PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JULY 19, 2012

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, July 19, 2012.

Closed Session
2:00 p.m. Property and litigation

Work Session

2:50 p.m.	Council questions/comments	
3:00 p.m.	Water quality update	Page 4
3:30 p.m.	Special service contracts	Page 9
3:45 p.m.	PAAB interviews	Separate Packet

Regular Meeting
6:00 p.m.

I ROLL CALL

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

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

IV MINUTES OF MEETINGS OF:

June 7, 2012	Page 21
June 14, 2012	Page 33
June 21, 2012	Page 43
June 28, 2012	Page 51

V NEW BUSINESS

1. Consideration of a Construction Agreement with Hills Construction for the 13TH Street Booster Pump Station Modifications in the amount of $99,000, in a form approved by the City Attorney Page 62

2. Consideration of a Master Festival License for the Tour of Utah, Stage 6, to be held August 12, 2012 Page 68
   (a) Public hearing
   (b) Action

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 435-615-5007 at least 24 hours prior to the meeting. Wireless internet service is available in the Marsac Building on Wednesdays and Thursdays from 4 p.m. to 9 p.m.

Posted: 07/16/12
See: www.parkcity.org

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

July 2012

26 Bonanza Park Plan update
Lower Park Avenue facilities update
Dark Sky Ordinance – study – TP
Planning Commission interviews (4 – 6 p.m.)
Resolution adopting SR224 Corridor Study
Guardsman Street Light-Change Order
Wyatt Earp storm drain improvements - JB
Ordinance approving the 573 Main Street Three Lot Subdivision Plat Amendment, located at 573 Main Street, Park City, Utah
GreenPark Co-Housing Purchase Agreement – motion to continue
Appointments to PAAB
Resolution – PC 2030 Strategic Plan

August 2012

2 **No meeting**
9 Ice Arena update
LOI PCMR – BH
Wildlife corridor - DF
Ordinance – 80 Daly Avenue plat amendment
Ordinance – 1103/1105 Lowell Avenue plat amendment
Ordinance approving the PCMC/Richards Annexation
Ordinance approving a plat amendment at 429 Woodside Avenue, Park City, Utah
Housing assessment plan
Benches in Round Valley
BOA interviews (5 – 6 p.m.)
RDA meeting – Resolution – taxing entities
16 **No meeting**
23 Old Town commercial height discussion – work – TE
Parking Code amendments
National Preparedness Month - HD
30 Business recruitment
Quarterly goals update
OTIS update - MC
MFL – Quinns Junction Family Funktion

September 2012

6 **No meeting – City Tour**
13 **Liza gone**
20 Rocky Mountain Power – study session
27 Latino Community outreach and engagement - study

Pending Items:

Rescind PC Heights assessment ordinance
RDA and other economic districts strategic plan
Resolution establishing a strategic plan for City-owned property with development potential in Park City, Utah and repealing and replacing Resolution No. 22-05 in its entirety

City Council Staff Report

Author: Michelle De Haan, Water Quality and Treatment Manager
Subject: Water Quality and Treatment Programs Update
Department: Public Works, Water Department
Date: July 12, 2012
Type of Item: Administrative

Summary Recommendations:
Staff recommends the following:

- Council continue to support current and planned activities to address water quality and consumer confidence.
- Discuss recent improvements to the water quality program.
- Discuss a funding opportunity through the Water Research Foundation (WaterRF) where WaterRF would provide matching funds in the amount $175K to directly benefit Park City's research needs.
- Discuss major pipe cleaning activities such as swabbing and ice pigging to be conducted as part of the above mentioned research project.

Topic/Description:
By way of background, PCMC's Water Strategic Plan which City Council approved includes the following list. The Water Strategic Plan addresses:

<u>Water Quality</u>

- Improve resident knowledge of Park City's water quality.
- Ensure public health and safety is protected through quality water.
- Continue to improve East Canyon and Silver Creek Watershed.
- Protect existing water sources.

Background:
The Park City Water Department encounters unique challenges on a day to day basis in terms of water quality due to the nature of our water sources, the complexity of the distribution system, and demand fluctuations. In addition, rapid growth and increasing regulations over the past few decades has led to an expanding system, additional treatment, and additional water capacity. During this time, the Water Department kept pace with much of the increasing responsibility, but the recent water quality events in 2007 and 2010 in the Thaynes Canyon neighborhood and the addition of a new treatment facility has brought the need to modify the Department's water quality program and personnel structure.

Discussion:
In the last two years, the Water Department has made significant investments in new infrastructure, monitoring, and staffing. The Department has taken the following steps to assess and mitigate similar events from occurring throughout the City.

- Contracted with Water Works Engineers and Confluence Engineering to evaluate cause(s) and provide initial recommendations to avoid future water quality events in the distribution system.
- Mixing water sources for a more stable water quality throughout the distribution system, primarily through blending the majority of the water supplies through the Boothill Reservoirs.
- Treatment group changed operation of Spiro WTP to operate continuously in addition to pumping blended Spiro WTP and Thiriot Springs water into the Boothill Reservoir for blending rather than directly to Thaynes neighborhood.
- Implemented a higher velocity flushing program throughout system this Spring for more effective pipe cleaning.
- Managing source changes including introduction of new source water from Quinns WTP.
- In May of 2012 started up Quinns WTP, a state-of-the-art facility, which treats Weber River water from upstream of the Rockport Reservoir.
- Outfitted and began use of Quinns WTP operator laboratory for plant and distribution system water quality analyses.
- Significantly enhanced water quality monitoring beyond EPA regulations.
- Increased monitoring in distribution system at customer taps and reservoirs and at sources.
- Installed five turbidity meters in the distribution system to provide early warning system of water quality shifts, specifically color changes or dislodged solids. Assessing trends and have set alarms in addition to response procedures.
- Activated turbidity alarm at Spiro WTP clearwell to initiate a plant shutdown if high alarm occurs.
- Installed chlorine residual analyzer at Boothill Reservoir.
- Conducted a process assessment and created a workplan to optimize treatment and metals removal at Spiro WTP.
- Hired summer water quality intern to assist with sampling and analysis workload.
- Hired full time regular Water Quality and Treatment Manager, replacing contract Water Quality Program Manager.
- Hired an additional Grade 4 Water Treatment Operator (internal qualified candidate).
- Budgeted for a Water Treatment Superintendent and Grade 3 Water Treatment Operator.
- Revamped the EPA mandated annual Consumer Confidence Report with delivery to all postal residents, and published it on the www.parkcitywater.org web site.
- Awarded contracts for design of the Judge Tunnel pipeline, which will deliver Judge Tunnel water for treatment and blending at Quinns WTP for compliance with EPAs antimony standard.

- Identified process and capacity improvements required at Quinns WTP to accept and treat Judge Water, which will require consultant analysis and design support beginning late summer of 2012.
- Developed long term, integrated solution for stream water and drinking water quality improvements. This includes operational strategies and infrastructure that will be implemented over the next 10 years.
- Started site feasibility study for a metals removal facility at the existing Spiro WTP.
- Divided water operations in to two specialized areas: treatment and distribution.

In addition to the above improvements, planned activities to further address water quality and consumer confidence include:

- Hiring a highly qualified Water Treatment Superintendent, and a Grade 3 Water Treatment Operator (in progress).
- Assess, prioritize and initiate Spiro WTP optimization recommendations including potential infrastructure upgrades to address solids removal and handling deficiencies.
- Assist Water Engineer in initiating consultant contracts for bench and/or pilot studies and design of Quinns WTP expansion for introduction of Judge Tunnel water to address antimony and other metals that accumulate in the distribution system.
- Reinstate quarterly sampling at eight areas within distribution system with results posted at www.parkcitywater.org under the Water Quality tab.
- Assess the investment to and potentially revamp the Water Department website with an explicit focus on water quality information, current and planned activities and other information designed to enhance customer confidence.
- Host a community open-house on water quality this summer with a presentation on the City's infrastructure plans, website revamp (as applicable), cost of water quality and operational improvements.

Staff has also identified a research opportunity to collaborate and gain financial and intellectual support from three entities to further study water quality, with a City funding requirement to the Water Research Foundation (WaterRF).

Water Research Foundation

Park City is an active utility member of the WaterRF, the nation's leading drinking water research organization. In the past the Water Department has participated in an in-kind/non-cash contribution basis for projects that are designed to meet the broader water community needs rather than those specific to Park City. For example Water Department staff responded to surveys for a WaterRF project entitled "Assessment of Inorganics Accumulation in Drinking Water System Scale". The WaterRF also has a Tailored Collaboration (TC) Program, which enables the WaterRF to partner with utility subscribers on more specialized or regional research. It also allows participating utilities to take advantage of the WaterRF's independent review process and professional project management expertise.

The Water Department is applying for a TC research project that will directly focus on Park City's distribution system metals accumulation and release mechanisms, and pilot test and compare removal techniques (e.g. high velocity flushing, swabbing and ice pigging). The EPA Office of Research and Development (ORD) and Utah State University (USU) would also support the WaterRF research project and would add additional funding at no cost to the City. This research opportunity will develop additional strategies to reduce the potential for a future contaminant release or similar event. This research is important as a better understanding is required relative to the mechanisms of metals accumulation and release in the distribution system as they relate to Park City's unique water sources and distribution system. Upon gaining that understanding, specific pipe cleaning mechanisms will be evaluated to determine the most appropriate and cost effective cleaning practices under varying distribution system conditions.

The TC process is a competitive process and Park City's application will be compared with other applications submitted by other utilities. The WaterRF project manager has indicated Park City's proposal and associated concepts are extremely valid, and will have a very high chance of success. The proposal will be submitted around August/September 2012. Upon acceptance, in approximately January 2013 the Water Department will come back to Council to request authorization to fund $200K toward the project. The WaterRF will fund $175K.

<u>EPA Office of Research and Development</u>
The EPA ORD has also gained funding through its Safe and Sustainable Water Resources program. EPA ORD has assisted the Water Department during both Thaynes events. They have committed to continue to evaluate the interior of pipe for metals accumulation utilizing sophisticated technologies as shown in the Thaynes neighborhood meeting presentation, which is located at www.parkcitywater.org.

<u>Utah State University</u>
USU has gained funding through the State Water Mineral Release Funds program, which provides expert water professors and masters students to support projects in the state. Approximately $100K is being dedicated to Park City for one year and a second year has been requested thereafter. USU will be assisting in development of pipe removal protocols for metals accumulation analysis, water analysis protocol reviews, database development and laboratory analysis which will offset existing noncompliance laboratory costs.

Department Review:
This staff report has been reviewed by Public Works and Legal.

Alternatives:

A. Approve the Request:
Council could support pursuit of the afore mentioned research opportunities and other efforts towards improving Park City's water quality program.

B. Deny the Request:
Council could deny Staff's request. Denying the request would result in modifying, reducing, or eliminating the efforts mentioned in this report.

C. Continue the Item:
Council could continue the request. Continuing the request would delay efforts mentioned in this report.

D. Do Nothing:
Staff does not recommend this alternative. It would be very challenging for Staff to meet citizen commitments and conduct this effort in a timely manner without the WaterRF, EPA ORD and USU expert's assistance.

Significant Impacts:
This project will allow the Water Department to meet citizen commitments, and continue to enhance the Water Department's understanding of past water quality events and avoidance in the future. It will also identify the effectiveness of pipe cleaning techniques for different pipe types and the associated budget impacts for the long term pipe cleaning program.

Recommendation:
Staff recommends Council continue to support current and planned activities to address water quality and consumer confidence. Staff also requests support in pursuing a research opportunity which will require matching funds of up to $200K from Park City and $175K from the Water Research Foundation.

City Council
Staff Report

Subject: Special Service Contract Request
Author: Nate Rockwood
Department: Budget, Debt, & Grants
Date: July 19, 2012
Type of Item: Administrative

Summary Recommendations:
The Special Service Contract Subcommittee recommends that Council award a special service contract extraordinary request in the amount of $9,000 for FY 2013 to the Sundance Institute for student outreach programs. The Special Service Contract Subcommittee recommends that Council deny a special service contract extraordinary request in the amount of $5,000 for FY 2013 to Summit Land Conservancy for sponsorship of the Land Trust Alliance “Rally”. The subcommittee suggests that Council consider funding the request from the open space maintenance project in the CIP.

Topic/Description:
Extraordinary Requests – Special Service Contracts

Background:
As part of the two-year budget cycle, Council approved the recommendation from the Special Service Contract Subcommittee regarding which organizations would receive funding through a Special Service Contract (SSC). As outlined in the Budget Document’s Policies & Objectives section, Council may consider SSC extraordinary requests every six months if there are unallocated funds:

> **Deadlines:** All proposals for Special Service Contracts must be received no later than March 31. A competitive bidding process conducted according to the bidding guidelines of the City may set forth additional application requirements. If there are unallocated funds, extraordinary requests may be considered every six months during the two-year budget cycle, unless otherwise directed by Council.
>
> Extraordinary requests received after this deadline must meet all of the following criteria to be considered:
>
> **1.** The request must meet all of the normal Public Service Fund Distribution Criteria and qualify under one of the existing Special Service Contract categories;
>
> **2.** The applicant must show that the requested funds represent an unexpected fiscal need that could not have been anticipated before the deadline; and
>
> **3.** The applicant must demonstrate that other possible funding sources have been exhausted.

There is currently $19,000 available for Fiscal Year 2013. During the last six-month period (ending June 30) staff received two SSC extraordinary requests from the

Sundance Institute for student outreach programs (Attachment A) and Summit Land Conservancy to provide sponsorship of the Land Trust Alliance "Rally" (Attachment B). The Sundance Institute is requesting $9,000 for FY 2013 and $9,000 for FY2014 as partial funding for student outreach programs: *Filmmakers in the Classroom* and *High School Screenings*.

Summit Land Conservancy is requesting $5,000 as sponsorship of the 2012 Land Trust Alliance National Conference "Rally" to be held in Salt Lake City this September 29th-October 2nd. The Land Trust Alliance is a national organization that has worked for more than 25 years with the national conservation community - comprised of 1.5 million dedicated land conservation professionals, volunteers and s upporters - to quickly, effectively and permanently save our most valued natural resource across America.

For more information on the Land Trust Alliance and the 2012 National Conference:

www.landtrustalliance.org/

www.landtrustalliance.org/training/rally/rally-2012-salt-lake-city/rally-2012-brochure

The Conference has scheduled several seminars and field trips to take place in Park City, identifying the open space efforts by Park City Municipal, residents and local non-profits. Sponsoring the conference will allow Park City staff to attend the conference as an open space training opportunity and will be a public relations tool for the City's open space efforts.

It was the recommendation of the City Manager that the Summit Land Conservancy request for funds be treated as a special service contract and be considered as a special service contract extraordinary request. This was suggested as a way to consider the request without creating a precedent.

Analysis:
The Special Service Contract Subcommittee (Liza Simpson, Cindy Matsumoto, Nate Rockwood and Heinrich Deters) reviewed both applications. The Subcommittee found that the application from Summit Land Conservancy was not the appropriate funding source and did not sufficiently satisfy all the criteria to qualify as an extraordinary request as outlined in the SSC requirements as set forth in *Budget Document Vol. I*, Policies & Objectives, Ch. 5, part 1 (pg. 119-123). The Subcommittee recommends that a funding source traditional used for open space related expenses be used to fund this request if Council deems funding the request is appropriate.

Input from the Deputy City Manager: The Deputy City Manager respectfully requests that Council deem the use of Open Space Maintenance funds inappropriate for sponsorship of the Land Trust's Alliance conference in Salt Lake City. Granting this request from the Open Space Maintenance fund establishes precedent that local and non-local nonprofits can apply for funding from operating and capital budgets.

The Subcommittee, in reviewing the Summit Land Conservancy application and financial statements, did not see significant revenue loss which would immediately jeopardize the organizations ability to continue programing. The Subcommittee further found that granting funds to an organization (Summit Land Conservancy) for the sponsorship of an event of a separate organization (Land Trust Alliance) was outside the scope of the Special Service Contract program.

The Subcommittee reviewed the application from the Sundance Institute and found that the program substantially meets the SSC criteria. The Subcommittee found that the organization also meets the criteria set forth as an extraordinary request based on past extraordinary requests which have been recently awarded by City Council.

The Sundance Institute requested funding in FY 2013 and FY 2014 however, special service contracts have not been awarded for FY 2014. Special Service Contract applications will be accepted in March 2013 for award consideration in FY 2014. It is the recommendation of the Subcommittee that the Sundance Institute apply for FY 2014 funding as part of the regular SSC process at that time.

Department Review:
The Legal Department, Sustainability and the City Manager reviewed this report.

Alternatives:

A. Approve:
Approve the funding amount ($9,000 FY2013) requested by the Sundance Institute for student outreach programs as a SSC extraordinary request. ***SSC Subcommittee Recommended*.**
Council may also approve the funding amount ($5,000 FY2013) requested by Summit Land Conservancy for sponsorship of the Land Trust Alliance "Rally" as a SSC extraordinary request. ***Not recommended by Subcommittee***.

B. Deny:
Deny the SSC Extraordinary Request application from Summit Land Conservancy and reserve the remaining budgeted amount for future extraordinary requests to be used at Council's discretion. ***SSC Subcommittee Recommended***
Council may also deny the SSC request form the Sundance Institute and Summit Land Conservancy and reserve all remaining funds for future extraordinary requests.

C. Modify:
Council may at its discretion modify the existing funding recommendation.

D. Continue the Item:
Council may continue the item in order to obtain any additional information which it deems necessary. Council may instruct the SSC Subcommittee to reevaluate the application with additional information.

E. Do Nothing:
This has the same effect as Alternative B.

Significant Impacts:
The Special Service Contract budget has adequate funding to award the contacts. Awarding the contracts will reduce Special Service Contract remaining budget and may limit Councils ability to fund future SSC extraordinary requests.

