PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
SEPTEMBER 13, 2012

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, September 13, 2012.

Closed Session
3:00 p.m. Personnel, property and litigation

Work Session

5:20 p.m.	Council questions and comments	
5:30 p.m.	Significant impact matrix	Pg. 4-5
5:50 p.m.	Break	

Regular Meeting
6:00 p.m.

I ROLL CALL

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

III PUBLIC INPUT *(Any matter of City business not scheduled on the agenda)*

IV MINUTES OF MEETINGS OF AUGUST 9, AND AUGUST 30, 2012 Pg. 6-33

V CONSENT AGENDA *(Items that have previously been discussed or are perceived as routine and may be approved by one motion. Listed items do not imply a predisposition for approval and may be removed by motion and discussed and acted upon under "Additional Discussion – Agenda Items")*

1. Consideration of a Contract with CRSA for Architectural Consulting Services in the amount of $72,200, in a form approved by the City Attorney Pg. 34-37

2. Consideration of award of contract to Stanley Consultants in the amount of $375,127 for the Deer Valley Drive design, in a form approved by the City Attorney Pg. 38-42

VI RESIGNATIONS AND APPOINTMENTS

Reappointment of Rich Miller to the Board of Adjustment for a term expiring June 2017 and the appointment of Jennifer Franklin as an Alternate for a term expiring June 2014

VII NEW BUSINESS

Consideration of an Ordinance approving the 200 Ridge Avenue Subdivision, Park City, Utah

(a) Public hearing
(b) **Motion to continue to September 27, 2012**

VIII OLD BUSINESS

Consideration of an Ordinance amending Title 9, Parking Code, Section 9-2-1, Parking Prohibited in Certain Places, Section 9-2-7, Parallel Parking, and Section 9-5-3, Types of Permits, of the Municipal Code of Park City, Utah Pg. 43-51

(a) Public hearing
(b) Action

IX ADJOURNMENT

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

Posted: 09/10/12
See: www.parkcity.org

Note: This future meeting schedule is TENTATIVE and subject to change.

September 2012

6 **No meeting – City Tour**
13 **Liza gone**
20 Special event update – work – JW
PRI/Kimball Trails Plan – work (20 min)
Engagement survey – work (20 min)
Silver Quinn Pathway Paving Project Contract - HD
Housing Resolution adoption – PR
333 Main Street plat extension - KC
27 429 Woodside Avenue plat amendment
Ordinance approving the 200 Ridge Avenue Subdivision, Park City, Utah
PCSD Mitigation Agreement Extension (RDA)
REPC – 1450 and 1460 Park Avenue
Lower Park Avenue Redevelopment Plan Extension (RDA)

October 2012

4 Purchasing policy – local preference – work (30 min)
11 Rocky Mountain Power – study session
18 **No meeting**
24 Planning Commission Joint Meeting – Bonanza Park formed-based code presentation - tentative
25 Bonanza Park update
Franklin Richards Annexation public hearing

November 2012

1
8
15
22 **Thanksgiving**
29 Annual insurance renewals

Pending Items:

Ice Arena Strategic Plan
Latino Community outreach and engagement – study
RDA and other economic districts strategic plan
Resolution establishing a strategic plan for City-owned property with development potential in Park City, Utah and repealing and replacing Resolution No. 22-05 in its entirety
Quarterly goals update – after adoption of 2030 Plan
Business Recruitment Study
MFL - RAGNAR 2013 – Wasatch Back Relay
Dark skies – work session - Tyler

City Council
Staff Report

Subject:	**Significant Impacts Matrix**
Author:	**Bret Howser**
Department:	**Executive**
Date:	**September 13, 2012**
Type of Item:	**Administrative**

Summary Recommendations:
Council should provide feedback and input regarding the proposed addition to the staff report template: the “Significant Impacts Matrix”.

Topic/Description:
Significant Impacts Matrix

Background:
In 2009, the City conducted a “Community Vision” process to determine what Parkites expect from their local government. We found that residents expect us to be hard at work to Keep Park City “Park City”. As part of that process four core community values were identified and a filter was suggested to evaluate decisions within the context of these core values.

At various times since, Council and staff have discussed the potential of incorporating this filter into the staff report template. With the recent adoption of the Park City 2030 long range strategic plan, staff sees an opportunity to combine concepts from the Community Vision filter and the Council priorities identified in Park City 2030 into a matrix in the Significant Impacts section of the staff report template.

Analysis:
On September 13, 2012, staff will give a brief presentation updating Council on the proposed format and usage of a Significant Impacts Matrix in the staff the staff report template. The matrix is reproduced on the following page.

This matrix would be filled out for each staff report that accompanies a critical policy decision facing the Council. As you can see, the matrix would provide a summary evaluation of the impact of staff’s recommended action on each of the four Council Priorities by listing the Desired Outcomes that are affected. In the process, the four questions proposed in the Visioning Filter are answered – Economic Impact, Environmental Impact, Social Equity Impact, and Quality of Life Impact. While some additional free-form comments may be included following the matrix, the matrix itself is intended to summarize the details that are contained in the report.

Staff believes that by focusing staff reports on Council Priorities and Desired Outcomes, in part by utilizing this new tool, the City will continue to be successful in achieving the Community Vision.

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Positively Impact?				
Which Desired Outcomes might the Recommended Action Negatively Impact?				
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Very Positive Positive Neutral Negative Very Negative	Very Positive Positive Neutral Negative Very Negative	Very Positive Positive Neutral Negative Very Negative	Very Positive Positive Neutral Negative Very Negative

Additional Comments: (Add Text Here)

Department Review:
This staff report has been reviewed by the Legal and City Manager Departments.

Recommendation:
Council should provide feedback and input regarding the proposed addition to the staff report template: the “Significant Impacts Matrix”.

PARK CITY COUNCIL WORK SESSION MINUTES
SUMMIT COUNTY, UTAH
AUGUST 9, 2012

Present: **Mayor Dana Williams; Council members Andy Beerman; Cindy Matsumoto; Dick Peek; and Liza Simpson**

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Scott Robertson, IT Manager; Jan Scott, City Recorder; Diane Foster, Deputy City Manager; Jason Glidden, Marketing Manager; Jon Pistey, Ice Arena Operating Manager; Amanda Noel, Ice Arena Front Desk Supervisor; and Bret Howser, Special Projects Manager

Kevin Callahan, Summit County Public Works Director; and Bonnie Park, SBSRD Executive Director

Absent: **Council member Alex Butwinski**

1. **Council questions/comments.** Andy Beerman reported on the Recreation Advisory Board meeting where the design of the memory wall was approved. Improvements to the tennis courts are underway. Mr. Beerman also attended the Planning Commission meeting where the conditional use permit for affordable housing for transit drivers on Iron Horse was approved. Liza Simpson stated that she attended the Summit County Health Board meeting where immunization rates were explained and discussed. She commented on the first wild land community protection plan meeting. Dick Peek relayed that he met with the GreenPark group and reviewed a conceptual housing plan.

Mayor Williams congratulated the Kimball Art Center on a great Arts Festival and commended its partnerships with other non-profits. He acknowledged receiving a few complaints about paying an admission and noted that the KAC did not charge people who had restaurant reservations, for instance, and didn't know the Festival was occurring. This is a City-wide endeavor and he complimented the special events staff. He also complimented Heinrich Deters on his radio interview about Tour of Utah.

2. iPad check-in. Liza Simpson stated that she spoke with Alex Butwinski who would very much like to be a part of this discussion. She felt that all members should be involved in the decision on selecting a pdf application. City Recorder Jan Scott commented that being able to reveal bookmarks and navigate through the meeting packet seems to be an important factor. The Mayor relayed that most applications have a bookmark feature. Dick Peek explained that he has been using iAnnotate and has about 300 files that are annotated and organized into a filing system. He asked if the application is standardized to a different product, is there a way to move his iAnnotate files. Scott Robertson responded that it will probably not be easy and staff will have to research this.

Cindy Matsumoto stated that she does not use an application to read the packet document. Andy Beerman, Liza Simpson and Dick Peek stated that they use iAnnotate. Members thought that Mr. Butwinski also uses iAnnotate. The Mayor indicated that he uses Readle. Ms. Simpson relayed that she has used an earlier version of Readle but not recently and asked about the comment in the staff report about a conflict with Microsoft and Apple. Mr. Robertson explained that there are inconsistencies with the way pdfs are viewed from each platform. Staff is suggesting standardizing the application for Council so that staff can review the meeting packet in that same application.

Diane Foster further explained that the City Manager's staff has iPads so that the meeting packet document can be reviewed with the application before it is published. Andy Beerman pointed out that members may be using different versions of iAnnotate and felt that standardizing the application only solves part of the problem. Some sort of file sharing program would be better like Drop Box for larger files. He asked that this be considered as a future plan and Mr. Robertson felt this is doable. The City Recorder explained the ability to email links for large documents created in Drop Box. Ms. Simpson spoke about the size of Planning Commission meeting packets if iPads are provided to Commission members. Dick Peek felt that the size of files can be reduced and Mr. Robertson agreed but believes this will always be a challenge. Moving to paperless technology saves the City about $18,000 over a four year period. Ms. Simpson would like to better understand the technical challenges and pointed out that simple plat amendment maps often take a long time to download and are hard to read.

Andy Beerman asked if staff uses the same pdf program to create staff reports for packets and Scott Robertson acknowledged that employees have different versions of Adobe Acrobat. In response to a question from the Mayor, Mr. Robertson recommended using Pdf Expert which is highly rated for ease of annotation. It is a Readle product. Ms. Foster felt that since a majority of members are using iAnnotate, the solution may be easy. Mayor Williams suggested there be a demonstration on August 30.

3. Ice Arena update. Jason Glidden pointed out the three-pronged strategic plan. Quality public programming addresses accessibility, variety and high level of customer service. Fiscal responsibility is another goal by utilizing resources efficiently and last is economic development by using the facility as a tool to drive economic benefit to the community. Programs are continually growing and the main goal is to expose people to skating and programs are constantly evaluated with regard to scheduling, cost and content. USA Hockey and USA Figure Skating consistently update methods of teaching and staff is educated at conferences. The local figure skating club has been recognized nationally for attracting new members and Park City has the largest adult hockey program in the state.

Jon Pistey explained that the ice arena received a subsidy of $110,000 this year which represents a cost recovery of 85% or a revenue increase of $86,000 in 2011 and

$190,000 in 2012. Expenses have only increased $128,000 since 2010 which has helped closed the subsidy gap. He noted that the Budget Department has developed a financial tool to assist in planning for the next five years with the goal of reaching a 95% cost recovery level. Staff is recommending small rate increases in 2014-2016. The largest areas of growth for revenue include ice rental, adult hockey leagues, free style, and merchandise sales. Mr. Pistey stated that the rink continues to run smoothly and customers seem happy. In January, a new state-of-the-art electric ice resurfacer was purchased which is very efficient and clean and the quality of the ice has improved. New showers were installed in the locker rooms by staff which represents a savings of about $8,000 in labor. The capital reserve fund is funded by contributions from the Snyderville Basin Special Recreation District and a revised agreement will be presented to the City Council. He stated that some of the rubber flooring will need to be replaced which is now being researched.

Jason Glidden added that the public has requested Wi-Fi access and the infrastructure is now in place. Other improvements to the facility were discussed including leveling the floor, duct work and covering mechanical equipment. In response to a question from Andy Beerman, it was explained that cost recovery is based on operations only. Drift fences were discussed.

Amanda Noel explained that a key initiative for marketing is efficiently using resources and the focus of on-line marketing is using the Park City website and social media. These methods are cost effective and reach many people. Staff is continually evaluating marketing through surveys and collaborating with other Park City recreation outlets for events at a lower cost. She explained educating front line staff about what other municipal facilities have to offer and offering learn to skate programs. Play Magazine is used to promote offerings as well as marketing at community events. Ms. Noel stated that KPCW and the Park Record are also used to attract patrons. Visitors are a little harder to reach and local publications and coupons are used. During the winter season, at least one special event is hosted and there are five regional ice events per year. The summer camps have been very successful bringing in out-of-town families. Park City will be hosting the figure skating competition for the Winter Games this February bringing 280 skaters and their families over three days.

