

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
SEPTEMBER 1, 2011**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, September 1, 2011.

Closed Session

3:00 p.m. Litigation and property

Work Session

4:00 p.m. Council questions/comments

4:15 p.m. Post office gang boxes

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4:45 p.m. Public Art Advisory Board interviews

5:45 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 agenda)*

**IV WORK SESSION NOTES OF JOINT MEETING WITH PLANNING COMMISSION
JULY 21, 2011**

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V RESIGNATIONS AND APPOINTMENTS

Consideration of the appointment of Liza Simpson as Mayor Pro Tem for a term beginning September 9, 2011 and expiring September 12, 2011

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VI 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 proclaiming September 2011 as National Preparedness Month in Park City, Utah

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2. Consideration of Professional Service Provider Contract in the amount of \$55,691 with Techlogic, in a form approved by the City Attorney's Office, for replacement of the library's materials security system

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3. Consideration of a Construction Agreement with Counterpoint Construction Inc. for the construction of the intake and splitter structures and north ditch rehabilitation in the amount of \$269,208, in a form approved by the City Attorney

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4. Professional Services Agreement with James C Barker PC in the base amount of 89,000 for federal lobbying services, in a form approved by the City Manager

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VI ADDITIONAL DISCUSSION – AGENDA ITEMS

VII ADJOURNMENT

A majority of 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 available in the Marsac Building on Wednesdays and Thursdays – 4 p.m. to 9 p.m.

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
SEPTEMBER 8, 2011**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will **not** hold its regularly scheduled meeting on Thursday, 8, 2011. A majority of Council members may be participating on the Summer Tour to be held September 7 through September 11. This trip is intended for informational purposes and no formal City business will be conducted.

Posted: 08/29/11

See: www.parkcity.org

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

September 2011

- 8 **No meeting** (Summer Tour 9/7 – 9/11)
- 15 Elected Officials Training
 Budget public process update
 Special event overhaul
 Short range transit plan - work (1 hour)
 Contract amendment to state lobbyist
 Ordinance amending LMC – HPB - administrative reconstruction process
 Extension of the Letter of Intent with MPE, Inc. for the Treasure Project
- 22 **No meeting**
- 29 Appointment of Public Art Advisory Board members
 Environmental and regulatory update
 Short range transit plan adoption – public hearing/action
 SR224 Corridor Study contract - action

October 2011

- 6 **Alex gone**
 Open space and conservation easement update (1 hour)
 Regional TDR concept – John Jansen (30 min after 4:30)
- 13
- 20
- 27

November 2011

- 3
- 10
- 17

Pending Items:

Bonanza Tunnel ribbon-cutting
Inter-local agreement with Summit County for police database integration
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
HPCA infrastructure study

**PARK CITY COUNCIL AND PLANNING COMMISSION
JOINT WORK SESSION NOTES
CITY HALL COUNCIL CHAMBERS
JULY 21, 2011**

PRESENT: Mayor Dana Williams; Council members Cindy Matsumoto; Alex Butwinski; Dick Peek; Liza Simpson; and Joe Kernan

Chair Charlie Wintzer; Commissioners Brooke Hontz; Julia Pettit; Jack Thomas; Mick Savage; and Adam Strachan

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Michael Kovacs, Assistant City Manager; Katie Cattan, Senior Planner; Francisco Astorga, Planner; and Patricia Abdullah, Analyst

ABSENT: Commissioner Nann Worel

WORK SESSION ITEMS

Redevelopment Discussion

Mayor Dana Williams called the work session to order at 6:26 PM.

Charles Buki with czg consulting outlined the structure of the work session; clarify the overall message from the last joint session, define that message, and delve deeper into the topic in order to resolve the lot combination issue. He wanted to touch base with Commissioner Pettit and Commissioner Strachan regarding their stance on redevelopment since they were unable to be at the last joint session.

Commissioner Pettit acknowledged that redevelopment is a strong part of the town. She felt that the entry corridor should be closely examined for better utilization of areas identified that currently contain outdated buildings, empty buildings, and parking lots. She stated that now is the time to look at these redevelopment measures for the City to stay competitive. Mr. Buki said that was on point with what Becky Zimmerman had led Council to conclude was a necessity in the previous meeting.

Commissioner Strachan assumed that while redevelopment is a reality it is not a requirement everywhere in Park City. He stated that they needed a more specific view neighborhood by neighborhood to decide if redevelopment was a pressing force there. Once it was defined as a necessity in that area then you would follow the oppositional stance with the inclusion of L2 and L3 as outlined in the staff report on page 67.

Mr. Buki's job was to get to the categorical viewpoint that resides in the Council members and Commissioners as it was that majority that would shape the General Plan language and how the City reacts to the redevelopment process through the redraft of the General Plan. Commissioner Savage thought it would be best then to define redevelopment so that everyone had the same definition in mind. Mayor William's definition was to look at everything brought in front of them from face lifts of buildings to replacing new areas in town to the current areas of concerns; parking lot redevelopment, Bonanza Park area, Treasure Hill. He stressed that redevelopment was not just the

act of rebuilding but can also may constitute economic factors. Council member Simpson that the definition depended on the project or neighborhood itself and that those neighborhoods may evolve. In the Historic District it may be sensitive additions and a traditional sense of redevelopment in that you take a non-useful building or property and create something usable to the community. The Council and Commission needed to look at more than just the traditional (physical) sense of redevelopment.

Council member Matsumoto returned to the concept of growth and that redevelopment does not always have to be tied to the idea of growth. In an area already developed growth does not have to be the primary goal in order to be redevelopment it could be a concept that helps the community. Commissioner Pettit added onto that statement that it is possible to have redevelopment and re-use with an existing footprint and building something within that space that is a better fit for the community. She reminded the Council that it was a result of the visioning that Park City wanted to remain a small town and raised the question as to how they hang onto that while redeveloping. Council member Simpson raised the question as to whether it is an actual number that we tie into being a small town or if it is the feeling of a small town that they are looking to preserve.

Council member Kernan felt it was the bringing of people together in local events that make it a small town. Commissioner Pettit cautioned that the local events grow beyond a local scale. The concerts at Deer Valley were used as an example of an event that had grown beyond a local scale. In adding more people there is a loss in the opportunity to make individual connections. Council member Matsumoto didn't think it was just the second home owners that were growing events it was also Salt Lake residents that wanted to join in on that small town experience. She felt that as some events grow other smaller secret events would take their place.

Commissioner Thomas had visited small towns in Europe of 50,000 people that had a strong sense of community and character. He didn't feel that there was a number that caps what a small town is. He felt it was more of an issue of having so many visitors that fuel our economy that upset the balance. Through redevelopment and opportunities there should be a sense of community and cross sections that creates a balance that can sustain the generations to come. He wondered if it might be a bit late due to the existing popularity of the ski resorts. It was more of a matter on moving forward and continuing the growth in a fashion that maintains the qualities that the Council wants to see in the community.

Mr. Buki refocused the discussion on the groups and the assignment that was given at the end of the last work session. What did each individual group encounter and the alignments that were found. Mr. Buki wanted the feedback to be ranking of priorities in order to help the Council make choices on which items to were the most important to focus on and how to best to and when to develop partnerships. There was some concern among the groups in regards to the increase of taxes and how to increase the permanent population of Park City.

There was some general discussion regarding the Bonanza Park project and questions Mr. Buki needed Council and Commission to answer prior to being able to make the project a priority; height, connectivity, traffic circulation, and the uses and how those uses effect the community.

Commissioner Pettit was concerned that focus should not be on specific neighborhood plans over

the rest of the General Plan. A plan for a district could not be created in a vacuum. Mr. Buki clarified that there may be development pressures that demand an answer even if there isn't an umbrella that guides it.

Mayor Williams felt that the City has always been reactive to development and needs to be more proactive in shaping how Park City grows.

Mr. Buki did not deny that the General Plan needed to be finished but the General Plan had many layers that was made up of different districts and those districts need different plans as agreed upon by Council and Commission. The question is whether the staff should pause on other items until those neighborhood plans were compiled. Council and Commission would have to deal with the consequences of that change in direction.

