

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JULY 1, 2004**

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 1, 2004.

AGENDA

11:00 a.m. Board interviews

Closed Session – Executive Conference Room

1:00 p.m. Lunch
Personnel and property

Work Session – City Council Chambers

2:30 p.m. Council questions/comments
2:40 p.m. Mosquito abatement
3:00 p.m. Ordinance No. 04-10 - “Art in the Park”
3:30 p.m. Board interviews
5:45 p.m. Break

**Regular Meeting – City Council Chambers
6:00 p.m.**

I ROLL CALL

II COMMUNICATIONS FROM COUNCIL AND STAFF

III PUBLIC INPUT (any matter of City business not scheduled on agenda)

Swearing-in of Police Officers Christopher Wells and Ricardo Franco

IV WORK SESSION NOTES AND MINUTES OF MEETING OF JULY 17, 2004

V RESIGNATIONS AND APPOINTMENTS

1. Two appointments to the Library Board for terms expiring June 30, 2007
2. Appointment of three members for terms expiring June 30, 2007 and appointment of an alternate for a term expiring June 30, 2006 to the Board of Adjustment

VI CONSENT AGENDA PUBLIC HEARINGS

1. Ordinance to annex and to zone to Residential Density Medium (RDM) property known as the Spiro Tunnel Annexation Parcel – Paladin **(motion to continue to July 22, 2004)**
2. Ordinance approving the plat amendment to combine all of LOT 64 and ½ of Lot 63 of The Oaks at Deer Valley Subdivision into one lot of record, located at 3605 Oak Wood Drive, Park City, Utah
3. Ordinance approving an amended record of survey for Stag Lodge Condominiums Phases I and II, located at 8200 Royal Street East, Park City, Utah
4. Ordinance approving an amended record of survey condominium plat for Hotel Park City, 2001 Park Avenue, Park City, Utah

VII CONSENT AGENDA

- 1 Ordinance approving the plat amendment to combine all of LOT 64 and ½ of Lot 63 of The Oaks at Deer Valley Subdivision into one lot of record, located at 3605 Oak Wood Drive, Park City, Utah
- 2 Ordinance approving an amended record of survey for Stag Lodge Condominiums Phases I and II, located at 8200 Royal Street East, Park City, Utah
3. Ordinance approving an amended record of survey condominium plat for Hotel Park City, 2001 Park Avenue, Park City, Utah
4. Authorization to staff to enter into a three-year contract, in a form approved by the Legal Department, to Resort Commercial Property Management for janitorial services in an amount not to exceed \$88,900 per year
5. Resolution appointing representatives to the Park City Redevelopment Agency Taxing Entity Committee

VIII ADJOURNMENT

**PARK CITY REDEVELOPMENT AGENCY
SUMMIT COUNTY, UTAH
JULY 1, 2004**

I ROLL CALL

II PUBLIC INPUT

III MINUTES OF MEETING OF JUNE 17, 2004

IV CONSENT AGENDA

Resolution of the Board of Directors of the Redevelopment Agency of Park City, Utah calling for the creation of a Tax Entity Committee; authorizing staff to give notice and set the time and places for the Committee's first meeting; and related matters

V 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.

**PARK CITY COUNCIL MEETINGS
SUMMIT COUNTY, UTAH
JULY 8 AND 15, 2004**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will **not** hold its regularly scheduled meetings on Thursday, July 8 and July 15, 2004.

Posted: 06/28/04

Note: This future meeting schedule is TENTATIVE and subject to change.
PARK CITY COUNCIL TENTATIVE MEETING SCHEDULE

July 2004

- 8 **No meeting**
- 12 *Library ribbon-cutting - noon*
- 15 **No meeting**
- 22 General obligation bond resolution
 Appointment of Planning Commissioners
 Mosquito abatement – public hearing/possible action
 Hoffman annexation – Kirsten
 Ordinance – 41 Sampson Avenue plat amendment
 Amendments to LMC - ECPOZ – Brooks
 Appeal of HDC CAD denial for 801 Park Avenue – David Belz
- 29 RAB interviews
 Ordinance – 41 Sampson Avenue plat amendment - Ray

August 2004

- 5 **No meeting**
- 12 Appointment of RAB members
 Marsac Avenue and Chambers Street right-of-way – Brooks
 Insurance broker agreement - Cindy
- 19 **No meeting**
- 26

September 2004

- 2 **No meeting**
- 6 *Labor Day*
- 9
- 16 **No meeting – City tour**
- 23
- 30

Hoffman annexation - Kirsten
Water Service District – Grant of easement from Iron Mountain Associates
Transit Center Land Match Resolution – Gary
Public safety agencies - planning and education - Phil
Conservation easements – Brooks
City-owned buildings – Pat
January – update on temporary liquor and beer licenses – Alison
Prospector sidewalk snow removal services

**PARK CITY WORK SESSION
SUMMIT COUNTY, UTAH
JUNE 17, 2004**

Present: Mayor Dana Williams; Council members, Kay Calvert; Marianne Cone, Candace Erickson; Jim Hier and Joe Kernan

Tom Bakaly, City Manager; Ken Fisher, Recreation Manager; Gary Hill, Budget Manager; Colin Hilton, Economic Development Director; Kathy Gammel, Water Manager; Jeff Schoenbacher, Environmental Specialist; Ron Ivie, Chief Building Official

Council questions/comments – Mayor Williams welcomed a new reporter from KPCW, Linda Gordon, to the meeting. He thanked everyone involved with producing the Fiesta del Sol where the new playground was dedicated. He acknowledged the resignation of Water Manager Kathy Gammel. He expressed that she will be leaving Park City a better place because of her accomplishments and wished her the best. Dana Williams stated that he attended the Community Leadership Association conference in Tuscon last week where he participated in courses and received an award.

He pointed out the level of correspondence he and other Council members are receiving opposing the basketball court feature in the Prospector neighborhood park. There is an opportunity for the public to comment at the Planning Commission level, but he asked if there is any interest in changing the current Council direction to proceed with the design as proposed. Jim Hier interjected that it may save money to proceed with a schematic and not final design at this point. Ken Fisher explained that the cost to design the court isn't significant, but the area could be better comprehensively designed if amenities are identified. Mr. Hier asked if the proposal could be modified to request options and felt it important to notify the neighborhood of the meeting. There was discussion about adjustable basketball standards and Ms. Cone expressed that generally basketball courts are loud and annoying. Council member Kernan recalled early discussions on the Comstock park where a climbing wall and dog park were entertained. Although these are wonderful amenities, they may not be appropriate in a neighborhood park; attracting people to drive there should be discouraged. In his opinion, these small neighborhood parks should have a certain quiet quality that should be preserved. Amenities attracting users should be located in areas like City Park or the Racquet Club and perhaps a policy should be considered.

Kay Calvert felt that moving forward on design plans with options and holding public meetings would be helpful. Candace Erickson relayed that she felt some property owners changed their minds after the initial meeting and there are four houses in the area that would be largely impacted. Ken Fisher clarified that the basketball court idea was driven by the neighborhood. Ms. Erickson stated that she supported design options. Joe Kernan emphasized that in his opinion, basketball courts should not be considered for any small neighborhood park. Mr. Hier felt that may be a finding that the

Planning Commission may recommend. Ms. Erickson referred to comments made about the basketball courts at the school, which may be under-utilized because of their condition. Joe Kernan disclosed that he spoke with School District Superintendent Dave Adamson and Board member David Chaplin who are exploring improvements which may provide a solution for players. Tom Bakaly acknowledged Mr. Kernan's comment on formulating a policy on neighborhood park. It may be good direction to the Recreation Advisory Board members in July when they will meet with Council.

Kay Calvert reported on an economic development meeting held during the week. Ms. Erickson echoed the Mayor's compliments to Kathy Gammel and commented on her trip to McCall, Idaho. Marianne Cone reported that she and Ms. Erickson attended a tour of the sewer plant and commented on library and public art board business. She discussed the Historic Preservation Board meeting. Joe Kernan added that as a interested citizen and a member of the water task force, Kathy Gammel was extremely helpful over the years. He suggested some sort of notice on the water bill in the future to discourage wasting water and thanked Matt Twombly on organizing a community clean-up of the trails over the weekend. Mr. Kernan reported on the status of activities of the County solid waste committee. The Fiesta del Sol was a great celebration and it's good to see cultures assimilate.

There was discussion about scheduling conflicts with the regional ice facility meeting with the Snyderville Special Recreation District and the quarterly dinner meeting for mayors and councils hosted by Summit County on June 23. Colin Hilton emphasized the importance of attending the RIC meeting and finalizing the interlocal agreement with the SBSRD board. There is a \$2 million commitment from each party on this joint venture, which has been a long process and next week is the appropriate time to reach consensus on the agreement. Finalizing the agreement will initiate the next step of planning and hopefully breaking ground next spring. He encouraged as much representation of the Council as possible. In consideration of this, it was agreed to move the ice discussion back to 7:45 p.m. at Trailside Park so that all members can attend.

Budget wrap-up. Gary Hill referred to the topics covered in previous budget sessions. Tonight, the recommended action is to adopt the final budget for the City, the RDA and the MBA. This year, there will be a transfer of \$3 million from the General Fund to the five-year CIP, which is \$1.5 million more than reflected in the tentative budget adopted last week. This will bring the total to \$5.1 million as of July 1. He added that to a large degree, the reason the City carries a favorable bond rating is due to the amount of money in the CIP. Staff recommends that the reserve be maintained and any requests lowering it be carefully considered. Last week, it was reported that the sales tax distribution for last month was lower than projected, but the number reported by the Tax Commission was incorrect and the actual is higher than anticipated. He described the contingency created by the vacancy factor, which is a portion of the budget that is reduced for associated unfilled personnel positions. Departmental budgets are reduced by 7% to stay within projections and the contingency is intended to deal with staffing issues as a result of the vacancy factor. This year, \$55,000 will be transferred to the

Public Safety budget as it is fully staffed and the overtime demands of the recent strike will also be accounted for. Mr. Hill clarified that the bond issuance was identified at \$9.25 million in prior documents, but it will be \$9 million. The parameters resolution for the issuance is scheduled on tonight's agenda.

The RDA mitigation payment to the School District is included and has been programmed for future years. Gary Hill addressed the Telecommunications Tax Ordinance. Currently there is a 6% tax on land lines, but recent state legislation added cell phones, which the City does not currently charge. A rate of 4% was established as a tax for both groups and this Ordinance actually lowers the charge from 6% to 4%, but broadens the base. However, it is expected that this change will be revenue neutral.

Increases to the water impact and user fees, by way of resolution and ordinance, are also scheduled and recommended for approval tonight. The ordinance offers a rebate of up to 50% of outdoor water impact fees for installation of an approved drip irrigation systems. Mayor Williams stated that this provision is a great start in a sustainability effort and Gary Hill added that this would only affect new construction. Kathy Gammel noted that she explored incentives for changing an irrigation system to drip, but couldn't find any models. Staff decided to focus on the impact fee approach first to determine if it is effective. She felt it is worthwhile to implement. There was discussion about the possibility of people changing out the drip irrigation system after receiving a refund.

With regard to the topsoil assistance program, Mr. Hill reported that \$32,000 has been allocated to this new category this year and an additional \$15,000 in the second year, which is reflected in the proposed final budget resolution. Jeff Schoenbacher explained the priority designations in the two-phased program approach, which encourages property owners to mitigate their properties sooner by being eligible for a greater reimbursement amount. Ms. Calvert asked if the program will be demanding to manage and Mr. Schoenbacher felt that the first two years may be busy. Ron Ivie interjected that back-up contract services will be used if needed, and Gary Hill noted that administration of the program is covered in the existing budget. The City Manager expressed that Phase 2 has the potential of increasing.

Council member Cone questioned the message this proposal will send to property owners who have capped their properties at their own expense in a timely fashion and Mr. Schoenbacher acknowledged that she brings up a valid point. The ordinance has evolved into specific goals and he views this program as a partnership to close the door on environmental issues. Dana Williams believed the first year will be a good trial to monitor the program and modify it if needed. There was discussion on tracking the program and Ron Ivie assured Council that the Building Department's year-end report will reflect activities of the project. Mr. Schoenbacher emphasized that the program is for duplexes and single family, not condominium or commercial parcels. Mr. Ivie stated that this has proposal has some precedent in Park City, and he compared it to the Main Street fire-sprinkling program in the 1980s. There were 18 buildings in violation by the dead line and the City created a grant program for property owners, which resulted in significant compliance. This may cost some money, but he felt it is more effective to

create an incentive than to prosecute violations, which also creates a cost. Joe Kernan stated that his original position was to retain responsibility with the property owners to cap their yards. However, he appreciates the Council's support of creating incentives and staff crafting this proposal, which sets forth time limits, and encourages and expedites compliance in the first year. Mr. Kernan hoped that if a situation arose with a Type C needing \$450, that it would be treated and awarded like a Type A application. It was clarified and confirmed by the City Council that eligibility will be retroactive from January 1, 2004 and that it will be managed administratively. Marianne Cone stated that she appreciated staff's arguments in support of the program.

She suggested that redlining the changes in the budget next year would be helpful. Gary Hill noted that there have been very few changes, less than \$100,000, from the City Manager's recommended budget to the final budget. There was discussion about the janitorial contract being removed from the agenda as there are questions regarding the bid process. Mayor Williams thanked the budget staff for their efforts.

Prepared by Janet M. Scott, City Recorder

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JUNE 17, 2004**

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 17, 2004. Members in attendance were Dana Williams, Kay Calvert, Marianne Cone, Candace Erickson, Jim Hier, and Joe Kernan. Staff present were Tom Bakaly, City Manager; Mark Harrington, City Attorney;

II COMMUNICATIONS FROM COUNCIL AND STAFF

None.

III PUBLIC INPUT (any matter of City business not scheduled on agenda)

The Mayor invited the audience to comment on any matter of City business not scheduled on the agenda.

Primary election – Sue Follett, Summit County Clerk, reminded the public that a primary is scheduled this Tuesday, June 22 and encouraged everyone to vote. She relayed information on the polling places.

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

IV WORK SESSION NOTES AND MINUTES OF MEETINGS OF MAY 27 AND JUNE 3, 2004

Kay Calvert, "I move to adopt the minutes of the meeting of May 27". Jim Hier seconded. Motion unanimously carried. Marianne Cone, "I move to accept the work session notes and minutes of the meeting of June 3, 2004". Kay Calvert disclosed that she will be abstaining as she was not in attendance. Jim Hier seconded. Motion carried.

Kay Calvert	Abstention
Marianne Cone	Aye
Candace Erickson	Aye
Jim Hier	Aye
Joe Kernan	Aye

V CONSENT AGENDA PUBLIC HEARINGS

1. Ordinance approving a plat amendment for 41 Sampson Avenue, Park City, Utah (motion to continue to July 22, 2004) – The Mayor requested a motion to continue

this item to July 22. Jim Hier, "I so move". Marianne Cone seconded. Motion unanimously carried.

2. Ordinance adopting Title 4, Chapter 14A, Telecommunications Tax, and amending Title 4, Chapters 10 and 14 governing telecommunications franchises – Gary Hill explained that this ordinance essentially repeals the franchise tax and adds cell phones to the telecommunications tax. The rate would be lowered from 6% to 4% but the taxable base expanded. Hearing no comments or questions from the Council, the public hearing was closed.

3. Ordinance approving a plat amendment to the Park City Survey for Lots 13 and 14 of Block 2 of the Park City Survey, located at 255 Park Avenue, Park City, Utah – Jonathan Weidenhamer explained that the Planning Commission forwarded a positive recommendation at its June 9 meeting. The plat amendment will accommodate building a new single family home on two standard Old Town lots. Because this application involved a steep slope analysis, the Planning Commission is still reviewing the final design of the house. Hearing no comments or questions from the City Council or the audience, the Mayor closed the public hearing.

