PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JUNE 20, 1996

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, June 20, 1996.

AGENDA

Work Session

3:30 p.m.	Council questions and comments	
	Review of regular meeting	
3:50 p.m.		Art Festival MFL
4:20 p.m.		SOS request - Egyptian Theater
4:30 p.m.		School District encroachment permit
4:50 p.m.		Plats and zoning ordinance
5:20 p.m.		Budget review
5:50 p.m.		Other meeting questions/comments

Regular Meeting

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

III COMMUNICATIONS FROM COUNCIL AND STAFF

IV WORK SESSION NOTES AND MINUTES OF MEETING OF JUNE 6, 1996

V PUBLIC HEARING

1. An ordinance approving the amendment to the Park City Survey for Lot 10 and a portion of Lot 11, Block 19 to be known as the Bluejay Parcel located at 45 Hillside Avenue, Park City, Utah

2. An ordinance approving the amendment to the Park City Survey for Lots 17 and 18, Block 13, to be known as the Lot 17A, Block 13 amended plat at 124 Park Avenue, Park City, Utah

3. An ordinance amending the General Commercial District zoning regulations of the Land Management Code of Park City and amending the Official Zoning Map of Park City, Utah to establish the Prospector Square Overlay Zone which establishes floor area ratio building standards

4. Continuation of hearing on FY 1996-97 Budget for Park City Municipal Corporation and its related agencies

VI CONSENT AGENDA

1. An ordinance approving the amendment to the Park City Survey for Lot 10 and a portion of Lot 11, Block 19 to be known as the Bluejay Parcel located at 45 Hillside Avenue, Park City, Utah

2. An ordinance approving the amendment to the Park City Survey for Lots 17 and 18, Block 13, to be known as the Lot 17A, Block 13 amended plat at 124 Park Avenue, Park City, Utah

3. An ordinance amending the General Commercial District zoning regulations of the Land Management Code of Park City and amending the Official Zoning Map of Park City, Utah to establish the Prospector Square Overlay Zone which establishes floor area ratio building standards

4. An ordinance approving a condominium plat for the Greyhawk Condominiums at 675 Deer Valley Drive, located in the Southwest Quarter of Section 15, Township 2 South, Range 4 East, Park City, Utah

5. Encroachment permit and modification of the school lease area to accommodate School District administrative offices on SR248

6. Authorization to enter into a contract with Park City Glass to replace 28 windows on the east side of Marsac Municipal Building in an amount not to exceed $66,292.50

VII RESIGNATIONS AND APPOINTMENTS

Two Library Board appointments for terms expiring July 1, 1999

VIII NEW BUSINESS

1. Waiver of building related fees in the amount of $15,844 and a possible loan not to exceed $21,279 to Save our Stage for the renovation of the Egyptian Theater

2. Revised master festival license for the 1996 Arts Festival

3. Resolution adopting a final budget for FY 1996-97 for Park City Municipal Corporation and its related agencies

IX ADJOURNMENT

Posted: 6/17/96

PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
JUNE 20, 1996

Present: Mayor Brad Olch; Council members Hugh Daniels, Roger Harlan, Shauna Kerr, and Paul Sincock

Toby Ross, City Manager; Jodi Hoffman, City Attorney; Tom Bakaly, Finance Manager; Frank Bell, Chief of Police; Janice Lew, Planner; Eric DeHaan, City Engineer; Meg Ryan, Planner; and Tom Bakaly, Finance Manager

Gary Sanders and Andrew Volkman, Arts Festival; Joann Krajeski, SOS Foundation; Burke Jolley, Acting School District Superintendent; Gary Accord, District architect

Absent: Chuck Klingenstein

1. **Council questions and comments.** Paul Sincock indicated that the Board of Health received an opinion from the County Attorney questioning the ability to impose pollution standards when pollution doesn't exceed a federal standard. This may mean that some legislation needs to be introduced to change this law and Representative Ure indicated that he will support it. The McLeod Creek park improvements were discussed. Hugh Daniels reported that he has received a number of calls about construction noise and a call from Ken Schakelford about some budget items regarding the golf course. There was discussion about the schedule for various upcoming meetings.

With regard to the restaurant tax application for the tree planting project which was recently denied by the County Commission, Hugh Daniels who also serves on the grant committee, explained that a letter will be sent to the Commissioners from the committee. The Restaurant Tax Committee is concerned about how the Deputy County Attorney arrived at his decision which did not involve the committee or its policy. Another concern was that the Commissioners did not understand the requests from both for the School District and for the City. The School District's application for the pool would increase the public's use for recreation, clearly allowed by the statute. It was the committee's intent with the irrigation for the trees that that was in conjunction with Olympic Parkway and an adjunct to the bike paths designed around the project as a part of the City's and County's master plans. The committee will ask the Commissioners to reconsider both applications as the methodology in eliminating these two did not include the committee, but the Deputy County Attorney's opinion. Paul Sincock pointed out that the tree planing project could be described as state-wide and he suggested that the Council appeal this decision. Shauna Kerr was upset by a statement by the Deputy County Attorney inferring that other applications may fit the criteria better than the City. Hugh Daniels clarified that the committee reviewed 13 applications and decided that only seven qualified and there is still money available. Hugh Daniels pointed out that the statute not only includes tourism but other uses. Jodi Hoffman referred to the statute which indicated that tax can be spent financing tourism promotion and the development, operation and maintenance of tourist, recreational, or cultural facilities. Roger Harlan suggested resubmitting the application and highlighting certain features.

2. **Amendment to 1996 Art Festival Master Festival License.** Chief Bell explained that the MFL was submitted in late March and asked for a number of changes including an extension of the festival into Friday, extension of the Festival closing hour from 6 p.m. to 7 p.m., issuance of a temporary beer license, an expanded Deer Valley concert on Friday evening, and waiver of fees in the amount of $5,500 for law enforcement services. Over the past few months there has been correspondence and meetings with the Art Festival group, but because of the drastic changes proposed by the Festival, it was felt by staff that the proposed changes were premature and not in the best interest of the City at this time and the application was denied. The ordinance provides an appeal process to the City Council. Chief Bell continued that there are a variety of things Council can do including approving all of the requests, some of the requests, deny all of the requests, or continue for further study. Staff is asking Council to deny all of the requests, with the exception of the expanded Friday night concert; there is also a concert at Wolf Mountain. Mr. Bell noted that some of the financial information submitted by the Kimball Art Center may not be accurate and added that the impacts of the Festival are so significant already, that the creation of new impacts fly in the face of all of the work that has been done over the past ten years to change the appearance of the Festival.

Gary Sanders, KAC, felt that this event is a cultural tradition in Park City as it will be its 27th year. Mr. Sanders stated that he over calculated the amount of sales tax coming back to the City in his request and explained the process for artists to report sales tax and tracking single events. He referred to a survey conducted in 1994 and 64% of guests felt that a three-day event would be positive and there would be a more leisurely set-up for artists on Friday morning as opposed to Saturday. There are logistical problems like closing the street on a business day but the Main Street Merchants Association has voted in favor of this. In response to a question from Shauna Kerr, Mr. Sanders explained that the artists would set-up, drive to satellite parking and be shuttled back to the Festival area. He continued that he understood Chief Bell's concern with the extra police officers, and the KAC contacted a security company that provides services for the Utah Arts Festival and would be available. These individuals would be supervised by City staff and can be hired at $10 per hour as opposed to $19 per hour, which saves them half or can provide twice as many officers. He added that prior to 1993, 7 p.m. was the closing time and the additional hour could be helpful to accommodate Salt Lake patrons. With regard to the beer license, it is their intent to be able to serve beer with lunch at the food pavilion and PRM would be contracted for services. PRM is used at the Cherry Creek Arts Festival in Denver, Colorado and the servers will be trained. Mr. Sanders noted that a 16 oz. beer will cost $3.50 and could be a potential revenue source. Having beer at the food pavilion may increase food sales and it keeps people on the street so that art sales may be better. With regard to the fee waiver, Mr. Sanders thought this would be workable for the City.

The Mayor felt the timing would have been better last September when there would have been an opportunity to address these issues. He understood that Mr. Sanders had an agreement with Chief Bell and then later came back at the last moment with these requests. He stated that if he voted he would not support any of these amendments, but would be willing to take a look at the proposal this fall. The Mayor referred to the $6,000 net operation revenue, but asked about revenue from sponsors which was not in the report. Mr. Sanders stated that in 1995, the corporate sponsorship dollars amounted to about $45,000, this was the second year and hopefully that source will increase. Timing was raised again and Shauna Kerr asked if the Board urged him to make the request now. Mr. Sanders relayed that the application was made in March and the Board wanted to gauge Council's reaction to the changes. The Mayor stated that he is concerned about the impacts on Old Town if expanded to Friday. He pointed out that the Franklin Quest Golf Tournament also has major impacts on the Park Meadows neighborhood, but affected residents receive free passes to attend the event, and the Mayor suggested that maybe this is something that the KAC should consider. Mr. Sanders responded that Friday would be a free day for residents. Andrew Volkman of the Board added that Friday would be open to all Park City residents. Chief Bell stressed that expanding the event to Friday requires the same amount of work for preparation and management as doing it on Friday and Saturday, and it is impossible to predict who will attend on Friday. He continued that when any event has profitability problems, the first choice is making it bigger rather than considering doing some things differently to cut costs or generate new revenue within the existing structure. For instance, he stated that there is nothing wrong with bringing a greater role of private security into the Festival, provided that it is closely managed and the same is true for food management. Chief Bell added that there can be revenue increases without changing the format of the Festival and without creating greater impacts which in turn cost more money to manage. He warned not raising revenues and raising expenses in the context of trying to generate more money, because the profitability level is just taken to a higher level. Chief Bell felt that the Friday night concert has some real revenue potential that has not been explored, without having greater impacts. Although the artists may have a leisurely set-up on Friday no one else does and the City is not in a position this summer to staff an expanded Art Festival. There are things that can occur incrementally to accommodate some of the requests, but they are not all manageable at one time. There was discussion about the limitations of private security services. Mr. Bell discussed the tightening up on alcohol sales over the past ten years at the Festival's request; the event has evolved into a relatively alcohol-free event and the beer license request is a reversal of philosophy. He felt that a beer concession has to be carefully managed and it is a request he cannot deal with this summer.

Hugh Daniels, an Old Town resident for 13 years, recalled when the Festival had extended hours and relayed that it was noisy, which was the reason for moving the Rugby beer tent out of the area. He emphasized that the event is six weeks away, but is willing to look at the beer license and maybe some private security on a limited basis. He supported the Friday night concert and he would need more information than the Main Street Merchants Association support as they only represent 30% of the business owners. Mr. Daniels stated that there needs to be serious public discussion about the waiver of fees for City services. Ms. Kerr felt that the hassle factor to extend the Festival to Friday far outweighs the community benefit, and although this is intended as a goodwill effort, it will create more animosity as people will not be prepared. She suggested promoting early Saturday mornings for locals and did not support extending the closing time. Ms. Kerr felt that at the $3.50 per beer price will not attract "power-drinkers", could support the beer license this year as an experiment and the Friday night concert. She added that she is reluctant to approve fee waivers because she perceives that it is important to the tax payers that the Police Department be compensated for services. Paul Sincock stated that he could support a beer license on an experimental basis and but not extended hours to 7 p.m. He supported the Friday night concert, but extending the Festival to Friday needs more study. Mr. Sincock felt that private security could be explored this year, and suggested that the fee waiver could be considered a grant and the KAC should look toward the Arts Council for funding.

Roger Harlan expressed that the time factor is a concern to him. He stressed that the Council doesn't know the approximate dollar amount the Festival has set as a goal to offset the additional impacts. He felt that they should have a better idea of what beer sales will render than just feeling that it will make some money. Mr. Harlan stated that he cannot support the Friday extension. Mr. Sanders noted that the community benefits from the KAC 362 days a year. The Mayor felt that there is consensus on some of the issues but this is scheduled at the regular meeting for further consideration.

3. **SOS request - Egyptian Theater.** Shauna Kerr relayed that there was no mention of requesting $10,000 in the City's Historic District Grant Program to offset commercial renovation costs; additionally building permit fees don't have to be paid on grant projects. She added that Council has already set aside money for this grant program. Joann Krajeski of SOS stated that they don't need the loan and personally thanked Council member Daniels for his financial support. Ms. Krajeski pointed out that they received an Historic District grant last year. Janice Lew explained that a single project can receive multiple grants, and although all of the grants have been awarded this year there is still available funding. Ms. Krajeski indicated that it is their intent to make application for a grant next year. Hugh Daniels noted his relief in not asking for a loan because he had a problem with that part of the request. There was consensus to waive building-related fees in an amount not to exceed $15,844.

4. **School District encroachment permit.** The City Manager discussed the School Fields Agreement and stated that he didn't know if the City would ever find it feasible to build the little league field that would be disrupted by this proposal. Through illustration of a map, the City Manager described the area involved and explained that there is an impact on the leased area and the City's right-of-way and that impact is an encroachment which is revokable on 90 days notice. There may be a better solution that can formulated within six months that may involve a land exchange. There was discussion about realigning the proposed bypass road and Mr. Sincock expressed his concern about not abandoning the bypass road in consideration of construction traffic demands. Roger Harlan expressed his concern about losing the little league field. Architect Gary Accord discussed the options that were explored through illustration of a rendering. One site had traffic and circulation problems, another option placed the building in the 100 foot frontage protection zone, the third would result in building another parking lot, another location resulted in an encroachment in the playground. The proposed location results in better access to SR248 and better circulation for

the two schools. Mr. Accord explained that there may have not been enough room to accommodate the little league field in any event because of the wetlands and the other full-sized fields.

5. Plats and zoning ordinance:

45 Hillside Avenue plat amendment. Planner Janice Lew stated that this plat amendment was a requirement of a quit claim deed. She explained that approval will eliminate an interior lot line.

124 Park Avenue plat amendment. The existing structure sits on two lots. Ms. Lew explained that because of proposed improvements, the applicant is required to formally combine the lots.

Condominium plat at 675 Deer Valley Drive. Meg Ryan explained that this is a condominiumization of the building being built.

Prospector Square overlay zone ordinance. Meg Ryan clarified that the Board of Directors of the Property Owners Association unanimously support this zoning change. This is one of many solutions to ameliorate the parking situation in the area. She continued that there is about 70% build-out and this proposal to reduce the floor area ratio for the remaining 30% should reduce parking demands. This would only affect properties within the Property Owners Association. Ms. Ryan discussed a 1992 study that Jack Johnson Company performed indicating that there are 1,100 parking spaces in this area. Mr. Sincock explained that his analysis indicates that there will be a resulting 475 space deficiency based on Code standards, and this proposal is still woefully inadequate. The City Manager explained that the Association is looking at purchasing land for parking needs as a part of the special improvement district that they are exploring. Mr. DeHaan clarified that the Main Street District doesn't require on-site parking and pointed out that the off-street parking works quite well in Prospector. There was discussion about the varying utilization of lots in the area. The City Engineer discussed the problems associated with the New Claim Condominium building as its parking lot was constructed under a lot owned by the Association. There are now structural problems with the underground parking structure and disagreement with regard to liability.

6. Budget review. Tom Bakaly explained that there will be a continued public hearing and action on the FY 1996-97 budget which was tentatively adopted a couple of weeks ago. There have been a couple of changes, one of which is the Lower Park Avenue RDA. The County has provided a figure of $1.1 million which is substantially higher than the budgeted $600,000. Mr. Bakaly felt that although this is good news, it needs to be investigated further to ensure that it is accurate. Tom Bakaly suggested that rather than designating this $450,000 surplus to a project, to reduce the proposed loan for bonding for a land purchase at $700,000 by this amount. Additionally, staff has received a letter from the arts community supporting the request for $8,500 to be released

July 1 to the International Music Festival, as an umbrella organization has not been formally designated. The Council indicated that it was comfortable with this approach. Mr. Bakaly stated that there is an allocation for an additional police officer in this year's budget.

Prepared by Janet M. Scott

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JUNE 20, 1996

I ROLL CALL

Mayor Brad Olch called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, June 20, 1996. Members in attendance were Brad Olch, Hugh Daniels, Roger Harlan, Shauna Kerr, and Paul Sincock. Chuck Klingenstein was excused. Staff present were Toby Ross, City Manager; Janice Lew, Planner; Meg Ryan, Planner; Tom Bakaly, Finance Manager; and Jodi Hoffman, City Attorney.

II PUBLIC INPUT

The Mayor invited the public to comment on any matter of City business. Hearing none, the public input session was closed.

III COMMUNICATIONS FROM COUNCIL AND STAFF

None.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF JUNE 6, 1996

Hugh Daniels, "<u>I move approval</u>". Paul Sincock seconded. <u>Motion carried</u>.

Hugh Daniels	Aye
Roger Harlan	Aye
Shauna Kerr	Aye
Chuck Klingenstein	Absent
Paul Sincock	Aye

V PUBLIC HEARING

1. <u>An ordinance approving the amendment to the Park City Survey for Lot 10 and a portion of Lot 11, Block 19 to be known as the Bluejay Parcel located at 45 Hillside Avenue, Park City, Utah</u> - Planner Janice Lew explained that this is a lot combination and asked that an effective date of upon approval be added to the ordinance.

2. <u>An ordinance approving the amendment to the Park City Survey for Lots 17 and 18, Block 13, to be known as the Lot 17A, Block 13 amended plat at 124 Park Avenue, Park City, Utah</u> - Planner Janice Lew explained that this is a lot combination and asked that an effective date of upon approval be added to the ordinance.

3. <u>An ordinance amending the General Commercial District zoning regulations of the Land Management Code of Park City and amending the Official Zoning Map of Park City, Utah to establish the Prospector Square Overlay Zone which establishes floor area ratio building standards</u> - Meg Ryan explained that after a public hearing, the Planning Commission recommended that this ordinance be forwarded to the City Council with a positive recommendation. The objective of the ordinance is to amend the General Commercial Zone in order to establish an overlay district on specific lots that are under the Prospector Square Property Owners Association's authority in order

to limit the building mass by creating a floor area ratio of 2.0. This proposal has the support of the Association and it is one step toward ameliorating the parking situation of a plat that was created in 1974 prior to the City's parking standards. The Mayor invited the public and the Council to comment. Paul Sincock relayed that the parking in the Prospector Square area is a problem and he will support reducing the established floor area ratios in order to make the buildings more compatible with the parking. Hearing no further comments, the public hearing was closed.