Council member Simpson laid out the current development pressures as Bonanza Park and Old town, which included the current temporary zoning ordinance that was enacted in July. Mr. Buki then raised the question as to whether the priority should be on the creation of neighborhood plans prior to or after the solution of Bonanza Park project and lot combination issues in Old Town.

Mayor Williams felt that the Bonanza Park project was of a higher priority than the Old Town discussion due to the fact that the magnitude of the Bonanza Park project was not unknown whereas the number of properties and scale of the issue is not yet known.

Council member Matsumoto felt the neighborhood plans area bigger issue than the discussion of lot combinations. She believed the larger issues should be addressed first, then the middle range issues (i.e. parking lots at Deer Valley and Park City Mountain Resort) and then smaller details further down. She did not feel the lot combination issue belonged in the big picture discussion of the General Plan. Mr. Buki added that Historic Character was ranked of high importance from the Visioning and is a trigger point for Community Character. Council member Matsumoto did feel the discussion on lot combinations was important and necessary but not necessarily should be done at this joint session. Planner Cattin said that staff is looking for clarification for the General Plan in regards to redevelopment in Old Town, three years ago Staff addressed the issue of density in Old Town but is now being asked to talk about mass and scale.

Commissioner Pettit felt the discussion should take place because the City has a commitment to Historic Preservation that makes the community unique. Her point was to move forward with policies and plan of neighborhoods to protect and enhance what the City currently has and make buildings more compatible through future development. Council member Kernan agreed that the issue of lot combinations is an important one because he's seen the impact of what lot combinations has had but did not feel that any change now would have any noticeable impact on future development for some time while there were already applications before them that could have large impacts now.

Mr. Buki reasoned that while the lot combination issue is specific to a certain part of the community the discussions and reasoning resulting from them can be used when creating plans for other parts of the community.

Council member Peek felt that the Land Management Code amendments made in 2009 along with the update to the Historic Guidelines have not had a chance to show results as there have not been many projects that have gone through the process. Council member Simpson agreed with him in that there has not been enough time to measure the result of the previous changes. She felt they might be more in front of the issue but need time in order to find that out.

Council member Butwinski felt the proposed ordinance went beyond the temporary zoning ordinance that Council had enacted. What is currently being proposed is revisiting things like height of the building, which was discussed two years ago. He was not aware at the time of the TZO would result in a pending ordinance of this magnitude.

Mr. Buki knew there was a contingency that wanted to table the issue of lot combinations tonight but he thought it necessary to stay in the weeds and get a resolution. City Manager Bakaly wanted clarification for Staff on what the tone for redevelopment in Old Town is.

A 5 minute break was taken.

Mayor Williams called the meeting back to order and opened the public hearing.

Kate Riggs with the Park City Board of Realtors said the Board of Realtors recently finished reviewing the second quarter market figures. The figures show that the market is still troublesome for real estate. She received many calls from members and private property owners and it was clear from the comments that there is an unanimous interest in upholding the character of Old Town but there is an obligation when discussing the lot combination issue to residents are taken into account. After hearing the discussion she offered a suggest to the body for the consideration to acknowledge that the Land Management Code changes of 2009 with the update to the Historic Guidelines have not yet been put to the test, with only one home having finished the process of being reviewed through the guidelines. She suggested repealing the TZO and allowing the current Code time to show results. If the Council would like to proceed she additionally suggested the formation of an advisory group from the community to give guidance the City Council on the proposed changes.

Joe Tesch a local attorney offered the opinion that the temporary zoning ordinance is a bad idea at the current time as the Code changes that took place in 2009 have not yet had time to produce results. He also raised an issue with the discussion of the TZO taking place at the joint work session. The pending ordinance was heard at Planning Commission on July 13 and the public hearing was kept open for more public comment on August 24. People may not be in attendance at the joint meeting that want to speak in regards to the matter and no decision should take place at this meeting. Most of the people at the Planning Commission meeting on July 13 were not developers, they were citizen owners that were opposed to the changes. He stressed he represented more individual owners than developers and the citizens felt imposed with a pending ordinance that they don't want. If the City keeps changing the Code every two years then people will not invest in Old Town. He felt there was currently a nice balance with the regulations today and that people are maintaining and are required to maintain their existing historic structures. He urged the Council to get rid of the temporary zoning ordinance.

Craig Elliott a local architect felt the discussion between the two bodies was excellent. Eighteen

years ago in the month of July his family had moved to Park City temporarily for nine months. He was encouraged to move here and eventually stated for the people and the community. He did not want to think of people losing that invitation to join the community because there was a cap on permanent residents. He wanted to continue to invite interesting and diverse people and to encourage second home owners to move here permanently. There was an opportunity for Park City to be more than a resort town and he hoped to have more discussion to help define what Park City wanted to become. Redevelopment was not just making it bigger but creating opportunities for higher value and quality. A couple of his clients now have projects on hold due to the proposed ordinance and his clients were scared as to what they can do with their property. He felt there was a perception that people were combining six lots and building big houses but the current Code does not allow that.

Judy McKie who was serving on the Historic Preservation Board spoke as an Old Town resident. She lived in Old Town with young kids and loved it. She could walk to anything and there were events such as silly market. Unfortunately she would not live in Old Town if the owner the house where she live did not have a yard. She noticed that most homes in Old Town do not have a yard. While her immediate neighbors were second home owners and rarely visited town she had been able to find and become party of a community with other people in the neighborhood. She felt that yard space appealed to families with kids but by allowing people to build out to take up the majority of the lot discouraged those families from investing in a permanent home.

John Phillips a 3rd generation parkite expressed his concern with the limitations that the proposed Code would have on homes in Old Town. He urged Council to think about the people that live inside the homes. Some of the ugliest houses in Old Town were built in the 1970s. Those houses will get uglier because people will let them deteriorate. People that come to visit him are in awe of Old Town, they drive by both big and small houses. If everything looked the same it would be boring. He felt the City should wait to test the Code that was put in place in 2009.

Michael Barille a ten year resident in old town addressed the board and was encouraged by having listened to the two bodies talking together. He felt that disagreement was a positive thing. He stressed that redevelopment is the most important issue. He echoed Kate Riggs' sentiments in that the Council and Commission needed to define framework and get to specific issues. He encouraged them to call on resources within the community. Start with the bigger picture and work into the small picture. He wanted to let different districts have different priorities and strategic plans. He hoped that the City did not fear to try things in some areas.

Tom Peek a resident of Park City stressed that Old Town had never looked better than it did. Very few historic homes were built on sing lots, almost all were built on more than one lot or over lot lines. And many existing structures in Old Town are not historic even though you may think they are.

Michael Barille added to his previous statement in regards to the current economic change and that over time the trends might continue to change. He stressed looking at redevelopment policies proactively and not being nervous that decisions made might be regretted years later.

Ruth Mensthma addressed the board to speak regarding the historic character of Old Town. She

admitted to being surprised by the TZO at first but now understands that Staff was simply being cautious that they might be seeing trends that previously yielded large homes. She was confused when reviewing the Land Management Code that in the historic districts the City Council wanted to encourage permanent residents but the Code allowed for night rentals which in fact encouraged purchasing homes as an investment by second home owners. The neighborhood in which she lived was the most beautiful, but it was not really a neighborhood as no homes around her had permanent residents. She has had to go out and find a community. She stressed tying the allowed and conditional uses to encourage permanent residents. In regards to Bonanza Park she posed the question as to whether a ten story building filled with full time residents would be better than a six story building of night rentals.

Hearing no more comment Mayor Williams closed the public hearing.

Mr. Buki was encouraged by the public comment and had taken from the; that different neighborhoods have to be treated differently, neighborhood plans had to occur, distinguishing physical issues and community issues, and get real clear policy direction in regards to the TZO.

The Council and Commission discussed, at length, the temporary zoning ordinance and the current pending ordinance.

Council members Simpson, Peek, and Kernan along with Commissioners Wintzer, Strachan, and Hontz wanted to keep the TZO in place but limit the discussion to the original intent to analyze the footprint of lot combinations only within the historic districts. Mayor Williams agreed that the pending ordinance got bigger than it was originally intended to be.