Consequences of not taking the recommended action:
The SSC subcommittee found the Sundance Institute programs substantially meets the requirements of a SSC. The Subcommittee found that the application from Summit Land Conservancy was not the appropriate funding source and did not sufficiently satisfy all the criteria to qualify as an extraordinary request. Awarding the request for Summit Land Conservancy may be interpreted as setting award precedence for future extraordinary requests which seek sponsorship or funding for events. SSC criteria specifically states that SSC may not be used for one-time events.

Recommendation:
The Special Service Contract Subcommittee recommends that Council award a special service contract extraordinary request in the amount of $9,000 for FY 2013 to the Sundance Institute for student outreach programs. The Special Service Contract Subcommittee recommends that Council deny a special service contract extraordinary request in the amount of $5,000 for FY 2013 to Summit Land Conservancy for sponsorship of the Land Trust Alliance "Rally". The subcommittee suggests that Council consider funding the request from the open space maintenance project in the CIP.

Attachments:
A – Summit Land Conservancy SSC extraordinary request application
B – Sundance Institute SSC extraordinary request application

Special Service Contract Application Form (Extraordinary Request)
June 2012

Summit Land Conservancy

Grant Application Additional Answers:

Section 4

1: <u>Summary of Use of Funds</u>: The $5,000 from Park City Municipal will be granted to the Land Trust Alliance as sponsorship of the Alliance's national conference held in Salt Lake City, September 29- October 2, 2012. The Alliance will in turn, list Park City Municipal as a "Supporter." The City will receive the benefits of "Supporting" donors:

- City's name displayed on signage at the Salt Lake Convention Center
- City's name displayed on a slide show at the Welcoming Dinner
- City's name listed in the Welcoming Dinner Program
- One (1) complimentary basic registration to Rally (two full days of seminars & lunch)
- One (1) invitation to the Alliance's Special Friends Breakfast
- Quarter page, black and white advertisement in the Rally Program given to all attendees
- Recognition in the Alliance's annual report

The Land Trust Alliance is a national organization that supports land trusts, like the Summit Land Conservancy and Utah Open Lands through education and program support. The national conference, called Rally will bring together several thousand conservation specialists from across the country. This is the premier educational event for people seeking to save the local landscapes they cherish.

As a national leader in pro-active conservation, Park City will benefit from the proximity to Rally by having the opportunity to send staff and elected officials to educational seminars and by being featured through several field trips hosted by local land trusts. Your local conservation organizations will be stronger as well because we will be able to send more staff and board members to these same seminars.

2: <u>Financial Information</u>: Please see attached 2012 Annual Budget. Copies of the Conservancy's Annual Reviews from 2008, 2009, and 2010 are enclosed.

3: <u>Quantitative and/or qualitative goals</u>: The Summit Land Conservancy will re-grant the entire amount donated by Park City Municipal to the Land Trust Alliance for Rally sponsorship. A canceled check will verify this re-grant demonstrating that the goals for the funds (Rally Sponsorship) have been satisfied.

4: <u>Summary of Criteria</u>

CRITERION 1: Accountability and Sustainability of Organization

a. The Summit Land Conservancy permanently preserves open space in Summit County. Its goals are articulated in a strategic plan that is revised every three years. Similarly, the Land Trust Alliance's goal is to increase the pace and quality of land conservation through supporting local conservation organizations.

b. The Summit Land Conservancy is non-discriminatory in all programs and services.

c. Other conservation organizations and governments will send staff and other officials to Rally, improving their ability to generate effective conservation initiatives across the state.

d. The Conservancy will honor the City's contract by insuring that all funds will be allocated to the sponsorship of Rally 2012.

e. The Summit Land Conservancy is a recognized as a 501c3 organization by the IRS.

CRITERION 2: Program Need and City Benefit

a. Preservation of local open space continues to be the number one goal for Park City residents. Despite the economic down turn, City residents continue to ask for more open space, and to help pay for it. A survey conducted by the Conservancy in May 2012 showed that 88% of respondents would support another open space bond. The Land Trust Alliance's Rally provides critical support and training for local organizations that are engaged in land conservation. By supporting Rally, Park City Municipal will directly support the continued preservation of local open space.

b. Open space is protected by people. People who have better tools for conservation, better ideas for funding sources, and better understanding of conservation easements will protect more land, and protect it better. Rally provides those tools, those ideas, and that understanding. As Park City continues to serve its citizens' stated goals of protecting local landscapes, these tools, ideas, and understanding will become ever more critical to the City's success.
In Park City open space isn't just a luxury. As has been demonstrated in numerous studies by the Chamber Bureau and others, open space is essential to maintaining the City's tourist economy. Citizens and Staff who learn the best ways to protect open space will be able to insure the continuing success of Park City's resort economy.

CRITERION 3: Fiscal Stability and Other Financial Support

a. Funds from Park City Municipal will be re-granted to the Land Trust Alliance to support Rally 2012: The National Land Conservation Convention. A canceled check will verify that the full amount of this grant has been used for Rally sponsorship.

b. The attached Financial Reviews and 2012 Budget demonstrate that the Conservancy has a sound financial plan and is fiscally competent. The Conservancy has weathered the recent economic down turn through careful planning and management by its Board of Directors. Thanks to competent planning, the organization was actually able to increase staff and further its mission, even during the difficult economy of 2009 and 2010.

c. The Conservancy has established a budget for each year of operations. The Board reviews financial statements at each meeting. These include income statements, balance sheets, budget vs. actual reports as well as cash flow forecasts. The Conservancy has been successfully carrying paid staff since its inception as a local branch of Utah Open Lands in 1998, and throughout its existence as its own 501c3 organization (established in 2002).

d. The Conservancy achieved accreditation with the Land Trust Accreditation Commission in 2011. This process vetted and verified that everything the Conservancy does, from its operations and accounting procedures to its land transactions and stewardship meets the highest standards for nonprofit management, ethics, and organizational strength.

<u>CRITERION 4: Fair Market Value</u>

The dollar value of Rally sponsorship is difficult to gauge. The PR surrounding Rally will be nation-wide, and directed at an audience of outdoor enthusiasts. In addition to the staff of conservation organization, board members of land trusts across the county will be exposed to Park City and its conservation ethic. These people have the type of income and the interest in vacationing in places that appeal to their values.

The opportunity to educate local open space advocates also has tremendous and long-reaching economic value. More Park City citizens will be able to access this education because Rally will be held locally.

Finally, four separate Rally activities will be held in the Park City area. Rally participants will purchase goods and meals during these activities.

5: <u>Unexpected Fiscal Need</u>: The Summit Land Conservancy, along with Utah Open Lands, the Nature Conservancy of Utah and other conservation organizations are supporting Rally with their own funds. The Land Trust Alliance, knowing of Park City's front-running open space program, asked the Conservancy to seek Rally sponsorship from the City. This request came after the regular application deadline had passed. Rally will be over by the time the next deadline is here.

While we understand that Special Service Agreements are usually paid out over two years, we hope that this funding will to be available by mid-summer 2012.

6: <u>Other Possible Funding Sources</u>: The Summit Land Conservancy, Utah Open Lands, The Nature Conservancy and other Utah-based conservation organizations have been working with the Land Trust Alliance to generate local funding for Rally since February 2012. A number of other businesses and organization have been approached, but many have not been able to participate because their resources were already allocated for 2012. Still, the Alliance has raised most of the funding needed for Rally from national sources. Because of this out of state fundraising, Park City's contribution will be heavily leveraged without outside funding sources, to the benefit of local land conservation.

SUNDANCE
INSTITUTE™

Park City Municipal Corporation - Special Service Contract

<u>Proposed Two Year Request: $18,000</u>

- FY13- $9,000
- FY14- $9,000

Overview of Sundance Institute's Student Programs

Sundance Institute values community outreach, especially with regards to sharing programming with Park City students and educators. The Institute has designed a series of student outreach programs at the annual Sundance Film Festival, which leverages the unique cultural experiences Sundance Institute brings to Utah. Both programs, *Filmmakers in the Clasroom* and *High School Screenings*, are *free* for students and educators.

1. Park City Municipal – Special Service Funding Supports Student Programming

Sundance Institute values the opportunity to expose students to original stories from independent filmmakers and offer a creative platform for educators to integrate film study, artistic expression, and the global content of Sundance Film Festival films into their curricula.

During the 2012 Sundance Film Festival, over 2,500 students and educators from Park City participated in the following programs:

✓ *Filmmakers in the Classroom*
Sundance Institute hosts this educational program in which students and teachers screen films with Festival filmmakers and engage in a dialogue about art and cultural and social change. The Institute brings this program to Park City High School's Lecture Hall during the Sundance Film Festival. This year over 2,200 students participated in this program.

✓ *Sundance Film Festival High School Screenings*
Each year during the Festival, Sundance Institute invites Park City students to participate in *free*, private feature film screenings with filmmakers. Park City students and educators have the opportunity of screening films at the Broadway Theatre in Salt Lake City, or at Redstone Cinemas in Kimball Junction. This year over 7,200 Utah students participated, of which 343 were students from the Park City School District.

Educators value these programs for three primary reasons: 1) Students receive a distinctive educational experience, 2) They are introduced to original voices in independent film, and 3) They have the opportunity to explore storytelling and point-of-view through filmmaking. English, history, psychology, science, and art teachers have found great value in this program as they weave the stories shared on the big screen into their day-to-day classroom discussions.

Sundance Institute is seeking financial support for 2013 and 2014 *Filmmakers in the Classroom* and *High School Screenings* in order to sustain these student programs and grow Park City student participation. Furthermore, funding these programs will continue to foster and enhance the collaborative relationship between the Park City School District, Park City Municipal, Sundance Institute and the community.

2. Financial Information

FY13 & FY14 Program Expenses	
Expense Description	**Expenses Per Year**
Admin/operating Expenses - payroll, benefits, rent, supplies, etc	$ 17,299
Marketing/Advertising	$ 1,400
Theatre/Venue Rentals	$ 2,000
Contractor Fees	$ 1,000
Filmmaker & Program Staff Travel/Meals/Transp/Lodging/Stipend	$ 3,330
Event/Production Expenses - Liability Ins, film shipping, production supplies	$ 700
Expenses	**$ 25,729**
Total Expenses for FY13 & FY14	**$ 51,459**

FY13 & FY14 Revenue Projection	
Foundation/Donor	**Projection**
Summit County RAP Tax	$ 11,000
George S. and Dolores Dore Eccles Fdn	$ 3,000
Utah Arts Council	$ 729
Park City Foundation	$ 2,000
Park City Municipal- Special Service Contract	$ 9,000
Total	**$ 25,729**
Total Revenue for FY13 & FY14	**$ 51,459**

3. Quantitative/Qualitative Goals

The following goals are used to measure success of these student programs. Surveys and letters are reviewed upon the conclusion of the programs, and operations and programmatic suggestions are evaluated for the following year.

Qualitative Goals
Qualitative goals are measured by the overall experience of the programs.

- Filmmakers in the Classroom
    - Screen a variety of short and feature film clips that are relevant to the student audience.
    - Engage the student audience with questions & answers from the filmmakers and film crew.
    - Explore the cultural, artistic, historical, and social elements addressed in the film.
- High School Screenings
    - Screen a vareity of documentary and narrative feature films that are relevant to the student audience.
    - Engage the student audience through Q&A sessions with the filmmakers and film team.
    - Explore the cultural, artistic, historical, and social elements addressed in the film.

Quantitative Goals
Quantitative goals will be primarily measured by the level of student/educator participation.

- Filmmakers in the Classroom:
    - Strong, sustained student participation for the 2013 and 2014 Sundance Film Festival.
    - Meet demand by offering programming to both Park City High School and Treasure Mountain School.
- High School Screenings:
    - Increase in participation in this program by Park City students.

4. Park City's Public Service Criterion

Criterion 1
Sundance Institute is a 501(c)3 nonprofit organization. The objective of the Sundance Film Festival's student programs is to bring unique and unprecedented programming that cannot be replicated outside of the Festival. Sundance Institute is an equal opportunity employer, and all Festival venues are ADA accessible. Both *Filmmakers in the Classroom* and *High School Screenings* are in collaboration with the Park City School District and the Park City Performing Arts Foundation. All Festival programs are in compliance with the City's Master Festival license.

Criterion 2
For over nine years, *Filmmakers in the Classroom* (2003) and *High School Screenings* (2000) have been offered to students from the Park City School District. During this time, demand for these programs has grown. Sundance Institute is seeking support to sustain the programs and grow where resources are available.

Criterion 3
Funds from the Special Service Contract will be earmarked to support both *Filmmakers in the Classroom* and *High School Screenings* for students and educators from the Park City School District. Financial support will be designated to filmmakers' travel and stipends, venue and equipment rental, marketing and outreach efforts, and programmatic and management staff.

Other sources of pending support for these programs include:

- Summit County RAP Tax
- George S. and Dolores Doré Eccles Foundation
- Park City Foundation
- Utah Arts Council

5. The Need

Financial assistance will help fill the funding gap between what the Institute historically receives from its program supporters, and the actual cost of producing the student programs. Sundance Institute is seeking to sustain its student program, which is projected to serve over 2,500 students in 2013 and 2014, and grow the program where resources are available.

Sundance Institute is able to leverage the Sundance Film Festival by bring world-class artists and independent cinema directly to students and educators. Strengthening the collaboration with the Park City School District, Park City Municipal, Sundance Institute is a valuable contribution to the community as a whole.

6. Other Funding

An applications are pending from the Park City Foundation and the George S. and Dolores Doré Eccles Foundation. Sundance Institute will apply for funding from Summit County RAP Tax and Utah Arts Council. Other funding opportunities are being evaluated.

FYI. Refer to changes made to the 06/07 work session minutes. No changes made to 06/07 regular minutes. No changes made to the 06/14 work session or regular session minutes.

PARK CITY COUNCIL WORK SESSION MINUTES
SUMMIT COUNTY, UTAH
JUNE 7, 2012

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

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Thomas Eddington, Planning Manager; Matt Cassel, City Engineer; Jed Briggs, Budget Program Manager; Hugh Daniels, Emergency Preparedness Program Manager; Brooke Moss, Human Resources Manager; Ken Fisher, Recreation Manager; Jennifer Danowski, Budget Analyst; Chad Root, Chief Building Official; Hugh Daniels, Emergency Management Manager; Brooks Robinson, Transportation Planner

Postmaster Rhonda Donica; resident Cheryl Sesnik; Ron Vine, Leisure Services; Jason Davis, UDOT Region 2 Director

1. Council questions/comments. Alex Butwinski commented on presentation training held at City Hall during the week. Liza Simpson thanked Mr. Beerman for covering the Recreation Advisory Board meeting for her and staff for organizing the tour of libraries in Salt Lake. She relayed a possible glitch in the City's GIS regarding accurately counting units in buildings and staff will follow-up. Dick Peek attended the Historical Society meeting; the Historic Tour is scheduled on June 16. He also participated on the tour of libraries and commented on the quality of the facilities. One was combined as a community center and the other as a recreation facility. The Mayor thanked personnel for repairing the many water breaks recently. He acknowledged receiving two emails from Old Town residents concerned about mail delivery.

2. Post office mail delivery in Old Town. Thomas Eddington explained that staff has been working with the Postal Service on the concept of clustering mail box sites. There are approximately 150 houses in the south section of Old Town that are considered deliverable and units that could use a mailbox. The Post Office has requested clustering mail boxes in some of these areas where mail cannot be delivered but staff does not feel it is much different than gang boxes. They would be areas where cars would congregate and could be problematic with regard to snow removal. Options include: (1) deny the use of mailboxes in this area and residents would be forced to purchase a post office box; (2) subsidize the post office box fees at a cost of $80 per home per year, totaling $12,000 per year; or (3) allow the use of these individual boxes in clustered settings.

Mr. Eddington stated that staff is recommending No. 1, to deny the use of individual mail boxes due to the constraints along Old Town roads and has just learned that the post office must provide one point of free mail access for a primary residence. The City is uncertain of its authority in denying the post office and he suggested returning to Council with potential locations where clustering might work.

Dick Peek asked who would own the boxes. Postmaster Donica replied that it would be the post office or the resident, depending on who purchases them but the post office would maintain them. Matt Cassel interjected that gang boxes are maintained by the post office but clustered boxes would be maintained by the homeowner. Dana Williams felt that gang boxes should be considered again. Ms. Donica stated that this would be the best solution for the post office because so much mail and many parcels are addressed to physical addresses in Old Town and the post office has to double handle the mail to get it where it needs to go. Liza Simpson pointed out that mail is still delivered by walking personnel in many places. Postmaster Donica stated that walking personnel *is in the past* because it is very inefficient. Contractors will not walk either. Ms. Simpson expressed her confusion between gang boxes and clustered boxes.

Discussion ensued on the design of the gang boxes and if the City doesn't want the standard design, the City would be required to buy the box. Alex Butwinski understood that primary residents are entitled to one free delivery location. Ms. Donica commented that if the City will not let the post office deliver in Old Town, but the post office chooses to do so, then the legalities must be clarified. If the City has the authority to tell the post office no, then those primary residents would get a free box. If the City does not have the right, then the primary residents would have to pay for the box and/or the City subsidize them.

Dick Peek pointed out that street addresses can be associated with a gang box but not a post office box. Postmaster Donica stated that there are over 6,000 post office boxes in Park City and the computer software can only associate street addresses with gang boxes.

Ms. Matsumoto encouraged getting an opinion on the scope of the City's authority. Matt Cassel explained that residences from Heber Avenue north are considered deliverable and south would receive free boxes, including Rossie Hill and properties east of Marsac Avenue. Gang boxes do not need to be accessible by car and there is accommodation for delivery of parcels. Ms. Donica advised that residents will be responsible for the maintenance of the gang boxes and clearing snow. Ms. Matsumoto felt the City should deny gang boxes in Old Town and that post office boxes should be free to residents.