4. Ordinance approving a plat amendment for Lot 27B-2 in the Prospector Square Subdivision, removing a platted five foot setback at the east of the lot – Planner Jonathan Weidenhamer stated that the lot was originally subdivided in 1989 and five foot setbacks were placed at the rear and east lot line in the event of potential impacts of the adjacent Sun Creek Condominiums. The five-foot setback to the east only fronts Prospector Square common space and there is no compelling reason to retain the five foot setback. Two public hearings were held and there was no input and the Planning Commission forwarded a unanimous decision to approve at its June 9 meeting. The Mayor invited the Council and public to comment. Hearing no comments, the public hearing was closed.

5. Master Festival License for the Bright Lights Summer Concert Series at Deer Valley – PCPAF – Max Paap stated that staff recommends approval of the MFL, including a partial waiver of fees. Hearing no questions or comments from the Council or the audience, the public hearing was closed.

VI CONSENT AGENDA

Jim Hier, "I move approval of Consent Agenda Items 1 through 7". Kay Calvert seconded. Motion unanimously carried.

1. Ordinance adopting Title 4, Chapter 14A, Telecommunications Tax, and amending Title 4, Chapters 10 and 14 governing telecommunications franchises – See staff report, work session notes and public hearing.

2. Resolution of the governing body of Park City, Utah approving a Uniform Interlocal Agreement with the Utah State Tax Commission for the collection of

telecommunications taxes authorized by Utah Code Sections 10-1-401, et seq. - See staff report, work session notes and public hearing.

3. Ordinance approving a plat amendment to the Park City Survey for Lots 13 and 14 of Block 2 of the Park City Survey, located at 255 Park Avenue, Park City, Utah - See staff report, work session notes and public hearing.

4. Ordinance approving a plat amendment for Lot 27B-2 in the Prospector Square Subdivision, removing a platted five foot setback at the east of the lot - See staff report, work session notes and public hearing.

5. Master Festival License for the Bright Lights Summer Concert Series at Deer Valley – PCPAF - See staff report and public hearing.

6. Approval of outdoor dining lease with Main Street Pizza & Noodle, located at 530 Main Street – See staff report.

7. Authorization to staff to enter into a contract, in a form to be approved by the Legal Department, to DVD Paving LLC for ADA access, stairs and walkway at the McPolin Farm in the amount of \$20,750 – See staff report.

VII PUBLIC HEARINGS

1. Ordinance amending the Municipal Code of Park City, Utah, Title 11, Section 11-3-7, to provide a rebate of impact fees for installation of drip irrigation and drought tolerant landscaping on new construction, amending Title 13, Section 13-1-2, designated time periods for water conservation rates, amending Sections 11-13-1 and 11-12-5, and repealing Section 13-1-13 pertaining to development, connection and fire standby fees – The Mayor opened the public hearing and hearing no input, closed it.

2. Resolution adopting a final revised budget for fiscal year 2003-04; the final budget for fiscal year 2004-2005 for Park City Municipal Corporation and its related agencies and setting a certified tax rate – Marianne Cone stated that appropriations made to capital projects is the first step and there will be much more planning. With regard to the recreation complex at Quinns Junction, she felt it very important that the corridor look like undisturbed open space and would prefer that the fields are set back. She also encouraged taking a holistic approach in evaluating the plaza, parking and the police department projects. It is also important to solicit participation from people who live and work there. With no further comments from the Council or the audience, the Mayor closed the public hearing on the final budget.

VIII NEW BUSINESS

1. Ordinance amending the Municipal Code of Park City, Utah, Title 11, Section 11-3-7, to provide a rebate of impact fees for installation of drip irrigation and drought

tolerant landscaping on new construction, amending Title 13, Section 13-1-2, designated time periods for water conservation rates, amending Sections 11-13-1 and 11-12-5, and repealing Section 13-1-13 pertaining to development, connection and fire standby fees – Hearing no further comments, the Mayor requested a motion to approve. Kay Calvert, “I so move”. Jim Hier seconded. Motion unanimously carried.

2. Resolution amending Section 2, Water Fees and Section 8, Recreation Services Fees, outlined in Exhibit A of Fee Resolution No. 5-04 and repealing Resolution No. 5-04 in its entirety – Jim Hier, “I move approval of the resolution outlined in Item 2”. Marianne Cone seconded. Motion carried unanimously.

3. Resolution authorizing the issuance and sale of up to \$9,000,000 aggregate principal amount of general obligation bonds to the City; fixing certain maximum terms for the Bonds; and providing for related matters – Mayor Williams requested a motion to approve. Kay Calvert, “I so move”. Jim Hier seconded. Motion unanimously carried.

4. Resolution adopting a final revised budget for fiscal year 2003-04; the final budget for fiscal year 2004-2005 for Park City Municipal Corporation and its related agencies and setting a certified tax rate – Jim Hier, “I move adoption of the budget as presented”. Candace Erickson seconded. Motion unanimously carried

IX ADJOURNMENT

With no further business, the regular meeting of the City Council was adjourned and a Redevelopment Agency meeting and a Municipal Building Authority meeting convened to adopt their annual budgets

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 3 p.m. Members in attendance were Mayor Dana Williams, Kay Calvert, Marianne Cone, Candace Erickson, Jim Hier, and Joe Kernan. Staff present was Tom Bakaly, City Manager; Myles Rademan, Public Affairs Director, and Mark Harrington, City Attorney. Candace Erickson, “I move to close the meeting to discuss personnel and property”. Joe Kernan seconded. Motion carried unanimously. The meeting opened at approximately 4:15 p.m.

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

**PARK CITY REDEVELOPMENT AGENCY
SUMMIT COUNTY, UTAH
JUNE 17, 2004**

I ROLL CALL

Chairman Dana Williams called the regular meeting of the Redevelopment Agency to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, June 17, 2004. Members in attendance were Dana Williams, Kay Calvert, Marianne Cone, Candace Erickson, Jim Hier, and Joe Kernan. Staff present were Tom Bakaly, Executive Director; Mark Harrington, City Attorney; and Gary Hill, Budget Manager.

II PUBLIC INPUT

The Chairman invited the public to comment on any matter of RDA business not scheduled on the agenda. Hearing none, the public input session was closed.

III MINUTES OF MEETING OF JANUARY 8, 2004

Hearing no omissions or corrections, the Chairman requested a motion to approve. Jim Hier, "I so move". Marianne Cone seconded. Motion unanimously carried.

IV CONSENT AGENDA

Resolution adopting the Park City Redevelopment Agency Budget for Fiscal Year 2004-2005 – Candace Erickson, "I move approval of the RDA budget for fiscal year 2004-2005 – Jim Hier seconded. Motion unanimously carried.

V ADJOURNMENT

With no further business, the regular meeting of the RDA was adjourned. 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 Council Staff Report

Budget, Debt & Grants

Author: Gary Hill
Subject: MOSQUITO ABATEMENT DISTRICT
Date: July 15, 2004
Type of Item: Informational

Summary Recommendations: City Council should discuss a proposed annexation to the North Summit County Mosquito Abatement District. Council should provide direction on the proposed public input strategy. City Council's decision to possibly approve the annexation by resolution has been tentatively scheduled for July 22, 2004 to comply with Summit County's desired schedule.

Description:

Topic:

Mosquito Abatement District

Background:

The North Summit County Mosquito Abatement District was created in 1988 to limit the mosquito population in parts of Summit County. Recently, the District has made a concerted effort to prevent county residents and visitors from contracting West Nile virus infection. The district is part of 22 state-wide agencies which are specially set up for mosquito abatement services. The district currently provides mosquito abatement services to Eastern Summit County. State and County health officials initiated prevention programs including public meetings to inform county residents of the virus. Further, weekly tests by the district of mosquito pools and sentinel chickens have so far shown no signs of the West Nile virus presence in the County.

West Nile virus was first recognized in the United States in 1999 as the cause of severe and fatal human illness in metropolitan New York City. West Nile virus infection affects the central nervous system. It is commonly found in Africa, West and Central Asia, and in the Middle East. It is not known how the virus was first introduced into the United States, but since the initial appearance, it has spread rapidly, and by 2003 was found throughout the country. Accordingly, Health officials nation-wide are making every attempt to find a cure of the infection, which so far has claimed 230 lives of the 9175 reported illnesses. While there is currently no reported case in Utah, the table shows West Nile infections to human in 5 Western States:

State	Cases	Neuro-invasive	Deaths
Colorado	2,943	621	54
Nebraska	1,867	199	24

South Dakota	1,040	151	14
Wyoming	392	92	9
New Mexico	201	70	4

Through local testing done this year, larvae of the mosquito species that carries West Nile Virus have been found at the McPolin Farm inside the City limits as well as in the Swaner Nature Preserve in the Basin.

Analysis:

Summit County, in conjunction with the County Board of Health, would like to extend the district to cover the entire county. It hopes to raise roughly \$380,000 through property tax increase from the \$7 billion District-wide assessment. One-half of this amount (\$190,000) would come from Park City. If annexed into the district, City residents will be levied a property tax for mosquito abatement beginning January, 2005. The County is estimating that a primary resident in Park City can expect to pay \$3.15 per year per \$100,000 of home value in additional property taxes. A second home owner or commercial property in Park city can expect to pay \$5.70 per year per \$100,000 of assessed value.

Based on a preliminary estimate prepared by the County Health Director, the Abatement District has a proposed operating budget of \$376,000 (see attached). The County estimates that roughly one-third of this amount (\$125,000) would be spent in the Park City School District-area, with the remaining two-thirds to be spent between North and South Summit County. Of the \$125,000 allotted to the School District-area, according to the County Health Department, Park City proper could expect to receive about one-half, or \$63,000 in benefit.

Following the formula applied above, City residents would be assessed approx. \$190,000 and would receive roughly \$63,000 in direct expenditures. Indirect benefits would include capital costs for expenditures such as vehicles and equipment, a new Abatement District building (already constructed), stopping the problem where the risk lies in the areas surrounding the City itself, and increased interagency cooperation.

Public Input Process:

The proposed time line of the potential annexation is as follows:

July 1, 2004	Park City work session
July 13, 2004 @ 5 p.m.	Park City citizen open house
July 22, 2004	City adopts or denies Annexation Resolution
July 27 through August 2, 2004	County mails Notice to Property Owners

September 1, 2004 @ 6.pm.	Public Hearing – Summit County
October 6, 2004	BCC and Board of Trustees adopt Governance Ordinance and new annexation boundaries
October 7 through November 5 2004	City to appoint a member of the Board of Trustees
January 1, 2005	Summit County Mosquito Abatement District property tax assessments begin

If the City wishes to be annexed into the North Summit Mosquito Abatement District, it will need to approve a resolution (draft copy attached) on July 22. This would begin the County's public hearing process, where county residents can discuss any concerns or issues they might have directly with the County Board of Commissioners.

In considering the annexation there are currently natural environmental circumstances that work to the City's favor in controlling mosquito populations. First, the optimum mosquito breeding habitat is standing water less than 2.5 feet deep for five or more days at a time and at less than 6,500 feet in elevation. Furthermore, other environmental factors include climate, particularly elevation, rainfall, temperature and relative humidity are known to have a strong influence on the biology of mosquitoes. In evaluating the elevation of McLeod Creek going outside the City limits these range from 6700' to 6800'. If you were to evaluate Silver Creek, the elevation is consistent at 6700'. As a result the City has two factors; one we are at a relatively high elevation and secondly most of our water is flowing, however we do have some wetlands that would fulfill the requirement of 2.5' criteria. Due to these factors, it would appear that the topographic characteristics of the City do not coincide with optimum breeding habitat when compared to the rest of Summit County.

A consideration for discussion would be to conduct an internal citywide risk assessment in the fall of 2004 and enter into a contract with the District based on the actual risk that is discovered. Once the risk survey is complete the City can then determine whether the abatement is feasible internally with a lower budget or that a contract with or annexing into the Summit County program is the most economical. Any contract (or future annexation) would be contingent upon approval from District's Board of Trustees (composed of representatives of participating communities) which will not be finalized until late fall/early winter, and it is unclear at this point if either option will be available to the City at that point. City staff is researching what would be involved with any de-annexation process.

Department Review:

City Manager, Public Works Department, Legal, Budget, Debt & Grants Department, Finance Department, Building Department (Environmental Specialist)

Alternatives:**Consent to District annexation**

Staff will continue discussions with the County and a resolution will be presented for approval of the City's annexation to the North Summit County Mosquito Abatement District by July 22, 2004.

City Contract with District

The City could see if the District would be willing to provide services to the City at their direct cost. Initial discussions on this issue have led Staff to believe that the District would not be interested in this. This would entail the City raising between \$60,000 - \$100,000 from existing services or a tax increase. Because the decision would ultimately be made by the Abatement District's Board of Trustees (comprised of representatives from participating communities), discussions about an interlocal agreement or contract would likely need to wait until the district is approved and the board membership is determined in November 2004.

Pursue City Abatement:

The City could attempt to comply with health & safety issue through the Public Works Department and the City's Environmental Specialist carrying out mosquito abatement services. Such services could cost the City up to \$100,000 and would include personnel costs and material expenses for items such as traps, sampling equipment, vehicles, pesticide/abatement products, mapping needs, etc. (this figure down not include one-time start up costs such as equipment, office space, etc). In addition, the City would need to cover the liability associated with this new City services. This would also require finding the funds through existing services or through a tax increase.

Continue the Item:

In order to meet the County's tax notice requirements, action on the resolution will be needed by July 22, 2004.

Do Nothing:

As previously stated, consideration needs to be given to environmental circumstances that work to the City's favor in controlling mosquito populations. To conduct an internal Citywide risk assessment in the fall of 2004 would provide specific guidance on the actual threat and what level of contribution is needed for mosquito control. Without a study, quantifying the amount of money that needs to be directed to the mitigation is difficult to estimate. Once the risk survey is complete the City can then determine whether the abatement is feasible internally with a lower budget or that annexing into the Summit County program is the most economical.

Significant Impacts:

Potential significant impacts would mainly be related to the liability of not having a program and the discovery of West Nile. Furthermore, entering the program would have fiscal impacts, however these impacts would be directly associated with

maintaining the health of city residents and visitors by protecting against the West Nile virus. Regarding the treatment, the most prevalent product today for abatement is a product called Vectobac. Vectobac is a larvicide based on the naturally occurring active ingredient *Bacillus thuringiensis israelensis* (Bti) that is highly effective, yet perfect for environmentally sensitive application. It provides economical control of mosquito; black fly, midge and filter fly larvae. Vectobac is offered in a variety of formulations to fit application conditions and breeding habitats. According to County Health officials, the microbial pesticides commonly known as BTI have undergone extensive testing and are essentially nontoxic to human when they are used according to label directions. The same is true to the environment. By working with the County, the City will be furthering its' goals of inter-local cooperation and making the City safe and secure for resident families and visitors. Even though the expenditure amount in Park City will be less than the revenues raised by Park City property taxes, stopping mosquitoes East of Park City will help the City and the region as a whole.

Consequences of not taking the recommended action:

City residents' health could be impacted should the West Nile virus be found in the City. In addition the tourism and local economy would be impacted by the negative press coverage that would likely occur. Research has shown that up to 20% of the people who are infected will display mild systems. Symptoms include fever, headache, body aches, nausea, vomiting and sometimes swollen lymph glands or a skin rash on the chest, stomach and back. Severe cases may lead to meningitis and encephalitis which is an inflammation of the membrane around the brain and spinal cord or the inflammation of the brain. Therefore, an alternative need to be pursued in order for the City to provide preventative measures.

Recommendation:

This report is for informational purposes only.

Attachments:

- 1) Copy of Summit County's presentation to County residents
- 2) Public notice for Open House
- 3) Mosquito District Budget
- 4) Draft Resolution
- 5) Map of proposed abatement district

**Open House to Discuss
Mosquito Abatement District
Tuesday, July 13, 2004 @ 5:00 P.M.**

With the West Nile Virus reaching Utah, state and national public health officials are recommending personal precautions while urging local governments to consider mosquito abatement methods.