Council member Matsumoto agreed that the temporary zoning ordinance should stay in place and Staff should go forward with the analysis. She would prefer a broader scope of analysis to include not just lot combinations but the compatibilities with mass and scale. Commissioner Pettit felt the TZO should be kept as is and that further analysis should take place as there may be other ways to create compatibility other than through footprint.

Council member Butwinski wanted to repeal the TZO and stay under the current Code so that the Council could focus on other issues.

Commissioner Savage felt the temporary zoning ordinance was premature and that it should be removed and the current Code and guidelines should stay in place.

Council member Butwinski asked if they should be planning to put the repeal to a vote that night. City Attorney Harrington responded that no vote should be done as it is not on the agenda as an action item. Staff should take the direction given them tonight by Council and Commission as they go forward in the process. The Land Management Code Amendments were currently scheduled for Planning Commission on August 24.

It was agreed that the broader discussion should take place when creating the neighborhood plans for Old Town. A meeting for the neighborhood plans and General Plan discussions should be scheduled for August.

Joint Work Session Notes
July 21, 2011
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The work session adjourned at 10:05 PM.



City Council Staff Report

Subject: United States Post Office's Request to Use Cluster Mailboxes in Old Town - Discussion
Author: Matthew Cassel, P.E., City Engineer
Thomas Eddington, Planning Director
Department: Engineering
Date: September 1, 2011
Type of Item: Informational/Work Session

Summary Recommendations:

The United States Postal Service (USPS) is requesting the use of cluster mailboxes in sections of Park City including sections of Old Town and other neighborhoods. Staff would like to review this concept with Council and recommends denying the use of cluster mailboxes in any sections of Park City.

Topic/Description

The United States Postal Service has requested to utilize cluster mailboxes that would be strategically located throughout Park City including within or adjacent to the Old Town area. If City Council agrees to the use of cluster mailboxes, USPS will require those areas to have mail delivery and the residents would relinquish their post office boxes (which the post office currently provides at no cost given there is no delivery in Old Town and other areas). If City Council chooses to not allow the use of cluster mailboxes, USPS will start charging for the use of a post office box at the approximate rate of \$28 for six (6) months (or \$56/year) for those areas determined to be "deliverable."

Background

In August 2009, the USPS approached the City with a request to utilize cluster mailboxes in strategic locations near and within the Old Town area. The most current request is to locate a cluster mailbox at the bottom of Rossi Hill Drive approximately in front of the Bureau of Land Management (BLM) property.

The USPS currently provides delivery service north of Deer Valley Drive and in a few locations up in Empire Canyon and the Deer Valley area. Their ultimate goal is to provide delivery service to all areas of Park City except a section of Old Town bounded by Heber Avenue to the north, Marsac Drive to the east, the top of Daly Avenue to the south, and west to the resort lands.

Analysis

The USPS' position is that although the use of a delivery system using cluster mailboxes is not more efficient than post office boxes, because of the high number of second home owners, there are inefficiencies. When tourists/second home owners visit Park City for extended visits, they have a tendency to have their mail forwarded to their

temporary residency in Park City. Unfortunately, a large number of them provide their *home* address as their mailing address and not a post office box. The USPS spends a considerable amount of time returning mail (packages are processed in an attempt to find the owner) because they can't be delivered. The USPS believes the cluster mailboxes will reduce the amount of mail/packages that need extra handling since the cluster mailboxes will be associated with a particular address.

Spatial requirements for a typical cluster mailbox – a number of examples have been attached so Council can see what a cluster mailbox may look like:

- The typical cluster mailbox may have up to 16 mailboxes,
- A concrete base to support the cluster mailbox will be required,
- Sufficient width will be required for a car to pull off and away from the travel lanes,
- Because the cluster mailbox will, for the most part, be on the passenger side of the car, motorists will be required to exit their car when picking up mail,
- During snow months, snow from the road may be pushed and obstruct access. Residents will be required to maintain access to the cluster mailboxes,
- Purchasing of stamps, posting of large packages would require a visit to the post office and other post office business would still need to occur at one of the branches,
- It is anticipated that the majority of the cluster mailboxes will be located on streets labeled as minor collectors or less.

The USPS proposes to provide and install a basic cluster mailbox. The basic cluster mailbox will be no frills (e.g. very basic design, see Exhibit A with photos) and will not be provided with a cover to protect during winter months. The color will be a brown or gray. If Park City chooses to upgrade the cluster mailboxes, the full cost of the newly chosen cluster boxes will not be borne by the USPS.

If cluster mailboxes are not allowed, the USPS will start charging for the use of post office box at the approximate rate of \$28 per six (6) months (or \$56/year) for those areas determined to be “deliverable”. These “deliverable” areas would include all of Park City except the Old Town section described above in the background section. Approximately **XX** current post office box users would be affected by this fee.

The Post Office on Main Street

On July 30, 2009, the City sent the USPS a letter regarding the sale and level of service provided by the Main Street Post Office branch. Just recently, the USPS announced that they would be closing numerous branches and the Main Street Post Office branch is on that list of possible closings. There is concern that a decision either way on the use of cluster mailboxes may influence the decision to remain open, close or modify the level of service at the Main Street Post Office branch. Questions to be pondered by Council include:

- If the decision is to not allow cluster mailboxes, would this make it more difficult for the USPS to close the Main Street branch because there are limited alternatives? Additionally, if LMC regulations are the basis for the closure, will we be able to provide a kiosk or a set of “cluster” post office boxes in a Main Street location (e.g. part of a community plaza) to service Old Town?
- If the decision is to allow cluster mailboxes, would this make it easier to close the Main Street branch because of the perceived reduced use of the branch?
- If the decision is to allow cluster mailboxes but not allow the basic cluster mailboxes provided by USPS, Staff will determine the appropriate mailbox that fits Park City character, but Council will need to determine who pays for upgrade to the cluster mailboxes. Because the cluster mailboxes will be located in the right-of-way, Staff anticipates that the City would bear this cost.

Department Review

This report has been reviewed by Planning, Public Works, Sustainability, Legal and the City Manager’s office. All comments have been integrated into this report.

Alternatives

A. Approve the Request:

If the request for the cluster mailboxes is approved as proposed, USPS will install their first cluster mailbox this fall at the bottom of Rossi Hill Drive. If the request for the cluster mailboxes is approved but the style of the cluster is not approved, staff will work with USPS to determine the appropriate style, location and cost sharing.

B. Deny the Request:

If this request is denied, USPS will start charging residents for the use of a post office box at the approximate rate of \$28/6 months (\$56/year) for those areas determined to be “deliverable.” **This is staff’s recommendation.**

C. Continue the Item:

If the Council needs more information the item can be continued.

D. Do Nothing:

This option would not allow for resolution of this issue.

Significant Impacts

The allowance of cluster boxes in Park City (and specifically areas of Old Town) could create safety issues, specifically in the winter months; the placement of cluster boxes along many of the City’s rights-of-way could impede snow removal while creating traffic back-ups as drivers park and exit their car to collect mail. In addition, cluster boxes are more typically used in newer subdivisions; their aesthetic impact on the City’s National Historic District would be severe.

Not allowing cluster boxes will necessitate residents paying a fee for PO boxes; many of these PO boxes are currently provided free of charge.