4. Continuation of hearing on FY 1996-97 Budget for Park City Municipal Corporation and its related agencies - Tom Bakaly explained that this is a continuation of the public hearing held on May 23. Since that time, there are two changes including a higher property tax increment for the Lower Park Avenue Redevelopment Agency in the amount of $1.1 million; $700,000 was budgeted. Staff is recommending that rather than adding $450,000 to the RDA budget, to reduce the amount of a proposed loan for property acquisition, once the tax increment is verified. The other issue deals with a deviation in the grants policy, by releasing $8,500 set aside for the arts community to the International Music Festival and the balance of the arts grant funds released to the designated umbrella organization.

With no further comments or questions, the public hearing was closed.

VI CONSENT AGENDA

Paul Sincock, "I move approval of the Consent Agenda with Items 1 and 2 amended to include the wording that the effective date would be upon approval". Shauna Kerr seconded. Motion carried.

Hugh Daniels	Aye
Roger Harlan	Aye
Shauna Kerr	Aye
Chuck Klingenstein	Absent
Paul Sincock	Aye

1. An ordinance approving the amendment to the Park City Survey for Lot 10 and a portion of Lot 11, Block 19 to be known as the Bluejay Parcel located at 45 Hillside Avenue, Park City, Utah - See public hearing, work session and staff report.

2. An ordinance approving the amendment to the Park City Survey for Lots 17 and 18, Block 13, to be known as the Lot 17A, Block 13 amended plat at 124 Park Avenue, Park City, Utah - See public hearing, work session and staff report.

3. An ordinance amending the General Commercial District zoning regulations of the Land Management Code of Park City and amending the Official Zoning Map of Park City, Utah to establish the Prospector Square Overlay Zone which establishes floor area ratio building standards - See public hearing, work session and staff report.

4. An ordinance approving a condominium plat for the Greyhawk Condominiums at 675 Deer Valley Drive, located in the Southwest Quarter of Section 15, Township 2 South, Range 4 East,

Park City, Utah - See work session and staff report.

5. Encroachment permit and modification of the school lease area to accommodate School District administrative offices on SR248 - See work session and staff report.

6. Authorization to enter into a contract with Park City Glass to replace 28 windows on the east side of Marsac Municipal Building in an amount not to exceed $66,292.50 - See staff report.

VII RESIGNATIONS AND APPOINTMENTS

Two Library Board appointments for terms expiring July 1, 1999 - Shauna Kerr, "I move approval of Sally Roberts for a three year appointment until July of 1999 and Carolyn Meyers; Sally Roberts would be a reappointment and Carolyn Meyers would be a new appointment". Roger Harlan seconded and added that Ms. Roberts has done an outstanding job during her first term and Ms. Meyers interviewed very well. Motion carried.

Hugh Daniels	Aye
Roger Harlan	Aye
Shauna Kerr	Aye
Chuck Klingenstein	Absent
Paul Sincock	Aye

VIII NEW BUSINESS

1. Waiver of building related fees in the amount of $15,844 and a possible loan not to exceed $21,279 to Save our Stage for the renovation of the Egyptian Theater - See staff report and work session notes. The Mayor summarized that the loan is no longer requested, and that there was a consensus among Council members to waive fees in an amount not to exceed $15,844. The Mayor requested a motion. Paul Sincock, "I so move". Hugh Daniels seconded. Motion carried.

Hugh Daniels	Aye
Roger Harlan	Aye
Shauna Kerr	Aye
Chuck Klingenstein	Absent
Paul Sincock	Aye

2. Revised master festival license for the 1996 Arts Festival - See work session notes and staff report. Gary Sanders stated that after the work session discussion, he would ask that the extension of the Festival be tabled so that it can be discussed through an Art Festival Advisory Committee over the next few months. He urged Council to approve the request for a beer license on a trial period this year and look at the extension of the hours to 7 p.m. during this trial period. Mr. Sanders asked that the fee waivers be tabled so that it can be reviewed further by staff to minimize the fees charged to the Festival and waivers in future years. Chief Bell emphasized that many of his staff members will be in Atlanta for the Olympics and it will be very difficult to prepare and deal with beer at the Festival. Mr. Sanders pointed out that they will be bringing on a professional management company as well as an experienced security force to handle any problems. Roger Harlan asked if Mr. Sanders has discussed his beer license request with the Brew Pub and Mr.

Sanders indicated that he has and Wasatch Beer will be one of the primary selections served. He continued that the hours of operation would probably be 11 a.m. to 5 p.m.

Hugh Daniels, "I move that we deny the appeal on Items (1), the extension of the Festival to include Friday; (2), the extension of the closing hour from 6 p.m. to 7 p.m.; (5) the waiver of fees; and approve on appeal the issuance of a temporary beer license as an experiment for this year and the expanded Deer Valley concert on Friday evening". Shauna Kerr suggested additional language with the understanding that the KAC will be hiring additional security at its expense to police the beer sales; Mr. Daniels accepted the amendment. Paul Sincock seconded. The Mayor reiterated his comments from work session, and agreed with the Chief of Police and there has not been an opportunity to look at the beer issue and if he were voting, he would vote against the motion. The Mayor urged Mr. Sanders to reconsider beer sales this summer. Paul Sincock asked Chief Bell how the additional security would affect his opinion and Frank Bell responded that the problem is that his Department has had no experience with the management company or security company. Chief Bell stated that he is strongly opposed to issuing a beer license this summer. Shauna Kerr referred to her comments in work session where she felt that the beer price would eliminate problems, but stated that she will defer to the Chief's comments. She added that it is his business and although she felt that beer at this location would not be a real problem, without some type of relationship with the police officers working with the management and security companies, she is pusuaded not to support the beer license request. There is also a timing issue and a conflict with the police staff being out-of-town. Mr. Sanders responded that with regard to the Olympics, this is the type of attitude that event organizers are hoping to avoid as the Olympics will take precedent over existing events. He discussed the competition of sponsorship dollars and felt that the Arts Festival is becoming subserveant to the Olympics in Atlanta, which is a disservice. Ms. Kerr stressed that the other side of the coin is that it is June 20 and the Festival is in six weeks. If these requests occurred last fall, it wouldn't be as pressing; the realities are that there isn't enough time. The Mayor felt that the Festival sponsors probably are not Olympic sponsors. Mr. Sanders argued that he has information about event sponsorship and that the contract with the management company was not finalized until the end of April. Paul Sincock felt that beer in this location, supervised by experienced people, is not a big deal and worthy of an experiment. The Mayor summarized that the motion is to approve the revised master festival license allowing only the sale of beer between the hours of 11 a.m. to 5 p.m. and the Deer Valley concert.

Hugh Daniels	Aye
Roger Harlan	Aye
Shauna Kerr	Nay
Chuck Klingenstein	Absent
Paul Sincock	Aye

Motion carried.

3. Resolution adopting a final budget for FY 1996-97 for Park City Municipal Corporation and its related agencies - See staff report, work session, and public hearing. Roger Harlan, "I move approval of the budget for FY 1996-97 for Park City Municipal Corporation and its related agencies". Hugh Daniels seconded. Motion carried.

Hugh Daniels	Aye

Roger Harlan	Aye
Shauna Kerr	Aye
Chuck Klingenstein	Absent
Paul Sincock	Aye

IX ADJOURNMENT

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

* * * * * * * * * * *

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

Prepared by Janet M. Scott

Janet M. Scott

Janet M. Scott, Deputy City Recorder

PARK CITY
1884

COUNCIL AGENDA REPORT

DATE: June 12, 1996 (June 20, 1996 meeting)
DEPARTMENT: Planning Department
AUTHOR: Janice Lew
TITLE: The Bluejay Parcel Plat Amendment
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS:
Adopt the ordinance approving the plat amendment of the Park City Survey for 45 Hillside Avenue.

DESCRIPTION:

A. Topic.

PROJECT STATISTICS
Applicant: Gail Marie Roesinger
Location: 45 Hillside Avenue
Zoning: HR-1
Adjacent Land Uses: Residential
Date of Application: April 10, 1996
Project Planner: Janice Lew

B. Background.

Gail Roesinger is the owner of Lot 10 and a portion of Lot 11, Block 19 of the Park City Survey. On March 18, 1996, the City approved the applicant's request to quit claim part of the Colman open space parcel purchased by the City in 1994. Parcels A, B and C are shown on the plat attached as Attachment A. The applicant had a deed to Parcel A and a portion of her house sits on the parcel. Landscape improvements are located on Parcel B. Parcel C is enclosed by a fence and a hot tub, deck and landscaping improvements sit on the parcel.

Pursuant to Ms. Roesinger's settlement on the property claim, she submitted a request to combine the lots into one parcel. Based upon negotiations with the City, the applicant agreed to the following:

- Parcel A - a tree preservation easement for the cottonwood tree on,
- Parcel B - an open space and utility easement and a covenant that none of the area of the parcel shall be used for floor area ratio calculations,
- Parcel C - a covenant that none of the area of the parcel shall be used for floor area ratio calculations, and
- an easement to address the property boundary encroachment of the existing structure to the north.

C. <u>Department Review</u>.

The Staff Review Team and City Attorney's Office have reviewed this proposal.

<u>ALTERNATIVES</u>:

A. Approve the proposed amendment thereby allowing the reconfiguration of the property.

B. Deny the proposed amendment and retain the current lot configuration.

C. Continue the item and request further evaluation and recommendation from the staff.

<u>SIGNIFICANT IMPACTS</u>:

The proposed amendment will result in one lot which is larger than the standard Old Town lot. Impacts from the proposal have been mitigated by staff negotiating floor area restrictions, and tree, open space, and utility easements.

<u>CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION</u>:

If the Council decides to deny the plat amendment as proposed, the existing lots lines may prohibit further development of the property.

PUBLIC INPUT: The property was posted and legal notice sent to all property owners within the affected subdivision plat. As of June 12, 1996, no public input has been received.

<u>RECOMMENDATION</u>:

The Community Development Department recommends approval of the proposed plat amendment for the Bluejay Subdivision based upon the following:

Findings of Fact:

1. The owner has attached a note on the plat indicating a tree preservation easement for the cottonwood tree on Parcel A.

2. The owner has agreed to a covenant restricting floor area ratio calculations and attached a note on the plat indicating an open space and public utilities easement on Parcel B.

3. The owner has agreed to a covenant restricting floor area ratio calculations on Parcel C.

4. The owner has complied with the property claim settlement agreement with the City.

Conclusions of Law:

1. There is good cause for the amendment.

2. Neither the public nor any person will be materially injured by the proposed plat amendment.

Conditions:

1. The City Attorney's and City Engineer's approval of the final plat for compliance with State law, the Land Management Code and conditions of approval is a condition precedent to plat recordation.

2. All Standard Project Conditions shall apply.

3. This approval shall expire one year from the date of City Council approval, unless the subdivision is recorded prior to that date.

EXHIBITS:

Exhibit A - Area Map
Exhibit B - Ordinance and Proposed Plat Amendment

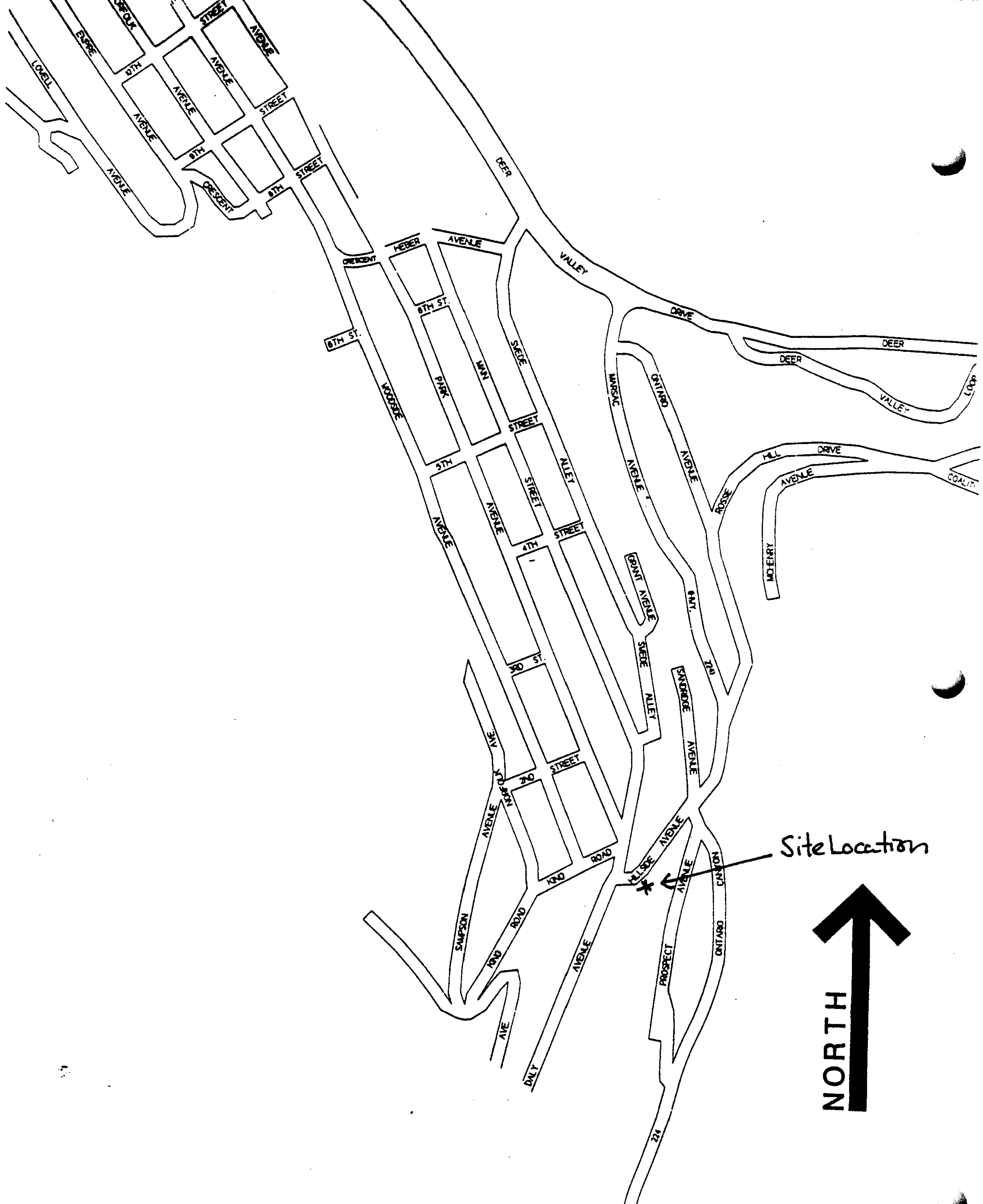


Exhibit A
Location Map

Ordinance No. 96-

AN ORDINANCE APPROVING THE AMENDMENT TO THE PARK CITY SURVEY FOR LOT 10 AND A PORTION OF LOT 11, BLOCK 19 TO BE KNOWN AS THE BLUEJAY PARCEL LOCATED AT 45 HILLSIDE AVENUE PARK CITY, UTAH

WHEREAS, the owner of the property indicated above, Gail Marie Roesinger, petitioned the City Council for approval of the amendment to the Park City Survey Plat; and

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

WHEREAS, on June 20, 1996 the City Council held a public hearing to receive input on the proposed plat amendment; and

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

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

SECTION 1. **CONCLUSIONS OF LAW** The City Council hereby concludes that there is good cause for the above-mentioned amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. **PLAT APPROVAL** The amendment to the Park City Survey Plat, 45 Hillside Avenue is approved as shown on Attachment A with the following conditions:

1. The City Attorney's and City Engineer's approval of the final plat for compliance with State law, the Land Management Code and conditions of approval is a condition precedent to plat recordation.

2. All Standard Project Conditions shall apply.

3. This approval shall expire one year from the date of City Council approval, unless the subdivision is recorded prior to that date.

Exhibit B

PASSED AND ADOPTED this 20th day of June, 1996

PARK CITY MUNICIPAL CORPORATION

____

Mayor Bradley A. Olch

Attest:

____

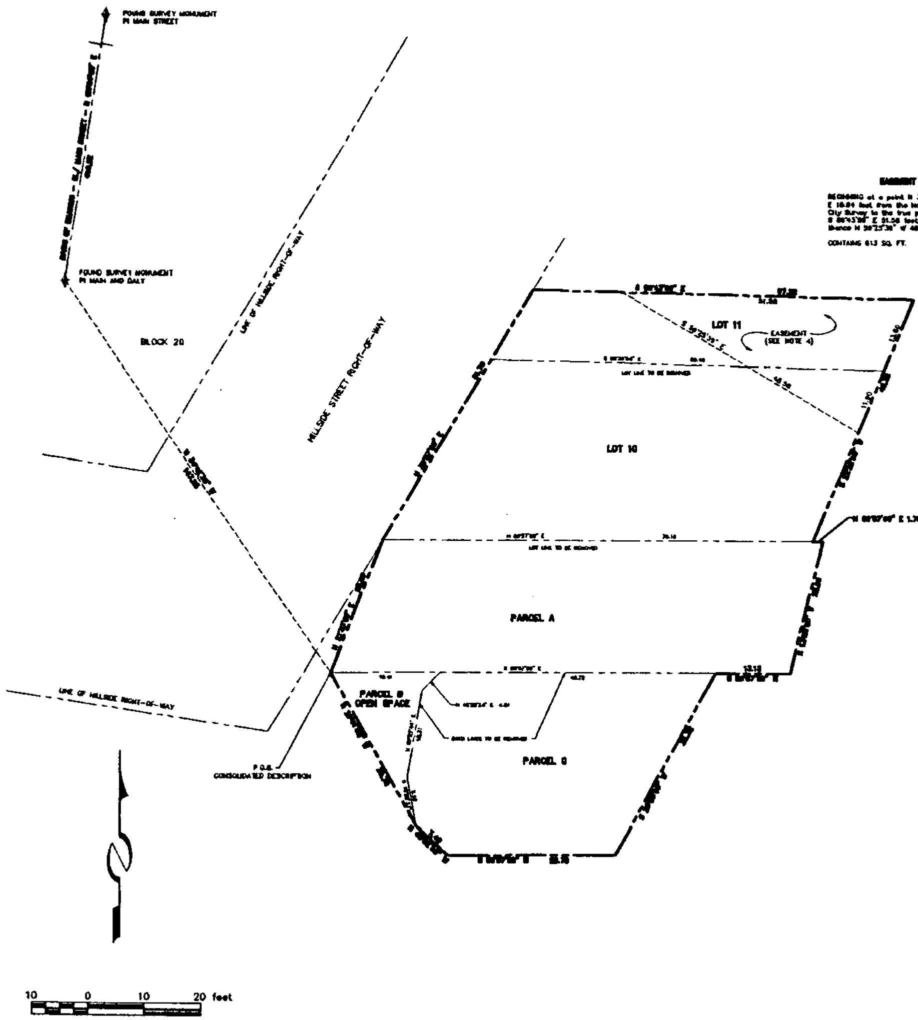
Janet M. Scott, Deputy City Recorder

Approved as to form:

____

Mark D. Harrington, Assistant City Attorney

RECEIVED
MAY 21 1996
PARK CITY
PLANNING DEPT.



