PARK CITY

1884

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH,
JULY 25, 2013

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, July 25, 2013.

Work Session

3:40 p.m.	Council questions and comments and Manager's Report	Pg. 5
4:00 p.m.	Library Project Update	Pg. 6
4:30 p.m.	Public Art Advisory Board Interviews	

Closed Session

5:40 p.m.	Personnel
5:50 p.m.	Break

Regular Meeting
6:00 p.m.

I ROLL CALL

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF
Courchevel Student Exchange Presentation

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

IV MINUTES OF MEETING OF JUNE 20, 2013

V NEW BUSINESS

1. Consideration of a Resolution supporting the use of reusable bags in Park City and setting forth steps to decrease the consumption and waste associated with disposable bags Pg. 41

2.. Consideration to authorize the City Manager to execute a Professional Services agreement not to exceed $182,000 for Millcreek Consulting and Development in a form approved by the City Attorney Pg. 46

VI 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 435-615-5186 at least 24 hour s 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: 07/22/13
See: www.parkcity.org

TENTATIVE MASTER CALENDAR

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

July 2013

25 **See Packet**

30 Joint City / County Council Meeting – PR

August

1 Utility Easement Agreement - 425 Gillmor Way- new b., Sayre
“Wasatch Summit” Interlocal Agreement – work and new b. – JC/KC
Resolution adopting amended ADA Para-transit Policies and Procedures – new b., KC
PAAB Appointments SCB
305 Park Avenue Plat Amendment
Public Art Recommendation – SCB
Proposed Soil Ordinance – JC, JB

8 Convention license ordinance amendments and pre-licensing – work, Jason
Sundance 8th or 15th (?)
Municipal Carbon Footprint – Tyler
Green Park REPC extension - Jason

15 Affordable Housing Study Session - 75min – Rhoda
Senior Issues Strategic Plan – work, Rhoda
Recreation Master Plan (presentation by Landmark Consulting) – work, Ken F 45min
Echo Spur Dev. Replat Amendment (Lots 17, 18, 19) –

22 **No Meeting**
29 **No Meeting**

September

5
12 Ordinance approving 496 McHenry Subdivision Replat

18-22 **No Meeting – City Tour**
26 Ordinance accepting the public improvements for the Echo Spur Subdivision
Ordinance renaming the section of McHenry Avenue extending from Rossi Hill Drive north to the name of *Echo Spur Drive. Park City, Utah* – old b.

October
3
10 **No Meeting**
17
24 Special Service Contract Criteria and Extraordinary Grant Criteria

31 **No Business**

November
7
14
21
28 **No Meeting – Thanksgiving**

December
5
12
19 Acceptance of the audit – Lori C.

26 **No Meeting**

January
2
9 Swearing in Mayor – Council Members

16 **No Meeting – Sundance**
23
30

Pending Items:
Canvass for Primary and for General Elections
Construction contract for 10th and 11th Streets
Special Event overhaul
Regional recreation strategic plan
Ice Operations – study
Water leak adjustment policy – work
Latino Community outreach and engagement – study
Meeting Management Software – new b., JG, JM, PA
Gamble Oak Easements
Risner Ridge - HD
Rocky Mountain Power expansion

To: Honorable Mayor/Members of City Council

From: City Manager's Office

MANAGER'S REPORT July 25, 2013

City Park Tennis Court Usage - Submitted by: Ken Fisher & Michael O'Keefe

In an effort to maintain the highest level of service possible during the reconstruction of the seven outdoor tennis courts at the PC MARC, the Tennis Department is planning on scheduling the three newly constructed tennis courts in City Park for programs.

Staff anticipates utilizing the City Park courts for adult clinics and lessons Monday through Friday from 9 a.m. to 6 p.m. from the beginning of August through this fall. The Staff wants to leave the courts available to the public from 6 to 10 p.m. and all day on the weekends, when public play demand and the need for court availability is expected to be highest. The indoor courts at the PC MARC will be used primarily for league play, youth clinics and scheduled open play when available.

Staff will be informing the public of this by posting signage at City Park that will outline the scheduled use as well as giving them directions to the four public courts at Trailside Park, the two at Willow Creek Park as well as the number of the front desk at the PC MARC so they can reserve courts. Staff will also place public service announcements on KPCW and sports briefs in the Park Record.

While the shortage of courts will impact the availability of tennis courts for players looking to play and those wanting a private lesson, staff is confident they can maintain programming as planned.

Redevelopment Agency
Staff Report

Subject: **Library Renovation Temporary Level of Service**
Author: **Jasmina Jusic, Interim Library Director**
Jonathan Weidenhamer, Economic Development Manager
Department: **Sustainability**
Date: **July 25, 2013**
Type of Item: **Administrative**

Summary Recommendations:
City Council should direct staff on whether to pursue options for rentable space or whether to find the best possible alternative to provide some level of service within existing City-owned facilities.

The Library Board and Staff recommend relocating to a large private space allowing for the highest possible temporary level of service; provided incremental budget can be added to the project budget. However, if this option is not available, library staff recommends moving to Miner's (with the additional city owned facilities) rather than remaining in the building during renovation.

The Economic Development and Capital Budget Manager recommend relocating to the Miner's Hospital and other City-owned facilities proximate to the Library, acknowledging the temporary significantly reduced level of service.

If Council pursues the move to Miner's Hospital the ED Manager and Library Staff seek the estimated $50,000 cost be added to the overall project budget from the Lower Park Avenue RDA, while the Capital Budget Manager recommends that cost come from the existing budget.

Topic
The library is slated for renovation with construction anticipated from February 2014 through February 2015. Staff seeks direction from Council for their desired level of service (LOS) during the construction. Four options will be discussed: 1) Relocation to Miner's Hospital and other City-owned facilities in the LPA RDA; 2) Stay on site through a phased approach; 3) Relocation to a small off-site rental space; or 4) Relocation to a large off-site rental space.

Background
On March 28, 2013 the City Council directed staff to pursue a renovation and expansion to the Library that included expanding into the entire first and second floors for library use, as well as a renovation of the 3rd floor that allows for flexible community space

including a temporary senior center and permanent relocation of the Park City Cooperative Preschool. The approved overall project budget was $5.6 M.

We are currently in concept design including exterior architecture and interior floor planning. Required steps will include Subdivision and Master Planned Development applications through the Planning Commission and City Council. Our next update to council will be on architecture and land use (3rd floor tenants and uses, overall library program and floor plans, green elements, and juxtaposition of the café and green space and use of the patio area and green spaces north of the new addition). Also included will be further refined overview of the temporary level of service within the directed space.

Analysis

<u>Temporary LOS-</u>

The matrix and analysis describes 4 options for temporary LOS:

Library Temp LOS Options Matrix

	Current	Option 1	Option 2	Option 3	Option 4
Where	**Library Building**	**City Owned In LPA RDA (Miners & Little Green House & Rec Bldg.)**	**On Site**	**Off-Site Private Owned (approx. 4,000 sf)**	**Off-Site Private Owned (approx. 8,000)**
Description	Information for how library currently operates.	Library occupies most of current space for 3 months. Then moves out to multiple spaces for 9 months.	3 floors of library	Rental of private space - Approx. 1/4 sf of current library (4,000 sf).	Rental of private space - Approx. 1/2 sf of current library (8,000).
Total square footage	16,000	3400 - Miners 2800 - Rec 800 green house 7000 (intermittant access)*	9,915	4,000	8,000
# sf available to public	16,000	7000 (intermittant)	Ph I 4,223	4000	7,000
			Ph II - 6173		
ADA sf available	16,000	4283 (intermittant)	4,223 - 6,173	4000	7,000
Estimated Programming					
Children	100%	50%	50%	50%	80%
Teen	100%	10%	20%	10%	15%
Adult	100%	10%	40%	10%	30%
Spanish / Outreach	100%	50%	80%	50%	50%
Collections	Full capacity.	Only brand new materials (for all areas of collection) will be on display. Everything else goes into storage with the expectation that staff can retireve items for public.	Brand new items + select collection areas on display. Majority of collection in storage (on site, firestation/storage containers?) with expectation that staff can retireve items for public.	Brand new items and select collecation areas on display. Other materials in storage that is not accessible to staff or public. Storage = storage box, possible fire station.	Brand new items and select collecation areas on display. Other materials in storage that is not accessible to staff or public. Storage = storage box & possible fire station.
Meeting Spaces	2	0	2	1	1
Study Rooms	7	0	0	0	0
Computers					
Public Internet (+Teen & Spanish)	16	6	16	6	8
Children's (Literacy & Internet)	4	4	4	4	4
Digital Media Lab	3 + Equipment	3 + Equipment	3 + Equipment	3 + Equipment	3
Catalog Computers	4	3	3	4	2
Estimated Customer Satisfaction	N/A	Very Low	Low - (3 floors, noise, dust, limited materials)	very low	Medium
Staffing Implication	Fully staffed	Fully staffed	Fully Staffed	fully staffed	Fully staffed
Concerns	N/A	No elevator, 2nd floor and attic not ADA accessible, fire escape not at all available for attic, windows may cause saftey issue with small children, not all staff can work within an environment that is not accessible (problem going up and down stairs). No meeting spaces. Does the dumbwaiter work? We need to cut a hole for the circ desk counter. Moving.	Noise, parking, construction material and safety, dust, divided public spaces & related staffing issues. Moving. Does 12-15 months include Sundance? Will consturction have to stop because of Sundace?		Moving. New location for library patrons.Cost. We will need to build a meeting room.
Number of times library has to move	N/A	2	3	2	2
Closing Period	N/A	4 days	2-6 Weeks	4 days	4 days
Hours Open per Week	64	64		64	64
Construction Duration	N/A	12 months	15 months	12 months	12 months
Off -site Relocation duration		12 months	0	9	9

Summary of Options

As submitted by Library Staff

Initially, Library staff were presented with three options: move to Miner's (without the additional buildings), stay in the library, or move to Iron Horse. Since that initial exploration of options, several things have changed including the unavailability of Iron Horse, the change in construction phasing for the project, and the option to consider to alternative locations (Option 3 and Option 4). These changes affect how the Library staff and Board now view the available options. Additionally, Library staff does not have detailed information about Option 3 and 4 as well as the specifications and condition of the other City buildings (the little green house/old fire station, Rec building).

The library has an obligation to provide equal and equitable access to information and library services to all Park City constituents and visitors. The library staff evaluated the four different options to the best of their ability and with the information provided by the Economic Development Manager. Based on that information, the summary of the options is below:

Option 1: Miner's Hospital

Pros: Free rent, historic building occupied by library 30 years ago, proximity to current location, close access to bulk of collection if stored across the street in fire station, relocating the library temporarily will shorten the duration of the project.

Concerns: Not ADA accessible on the 2nd floor and attic, fire escape not available for attic, building needs to be evaluated for weight bearing load, safety regarding windows, and fire code, no public meeting spaces, lack of sufficient square footage, floor layout not functional, not all staff can work in an environment without an elevator, Sundance occupies both Miner's and the Rec building during 5 months each year.

Impact on Community: Very limited computer access (6 computers instead of 17), very limited square footage that is ADA accessible (1,483 vs 16,000), no enclosed study spaces, very limited library programming, population and community needs are different than 30 years ago (7,873 population vs. 2,823). No meeting spaces impact community groups who depend on the library as a meeting space: examples include the Entrepreneurial Launch Pad, Park City Investing/Trading Club, and other non-profit organizations.

Miner's ADA Accessible square footage: 1,483

Little Green House[1]: Office space only

Rec Building: No access during May to August, other months programming only if Sundance does not occupy the building.

Library Needs: Secure Storage (fire station build-out and possible water leak assessment), moving assistance, and ability to provide enclosed public meeting space.

Option 2: Current Location

Pros: Familiarity with location, access to more computers (17 computers), possible meeting space available for public depending on phasing of project.

Concerns: Increased duration of project and increased costs, noise level, parking, construction materials, library user and staff safety, dust, fumes, staffing detached public spaces across three floors, moving 3 times within building, I.T. re-wiring costs during different phases of the project, construction will be on hold during Sundance 2015. Library will not have access to as much spaces as initially proposed with this option.

Impact on Community: The community will still expect to come to the library to access computers, materials, attend programming, and work/study in a quiet space. With construction noise and limited space, the library will not be able to meet community expectations. This impacts small businesses, students, as well as residents and visitors who seek a quiet space for productivity. We have serious concerns about the safety of library users, especially small children that have a tendency to wander and explore unsupervised. There is also concern about the time period where the 2nd and 3rd floor will not be ADA accessible while the elevator is being replaced and the overall impact this may have on library operations.

Library Needs: Secure Storage (fire station build-out and possible water leak assessment), moving assistance, and ability to provide enclosed public meeting space.

Option 3: Unknown Location (4,000 square feet)[2]

Pros: Shorter duration of construction project, ADA accessible space, ability for public to work/study quietly, some computer access.

Concerns: New unknown location, cost.

[1] Library staff has not seen this space or been provided with floor plans designating layout and square footage.
[2] Library staff has not seen option 3 and 4.

Impact on Community: Fourth of current library space, some computer access, limited programming, possibly a meeting space.

Library Needs: Secure Storage (fire station build-out and possible water leak assessment), moving assistance, and ability to provide enclosed public meeting space.

Option 4: Unknown Location (8,000 square feet)

Pros: Shorter duration of construction project, ADA accessible space, ability for public to work/study quietly, some computer access.

Concerns: New unknown location, cost.

Impact on Community: Half of current square footage. We will be able to provide more computer access, a higher level of programming, possibly a meeting space, and a quiet work/study space.

Library Needs: Storage, moving help, enclosed public meeting space.

