PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
JULY 1, 2004

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

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Gary Hill, Budget Manager; Patrick Putt, Planning and Zoning Administrator; Eric DeHaan, City Engineer; and Myles Rademan, Public Affairs Director

Board interviews

The City Council interviewed the following for vacancies on the Board of Adjustment: Gordon Strachan, Ruth Gezelius, Tom Oliver, David Hull, Gill Blonsley and Ginny Schulman. The Council convened in closed session and afterward, conducted more board interviews at the conclusion of the work session.

Council questions/comments

Joe Kernan noted he had attended a mediation session and thanked the Legal Department and Lisa Dator of the Mountain Mediation Center.

Marianne Cone reported taking the first bus ride on the new county route. She felt the route was well thought-out. She also attended a dinner with the County Commission and she and Dana had attended lunch with seniors in the county.

Kay Calvert thanked Myles Rademan for arranging the council/manager training. She, too, had attended the County dinner and had engaged in the mosquito discussion.

Mayor Williams also thanked the County for the dinner meeting. He thanked Gary Hill and Steve Jenkins, County Health Director, for their work on the mosquito abatement district. He expressed thanks to Teri Orr and Deer Valley for their work to move the concerts to Deer Valley; it was a wonderful venue and they had a fantastic turnout.

Planning and Zoning Administrator advised the Council that Planning Commission may be ready to take action on the Empire Pass MPD in July. He reported they had taken a field trip and discussed proposed uses for the Ontario Mine Bench as well as the Enchanted Forest area. The Mayor hoped that the Planning Commissioners noted that the Enchanted Forest was an entire area, not just the copse, which was to be protected from development. Regarding the Quinn's Junction study, he reported that the Study Principles had been forwarded to the County for their review and additional information.

Eric DeHaan, City Engineer, presented a "backhoe update": UDOT work at Kimball Junction will be completed by July 4th; Upper Park Avenue is making good progress;

and, the sewer district is undertaking a project on Marsac Avenue. Preparatory work on Sweeney Master Plan, Treasure Hill Phase 2, is underway and dirt is temporarily being stored on the bottom portion of Quitting Time. He stressed guarantees were in place for revegetation and cleanup. He explained that the City's construction ordinance allowed work from 7AM to 8 PM.

Myles Rademan presented citizen survey results to Council and noted the results would be released to the press on Friday. He noted Brenna Hathaway, Communications Assistant, had compiled the results. He reported this was the third survey done in the last year and one-half. Surveys cards were distributed to 15,000 people, via the Citizens Guide and the *Park Record*, and 280 responses were received. Again, 90% of respondents rated the City's provision of services and attitudes as excellent and good; the number of excellent ratings increased from 28% in 2002 to 35% in 2004. In response to questions about how people get their local news, 68% say they get it from a combination of local media outlets, including KPCW and *The Park Record*. Again, about 50% of respondents have not used the City's website and fewer used the City's e-mail newsletter. Although approximately half the responses were from people who do not live in Park City, it pointed out that we function as a region and there are some regional problems. He quoted David Spatafore who said, "In my 15 years of surveying cities and working with local and state governments, I have never seen such a consistently high level of customer satisfaction". He extended a round of congratulations to Council and the Staff.

Mosquito abatement

Gary Hill, Budget, Debt and Grants Manager, and Steve Jenkins, Summit County Health Department, explained the genesis of the proposed annexation of Park City into the North Summit County Mosquito Abatement District. They reported that recent local testing had identified the species that carries West Nile virus both within the City limits and in the surrounding Basin and Silver Creek areas. They briefly discussed budgeting aspects, noting that the County was assuming the cost of abatement this year, and other political subdivision that are annexed into the district would be assessed a property tax beginning January, 2005.

Mr. Hill explained the current estimate for property tax increase would be $3.15 per $100,000 of assessed value for a primary residence and $5.70 per second residence or business. By our calculations, the City would be assessed about $190,000. Of the total assessed value in the district, the City represents about 51% of the assessed value of the district. This information will be provided to residents in their water billings, as well as in Public Service Announcements that will begin airing on the radio to explain the public open house. Staff hopes to generate interest and obtain public input in preparation for any further discussions regarding the annexation. A public open house will be held on July 13th at City Hall in order to gain input from the citizens. Staff requested input from the Council in preparation for the public meeting.

Mr. Hill outlined the proposed timeline for the annexation, noting that the County would like all bodies to adopt the resolution by month end. The Staff report includes several alternatives and he requested comments from Council.

Council members discussed various aspects of the proposed budget; methods of testing and treating the mosquito larva; and, methods of informing the public. They concurred that it needed to be done, however, they wanted to determine the most cost effective method of doing so within the City limits. They wanted further study regarding the feasibility of providing the service with City personnel rather than burdening the County's resources. The City Manager pointed out there was liability associated with getting into this type of business and there were cost benefits of an integrative approach. Council members concurred they needed to review additional information which would be provided by Mr. Jenkins, and they needed to hear from their constituents.

Ordinance No. 04-10 - "Art in the Park"

City Attorney Mark Harrington explained the Staff Report had been prepared in response to Marianne Cone's request to address a citizen request regarding the definition of art and the expansion to include original textiles. He noted the Staff would like to evaluate the program at the end of this test season and cautioned against continuing to make amendments during the test year. Council concurred that the exclusion of clothing could be removed from the Art in the Park Ordinance (i.e., allow the sale of clothing). Mr. Harrington indicated that staff would return on July 22nd with a request for action.

Board interviews

Council conducted interviews with the following for positions on the Planning Commission and the Library Board.

Andrew Volkman, Planning Commission; Frank Normile, Library Board; Tom Oliver, Planning Commission; Patricia Clark, Library Board; Jack Thomas, Planning Commission; Kevin King, Planning Commission; Michael O'Hara, Planning Commission; and Tom Hurd, Planning Commission.

Prepared by Sharon Bauman, Administrative Assistant

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JULY 1, 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, July 1, 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; Gary Hill, Budget, Debt and Grants Manager; Kirsten Whetstone, Planner; Lloyd Evans, Chief of Police; and Pace Erickson, Parks and Street Superintendent.

II COMMUNICATIONS FROM COUNCIL AND STAFF

Joe Kernan thanked Evan Russack, a constituent, who had contacted him to admonish about speeding. Marianne Cone appreciated the installation of a sign at the bottom of Prospect, noting it had stopped people from using their street to avoid being stopped by flagmen.

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

Swearing-in of Police Officers Christopher Wells and Ricardo Franco

Chief Lloyd Evans introduced two new officers who were joining the Public Safety Department, both of whom came from the reserve program. He stated they bring dimension to the Public Safety Department from their past experience and skills. Mayor Williams administered the oath of office.

Dave Schaffner, owner of Flat Rabbit Gallery on Main Street, asked the Council to consider whether the Gallery Association could be attached to the Arts in the Park program for one year to allow a trial period to display goods, as they desire, at least on private property. If they can't be considered along with the Arts in the Park, he asked whether they could be considered for one year under the ordinance that permits outdoor dining on the sidewalks. He asked them to take his request to heart and consider what might be done on a trial basis.

Jim Hier clarified that he was referring to outdoor display of merchandise.

Candace Erickson apologized for not following up after her visit to the gallery; she thought some sort of conclusion had moved forward because she had not seen anything further.

Mr. Schaffner explained there might have been an assumption that Mike Sweeney was gathering options, but he had narrowed his efforts to focus on signing problems. He reported that one person he talked to recently, among numerous people, said the City was going to construct a new parking garage. He was not unappreciative of the proposed new parking garage, however, if people on the street couldn't recognize what was in the stores, it didn't make a bit of difference. He explained his situation was unique because it was set back about five feet as opposed to others that abut the sidewalk property line, providing excellent frontage and visibility.

Mayor Williams asked Mr. Schaffner if he had talked to other gallery owners in an attempt to rally support. He recalled previous conversations wherein Council asked encouraged him to rally the Main Street group to present a plan to Council and strongly urged him to do so. Mr. Schaffner clarified he was just suggesting that they try the two concepts for a year on a trial basis.

Candace Erickson and Jim Hier agreed to look into the concept; however, they would need to discuss it with Planning and Legal. Mr. Schaffner stated he would contact the other galleries, as well as conduct a site study to see if other galleries would be affected.

Manager Tom Bakaly clarified that before returning to Council for policy direction on the display of merchandise on Main Street, the liaisons should meet with the Staff to review possible ramifications. Council members concurred with that course of action.

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

MOTION: Candace Erickson moved to APPROVE the meeting minutes of June 17, 2004 as written. Him Hier seconded the motion which was unanimously approved.

V RESIGNATIONS AND APPOINTMENTS

1. Two appointments to the Library Board for terms expiring June 30, 2007

MOTION: Kay Calvert, "I move to appoint Frank Normile and Patricia Clark to the Library Board for terms expiring June 30, 2007". Marianne Cone seconded the motion. Motion unanimously carried.

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

MOTION: Joe Kernan, "I move to appoint Gordon Strachan as an alternate for a term expiring June 30, 2006, and to appoint Ruth Gezelius, David Hull and Gill Blonsley to terms expiring June 30, 2007". Kay Calvert seconded the motion. Motion unanimously carried.

The Mayor also appointed Jim Barth to be the Planning Commission liaison 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)**

MOTION: Candace Erickson, "I move to CONTINUE the item to July 22, 2004". Marianne Cone seconded the motion. Motion unanimously carried.

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

Planner Kevin LoPiccolo briefly reviewed the staff report and reported that the Planning Commission forwarded a positive recommendation to City Council on June 23, 2004. He explained that the remnant portion of Lot 63 could be combined with Lot 62 for future development. Hearing no input, the public hearing was closed.

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

Planner Kirsten Whetstone explained Council had recently approved an amended record of survey, but Staff had received additional requests to combine Units 3 and 4 into a unit, and to combine Units 25 and 26 into a unit. Hearing no input, the public hearing was closed.