Mayor Williams pointed out the private parking lot at the top of Main Street as a possible location. Thomas Eddington responded that it is in the area where the post office will not deliver. Liza Simpson indicated that she agrees with Ms. Matsumoto but if the City cannot prevail, a location for gang boxes at the Library may work. She asked that staff suggest other locations and associated costs for a new design. Dick Peek requested information on personal injury liabilities, legal risks, etc. with regard to maintenance. The Mayor invited public input.

Cheryl Sesnik, Woodside Avenue, referred to her email sent to Council members. It is critical for residents to get this resolved as quickly as possible. She asked if she could install a mailbox at her house if she so desired.

Matt Cassel explained that installing individual boxes would be evaluated on a case by case basis and the system could be inconsistent. Thomas Eddington explained the complexity of Old Town streets and parking and Mr. Cassel pointed out that parking is placed behind curb and gutter in some instances.

Ms. Matsumoto doubted if the post office could deliver mail north of Heber Avenue. Ms. Donica stated that if the boxes were located in one place, the post office could. She insisted that if the boxes were at the curb, the post office could deliver to houses even if it interfered with parking and snow removal. The Mayor believed the Council needs to understand the legal ramifications and to look at areas. Ms. Matsumoto asked about a legal opinion and Mr. Harrington felt that the City has authority if the location is in the right-of-way but private property is different.

The Mayor suggested that rather than subsidizing post office fees in the amount of $12,000, the money should be used to provide aesthetically pleasing gang boxes. Ms. Simpson stated that she is not willing to subsidize mail delivery just because the post office's software can link an address to a gang box but not to a post office box. Cindy Matsumoto does not feel individual mailboxes will work and if the City cannot deny the post office, gang boxes may be the only option. Dick Peek feared that there will be traffic and parking issues with gang boxes. It would be helpful to modify the software to associate post office boxes with physical addresses. Ms. Matsumoto stated that she is not interested in subsidizing individual boxes. Ms. Simpson again commented on the need to associate post office boxes with a physical address. She believes the post office is in financial trouble and shaking down the City and residents for $12,000 for fees which were not assessed before and staff time alone adds to costs.

3. Recreation survey – Ron Vine, Leisure Vision. Ken Fisher introduced Ron Vine. The mailed survey went to 13,500 households. The survey covered a full range of uses, customer satisfaction, needs, etc. and 2,284 surveys were completed. Park City finished more on-line surveys than any other community. It was a tremendous return. The results have a 99% level of confidence with a margin of error plus or minus 2.1%. Because so many surveys were completed, there is good demographic information and about 30% were respondents from Park City. Leisure Vision has conducted about 600 surveys for parks and recreation systems in 47 states and has national benchmark information for a variety of categories. The survey is divided into three components, the system today, a future system and funding. Mr. Vine detailed survey questions by way of an hour PowerPoint presentation which is attached and made a part of the minutes.

At the conclusion of the presentation he illustrated a matrix and spoke about prioritizing projects and programs by analyzing them by importance and the level of needs being met. The PC MARC has only been open for six months and many have not had an opportunity to go there but the interest in fitness remains exceedingly high and should be marketed. Andy Beerman referred to the desire for more Nordic programs and Mr. Vine felt that responses are saying that there is an unmet market here which could be filled by the City or private sector.

Mr. Vine discussed funding programs and most people felt they should be supported by user fees. He relayed that 83% of households are willing to pay some level of a tax increase toward a recreation vision; 15% would pay $200 or more. Alex Butwinski relayed that 50% would only spend $100 or less. Mr. Beerman asked how the responses compare with other communities. Ron Vine noted that there are no benchmarks on these specific questions. Maintenance of facilities is important to taxpayers. The Mayor asked Mr. Vine to point out the most important slides. He responded the matrix slides because they show there is support for everything but prioritizes them. Out of 26 to 27 items, there are about seven in one matrix which deserve discussion. He encouraged reviewing the needs and priorities slides for programs and matrixes for facilities and programs. Andy Beerman asked about addressing special interests' unmet needs. Mr. Vine explained that having the private sector meet the need would be ideal and evaluating the cost per person is helpful in making decisions. He emphasized that anything over 40% is a very positive number.

4. Budget discussion. Brooke Moss explained that there are many changes to the personnel policies and procedures manual but most of them are structural. The general layout was modified and sections were split out and incorporated into separate manuals. Employee benefits and emergency management have been separated. She explained that performance reviews are included in a best practices manual and administrative policies will be combined next year. Specific employee benefits are summarized on a brochure and distributed to individuals. She commented that deadlines may appear significant but there actually is not much change.

Policy changes have been outlined in the staff report. Part-time employees cannot work more than 32 hours a week, managers must give four weeks' notice but other employees two weeks, and telecommuting is addressed. She explained that for employees who are out of work on unpaid leave status for over 30 days, any eligible increase in pay would be prorated at the end of the year. Perfect attendance bonus, vacation pay, and holiday policies have been clarified. In response to a question from Alex Butwinski, Ms. Moss explained that the perfect attendance bonus is available for qualified non-exempt employees for the quarter. Sick days are not accumulated.

As part of the biennial budget process, staff obtains market data and conducts a pay plan survey on all employees and comparable data is analyzed for the Mayor and City Council. Ms. Moss explained that the staff report contains information on benefits provided to elected officials in other communities with the same form of government. Ms. Matsumoto felt that Summit County should be included and Tom Bakaly agreed since it is now a Council/Manager form of government. Discussion ensued on getting the County information before the Ordinance setting compensation is considered for adoption at the regular meeting.

Jennifer Danowski explained that fee amendments include changes in building, planning, ice facility, golf, water, and parking fees. Dick Peek remarked that the fee increase for building sub-permits seem high and Chad Root discussed the inspection process for a furnace which is now $15 and is proposed to be based on the valuation of the furnace. Mr. Peek referred to increasing planning fees with a phased approach over three years and expressed concerns about construction bids that are out there without knowledge of the new building fees. Liza Simpson felt that large projects will be impacted but not necessarily home projects.

Mr. Root stated that three of the four communities he has worked for, have a policy that construction pay its own way. He believed that Park City is very low compared to other resort communities and even Alta has higher fees. His proposal relates to using Table 1A of the 1997 Uniform Building Code so that a contractor can pay for fees for a new single family residence based on valuation. Right now a subcontractor can pull a permit for a furnace, for instance, for $15 and under the valuation plan, the boiler fees would be appropriately assessed and included in the valuation. Table 1A is fairer and consistent across the board. Ms. Simpson felt it makes sense but understood Mr. Peek's concern. She asked if there could be a delay in implementing the fees schedule because of the bidding issue. Tom Bakaly felt that the effective date could be changed so that contractors can be put on notice or not raise the fees as high this year. Andy Beerman felt raising building fees could be problematic in too short of a timeframe and is supportive of a grace period. The new rates should be posted in the Building Department. Mr. Root agreed and suggested that new rates become effective October 1 and City Council members were supportive.

Ms. Simpson expressed her goal of recovering costs; building fees are completely different than recreation fees and construction should not be subsidized. In response to a question from Andy Beerman about determining valuations, Chad Root explained the square foot method based on the information provided by the contractor. ~~In response to a question on after-hours inspections,~~ Mr. Root explained that the Building Department is open 50 hours a week and available 55 hours a week to meet with the public. Accommodating after hour inspections is not typically a problem. Alex Butwinski felt that any additional enforcement efforts should be provided after-hours. The Mayor clarified that proposed increases in building fees will not become effective until October 1.

Ms. Danowski explained that a study was conducted a few years ago on planning fees and a phased approach has been utilized to recover costs. This is the third year and these fees are anticipated to provide an average cost recovery of 70%. Council members expressed a preference to enact these fees July 1. Ms. Danowski explained the minor change made for adult free style admission at the rink and increases in golf. An 18% increase is recommended for the majority of water fees and the Water Manager explained this to Council at a previous meeting. She reviewed parking fees and Andy Beerman brought up the schedule for parking violations and noted that the first violation is a warning. Kent Cashel answered a number of questions on parking fees for construction projects.

With regard to budget policies, Jennifer Danowski pointed out that the purchasing policy has been modified to include transportation construction. Certain transportation projects meeting criteria in state code do not need to go through the normal bidding process. Andy Beerman suggested that language be strengthened on using local vendors. Liza Simpson agreed and felt the policy should weigh local selection properly. Ms. Danowski continued that the GASB54 fund balance language is better defined. Council members agreed to discuss the local preference issue further at a later date.

It was explained for the benefit of Andy Beerman that the 12 free rentals per year at Miners is per group. He pointed out that the cleaning fee is only $25. It was clarified that renters are asked to clean the facility after the event and the $25 is more of a damage deposit.

Hugh Daniels explained that the City established a Comprehensive Emergency Management Plan five years ago. Adopting an annual plan is required by the National Incident Management System and is a federal requirement. Compliance qualifies the City for public assistance, aid and program management grants. He stated that the City receives about $15,000 to $30,000 a year in grant funds. The emergency management group regularly reviews the plan and recommends modifications. The role of the Mayor Pro Tem was clarified.

Jed Briggs referred to the list of outstanding budget issues. It has been recommended to increase code enforcement during Sundance by $12,800. Operations and maintenance for Main Street including sidewalks, crosswalks, etc. for this fiscal year is $16,000 which mostly includes funding for utilities, lighting, cleaning.

5. Jason Davis, UDOT Region 2 Director. Brooks Robinson introduced Jason Davis. Mr. Davis described the mill and overlay work at SR224, repairing signal detection and expressed that UDOT works closely with Park City staff to schedule projects. An effort is made not to disrupt residents, visitors and special events. He believed the project will be completed in a couple of weeks and work will be conducted during the day. There are multiple projects slated for I-80 which were detailed. Discussion ensued on signal detection and the climbing lane on I-80.

6. Continuation of budget discussion and Capital Improvement Program. Brooke Moss explained that she contacted the Summit County Treasurer and received compensation information and reported that the City Council is much closer to market including Summit County's compensation numbers. These will be included again as a comparison. Tom Bakaly clarified that Council is still below market but not to the degree of 5%.

Nate Rockwood pointed out Council's interest in funding the outstanding capital projects with the Resort Community Cities Sales Tax. The staff report contains three scenarios and the model has been updated so it includes bond and cash categories. He explained that a number of hybrid approaches are possible.

The Mayor suggested combining open space with environmental projects providing more flexibility. Cindy Matsumoto stated that she is committed to open space and it doesn't necessarily need to be a bond. She feels it will be difficult to ask voters to approve two things. The Mayor expressed his concern about aging infrastructure in town which will need to be addressed. He is concerned about earmarking funds when it isn't necessary and creating expectations about open space with the public. Andy Beerman agreed with Ms. Matsumoto about dedicating money to open space. He referred to a model version including environmental clean-up and there was an opportunity around 2018 or 2019 to free up funds for other needs.

Alex Butwinski stated that he is inclined to agree with the Mayor and the risks of committing funds to one project. There could be difficulty funding another priority because of bond language. Ms. Simpson indicated that she agrees with everyone and discussed the flexibility provided by increasing the resort cities sales tax. She felt the public will understand prioritizing projects.

Tom Bakaly advised that there is $5.5 million in the bank for environmental projects and an additional $1.1 million in the recommended budget for a total of $6.6 million. There is $2 million in the water fund for Prospector Drain and a little over $1 million for middle-reach clean-up. The grand total is around $10 million which is felt to be sufficient and if there is a liability in the future, an adjustment can be made. Earmarks are varying degrees of commitment but none of this happens until 2014 and when the 2013 budget is adopted Council is not appropriating any funds this year but coming up with a plan. Mr. Bakaly believed that the ballot language is important. The Mayor again discussed potential future capital projects and Liza Simpson and Alex Butwinski agreed and ~~felt that she would have to~~ would support funding health and safety over open space if pressed and is reluctant to even commit to a percentage. The Mayor pointed out that an environmental assessment for the City has never been done.

Andy Beerman expressed that a few members wanted an open space bond initially and he feels strongly that some part of the bond be committed to create an open space fund. If there are environmental surprises, there is still funding for open space, downtown improvements or the storm drains. His preference is that a certain amount is committed to open space. He pointed out that water projects are not really competing for the same funds. The Mayor felt that is uncertain.

Tom Bakaly pointed out that some voters will want the language *hard-coded* in the ballot initiative or in varying degrees and then there is the education piece. If the initiative passes in November, collections will not be realized until April 2013. Nate Rockwood explained in 2014 a scenario could be $3 million in bond funds for open space and $1.5 million in cash for open space for a total of $4.5 million and then the rest of the bond could be used for the main phase of the downtown project. Payments on the bond are not made until the following year. This option loads money upfront for open space but there are a myriad of ways to structure the bond. Mr. Rockwood didn't feel assigning percentages is the way to go but to specify for open space acquisition and infrastructure improvements. Andy Beerman suggested building an open space fund of $10 million over ten years. Liza Simpson did not want percentages in the bond language. Dick Peek believed that the voters will want more of a plan. Alex Butwinski felt the less specificity the better; time and circumstance will decide what the priorities are. He felt moving the storm drains out so far is unwise as it is a safety issue. He also addressed potential credibility problems with the public if the bond language is not clear.

Ms. Simpson stated that she is still uncomfortable with putting both questions on the ballot. Andy Beerman pointed out that open space has been overwhelmingly supported; there is still enough flexibility in cash in moving these projects around. Tom Bakaly explained that the ballot language does not need to be decided tonight but members should think about this as well as identifying projects in the CIP Budget. Ms. Simpson felt comfortable adding projects to the CIP and explaining the plan to the public.

Nate Rockwood pointed out that property taxes would have to be increased 35% to raise the same amount of revenue as the resort cities sales tax. It represents $187 on an average residence. He presented a lodging sales tax comparison in Utah where Park City ranks 17. Tom Bakaly explained that 7.45% is the tax base, 1% is added for the restaurant tax and 3% for lodging. Alex Butwinski asked if the resort cities sales tax increase can be deferred. Nate Rockwood explained that once approved by the voters, an ordinance would be approved adopting the rate and to his knowledge, no city has deferred collections.

Prepared by Janet M. Scott, City Recorder

(Because of size considerations, the PowerPoint for the Recreation Survey is not included in this draft but will become a part of the official record, once the minutes are adopted.)

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JUNE 7, 2012

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, June 7, 2012. Members in attendance were Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; Max Paap, Special Events Manager; Jim Blankenau, Environmental Regulatory Program Manager; Jed Briggs, Budget Program Manager; and Kent Cashel, Transportation Manager.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

1. Second Grade Falcons helping Mother Earth – Parley's Park Elementary – Teacher Stacey Harris explained that in October, two second grade classes participated in a competition for Grades K through 12 by creating a project regarding environmental issues. The kids took on recycling and set up the school building with donated recycle bins and educated other students. The trash going to the dump was cut by 42% and the recycle program will continue next year. The Mayor expressed his appreciation of students making a difference.

2. Recycling Award - Max Paap reported that the City received a recycling award. He relayed that recycling is not a mandate for special events here but about 218 cubic yards a year are collected.

3. Fish Pond Incident – Jim Blankenau reported that the laboratory data has been received regarding the fish kill incident in Thaynes Canyon two weeks ago. There is no indication of foul play and it is believed that the kill was caused by lack of oxygen in the water most likely caused by the cutoff of water from the upstream pond. Another factor was the large number of fish in a small area. He felt that no further action on the City's part is warranted.

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

None.

IV NEW BUSINESS

1. Consideration of an Ordinance approving a plat amendment for 573 Main Street and 564/572 Park Avenue, Park City, Utah – The Mayor opened the public hearing and with no comments from the audience requested a motion to continue to a date uncertain. Dick Peek, "I so move". Andy Beerman seconded. Motion unanimously carried.

2. Consideration of Master Festival License for Plaza Palooza every Thursday night between June 14 through September 13, 2012, plus up to an additional six event nights at Silver Star Village during the same time period, as conditioned – Max Paap clarified that the request is for six additional nights, with 72 hours notice to the neighborhood. This is the first year for a Master Festival License; there were a few events last year that didn't go through the process. It is being reviewed as a MFL due to the request for amplified music, attraction of large crowds, partial street closures and use of City property. He acknowledged concerns about parking and staff inventoried the parking to be 110 to 130 spaces at Silver Star. The City in conjunction with

the organizers propose temporarily taking the parking on Three Kings Drive on the west side. This will not disrupt transit and staff feels the plan will adequately meet parking needs. The Mayor disclosed that The Motherlode Canyon Band played last year and are scheduled this year. Mr. Paap stated that he received a comment from a resident at 1895 Three Kings Drive who supports the event. He also received an email from a resident at 1983 Three Kings Drive who is opposed.

Mr. Butwinski asked if the six other events will be concerts or memorials, etc. Steve Perkins, Resorts West, explained that the Jupiter Bowl Steeple Chase start/finish is there and they have been approached about hosting a marathon. The six events are not likely going to be concerts.

Max Paap stated that this is a test program and staff will return in October to debrief the Council on the event. Mark Harrington asked how the parking will be enforced. Mr. Paap explained that the police would enforce parking. The Mayor opened the public hearing.

Suzanne Robarge, 1983 Three Kings Drive, stated that she is also speaking on behalf of her mother who lives next door. She noted that she is not opposed to the concert series but is very concerned about the parking plan. It only goes south from the Silver Star property to Crescent Road and it is her experience that the signage is ignored on Three Kings Drive on a regular basis. People parked on both sides of the street for the memorial service. She feels forced to fence her property along Three Kings Drive because of the people attracted to the mine drain on her property.

Tim McConville, 1660 Three Kings Drive, referred to the Wednesday concerts in City Park years ago which created traffic problems on Park Avenue. He believed patrons will park on Payday Drive.

Mike Sweeney explained that the Town Lift Plaza had to go through a one-year test period and any problems were worked out. He wished the organizers good luck and supports the concept of having another plaza in town.

With no further comments, the public hearing was closed.

In response to a question from Cindy Matsumoto, Max Paap explained that the plan is bagging no parking signs on one side to allow parking and barricading the other side for no parking. It was clarified that attendance will be in the range of 150 to 200. Organizer Jeff Ward believed attendance will vary week to week. Dick Peek suggested changing the Findings of Fact to accurately reflect the number of parking spaces. Mr. Ward added that parking on-site was not exceeded.