Below are year-to-date statistics of library use for your consideration:

Population: 7,873
Circulation of Items: 91,475
Library Visits: 110,995
Internet Use: 15,550
Wireless Use: 22,737
Library Cardholders: 9,418
Meeting Room Use: 234
Conference Room Use: 148
E-book /e-audio circulation: 1,604
YouCreate Lab Use: 41

Estimated Cost & Other Factors:

Construction Duration	N/A	12 months	15 months	12 months	12 months
Off -site Relocation duration		12 months	0	9	9
Cost					
	Library Building	City Owned In LPA RDA (Miners & Little Green	On Site	Off-Site Private Owned (approx. 4,000 sf)	Off-Site Private Owned (approx. 8,000)
Off -site Relocation duration		12 months	0	9	9
Rent for Facility	N/A	0	$0	$57,000	$100,000
Tenant Imp's (IT & buildout)	N/A	15,000	$15,000	$30,000	$40,000
Cost of Storage (avail. at fire station)	N/A	$20,000	$20,000	$20,000	
additional storage (not avail.)	N/A	$4,000	$4,000	$4,000	$2,000
Cost of Moving	N/A	$40,000	$40,000	$40,000	$40,000
additional costs (SD Relocation)		$50,000			
Estimated Incremental Cost beyond approved budget	N/A	$129,000	$79,000	$151,009	$182,009
already in budget					
move management		($20,000)	($20,000)	($20,000)	($20,000)
15 months general conditions		($60,000)	$0	($60,000)	($60,000)
total		$49,000	$59,000	$71,009	$102,009

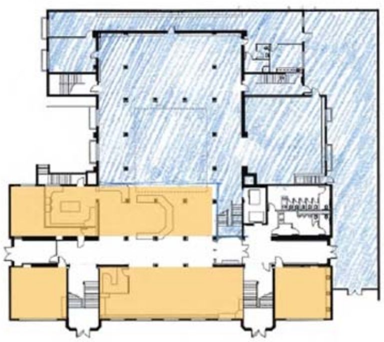
There are a series of inputs that factor into the cost and LOS of the options and Council's consideration should weigh:

Staying on Site versus Moving off site

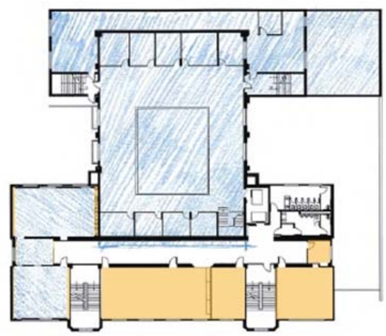
The off-site relocation options (1, 3 & 4) allow for a shortened construction timeline to 12 months from 15 months, which saves costs for general conditions of mobilized construction (about $60k) but bring other costs for rental. Being off-site would allow the contractor a much easier project by not having to continually be concerned with noise, staging and phasing impacts and mitigating for public occupancy (not forgetting the COOP will be in the building). The Miner's Option has existing tenants that would have to be relocated: Sundance part time and Mt. Trails and Summit County Arts Council. Sundance is willing to move to a comparable space, but neither they nor the City have budgeted for a move.

Use of City Facilities		conflicts																	
	2013				2014												2015		
Miners	sept	oct	nov	dec	jan	feb	mar	apr	may	jun	jul	aug	sep	oct	nov	dec	jan	feb	mar
sundance																			
library construction																			
library relocation																			
possible conflict													5 months conflict						
Rec building										summer camp						storage SD			
Green house	bus driver use																		

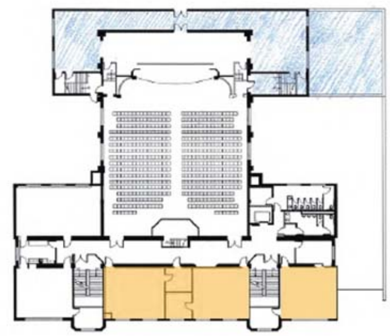
Option 2 (on –site) allows for construction on the west and north 2/3 of the building and entire second floor to be renovated in the first 9 months of the project while the library would stay in the south and east portions of the first floor and majority of the 3rd floor. Then the construction and library function would switch for the second half of the 15 month project, with the library moving into the newly constructed space (blue = construction, orange = library during phase 1, white = library (or COOP or Film Series on 3rd floor) during phase 2:



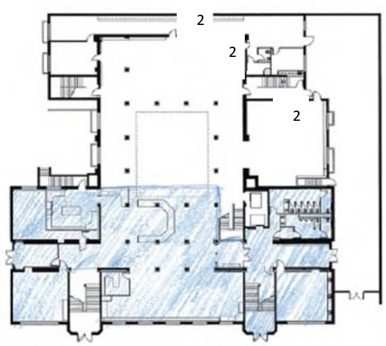
OPTION 2 First Floor; Phase 1
Usable Area: 4,223 SF



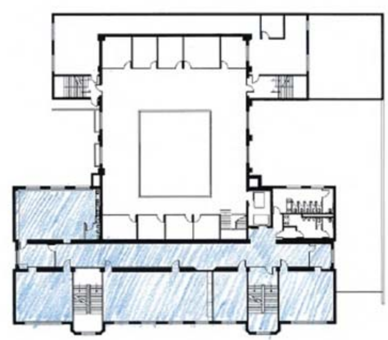
OPTION 2 Second Floor; Phase 1
Usable Area: 3,742 SF



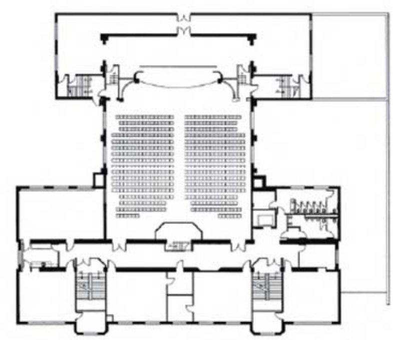
OPTION 2 Third Floor; Phase 1
Usable Area: 1,950 SF



OPTION 2 First Floor; Phase 2



OPTION 2 Second Floor; Phase 2



OPTION 2 Third Floor; Phase 2

Staff has a consensus that the quality of experience would be extremely low for users as well as staff in the middle of or adjacent to a major construction project.

1. <u>Rent for Facility</u>

The rent placeholder is based on Cushman & Wakefield’s inventory of currently available spaces in Park City. There are approximately 5 spaces in the 3250 – 4,000 sf range available and 3 spaces in the 6,000-8,000 sf range. The $19/sf for the smaller spaces is a blend of the actual available spaces. The $16/sf for the larger space is the average between the 2 most realistic options. If we rent a private space, we would keep the library in the current facility for the first phase of the project (3 months). Rent for a small space for 9 months should be about $60k, and rent for a large space should be about $100k.

2. <u>Tenant Improvements (IT & TI Build out)</u>

Providing City Fiber at either of the on-site options will cost $5k - $10k. Internet should be available at any private office site. There will also be limited TI’s to allow for a temporary circulation desk and other specialized library functions.

3. <u>Storage & Availability of Collection</u>

The base LOS would be to store the majority of the collection in storage containers and not have them available until the project is done. The smaller the temporary space, the more storage needed. Alternatively, portions of the collection could be stored and be available. This type of storage should be considered additive alternates to any LOS. For example we could spend $15,000 to secure and waterproof a bay in the old fire station that could hold catalogued collection that would allow staff to pull a book with 24 hours' notice.

4. Cost of Moving

This is the least predictable of the costs. There may be savings by City Staff and volunteers. The Miners Option would likely include 3 locations (Miners, Rec Bldg. and Green House next to Fire Station) and 2 moves (there & back). The On-site option (#2) would include 3 moves (phase 1, phase 2, completion). Options 3 & 4 are simpler. We are holding the same cost for each ($40,000). Again, from a LOS standpoint storing most of the collection and having it unavailable will be relatively inexpensive. Moving books and keeping them catalogued and available will be more expensive. The likely solution is to find a middle ground between storage and availability.

5. Current budget (Exhibit A)

Three months of general conditions of construction is estimated at $60,000 (cost to the General Contractor to stay mobilized to cover costs like insurance, trailer, etc.). The original concept budget of $5.6 M held only $15,000 for "move management", but included the $60,000 for a 15 month project. However, the architect's estimate did not take into account the temporary levels of service staff is contemplating either on site or off site. The current budget also includes a 15% contingency on the cost of construction, which is $600k.

6. Current Library Board recommendation

Staff presented options 1 (Miner's only), 2 (stay in building) and the original option 3 (Ironhorse - which is now unavailable) to the Library Board on June 12, 2013. From these options, Library staff and the Library Board recommended relocation to Iron Horse, provided additional budget could be allocated. They were focused on providing a high level of customer service, safety, and employee morale, while reducing the duration of construction. They further recommended if no additional budget was available, staying in the library through a phased approach would be best. This was based mostly on more available square feet (4,000 and 6,000 depending on the phase) versus Miners (3,400, only 1,483 being ADA) and being able to provide more computer access. However, the availability of space within the library building during construction has changed due to phasing and this recommendation is no longer current.

7. Incremental Budget

In other City projects where staff and services were relocated, project budget included a specific line item. For example the Marsac budget included $500k for "relocation costs", which was 6.6% of the $7.5M project budget. For the MARC relocation, rent for temporary space and a trailer on site for outdoor tennis we had budgeted approximately $290,000 out of $10.2 Million or 2.9% of the project budget. Due to adverse winter conditions the project was delayed and we wound up spending $383,000 or 3.8% of the project budget mostly due to additional rent. The Racquet Club went from 63,000 sf and two pools to 8,000 sf at Iron Horse and a tr ailer at the outdoor courts to provide a minimal level of service. Recreation budget also s ubsidized residents to join the Prospector Athletic Club because there was no other public pool in Park City. This only amounted to about $1,500 out of t heir operating budget. Providing this minimal level of service out of the project budget was difficu lt and there was cons iderable debate about operating expenses and revenues.

Library and ED Staff are al ready concerned with meeting the project budget and still accomplishing the 21 st Century library goals. Additi onal costs to provide a high temporary LOS or relocate were not anticipated by the Design Team when the budget was approved in March.

The Lower Park Avenue Plan, with the expans ion of the library budget from about $3M to $5.6M has started to become fairly tight, with the prioritized projects supporting more community redevelopment and "place" as opposed to new growth and direct values.

Because of this, the Budget Manager is not supportive of adding incremental dollars to the budget. He does n't want the RDA increment to be seen as a problem s olving tool that is taken for granted. He The Librar y staff and Board seek additional budget. The Economic Development Manager believes by fo cusing on the l owest cost estimated option in Miners there is a compromise and supports adding said cost to the budget ($50k). No one supports using contingency for this relocation costs.

Expenses (potential for neighborhood portion of LPA Master Plan)*	
Carl Winters Building Renovation	$5.6M
Multi-generational housing**	$8M
Structured Parking	$2M
Senior/Community Center	$2M
total	$17.50M

**The approved 2015 - 2030 extension is anticipated to generate as much as $30-40M additional increment depending on growth and tax base.*

***Anticipate 50% cost recovery*

****This does not include the PCMR Parking Lot or Streets, Circulation & Walkability projects in the LPA Master Plan*

8. Neighborhood

Staying proximate to the current library and within the LPA RDA is appealing. Using Miners is reminiscent of the former history of the buildi ng and offers some parking and access. Using the surrounding campus and other community amenities at the City Park should be seen as value added to the user experience.

Department Review: This report has been reviewed by the Library staff, Golf, Ice and Recreation Team, Budget and Legal Departments and the Acting City Manager.

Significant Impacts:

Council Goal Tradeoffs

Staff believes the lowest customer and employee satisfaction will result from staying on site. That option also extends duration of the project to 15 months. The highest likely LOS would be relocating to a large, off-site space. However, that is also the most expensive. If Council supported incremental project budget, staff would recommend that option, however, due to other priorities and competition for RDA dollars, a mixed staff recommendation results.

Staff is already significantly concerned with delivering all the project goals within the current budget. We don't want to spend anything extra out of the approved budget on the temporary LOS and would prefer to focus resources on the finished programming and FF&E.

	World Class Multi-Seasonal Resort Destination **(Economic Impact)**	**Preserving & Enhancing the Natural Environment** **(Environmental Impact)**	**An Inclusive Community of Diverse Economic & Cultural Opportunities** **(Social Equity Impact)**	**Responsive, Cutting-Edge & Effective Government**
Which Desired Outcomes might the Recommended Action Impact?	+ Accessible and world-class recreational facilities, parks and programs + Balance between tourism and local quality of life + Accessibility during peak seasonal times + Safe community that is walkable and bike-able + Multi-seasonal destination for recreational opportunities + Internationally recognized & respected brand	+ Abundant preserved and publicly-accessible open space - Reduced municipal, business and community carbon footprints	+ Residents live and work locally + Preserved and celebrated history; protected National Historic District + Diverse population (racially, socially, economically, geographically, etc.) + Part-time residents that invest and engage in the community + Entire population utilizes community amenities + Community gathering spaces and places + Physically and socially connected neighborhoods	+ Well-maintained assets and infrastructure
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Very Positive	Neutral	Very Positive	Positive

Santy Upgrades

Not included in the current library renovation budget are some expected upgrades to the Auditorium and projector booth. The primary users (City, Park City Film Series and

Sundance Institute) are beginning discussions on a three party agreement for the capital and operating costs for those upgrades.

Issues For Discussion

1. What LOS Option would Council like staff to pursue?
2. Is Council willing to add money to the project budget?

Recommendation:

City Council should direct staff on whether to pursue options for rentable space or whether to find the best possible alternative to provide some level of service within existing City-owned facilities.

The Library Board and Staff recommend relocating to a large private space allowing for the highest possible temporary level of service; provided incremental budget can be added to the project budget. However, if this option is not available, library staff recommends moving to Miner's (with the additional city owned facilities) rather than remaining in the building during renovation.

The Economic Development and Capital Budget Manager recommend relocating to the Miner's Hospital and other City-owned facilities proximate to the Library, acknowledging the temporary significantly reduced level of service.

If Council pursues the move to Miner's Hospital the ED Manager and Library Staff seek the estimated $50,000 cost be added to the overall project budget from the Lower Park Avenue RDA, while the Capital Budget Manager recommends that cost come from the existing budget.