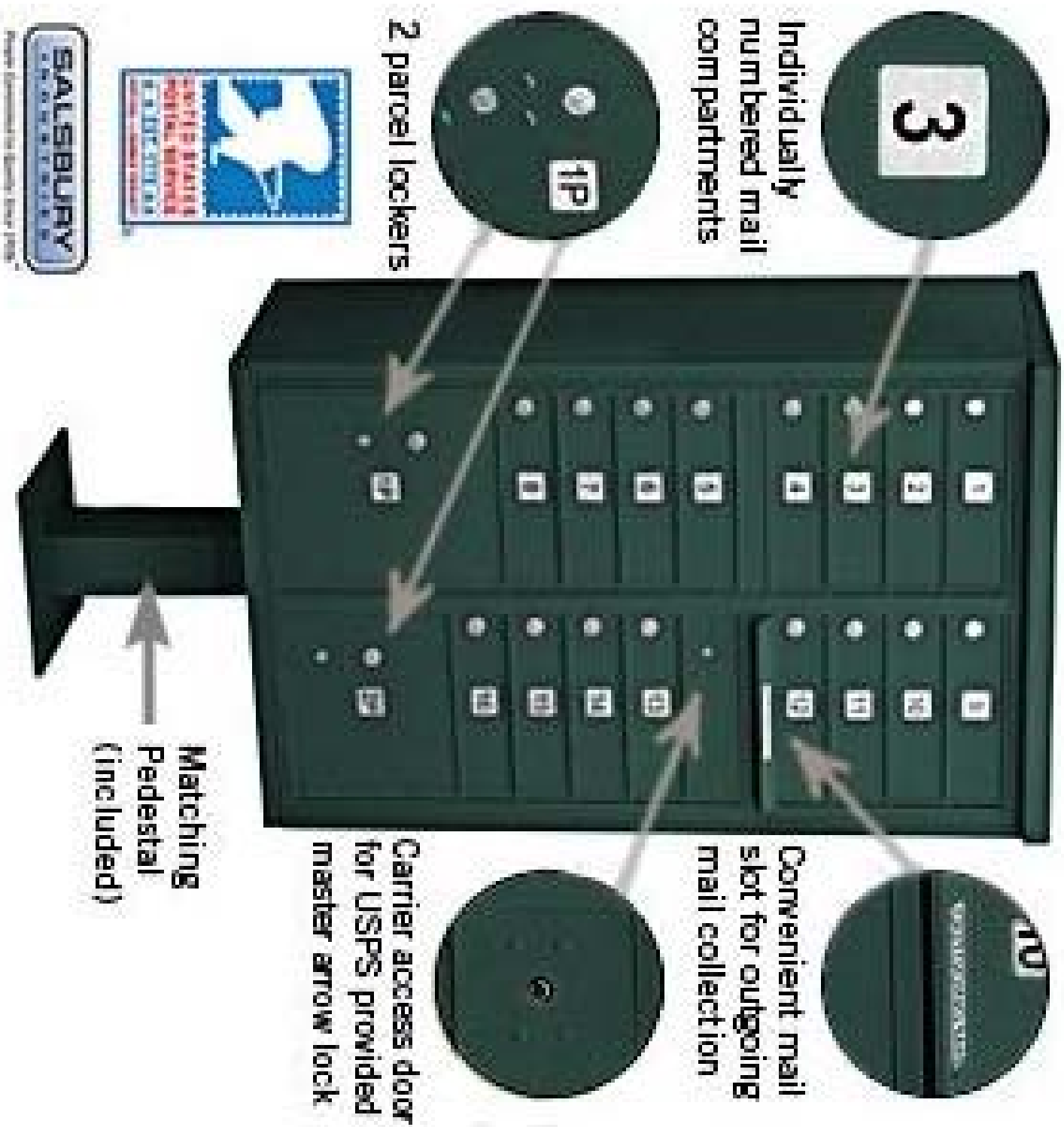
Recommendation

The United States Postal Service (USPS) is requesting the use of cluster mailboxes in sections of Park City including sections of Old Town and other neighborhoods. Staff would like to review this concept with Council and recommend denying the use of cluster mailboxes in section of Park City.

Exhibit A – Four Examples of Cluster Mailboxes











City Council Staff Report

Subject: Appointment of Liza Simpson as Mayor Pro Tem for an interim period
Author: Jan Scott
Department: Mayor's Office
Date: September 1, 2011
Type of Item: Administrative

Summary Recommendations:

Appoint Liza Simpson as Mayor Pro Tem for a term beginning September 7, 2011 and expiring September 12, 2011.

Topic/Description/Background:

In January 2011, City Council members appointed Joe Kernan as Mayor Pro Tem and Cindy Matsumoto as Alternate Mayor Pro Tem for one year terms. It has been the practice of the City to appoint an Alternate as added back-up so that the Mayor's duties are covered in the event of his absence.

The Mayor is participating on City Tour and Cindy and Joe have indicated that they also may not be available during this period of time.

Analysis:

Council member Simpson is willing to serve as Mayor Pro Tem and take over pending responsibilities on Dana's calendar and/or City business.

Department Review:

City Manager and City Attorney.

Alternatives:

Approve: This is staff's recommendation to ensure that the duties of the Mayor's Office are covered.

Deny: This is not recommended by staff as service to the public may be diminished.

Continue the Item: This is not an option as this is the last meeting before City Tour.

Do Nothing: This is not recommended by staff.

Recommendation: Appoint Liza Simpson as Mayor Pro Tem for a term beginning September 7, 2011 and expiring September 12, 2011.



City Council Staff Report

Subject: Resolution Proclaiming September, 2011 as National Preparedness Month in Park City
Author: Hugh Daniels, Emergency Program Manager
Department: Executive
Date: September 1, 2011
Type of Item: Administrative

Summary Recommendations:

Consider adopting a Resolution proclaiming September, 2011 as National Preparedness Month in Park City

Topic/Description:

The Congress and President of the United States have proclaimed September, 2011 as National Preparedness Month. Park City has begun and is continuing to develop a *Be Ready Park City* campaign that builds on the Federal Emergency Management Administration (FEMA) *Ready* campaign and the State of Utah's *Be Ready Utah* campaign to assist our citizens and businesses in preparing for natural disasters and human caused emergencies.

Park City Municipal Corporation is a Coalition Member for National Preparedness Month and continues to work with a diverse group of agencies and associations to better prepare our community.

During times of severe emergencies and disasters, basic city services will be overwhelmed. It is inherent that all citizens and businesses be prepared to care for themselves and their neighbors until additional help is available. We are asking all our citizens to make a plan and become better prepared in conjunction with this year's National Preparedness Month's theme "A Time to Remember, a Time to Prepare."

Department Review:

The City Manager and Legal Offices have reviewed the Resolution.

Recommendation:

Consider adopting a Resolution proclaiming September, 2011 as National Preparedness Month in Park City.



Resolution No.

**RESOLUTION PROCLAIMING SEPTEMBER, 2011 AS
NATIONAL PREPAREDNESS MONTH IN PARK CITY, UTAH**

WHEREAS, the Congress and President of the United States have designated September, 2011 as National Preparedness Month; and

WHEREAS, "National Preparedness Month" creates an important opportunity for every resident of Park City to prepare their homes, businesses and communities for any type of emergency including natural disasters and human caused emergencies; and

WHEREAS, investing in the preparedness of ourselves, our families, businesses and communities can reduce fatalities and economic devastation in our communities and in our nation; and

WHEREAS, the Federal Emergency Management Agency's *Ready* Campaign, the State of Utah's *Be Ready Utah* Campaign and Park City's *Be Ready Park City* Campaign along with other federal, state, local, tribal, territorial, private and volunteer agencies are working to increase public activities in preparing for emergencies and to educate individuals on how to take action; and

WHEREAS, emergency preparedness is the responsibility of every citizen of Park City and all citizens are urged to make preparedness a priority and work together, as a team, to ensure that individuals, families and community are prepared for disasters and emergencies of any type.

NOW, THEREFORE BE IT RESOLVED that the Mayor and City Council hereby proclaim September, 2011 as National Preparedness Month in Park City and encourages all citizens and businesses to develop their own emergency preparedness plan, prepare their own families and businesses and work together toward creating a more prepared society.

PASSED AND ADOPTED this 1st day of September, 2011.

PARK CITY MUNICIPAL CORPORATION

Mayor Dana Williams

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney

City Council Staff Report

Author: Linda Tillson, Library Director
Subject: Library Materials Security System Replacement
Date: September 1st, 2011
Type of Item: Administrative



RECREATION LIBRARY

Summary Recommendations:

Authorize the City Manager to enter into a professional service provider contract in the amount of \$55,691 with Techlogic, in a form approved by the City Attorney's Office, for replacement of the library's materials security system using existing funds approved by the City's Asset Replacement Committee.