The Mayor suggested changing the number to a maximum of 250 in the Findings of Fact and add a No. 13 that the areas along the street that are north of the project get barricades and better signage. Mark Harrington suggested adding this language as Condition of Approval No. 6. For the benefit of Alex Butwinski, Mark Harrington explained that the parking plan can be changed if it is not working adequately.

Liza Simpson, "I move we approve the Master Festival License for Plaza Palooza every Thursday night between June 14 through September 13, 2012, plus up to an additional 6 event nights at Silver Star Village during the same time period, as conditioned and amended. Alex Butwinski seconded. Motion unanimously carried.

3. Consideration of a Resolution adopting the Personnel Policies and Procedures Manual, dated July 1, 2012 for Park City Municipal Corporation – Tom Bakaly referred to the work session presentation. The Mayor opened the public hearing; there were no comments from the audience. Alex Butwinski, "I move we approve a Resolution adopting the Personnel Policies and Procedues Manual, dated July 1, 2012 for Park City Municipal Corporation". Andy Beerman seconded. **Motion unanimously carried**.

4. Consideration of a Resolution amending the Fee Resolution and replacing Resolution No. 08-12 in its entirety – See work session notes. Jed Briggs explained that Council decided to defer the effective date of building fees to October 1, 2012 and the rest of the fees will become effective July 1, 2012. He pointed out that Mr. Beerman is correct that the first violation fine for meter violations should be removed which will be reflected in the Resolution. In response to a question from the Mayor, Mr. Cashel explained that every three years, parking ticket violations for individuals are expunged from their records.

The Mayor opened the public hearing; there was no input. Andy Beerman, "I move we pass a Resolution amending the Fee Resolution and replacing Resolution No. 08-12 in its entirety". Cindy Matsumoto seconded. **Motion unanimously carried.**

5. Consideration of an Ordinance establishing compensation for the Mayor, City Council and statutory officers for fiscal year 2012-2013 in Park City, Utah – The Mayor opened the public hearing; there were no comments. Cindy Matsumoto requested that staff provide her with a list of cities used for comparison purposes for all statutory officers. Liza Simpson, "I move we approve an Ordinance establishing compensation for the Mayor, City Council and statutory officers for fiscal year 2012-2013". Dick Peek seconded. Motion unanimously carried.

6. Consideration of a Resolution adopting the Comprehensive Emergency Management Plan – The Mayor invited public input. There was none. Alex Butwinski, "I move we approve a Resoltion adopting the Comprehensive Emergency Management Plan". Andy Beerman seconded. Motion unanimously carried.

7. Consideration of an Ordinance adopting a tentative revised budget for Fiscal Year 2012 and a tentative budget for fiscal year 2013 for Park City Municipal Corporation and its related agencies and authorizing the computation of the property tax rate at a no tax increase rate – The Mayor opened the public hearing; there was none. Dick Peek, "I move we adopt an Ordinance adopting a tentative revised budget for Fiscal Year 2012 and a tentative budget for fiscal year 2013". Liza Simpson seconded. Motion unanimously carried.

V 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 7 p.m. Members in attendance were Mayor Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Tom Daley, Deputy City Attorney; Diane Foster, Deputy City Manager; Thomas Eddington, Planning Manager; Bret Howser, Budget Manager; Joan Card, Environmental Regulatory Manager; Jason Christensen, Environmental Regulatory Council; Jim Blankenau, Environmental Regulatory Program Manager; Phyllis Robinson, Public Affairs Manager; Clint McAffee, Water Manager; and Mark Harrington, City Attorney. Andy Beerman, "I move to close the meeting to discuss property and litigation". Liza Simpson seconded. Motion carried unanimously. Liza Simpson, "I move to adjourn the meeting". Alex Butwinski seconded. Motion unanimously carried.

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

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL WORK SESSION MINUTES
SUMMIT COUNTY, UTAH
JUNE 14, 2012

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

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Hugh Daniels, Emergency Preparedness Program Manager; Jed Briggs, Budget Program Manager; Clint McAffee, Water Manager; and Heinrich Deters, Trails Coordinator

Fire Chief Paul Hewitt, Bryce Boyer, National Resources Division of State Forestry, and Cheryl Fox, Summit Lands Conservancy Director

1. Emergency Management Program and Wildland Urban Interface Projects. Hugh Daniels explained that this is the fifth year of the EMP and believes the City is in a good position. The recent Utah Shakeout was helpful because all departments and staff participated and the Emergency Operations Center conducted a training exercise. He was pleased with the event and discussed educating the public about the City's emergency plan when there is a disaster. The City has accomplished a lot over the years with the support of the City Council and grant funding. The Mayor felt the public relations component is very important, specifically relating to personal responsibilities.

Mr. Daniels emphasized that all of Summit County is considered a wildland urban interface area. The City has been working with the County, Fire District and State to reduce risks and to view this as a regional issue. There have been four fires this year in Summit County, exceeding the total for last year. He spoke about the impact of wildfires on tourism; it took Yellowstone about seven years to recover. Educating the public was again discussed and the Building Department is reviewing codes to prevent risks. All three resorts will be meeting with the working group in a couple of weeks. The potential of using snow making equipment to fight fires will be considered as well as using ski trails as fire breaks. A video will be produced for the community to help disburse information, several chipping programs are in place, and another possible program is working with landscapers.

Fire Chief Paul Hewitt emphasized that even with all precautions in place; we still live in a very dangerous area for fire. The most important step is educating citizens, especially with regard to evacuations and fire-watch. He spoke about firework restrictions this year and encouraged the media to get the word out. Bryce Boyer reported that the state-wide fire restrictions are in place. The County spent about $200,000 on fire suppression in 2007 and has been working with the County in anticipation of a year like 2007.

In response to a question from Alex Butwinski, Chief Hewitt advised that landscaping should be 30 feet from a structure and discussed fire-wise landscaping. Mr. Boyer commented helping communities cut fire breaks. Andy Beerman felt it may be helpful to talk to Sun Valley about its wildfire experience and working with the resort. Mr. Daniels indicated that he didn't but has been working with Deer Valley and PCMR about utilizing snow making systems, but it could take up to day to get them on line. All three resorts have never met together with the emergency management team.

2. Outstanding budget issues. Clint McAffee spoke about better identifying operations in the Water Fund, providing more structure in the department and hiring a water quality analyst and superintendent. He recommends an internal recruitment for the water quality position and the superintendent an open recruitment. Cindy Matsumoto felt the Thaynes Canyon neighborhood should be advised of the water quality hire. Discussion ensued on salaries. On the CIP side, Mr. McAffee stated that asset replacement was added for the Quinns Water Treatment Plant and the water quality program funding was decreased to help fund the water quality position.

In response to questions from Alex Butwinski, Nate Rockwood explained that there was $200,000 in 2012 and 2013 and the final recommended budget, the 2013 budget has been reduced by $50,000 and the project extended out until 2017.

Jennifer Danowski clarified that the interfund transfer charges enterprise funds for internal services provided by departments like IT, HR, Legal, Budget, etc. It was pointed out that the large number of employees in transit impacts the level of service support.

Nate Rockwood outlined changes to the CIP. The Mayor emphasized that although projects are identified, like all phases of Downtown Improvements, the outcome is dependent on other sources of income or unforeseen events. Mr. Bakaly explained that a CIP is required and it is usually a five-year strategy.

Alex Butwinski expressed concerns about OTIS being pushed out another ten to twelve years when it should have been completed by now. He struggles with prioritizing open space over OTIS. Plans have a way of becoming expectations and the proposed CIP does not work for him. Making adjustments when deficits occur was discussed. Dick Peek shared Mr. Butwinski's concerns on deferring OTIS projects. Mr. Bakaly clarified that there are a couple of big OTIS projects upfront but the scope decreases into the future. The schedule can be adjusted and a work session arranged to talk about OTIS further. Cindy Matsumoto asked if reconstructed streets are included in the regular paving program once rebuilt and Nate Rockwood stated he will confirm this practice.

Alex Butwinski did not feel that funding should be driving OTIS and much of the work is based on the engineer's estimate of remaining life cycle. He felt that the City is not living up to a commitment to Old Town streets made ten years ago. Mr. Bakaly explained that the schedule was based on when they could get them done not the funding. Ms. Simpson stated that she would feel more comfortable moving Phases 2, 3 and 4 into 2018 and 2020 as a plan. The Mayor pointed out the flexibility with OTIS and Ms. Simpson indicated she would like OTIS projects moved up.

3. Summit Lands Conservancy endowment request and future consideration easements on City open space. Heinrich Deters explained that the City has been working with SLC for a long time who holds outright or co-holds with the City 200 acres of open space. Staff is seeking direction on a request from SLC for a stewardship endowment and Council's interest in placing future conservation easements on properties. The endowment secures funding from political and economic uncertainties. Mr. Deters relayed that the request is specific to existing easements which are held by SLC who is reluctant to take additional easements from the City without the associated endowment. There are some budgetary impacts because of limited funding and most of open space maintenance and monitoring comes from the Flagstaff accounts. He also asked if the endowment is the right mechanism. Summit County provided some stewardship endowment funding for two parcels, Coleman and the PRI/Kimball Parcels. Cheryl Fox interjected that the amount SLC was paid was not what the staff report identified. She stated that SLC received $15,525 for the 10 acre Coleman Parcel.

Mr. Deters stated that staff is recommending to deny the current request and basically limit endowment funding to a process when the property is purchased. This is a known cost that can be included in the purchase agreement. The next aspect is to continue what has been done through special service contracts to provide for that monitoring through a RFP process. SLC's contract is up now and the RFP will be conducted immediately. If the Council believes this is a good idea, the City's auditor recommends setting up a CIP fund as the best means for funding that source. Because the request itself is outside political or financial purview, another option is that Council appoint a board or a commission to oversee the actual fund but this is not supported by the City's auditors.

Cheryl Fox addressed funding the on-going stewardship of the ten conservation easements. The City has made a tremendous investment in these properties and in order to make sure that they are adequately protected, there has to be some sort of on-going funding mechanism for the stewardship that is separate from the political process. There needs to be a program so that the future government cannot withdraw support and the City needs to feel confident in the work being done by the conservancy.

Liza Simpson viewed the endowment as an on-going cost but is more comfortable with it being in the City's hands than managed by a foundation. Ms. Fox explained that SLC has looked at other land trusts across the country and pointed out that things change over the years. Dick Peek asked how many of those land trusts are funded publicly and how many privately. She responded that she doesn't know but spoke about funding endowments and legal defense at the time of acquisition. SLC is not asking for funding for a legal defense fund.

Alex Butwinski expressed concerns about an outside board managing the program as those members also change. He supports staff's recommendation by not funding a separate endowment fund; he is more inclined to support an account in the CIP.

The Mayor referred to the staff report where the first request is to receive funds for an endowment. Cindy Matsumoto liked the concept of having the process outside the political mainstream. Ms. Simpson clarified that her suggestion would be creating a CIP fund, with the commitment to build an endowment fund for the currently acquired pieces. Andy Beerman questioned what the City would be funding and Ms. Simpson suggested that it would be building an endowment in the neighborhood of $1.5 million. It would function like an endowment but would be held and restricted in the CIP.

Tom Bakaly explained that the endowments for future properties would be covered at the time of purchase and managed by the conservancy. Mark Harrington pointed out that this has occurred in some instances. The potential for disagreement emanates from compatibility issues with stewardship, ownership and long term public uses. He encouraged being cautious in contracting those rights away or in a manner that perpetuates more conflict which would be unfortunate. Mr. Harrington emphasized that there was an original RFP and the consideration was the monitoring. The special service contract is direct reimbursement for costs and in the future, doing them simultaneously is truly the more legal an appropriate approach.

Mark Harington stated that we all agree that it can be better and the question is the most efficient vehicle to ensure the public's trust long-term. The Mayor stated that there is agreement among members about future purchases and creating and managing an internal endowment fund.

Andy Beerman stated that he is not completely there yet and would like to know more about the auditor's recommendation. Nate Rockwood explained that he could obtain more details, but the initial reaction was that cities do not typically do this. Tom Bakaly pointed out the difficulty of giving an outside board money for a service that is not directly tied to a service the City is receiving. Dick Peek compared creating the board as a new entity that bypasses the voters. The majority of members felt staff should proceed with a RFP. The Mayor relayed that he read the job description and pointed out the significant charge to the City for monitoring and the minimal stipend paid to people monitoring for SLC. Cheryl Fox explained that stewardship involves a whole lot more than just monitoring and the organization supplements its operations by finding volunteers and interns. Stewardship costs $15 per acre on average and SLC is committed to the price into the future even though prices will increase. The stewardship fund will have to grow with other resources.

The Mayor relayed that the process for monitoring for most land trusts is pretty standardized based on what is required by the IRS. It is possible that someone else could do it substantially cheaper and contract with the City based on SLC's criteria. Cheryl Fox stated that the site visit is one very small part of stewardship and that is why it can be done by a volunteer or intern. There is a whole lot more involved like relationships, interpreting legal documents, and handling complex stewardship issues. These easements are busy and not like easements other land trusts hold. They take a significant amount of staff time. She ran the numbers and in 2010, SLC spent almost exactly $15 an acre on annual stewardship.

Alex Butwinski commented that based on this information, it makes sense to conduct a RFP every five years in fairness to the taxpayer and SLC. Anyone responding to the RFP can make a case about value. He supports staff's recommendations for the most part and Ms. Simpson's suggestion of creating an endowment fund in the CIP. The Mayor also felt that five years is a good duration so there is consistency. Cindy Matsumoto pointed out that non-profit organizations use volunteers all of the time to offset costs. The Mayor believed the third party the City chooses to manage our open space should be monitored.

Andy Beerman pointed out that an endowment in the CIP could be revocable rather than dedicating the monitoring money every year out of the CIP. Ms. Simpson believed it is more tightly bound. She spoke about assigning an oversight board. The Mayor confirmed consensus to fund the endowment in a restricted fund on a five year basis. Cheryl Fox asked that the payments be tied to the easement holder.

The Mayor stated that his issue is that SLC determines the fee. The City Council has asked for comparisons and has a fiscal responsibility to the public. Mr. Beerman understood that if an internal endowment is created, it would not be tied to the easement holder. However, future acquisitions would include an endowment going to the easement holder. Andy Beerman felt that many good ideas have been discussed today but the approach needs to be further refined.

Discussion ensued on the method of protecting acquired open space parcels which may be decided on a case-by-case basis. The Mayor pointed out that Council never intended to place a conservation easement on the Triangle Parcel, for instance. He agreed that properties need to be reviewed individually. If property was purchased with open space bond money, a conservation easement is appropriate.

Mark Harrington pointed out that the most famous case in the country, *Waldon Pond*, was saved by the original deed restriction not a conservation easement. There are different levels of protection and the question moving forward is do you want a contract for that protection and do you want it to expand beyond monitoring the same restriction? Do you want to narrow that to different ones because there are special attributes? He stated that when a land trust manages and operates an open space program and endowment, long term funding may be appropriate, but you are essentially turning over the management to a third party. He felt that it is about making sure the expectations of the public trust of the original authority of the purchase and the long term management align.

All members agreed that the level of protection should be decided on a case by case basis. Andy Beerman emphasized that when properties are purchased with open space funds, they should be protected with a conservation easement. If land is being purchased for recreation or other purposes, it doesn't make any sense.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JUNE 14, 2012

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, June 14, 2012. Members in attendance were Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; Jonathan Weidenhamer, Economic Development Manager; Clint McAffee, Water Manager; and Phyllis Robinson, Public Affairs Manager.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

1. Sundance Institute update – Jon Weidenhamer introduced Sara West and Lizzie Lutenza from Sundance. Ms. West reported that most out-of-state visitors are from California, New York and Colorado. Thirty-five percent of the 31,000 out-of-state festival attendees indicated they came to Utah for the first time and 44% indicated that they would return within a year. The Institute has been working on attracting more international attendance and over 5,700 international attendees were represented by Canada, France, China and England. Over 46,000 attended the Festival this year, a slight increase from last year. She spoke about aggressive marketing and social networking efforts. It is estimated that Sundance brings in $80 million in economic impact to the state and in the last ten years, the Festival has generated over a half billion dollars. Sara West noted that there was a large increase in lodging and discretionary spending this year. This overall number is $67 million and the non-resident spending was about $2,000 per person. She emphasized that film in Utah is strong.

Lizzie Lutenza explained the media tracking service and it was found that $69 million was generated in publicity value. More than 900 registered press from 20 different countries, including Egypt, Macedonia, Kosovo, Norway, etc. were here. There was strong local participation and network forums for businesses have been created. Ms. West encouraged the public to attend the summer film series.

2. Resolution recognizing the efforts of wounded warriors participating in the Sea To Shining Sea Event – The Mayor welcomed participants of the event. Senior Sergeant Mike Sanders explained that The Sea to Shining Sea is one program which helps disabled athletes recover and he introduced the team. He relayed that it has been a dream to travel across the country and to meet the American public. It is an honor to meet people that they have served.

The Mayor mentioned that the National Ability Center is one of the hosting facilities for the Wounded Warrior Program and he read the Resolution into the record.

Liza Simpson, "I move we approve the Resolution recognizing the efforts of wounded warriors participating in the Sea To Shining Sea Event". Dick Peek seconded. Motion unanimously carried. Dick Peek shared his challenging experience riding across country as a young man and commended the group.

3. Resolution supporting the principles of the Community Covenant Program and acknowledging the many contributions of our Service Men and Women in Park City, Utah – Lt Ted Williams - Lt. Williams stated that he is associated with the Orem Community Covenant

Program representing the central region of Utah. In 2010, the state legislature approved the Community Covenant Program and since that time, all of the cities throughout the state have been invited to become a part of the program. He relayed that the military has a lot of resources and it is important to have a liaison between groups to share information with the public. The Community Covenant Program is for all service members, of all branches, both past and present. Lt. Williams thanked the City of Park City for its support.