Exhibits

A. Concept Budget

Exhibit A - Concept Budget

Park City Library Renovation / Expansion: Cost Study

CURRENT PROJECT APPROACH

ITEM	COST / SQ.FT.	BUDGET APPROACH 01
Construction Costs: First Floor (12,395 sq.ft.)	$82.00	**$ 1,016,390.00**
RENOVATION & LIMITED EXPANSION (paint, new carpet, ceiling treatment, light fixtures, power/data improvements, HVAC upgrade, recapture existing space, new circ desk, internal stair)		
Construction Costs: Second Floor (10,925 sq.ft.)	$77.00	**$ 841,225.00**
RENOVATION & LIMITED EXPANSION (paint, new carpet, ceiling treatment, light fixtures, power/data improvements, HVAC upgrade, recapture existing space)		
Construction Costs: Third Floor (6,435 sq.ft.)	$62.00	**$ 398,970.00**
COSMETIC RENOVATION & CREATE NEW KITCHEN (reallocate space, paint, new carpet, ceiling treatment, light fixtures)		
Construction Costs: Roof Replacement (12,000 sq.ft.)	$11.76	**$ 141,100.00**
roof demo / removal: 12,000 sqft x $2.50/sq.ft = $30K		
new roof: 12,000 sqft x $7.40/sq.ft = $88,880 (rigid insulation, cover board, single-ply)		
misc. accessories: 12,000 sqft x $1.85/sq.ft = $22,220 (reglets, boots, termination bars, etc.)		
Construction Costs: Site Entry Development		**$ 60,000.00**
Construction Costs: New Building Entry & 2-Story Addition		**$ 1,366,500.00**
entry vestibule & feature wall: 1850 sqft x $250/sq.ft = $462,500		
2-story addition (680 sf/floor) and 2-story reconstruction: 2770 sqft x $250/sq.ft = $692,500		
roof deck & south stair: 1410 sqft x $150/sq.ft = $211,500		
Construction Costs: Structural Improvement [ALLOWANCE]		**$ 110,000.00**
Construction Costs: Phased Approach [ALLOWANCE]		**$ 60,000.00**
ALLOW. FOR 15 MOS. GENERAL CONDITIONS W/ PHASING		
Subtotal:	$134.00	**$ 3,994,185.00**
15% Construction Contingency:		$ 599,127.75
ALLOWANCE for Public Art:		$ 24,000.00
[ALLOCATED] Construction Cost Subtotal:	$155.00	**$ 4,617,312.75**
[ALLOCATED] Construction Cost Subtotal:	$155.00	**$ 4,617,312.75**

	ITEM		BUDGET APPROACH 01
	Geotech Report		$ -
	Property / ALTA Survey		$ -
	Building Permit Fee $2,454,345 x .0075		$ -
	Plan Check Fee (permit fee x 65%)		$ -
	State Fee (permit fee x 1%)		$ -
	Water Meter		$ -
	Non-Residential Fee [ALLOWANCE]		$ -
	Sewer Impact Fee		$ -
	Landscape / Irrigation Fee		$ 5,762.00
	Public Safety Impact Fee		$ -
	Parks, Trails & Open Space		$ -
	Utility Connection Fees		$ 30,000.00
	Testing & Special Inspections		$ 6,500.00
	Move Management		$ 15,000.00
	Data / Security		$ 20,000.00
	Environmental		$ 5,000.00
	Miscellaneous		$ -
	Legal / Other Professional Fees		
	10% Soft Costs Contingency:		$ 8,226.20
	Soft Costs - Construction Fees Subtotal:		**$ 90,488.20**

	ITEM		BUDGET APPROACH 01
	Furniture, Fixtures & Equipment at $18 / SF x 27,210 GSF		$ 489,780.00
	5% Soft Costs Contingency:		$ 24,489.00
	Soft Costs - FF&E Subtotal:		**$ 514,269.00**

	ITEM		BUDGET APPROACH 01
	Architecture & Engineering Fees (7% of Const + FF&E))		$ 359,210.72
	Kitchen Consultant Fees		$ 7,500.00
	Interactive Display Consultant		$ 11,000.00
	Soft Costs - A/E Fees Subtotal:		**$ 377,710.72**
	Total Estimated Soft Cost Budget:		**$ 982,467.92**

	ITEM		BUDGET APPROACH 01
	Estimated Construction Costs		**$ 4,617,312.75**
	Soft Costs - Fees for Construction		$ 90,488.20
	Soft Costs - FF&E Items		$ 514,269.00
	Soft Costs - A/E Fees		$ 377,710.72
	TOTAL ESTIMATED PROJECT COSTS: CURRENT PROJECT APPROACH		**$ 5,599,780.67**

PARK CITY COUNCIL WORK SESSION MINUTES DRAFT
SUMMIT COUNTY UTAH
JUNE 20, 2013

Present:	Mayor Dana Williams, Alex Butwinski, Liza Simpson, Dick Peek, Cindy Matsumoto, Andy Beerman.
Staff present:	Nate Rockwood, Capital Budget and Grants Manager; Jennifer Danowksi, Budget and Performance Measurement Analyst; Jed Briggs, Budget Operations Manager; Brooke Moss, Human Resource Director; Dani LoFuedo, Human Resources Generalist; Chad Root, Chief Building Official.

1. Council questions/comments. Andy Beerman reported that he and Alex Butwinski met with the Joint Economic Development Task Force with the County. He believed they were beginning to make progress on understanding what they need and/or want to do. They decided to start with a large map to look at invested rights and approvals, and various commercial nodes, and work backwards from there. They also intend to prepare a matrix of what they would like to accomplish.

Mr. Beerman stated that the Historic Home Tour was fun and Ms. Matsumoto had done a good job organizing the tour and and being the MC. Mr. Beerman reported that COSAC had met again and he believed the Council would be seeing some criteria once it is finalized. The Committee discussed Risner Ridge and decided that it needed more than a deed restriction. They would begin talking about the nature of the conservation easement on the property at the next meeting. Mr. Beerman noted that he and Ms. Matsumoto had attended the grand opening for the Park City Culinary Institute. It was an idea that came out of the last City Tour and it was launched by a new Park City resident.

Dick Peek echoed Mr. Beerman regarding the Home Tour. He noted that the Main Street Mall was before the Board of Adjustment for a change in a non-conforming use. The request was approved with an additional condition for affordable housing.

Cindy Matsumoto had a good time at the ribbon cutting for the Park City Culinary Institute and the food was delicious. She had attended a Summit Lands meeting and they were updating all their documents, as well as their overall plan and acquisition plan.

Liza Simpson reminded the Council members that Mountainlands was having their 20th Anniversary party on Monday. They would be honoring Bob Wells as a permanent Board member and founder. Ms. Simpson had attended the Friends of the Farm meeting where they discussed the BBQ and Blue Grass event on June 29th.

Alex Butwinski remarked that Mr. Beerman had adequately covered the Economic Development meeting. He believed staffing would be needed to accomplish what they want at the level they want to proceed. Mr. Butwinski commented on the final send-off for Katie Cattan. The Planning Department did a good job planning the party.

Cindy Matsumoto reported that last Friday she had attended a Preservation Training Camp with the Planning Commissioners, HPB members and members of the public. It was a course on Preservation 101 and how it works. Ms. Matsumoto thought it was very interesting and the Staff did a good job. Mr. Beerman also attended the Camp and he thought it was fun and enlightening.

Mayor Williams had attended numerous water meetings. He also attended and spoke at the 10^{th} Anniversary of the Ragnar Relay. Mayor Williams stated that he was able to spend time with Lieutenant Governor Bell after the event and he was exceedingly complimentary of the City over the last decade in terms of their participation with the League and the Legislature. Mayor Williams pointed out that it was important to Tom Bakaly when he first became City Manager and Diane Foster has extended it the last couple of years. He thanked everyone involved because it does make a difference.

2. Library Appointments. Jasmina Jusic, interim Library Director, spoke on behalf of the Library and the Library Board regarding the Library Board appointments. The recommendation was to appoint Bobbie Pyron and Faye Malnar to serve on the Library Board for a three-year term. They were both currently completing a one-year term on the Board and have done a wonderful job. Dick Peek pointed out that the regular agenda did not include the library appointments. Mayor Williams stated that since it was not scheduled on the agenda the Council would address the appointments at the next meeting.

3. Budget – Personnel Policies and Procedures Manual and presentation of final budget and outstanding issues. Jed Briggs distributed a change to Attachment A. He explained the presentation format which would begin with the Policies and Procedures Manual and then move to the outstanding budget issues. A few items needed to be addressed before the Council adopted the final budget.

Dani LoFuedo, Human Services Generalist, stated that every year a committee reviews the Policies and Procedures Manual and makes recommendations for updates based on changes to Federal Regulations, pay practices, changing technology, etc. She noted that page 20 of the staff report contained a summary of the updates and briefly reviewed clarification language for each section.

Section 2.2 – Appointments. The change was to clarify a full-time regular appointment and to change the part-time designation to reflect the requirements imposed by Health Care Reform. Language clarification was made in Section 2.7 – Hiring relatives, Section 4.22 – Holiday Pay and Premium Pay; Section 4.23 – Vacation Pay; Section 5.1 – Applicant and Personnel Files; Section 5.9 – Harassment Policy.; and, Section 6.4 – Exit Interviews.
Section 5.11 – Use of Drugs and Alcohol. Brooke Moss, Human Resources Director, noted that the current Drugs and Alcohol section of the Policies and Procedures manual was replaced because it was difficult to enforce and the language was unclear for

employees. The new language clarifies what the testing procedure entails, that Alcoholism is covered under the Americans with Disabilities Act, how the employee can appeal results, etc. The language walks the employee through the procedures should a drug or alcohol test be necessary. It also outlines drug testing and possibly alcohol testing for on-the-job injuries and other accidents. It also clarifies language regarding alcohol at City functions and alcohol purchased by the City.

Liza Simpson thought Ms. Moss had done a good job balancing respect for the culture with the reality of liabilities and grown-up behavior.

<u>Section 5.13 – Outside Employment.</u> The change to this section updated the process. <u>Section 5.14 – Disciplinary Procedures</u>. Language was added regarding the process by which Supervisors would have to report to the HR Manager before proceeding with disciplining employees. <u>Section 5.20 – Smoking.</u> Language was added to say that failure to comply with the policy may result in disciplinary procedures up to and including termination. Ms. Moss pointed out that the language may need to be revised to make sure people are complying with the Utah Clean Air Indoor Act. As written, the City would have to post authorized smoking locations. Liza Simpson had spoken with Ms. Moss and pointed out that rather than post numerous signs designating smoking areas 25 feet away from buildings, a better approach would be to default to the Utah Clean Air Indoor Act.

The Council had no further questions regarding the changes to the Personnel Policy and Procedures Manual.

Dick Peek asked the Chief Building Official, Chad Root, for clarification on using outside companies for plan checks. Mr. Root explained that the Building Department tried to review plans within ten days; however, they started getting spikes in submittals and the time frame extended from fifteen days to twenty, and currently they are 3-1/2 weeks out due to the number of plans submitted. To help offset the problem without hiring additional staff, the contractor can elect to submit their plans to one of five City-approved companies that will review the plans to Park City standards. The contractor would choose a firm and take their plans directly to them for review. Once the review is completed, the contractor brings it back to the City for review. Mr. Root noted that the Building Department operates on a first come-first served basis and allowing outside plan review helps to expedite the process. The option is extended to anyone from general contractors to homeowners.

Dick Peek wanted to know what would prevent someone from tweaking the plans after they have been reviewed and approved if the contractor is responsible for picking up and dropping off his own plans. He pointed out that under the current process the plans cannot be changed once they are approved because the Building Department keeps a copy. Mr. Root explained that the plan checker uses a certain stamp and the Building

Department would be able to tell if alterations were made because there would be pen or pencil marks.

Mr. Butwinski asked if it would be difficult to have the plan checker deliver the plans directly to the Building Department. Mr. Root replied that this was a new process and it would take time to see how it works. Mr. Peek was comfortable giving the Building Department the flexibility to impose further restrictions if necessary.

Mayor Williams asked if Mr. Root has seen this process used in other places. Mr. Root replied that it was common practice in other cities. Mayor Williams asked about the anticipated fees related to plan checks. Nate Rockwood, Capital Budget and Grants Manager, pointed out that an amount was budgeted to cover the cost of plan checks and inspections and noted that the fees associated with inspections would cover the increase for the contract position. He believed Mr. Root had come up with a creative solution that did not have an associated cost. Mr. Peek clarified that instead of paying the plan check fee at the counter the contractor would privately pay the plan check company. Mr. Rockwood explained that the Building Department would still collect a plan check fee at the counter; however, if the contractor wanted to expedite the process, they would pay the additional plan check fee to the third party. The City was not waiving any fees.

Jed Briggs, Budget Operations Manager, explained that the Planning applications bleed into the plan reviews for building as well as the inspections. They have seen a huge increase in applications which prompted the change in procedure. The building inspections are contracted, but the thinking is that the revenues would increase due to the increase in building permits and plan check fees.

Mr. Briggs addressed the adjusted budget and noted that the changes were minimal to the adopted budget. A major increase this year was the fleet fund. The fleet fund basically pays for fuel and maintenance and the biggest increase to that fund has come from the Transit Department. Most of the $0.5 million dollar increase seen this year for fuel and maintenance will be offset by inter-fund transfers from Transit. The cost of fuel has increased and the buses are getting older, which results in higher costs.

Mr. Briggs noted that page 17 of the Staff report reflected the $3 million increase from revenues that were received from GOED for the Downtown Main Street Enhancement. That amount was included in the final budget. It coincides with the $2 million decrease in the resort sales tax revenue bond. Page 18 reflected personnel changes to the tentative budget requested by the Water Company; however, the result is a zero sum change. The Golf budget has been analyzed extensively and a golf model was prepared. The Golf budget would be decreased slightly in the final budget because in the past few years the expenditures have been outpacing revenues. Mr. Briggs did not anticipate a reduction in level of service and the intent is to streamline operations to make the Golf Fund solvent.

The bottom of Page 18 addressed utility changes in the budget that resulted in an increase of $4,000 to the General Fund, an increase of $4500 to the Water Fund and a $44,000 decrease to the Transportation Fund. Page 19 reflected an increase in the Self-Insurance Fund of approximately $50,000 due to increases in insurance premiums.

With regards to utilities audits they also looked at waste collection and security alarms. Those departments that are associated with buildings that benefit from waste collection and security will pay for them. Mr. Beerman assumed they would be billed individually but centrally managed. Mr. Briggs replied that this was correct.

Mr. Briggs stated that he has been with the City for seven years and the Mayor was part of the budget process every year. This would be the Mayor's last budget process and he wanted to publicly thank the Mayor for his wit, humor and g race. Mayor Williams commented on the evolution of the budget process and he credited the Budget Department for simplifying the process and finding the right way to do it in a form that is easy for everyone to read and understand.

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

PARK CITY COUNCIL MEETING **DRAFT**
SUMMIT COUNTY UTAH
JUNE, 20, 2013

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at the Marsac Municipal Building on Thursday, June 20, 2013. Members in attendance were Mayor Dana Williams, Alex Butwinski, Liza Simpson, Dick Peek, Cindy Matsumoto and Andy Beerman. Staff present was Diane Foster, City Manager; Mark Harrington, City Attorney; Jonathan Weidenhamer, Economic Development Manager; Hugh Daniels, Emergency Management Director, Clint McAffee; Water Manager, Tom Daley; Deputy City Attorney; Phyllis Robinson, Community and Public Affairs Manager; Matt Cassel, City Engineer; Thomas Eddington, Planning Director; Nate Rockwood, Capital Budget and Grants Manager.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Cindy Matsumoto stated that she attended the public meeting that was held at Bonanza Park and she mistakenly told some citizens that the City Council was not acting on the Power Station this evening. She apologized to those citizens and she would try to express the issues they had relayed to her.