Description:

Topic:

Library Materials Security System Replacement

Background:

The library's security system is 15-20 years old and cannot be replaced or repaired. The company is no longer in business and the technology has become obsolete. Only one side of the gates is currently functioning. The City's Asset Replacement Committee approved funds to replace the system in the amount of \$59,000 in May.

Analysis:

A request for proposals for an RFID System was issued and four firms submitted bids. A library committee evaluated the proposals based upon a list of criteria that was included in the RFP. Based upon the criteria, customer references and demonstrations of the systems, staff recommends selecting Techlogic. The main reasons for selecting Techlogic include; its compatibility with the library's current integrated library system, ease of use for patrons and staff, responsiveness and knowledge of the staff, and flexibility for customization of the user interface.

The system includes radio frequency technology (RFID) tags for each item which will set off a gate alarm if items are taken from the library without being checked out. The RFID tags will also allow for multiple check-outs of items in a stack eliminating the need to scan each barcode. Two staff stations and a self-checkout station are included along with the security gates, software, and security tags.

A table detailing pricing from vendors who submitted proposals is below.

	Tech Logic	3M	MK	Bibliotheca
50,000 book tags	\$9,000	\$10,000	\$9,500	\$10,500
cost per tag	\$0.18	\$0.20	\$0.19	\$0.21
8,000 media tags	\$5,520	\$5,920	\$5,520	\$5,920
cost per tag	\$0.69	\$0.74	\$0.69	\$0.74
2 antennas (pads)	\$2,800	\$3,790	\$2,450	\$2,480
1 self check (standalone)	\$5,855	\$9,475	\$5,900	\$12,266
credit card & cash payment	\$7,495	\$3,765	\$7,245	*\$4548.5
dual corridor security gates	\$10,395	\$12,385	\$8,800	\$11,100
software licenses (3 terminals)	\$6,000	\$0	included	\$2,376
installation and training	\$6,845	\$0	\$6,500	\$3,200
conversion station (2 months)	\$1,000	\$2,590	\$700	\$1,560
shipping	\$780	included	\$3,550	\$1,580
TOTAL:	\$55,691	\$47,925	\$50,166	\$50,983

* Bibliotheca also charges a per transaction and monthly fee for credit card transactions

A scope of services list from TechLogic is included as "Attachment A."

Department Review:

City Manager, Legal Department, Recreation Library Team, IT Department, and Public Works

Alternatives:

A. Approve the Request:

Approving the request will allow staff to move forward with installing the new security system which will also offer the upgrade of self-checkout for library users.

B. Deny the Request:

Denying the request will mean that the library's current partially functional security system will remain in place but cannot be repaired. Materials which are not checked out can be removed from the library on one side of the security gate without the knowledge of staff.

C. Continue the Item:

Replacing the security system will be delayed resulting in continued use of the partially functional system.

D. Do Nothing:

The City Manager will not be able to enter into a contract with the selected vendor to replace the security system.

Significant Impacts: Books, DVD's , audiobooks, etc. will have a higher loss rate without effective security. Materials which are not checked out can be removed from the library on one side of the security gate without the knowledge of staff.

Consequences of not taking the recommended action: The City Manager will not be able to enter into a contract with the selected vendor to replace the security system.

Recommendation: Authorize the City Manager to enter into a professional service provider contract with Techlogic, in a form approved by the City Attorney's Office, for replacement the library's materials security system using existing funds approved by the City's Asset Replacement Committee.

Attachment “A”

Scope of Services

- **RFID based security gates (Dual aisle)**
 - o The security gates come standard with item tracking. The gates will record the information on any item's RFID if it triggers the alarm
 - o The security gates come standard with people counting. The gates will count the number of people walking in/out of the library
- **RFID tags and conversion devices**
 - o 50,000 RFID square tags to convert all non-media items
 - o 8,000 RFID media tags to convert all compact disc items
 - o Two mobile conversion devices
- **One self-checkout station including**
 - o Kiosk desk
 - o Self-checkout software
 - o RFID reader/antenna
 - o Computer
 - o Patron card scanner
 - o Personal Payment System allowing patrons to pay fines down with cash and debit/credit
- **Two RFID based staff stations including:**
 - o Software
 - o RFID antenna/reader
- **Onsite installation and training**
 - o Certified Tech Logic technicians will come onsite to install, train and configure your self-checkout and staff stations.
 - o The security gates will be installed and configured by certified technicians
- **Ongoing Costs, Software Licenses:**
 - o A \$400.00 software renewal fee is due annually starting 12 months from the time of installation for each terminal that has our software loaded on it.
 - o An \$800.00 payment processing renewal fee is due annually starting 12 months from time of installation
- **Ongoing Costs, Hardware Warranty**
 - o All of the products, software, and services we sell come with an all-inclusive 12 month warranty from the time of installation. It is your choice whether to extend the warranty or not. You can extend the warranty on all, some, or none of the equipment. The warranty extension cost is 15% of each product's list price.

Joe Libman, Engineering Consultant



1818 Buerkle Road
White Bear Lake, MN 55110

Toll Free: 866-880-9981
Cell Phone: 612-232-5440



Quotation

8/8/2011

Confidential



Prepared For: Park City Municipal Corporation

8/8/2011

Quote Number 080811 SW 1

QTY	PN	Self Check-out System Products and Services	Individual Item Cost	Total Costs (USD)
Self Check-out Equipment				
1	45005959	Tech Logic ABS Single Antenna with Reader	\$1,400	\$1,400
1	25012513	Desk-Top Bar Code Scanner with Hands-Free Base	\$255	\$255
1	25012872	17" Touch Screen Monitor, Swivel-Base	\$725	\$725
1	25012265	Desktop PC Windows 7 Professional	\$775	\$775
1	45007207	PPS (Personal Payment System) US Currency	\$5,495	\$5,495
1	45007110	Desk, Flat Panel, Laminate	\$2,700	\$2,700
Staff Station Equipment				
2	45005959	Tech Logic ABS Single Antenna with Reader	\$1,400	\$2,800
Conversion Devices				
2	RUTAGIT	UtagIT Programmer (monthly rental)†	\$500	\$1,000
Factory Security Gates				
1	25013096-2	Dual Aisle Factory Gate with People Counter	\$10,395	\$10,395
Software				
3	28000002	CircIT Seat Licenses	\$2,000	\$6,000
1	28000010	Payment Processing License (server & unlimited clients)	\$2,000	\$2,000
RFID Tags				
50,000	25010021	Book tag White Label (Volume Purchase Discount \$250)	\$0.180	\$9,000.00
8,000	25010025	Stingray CD/DVD tags Single Coil	\$0.69	\$5,520.00
Installation and Training Costs				
	Total			\$6,845.00
Shipping				
1		Estimated††	\$780	\$780.00

Discounts

Prices contained in this quote are good for 90 days.

Total Costs \$55,690.00

Software Maintenance Agreements (First Year Warranty Included)

No. of seats	Annual Software License and Support are Required	Annual Cost
3	Annual support for CircIT software after year 1	\$1,200
1	Annual support for Payment Processing License after year 1	\$800

Optional Extended Hardware Maintenance Available (First Year Warranty Included)

Requires pre-payment of total number of years for discounted replacement warranties

		Realized savings of pre-paid maintenance		Total Savings
\$4,973	year 2		3 years	\$332
\$9,615	year 2-3		4 years	\$829
\$14,091	year 2-4	Maintenance agreements (from date of purchase)	5 years	\$1,492
\$18,401	year 2-5			

Payment Terms (exclusive of RFID tags):

The net amount of each invoice is due in full, within thirty (30) days of date of invoice. A payment of 50% of order due upon execution of order confirmation, 40% payment due net 30 at shipping, 10% payment due net 30 after installation completed. 1½% interest charged monthly on past due accounts.

† Subject to availability.

†† Shipping charges estimated based on all quoted products shipping at the same time F.O.B. originating facility. Multiple shipments result in increased charges.

Payment of all applicable duties and taxes are the responsibility of the purchasing entity.

Payment Terms, RFID tags:

The net amount of each invoice is due in full, within thirty (30) days of date of invoice.

