government, non-profits, the private sector, community organizations, and community members at the training on July 25<sup>th</sup>. They would have a robust outreach to get the event information to the public. It was indicated Mountain Mediation Center would continue to have these trainings after the initial one was completed.

Council Member Dickey asked how to get the folks who needed the training to go to the training. Solomon stated the partnership team would reach out to some people specifically.

## **REGULAR MEETING**

### **I. ROLL CALL**

<b>Attendee Name</b>	<b>Status</b>
Mayor Nann Worel Council Member Ryan Dickey Council Member Max Doilney Council Member Becca Gerber Council Member Jeremy Rubell Council Member Tana Toly Matt Dias, City Manager Margaret Plane, City Attorney Michelle Kellogg, City Recorder	<b>Present</b>
None	<b>Excused</b>

### **II. APPOINTMENTS**

#### **1. Appoint Rick Shand and Reappoint Christin Van Dine to the Planning Commission for Four-Year Terms Effective Upon Swearing in through July 2027:**

Council Member Doilney moved to appoint Rick Shand and reappoint Christin Van Dine to the Planning Commission for four-year terms effective upon swearing in through July 2027. Council Member Gerber seconded the motion.

#### **RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

### **III. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF**

#### **Council Questions and Comments:**

Council Member Rubell thanked staff for their work with the July 4<sup>th</sup> festivities. He noted microtransit was live and he encouraged people to use it. Council Member Gerber stated July 4<sup>th</sup> was amazing. She toured the Slopesides Village Affordable Housing units at the Canyons and encouraged Council to take a tour. She thought this was a great example of an affordable housing project. Council Member Dickey agreed about the great July 4<sup>th</sup> event and the Slopesides tour. Council Member Toly also praised the July 4<sup>th</sup> event and the events held in Summit County.

Mayor Worel stated the City's snowplow team cleared 55,000+ cubic yards of snow from the streets this past winter and moved it to the southeastern side of Quinn's Junction, where it was named Quinneth Peak. In April, a contest began and people were invited to guess the date when the mountain of snow would be completely melted. There were 181 guesses and three people were correct in their guess of July 5<sup>th</sup>. She congratulated Celia Peterson, Stephen Manning, and Gail Christensen-Warren.

#### **Staff Communications Reports:**

##### **1. Future of Empire Creek Water Flows Public Outreach Summary:**

##### **2. 2023 Spring Runoff Season Update:**

##### **3. 2022 Pavement Workmanship Warranty:**

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

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

Logan Whitesong, 84060, requested a special investigation into inappropriate books in the school system so they didn't end up in the Summit County system. Mayor Worel noted he should give that comment to the Park City School Board. Whitesong also didn't want the City to support Marxist organizations because he felt it divided the country.

Todd Fisher, 84060, indicated he was on the trails daily and he wanted to talk about e-bikes. He thought it was time to revisit the ordinance around ebikes. He saw confrontations regarding them. He thought the town had changed over the last four years. Mayor Worel stated that conversation would be coming to the Council for discussion in the near future.

Joseph Shrader, 84060, stated there was a pothole around the traffic circle at Marsac and Deer Valley Drive, and it should be filled. He thought it was a traffic safety issue.

Hailee Hernandez eComment: "I am writing to express my sincere support for the development of affordable housing in our beautiful city of Park City, Utah. As an employee and active member of the community, I strongly believe that providing affordable housing opportunities is crucial for the well-being and prosperity of our diverse population. The lack of affordable housing options has created a growing disparity, limiting the accessibility and inclusivity that are the cornerstones of a thriving community. By prioritizing the development of affordable housing, we have the opportunity to foster a more inclusive, diverse, and resilient Park City. Affordable housing not only benefits low-income individuals and families, but it also enhances the overall social fabric and economic vitality of our city. Affordable housing enables individuals from different socio-economic backgrounds to live closer to their places of employment. This is particularly vital for the workers who contribute to the success of our local businesses, including service industry employees, healthcare professionals, educators, and public servants. By ensuring their ability to live in the community they serve, we can retain a diverse and talented workforce. We can bring people from different backgrounds together, fostering a stronger sense of community and promoting social cohesion. When individuals and families can afford to live and work in Park City, they have more disposable income to spend locally, supporting our businesses and bolstering our economy. Affordable housing preserves the diverse character and unique spirit of our city, making it an attractive destination for visitors and residents alike. I understand that developing affordable housing can present challenges, including financial considerations and finding suitable locations. However, I believe that with thoughtful planning, community engagement, and collaboration, we can overcome these hurdles and create a more equitable Park City."

Mayor Worel closed the public input portion of the meeting.

## V. CONSIDERATION OF MINUTES

### 1. Consideration to Approve the City Council Meeting Minutes from June 1 and 12, 2023:

Council Member Gerber moved to approve the City Council meeting minutes from June 1 and 12, 2023. Council Member Toly seconded the motion.

#### **RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

## VI. OLD BUSINESS

### 1. Consideration of Deer Valley Development Company Petition for the City to Vacate Portions of Right-Of-Way on Deer Valley Drive West and South, and to Dedicate Doe Pass Road to the City, as Part of the Snow Park Village Base Area MPD and Subdivision Application:

Mayor Worel stated this was a continuation of a public hearing. She then opened the public hearing.

Sam Brothwell, 84060, Protect the Loop (PTL) member, thanked City staff for updating the City webpage on this issue. He stated the applicant did not prove good cause for the right-of-way (ROW) vacation. They would not propose alternatives to their plan, and it conflicted with the character of the Lower Deer Valley (DV) community. The health safety and welfare would decrease with the increased traffic congestion. He stated if the ROW was vacated, it must be matched with mitigations, investments, and efforts that would measurably benefit every resident.

Allison Keenan, 84060, reviewed the definition of good cause. She discussed the traffic study for this plan and noted a traffic increase was predicted. She reviewed her analysis of the traffic study and didn't think this traffic increase was acceptable. She wanted a new traffic study for the plan and alternative plans. The recent approval of a DV event included a traffic mitigation that she supported.

Angela Moschetta, 84060, PTL, discussed her alternate plan for this development that would not necessitate a ROW vacation. This plan relied on taking out big buses to DV. She recommended using microtransit and HOA shuttles to get people to the resort. She stated the loop would be undergrounded. She felt there would not be a need for a transit hub with this scenario.

Melyssa Davidson, Lakeside HOA representative, stated they did not see the traffic mitigation with this plan. They depended on Council to consider the harm to this neighborhood and other communities.

Lance Peto, 84060, stated the loop was being realigned. He thought the public benefit included the transit hub, one-acre park, eliminating eight lanes of traffic at Snow Park, and the gondola that could potentially link to Main Street. He lived in Fawngrove and he had no objection to expanding the street although his HOA was against it. The alternate plan of terminating buses to DV was not a public benefit and would deter people who were trying to get to DV. The expansion of the Snow Park shuttle would be a good compromise. He preferred taking the bus since that was the faster route. He thought Alterra had the entitlements to build the expansion and he supported it.

Christina Shiebler, 84060, Snow Park HOA resident and speaking for Rossi Hill neighbors, felt the plan did not meet good cause and she hoped there would be further dialog with the resort.

Allison Kitching, Portico HOA President, supported Allison Keenan's comments on the traffic study. She hoped a compromise could be struck. She related other projects that were altered for the best interest of the community and thought an alternate DV plan might be better than the current plan.



1 Ed Parigian, 84060, did not support granting the ROW until the alternate plan could be  
2 considered. He hoped Alterra could negotiate with the neighbors.

3  
4 Becky Robertson, Fawngrove resident, indicated as traffic increased, there would also  
5 be increased pedestrian and bike traffic on the sidewalks. If the plan was developed,  
6 more people would come. She thought there should be safe sidewalks and traffic lanes  
7 to accommodate the increased traffic. She thought restriping was not sufficient.

8  
9 John Greenfield, 84060, requested that Council continue the petition from DV. He stated  
10 good cause was not a public benefits analysis. He stated the benefits could be weighed  
11 by a cost/benefit analysis for the neighborhood and the City as a whole. He noted the  
12 City's goal was to reduce peak hour traffic, but this plan recognized traffic would  
13 increase.

14  
15 Kristin Gentilly, 84060, lived on DV Drive and she supported evaluating the traffic plans.  
16 She was concerned about the increased traffic on DV Drive and the associated air and  
17 noise pollution.

18  
19 Sally Jablon stated she did everything she could to support DV. Since Alterra took over,  
20 they forgot it was the locals who supported them. Now they were making it difficult for  
21 them to live here.

22  
23 Matt Hutchinson, Attorney for Fawngrove Homeowners Association, Inc. eComment:  
24 "Deer Valley Drive North is the northern boundary of Fawngrove Condominiums, and it  
25 separates Fawngrove and the Pinnacles project. Fawngrove is concerned that the  
26 proposed traffic plan and expansion of Deer Valley Drive will cause additional nuisances  
27 to Fawngrove in the form of increased traffic, noise, and light. Fawngrove has already  
28 received complaints from residents about the noise and light from vehicles. For this  
29 reason, Fawngrove is not supportive of any expansion of the Deer Valley Drive North  
30 that would require the reduction of the existing buffer between it and the existing  
31 Fawngrove buildings. Any expansion must take advantage of the existing publicly  
32 dedicated 60-foot-wide right of way. Deer Valley Drive North (including gutters and  
33 sidewalks) is only 44 feet wide in this area. There are 16 feet of ROW still available. No  
34 expansion onto private property is necessary. Importantly, the current centerline of the  
35 road is not where the centerline of the ROW is located. Though the proposed "shared  
36 mobility lane" may help with traffic in the afternoon from Snow Park to the "Y," it will also  
37 cause frustration for local residents due to the road expansion, safety of crossing extra  
38 lanes of traffic, and unneeded bicycle and pedestrian expansions. Finally, with regard to  
39 transit, many Fawngrove unit owners and their guests use public transit. At present, the  
40 north side of Deer Valley Drive North has no proper bus stop. Riders have to stand on  
41 the shoulder or on snowbanks to wait for the bus. Proper standing area for the bus  
42 stops on this side of the road must be made a priority this year. In general, please  
43 ensure that Applicant's project does not affect the current efficient public transportation

1 to and from Snow Park and Park City Mountain. Public transit has been very good  
2 between Fawngrove and the ski areas. Thank you for your attention to these matters.”

3  
4 Keith Golan eComment: “I have lived in Lower Deer Valley since the early nineties. I  
5 was a city planner in Key West, Florida. We faced a similar situation on vacating a  
6 public road. It was a hot topic. We came to a good and fair solution, to put this on the  
7 November ballot. Let the taxpayers decide. If we own the road, then we should decide  
8 its outcome.”

9  
10 Mayor Worel closed the public hearing and indicated comments emailed to the Council  
11 with the request that it be included in the public record, would be included in the  
12 approved minutes of tonight's meeting. She noted that she and two Council members  
13 had met with Alterra. They had no news to share but conversations would continue.

14  
15 Council Member Gerber moved to continue the Deer Valley Development Company  
16 Petition for the City to vacate portions of right-of-way on Deer Valley Drive West and  
17 South, and to dedicate Doe Pass Road to the City, as part of the Snow Park Village  
18 Base Area MPD and Subdivision application to August 29. Council Member Doilney  
19 seconded the motion.

20  
21 Council Member Rubell asked if ROW vacations were eligible to be on the ballot.  
22 Margaret Plane, City Attorney, stated Utah Code constrained what could be put on the  
23 ballot. She was sure the City Council could not put it on a ballot.  
24

25 **RESULT: CONTINUED TO AUGUST 29, 2023**

26 **AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

27  
28 **VII. NEW BUSINESS**

29  
30 **1. Consideration to Approve the Acquisition of 40 Artworks for the**  
31 **EmPOWERment Project Not to Exceed \$45,000 Funded by the Public Art Capital**  
32 **Improvements Projects Fund, in a Form Approved by the City Attorney:**

33 Jenny Diersen, PAAB Staff Liaison, stated this was Phase II of the project. Previously,  
34 nine pieces were approved in 2018. Council had authority for all public artwork. There  
35 were 102 art submissions by local and regional artists as well as local schools for this  
36 phase. Mayor Worel asked what percentage of submissions were from youth. Diersen  
37 stated they were mainly from youth and local artists. Council Member Gerber asked if  
38 the artwork that said JRES was from a teacher at Jeremy Ranch Elementary School, to  
39 which Diersen affirmed.

40  
41 Mayor Worel opened the public input. No comments were given. Mayor Worel closed  
42 the public input.  
43

Council Member Rubell asked if maintenance was part of the plan. Diersen stated the printer guaranteed the artwork for two years. It had been five years since Phase I and she saw minimal damage.

Council Member Dickey moved to approve the acquisition of 40 artworks for the EmPOWERment Project not to exceed \$45,000 funded by the Public Art Capital Improvements Projects Fund, in a form approved by the City Attorney. Council Member Rubell seconded the motion.

**RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

**2. Consideration to Approve Ordinance 2023-34, an Ordinance Approving the Founders Place Condominiums - Phase II Plat, Located at 3267 West Deer Hollow Road, Park City, Utah:**

Virgil Lund, Planner, presented this item and reviewed the property was located in Wasatch County and consisted of 19 market rate units and one affordable housing unit.

Phil Fiveash, and Carder Lamb, applicant, explained the master planned development (MPD) included additional public benefit and he wanted give an update on it. Phase One was under construction and should be completed September, 2024. The community had 32 residences under contract. They committed to six employee units and four were currently under construction. They also agreed to do a half point transfer fee, in the approximate amount of \$835,413. He requested approval of the Phase II plat and stated it would be completed Spring 2025. The entire community would include 78 residences. This would include six employee units with a \$7.3million employee housing cost value, \$3.2 million to the Park City Housing fund, and \$1.9 million to Community Foundation. The total value was \$12,476,000. These funds would be provided between now and 2040.

Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed the public hearing.

Council Member Dickey moved to approve Ordinance 2023-34, an ordinance approving the Founders Place Condominiums - Phase II Plat, located at 3267 West Deer Hollow Road, Park City, Utah. Council Member Toly seconded the motion.

**RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

**VIII. ADJOURNMENT**

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder



**JOINT PARK CITY AND SUMMIT COUNTY COUNCIL MEETING MINUTES - DRAFT**  
**445 MARSAC AVENUE**  
**PARK CITY, SUMMIT COUNTY, UTAH 84060**

**July 11, 2023**

The Councils of Park City and Summit County, Utah, met in open meeting on July 11, 2023, at 9:00 a.m. in the City Council Chambers.