EASEMENT LEGAL DESCRIPTION

BEGINNING at a point N 30°57'00" E 14.56 feet and S 88°43'38" E 10.84 feet from the Northeast corner of Lot 10, Block 10, Park City Survey to the true point of beginning; and running thence S 88°43'38" E 31.58 feet; thence S 22°28'00" W 29.80 feet; thence N 38°25'38" W 48.58 feet to the point of beginning.

CONTAINS 613 SQ. FT.

SURVEYOR'S CERTIFICATE

I, John Borskowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 163931, as prescribed by the laws of the State of Utah, and that this Lot Line Adjustment Plat was prepared under my direction in accordance with the requirements of the Park City Municipal Corporation.

____________________ John Borskowicz　　____________ Date

LEGAL DESCRIPTION

All of Lot 10 and the Southerly one-half of Lot 11, Block 10, Park City Survey, according to the amended plat thereof on file in the office of the County Recorder of Summit County, Utah.
CONTAINS 3137 SQ. FT.

PARCEL A

BEGINNING at the Southwest corner of Lot 10, Block 10, Park City Survey and running thence southerly (S 21°33'00" W) 25.00 feet parallel with the easterly side line of Block 73; thence easterly (N 89°57'00" E) 81.25 feet on a line parallel with the section line between Sections 16 and 21, Township 2 South, Range 4 East, Salt Lake Base & Meridian, to the easterly side line of Block 10; thence northerly (N 13°36'00" E) 23.00 feet along said Block 10 to the said section line; thence westerly along the section line (S 89°57'00" W) 77.88 feet to the place of beginning.

CONTAINS 1848 SQ. FT.

PARCEL B

BEGINNING at the Southwest corner of Lot 10, Block 10, Park City Survey, thence S 21°33'00" W 25.00 feet to the true point of beginning; and running thence N 89°57'00" E 10.41 feet to a point on an existing fence line; thence along said fence line through the following 3 courses (1) S 48°33'24" W 4.81 feet; thence (2) S 08°27'44" W 15.37 feet; thence (3) S 10°30'33" E 8.50 feet; thence N 29°41'53" W 30.78 feet to the point of beginning.

CONTAINS 200 SQ. FT.

PARCEL C

BEGINNING at the Southwest corner of Lot 10, Block 10, Park City Survey, thence S 21°33'00" W 25.00 feet and N 89°57'00" E 10.41 feet to the true point of beginning; and running thence N 89°57'00"E 48.72 feet; thence S 28°00'00" W 36.32 feet; thence S 89°57'00" W 29.70 feet to a point on an existing fence line; thence along said fence line through the following 4 courses: (1) N 40°02'56" W 7.48 feet; thence (2) N 10°30'33" W 8.50 feet; thence (3) N 08°27'44" E 15.37 feet; thence (4) N 48°33'24" E 4.81 feet to the point of beginning.

CONTAINS 1388 SQ. FT.

CONSOLIDATED DESCRIPTION

BEGINNING at a point S 34°42'35" W 147.25 feet from a survey monument at the intersection of Main Street and Daly Avenue and running thence N 21°33'00" E 25.00 feet parallel with the easterly side line of Block 73; thence N 30°57'00" E 31.78 feet along the westerly line of Block 10; thence S 88°43'58" E 67.22 feet; thence S 22°28'00" W 48.30'; thence 89°57'00" E 1.78 feet; thence S 13°36'00" W 23.00 feet; thence S 89°57'00" W 13.13 feet; thence S 28°00'00" W 36.32 feet; thence S 89°57'00" W 29.70 feet to a point on an existing fence line; thence N 40°02'55" W 7.48 feet along said fence line; thence N 29°41'53" W 30.78 feet to the point of beginning
CONTAINS 6875 SQ. FT.

OWNERS DEDICATION AND CONSENT TO RECORD

Know all men by these present that Gail Marie Rossinger, the undersigned owner of the herein described tract of land to be known hereafter as THE BLUEJAY, certify that I have caused this Lot Line Adjustment plat to be prepared. Gail Marie Rossinger hereby consents to the recordation of this Lot Line Adjustment Plat. Also, the owner, or his/her representative, hereby irrevocably offers for dedication to the city of Park City all the streets, land for local government uses, easements, parks, and required utilities and easements shown on the plat and construction drawings in accordance with an irrevocable offer of dedication.

IN WITNESS WHEREOF, the undersigned set his hand this ______ day of ____________, 19___

____
Gail Marie Rossinger

ACKNOWLEDGEMENT

State of ____________)
:ss.
County of ____________)

On this _____ day of ____________, 1996, personally appeared before me, the undersigned Notary Public in and for said state and county, Gail Marie Rossinger being duly sworn, acknowledged to me that he/she is the owner of the herein described tract of land and he/she signed the above Owners Dedication and Consent to Record freely and voluntarily.

____
Notary Public

Commission expires: ____________

NOTES

1. The street address of the property is
2. No property corners were set
3. Parcels A, B, and C are subject to restrictions of Quit Claim deed recorded Entry No. 460706, Book 862, Pages 716-721 Entry No. 450706, Book 823, Pages 722-724, and Entry No. 450707, Book 952, Pages 725-727, respectively, at the office of the Summit County Recorder, Summit County, Utah.
4. Easement recorded Entry 454389, Book 965, Pages 612-614, at the office of the Summit County Recorder, Summit County, Utah.

THE BLUEJAY PARCEL

LOT LINE ADJUSTMENT

SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

Attachment A

PAGE 1 OF 1

ALLIANCE ENGINEERING INC.	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
P.O. BOX 2664 323 MAIN STREET PARK CITY, UTAH 84060 (801) 649-9467	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF ________, 1996 A.D. BY ________ PARK CITY ENGINEER	APPROVED AS TO FORM THIS ____ DAY OF ________, 1996 A.D. BY ________ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF ________, 1996 A.D. BY ________ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF ________, 1996 A.D. BY ________ MAYOR	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF ________ DATE ____ TIME ____ BOOK ____ PAGE ____ ____ FEE　____ RECORDER

JOB NO. 08-12-95 FILE: SRV96\HSL\081295

PARK CITY
1884

COUNCIL AGENDA REPORT

DATE:	**June 12, 1996 (June 20, 1996 meeting)**
DEPARTMENT:	**Planning Department**
AUTHOR:	**Janice Lew**
TITLE:	**Lot 17A, Block 13, Amended Plat**
TYPE OF ITEM:	**Legislative**

SUMMARY RECOMMENDATIONS:

Adopt the ordinance approving the plat amendment at 124 Park Avenue, Lots 17 and 18, Block 13, of the Park City Survey.

DESCRIPTION:

A. Topic.

PROJECT STATISTICS

Applicant:	William White for LBJ Holdings
Location:	124 Park Avenue
Zoning:	HR-1
Adjacent Land Uses:	Historic Residential
Date of Application:	May 31, 1996
Project Planner:	Janice Lew

B. Background.

The applicant owns Lots 17 and 18 of Block 13, of the Park City Survey (Attachment A). He would like to formally combine the lots eliminating the common lot line. This would allow the applicant to construct a 320 square foot addition to the non-historic existing structure which would not cross a lot line. Any new construction is limited by the setback, floor area ratio and height requirements of the Land Management Code for the HR-1 district. Additionally, the lots as currently configured are not of sufficient size to be developed independently.

Department Review.

The Community Development Department and City Attorney's Office have reviewed this application.

ALTERNATIVES:

A. Approve the proposed amendment thereby removing the common lot line between the two lots.

B. Deny the proposed amendment and retain the current lot configuration.

C. Continue the item and request additional evaluation from the staff.

SIGNIFICANT IMPACTS:
The proposed amendment will result in a lot which is larger (approximately 3443 sf) than the standard "Old Town" lot measuring 25' X 75' (1875 sf). Historic District plat amendments which create larger lots promote the construction of larger structures.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:
Denial of this request will preclude the applicant from constructing an addition because it would cross a lot line in violation of the Uniform Building Code.

PUBLIC INPUT: The property was posted and legal notice sent to all property owners within the affected subdivision plat. As of June 12, 1996, no public input has been received in opposition of the proposal.

RECOMMENDATION:

The Staff recommends approval of the proposed plat amendment for 124 Park Avenue based upon the following:

Findings of Fact:

1. The proposal is consistent with both the Park City Land Management Code and Comprehensive Plan in that the HR-1 district allows single family structures.

2. The lots as currently configured are not of sufficient size to be developed independently.

3. The proposed plat amendment corrects the legal description of the applicant's property and creates one lot for the development of a single structure.

Conclusions of Law:

1. There is good cause for the amendment.

2. Neither the public nor any person will be materially injured by the proposed plat amendment.

Conditions:

1. The City Attorney's and City Engineer's approval of the final plat for compliance with State law, the Land Management Code and conditions of approval is a condition precedent to plat recordation.

2. All Standard Project Conditions shall apply.

3. This approval shall expire one year from the date of City Council approval, unless this plat amendment is recorded prior to that date.

EXHIBITS:

Exhibit A - Location Map
Exhibit B - Ordinance and Proposed Amended Plat

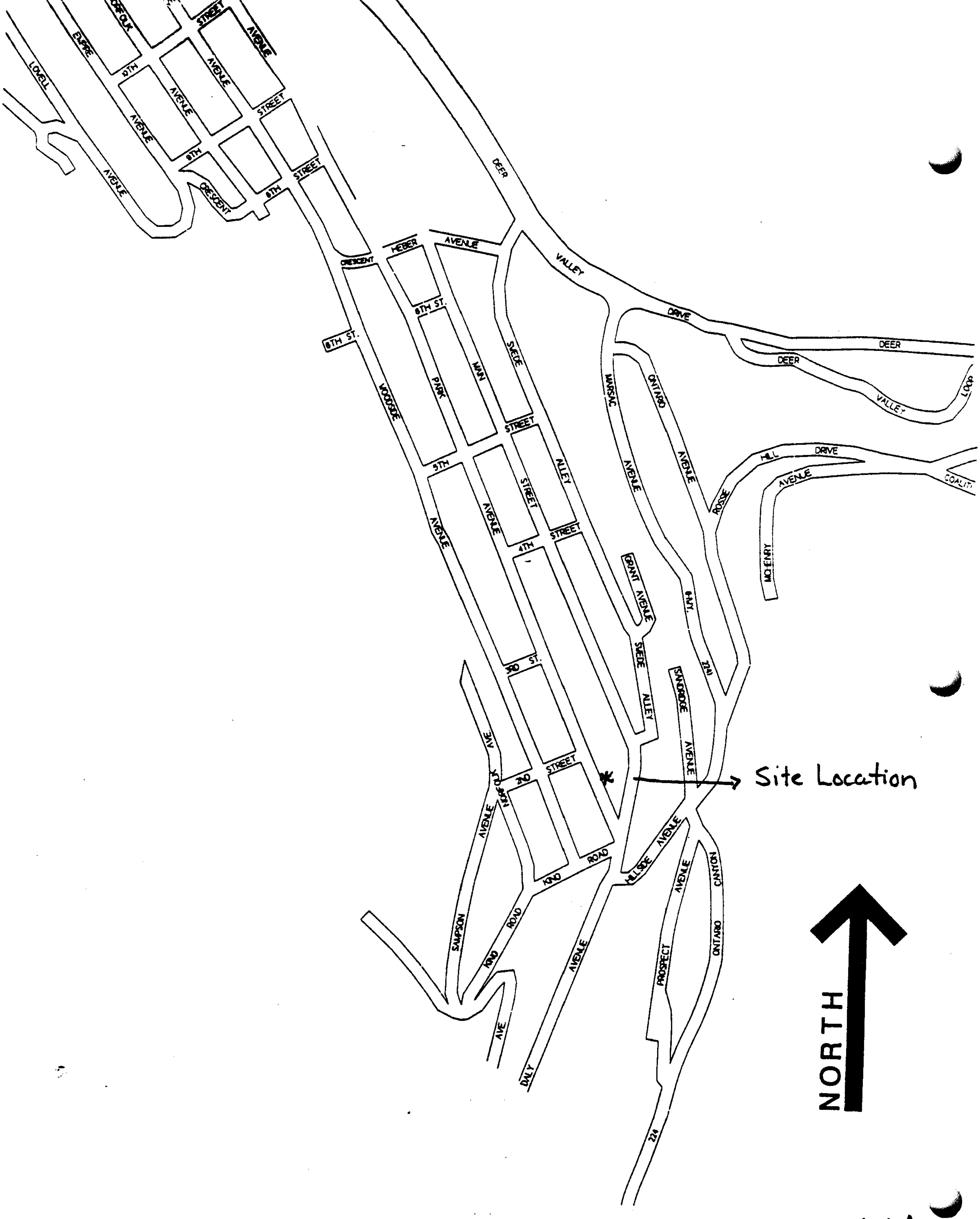


Exhibit A
Location Map

Ordinance No. 96-

AN ORDINANCE APPROVING THE AMENDMENT TO THE PARK CITY SURVEY FOR LOTS 17 AND 18, BLOCK 13 TO BE KNOWN AS THE LOT 17A, BLOCK 13 AMENDED PLAT AT 124 PARK AVENUE PARK CITY, UTAH

WHEREAS, the owner of the property indicated above, LBJ Holdings, petitioned the City Council for approval of the amendment to the Park City Survey Plat; and

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

WHEREAS, on June 20, 1996 the City Council held a public hearing to receive input on the proposed plat amendment; and

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

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

SECTION 1. **CONCLUSIONS OF LAW** The City Council hereby concludes that there is good cause for the above-mentioned amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. **PLAT APPROVAL** The amendment to the Park City Survey Plat, 124 Park Avenue is approved as shown on Attachment A with the following conditions:

1. The City Attorney's and City Engineer's approval of the final plat for compliance with State law, the Land Management Code and conditions of approval is a condition precedent to plat recordation.

2. All Standard Project Conditions shall apply.

3. This approval shall expire one year from the date of City Council approval, unless the subdivision is recorded prior to that date.

Exhibit B

PASSED AND ADOPTED this 20th day of June, 1996

PARK CITY MUNICIPAL CORPORATION

____

Mayor Bradley A. Olch

Attest:

____

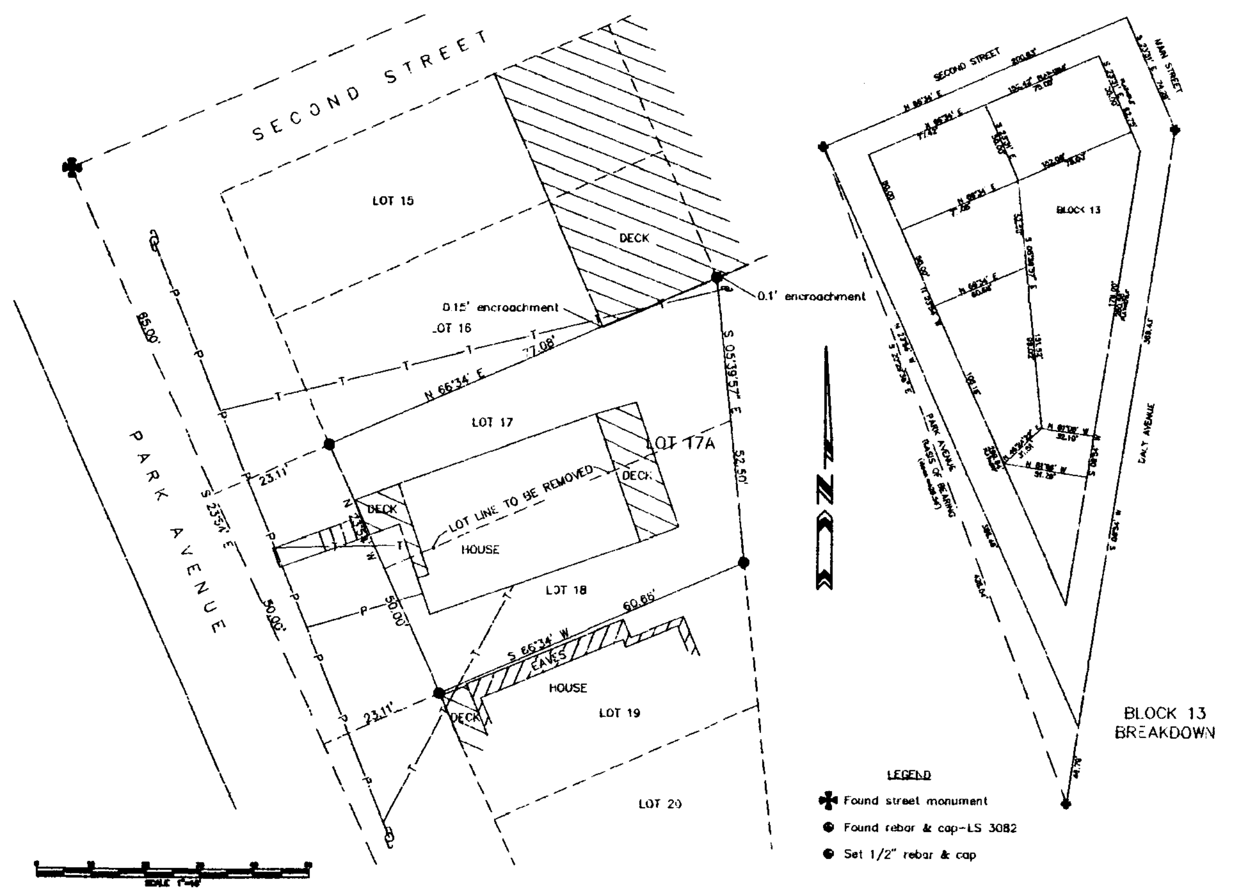
Janet M. Scott, Deputy City Recorder

Approved as to form:

____

Mark D. Harrington, Assistant City Attorney

LOT 17A, BLOCK13, AMENDED PLAT AMENDING LOTS 17 & 18, BLOCK 13, PARK CITY SURVEY



NARRATIVE

1. Survey requested by L.B.J. Holdings
2. Purpose of survey: Building addition.
3. Basis of survey: Found Street Monuments as shown.
4. Date of survey: 4/12/'96
5. Property corners set or found as shown.
6. Located in Section 16, T2S, R4E, S.L.B.& M.
7. Block 13 breakdown as per survey file numbers S-2, S-412, and S-1413, by Alliance Eng. Inc., on record at the Summit County Recorders Office.
8. East-west excess in the northernmost 4 lots of Block 13 was thrown to the western lots due to the dubious nature of the R.O.W. offset on Park Avenue from the Park City Monument Control Map, Amended Sheet # 3.