Notes:

- 1) SIP or SIP2 is required and needs to be acquired. Please ensure that the SIP & ILS implementations are of the latest versions.
- 2) The SIP interface which integrates self check systems with ILS software is provided by the ILS vendor.
- 3) If the library is providing computers for CircIT self-check software, verify computers meet minimum specifications. Available in the CircIT datasheet.
- 4) On all Tag orders, final shipment and invoice quantities are subject to a 5% variance.



Web Links to Products and Services

Click any section title to take you to the web page

Self Check-out Equipment

Tech Logic redefines the concept of self-service, with features and station configurations that patrons can actually use. Our self-service model helps ensure that patrons use self check-out services.

Payment Systems

Tech Logic's Self Check-Out Personal Payment System enables patrons to pay fines and fees during check-out using a variety of payment methods.

Inventory Devices

See our CircTRAKrf Inventory Wand, a next generation, portable RFID reader that uses wireless technology to make scanning fast and convenient.

Media Devices

Tech Logic has created the Media Passport, for OneTime and KwikCase media cases. The Media Passport confirms that the correct item is checked out before unlocking the case.

Conversion Devices

Featuring the UTagIT Programmer, a portable, compact solution for libraries, for on-demand RFID tagging needs, and the EZ Tag System, with one-step printing and programming.

Tech Logic Wooden Security Gates

Tech Logic combines artisan quality workmanship with state-of-the-art digital technology. These security gates are built by master craftsmen with a timeless look that compliments your library's style.

Custom Factory Security Gates

These gates are available with several colors and decorative materials, including wood and metal options, ensuring the perfect match with library environments and architecture.

Software

CircIT: the most powerful, flexible, and feature-rich library self checkout system available. CircIT provides unlimited HTML-based customization features, reporting, receipts, screens, and work flows.

Watch it Work!

See more than 25 videos on Tech Logic products in action!

Tech Flix!

Watch more real-world library videos from Tech Logic clients.

Press Room

Read the latest news about Tech Logic innovations and products

Request More Information

Fill out a short form and receive more information on Tech Logic's RFID Solutions.



City Council Staff Report

Author: Roger McClain, Water Project Manager
Subject: INTAKE AND SPLITTER STRUCTURES, AND NORTH DITCH
REHABILITATION
CONSTRUCTION CONTRACT
Date: September 1, 2011
Type of Item: Administrative PUBLIC WORKS

Summary Recommendations:

Staff recommends Council authorize the City Manager to execute a Construction Agreement, consistent with Park City Municipal Corporation's standard contract/agreement and in a form approved by the City Attorney, with Counterpoint Construction, Inc., for the construction of the Intake and Splitter Structures, and North Ditch Rehabilitation for a lump sum amount of \$269,208.00

Description:

The Water Strategic Plan outlines major objectives and associated strategies/policies in areas of water rights, leases and agreements, source, financial stability, water quality, infrastructure, water conservation, and customer service/outreach. This project is consistent with the Park City Municipal Water Strategic Plan under the following: Topic: Infrastructure, Strategy/Policy: Implement Capital Facilities Plan.

Topic:

Spiro ditches improvements and rehabilitation from the Spiro Tunnel outlet to McLeod Creek. The improvements include installation of an intake structure on the North Ditch, replacement of the splitter structure at the divergence of the East and North Ditches, and ditch capacity rehabilitation work within the North Ditch from the splitter structure to Three Kings Drive.

Background:

Historically, the PC Water Department has utilized the Spiro East Ditch and Spiro North Ditch to convey water from the Spiro Tunnel and Thiriot Springs to McLeod Creek with the majority of water being delivered through the Spiro East Ditch. Subsequently, water has flowed to the Mount Aire splitter structure which allows water to flow to Holiday Ranchettes, the Park Meadows Golf Course (PMGC), and the Silver Creek drainage via the Bates Snyder Dorrity Ditch.

Flow splits within the Spiro East Ditch and Spiro North Ditch system are currently controlled by Water Department staff through manually operated splitter structures outside of the Spiro Tunnel portal. Control gate adjustments are made to address the seasonal usage by the Spiro Water Treatment Plant, the Park City Municipal Golf

Course irrigation system, Park City Mountain Resort snowmaking, and to maintain flow in the downstream ditches. The State Engineer controls the Mount Aire splitter which diverts water from McLeod Creek to the Bates Snyder Dorrity Ditch and consequently the PMGC and the Silver Creek drainage. PCMC currently has irrigation water delivery obligations to the PMGC of 500 AF annually pursuant to the terms of a 1980 agreement whereby Park City acquired a water right that allows Park City to divert water from the Park Meadows and Divide wells. Park City is also a party to a 1984 Stipulated Decree (other parties are Nadine Gillmor, Florence Gillmor's estate, and Greg Erickson). The decree requires Park City to deliver 5 cfs for 39.5 hours out of every seven days. Nadine Gillmor is suing the City for interfering with her rights under the 1984 Stipulated Decree. It is unknown how much and where she may have been using water from the ditch.

In the spring of 2009, Council authorized Staff to incorporate into the Water CIP planning process improvements on the Spiro North Ditch and culverts (Figure 2) and construction of a new pipeline from SR224 to PMGC (Figure 3). In 2010 the new water delivery pipeline from SR224 to PMGC was constructed in conjunction with the *PCMC Holiday Ranch Loop Pathway and Irrigation Pipeline Project*. The pipeline is currently extended under McLeod Creek and the addition of the proposed intake structure enables the pipe to accept Spiro North Ditch flows.

Once the improvements are complete, the water operations will direct the majority of the Spiro Tunnel water that the City has the ability to divert under its water rights to the new pipeline and McLeod Creek via the Spiro North Ditch. Ditch flow rates will be controlled by the new control gate (splitter) structure located at the confluence of the Spiro East and North Ditches. To meet Park City's PMGC and Silver Creek water obligations, Spiro North Ditch flows will be diverted into the Holiday Ranch Loop Rd. delivery pipeline via a new automated diversion structure located on the Spiro North Ditch immediately upstream of where it currently discharges into McLeod Creek.

Proposed operational modifications will result in the following:

- Park City will have greater control over the diversion of water to the PMGC and downstream to meet its water delivery obligations.
- Water to PMGC and downstream users will no longer be conveyed through the Bates Snyder Dorrity Ditch.
- The State Engineer will continue to control the Mount Aire diversion structure to divert McLeod Creek water to the Bates Snyder Dorrity Ditch.
- Improvements in the North ditch to meet conveyance capacities could impact some adjacent residences (experience greater ditch flows during high tunnel flow or operational demand periods).

Proposed Construction:

The Intake and Splitter Structures, and North Ditch Rehabilitation consist of three components located along the Spiro North Ditch (see attached map).

The Intake Structure will be constructed at the confluence of the Spiro North Ditch and McLeod Creek on the south side of Holiday Ranch Loop Road and the west side of McLeod Creek. The structure will be constructed on the North Ditch immediately upstream of where the ditch currently discharges into McLeod Creek and will consist of an at-grade concrete intake structure with a remotely controlled, automated canal gate, grating, flow measurement weirs, channel reconstruction around the structure, revegetation, and landscape restoration.

The Splitter Structure improvement will replace the existing deteriorated structure located at the divergence of the Spiro North and East Ditches on the east side of Three Kings Drive near the Spiro Water Treatment Plant. The structure will consist of an at-grade concrete flow control structure with two manually operated canal gates, grating, channel reconstruction around the structure, and landscape restoration.

Rehabilitation of the Spiro North Ditch will extend from the Splitter Structure near the Spiro Water Treatment Plant to the intersection of Three Kings Drive and Thaynes Canyon Drive (approximately 800 linear feet). The work will consist of reconstructing the existing ditch to provide a constant grade and cross-section through this segment thus restoring the ditch to provide a low-flow channel and a high-flow channel within the ditch section with a minimum ditch capacity of 10 cfs (4,500 gpm). A cobble channel liner and rip-rap will be included at specific locations to prevent erosion. Organic material will be removed and disposed of off-site and excavated materials will be reintroduced on-site and managed as fill material at specified on-site locations. Disturbed areas and ditch banks will be stabilized and re-vegetated. Access to the work will be via the top of the Golf Course driving range and will be coordinated with the Golf Course operations.