Responding to these concerns, Park City Municipal Corporation will hold a public **Open House on Tuesday, July 13, 2004, from 5:00 to 7:00 P.M. in the Council Chambers at City Hall** (445 Marsac Avenue) to discuss Park City's possible annexation into the Summit County Mosquito Abatement District.

Representatives from Summit County and Park City will be available to present information and answer questions regarding the Mosquito Abatement District and its anticipated costs, benefits, and uses.

The County is estimating that a primary resident in Park City can expect to pay \$3.15 per year per \$100,000 of home value in additional property taxes. A second home owner or commercial property in Park city can expect to pay \$5.70 per year per \$100,000 of assessed value.

Based on a preliminary estimate prepared by the County Health Director, the Abatement District has a proposed operating budget of \$376,000. The County estimates that roughly one-third of this amount (\$125,000) would be spent in the Park City School District-area, with the remaining two-thirds to be spent between North and South Summit County. Of the \$125,000 allotted to the School District-area, according to the County Health Department, Park City proper could expect to receive about one-half, or \$63,000 in benefits.

Following the formula applied above, City residents would be assessed approx. \$190,000 and would receive roughly \$63,000 in direct expenditures.

Additional information can be obtained by calling City Hall at 615-5000.



West Nile Virus

Presentation to
Summit County Residents



West Nile Virus

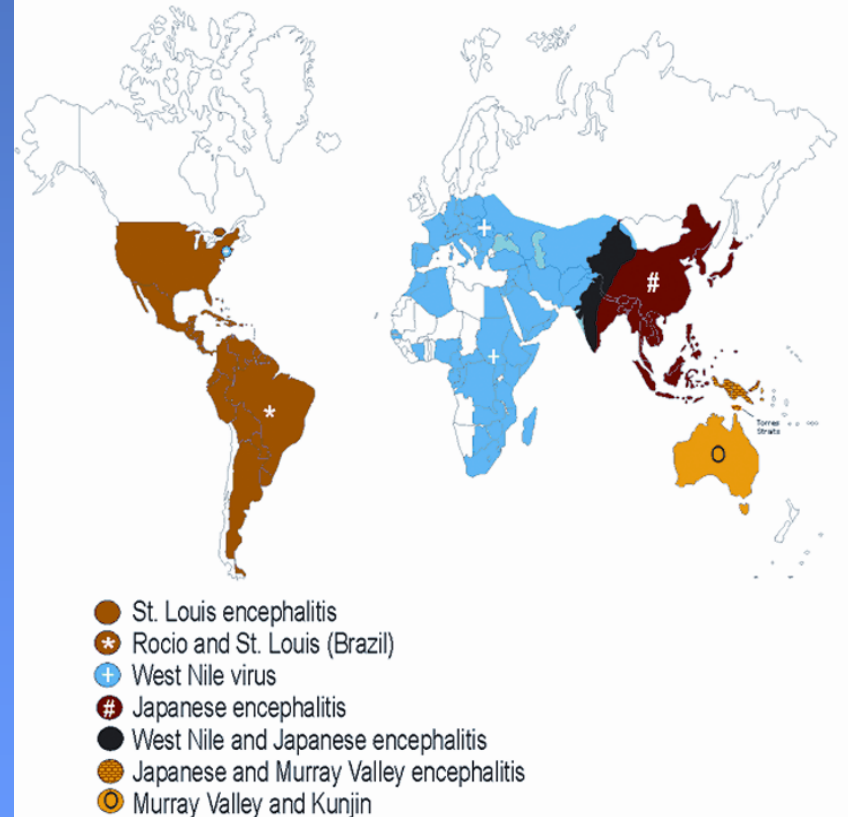
- West Nile virus was first recognized in the United States in 1999 as the cause of severe and fatal human illness in metropolitan New York City. West Nile virus affects the central nervous system.
- It is commonly found in Africa, West and Central Asia, and the Middle East.
- It is not known how the virus was first introduced into the United States, but since the initial appearance it has spread rapidly, and by 2003 was found throughout the entire country.

West Nile Virus Origins & Occurrences



- West Nile virus has been commonly found in humans and birds and other vertebrates in Africa, Eastern Europe, West Asia, and the Middle East, but until 1999 had not previously been documented in the Western Hemisphere.
- It is not known from where the U.S. virus originated, but it is most closely related genetically to strains found in the Middle East.

The Geographic Distribution of the Japanese Encephalitis Serocomplex of the Family Flaviridae, 2000.





West Nile Fever

- West Nile fever is the less-severe disease in people
- Symptoms
 - Up to 20 percent of the people who become infected will display mild symptoms
 - The symptoms include fever, headache, and body aches, nausea, vomiting, and sometimes swollen lymph glands or a skin rash on the chest, stomach and back.
 - Symptoms typically last a few days.



West Nile Meningitis & Encephalitis

- West Nile Meningitis is an inflammation of the membrane around the brain and the spinal cord.
- Encephalitis is the inflammation of the brain.
- Symptoms
 - About one in 150 people infected with WNV will develop severe illness.
 - The severe symptoms can include high fever, headache, neck stiffness, stupor, disorientation, coma, tremors, convulsions, muscle weakness, vision loss, numbness and paralysis.
 - These symptoms may last several weeks, and neurological effects may be permanent.



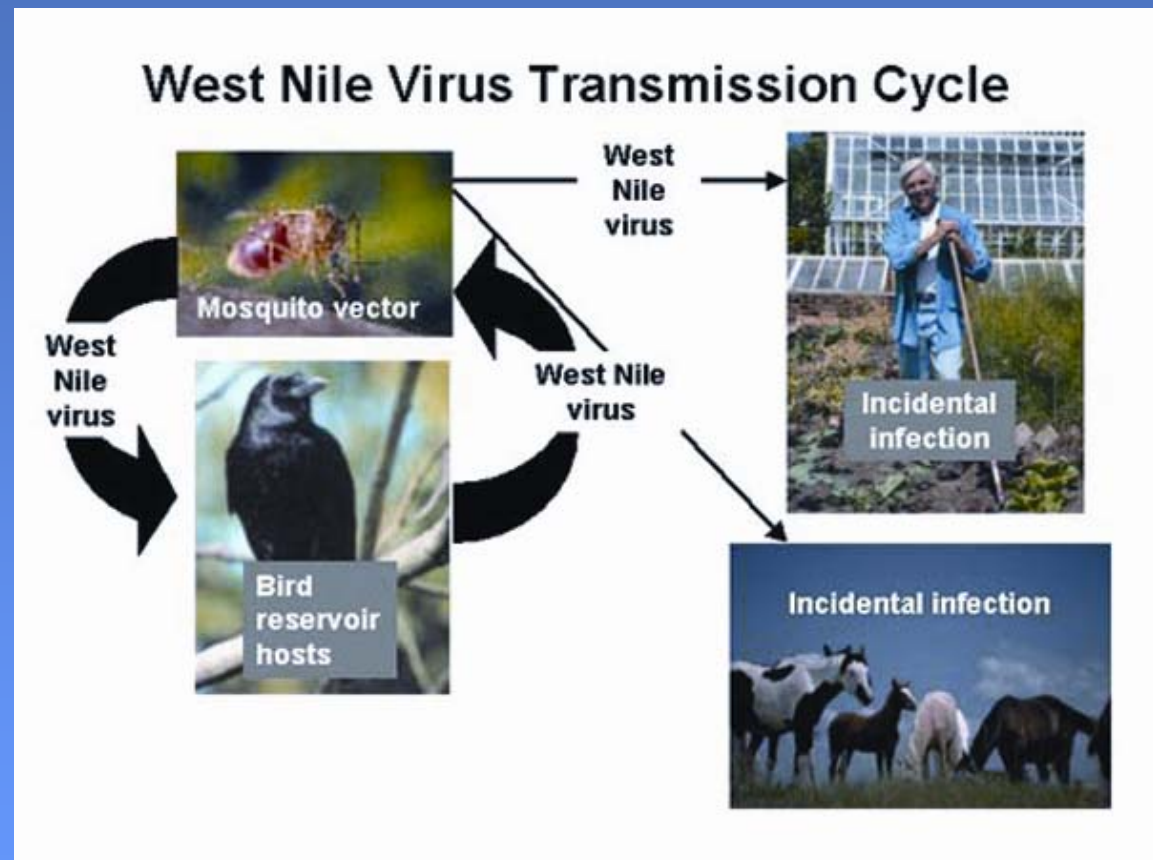
WNV Infection Treatment

- There is no specific treatment for WNV infection.
- In cases with mild symptoms, people experience symptoms such as fever and aches that pass on their own.
- In more severe cases, people usually need to go to the hospital where they can receive supportive treatment including intravenous fluids, help with breathing and nursing care.



How WNV is Spread

- Generally, WNV is spread by the bite of an infected mosquito.
- Mosquitoes are WNV carriers that become infected when they feed on infected birds.
- Infected mosquitoes can then spread WNV to humans and other animals when they bite.
- **West Nile virus is not spread from person to person.**





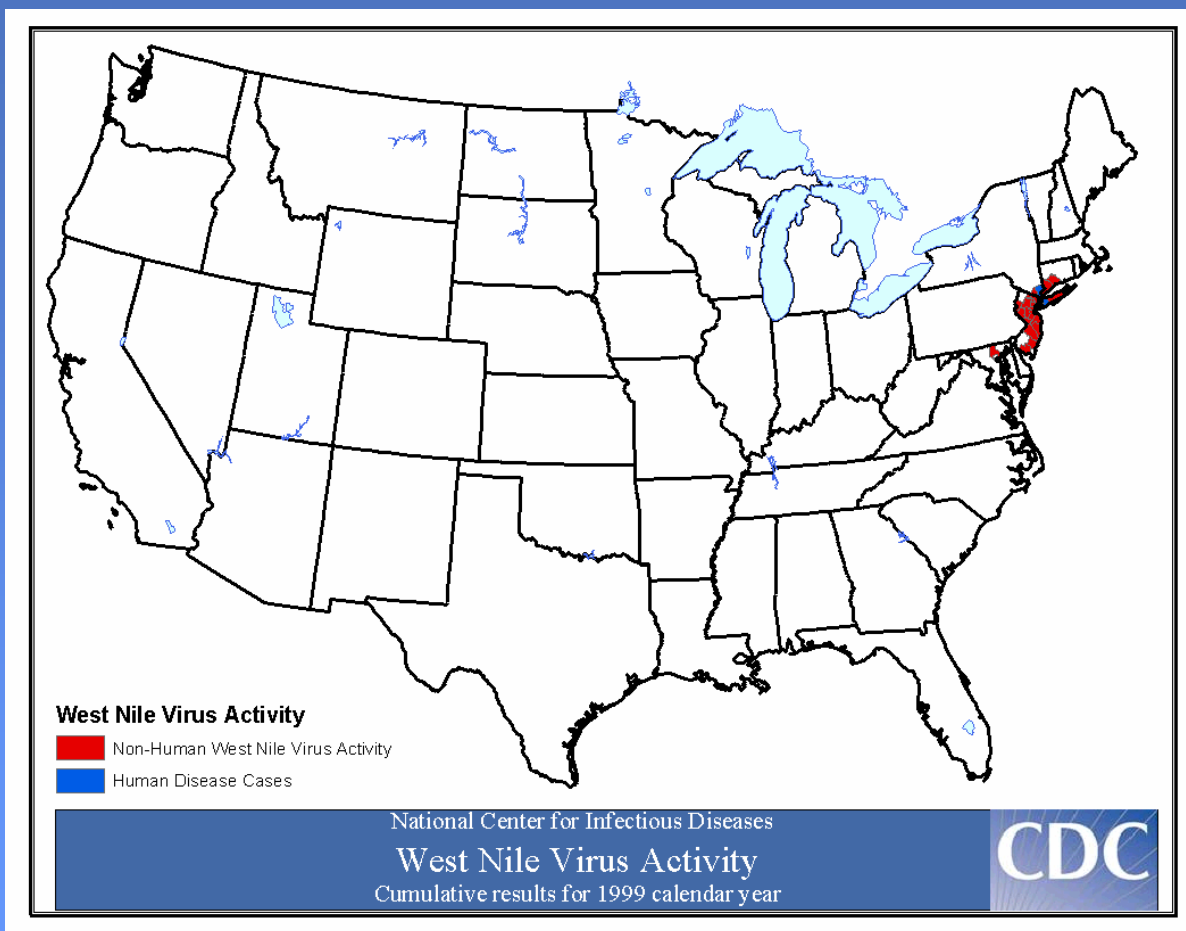
Other Modes of WNV Transmission

- Organ transplants
 - 4 recipients developed encephalitis, 1 fatal
- Blood transfusion
 - 23 cases in 2002
 - 2 in 2003
- Intrauterine transmission
- Breast milk
- Exposure to infected bird carcasses

US West Nile Virus Cases, 1999



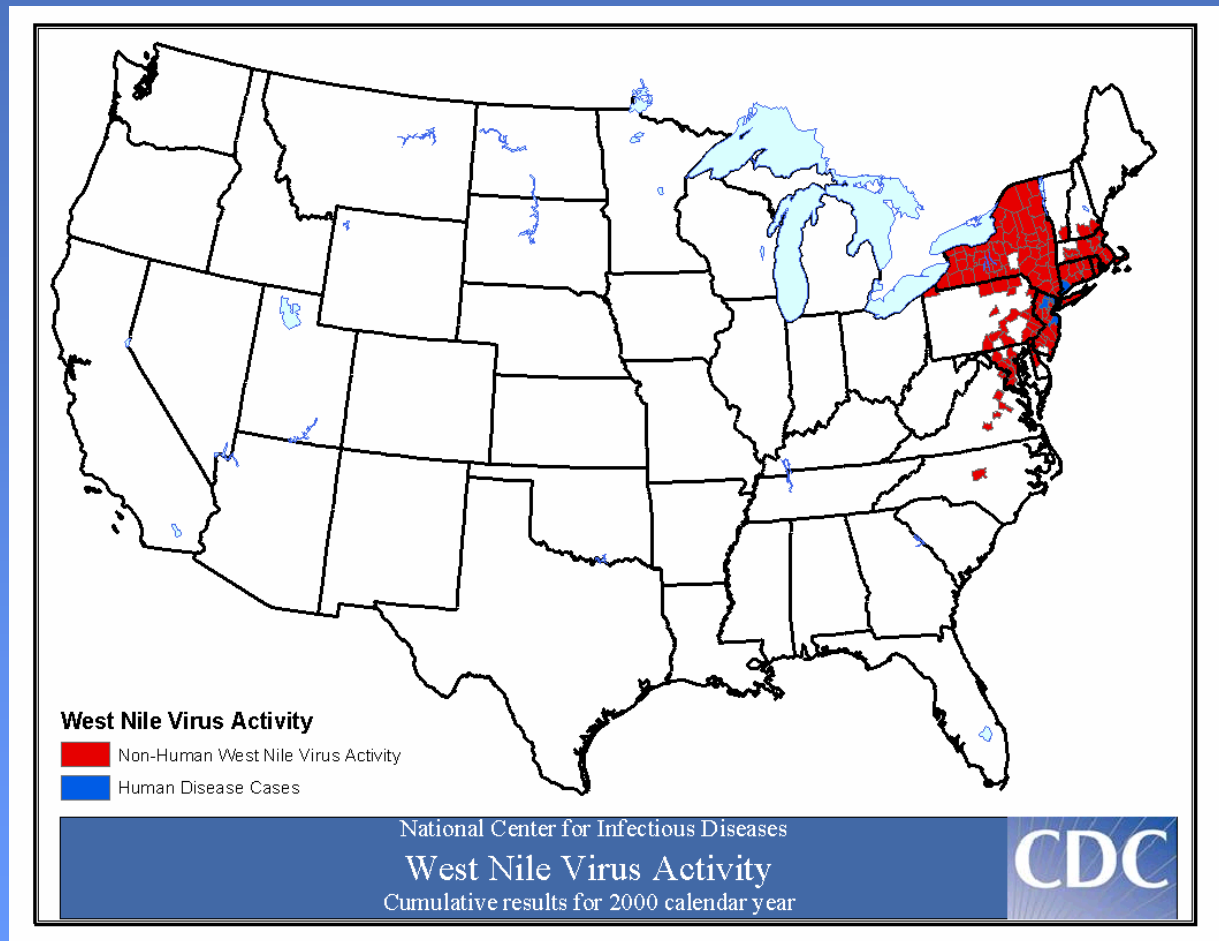
- 62 Reported illnesses
- 7 Deaths
- 1 State (NY)