III PUBLIC INPUT

Lisa Wilson spoke about the North Silver Lake Lodge project that was being constructed. This is a 356,000 square foot condo/hotel and she could not understand how the project was already started. Ms. Wilson pointed out that the plat approved in the conditional use process had not been recorded. She noted that they were using a survey plat that was recorded by Val E. Southwick. Ms. Wilson stated that in 2005 Southwick was undergoing an SEC investigation.

Mayor Williams informed Ms. Wilson that this issue is raised every week and Southwick is not the owner of the project and has nothing to do with the property. Therefore, it is not germane to the discussion.

Ms. Wilson questioned why they were using a survey plat to issue a building permit and a grading permit if it was not germane. City Attorney, Mark Harrington, clarified that the Planning Staff had already provided a response. He noted that the current plat being used meets the requirements of the permit that was issued. The City fully anticipates moving forward with the next plat, which Ms. Wilson presented this evening, and that has its own expiration date. Because the work is being done within the existing property lines, the plat that is currently recorded with the County is sufficient for the work they are doing. They have met all the bonding requirements and the conditions of approval for the limited permitting that they have today. Mr. Harrington pointed out that it was a Building

Department decision. There is no basis under the current Code to deny the requested permit.

Ms. Wilson stated that during the appeal process in 2009 the citizens were told that the City Council was both judge and jury. They were also told that the plat, or the Southwick permit, was null and void because it had expired. She asked why the City was using an expired conditional use permit to issue permits. Mr. Harrington explained the difference between a survey plat that is properly recorded with the County and the expired master planned development from 2005. He stated that the developer is under a deadline and they were allowed one extension. They have to perform within the existing deadline or go through another public process, at which time Ms. Wilson would have another opportunity to argue against the extension. Ms. Wilson understood that the plat needed to be recorded by July 28th. Mr. Harrington offered to confirm the date.

Cindy Matsumoto asked Jonathan Weidenhamer about the historic wall at the bottom of the stairs off Swede Alley. She thought the exposure of the underlying wall was beautiful and asked if they intended to cover the floor or if it was designed to step down. Jonathan Weidenhamer replied that it was a work in progress and they were working with the Historical Society.

Mayor Williams asked if the wall extends further down towards the steps. Mr. Weidenhamer did not believe it did. He noted that when it was first discovered three or four years ago it was covered up. They knew when they started uncovering it that they may find more and he would keep the City Council posted. Cindy Matsumoto asked if they intended to put back the arch that was removed. Mr. Weidenhamer stated that it was removed block by block and the blocks were numbers so it could be put back.

IV. CONSENT AGENDA

1. <u>Consideration of the 4th Amended Lease with the Department of Alcoholic Beverage Commission for property located at 460 Swede Alley, Park City, Utah</u>

2. <u>Consideration of authorizing the City Manager to sign a Professional Services Agreement with Bowen Collins and Associates for landscape architect consultant services in the amount not to exceed $79,876; $29,876 for the preparation of a City Forestry Plan and $50,000 to provide on-call services</u>

Liza Simpson, "<u>I move we approve the Consent Agenda Items 1 and 2</u>". Alex Butwinski seconded the motion. <u>Motion carried unanimously</u>.

V. NEW BUSINESS

1. <u>Consideration of a Resolution adopting the Community Wildfire Protection Plan (CWPP) for Park City, Utah.</u> Hugh Daniels, the Emergency Management Director briefed the Council on the resolution proposed to adopt the Community Wildfire Protection Plan. He noted that the Staff report indicated a public hearing; however a public hearing was not required. Mr. Daniels stated that last year he met with Chief Hewitt of the Park City Fire District and Tyre Holfeltz of the Utah Division of Forestry to put together a Community Wildfire Protection Plan which is a regional plan to reduce risks and educate the community on ways to mitigate potential wildfires. The plan includes all of the Park City Fire District and it is a regional plan that follows the surrounding water sheds. Since wildfires do not stop at borders, it is important to plan as a regional group.

Mr. Daniels noted that the Staff report contained a copy of the CWPP without the appendices and the larger maps. He handed out smaller maps showing the entire CWPP area, which is all wild land urban interface. All of Park City and the Park City Fire District is wild land urban interface. Mr. Daniels explained that the CWPP gives a template for moving forward not only as a government, but also for citizens to start to mitigate for wildfire by creating defensible space around buildings, keeping trees from growing underneath eaves, using alterative materials besides wood, relocating the woodpile away from the building, and removing highly flammable plants and other measures.

Mr. Daniels stated that Summit County, the Fire District and citizens from throughout the County participated in drafting the final document. He believed it was important for Park City to adopt this plan as a guideline moving forward as they look at Forestry in the community and the potential wild land fire risk. He remarked that the Fire District ultimately owns this plan and they are the ones who will implement it. The plan will continue to change over time as they may progress throughout the community.

Tyre Holfeltz explained that the CWPP process does not recognize governmental boundaries, which is why they all worked together and gathered citizens from all over the District to participate in the process. He commended the support from the Fire Department because the citizens would eventually look to them for information.

Mr. Holfeltz presented a map showing the Fire District boundaries and noted that the different colors represented steep slopes, vegetation, and the type of vegetation. He believed the map showed the significant fire wildfire risks in the community.

Chief Hewitt felt this was a great plan and one of the products that came out of the dire year they had last year. He thought it was a great start and if the plan is adopted it would be posted on the Fire District website. He assumed it would also be posted on the new website, summitwildfires.com, which was another product that came out of last year’s wildfire season. He thanked Mr. Daniels, Phyllis Robinson and Diane Foster for their efforts to initiate the idea and move it forward.

Liza Simpson thanked everyone and noted it was a lot of work and an interesting process for the citizens who participated. It is a very comprehensive plan that looks at all types of items and issues. She named evacuation routes as one example. Mr. Beerman also commended the team for their efforts. He referred to page 162 and suggested that there was a repeat under the Natural Resources at Risk.

Chief Hewitt stated that he had an opportunity to drive around with one of the citizens of the County, Jim McHugh, and visit many of the areas. There are many opportunities for people to modify their behavior to improve the likelihood of their structure survivability. This plan provides that direction to the citizenry because ultimately they are the ones responsible for their own safety.

Alex Butwinski commented the plan covered all of Summit County, yet the Council was being asked to adopt a resolution for Park City. It was noted that the County would probably be adopting the plan as well. There are nine CWPPs within Summit County and the plans are specific to each area. Liza Simpson noted that Kent Cashel, rather than Pace Erickson, should be listed for Park City Municipal under Transportation.

Mr. Tyre stated that there are fire cycles. Based on their findings in the area, fires occur anywhere between 250 and 500 years, and they are currently on the 500 year mark. The longer it goes, the more likely it is that a fire of a significant size will occur and impact homes and livelihoods. It is not a matter of "if" because it will occur. This plan is one of the first steps to prepare for that event and for the citizenry to know what to do and how to do it, as opposed to just reacting, which is when people get hurt and accidents happen.

Mayor Williams opened the public hearing. There were no comments and the hearing was closed.

Liza Simpson, "Your honor, I move that we approve a resolution adopting the Community Wildfire Protection Plan for Park City, Utah". Andy Beerman seconded the motion. Motion carried unanimously.

2. Consideration of an Ordinance adopting the Final Budget for Fiscal Year 2013-2014 and the Final Budget for Fiscal Year 2014-2015 for Park City Municipal Corporation and its related agencies. Mayor Williams noted that the City Council had been reviewing the budget for several months and this would be the last public hearing.

Mayor Williams opened the public hearing. There were no comments and the hearing was closed.

Andy Beerman, "I move we adopt the final budget for Fiscal Year 2013-2014 and the Final Budget for Fiscal Year 2014-2015 for Park City Municipal Corporation and its related agencies. Alex Butwinski seconded the motion. Motion carried unanimously.

3. Consideration of a Resolution adopting the Revised Personnel Policies and Procedures Manual, dated July 1, 2013 for Park City Municipal Corporation. The Council had reviewed the Revised Personnel Policies and Procedures Manual and there was no further discussion.

Mayor Williams opened the public hearing. There were no comments and the hearing was closed.

Liza Simpson, "Your Honor, I move we approve a r esolution adopting the Revised Personnel Policies and Procedures Manual dated July 1, 2013 for Park City Municipal Corporation." Alex Butwinski seconded the motion. Motion Carried Unanimously.

4. Consideration of the Western Summit County Master Agreement, in a form approved by the Deputy City Attorney. Clint McAffee, Water Manager, introduced Tage Flint, the General Manager of the Weber Basin Water Conservancy District and Scott Paxson, the Assistant General Manager. Mr. McAffee thanked Mr. Flint and his team for their hard work in helping to prepare this Agreement.

Mr. McAffee outlined the reasons for considering this Agreement. They need to plan for an adequate supply of water to meet the drought years and for the projected growth that is expected to occur in Park City and the Basin. Another factor is the position of the ground water aquifers and how those are fed. Being at the top of the Weber Basin drainage, Park City does not have the benefit of natural storage, which creates a bigger problem.

Mr. McAffee presented images to illustrate the future of several water districts in the Basin, including Park City, in terms of showing peak day deficits and how the demand will outweigh the supply on a peak day basis. Peak day is considered a 24 hour period with the highest consumption of the year. He noted that the illustration did not show Park City with a deficit until the year 2020; however, an increasing deficit was shown beyond 2020.

Mr. McAffee reviewed a number of studies that were conducted in the Snyderville Basin to look at the problem and secure additional water supply. One study recommended a joint approach to secure the additional supply. Another study identified infrastructure that could be constructed to achieve that goal. The 2007 Utah Water State Plan identified several mitigation strategies that were addressed in the Agreement, including water redistribution, water system interconnections, water development including storage, and dem and management.

Mr. McAffee reported that in December 2011 the Basin Water Suppliers met with Weber Basin to discuss a way to jointly address this problem. Those providers were Park City, Mountain Regional, Snyderville Basin Water Reclamation District, and Summit Water Distribution Company in Summit County. In November 2012 Weber Basin presented draft terms to begin writing the Agreement.

Mr. McAffee provided a brief history of the Weber Basin Water Conservancy District, and how it was created in 1950 by decree to act as a local sponsor in the Weber Basin Project and to further water resources and drainage. The mil levy paid by the Snyderville Basin taxpayers is used to pay for that original project. The drainage area is 2500 square miles and encompasses five counties. Weber Basin is governed by a nine member Board of Trustees from different areas in the Drainage Basin, including one representative from Summit County. Mr. McAffee noted that their neighboring water district in the County serves a total of approximately 4500 residential connections. Park City serves approximately 5200 connections. Summit Water is a non-profit mutual water company in the Basin serving approximately 4100 connections.

Mr. McAffee remarked that the purpose of this project is to regionalize water service and integrate the systems in an effort to pool resources to jointly meet the needs when considering the water supply deficit. He stated that two main agreements were involved. One was a purchase agreement that is separate from the master agreement. The purchase agreement is between Weber Basin and Summit Water, where Weber Basin would purchase the Summit Water East Canyon Water Treatment Plant and 50% of the capacity in the conveyance from plant to Jeremy Ranch and Quinn's Junction, as well as take over the lease of 5,000 acre feet in the East Canyon Reservoir. He outlined options to purchase capacity in the Highway 224 system from Kimball Junction into Park City, as well a partially completed pipeline running north from Jeremy Ranch towards East Canyon Reservoir. This would empower Weber Basin with the ability to move water throughout the Basin. The conveyance system allows water to be moved between Park City, Mountain Regional and Summit Water.

Mr. McAffee pointed out that the second part was the Master Agreement, which was being considered this evening. He outlined the main points in the master agreement. Each year individual entities would report to Weber Basin its demand, surplus water that others could use, what excess capacity could be used in their existing facilities, and sources. He noted that at the five year portion of the ten year projection each entity would commit to the projected surplus water, excess capacity and the demand. He explained that at the five year point, they would not commit to any water until the deficit is projected within a five year window. At that time they would enter into a water sales contract with Weber Basin and they would collect that water supply.

Mr. McAffee remarked that the most important part of the Agreement was jointly addressing establishing goals and managing stream flows in McCloud Creek. Once the existing surplus water in the Basin is used up by the entities, Weber Basin would take the lead in constructing either another water storage project or an importation project that would fulfill the needs of the water supply in Weber Basin. He stated that another important point was that Weber Basin would be tying up 5,000 acre feet in East Canyon Reservoir for use in the Snyderville Basin. If there is a need, Weber Basin would secure additional water beyond the 5,000 acre feet. Weber Basin would be the sole wholesale water provider in the Basin. A near-term goal would be a three-way interconnection between Park City, Mountain Regional and Summit Water. It would be a benefit to the City and others in terms of providing an emergency connection and the ability to receive water.

Mr. McAffee reported that the cost to all parties would come in the form of annual regionalization fees, which would begin in 2020 and expire at the end of 2039. Park City would pay $200,000 per year for that time period for a total of $4 million. He stated that between now and the year 2020, Weber Basin would be covering the debt service on the bonds issued to purchase the Summit Water Infrastructure. The amount equates to approximately $3.7 million dollars in contribution from Weber Basin that they would not recoup. Mr. McAffee commented on operation and maintenance costs associated with the East Canyon Treatment Plant, the Highway 40 system and the three-way interconnect. He anticipated those costs to be minimal. Park City would also pay 20% of the 5,000 acre feet of East Canyon. Based on current available information, the estimated cost was $800 to $1500 per acre foot in future water sales contracts once the City subscribes to that.

Mr. McAffee stated that in the short term the goal is to utilize existing infrastructure and existing surplus water in the Basin to make each entity whole in terms of water supply until the Basin source is exhausted. The long term goal is that once the Basin surplus is exhausted, Weber Basin would take the lead and develop another source to fulfill the additional needs.

Mr. McAffee commented on closing conditions that were not in the Agreement but were previously discussed with the City Council, which included environmental warranty exceptions that were being drafted by an outside environmental consultant and legal counsel. Mr. McAffee stated that he had spoken with Weber Basin regarding the 5,000 acre square feet in East Canyon to make sure that it was available for use in the Snyderville Basin. It will be available but that also needed to be clarified in the Agreement.

Mayor Williams realized that because of Weber Basin's ability to move water around, particularly in the reservoirs in Eastern Summit County, the water might come from other places besides East Canyon. Mr. Flint replied that once the 5,000 acre feet is secured in East Canyon, they would run the full gamut of options to see where the water is best delivered and what is possible under the current water rights and future change applications. They would also look at the options to make sure it was as cost effective as possible.