**JOINT CITY COUNCIL AND COUNTY COUNCIL MEETING**

**I. ROLL CALL**

Park City Council Attendee Name	Status
Mayor Nann Worel Council Member Ryan Dickey Council Member Max Doilney Council Member Becca Gerber Council Member Jeremy Rubell (via Zoom) Council Member Tana Toly Matt Dias, City Manager Margaret Plane, City Attorney	Present
None	Excused

Summit County Council Attendee Name	Status
Chair Roger Armstrong Vice Chair Malena Stevens Council Member Tonja Hanson (online) Council Member Canice Harte Council Member Chris Robinson Shane Scott, County Manager Janna Young, Deputy County Manager Helen Strachan, Deputy County Attorney	Present
None	Excused

**II. AFFORDABLE HOUSING DISCUSSION AND UPDATES**

**Regionalization Feasibility Taskforce Update:**

1 Jeff Jones, Economic Development and Housing Director, and Jason Glidden, Housing  
2 Development Manager, presented this item. Jones reviewed a committee was formed to  
3 discuss the creation of a regional housing authority. He stated it was simple to form  
4 housing authorities in Utah, but noted they didn't have power to levy taxes. It was  
5 recommended that a housing authority should have some board members from the  
6 affordable housing community. Glidden stated the trend was to consolidate housing  
7 authorities. Jones stated one agency should be in charge of the finances of the  
8 authority.

9  
10 Glidden reviewed the pros of having a regional housing authority, including regional  
11 collaboration, reduced political influence, access to federal funding, and stewardship.  
12 Some cons included increased rules and regulations, local financial subsidies, and  
13 potential political conflicts. He stated if the Councils wanted to move forward, they would  
14 enter into an interlocal agreement.

15  
16 Council Member Robinson thought a housing authority was a good idea. He thought the  
17 pros outweighed the cons. He favored getting the voucher program up and running.  
18 This was an aggressive timeline, but he hoped to see things happen sooner if possible.  
19 He also stated they could look at combining the moderate income housing plans.

20  
21 Mayor Worel also favored the accelerated timeline and wanted to get this moving. She  
22 asked if the housing authority could do long-range planning. Daniel Nackerman, Salt  
23 Lake City Housing Authority Executive Director, stated one reason for a housing  
24 authority was so the public officials could have more of a role in guiding the process and  
25 having more control over what happened with affordable housing. He thought it was  
26 wise to consider a regional approach.

27  
28 Council Member Doilney stated the Councils knew this was a priority and he hoped the  
29 timeline could be expedited by focusing on the interlocal agreement as soon as  
30 possible. Jones indicated each entity could form a housing authority and then they could  
31 combine into a regional housing authority. Council Member Harte stated the holdup  
32 would be Park City's budget cycle, since the new fiscal year would start July, 2024.  
33 Each entity would help start the authority by contributing \$250,000. Council Member  
34 Gerber stated that contribution would just cover staff costs. Council Member Doilney  
35 cautioned the Councils shouldn't assume the minimal cost, but should weigh the worst-  
36 case scenario, and should assume there would need to be more contributions and the  
37 process would take longer.

38  
39 Council Member Gerber asked what the authority would accomplish and what the long-  
40 term financial obligations would look like. There was no way to capitalize on vouchers.  
41 Development projects could be capitalized, but until then, the City and County would  
42 have to continue to contribute funds. Glidden stated there were ways housing  
43 authorities generated revenue. One way was development, but after a couple of  
44 developments, they would become self-sufficient.

1 Council Member Robinson stated the entities didn't have to commit to a multi-year  
2 funding allocation. They could form the authority and then there could be possible  
3 budget amendments to fund it. Chair Armstrong stated a huge part of funding was for  
4 administrative costs since that person would be applying for federal money. There might  
5 also be a financial manager position to fund. Nackerman thought the group was  
6 accurate in the startup cost estimate. He didn't know of any housing authorities who  
7 continually relied on cities and counties once they were up and running. He knew there  
8 were entities that had separate housing departments in addition to the housing  
9 authority. He noted vouchers came with an administrative fee. Vouchers could be  
10 leveraged in real estate projects. He noted the Salt Lake City Housing Authority relied  
11 on Health and Human Services programs and Veteran's Administration programs that  
12 came with administrative fees.

13  
14 Council Member Rubell asked what outcome would be achieved today. Chair Armstrong  
15 stated the Councils should decide if they had all the information needed to take the next  
16 step and start the structure. Chair Armstrong asked if this should be a regional housing  
17 authority or separate housing authorities and a joint housing authority by contract. He  
18 noted separate authorities might have greater access to funding. Nackerman stated  
19 there were many ways to work jointly as housing authorities. He thought the easiest way  
20 to start might be for Park City and Summit County to each form a housing authority and  
21 then immediately form a joint housing authority. He stated state law dictated that two or  
22 more housing authorities may cooperate with each other or jointly exercise any or all of  
23 their powers. Council Member Robinson stated separate authorities would be preferable  
24 and then contracts could be made for collaboration. Then other entities could roll into  
25 the regional authority if they chose. Nackerman indicated some cities/counties shared  
26 funding, but almost anything was possible. Chair Armstrong was concerned that they  
27 would be competing for staff or funding if separate entities were created. Council  
28 Member Robinson stated the separate authorities would be created, but only the  
29 regional authority would be staffed. Chair Armstrong didn't know if that was possible  
30 since there needed to be boards for each authority. He didn't know if there would be  
31 waste in forming multiple authorities.

32  
33 Council Member Harte stated once a housing authority existed, it would be its own  
34 entity with an executive director. That person would be seeking opportunities for  
35 projects and development. Nackerman indicated HUD pushed consolidation, but they  
36 were having a hard time since entities wanted to do their own thing. Sometimes regional  
37 authorities were created for joint purposes. He thought it was cumbersome having two  
38 authorities working together piecemeal. He indicated grants were very specific to the  
39 parameters of the entity. Jones indicated the state dictated the steps for creating a  
40 housing authority and noted each entity would create one and then a regional one  
41 would be created between the two. Chair Armstrong asked if each entity would still be  
42 responsible for its moderate-income housing plan, to which it was affirmed.



Vice Chair Stevens stated the Councils supported having housing authorities. The next steps would be to create a larger subcommittee to look into these issues. Council Member Dickey asked if a larger subcommittee was needed or if expertise would be brought in to move this forward. Council Member Harte indicated outside groups wanted to be involved, and some members of the public would like to give their input as well.

Council Member Dickey firmly supported moving forward with a housing authority. Council Member Stevens supported moving forward and indicated Council Member Hanson was listening online and supported moving forward. Council Member Doilney supported moving forward. Council Member Toly wanted to create a strategic plan to know they were on the right track with each Council. Chair Armstrong asked how the authority would act with Park City and Summit County. He also asked if each entity would have to go through the housing authority if they wanted to build housing. Council Member Toly stated each entity could create their own projects. She indicated other cities could be part of the regional authority too. Chair Armstrong stated the entities would select the authority, and asked what would happen if people got on the housing authority board who had different priorities than Park City and Summit County. Council Member Toly stated the authority had the ideas, but the entities had to approve them. Council Member Dickey wanted the committee to consider the problem of duplication in projects, efforts, and resources. He thought the City's projects should be put into this organization instead of having them moving forward with other projects separately. This organization could get HUD funds and it would be operationally better. Council Member Toly stated the current projects should stay with the separate entities since they were mid-project.

Council Member Harte indicated there were options with the authority. One of the main benefits of a housing authority was federal funding, which the City and County were not currently getting. Council Member Gerber supported moving forward, but wanted to hear from other authorities regarding how they got their start and funding. Council Member Rubell supported moving forward, but wanted to focus on the outcomes instead of the behind the scenes that would get to the outcomes. He did not favor redundancy and agreed with Chair Armstrong that there should be a light organization and then a regional housing authority being a regional discussion. He recommended focusing on what we wanted to achieve and then asking the attorneys to help make those things work. Mayor Worel agreed and asked if the timeline aligned with the County's budget process. Chair Armstrong stated the challenge would be determining an accurate number that each entity would be contributing. Council Member Harte stated the estimate from Nackerman was a total of \$500,000-\$1 million.

Council Member Toly asked if the Councils wanted the timeline sped up. Council Member Doilney wanted the housing authority to be a priority, but he wanted a thorough process. Vice Chair Stevens suggested the Councils receive monthly updates on the committee's progress. Council Member Rubell favored independence with collaboration.



**Affordable Housing Project Specific Updates:**

Glidden reviewed Park City's projects currently underway, including 185 affordable units in Studio Crossings. Chair Armstrong asked if seniors could have housing in this development. Glidden stated townhomes were being constructed that were senior friendly. Holiday Village/Park Avenue (HOPA) Apartments were being redeveloped to make 317 units. EngineHouse would have 99 affordable units, and he noted all these projects were 100% rental units. The Mine Bench property was being considered for workforce housing for the resorts and would have 240 affordable units. The Clark Ranch property was west of Highway 40 and the City was doing a feasibility study to determine if this was a good area for affordable housing. He hoped they could put up to 300 affordable units there.

Jones reviewed Summit County's projects, including the rehabilitation of Elk Meadows. The Slopesides Apartments included 169 units with 1,107 beds. Silver Creek Village had 330 income restricted units, of which 170 of the units were deed restricted currently. Chair Armstrong asked staff to look into eliminating the area median income (AMI) percentage and imposing rent caps instead.

**III. 3KINGS WATER TREATMENT PLANT OVERVIEW**

Clint McAfee and Michelle DeHaan, Public Utilities, presented this item. McAfee reviewed the City had been using water from mining tunnels for over 100 years. He reviewed the Spiro Water Treatment Plant was built in 1993 to remove heavy metals. It was upgraded in 2004 to remove arsenic and was demolished in 2019. The water from mining tunnels provided 45% of the water to the area. Up to this point, the treatment facilities were not adequate to treat the mining water. He stated there was a stipulated compliance order from the state that the City would treat 100% of the Judge Tunnel and a portion of the Spiro Tunnel, and the water treatment would increase over the next few years.

McAfee stated the new facility was designed to fit into the neighborhood and minimize the impact. He indicated because of the three water treatment plants, the City now produced excess water. They were currently studying a pipeline along SR 224 to get surplus water to Snyderville Basin. Council Member Robinson asked what the cost was for the surplus water. McAfee stated the amount the City charged to Weber Basin was not subsidized. The rate was similar to the commercial customers. The \$142 million in debt for this facility was issued with under 2% interest and the rate structure was made with that debt in mind.

It was indicated the next joint meeting would be held September 12<sup>th</sup> at Park City Hall.

**IV. ADJOURNMENT**

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder

## City Council Memo

**Subject:** 543 Park Avenue, Washington School House  
**Application:** PL-22-05306  
**Authors:** Virgil Lund, Planner I; Lillian Zollinger, Planner II  
**Date:** July 27, 2023  
**Type of Item:** Appeal of a Conditional Use Permit Denial



### Background

On [June 15, 2023](#), the City Council heard the Appeal from the denial of the Washington School House's Minor Hotel Conditional Use Permit (CUP) (see the [Staff Report](#) for background of the proposal). The City Council opened and closed public hearing and continued the item to July 13, 2023.

On [July 13, 2023](#), the City Council:

- (I) denied the Appeal in part;
- (II) upheld the appeal in part;
- (III) remanded the item back to the Planning Commission;
- (IV) and directed Staff to make findings for their decisions.

A proposed Draft Final Action Letter for Council ratification on July 27, 2023, will be presented to the Council. A date has not been set for the Planning Commission hearing of the CUP.



## Planning Department

July 27, 2023

Jason Boal  
543 Park Avenue  
Park City, UT 84060  
jboal@swlaw.com  
801-201-1917

CC: Washington School House LLC

### NOTICE OF CITY COUNCIL ACTION

#### Description

Address:	543 Park Avenue
Zoning District:	Historic Residential – 1
Application:	Appeal of Conditional Use Permit Denial
Project Number:	PL-22-05306
Action	Denied, in part; Approved, in part; and Remanded to the Planning Commission
Date of Final Action:	July 27, 2023
Project Summary:	The Applicant is appealing the Planning Commission's denial of the Washington School House (543 Park Avenue) Conditional Use Permit for a Minor Hotel

#### Action Taken

On July 13, 2023, the City Council denied, in part, and approved in part, the appeal, and remanded the Conditional Use Permit back to the Planning Commission based on the following Findings of Fact and Conclusions of Law.

#### Findings of Fact

1. The property is located at 543 Park Avenue.
2. The property fronts Park Avenue and Woodside Avenue.
3. The primary access to the property is from Park Avenue, a public street.



## Planning Department

4. The property is in the Historic Residential (HR-1) Zoning District. The property includes two Lots: Lot 1 of the Washington School Inn Replat (13,068 square feet) and Lot 34 of Block 5 of the Park City Survey (1,875 square feet).
5. On February 18, 2020, the Applicant submitted a Conditional Use Permit (CUP) application to the Planning Department to convert the Washington School House from a Bed & Breakfast to a Minor Hotel at 543 Park Avenue. The Applicant also requested that guests of the hotel are allowed to invite non-resident guests for dining only.
6. Land Management Code (LMC) § 15-2.2-2(B) establishes a Minor Hotel as a Conditional Use in the HR-1 Zoning District.
7. As a Minor Hotel, the WSH would require 12 parking spaces pursuant to LMC § 15-3-6(B). The Applicant requested a parking reduction from the Planning Commission and proposed 11 spaces.
8. The Applicant proposed a possible additional space on the Lot 34 parcel. This would require a Plat Amendment, Steep Slope CUP, Historic District Design Review, and would remove significant vegetation.
9. The driveway on Park Avenue is approximately 14' deep and cannot accommodate many standard motor vehicles. LMC § 15-3-3(F) requires a parking space to be 9 by 18 feet. The Applicant may not use this space to count towards required parking.
10. In previous years, WSH obtained 40-50 temporary lodging parking permits every six months from the Park City Parking Department. The WSH proposed it will no longer use the temporary parking permits and have applied for two Parking Permits, as allowed per the Municipal Code.
11. On June 8, 2022, the Planning Commission denied the proposal to convert the Washington School House from a Bed & Breakfast to a Minor Hotel at 543 Park Avenue. The Planning Commission denied the proposal based on the following findings found in the Final Action Letter Dated June 27, 2022:
  - a. LMC § 15-15-1 defines a Private Event is defined as, "An event, gathering, party or activity that is closed to the general public or that requires and invitation and/or fee to attend" and defines a Restaurant as "[A] Business in which food is prepared and sold for consumption". The Applicant has proposed the use of the Minor Hotel to include "small gatherings", which includes informal meetings, corporate meetings, or other social gatherings. These small gatherings fall under the definition of Private Events. Private Events are prohibited in the HR – 1 Zoning District.



## Planning Department

Additionally, “outdoor dining; outdoor food and beverage service stations and cars; outdoor storage; and outdoor events and music” are not allowed uses in the HR-1 Zoning District.