LEGAL DESCRIPTION

All of Lots 17 and 18, Block 13, Park City Survey, more particularly described as follows:

Beginning at a point on the easterly line of Park Avenue Right of Way, said point being S 23°54' E along said Park Avenue centerline 65.00 feet and N 66°34' E, 23.11 feet from a Park City Monument at the intersection of said Park Avenue and Second Street; thence N 66°34' E, 77.08' feet; thence S 05°39'57" E, 52.50 feet; thence S 66°34' W, 60.66 feet to said easterly Right of Way line of Park Avenue; thence N 23°54' W along said easterly Right of Way line, 50.00 feet to the Point of Beginning; being ±3443 sq. ft.

OWNER'S DEDICATION

Know all men by these presents that ____, the ____ undersigned owner(s) of the above described tract of land, having caused same to be subdivided into lots and streets to be hereafter known as

LOT 17A, BLOCK 13, AMENDED PLAT PARK CITY SURVEY

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for public use.

In witness whereof ______ have hereunto set ____________ this ________ day of __________, 19_____.

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF UTAH
County of__________ S.S.

On the _____ day of _______, 19____, personally appeared before me, the undersigned Notary Public, in and for said County of __________ in said State of Utah, the signor(s) of the above Owner's Dedication, ______ in number, who duly acknowledged to me that ____________ signed it freely and voluntarily and for the uses and purposes therein mentioned.
My commission expires: __________

NOTARY PUBLIC
RESIDING IN _______ COUNTY, _____

SURVEYOR'S CERTIFICATE

I, Robert Hugie, a Registered Land Surveyor as prescribed by the laws of the State of Utah and holding License Number 162058, do hereby certify that I have supervised a survey of the hereon described property and that this is a true and correct representation of said survey.

Date ____________ Robert Hugie RLS#162058

SURVEY INK 42 EAST 100 SOUTH HYRUM, UTAH 84319 (801) 245-7717	SEWER DISTRICT APPROVAL REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS THIS _____ DAY OF _____ 19___ S.B.S.I.D.	CITY COUNCIL APPROVAL PRESENTED TO THE BOARD OF THE PARK CITY CITY COUNCIL THIS ____ DAY OF ____ 19___ AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED. MAYOR / CITY RECORDER	CITY ENGINEER I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND THAT IT IS IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE. DATE / CITY ENGINEER	APPROVAL AS TO FORM APPROVED THIS _____ DAY OF _______, 19____ CITY ATTORNEY	CITY PLANNING COMMISSION PRESENTED TO THE BOARD OF THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF ____, 19___ AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED. CHAIRMAN	RECORDED # STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE REQUEST OF: DATE: ____ TIME: ____ BOOK: ____ PAGE: ____ $ FEE / SUMMIT COUNTY RECORDER

RECEIVED
JUN 12 1996
PARK CITY
PLANNING DEPT.

Attachment A

PARK CITY
1884

CITY COUNCIL REPORT

DATE:	**June 13, 1996**
DEPARTMENT:	**Planning Department**
AUTHOR:	**Megan B. Ryan**
TITLE:	**Amendment to the Land Management Code and Official Zoning Map of Park City, Utah regarding Prospector Square Overlay Zone**
TYPE OF ITEM:	**Legislative**

SUMMARY RECOMMENDATIONS: Conduct a public hearing and consider the Planning Commission and staff's recommendation to adopt the Prospector Square Overlay Ordinance, attached as Exhibit A.

DESCRIPTION:

A. Topic.

Location: Lots 2A- 49D (except 40,41,42,43,45, and 46) and Parking Lots A - K Prospector Square
Zoning: General Commercial (GC)
Adjacent Land Uses: Commercial, Residential
Proposal : Amendment to enact the Prospector Square Parking Overlay Zone to Lots 2A - 49D (except 41,41,42,43,45 and 46) and Parking Lots A - K within the Prospector Square Subdivision.

B. Background.

The Planning Commission discussed this item at their work session on May 8, 1996 and held a public hearing on May 22, 1996. At the conclusion of the public hearing the Planning Commissioners directed the staff to forward a positive recommendation to adopt the proposed ordinance to the City Council. The entire background as presented before the Planning Commission is provided here.

E. Public Input

Notice of the proposal has been published in the Park Record and each property owner in the Association have been individually notified for both the Planning Commission and City Council hearings. The Prospector Square Property Owner's Association Board of Directors has met to discuss this issue and voted to support the establishment of a FAR in this area. Public input at the Planning Commission was limited to one speaker, Carol Murphy. Ms. Murphy was in support of the ordinance and spoke of the need to conduct a parking study for the entire Prospector area. Hank Louis, of 1515 Architects, called staff and assisted us in clarifying that the overlay would not absolutely eliminate three levels but would reduce the footprint and may help the parking situation in the area.

ALTERNATIVES

A. **Adopt the ordinance as proposed.**
B. **Modify the ordinance based on public and Council input.**
C. **Conduct the hearing and continue the item for further discussion and/or additional input from Staff or the public.**

SIGNIFICANT IMPACTS:

In effect third floor construction cannot occur within Prospector Property Owner's lots because on site parking cannot be provided. But in reality the conflict is greater than just the third level because all parking in this subdivision is in effect not on site as called for under Chapter 13 of the Land Management Code. The proposal will clarify that two level construction will partially satisfy the parking requirement by providing shared parking off site, through the shared lots, and will attempt to reduce the demand for parking by eliminating the third level.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

If no ordinance is enacted the parking, the platted subdivision and building codes will remain in conflict and building permits may be embroiled at best.

RECOMMENDATION:

The staff recommends that the Planning Commission discuss the proposed ordinance and direct staff as to their support or rejection of the proposal.

EXHIBITS

Exhibit A - Proposed Ordinance
Exhibit B - Location Map
Exhibit C - Zoning map
Exhibit D - Affected Lots

4. The health, safety, and welfare of the general public is contingent upon parking lots A-K remaining open for parking in perpetuity.

Conclusions Of Law:

1. The proposed ordinance is consistent with the Comprehensive Plan.

2. The purpose of the parking overlay zone is in keeping with the provisions for parking that are enforced on all development projects within the City.

3. There is good cause for the parking overlay zone as it mitigates parking congestion and provides for reasonable development in conjunction with parking.

Proposed Amendment:

NEW SUBSECTION

7.9.7 PROSPECTOR OVERLAY ESTABLISHING A MAXIMUM FLOOR AREA FOR DEVELOPMENT.

A) Affected Lots: Lot 2A through Lot 49D (except 40,41,42,43,45, and 46) and Parking Lots A - K under the authority of the Prospector Square Property Owners Association.

B) Maximum Floor Area Ratio (FAR) : The FAR in this area, as defined above, shall not exceed 2.0. The FAR is calculated by determining the gross building square footage divided by the total surface square footage of the building lot. All uses, except structures devoted solely to parking, are subject to the floor area ratio. Parking Lots A-K shall have no use other than parking and related uses such as snowplowing, striping, repaving and landscape buffering.

C) Reduced Site Requirements : In the Prospector Square Commercial Subdivision, Lots 2 to 38 in the General Commercial zone, front, side and rear yards may be reduced to zero feet except for commercial lots which front on state highways. This section is not intended to conflict with Subsection 8.9 nor shall it be interpreted as taking precedence over the requirements of Subsection 8.9.

Please note that item (c) currently exists in Chapter 8 of the Land Management Code and it is not a new standard. The staff is simply suggesting that it be added to the section to which it applies, namely Section 7.9, the governing zone for the area, in order to make it easier for applicants to gather information for properties in this area.

D. Department Review

The Community Development staff and the City Attorney's office have reviewed the proposal.

The staff then initiated discussion to revisit the enactment of a maximum floor area ratio for the Prospector area. Current buildout statistics, provided by the Association, indicate that the area is at approximately 71% buildout. When the parking lots and all lots within Prospector Square with occupied structures are included, build out exceeds 80% as calculated by the City Engineer. Parking lots are included because there would be a loss of existing space as the net benefit of a parking structure are calculated.

C. Analysis

The staff and Prospector Square Owner's Association are proposing to enact a Prospector Square Overlay Ordinance, that would create a Floor Area Ratio to a maximum of 2.0 in the lots under the Association's authority.

The current height and setbacks for this zone, General Commercial, will not be affected by this proposed application of FAR's. The established height is 35' and the setbacks are in effect zero lot line, per the exception enacted for this area in 1984. (Chapter 8.3.(a)) This enactment of a FAR for Prospector lots will create a lot coverage maximum that has not previously existed. The Property Owner's Board of Directors has discussed and voted on this matter and has given its support and requested that the City introduce an ordinance that would create a FAR not to exceed a maximum of 2.0. It is the intent of the Association and Staff to allow for development in a manner that comes closer to compliance with the parking requirements that are established under Chapter 13 of the Land Management Code.

The proposed amendment to Chapter 7.9 of the Land Management is as follows:

Findings:

1. The lots under the authority of the Prospector Property Owners association in the General Commercial District are presently zoned in a manner that allows development at a scale and intensity that does not comply with Land Management Code Parking Standards, Chapter 13, and does not provide for adequate on site parking and the creation of three floors is not presently reflected in the current development pattern and its environs;

2. The City has provided notice of this specific proposal to amend the General Commercial District by published notices, public meetings and individual notice. This proposed amendment is intended to establish a limit on development within a specific area of the zone, Prospector Square Property Owners Lots 2A - 49D (except 40,41,42,43,45, and 46) and Parking Lots A - K, that allows for development along with adequate parking provisions;

3. There is a compelling, countervailing public interest in preserving and providing adequate parking within the General Commercial District.

In 1984 the City enacted the General Commercial zone in the northeastern section of town that encompassed the Prospector Square subdivision. The subdivision, originally platted in 1974, envisioned a ranch style, low rise commercial complex complete with interconnecting boardwalks. Parking lots were designated for groups of buildings but were not designed to comply with the parking requirements that were established by Code in 1984. Community concerns grew over the adequacy of parking and the long term ownership of the designated parking lots as the complex began to build out.

In 1987 the Prospector Square Property Owners Association and the Community Development Department entered in to an agreement concerning parking. The agreement attempted to address the ownership of the parking lots and added a requirement that conditioned any third levels of development to include on site parking. The agreement also called out for an in lieu payment of ten thousand dollars per space if on site parking could not be provided for third levels. A parking assessment was also to be conducted when the development reached an 85% build out level.

After seven years of living with the agreement in 1994 the Community Development Department again received complaints about inadequate parking in the Prospector Commercial area. The area was beginning to see increased development and existing tenants were having trouble finding parking. Staff met with the Owner's Association to review the buildout statistics and to discuss ways to allow for development without creating an unworkable parking situation.

At that time, the Owner's Association reported that the subdivision was at approximately at 67% buildout and a needs analysis was not necessary. Concurrently several amendments to subdivisions were occurring within Prospector Square. In response to concerns over parking adequacy, on one resubdivision agreement the owner agreed to limit his building structure to a maximum of two levels or a Floor Area Ratio (FAR) of 2.0.

This led staff and the Owner's Association to discuss the possibility of revising the 1987 agreement to establish a maximum FAR for development for lots under the Association's authority. FAR's are calculated by determining the gross building square footage divided by the total surface square footage of the building lot or parcel. Discussions also ensued on a variety of other solutions, such as, special improvement districts, the construction of a parking garage, and other solutions for the next several months.

In May of 1995 the City received its first application in several years for a three story structure in the Prospector area. The applicant wished to exercise the option of making an lieu payment to the City for the parking requirement on the third level per the 1987 agreement because parking could not be provided on site. The in lieu payment of $40,000 was accepted and then mostly released by the City Council to the Association for the specific use of parking improvements. The City at this time does not consider the 1987 agreement to be in effect.

EXHIBIT A

Ordinance No. 96-

AN ORDINANCE AMENDING THE GENERAL COMMERCIAL DISTRICT ZONING REGULATIONS OF THE LAND MANAGEMENT CODE OF PARK CITY AND AMENDING THE OFFICIAL ZONING MAP OF PARK CITY, UTAH TO ESTABLISH THE PROSPECTOR SQUARE OVERLAY ZONE WHICH ESTABLISHES FLOOR AREA RATIO BUILDING STANDARDS.

WHEREAS, the City desires to mitigate the mass and scale of new development in the Prospector Square Subdivision and ;

WHEREAS, meetings on the rezone have been held with the Prospector Square property Owner's Association and before the Planning Commission on this amendment within the General Commercial District and ;

WHEREAS, the Council has expressed a desire to balance the commercial needs of the city with adequate parking facilities and to maintain a scale of retail businesses within the Prospector General Commercial District;.

WHEREAS, the Prospector Square Owners Association supports the implementation of Floor Area ratio standards for properties under their authority; and

WHEREAS, it is in the best interest of Park City and for the protection of health, safety and the general welfare of its citizens to mitigate traffic congestion and to provide adequate parking facilities in near proximity to commercial developments and to ensure reasonable economic viability of the City's General Commercial District in the Prospector area;

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

SECTION 1. FINDINGS: The Council finds that:

1. The lots under the authority of the Prospector Property Owners association in the General Commercial District are presently zoned in a manner that allows development at a scale and intensity that does not comply with Land Management Code Parking Standards, Chapter 13, and does not provide for adequate on site parking and the creation of three floors is not presently reflected in the current development pattern and its environs;

2. The City has provided notice of this specific proposal to amend the General Commercial District by published notices, public meetings and individual notice. This proposed amendment is intended to establish a limit on development within a specific area of the zone, Prospector Square Property Owners Lots 2A - 49D

(except 40,41,42,43,45, and 46) and Parking Lots A - K, that allows for development along with adequate parking provisions;

3. There is a compelling, countervailing public interest in preserving and providing adequate parking within the General Commercial District.

4. The health, safety, and welfare of the general public is contingent upon parking lots A-K remaining open for parking in perpetuity.

Conclusions Of Law:

1. The proposed ordinance is consistent with the Comprehensive Plan.

2. The purpose of the parking overlay zone is in keeping with the provisions for parking that are enforced on all development projects within the City.

3. There is good cause for the parking overlay zone as it mitigates parking congestion and provides for reasonable development in conjunction with parking.

SECTION 2. AMENDMENTS TO CHAPTER 7 OF THE LAND MANAGEMENT CODE. Chapter 7 is hereby amended to read as follows:

CHAPTER 7. DISTRICTS AND REGULATIONS

7.9. GENERAL COMMERCIAL DISTRICT (GC)

7.9.1. PURPOSE. To allow those trades and service uses that may not necessarily be compatible in scale or use with the historic central business district to locate in an area that is convenient to major traffic access, the resort area, and emerging population centers. All uses are required to orient away from major traffic thoroughfares in order to avoid strip commercial development and traffic congestion. Environmentally compatible light manufacturing and light industrial uses are allowed.

7.9.2. USES. Uses within the zone are limited to those uses shown on the land use tables as either permitted or conditional uses for the zone. All other uses are prohibited.

7.9.3. LOT AND SITE REGULATIONS.

(a) Side Yard. There shall be a minimum of a ten foot side yard and on corner lots the side yard which faces a street shall not be less than 20 feet.

(b) Front Yard. The minimum front yard shall be 20 feet.

(c) Rear Yard. There shall be a ten foot rear yard.

7.9.4. BUILDING HEIGHT. Buildings shall be erected to a height no greater than 35 feet measured from natural grade at the building site.

7.9.5. USES TO BE WITHIN ENCLOSED BUILDING. All uses except outdoor dining shall be conducted wholly within a completely enclosed building except that the Planning Commission may permit outdoor uses which it determines are in the best interest of the General Commercial (GC) District.

7.9.6. ARCHITECTURAL REVIEW. Prior to the issuance of building permits for any conditional or permitted use within this zone, the Community Development Department shall review the proposed plans for neighborhood compatibility in keeping with the architectural design guidelines adopted as Chapter 9 of this Code. Appeals of departmental actions on architectural compliance are heard by the Planning Commission, and then may be appealed to the Council as set forth in Chapter 1 of this Code. Single family residences in this zone are not subject to design review by the City, but may be subject to subdivision regulations and covenants that regulate design, materials, yard and height more strictly than this Code. This Code does not supersede more restrictive provisions in private covenants.

7.9.7 PROSPECTOR OVERLAY ESTABLISHING A MAXIMUM FLOOR AREA FOR DEVELOPMENT.

A) Affected Lots: Lot 2A through Lot 49D (except 40,41,42,43,45, and 46) and Parking Lots A - K under the authority of the Prospector Square Property Owners Association.

B) Maximum Floor Area Ratio (FAR) : The FAR in this area, as defined above, shall not exceed 2.0. The FAR is calculated by determining the gross building square footage divided by the total surface square footage of the building lot. All uses, except structures solely devoted to parking, are subject to the floor area ratio. Parking Lots A-K shall have no use other than parking and related uses such as snowplowing, striping, repaving and landscape buffering.