US West Nile Virus Cases, 2000



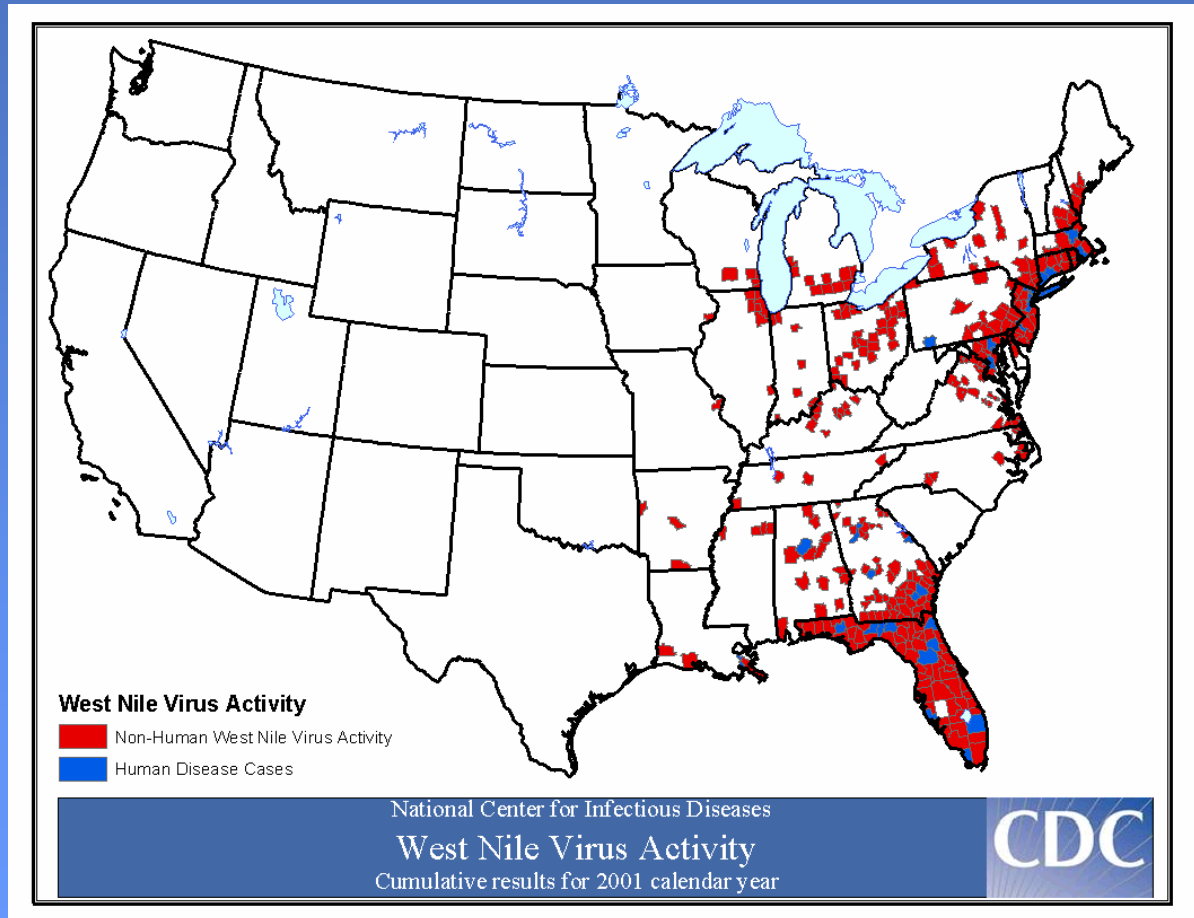
- 21 Reported illnesses
- 2 Deaths
- 3 States (NY, CT, NJ)



US West Nile Virus Cases, 2001



- 66 Reported illnesses
- 7 Deaths
- 10 States



Summit County
Public Health Department

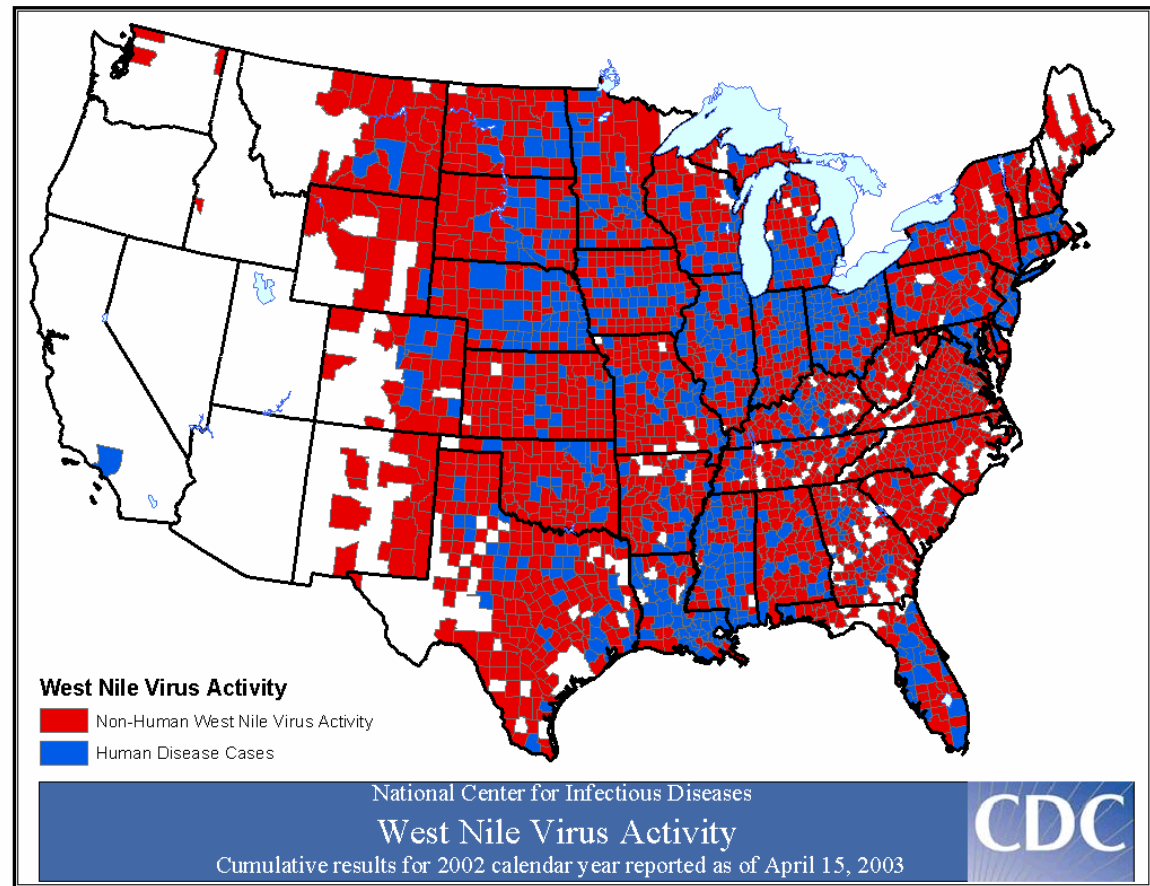
West Nile Virus

Summit County
Public Works Department

US West Nile Virus Cases, 2002



- 4156 Reported illnesses
- 284 Deaths
- 39 States & D.C.



Summit County
Public Health Department

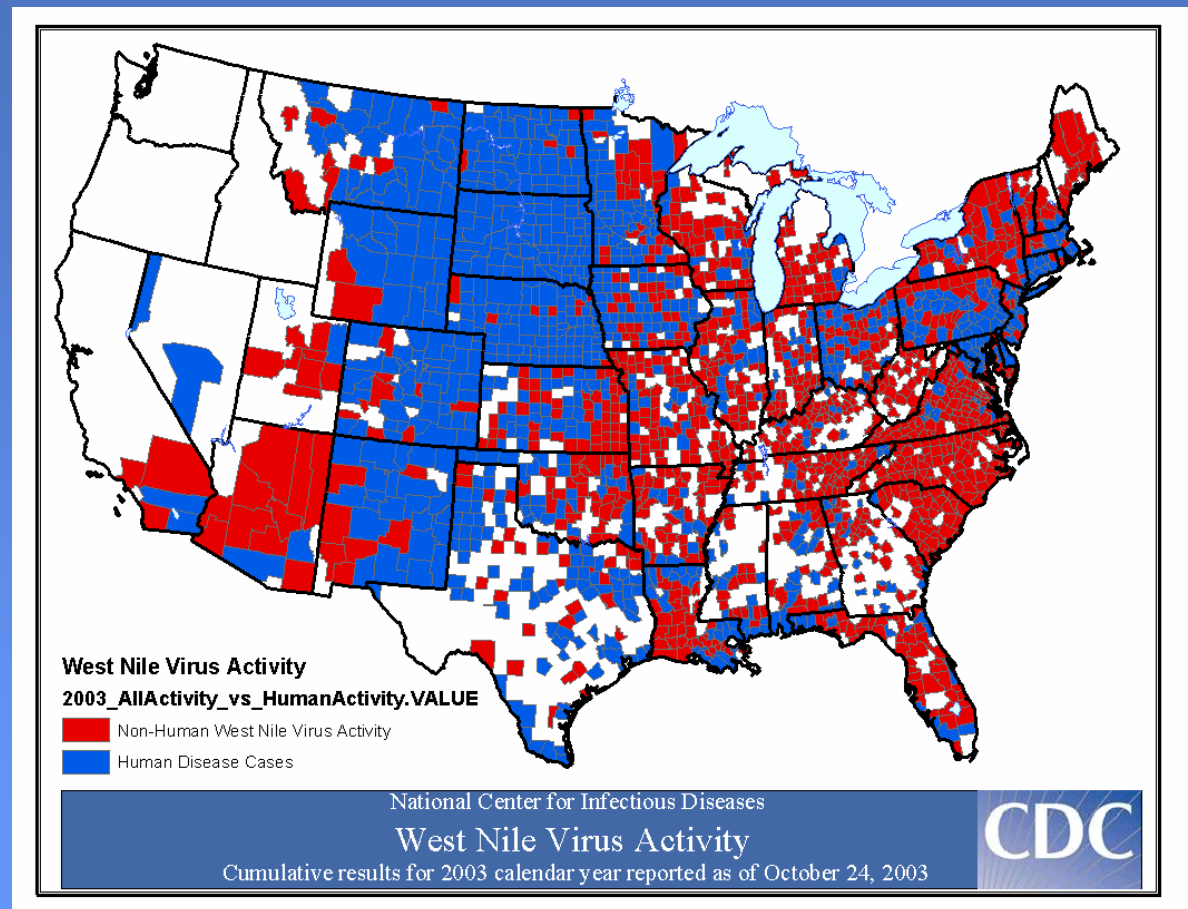
West Nile Virus

Summit County
Public Works Department



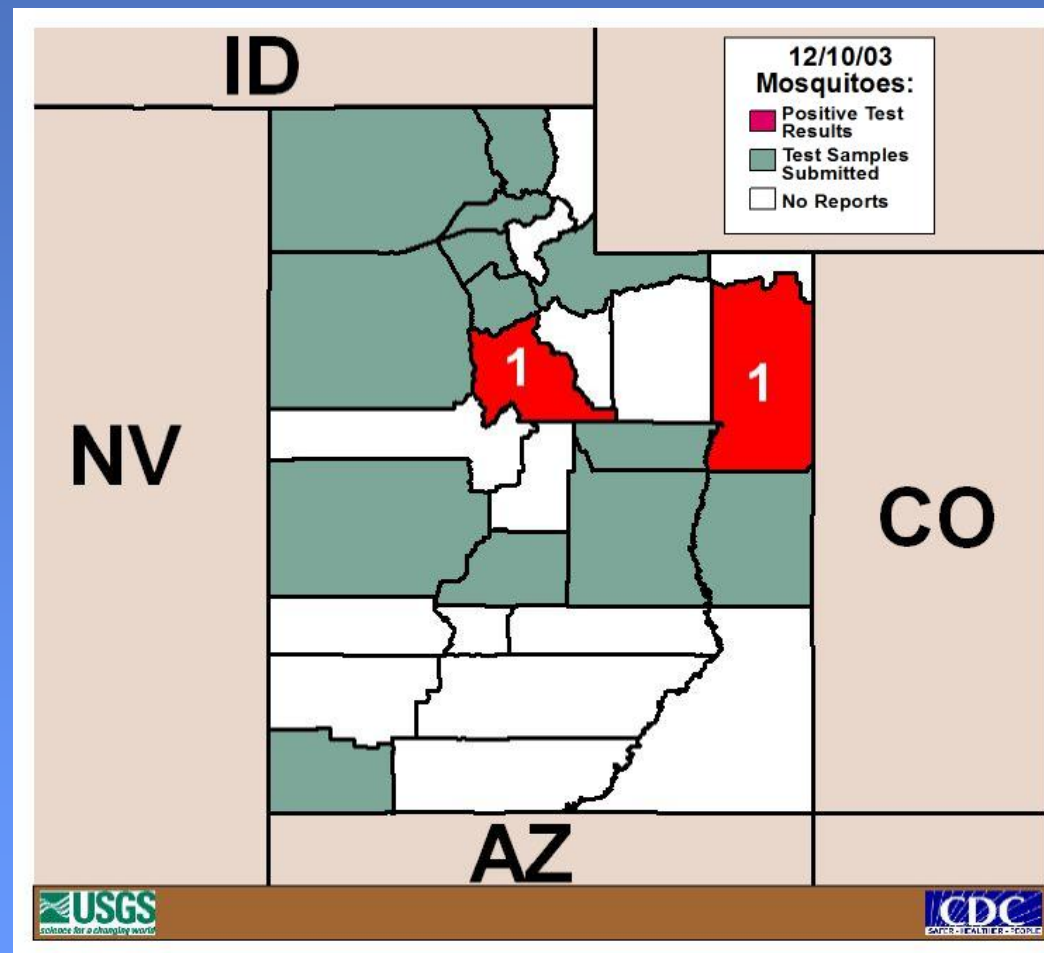
US West Nile Virus Cases, 2003

- 9175 Reported illnesses
- 230 Deaths
- 44 States & D.C.