Additionally, to restore ditch capacity a short segment of the Spiro North Ditch along Three Kings Court, in the area adjacent to the tennis courts south of Webster Drive will be cleared of growth and sediment to the original ditch design cross-section and the height of an existing restrictive stone weir reduced.

All improvements and rehabilitation work will be located within Park City Municipal Corporation properties, public right-of-way, or existing public utility and drainage easements.

A permit from the State Engineer/Army Corps of Engineers has been obtained for construction of the Intake Structure. The Contractor is required to maintain a minimum flow rate of water in the ditch during construction and prevent siltation of the downstream ditch sections.

The project is scheduled to be completed within 60 days of the issuance of the Notice to Proceed (completion by approximately November 4, 2011).

Analysis:

The Intake and Splitter Structures, and North Ditch Rehabilitation construction project was advertised in the Park Record on July 23 and 27, 2011, and on the Park City Website beginning July 23, 2011. A non-mandatory pre-bid meeting was held and on August 2, 2011. Three bids were received and opened on August 9, 2011. The following summarizes the bids:

Contractor	Total Bid (Schedules A, B, & C)	Total Bid (Schedules A, B, & C) excluding Item A12
<i>Engineer's Estimate</i>	<i>\$301,000</i>	<i>\$276,000</i>
SCI, Inc.	\$312,889	\$276,989
Counterpoint Construction	\$311,948	\$269,208
Nelson Bros. Construction	\$625,947	\$549,347

Counterpoint Construction, Inc. is the lowest responsive bidder based on the inclusion of Bid Schedules A, B, & C. Qualifications and Bid Documents were verified by our Engineer, Bowen Collins & Associates Engineering (BCA's Contractor recommendation letter is attached) and Staff. Staff therefore recommends Counterpoint Construction, Inc., as the successful Bidder.

Subsequent to the receipt of Bids and determination of lowest responsive bidder, Park City Staff determined, in the best interests of the City, to exclude Bid Item A12 from the contract. Bid Item A12 required the installation of an overflow pipe with inlet and outlet structures between golf course ponds on the Spiro East Ditch. The pipe was intended to prevent localized flooding across the golf course, from pond to pond, during high seasonal flows. Therefore, Bid Item A12 has not been included in recommended contract price.

The City's Project Manager, Roger McClain, will be working under the guidance of the Water Engineer.

Department Review:

This report has been reviewed by representatives of Public Works, Legal, and the City Manager's Office and their comments have been integrated into this report.

Alternatives:**A. Approve the Request:**

Council could accept the Bid and authorize the City Manager to execute a Construction Agreement, consistent with Park City Municipal Corporation's standard contract/agreement and in a form approved by the City Attorney, with Counterpoint Construction, Inc., for the construction of the Intake and Splitter Structures, and North Ditch Rehabilitation in the amount of \$269,208.00.

B. Deny the Request:

Council could deny Staff's request. Denying the request would delay the intake structure and the use of the pipeline installed during the summer of 2010, and would delay rehabilitation work and result in potential spring flooding in areas of the Park City golf course.

C. Continue the Item:

Council could continue the request. Continuing the request and not awarding the Contract within 60 days of Bid Opening (October 17, 2011) may require staff to re-bid the project or negotiate with Counterpoint Construction, Inc., with expected material price increases for next year's construction season. The City would incur consultant fees for re-bidding the project. Continuing the request would also result in a delay of the intake structure and the use of the pipeline installed during the summer of 2010, and would delay rehabilitation work and result in potential spring flooding in areas of the Park City golf course.

D. Do Nothing:

Staff does not recommend this alternative. Doing nothing would delay the intake structure and the use of the pipeline installed during the summer of 2010, and would delay rehabilitation work and result in potential spring flooding in areas of the Park City golf course.

Significant Impacts:

The costs associated with this project are approved in the FY2012 CIP budget.

The installation of the intake structure and rehabilitation work is critical to the operation of the water conveyance system and the delivery of water to meet existing contractual obligations.

Recommendation:

Staff requests and recommends Council accept the Bid submitted by Counterpoint Construction, Inc., and authorize the City Manager to execute a Construction Agreement, consistent with Park City Municipal Corporation's standard contract/agreement and in a form approved by the City Attorney, with Counterpoint Construction, Inc., for the construction of the Intake and Splitter Structures, and North Ditch Rehabilitation in the amount of \$269,208.00.

Exhibits:

Exhibit A – Engineer's Contractor Recommendation Letter

Exhibit B – Scope of Work

Exhibit C – Intake and Splitter Structures, and North Ditch Rehabilitation Bid Abstract

Exhibit D – Intake and Splitter Structure Display

Exhibit A – Engineer's Contractor Recommendation Letter



154 East 14000 South
Draper, Utah 84020

Tel: (801) 495-2224
Fax: (801) 495-2225

August 10, 2011

Roger McClain, P.E.
Water Project Manager
Park City Municipal Corporation
P.O. Box 1480
Park City, Utah 84060

Project: Intake and Splitter Structures, and North Ditch Rehabilitation Project

Subject: Review of Bids

Dear Roger:

Bids for the Intake and Splitter Structures, and North Ditch Rehabilitation Project were received at the office of Park City Public Works on Tuesday, August 9, 2011 at 2:00 PM. Three contractors furnished bids for consideration and we have reviewed the bids. Refer to the attached Bid Opening Summary & Checklist, and Bid Tabulation for related information.

The bid contained three bid schedules. Bid Schedule A was for the structures and related work. Bid Schedule B was for the North Ditch Rehabilitation, and Bid Schedule C was for alternative items for hauling of materials associated with Bid Schedule B. Addendum #2 to the project clarified that Bid Schedule C was for "as needed" items and may not be included in the total bid price considered by the City at their discretion. Considering only the total of Bid Schedules A and B, the bids ranged from \$299,689.00 to \$616,917.00. The apparent low bidder with this total was SCI, Inc. Counterpoint Construction was second low bidder at \$306,474.00.

We reviewed the data submitted by the low bidder, SCI, Inc. and the second low bidder, Counterpoint Construction Co., and have prepared the attached tables containing a summary of information obtained from calling each reference listed in their bid submittals. Of those references that were contacted, the general opinion was that SCI Inc did great work and they would be glad to use them again on other projects. For Counterpoint, the overall opinion was that they did good work and took pride in what they did.

The criteria for evaluating the bids for construction of the Intake and Splitter Structures, and North Ditch Rehabilitation Project were published in the bid documents Section 00100 – Instructions to Bidders. The criteria are summarized below.

1. A bid bond of 5% of the bid amount is furnished
2. Active Utah Contractor's License, in good standing, with appropriate classification
3. The firm and the project superintendent shall have satisfactorily completed at least three similar projects within the last five years
4. The project superintendent shall be dedicated to this project with no substitutions without written approval by the OWNER.

EXHIBIT B

DESCRIPTION AND SITE OF WORK: For the project known as the INTAKE AND SPLITTER STRUCTURES, AND NORTH DITCH REHABILITATION (hereinafter "Project"), the Work consists of the furnishing and installing of all materials required to construct the Intake and Splitter Structures, complete, including but not limited to concrete work and appurtenances, gates, grates, electrical, site grading, channel improvements around the structures, re-vegetation, and landscape restoration. The intake structure work is located on Holiday Ranch Loop Road near McLeod Creek and the splitter structure is located on Three Kings Drive near Spiro Tunnel Road. In addition, the Work includes rehabilitation of 837 linear feet of the North Ditch from the intersection of Thaynes Canyon Drive and Three Kings Drive to the existing North Ditch flume structure located adjacent to the splitter structure. Also included is some additional channel rehabilitation on the North Ditch in two locations in Park City, Utah, as indicated on the Drawings.