Jason Glidden pointed out that future goals include reducing the subsidy level to 95%. He emphasized that this addresses operations and not capital which will take some time to cover. There is an increase in ice demand and ice revenue is the number one revenue source. Currently the facility is 90% booked out and other revenue streams will have to be examined to reach a 0% subsidy level. Increased ice demand results in decreased service to guests and eventually a second sheet should be considered.

In response to a comment from Cindy Matsumoto, Mr. Glidden explained that a second sheet ranked in the top quadrant of unmet needs and importance to the community. The contributions of $50,000 a year from the Basin are allocated to capital expenses. Jon Pistey added that maintenance costs are forecasted over 40 years. Andy Beerman asked about tracking local and regional users and Mr. Glidden explained that new software is being explored which will better track patrons. He estimated patronage as 30% for Park City proper and the remaining in the Basin and Wasatch County. Amanda Noel felt 70% is local in the summer and 70% to 80% is out-of-town in the winter. The high cost of maintaining open-air rinks was discussed.

4. Wildlife corridor. Kevin Callahan explained the discussion at the County Council meeting where planners cautioned that the corridor may impact the ability to plan the Triangle Parcel but there may be options to explore with UDOT. Heinrich Deters described the project as a moving target. The Triangle Parcel was purchased in 2008 jointly with the County and the purchase agreement and letter of intent govern the property. Those documents refer to a planning process that will involve the County and the City as well as the Boyer Company. The Summit County Triangle Parcel Planning Committee met for the first time in May and the wildlife and recreational underpass proposal from UDOT was received shortly after that meeting. He referred to the wildlife study and the location proposed by UDOT which is based on cost feasibility. UDOT has $700,000 in federal enhancement grants available for the project and the cost estimate is $1.5 to $2 million to construct the underpass. He referred to a possible cost-sharing arrangement with the County, City and SBSRD.

He expressed that while the intent of the proposal is good, the timing might be poor from a planning perspective. The group is currently recommending that this project not be pursued at this time. Mr. Deters stated that UDOT is now describing the corridor as a multi-purpose recreational underpass. The plans identified a trail head and/or park and ride on the Triangle Parcel which has been removed and SBSRD has identified possible options in the UDOT right-of-way for some parking. The County Council basically felt that this is a great opportunity but there is not enough information to provide direction to staff. The most recent proposal includes the same location largely because of the cost of excavation at other locations. The same regional trail connections apply. SBSRD committed to $400,000 and UDOT may have some Region 2 contingency funds that could be added, for a total of $1.2 million. The UDOT Transportation Committee will make a final decision on proceeding with the project by September 1. Mr. Deters stated that staff can return on August 30 with more information.

Kevin Callahan explained that another concurrent UDOT project this fall is wildlife fencing along the west side of the corridor where the main problem is collision with deer while elk seem to avoid the vehicles.

Cindy Matsumoto asked if the cost includes soil remediation. Diane Foster explained that there doesn’t appear to be soil contamination. Andy Beerman referred to the cattle crossing which is not used and questioned adding another tunnel. Mr. Deters noted that with the expansion of PRI and the Stoneridge Parcel, the County is experiencing some issues with parking and the Basin is interested in providing some trailhead parking there. A smaller trailhead on the west side of US40 is proposed for regional use and visitors will be directed to the other side.

Diane Foster asked for direction on returning to Council and emphasized that there will likely be a future request to install a park and ride. She asked Council if the City would be willing to contribute funding to the project.

Bonnie Park, SBSRD Executive Director, explained that land may be donated for a trailhead at the end of Highland Drive which will require a conditional use process and a lot of public input is anticipated. She referred to the wildlife collision reduction study and detailed the fencing plan and the location of the crossing. It is hoped that the master plan for the Triangle Parcel would consider the location which works for UDOT because of the grade of US40 there and associated costs. UDOT has proposed a 20 foot wide by 12 feet high tunnel which would daylight in the middle. UDOT is meeting with the Transportation Commission and her Board will be looking at additional funding commitments. SBSRD has about $1.4 million available from bond revenues. This is an opportunity to close the funding gap on the underpass. Dick Peek asked why the tunnel is so large. Ms. Park replied that the idea is to have the underpass inviting and explained that the cattle culvert was part of the Trails Master Plan and was expanded by UDOT. There is some lighting and it is useable but it is not inviting. Another piece of SBSRD's planning perspective relates to the Silver Creek Village development including a 74 acre land dedication for a new community park and a trail connection would be ideal.

Liza Simpson clarified that the $1.4 million includes everyone's contributions and asked about the other UDOT project. Kevin Callahan reiterated that UDOT is installing the fencing and will need to do something because the funds have to be committed by October 1. UDOT would like a decision from the City and the County by September 1. Construction would occur next year and fencing this year. Mr. Deters emphasized that the City has not committed to funding. The Mayor expressed concerns about Mountain Regional's desire to install a pipeline there. He is unsure about the effectiveness of these wildlife tunnels. Mr. Callahan noted that they work for deer but not elk. Dick Peek asked if studies have been conducted on what works best for crossings for wildlife. He referred to the successful landscaped over-crossings in Canada. Heinrich Deters stated that he will forward the study prepared by BioWest to Council. Mr. Peek felt the project should be described as a recreational crossing, not a wildlife crossing. This topic will return to the City Council on August 30 for further consideration.

5. 2030 Long Term Strategic Plan. Bret Howser explained that minor edits have been made to the draft document. A bullet point was added under Park City character relating to adaptive reuses and under regional collaboration, Wasatch County and other entities were added.

Andy Beerman pointed out that the City ranks 85% to 90% in combined good to excellent ratings and he felt the goal should be to push toward the excellence side of things. The Mayor believed that some services are not intended to be expanded and the good rating is appropriate. Mr. Beerman felt that categories are not separated out. The Mayor relayed that good and excellent ratings could be interpreted differently by individuals. Mr. Beerman suggested that they be separated as indicators and the focus should be on excellence since there is such a high level of satisfaction to begin with. Dick Peek felt pushing toward excellence on everything comes at a cost to the City. He asked if there is consensus of using gold, silver and bronze as measurements. Bret Howser acknowledged agreement to use other icons but that has not yet been decided. Mr. Peek referred to blank sample pages in the appendices and Mr. Howser explained that those are just templates and informational and will not be adopted while Council priorities and desired outcomes will be adopted as a part of the plan. The City Manager stated that this will return to Council on August 30.

6. Board of Adjustment interviews. The City Council interviewed Rich Miller.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
AUGUST 9, 2012

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, August 9, 2012. Members in attendance were Dana Williams, Andy Beerman, Cindy Matsumoto, Dick Peek, and Liza Simpson. Alex Butwinski was absent and excused. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; Jon Weidenhamer, Economic Development Manager; Jessica Moran, Recreation Program Manager; Bret Howser, Special Projects Manager; Francisco Astorga, Planner; and Mat Evans, Planner.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

None.

III PUBLIC INPUT *(Any matter of City business not scheduled on the agenda)*

None.

IV MINUTES OF MEETINGS OF JULY 12, 2012, JULY 19, 2012 AND JULY 26, 2012

Liza Simpson, "I move we approve the minutes of July 12^{th}, 19^{th} and 26^{th}". Andy Beerman seconded. Motion carried.

Andy Beerman	Aye
Alex Butwinski	Absent
Cindy Matsumoto	Aye
Dick Peek	Aye
Liza Simpson	Aye

V RESIGNATIONS AND APPOINTMENTS

Consideration of two appointments to the Planning Commission for terms beginning July 2012 and expiring June 2016 and one appointment to fill an unexpired term to July 2014 – Mayor Williams recommended the reappointment of Adam Strachan and Nan Worel and the appointment of Stew Gross, respectively. Dick Peek, "I so move". Liza Simpson seconded. Motion carried.

Andy Beerman	Aye
Alex Butwinski	Absent
Cindy Matsumoto	Aye

Dick Peek	Aye
Liza Simpson	Aye

VI NEW BUSINESS

1. Consideration of a plat amendment for 80 Daly Avenue, Park City, Utah – The Mayor opened the public hearing; there were no comments. Cindy Matsumoto, "I move we continue the 80 Daly Avenue plat amendment to August 30th". Andy Beerman seconded. Motion carried.

Andy Beerman	Aye
Alex Butwinski	Absent
Cindy Matsumoto	Aye
Dick Peek	Aye
Liza Simpson	Aye

2. Consideration of an Ordinance approving the PCMC/Richards Annexation – The Mayor opened the public hearing; there was no input. He requested a motion to continue to September 13, 2012. Cindy Matsumoto, "I so move". Dick Peek seconded. Motion carried.

Andy Beerman	Aye
Alex Butwinski	Absent
Cindy Matsumoto	Aye
Dick Peek	Aye
Liza Simpson	Aye

3. Consideration of a second change order with URS Corporation, in the amount of $20,000, for finalization of a draft plan to address the Prospector Drain, in a form approved by the City Attorney – Liza Simpson, "I move that we approve the second change order with URS Corporation, in the amount of $20,000, for finalization of a draft plan to address the Prospector Drain, in a form approved by the City Attorney". Motion carried.

Andy Beerman	Aye
Alex Butwinski	Absent
Cindy Matsumoto	Aye
Dick Peek	Aye
Liza Simpson	Aye

4. Consideration of a Master Festival License for Park City Family Field Day to be held on August 11, 2012 at the PC MARC – Jon Weidenhamer explained that the Recreation Department applied in June which did not meet the deadline application requirements for a MFL but it is a great community event. Jessica Moran explained the health and wellness program at the MARC and the event is intended to reach more

residents in the community. The Mayor opened the public hearing; there were no comments and the hearing was closed. Andy Beerman, "I move approval of the Master Festival License for Park City Family Field Day to be held on August 11, 2012 at the PC MARC". Cindy Matsumoto seconded. Motion carried.

Andy Beerman	Aye
Alex Butwinski	Absent
Cindy Matsumoto	Aye
Dick Peek	Aye
Liza Simpson	Aye

5. Consideration of a Letter of Intent with Park City Mountain Resort, in a form approved by the City Attorney – Bret Howser explained that the Letter of Intent provides the guidelines for an agreement for the construction of a parking structure at PCMR. It is hoped that the agreement will be considered by the end of the year. Key features include affordable housing on site, timing and phasing and he presented a conceptual design. Consolidating parking, improving circulation and upgrading the transit component are part of the concept plan. Mark Harrington explained that any future formal agreements will be between PCMR and the RDA. The Mayor invited public input; there was none.

Jenny Smith, PCMR, stated that they are excited about the partnership and looking forward to the project. She expressed her appreciation of the efforts the City has made.

Michelle Barille, DesignWorks, relayed that they have been working with the Transportation Planner to examine the internal circulation and size requirements for the garage. Some very positive discussions have occurred and user groups and traffic streams will be better defined.

Dick Peek, "I move that we authorize the City Manage to enter into a Letter of Intent with Park City Mountain Resort to pursue a construction agreement for a joint transit and parking facility at the Resort Base". Liza Simpson seconded. Motion carried.

Andy Beerman	Aye
Alex Butwinski	Absent
Cindy Matsumoto	Aye
Dick Peek	Aye
Liza Simpson	Aye

6. Consideration of a request for placement of benches in Round Valley – Summit Lands Conservancy – Heinrich Deters introduced Megan Fernandez from SLC. This item relates to the Osguthorpe easement fund-raising effort conducted by SLC and the program was approved by Council in 2010. SLC raised the final $1 million for the easement and four benches were auctioned which generated $295,000. The placement

of the benches is governed by the donation policy which identifies the request as a Tier 3 project which requires City Council approval.