Utah WNV Mosquito Count, 2003



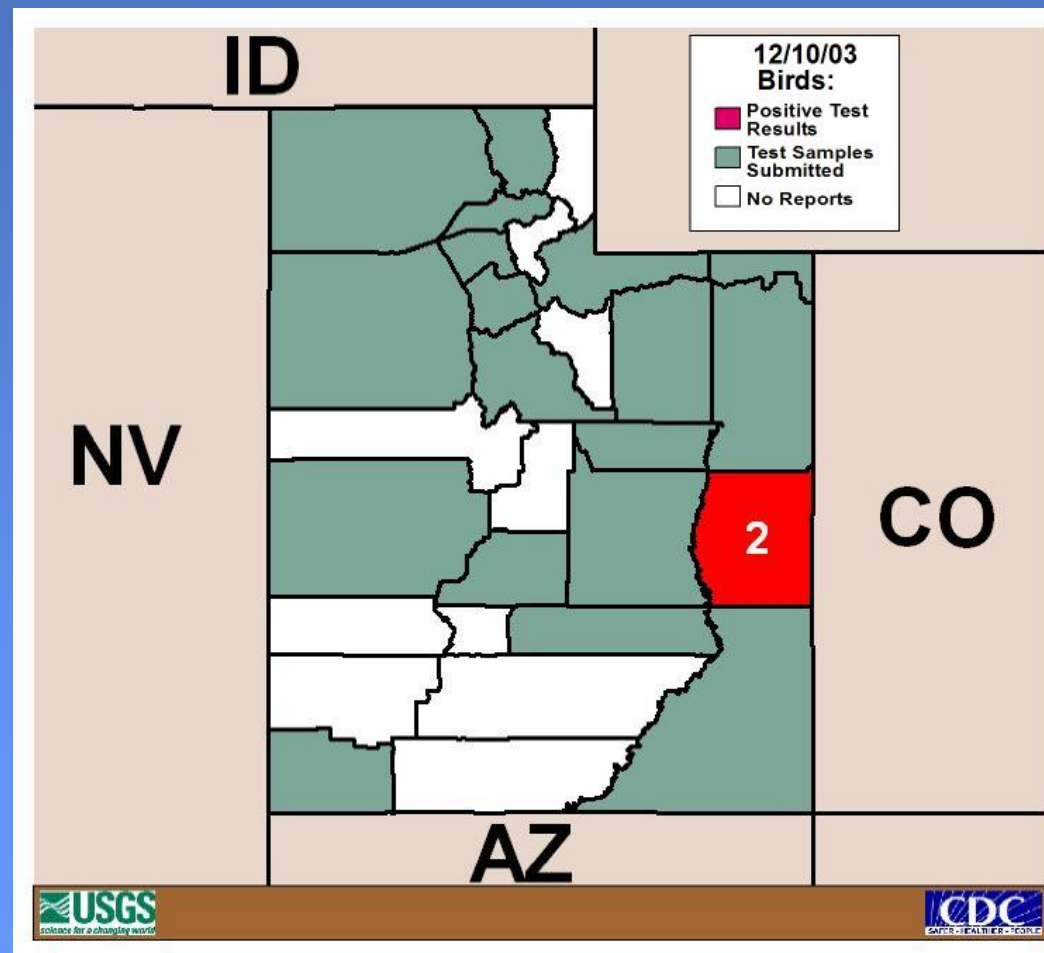
Summit County
Public Health Department

West Nile Virus

Summit County
Public Works Department



Utah WNV Bird Count, 2003

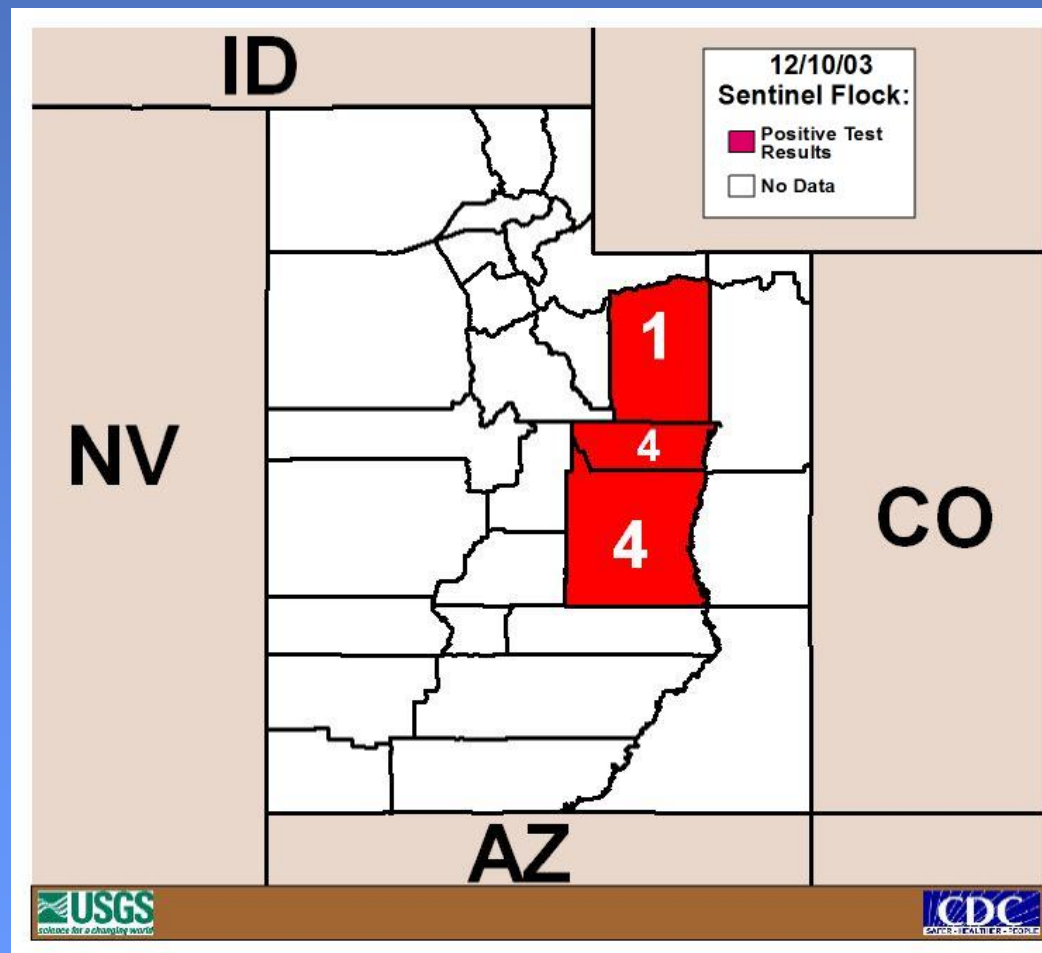


Summit County
Public Health Department

West Nile Virus

Summit County
Public Works Department

Utah WNV Sentinel Chicken Count, 2003



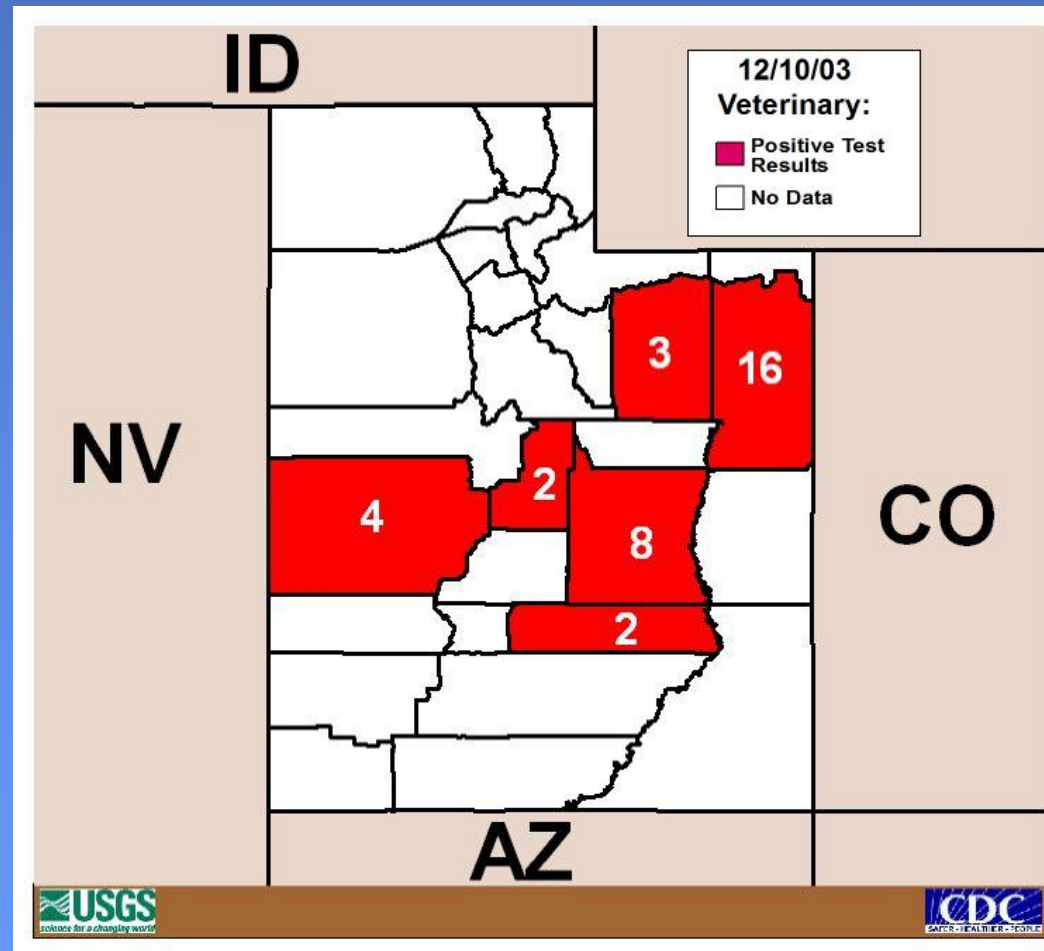
Summit County
Public Health Department

West Nile Virus

Summit County
Public Works Department



Utah WNV Horse Count, 2003



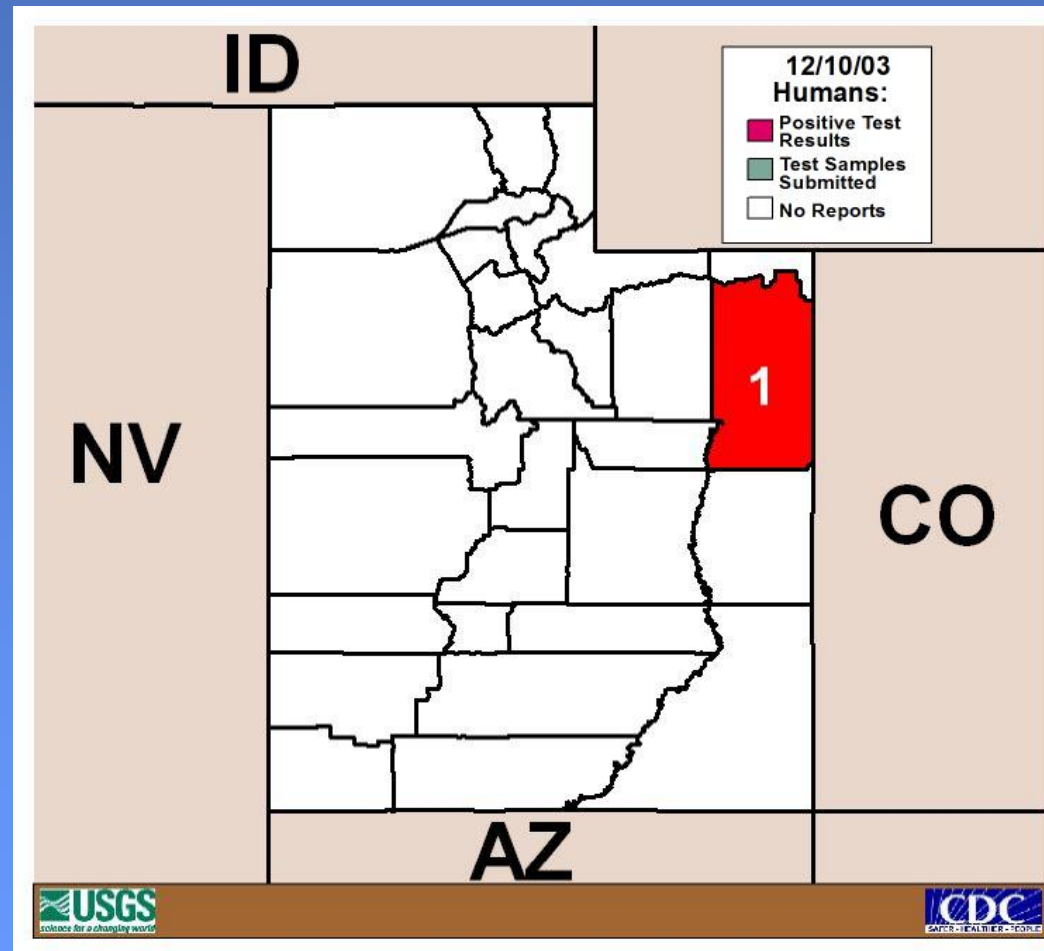
Summit County
Public Health Department

West Nile Virus

Summit County
Public Works Department



Utah WNV Human Count, 2003



Summit County
Public Health Department

West Nile Virus

Summit County
Public Works Department

WNV Infection – Human Other Western States, 2003



State	Cases	Neuro- invasive	Deaths
Colorado	2,943	621	54
Nebraska	1,867	199	24
South Dakota	1,040	151	14
Wyoming	392	92	9
New Mexico	201	70	4



West Nile Virus Prevention

Avoid mosquito bites:

- Apply insect repellent to exposed skin when you go outdoors.
- Wear protective clothing such as long sleeves, long pants, and socks while outdoors.
- Consider staying indoors between dusk and dawn, which is peak mosquito biting time.
- Avoid activities in areas where mosquitoes are plentiful.
- Fix or install window and door screens to keep mosquitoes out of buildings.



West Nile Virus Prevention

Avoid breeding mosquitoes :

- Mosquitoes lay their eggs in standing water.
- To avoid helping mosquitoes breed in your environment, drain standing water.
- Routinely empty water from flower pots, pet bowls, clogged rain gutters, swimming pool covers, discarded tires, buckets, barrels, cans, and other items that collect water in which mosquitoes can lay eggs.





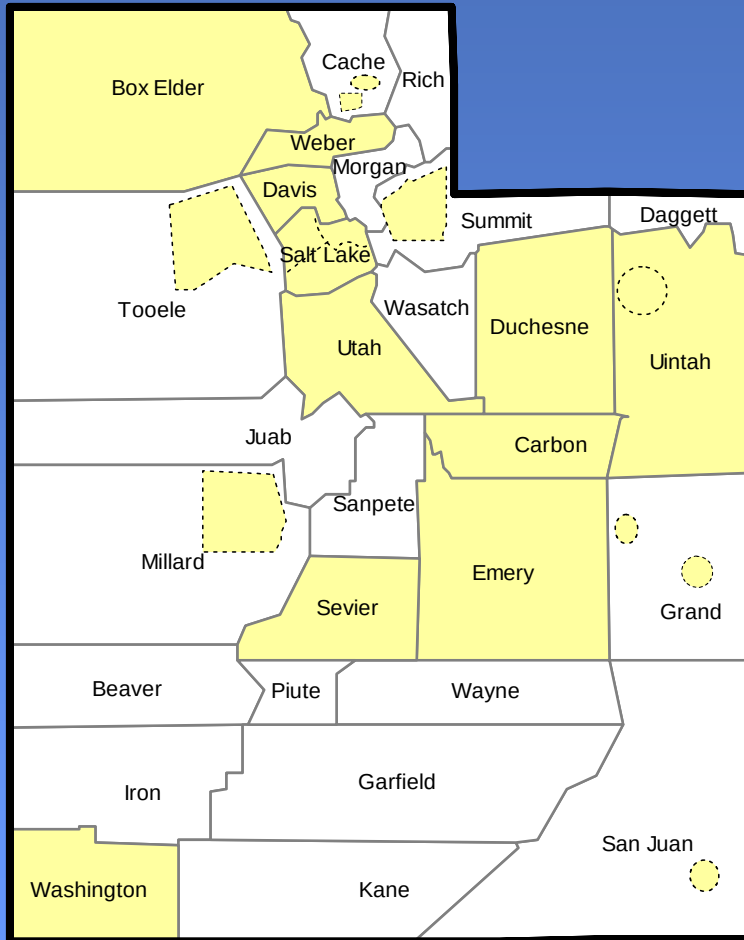
West Nile Virus Prevention

Mosquito Control



Nationwide there are more than 345 mosquito control agencies with a combined budget of more than \$230 million, protecting the public health of 97 million US citizens.