- b. The Planning Commission determined that the Applicant’s request to allow use of the site for Private Events, to allow use of the dining facilities by non-overnight guests, and to increase the use of the site from approximately 30 guests to 60 guests for dining and Private Events is not compatible with the surrounding Structures in Use, scale, and circulation and reasonable conditions cannot be proposed to mitigate the anticipated detrimental effects of the proposed use because:
  - i. The subject property is adjacent to residential land uses on three sides, and the adjacent residential structures have nonconforming 3-foot side setbacks to the Washington School Inn’s property;
  - ii. Restaurants and Private Events are prohibited in the HR-1 Zoning District, “outdoor dining; outdoor food and beverage service stations and cars; outdoor storage; and outdoor events and music” are not allowed uses in the HR-1 Zoning District, and “organized events” are also prohibited by the 1983 CUP Approval; and
  - iii. The expansion of the arrival and departure, even with drop off by car service, would create incompatible impacts on the residential street.
- c. The Applicant sought a parking reduction pursuant to LMC § 15-3-6(B) because a Minor Hotel requires one (1) parking space per room or suite. The Applicant has a private parking easement for eleven (11) parking spaces in a parking structure across the street. The Applicant requested that the parking requirement be reduced from twelve (12) spaces to eleven (11) to protect Significant Vegetation and to retain the vegetative buffer between the Washington School Inn and neighboring residential properties. No additional parking was proposed on-site for the expanded dining sought to be permitted.
- d. The Planning Commission found that the request for a parking reduction cannot be adequately mitigated because the mitigation measures would either increase traffic to Park Avenue, which has limited access during winter months, and to Woodside Avenue, which is prohibited under the 2010 CUP Approval. The Applicant’s increased parking space on Woodside Avenue would increase traffic to Woodside Avenue, contrary to



## Planning Department

the 2010 CUP Approval, and would disturb Significant Vegetation and Steep Slopes.

- e. The Planning Commission found that the reliance on public parking facilities as a mitigation strategy was unreasonable.
- 12. On June 27, 2022, the Planning Commission Chair signed the Final Action Letter to deny the CUP.
- 13. On June 30, 2022, the Applicant requested an Advisory Opinion from the Property Rights Ombudsman's Office and subsequently requested a stay of Appeal, pending consideration of the Advisory Opinion.  
On July 6, 2022, the Applicant filed an Appeal of Planning Commission's denial.
- 14. On December 24, 2022, the Advisory opinion was issued and found that the Planning Commission wrongfully denied "a conditional use permit application seeking to convert an existing legal nonconforming Bed & Breakfast Inn use to a Minor Hotel use.
- 15. On June 15, 2023, the City Council heard the Appeal, opened and closed a public hearing which included admission of the Advisory Opinion, and continued the item to July 13, 2023
- 16. The Applicant submitted a Parking Study and Conditions and Management Plan ("Mitigation Plan") for the Minor Hotel Use. The Parking Plan does not include detailed parking management but instead shifts hotel parking needs to nearby public parking. Such additional off-site parking meets neither the requirements nor the spirit of the LMC § 15-3-6(B).
- 17. The City Council finds the parking Mitigation Plan to be insufficient to mitigate adverse impacts for a Minor Hotel and new dining uses, which include loss of on-street parking, congestion and temporary street blockage from over-staging/valet and street noise, shifting required private parking to public facilities.
- 18. The City Council finds the application not compliant with the LMC requirement of 12 parking spaces since an additional space needed further additional stand-alone permits or to be separately waived. Based upon testimony and record of past permits, the [less intensive] bed and breakfast use clearly used more parking than the Applicant's study claims is needed for the [more intensive] Minor Hotel with additional dining. Claims that a new management plan with unspecified actual spaces can meet this more intensive use with greater parking demand from upwards of 30 additional patrons is not persuasive. The Mitigation Plan as currently proposed lacks detail of actual parking spaces, methods of use and implementation/enforcement to justify further on-site parking reductions.



## **Planning Department**

19. The City Council finds the Planning Commission's determination to deny the CUP on the basis that accessory uses otherwise prohibited in the zone but expressly permitted in the proposed Hotel Minor Conditional Use in the HR-1 Zoning District was in error. Accessory uses are expressly permitted uses in the zone. LMC 15-2.2-2.A.
20. The City Council does not find that the Planning Commission considered the application as an "Expansion of a Non-Conforming Use." Prior reports and arguments simply refer to the addition of dining as an expanded use compared to the prior Bed and Breakfast use which prohibited such. The limitation of Title 15, Chapter 9 of the LMC were never considered by the Planning Commission as asserted by the Ombudsman Opinion.
21. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on April 27, 2023. Staff mailed courtesy notice to property owners within 300 feet on April 27, 2023. The Park Record published notice on May 17, 2023. Staff re-noticed on the City's website and the Utah Public Notice and posted notice to the property on May 31, 2023. Staff mailed courtesy notice to property owners within 300 feet on May 31, 2023.

### **Conclusions of Law**

1. The proposal for a Minor Hotel Use with additional dining did not comply with the required 12 parking spaces for its Use, pursuant to LMC § 15-3-6(B).
2. The existing parking Management Plan does not sufficiently mitigate anticipated impacts of the proposed use.
3. The Planning Commission erred in their conclusion that stand-alone uses which were prohibited in the zone, yet expressly allowed as accessory uses, were not permitted as a matter of law within the Minor Hotel CUP. Accessory restaurant use is similarly not a Private Event.

### **Order**

1. The City Council remands the matter to the Planning Commission for the following re-review of the CUP, including:
  - a. The totality of the 11 or 12 space off-street parking exception which must be granted anew for the proposed Minor Hotel Use. If the Applicant proposes to add the 12<sup>th</sup> space, it must file the required applications concurrently.





## Planning Department

- b. Consideration whether additional reasonable conditions may be proposed to mitigate the anticipated detrimental effects of the proposed new uses, and ensure the dining use remains “accessory”, including:
  - i. Condition the CUP for further specificity within the Management Plan expressly addressing enforcement mechanism(s) for non-resident guests dining at the Minor Hotel, in that, they may not park in the approved parking spaces, and may not be outside the dining areas in the hotel.
  - ii. Condition the CUP to ensure the details of the reservation system and dining policies to confirm compliance with the Applicant’s Management Plan, with an on-going review by the Planning Commission if necessary.
  - iii. Expressly re-incorporate and list prior CUP conditions of approval as appropriate, for the pool and laundry operations within the new use and the prohibition on Private Events to confirm the Applicant’s representation that this application essentially is exactly the same operationally, with the addition of limited internal dining solely for guests of guests.
2. The Planning Commission re-hearing shall be scheduled as soon as possible meeting applicable re-noticing requirements. Final Action by the Planning Commission may be appealed directly to District Court.

If you have questions or concerns regarding this Final Action Letter, please call 435-615-5067 or email [virgil.lund@parkcity.org](mailto:virgil.lund@parkcity.org)

Sincerely,

---

Nann Worel  
Mayor

CC: Virgil Lund, Lillian Zollinger  
Project Planners

## **Council Agenda Item Report**

Meeting Date: July 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Engineering

Item Type: Staff Report

Agenda Section: NEW BUSINESS

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### **Subject:**

Consideration to Authorize the City Manager to Execute a Design Professional Services Addendum with Horrocks Engineers, Inc., in a Form Approved by the City Attorney, Not to Exceed \$201,000 to Provide Right-of-Way Engineering Services for Homestake Roadway Reconstruction  
(A) Public Input (B) Action

### **Suggested Action:**

### **Attachments:**

[Horrocks Contract Addendum Staff Report](#)

[Exhibit A: Right of Way Map](#)

[Exhibit B: Consultant Scope](#)

## City Council Staff Report

**Subject:** CP0527 Homestake Right-of-Way Cost Engineering  
**Author:** Gabriel Shields, PE; John Robertson, PE  
**Department:** Engineering  
**Date:** July 27, 2023  
**Type of Item:** New Business

### Recommendation

Consideration to Authorize the City Manager to Execute a Design Professional Services Addendum with Horrocks Engineers, Inc.(Consultant), in a Form Approved by the City Attorney, Not to Exceed \$201,000 to Provide Right-of-Way Engineering Services for Homestake Roadway Reconstruction (A) Public Input (B) Action

### Executive Summary

The Engineering Department has completed the design work of Homestake Roadway (Project) through the 60% stage under a contract with the Consultant approved by the City Council on [May 3, 2018](#), and amended on [December 9, 2021](#). At the time, this effort was a result of citywide discussions centered around several projects occurring in the Bonanza Park area. Over the last few years, the City has shifted the priority of roadway improvements due to uncertainty of the timing for the relocation of Recycle Utah and the need to complete water infrastructure. Additionally, the city is looking to improve active transportation within this area and make important trail and sidewalk connections to the east and north.

The design work has been reduced to focus on Homestake while awaiting the ongoing Bonanza Small Area Plan as well as the Arts & Culture Feasibility Study. The proposed roadway configuration includes a sidewalk on the north and west side of Homestake, a multi-use pathway on the south and east side of Homestake, and improvements to Homestake to delineate driveway and parking locations. The Project will require right-of-way mapping, appraisal, and acquisition services to provide the appropriate footprint for roadway improvements. Seven residential and four commercial properties will be involved in this work. Historically, the right-of-way process is a long-lead schedule item initiated at 60% to offset the schedule risk. Right-of-way negotiations include permanent property acquisitions only; temporary construction easements will be discussed but not finalized until the completion of construction documents. Total parcel acquisitions are not required, and this project will not impact existing buildings or structures.

### Background & Analysis

#### **Project Background**

Homestake Road is a central link to the internal transportation network of the Bonanza area. This facility connects residential condos, affordable housing, and commercial entities such as restaurants, shops, and grocery stores. Homestake Road has minimal pedestrian and bike infrastructure, promoting automobile use as the primary means to travel through the area. Additionally, street parking and trash receptacles further challenge sightlines, reducing the safety of pedestrians and cyclists traveling in the roadway. Within the current right-of-way footprint, Homestake Road typically measures 24 feet in width of pavement with rolled gutters on each side for a total usable width of approximately 28 feet. The current configuration provides 8 feet for parking, 20 feet of two-way vehicular, and no bike or pedestrian infrastructure.



Figure 1 - Homestake Road Existing Conditions

At present, the Bonanza Small Area Plan (SAP) is reviewing all proposed developments in the study area including the Engine House Affordable Housing Development, the Yarrow/Double Tree Development, the Arts & Culture Development, as well as other potential developments bounded by the SAP. It is anticipated that the SAP will recommend enhanced facilities for active transportation users in the area. Preliminary design efforts have evolved to include a shared-use path on one side of the roadway and a sidewalk and parking on the opposite side of the road. The vision for Homestake Road would provide adequate space for all users including vehicles, parking spaces, cyclists, and pedestrians. The future condition also contemplates human scale lighting elements as well as design elements that consider maintenance and snow plowing.



### **Contract Modification Purpose and Scope**

The services provided under this scope of work are tailored to provide all required right-of-way acquisition services including documentation, research, appraisals, negotiations, and acquisitions.

The standard procedure for the right-of-way acquisition process is typically initiated following the environmental design phase. At this stage of design, project characteristics are generally understood, such as lane and shoulder widths, gutter types, park strips, pedestrian facilities, landscape, and grading requirements. Due to the complexity and duration of the right-of-way procurements, the acquisition process is traditionally started once basic design elements are confirmed. This allows simultaneous design and planning to occur while enabling the acquisition process to begin. The process involves a series of meetings with property owners and appraisals and provides flexibility to incorporate revisions from planning and design work.

### **Funding**

Funding for the cost engineering is funded through Third Quarter County Sales Tax

<b>Expenses</b>	
Right-of-Way Engineering/Acquisition Professional Services	\$201,000
Right-of-Way Acquisition (estimated)	\$705,000
Contingency (15%)	\$135,900
<b>Total</b>	<b>\$1,041,900</b>

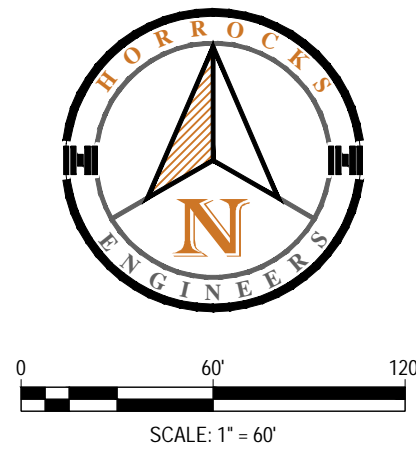
<b>Revenues</b>	
031532 CIP FUND * 2017 SALES TAX BONDS	\$1,052,523
<b>Total</b>	<b>\$1,052,523</b>