4. Ordinance approving an amended record of survey condominium plat for Hotel Park City, 2001 Park Avenue, Park City, Utah

Planner Kirsten Whetstone explained this was an amendment to the record of survey plat to reflect changes during construction of the spa and minor adjustments to commercial space within the hotel. Hearing no input, the public hearing was closed.

VII CONSENT AGENDA

Council Member Hier requested clarification of the difference from the previous report for janitorial services. Pace Erickson explained that in the previous report staff had inadvertently excluded the Transit Center.

Member Hier stated he did not mind serving as the appointee, along with City Manager Bakaly, on the RDA Taxing Entity Committee, but he didn't believe Council had discussed it.

Mayor Williams stated he did not have a problem appointing Jim Hier to the committee; however, he had a problem receiving late information, on the Consent Agenda, since there is a legislative liaison who should have been contacted before-hand.

Manager Bakaly explained that the type of action being taken was legislative and Staff had suggested Mr. Hier because he is the liaison for Old Town Improvements and the Inter-Agency Task Force. He stressed that it was a suggestion that was made in writing on Monday as part of the meeting packet. He verified that the Mayor would have appreciated contact prior to that. The Mayor stated Council should receive notice before a course of action is included in a report, especially on the Consent Agenda.

Budget, Debt and Grants Manager Gary Hill clarified that it was Staff's intention to provide a recommendation and for Council to discuss it at the meeting. He apologized for the item being placed on the Consent Agenda. Mayor Williams expressed concern that, although the result was fine, the Council should have had an opportunity to discuss and appoint the committee-member.

MOTION: Candace Erickson, "I move to approve Consent Agenda Items 1 through 5". Jim Hier seconded the motion. Motion unanimously carried.

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 - See staff report.

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 – See staff report.

3. Ordinance approving an amended record of survey condominium plat for Hotel Park City, 2001 Park Avenue, Park City, Utah – See staff report.

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 – See staff report

5. Resolution appointing representatives to the Park City Redevelopment Agency Taxing Entity Committee – See staff report

VIII ADJOURNMENT

With no further business, the regular meeting of the City Council was adjourned at 6:40 p.m.

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 1:00 p.m. Members in attendance were Mayor Dana Williams, Kay Calvert, Marianne Cone, Candace Erickson, Jim Hier, and Joe Kernan. Staff present were Tom Bakaly, City Manager; and Mark Harrington, City Attorney. Candace Erickson "I move to close the meeting to discuss personnel and property". Jim Hier seconded. Motion carried unanimously.

The meeting opened at approximately 2:30 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 Sharon Bauman

Sharon Bauman

Sharon Bauman, Administrative Assistant

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
MARCH 1, 1884

PARK CITY 1884

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 Trusties 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.

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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

[illegible]

[illegible] into the United States, but since the initial appearance [illegible] has spread rapidly, and by 2003 was found throughout the entire country

West Nile Virus Origins & Occurrences

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

- 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.

West Nile Fever

- ... headache, and body aches, ... 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

- These symptoms may last several weeks, and neurological effects may be permanent

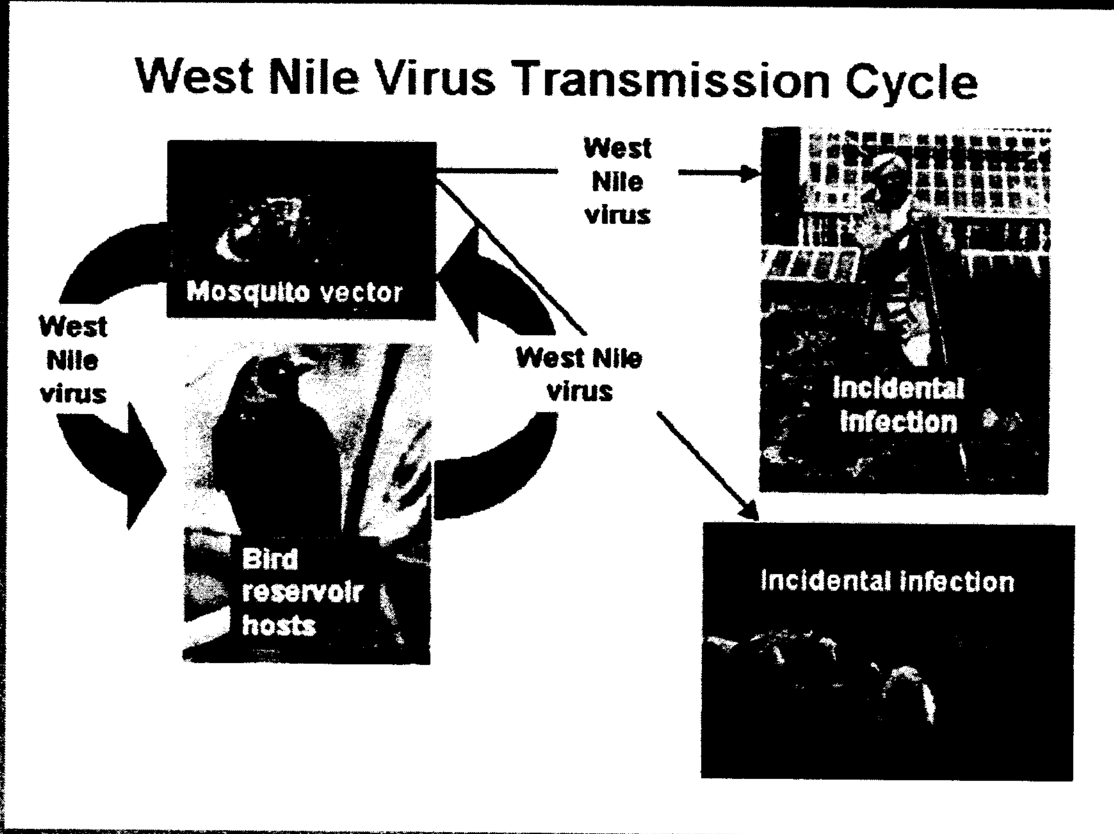
WNV Infection Treatment

[illegible] help with breathing and [illegible] nursing care

How WNV is Spread

[illegible] mosquitoes [illegible] the [illegible] WNV to humans and other animals when they bite.

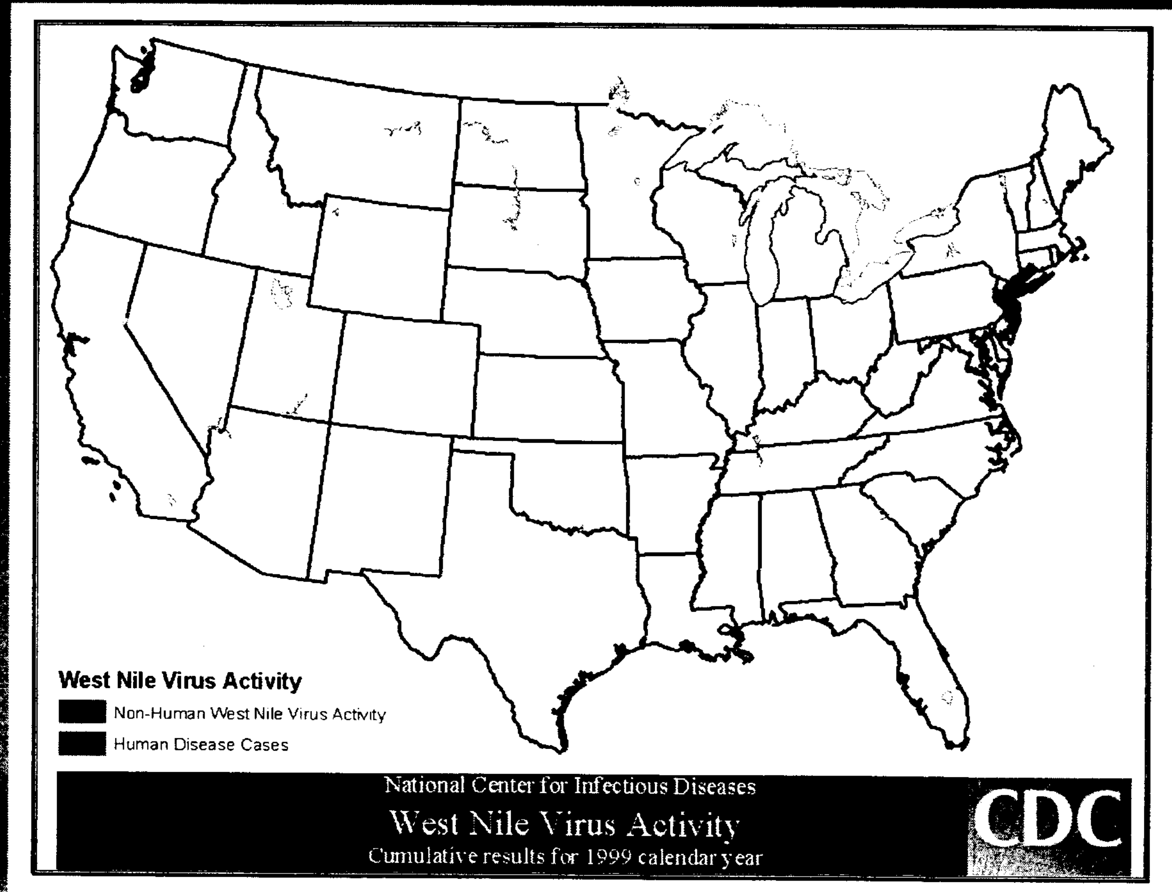
West Nile virus is not spread from person to person.