Organized Mosquito Control in Utah



22 agencies:

10 - county wide

5 - single city

7 - more than one city,
but not the whole
county

Summit County
Public Health Department

West Nile Virus

Summit County
Public Works Department

Integrated Mosquito Management = Good Mosquito Control



Mosquito Management provides:

- Surveillance
 - larval, adult and disease
- Education
- Water control
- Larval biological control
- Larval chemical control
- Adult chemical control



Future of West Nile Virus

- Control:
 - Human precautions
 - Horse immunizations
 - Mosquito adulticide
 - Mosquito larvicide
- Likely to become endemic with sporadic cases and outbreaks
- Human vaccine 1-3 years off

2005 Proposed Summit County Mosquito Abatement Budget					
Salary				125,000	
Benefits				15,000	
Workers Compensation				5,000	
Equipment					
	5 Traps			2,500	
	2 C02 traps			1,000	
	2 Sprayer			20,000	
	10 Hand sprayer			1,000	
	2 Boxes Dippers			1,000	
	Washer/Dryer			1,500	
	10 Sets of Signs			2,000	
	10 Horn Seeders			1,000	
	Lockers			2,000	
	Vehicles			30,000	
	Cell Phones			2,000	
	Office			8,000	
	Fogger			8,000	
Supplies					
	Office			5,000	
	Gas and Maintenance			7,000	
	Clothing			7,000	
Pesticides					
	Abate			50,000	
	Altosid			2,000	
	Malathion			6,000	
	BTI			6,000	
	3 Barrels Larvicide Oil			2,000	
Building					
	Electricty			2,000	
	Phone			2,000	
	Gas			2,000	
	Maintenance			10,000	
	Building Fund			15,000	
Misc/Repayment Health				25,000	
Education & Training				8,000	
Dues & Subscriptions				2,000	
Total				376,000	

**PARK CITY MUNICIPAL CORPORATION_
RESOLUTION OF INTENT TO ANNEX TERRITORY TO
NORTH SUMMIT MOSQUITO ABATEMENT DISTRICT**

RESOLUTION _____

WHEREAS, the North Summit Mosquito Abatement District is a county service district established by the Board of County Commissioners of Summit County, Utah pursuant to the provisions of U.C.A. § 17A-2-901 et. seq.; and,

WHEREAS, the North Summit Mosquito Abatement District provides for the extermination and abatement of mosquitos and other insects, some of which may carry the West Nile Virus, and which are a nuisance, within the boundaries of the District; and,

WHEREAS, the City Council has determined that such services should be provided on an extended basis within the territory which is proposed to be annexed to the North Summit Mosquito Abatement District as more specifically provided in Exhibit A to this Resolution; and,

WHEREAS, notice should be provided to the owners of all territory within the area proposed for annexation within the North Summit Mosquito Abatement District; and,

WHEREAS, a public hearing should be held on the proposal to annex territory to the service district within forty-five (45) days after the adoption of this Resolution and whereas all interested persons should be entitled to attend the public hearing, comment on or protest the annexation proposed in this Resolution;

NOW, THEREFORE, be it hereby resolved by the Park City Council, Utah as follows:

1. The territory proposed for annexation to the North Summit Mosquito Abatement District (the "District") is set forth specifically in Exhibit A to this Resolution which is incorporated herein as though fully set forth.

2. The services which should be provided within the areas proposed for annexation to the service district are all of the services which are provided in North Summit Mosquito Abatement District at the time and date of this Resolution; i.e.: To provide for the extermination and abatement of mosquitos and other insects which are a nuisance within the boundaries of the District. The Board of Trustees of the North Summit Mosquito Abatement District is empowered to levy taxes in order to fairly and equitably provide the services authorized. A typical resident of the District can expect to pay \$5.70 per year in additional property taxes on a home valued at \$100,000.00. The District is entitled to enact regulations to accomplish the lawful and legitimate purposes of the District. Additional information can be obtained from the District by calling (435) 336-2088.

3. A hearing on the proposal to annex the territory described in Exhibit A to the North Summit Mosquito Abatement District shall be held on September 1, 2004 at the Summit County Courthouse, Coalville, Utah, in the Summit County Commission Chambers at 6:00 p.m. to consider the annexation of the proposed territory to the North Summit Mosquito Abatement District. At the public hearing or within thirty (30) days thereafter, protests against the annexation of the territory proposed for annexation to the District, protests against the furnishing of any specified types of extended services within the area

proposed for annexation to the District, either orally or by signed writing by any interested persons, will be entertained. For the purpose of determining the validity of any protest, voter registration records of the County will be conclusive evidence of residency within the District or the territory proposed for annexation to the District. In addition, property owners owning taxable property in the area proposed for annexation to the District according to the last assessment role for County taxes completed prior to July 19, 2004 shall be considered property owners for purposes of protest to the annexation of the territory proposed for annexation to the District. A corporation owning property in the area proposed for annexation may file a protest by submitting a protest signed by an officer or authorized agent of the corporation.

Any person or corporation may withdraw a protest or cancel the withdrawal of a protest by filing a signed withdrawal or cancellation of withdrawal within thirty (30) days after September 1, 2004 or thirty (30) days from the conclusion of the hearing if the hearing is continued. The County Clerk shall mail notice to each of the property owners in the Territory Proposed for Annexation no later than August 2, 2004.

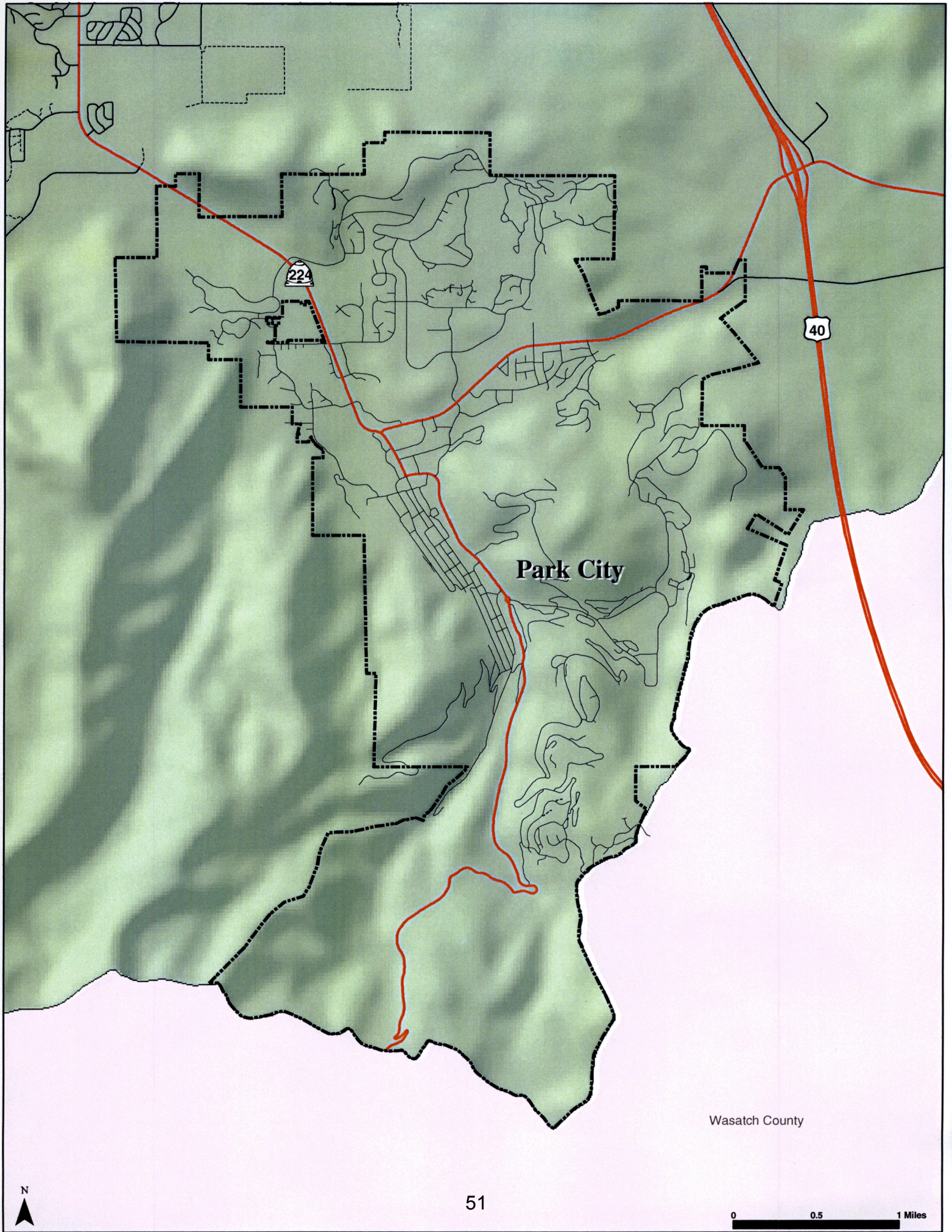
4. If the Board of Commissioners of Summit County and the Board of Trustees of the North Summit Mosquito Abatement District determine after the public hearing that the territory proposed for annexation to the District or any part thereof should be annexed to the District and will receive services from the District, the Commission and the Board may adopt an ordinance annexing the territory proposed for annexation or any part thereof to the North Summit Mosquito Abatement District.

DATED this _____ day of _____, 2004.

ATTEST:

PARK CITY COUNCIL
SUMMIT COUNTY, UTAH

City Recorder



224

40

Park City

Wasatch County



51

0 0.5 1 Miles

City Council Staff Report

Author: Mark Harrington, City Attorney
Subject: Art in the Park Ordinance Changes
Date: July 1, 2004
Type of Item: Work Session -Legislative



LEGAL DEPARTMENT

Summary Recommendations:

Conduct a work session discussion on the citizen request to amend the Art in the Park Ordinance to allow clothing items to be sold.

Description:

Topic:

Art exhibit space in the public park north of the Library.

Background:

This matter was previously discussed before City Council on July 31, 2003, September 25, 2003, March 1, 2004, and April 15, 2004. As a result of direction from the Council, primarily former Council member Peg Bodell, and input from artist Stephen Cornelius, staff drafted and the Council adopted an ordinance with a broad definition of art allowed in the Art in the Park area, but excluding articles of clothing.

In the 6/17/04 Manager's Report, the Council received a copy of a letter from a textile artist who wished to display hand-woven articles of clothing (attached). Council member Marianne Cone requested consideration of the request and specifically suggested amending the Art in Park Ordinance by removing the last phrase in the Art definition, which excluded clothing, as shown below:

(1) "Art" means original works of fine art, graphic art and aesthetic objects produced by the Artist. It shall not include (1) any artwork produced by any person other than the Artist displaying the artwork; or (2) any artwork purchased or taken on consignment and held for resale; ~~or (3) any clothing.~~

Analysis:

Due to constitutional and other concerns, staff started with a very broad definition of art, that was later refined to mirror Salt Lake City's, and then again to read as currently written in the ordinance as a result of the public hearing process. The existing definition is attributed to a legitimate concern about assuring the quality and success of the event, but more importantly to allow and guarantee the free expression as intended by the original ordinance that is inextricably a part of art exhibition, but not other commercial products. Art enjoys a measure of constitutional protection due to its link with free speech, but it is necessary to have some definition

of art to avoid a complete commercial free for all that is inconsistent with providing a forum for artistic expression and its ancillary sales. The art community agreed to essentially self-police the standards in the final compromise, and staff is fearful that if the Council reacts to the first request to change the ordinance before completion of the event's first month of the test period, it may open the door to additional requests, including even other ancillary issues such as music and food vending. However, since staff originally suggested a broad definition, staff does not object to returning to an "allow everything approach."

However, Staff remains concerned about the City's role in defining what is and is not art, and staff does not want the discussion to create new problems or an expectation that the City will be taking the lead in enforcing the definition. This simply will not be a staff priority unless so directed by City Council. Additional staff resources will likely be needed during Summer months if Council wants the City to actively enforce the definition of art. The Council agreed to conduct a limited test season and then evaluate the program. Staff would prefer at this point that the Council stick with the ordinance as written. Should the Council decide to allow clothing, the Council should be prepared to allow pretty much any original creation, because clothing was excluded due to concerns that related to the fact of its primary function/utility, differentiating it (and other original crafts) from original artworks. Once that line is crossed, there will be little to distinguish such items from any original creation and getting the City in the business of trying to refine such distinctions will likely raise other constitutional issues and endless dialogue we wanted to avoid in the first place.

Department Review:

Legal, the City Manager and Special Events have reviewed this matter.

Alternatives:

Approve the Request:

Direct staff to prepare and amendment to the ordinance and return for action. Staff would likely be able to return for Council action on the ordinance at the July 22, 2004 meeting.

Deny the Request:

List this as an issue to include in the post-test season evaluation, but do not change the ordinance. **This is the recommended action.**

Continue the Item:

Provide direction regarding what change in implementation the Council would like to achieve.

Significant Impacts:

Staff and interested parties have focused on a positive and proactive approach to address this issue. After the fact changes now, at the request of an artist (Heidi Smith)

who chose not to participate in the four other public hearings/discussions of this matter, may undermine the fragile compromise. At best, opening the process back up will probably result in further requests to amend the ordinance, or at worst, continue to raise other legal/management issues that will continue to detract from the actual event, and keep the focus on city oversight of the issue, instead of working to move past the conflict and build positive support for the event. Staff suggests that consideration of any changes be put off until the end of the test season.

Consequences of not taking the recommended action:

Staff does not think the amendment will create an overload in number of artists, but as discussed above, the amendment will likely open the door the other requests and create an on-going dialogue, rather than the agreed upon test.

Recommendation:

Conduct a work session and provide direction to staff. Staff does not recommend changing the ordinance at this time.

6/3/04

Park City Mayor and Council
Address
Park City, UT 84060

RE: Waiver of Public Art Policy

Dear Ladies and Gentlemen:

I am requesting a waiver to the restriction against display of textiles at the public art display and sale on the north lawn of the Park City Library building. I am a local textile artist (weaver, knitter, spinner, felter dyer, etc.) and use clothing as my canvas for my art work. Often, this is a canvas that I create from locally produced agricultural products: wool, mohair, alpaca and llama.

I appreciate the fact that your intention was not to discriminate against fiber artists but to prevent this assembly from being perceived as a flea market. I could not agree with you more! I fully intend to display my garments and accessories in a tasteful and artistic fashion and will gladly make it clear to all who ask that the pieces on display were handcrafted by myself. No two are ever alike. I hope that this will alleviate some of your concerns about this great new program you are proposing that will serve to support local artists and offer another event in Park City to draw and delight guests and locals.

In closing, I would like to thank you for this opportunity and promise to do all that I can to support your goals and vision, as well as display my art work in a professional and pleasing manner.

Thank you in advance for your attention to this matter. I hope to hear a favorable reply.

Sincerely,

Heidi J. Smith,
Fiber Artist

EXCEPT FROM BOARD INTERVIEW PACKET

MEMORANDUM

To: The Honorable Mayor/Members of City Council

From: Jan Scott and Sharon Bauman
City Manager's Office

Subject: Board of Adjustment, Planning Commission and Library Board
Interviews – Thursday, July 1, 2004

This packet contains applications in order of interview times. The worksheets, created for each board, may be helpful in looking at the overall dynamic and continuity of the group. For reference purposes, there is also information on the creation and duties of each advisory board.

Historic Preservation Board interviews will be scheduled on July 22 and Recreation Advisory Board interviews on July 29. Planning Commission appointments appear on the July 22 agenda.