C) Reduced Site Requirements : In the Prospector Square Commercial Subdivision, Lots 2 to 38 in the General Commercial zone, front, side and rear yards may be reduced to zero feet except for commercial lots which front on state highways. This section is not intended to conflict with Subsection 8.9 nor shall it be interpreted as taking precedence over the requirements of Subsection 8.9.

SECTION 3. ZONING MAP AMENDED The Official Zoning Map of Park City is hereby amended to reflect the zoning change described herein.

SECTION 4. EFFECTIVE DATE. This Ordinance shall become effective upon adoption.

PASSED AND ADOPTED this 20th day of June, 1996

PARK CITY MUNICIPAL CORPORATION

____

Mayor Bradley A. Olch

Attest:

____

Anita Sheldon, City Recorder

Approved as to form:

____

Mark Harrington, Asst. City Attorney

Exhibit B - Location Map

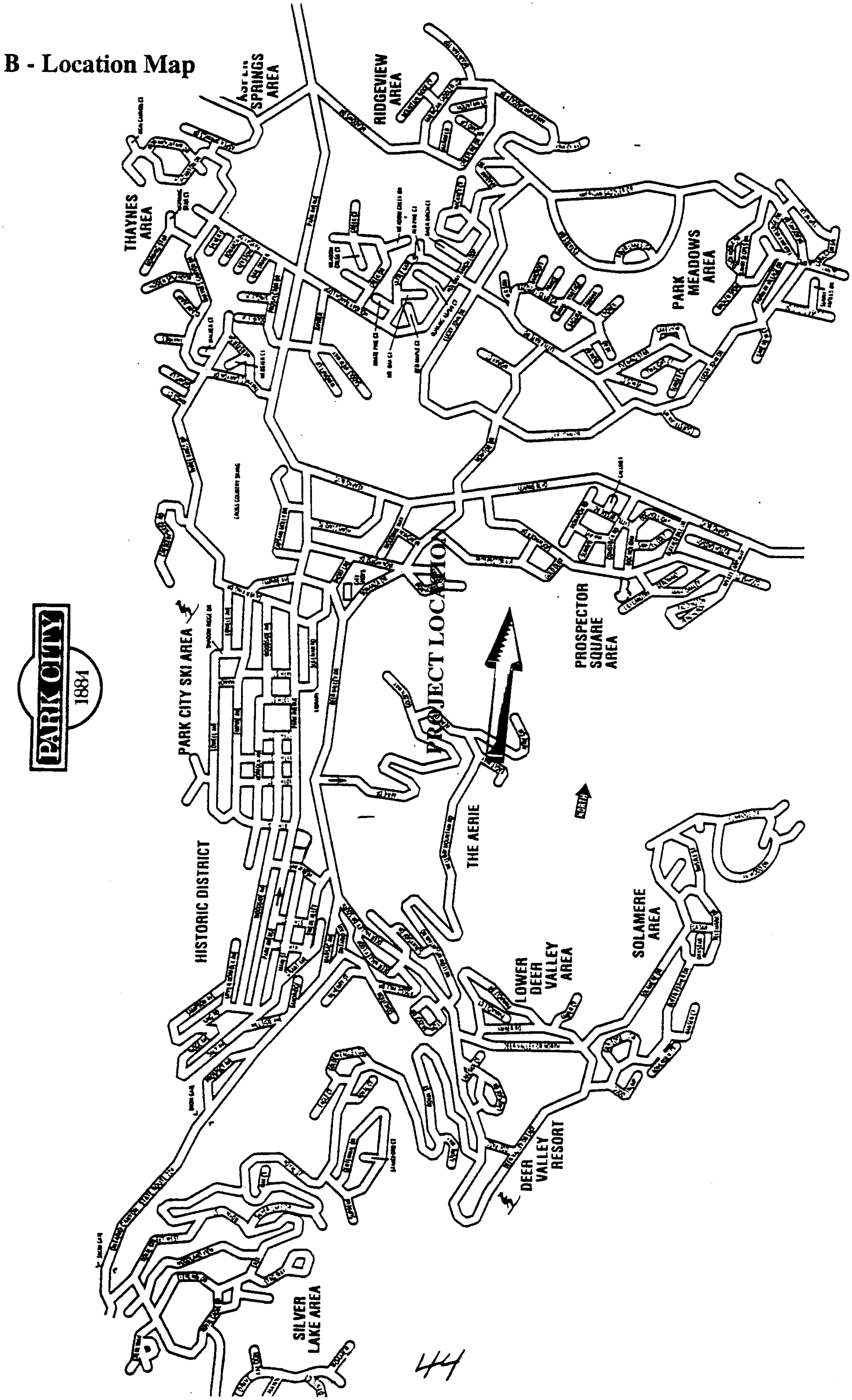
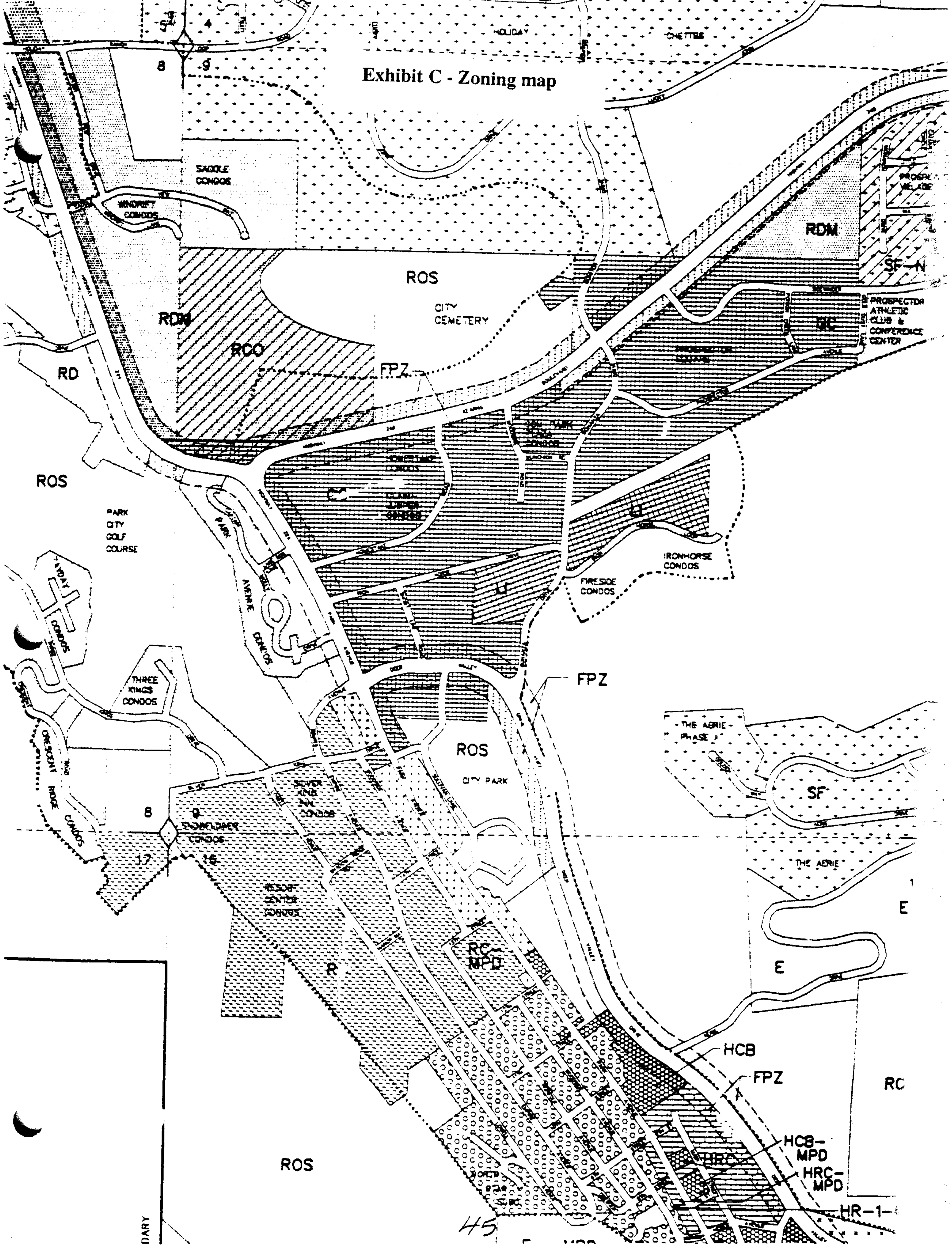


Exhibit C - Zoning map



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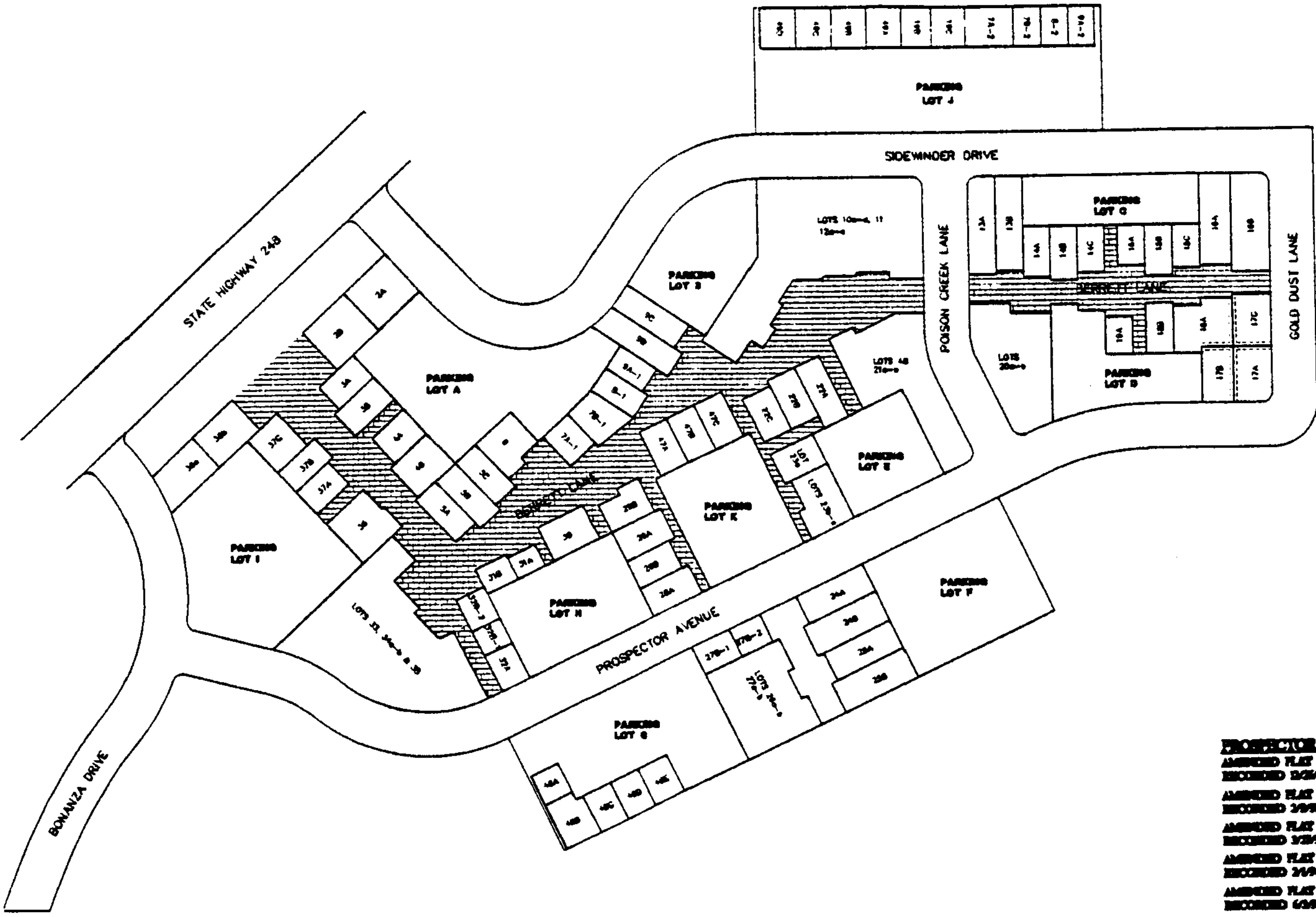
PROSPECTOR SQUARE

SUBDIVISION EXHIBIT D



PROSPECTOR SQUARE PLAT AMENDMENTS

AMENDED PLAT - ALL LOTS
RECORDED [illegible] RECORDATION ENTRY NO. [illegible]

AMENDED PLAT LOTS [illegible]
RECORDED [illegible] RECORDATION ENTRY NO. [illegible]

AMENDED PLAT LOTS [illegible]
RECORDED [illegible] RECORDATION ENTRY NO. [illegible]

AMENDED PLAT PARKING LOTS
RECORDED [illegible] RECORDATION ENTRY NO. [illegible]

AMENDED PLAT LOTS [illegible]
RECORDED [illegible] RECORDATION ENTRY NO. [illegible]

AMENDED PLAT LOTS [illegible]
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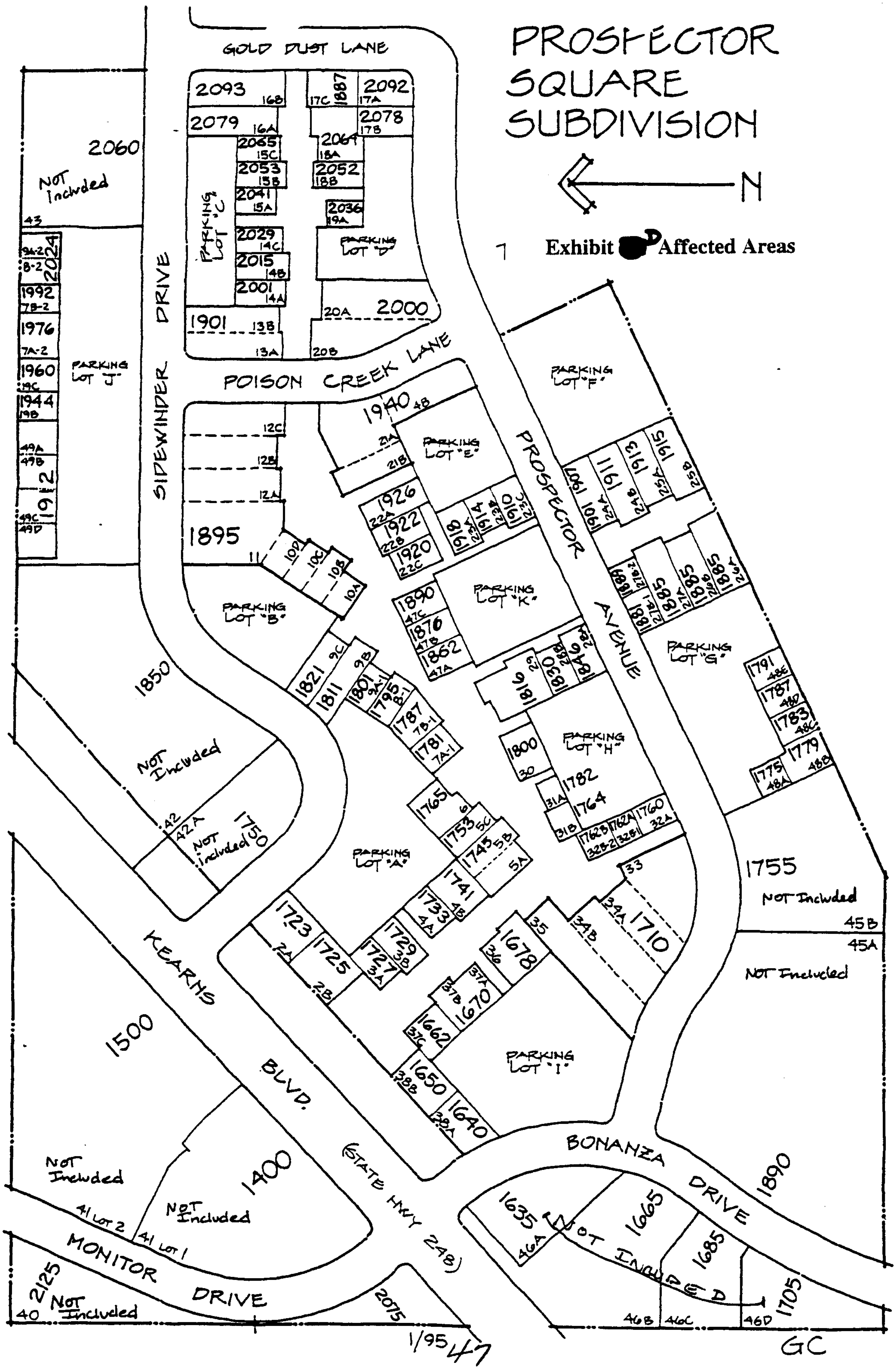
PROSPECTOR SQUARE SUBDIVISION

7 **Exhibit Affected Areas**



PARK CITY
1884

CITY COUNCIL REPORT

DATE:	**June 14, 1996 (June 20, 1996 meeing)**
DEPARTMENT:	**Planning Department**
AUTHOR:	**Kirsten A. Whetstone**
TITLE:	**675 Deer Valley Drive, Greyhawk Condominiums (a.k.a. Songbird), Final Plat**
TYPE OF ITEM:	**Legislative**

SUMMARY RECOMMENDATIONS: Approve the Greyhawk Condominium Plat.

DESCRIPTION:

A. Topic

PROJECT STATISTICS:

Applicant:	Greyhawke, LLC (Charles Culp, Mgr.)
Location:	675 Deer Valley Drive
Zoning:	RM- Residential Medium Density
Adjacent Land Uses:	Residential, single family and condominiums
Date of Application:	April 1, 1996
Project Planner:	Kirsten A. Whetstone
Staff Recommendation:	Approve with conditions

B. Background

This request is for approval of the final condominium plat for the Greyhawk Condominium project, formally known as the Songbird Condominiums. A final plat must be recorded with the County in order for the current owner to sell ownership interests to other parties. On July 13, 1994, the Planning Commission approved a Conditional Use Permit, subject to conditions, for the Songbird Condominiums located at 675 Deer Valley Drive (Exhibit A). On June 7, 1995 the conditions of approval were amended by the Planning Commission to allow the units to "not exceed 1,500 square feet" as opposed to 1,100 square feet, to be consistent with the LMC in terms of the way unit equivalents and parking are calculated.