The Mayor invited public input; there was none. Andy Beerman, "I move we approve the placement of benches in Round Valley for Summit Lands Conservancy". Cindy Matsumoto seconded. Motion carried.

Andy Beerman	Aye
Alex Butwinski	Absent
Cindy Matsumoto	Aye
Dick Peek	Aye
Liza Simpson	Aye

7. Consideration of an Ordinance approving the 1103 Lowell Avenue plat amendment at 1103/1105 Lowell Avenue, Park City, Utah – Francisco Astorga explained that the request is a lot combination to remove three lot lines. The character of the west side of Lowell Avenue is different than the east side which is more typical of Old Town. The structure was built in 1978 and he described the configuration of the lots. The duplexes will remain on site and the allowable subdivision is much larger than what the owner is requesting. He pointed out some minor modifications to the Ordinance, identified by Dick Peek, and staff recommends approval, as amended. Mr. Astorga added that the Planning Commission approved the application with a 3:2 vote. The Mayor opened the public hearing.

Hida Turlow, owner of the Silver Belle duplex, was advised that the zoning will remain in place. She stated that the property is in terrible shape.

Dick Peek believed that the lot line adjustment will allow the owners to obtain a building permit to improve the property. With no further input, the public hearing was closed.

Brooke Hontz, Planning Commission member, explained that the HR-1 Zone doesn't fit that side of the street. The application does not represent what is seen in the rest of Old Town or fit the purpose statement of the zone. Some Planning Commission members felt that approval proliferates the existing problem but others felt to be fair and as a practical matter, that it should be approved. There may be restrictions on house size.

Ms. Simpson asked if there was discussion about rezoning that side of the street to fit the built environment. Mr. Astorga indicated that this area will be addressed in the rewrite of the General Plan.

Architect Craig Elliott added that a zone change would involve many property owners to avoid spot zoning and his client did not request a rezone.

Liza Simpson, "I move we approve an Ordinance approving the 1103 Lowell Avenue plat amendment at 1103/1105 Lowell Avenue, Park City, Utah". Andy Beerman seconded. Motion carried.

Andy Beerman	Aye
Alex Butwinski	Absent
Cindy Matsumoto	Aye
Dick Peek	Aye
Liza Simpson	Aye

8. Consideration of an Ordinance approving the Mine Bench Subdivision, located at 7700 Marsac Avenue, Park City, Utah – Mat Evans explained that the applicant is proposing to subdivide an existing 30 acre parcel into two parcels. The subdivision will memorialize property transactions which have already occurred between United Park City Mines and the Jordanelle Special Service District. The conveyance occurred in August 2002 and since that time staff has worked with the applicants to address the exchange of property. Lot 1 is a smaller two acre parcel and Lot 2 is the remaining land, surrounding Lot 1. The property is located in the ROS Zone where there are no lot requirements. Lot 1 is surrounded and has no street frontage but it has dedicated access. The ROS Zone designation does not require street frontage as long as there is access and the proposal meets the minimum requirements of the LMC; no non-conforming uses are associated with this subdivision. The applicant is proposing to grant an access easement to the City to the Judge Tunnel.

He pointed out that before the plat is recorded, the applicant has been asked that the property be properly assessed for tax purposes. The second issue is water since the impact fees were paid and the water meter set for the original property and other water uses were not contemplated. Mr. Evans suggested that another condition of approval be added that prior to recordation, the plat must be consistent with the Trails Master Plan. Mark Harrington suggested that Condition No. 8 read that any installation of improvements required by the Trails Master Plan must be complete with plat recordation.

Pat Putt, representing the applicant, stated that the findings and conditions of approval, including the additional language proposed for trails, are acceptable. Ms. Simpson asked if the City will receive additional property taxes and Mr. Putt indicated that the applicant will address the assessment to the satisfaction of the City and the outcome is unknown as this point. Mr. Evans understood that this is an on-going issue that is being examined and it was brought to the City's attention. The County has been working with the owner to address the assessment and the City wants it resolved prior to recording the plat. Mr. Harrington explained that since this is a County determination the outcome cannot be defined by the City.

In response to a question from Andy Beerman, Pat Putt commented that he didn't know why the applicant did not go through the subdivision process in 2002. The conveyance occurred prior to the current ownership and related to making sure that JSSD was involved in the maintenance of the tunnel and had the land appurtenant to the areas maintained. Mark Harrington believed the County incorrectly assumed that it was more of a water tunnel transaction when assessing the property. In response to another question from Mr. Beerman, Mr. Harrington explained that there is a kiosk and trailhead requirement in the existing Trails Master Plan. The Mayor opened the public hearing; there was no input and the hearing was closed.

Andy Beerman, "I move we approve the Mine Bench Subdivision located at 7700 Marsac Avenue with an additional Condition of Approval No. 8. Liza Simpson seconded. Motion carried.

Andy Beerman	Aye
Alex Butwinski	Absent
Cindy Matsumoto	Aye
Dick Peek	Aye
Liza Simpson	Aye

9. Consideration of an Ordinance approving the Ontario Mine Bench Condominiums, located at 7700 Marsac Avenue, Park City, Utah – Planner Mat Evans explained that the application is for a three-unit condominium and the Ordinance addresses the same issues discussed for the previous application. The condominium action divides the existing building on Lot 1 into three units with two owners and there is no new project proposed at this time. Any future projects will require applications and review processes and approval tonight is not related to new development. The CC&Rs will be reviewed by the City prior to plat recordation. In response to a question from the Mayor, Mr. Evans stated that the property is not located within the soils ordinance. Dick Peek understood it is an EPA innovative assessment site but land use decisions will not affect the assessment site.

The Mayor opened the public hearing; and with no comments the hearing was closed. Cindy Matsumoto, "I move that we approve the Ontario Mine Bench Condominiums, located at 7700 Marsac Avenue, Park City, Utah". Motion carried.

Andy Beerman	Aye
Alex Butwinski	Absent
Cindy Matsumoto	Aye
Dick Peek	Aye
Liza Simpson	Aye

VII ADJOURNMENT

With no further business, the regular meeting of the City Council was adjourned.

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 2 p.m. Members in attendance were Mayor Dana Williams, Andy Beerman, Cindy Matsumoto, Dick Peek, and Liza Simpson. Alex Butwinski was absent and excused. Staff present was Tom Bakaly, City Manager; Joan Card, Environmental Regulatory Manager; Clint McAffee, Water Manager, Michelle DeHaan, Water Analyst; Diane Foster, Deputy City Manager; Tom Daley, Deputy City Attorney, Heinrich Deters, Trails Manager; Brooke Moss, Human Resources Manager; and Mark Harrington, City Attorney. Liza Simpson, "I move to close the meeting to discuss personnel, property and litigation". Cindy Matsumoto seconded. Motion carried. The meeting opened at approximately 3:30 p.m. Liza Simpson, "I move to open the meeting". Andy Beerman seconded. Motion carried.

Andy Beerman	Aye
Alex Butwinski	Absent
Cindy Matsumoto	Aye
Dick Peek	Aye
Liza Simpson	Aye

The meeting for which these minutes were prepared was noticed by posting at least 24 hours in advance and by delivery to the news media two days prior to the meeting.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL WORK SESSION MINUTES
SUMMIT COUNTY, UTAH
AUGUST 30, 2012

Present: **Mayor Pro Tem Cindy Matsumoto; Council members Andy Beerman; Alex Butwinski; Dick Peek; and Liza Simpson**

Diane Foster, Interim City Manager; Mark Harrington, City Attorney; Matt Cassel, City Engineer; Scott Robertson, IT Manager; Heinrich Deters, Trails Manager; Rhoda Stauffer, Housing Specialist; Phyllis Robinson, Public Affairs Manager

Absent: **Mayor Dana Williams**

1. **Council questions/comments.** Dick Peek relayed that he attended the Habitat for Humanity Board meeting; its fund-raiser will be held on October 13. He, Andy Beerman, and staff attended the County Council meeting where extending the RDA was positively received. Final details will be addressed in the meantime. Liza Simpson attended a community fire plan meeting and she discussed a fire-wise landscaping pamphlet available to the public. She thanked staff for organizing Tom Bakaly's going-away reception and Public Works for helping move the Friends of the Library's books for its annual book sale fund-raiser.

Ms. Simpson relayed that the Mayor would like to have a discussion about the safety of the barrier on Bonanza Drive and referred to the recent accident. Matt Cassel explained that he had an opportunity to speak with the Mayor. Mr. Cassel understood that the barrier stopped the car and kept it from going across the road. There appears to be concern of someone landing on top of the barrier and getting impaled. He spoke with the Mayor about modifying the design and will follow-up with Council members in a manager's report.

Cindy Matsumoto stated that she attended the Chamber Board meeting. The visiting center will open around September 8th and a grand opening will be scheduled in October. Park City will be showcased on Flip Men on Spike TV. Board members gave very positive updates on summer business experiences.

2. **iPad discussion.** Scott Robertson recommended that iAnnotate be used as the standard app. Andy Beerman expressed that he is satisfied with iAnnotate but suggested that plugs be installed at the dais so iPads can be recharged. Liza Simpson agreed with Mr. Beerman and likes iAnnotate. She was supportive of providing the Executive Office staff with iPads which will be helpful in trouble-shooting. Ms. Simpson felt it would be helpful to reach out to Bozeman, Montana where the Planning Commission has been issued iPads to find out how large files are managed. Dick Peek explained his preference for iAnnotate. Problems with opening meeting invitations were discussed.

Andy Beerman pointed out that when looking at large documents with appendices, it might be useful to separate out exhibits as individual documents. This would require sending members multiple documents from the meeting packet. Dick Peek pointed out that referring to them in the future may be problematic. Diane Foster understood that one document would be created for the public and another version of the packet where all of the staff reports are in one document and all of the exhibits in the other document. She felt this is a decent solution but Mark Harrington emphasized that it is very labor intensive. If the problem is viewing exhibits, he suggested just switching between the browser and iAnnotate so that multiple documents do not have to be created and/or distributed.

Ms. Simpson complained about not having referenced prior closed session staff reports attached to the closed staff report because she doesn't necessarily save them. Diane Foster will follow-up with staff and Andy Beerman interjected that Drop Box can solve this problem as well.

Cindy Matsumoto invited Alex Butwinski's input as this matter was continued on his behalf. He stated that he supports iAnnotate and likes the support provided by the Executive Office. He felt there are too many issues to extend the iPad to the Planning Commission at this point in time. There was a presentation made a couple of weeks ago and it would have been so easy to put in *see the date*; it doesn't need to be a link or anything like that. Diane Foster noted that this is the opposite of what Liza Simpson suggested. Ms. Simpson stated that if it is a reference in a regular staff report to a previous staff report, a link can be created. A closed session report, however, is not available in Document Central so hyperlinking is not an option. Ms. Foster pointed out that links can also become outdated.

Mr. Robertson asked about direction to provide iPads to Planning Commission. The Mayor Pro Tem recommended following up with Bozeman. Liza Simpson agreed with Mr. Butwinski about working out problems on the Council level first. Mr. Robertson relayed that the Planning Commission is interested in using iPads. Dick Peek suggested that Commission members take turns reviewing a meeting packet on an iPad as a trial. Ms. Foster spoke about using an iPad as a Planning Commission member which was very challenging. She understood direction to be that staff research other communities and return to Council for approval before distributing devices to the Planning Commission.