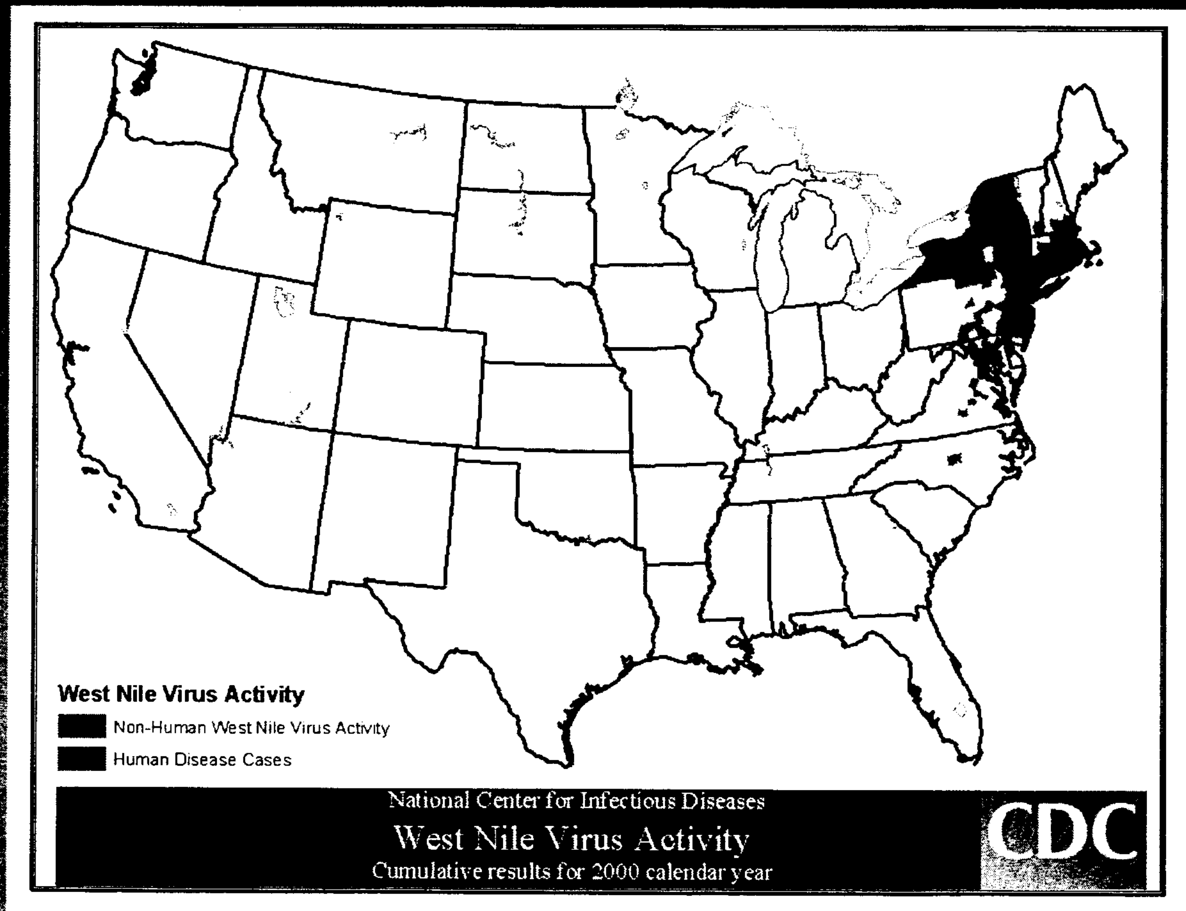
Other Modes of WNV Transmission

- Intrauterine transmission
- Breast milk
- Exposure to infected bird carcasses

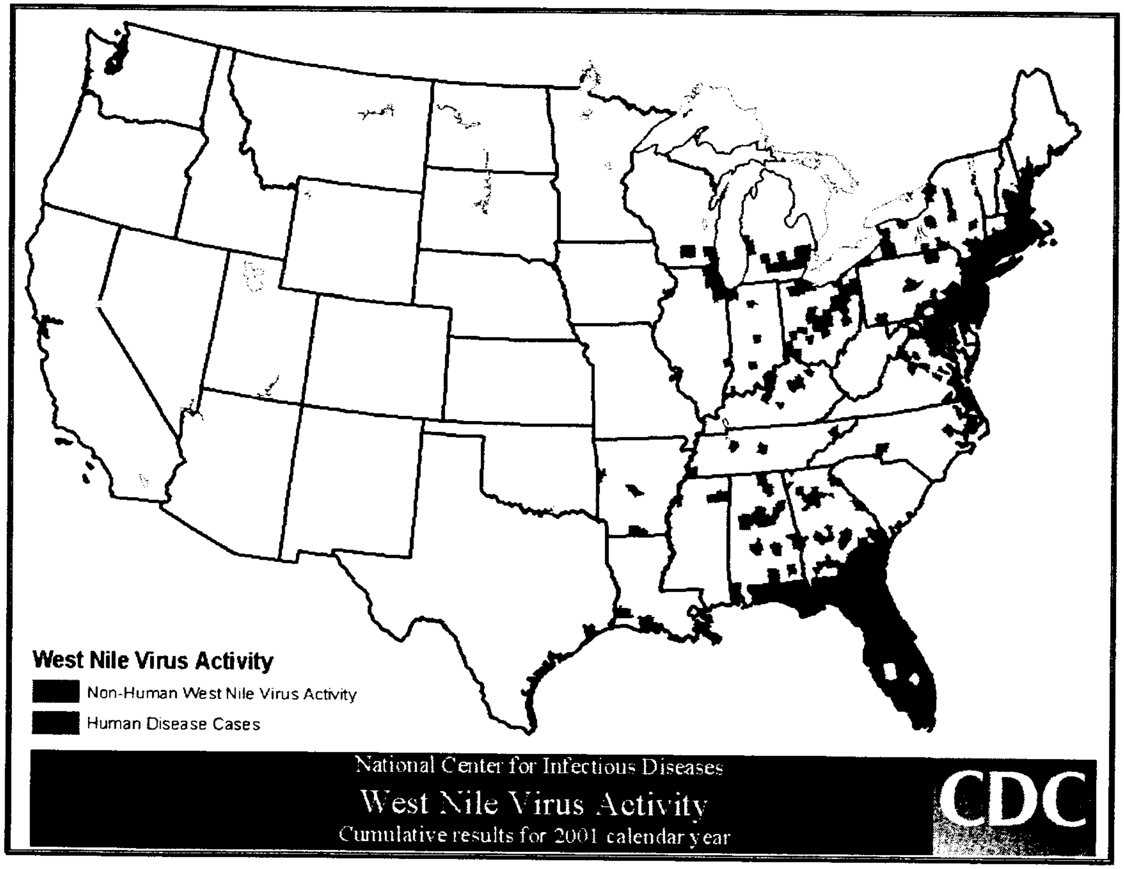
US West Nile Virus Cases, 1999



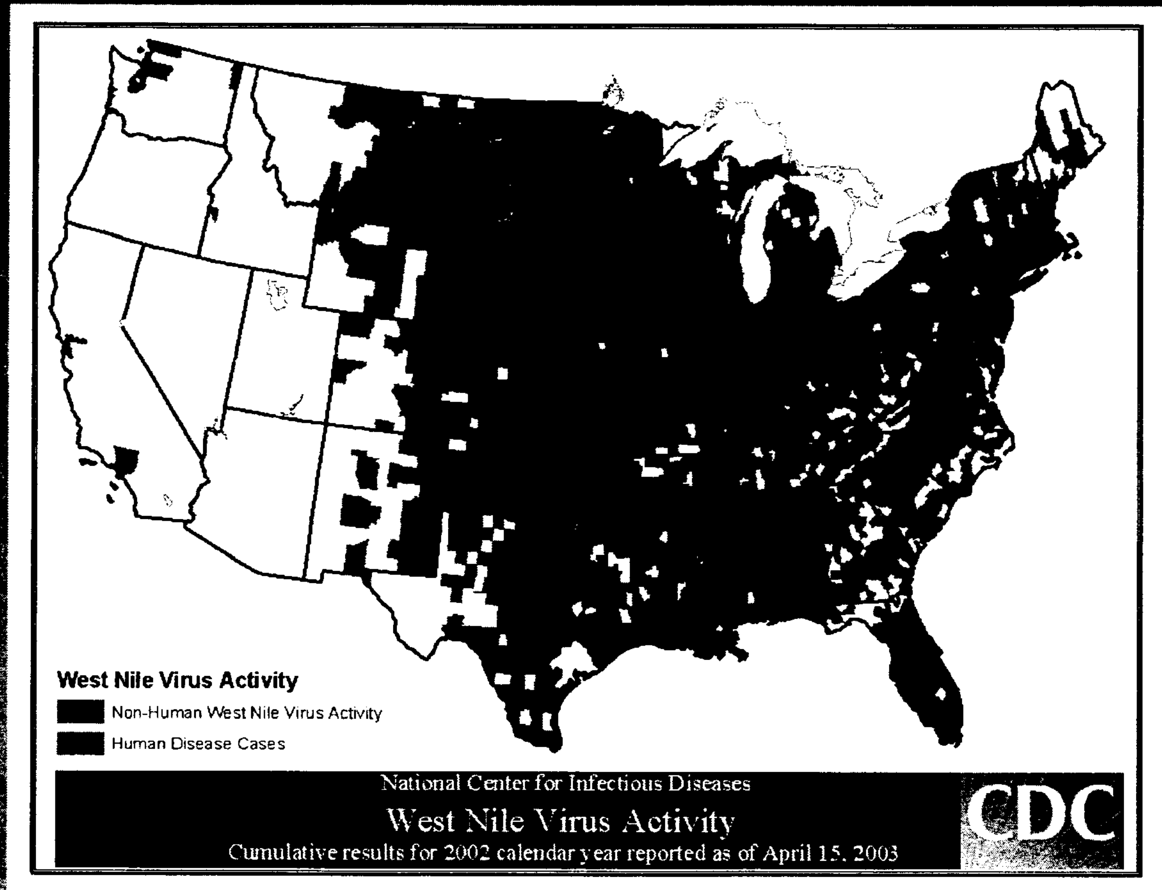