Andy Beerman, "I move we pass a Resolution supporting the principles of the Community Covenant Program and acknowledging the many contributions of our servicemen and women in Park City, Utah". Alex Butwinski seconded. Motion unanimously carried.

5. Water pipe breaks – Clint McAffee described the locations and the circumstances surrounding recent water pipe leaks throughout town.

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

None.

IV MEETING MINUTES OF MAY 24, 2012

Alex Butwinski, "I move we approve the meeting minutes of May 24, 2012". Cindy Matsumoto seconded. Motion unanimously carried.

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

Liza Simpson, "I move approval of Consent Agenda Item Nos. 3 and 4". Alex Butwinski seconded. Motion unanimously carried.

1. Consideration of a Resolution recognizing the efforts of wounded warriors participating in the Sea To Shining Sea Event – See Communications.

2. Consideration of a Resolution supporting the principles of the Community Covenant Program and acknowledging the many contributions of our Service Men and Women in Park City, Utah – See Communications.

3. Consideration to authorize the City Manager to execute the Sixth Amendment to the Professional Services Agreement, in a form approved by the City Attorney, with Carollo Engineers, for the design of the Quinn's Water Treatment Plant in an amount of $84,000 – Approved.

4. Consideration to authorize the City Manager to execute a Service Agreement with EC Company for standby generator maintenance in the amount of $55,380, in a form approved by the City Manager – Approved.

VI NEW BUSINESS

1. Consideration of amendments to water supply agreements between US Bureau of Reclamation, Weber Basin Water Conservancy District, Mountain Regional Special Service District, Summit County, and Park City, in a form approved by the City Attorney, to increase Park City's portion of water through the Synderville Basin Project and Expanded Lost Creek Project by 400 acre-feet per year – Clint McAffee explained that the City was approached by Mountain Regional to transfer 400 acre feet of water to Park City for the Lost Canyon Project. This water is pumped from the Rockport Reservoir through Weber Basin and Mountain Regional facilities. It comes with peaking capacity and will add about 500 gallons per minute of capacity to the raw water line coming into town and available at the Quinns Junction WTP for drinking water. This represents an additional annual cost of about $123,000 which will fluctuate over time as O&M costs inflate.

Tom Daly stated that this is an extension of the 40 year agreement. Mr. McAffee stated that the City will own 43% of the storage in the pond at a cost of $7,700 per year paid to Mountain Regional until 2033. Even if a pond in Round Valley comes on line it is recommended to lease storage. Andy Beerman asked how this proposal ties into the regional plan. Clint McAffee stated that if the regional plan occurs, the City's contribution to the regional system would grow by that amount and the City will receive credit. Tom Daley explained the O&M fund which is a shared account.

Liza Simpson, "I move we approve Item No. 1 under New Business as amended by Clint". Alex Butwinski seconded. Motion unanimously carried.

2. Consideration of an Ordinance adopting a revised final budget for Fiscal Year 2012 and a final budget for fiscal year 2013 for Park City Municipal Corporation and its related agencies and authorizing the computation of the property tax rate at a no tax increase rate – The Mayor opened the public hearing. There were no comments. Cindy Matsumoto, "I move that we continue Item No. 2 until next week". Dick Peek seconded. Motion unanimously carried.

3. Consideration of an Assessment Ordinance for Phase I Park City Heights in amount of approximately $3,660,000 – Consultant Dave Miner corrected the amount to read $3,720,000 and this is the second step of a three step process. Once the property is subdivided, assessments will be allocated among the parcels. The final step is approving a bond resolution authorizing the issuance of bond anticipation notes that will finance the cost of the construction. Assessments will be collected over the next three years to repay the bond anticipation notes. There was no public input.

Dick Peek, "I move that we approve the Assessment Ordnance assessing properties in the PC Heights Assessment Area in the amount of approximately $3,720,000". Alex Butwinski seconded. Motion unanimously carried.

4. Consideration of award of construction agreement for publicly-dedicated infrastructure for Phase I at the Park City Heights subdivision with Hadco Construction in the amount of $2,844,113, in a form approved by the City Attorney (contract award subject to the sale and approval of the issuance of bonds for Phase 1 of Park City Heights) – Phyllis Robinson pointed out that the contract is for the publicly dedicated improvements of Phase 1 and the final contract will be in a form approved by the City Attorney in the amount of $2,84,113 which is subject to the sale and approval of the issuance of bonds by the City Council for Phase 1. The City's contract will be for the $2,844,113, and a contract between Hadco Construction and Ivory

Development will cover the remaining utility work and the cost associated with soil remediation if needed. This bid was in accordance with the state contract process and Hadco was selected as the lowest qualified bidder for the project. The special fees assessed for Ivory were explained.

Andy Beerman, "I move we approve New Business Item No. 4". Cindy Matsumoto seconded. Motion unanimously carried.

VII ADJOURNMENT

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

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 2 p.m. Members in attendance were Mayor Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Tom Daley, Deputy City Attorney; Diane Foster, Deputy City Manager; Thomas Eddington, Plannng Manager; Bret Howser, Budet Manager; Joan Card, Environmental Regulatory Program Manager; Jason Christensen, Environmental Regulatory Council; Jim Blankenau, Environmental Regulatory Program Manager; Phyllis Robtinson, Public Afairs Manager; Clint McAffee, Water Manager; and Mark Harrington, City Attorney. Andy Beerman, "I move to close the meeting to discuss property and litigation". Liza Simpson seconded. Motion carried unanimously. The meeting opened at approximately 3:30 p.m. Liza Simpson, "I move to open the meeting". Alex Butwinski seconded. Motion unanimously carried.

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

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL STUDY SESSION MINUTES
SUMMIT COUNTY, UTAH
JUNE 21, 2012

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

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Jason Glidden, Marketing Manager; and Jon Weidenhamer, Economic Development Director

High altitude training. Jason Glidden pointed out that providing high altitude opportunities is a good way to diversify the economy with very little impacts. Teams stay at least three weeks but typically have a dorm/campus atmosphere and one of Park City's challenges is lodging because it will require a transportation element. Salt Lake City's proximity is an advantage for travel and also for training at a lower altitude. The City has great facilities but is lacking a 50 meter swimming pool; the pool at Ecker Hill is 25 meters. Mr. Glidden spoke about getting information from a high altitude organizer in Northern Arizona who makes arrangements for teams and the potential of working with him in Park City. There are teams already training here and marketing Park City will make a difference; most athletes participate in high endurance sports. USSA has a fantastic facility and could form beneficial partnerships with high altitude training counterparts.

He indicated that staff has been communicating with UOP and USSA regarding this and athlete housing is the biggest missing component to attract long term training teams. Liza Simpson asked how successful a program would be in the off-season. Mr. Glidden referred to a table with a schedule of all of the City facilities. Ms. Simpson believed that the lodging community may offer lowered rates during certain times of the year. Andy Beerman agreed but discounts may not necessarily be offered to college-aged patrons. Security was discussed.

Alex Butwinski believed there is potential for weekend conflicts and the public should have first priority for use. Ms. Simpson felt it is dependent on the economic benefit a booking may bring in and also the time of year. Mr. Glidden explained that the Quinns Recreation Complex was built as an economic development tool. In response to a question from Alex Butwinski about a marketing plan, Mr. Glidden explained that time of year is important and spoke about possibly attracting the Kings. The average spending per person is very low. Andy Beerman pointed out that Park City is not the cheapest or easiest place to train and it seems like teams would chose a college campus in Colorado Springs or Northern Arizona if cost is an important factor. He encouraged focusing on pro-level teams and asked about competition. Jason Glidden advised that in North America, Northern Arizona is it because of the altitude. There are some great facilities in Colorado Springs but it is lacking the altitude. He believed that patrons of high end camps will have more disposable income. She agreed with Mr. Beerman about attracting pro-level teams and getting that type of program in place.

Mr. Bakaly believed that not having lodging on site is a key issue and Ms. Simpson felt that Park City has everything needed to accommodate the pro-level niche. Jason Glidden pointed out the benefit of having Olympic teams here, but they run on a budget and the housing issue would need to be addressed. He felt it helpful to meet with the lodging community and it is best to have 20 or more per team for a booking. Mr. Glidden spoke about inviting the high altitude broker to Park City to conduct an analysis. Ms. Matsumoto asked if Park City will need more than dorms and a 50 meter pool. He felt that having another running track might be a consideration although Salt Lake might be able to accommodate that need.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL WORK SESSION MINUTES
SUMMIT COUNTY, UTAH
JUNE 21, 2012

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

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Jonathan Weidenhamer, Economic Development Manager; and Bret Howser, Budget Manager

Anita Lewis and Alison Wehyer, Summit County; Gary Nielsen, All Resort Group

1. **Council questions/comments.** Alex Butwinski spoke about ULCT business. He congratulated the Red Banjo on its 50th Anniversary and announced that the public is invited to an open house on Sunday. Andy Beerman attended a Recycle Meeting this week and discussed the changes in the curbside recycling program. Contaminated cardboard and glass will not be accepted. Recycle Utah is anticipating changes in its intake of materials and Ms. Simpson suggested that the City offer to do PSAs on Recycle Utah's behalf. Dick Peek also attended the ULCT meetings where billboards were discussed. He attended the HPB meeting where preservation award candidates were reviewed. Liza Simpson encouraged the public to attend the event at the Farm. She complimented Summit County on its recent recycling mailer.

The Mayor reported that the Sewer District has some major capital projects in the works. The Leadership group from Ogden High School was here for a workshop. COG met this week where updates on the Summit County Fair were provided. He relayed that the group would like to recruit a committee member from Park City. The legislature set money aside to acquire property adjacent to highway rights-of-way. The extra revenue from drivers' license fees goes into a COG fund and there is well over $1 million. A discussion point was the development pressure in Eastern Summit County to develop more subdivisions. The Mayor stated that he met with the Vice President of Hyatt Hotels this week.

Cindy Matsumoto reported that the Historic Home Tour was held over the weekend and was a great success.

2. Summit County Economic Development Task Force update. Jonathan Weidenhamer introduced Anita Lewis and Alison Wehyer from Summit County. Ms. Lewis explained that one of the strategic issues of the County Council is economic diversification and a task force to formulate a plan was appointed. The group met for about six months and identified unaddressed issues which were presented to the County Council in December.

Alison Wehyer stated that the task force identified four areas including the creation of an on-line business directory. Users can sort by type, name, or location and Park City businesses will be included. The second effort is an interactive website for economic development in the County and will be funded and maintained by the Chamber. The third area is the creation of an eastern Summit County business alliance. These businesses are very different than western Summit County because they are agricultural and small in nature and face different challenges. Ms. Wehyer explained that the final element involves procuring funding from the BEAR Program which is available to rural counties. The state funds this and each county conducts interviews with a representative cross-section of the businesses in the county and identifies strengths and weaknesses of the business community. The state encouraged the group to apply for more funding and the goal is to interview 200 different businesses county-wide to assess the kinds of assistance needed. Park City businesses will be included. Anita Lewis added that the data will be reviewed by the state who will respond with specialized assistance.

3. Economic development grant request – All Resort Group. Alex Butwinski disclosed that he leases a storage facility to one of All Resort's subsidiaries. Andy Beerman disclosed that TMI does a lot of business with Park City Transportation. Bret Howser explained that the City set aside $20,000 annually for economic development grants for start-up businesses or relocations. The policy does not designate a deadline for requests but the money is available on a fiscal year basis and the City tends to receive requests throughout the year. However, this is the only request submitted during this fiscal year. He stated that a committee meets to evaluate the request and to forward a recommendation to the City Council.

The City received an application in May from All Resort Group, specifically for one of its subsidiaries, Lewis Stages, currently located in Salt Lake City to move to Park City. All Resort will be consolidating its branches including Lewis Stages which will be moving to the Park Meadows Plaza Building. Mr. Howser relayed that the move will bring 20 to 25 jobs to Park City and some positions will need to be filled. The committee consisted of Dick Peek, Thomas Eddington, Nate Rockwood and him and the application was tested against policy criteria.

Ms. Simpson asked if all criteria need to be met. Mr. Howser acknowledged that the policy is unclear. She referred to the criteria of generating overnight visitors which seems inapplicable in this instance. Mr. Howser explained that it is felt that All Resort will be marketing Park City by being here. Gary Nielsen indicated that the entire Lewis Brothers Stages staff will be coming to Park City, except for its mechanics.

Alex Butwinski commented that he doesn't see a real taxable benefit. Mr. Nielsen believed that the City will benefit materially from having the sales force in Park City who tends to sell the town. He felt that Park City will benefit from this and more visitors will come here. Mr. Butwinski countered that there is really no data to back that up. Mr. Nielsen again spoke about the benefits of the sales team being in Park City. Andy

Beerman agreed with Ms. Simpson that the applicant meets the majority of the criteria but not all of it. Ms. Simpson felt that the grant supports the City's interests and a transportation partnership is beneficial especially with the goal of reducing the number of vehicles on the road. She stated that she supports the grant and maybe at some point, Council should discuss clarifying policy criteria and perhaps creating two separate categories for economic development, start-up businesses and relocations. Bret Howser suggested returning with a discussion as part of the study session for business recruitment scheduled in August or September.

Andy Beerman recommended that if the grant is approved, to add a condition that the $20,000 is spent locally. Mr. Nielsen spoke about spending thousands of dollars with local businesses to date associated with the move. The realtor is local and all best efforts will be made to spend the funding in Park City. Alex Butwinski stated that in his opinion, the application does not meet three of the specified criteria.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JUNE 21, 2012

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at a special time of 5 p.m. at the Marsac Municipal Building on Thursday, June 21, 2012. Members in attendance were Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; Brooks Robinson, Transportation Planner; Bret Howser, Budget Manager; and Nate Rockwood, Budget Program Manager;

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Orange barrel update – Brooks Robinson described the status of UDOT projects on SR224.

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

None.

IV MINUTES OF MEETING OF MAY 31, 2012

Liza Simpson clarified her remarks about funding public art in the work session minutes. Alex Butwinski indicated that he submitted some minor corrections to the City Recorder, "I move we approve the Minutes of the meeting of May 31st as amended". Andy Beerman seconded. Motion unanimously carried.

V NEW BUSINESS

1. Consideration of an Economic Development Grant requested by All Resort Group in the amount of $20,000 – See work session minutes. Bret Howser stated that All Resort Group is consolidating its offices in the Park Meadows Plaza Building and moving Lewis Brothers Stages to Park City. He addressed Criteria #5 regarding a return to the City of twice the amount of the grant, which was a discussion point with the committee. A payback within four years was estimated and Mr. Howser described how that was calculated. There may be additional property taxes paid to the City. Cindy Matsumoto commented that it is good that the building will be occupied again. Dick Peek referred to Criteria #5, noting that it reads, an ability to achieve direct taxable benefits. . .not direct tax benefits. The Mayor expressed that he is pleased that All Resort is staying in Park City.

Dick Peek, "I move we approve the $20,000 grant to All Resort Group for business relocation assistance". Liza Simpson seconded. The Mayor asked for additional discussion.

Andy Beerman asked if there is any support for the condition he suggested during work session, that the $20,000 be spent locally and documented somehow. He has no problem with crediting All Resort for money already paid to local businesses with regard to the relocation. Mr. Howser stated that the City interprets local to include businesses in Summit County and Mr. Beerman felt that is fine. Cindy Matsumoto supported Mr. Beerman's condition as did Liza Simpson. The Mayor pointed out that All Resort needs furniture and equipment which is not really available here, although he doesn't disagree with the principle. Ms. Simpson suggested that All Resort makes its best efforts. It was pointed out that about $8,000 has been spent on local vendors to date.

Dick Peek modified his motion, <u>to award the grant of $20,000 to All Resort Group for business relocation assistance and that All Resort makes substantial best efforts to spend the grant money within the Summit County area</u>". Liza Simpson seconded. <u>Motion carried</u>.

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

2. <u>Consideration of an Ordinance adopting a revised final budget for Fiscal Year 2012 and a final budget for fiscal year 2013 for Park City Municipal Corporation and its related agencies and authorizing the computation of the property tax rate at a no tax increase rate</u> – Nate Rockwood explained that there are some changes to the budget including an additional transfer from the Lower Park Avenue RDA into the General Fund to cover operating expenses that occur on behalf of the LPARDA. There was an additional $100,000 adjustment for electric, gas and sewer costs associated with new water treatment plant. The fleet fund was adjusted up based on the anticipated cost of gasoline and supplies related to the fleet. He stated that the revenues for the recreation budget were adjusted upward by $350,000 to reflect trends at the PC MARC. Ice revenues have also been extremely strong. The purchase of the golf carts in the amount of $211,000 is in the budget; $40,000 of that is a loan from the CIP which will be repaid by the Golf Fund for three years. He pointed out that the Resort Communities Sales Tax will not affect the 2012 budget but will be included in the 2014 plan. The later stages of OTIS were moved up based on construction timelines and paying in cash. The 2014 budget currently has $750,000 budgeted for two years which can change based on Council's direction on conservation easements.

Nate Rockwood stated that the budget for 2013 including capital and debt service is $69 million and excluding capital is $51 million. The CIP budget carries forward from year to year which is a technical adjustment made mid-year. The Mayor opened the public hearing; there were no comments and the public hearing was closed.

Liza Simpson, "I move we approve an Ordinance adopting a revised final budget for Fiscal Year 2012 and a final budget for fiscal year 2013 for Park City Municipal Corporation and its related agencies and authorizing the computation of the property tax rate at a no tax increase rate". Cindy Matsumoto seconded. Motion unanimously carried.