### **Exhibits**

Exhibit A: Right of Way Map

Exhibit B: Consultant Scope





**HORROCKS**  
**E N G I N E E R S**

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Riverdale, UT 84405

(801) 621-1025  
www.horrocks.com

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IF THIS BAR DOES NOT  
MEASURE 2" THEN  
DRAWING IS NOT TO SCALE

REVISIONS

REV #

DATE

DRAWING INFO

DATE

DESIGNED

JS

DRAWN

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CHECKED

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PROJECT

UT-1246-1806

**PRELIMINARY**

**NOT FOR  
CONSTRUCTION**

HOMESTAKE ROAD RECONSTRUCTION

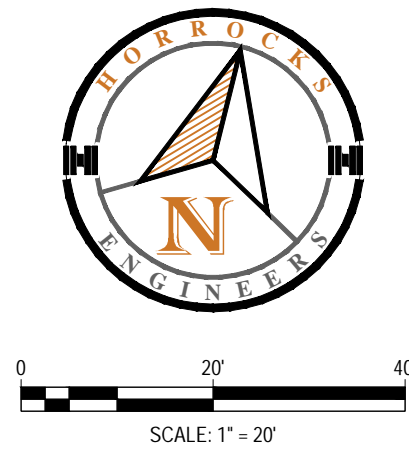
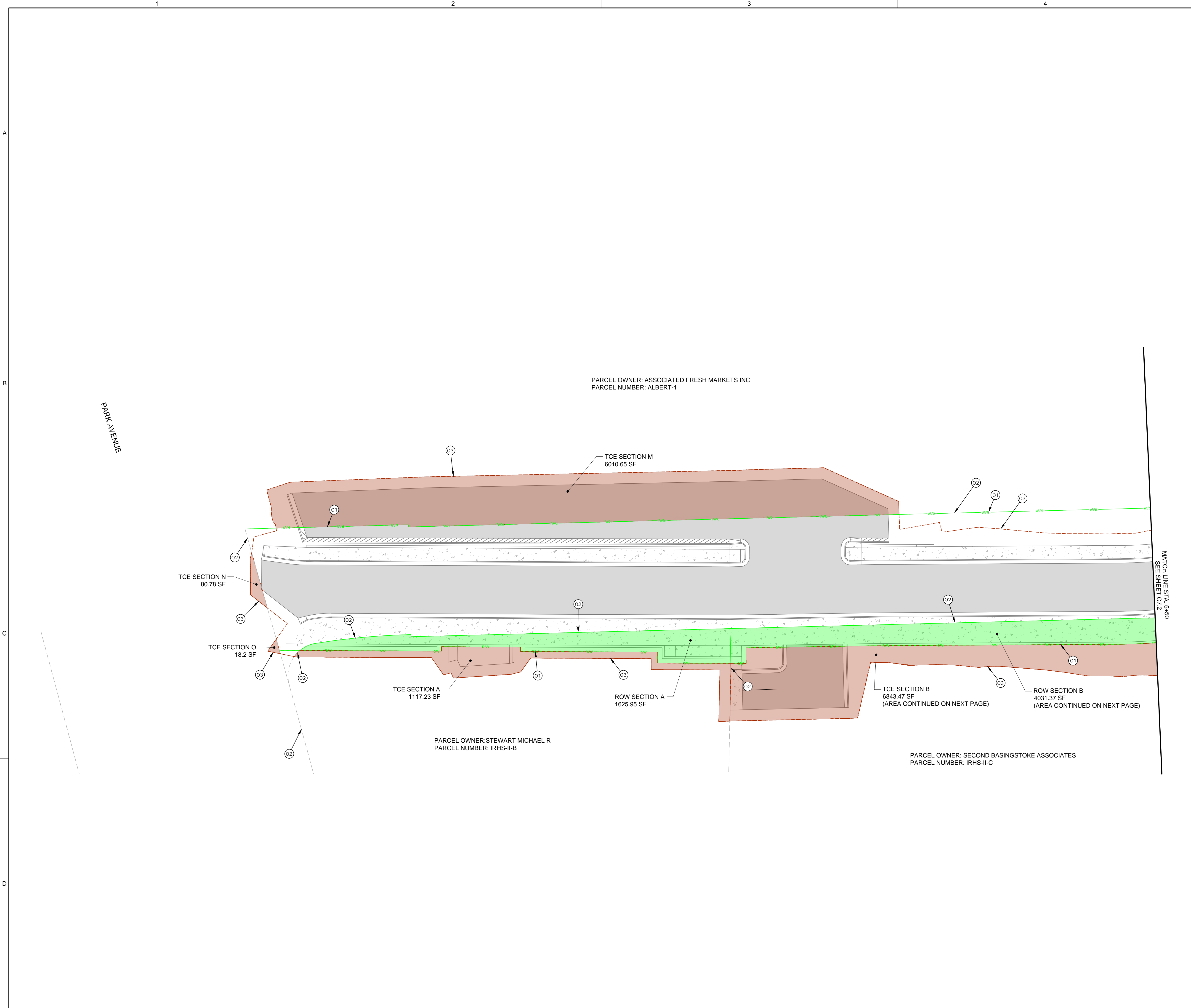
PARK CITY, UTAH

RIGHT OF WAY



**C7.0**

PAGE 20



- RIGHT-OF-WAY KEYNOTES
- 01 PROPOSED RIGHT-OF-WAY LINE
  - 02 EXISTING PARCEL/RIGHT-OF-WAY LINE
  - 03 PROPOSED TEMPORARY CONSTRUCTION EASEMENT (TCE)

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ENGINEERS

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**PRELIMINARY**  
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**CONSTRUCTION**

HOMESTAKE ROAD RECONSTRUCTION

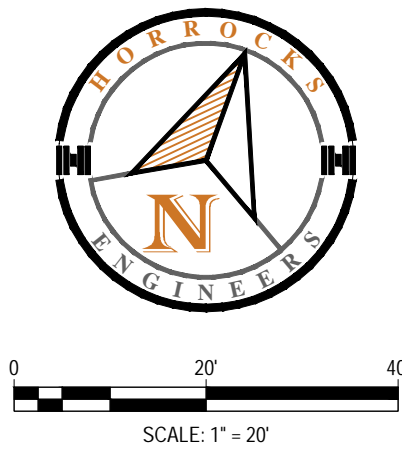
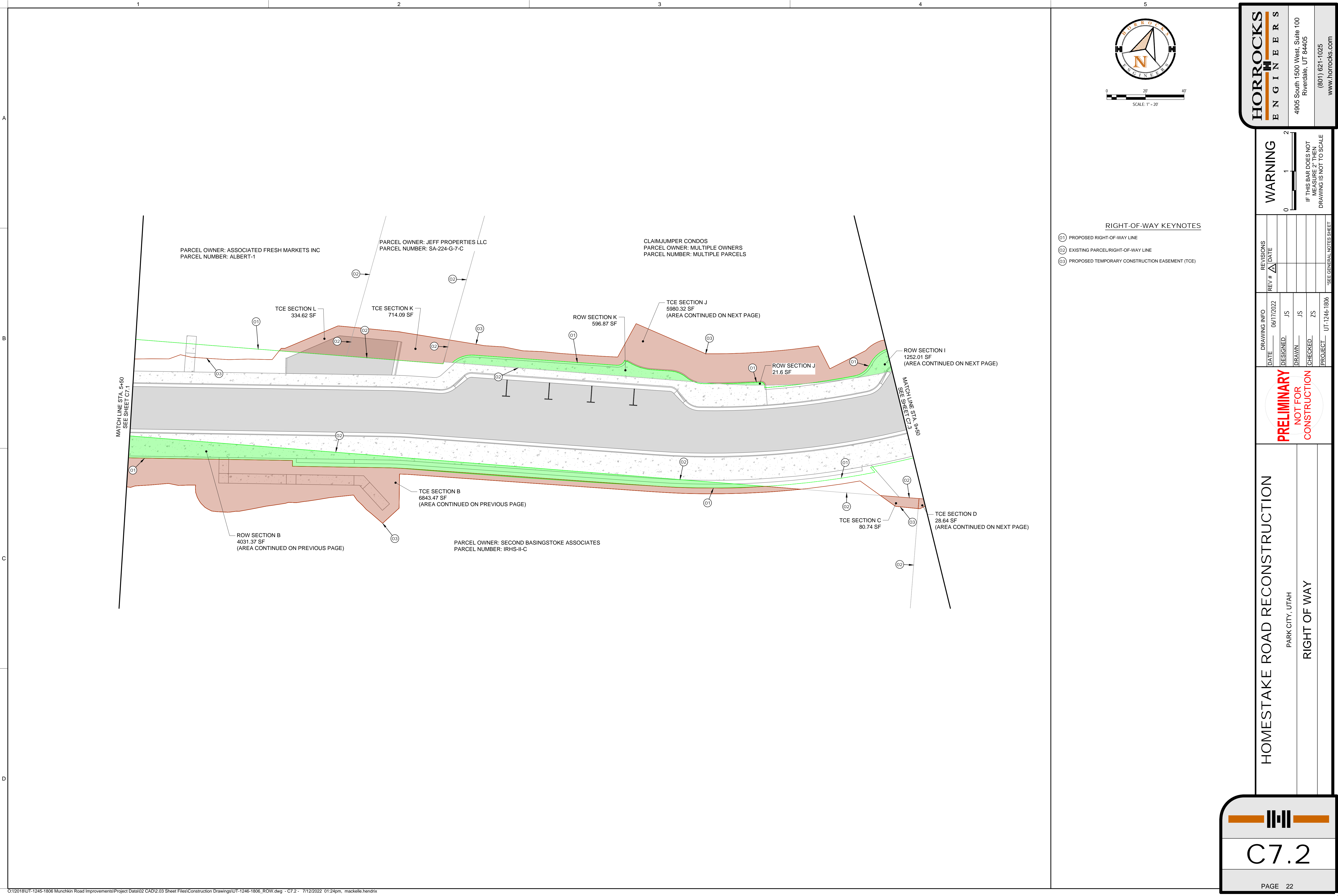
PARK CITY, UTAH

RIGHT OF WAY



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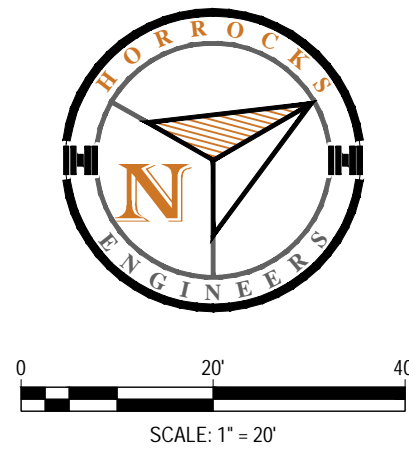
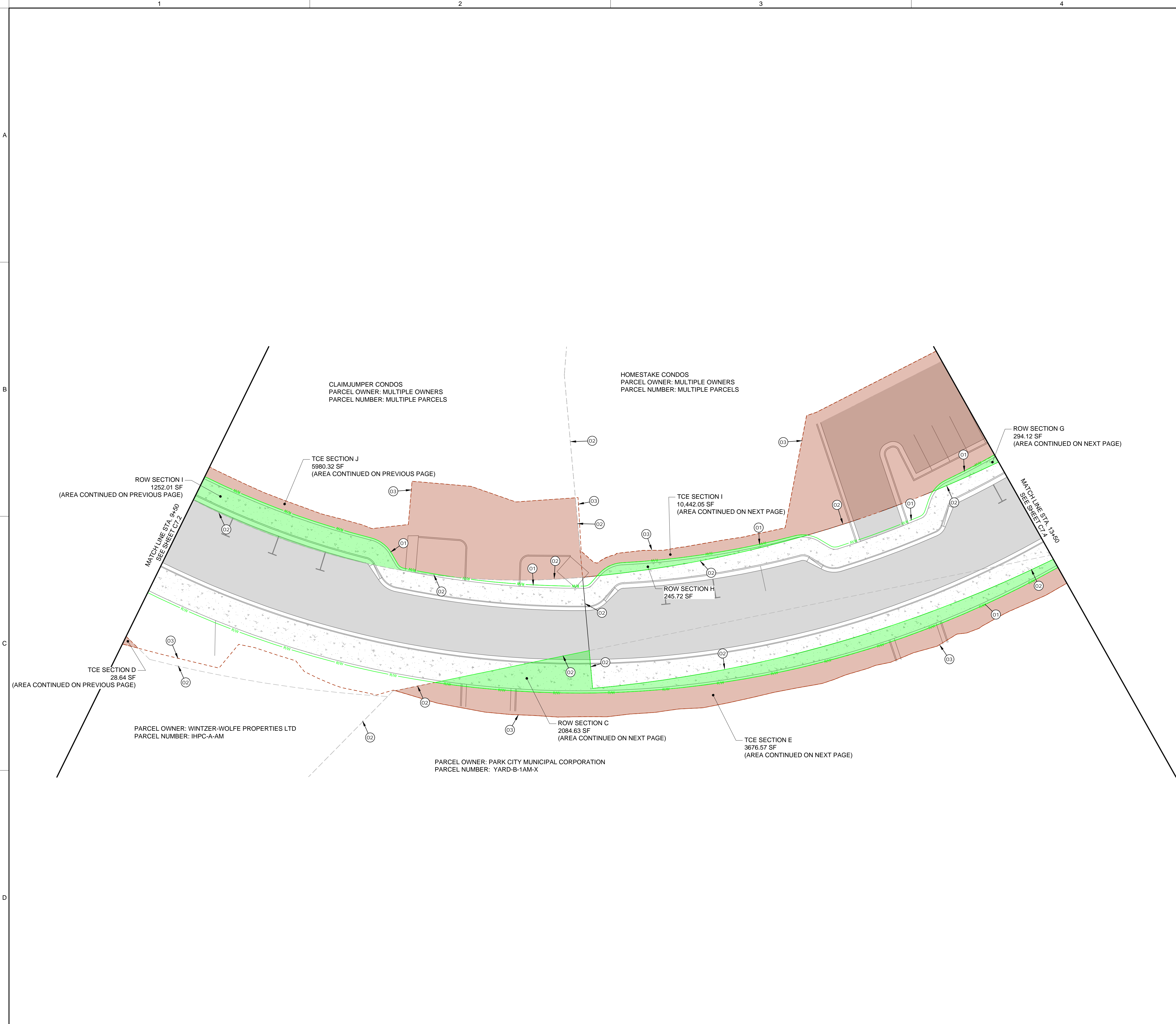
HOMESTAKE ROAD RECONSTRUCTION

PARK CITY, UTAH

RIGHT OF WAY



C7.2



- RIGHT-OF-WAY KEYNOTES
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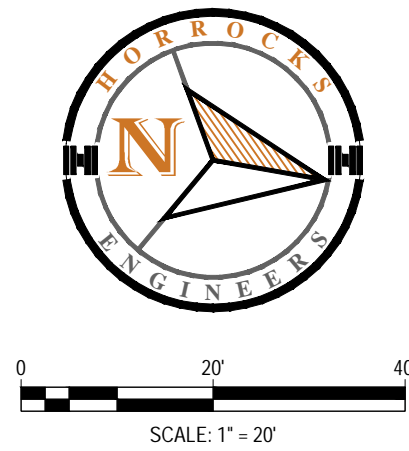
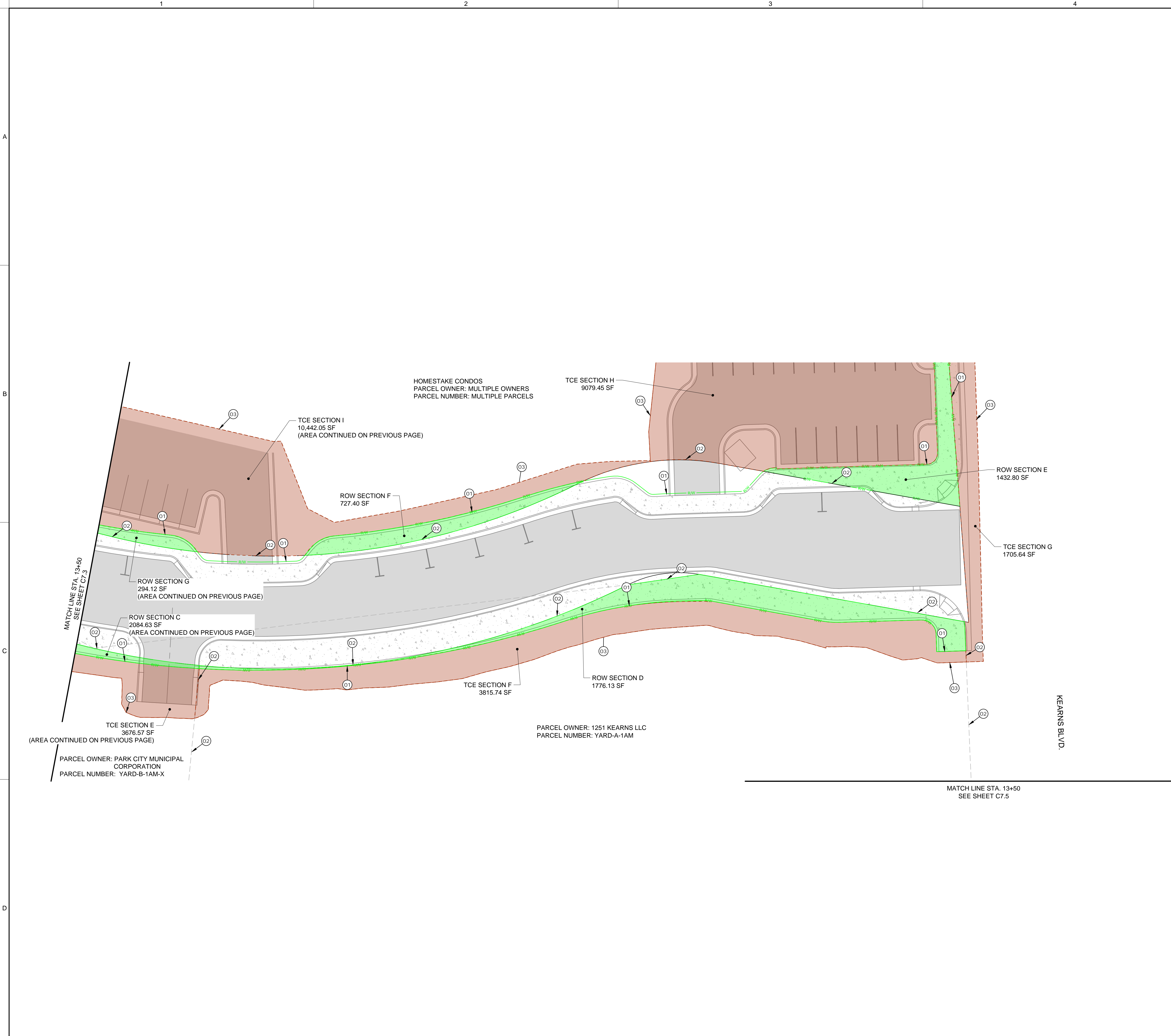
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**HOMESTAKE ROAD RECONSTRUCTION**  
PARK CITY, UTAH  
**RIGHT OF WAY**