US West Nile Virus Cases, 2000



US West Nile Virus Cases, 2001

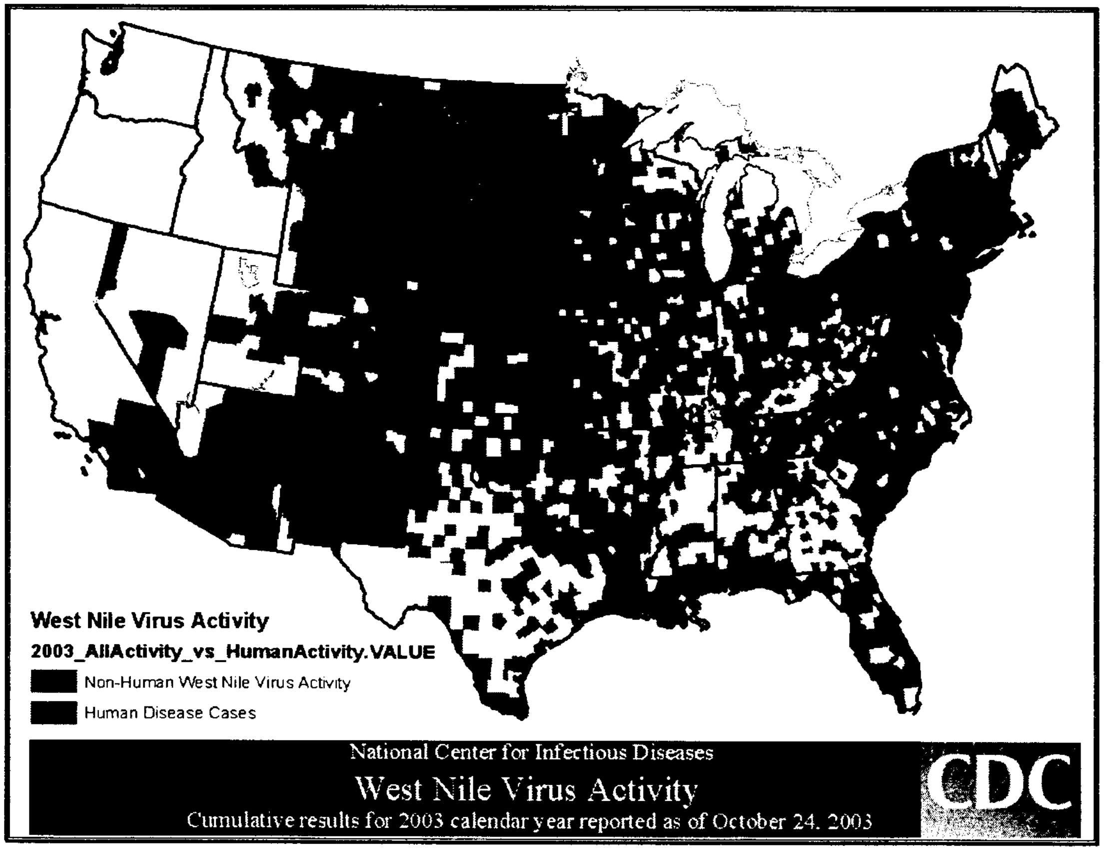


US West Nile Virus Cases, 2002

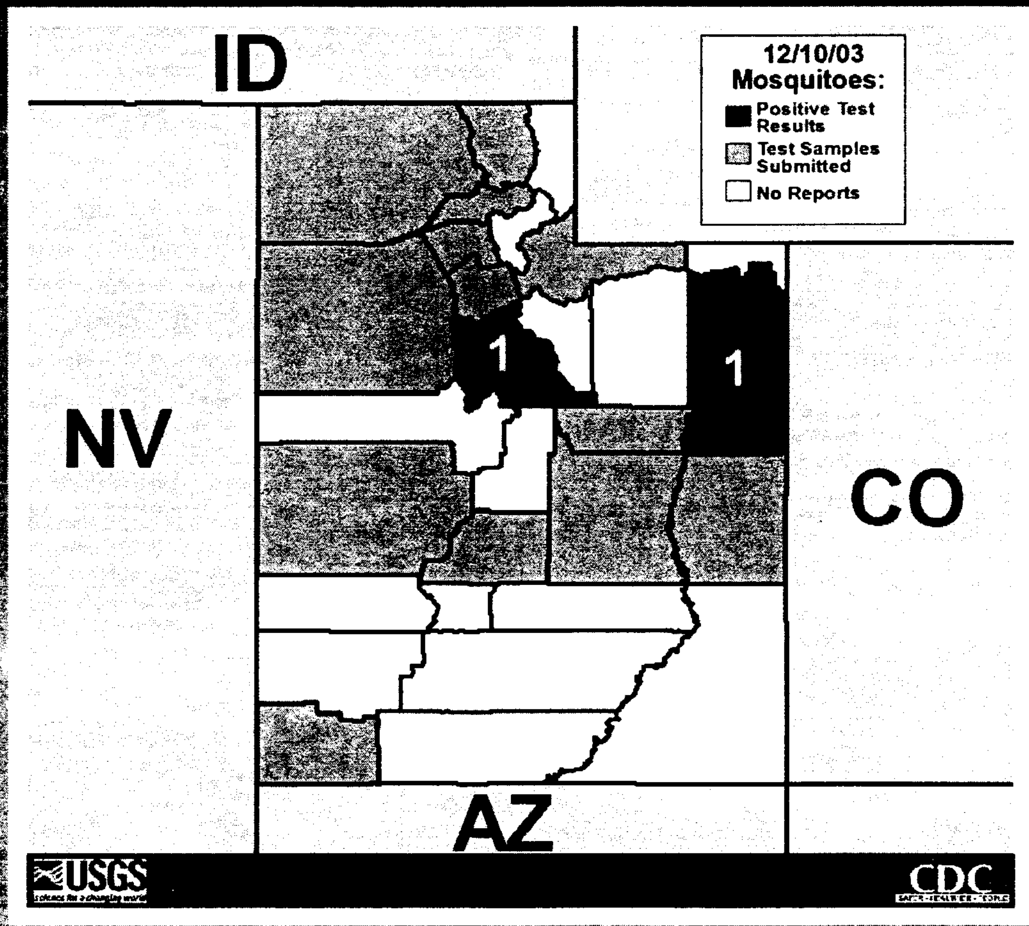


US West Nile Virus Cases, 2003

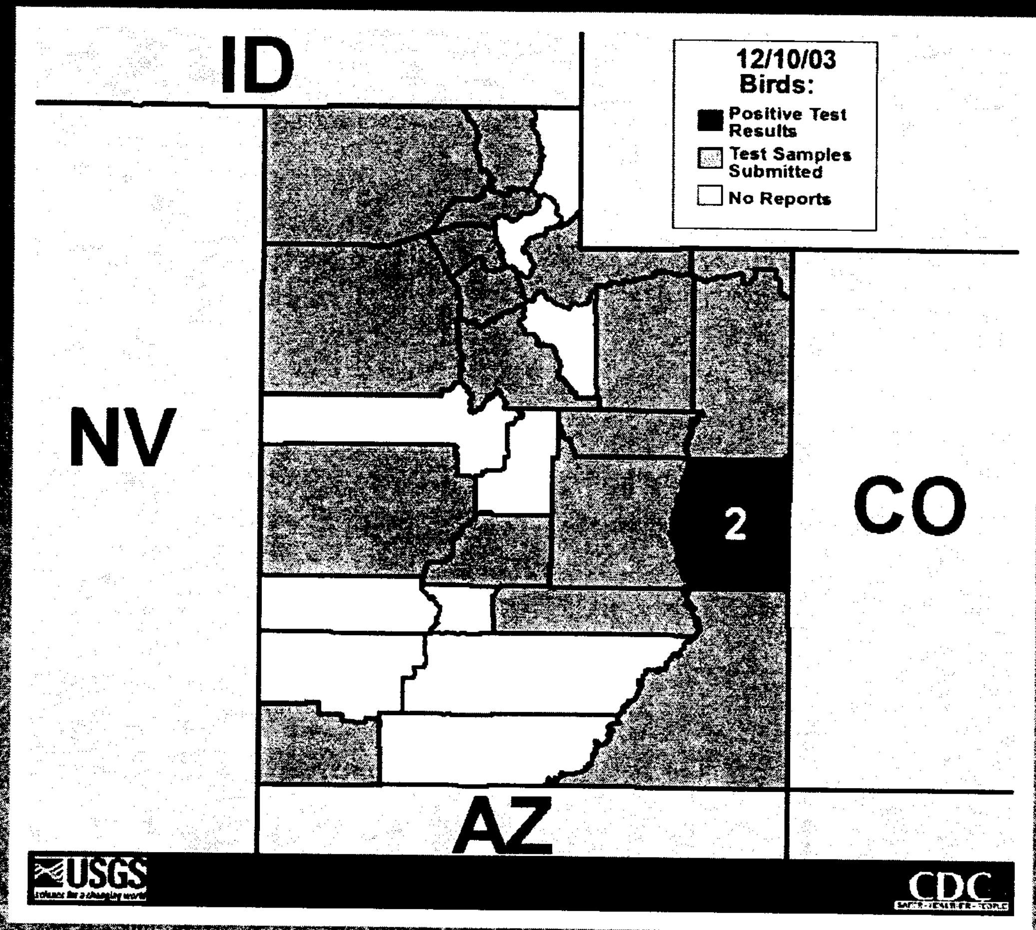
41 States &
D.C.