Mr. McAffee stated that another consideration is the possibility of an open air reservoir in the Snyderville Basin area. If that were proposed by Weber Basin, the terms as previously discussed by the City Council would give the landowner where the facility would be placed the ability to authorize the project to occur. If that was not acceptable, they would move on to the next alternative. Mr. McAffee remarked that the City could elect to construct an open air reservoir on its own if it is not part of the Weber Basin plan and the City identifies it as a need. Nothing in the current agreement would prohibit the City from making that decision.

Mayor Williams recalled that there was additional criteria was associated with an open air reservoir. Mr. Flint replied that the only limitation is that Weber Basin could not import raw water to an open air reservoir because of the contractual agreement.

Mr. McAffee stated that the last condition was that nothing in the Master Agreement would eliminate Weber Basin's obligation to lease and deliver Park City the 2900 acre feet that exists in Rockport Reservoir and they are currently getting. Also, it would not eliminate the ability of Mountain Regional to deliver that to Park City. Mr. Flint did not see that as a problem and felt that condition could be written as an exception to the priorities of the Agreement.

Cindy Matsumoto recalled language about the cost of the easement in terms of an open air reservoir and acquisition of the easements. She also recalled that if Weber Basin moves on to another project, the parties agree to pay for that project. Mr. McAffee replied if Weber Basin proposed a reservoir and Park City would not allow it, Weber Basin would move on to the next project but Park City would still be bound to pay for the other project even if the cost was higher.

Mr. Flint noted that this has been a l ong process but he believed it was the ultimate solution for water supply in the valley. It optimizes excess capacity and the excess water and puts it all together to move around the valley. It obligates a larger water agency to provide water when they need it. He stated that Weber Basin was Park City's regional water supplier and will not shirk those duties. Mr. Flint thanked the Mayor, Alex Butwinski, Diane Foster, Clint McAffee and Tom Daley who participated in countless meetings and phone calls.

Mr. Flint responded to the conditions outlined by Mr. McAffee. He acknowledged that the environmental language was still coming from the City Attorney, and t hat would be acceptable to Weber Basin as long as it was limited to specific issues that were already discussed. He would like the opportunity to review the language but he was comfortable with the condition. The second point was the reiteration of what was already in the recital. Mr. Flint stated that the recital was a product of a previous Staff recommendation and he was comfortable moving that same philosophy into the meat of the agreement. Regarding the open air reservoir, Mr. Flint stated acknowledged that a reservoir built into the valley would not serve as a water supply in and of itself. It would be a facility that could help optimize what they would later import or currently import into the valley. Mr. Flint remarked that Weber Basin has concluded that either proposal Mr. McAffee put forward or the one put forward by Summit County, or something in between was acceptable to Weber Basin. However, it currently serves as an impasse and the issue eventually needed to be resolved. On the fourth point, Mr. Flint stated that all parties would be bound by this agreement in that Weber Basin would be the exclusive raw water supplied to importation into the valley. What any agency does within their system is up to them, but he cautioned against that being interpreted that a facility could do regionalization on its own. The full intent is to make sure everything is done regionally on behalf of all the parties. Mr. Flint noted that he had already responded to the point regarding the 2900 acre feet.

Mayor Williams believed the Council needed to determine what to do with Summit County in terms of the one bullet point. It was a sticking point that needed to be discussed at some point. He believed the Council was unified in not being interested in another governmental agency having jurisdiction over land that is in the Park City limits. Mayor Williams remarked that it could potentially be a “deal killer” for Park City. He pointed out that the Council only heard about it recently and they had not had the opportunity to discuss it. He had seen a press release indicating that Summit County had already approved it and that caused him great concern. As a municipality they would never consider going out of their boundaries to tell another jurisdiction what to do. Mayor Williams was unsure whether the City Council wanted to approve the Agreement with the changes and try to resolve the issue with Summit County over the next few days. He asked the Council members for input.

Liza Simpson was comfortable approving the Agreement after hearing from Mr. Flint that Weber Basin would accept either proposal or something in between.

Alex Butwinski commented on the Class B shareholder vote for Summit Water and asked if it would be a condition at closing that they would have to prove that their Class B shareholders voted affirmatively for this Agreement. Mr. Flint understood that it was a condition upon closing. Mr. Butwinski believed they had come a long way, even in the two years he was involved. From an MOU to a Master Agreement proves the devil is in the details. Mr. Butwinski expressed his thanks and appreciation to Tom Daley, Clint McAffee, Diane Foster, the Weber Basin team, and the Mayor.

Cindy Matsumoto asked if Mr. Flint had seen the Summit Water Distribution Company’s shareholder notice. Mr. Flint replied that he had seen it. Ms. Matsumoto noted that it did not mention Class B and she asked if Mr. Flint was confident that it would meet the needs of the Class B Shareholders. Mr. Flint understood that a second notice had gone out. If both the first and second notices had gone out to all the shareholders and the shareholders have the opportunity to view the Agreement in advance of a vote, he would be comfortable with it. Given all the opportunities, there was very little they could do short of forcing someone to attend the meeting and vote.

Mayor Williams asked what Mr. Flint considered a consensus. He was told that there are 4100 connections and the question was what constitutes a majority. Mayor Williams wanted to know how that would be decided. Alex Butwinski wanted to know what would happen if none of the Class B Shareholders attend the meeting and vote. Mr. Flint was certain that some people would attend.

Liza Simpson asked they had considered delaying the vote given the size of the Agreement and only a week to read it. Mr. Flint believed the shareholders were given enough notice.

Mayor Williams called for public input. There were no comments and the hearing was closed.

Alex Butwinski, " Your honor, I move that we approve the Western Summit County Master Agreement in a form approved by the Deputy City Attorney and with the conditions as presented and amended. Andy Beerman seconded the motion. Motion carried unanimously.

Tom Daley would draft the appropriate language with flexibility to negotiate with the County.

5. Consideration of Rocky Mountain Power expansion of Bonanza Substation of low versus high profile design alternatives, located on Woodbine Way, Park City, Utah

Phyllis Robinson, Community and Public Affairs Manager, introduced participants at the table: Matt Cassel, the City Engineer; Sid Ostergaard, consultant; Thomas Eddington, Planning Director; and Nate Rockwood, Capital Budget and Grants Manager

Ms. Robinson stated that the matter before the City Council was a request for Council direction to proceed with the vertical expansion of the substation in its current location. Initial discussions regarding the expansion of the substation began in 2009 with the City's participation on the Rocky Mountain Power Wasatch Electrical Task Force. In 2010 Rocky Mountain Power informed the City that the substation in Bonanza Park was nearing capacity and needed to be upgraded from a 46 to a 138 kb substation. That information afforded the City the opportunity to consider whether there was an opportunity for relocating the substation. The City, in conjunction with Rocky Mountain Power, began examining the potential for relocation of the substation. A number of sites were evaluated throughout town and they also looked at keeping the substation in its current location for the expansion.

Mr. Robinson reported that over time they narrowed the possibilities to three sites. A number of sites were eliminated throughout the process due to access issues, whether there was adequate land for the expansion. Some of the issues were distance and others were cost. Ms. Robinson stated that the site at 1555 Iron Horse Drive was a less likely alternative early in the process because the need to do a land acquisition drove down its favorability. With the potential for a land swap between Rocky Mountain Power and the property owner, Mark Fischer, 1555 Iron Horse Drive became a more reasonable site. In September 2012 the Staff and the City Council approached Rocky Mountain Power and asked them to formally consider relocating the substation to 1555 Iron Horse Drive. Ms. Robinson clarified that the reason for making that request was to continue forward with a vision for Bonanza Park and the goals of the draft area plan. She clarified that at that time the issue of expanding the substation vertically to 60 feet also remained on the table.

Ms. Robinson remarked that throughout the process they continued to work with Rocky Mountain Power, Mark Fischer and ot her stakeholders to access the viability of the proposal at 1555 Iron Horse. Eight public meetings were held in 2012 and 2013. In March the Staff came before the City Council with three critical path issues that needed to be resolved before they could proceed further with the possible relocation of the substation to 1555 Iron Horse Drive. Ms. Robinson stated that access for the apartments was one issue in terms of whether the City would fund a share of it and how the City could participate in the funding for the redevelopment overall for Bonanza Park. The proposed move would cost between $10 million and $12 million, which included $5.5 million for undergrounding the lines. If the substation remained in place the cost would be zero or a land donation from the Recycle Center. They were aware of the large hurdles that had to be crossed in order to move the substation forward.

Ms. Robinson pointed out that the final piece was the deal points for the cost sharing between the City and the developer. She reported that after careful consideration, the City Council determined that relocating the substation to 1555 Iron Horse was not a feasible option based on the issues.

Ms. Robinson noted that Rocky Mountain Power has requested Council preference in terms of options. One option was to proceed with the vertical expansion of the existing footprint of the substation that would take the substation to approximately 60 feet in height. Another option was the potential for a low profile expansion of the substation. With this option the substation would not increase in height, but it would increase the property and take a portion of the Recycling Center. There are pros and cons to both options. Without the ability to underground the lines, the poles would increase in height in either option.

Ms. Robinson remarked that one of the advantages with moving the substation was the ability to do a Community Development Area (CDA) to help the developer with the cost of undergrounding the lines. As a government entity, due t o Government Accounting Standards the City does not have the ability to fund the cost of undergrounding the lines. The matter that could be discussed further at a later date, but undergrounding the lines was not a consideration this evening.

Ms. Robinson noted that Rocky Mountain Power and Mark Fischer have continued to discuss whether there is an opportunity to move the substation from its current location and expand it onto property that is owned by Mark Fischer, at the year of his property at the Yard. It would remain within the Bonanza Park area. Those two parties are negotiating, as well as Powdr Corp. in conversations with Mark Fischer. Rocky Mountain Power has indicated that they would be willing to continue the conversations for a few more weeks until the CUP application is scheduled on the docket. Ms. Robinson remarked that the Council may wish to give preliminary indication this evening on whether they are willing to support this alternate location should the property owners and Rocky Mountain Power arrive at a mutually beneficial arrangement.

Ms. Robinson noted that Steve Rush with Rocky Mountain Power was available to answer questions this evening.

Sid Ostergaard reviewed a power point presentation showing the existing conditions of the substation, as well as visual images showing examples of the options and the pole heights.

Cindy Matsumoto reiterated her earlier comment that she had mistakenly told some citizens that the power station would not be discussed this evening. However, she would ask the questions and express the concerns that were relayed to her. One was the concern of the electromagnetic fields (EMF) near the apartments. She was told that this would actually reduce the EMF.

Steve Rush replied that the voltage was increasing; however, EMF is a result of amps and not voltage. If the voltage is tripled, the amps are cut into a third. The result is a lower electromagnetic field.

Ms. Matsumoto asked if a high or low profile had less EMFs. Mr. Rush stated that it is the same. It is a moot question because the EMFs diminish with the square of the distance. By the time it reaches the perimeter of the fence the measurement is back to background levels. The numbers are higher with a low-profile station because it is closer, but in this case people would experience it on the outside of the fence so it would not matter. Ms. Matsumoto clarified that the apartments would not have to worry about the EMFs increasing from where they are now, and in fact it would decrease. She also clarified that if the substation were to move close, Mr. Rush believed it would not create a problem because the EMFs would decrease and then fall off. He stated that his belief was based on an actual measurement. It will be no higher and in all likelihood it could be lower. He pointed out that the conclusion drawn from health studies was a different question.

Ms. Matsumoto recalled the issue of humming in a previous discussion about moving the station. The residents currently experience an annoying humming sound and there are no buildings to block the noise. She asked if the humming noise would be reduced with the new equipment. Mr. Rush replied that the new equipment has a lower decibel rating and it would be quieter. Ms. Matsumoto assumed there would still be a hum. Mr. Rush believed it would be barely audible with the new equipment. Ms. Matsumoto suggested that Mr. Rush review those aspects of the power station with the citizens who would now be more affected.

City Engineer Matt Cassel clarified that the EMFs would not get any worse, but the reduction would be minimal because the distribution lines are buried. Mr. Rush agreed with Mr. Cassel. He noted that he had been talking about the transmission line. With the transmission line tripling in voltage, the amps are cut to one-third and the electromagnetic field is corresponding and reduced. However, inside the substation at the transformer itself, the EMF at that point would remain the same.

Andy Beerman asked if the transformer would remain in its current location or if it would be reoriented. Mr. Rush replied that if they stay on the same side the transformer would remain in its current location. Mr. Beerman asked if Rocky Mountain Power had an ideal shape if there were no constraints. Mr. Rush stated that the current standard is a rectangular shape of approximately 220’ x 200’. He stated that 2-1/2 acres is the typical footprint. Mayor Williams pointed out that 220’ x 200’ is 44,000 square feet or one acre. Mr. Rush acknowledged that his math was probably wrong.

Mayor Williams opened the public hearing.

Mark Fischer thanked the City Council and everyone involved on this project for their hard work over the last eighteen months. He still believed the Iron Horse site was a better location, and he felt that the point that was lost was that the Iron Horse option eliminated the poles. However, he thought there was still the opportunity for a compromise. Mr. Fischer stated that after the last session he met with Rocky Mountain Power, Matt Cassel and Phyllis Robinson on the site and a new idea was generated, which was swapping the back of the yard in exchange for the front 94 feet of the current substation. He believed that was a significant idea because it would allow the construction of a large building to the north of the substation to shield it. Mr. Fischer wanted it on the record this evening that he was duly authorized and he was accepting the idea of a trade. He pointed out that they still needed to determine the exact size. It could be as much as 80’ further to the west than it needs to be. If that is the case, the substation line would move 94’ to the south and then more or less square off to the back of the Yard property. It would fit nicely and allow the Bonanza Park concept plan to go forward. Mr. Fischer emphasized that if this could happen he will do it.

Brandon Malman, a community member, was pleased that this substation would not be in his neighborhood. He liked the idea of expanding it to the Yard. Mr. Malman asked for clarification on the CDA. He noted that a study was done and $7 million worth of tax revenues would be available to underground the power lines. However, the Staff report stated that it would not be possible to create a CDA to fund the burying of the power lines without a guarantee of future development that would create incremental new taxes. Mr. Malman wanted to know why the CDA found money to bury the lines when the idea was to move the substation to Iron Horse; but there is no funding now that the substation is being developed in its current location.

Nate Rockwood explained that one of the concepts of the Community Development Area (CDA) was that moving the substation opened the entire area for higher density levels. It also facilitated that the developer would contribute money upfront so it would not actually be the City burying the lines. With the substation remaining in its current location, it not only changed the anticipated density, but the area would develop differently and the property value would be lower. Mr. Rockwood stated that the way the CDA works is that the other taxing entities come together and provide their increment, which is primarily where the money comes from. The taxing entities need to be convinced that there is a long term benefit resulting from their contribution. While burying the power lines is an aesthetic benefit, regardless of whether the lines are above or below ground, the type of development would remain unchanged because the substation still exists in that location. The taxing entities are not seeing an economic incentive and it is hard to ask them to give up the tax revenue. Mr. Rockwood believed that everyone would like to have the lines buried, but it becomes a harder argument for funding.