PLANNING COMMISSION, BOARD OF ADJUSTMENT AND LIBRARY BOARD INTERVIEWS - THURSDAY, JULY 1, 2004 - CITY COUNCIL CHAMBERS

	Time	Page Nos.
Board of Adjustment		
Powers and duties		
Gordon Strachan	out-of-town	
Ruth Gezelius	11:30 a.m.	
Tom Oliver	11:45 a.m.	
Dr. David Hull	12:00 p.m.	
Brooke Hontz	12:15 p.m.	
Gill Blonsley	12:30 p.m.	
Ginny Schulman	12:45 p.m.	
Worksheet		
Closed session and lunch	1:00 p.m.	3:00 p.m.
Executive Conference Room		

Planning Commission and Library Board

Powers and duties – Planning Commission

Powers and duties – Library Board

Andrew Volkman, Planning Commission	3:30 p.m.
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Frank Normile, Library Board	3:45 p.m.
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Tom Oliver, Planning Commission	4:00 p.m.
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Patricia Clark, Library Board	4:15 p.m.
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Jack Thomas, Planning Commission	4:30 p.m.
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Kevin King, Planning Commission	4:45 p.m.
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Michael O'Hara, Planning Commission	5:00 p.m.
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Tom Hurd, Planning Commission	5:15 p.m.
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Peter Knauers, Planning Commission	5:30 p.m.
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Worksheet – Planning Commission

Worksheet – Library Board

CITY COUNCIL STAFF REPORT

Date: July 1, 2004
Department: Planning Department
Title: 3605 Oak Wood Drive
Type of Item: Administrative Lot Combination Plat

Recommendation: Staff recommends that the Planning Commission review the proposed lot combination, conduct a public hearing and consider forwarding a positive recommendation to the City Council according to the findings of fact, conclusions of law and conditions of approval as outlined in this staff report.

Project

Applicant: Thomas and Candace Decker
Location: 3605 Oak Wood Drive
Zoning: Residential Development (RD-MPD)
Adjacent Land Uses: Residential
Date of Application: February 26, 2004
Project Planner: Kevin LoPiccolo

Background

The applicants own Lot 64 and half of Lot 63 of the Oaks Subdivision at Deer Valley. The 1½ Lots are currently vacant with a proposal of building a single-family dwelling at a future date. The applicant is requesting a lot combination to combine all of Lot 64 and ½ of Lot 63 into one lot of record. The applicant purchased ½ of Lot 63 without pursuing a subdivision through Park City Municipal Corporation. The property is located in the RD-MPD, Residential Development District-Master Planned Development.

The Planning Commission reviewed this application request and forwarded a positive recommendation to the City Council at their June 23, 2004 meeting.

Analysis

Section 15-2.13-6(A) of the Land Management Code requires that floor areas for combined lots within the RD zone not exceed 150% of the house size allowed. The Oaks Subdivision allows a maximum house square footage of 7,500 square feet on a single lot. Since the applicant is combining one-half lot to a full lot of record, staff is calculating the increase of the proposed house size at 125%, half of what would be allowed if it were a full two-lot combination. The maximum square footage allowed based on 15-2.13-6(A) of the LMC is 11,250. The allowable square footage with 1½ lot combination will be 9,375 square feet. Staff is requesting that the dwelling size, plus an allowance up to 600 square feet for garage be placed as a plat note.

Likewise, Section 15-2.13-6(B) of the LMC requires that setbacks be adjusted proportionally to the increase in the allotted square footage up to a maximum of 150%. Therefore, when the applicant submits plans for a single-family home on the lot, the setbacks will be calculated according to the amount of square footage proposed based

on the lot and a half at 125%. Staff is requesting that the minimum setbacks based on the 125% be placed as a plat note. The proposed setbacks are as follows:

LMC Setback Requirement

Front - 20'

Sides - 12'

Rear - 15'

Lot Combination Setback Requirement

Front - 25'

Sides - 15'

Rear - 18'9"

The plat shows a limit of disturbance line on the upper portion of the Lots. This line will remain in place as previously approved. The Oaks Subdivision limits the amount of irrigation on each lot to 10,000 square feet. Staff is proposing that the amount allowed on the lot be increased proportionally to the increase in square footage up to a maximum of 125% of 10,000, or 12,500 square feet.

Staff has visited the site and reviewed the applicants proposed plans and finds that the lot combination, with conditions, will be compatible with the neighborhood.

Notice

Notice of this hearing was sent to property owners within 300' on June 9, 2004. Staff received a letter (Exhibit B) on April 17, 2004, requesting that the Planning Commission decline this request to combine the 1½ Lots. The adjacent property owner states that there is a mutual understanding that Lot 63 was purchased as an open space lot, and that Lot 63 would not be developed. The applicant contends that there is no agreement to this effect. Whether such an agreement exists between lot owners is a private matter to be resolved between the neighbors and lies outside of the city's jurisdiction to enforce.

Department Review

The Staff Review Committee reviewed this request at their March 26, 2004 meeting. Based on the current Title Report, the applicant does own ½ of Lot 63, but there is no description that outlines any type of agreement that would require Lot 63 to remain as an open space lot. The property owner's will need to address this issue as a separate private matter. As conditioned, the proposed plat amendment meets all necessary Land Management Code and Subdivision requirements. The remaining ½ of Lot 63 is not separately developable unless legally combined with the adjacent lot. The city does not object to the proposed lot combination provided that the applicant complies with the lot combination requirements.

Recommendation

Staff recommends that the City Council approve the proposed 1½ Lot combination, according to the findings of fact, conclusions of law and conditions of approval as outlined in attached ordinance.

EXHIBITS

Exhibit A - Proposed Plat Amendment

Exhibit B - Adjacent property owner's letter

Exhibit C - Draft Ordinance

Ordinance No. 04-

AN ORDINANCE APPROVING THE PLAT AMENDMENT TO COMBINE ALL OF LOT 64 AND ½ OF LOT 63 OF THE OAKS AT DEER VALLEY SUBDIVISION INTO ONE LOT OF RECORD LOCATED AT 3605 OAK WOOD DRIVE, PARK CITY, UTAH

WHEREAS, the owners, Thomas Decker and Candace Decker, of the property at 3605 Oak Wood Drive, Park City, Utah have petitioned the City Council for approval for an amendment to the Oaks at Deer Valley Subdivision; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and state law; and

WHEREAS, on June 23, 2004, the Planning Commission held a public hearing to receive public input on the proposed amendment to the Snyder=s Addition and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, a financial guarantee for all public improvements is necessary to ensure completion of these improvements and to protect the public from liability and physical harm if these improvements are not completed by the developer or owner.

WHEREAS, the proposed amendment to the Oaks at Deer Valley Subdivision allows the owners to combine all of Lot 64 and ½ of Lot 63 of the Oaks at Deer Valley Subdivision into one lot of record;

WHEREAS, it is in the best interest of Park City, Utah to approve the amended Record of Survey;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS OF FACT. The above recitals are hereby incorporated as findings of fact.

1. The property is located in the Residential Development Master Planned Development (RD-MPD) zone.
2. The Planning Commission forwarded a positive recommendation to the City Council at their June 23, 2004 meeting.
3. The RD-MPD District is a residential zone characterized by large contemporary single-family homes.
4. This plat amendment will combine lot 64 and ½ of lot 63 of the Oaks Subdivision into one lot of record.
5. There are no existing structures on the property.
6. The construction of a single-family home in the RD-MPD zone is an approved use.

7. The maximum square footage for a single-family dwelling within the Oaks Subdivision is 7,500 square feet.
 8. Section 15-2.13-6(A) of the Land Management Code allows an owner within a Master Planned Development to combine lots with a designated maximum house size and receive 150% of the maximum size allotted to the lots. Since the applicant is combining 1½ Lots into one lot, staff will use 125% of the maximum size allotted to the lots.
 9. The maximum building size for 1½ Lot combination is 9,375 square feet.
 10. The property owner has requested an increase in the allowable square footage on the lot up to 9,375 square feet.
 11. LMC Section 15-2.13-6(B) requires that the minimum setbacks for homes on combined lots increase in proportion to the increase in house size.
 12. There is a limit of disturbance line traversing both lots.
 13. No changes to the limit of disturbance line are proposed as part of this application.
 14. The Oaks at Deer Valley plat requires that no more than 10,000 square feet of each lot be irrigated.
 15. The amount allowed on the lot may be increased proportionally to the increase in square footage up to a maximum of 125% of the portion of lot 63.
- The remaining half of Lot 63 is a remnant lot and is not separately developable.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned subdivision plat and that neither the public nor any person will be materially injured by the proposed subdivision plat.

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 3. RECORD OF SURVEY. The subdivision plat, known as 3605 Oak Wood Drive, the Oaks at Deer Valley Subdivision, is hereby approved as shown on Exhibit A, with the following conditions:

1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. A note shall be added to the plat stating that a single-family home may be constructed on the combined 1½ lots with a maximum square footage of 9,375 square feet.
3. A note shall be added to the plat stating that setbacks for the home will be calculated in proportion to the increase in the square footage of the home at 125% of the required minimum setbacks, namely front 25', sides 15' and rear 18'9".
4. The existing platted Limits of Disturbance lines on the property shall remain

unchanged.

5. All existing easements on the property shall remain unchanged.
6. The remaining remnant portion of Lot 63 is not separately developable.
7. A note shall be added to the plat stating that the maximum irrigable area on the property shall not exceed 12,500 square feet.
8. No building permits shall be issued prior to the final recordation of the plat at the County Recorder's Office.

The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 1st day of July 2004.



City Council Staff Report

Planning

Author: Kirsten Whetstone
Subject: Stag Lodge Amendment to Record of Survey
Date: July 1, 2004
Type of Item: Legislative

SUMMARY RECOMMENDATION: Conduct a public hearing, consider public input, and approve the record of survey amendments to the Stag Lodge Condominiums Phases I and II.

Topic

Applicant:	Stag Lodge Homeowner's Association
Applicant's Representative:	Brent Glissmeyer, General Manager
Project Address:	8200 Royal Street East
Zoning:	Residential Development as part of the Deer Valley Master Planned Development (RD-MPD)
Adjacent Land Uses	Residential, Ski runs

Background

Various additions and alterations have been made to certain existing units at Stag Lodge, including the physical combination of Units 3 and 4 and of Units 25 and 26. The walls between units are classified as Common areas. Consistent with the Condominium Ownership Act, these Common areas must be designated on the plat as Private areas if the area is to be incorporated within a private unit. An amendment to the record of survey plat is required to correctly reflect this as-built situation.

In May of 2004, the City Council approved various amendments to the Stag Lodge Record of Survey plat. The applicant is now requesting these remaining additional revisions that have recently come to the attention of the Homeowner's Association. The HOA submitted this application to address the as built unit combinations and to amend the plat approved by the City Council on May 20, 2004, prior to recordation of the final mylars.

The HOA is requesting amendments to the existing condominium record of survey plat for Phases I and II, in order to reflect the existing combination of Units 3 and 4 and of Units 25 and 26. (See Exhibit A).

Analysis

The floor area of each new unit will increase by the area enclosed by the common wall between the combined units (approximately 40 sf on each of two floors). This additional square footage does not create a demand for new parking. The amendment does not change the amount of open space on the site, as the additional area is currently within

the existing building walls. There are no easement or setback issues related to this request. The construction to combine these units has already occurred.

Department Review

The interdepartmental review team has reviewed this project. The City Engineer and City Attorney will review the final plat as to form and compliance with State law and the Land Management Code prior to recordation.

Notice

The property was posted and notice was mailed to property owners within 300 feet. No public input has been received by the time of this report.

ALTERNATIVES

- The City Council may approve the amendments with the conditions stated, or modify the conditions, or
- The City Council may deny the amendments and direct staff to prepare findings supporting this recommendation, or
- The City Council may continue the discussion to a later date.

SIGNIFICANT IMPACTS

There are no significant fiscal or environmental impacts from this amended Record of Survey.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION

A decision to not amend the Record of Survey plat will result in as built units that are not in conformance with the recorded plat.

RECOMMENDATION

The staff recommends the Council conduct a public hearing, consider any input, and approve the amended record of survey plats for Stag Lodge Condominiums I and II, based on the findings of fact, conclusions of law and conditions of approval as stated in the attached Ordinance.

EXHIBITS

Exhibit A – Stag Lodge Condominiums record of survey plat phases I and II (amended sheets only)

Ordinance No.

AN ORDINANCE APPROVING AN AMENDED RECORD OF SURVEY FOR STAG LODGE CONDOMINIUMS PHASES I and II, LOCATED AT 8200 ROYAL STREET EAST, PARK CITY, UTAH.

WHEREAS, the Homeowner's Association of the property located at 8200 Royal Street East have petitioned the City Council for approval of an amended Record of Survey plat; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, on May 12, 2004, the Planning Commission held a public hearing and voted to forward to City Council a positive recommendation on the amended plat.

WHEREAS, On July 1, 2004, the City Council held a public hearing and approved the proposed record of survey plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the record of survey plat.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. APPROVAL. The Record of Survey plat as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact

- 4 The condominium project known as the Stag Lodge Phases One through Four is located at 8200 Royal Street East and is zoned RD-MPD. The original Stag Lodge Condominium plat was recorded on March 4, 1985. An amended record of survey plat was recorded on January 17, 2003.
- 5 The common walls between units are classified as Common area. The common walls between Units 3 and 4 and between Units 25 and 26 have been removed. The applicant desires to amend the record of survey plats to reflect the as built condition and to convert the common area between Units 3 and 4 and between Units 25 and 26 to Private ownership.
- 6 Consistent with the Condominium Ownership Act, Staff has prohibited any conversions to private ownership of these Common areas, without an amendment to the record of survey.
- 7 The proposed amended record of survey changes the type of ownership of approximately 40 square feet on each of two floors from common to private

ownership.

- 8 Consent of 66.66% or more of the Unit Owners for this record of survey amendment is required and has been obtained. The Stag Lodge HOA President has confirmed the required unit owner consent in a letter to PCMC dated June 9, 2004.
- 9 This application is to amend sheet 2 (of 6) of Phase One, sheets 2 and 3 (of 5) of Phase Two of the Stag Lodge Record of Survey.
- 10 The expansion of the Private areas will add approximately 80 square feet to each affected unit.
- 11 The additional square footage does not create a demand for new parking and the amount of open space is not decreased.

Conclusions of Law

- 1 There is good cause for this amended record of survey.
- 2 The amended record of survey is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
- 3 Neither the public nor any person will be materially injured by the proposed amended record of survey.
- 4 Approval of the amended record of survey, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval

1. The City Attorney and City Engineer will review and approve the final form and content of the amended record of survey for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the amended record of survey plats at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat amendment will be void.
3. All other conditions of approval of the Stag Lodge Condominiums Phases I and II continue to apply.

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

PASSED AND ADOPTED this 1st day of July 2004.

City Council Staff Report



Author: Brooks T. Robinson
Subject: Hotel Park City, Amendment to
Condominium Record of Survey
Date: July 1, 2004
Type of Item: Legislative

Summary Recommendations:

The Planning Department recommends the City Council open the public hearing, take any public comment, and consider approval of the Amendment to the Record of Survey for Hotel Park City as conditioned or amended.

Applicant	HPC Development L.C.
Location	2001 Park Avenue
Zoning	Recreational Commercial as part of a Master Planned Development (RC-MPD)
Adjacent Land Uses	Park City Municipal Golf Course, Thaynes Canyon residential
Reason for Review	Condominium Record of Surveys require Planning Commission review and City Council approval.

Background

On June 6, 2002, the City Council approved a Record of Survey for Hotel Park City. On March 29, 2004, the City received an amended record of survey application. This amended record of survey reflects the construction of the spa and minor adjustments in the commercial space within the hotel.

Analysis

The proposed plat is consistent with the previous Master Planned Development and Conditional Use approvals. The Yurt is mistakenly shown on the plat as a separate unit. This is a temporary structure and will be deleted from the plat.

Department Review

This project has gone through an interdepartmental review. No additional issues have been raised.

Notice

The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also put in the Park Record. No public input has been received by the time of this report.

Alternatives

- The Planning Commission may forward a positive recommendation to the City Council with the conditions stated, or modify the conditions, or
- The Planning Commission may forward a negative recommendation and direct staff to prepare findings supporting this recommendation, or
- The Planning Commission may continue the discussion to a later date.

Significant Impacts

There are no significant fiscal or environmental impacts from this amended Record of Survey.