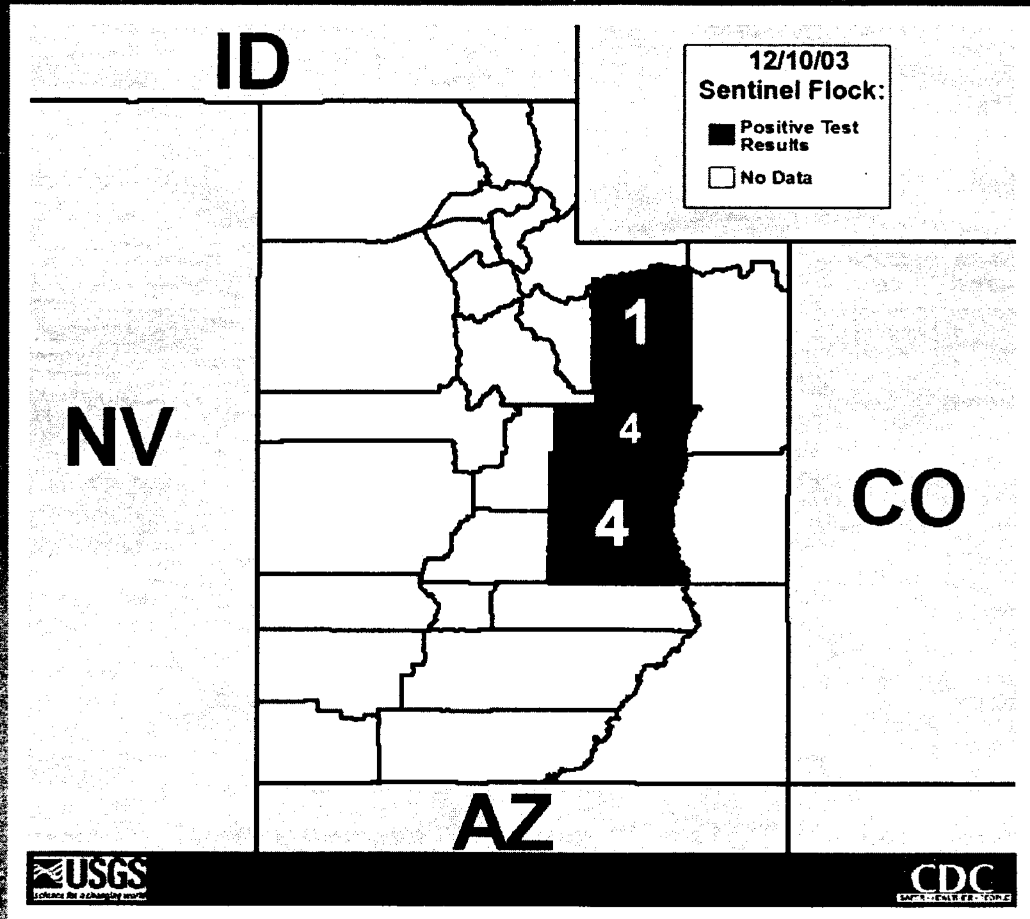
Utah WNV Mosquito Count, 2003



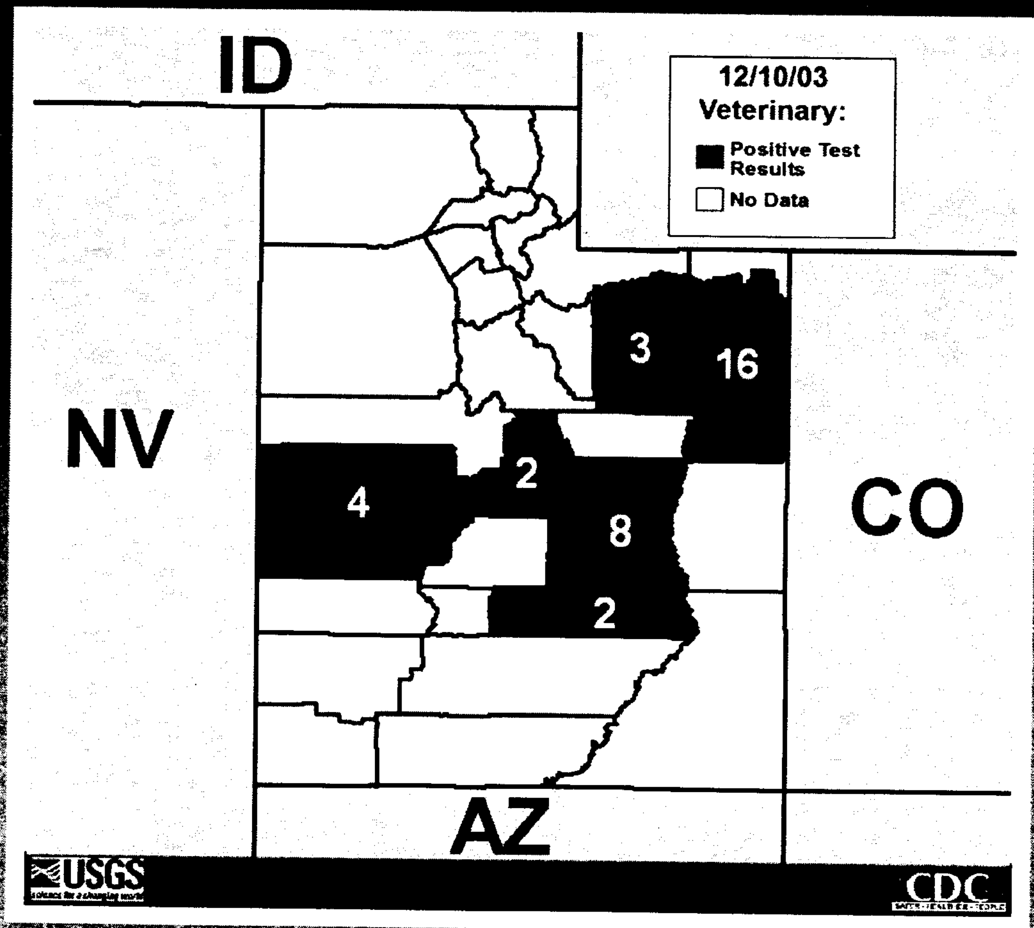
Utah WNV Bird Count, 2003



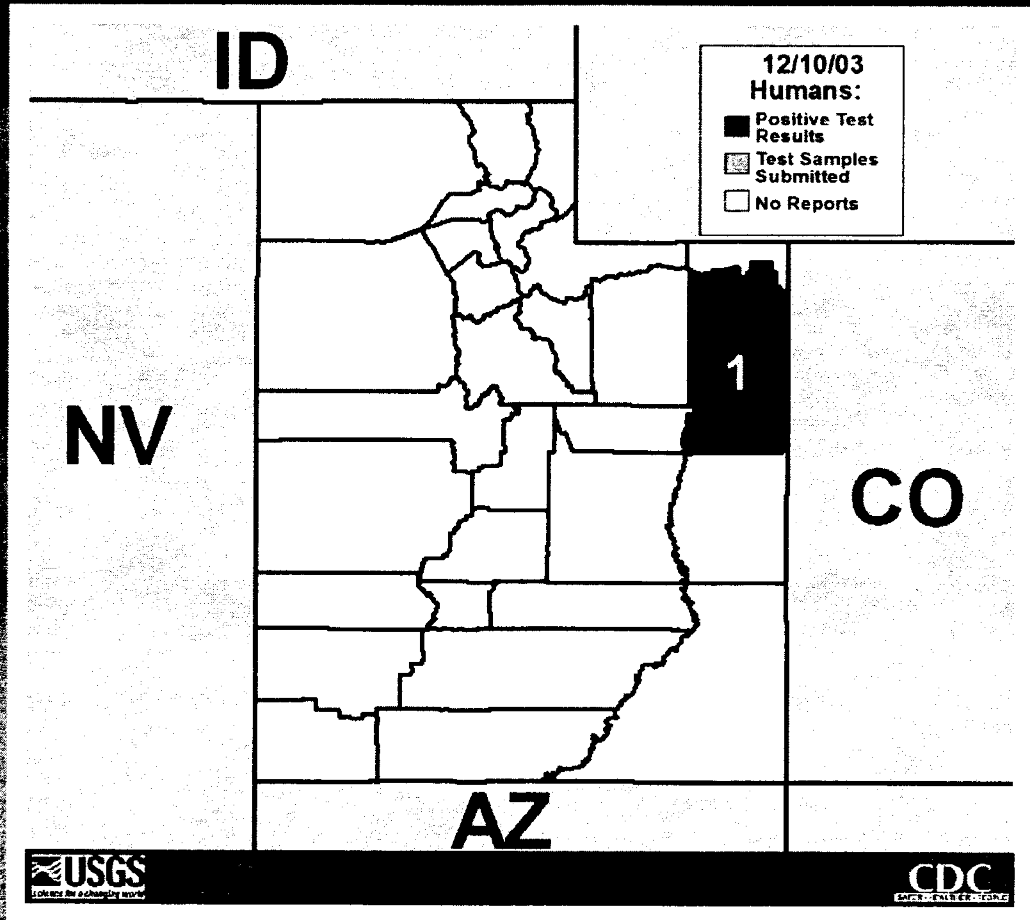
Utah WNV Sentinel Chicken Count, 2003



Utah WNV Horse Count, 2003



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

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

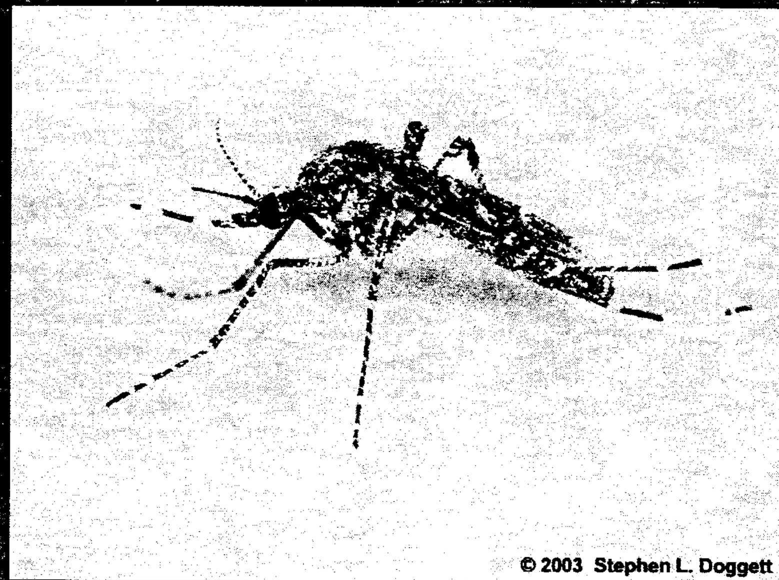
West Nile Virus Prevention

- 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

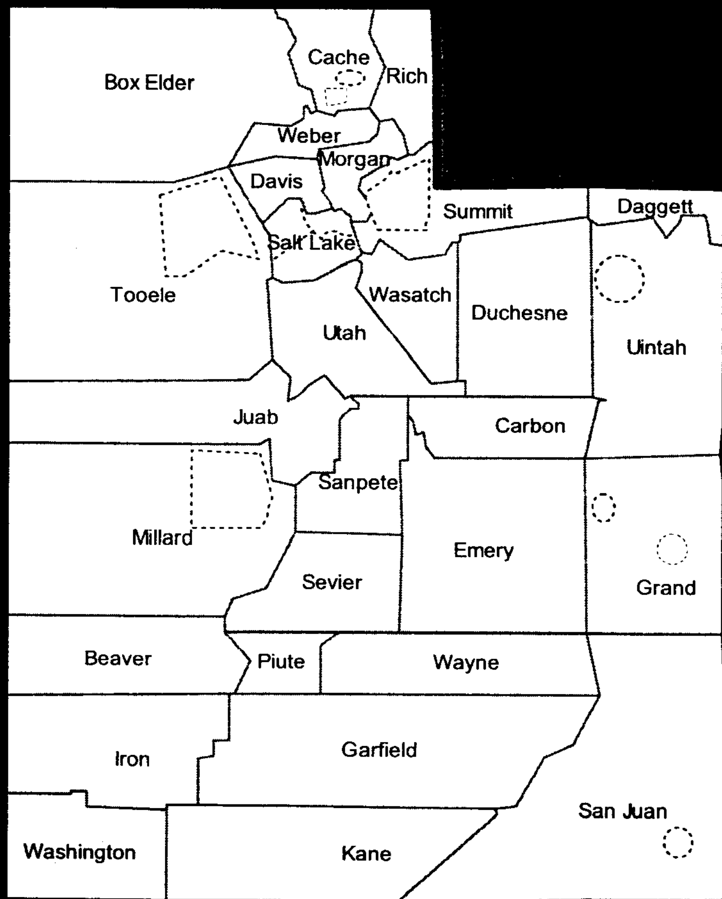
pet bowls, clogged rain gutters, swimming pool covers, discarded tires, buckets, barrels, cans, and other items that collect water in which mosquitoes can lay eggs.

West Nile Virus Prevention



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



but not the whole
county.

Integrated Mosquito Management = Good Mosquito Control

- Larval biological control
- Larval chemical control
- Adult chemical control

Future of West Nile Virus

- 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		
	Electriricty	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;

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.

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

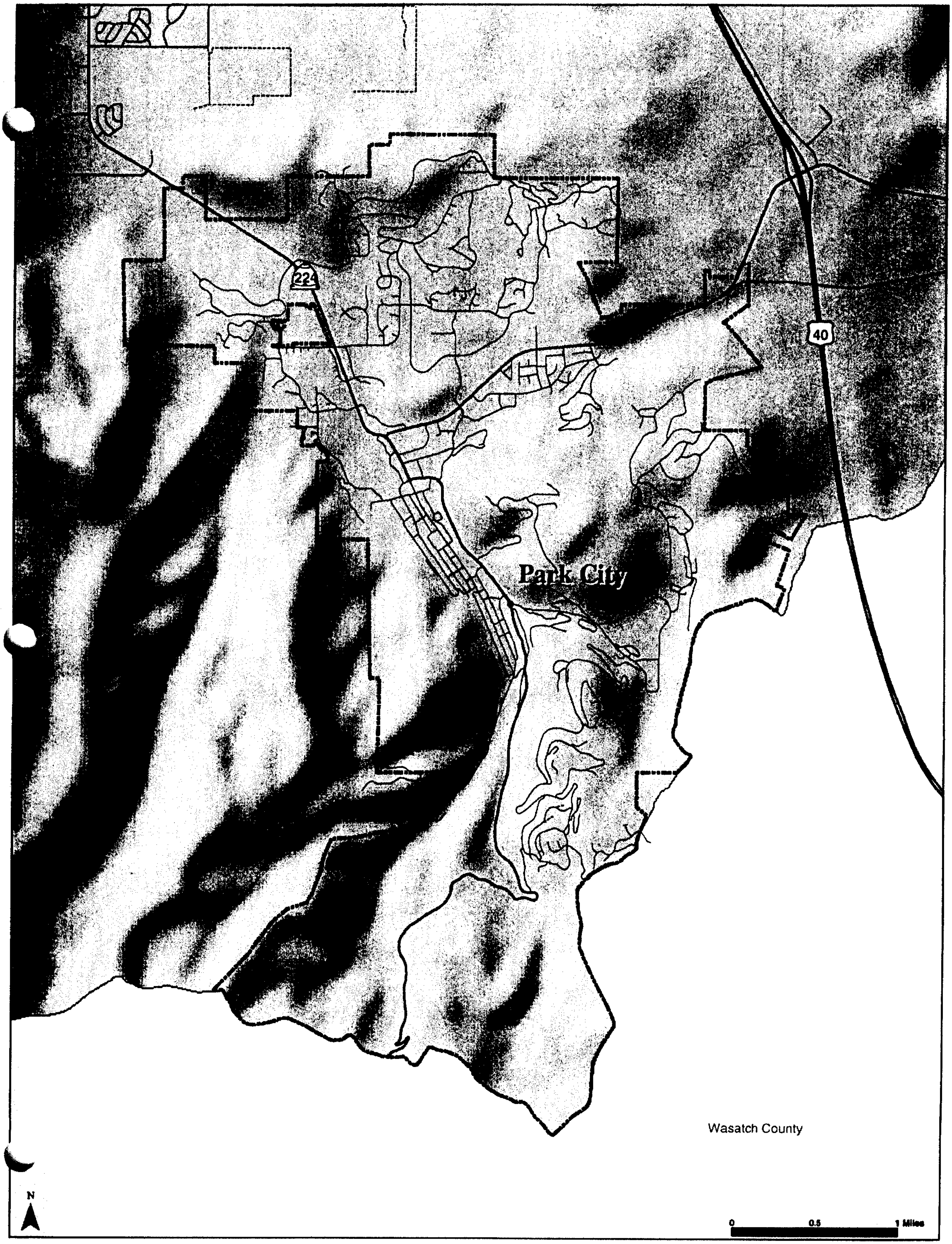
DATED this _____ day of _________, 2004.

ATTEST:

____
City Recorder

PARK CITY COUNCIL
SUMMIT COUNTY, UTAH

____



224
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Park City
Wasatch County
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1 Miles

City Council
Staff Report

PARK CITY 1884
LEGAL DEPARTMENT

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

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. **<u>This is the recommended action.</u>**

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 Executive Conference Room	**1:00 p.m.**	**3:00 p.m.**	

Planning Commission and Library Board

Powers and duties – Planning Commission	
Powers and duties – Library Board	
Andew Volkman, Planning Commission	3:30 p.m.
Frank Normile, Library Board	3:45 p.m.
Tom Oliver, Planning Commission	4:00 p.m.
Patricia Clark, Library Board	4:15 p.m.
Jack Thomas, Planning Commission	4:30 p.m.
Kevin King, Planning Commission	4:45 p.m.
Michael O'Hara, Planning Commission	5:00 p.m.
Tom Hurd, Planning Commission	5:15 p.m.
Peter Knauers, Planning Commission	5:30 p.m.
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	Lot Combination Setback Requirement
Front - 20'	**Front - 25'**
Sides - 12'	Sides - 15'
Rear - 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:

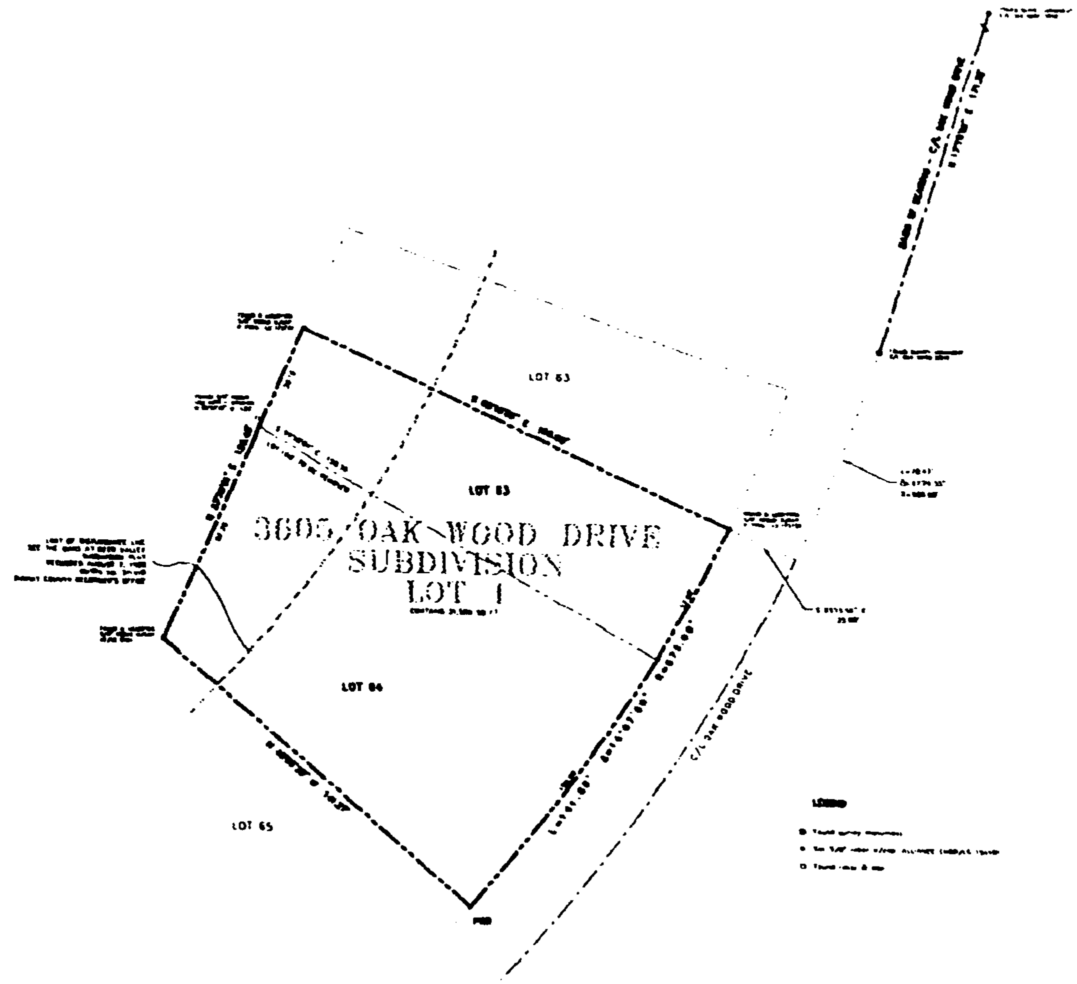
1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. A note shall be added to the plat stating that a single-family home may be constructed 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.



SURVEYOR'S CERTIFICATE

[illegible]

John Demkowicz

Date

LEGAL DESCRIPTION

ALL OF LOT 64 AND A PART OF LOT 63, THE OAKS AT DEER VALLEY, according to the official plat thereof on file and of record in the Summit County Recorder's Office, being more particularly described as follows:

[illegible] ... 101.35 feet) to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

[illegible] 3605 OAK WOOD DRIVE SUBDIVISION [illegible] THOMAS A. DECKER and CANDACE DECKER [illegible]

In witness whereof the undersigned set their hands this _____ day of

_____________ 2004

THOMAS A. DECKER
Owner

CANDACE DECKER
Owner

ACKNOWLEDGEMENT

State of Utah
County of Summit

On this _____ day of _____________, 2004, THOMAS A. DECKER and CANDACE DECKER personally appeared before me, the undersigned Notary Public, [illegible] THOMAS A. DECKER and CANDACE DECKER [illegible] Owner's Dedication and Consent to Record [illegible]

Notary Public

FEB 26 2004

A COMBINATION OF LOT 64 AND PART OF LOT 63, THE OAKS AT DEER VALLEY

3605 OAK WOOD DRIVE SUBDIVISION

LOCATED IN THE SECTION 10
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN

20 0 20 40

	SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT	PLANNING COMMISSION	ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
Alliance Engineering	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS _____ DAY OF _______ 2004 A.D. BY _______ SBSID	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF ________ 2004 A.D. BY ________ CHAIRMAN	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF _______ 2004 A.D. BY _______ PARK CITY ENGINEER	APPROVED AS TO FORM THIS _____ DAY OF _______ 2004 A.D. BY _______ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF _______ 2004 A.D. BY _______ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF _______ 2004 A.D. BY _______ MAYOR	STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _______ DATE ____ TIME ____ BOOK ____ PAGE ____ FEE ____ RECORDER

PARK CITY 1884

Planning

City Council Staff Report

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.

STAGE LODGE PLAT
NOT AVAILABLE

STAGE LODGE PLAT
NOT AVAILABLE

STAGE LODGE PLAT
NOT AVAILABLE

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:

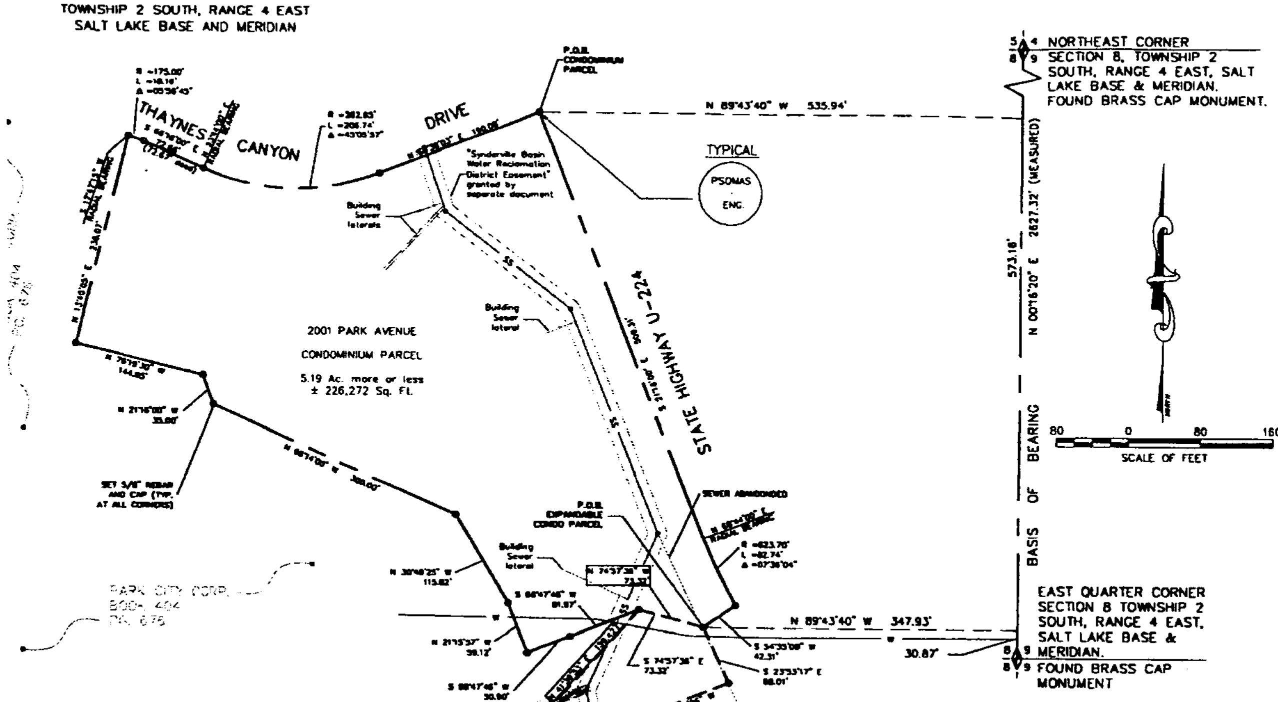
1. The Conditions of Approval for the Hotel Park City Master Plan Approval (Island Outpost), as amended, remain in full force and effect.
2. The temporary yurt is not to be shown on the plat.
3. The City Attorney and City Engineer will review and approve the final form and content of the Record of Survey 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.

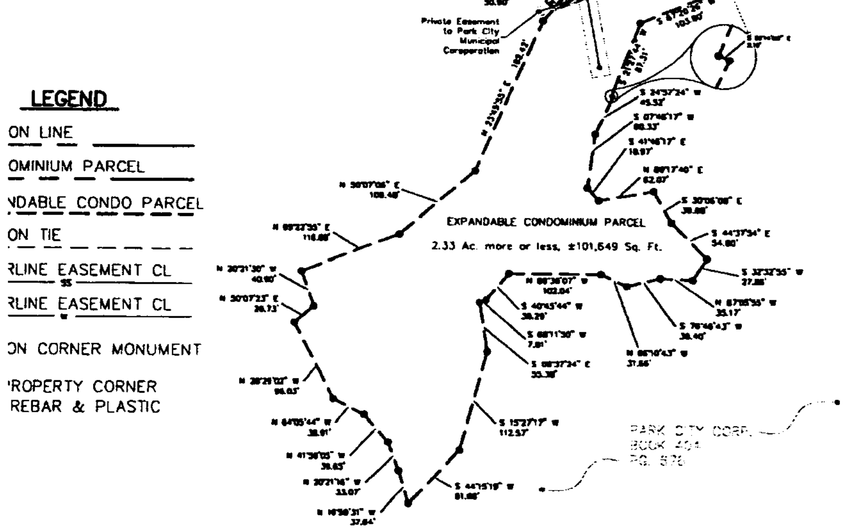
SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

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

RECORD OF SURVEY MAP OF
'EL PARK CITY CONDOMINIUM PROJECT

EAST HALF OF SECTION 8
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN





NOTES:

This Record of Survey Map is being recorded concurrently with an instrument styled "Declaration of Condominium Hotel Park City, an Expandable Condominium Project" (hereinafter referred to as the "Hotel Park City Declaration"). Terms used on this Record of Survey Map which are defined in the Hotel Park City Declaration shall, to the extent permitted by their context, have the meanings ascribed to them in the Hotel Park City Declaration. The rights and obligations of all persons having or acquiring any interest in the development shown hereon are governed by the Hotel Park City Declaration and such persons are referred to the Hotel Park City Declaration for a description thereof. Without limiting the generality of the foregoing, Articles III, XI and XV of the Hotel Park City Declaration describe the status of title and certain reservations and rights in favor of the Declarant (the Owner shown on this Record of Survey Map) and this Record of Survey Map is made subject to such status, such reservations and rights, and all other terms and provisions of the Hotel Park City Declaration. As more fully described in the Hotel Park City Declaration, the General Common Elements are to be maintained by the Association of Owners.