3. UDOT underpass project. Heinrich Deters explained that this is a follow-up from the August 9th meeting where staff presented a conceptual underpass proposal from UDOT for a wildlife/pedestrian underpass at US40. The site is located across from the Triangle Parcel on the east side of the road and the PRI Round Valley Parcel on the west side of the road. At that time, staff recommended to continue the item because the project was very fluid and influenced by time constraints. It originated when available federal enhancement funds were identified by UDOT. These needed to be used by September 1, 2012. Based on a wildlife study, UDOT has been installing fencing along the corridor and the Director of Region 2 approached the County, City and SBSRD about the possibility of creating a wildlife and pedestrian underpass at this location. He continued that at that time, due to the Triangle Parcel planning efforts, there was concern that a wildlife underpass would create a wildlife corridor on a parcel that has not yet been planned and has a letter of intent associated with planning signed by the City and the County. Additionally, funding was not finalized and the project was estimated at $1.5 to $2 million for the tunnel. Mr. Deters stated that UDOT has approximately $700,000 and is looking for co-funding assistance.

Council continued the item and the project as it stands today entails a multi-use recreational tunnel. The wildlife component has been removed which eliminates the stipulation of possible negative impacts on future planning efforts for the Triangle Parcel. Additionally SBSRD has committed to co-funding the project with UDOT. Mr. Deters emphasized that funding from the City or the County is not being requested. The Triangle Parcel Planning Committee consisting of SBSRD, County and City representatives is supportive of the proposal as set forth in the staff report. The proposal of placing a trailhead on the Triangle Parcel has been removed by SBSRD. Staff is recommending that the City Council conceptually support the project even though it is within the UDOT right-of-way. It will provide regional trail connections for Basin, County and City residents.

In response to questions from Dick Peek about where the tunnel daylights, Heinrich Deters described the location. He added that SBSRD and the County are considering a temporary trailhead facility in that area on the west side of the frontage road. Alex Butwinski asked about parking on the frontage road and Mr. Deters explained that is the reason why the Basin and the County are working on a temporary trailhead facility. Mr. Butwinski pointed out that there is no trail connection, the parking seems unclear and it is not intuitive to find. Mr. Deters agreed and explained that the frontage road is very popular for road cyclists. Currently, the only way to get back to the Silver Summit Parkway is to cross the ramp at the Home Depot which can be a challenge. The tunnel provides for a much safer crossing east to west from the frontage road to the Round Valley area. Secondly, the Silver Quinn Pathway will be paved which goes from IHC all the way to Highland Drive creating another multi-purpose use corridor. It will be a good connection for those recreational users.

With regard to the trailhead component, Mr. Deters explained that over the last couple of years, the Nordic trails have been expanded and specifically routed toward Highland Drive which has become a problem. The SBSRD has a high interest in trying to provide more trailhead parking to access Round Valley from that area and are considering the area on the east side of US40 using the underpass to access the property. This is viewed as accommodating Salt Lake guests. They are also working on a neighborhood trailhead at the end of Highland Drive which won't be identified on maps or publicized because it is intended for residents. Mayor Pro Tem Matsumoto emphasized that the project is not on City property and Council members expressed support of the underpass project.

4. Housing assessment and plan. Rhoda Stauffer explained that she will share key indicators but the discussion is intended to focus on policy over the next five years. There has been little change in population, only a 187 net difference since the 2000 Census but more than 700 people have left the community in age groups between 4 – 49 years old. More than 800 people have joined Park City that are 50 years old and above. Median age has changed from 32.7 to 37.4 over ten years. She stated that wages continue to be substantially outpaced by housing costs despite the recession. Thirty-nine percent of the jobs in the community are in the leisure and hospitality fields which pay 30% less than average wages. She illustrated a chart showing the dual bell curve relating to the age of the community. The higher income group and lowest income population are also rising. Families where the parents are 35 to 45 years old are represented in the middle of the dual bell-curve and is the group Park City is losing.

Currently 336 renter households are paying 50% or more which is considered *cost-burden* and more than 500 households who are renting could be owners. The aging stock among deed restricted properties needs attention. She explained that the work force wage is used instead of average median income because AMI is usually 40% higher than what people are actually earning here. Ms. Stauffer reported that by 2005, the City had 369 affordable housing units and from 2005 the focus was turned to home ownership and home ownership units were increased by 47 and another 79 units are coming on the market at Park City Heights as well as some in-town units. She felt the City has made significant progress in newly constructed home ownership.

She relayed that the goal of affordable units as a percentage of the total units in town, is 10% which was discussed in 2005 when the percent was 5.5%. Today, the City is closer to 7% and it is estimated that adding 295 units would fill the gap. Staff used a number of ways to look at the demand including reviewing location substitution which is a concept adopted in 2005.

Park City is the center of employment on a regional basis and the goal is to have 34% of those employees living in town. In 2005, 17% lived in town and today it is at 20% and to get it to 34% would require adding 213 units. Ms. Stauffer reported that 288 rental units are needed to accommodate severely cost burdened households (paying over 50% of income for rent). The demand number is also based on the Balanced Growth Study which recommends 390 units. Ms. Stauffer felt the need is between 200 to 400 units, recognizing that affordable housing needs will never be fully met however it is helpful to know that it's not 4,000 units.

She asked for feedback on the City's efforts in the next five years. The amount of available land is finite in Park City and even with sufficient land it is impossible to build ourselves out of this problem, but helping younger families to remain in Park City will address the dual bell curve and the divided community that is developing. Preserving what we have and helping local work force members to buy existing homes is the ultimate form of recycling.

Rhoda Stauffer stated that the mortgage assistance program is only a concept at this point and staff will return to Council with more details if there is support. There is money in the budget to hire a consultant in the field of equity sharing programs. She invited questions.

Alex Butwinski referred to a proposed amendment to the 2007 Housing Resolution regarding updating the payment in lieu fee and expressed that one of Council's goals for some time was not to accept payments in lieu but to increase the affordable housing product. Ms. Stauffer explained that payment in lieu remains one of the options for satisfying an affordable housing obligation and needs to be updated on a regular basis. There are cases where the affordable housing requirement may be .5 and rather than building half a unit, the applicant could pay cash in lieu. The fee was established in 2007 at $162,000 and it is proposed to decrease.

Alex Butwinski pointed out the high number of unoccupied units at Kimball Junction which may be a viable option. Ms. Stauffer relayed that one goal is formulating a regional affordable housing plan and a group is being formed with the County to discuss regional approaches to these issues. Those units are priced so close to market that the housing doesn't meet our needs. If there is support from other members, he asked her to explore City assistance on mortgages. Ms. Stauffer explained one of the pieces is looking at current units. She would like to set up a stewardship program to make sure that deed restricted home ownership units are viable well into the future. One proposal is a buy-back program to adjust deed restrictions because of the market and to resell units back into the affordable housing pool.

Liza Simpson made minor corrections to the plan document. She referred to the comment in the report about families leaving but households getting smaller and as the City moves forward on addressing actual housing needs, this should be considered. Recognizing that this is an effort to correct the trend, house sizes should be getting smaller. She asked the last time the housing allowance was updated and Ms. Stauffer stated that she will find out and get back to her.

Ms. Simpson asked how the 34% was reached for the location substitution percentage. Phyllis Robinson explained that the housing resolution should provide a nexus between housing requirements and the actual needs in the community. In 1999, the City began to include specific requirements in the housing resolution and looked at the relationship between jobs and housing in the community and the location substitution percent was set at 34%. Ms. Simpson commented that the community has changed so much in type of housing stock and she wants to make sure that the number is on target with Council's goals given how much the community has changed with second home owners.

In response to questions from Dick Peek, Ms. Stauffer explained that work force wage includes a household factor and median Summit County wage in 2010 is a wage for an individual. Work force wage considers other elements that are added to the number.

Andy Beerman complimented the work accomplished. He recognized that it is much harder to obtain a loan and buy a house in these times and younger people seem less interested in owning houses. He suggested that the emphasis in the short term focus on rentals because that seems to be the growing market because it offers maximum flexibility. Ms. Stauffer believed this is a good point but felt housing has to be balanced. People who come here and invest in the community seem to want to buy here. He understood that the Liberty Apartments are priced too high and asked if it is possible to direct a developer to build less housing but subsidize the rents. Ms. Stauffer responded that this option is included in the resolution.

Ms. Simpson stated that she is looking forward to the discussion of the stewardship program so the housing stock remains in good condition. Stewardship can lead to providing housing management services and Ms. Stauffer agreed that management is key.

Mayor Pro Tem Matsumoto asked if there are concerns about people qualifying for loans for units at Park City Heights. Rhoda Stauffer indicated not so much there because Ivory has its own lending capabilities and expertise. Ms. Matsumoto asked if there is an inventory of homes for sale that may fit the affordable housing niche. Ms. Stauffer felt the asking prices are a little out of reach for work force housing wage earners but there are units out there in the City. Staff will return to Council with more details on the concept. Council members indicated their support of the recommendations in the staff report.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
AUGUST 30, 2012

I ROLL CALL

Mayor Pro Tem Cindy Matsumoto called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, August 30, 2012. Members in attendance were Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Mayor Dana Williams was absent and excused. Staff present were Diane Foster, Interim City Manager; Mark Harrington, City Attorney; Matt Twombly, Project Manager; and Francisco Astorga, Planner.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Dick Peek disclosed that he is working with the architect hired for the 80 Daly Avenue project on an unrelated project.

III PUBLIC INPUT *(Any matter of City business not scheduled on the agenda)*

The Mayor Pro Tem invited public input.

Affordable housing assessment and plan:

Darius Griven, Woodside Avenue resident, relayed that she is within the median age of 35 to 45 and median income of the group moving out of town because of wage and housing ratios presented during work session. She referred to housing at the Junction which is not really an option for her and her husband because they only have one vehicle. Moving out of Old Town would require acquiring another vehicle. They like Park City and don't want to move to the County and commute. She walks to work on Main Street but her rent is comparable to a mortgage payment. She and her husband are considering having a family but Park City may not be a good long-term fit.

Patricia Smith, resident, stated that the housing survey is excellent. She emphasized the need for affordable senior housing including regular rentals, assisted living and nursing facilities. It may be that not all needs will be solved in our small community but she felt it important to work regionally. *We don't need to reinvent the wheel* and Ms. Smith commented on Heber's Prestige Housing Project as an example. Liza Simpson added that senior housing is one of the elements of the Lower Park Avenue RDA.

With no further comments, the public input session was closed.

IV JOINT WORK SESSION NOTES OF JULY 12, 2012

Liza Simpson, "I move we approve the joint work session notes of July 12th". Andy Beerman seconded. Motion unanimously carried.

V CONSENT AGENDA *(Items that have previously been discussed or are perceived as routine and may be approved by one motion. Listed items do not imply a predisposition for approval and may be removed by motion and discussed and acted upon under "Additional Discussion – Agenda Items")*

1. Consideration of a Resolution adopting 2030 Long Range Strategic Plan for Park City, Utah - and

2. Consideration of a Use Agreement for Sundance Film Festival Automatic Vehicle Location – Andy Beerman, "I move we approve the Consent Agenda". Liza Simpson seconded. Motion unanimously carried.

VI NEW BUSINESS

Consideration of authorization to the City Manager to enter in to a construction contract in a form approved by the City Attorney's Office with Miller Paving Inc., in the amount of $178,897 – Matt Twombly explained that the contract relates to the Swede Alley crosswalks. This is a smaller project associated with the HPCA Main Street improvement plan. The working committee is represented by staff, HPCA, and IBI Group which formulated conceptual plans and a prioritized list of projects. The Swede Alley projects are identified as immediate needs, including the crosswalks, the historic wall and the Egyptian Theater pass-through. The other projects need additional design and engineering work before moving forward. This project proposes constructing new crosswalks which will be colored brick pavers and the main idea is to visually strengthen the crossing for pedestrians and hopefully slow down vehicle speeds. The project also includes a small pedestrian plaza at the south end of China Bridge across from the Egyptian pass-through. He stated that there will be impacts but two lanes of traffic will be maintained to minimize inconveniences. Project information will be disseminated to the public.