**C7.3**





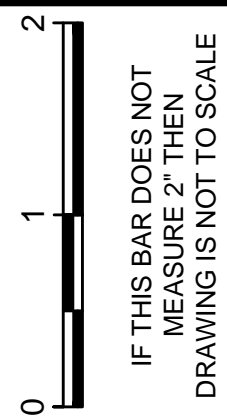
RIGHT-OF-WAY KEYNOTES

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**ENGINEERS**

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WARNING



REVISIONS		DRAWING INFO	
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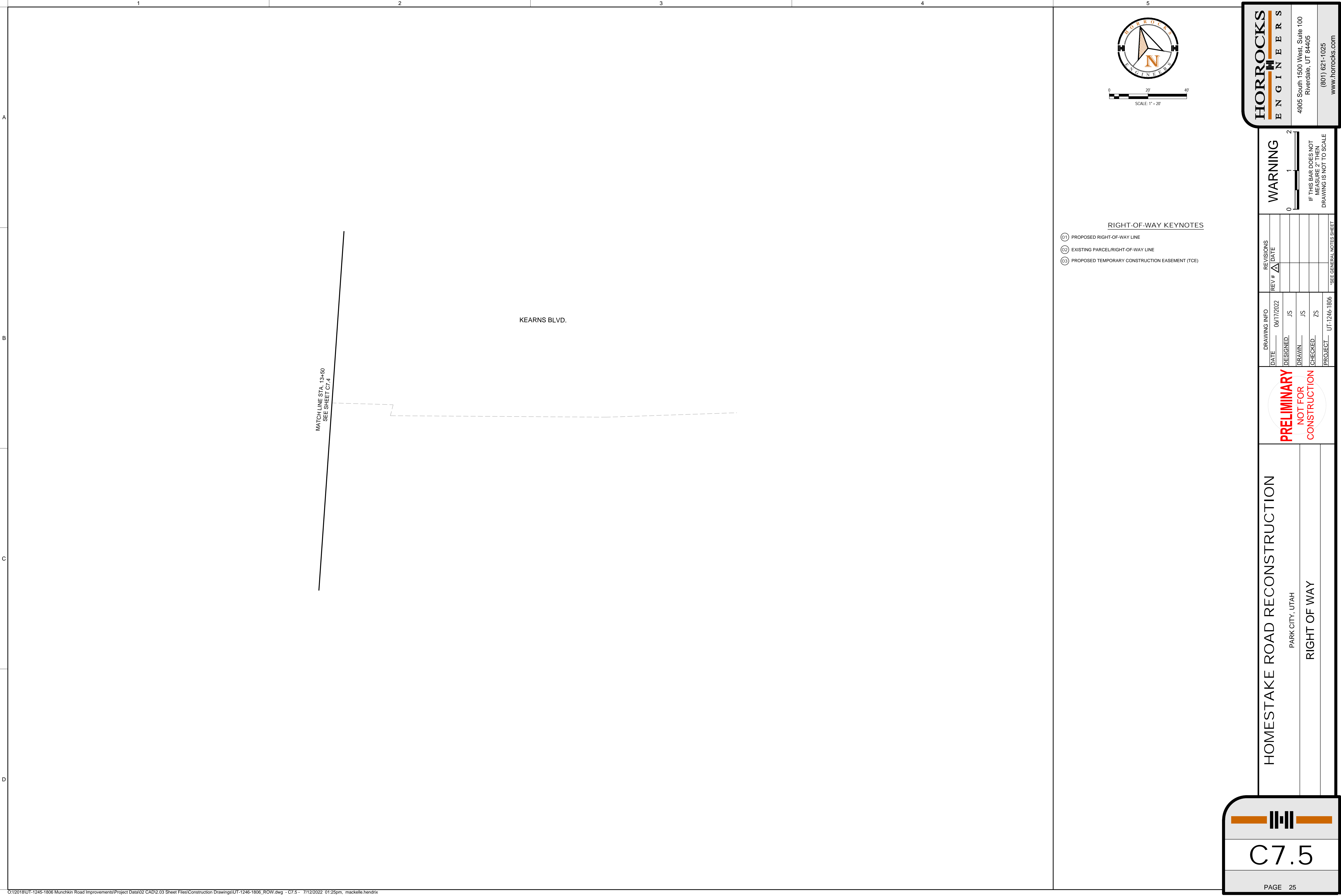
HOMESTAKE ROAD RECONSTRUCTION

PARK CITY, UTAH  
RIGHT OF WAY



C7.4





Park City Municipal Corporation  
Attn. Gabriel Shields  
Transmitted via email to: gabriel.shields@parkcity.org

**Re: Homestake Road Right-of-way (ROW) Services Work Proposal**

*Horrocks Engineers appreciates the opportunity to provide the following scope and fee to perform ROW services for the Homestake Road Corridor from the intersection of SR-248 (Kearns Blvd.) to the intersection of SR-244 (Park Ave.)*

**PROJECT ASSUMPTIONS:**

1. There are 10 parcels to be impacted by the roadway which will be addressed by this scope of work.
2. Any parcels currently shown as being owned by the city are not included in this scope of work.
3. Our proposed fee estimate assumes the project will be billed hourly up to and maximum based on the scope of work defined below and coordination with the city.
  - a. Per conversations with the city on 5-25-2023, negotiations with landowners during the acquisition can vary greatly. Our estimated fees assume working with the city during acquisition to share the negotiation workload. Horrocks will notify the city for approval to exceed the hours in the current estimate.
4. The city will not use eminent domain for acquisitions of parcels which could extend negotiation timelines.
5. The ROW for Homestake Road is currently not recorded in the county parcel map. The city may have a dedication deed from the HOA but this is unknown at the time this proposal and may increase cost if extensive ROW dedication for the roadway is needed.
6. No ROW Monuments will be set as part of the projects.
7. No record of survey will be prepared or filed.
8. Only surface utilities and manhole inverts will be verified or acquired during survey. No subsurface utility mapping is included.
9. Survey is anticipated to occur after the Homestake Road Waterline is completed to capture as-builts during the field work for this effort.

**PROJECT TASKS:**

Task 1: Project Management, Meetings and Coordination  
Task 2: Survey  
Task 3: Right-of-way Documentation  
Task 4: Right-of-way Appraisals and Acquisitions  
Task 5: Public Involvement and Outreach

**Task 1 – Project Management, Meetings, and Coordination**

This task is for overall management of the ROW scope of work in conjunction with Horrocks' current roadway design effort.

- A) Task 1 Includes:
1. City coordination related to ROW and Design
  2. Internal Coordination

### 3. County and Agency Coordination for ROW

#### **Task 2 – Survey**

This task is to compile all existing survey data, and ROW data from previous and outdated surveys and work with the ROW designers to ensure parcel boundaries are accurately drawn and tied to survey monuments for accuracy.

- A) Review Existing Survey Materials
  - 1. Meridian Engineering 2018 Survey
  - 2. Alliance Engineering 2012 Survey
  - 3. Horrocks 2021 Supplemental Drone Flight
- B) Perform field visit to perform survey updates and record:
  - 1. Monument locations to ensure accuracy.
  - 2. Changes to the area not captured in previous surveys.
  - 3. As-built locations of waterline, valves, hydrants, and manholes for the current Homestake Road Waterline.
  - 4. Current and updated imagery using mobile and aerial lidar.
- C) Prepare current and accurate ex-topo, ex-util, and ex-row drawings.
  - 1. Horrocks will use all previous data, and new data to compile current drawings for use in design and ROW activities.

#### **Task 3 – Right-of-way Documentation**

This task begins with the development of an existing right of way base map through the limits of the alignment using correct coordinates that will be used to establish the limits of all proposed right-of-way takes and easements. Our ROW team will take the existing design completed by the roadway designers in conjunction with field verified survey data to finalize the ROW base map. This base map will be based on current vesting documents, field survey data, as well as coordination with Park City for the affected parcels. Once the geometric design of the corridor has been established, we will work closely with the project team to prioritize parcels and to establish an achievable and realistic schedule for ROW design. Horrocks will work closely with the designers while creating ROW documents. The necessary documents, easements, and exhibits will be created based on the project design and will be prepared under the direct supervision of a Utah Professional Land Surveyor. Our team will develop Vesting, Signature, Exhibits, and work with the roadway team to finalize ROW maps for each submittal. It is anticipated that ROW documents will be needed for approximately 10 parcels.

- A) Parcel research and base mapping
  - 1. Information Gathering and Research of Existing Plans, Documents and Drawings: Gather and compile existing R/W plans, documents, drawings, ownership records, county recordation information, reports, etc. necessary to determine ownership throughout the project limits.
  - 2. Existing line work will be placed in the correct location based on the project coordinate system.

3. The existing highway right of way lines will be to a level of accuracy that they will be certified by a Professional Land Surveyor.
- B) Develop ROW documents
1. Develop summary for partial submittal. The summary will include copy of recorded vesting documents, parcel deed and easement signature documents, and ROW maps including RWTT sheets and RW sheets.
  2. Conduct QC/QA of ROW design and of ROW plans and documents. Make corrections as needed.
- C) Finalize stamped ROW plans in conjunction with roadway designers.

#### **Task 4 – Right-of-way Acquisitions and Appraisals**

This task includes the appraisals and acquisition process for parcels as identified in the roadway design and ROW documentation tasks.

- A) Prepare appraisals.
1. Horrocks will order appraisals from our sub-consultants for each of the affected parcels to include permanent ROW takes, temporary easements, and permanent easements.
- B) Complete appraisal reviews
1. Working with our sub-consultants and city staff, Horrocks will complete reviews of the initial appraisals to ensure accuracy.
- C) Prepare initial offers.
1. Horrocks will prepare initial offers based on appraised values, and review with the city.
  2. After city review and concurrence, offers will be sent to property owners in conjunction with city staff and the Horrocks Public Outreach team.
- D) Complete negotiation and acquisition.
1. Horrocks will work with city staff, Horrocks Public Outreach, and Landowners to finalize acquisition through negotiation and purchase. Our hours for this task are based on best case scenarios working with city staff. If negotiations exceed typical timelines as determined by Horrocks, additional efforts and fees may be required. Horrocks will monitor the status of negotiations and inform the city of changes in scope of work or additional hours need for approval.

#### **Task 4 – Public Outreach and Involvement**

This task is for public outreach in conjunction with ROW acquisitions. Our team will complete the following tasks:

- A) Work with city staff to compile a landowner contact list for parcels to be impacted.
- B) Created contact database and maintain database throughout the acquisition process.
- C) Attend up to 10 meetings (1 for each parcel to be affected) with city staff to discuss the project and acquisitions.
- D) Assist the city and design staff with outreach materials.

**Sincerely,  
Horrocks Engineers, Inc.**

\_\_\_\_\_  
**Zach Scott, PLA  
Project Manager**

**Accepted by,**

\_\_\_\_\_  
**Name:**  
**Company:**  
**Title:**

**Date** \_\_\_\_\_



# City Council Staff Report



**Subject:** 949 Park Avenue Plat Amendment  
**Application:** PL-23-05712  
**Author:** Spencer Cawley, Planner II  
**Date:** July 27, 2023  
**Type of Item:** Administrative – Plat Approval Extension

## Recommendation

(I) Review the proposal, (II) hold a public hearing, and (III) consider approving a one-year extension for the 949 Empire Avenue Plat Amendment based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as outlined in draft Ordinance No. 2023-37 (Exhibit A).

## Description

Applicant:	Terrence Scheckter Alliance Engineering, Applicant Representative
Extension Project Number:	PL-23-05712
Approved Project Number:	PL-22-05158
Location:	949 Empire Avenue
Zoning District:	Historic Residential – 1
Adjacent Land Uses:	Single-Family Dwellings
Reason for Review:	City Council reviews and takes Final Action on plat amendment extensions <sup>1</sup>

HR – 1	Historic Residential – 1
LMC	Land Management Code
ROW	Right-of-Way

*Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § [15-15-1](#).*

## Background

949 Empire Avenue is in Block 29 of Snyder’s Addition to Park City, is a portion of Lots 12 & 13, and is in the Historic Residential – 1 (HR – 1) Zoning District. The Parcel has an unusual flag configuration with a smaller, narrower portion of the Parcel adjacent to the Empire Avenue Right-of-Way (ROW) and a larger full-width section in the rear. The rear portion of the Property is vacant; however, the portion of the Parcel adjacent to the Empire Avenue contains an existing, non-historic garage. This existing garage shares a common wall with another garage to the north. The Applicant proposes to demolish the southern portion of the garage that encroaches on the adjacent Property and construct a new residence.

The Applicant submitted a complete Plat Amendment application on February 4, 2022.

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<sup>1</sup> LMC [§ 15-7.1-6\(C\)\(5\)](#)

On April 13, 2022, the Planning Commission held a public hearing and continued the Discussion of the Plat Amendment to June 22, 2022 ([Staff Report](#); [Meeting Minutes](#), p. 13).

The Planning Commission reviewed the 949 Empire Avenue Plat Amendment on June 22, 2022, held a public hearing, and unanimously forwarded a positive recommendation for City Council's consideration ([Staff Report](#); [Meeting Minutes](#), p. 33). On July 21, 2022, the City Council adopted Ordinance No. 2022-26, approving the 949 Empire Avenue Plat Amendment ([Staff Report](#); [Meeting Minutes](#), p. 9).