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 2:30 p.m. Members in attendance were Mayor Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Phyllis Robinson, Public Affairs Manager; Linda Tillson, Library Director; Ken Fisher, Recreation Manager; Jon Weidenhamer, Economic Development Manager; Thomas Eddington, Planning Manager; Tom Daley, Deputy City Attorney; Bret Howser, Budget Manager; Joan Card, Environmental Regulatory Program Manager; Jim Blankenau, Environmental Regulatory Program Manager; and Mark Harrington, City Attorney. Alex Butwinski, "I move to close the meeting to discuss property and litigation". Dick Peek seconded. Motion carried unanimously. The meeting opened at approximately 3:30 p.m. Liza Simpson, "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 news media two days prior to the meeting.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL WORK SESSION MINUTES
SUMMIT COUNTY, UTAH
JUNE 28, 2012

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

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Tyler Poulson, Sustainability Program Manager; Heinrich Deters, Trails Coordinator; and Brooks Robinson, Transportation Planner

Cliff Blonquist, Summit County Solid Waste and Recycling Manager; Gordon Raymond, Republic Services Manager (formerly Allied Waste); John Nepstad, Fehr & Peers; and Terrell Budge and Steve Brozo, Design Workshop

1. **Council questions/comments.** Cindy Matsumoto reported that the Chamber has new board members and the upcoming budget has been adopted which is looking healthy. Thirty-five percent of the budget is allocated to advertising which is an increase of about 5% from last year and the summer outreach program has been expanded. Liza Simpson suggested that the maintenance on the China Bridge Parking Structure be scheduled earlier next year when there isn't so much demand for parking.

Andy Beerman felt that Savor the Summit was a wild success this year and the police did an outstanding job during the event. He stated that he rode the Armstrong Trail which is now connected to a new trail, Pinecone Trail, which goes all the way to the ridge. Heinrich Deters interjected that the City and County funded the trails through a restaurant tax grant. Mr. Beerman felt that this will be a world-class trail, and possibly among the top three in the US. There is phenomenal access, spectacular exposure and really good dirt.

Alex Butwinski relayed the Rotary's appreciation for the City's contribution in improving the facility. He attended the Planning Commission meeting last night and expressed his excitement about the selection of art for the PC MARC scheduled for approval on the regular agenda. Dick Peek stated that he attended the interagency task force meeting which focused on wildfires. The Mayor announced that Brian Stevens will be the new Director of the Mosquito Abatement District. He commented on the challenge of controlling the use of fireworks when they are being sold in town.

2. County curbside solid waste and recycling update. Tyler Poulson introduced Cliff Blonquist from Summit County and Gordon Raymond from Republic Services. He noted that beginning July 1; the contract with Republic Services will go into effect for new curbside waste and recycling services for residential addresses. City staff worked with the County through the process over the last year leading up to the RFP being released in terms of recycling goals.

He explained that the 95 gallon waste bins will be replaced with a 65 gallon waste bin with the option to purchase a second bin. What is paid more accurately reflects the level of waste services provided. Current recycling includes about 5,700 residential households. The new program will be expanded to all residential addresses including roughly 14,500 participants. He described the current recycling program which varies by location. Under the new program, most residents will be using a 95 gallon recycling bin which is picked up every other week. Glass will no longer be accepted in the single stream system.

Gordon Raymond acknowledged that Old Town is a unique area to service for any type of waste collection and if the 95 gallon bins do not work, Republic will work with residents. The Mayor stated that there is confusion about recycling being provided in Old Town. Mr. Raymond stated that about 40% of Old Town has actually received an additional piece of information. The Mayor felt that it may be better to pick up solid waste every other week and recycled materials every week. Cliff Blonquist agreed that it might be an issue but the program should be monitored for a while and changes can be made. In response to comments from Ms. Matsumoto, Mr. Blonquist explained that a grey bin was selected for garbage only and the old blue or brown 95 gallon bin will convert to the recycle bin.

Mr. Raymond explained that there may be a modified collection process in Old Town to avoid driving big trucks and a subcontractor may be servicing the more difficult areas to access. Liza Simpson pointed out that the flyer did not contain information about the Old Town recycling schedule and Mr. Blonquist stated that this information is currently being disbursed. She noted that there are apartments above commercial spaces on Main Street and understood that glass should be thrown away or taken to the Recycling Center. Cliff Blonquist stated that the City has been ahead of the curve but offering recycling County-wide is significant. Discussion ensued on continuing to educate the public; drivers can tag bins with information which can also be placed on the City’s website. Andy Beerman thanked the County for offering a County-wide program and its willingness to work with issues in Old Town. Mr. Blonquist and Mr. Raymond urged the public to be patient.

3. SR224 Corridor Study. Brooks Robinson explained that the area on SR224 extends from the Park City Market to Jan’s and the purpose of the study was to identify some short and long term improvements for all modes of transportation through that corridor. This includes pedestrians, bicycles, vehicles and transit buses. The redevelopment of PCMR, lower Park Avenue and Bonanza Park will place more pressure on the corridor. The study considers planning efforts; funding mechanisms and many City departments were involved. He introduced John Nepstad, Fehr & Peers, who is the project manager for the consultant team.

Mr. Nepstad explained that Design Workshop and Horrocks Engineers have helped with some of the cost estimates. Terrell Budge, Design Workshop, discussed getting input from the City, stakeholders and from the general public and establishing goals for the project. The study includes a description of goals and the number one concern seemed to be to increase pedestrian and bicycle safety. Aggregating people in less numbers of cars will reduce noise pollution and it is a goal to make that portion of the corridor more appealing. The accident rate is consistent with the findings on the number of curb cuts and major stakeholders like PCMR and Deer Valley were involved in discussions. Mr. Budge indicated that the plan should improve the visitor's experience with regard to wait time and aesthetics. The stakeholders participated in a walking tour in February, an existing conditions analysis, one-on-one meetings, and a general stakeholder workshop. Alternatives were presented to the group which were refined and addressed at an open house last month. A cost analysis has been conducted. He indicated that Council comments will be considered to finalize the plan in the coming month.

Steve Brozo illustrated a slide of the study area. The major issues and a phased set of solutions are listed. The corridor has a narrow right-of-way, sidewalks are narrow and attached, no bike lanes, inadequate pedestrian crossings (Kearns and Deer Valley Drive intersections), too many curb cuts, high peaking traffic, and an offset intersection at Homestake Drive and Lame Dog Drive. Park City aesthetics are lost through the stretch as the road becomes more visually busy. This section of the corridor has inadequate pedestrian and bike infrastructure and trail connections. He displayed a slide illustrating the 25 curb cuts along the corridor which are significantly higher than the UDOT standard. Mr. Brozo stated that there are some solutions to reduce the number.

John Nepstad pointed out the importance of maintaining a high level of engagement with UDOT. The project is divided into three phases and the first step is to obtain the multi-use trail easements on either side of SR224. The easiest approach is the west side at the Park Avenue Condos. The property manager played a key part of the stakeholder group and it is helpful to have him involved. Condominium owners expressed concerns about the level of noise. Deer Valley Drive and Empire Avenue is a major intersection. He encouraged considering installing raised medians along SR224 and real time message signs at certain locations. UDOT is open to these suggestions but there are no commitments.

He discussed realigning Homestake with Lame Dog and getting feedback on the hawk beacon. This is an opportunity to consolidate the intersection and install a traditional signalized intersection. The hawk beacon can be confusing to visitors. A pedestrian tunnel from Jans to Cole Sports needs more study but it may be a good solution for the intersection. Andy Beerman referred to the tri-tunnel and felt it makes sense to address both at the same time. Mr. Nepstad responded that it significantly increases the cost. There are space restraints because of the proximity of the buildings to the street. He again addressed the negative impacts of the number of curb cuts with regard to accidents and traffic flow. Five locations have been identified to eliminate or to consolidate curb cuts.

Dick Peek pointed out the problems associated with the Starbucks parking lot which affects the intersection. Mr. Nepstad agreed and stated that they will look at it. Andy Beerman expressed that trees in front of Jans and Coles may block the businesses and asked if other landscaping will be considered like grasses. It was indicated that visibility is an important consideration but the planting of trees can still be achieved. Alex Butwinski also commented on the difficulty of the Starbuck's parking lot. John Nepstad stated that Council's and staff's comments will be channeled back to UDOT. The benefits of Phase 1 relate to gateway aesthetics and there will always be a challenge with using medians and providing adequate access.

He elaborated on the benefits of the three-way tunnel and roundabout at the intersection of Park Avenue and Empire Avenue contemplated in Phase 2. The cost is estimated at $2.5 million and UDOT should be involved early in the process. Right-of-way impacts are minimal.

Terrell Budge noted that Phase 3 is an expansion of the right-of-way to the east and to accommodate a larger boulevard. This will allow retail to front onto the street and be serviced from behind. He emphasized that this is a long-term plan. Right-of-way acquisition may be in the $10 million range and another roundabout plus utilities, landscaping, etc. is in the $7 million range.

Liza Simpson pointed out that the challenge with tunnels has been obtaining the right-of-way needed for the portals. She felt that the other side of the Deer Valley Drive Park Avenue intersection should also be addressed. Alex Butwinski believed that there are walkability funds to cover most of the hard costs for Phases 1 and 2 and funding seems less of an issue than UDOT cooperation. He asked if a property owner has to agree on changing or eliminating a curb cut. John Nepstad spoke about working with property owners but did not provide a clear response. Andy Beerman suggested moving the Phase 3 round-about further south and the consultants felt this can be explored.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JUNE 28, 2012

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, June 28, 2012. Members in attendance were Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; Sharon Bauman, Senior City Recorder; Tyler Poulson, Sustainability Program Manager; Jim Blankenau, Environmental Regulatory Program Manager; Jennifer Danowski, Budget Analyst; Kirsten Whetstone, Planner; Nate Rockwood, Budget Program Manager; Jed Briggs, Budget Program Manager; Hugh Daniels, Emergency Preparedness Manager; Wade Carpenter, Police Chief; and Paul Hewitt, Fire Chief.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Fire Restriction Update – The Mayor announced that the update will be moved to Item 9 under New Business.

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

1. Old Town recycling program – Jeff Love, Woodside Avenue, complained that Old Town has been excluded from the new curbside recycling program. Mayor Williams referred to the work session discussion on this issue. Tyler Poulson stated that he will meet with Mr. Love to clarify the program and Cindy Matsumoto explained that Old Town is not on the schedule yet because the plan is still being finalized. Andy Beerman relayed that recycling pick-up in Old Town will be every other Tuesday.

2. Bill Barron – candidate for US Senate – Pat Cone introduced Bill Barron who is an independent running for US Senate. Bill Barron explained that he went through the signature process to get on the ballot and his focus is addressing climate change. He spoke about his involvement with the Citizens Climate Lobby, an international non-profit, which has been lobbying the federal level for placing a steadily increasing fee on carbon emissions at the source with 100% of revenue returned to households. The dividend to households is designed to offset the increase individuals would see at the gas pump. The legislation provides the mechanism to allow the economy to drive the transition to clean energy and would create needed jobs.

IV RESIGNATIONS AND APPOINTMENTS

Consideration of two appointments to the Library Board for terms beginning July 2012 and expiring July 2013 and two appointments beginning July 2012 and expiring July 2015 – The Mayor requested a motion to appoint Jerry Brewer and Alison Butz for terms expiring 2015 and Faye Malnar and Bobbie Pryon for one year terms. Liza Simpson, "I so move". Cindy Matsumoto seconded. Motion unanimously carried.

V NEW BUSINESS

1. Consideration of approving a Real estate Purchase Contract for property located at 1450 – 1460 Park Avenue with GreenPark Cohousing in in a form approved by the City Attorney – The Mayor opened the public hearing. There was no input. Cindy Matsumoto, "I move to continue the consideration of approving a Real estate Purchase Contract for property located at seconded. Motion unanimously carried.

2. Consideration of an Ordinance annexing approximately 33.74 acres known as the Richards/PCMC Annexation located in the south half of Section 5, Township 2 South, Range 4 East, Salt Lake Base and Meridian, Park City, Utah, and amending the Official Zoning Map of Park City to zone the property ROS (Recreational Open Space) and SF (Single Family Development) – The Mayor opened the public hearing.

Mike Jorgenson, Pay Day resident, stated that he attended the meeting to learn more about the project. He wished he knew this item was going to be continued before coming to the Marsac Building.

The Mayor requested a motion to continue to August 16th; Liza Simpson, "I so move". Cindy Matsumoto seconded. Motion unanimously carried.

3. Consideration of a contract award for the Transit Solar Project at 1053 Iron Horse to Intermountain Wind and Solar in the amount of $238,986 in a form approved by the City Attorney – Tyler Poulson explained funding was acquired from the FTA for this project. The City released a RFP in April and Intermountain Wind and Solar was selected to install 214 solar panels on the south facing roofs on the Public Works and Transit campus. A roof reinforcement is built into the price and the City is required to pay a 20% cost share or about $47,000. The panels are warrantied for 25 years but are expected to last longer. He relayed that the total energy generation is around 90,000 kilowatt hours a year or 25% of the historic electricity usage.

The Mayor understood that local contractors cannot receive preference in the selection process and Mr. Poulson responded that special preference is not allowed in this instance unlike the Police Building Project. In response to a question from Alex Butwinski, Mr. Poulson stated that Intermountain has been around for about ten years and have done over 250 installations. He pointed out Gardner's Engineering's incomplete bid package. The Mayor invited public input. There was none.

Andy Beerman, "I move we authorize the City Manager to enter into a construction agreement not to exceed $238,986 with Intermountain Wind and Solar for installation of a solar photovoltaic array on the roof of the Transit and Public Works facility". Liza Simpson seconded. Motion unanimously carried.

4. Consideration of a purchase contract for budget software with BOARD MIT in the amount of $192,848, in a form approved by the City Attorney – Jennifer Danowski explained that as the City's budget has grown, become more complex and transitioned to the BFO process, an increasing need to better manage the budget was apparent. The budget is produced through a series of many Excel spreadsheets which is very inefficient, time consuming to update and requires a lot of institutional knowledge to manage and understand. She believes there is a transparency problem because it is difficult to find specific information in the current system. A RFP was issued and eight proposals were submitted from across the country. A selection committee was formed and vendors conducted demonstrations for staff. The committee unanimously selected Neubrain to provide the support software and Ms. Danowski described its experience working with governments and providing budgeting software that directly mirrors each client's budgeting process.

Jed Briggs explained that Neubrain conducted a demonstration which Andy Beerman attended. He added that the BOARD software is rated number one, easy to use, and highly efficient. It is used across the world and custom-made for each user and he illustrated applications. The BFO process is very forward-thinking and having compatible software will make the budget process more transparent.

Andy Beerman stated that he appreciated the demonstration and was impressed by the software, specifically because it is inclusive so there won't be added costs for modifications. He was concerned about purchasing it through a third-party as opposed directly from BOARD who designed the software. However, he understands that Neubrain is great to work with. Jed Briggs explained the terms of the contract. In response to a question from Alex Butwinski, Mr. Briggs explained that amounts in the contract cannot be exceeded. He felt the budget staff is proficient enough to be the developers and to be able to update the software when needed. Liza Simpson was supportive. Mr. Briggs mentioned that Neubrain was very impressed with the BFO process. Andy Beerman commented that the budget will be available live at the City and this plan improves transparency. The Mayor invited public input; there was none.

Alex Butwinski, "I move we authorize the City Manager to enter into a purchase contract for budget software with BOARD MIT in the amount of $192,848, in a form approved by the City Attorney". Dick Peek seconded. Motion unanimously carried.

5. Consideration of a service provider contract with Jorge Blanco for the PC MARC public art project in the amount of $69,000, in a form approved by the City Attorney – Sharon Bauman explained that Mr. Blanco was selected based on his previous works and his conceptual proposal for this project. The proposal is entitled "Air" and consists of three sculptures of cyclists. Scope of the work will include the fabrication of all of the pieces and the components will be built and installed on site. Each colorful piece is designed at 16.5 feet high, 8.75 feet wide and 2.5 feet deep and will be treated with a UV coating.

She explained that $84,000 was set aside for the public art for the MARC and detailed the advertising process where over 100 proposals responded the second time. The balance of the $84,000 minus the art and stipends paid to applicants is approximately $11,500 and the Art Board requests that this be retained for public art or for maintenance of existing public art projects. The Board also requests that Council consider amending the LMC to allow lighting for public art installations. The location of the piece was clarified. In response to a question from Ms. Matsumoto, Ms. Bauman stated that engineering costs are included in the price. In response to questions from Dick Peek, it was explained that the coating should protect the sculptures. Mr. Beerman asked about selecting local artists. Ms. Bauman described her extensive noticing and posting process; some local artists did submit proposals. Mr. Butwinski complimented Ms. Bauman on her hard work.

Alex Butwinski, "I move that we authorize the City Manager to enter into a service provider contract with Jorge Blanco for the PC MARC public art project in the amount of $69,000, in a form approved by the City Attorney with Council's approval to put the remaining $11,000 into the general public art fund". Liza Simpson seconded. Motion unanimously carried.

6. Consideration of an Ordinance - 2700 Deer Valley Drive #B-202 amendment to record of survey – Kirsten Whetstone described the application to add a bedroom and bathroom to Unit B-202. The restriping of the parking garage created two additional parking spaces so the amendment to the unit will be able to meet current parking requirements. The other space is necessary for the fourth amendment relating to a similar request. The Planning Commission forwards a positive recommendation. The Mayor opened the public hearing; there were no comments. Dick Peek, "I move that we approve the third amendment to the Courchevel Condominiums Record of Survey plat based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance". Liza Simpson seconded. Motion unanimously carried.

7. Consideration of an Ordinance approving the Second Supplemental Plat for constructed units at the Belles at Empire Pass Condominiums, amending Unit 9, located at 14 Silver Strike Trail, Park City, Utah – Kirsten Whetstone explained that this is the fourth review and platting of these units formerly known as Christopher Homes. The final condition of approval before a certificate of occupancy can be issued is that these constructed units be platted. The Planning Commission forwards a positive recommendation. The Mayor opened the public hearing; there were no comments.