On June 12, 1996 the Planning Commission voted to forward a positive recommendation to City Council to approve the proposed Greyhawke Condominium plat as conditioned.

The Greyhawke Condominiums are currently under construction according to the approved building plans on file at the City's building department. The 26 unit project is being constructed in one phase (Exhibit B).

C. <u>Analysis</u>

This condominium project is currently under construction. The project consists of 26 units in seven buildings and an underground parking structure with access to Deer Valley Drive. There is a landscaped court yard area between the front units and rear units at the "plaza" level of the parking structure. The proposed condominium plat is consistent with the Land Management Code, approved Songbird CUP plans, and the approved building plans. There are outstanding public utility issues and therefore Staff is recommending a condition of approval that a financial guarantee for completion of all public improvements associated with this project, be posted prior to plat recordation. The plat changes the type of ownership of this parcel to condominium ownership.

D. <u>Department Review</u>

The City Engineer has reviewed the plat and has recommended some changes prior to plat recordation. The City Attorney's office will be required to review and approve the plat and CC&R's prior to recordation.

<u>RECOMMENDATION:</u>

The staff recommends approval of the condominium plat for 675 Deer Valley Drive based upon the following:

<u>Findings of Fact</u>

1. The plat is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.

2. The plat is consistent with the Planning Commission approval of the Songbird Conditional Use Permit.

3. 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.

4. The proposed plat changes the type of ownership of this property to condominium ownership.

Conclusions of Law

1. There is good cause for this condominium plat.

2. Neither the public nor any person will be materially injured by the proposed condominium plat.

3. Approval of the plat, subject to the conditions of approval, 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's review and approval of the final form and content of the plat and the Conditions, Covenants and Restrictions (CC&R's), for compliance with State law, the Land Management Code, and the conditions of approval, is a condition precedent to recording the plat.

2. All conditions of approval, including amended conditions of approval, for the Songbird CUP shall apply.

3. All standard project conditions shall apply.

4. A financial guarantee, for the value of all public improvements to be completed, shall be provided to the City prior to plat recordation. All public improvements shall be completed according to City standards and accepted by the City Engineer prior to release of this guarantee.

5. The final condominium plat shall be recorded at the County within one year from the date of City Council approval. If recordation has not occurred within the one year time frame, this approval and the plat shall be considered null and void.

6. A 10' snow storage and utility easement along Deer Valley Drive shall be dedicated on the plat.

EXHIBITS:

Exhibit A- Proposed condominium plat
Exhibit B- Location Map

Ordinance No. 96-

AN ORDINANCE APPROVING A CONDOMINIUM PLAT FOR THE GREYHAWK CONDOMINIUMS AT 675 DEER VALLEY DRIVE LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, UTAH

WHEREAS, the owners, Greyhawke L.L.C., of the property at 675 Deer Valley Drive, located in the Southwest Quarter of Section 15, Township 2 South, Range 4 East, Park City, Utah and to be known as the Greyhawk Condominiums, have petitioned the City Council for approval of a condominium plat; 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 12, 1996 the Planning Commission held a public hearing to receive public input on the proposed condominium plat and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, on June 20, 1996 the City Council held a public hearing to receive input on the proposed condominium plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the condominium plat;

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

SECTION 1. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned condominium plat and that neither the public nor any person will be materially injured by the proposed plat.

SECTION 2. PLAT APPROVAL. The condominium plat, known as the Greyhawk Condominium plat, at 675 Deer Valley Drive, is hereby approved as shown on Exhibit A, with the following conditions:

1. The City Attorney and City Engineer's review and approval of the final form and content of the plat and the Conditions, Covenants, and Restrictions (CC&R's), for compliance with State law, the Land Management Code, and the conditions of approval, is a condition precedent to recording the plat.

2. All conditions of approval, including amended conditions of approval, for the Songbird CUP shall apply.

3. All Standard Project Conditions shall apply.

4. A financial guarantee, for the value of all public improvements to be completed, shall be provided to the City prior to plat recordation. All public improvements shall be completed according to City standards and accepted by the City Engineer prior to release of this guarantee.

5. The final condominium plat shall be recorded at the County within one year from the date of City Council approval. If recordation has not occurred within the one year time frame, this approval and the plat shall be considered null and void.

6. A 10' snow storage and utility easement along Deer Valley Drive shall be dedicated on the plat.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 20 th day of June, 1996.

PARK CITY MUNICIPAL CORPORATION

____
Mayor Bradley A. Olch

Attest:

____
Janet M. Scott, Deputy City Recorder

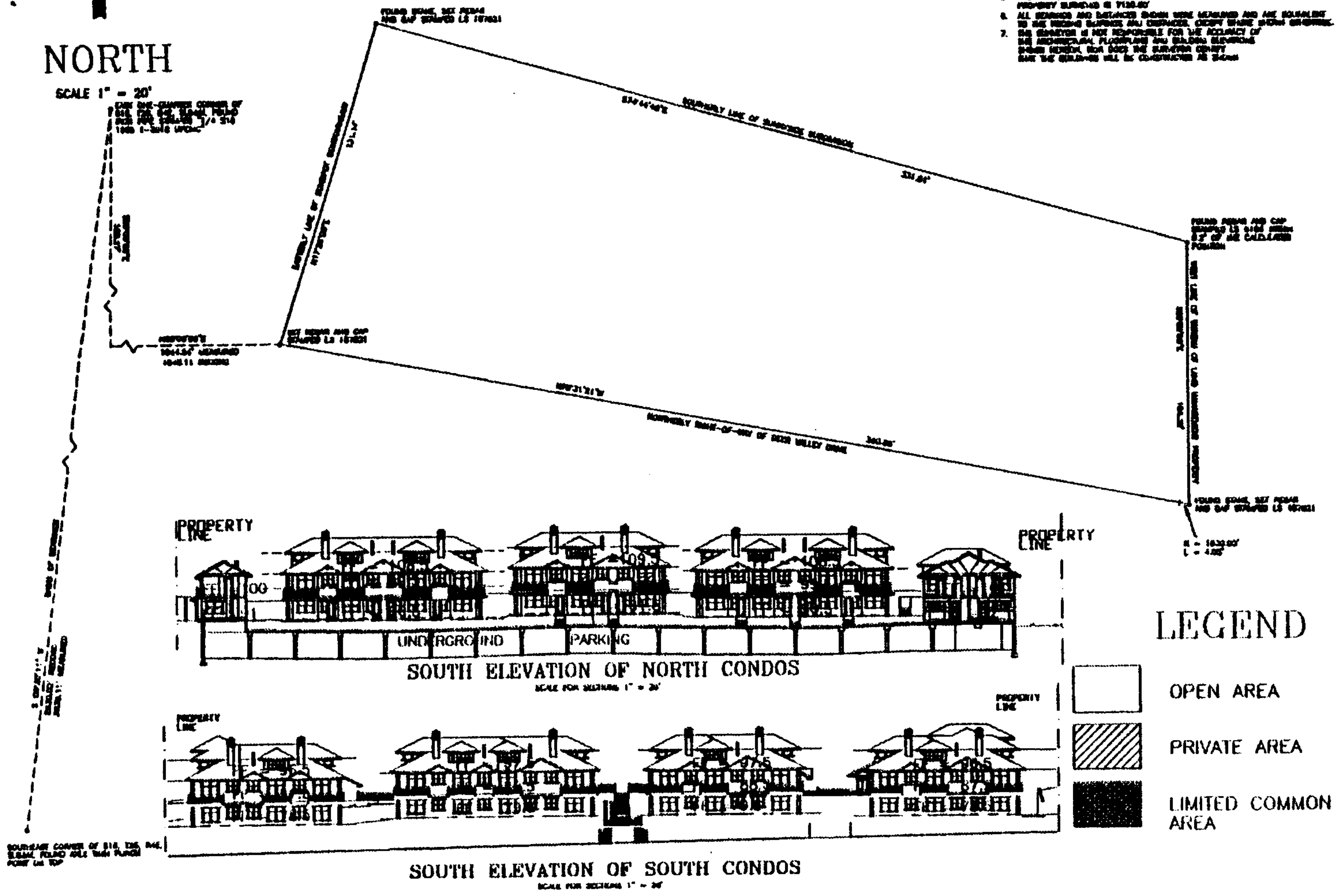
Approved as to form:

____
Mark D. Harrington, Assistant City Attorney

EXHIBIT A.
1 of 3

GREY HAWK CONDOMINIUMS

NOTES



LEGEND

OPEN AREA

PRIVATE AREA

LIMITED COMMON AREA

SURVEYORS CERTIFICATE

BOUNDARY DESCRIPTION

OWNERS DEDICATION

PLANNING COMMISION APPROVAL

CERTIFICATE OF ATTEST

ENGINNERS CERTIFICATE

APPROVAL AS TO FORM

RECORDED

GREY HAWK CONDOMINIUMS
PARK CITY, SUMMIT COUNTY, OF UTAH
SHT 1 OF 3

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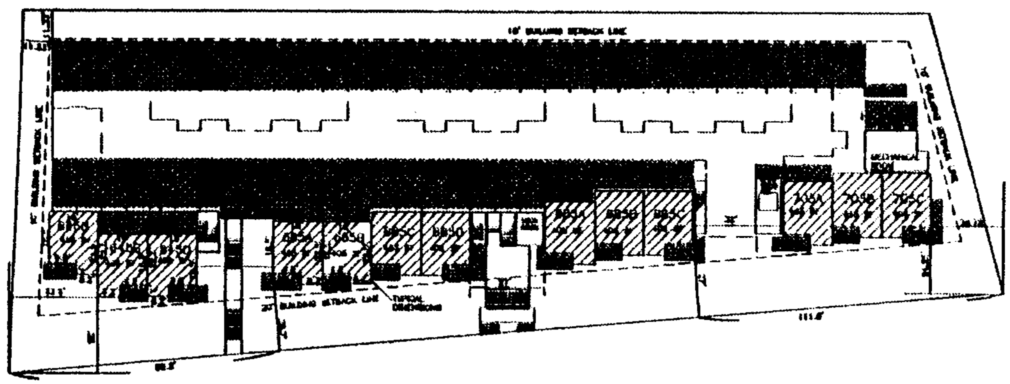
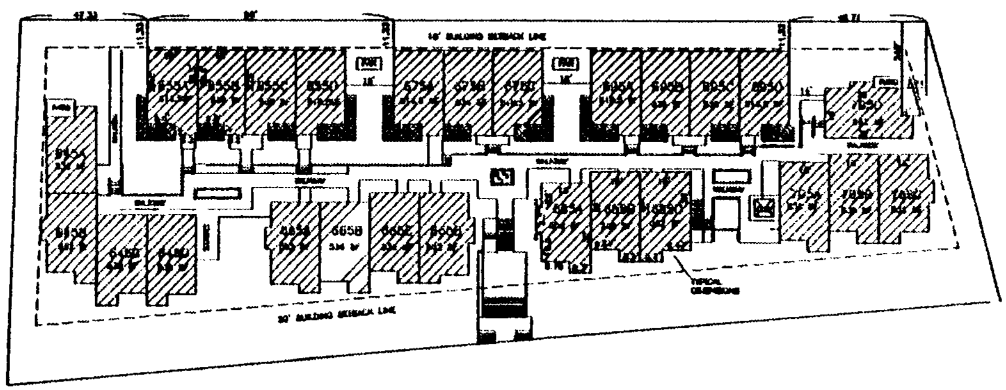
2 of 3

GREY HAWK CONDOMINIUMS



FIRST LEVEL FLOOR PLAN



SECOND LEVEL FLOOR PLAN

NORTH

SCALE 1" = 20'

LEGEND

- OPEN AREA
- PRIVATE AREA
- LIMITED COMMON AREA

RECORDED

GREY HAWK CONDOMINIUMS

PARK CITY, SUMMIT COUNTY, STATE OF UTAH

SHT 2 OF 3

RECEIVED

APR 1 1996

PARK CITY
PLANNING DEPT

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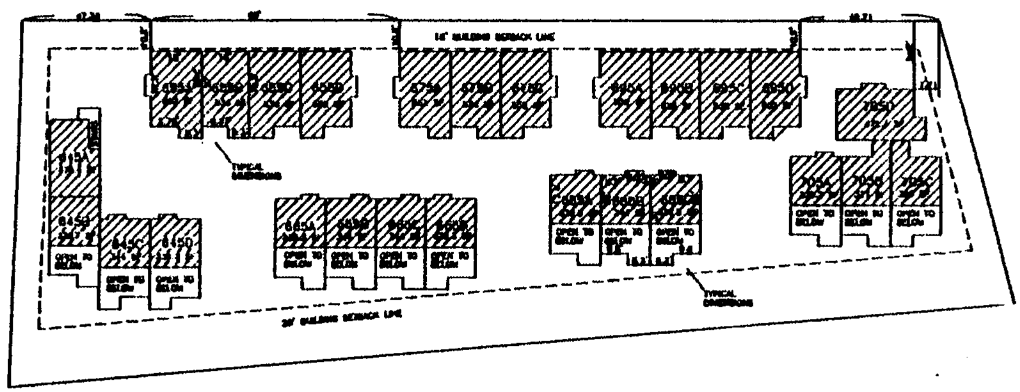
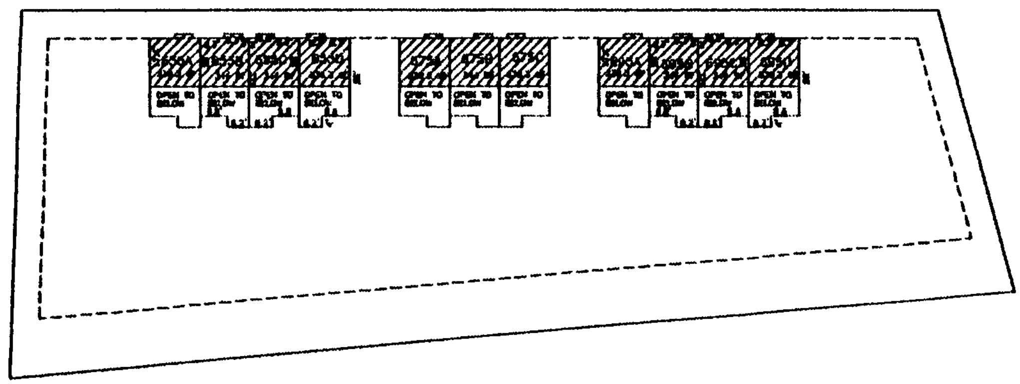
GREY HAWK CONDOMINIUMS



THIRD LEVEL FLOOR PLAN



FOURTH LEVEL FLOOR PLAN

NORTH

SCALE 1" = 20'

LEGEND

OPEN AREA

PRIVATE AREA

LIMITED COMMON AREA

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT AND FILED AT THE REQUEST OF

DATE ______ TIME ______ BOOK ______ PAGE ______

FEE ______ RECORDER ______

GRAY HAWK CONDOMINIUMS

PARK CITY, SUMMIT COUNTY, STATE OF UTAH

SHT 3 OF 3

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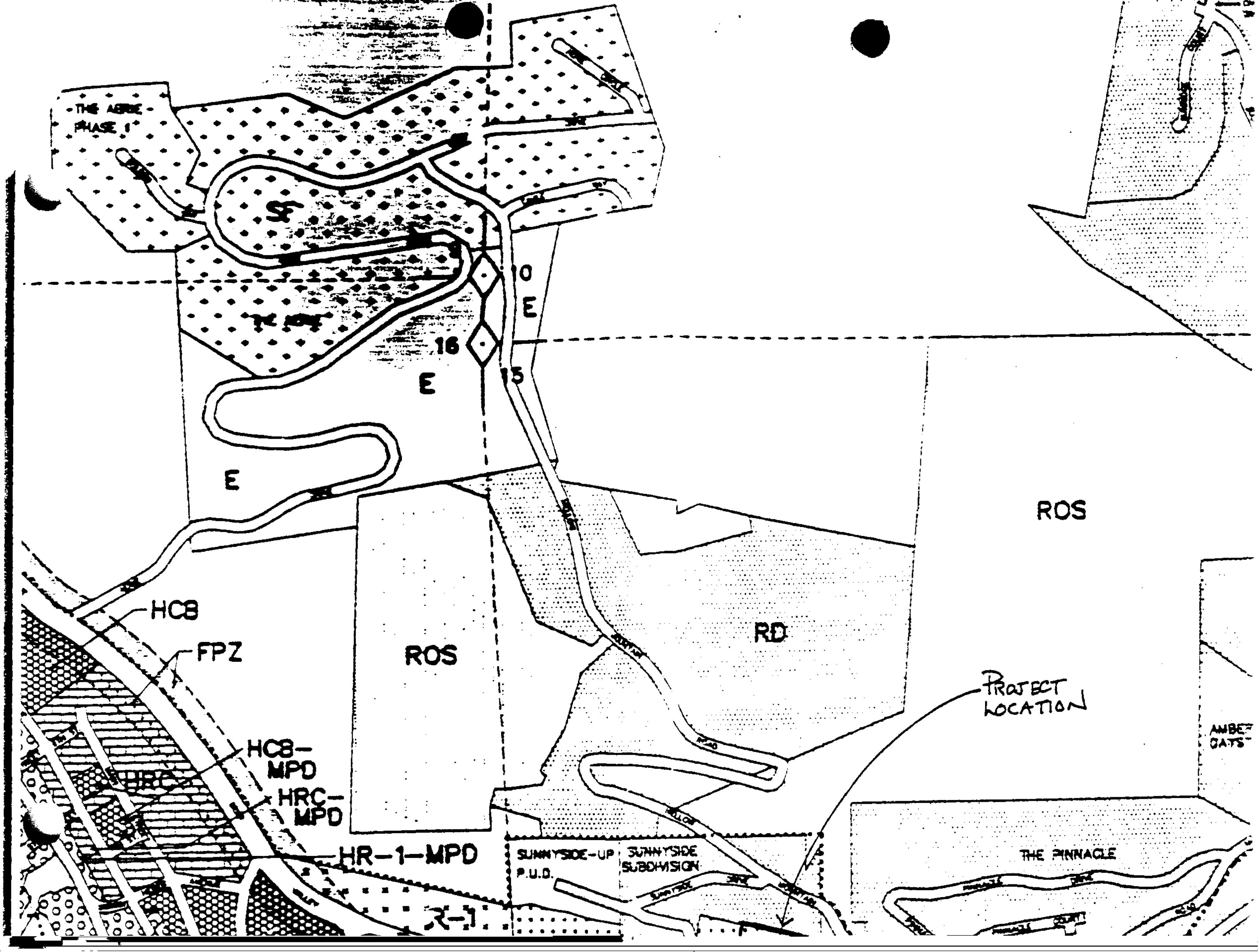

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PROJECT
LOCATION
SUNNYSIDE-UP
P.U.D.
SUNNYSIDE
SUBDIVISION
THE PINNACLE

PARK CITY
1884

DATE: June 20, 1996
DEPARTMENT: Community Development
AUTHOR: Eric DeHaan, P.E., City Engineer and Toby Ross, City Manager
TITLE: Approval of Encroachment Agreement with the Park City School District relating to City Property near 2700 Kearns Boulevard
TYPE OF ITEM: Administrative

SUMMARY RECOMMENDATIONS: Authorize the approval of an encroachment Agreement and waiver of the notice requirement for modification of the School Fields Lease Agreement between PCMC and the Park City School District (PCSD) allowing the construction of a PCSD parking lot on PCMC property.