Ordinance No. [2022-26](#) requires the following:

- Condition of Approval 5: The portion of the garage on Parcel SA-301-B shall be demolished prior to recordation of the Plat.
- Condition of Approval 9: The Applicant shall gain permission and approval from the owner of Parcel SA-301-E to encroach onto their Property to demolish the southern portion of the double garage on SA-301-B.
- Condition of Approval 10: The Applicant shall enter into an encroachment agreement with the owner of Parcel SA-301-E for the portion of the garage that encroaches onto the front of the Lot or the encroachment shall be removed prior to Plat recordation.
- Condition of Approval 11: The Applicant shall enter into an encroachment agreement with the owner of Parcel SA-308 for the portion of the rock retaining wall that encroaches onto the Lot or the encroachment shall be removed prior to Plat recordation.

In the Applicant's narrative, submitted with the Extension Application, it states:

*There are three Conditions of Approval that require agreements with adjacent owners that must be completed in order for the plat to be recorded. Condition of Approval 9 requires permission and approval of the owner to the north to encroach onto their property to demolish the southern portion of the garage on the 949 Empire Avenue property. Condition of Approval 10 requires an encroachment agreement with the neighbor to the north for the portion of the garage that encroaches onto 949 Empire Avenue property. Condition of Approval 10 gives the option of removing the garage encroachment. Condition of Approval 11 requires the removal of an encroachment agreement for the rock retaining wall on the property boundary of the neighbor to the south.*

*Negotiations to accomplish the requirements for these encroachments have not been going as quickly as desired. Therefore, a one-year extension is requested to complete the required Conditions of Approval.*

See Exhibit B for the full narrative.

Applicants may request time extensions for plat approvals by submitting a Request for Extension of Approval Application to the Planning Department. The Applicant submitted

a complete application on June 15, 2023, and requests a one-year extension. This one-year extension will allow the Applicant to complete the Conditions of Approval outlined above. Furthermore, the Applicant is not requesting any modifications to the original proposal or seeking exceptions from the Land Management Code (LMC).

### Analysis

LMC [§ 15-7.1-6\(C\)\(5\)](#) states the Applicant may request that City Council approve an extension of a plat approval. The City Council may grant the extension when the Applicant demonstrates there is no change in circumstance that would result in unmitigated impacts or a finding of non-compliance with the Park City General Plan or the Land Management Code in effect at the time of the extension request. A change in circumstance includes physical changes to the Property or surroundings.

The 949 Empire Avenue Plat Amendment removes an existing Lot Line and a Deed Line to create one Lot:

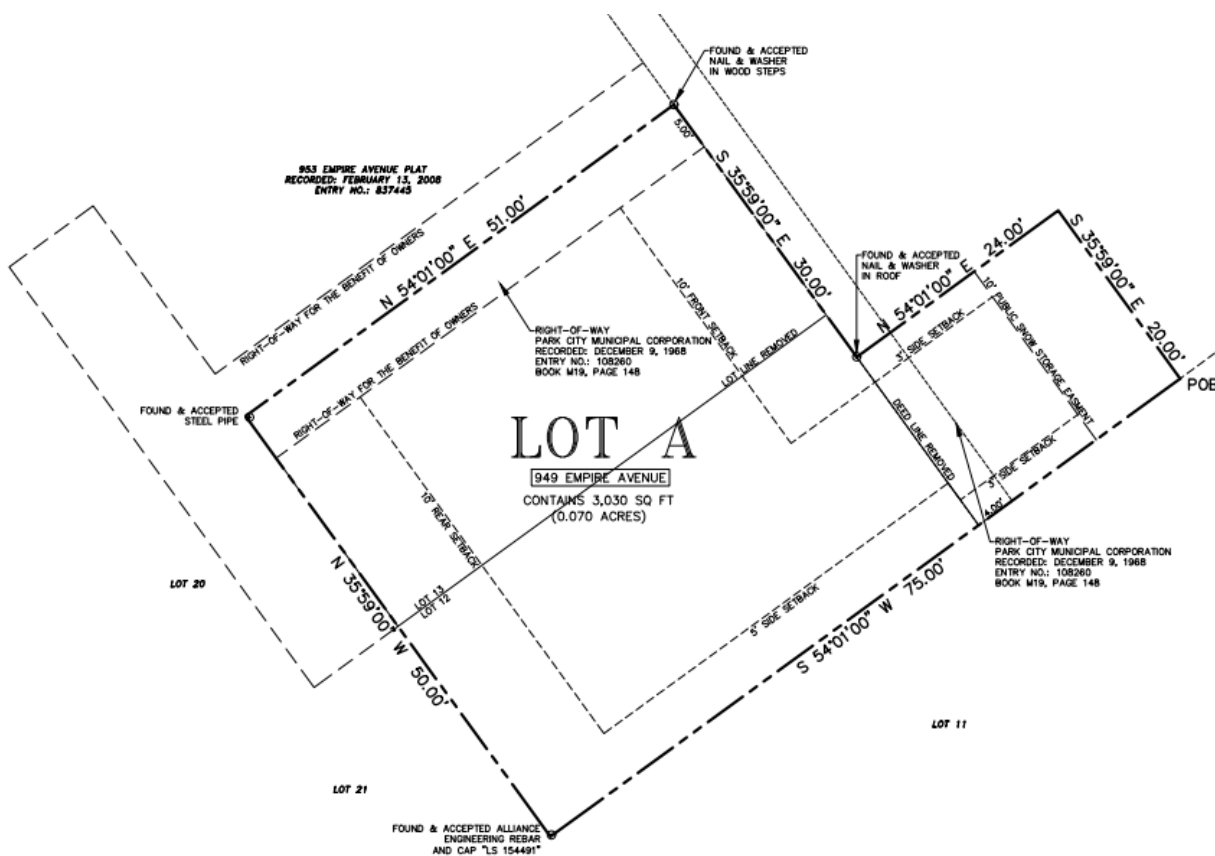


Figure 1: Proposed Lot Configuration

The proposed 949 Empire Avenue Plat Amendment complied with LMC § 15-2.2-3 Lot and Site requirements for the HR – 1 Zoning District at the time of Council approval and continues to comply with the LMC, outlined in Findings of Fact ten through fifteen in Ordinance No. [2022-26](#). Additionally, no amendments to the General Plan or LMC result in non-compliance.

Extension of the 949 Empire Avenue Plat Amendment does not result in an unmitigated impact or non-compliance with the General Plan or LMC, allows the Applicant additional time to resolve negotiations with neighbors, and provides the Applicant time to record the Plat Amendment with the County Recorder.

### **Pending Ordinance**

On May 10, 2023, the Planning Commission issued a [Pending Ordinance](#) on Lot Combinations in the Historic Zoning Districts. The proposed changes to LMC § 15-2.2-3 include a maximum Lot Area of 3,570 square feet. The 949 Empire Avenue proposed plat amendment results in a Lot with a Lot Area of 3,030 square feet, 540 square feet less than the allowed maximum in the Pending Ordinance.

### **Department Review**

The Planning Department, Engineering Department, and City Attorney's Office reviewed this report.

### **Notice**

Staff published notice on the City's website and the Utah Public Notice website, and posted notice to the property on July 13, 2023. Staff mailed courtesy notice to property owners within 300 feet on July 13, 2023. The *Park Record* published notice on July 13, 2023.<sup>2</sup>

### **Public Input**

Staff did not receive any public input at the time this report was published.

### **Alternatives**

- The City Council may approve Ordinance No. 2023-37;
- The City Council may deny Ordinance No. 2023-37 and direct staff to make Findings for the denial; or
- The City Council may request additional information and continue the discussion to a date certain.

### **Exhibits**

Exhibit A: Draft Ordinance No. 2023-37 and Proposed Plat

Exhibit B: Applicant Narrative

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<sup>2</sup> LMC [§ 15-1-21](#)

**Ordinance No. 2023-37**

**AN ORDINANCE APPROVING AN EXTENSION OF CITY COUNCIL'S JULY 21, 2022, APPROVAL OF ORDINANCE NO. 2022-26, AN ORDINANCE APPROVING THE 949 EMPIRE AVENUE PLAT AMENDMENT, LOCATED AT 949 EMPIRE AVENUE, PARK CITY, UTAH**

WHEREAS, the owners of the property located at 949 Empire Avenue petitioned the City Council for approval of the 949 Empire Avenue Plat Amendment Located at 949 Empire Avenue, Park City, Utah; and

WHEREAS, on April 13, 2022, the Planning Commission held a public hearing and continued the discussion to June 22, 2022; and

WHEREAS, on June 22, 2022, the Planning Commission reviewed the application and held a public hearing; and

WHEREAS, on June 22, 2022, the Planning Commission forwarded a positive recommendation for City Council's consideration on July 21, 2022; and

WHEREAS, on July 21, 2022, the City Council approved Ordinance No. 2022-26, An Ordinance Approving the 949 Empire Avenue Plat Amendment, Located at 949 Empire Avenue, Park City, Utah; and

WHEREAS, on June 15, 2023, the property owner of 949 Empire Avenue submitted an application to the Planning Department to request a one-year extension of the City Council's approval of Ordinance No. 2022-26; and

WHEREAS, on July 13, 2023, staff legally noticed the City Council July 27, 2023, public hearing; and

WHEREAS, on July 27, 2023, the City Council reviewed the proposed plat approval extension, held a public hearing, and approved a one-year extension for the 949 Empire Avenue Plat Amendment through July 27, 2024; and

WHEREAS, it is in the best interest of Park City, Utah to approve the extension of the 949 Empire Avenue Plat Amendment through July 27, 2024.

WHEREAS, the plat is consistent with the Park City Land Management Code, including §15-7.1-3(B), § 15-12-15(B)(9), and Chapters 15-2.2 and 15-7.

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. City Council's July 21, 2022, approval of the 949 Empire Avenue Plat Amendment,



Attachment 1, is hereby extended through July 27, 2024, subject to the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

### **Findings of Fact**

#### **Background:**

1. The property is located at 949 Empire Avenue.
2. The property is listed with Summit County as Parcel number SA-301-B and consists of a portion of Lots 12 and 13 in Block 29, Snyders Addition to Park City Survey in the Historical Residential-1 (HR-1) Zoning District.
3. The proposed Plat Amendment removes the internal lot line to create one Lot containing 3,030 square feet.
4. Demolition of a housing Structure in 2013 left the property vacant.
5. Restrictive Covenants were recorded with Summit County in 1967 against 949 Empire Avenue and Lots 12-22 of Block 29, Snyders Addition (Entry No. 105853).
6. No easement is vacated or amended as a result of the plat amendment.
7. The Land Management Code (LMC) regulates Lot and Site Requirements for the HR-1 Zoning District per LMC §15-2.2-3.
8. A Single-Family Dwelling is an allowed Use in the HR-1 Zoning District and requires a minimum lot size of 1,875 square feet. The proposed Lot is 3,030 square feet.
9. The minimum Lot width in the HR-1 Zoning District is 25 feet. The proposed Lot complies with this requirement.
10. The required Front Setback for Lot depths of 75 feet is ten feet (10'). The proposed Lot complies with this requirement.
11. The required Rear Setback is ten feet (10'). The proposed Lot complies with this requirement.
12. The required Side Setback is five feet (5'). The proposed Lot complies with this requirement.
13. The Maximum Building Footprint in the HR-1 Zoning District =  $(\text{Lot Area}/2) \times 0.9^{\text{Lot Area}/1875}$ . The maximum Building Footprint for this Lot is 1,278 square feet.
14. Due to difficulties in negotiating encroachments with neighboring property owners, the Applicant cannot complete the Conditions of Approval 9 through 11 outlined in Ordinance No. 2022-26 and requests more time to comply.
15. On May 10, 2023, the Planning Commission issued a Pending Ordinance on Lot Combinations in the Historic Zoning Districts. This plat amendment results in a Lot with an Area of 3,030 square feet, 540 square feet less than the allowed maximum in the Pending Ordinance.
16. Staff mailed courtesy notice to property owners within 300 feet on July 13, 2023.
17. Staff posted notice to the site on July 13, 2023.
18. The *Park Record* published notice on July 10, 2023.

### **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, including LMC Chapter 15-2.2 *Historic Residential (HR-1) Zoning District* and LMC § 15-7.1-6 *Final Subdivision Plat*.
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 Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant shall record the plat at the County within one 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. The plat shall note that fire sprinklers are required for all new or renovation construction on this lot, to be approved by the Chief Building Official.
4. A non-exclusive ten foot (10') public snow storage easement on Empire Avenue shall be dedicated on the plat.
5. The portion of the garage on Parcel SA-301-B shall be demolished prior to recordation of the Plat.
6. The Applicant shall include a Plat note indicating the maximum Building Footprint for the Lot is 1,278 square feet.
7. The Applicant shall include the Setbacks as determined by the Planning Director on March 30, 2022, on the final Plat.
8. Any new construction shall comply with the Land Management Code at the time of Application submittal.
9. The Applicant shall gain permission and approval from the owner of Parcel SA-301-E to encroach onto their Property to demolish the southern portion of the double garage on SA-301-B.
10. The Applicant shall enter into an encroachment agreement to the owner of Parcel SA-301-E for the portion of the garage that encroaches onto the front of the Lot, or the encroachment shall be removed prior to Plat recordation.
11. The Applicant shall enter into an encroachment agreement to the owner of Parcel SA-308 for the portion of the rock retaining wall that encroaches onto the Lot or the encroachment shall be removed prior to Plat recordation.
12. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.