Alex Butwinski asked why pavers were chosen rather than stamped concrete and expressed concern about durability. Mr. Twombly replied that natural brick holds up better than concrete. Concrete pavers did not seem to hold up well in weather and/or snow removal. The natural brick pavers work because they are air entrained and made here locally to handle the environment. The crosswalks will be done first and the wall and pass-through perhaps during the winter. Liza Simpson commented on the wide range in bids submitted and hoped there will not be change orders. Matt Twombly explained that sometimes that occurs but it was bid as one project and there shouldn't be change orders. Way-finding, specifically the Egyptian pass-through was discussed. The Mayor Pro Tem invited public input; there was none.

Dick Peek, "I move that we authorize the City Manager to enter into a construction contract in a form approved by the City Attorney's Office with Miller Paving Inc. in the amount of $178,897". Liza Simpson seconded. Motion unanimously carried.

VII OLD BUSINESS

Consideration of a plat amendment for 80 Daly Avenue, Park City, Utah – Planner Francisco Astorga stated that the City Council received a letter from Attorney Wade Budge today with new information. In staff's opinion, it is important information and the public has not had a chance to see it but copies are available at the meeting. Mayor Pro Tem Matsumoto asked if the hearing should be held, continued, or remanded to the Planning Commission. Mr. Astorga noted that the Commission has not seen the new information. Mr. Harrington advised that a decision be made after full presentations and holding a public hearing, although a remand is certainly an option. Members were comfortable with proceeding.

Mr. Astorga explained that 80 Daly Avenue is currently under the same tax identification number. He displayed a map of the lots explaining that they are considered flag lots and referred to the 1981 accident where a water tank rolled over a historic building. The structure was rebuilt but does not resemble the previous one dating back to the early 1900s. In 1981 the lot received a variance to reconstruct the building and deviated from the parking requirements by not having to providing on-site parking. The building to the south is old however it is not considered as a significant or landmark site. There are two historic homes across the street at 61 and 71 Daly Avenue. He displayed a survey which shows the footprint of 68 Daly Avenue and explained that the plat amendment results in two buildable lots of record and the proposal meets the minimum lot area and minimum width requirements.

Mr. Astorga pointed out that Daly Avenue was not platted like the rest of Old Town with the typical 25 x 75 foot lot configuration. Most of the lots are about 91 feet in length and most on the west side have a little more area because of the vacation of Anchor Avenue in 1969 resulting in ranging widths. The Planning Commission forwarded a negative recommendation and voted 4:1 to deny the plat amendment application. He referred to the July 25th Planning Commission minutes where concerns included snow storage, traffic, view shed, parking, massing and scale were discussed. He continued that a big issue is Lot 9 which seems to be already divided because of the property owned by Pete Henderson at 68 Daly Avenue and the area owned by the applicant. Lot 10 is completely owned by the applicant, including half of Anchor Avenue in the rear and a portion of Lot 11. The Planning Commission felt there should only be one unit per lot. He believed Lot 10 would require a steep slope CUP process and there was discussion about placing restrictions on a portion of Lot 9 because of the existing home on the lot.

Francisco Astorga stated that the information received today was researched by Attorney Wade Budge and Alliance Engineering. He displayed the proposed plat and referred to a warranty deed dated 1940 and pointed out the associated property. The date is important because the state code regulation allowing municipalities to move forward with subdivisions wasn't adopted until 1953. The first Land Management Code he was able to locate is dated 1968 and the current subdivision ordinance in the LMC dates back to 1979. There were many other deeds but this is the first one found relating to this application. The next deed is an expansion of the same area towards the current owned area, dated 1971. He referred to two deeds both dated 1983 which picked up some of the area from the vacation of Anchor Avenue. These deeds were presented to staff who recommended that the applicant work with a surveyor to better define properties and ownership. Alliance Engineering was hired and he displayed the exhibit produced. Dick Peek asked when a portion of the property described in the 1940 warranty was transferred and Mr. Astorga guessed it was in 1971. For the benefit of Liza Simpson, he displayed the location of the King Ridge Estates easement over Lot 11. This configuration has existed since at least 1971. She understood the easement was granted by the owners of Lot 10 because they own part of Lot 11. Mr. Astorga pointed out the same ownership of this portion of Lot 11 and Lot 10 since 1971.

He explained that the reason staff feels the new information is relevant is because of the dates of the deeds dated 1940 and 1971. In most cases, anything in that same shape or configuration prior to the 1953 state subdivision ordinance is viewed as legal non-conforming. Other information submitted today is the 1907 Sanborn Insurance Map. On the map, he pointed out 84 Daly and relayed that it is felt that the original building was destroyed in 1981. The size of these structures were smaller than what is currently being built. Mr. Astorga explained that this application was reviewed by the Planning Commission at three meetings. Staff forwarded a positive recommendation to the Planning Commission who forwards a negative recommendation to Council. This was to be reviewed by Council on August 9th but the applicant requested additional time to conduct research. The staff report contains findings for denial as directed by the Planning Commission.

Dick Peek asked the offset in the neighborhood after the survey monument was corrected. Mr. Astorga relayed that he doesn't have an answer but could probably get one from Alliance. Mr. Peek asked if 84 Daly sits on a portion of Lot 11 and it was pointed out that it touches the lot line. Dick Peek understood the application is for three structures and the Sanborn map shows four structures. Liza Simpson asked what information was requested in May for the first continuance and Mr. Astorga explained that the architect was directed by the Planning Commission to provide a rendering illustrating mass and the footprint which is included as an exhibit in the meeting packet. A shadow study was also provided.

Andy Beerman asked if there are other examples of homes on flag lots on Daly Avenue and Ms. Astorga indicated that this is the only situation he is aware of. He asked about intended access to the property on the Sanborn map and Mr. Astorga pointed out Anchor Avenue on the map with the notation *not an open road*. Mayor Pro Tem Matsumoto invited the applicant to speak.

Attorney Wade Budge stated that he represents Taylor Harminling and Alex Adamson who own the properties together but live on the coast and are unable to attend the meeting. One of the reasons they researched the Sanborn Map and other maps was to determine if it would be appropriate under the Code to place a building in front of Mr. Henderson's property. The Planning Commission was concerned about adding density to the street that would have been unhistorical or out of character. It was found that structures were historically located in front of Mr. Henderson's property and next to 84 Daly as well. The proposal is to place the smallest structure possible in front of Mr. Henderson's property and they have reduced the size of Lot A on the currently designated Lot 9 to the minimum at 1,865 square feet and the smallest footprint allowable will result for a structure which is the intent.

He emphasized that he understands if the Council doesn't want to proceed tonight because some of these materials have just been provided. Mr. Budge explained that they would like a plat approval because it is important to move these lot lines including moving Lot 11 off of the property, address the back lot lines with respect to Anchor Avenue, and resolve the issue of having two owners of Lot 9. Lot B will be a little bit larger than if they were to just simply apply for a permit today but this is a good way to make use of the land. The staff recommended to the Planning Commission that the setback be increased by an additional foot to take into account the fact that there is an easement with King Estates. His clients are okay with that and have no intention of interfering with the overhang at 84 Daly and no intention of interfering with the King Estates easement. Mr. Budge stated that Mr. Henderson's stairs actually encroach in part on their property. His clients will allow the stairs in perpetuity and he has engaged in discussions with Attorney Brent Gold about satisfying some of Mr. Henderson's concerns.

Mr. Budge acknowledged interest in how the structures will look. Given the City's ordinances and the topography of the property, a steep slope CUP process will have to be conducted by the Planning Commission. At that point, the applicants will have to provide details. In May, they were asked to provide massing models which was done to provide the Planning Commission with an additional tool to evaluate the proposal. Mr. Budge relayed that they want to present a structure compatible with the historic area and the character of the neighborhood. The height limit is regulated by the Code and the total maximum square footage of a structure should be evaluated at the time of application of a steep slope CUP.

Liza Simpson asked if his clients are willing to do an encroachment agreement for the Henderson House and Mr. Budge answered yes; they are willing to do an encroachment agreement or license that will address the situation so that the stairs can remain in perpetuity and be replaced as long as they are rebuilt in the same location.

Dick Peek referred to exhibits and pointed out that the setbacks don't correspond with the easements and asked if the massing studies were based on these calculations. Mr. Budge explained that the drawings illustrating mass were intended to show the worst case scenario. The renderings are only intended to show massing and space not the actual design and the final design will be determined through the Planning Commission CUP process. Francisco Astorga interjected that the architect may have overlooked the easements. If the Planning Commission forwarded a positive recommendation, staff was also requesting that setbacks be increased. Dick Peek pointed out the wood stairs and an adjacent wood structure and asked if the Building Department has additional setback requirements for fire. Mr. Astorga clarified that there is a specific requirement which may limit the number of openings on the façade as well as additional fire related precautions but he felt these requirements can be met.

Alex Butwinski asked the relevance of the insurance map. Attorney Wade Budge responded that the relevance is that historically, in front of the back half of Lot 9, there was a structure and due south there was a structure adjacent to 84 Daly as well. Mr. Butwinski pointed out that they were probably substantially smaller than the proposal. Francisco Astorga advised that the historic structure to the south had a footprint of 690 square feet while the one to the north had a footprint of 785 square feet. Mr. Butwinski asked if approving a plat with odd shaped lots will create precedence. Mark Harrington didn't think so. This is likely the only situation which is predicated on an existing historic situation and there aren't any other flag lots. A new application could not be submitted with this configuration under the current Code. In response to a question from Alex Butwinski, Wade Budge explained that the easement would be granted in perpetuity.

Andy Beerman asked about fire access. Mr. Astorga advised that he checked with the Building Department on health, safety and welfare issues related to the application. A fire hydrant is located across the street which can adequately serve the properties. The Mayor Pro Tem opened the public hearing.

Carlene Riley, 84 Daly Avenue, emphasized that the applicants are proposing a three story building next to her which will dramatically shadow her property. She requested that the plan be scaled down and maybe just build one house on the lot. This is a major impact for Daly. She noted that the old foundations are still there and the historic homes were small. She asked that Council look at this again so that the project is reasonable.

Attorney Brent Gold stated that he is representing Pete Henderson, owner of 68 Daly Avenue. He has owned that property in excess of 40 years and lived there for a considerable period of that time. He was residing there at the time of the water tank roll-over and constructed the existing house, including the steps over 30 years ago. Mr. Gold stated that the information submitted today is germane and there are issues relating to the Sanborn Map and the deeds referenced. He would like an opportunity to evaluate them and suggested taking more time to make a determination.

He explained that the Planning Commission dealt with this matter as two distinct issues. One was the Historic District Commission massing, size, proximity, location, height, etc. which are consistent with what the Historic District requires. He referred to excerpts of the Planning Commission Minutes, specifically Pages 175 through 177 and urged members to read them carefully to understand its reasoning. Commissioners rejected the application because they found it offensive and inconsistent with the Historic District.

The second concern relates to legal issues like easements, ownership, and encroachments. He referred to the survey which shows the ownership line midway at least in the upper portion of the steps as the encroachment and also shows the cement pad and a lesser portion of the lower steps. He reiterated that that structure has been there for 30 years. Mr. Henderson built these steps prior to the relocation of the survey monumentation and the discrepancy in the survey with distances between what occurred when Bush & Gudgell relocated the monumentation it seems feasible, probable and likely those are the issues that we have here. Boundary lines shifted because of survey differentiation.

Mr. Gold continued that his client's house is perched on a hill immediately behind Lot A and if they put a house in front of him, even with the height limitations, it blocks the entire first floor and his view over Daly Avenue. It is his client's request that a height limitation be imposed. There are many ways to accomplish that. Even though this can be addressed in the CUP process, Lot A is virtually flat and Mr. Henderson is on the steep part. He questioned if the applicants are required to go through a steep slope CUP process. If Council considers going forward, there should be a height limitation. He also referred to the impacts to Carlene Riley if this is approved and asked that counsel share all information. Mr. Gold requested a continuance.