Wall thickness dimensions, as shown, are approximate. This Record of Survey Map was prepared prior to the completion of construction activities and thus many dimensions, as shown, are from the architect's plans. It is likely that some changes occurred during construction. Purchasers of these condominiums are encouraged to confirm the final dimensions prior to purchase.

The Condominium project shown on this Record of Survey Map may include certain Additional Land as described in the Hotel Park City Declaration. The rights of the Declarant to add such Additional Land and to designate such land and any structures to be located thereon as Units or as General or Limited Common Elements are set forth more fully in the Hotel Park City Declaration. Nothing set forth herein or in the Hotel Park City Declaration shall obligate the Declarant to add all or any portion of the Additional Land to the Hotel Park City Condominium Project.

The Condominium Association is responsible for raising sewer manholes to grade per Snyderville Basin Water Reclamation District requirements at the time of pavement resurfacing.

The ownership, maintenance and eventual replacement of the common sewer laterals within the Hotel Park City Condominium Project are the sole responsibility of the Condominium Association.

SURVEYOR'S CERTIFICATE

I, S. Scott Carlson, a Professional Land Surveyor residing in Utah County, Utah, holding License No. 187727 as prescribed by the State of Utah, do hereby certify that I have surveyed the Park City, Summit County, Utah tract of land shown hereon, the boundaries of which are described as shown.

I further certify that the reference markers shown on this Record of Survey Map are located as indicated and are sufficient to retrace or reestablish this Survey, that the information shown herein is sufficient to accurately establish the lateral boundaries [of the] described tract, and of the building located or to be located on said tract, that the information shown herein is sufficient to a[ccurately] establish the horizontal and vertical boundaries of each of the Units located or to be located on said tract, and that this Rec[ord of Survey] Map complies with the provisions of Section 57-8-13(1) of the Utah Condominium Ownership Act, Utah Code Annotated Section[s] through 57-8-36 (Supp. 2001).

PSOMAS

LICENSED PROFESSIONAL LAND SURVEYOR No. 187727 S. SCOTT CARLSON STATE OF UTAH

CONDOMINIUM PARCEL

A parcel of land lying and situate in the East Half of Section 8, Township 2 South, Range 4 East, Salt Lake Base and Meridian, Summit County, Utah. Comprising 5.19 acres out of that particular 7.52 acre parcel of land owned in fee simple by HPC Develo[pment] created by that certain Minor Subdivision Plat known as HOTEL PARK CITY recorded January 21, 2002 as Entry number 610042, Page 1176, of the Summit County Records. Basis of Bearing for subject parcel being North 00°16'20" East 2627.32 feet (measu[red]) East line of said Northeast Quarter Section. Subject parcel being more particularly described as follows:

Beginning at the intersection of the Westerly Right of Way line of State Highway U-224 (U.S. Alt. 40) and the Southerly Right o[f Way of] Thaynes Canyon Drive, said point being located North 00°16'20" East 604.03 feet coincident with the section line and North 89°43'40" West 535.94 feet from the Summit County brass cap monument monumentalizing the East Quarter Corner of s[aid] Thence the following 2 (two) courses coincident with said Highway Right of Way, (1) South 21°16'00" East 509.31 feet to a point Southeasterly 82.74 feet along the arc of a 623.70 foot radius curve to the left (center bears North 68°44'00" East) through a 07°36'04" to a 5/8 inch rebar and plastic cap stamped Psomas; Thence South 54°35'09" West 42.31 feet; Thence North 74°57'36" West 73.32 feet; Thence South 68°47'46" West 81.97 feet; Thence South 68°47'46" West 50.90 feet; Thence North 21°15'57" West 59.12 feet; Thence North 30°48'25" West 115.82 feet; Thence North 66°14'00" West 300.00 feet; Thence North 21°16'00" West 35.00 feet; Thence North 76°19'30" West 144.85 feet; Thence North 13°40'05" East 238.07 feet to arc of a 175.00 foot radius curve and a point on the Southerly Right of Way line of said Thaynes Canyon Drive; Thence the fol[lowing] courses coincident with said Right of Way (1) Easterly 18.16 feet along the arc of said 175.00 foot radius curve to the right (ce[nter bears] 17°47'15" West) through a central angle of 05°56'45" to a point of tangency; (2) South 66°16'00" East 72.66 feet (72.67' deed) curvature; (3) Easterly 206.74 feet along the arc of a 262.65 foot radius curve to the left (center bears North 23°44'00" East) through a central angle of 45°05'57" to a point of tangency; (4) North 68°38'03" East 190.08 feet to th[e] beginning.

EXPANDABLE CONDOMINIUM PARCEL

A parcel of land lying and situate in the East Half of Section 8, Township 2 South, Range 4 East, Salt Lake Base and Meridian, Summit County, Utah. Comprising 2.33 acres out of that particular 7.52 acre parcel of land owned in fee simple by HPC Develo[pment] created by that certain Minor Subdivision Plat known as HOTEL PARK CITY, recorded January 31, 2002, as Entry Number 610042, Page 1176, in the office of the Summit County Recorder. Basis of Bearing for subject parcel being North 00°16'20" East 2627.3[2] along the East line of said Northeast Quarter Section. Subject parcel being more particularly described as follows:

Beginning at a point on the Westerly Right of Way line of State Highway U-224, (US ALT 40), said point being located North 0[0°16'20" East] 30.87 feet coincident with the section line and North 89°43'40" West 347.93 feet from the Summit County brass cap monument [monumentalizing] the East Quarter Corner of said Section 8; Thence South 23°53'17" East 68.01 feet; Thence South 67°20'26" West 103.80 feet; [Thence South] 21°27'44" West 87.31 feet; Thence South 66°14'00" East 2.19 feet; Thence South 24°57'24" West 45.52 feet; Thence South 07°46'17" West 60.33 feet; Thence South 41°46'17" East 18.97 feet; Thence North 80°17'40" East 62.07 feet; Thence South 30°06'09" East 39.88 feet; Thence South 44°37'54" East 54.80 feet; Thence South 32°32'55" West 27.88 feet; Thence North 87°05'55" West 35.17 feet; Thence South 76°46'43" West 38.40 feet; Thence North 66°10'43" West 31.66 feet; Thence North 89°36'07" West 102.04 feet; Thence South 40°45'44" West 38.29 feet; Thence South 68°11'50" West 7.81 feet; Thence South 09°37'24" East 55.38 feet; Thence South 15°27'17" West 112.57 feet; Thence South 44°15'19" West 81.68 feet; Thence North 16°59'31" West 37.64 feet; Thence North 20°21'16" West 33.07 feet; Thence North 41°56'05" West 39.65 feet; Thence North 64°05'44" West 38.91 feet; Thence North 28°29'02" West 96.03 feet; Thence North 50°07'23" East 28.73 feet; Thence North 20°21'30" West 40.90 feet; Thence North 69°22'55" East 116.88 feet; Thence North 50°07'06" East 109.48 feet; Thence North 23°45'55" East 182.42 feet; Thence North 41°39'53" East 159.42 feet; Thence South 74°57'36" East 73.32 feet t[o the] beginning.

OWNER'S DEDICATION

Know all men by these presents that we, the HPC Development, L.C. undersigned owner of the above described tract of land known as,

Hotel Park City Condominium Project, an Expandable Condominium Project

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for public use in accordance with an irrevocable offer of dedication. In witness whereof I have hereunto set my hand this ________ day of ________ A.D., 2004.

By Blake M. Roney It's Manager

MAR 2 9 2

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH
S.S.
COUNTY OF SUMMIT

On this ________ day of ________, 2004, personally appeared before me Blake M. Roney, whose identity is personally know[n to] me/or proved to me on the basis of satisfactory evidence and who by me duly sworn/affirmed), did say that he is the Manage[r of] HPC Development, L.C. by Authority of its Operating agreement, and said Blake M. Roney acknowledged to me that said Limited Liability Company executed the same.

NOTARY PUBLIC

Record of Survey map of
Hotel Park City Condominium Project
2001 Park Avenue
Park City, Utah 84098

PSOM[AS]
2825 East Cottonwood Parkway, Suite 120
Salt Lake City, Utah 84121
(801) 270-5777 (801) 270-5782 (FAX)

PLANNING COMMISSION	CITY ENGINEER	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	CITY ATTORNEY	CITY APPROVAL	RECORDED #
APPROVED THIS ________ DAY OF ________ A.D., 2004 BY THE PARK CITY PLANNING COMMISSION.	I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED BY THIS OFFICE AND IT IS CORRECT AND IN ACCORDANCE WITH INFORMATION ON FILE AND IS HEREBY APPROVED.	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ____ DAY OF ________ 2004 A.D. BY ________ SBWRD	APPROVAL AS TO FORM THIS ________ DAY OF ________ A.D., 2004.	PRESENTED TO THE CITY OF PARK CITY THIS ____ DAY OF ________ A.D., 2004 AND IS HEREBY APPROVED ________ PARK CITY MAYOR	STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE REQUEST OF ________ DATE ________ TIME ________ BOOK ________ FEE $ ________
PLANNING COMMISSION					

City Council
Staff Report

PARK CITY 1884

Author: Pace Erickson, Lane Jensen
Title: Operations Manager, Bldg. Maintenance Supervisor
Subject: Building Maintenance Cleaning Contract **PUBLIC WORKS**
Date: July 1, 2004
Type of Item: Administrative

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 contact 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

PARK CITY 1884

Budget, Debt, and Grants

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

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:

Organization	Representatives
Park City Municipal Corporation	2
Summit County	2
Park City School District	2
State Board of Education	1
Park City Fire/Weber Water	1
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 identifies 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