**SECTION 2. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 27<sup>th</sup> Day of July 2023.

PARK CITY MUNICIPAL CORPORATION

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Nann Worel, MAYOR

ATTEST:

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City Recorder

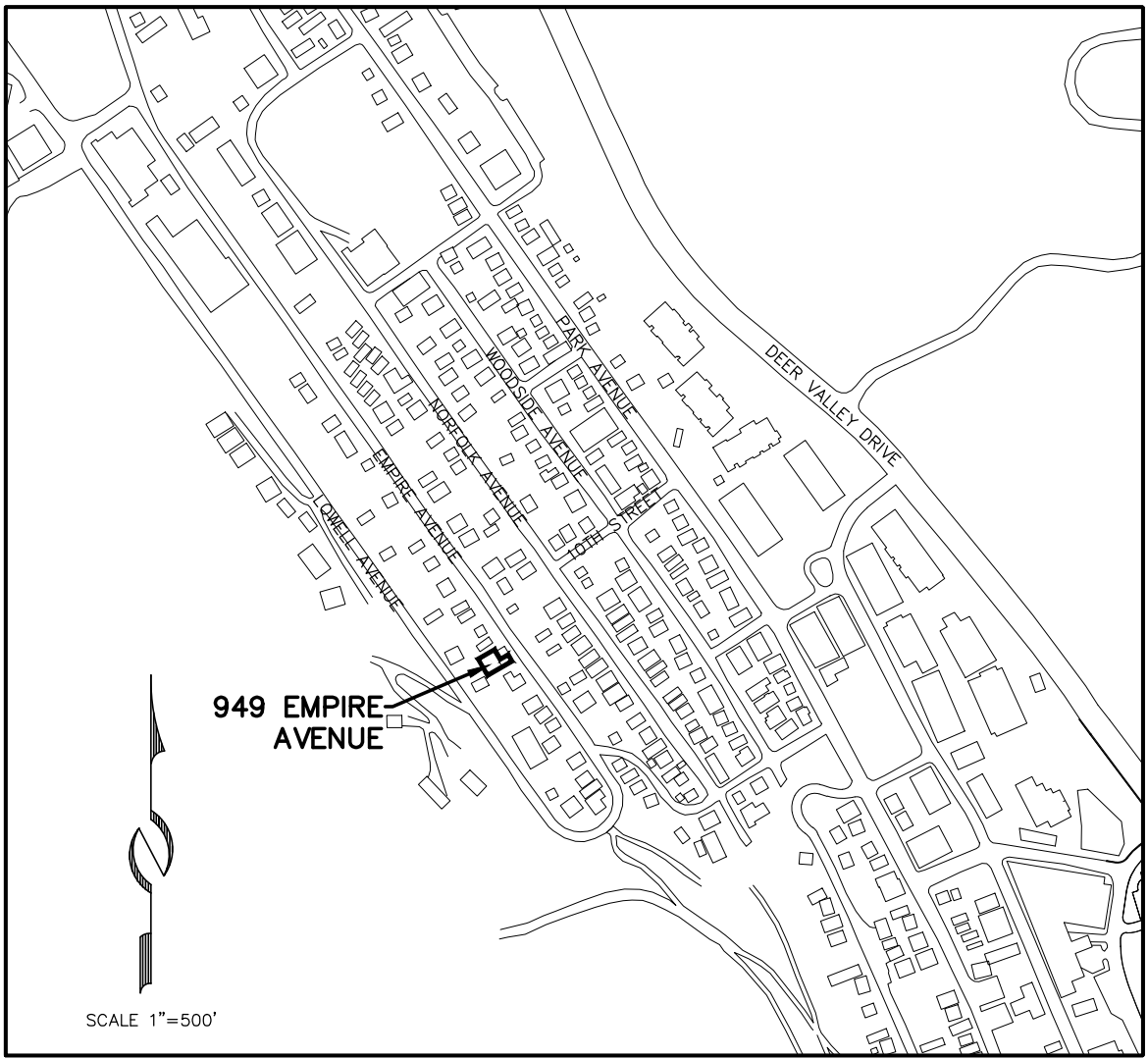
APPROVED AS TO FORM:

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City Attorney

**Attachment 1 – Proposed Plat**

DRAFT



VICINITY MAP



SURVEYOR'S CERTIFICATE

I, Michael Demkowicz, do hereby certify that I am a Professional Land Surveyor and that I hold License No. 4857264 as prescribed under the laws of the State of Utah. I further certify that by authority of the owner, I have made a survey of the land shown on this plat and described hereon, and have combined said land into one (1) lot, hereafter to be known as 949 EMPIRE AVENUE PLAT AMENDMENT and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

LEGAL DESCRIPTION

Beginning at the southwesterly corner of Lot 12, Block 29, Snyder's Addition to Park City, and running thence North 54°01' East 51 feet; thence North 35°59' West 50 feet; thence South 54°01' West 51 feet; thence South 35°59' East 50 feet to the point of beginning, being the westerly 51 feet of Lots 12 and 13 of said Block 29, Snyder's Addition.

Also, a garage area described as follows; beginning at the southeasterly corner of Lot 12, Block 29, Snyder's Addition, and running thence North 35°59' West 20 feet to the center of a partition, thence South 54°01' West 24 feet; thence South 35°59' East 20 feet to the center of a partition; thence North 54°01' East 24 feet to the point of beginning.

Subject to and together with a right-of-way over the following for the use and benefit of the owner or owners of Lots 12, 13, 14, 15, 17, 18, 19, 20, 21, and 22, Block 29, Snyder's Addition to Park City, in Summit County, Park City, Utah; Beginning at the southeasterly corner of Lot 18, Block 29, Snyder's Addition to Park City, and running thence South 35°59' East 20 feet; thence North 54°01' East 51 feet; thence North 35°59' West 45 feet; thence North 54°01' East 4 feet; thence South 35°59' East 100 feet; thence South 54°01' West 4 feet; thence North 35°59' West 45 feet; thence South 54°01' West 51 feet; thence South 35°59' East 20 feet; thence South 54°01' West 10 feet; thence North 35°59' West 50 feet; thence North 54°01' East 10 feet to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that the undersigned is the owner of the above described tract of land, and hereby causes the same to be unified into one lot of record, together with easements as set forth to be hereafter known as 949 EMPIRE AVENUE PLAT AMENDMENT and does hereby dedicate for the perpetual use of the public all roads and other areas shown on this plat as intended for public use. The undersigned owner also hereby conveys to any and all public utility companies a perpetual, non-exclusive easement over the public utility easements shown on this plat, the same to be used for the installation, maintenance and operation of utility lines and facilities. The undersigned owner also hereby conveys any other easements as shown on this plat to the parties indicated and for the purposes shown hereon.

In witness whereof, the undersigned set his hand this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Terence Scheckter

ACKNOWLEDGMENT

STATE OF \_\_\_\_\_)

: ss.

COUNTY OF \_\_\_\_\_)

On this \_\_\_\_\_ day of \_\_\_\_\_, 2022, Terence Scheckter personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, that he acknowledged to me that he executed the 949 EMPIRE AVENUE PLAT AMENDMENT.

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

Printed Name \_\_\_\_\_

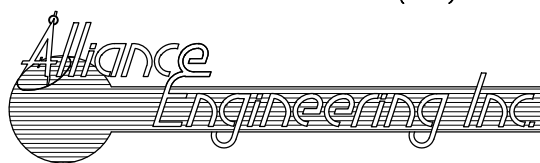
Residing in: \_\_\_\_\_

My commission expires: \_\_\_\_\_

Commission No. \_\_\_\_\_

NOTES

1. This plat amendment is subject to the Conditions of Approval in Ordinance 2022-\_\_\_\_\_.
2. See recorded survey S-\_\_\_\_\_ in the Office of the Summit County Recorder.
3. Fire sprinklers are required for all new constructionon this lot, to be approved by the Chief Building Official.
4. The maximum building footprint for the lot is 1,278 square feet.



(435) 649-9467

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS  
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

# 949 EMPIRE AVENUE PLAT AMENDMENT

LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16  
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN  
PARK CITY, SUMMIT COUNTY, UTAH

SHEET 1 OF 1

6/14/22 JOB NO.: 6-11-21 FILE: X:\SnydersAddition\dwg\srv\plat2021\061121.dwg

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER  
RECLAMATION DISTRICT STANDARDS ON THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 2022

BY \_\_\_\_\_

PLANNING COMMISSION

RECOMMENDED BY THE PARK CITY  
PLANNING COMMISSION THIS  
22ND DAY OF JUNE, 2022

BY \_\_\_\_\_  
CHAIR

ENGINEER'S CERTIFICATE

I FIND THIS PLAT TO BE IN  
ACCORDANCE WITH INFORMATION ON  
FILE IN MY OFFICE THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 2022

BY \_\_\_\_\_  
PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 2022

BY \_\_\_\_\_  
PARK CITY ATTORNEY

COUNCIL APPROVAL AND ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY  
COUNCIL THIS 21ST DAY OF JULY, 2022

BY \_\_\_\_\_  
MAYOR

CERTIFICATE OF ATTEST

I CERTIFY THIS PLAT  
WAS APPROVED BY PARK CITY  
COUNCIL THIS \_\_\_\_\_ DAY  
OF \_\_\_\_\_, 2022

BY \_\_\_\_\_  
PARK CITY RECORDER

PUBLIC SAFETY  
ANSWERING POINT APPROVAL

APPROVED THIS \_\_\_\_\_ DAY  
OF \_\_\_\_\_, 2022

BY \_\_\_\_\_  
SUMMIT COUNTY GIS COORDINATOR

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED  
AT THE REQUEST OF \_\_\_\_\_

\_\_\_\_\_ FEE \_\_\_\_\_ RECORDER

TIME \_\_\_\_\_ DATE \_\_\_\_\_ ENTRY NO. \_\_\_\_\_

SNYDER'S ADDITION TO PARK CITY SURVEY, BLOCK 29,  
949 EMPIRE AVENUE  
June 13, 2023

PLAT AMENDMENT EXTENSION REQUEST

The property at 949 Empire Avenue is located in Block 29, Snyder's Addition to Park City and is a portion of Lots 12 & 13. The rear of the property is vacant and the 20-foot by 24-foot parcel adjacent to the Empire Avenue right-of-way is currently occupied by a garage. This existing garage shares a party wall with another garage on the adjacent 20-foot by 24-foot parcel to the north. The owner is proposing to demolish the garage associated with the 949 Empire Avenue property and construct a new residence utilizing the entire property. To accomplish the proposed plan, the owner is applying to extinguish the existing lot line to unify the property into one lot of record.

On July 21, 2022, the plat amendment that was originally submitted was approved by city council under Ordinance No. 2022-26. There are three Conditions of Approval (COAs) that require agreements with adjacent owners that must be completed in order for the plat to be recorded. Condition of Approval #9 requires permission and approval of the owner to the north to encroach onto their property to demolish the southern portion of the garage on the 949 Empire Avenue property. Condition of Approval #10 requires an encroachment agreement with the neighbor to the north for the portion of the garage that encroaches onto the 949 Empire Avenue property. COA #10 also gives the option of removing the garage encroachment. COA #11 requires the removal of or an encroachment agreement for the rock retaining wall on the property boundary of the neighbor to the south.

Negotiations to accomplish the requirements for these encroachments have not been going as quickly as desired. Therefore, a one year extension is requested to complete the required Conditions of Approval.

No modifications to the plat amendment are being requested, only a request for more time to meet the Conditions of Approval.



## **Council Agenda Item Report**

Meeting Date: July 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Finance & Accounting

Item Type: Staff Report

Agenda Section: NEW BUSINESS

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### **Subject:**

Consideration to Authorize the City Manager to Execute an Agreement with Tyler Technologies, Not to Exceed \$527,200 in a Form Approved by the City Attorney, to Provide Integrated Financial Enterprise Resource Planning Software  
(A) Public Input (B) Action

### **Suggested Action:**

### **Attachments:**

[Enterprise Resource Planning Software Staff Report](#)

## City Council Staff Report

**Subject: Enterprise Resource Planning Software Replacement**

**Author: Mindy Finlinson, Finance Manager**

**Department: Finance**

**Date: July 27, 2023**

**Type of Item: New Business**

### Recommendation

Consider authorizing the City Manager to execute an agreement with Tyler Technologies, in a form approved by the City Attorney, to provide integrated financial enterprise resource planning software in an amount not to exceed \$527,200 with the following financial terms:

- Annual Software Service fee of \$134,347 - This will replace the current annual maintenance contract cost of approximately \$46,000.
- One-time Implementation fees of \$392,853 – These are billed in a phased approach and will span multiple years until all modules are implemented.
- Year one would be a maximum total cost of \$527,200.

### Background

In 2006, the City implemented Eden, a Tyler Technologies (Tyler) product, as our financial software. While functional, Eden is no longer supported in the realm of emergent cybersecurity. Furthermore, Eden is no longer scalable to entity-wide operations. Last year, the City was notified that Tyler Technologies would be sunsetting the Eden software in March 2027, propelling the need to start the process of finding a replacement ERP.

Over the past six months, the Finance and IT departments worked with various departments across the organization to evaluate needs and garnered support for replacing the existing system.

In March 2023, a Request for Proposal (RFP) was posted on the City's and State's U3P websites. We received responses from four firms. Proposals were evaluated by a committee of City staff that included representatives from the following departments: Water, Information Technology, Finance, Budget, Executive, and Engineering. All proposals were evaluated using the same criteria and weighting. Criteria for evaluation of the proposals included the following:

1. Company Profile
2. Scope of Services
  - a. Clarity and completeness of proposal
  - b. Dedicated project management and training services
  - c. Well thought out timeline
  - d. Support responsiveness
  - e. Comprehensive cybersecurity program
3. Examples of similar projects

Discussion and evaluation resulted in the selection of Munis, a Tyler Technologies product, as the successful proposer. Munis is the best overall choice for the City's needs. Tyler has already successfully migrated over 60 Eden clients to other Tyler software applications. They have also developed a five-year client transition plan that allows the City to lock in a migration time that best fits our organization's schedules. Additionally, Tyler has created a dedicated team of implementation staff focused solely on Eden migrations to increase implementation efficiencies.

### **Analysis**

The new system will provide solutions for many of our previous concerns:

- Regularly updated to deal with cyber-security concerns.
- More reliable and scaled out to City departments.
- Mobile apps to increase work productivity.
- Allow for greater internal transparency, including:
  - Better reporting capabilities.
  - Executive Insights Dashboard that is a configurable data analysis tool. Within the dashboard you can monitor the metrics you care about, filter and drill down into data, and share insights across the organization.
- Provide an opportunity to improve business processes and modernize operations.

### **Funding**

This will be a multiyear budget request. Funding for year one is already allocated in the FY24 IT department budget.

## **Council Agenda Item Report**

Meeting Date: July 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Finance & Accounting

Item Type: Staff Report

Agenda Section: NEW BUSINESS

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### **Subject:**

Consideration to Authorize the City Manager to Execute an Agreement with HBME, LLC, Not to Exceed \$220,000 for a Five-Year Term, in a Form Approved by the City Attorney, to Provide Financial Audit and Single Audit Services

(A) Public Input (B) Action

### **Suggested Action:**

### **Attachments:**

[Financial Audit and Single Audit Services Staff Report](#)

[Exhibit A: Scope of Services](#)



## City Council Staff Report

**Subject: Financial Audit and Single Audit Services**

**Author: Mindy Finlinson, Finance Manager**

**Department: Finance**

**Date: July 27, 2023**

**Type of Item: New Business**

### Recommendation

Consider authorizing the City Manager to enter into a Professional Services Agreement in a form approved by the City Attorney with HBME, LLC for Financial Audit and Single Audit Services for up to a five-year term in an amount not to exceed \$220,000.

### Executive Summary

The current audit contract ended with the completion of the financial and single audit for the fiscal year ended June 30, 2022.

On June 6, 2023, a Request for Proposal (RFP) for audit services was posted on the City's website and on the State's U3P website. We received responses from four firms. The firms that submitted proposals met the following required conditions:

- Proposer is properly licensed for practice as a certified public accountant in the State of Utah
- Proposer meets the independence requirements of the American Institute of Certified Public Accountants and the *Government Auditing Standards*, published by the U.S. General Accounting Office.
- Proposer meets the continuing education and external quality control review requirement contained in the *Government Auditing Standards*, published by the U.S. General Accounting Office.