Richard Iron, 61 Daly Avenue, pointed out that the street is like a wall already because of density and there is a severe parking problem on Daly Avenue. He and his family of four live in a small home. Daly is a nice spot and this is an opportunity to keep it small and simple.

Brooke Hontz, Planning Commissioner, addressed the ownership of PC653 which is Lot 10 and portion of the other. She contacted the Summit County Recorder and learned that it transferred hands relatively recently and she felt that members may have thought differently. She referred to the Planning Commission Minutes, Pages 175 through 177, which summarize the discussion about density, scale, mass and height. Additionally, the Planning Commission has not had an opportunity to review the new information which relates to increasing density. If the applicant wants the three units then the same scale, mass and height should be used. The 3-D model really helped because it showed what could be done. The Minutes also reference Mr. Astorga suggesting a compromise by agreement to smaller footprints and limiting the sizes. The applicants did not want to do that and they actually said that they would not. She spoke about compatibility. Public health, safety and welfare issues were considered. Ms. Hontz referred to the easement and if this is approved, leverage may be more in the hands of the applicants. She proposed that 68 Daly would be harmed if the plat is approved. The Commission felt that there is harm caused by new impacts and issues, e.g., snow storage, traffic, view shed and parking problems increase in the winter months. The Minutes show that these are existing problems that this project will exacerbate but it also creates its own new issues.

The Mayor Pro Tem closed the public hearing.

Francisco Astorga stated that a letter was received from Bill and Gayle Sickler who are opposed to the approval of the plat.

Cindy Matsumoto asked if the structure in front of Mr. Henderson's house will need to go through the steep slope CUP process. Mr. Astorga indicated that any construction over 1,000 square feet or access to any construction that is over 30% of grade or steep slope requires review by the Planning Commission for a conditional use permit. He explained that it depends on the design and size but typically the scale proposed is much larger.

Ms. Simpson asked if there is any reason why the Council cannot uphold the Planning Commission's decision tonight. Mark Harrington pointed out that there is a problem with the *three to four units* as a finding of fact. Some findings may change if the applicant and neighbors resolve encroachment issues in a particular way. He clarified that Mr. Gold was hinting that this is beyond easement and potential for quiet title based on prescriptive rights which would affect the maximum lot area. He advised that Council has a number of options. A continuance can be granted to see if the parties resolve some of their issues and it also gives everyone a chance to hear and evaluate the new submission. The Planning Commission didn't have access to the information and the application could be remanded for further consideration of the new material. This would also give parties time to work things out and address the volumetric more accurately which was a point made by Attorney Budge. Council could give direction to further consider staff's recommendation in light of the new information as well as in terms of height and size limitations. He stated that Council could also move ahead with its own analysis and provide staff direction on the things that are desired with regard to mass, scale, height, density and compatibility. Mr. Harrington encouraged members to consider holding one more Council meeting on this matter because it gives both sides impetus to move things forward quickly while a remand may reduce the time pressures to resolve.

Ms. Simpson stated that she is very supportive of the Commission's concerns. Mark Harrington felt there is no harm in one continuance to make sure that all parties have an opportunity to weigh-in. Alex Butwinski stated that he is inclined to continue based on Mr. Gold's request to review the material. He feels this is the best alternative for the parties and keeps other options open. He agrees with Ms. Simpson and has reservations about not upholding the Planning Commission's determination. Dick Peek stated that he is in line with the Planning Commission's determination with regard to the application not comporting with the purpose statement of the zone. Mass, scale and compatibility are big issues and he hoped to see the ownership issue of the stairway easement resolved. Massing is a critical element in the purpose statement. He addressed snow shedding and the potential of drift loading and stated that he is in support of a continuance. Andy Beerman stated that he supports the Planning Commission's conclusions but has no problem with continuing the matter to provide an opportunity for the parties to meet.

Mr. Butwinski expressed that he would like to better understand if Lot A would be required to go through a conditional use permit process. Francisco Astorga explained that the LMC indicates a minimum distance of 15 feet on slopes 30% or greater, measured from the beginning of the driveway and he would need to see the proposed footprint to make a determination. Liza Simpson understood that if the footprint was limited to the front half of the lot, the project would not need a steep slope CUP.

Liza Simpson stated that she would prefer to have only one continuation which prompted discussion on meeting schedules. Liza Simpson, "I move that we continue the plat amendment for 80 Daly Avenue to October 25th". Dick Peek seconded. Motion unanimously carried.

VIII ADJOURNMENT

With no further business, the regular meeting of the City Council was adjourned.

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 3 p.m. Members in attendance were Mayor Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Diane Foster, Interim City Manager; and Mark Harrington, City Attorney. Alex Butwinski, "I move to close the meeting to discuss personnel, property and litigation". Andy Beerman seconded. Motion carried unanimously. The meeting opened at approximately 5 p.m. Andy Beerman, "I move to open the meeting". Liza Simpson seconded. Motion unanimously carried.

The meeting for which these minutes were prepared was noticed by posting at least 24 hours in advance and by delivery to the news media two days prior to the meeting.

Prepared by Janet M. Scott, City Recorder

City Council
Staff Report

Subject:	**Professional Services Contract for Architectural and Construction Services**
Author:	**Brooks T. Robinson, Senior Transportation Planner**
Department:	**Public Works**
Date:	**September 13, 2012**
Type of Item:	**Administrative**

Summary Recommendations:
The Council should consider authorizing the Interim City Manager to sign the Service Provider/Professional Services Agreement with CRSA for professional services related to the preparation of architectural and construction documents for the Transit Residential Building in the amount of $72,200 in a form to be approved by the City Attorney.

Topic/Description:
Park City is seeking to construct a 13-unit residential building on its property at 1053 Iron Horse Drive. A Conditional Use Permit has been approved by the Park City Planning Commission based on schematic plans. Full construction documents, bid support and construction support are needed to move forward.

Background:
The 2009 Master Planned Development for the expansion of the Public Works facility included discussion on providing on-site housing for Transit employees. The City was awarded a $1.5 million grant from the Federal Transit Administration for this building. The City needed to go through the Conditional Use Permit (CUP) process with the Planning Commission to get approval. That approval was granted on August 8, 2012.

The proposed building will be three stories with the ground floor containing one Accessible unit and a garage for Transit vehicles (passenger cars). The upper two floors will contain 12 single occupancy residential units of 200-250 square feet each containing a compact kitchen and sanitary facilities. A common area on each floor is also anticipated.

A request for qualifications/proposals for architectural consulting services was published (Park Record, SL Tribune, City website) in August with proposals due by August 31. The Transit/Transportation Department received one bid, from CRSA architects. CRSA was the winning bidder for the schematic design that was advertised for the CUP process. Although there were over a dozen inquiries into the bid, some firms may have been reluctant to submit a proposal if CRSA was still eligible. Staff found that the bid price from CRSA and the scope of work is within expectant costs and did not feel the need to re-advertise.

Analysis:
The FTA grant applies $1.5 million in FY 2011 Livability discretionary funds for constructing a new structure adjacent to the Iron Horse Maintenance Facility. The structure will house two functions: transit vehicle storage and transit employee housing. The FTA funds will be used for constructing the shell of the building and the finishes for the transit vehicle and equipment storage on the ground level. FTA has notified the City that FTA funds can be utilized to construct the vehicle storage and housing shell but may not be utilized for furnishing, fixtures or equipment (FF&E) for the dorm style housing on the upper two levels.

At the time of application, the City estimated construction costs at $1,875,000 with $375,000 coming from City Transit funds for the FFE.

The qualified project budget is:

- $ 150,000 Design and Engineering
- $1,210,000 Construction
- $ 140,000 Project Management
- $ 375,000 FFE (City Responsibility)

The City must pay for the FFE from Transit Funds. The FFE includes everything interior to the drywall, including paint, plumbing fixtures, electrical fixtures, cabinets and the like. On March 29, 2012, the Council authorized the use of $375,000 from the Transit Fund towards the FF&E costs.

Procurement of design services for projects using Federal money is required to follow the federal Brooks Act for selection of architects and engineers. Under the Brooks Act, firms are selected based on ranking of qualifications and then a contract is negotiated within a fair and reasonable price for the services.

CRSA is highly qualified for their work and knowledge of Transit facilities, LEED certification, previous work in Park City and sustainable projects. Their bid came in at $72,200. Staff will complete a Professional Services Agreement with CRSA if authorized by the City Council.

The scope of this plan encompasses the following:

- Construction Drawings based on approved schematics
- Bid sets will need to break out shell (up to rough plumbing, electrical, etc.) and FF&E
- Bid Support
- Construction Support and Management

Department Review:
This report has been reviewed by Public Works, Sustainability, Interim City Manager and Legal.

Alternatives:

A. **Approve the Request:**
This is the staff's recommendation.

B. **Deny the Request:**
Staff would have to re-advertise the project which would delay the project.

C. **Continue the Item:**
If the Council needs more information the item can be continued.

D. **Do Nothing:**
This option is the same as denying the request.

Significant Impacts:
The project will have no significant impacts that have not been anticipated. The funding for the project has been approved.

Consequences of not taking the recommended action:
The City's transit operation experiences two peak demand periods during the year. The largest peak period occurs during the winter with summer not far behind. Each year the transit operation recruits, trains and employs approximately 50 seasonal bus drivers each winter (approximately 25 during the summer). Attracting and retaining this core group of seasonal bus drivers is a major challenge for the Transit operation. Since 2006 Transit, working with the City's affordable housing specialist, has rented housing to approximately 12-16 seasonal drivers (using the Park Avenue fire station, City housing units and third party rentals). Staff identified the need for a dedicated transit seasonal housing facility as part of the City's Short Range Transit Development Plan.

Recommendation:
The Council should consider authorizing the Interim City Manager to sign the Service Provider/Professional Services Agreement with CRSA for professional services related to the preparation of architectural and construction documents for the Transit Residential Building in the amount of $72,200 in a form to be approved by the City Attorney.

Exhibits:
A: Scope of Work and Cost Proposal

Exhibit A: Scope of Work and Cost Proposal

CRSA

ARCHITECTURE • PLANNING • INTERIORS
801.355.5915 • 649 E SOUTH TEMPLE • S.C. UT 84102 • www.crsa-us.com

31 August, 2012

Attn: Brooks Robinson, Senior Transportation Planner
Park City Municipal Corporation
Park City, Utah 84060

RE: Request for Statement of Qualifications/Proposal for Architectural Consulting Services
Transit Residential Building

Dear Mr. Robinson,

CRSA proposes to provide Construction Document, Bidding Support and Construction Administration services for the Park City Transit Residential Building in the amount of $72,200.00 (seventy-two thousand and two-hundred dollars) for the scope of work outlined in the RFQ issued by Park City on August 12, 2012.

The following outlines our scope of work and basic services included for the above-stated fee:

1. Prepare full bid documents for the Transit Residential Building.
2. Attend two meetings with Park City executive committee to review document progress.
3. Attend two review meetings with the Park City Building Official and Fire Marshal to review code issues.
4. Provide full support for bidding and negotiation with contractors.
5. Provide full Construction Administration Services including:
   - (5) construction observation site visits with accompanying reports
   - Review contractors submittals, RFI's and substitution requests
   - Review and approve contractor's Change Orders, pay requests, etc.
   - Prepare Substantial Completion Form
6. Large-scale printing and other reprographic work for the purposes of design coordination, Owner review, and presentation. Small-scale paper reproduction required for periodic updates and reports.
7. Overnight Delivery or other special delivery, up to a dollar value not to exceed $200.00.
8. Travel/mileage associated with the project.