Diane Foster noted that the City had a guarantee that the area would develop within certain time frames to generate that revenue; and if it did not occur, the developer would lose his investment but the City would not lose any money. Ms. Foster remarked that the guarantee no longer exists.

Patricia Caston, a community member, had read the Staff report and referred to the score card. Comparing this score card to other scores cards over the years, she noted had scored the lowest in the realm of possibilities of relocation sites. Ms. Caston asked when the site was scored and whether the City was aware that 1555 Lower Iron Horse had scored the lowest when it was being considered as a priority site.

Liza Simpson stated that it scored the lowest at that point in time because it was before Mark Fischer purchased additional property to make the site large enough. Mr. Cassel further clarified that 1555 Iron Horse was scored after all the other sites were scored and evaluated and some were removed from consideration. As they were narrowing the list, this piece of property came into play. It was scored in September 2011. Mr. Cassel noted that the Staff report provided a timeline of the process and which sites were scored and evaluated. The Staff report also indicated that after the scoring was completed the Iron Horse site came into play and the process moved forward.

Mr. Cassel explained the scoring process. A higher score usually indicates that less mitigation would be required and a lower score means that the site needs to be looked at carefully and more mitigation efforts would be required, which was the case with 1555 Iron Horse. City Manager Diane Foster pointed out that 1555 Iron Horse was scored before Mark Fischer acquired the additional property, because in previous public hearings several citizens pointed out that the Iron Horse site had the lowest score.

Ms. Caston remarked that the public comment about it being scored the lowest was based on confusion because 1185 Lower Iron Horse was the site listed in the Staff reports. She noted that many people thought 1185 Lower Iron Horse was actually 1555 Lower Iron Horse in the scoring. She maintained that the current Staff report was the first report that actually identified 1555 Lower Iron Horse. Ms. Caston commented on the newly discovered idea of expanding, and asked if that option truly never occurred to anyone before last week. Mr. Cassel replied that the idea was probably the original concept in the early years of discussion as they looked at the alternatives for the existing site. The only new piece is the potential land swap that would be available. Cindy Matsumoto emphasized that the land swap is a critical issue. Ms. Caston understood and thanked the Council for their time.

Alex Butwinski informed Ms. Caston that the December 2011 Staff report talks about the1555 Iron Horse site after the scoring. Ms. Caston replied that she had seen it mentioned in other Staff reports, but her question was why it was never scored.

Mayor Williams closed the public hearing.

Mayor Williams thought the Council needed to better understand what would be asked of the City by Rocky Mountain Power, Mr. Fischer or the adjacent landowners before they could determine the best course of action. They recognized the need for Rocky Mountain Power to move forward with the Conditional Use Permit; however, he hoped they would continue to work with the City Council to create the best outcome. Mayor Williams preferred to defer the recommendation on the substation until the alternative location discussion is resolved, with the understanding that it needs to happen within the next couple of weeks. The City Council did not want to take action on something specific while negotiations were still occurring. Mayor Williams noted that the entire future and outcome of Bonanza Park (BoPa) could be changed based on the result of the negotiations, and the Council did not want to steer that conversation.

Mr. Rush asked if the Council had a preference for low-profile or going vertical as the direction they were leaning. He noted that the Power Company could file and build on the existing site if there are no changes. He understood from Mr. Fischer's comments that he had resolved the issues with the other property owners and they could move forward with Mr. Fischer's proposal. Mr. Rush asked Mr. Fischer if he correctly understood his comment. Mark Fischer stated that it was a single party negotiation and the other property owners were not involved. It was a matter to be negotiated between Mark Fischer and Rocky Mountain Power. Mr. Fisher reiterated that he was ready to move forward on it.

Mayor Williams assumed that if they were able to expand the substation into Mr. Fischer's property, the goal would be low profile. He believed it was a great opportunity because it was an option that would allow BoPa to work. He understood from the developer that going vertical would negate the current design on the table.

Mr. Rush requested to be on the City Council agenda in two weeks, during which time he would meet with Mark Fischer to work out the details. Rocky Mountain Power would proceed with internal planning for low profile based on the direction from City Council. Ms. Foster informed Mr. Rush that he would be scheduled for the July 11th meeting.

Liza Simpson thanked everyone who has been involved in the process. Alex Butwinski thanked Mr. Rush for giving them another opportunity to look at the details before taking action.

Liza Simpson, "I move to continue the Rocky Mountain Power Substation Expansion to July 11, 2013". Alex Butwinski seconded the motion. Motion carried unanimously.

VI 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 2:40 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; City Manager, Mark Harrington, City Attorney; Matt Cassel, City Engineer/ Nate Rockwood, Capital Budget and Grants Manager; Phyllis Robinson, Community and Public Affairs Manager; Thomas Eddington, Planning Director; Clint McAffee, Water Manager and Tom Daley, Deputy City Attorney. Cindy Matsumoto, "I move to close the meeting to discuss property and litigation". Liza Simpson seconded. Motion carried unanimously. The meeting opened at approximately 4:50 p.m. Alex Butwinski, "I move to open the meeting". Andy Beerman 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 new media two days prior to the meeting.

Prepared by Mary May, Secretarial Services

City Council Staff Report

Subject: Reusable Bags Resolution
Author: Tyler Poulson and Matt Abbott
Department: Sustainability
Date: July 25, 2013
Type of Item: Legislative

Summary Recommendations:
Staff recommends that City Council review the attached Reusable Bags resolution and adopt the resolution which sets forth steps for reducing disposable bag consumption in Park City.

Background:
Staff most recently presented to City Council on this topic during Work Session on July 11, 2013. At that meeting Council directed staff to return with an updated resolution for potential formal adoption. Staff also received direction to pursue a partnership with Recycle Utah that includes $6,000 from the City to initiate an education and outreach campaign regarding disposable bags. Recycle Utah has agreed to engage community partners in developing a prototype reusable bag with Park City branding in addition to seeking outside funding to further finance reusable bag related activities.

Based on feedback from City Council, staff has amended the previous resolution draft in two primary ways:

1. Included more quantitative and qualitative project metrics and desired outcomes in the resolution language;

2. Strengthened the ordinance language to reflect clearer expectations and potential action items for the Earth Day 2015 target date

Staff refrained from setting exact quantitative targets (e.g., __% reduction) in the resolution for two reasons: 1) A lack of quality background data at this time; 2) The highly subjective nature of such targets. Rather than setting specific quantitative goals, staff has set forth desired trends and a vision to see progress across all metrics listed in the resolution. The ability to set more defined targets may evolve over time as additional metrics become available and as we start to understand the scope and interests of community partners. An updated version of the resolution is included as Exhibit A in this Staff Report.

Analysis:
Staff has presented a substantial amount of analysis on this topic as part of three separate meetings this year. These prior meetings included a Study Session on May 9, 2013 and a Work Session on July 11, 2013, in addition to a subsequent scoping discussion with Council Liaisons (Williams, Matsumoto, and Beerman). Based on

outcomes from these meetings, staff is pursuing a partnership that provides one-time funding to Recycle Utah for education, outreach, and reusable bag development activities. Staff is also presenting a related resolution for Council consideration.

The Reusable Bags Resolution (Exhibit A) was written to highlight the negative consequences of single-use bags while also encouraging uptake of reusable bags. The resolution includes high-level recommendations for local vendors as well as details on the City's partnership with Recycle Utah. Earth Day 2015 (April 22, 2015) was chosen as a milestone date for City Council and staff to assess progress on this topic and potential next steps. This date signifies a time when Council may contemplate additional options, including local legislative action, if deemed appropriate. This process is similar to how Park City Municipal approached anti-idling, first with a resolution and then a reassessment and ordinance passage by City Council.

In addition to the Earth Day 2015 milestone, staff will provide recurring updates to City Council on at least a semi-annual basis. These updates will reflect Recycle Utah's reusable bag efforts to-date along with related metrics, where available. Passing a resolution at this time will signify to the community (both business and residential) of Park City's interest in reducing disposable bag usage and waste. This is an education-first path that Council has indicated they would like to follow prior to any potentially stringent regulatory action on disposable bags.

Department Review:
Sustainability, Legal, and the City Manager reviewed this Staff Report and provided feedback.

Alternatives:

A. Approve (Staff Recommendation):
Approve the resolution in Exhibit A that supports the use of reusable bags in Park City and sets forth steps to decrease the consumption and waste associated with disposable bags.

B. Deny:
Do not adopt the proposed resolution at this time and request a break from considering any additional actions related to this topic.

C. Modify:
Provide specific modifications that would be integrated into the ordinance before Council adoption.

D. Continue the Item:
Direct staff to return with more information on this topic before taking any action.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	+ Balance betw een tourism and local quality of life + Internationally recognized & respected brand	+ Managed natural resources balancing ecosystem needs + Reduced municipal, business and community carbon footprints	+ Part-time residents that invest and engage in the community ~ Primarily locally ow ned businesses	+ Fiscally and legally sound + Engaged and informed citizenry
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Positive	Very Positive	Positive	Very Positive

Comments: A Reusable Bags Resolution is a practical first step to support related waste reduction efforts and encourage the uptake of reusable bags. A functional resolution will serve as a business and branding opportunity for Park City and its potential partners in this initiative.

Funding Source:

City Council previously directed staff to provide Recycle Utah with $6,000 in City funds for their reusable bag outreach and product development program. No additional funding is being requested at this time.

Consequences of not taking the recommended action:

If City Council does not recommend adopting the proposed resolution, staff will still partner with Recycle Utah as indicated above. However, the additional action items and milestones set forth in the resolution will not be pursued, pending any future Council direction.

Recommendation:

Staff recommends that City Council review the attached Reusable Bags resolution and adopt the resolution which sets forth steps for reducing disposable bag consumption in Park City.

Attachments:

Exhibit A - Reusable Bags Resolution for Park City, Utah

Exhibit A - Reusable Bags Resolution for Park City, Utah

Resolution No. __-13

REUSABLE BAGS RESOLUTION FOR PARK CITY, UTAH

WHEREAS, use and consumption of single-use disposable bags is preventable and adversely affects the natural environment; and

WHEREAS, the pollution of single-use disposable bags is unsightly and an environmental nuisance; and

WHEREAS, petroleum-based products and products produced with petroleum-based energy are nonrenewable and contribute to global climate change; and

WHEREAS, reusable bag options are readily available, durable, and cost effective; and

WHEREAS, City Council desires to take a proactive position on pollution to protect the livability and viability of Park City, its residents, visitors and guests; and

WHEREAS, it is in the public interest of Park City residents, guests, and visitors to reduce single-use disposable bags to protect the health, economic viability and beauty of the natural environment of Park City and surrounding area;

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

1. REDUCTION OF SINGLE-USE BAGS. Retailers are encouraged to promote and utilize reusable bags in an attempt to reduce single-use bags in Park City. Environmentally preferable reusable bags are typically made of cloth, fiber or other machine washable material and are 2.25mm thick or thicker in order to ensure durability.

Retailers may pursue a variety of means to encourage reusable bag use, including but not limited to: discounting customers for reusable bag use, donating on behalf of customers for reusable bag use, and/or charging customers for the cost of single-use bags. Park City recognizes that there are certain situations where single-use bags are appropriate, including:

- Prescription pharmaceutical bags
- Meat, fish, produce, bakery and bulk good bags
- Newspaper bags, dry cleaning bags and door hangers
- Bags sold in packages containing multiple bags for personal use such as trash, yard waste, storage or pet waste bags

2. OUTREACH, EDUCATION AND DISTRIBUTION OF REUSABLE BAGS. Park City will partner with Recycle Utah and provide limited financial support to efforts that reduce the reliance on single-use bags. These efforts will include Recycle Utah creating an outreach and education program, in addition to creating and distributing locally designed reusable bags. Recycle Utah is encouraged to seek out partnerships and additional participants to maximize the value of this program.

City staff will provide semi-annual reports to City Council regarding the impacts of this Resolution and partnership. These reports will include qualitative outcomes as well as, at a minimum, the following quantitative indicators of program:

- Number of reusable bags distributed by Recycle Utah through the program
- Number of outreach events conducted / attended
- Number of local organizations partnering on the reusable bag initiative and extent of their contributions
- Trends in disposable bag consumption and reusable bag use at major commercial outlets, where metrics are available and shared publicly

The intent of this Resolution is to document tangible improvements over time across the areas indicated.

3. REVIEW OF PROGRESS. This Resolution, and r elated local progress to-date, shall be reviewed by Park City Municipal Staff and City Council near Earth Day 2015 (April 22, 2015). This holistic review will be in addition to semi-annual written updates leading up to this date. City Council intends to see significant progress through demonstrable reductions in disposable bag use and reusable bag uptake in the community. At this time in 2015, City Council will review the state of this issue and consider potential next steps, including legislative action to restrict and/or impose additional financial costs related to the use of disposable bags.

4. EFFECTIVE DATE. This Resolution shall take effect upon adoption by City Council.

PASSED AND ADOPTED this 25th day of July 2013.

PARK CITY MUNICIPAL CORPORATION

____
Mayor Dana Williams

Attest:

____
City Recorder

Approved as to form:

____
Mark D. Harrington, City Attorney

City Council Staff Report

Subject: **Owner's Representative & Project Manager - Lower Park Avenue Redevelopment Authority Professional Service Provider Contract Award**
Author: **Jonathan Weidenhamer**
Department: **Sustainability**
Date: **July 25, 2013**
Type of Item: **Administrative**

Summary Recommendations:
Authorize the City Manager to enter into a professional service provider agreement in a form approved by the City Attorney's Office with Millcreek Consulting and Development for professional services in an amount not to exceed $182,000.

Topic/Description:
Lower Park Avenue Redevelopment Authority – Owner's Representative & Project Manager Professional Service Provider contract award.

Background:
On November 8, 2012, the City council reviewed a concept plan and timeline for implementation of the Lower Park Avenue Neighborhood plan which included an expansion and renovation of the Library, creation of a community space on the 3rd Floor of Carl Winters building, a multi-generational housing project, and possible senior and community center. Additionally, the City entered into a non-binding letter of intent with Park City Mountain Resort (PCMR) on August 9, 2012 to participate in the design and construction of a parking and transit center at the base of PCMR.