Exhibit C – Intake and Splitter Structures, and North Ditch Rehabilitation Bid Abstract

BID TABULATION

PARK CITY MUNICIPAL CORPORATION
INTAKE AND SPLITTER STRUCTURES, AND NORTH DITCH REHABILITATION
Bids Opened at 2:00 pm on August 9, 2011

				1 SCI Inc		2 Counterpoint Construction		3 Nelson Brothers Const.	
Item No.	Classification of Unit Price Work	Qty	Unit	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
Bid Schedule A									
A1	Traffic Control	1	LS	\$11,100.00	\$11,100.00	\$6,215.00	\$6,215.00	\$13,800.00	\$13,800.00
A2	Mobilization / Demobilization	1	LS	\$13,100.00	\$13,100.00	\$15,011.00	\$15,011.00	\$16,600.00	\$16,600.00
A3	Construction Surveying	1	LS	\$3,000.00	\$3,000.00	\$7,998.00	\$7,998.00	\$2,940.00	\$2,940.00
A4	Intake Structure, Complete	1	LS	\$54,900.00	\$54,900.00	\$71,687.00	\$71,687.00	\$103,270.00	\$103,270.00
A5	Rip Rap at Intake Structure	5	CY	\$850.00	\$4,250.00	\$245.00	\$1,225.00	\$253.00	\$1,265.00
A6	Landscape Restoration and Irrigation at the Intake Structure	1	LS	\$12,000.00	\$12,000.00	\$11,743.00	\$11,743.00	\$45,860.00	\$45,860.00
A7	Bypass Pumping at Intake Structure	1	LS	\$20,000.00	\$20,000.00	\$35,056.00	\$35,056.00	\$33,780.00	\$33,780.00
A8	Electrical Work at Intake Structure	1	LS	\$33,000.00	\$33,000.00	\$30,266.00	\$30,266.00	\$29,950.00	\$29,950.00
A9	Splitter Structure, Complete	1	LS	\$25,750.00	\$25,750.00	\$25,996.00	\$25,996.00	\$37,780.00	\$37,780.00
A10	Electrical Conduit at Splitter Structure	1	LS	\$2,500.00	\$2,500.00	\$1,793.00	\$1,793.00	\$1,730.00	\$1,730.00
A11	Bypass Pumping at the Splitter Structure	1	LS	\$7,100.00	\$7,100.00	\$7,078.00	\$7,078.00	\$39,400.00	\$39,400.00
A12	Golf Course Pond Culvert and Structures, Complete	1	LS	\$35,900.00	\$35,900.00	\$42,740.00	\$42,740.00	\$76,600.00	\$76,600.00
Total Bid Schedule A					\$222,600.00		\$256,808.00		\$402,975.00
Bid Schedule B									
B1	Clearing	1	LS	\$12,800.00	\$12,800.00	\$7,851.00	\$7,851.00	\$14,290.00	\$14,290.00
B2	Re-Habilitate Channel	997	LF	\$37.00	\$36,889.00	\$29.00	\$28,913.00	\$86.00	\$85,742.00
B3	Rip Rap Channel	100	LF	\$120.00	\$12,000.00	\$69.72	\$6,972.00	\$270.00	\$27,000.00
B4	Rebuild Culvert Inlets	2	EA	\$1,800.00	\$3,600.00	\$214.00	\$428.00	\$1,930.00	\$3,860.00
B5	Erosion Control and Revegetation	2500	SF	\$4.00	\$10,000.00	\$1.98	\$4,950.00	\$17.50	\$43,750.00
B6	Grass Sod	300	SF	\$6.00	\$1,800.00	\$1.84	\$552.00	\$131.00	\$39,300.00
Total Bid Schedule B					\$77,089.00		\$49,666.00		\$213,942.00
Bid Schedule C									
C1	Clearing	100	CY	\$61.00	\$6,100.00	\$10.93	\$1,093.00	\$43.30	\$4,330.00
C2	Re-Habilitate Channel	100	CY	\$71.00	\$7,100.00	\$43.81	\$4,381.00	\$47.00	\$4,700.00
Total Bid Schedule C					\$13,200.00		\$5,474.00		\$9,030.00
Total Bid Schedules A & B					\$299,689.00		\$306,474.00		\$616,917.00
Total Bid Schedules A, B and C					\$312,889.00		\$311,948.00		\$625,947.00



City Council Staff Report

Author: Sharon Bauman, Deputy City Recorder
Department: Executive
Date: September 1, 2011
Title: Legislative Consulting Agreement with James C. Barker PC
Type of Item: Administrative – Consulting Services Agreement

Summary Recommendations:

Staff recommends that City Council authorize the City Manager to enter into a service provider contract in a form approved by the City Attorney's Office for a base amount of \$89,000 (\$84,000, plus a \$5,000 annual expense retainer). Additional hours, over 30 per month, are subject to prior approval by the City Manager and will bill at the rate of \$295.00 per hour. The term of the contract is for one year with four additional automatically renewable one-year terms. The base amount will be increased by 2% in subsequent renewals to reflect cost of living increases.

Topic/Description:

Consulting services relating to federal legislation relating to water resources and waste water resources, housing and transportation resources, and development of relationships in Washington DC which are beneficial to Park City's interests.

Background:

Given the complexities of the federal processes and the frequent necessity to communicate Park City's interests with members of Congress and the federal administration, Staff believes our interests in Washington continue to need hands-on management. The City has been contracting for the services of a consulting for federal funding since 2001. During that time, the City has secured approximately \$30,000,000 in federal funding, acquired the federally owned Gambel Oak and White Acre parcels and favorably resolved the Air Force Hotel project.

Analysis:

Through a formal Request for Proposal process, the City noticed the public through the Park Record and the Salt Lake Tribune, as well as on the City's website. Qualification requirements stated in the RFP were: profile of consultant or consulting firm, proposer's qualifications, and proposer's fees. They were required to provide a list of clients, describe how the firm can represent clients with potential competing interests, demonstrate necessary knowledge and expertise, and demonstrate past performance and capability with references.

Proposals were received from three firms and a selection committee selected James C. Barker, P.C. based on his fees, well-rounded experience in the federal arena, and his location in Washington, D.C. which allows the hands-on services that the City requires. The other firms were Van Scoyoc Associates, Inc. based in Washington D.C. who proposed \$98,000 plus travel, and Aspen Engineering Group, a Utah-based company

who proposed a base of \$41,400, plus miscellaneous expenses and travel expenses from Utah to and from Washington D.C. Based on experience and knowledge, past performance, and cost, a staff review team consisting of Diane Foster, Kent Cashel and Sharon Bauman recommends James C. Barker, PC.

The Scope of Services outlined in the Professional Services Agreement includes, but is not limited to: development of a comprehensive legislative and/or administrative strategies to obtain federal authorizations and federal appropriations; preparation of draft legislation, report language and/or Congressional testimony as required; coordination and implementation of legislative actions; and representation of Park City in meetings with federal officials.

Department Review: The staff report has been reviewed by the City Manager's Office and the Legal Department.

Alternatives:

- A. Approve:** Staff requests that Council authorize the City Manager to enter into a Professional Services Agreement with James C. Barker, P.C., in a form approved by the City Attorney
- B. Deny:** Council could deny the request and ask Staff to perform another selection process.
- C. Modify:** Council could provide direction to Staff to modify the Agreement.
- D. Continue the Item:** Council could continue the item for further discussion.
- E. Do Nothing:** The current Professional Services Agreement with James C. Barker, P.C., will expire and the City will not have representation in Washington.

Significant Impacts:

The costs of James C. Barker, P.C. services are estimated to be \$89,000.00 annually. There are sufficient funds in the City Manager's Consulting budget, Water Fund and Transportation Fund for this project.

Consequences of not taking the recommended action:

This is hard to assess as we may or may not receive federal funding with or without the help of James C. Barker, P.C. or any other consultant. However, in the past we have found having a consultant has been instrumental in obtaining federal funding.

Recommendation:

Staff recommends that City Council authorize the City Manager to enter into a service provider contract in a form approved by the City Attorney's Office for a base amount of \$89,000 (\$84,000, plus a \$5,000 annual expense retainer). Additional hours, over 30 per month, are subject to prior approval by the City Manager and will bill at the rate of \$295.00 per hour. The term of the contract is for one year with four additional automatically renewable one-year terms. The base amount will be increased by 2% in subsequent renewals to reflect cost of living increases.