The following will be considered as Additional Services and will be billed in addition to the stated compensation if authorized by Park City:

1. Design services related to any increase in project scope.
2. Renderings.
3. Record Drawings.

Respectfully submitted,

Joseph A. Millillo

Joseph S. Millillo, AIA, LEED® AP
CRSA Project Architect / Associate Principal
649 E. South Temple
Salt Lake City, UT 84102
(801) 746-6812 (direct)
(801) 355-5915 (office)
(801) 598-1847 (mobile)
joe@crsa-us.com

City Council Staff Report

Subject: UDOT Consultant Services Agreement for Deer Valley Drive Design
Author: Matthew Cassel, P.E., City Engineer
Department: Engineering
Date: September 13, 2012
Type of Item: Administrative

Summary Recommendations:
The Council should authorize the Interim City Manager to sign the attached UDOT Consultant Services Agreement with Stanley Consultants for engineering/environmental services related to the design of Deer Valley Drive in the amount of $375,126.84.

Topic/Description:
Through the Small Urban Fund program, Park City was granted $1,000,000 to be used for improvements to Deer Valley Drive. The Small Urban Fund program is a Federal road funding program and is administered by Utah Department of Transportation (UDOT). Park City is considered a small urban community and thus qualifies for these funds. This contract with Stanley Consultants provides for the engineering design, environmental documentation and implementing a public involvement process for the project.

Background:
Park City was awarded $1,000,000 in Small Urban Fund grant money in 2009 for the reconstruction of Bonanza Drive. Additionally, Park City has been awarded an additional $1,000,000 in Small Urban Fund grant money for the reconstruction of Prospector Avenue in 2016. This grant money does have a matching requirement. Park City is responsible to provide matching funds in the amount of 7.2% of the total Federal grant. In these cases Park City is required to provide $72,616 in matching funds.

The original grant application to the Small Urban Fund program was made and Park City was awarded the grant money prior to 2008. This original grant did not have a scope of work which defined how the money was going to be used. In 2010, Park City was requested by UDOT to further define the project. This updated application was submitted and included modifications to the existing round-about and pedestrian lighting from the existing round-about to the intersection of Deer Valley Drive and Deer Valley Drive North.

Analysis:
The Deer Valley Drive design will include replacement of the existing collapsed storm drain, replacement of the gas line (work and design to be performed by Questar Gas), replacement of the existing water line, pedestrian modifications at the round-about, left turn lane at the intersection of Deer Valley Drive and Deer Valley Drive North,

consistent six (6) foot wide sidewalks, bus pullouts, speed limit feedback signs, pedestrian lighting from the round-about to the intersection of Deer Valley Drive and Deer Valley Drive North and road resurfacing.

Because this project will be administered by UDOT, the consultant was selected using UDOT's selection process. This process included selecting five consultants from UDOT's existing consultant pool. (This pool is operates similarly to the State Contract where Park City is allowed to purchase items directly.) The five selected consultants were:

- URS,
- Michael Baker,
- Horrocks Engineers,
- Stanley Consultants, and
- Project Engineering Consultants

These consultants then submitted a Statement of Qualification (SOQ) which was evaluated by Park City staffers. Stanley Consultants was determined to be the best choice for providing professional design services to the City on this project. Because their overhead rate was established through their inclusion in the UDOT consultant pool, only the scope of services and hours to complete the work were negotiated with Stanley Consultants.

The design of Deer Valley Drive is anticipated to commence immediately with the design completed by mid-March 2013. With the design completed by mid-March the construction should be able to commence by late April to take full advantage of the spring shoulder season.

The Council has approved funding for this project as follows:
Capital Project cp0176 (Deer Valley Drive Reconstruction) contains $500,000 for the project. Additional monies in the amount of $1,000,000 have been encumbered through UDOT's STP Small Urban Funds Program. The Water Department will provide funding for the water improvements from water service fees and is part of the proposed FY2013/2014 CIP under Water Department's annual budgeted Asset Management/Replacement Program.

Department Review:
This report has been reviewed by Interim City Manager, Planning, Public Works, Sustainability, and Legal. All issues have been resolved.

Alternatives:

A. Approve the Request:
This is the staff's recommendation.

B. Deny the Request:
This would make it impossible to complete the design and prepare a construction package for the 2013 construction season.

C. Continue the Item:
If the Council needs more information the item can be continued, but this could cause the design costs to increase since surveying in snow is more time-consuming, less accurate and error prone.

D. Do Nothing:
This option would make it impossible to complete the design in a timely manner.

Significant Impacts:
The engineering design will have no significant impacts, whereas the actual construction of Deer Valley Drive will heavily impact the adjacent homeowners and access to the Solamere neighborhood and Deer Valley Resort, especially if the road needs to be closed for any period of time. These impacts will be addressed through the use of a Construction Management/General Contractor (CM/GC) construction contract. The use of this contract allows our team to select and bring the contractor on board approximately half way through the design of the project. With the contractor on board, we can work directly with them to determine which activities will affect the ability to keep the road open and solutions to these impactful activities.

Consequences of not taking the recommended action:
Deer Valley Drive is an important transportation link for the City. This project will help to make this transportation corridor more efficient using the existing pavement width. Not commencing with the engineering design contract now would delay the necessary improvements to increase the efficiency of this road section.

Recommendation:
The Council should authorize the Interim City Manager to sign the attached UDOT Consultant Services Agreement with Stanley Consultants. for engineering/environmental services related to the design of Deer Valley Drive in the amount of $375,126.84.

Exhibits:
Exhibit A – Deer Valley Drive Scope of Work

MEMORANDUM

To: Ritchie Taylor, UDOT

From: Matthew Cassel, City Engineer

Date: May 10, 2012

Re: Deer Valley Drive Scope of Work

The overall goal of the project is to use the existing road footprint to make this section of road more efficient.

A. Specific Elements of the Project
- Addition of a left turn lane from Deer Valley Drive onto Deer Valley Drive North,
- Addition of lights from the round-about to the intersection of Deer Valley Drive North,
- Replacement of storm drain from approximately Rossi Hill Drive to round-about,
- Installation of storm drain from Deer Valley Loop down through Provo Street and connecting into the system in Deer Valley Drive,
- Design of bus pullouts,
- Replacement of waterline from booster pump stations near the intersection of Deer Valley Drive North to the round-about,
- Possible relocation of booster pump station,
- Clean-up/augment signage along the corridor,
- Provide driver feedback signs,
- Improve visibility of pedestrians crossing at round-about either with colored concrete, signage or other means,
- Design of consistent sidewalks along the corridor.

B. Public Involvement
- Public involvement is a critical element for this project and should include public meetings, possibly a stakeholder meeting, and using varying media means to keep the general public and City Council informed about the progress of the project.

C. Survey
- Topographical survey of the corridor and horizontal control established will be needed,
- It is assumed that land takings will not be required

D. Geotechnical Study
- Soil sampling and their analysis should be included,
- This section of the road is not in Park City’s Soil Ordinance Boundary,
- Existing small retaining walls may need to be restored/rebuilt as part of this project

E. CM/GC Procurement
- Because of anticipated traffic issues, Park City will be looking to use the CM/GC Procurement process.

F. Environmental

- It is assumed that CAT-X documentation will be required for the project,
- A stream alteration permit may be required because of the close proximity of work to the stream just south of Deer Valley Drive,
- A construction permit from DDW will be required for the waterline.

G. Coordination with Utilities

- Questar Gas – As part of the project, Questar Gas will be replacing their existing gas service. This coordination effort needs happen,
- SBWRD – In discussion with SBWRD, they will not be replacing their existing sewer. Coordination with this utility will be required because of the project elements being constructed above this facility

City Council Staff Report

Subject: Parking Code Amendments
Author: John Paul Boehm, Transportation Planning Technician
Brian Andersen, Parking Team Leader
Department: Parking Services, Transportation Department
Date: September 13, 2012
Type of Item: Legislative

Summary Recommendations:
Staff recommends that the City Council review the proposed amendments to Title 9 of the Park City Municipal Code. Council should hold a public hearing and consider adopting the amended ordinances.

Topic/Description:
Amendments to Park City Municipal Code, Title 9, Chapter 2 Section 1 (D) and (F), Parking Prohibited in Certain Places, and Chapter 2 Section 7, Parallel Parking and Chapter 5 Section 3(A), Resident Permit.

Background:
During the most recent review of the Municipal Code of Park City, Title 9 (Parking Code), staff discovered that there were sections of the Parking Code that were in conflict with Title 41, Chapter 6a of the Utah Code applicable to parking related items.

Staff is also requesting Council approve amendment to Title 9 Chapter 5 Section 3(A) to better accommodate resident needs within a commercial district.

Analysis:
Utah Code Ann. § 41-6a-207 discusses the uniform application of the "Traffic Code" (Chapter 6a) throughout all of the political subdivisions and municipalities within the State of Utah. This section also prohibits a local highway authority (which is defined as the legislative/governing body of a municipality) from enacting or enforcing an ordinance that is in conflict with state statute.

Staff recommends that Park City take the following actions to harmonize the Park City Municipal Code with state law:

1. Park City should amend Municipal Code § 9-2-1(D) to state "In front of or within fifteen feet (15') of a fire hydrant" to reflect the provisions of Utah Code Ann. § 41-6a-1401(b)(ii) prohibiting parking within fifteen (15') feet of a fire hydrant.

   To avoid conflict with Utah Code Ann. § 41-6a-1401(b)(ii), Park City Municipal Code § 9-2-1(D) should be amended as follows:

§ 9-2-1 PARKING PROHIBITED IN CERTAIN AREAS

(D) In front of or within ~~five feet (5')~~ **fifteen feet (15')** ~~from~~ **of** a fire hydrant;

2. Park City should amend Municipal Code § 9-2-1(F) to state "Within twenty feet (20') of a crosswalk" to reflect the provisions of Utah Code Ann. § 41-6a-1401(b)(iii) and Utah Code Ann. § 41-6a-102(9)(b).

   To avoid conflict with Utah Code Ann. § 41-6a-1401(b)(iii) and Utah Code Ann. § 41-6a-102(9)(b), Park City Municipal Code § 9-2-1(F) should be amended as follows:

   § 9-2-1 PARKING PROHIBITED IN CERTAIN AREAS

   (F) Within twenty feet (20') of a crosswalk ~~at an intersection~~;

3. Park City should amend Municipal Code § 9-2-7 to read "with the right hand wheels (passenger side) not more than twelve inches (12") from the curb" to reflect the provisions of Utah Code Ann. § 41-6a-1402.

   To avoid conflict with Utah Code Ann. § 41-6a-1402, Park City Municipal Code § 9-2-7 should be amended as follows:

   § 9-2-7 PARALLEL PARKING

   Except where otherwise designated, it shall be unlawful to park any vehicle in a manner other than parallel with the curb or shoulder of the street, with the front of the vehicle facing the direction of traffic flow, with the right-hand wheels (passenger side) not more than ~~eighteen inches (18")~~ **twelve inches (12")** from the curb**.** ~~, shoulder, or snow bank, whichever is nearer to the traffic lane.~~ **Where there is no curb, or the curb is obscured by a snow bank, the right-hand wheels must be as close as practicable to the right edge of the right-hand shoulder or snow bank, whichever is nearer to the traffic lane. The vehicle must not obstruct traffic when parked adjacent to the snow bank.**

Staff has analyzed the effect that the proposed amendments would have on the Main Street parking inventory should Council decide to adopt them. Compliance with the amended code would require Park City to increase the length of red curb at 10 of the existing fire hydrants on Main Street. It would also require additional red curb at the existing crosswalks.

In order to calculate the approximate number of parking spaces that will be lost to this process, staff measured the approximate amount of additional red curb required (137.4

feet) and divided that number by 24 feet, the average length of one parallel parking stall. Using this equation, the approximate number of parking spots that would be lost on Main Street would be 6 spots.

Staff is also requesting amendments to Municipal Code § 9-5-3 as detailed in the paragraph below. The requested amendment will provide for a limited amount of on-street parking for residents in a Residential Permit Zone (RPZ) that is controlled by time limits and that do not have convenient access to other parking resources. Staff is confident the two (2) permit limit will provide reasonable accommodation to residents without significantly impacting on-street parking resources.