Liza Simpson, "I move that we approve the Second Supplemental Plat for constructed units at the Belles at Empire Pass Condominiums, amending Unit 9, based on the findings of fact, conclusions of law and conditions of approval as found in the draft Ordinance". Dick Peek seconded. Motion unanimously carried.

8. Consideration of a Resolution Approving an Additional Resort Communities Cities Sales and Use Tax in Park City, Utah and authorizing staff to place the matter for voter approval during the November 2012 General Election – Nate Rockwood stated that the Council adopted the plan in the 2014 budget which includes this as a source of revenue. Adopting the Resolution is the first step in getting it on the ballot and staff is recommending that all of the revenue generated go directly into the CIP Fund. Staff has already begun the process of getting information to the HPCA, Board of Realtors, Lodging Association and the Chamber.

Alex Butwinski asked if the wording on the ballot will indicate that revenues will be allocated to capital and Ms. Simpson pointed out that it is in the Resolution. If the initiative fails this year, he asked if it could be placed on next year's ballot. Mark Harrington did not believe there is any limitation. He discussed the educational piece including the pros and cons of the initiative but the capital fund wording is not contemplated in the ballot language. There is a grey area about how much the current Council can bind the future use of the tax revenue. He felt that although the wording can be placed on the ballot, he would not advise that.

Cindy Matsumoto asked about the limitation of members advocating the tax. Mr. Harrington explained that it relates to use of City funds and equipment and will distribute written information on procedures to members. He explained that as individuals, members can personally share their opinions with the public. The Mayor asked who writes the pamphlet. The City Attorney noted that if no one volunteers; the City seeks out someone and a third party tends to be more objective on the cons. The City typically drafts the pros. The Mayor opened the public hearing. There was none.

Liza Simpson, "I move that we approve a Resolution placing an additional .5% Resort Communities Sales Tax and Use Tax seeking voter approval during the November 2012 General Election". Alex Butwinski seconded. Motion unanimously carried.

9. Consideration of an Ordinance regulating the use of fireworks within Park City during the 2012 Fire Season – Hugh Daniels stated that he made a presentation on wild fire interface issues a couple of weeks ago to the City Council. Utah has now had over 100 fires this year, 90% of which has been human caused, covering of 110,000 acres, and growing by the minute. There are six active fires in the state today none of which are 50% contained. He pointed out that public safety is one of the prime responsibilities of local government and staff does not take recommending the approval of this Ordnance lightly. It may disappoint some people but life, safety and property preservation are paramount in the community. Park City has a little over 11,000 acres in the City limits. The state has issued restrictions on fireworks and open fires throughout the state and federal lands, everything except incorporated cities and towns. The County issued its restrictions on Monday

Police Chief Wade Carpenter reported that he attended the Governor's press conference on behalf of the Mayor. The message was to promote safe holiday celebrations and provide awareness for caution in municipalities, county and state areas. The restrictions are already in place for unincorporated areas in the state. He relayed that the Governor stressed the importance of municipalities taking the lead in their communities and Park City is unique in that it is in the urban interface area and needs to take a hard line in adopting these regulations and ordinances and enforcing them. Chief Carpenter stated that the Ordinance prohibits fires and the use of fireworks within Park City during the 2012 fire season, June 28 through October 1, 2012. It can be adjusted to October 31 if needed. The humidity has been very low which is a concern. Staff saw an opportunity to adopt Summit County's process for recovery of costs and responding to emergencies caused by aggravated or negligent fires. He emphasized that we live in an area with very little separation in public areas and foliage.

Cindy Matsumoto asked if there is anything more restrictive that can be done. Chief Wade Carpenter stated that Class C fireworks are prohibited which are anything that leaves the ground, spins, and the only thing left are sparklers and ground snakes which may be protected by the state. In response to a question from Liza Simpson about the need to have a cost recovery program since it has been adopted by Summit County, Mark Harrington explained that County ordinances don't usually apply within the City limits, unless implied, and it appears in the Ordinance as protection to the City. Fire Chief Paul Hewitt explained that there is provision for allowing charcoal, liquid propane gas and natural gas in approved receptacles.

Chief Wade Carpenter explained that fires can start with firearms but since they are illegal in the City limits, it is not specifically listed for Park City but recognized in Summit County's ordinance. Andy Beerman asked if the City could urge a Fresh Market not to sell Class C fireworks. Police Chief Carpenter explained that the City cannot prohibit the sale of fireworks only the use. Fire Chief Hewitt added that stores are under contractual obligations to sell through their corporate offices. Mayor Williams relayed that a Fresh Market would like to talk to someone from the team tomorrow if the ordinance passes.

In response to a question from Cindy Matsumoto, Fire Chief Hewitt stated that fire pits can be used if they have a spark arrester in an approved container. He referred to the section on open fires and reiterated that sparklers and snakes are about the only products allowed. There will be citizens who feel their rights have been taken away but one of the biggest reasons for taking these measures is that air resources are completely tied up now and Park City would be very limited in stopping a fire. He referred to sections from the Utah Code and the Fire Code, providing authorities to municipalities. Discussion ensued on prohibiting smoking outside and Fire Chief Paul Hewitt felt that is too difficult to enforce, acknowledging that the Ordinance is imperfect. There was discussion about calling 911 immediately when a fire is witnessed in progress. Liza Simpson felt the message to the public needs to be to use common sense and be careful. Paul Hewitt emphasized that our citizens are our best line of defense. Police Chef Wade Carpenter urged the public to call the police if witnessing people lighting fireworks. He suggested minor wording amendments to the Ordinance as did the City Attorney which were accepted by the City Council. The Mayor invited public input; there as none.

Andy Beerman, "I motion we adopt the Fireworks Ordinance regulating the use of fireworks within Park City during the 2012 Fire Season, as amended". Alex Butwinski seconded. Motion unanimously carried.

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 p.m. Members in attendance were Mayor Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Linda Tillson, Library Director; Diane Foster, Deputy City Manager; Heinrich Deters, Trails Manager; Bret Howser, Budget Manager; Ken Fisher, Recreation Manager; Jon Weidenhamer, Economic Development Manager; and Mark Harrington, City Attorney. Liza Simpson "I move to close the meeting to discuss personnel, property and litigation". Andy Beerman seconded. Motion carried unanimously. The meeting opened at approximately 3 p.m. Andy Beerman, "I move to open the meeting". Alex Butwinski seconded. Motion unanimously carried.

The City Council again convened in closed session at approximately 7:30 p.m. after the adjournment of the regular meeting. Liza Simpson, "I move to close the meeting to discuss litigation and property". Cindy Matsumoto seconded. Motion unanimously carried.

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

Prepared by Janet M. Scott, City Recorder

City Council
Staff Report

Author:	**Roger McClain**
	Water Project Manager
Subject:	**13TH STREET BOOSTER PUMP STATION MODIFICATIONS - CONSTRUCTION AGREEMENT**
Department:	**Public Works**
Date:	**July 19, 2012**
Type of Item:	**Administrative**

Summary Recommendations:
Staff recommends Council authorize the City Manager to execute a Construction Agreement in a form approved by the City Attorney, with Hills Construction, Inc., for the construction of the 13th Street Booster Pump Station Modifications for a lump sum amount of $99,000.00.

Description:
Water System Infrastructure.

Topic:
Water system pressure reducing station replacement and pump station structural repair/replacement is in accordance with the Water Strategic Plan's Infrastructure Strategies & Polices to Develop and Implement Infrastructure Replacement & Renewal Plan (asset management).

Background:
The 13th Street Pump Station is located adjacent to the Sweetwater complex on the west side of Empire Avenue at approximately 13th Street. The above ground pump station was originally constructed in 1974 and conveys water to the Woodside Water Storage Tank to the Thaynes pressure zone. With the completion of Boothill pump station and transmission line, the 13th Street Pump Station is now purposed as a secondary (redundant) method of water conveyance to the Woodside Tank in the Old Town pressure zone.

The existing Empire Avenue water system includes a pressure reducing vault (PRV) within the roadway. As part of the Empire Avenue Reconstruction project the replacement of the PRV is required. As the result of a value engineering assessment, the PRV is being relocated into the existing adjacent 13th Street Pump Station. This approach provides two benefits to the City: 1) cost savings by not constructing a new underground concrete PRV vault in the roadway; and, 2) improved year-round operation and maintenance access to the PRV. Due to the age of the pump station structure, asset management improvements to the building and drainage systems are being addressed concurrent with the PRV installation.

The PC Water Department will work closely with the Sweetwater H.O.A. during the construction of the project.

Proposed Construction:
The 13th Street Booster Pump Station Modifications consist of the installation of a PRV and associated piping, equipment drains, wood shake shingle replacement with asphalt shingles, soffit and fascia replacement, painting, and access door relocation. Work will be coordinated with the Empire Avenue Reconstruction project.

The project is scheduled to be completed by October 1, 2012.

Analysis:
Construction Contract:
The 13th Street Booster Pump Station Modifications construction project was advertised in the Park Record on June 20 and 27, 2012, online at utahlegals.com, and on the Park City Website beginning June 20, 2012. A non-mandatory pre-bid meeting was held and on July 19th, 2012. Four bids were received and opened on June 28, 2012. The following summarizes the bids:

Contractor	***Total Bid***
Engineer's Estimate	***$150,000***
Condie Construction, Inc.	$114,414
Counterpoint Construction Inc.	$190,000
Hills Construction, Inc.	$99,000
Whitaker Construction, Inc.	$173,000

Hills Construction, Inc. is the lowest responsive bidder. Bid Documents were verified by the Engineer, Bowen Collins & Associates Engineering (BCA), and Staff. BCA's Contractor recommendation letter is attached. Staff therefore recommends Hills Construction, Inc., as the successful Bidder.

The funding for the project is water service fees and is part of the FY13 CIP under Water Department Infrastructure Improvements for Empire Ave. The funding is a part of the Water Department's annually budgeted Asset Management/Replacement Program.

The City's Project Manager, Dave Gustafson, will be working under the guidance of the Water Engineer (Roger McClain) and the Water Manager (Clint McAffee).

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

Alternatives:

A. Approve the Request:
Council could accept the Bid and authorize the City Manager to execute a Construction Agreement, in a form approved by the City Attorney, with Hills

Construction, Inc., for the construction of the 13th Street Booster Pump Station Modifications in the amount of $99,000.00

B. Deny the Request:
Council could deny Staff's request. Denying the request would delay the replacement of the PRV vault, and would result in potential water delivery/fire protection deficiency within the Thaynes Canyon area.

C. Continue the Item:
Council could continue the request. Continuing the request and not awarding the Contract within thirty (30) days would result in a delay to the start of construction and potential inability to complete the work prior to winter of 2012/2013.

D. Do Nothing:
Staff does not recommend this alternative. Doing nothing would delay the PRV replacement until the spring/summer of 2013, and would result in potential water delivery fire protection deficiency within the Thaynes Canyon area.

Significant Impacts:
The replacement of the PRV is critical to the operation of the delivery of water to meet existing obligations.

Recommendation:
Staff requests and recommends Council accept the Bid submitted by Whitaker Construction, Inc., and authorize the City Manager to execute a Construction Agreement, in a form approved by the City Attorney, with Hills Construction, Inc., for the construction of the 13th Street Booster Pump Station Modifications in the amount of $99,000.00

EXHIBIT A

Scope of Work

13th Street Pump Station Modifications

Construction Agreement

DESCRIPTION AND SITE OF WORK: For the project known as the 13th STREET BOOSTER PUMP STATION MODIFICATIONS (hereinafter "Project"), the Work consists of the furnishing and installing of all materials, labor, equipment, and services required to modify the existing 13th Street Pump Station, complete, in accordance with the Design Requirements and the Project Specifications including but not limited to, ductile iron pipe, fittings, air/vacuum valves, butterfly valves, pressure reducing valve, drain pipe, appurtenances, building roof and structural modifications, connection to existing ductile iron pipe, materials testing, construction and record survey.

The work is located at Empire Avenue, Park City, UT 84060.

COMPLETION OF WORK: All WORK shall be completed by October 1, 2012. Time is of the essence.

Bowen Collins & Associates, Inc.
CONSULTING ENGINEERS

154 East 14000 South
Draper, Utah 84020

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

June 29, 2012

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

Project: 13th Street Booster Pump Station Modifications Project

Subject: Review of Bids

Dear Roger:

Bids for the 13th Street Booster Pump Station Modifications Project were received at the office of Park City Public Works on Thursday, June 28, 2012 at 2:00 PM. Four contractors furnished bids for consideration and we have reviewed the bids. Refer to the attached Bid Opening Summary & Checklist for related information. The bid contained one bid schedule. There were no addenda for the project. The apparent low bidder was Hills Construction, Inc.

We reviewed the data submitted by the low bidder, Hills Construction, Inc. The criteria for evaluating the bids for construction of the 13th Street Booster Pump Station Modifications Project were published in the bid documents Section 00100 – Instructions to Bidders. The criteria are summarized below.

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

Hills Construction's submittals adequately met criteria item #1 by furnishing a bid bond with their bid in the amount of 5%. Criterion #2 above was met by Hills with their E100 classification.

Hills Construction provided a project list for Criterion #3, however, a resume was not submitted for Richard Gomez as superintendent for Hills Construction. The City may choose to waive this requirement as a minor deficiency in accordance with the Notice Inviting Bids, Paragraph titled, "Owner's Rights Reserved".

Criterion #4 was met by Hills Construction as it appears that the proposed superintendent being dedicated to this project.

The Information Required of the Bidder was submitted by Hills Construction excluding the bidder's plan or layout for performing the work and plan for construction as required under item #9. The City may choose to waive this requirement as a minor deficiency in accordance with the Notice Inviting Bids, Paragraph titled, "Owner's Rights Reserved".

Based on the above information and our experience working with Hills Construction on other projects, we recommend that Park City award the contract to Hills Construction Inc.

Please let us know if you have any questions or comments about our bid review.

Sincerely,
Bowen, Collins & Associates

Tena Campbell

Tena Campbell, P.E.
Project Manager

City Council
Staff Report

Subject: Tour of Utah- Stage 6
Author: Heinrich Deters, Tommy Youngblood
Department: Sustainability
Date: July 19, 2012
Type of Item: Administrative – Master Festival License

Summary Recommendations:
Approval of the Master Festival Application submitted by Chamber Bureau for Tour of Utah- Stage 6 on Sunday, August 12, 2012.

Description
Tour of Utah- Stage 6

Background:
The Chamber Bureau representing the Tour of Utah /Medalist Sports submitted an application (**Exhibit A**) requesting a Master Festival License to hold Stage 6 of the 2012 Tour of Utah in and around Main Street, Swede Alley, and Park Avenue. In 2010, Park City hosted the Tour of Utah on Main Street and surrounding areas that involved similar elements of the current application.

The TOU is a licensed stage race as sanctioned by the International Cycling Federation, and is now comparable to the Tours of major European Countries. It is anticipated that this race will attract 15,000 spectators to Park City. It will have live national television coverage. Staff believes hosting such events is consistent with our economic development goals, is consistent with our past successes in hosting world-class sporting events, and we believe it helps further our relationship with and commitment to the State of Utah's Life Elevated program and overall economic and tourism goals.

On May 24, 2012, Council received a work session report outlining the preliminary financial and logistical parameters contained in this application. At that time, Council expressed support for the event as presented and directed staff to continue planning with an understanding that there would be impacts on the community from the operations and logistics surrounding the race, namely traffic, circulation and access. Council also acknowledged that a formal MFL application and additional agreement parameters would be necessary prior to any final approvals.

This report includes major elements that were contained in the May 24, 2012 work session but with additional clarifications and detail that were not known at that time.

Analysis:

This application is being reviewed as a Master Festival License due to the request for use of City property, full road closures, and attraction of crowds of over 500. The following elements have been specifically reviewed.

Financial Element

The City and Chamber though the Joint Venture (which is jointly funded equally by Park City and the Chamber/Bureau) will provide the approximate $80,000 of value and value-in-kind (VIK) through the following resources which are currently within the approved City, Chamber and JV budgets respectively:

$20,000	Existing City Special Events Staff Resources –Staff working as Event Promoter (may be existing staff or temporary contract hire or combination);
$20,000	Chamber budget (separate from JV, no city funds) (Cash/ Value –in-Kind);
$7,500	City Fee Waivers;
$32,500	Cash funding and VIK – It is anticipated that some of the value can be raised through donations and VIK from private sector partners such as food, lodging and outdoor products. In addition to logistics and operations of the race, one of the event promoter's responsibilities will be to secure private funding. If not raised, the Joint Venture would be seen as a financial (cash) backstop. Any host community contract would be structured to identify a maximum or cap direct financial exposure for the City. Examples of these costs and VIK include direct costs such as police officers, rest rooms and indirect costs or forgone revenues such as use of public parking public facilities, meeting rooms and staff time.
$80,000	Total

Course & Start/Finish Details/Road Closures

The Tour of Utah will host the start and finish of the final stage of the race on Park City's Historic Main Street on Sunday, August 12, 2012. The start/finish line will be located between the Kimball Art Center and Zoom Restaurant on Lower Main Street.

Start: The course recommended by Staff and the Tour organizers consists of two laps around the Historic District. Deer Valley Drive, Park Avenue, Heber and Main Street, will be closed to all traffic between **11:50am-12:30pm** for these initial start laps.

Course: Racers will exit Park City via Bonanza Drive/SR 248 and throughout Easter Summit County and Wasatch County via the Kamas, Woodland, Heber and Midway, returning to Park City via Guardsman Pass.

Finish: Approximately 3 hours after the start (3:10pm) racers will descend to the Main Street finish line via the Empire Pass area, Silver Lake, Royal Street, Deer Valley Drive and 9th Street. Several factors, including riders speed, wind, crashes and breakaways, weigh into determining the exact arrival of the racers, thus, Staff is recommending that residents, visitors and businesses are notified that a complete road closure, including the areas described above, is likely to take place somewhere between **3pm – 5pm**. The actual closure, once racers arrive, is anticipated to be no longer than one hour.
The full course layout is included in Exhibit B & C.