Consequences Of Not Taking The Recommended Action

The plat would be out of conformance with the built condition.

Recommendation

The staff recommends that the Planning Commission conduct a public hearing, consider any input, and forward a positive recommendation to the City Council for the amended Record of Survey based on the following findings of fact, conclusions of law and conditions of approval, outlined in the Ordinance.

EXHIBITS

Exhibit A - Record of Survey (under separate cover - 29 pages)

Ordinance No. 04-05

**AN ORDINANCE APPROVING AN AMENDED RECORD OF SURVEY
CONDOMINIUM PLAT FOR HOTEL PARK CITY, 2001 PARK AVENUE, PARK CITY,
UTAH.**

**WHEREAS, the owners of the property known as the Hotel Park City, located at
2001 Park Avenue, have petitioned the City Council for approval of
an amended record of survey condominium plat; and**

WHEREAS, the property was properly noticed and posted according to the
requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on June 9, 2004, to
receive input on the amended record of survey condominium plat;

WHEREAS, the Planning Commission, on June 9, 2004, forwarded a positive
recommendation to the City Council for amended record of survey condominium plat;
and,

WHEREAS, on July 1, 2004 the City Council approved the amended record of
survey condominium plat; and

**WHEREAS, it is in the best interest of Park City, Utah to approve the amended
record of survey condominium plat.**

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as
follows:

SECTION 1. APPROVAL. The amended record of survey condominium plat as
shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions
of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 2001 Park Avenue and is zoned Recreation Commercial with Master Planned Development (RC-MPD).
2. The condominium amends the commercial units for the spa and hotel spaces.
3. All parking is common to all owners, including the golf pro shop.
4. A subdivision approved by the Park City Council on August 9, 2001 created a single lot. A Record of Survey was approved on June 6, 2002.
5. Condominiums are an allowed use in the RC zone.

Conclusions of Law:

1. There is good cause for this Record of Survey.

2. The Amended Record of Survey is consistent with the Master Plan Development Agreement, Park City Land Management Code, the General Plan and applicable State law regarding condominium plats.
3. Neither the public nor any person will be materially injured by the proposed Amended Record of Survey
4. Approval of the Amended Record of Survey, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The Conditions of Approval for the Hotel Park City Master Plan Approval (Island Outpost), as amended, remain in full force and effect.
2. The temporary yurt is not to be shown on the plat.
3. The City Attorney and City Engineer will review and approve the final form and content of the Record of Survey for compliance with State law, the Land Management Code, and the conditions of approval prior to recordation of the plat.
4. The applicant will record the Record of Survey at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.

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

PASSED AND ADOPTED this 1st day of July, 2004.

City Council Staff Report



Author: Pace Erickson, Lane Jensen

Title: Operations Manager, Bldg. Maintenance Supervisor

Subject: Building Maintenance Cleaning Contract

Date: July 1, 2004

Type of Item: Administrative

PUBLIC WORKS

SUMMARY RECOMMENDATIONS: Authorize staff to enter into a three (3) year contract renewable annually in a form approved by the City Attorney's office with Resort Commercial Property Management for janitorial services in the amount not to exceed \$88,900.00 per year.

DESCRIPTION:

Topic: Janitorial services and cleaning of thirteen (13) City buildings.

Background: Park City has been using contract services since the early 90's to assist full time staff in meeting the level of service expected for each city facility. As more buildings and areas of responsibility were added, rather than add staff, contract labor was increased to handle the additional workload.

The Advantages of Outsourcing:

- Outsourcing can be less costly.
- Ability to utilize the contractor's staff and resources as workload dictates.
- Requires less direct supervision.

The areas currently maintained by the City's building maintenance staff have not been included in the cleaning contract. The Library, Marsac offices and the Museum are examples of these areas.

Analysis: Staff advertised for a request for proposals in the Park Record on April 3 and 7, 2004 and in the Salt Lake Tribune on April 4 and 7, 2004. We received five (5) proposals. The janitorial company will clean thirteen City buildings (approximately 90,550 sq.ft.) on varying days and times. The contract includes but is not limited to:

- Cleaning restrooms;
- Sweeping, mopping, and vacuuming floors;
- Emptying trash and removing to dumpsters;
- Cleaning entry doors and glass;
- Emptying cigarette containers;
- Restocking paper and soap products;

- Cleaning and disinfecting water fountains, sinks and work surfaces.

Buildings to be cleaned under the contract are:

Marsac building	Education Center
Recreation building	Miners Hospital Community Center
Racquet Club	Parks and Golf building
Public Works building	South End Park Restrooms (summer season)
Spiro Water building	North 40-High School Fields (summer season)
Farm shed	Miners Plaza and Swede Alley restrooms
Transit Center	

Department Review:

The Public Works selection committee has reviewed proposals. Sufficient funding is earmarked in the Building Maintenance budget in account 11-40091-4520.

The criteria used for this recommendation are:

- The variety, creativity and scope of the services to be offered to the City.
- The proposed charges/fees to be paid to the contractor.
- The demonstrated professional experience of the contractor, including any prior experience with Park City.
- The demonstrated financial responsibility and business viability of the contractor and their ability to commit to a three-year contract.
- The general attitude, ability and apparent willingness of the contractor to tenant, to cooperate and fulfill the City's requirements.
- Overall content of proposal.
- Past customer service history.
- Acceptance of Park City service agreement.

The selection committee ranked the proposals using the criteria detailed above (see table below). It is important to note that proposal price was not the sole determinant of the selection committee's ranking and that the top ranked proposal is \$2,530 (annual cost) above the lowest cost proposal. The committee believes this cost differential is insignificant when all other criteria are considered and recommends City Council authorize Staff to contract with Resort Commercial Property Management.

Company	Monthly Charge	Yearly Charge	Committee Ranking
Resort Commercial Property Management	\$7,408	\$88,900	1
Mister Propre Cleaning Solutions, Inc.	\$7,197	\$86,370	2
Park City Cleaning Services	\$7,850	\$94,200	3
Vanguard	\$8,150	\$97,800	4
Sanitors Services	\$13,350	\$160,200	5

ALTERNATIVES:

- **Approve the Request:** Authorize staff to enter into a three (3) year contract renewable annually in a form approved by the City Attorney's office with Resort Commercial Property Management for janitorial services in the amount not to exceed \$88,900.00 per year. **(Staff recommended)**

City Council Staff Report



Author: Gary Hill
Subject: EXTENSION OF THE MAIN STREET RDA
(Creation of the Taxing Entity Committee)
Date: July 1, 2004
Type of Item: Legislative

Budget, Debt, and Grants

Summary Recommendations: In order to begin the process to extend the Main Street Redevelopment Agency (RDA) project area, Council should do the following:

- (1) Convene the Park City Redevelopment Agency and adopt a resolution calling for the creation of a taxing entity committee, and authorizing staff to give notice and set the time and place of the Committee's first meeting; and
- (2) Appoint two individuals to represent Park City on the Taxing Entity Committee.

Description:

Topic:

Extension of the Main Street RDA and creation of the RDA Taxing Entity Committee

Background:

When the City Manager's recommended budget was presented to Council on May 6th, the Capital Improvement Program (CIP) included several projects collectively referred to as Downtown Enhancement projects. The projects, which ranged from the expansion of the Swede Alley Parking Structure to the reconstruction of Prospect Avenue, were intended not only to beautify and improve Old Town, but also to promote economic development in the City and surrounding area.

In order to finance these projects and leverage available funding sources for other projects Citywide, staff recommended that the Main Street RDA project area, which is currently scheduled to expire in FY 2007, be extended by 15 years. The extension would generate approximately \$8.5 million and would be the primary funding source for the Town Plaza, Parking Structure, and Prospect Avenue projects.

The FY 2005 budget adopted on June 17, 2004 included these projects with the RDA extension as the recommended funding source. In order to fund these (and other) City projects as budgeted, staff has begun the process of RDA extension.

Analysis:

The extension of the RDA must be approved by the taxing entities affected by the RDA, namely Park City Municipal, Summit County, the Park City School District, the Park City Fire District, and the Weber Basin Water Conservancy District. Representatives from each of these organizations, as well as a representative from the State Board of Education would form a Taxing Entity Committee (TEC). The composition of the TEC is as follows:

<u>Organization</u>	<u>Representatives</u>
Park City Municipal Corporation	2
Summit County	2
Park City School District	2
State Board of Education	1
<u>Park City Fire/Weber Water</u>	<u>1</u>
Total	8

Each of the affected taxing entities (including Park City) will need to appoint a representative to the TEC. In the case of the City and County, this should be done by a resolution of the legislative body. Attached to this staff report is a resolution appointing two representatives for Park City. State code does not indicate who should represent the City, but staff recommends that Council appoint the City Manager and a liaison from City Council to serve as Park City's representatives. Jim Hier would be a logical liaison choice as he is the Council liaison for the Interagency Task Force and the of Old Town Improvements.

In order to convene the TEC, the RDA Board (i.e. City Council) should pass a resolution creating a taxing entity committee for the purpose of approving changes to the Main Street RDA project area. This resolution (attached) would also provide for a notice of the creation of the TEC to be given to each taxing entity. Upon notification, the entities would have 30 days to appoint representatives and provide the City with the name and address of each representative.

Once the names have been received, the City would convene a meeting of the TEC to consider a resolution permitting the extension of the sunset of payment of tax increment and other related matters. The meeting would be subject to open meeting laws and the required public notice identifying the time, place, and agenda would need to be given. Five members of the TEC constitute a quorum, and a simple majority vote of those in attendance is sufficient for the extension of the RDA.

Upon approval of extension of the RDA, the City may proceed with financing plans without having to reconvene the TEC. Staff anticipates meeting with the TEC at the end of July/beginning of August in order to move forward with the anticipated capital projects.

Department Review:

Budget, Debt, and Grants; City Manager; Legal

Alternatives:

Approve the Request:

Council should approve the request by doing the following:

- (1) Convene the Park City Redevelopment Agency and adopt a resolution calling for the creation of a taxing entity committee, and authorizing staff to give notice and set the time and place of the Committee's first meeting; and
- (2) Appoint two individuals to represent Park City on the Taxing Entity Committee.

Deny the Request:

Council could deny the request and allow the Main Street RDA project area to expire in FY 2007. This would require the City to reprioritize the CIP and/or seek alternative funding sources for the City's capital improvements (see Consequences below).

Continue the Item:

Council could continue the item until another date. The next Council meeting is July 22nd. Because each of the taxing entities will have up to 30 days to appoint its TEC representatives, a vote on an RDA extension could be delayed until late August. Staff does not recommend this approach as timing for these projects is contingent upon approval of the extended project area.

Do Nothing:

Council could do nothing. This would have the same impact as denying the request.

Significant Impacts:

An extension of the Main Street RDA project area would have a negligible fiscal impact on the City as no new administrative requirements would be imposed. If the TEC approves the extension, the RDA would continue to operate as it has up to this point.

Consequences of not taking the recommended action:

If Council decides not to pursue the extension of the RDA (or if the extension is not approved by the TEC), several of the City's CIP projects would need to be reprioritized in order to meet available funding. It is likely that without funding from the extended RDA, a few of the projects approved this year would need to be postponed until sufficient funds could be identified or abandoned altogether.

Recommendation:

Staff recommends that City Council begin the process to extend the Main Street Redevelopment Agency (RDA) project area by doing the following:

- (1) Convene the Park City Redevelopment Agency and adopt a resolution calling for the creation of a taxing entity committee, and authorizing staff to give notice and set the time and place of the Committee's first meeting; and**

(2) Appoint two individuals to represent Park City on the Taxing Entity Committee.

Attachments:

- 1 - RDA Resolution creating the TEC and setting forth a time and location for a meeting
- 2 - City Council Resolution appointing representatives to the Taxing Entity Committee

- **Deny the Request:** Hire additional staff to perform the work in-house at a cost of \$105,000 per year. **(Staff does not recommend this option)**
- **Continue the Item:** Reject all proposals and direct staff to issue a new request. **(Staff does not recommend this option)**

SIGNIFICANT IMPACTS: There is currently \$90,000.00 in account 11-40091-4520 allocated for contract cleaning of City facilities. Delaying the contract is not recommended. If delayed, greater impacts on staff will result.

RECOMMENDATION: Authorize staff to enter into a three (3) year contract, renewable annually in a form approved by the City Attorney's office to allow City Staff to review contract and performance of contractor, for building maintenance cleaning with Resort Commercial Property Management for \$88,900.00 for thirteen (13) City buildings.

RESOLUTION NO. ____

A RESOLUTION APPOINTING REPRESENTITIVES TO THE PARK CITY
REDEVELOPMENT AGENCY TAXING ENTITY COMMITTEE.

WHEREAS, the Redevelopment Agency of Park City, Utah (the "Agency") is a redevelopment agency (a public body, corporate and politic) duly created, established and authorized to transact business and exercise its powers, all under and pursuant to the Redevelopment Agencies Act, Title 17B, Chapter 4, Utah Code Annotated 1953, as amended (the "Redevelopment Act"); and

WHEREAS, the Agency receives tax increment revenue from its Main Street/Swede Alley project area as described in Section 17B-4-1003 of the Redevelopment Act; and

WHEREAS, the Agency has determined that it would be in furtherance of its public purposes to extend the time for receipt of such tax increment revenues; and

WHEREAS, Section 17B-4-1002 of the Redevelopment Act permits a Tax Entity Committee to approve extensions of the time for the receipt of tax increment revenues; and

WHEREAS, Section 17B-4-1002 further stipulates that Park City Municipal (the "City") shall have two representatives on the Tax Entity Committee,

NOW, THEREFORE, it is hereby resolved by the City Council of Park City, Utah, as follows:

The City Council hereby appoints City Manager Tom Bakaly and Councilmember Jim Hier as Park City's representatives to the Park City Redevelopment Agency Taxing Entity Committee (the "Committee"), pursuant to Section 17B-4-1002 of the Redevelopment Act.

This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this July 1, 2004.

PARK CITY MUNICIPAL CORPORATION

RESOLUTION NO. RDA _____

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE REDEVELOPMENT AGENCY OF PARK CITY, UTAH CALLING FOR THE CREATION OF A TAX ENTITY COMMITTEE; AUTHORIZING STAFF TO GIVE NOTICE AND SET THE TIME AND PLACE FOR THE COMMITTEE'S FIRST MEETING; AND RELATED MATTERS.

WHEREAS, the Redevelopment Agency of Park City, Utah (the "Agency") is a redevelopment agency (a public body, corporate and politic) duly created, established and authorized to transact business and exercise its powers, all under and pursuant to the Redevelopment Agencies Act, Title 17B, Chapter 4, Utah Code Annotated 1953, as amended (the "Redevelopment Act"); and

WHEREAS, the Agency receives tax increment revenue from its Main Street/Swede Alley project area as described in Section 17B-4-1003 of the Redevelopment Act; and

WHEREAS, the Agency has determined that it would be in furtherance of its public purposes to extend the time for receipt of such tax increment revenues; and

WHEREAS, Section 17B-4-1002 of the Redevelopment Act permits a Tax Entity Committee to approve extensions of the time for the receipt of tax increment revenues.

NOW, THEREFORE, it is hereby resolved by the Board of Directors of the Redevelopment Agency of Park City, Utah, as follows:

Section 1. The Agency hereby calls for the creation of a Tax Entity Committee (the "Committee"), pursuant to Section 17B-4-1002 of the Redevelopment Act.

Section 2. In accordance with the provisions of Section 17B-4-1002 of the Redevelopment Act, the Agency hereby directs its staff to notify the various taxing entities of this call for creation and request each entity (or group of entities, as applicable, for taxing entities other than the County and School District) to appoint members to the Committee, and to set a date and time for the first meeting of the Committee, providing proper notice as required by law, and to take other required actions.

Section 3. This Resolution shall become effective immediately upon its adoption.

APPROVED AND ADOPTED this July 1, 2004.

REDEVELOPMENT AGENCY OF PARK CITY, UTAH