DESCRIPTION:

A. **Topic:** PCSD is losing its lease for their offices on Ironhorse Drive and desires to build an administrative office building east of the Middle School on Kearns Boulevard. The proposed layout includes a parking lot. In order not to interfere with the current playing fields the design calls for the parking lot to be pushed east onto Park City Municipal Corp. property. The attached encroachment agreement would be our formal agreement allowing this construction. The office building would also encroach on the area of the fields lease and PCSD has notified PCMC of its intent to build on that area as called for in the lease agreement except that they have not provided the full twelve month of notice. No improvements will need to be removed because of the proposal.

B. **Background:** In the 1970s, the original Park Meadows Master Plan called for Meadows Drive to act as a "belt route" around Park Meadows. The City reserved a 50-foot access road easement in the back yards of the easternmost lots of Park Meadows #5 Subdivision. In subsequent negotiations in the 1980s, the City acquired most of the McPolin Elementary site and traded it to PCSD in exchange for the current Meadows Drive property (ROW), shown on Exhibit A. We then gave up most of the access road easement in Park Meadows #5, which became the backyards of homes on Lucky John.

C. **Analysis:** PCSD needs an office building but doesn't want to interfere with the Middle School Fields. PCSD's architect, Gary Acord, designed the building shown on Exhibit B. The School District would prefer a land trade so they own fee title to their parking lot. PCMC staff is hesitant to recommend a sudden land trade in part because Park Meadows residents were part of a consensus approving a traffic study calling for Meadows Drive to get built in or near the location shown on Exhibit A. Most recently a wetlands study was done because the road construction, if funded and built, would interrupt the valuable Middle School Wetland. Other road alignments could avoid the school's wetlands and minimize use of the existing ROW. Alternative 2, attached, shows one way of minimizing wetland impacts. Construction plans for Meadows Drive have never been prepared, and the City staff receives very little input requesting construction of the road. The staff therefore is not requesting that the road to be built but merely to keep the land at least until right-of-way for an a suitable alternate alignment can be secured.

The area was shown for future fields improvements. However, the City no plans to install improvements in the near future and PCSD has the right build school facilities with proper notice. The only policy issue for the Council on this issue is whether or not to waive the notice period.

D. Department Review: Public Works, Community Development and the City Manager have

ENCROACHMENT PERMIT
2700 KEARNS BOULEVARD - SCHOOL DISTRICT OFFICES

THIS AGREEMENT is made by and between PARK CITY MUNICIPAL CORPORATION (City) and Park City School District (Owners) to set forth the terms and conditions under which the City will permit the Owner to build, maintain, and use certain improvements within the City property and right-of-way near 2700 Kearns Boulevard, Park City, Utah. Subject to the following terms and conditions of this agreement, Owner shall have the right to construct and maintain a parking lot and associated driveway within the parcel known as Future Meadows Drive as shown on Exhibit A.

1. This encroachment agreement shall be appurtenant to the following described property: Parcel PCA-98-A-X owned by the Board of Education of the Park City School District.

This agreement is not transferable to other property, but is freely transferrable with the title to this parcel. The license and conditions as stated in the agreement, are binding on the successors in title or interest of Owners.

2. The improvements permitted within the street right-of-way for Future Meadows Drive shall consist of a parking lot and associated driveway of a design approved by the City. The extent of the encroachment is shown on plans approved by the City in conjunction with construction of the School District Offices.

3. Although it is not currently planned, and somewhat unlikely because of the expense involved, the City may, at some future date, elect to make improvements to Meadows Drive at this location and install the street to the full width of the right-of-way and City property. To the extent that any street improvements require the removal, relocation, replacement, and/or destruction of the improvements the Owner may have been using within the City property or right-of-way, the Owner waives any right to compensation for the loss of the use of the street right-of-way and/or any change

in the grade and elevation of the street. This waiver of compensation, in the event the improvements are removed for street widening purposes, is the consideration given for the granting of this encroachment permit. The City shall bear all expenses associated with the installation of the street improvements.

4. Prior to installing the street in a manner that will require the removal or relocation of the improvements, the City will give the Owner not less than ninety (90) days notice, in which time the Owner at its expense shall make adjustments on Owner's property to remodel and/or relocate the parking lot and associated driveway to accommodate the installation of the street. The City may only give said notice during the period of April 1 through September 1. (Notice given at any other time will be treated as if given on April 1.) The owner shall have access to its property from the newly installed street.

5. No permanent right, title, or interest of any kind shall vest in the Owner in the street right-of-way by virtue of this agreement. The property interest hereby created is a revocable license, and not an easement or other perpetual interest. No interest shall be perfected under the doctrines of adverse possession, prescription, or other similar doctrines of law based on adverse use, as the use hereby permitted is entirely permissive in nature.

5. The Owner or their successors shall maintain the parking lot and associated driveway in a good state of repair at all time, and upon notice from the City, will repair any damaged, weakened, or failed sections. The Owner agrees to hold the City harmless and indemnify the City for any and all claims which might arise from third parties, who are injured as a result of the Owner's use of the right-of-way for private purposes, or from the failure of the Owner's improvements.

6. This agreement shall be in effect until the license is revoked by the City. Revocation shall be effected by the City recording a notice of revocation with the Summit County Recorder and sending notice to Owner or its successors.

DATED this ____ day of June, 1996.

PARK CITY MUNICIPAL CORPORATION

____

Toby Ross
City Manager

____

____

(Name & Title)
for Board of Education of the Park City
School District

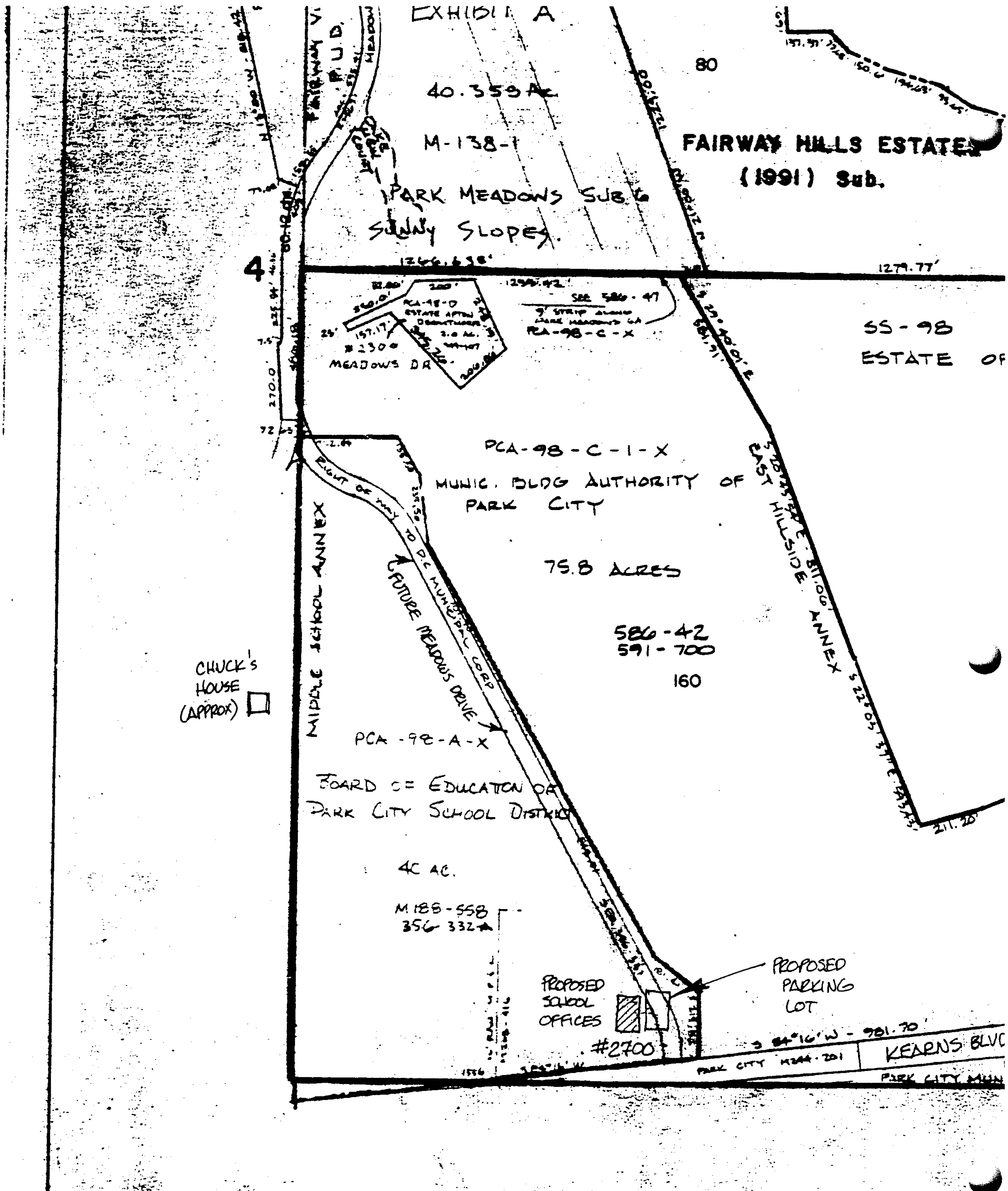
STATE OF UTAH)
) ss.
COUNTY OF SUMMIT)

On the ____ day of June 1996, personally appeared before me , who, being first duly sworn and upon oath, did acknowledge to me that he signed the foregoing instrument on behalf of Board of Education of the Park City School District.

____

Notary Public
Residing at:______________________
Commission expires:________________

EDH\ENCROACH.KNS



Approved Utah State Tax Comm	REVISIONS - DATE AND INITIAL (In Pencil)				
	11-25/79				
			62		
Date By					

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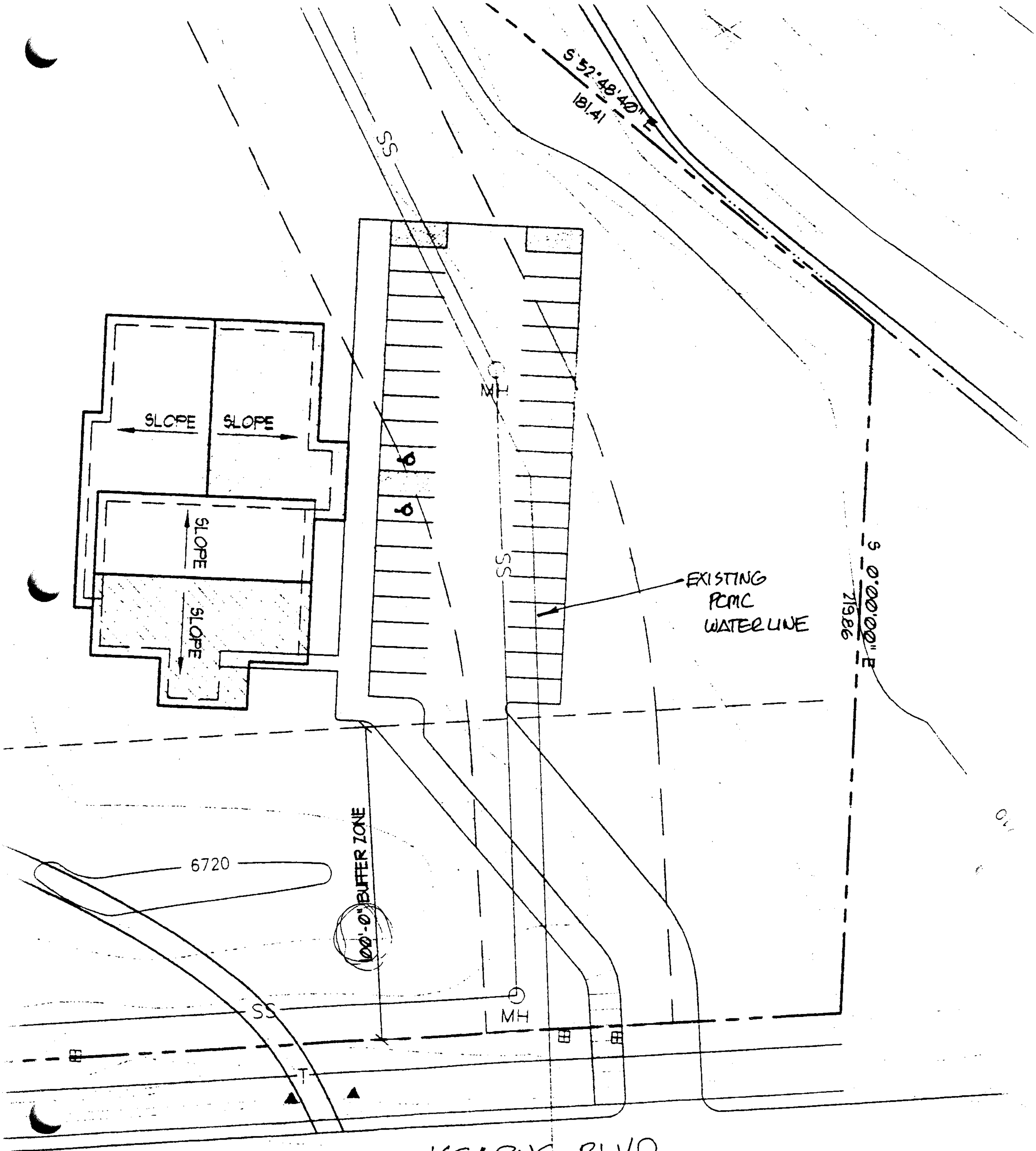
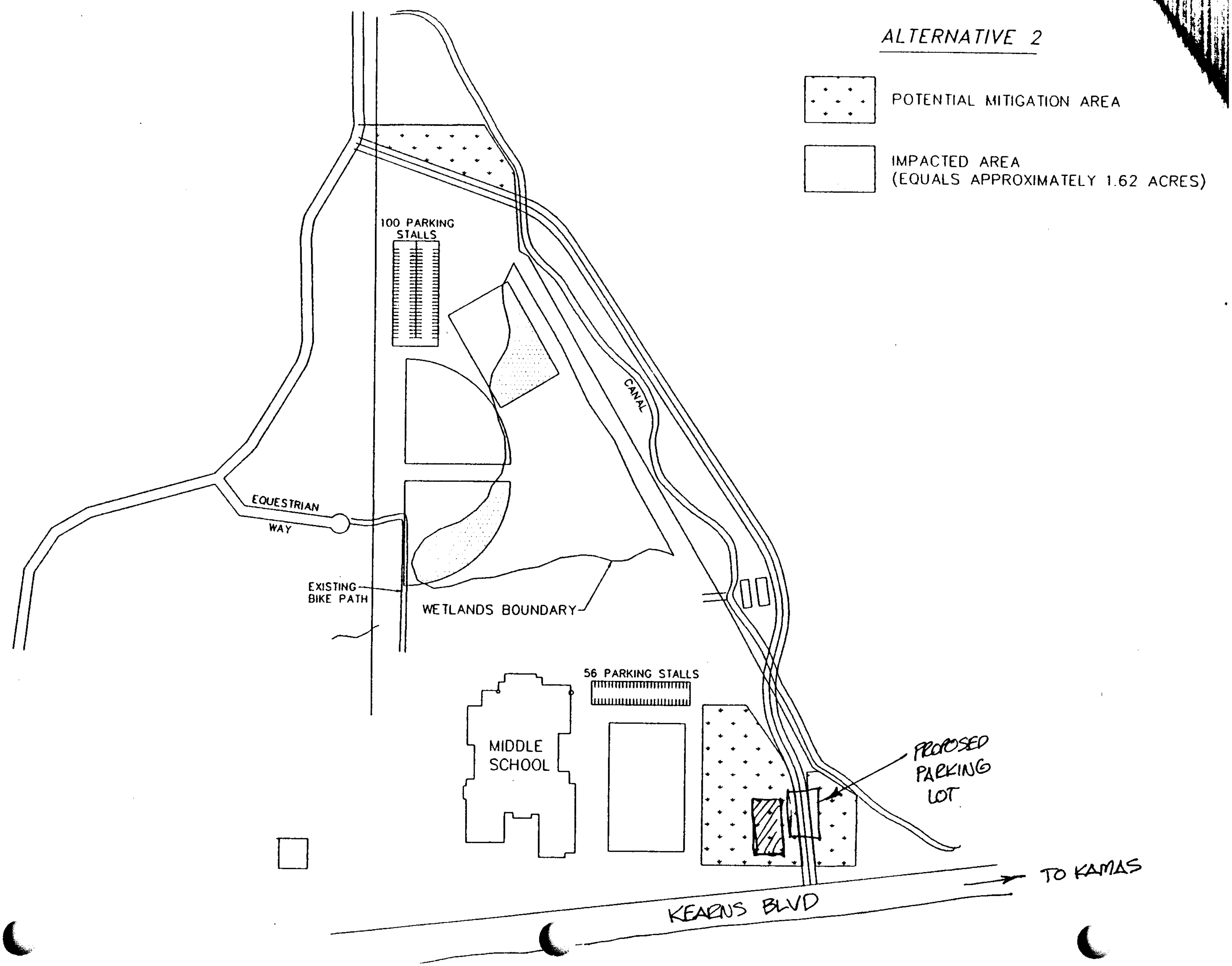
EXHIBIT B



KEARNS BLVD.