Proposals were evaluated by a committee of Finance staff. All proposals were evaluated using the same criteria and weighting. Emphasis was placed on quality of services, with cost being the deciding factor when everything else is equal. Criteria for evaluation of proposals included the following:

1. Company Profile
2. Proposer's Qualifications
3. Proposer's Approach to the Examination
4. Time Requirements
5. Fees

Discussion and evaluation resulted in the selection of HBME as the successful candidate. HBME's proposal is the best overall choice for the City's audit services. HBME has an extensive roster of municipality clientele. Additionally, HBME indicates that they have never missed a reporting deadline as required by State and Federal laws.



### **Analysis**

- Audit services include an annual financial audit, annual single audit (if applicable), research and assistance, and recommendations for general accounting questions throughout the year.
- The amount of the audit fees for the initial two-year term is not to exceed \$82,000.
- The initial term of the contract will be a two-year term commencing July 1, 2022. At the City's option, the contract will automatically renew for 3 successive one-year terms coinciding with fiscal years 2025, 2026 and 2027 unless the City provides written notice of its intent not to renew on or before January 1 of any renewal term. The agreement will continue with the same terms and conditions of the original contract or as amended, thereby providing for 5 years of audit services. The amount of the audit fees for the five (5) renewal periods is not to exceed \$220,000.

### **Funding**

Funding is already allocated in the Finance Department annual budget.

### **Exhibits**

A      Scope of Services

## Exhibit “A”

### Scope of Services

#### AUDITOR’S DUTIES

A. Standards: The Service Provider shall perform all test work and prepare all reports in accordance with the following professional standards and federal audit requirements:

1. Generally accepted auditing standards as promulgated by the American Institute of Certified Public Accountants (AICPA), including applicable statements of position and audit guides;
2. *Government Auditing Standards* issued by the comptroller General of the United States;
3. The Single Audit Act as amended by the Single Audit Act Amendments (most current revision); and
4. Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance).

B. Reports: The Service Provider shall, in accordance with the above standards, prepare the following reports:

1. Report on Financial Statements

For the fiscal years ending June 30, 2023, 2024, and the renewal years ending 2025, 2026, and 2027 (unless the City provides written notice of its intent not to renew on or before January 1 of any renewal term or the Service Provider specifies a different term), the Service Provider, in accordance with generally accepted auditing standards, as promulgated by the AICPA, the *AICPA Audits of State and Local Governmental Units* audit and accounting guide, and the *Government Auditing Standards*, published by the U.S. General Accounting Office, shall audit the financial statements and records of the City and shall issue a Service Provider’s opinion on the City’s financial statements. Such financial statements shall be prepared in conformity with generally accepted accounting principles. Reports on internal control and compliance, as referred to below, shall also be issued.

2. Management Report Based on the Audit of the Financial Statements

(a) Report on Compliance and on Internal Controls Over Financial Reporting Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*: The Service Provider shall report on their testing of compliance with federal and state laws and regulations performed as part of the financial and compliance audit. The report must identify occurrences of noncompliance with laws and regulations that are material and all instances or indications of illegal acts which

could result in criminal prosecution. The report must contain a statement of positive assurance on items tested.

The Service Provider shall report on their understanding of the City's internal control over financial reporting and the assessment of control risk made as part of the financial and compliance audit. The report shall identify as a minimum: (a) the scope of the Service Provider's work in obtaining an understanding of the City's internal control over financial reporting and in assessing the control risk; and (b) the reportable conditions, including the identification of material weaknesses, identified as a result of the Service Provider's work in understanding and assessing the control risk.

- (b) Findings and Recommendations: The Service Provider shall report findings and recommendations relative to compliance with laws and regulations, internal control over financial reporting, adherence to generally accepted accounting principles, and efficiency of operations. The report shall contain all reportable conditions and all instances or indications of illegal acts.

The Service Provider shall request written responses and corrective action plans, where necessary, from City officials for each recommendation and shall include such responses in the report.

- (c) Status of Prior Findings and Recommendations: The Service Provider shall also report on the City's progress in implementing prior audit recommendations.

### 3. Single Audit Report

For the fiscal years ending June 30, 2023, 2024, 2025, 2026, and 2027 (unless the City provides written notice of its intent not to renew on or before January 1 of any renewal term or the Service Provider specifies a different term), the Service Provider, in accordance with the standards cited above and the additional standards contained in the Single Audit Act as amended by the Single Audit Act Amendments (most current revision), Uniform Guidance, and AICPA standards related to compliance auditing, shall issue the following reports:

- (a) Report on Federal Awards: This report covers major program compliance, internal controls over federal awards, and the Schedule of Expenditures of Federal Awards.
  - (1) The Service Provider shall express an opinion as to whether the City complied, in all material respects, with the specific requirements applicable to major federal financial assistance programs. This opinion may be included as part of the Service Provider's Report on Financial Statements.

- (2) The Service Provider shall express an opinion as to whether the City complied, in all material respects, with the compliance requirements described in Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance) that are applicable to each of its major federal programs identified in the summary of auditor's results section of the schedule of findings and questioned costs.
  - (3) The report is required to address the Service Provider's consideration of the internal control policies and procedures over compliance with requirements that could have a direct and material effect on major federal programs.
  - (4) The report must reference the audit having been performed in accordance with standards for financial and compliance audits contained in the *Governments Auditing Standards*, to meet the requirements of the Uniform Guidance.
- (b) Schedule of Findings and Questioned Costs: This report should include the following three components as required by the Uniform Guidance:
- (1) A summary of the Service Provider's results.
  - (2) Findings relating to the financial statements which are required to be reported in accordance with generally accepted government auditing standards (GAGAS).
  - (3) Findings and questioned costs for federal awards, including, where applicable.
  - (4) The Service Provider shall request a written corrective action plan from City officials for each finding included in the Schedule of Findings and Questioned Costs. The corrective action plan shall provide the name(s) of the contact person(s) responsible for corrective action, the corrective action planned, and the anticipated completion date.

#### 4. Report on State Legal Compliance

For the fiscal years ending June 30, 2023, 2024, 2025, 2026 and 2027 (unless the City provides written notice of its intent not to renew on or before January 1 of any renewal term or the Service Provider specifies a different term), the Service Provider, in accordance with the *State of Utah Legal Compliance Audit Guide*, shall issue the following reports:

- (a) Report on State Legal Compliance: The Service Provider shall express an opinion on the City's compliance with the state legal requirements identified in the *State of Utah Legal Compliance Audit Guide*.

- (b) The Service Provider's Management Letter: The Management Letter shall identify any reportable conditions in internal controls over state legal compliance and all instances of noncompliance with state legal issues discovered by the Service Provider.
- (c) City's Response to the Management Letter: The Service Provider shall bind the City's response with the Service Provider's Management Letter.

## **II. CITY'S DUTIES**

The City shall furnish the following to the Service Provider:

- A. All financial records, books of accounts, supporting documents, and other related records for and related to the period being audited.
- B. Copies of City Ordinances, Minutes of Council [Board, Commission] meetings, policy directives, grant agreements, contracts, leases, budgets, laws, and other pertinent documents or data, and such other information as may be required for the audit.
- C. A management representation letter confirming oral representations made to the Service Provider.
- D. Adequate working space and other facilities for the conduct of the audit.
- E. All working papers normally prepared by the City in connection with the accounting system, all original documents, as requested, evidencing audited transactions.
- F. Assistance of personnel in all reasonable requests from the Service Provider as the City staff time and budget will permit, including, but not limited to, the preparation of account analyses, summaries, and other working papers requested.



### PROPOSED AUDIT FEES

Our fees are based on the estimated hours required of our professional staff at all levels, estimated hours required of our support staff, and out-of-pocket expenses. The schedule below contains our estimates of the hours required and the proposed audit fees for 2023 through 2027. The fees quoted are a not-to-exceed fee for the services contained in our proposal, and includes our out-of-pocket expenses.

Year Ended	ACFR & State Comp Audits		Single Audit	
	Estimated Hours	Fee	Estimated Hours	Fee
June 30, 2023	180	\$ 33,000	40	\$ 7,000
June 30, 2024	160	34,000	40	8,000
June 30, 2025	160	35,000	40	9,000
June 30, 2026	160	36,000	40	10,000
June 30, 2027	160	37,000	40	11,000
		<u>\$ 175,000</u>		<u>\$ 45,000</u>

The fees for the 2023 audit, were determined based on the following rates:

Classification	Hourly Rates	Estimated Hours	Total Fees	Estimated Hours	Total Fees
Partners	\$ 275	40	\$ 11,000	5	\$ 1,375
Manager	215	55	11,825	10	2,150
Seniors	160	40	6,400	10	1,600
Staff	130	45	5,850	15	1,950
		<u>180</u>	<u>\$ 35,075</u>	<u>40</u>	<u>\$ 7,075</u>

The proposed fees for 2023 reflect the following adjustments:

Total professional fees	\$ 35,075	\$ 7,075
Discount	<u>(2,075)</u>	<u>(75)</u>
Proposed total cost of the 2023 audit	<u>\$ 33,000</u>	<u>\$ 7,000</u>

As it is impossible to predict the issuance of new and time consuming standards or other significant changes in the auditing and reporting process, including the financial audit, the single audit, as well as the Utah State Audit Compliance guide, the above fees are based on the nature of the City as it presently exists, under the current standards and procedures, and are also based upon our understanding that your personnel will provide certain schedules and other information on a timely basis that will be required during the course of the audit, and that all information and support provided will agree to the general ledger. The above fees will not change, even under these circumstances, until a conversation occurs with appropriate personnel.

## **Council Agenda Item Report**

Meeting Date: July 27, 2023

Submitted by: Michelle Kellogg

Submitting Department: Community Development

Item Type: Staff Report

Agenda Section: NEW BUSINESS

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### **Subject:**

Consideration to Authorize the City Manager to Acquire the Tiny Homes Located at 7700 Marsac Avenue, in the Amount of \$180,000, in a Form Approved by the City Attorney  
(A) Public Input (B) Action

### **Suggested Action:**

### **Attachments:**

[Purchase of Tiny Homes Staff Report](#)

## City Council Staff Report



**Subject:** Tiny Homes on 7700 Marsac Avenue (Mine Bench)  
**Author:** Browne Sebright, Housing Program Manager  
Jason Glidden, Housing Development Manager  
**Department:** Housing / Community Development  
**Date:** July 27, 2023  
**Type of Item:** Administrative

### Recommendation

Authorize the Housing Team and the Council Liaisons to negotiate with PCFD to purchase the Wheelhaus units relying upon the Affordable Housing Budget;

### Background

During the expansion of Fire Station 34 (7805 Royal St), the Park City Fire District (PCFD) requested temporary use of the city-owned Mine Bench property (7700 Marsac Avenue) to provide fire services to Upper Deer Valley. As part of the temporary use, PCFD installed two temporary 400-square-foot [Wheelhaus](#)<sup>1</sup> units to serve as living quarters for their firefighters. Once Fire Station 34 is complete, PCFD has no further use for the Wheelhaus units and has offered the City an opportunity to purchase them and continue their temporary use for essential seasonal City employees.

On March 23, 2022, the Planning Commission approved an Administrative Conditional Use Permit (ACUP) (PL-22-05163) that allowed PCFD to install temporary structures on the Mine Bench property (7700 Marsac Avenue), including:

- Temporary storage for apparatus
- Temporary installation of two Wheelhaus units

The ACUP allowed for temporary installations through January 1, 2023. ACUP Condition of Approval 7 states:

*If construction of Fire Station 34 is delayed beyond the expiration of this CUP, which is January 1, 2023, then PCFD shall request the Planning Commission consider extending the CUP approval to accommodate the updated construction timeline.*

PCFD did not request an extension of the Planning Commission's ACUP, so after it expired, there is no permit for temporary structures on the Mine Bench property.

### Analysis

#### Description and Pricing of Wheelhaus Units

Each Wheelhaus unit is 400 square feet in size and sleeps up to four adults. The nice but modest accommodations include a 2-burner cooktop, 24" wide refrigerator/freezer,

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<sup>1</sup> Wheelhaus is a company that specializes in constructing and delivering prefabricated units.

microwave, dishwasher, and dining area. PCFD representatives offered to sell the units to the City for a total of \$180,000 or \$90,000 per unit.

This pricing reflects the slightly used condition and is a significant discount on the new purchase price of \$175,000 per unit, as published on the Wheelhaus website currently.



Figures 1. & 2. Wheelhaus units at the Mine Bench.

### Land Management Code Assessment

The City's property at 7700 Marsac Avenue (Mine Bench property) is in [the Recreation and Open Space \(ROS\) Zoning District](#). The ROS Zoning District prohibits dwelling units.<sup>2</sup> However, the ROS Zoning District establishes a Conditional Use Permit process for Essential Municipal Public Utility Use, Service, or Structures greater than 600 square feet.<sup>3</sup>

As a result, if the City Council wants to purchase the Wheelhaus units, the Housing Team would seek Planning Commission approval for one of the following options:

1. Request [a modification](#) to the PCFD Administrative Conditional Use Permit to extend the temporary installation of the Wheelhaus units until a new permanent location is identified;
2. Submit [a new Conditional Use Permit Application](#) to request the Planning Commission consider the permanent installation of the Wheelhaus units for temporary seasonal housing associated with essential municipal services; or
3. Submit a ROS [rezoning](#) application and propose a new Zoning District that allows for multiple residential units on one lot.

### Utilities

Utilities are currently in place at the Mine Bench property and used by the Wheelhaus units.

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<sup>2</sup> LMC [§ 15-2.7-2](#)

<sup>3</sup> LMC [§ 15-2.7-2\(C\)\(13\)](#)

### **Employee Housing Needs/Benefits**

Seasonal staffing is directly correlated to the availability of affordable housing. The number of offers accepted for transit operators, for example, diminishes by over 50% once our studio units in the Prospector and Iron Horse properties are filled. Seasonal studio apartments are currently averaging a minimum of \$2,800 per month according to Zillow and Hot Pads. This equates to over 50% of a transit operator's or public works employee's gross salary, which far exceeds the recommended budget allocation of 30% gross salary being spent on rent/mortgage.

Public Works has not offered housing as part of its seasonal staffing package. However, weather-related work schedules make proximity to Park City limits crucial, particularly after this past winter. During FY23, according to HR, the City saw 5 full-time employees either not accept a position or resign due to high housing costs. The City also had at least two seasonal employees decline an offer to work for PCMC specifically due to a lack of affordable housing.

In conclusion, the purchase of two additional temporary units will aid recruitment and hiring for Public Works, Transit, Police, Public Utilities, and other essential municipal services. In addition, the acquisition of these units and operation on the Mine Bench property would be an opportunity to test the use of temporary living quarters.

### **Recommendation**

- Authorize the Housing Team and the Council Liaisons to negotiate with PCFD to purchase the Wheelhaus units relying upon the Affordable Housing Budget;
- Request the PCFD submit a joint application to the Planning Department to extend the Administrative Conditional Use Permit to continue the temporary installation of the Wheelhaus units;
- Utilize the units within the City's existing internal housing lottery to house temporary essential City employees based on priority; and
- Identify a long-term location more suitable for temporary and year-round occupancy.

### **Review**

This staff report has been reviewed by the Human Resources, Planning, Public Works, Sustainability, and City Attorney's Offices.