The requested amendments also include minor grammatical edits to the final sentence.

9-5-3 TYPES OF PERMITS

(A) RESIDENT PERMIT. One (1) resident permit shall be issued for each vehicle owned by a person residing within a Residential Permit Zone (RPZ). If more than two (2) permits are requested for one (1) residence, the owner(s) of the vehicles of the residence must make a formal application to the City for additional permits. In no case shall the number of residential permits issued to one (1) residence exceed five (5). Permits will only be issued to the extent that the number of vehicles registered at the dwelling exceeds the off street parking available at the dwelling to encourage the use of all available off-street parking. **No more than two (2) permits shall be issued to any residence within an RPZ that requires parking on a public street subject to time limited parking, as set forth in 9-3-3 of the Municipal Code.** An applicant for a permit shall present **a** current Utah motor vehicle registration, a current operator's license ~~with the application;~~**,** and proof of residence **with the application**, and shall certify the application with his or her signature.

Department Review:
This staff report has been reviewed by Public Works, Legal and Executive departments. All comments have been incorporated into the report.

Alternatives:

A. Approve:
City Council should review this report, hold a public hearing and adopt the amended ordinances. This is Staff's recommendation.

B. Deny:
Council could deny Staff's request. Denying this request would leave the aforementioned sections of Park City Municipal Code-Title 9 in conflict with state statute and therefore unenforceable.

C. Modify:

Council could direct Staff to modify or add amendments to the current ordinance. Any significant changes to the ordinance would require staff to return at a future Council meeting with an a mended ordinance incorporating Council directed changes.

D. Continue the Item:
Council could ask for this ordinance change to be continued for further discussion.

E. Do Nothing:
Council could do nothing on this request. Staff does not recommend this alternative as it would leave the aforementioned sections of Park City Municipal Code-Title 9 in conflict with state statute and therefore unenforceable.

Significant Impacts:
Adopting the proposed amendments would harmonize the Park City Municipal Code-Title 9 with the State Traffic Code.

Consequences of not taking the recommended action:
If the City Council chooses not to make the recommended amendments to Title 9, Chapter 2-1 and 2-7, those sections would be unenforceable as they are in conflict with state statute.

Recommendation:
Staff recommends that the City Council review the proposed amendments to Title 9 of the Park City Municipal Code. Council should hold a public hearing and consider adopting the amended ordinances.

Attachments:
Exhibit A – Proposed Ordinance
Exhibit B – State of Utah Traffic Code (Title 41, Chapter 6a) Referenced

Exhibit A – Proposed Ordinance

Ordinance No. 12-

AN ORDINANCE AMENDING TITLE 9, PARKING CODE, SECTION 9-2-1, PARKING PROHIBITED IN CERTAIN PLACES, SECTION 9-2-7, PARALLEL PARKING, AND SECTION 9-5-3, TYPES OF PERMITS, OF THE MUNICIPAL CODE OF PARK CITY

WHEREAS, to comply with Utah State Code, the following amendments must be made to the Municipal Code;

WHEREAS, to better accommodate the parking needs of residents living within a Residential Permit Zone who are, because of insufficient off-street parking, required to park on public streets regulated by time limited parking;

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

Section I. Amendment. Title 9, Parking Code, Section 9-2-1, Parking Prohibited in Certain Places, and Section 9-2-7, Parallel Parking, of the Municipal Code of Park City is hereby amended as follows:

9-2-1. PARKING PROHIBITED IN CERTAIN PLACES.

It shall be unlawful and a violation of this Title for any person to park a vehicle, or to permit others to park a vehicle in any of the following places on a street or public parking facility:

(A) On or across a sidewalk;

(B) In front of, or within five feet (5’) of a public or private driveway or alleyway;

(C) Within an intersection, or within (15’) of an intersection;

(D) In front of or within ~~five feet (5’)~~ **fifteen feet (15’)** ~~from~~ **of** a fire hydrant;

(E) In or on a crosswalk;

(F) Within twenty feet (20’) of a crosswalk ~~at an intersection~~;

(G) Within thirty feet (30’) from the approach to any flashing beacon or traffic control device, including stop signs controlling traffic on the same roadway as the approach;

(H) Within fifty feet (50’) of the nearest rails of any railroad crossing;

(I) Within twenty feet (20') of the entrance to a fire station, or on the street opposite of the entrance to a fire station if designated a no-parking area by signs;

(J) Alongside any street excavation or construction fence or barricade if parking in that location would obstruct the free-flow of traffic on the street;

(K) On a bridge or other elevated portion of a street or under an overpass;

(L) At any place marked by signs as a no-parking zone;

(M) In such a location or manner that the car is parked opposite the flow of traffic on the street, except as provided in this Title;

(N) In such a location or manner so as to occupy two (2) or more marked parking spaces;

(O) At any place marked with a red curb;

(P) In any parking space designated 'Handicapped,'~~,~~ or otherwise for mobility disabled under the qualifications of the Americans with Disabilities Act, when not displaying proper distinguishing license plates or an official state-approved placard indicating that the occupant of said vehicle is mobility disabled under the qualifications of the Americans with Disabilities Act.

(Amended by Ord. No. 03-30)

9-2-7. PARALLEL PARKING.

Except where otherwise designated, it shall be unlawful to park any vehicle in a manner other than parallel with the curb or shoulder of the street, with the front of the vehicle facing the direction of traffic flow, with the right-hand wheels (passenger side) not more than ~~eighteen inches (18")~~ **twelve inches (12")** from the curb. ~~, shoulder, or snow bank, whichever is nearer to the traffic lane.~~ **Where there is no curb, or the curb is obscured by a snow bank, the right-hand wheels must be as close as practicable to the right edge of the right-hand shoulder or snow bank, whichever is nearer to the traffic lane. The vehicle must not obstruct traffic when parked adjacent to the snow bank.**

Section II. Amendment. Title 9, Parking Code, Section 9-5-3, Subsection (A) Resident Permit, of the Municipal Code of Park City is hereby amended as follows:

9-5-3 TYPES OF PERMITS

The following permit types are established and s hall be i ssued by the City upon payment of the appropriate fee, if any, as designated in the Fee Resolution:

(A) RESIDENT PERMIT. One (1) resident permit shall be issued for each vehicle owned by a person residing within a Residential Permit Zone (RPZ). If more than two (2) permits are requested for one (1) residence, the owner(s) of the vehicles of the residence must make a formal application to the City for additional permits. In no case shall the number of residential permits issued to one (1) residence exceed five (5). Permits will only be issued to the extent that the number of vehicles registered at the dwelling exceeds the off street parking available at the dwelling to encourage the use of all available off-street parking. **No more than two (2) permits shall be issued to any residence within an RPZ that requires parking on a public street subject to time limited parking, as set forth in 9-3-3 of the Municipal Code.** An applicant for a permit shall present **a** current Utah motor vehicle registration, a current operator's license ~~with the application;~~**,** and proof of residence **with the application**, and shall certify the application with his or her signature.

No permit shall be issued in the event that either the registration or license shows an address not within the RPZ unless the applicant demonstrates to the satisfaction of the City Manager or designee that the applicant is, in fact, a resident of the RPZ, and that the vehicle is used primarily by the applicant.

The resident permit shall be valid until the expiration date shown on the permit, or until the resident, business, or qualified nonprofit organization relocates outside the RPZ, or until the permitted vehicle is sold, whichever occurs first.

Resident permit shall be valid only in the same residential permit parking zone in which residence, business, or qualified institution is located.

Section III. Effective Date. This Ordinance shall become effective upon publication.

PASSED AND ADOPTED this 13th day of September, 2012

PARK CITY MUNICIPAL CORPORATION

____
Mayor Dana Williams

Attest:

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Janet M. Scott, City Recorder

Approved as to form:

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Mark D. Harrington, City Attorney

Exhibit B – State of Utah Traffic Code (Title 41, Chapter 6a) Referenced

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Utah Code Ann. § 41-6a-207 Uniform application of chapter -- Effect of local ordinances.

(1) The provisions of this chapter are applicable throughout this state and in all of its political subdivisions and municipalities.
(2) A local highway authority may not enact or enforce any rule or ordinance in conflict with the provisions of this chapter.
(3) A local highway authority may adopt:
(a) ordinances consistent with this chapter; and
(b) additional traffic ordinances not in conflict with this chapter.

Utah Code Ann. § 41-6a-1401 Standing or parking vehicles -- Restrictions and exceptions.

41-6a-1401. Standing or parking vehicles -- Restrictions and exceptions.

(1) Except when necessary to avoid conflict with other traffic, or in compliance with law, the directions of a peace officer, or a traffic-control device, a person may not:
(a) stop, stand, or park a vehicle:
(i) on the roadway side of any vehicle stopped or parked at the edge or curb of a street;
(ii) on a sidewalk;
(iii) within an intersection;
(iv) on a crosswalk;
(v) between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings;
(vi) alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
(vii) on any bridge or other elevated structure, on a highway, or within a highway tunnel;
(viii) on any railroad tracks;
(ix) on any controlled-access highway;
(x) in the area between roadways of a divided highway, including crossovers; or
(xi) any place where a traffic-control device prohibits stopping, standing, or parking;
(b) stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:
(i) in front of a public or private driveway;
(ii) within 15 feet of a fire hydrant;
(iii) within 20 feet of a crosswalk;
(iv) within 30 feet upon the approach to any flashing signal, stop sign, yield sign, or traffic-control signal located at the side of a roadway;
(v) within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of the entrance when properly signposted; or
(vi) at any place where a traffic-control device prohibits standing; or
(c) park a vehicle, whether occupied or not, except temporarily for the purpose of and

while actually engaged in loading or unloading property or passengers:
(i) within 50 feet of the nearest rail of a railroad crossing; or
(ii) at any place where traffic-control devices prohibit parking.
(2) A person may not move a vehicle that is not lawfully under the person's control into any prohibited area or into an unlawful distance from the curb.
(3) This section does not apply to a tow truck motor carrier responding to a customer service call if the tow truck motor carrier has already received authorization from the local law enforcement agency in the jurisdiction where the vehicle to be towed is located.

41-6a-1402. Stopping or parking on roadways -- Angle parking -- Traffic-control devices prohibiting or restricting.
(1) Except as otherwise provided in this section, a vehicle stopped or parked on a two-way roadway shall be stopped or parked with the right-hand wheels:
(a) parallel to and within 12 inches of the right-hand curb; or
(b) as close as practicable to the right edge of the right-hand shoulder.
(2) Except when otherwise provided by local ordinance, a vehicle stopped or parked on a one-way roadway shall be stopped or parked parallel to the curb or edge of the roadway in the direction of authorized traffic movement with its:
(a) right-hand wheels:
(i) within 12 inches of the right-hand curb; or
(ii) as close as practicable to the right edge of the right-hand shoulder; or
(b) left-hand wheels:
(i) within 12 inches of the left-hand curb; or
(ii) as close as practicable to the left edge of the left-hand shoulder.
(3) (a) Except as provided in Subsection (3)(b), local highway authorities may by ordinance permit angle parking on any roadway.
(b) Angle parking is not permitted on any federal-aid or state highway unless the Department of Transportation has determined that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.
(4) (a) The Department of Transportation, with respect to highways under its jurisdiction, may place traffic-control devices prohibiting or restricting the stopping, standing, or parking of vehicles on a highway where:
(i) the stopping, standing, or parking is dangerous to those using the highway; or
(ii) the stopping, standing, or parking of vehicles would unduly interfere with the free movement of traffic.
(b) A person may not stop, stand, or park a vehicle in violation of the restriction indicated by the devices under Subsection (4)(a).

Utah Code Ann. § 41-6a-102
(9) “Crosswalk” means:
(b) any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.