Staff believes we can manage the design and construction of the library expansion and 3rd floor remodel of the Carl Winters building with existing resources. Due to the complexity of all of the neighborhood projects, as well as the undefined role in the parking/transit project, staff believes hiring outside resources to help manage the projects is the most time and cost efficient way to implement Council goals. Currently, the Economic Development Manager, Community Affairs Manager, Sustainability Senior Project Manager, and limited pre-development input from the Planning Director are the only staff resources allocated to the management of these projects. Staff anticipates that by utilizing an outside resource, staff can better utilize existing staff resources for other Council priorities.

The overall goal for staff and the consultant is to identify the City's ownership and financial role as well as ensure the timely completion of high profile public projects as outlined in the approved LPA RDA master and neighborhood plans.

Analysis:
The consulting fees will be recovered through savings resulting from defining our ownership and financial roles, by appropriate property disposition and also through effective project management roles with reduced construction costs and value engineering. The consultant will report to the Economic Development Manager with input from members of the Sustainability Team, City Manager and Planning Director or their designee.

Duration & Timing
Staff anticipates this position will vary from a 10- 30 hours a week depending on the phase of the project and likely average about 20. The conceptual schedule of the neighborhood projects starts in mid 2013 and ends in summer 2016.

RFP & Selection Committee
The Request for Proposals was advertised in the Park Record and in the Salt Lake Tribune. Additionally, the RFP was posted on the City's website. The scope of the project is included (Exhibit A). The projects include:

Preliminary Concept Projects, Timeline & Budget

Project	Calendar Year(s)	Prelim. Budget	Description	Identified on map as:
Structured Parking for Sr./ Community Center	2014	$3,000,000	Feasibility and construction of required parking for sr./ community center, possibly underground. Number of spaces tbd. Role includes Owner's rep, and design and constuction management services.	Building C
Sr./Community Center	2015	$2,000,000	Concept includes approx. 1,500 sf commercial and 5,000 sf community ctr. Final size & programming to be determined through a community input process.	Building C
Multi-generational housing	2015	$8,000,000	Concept includes approx. 15 units with a mix of senior housing and market and/or affordable units on approximately 1 acre of land (1321/23 Woodside). The scope also includes replication of a historic home across the street at 1335 Park Ave. This effort may include a joint venture with an adjoining property owner. Defining the financial and ownership structure of any JV is needed. The project will need a subdivision plat and conditional use permit. Role includes general owner's rep, development & budget manager, as well as manage design and constuction management services.	all "3 & 4 Plexs"; Building B
Parking Garage at PCMR	2016	$30-40M	1200-1500 space parking garage on land owned by PMCR. Project includes a transit center on land owned by City. See Exhibit X for additional information. This effort includes a joint venture with an adjoining property owner (PCMR) and possibly with the FTA. Defining the financial and ownership structure is needed. Anticipate PCMR pursuing subdivision plat and conditional use permit. Otherwise role includes general owner's rep.	PCMR Parking Garage

A selection committee included the following staff participants:

Jonathan Weidenhamer	Sustainability
Phyllis Robinson	Sustainability
Matt Twombly	Sustainability
Dave Gustafson	Sustainability
Nate Rockwood	Budget
Blake Fonnesbeck	Public Works Operations
Rebecca Gillis	Finance
Thomas Eddington	Planning

The selection criteria included:

<u>Cost</u>
Hourly Rate/ Cost;

<u>Statement of Qualifications and Experience:</u>

<u>Required</u>

- Demonstrated experience in large and complex projects within Park City Limits;
- Demonstrated experience as Owner's Rep for both for-profit and not-for-profit groups;
- Demonstrated success as Owner's Rep in all faucets of development and project management, including:
  - Creation and management of budget;
  - Development of financial pro-forma;
  - Ability to create and manage complex joint venture agreements;
  - Pre-construction and planning/ governmental approval requirements, and
  - Procurement and management of consultants, design professionals contractors and suppliers.
- Demonstrated success in all faucets of project and construction management;
- Experience with multiple types of construction methods.

<u>Preferred</u>
- Financial modeling, including complex public budget and accounting experience within a Redevelopment Authority or similar development;
- Demonstrated development/project management work with Federal contract clauses and procurement (Davis-Bacon, Buy America, DBE, etc.).

Seven firms responded and their cost proposals are as follows:

Construction Control	$98.50/hr
Forsgren	$130
Millcreek	**$175**
Wells	$175
Elliott Work Group	$150 (clerical at $65)
Project Control Inc.	$125
Alta	$250 (tasks A&F at $160)

The selection committee met on June 18, 2013 and determined that three of the firms should be brought in for short list interviews. Millcreek (Steve Brown), Project Control (Team) and Elliott Work Group (Jeff Werbelow) were interviewed on June 21, 2013.

Park City's purchasing policy states that Professional Service Contracts are exempt from competitive bidding, where the lowest quote need not necessarily be awarded the contract. Furthermore, the policy states that emphasis will be placed on quality, with cost being the deciding factor when everything else is equal. In review of the proposals and interviews, the committee determined that Steve Brown of MillCreek Consulting and Development was the most qualified in regards to the criteria above, and more specifically as follows:

- Relevant experience: large and complex projects; work in Park City limits; for and non-profit project experience; affordable housing projects;
- Financial and joint venture experience;
- Specific construction management and value engineering experience;
- Specific experience in project management/owner's rep role for the Sustainability team including work on Park City Heights, the MARC; and Feasibility and market analysis work on possible purchase of property on Main Street. Mr. Brown's work in the past has demonstrated efficiency, political savvy and effectiveness in government approval processes and through project and construction management work resulted in significant direct budget savings; and
- Mr. Brown's proposed hourly rate is 23% below the work on PC Heights ($15,000 contract) and 11% below the work on the MARC ($85,000 contract). In each case his work was very efficient, where goals and deliverables were accomplished without use of the entire budget.

Mr. Brown's proposal is attached as Exhibit B so more details of the relevant experience are available. The deliverables for this contract will include the following high level bullets with the detailed deliverables listed in Exhibit A of the attached service provider agreement:

A. Master Schedule
B. Master Budget
C. Owner's Representative
D. Overall Coordination
E. Construction Contract Administration
F. Project Closeout Services

Not included in the scope of the RFP is the Public Information (PI) component. It is anticipated that PI will be designed and led internally by the City's Public Affairs Manager with additional direct staff support allocated to this project. We believe this approach will allow for a high level of service including pre-construction outreach to the neighborhood and potential stakeholders, weekly merchant contacts during the construction phase as well as regular community updates in the most cost effective manner. These projects are to be defined and prioritized by the results of a community input and prioritization process. Ultimately they would be approved through the budget process.

General Reimbursables are included in the hourly rate. This includes milage and other personal expenses. However, extraordinary expenses such as major printings or preparation of presentation materials may be deducted from the total contract amount.

Department Review:
This report has been reviewed by representatives of Sustainability, Legal, Budget Departments and the City Manager’s Office and their comments have been integrated into this report.

Alternatives:

A. Approve:
Approve the request, and authorize the City Manager to execute the service provider agreement in a form approved by the City Attorney’s Office with Millcreek Consulting and Development, in the amount of in the amount of $175/hour: (Staff recommendation)

B. Deny:
Council could choose to deny the agreement. This would have time delays and staffing impacts on LPA projects;

C. Modify:
Council could choose to modify terms or scope of the agreement at this time, the impacts of which would depend on the modifications;

D. Continue the Item:
Council may feel there is not enough information to make a decision. This would delay moving forward until an alternative staffing management plan is agreed on;

E. Do Nothing:
Same effect as continuance.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	+ Balance betw een tourism and local quality of life + Varied and extensive event offerings + Accessibility during peak seasonal times + Safe community that is w alkable and bike-able + Internationally recognized & respected brand + Multi-seasonal destination for recreational opportunities + Well-utilized regional public transit	~ Managed natural resources balancing ecosystem needs ~ Enhanced w ater quality and high customer confidence - Reduced municipal, business and community carbon footprints - Economically and environmentally feasible soil disposal	+ Preserved and celebrated history; protected National Historic District + Entire population utilizes community amenities + Physically and socially connected neighborhoods + Community gathering spaces and places + Vibrant arts and culture offerings	+ Well-maintained assets and infrastructure + Streamlined and flexible operating processes (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome)
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Very Positive	Negative	Very Positive	Positive
Comments:				

Funding Source:
The LPA RDA is the funding source for these projects. The LPA RDA is now generating approximately $1.2M annually. There is currently approximately $10M in funds available in the LPA RDA. $5.6 M of which are committed to the Library renovation. The RDA will generate an estimated additional $4M more through 2015 for a total of approximately $14M. The approved 2015 - 2030 extension is anticipated to generate as much as $30-40M additional increment depending on growth and tax base.

Consequences of not taking the recommended action:
Consequences of not taking the recommended action will likely delay construction.

Recommendation:
Authorize the City Manager to enter into a professional service provider agreement in a form approved by the City Attorney's Office with Millcreek Consulting and Development for professional services in an amount not to exceed $182,000.

Attachments:
Exhibit A – Professional Services Scope
Exhibit B – Millcreek Consulting & Development Proposal

Exhibit A

SCOPE OF SERVICES

A. Master Schedule
   1. Develop a detailed master schedule for each of the projects for all activities including design review, assist in bidding activities, start of construction, major construction activities, substantial completion, commissioning, moving occupancy and warranty inspections, and assist staff in developing operating budgets.
   2. Update the master schedule as needed to reflect changes in direction or schedule
   3. Combine master schedules for each project into a total program master schedule working directly with all project managers.
   4. Maintain accountability with regard to the master schedule with each Consultant, Project Managers and Contractors.

B. Master Budget
   1. Develop budget categories, which are to be tracked from start to completion.
   2. Establish budget amounts for each category, and monitor and maintain the budget on behalf of the City without compromising quality or causing increased maintenance costs.
   3. Budget shall be in the City's standard format or approved format.
   4. The budget shall be updated on the 15^{th} of each month and shall show the starting amount, amount spent that month; total spent and balance remaining in that line item. The monthly budget update shall be provided from the start of design review through final payment including retainage.
   5. Discuss potential budget adjustments with the Project Managers and update the master budget every month if budget adjustments are necessary
   6. Maintain accountability to the master budget with Architects, Project Managers, Consultants, CM/GC(s), direct Contractors, and Owners direct expenditures for the projects.
   7. Evaluate design options, materials and schedule options that affect budgets for presentation to the City.

C. Owner's Representative
   1. Coordinate necessary submittal requirements, applications and approvals for all required government approvals. Procure necessary information per State procurement requirements.
   2. Maintain Project records, design submittals for schematic, design development and construction document phases, and specifications.
   3. Coordinate the flow of Project information to the Contractor, City Council, City, Project Managers, and General Public through the Park City Public information Officer (PIO).
   4. Provide written monthly status reports summarizing progress, schedule, budget status, major decisions, changes and other key Project information during

design, construction and final close out. As required, be present at public and stakeholder meetings to answer questions.

5. The City will supply office space, office supplies, desk(s), table(s), chair(s) phone (hard line), network connectivity and printer as needed by the Owner's Representative. It is the responsibility of the Owner's Representative to supply their own computer and all other items.

D. Overall Coordination

1. Coordinate all the construction activities of each project.
2. Coordinate the selection, assist in bidding, and installation of Owner supplied Fixtures Furniture and Equipment (FF&E).
3. Prepare technical specifications and assist in the bidding of material testing for all projects.
4. Attend design team meetings for the Project to discuss/decide design options, choice of construction materials, schedules, budgets, and construction and bidding issues.
5. Solicit input from Park City Staff to standardize equipment and construction materials in the design process.
6. Maintain A/E accountability to the design intent as described in the Project scope for each building.
7. Assist with periodic design reviews.
8. Participate in the Value Engineering Phase of the Project and make recommendations to the Project Managers.
9. Review the construction documents for technical accuracy without assuming any of the Architects' or Engineer's responsibilities or liability for design of the Project.

G. Construction Contract Administration

1. Work with existing City Staff to coordinate independent testing services for environmental issues (if needed), concrete, soils, welding, etc.
2. Coordinate all specialty consultants and contractors etc., which may be needed for the Project. (e.g. wetlands consultants/contractors, asbestos consultants/contractors.
3. Report to and advise the City on issues of construction costs, schedule coordination, and owner occupancy.
4. Perform administration of construction contracts, change orders, requests for information, and authorize payment applications on behalf of the City.
5. Attend weekly construction coordination meetings representing the City and follow-up on City required issues, which may occur during these meetings. Make Periodic visits to the construction sites, at a minimum of 2 days per week to observe progress and to respond to Architect and Contractor questions.
6. Take field notes of general conditions observations.
7. Develop and maintain Project control systems as necessary for tracking and reporting Project status issues.
8. Coordinate all construction activities including mobilization.

9. Coordinate requests by City Staff, utility companies, Architects, Engineers, CM/GC and other professionals involved in the Project.
10. Notify the City when alerted by the Architect or Engineer of work not in conformance with the Contract Documents. This shall be done after efforts to require corrective action by the Contractor or Architect have failed. The Owner's Representative shall not be financially responsible for acts or omissions of any Contractor, Subcontractor, and Architect of Engineering firm perming work at the Project.
11. Provide contract administration for the construction contracts.
12. Review/approve contractor applications for payment in addition to the Architect's approval.
13. Provide contract administration for the Consultants and other professional services related to the project.
14. Review/approve Consultant's and other professional services applications for payment related to the Project.
15. Evaluate and advises the Owner on change order requests from Architect, Contractor, Consultants and other professional services related to the Project.

H. <u>Project Closeout Services</u>

1. Coordinate moving of new/old furnishings, fixtures and equipment into the completed facilities.
2. Accompany the Architect and the City during punch list review. Assist the Architect and the City in developing punch lists for Project completion.
3. Accompany the Architect and the City during punch list follow up.
4. Coordinate the receipt of record documents, Operation & Maintenance Manuals etc. to be provided by the Contractors and Architect for delivery to the City. Documents and manuals must be submitted in hard copy; they must also be submitted in digital format and electronic media (CAD).
5. Advise the City with respect to substantial completion, final payment, and warranty periods.

MILLCREEK
CONSULTING & DEVELOPMENT

Response to Request for Proposal

For

Park City Municipal Corporation

Owners Representative and Project Manager
Lower Park Avenue
RDA
Park City, Utah

Millcreek Consulting and Development
Stephen M. Brown
President

STEPHEN M. BROWN
President

3017 E. Kempner Rd. • Salt Lake City, UT 84109 • (801) 277-[illegible]525 • Fax (801) 278-8524 • sbrown.millcreek@[redacted].com
gmail

June 12, 2013

Mr. Jonathan Weidenhamer
Economic Development Manager
Park City Municipal Corporation
445 Marsac Ave
Park City, Utah 84060

Dear Jonathan:

Thank you for the opportunity to respond to the Request for Proposal for the Lower Park Avenue Redevelopment Authority projects. Millcreek Consulting (MC) has long valued its relationship with Park City and appreciates the opportunity to pursue another engagement with the City. Because of my previous projects with the City I believe I have a good understanding of and working relationship with the municipality and value the collaboration with City Hall staff. That coupled with my overall background and range of experience provides unique qualifications for this particular project.