The course is designed to provide spectacular images for the two-hour live television broadcast by FOX Network – which will be fed live onto Main Street via two mobile big screen video boards.

The Race will include:

- Announcers' booth and awards stage at the start/finish line;
- A television broadcast compound on 7th Street between Main Street and Park Avenue;
- Tour of Utah Sponsor Hospitality on the back decks of the Kimball Art Center;
- General public hospitality and Beer Garden with live big screen race coverage and viewing area on Town Lift Plaza;
- Tour of Utah Wellness Expo on Main Street from Heber Avenue to 5th Street ;
- Park Silly Sunday Market on Main Street from 5th Street south to Treasure Mountain Inn; with live big screen race coverage near Miners Park;
- Autograph Alley (official cyclist team parking where cyclists gather pre- and post- race) on Main Street and Swede Alley surrounding the Brew Pub lot.

While the upper portion of Main Street should have ample attractions for spectators, there is a Local Organizing Committee that is focusing on programming for the lower portion of Main Street for the time between the start and finish. Programming ideas so far include, among others, kids' races and activities, chalk art on the street (similar to Tour de France), live music, beer garden, and video board for live viewing of the race.

Operations Update

Spectator & Employee Parking

Staff has determined that the combined total of spectators is expected to be approximately 15,000; this figure includes the current Sunday numbers drawn to the Park Silly Sunday Market of 4,500 – 5000. This concentration of vehicles and pedestrians, in addition to the required road closures has required Staff to create a hybrid of the traffic management plans currently implemented at such events as the Sundance Film Festival, Park City Arts Festival and the 4th of July.

Spectator parking will be located at several satellite shuttle lots including, but not limited to, Canyons Resort, Park City High School, and Richardson Flats. China Bridge will have limited paid parking priced at $10 per vehicle. China Bridge parking pass holders will be directed to the North Marsac Parking Lot. Employees of Main Street and other regular users of China Bridge will be encouraged to park at the satellite lots.

Park City Transit will continue to run its existing routes (with possible delays during temporary road closures).

<u>Access to Old Town</u>
Restricted access to the Old Town (Swede and Main) will begin at 6am Saturday August 12th.

There will be no parking allowed on Park Ave. until after the beginning laps have been completed. Swede Alley and Main Street access will be limited to Tour Operations, VIP parking, Expo and PSSM vendors from 6am to 8pm.

Public parking in China Bridge will be accessible only from Marsac Ave. Staff will allow limited access to Old Town for necessary deliveries, merchants and guests .

Once the start laps are completed in the Historic District, Deer Valley Drive and Park Avenue will open back up to vehicular traffic with some lane restrictions.

<u>Operational Footprint/Set-up</u>
In addition to the closures of Main Street, 7th & 9th Street, and Park Ave. beginning at 6am on Sunday August 12; all of the following areas will be occupied in their entirety by the Tour of Utah operations and Staff, Expo vendors, Park Silly Market Vendors, and Race Team Vehicles: **(Exhibit D)**

- Sandridge Parking lots
- Brew Pub Parking lot
- Swede Alley Surface lot
- Galleria Lot
- Flag Pole Parking lot
- Mawhinney Parking Lot

There will be preliminary setup activity that will necessitate closures in some of these locations on Saturday August 11th. Additionally, start/finish setup, trash removal and other coordinated load in efforts within the Main and Swede footprint may start as early as 3:00am on August 12th. It should be noted, that the Tour of Utah initially asked to close Lower Main Street on the evening of August 11th, for the start/finish set up; however, staff stressed that the economic impact of such a closure to the Lower Main Street businesses was undesirable and recommended an early morning set up on the 12th.

Marketing

The Tour of Utah marketing plan involves television, radio, online and print advertising in local, regional, and national markets with an emphasis on targeting cycling fans. The Park City Chamber/ Bureau have created a marketing plan to supplement the Tour of Utah's marketing plan. The Chamber/Bureau's marketing plan will encourage spectators to come up to the cool, mountain air of Park City for a weekend of cycling action (as Kimball Junction will serve as the start of the Queen Stage on Saturday, August 11). A Restaurant Tax Grant was submitted to assist with the funding of the marketing campaign that will target the Wasatch Front via television, print, and online advertising.

Impacts and Community Notification

This race course will cause temporary road closures in and around the Historic District (up to one hour during the start and finish) and in the Empire Pass/Royal Street/Solamere area (up to one hour during the finish). Staff is working closely with Tour of Utah, Medalist Sports, Historic Park City Alliance, PC Police, PC Emergency Management, PC Transit, and Summit County Sherriff's Office to mitigate the negative impacts to the community as much as possible. Staff is currently designing radio and print information for the general public. Staff is also planning neighborhood meetings and some door-to-door notifications in those areas most affected by the operations.

Despite these efforts, there will still be some members of the community who will be inconvenienced by the operational requirements of hosting this event in Park City. However, Staff finds that these potential impacts to the community have been mitigated within the requirements of the Code and are not unreasonable, especially when compared to similar road construction delays. The short term impacts are also offset by the positive publicity, international marketing opportunities and economic impact that comes with hosting an elite level, international cycling event that will attract approximately 15,000 spectators to the Historic District. Hosting such a special event is consistent with City Council's goal of branding Park City as a destination for world class special events and elite-level athlete training and competitions

Transit

Due to the fact that Swede Alley is required for operational access, the Transit Center operations may need to be relocated for the duration of the race. Events staff has met with Transit and has indicated that the use of 9th Street and Main Street will be able to replace the function of the Transit Center to get spectators from off-site parking to Old Town. A temporary bus stop will be created at the intersection of 9th and Main for that day. This stop had been created during the Arts Festival in previous years and has proved to be a viable stop for those wishing to visit Main Street. Staff has determined current routes will need to be enhanced for the event, Transit will have the ability 'on-the-fly' to increase or decrease those routes as required.

Department Review:
Transit, Parking, Budget, Emergency Management, Public Safety and Sustainability departments have reviewed the application for the Tour of Utah – Stage 6 and their comments have been incorporated into this report.

Alternatives:

Approve the Request:
Approve the Master Festival License allowing Tour of Utah – Stage 6 as applied for, **This is staff's recommendation.**

Deny the Request:
Deny the Master Festival License, preventing the addition of Tour of Utah – Stage 6 to Park City's schedule of events.

Continue the Item:
The City Council may continue the discussion in order to receive additional information.

Significant Impacts:
The operation of this race will result in major traffic diversions on the day of the race in the Historic Main Street and surrounding areas. The estimated crowd will require and increase and diversion of the current Transit system. All available Public Safety and Emergency Management personnel, not on regular assigned duty, will be assigned to race operations or on standby.

Consequences of not taking recommended Action:
The Tour of Utah – Stage 6 would not take place as in Park City**.**

RECOMMENDATION:
Review the Master Festival License application, conduct a public hearing, and approve as conditioned the License for Tour of Utah – Stage 6 on August 12, 2012.

<u>Findings of Fact:</u>

1. The Tour of Utah – Stage 6 will be held on Sunday August 12, 2012.
2. On Sunday August 12, 2012, the Park Silly Sunday Market will relocate from their approved location to Upper Main Street south of 5th Street. This will meet requirements of their Special Services Contract.
3. The event will be oriented toward families and road race enthusiasts.
4. The events associated with the Tour of Utah – Stage 6 will not require the diversion of so great a number of police, fire, or other essential public employees from their normal duties as to prevent reasonable police, fire or other public services protection to the remainder of the city.

5. The event will necessitate the closures of Main Street, 7th & 9th Street, and Park Ave. and a portion of Deer Valley Drive beginning at 6am on Sunday August 12; all of the following areas will be occupied in their entirety by the Tour of Utah operations and Staff, Expo vendors, Park Silly Market Vendors, and Race Team Vehicles:
   - Sandridge Parking lots
   - Brew Pub Parking lot
   - Swede Alley Surface lot
   - Galleria Lot
   - Flag Pole Parking lot
   - Mawhinney Parking Lot

   There will be preliminary setup activity that will necessitate closures in some of these locations on Saturday August 11th.
6. The concentration of persons and vehicles, or animals will not unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles on the streets or with the provision of City Services in support of other such events or governmental functions.
7. Spectator parking will be located at several satellite shuttle lots including, but not limited to, Canyons Resort, Park City High School, and Richardson Flats. China Bridge will have limited paid parking priced at $10 per vehicle. China Bridge parking pass holders will be directed to the North Marsac Parking Lot. Employees of Main Street and other regular users of China Bridge will be encouraged to park at the satellite lots.
8. Park City Transit will continue to run its existing routes (with possible delays during temporary road closures).
9. There are other Master Festival and Special Event Licenses that have been granted for August 12, 2012. Tour of Utah will not substantially interfere with the logistics and venue for any event for which a license has already been granted and with the provision of City services in support of other such events or governmental functions.
10. The size of the crowd and nature of the event will not create an imminent possibility of violent disorderly conduct likely to endanger public safety or cause significant property damage.
11. The applicant has been working with City Staff and applicable departments to address all event concerns. The Applicant demonstrates an ability and willingness to conduct the event pursuant to the terms and conditions of this Chapter and has not failed to conduct a previously authorized event in accordance with the law or the terms of a license, or both.
12. There will be preliminary setup activity at the start/finish area on lower Main Street and 7th Street as early as 3:00 am on Sunday August 12, 2012. Other service, delivery and access needs, including garbage removal will need to be coordinated around this start up time.

<u>Conclusions of Law:</u>

1. The application is consistent with the requirements of the Park City Municipal Code, Title 4, Chapter 8.

Conditions of Approval:

1. The applicant, at its' cost, shall incorporate such measures as directed by Staff in order to ensure that any safety, health, or sanitation equipment, and services or facilities reasonably necessary to ensure that the event will be conducted with due regard for safety are provided and paid for by the applicant.
2. Applicants shall provide proof of liability insurance in the amount of four million dollars ($4,000,000) or more as may be required by the Special Events Manager or the City Attorney's Office, and shall further name Park City Municipal as 'additionally insured', as required by section 4-8-10 of the Park City Municipal Code.All Applicants shall further indemnify the City from liability occurring at the event except for any claim arising out of the sole negligence or intentional torts of the City or its employees.
2. The applicant's use of barricade and signage will be in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) for the duration of the event.
3. All plans for tents, fireworks, stages, signs and other temporary structures shall be submitted to the Building Department for review and permitting by August 10, 2012.
4. The applicant is responsible for a Race Operation and Pedestrian Management Plan in a form approved by the Park City Municipal Event Manager and Chief of Police.
5. All Summit County permit approvals shall be secured by August 10, 2012 and submitted to Park City Municipal in writing for review.

Exhibits

Exhibit A – Event Application Page 1
Exhibit B - Map of Course & Starting Laps Route
Exhibit C – Finish Route
Exhibit D- General Operational Footprint

Exhibit A – Event Application Page 1

Submit by Email

PARK CITY 1884

Park City Municipal Corporation

Master Festival & Special Event Application

Special Events
435.615.5150
specialevents@parkcity.org

Master Festival (MFL) & Special Event Applications **MUST** be complete and submitted to the Special Events Department no Less than **90 Days** Prior to a MFL and no less than **60 Days Prior** to a Special Event for staff review. Applications not submitted within that timeframe may not be granted approval. Refer to Park City Special Event Planning Guide for answers to the most frequently asked event related questions.

This application **DOES NOT** constitute a valid permit until approved by the Special Events Department and/or Park City Council

APPLICATION FEES

All new applications require a $100.00 non-refundable application processing fee
All applications for returning events require a $50.00 non-refundable application processing fee

Additional fees for other services, including Health Department, Fire Department, and City Services will be estimated and provided to the applicant.

EVENT INFORMATION

MASTER FESTIVAL CRITERIA (PUBLIC EVENT) (If one box is checked the event is automatically an MFL)	☒ Attraction of crowds over 500 participants and or spectators	☒ Requires Partial or Full Street Closure or use of Public Right of Way	☐ Use of City park, buildings or other properties	☒ Use of off –site parking facility	☒ Use of Amplified Music
SPECIAL EVENT CRITERIA (PUBLIC OR PRIVATE EVENT)	☐ Causes significant public impacts via disturbance, crowd, traffic, and or parking	☐ Disruption of the normal routine of the community or affected neighborhood	☐ Necessitates temporary business or liquor licensing	☐ Event signs visible from public property or right of way	☐ Temporary structures, including inflatable's

EVENT TYPE

☒ Street Fair/Festival	☐ Run - Walk	☐ Parade	☐ Trail Event	☐ Concert	☒ Road Bike Event

Other Type of Event (Please Specify):

APPLICANT AND SPONSORING ORGANIZATION INFORMATION

NAME: Bob Kollar	POSITION: Director of Special Events
STREET ADDRESS: 1910 Prospector Avenue	CITY, STATE, ZIP CODE: Park City 84060
MAILING ADDRESS: (If different from above)	CITY, STATE, ZIP CODE:
TELEPHONE (WORK): 435.658.9608	MOBILE PHONE: 435.640.5131 — OTHER:
EMAIL ADDRESS: bob@visitparkcity.com	FAX NUMBER: 435.649.4132
SPONSORING ORGANIZATION: Park City Chamber/Bureau	Is organization a registered non-profit? ☒ Yes ☐ No (If yes, please provide copy of registration paperwork)
ONSITE CONTACT: (day/s of event) Bob Kollar	MOBILE PHONE: 435.640.5131
NAME OF EVENT: Tour of Utah	
☐ FIRST TIME EVENT ☒ ANNUAL EVENT (How many years?)	Will a fee be charged for attendance or participation? ☐ Yes ☒ No

Overall Event Description (Briefly explain event and activities): road cycling stage race with start/finish on Main Stree

EVENT DATES AND TIMES

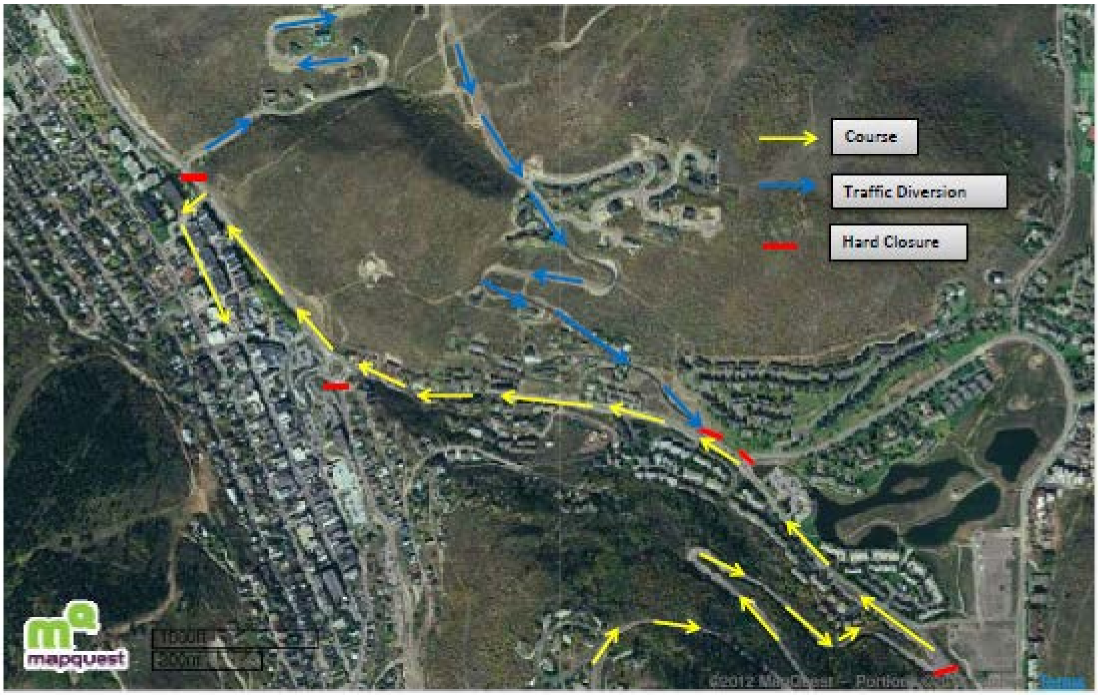
EVENT DATE(S): August 12, 2012	EVENT HOURS - START TIME: 10 am	END TIME: 6 pm
SET-UP DATE/S: Aug 12 — TIME/S: 5 am	BREAKDOWN DATE/S: Aug 12	TIME/S: 6 pm
ESTIMATED ATTENDANCE - PARTICIPANTS:	SPECTATORS: 10,000	TOTAL: 10,140

EVENT LOCATION: start/finish on lower Main Street; PSSM, Expo and Autograph Alley on upper Mai

EVENTS WITH ATTENDANCE HIGHER THAT 500 REQUIRES A SUMMIT COUNTY MASS GATHERING PERMIT

Exhibit B – Map of Course & Starting Laps Route

Exhibit C – Finish Route



PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JULY 19, 2012

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, July 19, 2012.

Closed Session
2:00 p.m. Property and litigation

Work Session

2:50 p.m.	Council questions/comments	
3:00 p.m.	Water quality update	Page 3
3:30 p.m.	Special service contracts	Page 8
3:45 p.m.	PAAB interviews	Separate Packet

Regular Meeting
6:00 p.m.

I ROLL CALL

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

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

IV MINUTES OF MEETINGS OF JUNE 7, JUNE 14, JUNE 21, AND JUNE 28, 2012

V NEW BUSINESS

1. Consideration of a Construction Agreement with Hills Construction for the 13TH Street Booster Pump Station Modifications in the amount of $99,000, in a form approved by the City Attorney

2. Consideration of a Master Festival License for the Tour of Utah, Stage 6, to be held August 12, 2012
   (a) Public hearing
   (b) Action

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 435-615-5007 at least 24 hours prior to the meeting. Wireless internet service is available in the Marsac Building on Wednesdays and Thursdays from 4 p.m. to 9 p.m.

Posted: 07/16/12
See: www.parkcity.org

Exhibit D- General Operational Footprint