I have reviewed Section IV. Content of Proposal and will attempt to respond to the statement of qualifications and experience with a narrative description of some of my projects that address the comprehensive nature of the requirements for the Lower Park Avenue project. I believe the project descriptions will reflect experience in virtually all of the requirements outlined in Section IV. They represent experience in large complex projects within Park City limits with both for-profit and not-for-profit clients. All of the projects required experience with budget and pro-forma development, joint venture agreements, pre-development and entitlement work as well as architectural and engineering interface and construction management.

I will address the hourly rate at the conclusion of my response.

Qualifications, Experience and References:

Project name: Olympic Sports Park Master Plan
Contact name: Colin Hilton, CEO Utah Olympic Legacy Foundation
Phone number: 435- 658-4227
Status: Existing contract
Type: Master Planned mix use commercial and athlete/workforce housing
Description: MC has been acting as the Master Plan design consultant to the Olympic Sports Park for the past 5 years. Its primary task has been to assist the CEO in the development of a master plan and SPA application to Summit County. MC had taken the

lead on the entitlement process and project management for a long-range development plan for the OSP. We have selected design consultants, architectural and engineering consultants and successfully completed a conditional use application for the infrastructure and expansion of the Youth Hills program. The Summit County Council approved the SPA application in March of 2012. The Development Agreement is fundamentally completed and should be finalized in the next 60 days. MC has been intimately involved in all aspects of the Master Plan process and is currently finalizing a Land Exchange Agreement with Summit County in anticipation of a Plat Amendment, re-zone application and quit claim deed of property between the County and the OSP. MC has also identified and negotiated with a development partner to joint venture the construction of Phase One. This is a unique arrangement necessitated by the 501 C-3 status of the OSP. The eventual development will include athletic related facilities, medical office and health and wellness space, general office space as well as work force and athletes housing. MC has experience in the development and construction of all these types of uses.

Project name: Kimball Arts Center
Contact name: Matt Mullin
Phone number: 435-901-4707
Status: Existing contract
Type: Mixed use commercial, museum and art gallery
Description: The Kimball Arts Center (KAC) retained MC approximately one year ago to act as the owner's representative for the entitlement process of their proposed expansion. MC has worked closely with the KAC Landmark Committee and the Park City Planning staff to identify an appropriate response to the existing zoning designation and the previous and evolving architectural concepts for the project. A reassessment of the plan is currently under consideration.

Project name: The Hope Lodge for the American Cancer Society
Contact name: Pam Higginson
Phone number: 801-540-3594
Status: Existing contract
Type: Mixed use housing for cancer patients and commercial office
Description: MC was retained as the Owner's Representative by the American Cancer Society in early 2012 for the development of a 42 unit housing facility for cancer patients receiving treatment in the greater Salt Lake City area. Occupancy at the Hope Lodge is provided free of charge to the patient and their caregiver. Each unit is comprised of an entry suite with a double bedroom and bathroom. A large kitchen with eight food preparation areas is located on the main floor adjacent to the dining room. Additionally, there are multi-purpose rooms on the second and third floors as well as offices for the ACS on the ground level. The LDS Church has donated the site, located in downtown Salt Lake City. MC was tasked with finalizing the entitlements and Plat recordation of the site, and to work closely with the Steering Committee for architectural and general contractor selection and all other pre-development requirements including project design and capital campaign activities. The construction drawings will be finalized and

submitted to Salt Lake City on July 12 with construction scheduled to commence when the campaign has raised sufficient funds.

Project names: Rendon Terrace and Valor House
Client: The Housing Authority of Salt Lake City
Status: Completed fall of 2012 and winter 2013 respectively
Type: Senior Housing and Veterans Housing
Description: Rendon Terrace is a 72 unit senior housing project located at 6th W. and 2nd North in Salt Lake City. Valor House is a 40-unit housing project specifically designated for homeless veterans located on the Campus of the VA Hospital also located in Salt Lake City. MC was retained as the owner's representative by HASLC for Rendon Terrace in 2009 and assisted in the design development process with a previously selected architect. Multiple attempts at acquiring the necessary tax credits from the federal government were required before the project was approved for construction. The project was awarded to the low bidder in an open bid process and construction was completed two months late but on budget. The Valor House project involved significant interaction with the Veterans Administration. An excellent architect was selected, however this project was also awarded to a low bid general contractor. This situation coupled with some major issues presented by the VA regarding budget and construction obligations that were not met created significant difficulties. The president of the construction firm and project executive was forced out by the company owner early in the construction process and was never fully replaced. The project manager resigned before the project was completed and the superintendent was laid off with an agreement that he would complete the project. The project maintained a good quality of construction and was completed as per all specifications. The project however was completed three months late and approximately 7% over budget. Besides getting the project finished, MC's primary goal was to prevent any legal entanglements between the Owner and the Contractor. This goal was accomplished at some cost of relationships. Both of these projects involved Davis-Bacon wage procedures.

Project name: Park City Recreation Center. The MARC
Contact name: Jonathan Weidenhamer
Phone number: 435-615-5069
Status: Completed Jan 2011
Type: Public recreation center
Description: A demolition and reconstruction of the former Racquet Club located on Little Kate Road in Park Meadows. MC shared co-project management responsibilities with Matt Twombly of Park City Municipal. MC was retained to assist in the entitlement, design completion, contractor selection and construction management of the project. The architect had been previously selected. The project required weekly coordination and onsite meetings with the entire project team in addition to daily interface between the architect, general contractor and the owner. MC participated in every aspect of the project management and acted as the owner's representative in conjunction with Mr. Twombly. The project encountered the heaviest snow season in 30 years, which is great for a ski town but tough on projects under construction. The MARC

was delivered approximately 60 days late however it was on budget. The project has been very well received by the community.

Project name: United States Ski and Snowboard Association Center of Excellence
Contact name: Mark Lampe, Chief Financial Officer, USSA
Phone number: 435-647-2002
Date Completed: June, 2009
Address: 1 Victory Lane, Park City, Utah
Size: $22,000,000.
Duration: 18 months. Consulted with USSA since 1998.
Type: Mixed use commercial. Primarily athletic training and office facility
Description: The process of acquiring, entitling, designing and eventually constructing a training center and headquarters for USSA was an odyssey of sorts. The initial meeting with USSA took place in late 1998 and over the course of the next 10 years and four different locations we finally found a home at Quinn's Junction. MC acted as the turnkey development consultant for the entire period taking the lead on the land acquisition, site annexation and entitlement as well as the selection of the architect and general contractor. MC also acted as the owner's representative during the course of construction. During this time frame, Millcreek and the architect worked closely with multiple City officials and staff members to achieve governmental approvals including participation on a Municipal task force regarding the annexation and eventual zoning of the overall development. We had approximately 6 full presentations before the Planning Commission to achieve a positive recommendation to Council.
While the Center of Excellence is not a LEED certified building, we did instruct our architects and engineers as well as the general contractor to adopt and comply with Park City green building standards and with Rocky Mountain Power to comply with Energy Star standards. Additionally USSA is a 501 C3 non-profit entity and as such we followed extremely stringent value engineering standards in order to maximize the cost efficiency of the development. The selection, coordination and management of the development team by Millcreek and USSA was critical in the realization of these requirements.
The project was brought in on time and under budget in the summer of 2009.

Project name: The Sky Lodge
Contact name: Bill Shoaf
Phone number: 435-640-7700
Date Completed: Dec, 2007
Address: 201 Heber Ave. Park City, Utah
Size: $28,000,000.
Duration: 18 months
Type: Mixed use commercial residential. 36 key hotel condominium with three restaurants, a SPA and underground parking
Project description: The Sky Lodge project actually began in 2001 when MC assisted the owners in the remodel of the former White Pine Touring building into the Easy Street

Brasserie restaurant. Over the course of the ensuing years we gradually completed the land acquisition and moved into a two year process of entitlement for a rezone and variance to allow for the eventual development of the Sky Lodge Hotel Condominium project. During this time frame, Millcreek and Elliott Workgroup worked closely with City officials and staff to achieve the final zoning designations and approvals from the Planning Commission, City Council and building department. Also during this period we held multiple open house and community gatherings to inform and educate the local and neighboring business entities regarding the impact this development might have on their business activity and potential construction issues. These meetings were well attended and resulted in community support for this project.
The design and construction team worked closely from the early design development stages through construction completion to achieve certificate of occupancy on Christmas Eve of 2007. The team of Elliott Workgroup and Jacobsen Construction worked closely with MC to comply with Park City green building standards and with Rocky Mountain Power to achieve Energy Star compliance. The weekly project meetings also under Millcreek's direction were a critical component of making this project a success. While the Sky Lodge has operated successfully since it's opening, due to the general recession and conflicts with the lenders, it underwent a Chapter 11 reorganization process. Mr. Shoaf is no longer affiliated with The Sky Lodge but is willing to provide a reference.

Project name: The Tower Club at Empire Pass
Contact name: Talisker Corporation
Phone number: 435-608-0964
Date Completed: Summer 2006
Address: Empire Pass Deer Valley, Utah
Size: $7,000,000.
Duration: 14 months
Type: Clubhouse, SPA and restaurant
Project description: MC was retained by Talisker to act as the owner's representative for construction management of the Tower Club at Empire Pass. The architect, Hart Howerton had already been selected. MC worked with Hart to develop an RFP for the selection of a general contractor. After review of written responses and interviews Okland Construction was selected. The entitlements had been completed during the Empire Pass process. MC continued to work closely with Park City building officials to conform to permit and building criteria. During this project, MC worked closely with and adjusted to the design modifications and changes suggested by Talisker's design consultant and interior decorator. While this created a number of challenges, the project was completed in time for the project open house. The budget was impacted by the owner modifications but was fully approved through change orders reviewed and approved by MC and the owner.

Project name: The Lodge and SPA at Cordillera
Contact name: Bill Shoaf
Phone number: 435-649-6649
Date Completed: July, 2005
Address: Edwards, Colorado
Size: $5,000,000.
Duration: 7 months
Type: Remodel of an existing Lodge and SPA in Vail, Colorado

Project description:

This project is included as an example of a full remodel to an existing facility. The developer of the Easy Street Brasserie retained MC to remodel the Lodge and SPA at Cordillera. Due to its relatively remote location, we retained Elliott Workgroup and Jacobsen Construction who had recently completed a large project in Beaver Creek, Colorado. MC acted as the owner's representative to coordinate the activities of the architect, contractor and designer also from Utah to remodel the lodge and SPA. No net expansion was anticipated so no entitlement work was required however a careful and thorough relationship had to be developed with the HOA and Eagle County building department. Millcreek worked closely with these entities during design development and construction resulting in a highly successful remodel of this project in a very short period of time. While daily communication was necessary, project development meetings were held on site every two to three weeks.

Additional Information:

Millcreek Consulting also acted as the Managing Director of the Utah Industrial Depot located in Tooele, Utah on behalf of Farallon Capital a San Francisco based hedge fund. During this nine-year engagement, which ended in Feb 2013 due to the sale of the property, MC interacted with the director of the Tooele City RDA on a variety of issues. Additionally MC worked with the RDA of Salt Lake City during the development of the Gateway project.

Westminster College retained MC to negotiate a joint venture development and lease agreement with Woodbury Corporation for the construction of the College's first off campus housing project located in Sugarhouse. MC also acted as the owner's representative during construction, which concluded in the summer of 2012. MC continues to consult with Westminster on an ad hoc basis.

Additionally, MC acted as the owner's representative for Trolley Square during which I was involved in the design and rehabilitation of the structured parking garage located on the west side of the Square.

I have also included a brief professional biography outlining my general background and experience.

Cost/Hourly Rate:

Millcreek Consulting has appreciated the opportunity to consult with Park City Municipal Corporation on a variety of projects. As Lower Park Ave is a longer-term engagement, MC would propose an hourly fee of $175, which is a reduction from previous contracts. I remain open to discuss a potential modification of this rate at the City's request.

I also have the required insurance in place and would propose covering those premiums inside the hourly fee.

By the way, I have finished my home in Oakley and am spending increasing amounts of time there. As a long time taxpayer in Summit County, it's nice to finally be a resident. I find it much easier to get to early morning meetings in Park City as well as returning from late night sessions with planning commissions and city and county councils.

Again, thank you for the opportunity to submit this proposal. I look forward to answering any of your questions and providing any additional information you might request.

Cordially,

Steve

Stephen M. Brown
President
Millcreek Consulting

Professional Biography
Stephen M. Brown

Stephen M. Brown completed undergraduate studies with honors in History at the University of Utah in 1977. He received a Masters Degree from the Marriott School of Management, Brigham Young University in 1980 having served as a management intern for IBM in Armonk, New York. Upon graduation, he joined Intermountain Health Care as an administrative assistant to the CEO, later moving to Cottonwood Hospital as a member of the Management Committee.

In 1982 he joined The Boyer Company, in Salt Lake City, Utah. As a limited partner, Steve developed, leased and managed multiple commercial and medical projects as well as a well-ness and fitness center. In 1992 he accepted an executive management position with Henriksen/Butler Design Group, a Herman Miller Dealer. He was responsible for a large staff of space planning, design and furnishing consultants serving commercial, health care and residential clients.

In 1998 Steve joined Prowswood a prominent multifamily residential developer. As a partner, he was involved in the planning and development of a number of projects including the 500 unit residential portion of The Gateway, a mixed use joint venture project with The Boyer Company. In early 2001 he formed Millcreek Consulting & Development.

As the owner of Millcreek, he has provided consultation and owner representation for numerous corporate and private projects, some of which include: The Lodge and SPA at Cordillera in Vail, Colorado, Utah Housing Corporation's headquarters, The Tower Club in Deer Valley, The Sky Lodge Hotel Condominium in Park City, United States Ski and Snowboard Association's Center of Excellence, The MARC in Park City, Westminster College, The Utah Industrial Depot as well as the Housing Authority of Salt Lake City. Additionally, he consults with The City of Park City, The Utah Olympic Legacy Foundation, Westminster College, the Kimball Arts Center, Stein Eriksen Lodge and the American Cancer Society.

Steve is also involved in numerous Civic and Church activities. He enjoys skiing, mountain biking, tennis and working with his horses.