ALTERNATIVE 2
POTENTIAL MITIGATION AREA
IMPACTED AREA
(EQUALS APPROXIMATELY 1.62 ACRES)
100 PARKING STALLS
CANAL
EQUESTRIAN WAY
EXISTING BIKE PATH
WETLANDS BOUNDARY
56 PARKING STALLS
MIDDLE SCHOOL
PROPOSED PARKING LOT
TO KAMAS
KEARNS BLVD

PARK CITY
1884

DATE: June 20, 1996
DEPARTMENT: Public Works
AUTHOR: Jerry Gibbs
TITLE: Marsac Windows
TYPE OF ITEM: Award of Contracts

SUMMARY RECOMMENDATIONS: Authorize staff execute a contract with Park City Glass to replace 28 windows on the east side of the building for $66,292.50

DESCRIPTION:

A. Topic. Window Replacement Phase 2

B. Background. The city council approved the lower floor window replacement in December 95 as part of the Marsac remodeling effort. The remodeling effort is on hold but the window work has been completed. Three replacement windows from the lower area were used in the council work room. The noise reduction was noticeable.

C. Analysis. Park City Glass provided a proposal to replace all the windows in Marsac by floors. Prices were fixed until July 96. The success of the windows in the work session room reducing the noise level suggested a better alternative was to replace the windows by building side. The east side is chosen due to the excessive road noise.

The total cost to complete the building is approximately $140,000 for 67 windows. Summit County Glass expressed an interest but they were unable to get a favorable price from Custom Windows.

D. Department Review.

This project has been reviewed by the general administration and public works.

ALTERNATIVES:

A. Authorize staff to proceed with the east side window replacement.
B. Authorize staff to proceed with the replacement of all windows.
C. Postpone replacement.

SIGNIFICANT IMPACTS: Alternative A provides the greatest opportunity for noise reduction. Alternative B would protect the city from any future price increase.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION: Alternative C will postpone the project and may be subject to higher labor and window costs.

RECOMMENDATION: Authorize staff to enter into an agreement with Park City Glass to remove the existing windows on the east side of the Marsac Building and install new windows manufactured by Custom Windows in the amount of $66,292.50.

PARK CITY
1884

DATE: 6/14/96
DEPARTMENT: Library
AUTHOR: Pat Montgomery, Library Director
TITLE: Library Board Appointments
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Make two appointments to the Library Board as recommended by the current Board.

DESCRIPTION:

A. Topic: Library Board vacancies.

B. Background: Utah Code requires municipal library board appointments to be made effective July 1 each year. Currently, the Park City Library Board has two members with terms expiring July, 1996. One member is eligible to be reappointed for another full term but the second member has served two full terms and is ineligible for reappointment.

In accordance with City policy, ads ran in the Park Record for three weeks, were aired on KPCW, and were posted at the Library. A total of four applications were received, including a request from the incumbent board member to be reappointed.

C. Analysis: Applicants were invited to attend the May and June regular meetings of the Board and discuss their interest in serving on the Library Board. Subsequently, a subcommittee of the Library Board held interviews with the applicants. Criteria for selection included: ability to attend monthly meetings and become involved in related committee assignments; knowledge of Park City community issues; involvement in other boards or commissions; knowledge of City-County fee issues; public relations ideas; and attitude and future vision for library service. Based on this process, the Library Board recommends the following appointments:

Name	Term	Expiration
Sally Roberts	3 Yr. Reappointment	July, 1999
Carolyn B. Meyer	3 Yr. Appointment	July, 1999

D. Department Review: The Library Board, the Library Director and the Leisure Services Administration agree with this recommendation.

ALTERNATIVES:

A. Approve the Request: Make the appointments to ensure a fully staffed and legally constituted Library Board.

B. Deny the Request: Deny the request. Make alternate appointments or reopen the recruitment process.

C. Continue the Item: The Library Board could function by law with a minimum of five members but would be seriously understaffed to function efficiently.

D. Do Nothing: Not an option. Code requirements stipulate timely appointments.

SIGNIFICANT IMPACTS:

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION: In the short term, the Library Board would be significantly understaffed to conduct business.

RECOMMENDATION: Make the Library Board appointments as recommended.

PARK CITY
1884

DATE: June 20, 1996
DEPARTMENT: Administration
AUTHOR: Jan Scott
TITLE: Fee Waiver Request from Save our Stage (SOS) - Egyptian Theater
TYPE OF ITEM: Administrative

SUMMARY RECOMMENDATIONS: Approve the waiver of building fees of $15,844 for the theater renovation project and assist in the procurement of a matching grant, and agree to a loan not to exceed $21,279 in the event those funds are needed by July 1, 1996.

DESCRIPTION:

A. Topic: This is a request to assist with fee waivers and a possible loan in the renovation efforts of the Egyptian Theater which will amount to $1,012,123.

B. Background: SOS received a grant in December from the Eccles Foundation. Since then it has raised $300,000 toward a matching portion of the grant. There is less than a month to reach the goal of $500,000. If reached by July 1, the Eccles grant includes a match in the amount of $250,000.

Estimated building fees total $15,844, and SOS is requesting a fee waiver to offset its cost and to demonstrate the City's support in its effort to obtain matching funds from the Eccles. SOS believes it can raise the necessary funds, but in the event that it falls short, is asking that the City loan it up to $21,279 to meet its goal.

The budget of $1,012,123 can be reached if the following occurs:

1.	Reach goal by July 1		$ 500,000
2.	Grant match		250,000
3.	Add pledges in place prior to grant		225,000
4.	Balance to raise (City assistance)		
	Building fees	$15,844	
	Possible loan	21,279	
			37,123

Total $1,012,123

C. Analysis: The City assisted SOS in February 1994 to acquire the Egyptian Theater from the Resolution Trust Corporation. An addendum to the sale and purchase agreement, was the Agreement to renovate, which is attached. Assistance would be consistent with prior actions.

The fee waiver would be debited against building and planning revenues. The loan could be allocated from the grant contingency, depending on the term of the loan. If a loan is considered, the term needs to be discussed.

D. Department Review: City Manager's Office.

ALTERNATIVES:

Approval or denial is at Council's discretion. The item could be continued to June 27 for further consideration before the dead line of July 1.

A. Approve the fee waiver and grant.

B. Approve the fee waiver *or* the grant.

C. Deny both.

D. Continue the item.

SIGNIFICANT IMPACTS: The fee waiver could be as much as $15,844 of foregone revenue. The loan would be repaid with interest as soon as SOS receives adequate donations and shouldn't effect the overall availability of grant funds.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION: Building costs may increase as much as 10% to 20% if the project is delayed and it is SOS's goal to complete the renovation by fall of 1997. Also, Council has expressed its support of the arts.

RECOMMENDATION: Approve the waiver of building fees of $15,844 for the theater renovation project and assist in the procurement of a matching grant, and agree to a loan not to exceed $21,279 in the event those funds are needed by July 1, 1996.

EXHIBIT "E"

AGREEMENT TO RENOVATE

This Agreement to Renovate (this "Agreement") is made and entered this ___ day of April, 1994 by and between Park City Municipal Corporation ("City") and The Save Our Stage Foundation, a Utah non-profit corporation ("SOS") (collectively the "Parties").

RECITALS:

WHEREAS, In order to promote the performing arts in Park City, Utah, City agreed to facilitate SOS's acquisition of certain real property located in Park City, Summit County, State of Utah, more particularly described on Attachment "1" annexed hereto (the "Property"), which is commonly known as the Egyptian Theater; and

WHEREAS, To so facilitate SOS's acquisition of the Property, City entered into that certain agreement with the Resolution Trust Company entitled Purchase and Sale Agreement for Property Known as Egyptian Theater, dated ______________, 1994, ("RTC Purchase and Sale Agreement"); and

WHEREAS, As part of City's due diligence in connection with the RTC Purchase and Sale Agreement, City discovered that the present building situated on the Property (the "Building") is in need of substantial repair and renovation; and

WHEREAS, City has agreed to assign and SOS has agreed to assume all of City's rights and obligations under the RTC Purchase and Sale Agreement, pursuant to the terms of that certain Egyptian Theater Assignment Agreement by and between City and SOS and dated ______April, 1994 ("Egyptian Theater Assignment Agreement"); and

WHEREAS, City desires that the Building continue to be used primarily as a theater for the performing arts for the benefit of and open to the general public and used for other secondary purposes, consistent with Covenantee's ordinances, that benefit a non-profit entity, and, further, City desires to protect and preserve the historic nature and character of the facade of the Building; and

WHEREAS, Due to such desires on the part of the City, concurrently with the closing of the Egyptian Theater Assignment Agreement, SOS executed in favor

ATTACHMENT "2"

1. Provide proper roof drainage onto adjoining properties.

2. Improve building's resistance to lateral and vertical loads. Repair front facie to take lateral loads.

3. Comply with the *Americans with Disabilities Act (ADA)*.

4. Reconstruct stairways to conform to UBC.

5. Extend fire sprinkler system into all areas of the building not now protected. This includes the area under the stage and in the crawl space as it extends under the City sidewalk.

6. Install a proper stage fire curtain and water curtain which are required by the UBC.

7. Properly maintain and reattach to secondary power all required exit lights according to UBC.

8. Provide a service drop with a weather head or drip loop. The service entrance cable at the north wall must be properly protected or supported. All knob and tube wiring shall be removed. All E.M.T. cable throughout building shall be supported. All electrical pull boxes shall have proper protection and access and all openings in electrical boxes shall be plugged. Non-metallic sheathed cable is not allowed in the occupancy. All wiring is required to be protected throughout the building. All zip cord electrical extension service equipment must be removed and the equipment serviced with proper wiring. Protect all exposed live wires including all receptacles, outlet boxes and power panel covers.

COUNCIL AGENDA REPORT

DATE: June 16, 1996
DEPARTMENT: Public Safety
AUTHOR: Frank M. Bell
Chief of Police

TITLE: Staff Report

TYPE OF ITEM: Appeal of Event License Denial - Art Festival

SUMMARY OF RECOMMENDATIONS: Deny the requests of the Kimball Art Center to expand the 1996 Art Festival by one day, extend the hours of the festival. Deny the issuance of a temporary license to sell beer, and deny the requested waiver of fees for reimbursement of city services.

DESCRIPTION\BACKGROUND:

The Chief of Police serves as Special Events Director for the city under the Master festival Licensing Ordinance. Most re-occurring events are approved and licensed administratively. When an event is denied a license, an appeal may be made to the City Council.

On 3/27/96, the Kimball Art Center submitted a Master Festival License application for the 1996 Art Festival which included the following proposed changes from prior years.

1. Extension of the festival to include Friday, August 2nd from noon until 7:00 PM.
2. Extension of the closing of the festival from 6:00PM until 7:00PM.
3. Issuance of a temporary beer license for beer sales in the food pavilion in the parking lot adjacent to the Brew Pub.
4. An expanded Deer Valley concert on Friday evening, August 2nd (this concert was initiated last year).

The license application was denied because staff felt that the city should not accommodate the changes in the event for this summer. Applicant was advised that if the license was re-submitted reflecting no changes from prior events, the application would be approved.

On Tuesday, June 11th, the city received an additional request from KAC asking for fee waivers for reimbursement of Park City police officers assigned to the festival which last year amounted to $5,428 (236 man hours @ $23.00/hr) along with letter appealing the denial of the expanded festival license.

The requests addressed in the original license application were addressed by me in a lengthy letter

(Attached) to the KAC dated 4/3/96. The Cliff Notes version of that letter denies the applicants requests on the following grounds:

1. Regarding extension of the festival to Friday, many of the police officers who staff the festival and provide traffic control are not available to work weekdays because of other duty related commitments. We are also uncertain if our historic working arrangement with the University of Utah for additional police officers will continue as the University recruits a new Police Chief. Further, extending the festival to a weekday creates impacts for businesses and residents on and near Main Street which have not been adequately addressed.

2. Extending the festival closing until 7:00PM makes it difficult (and expensive) to manage the Main Street crowds as they shift from being Art Festival oriented to the evening and night party scene on the street. The party scene escalated several years ago when the KAC asked to keep Main Street closed during the Saturday night of the festival to relieve artists of the burdens of packing up each day. The 6:00PM closing allows for some separation between the festival crowds and the night club crowds, and provides some cost savings by reducing the hours traffic control officers (about 20 people) are on duty.

3. The application for beer license was denied because for many years we have worked in partnership with, and at the request of, the KAC to promote an alcohol free event. The festival has become a much calmer event because of these efforts. We believe that there are many established businesses on Main Street where alcoholic beverages may be purchased outside the festival. Further, I believe there is a fairness issue to other groups who have either been kicked out of the festival (Muckers) for selling beer, or have been denied beer sales in connection with the festival as a part of their existing businesses on Main Street.

4. The Friday concert at Deer Valley was approved last year. An attendance ceiling of 2,500 people was placed on the concert so as not to create impacts for already overburdened city services. Attendance fell far short of those expectations. The concert also conflicted with KPCW's fundraiser which was already a licensed event on that evening. KPCW has since moved their fundraiser away from Art Festival week entirely. The concert may provide the festival with expansion possibilities not yet realized, and we will support those efforts in conjunction with our policies and agreements for the Deer Valley concert series.

5. Fees and reimbursement for city services is addressed in city ordinance 4-8-8 (attached). Our present ordinance does not allow the council to consider a fee waiver for the Art Festival unless the event has a budget less than $50,000. If the event the budget is less than $50,000, council may consider waiving certain fees in accordance with the ordinance's formula. It is generally not good practice to waive event fees on the grounds the event isn't generating sufficient revenue. Though it may have been done, I can't recall the last time fees were waived for a non-charitable event either administratively or by council action.

ANALYSIS:

Much of the analysis of this appeal has been discussed in the attached correspondence. The Art Festival has asked for many changes both in the structure of their event and in the policies governing the event. Under normal circumstances, I believe some of these changes might be implemented incrementally, but staff has had little opportunity to plan and implement any changes, or consider what impacts might be created. For example, the festival believes (and I agree) that there is a greater role for private security in the event. It is a way to augment manpower and cut costs which in turn frees public police for other duties. However, I believe that is a gradual process which must be closely managed. Private security lacks the training and problem solving abilities of public police, and they have no ties to this community. I don't think we want security guards on the front lines of the Art Festival traffic control system. A gradual transition to an expanded private security presence in the festival and a reduced reliance on public police is probably a good idea, but we have yet to build a relationship with a private security company in the context of the festival. We have already had meetings with KAC staff and a security company on this issue in which I thought a concept and a plan of action had been agreed upon..

Similarly, with respect to the beer, this is a radical departure from past policies of both the city and KAC. In addition to usual problems associated with beer sales, their proposal raises a fairness issue, and an issue of use of public property. In an effort to improve all aspects of food and beverage service the KAC has hired a professional food service firm. We recently met with those folks, and I think there is potential for improved service and cost savings. However, I am reluctant to turn them loose with a beer license as this transition is in progress. Again, assuming we can work through the potential problems with this request, managing this change from our standpoint is particularly difficult this summer.

I am unmoved by the argument that a Friday Art Festival translates into more business for the community, particularly when the costs and impacts of the festival are considered. While some Main Street merchants may be in favor, others such as office workers may be opposed. It is already a three day weekend as far as lodging is concerned, but I think it unlikely that it would become a four night lodging event This is the stuff for public hearings, and I am not sure the Art Festival wants to unpack all this in that format even if time allowed for this season.

It is also unconvincing that the festival generates enough revenue in taxation that fee waivers and an expanded event are beneficial to the city. The festival is already highly subsidized by the city police, public works, and transportation departments. The festival pays only a portion of the actual expenses incurred by the city. For example, the $23.00/hour charge for police often does not cover even basic overtime for a senior officer. Contributions to retirement, FICA, and other benefit programs have historically not been passed on to events. If all costs of law enforcement services were passed on to the festival, the bill would likely double.

City Finance Director Tom Bakaly has submitted detailed information indicating that the Art Center's perception of the economic benefit of the festival may be overstated or based on erroneous information. It appears the KAC has used the wrong "city sales tax percentage" in its projections of sales tax revenue. It is also very difficult to judge the benefits of any one event to the "indirect sales revenue" as we have no way of knowing what sales would have been without the event, or perhaps with a different event. Bakaly also notes that recent history shows August to be unremarkable in the overall picture of summer sales tax revenue.

All or parts of the items proposed by the KAC may be possible given time and management. There are also alternatives both in and out of the festival which could generate revenue or cut expenses without changing the format of the festival. Some of those alternatives might be:

1. Reconfigure the festival to cut expenses and impacts.
2. Move the festival off of public property
3. Explore other sources of funding such as the restaurant tax or additional sponsorships.
4. Explore other fundraising events (mini art festivals at the resort plazas, or sidewalk festivals in Prospector).
5. Explore partnerships with the Deer Valley concert series for additional jazz or new age concerts along the lines of the present Friday night Art Festival concert.
6. Raise admission prices/ cut expenses.
7. Charge artists a sales commission in addition to booth fees.

We do not know what, if any, of these alternatives have been examined by the KAC.

ALTERNATIVES:

1. Approve all requests from the Kimball Art Center.
2. Approve some of the requests and deny others.
3. Deny all requests.
4. Continue action until a later date.

SIGNIFICANT IMPACTS:

Taking the recommended action in denying the KAC requests means that while the KAC may continue to have revenue and expenditure problems with the festival, staff and the KAC will have an opportunity to sit down over an extended period of time to consider the benefits and impacts of each request without creating unwarranted impacts on the community and city services. Denying KAC's requests does not mean that Art Festival will not be held this year, only that the festival will remain in its present form for at least one more year.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION creates considerable uncertainty for both the KAC and city staff in terms of workload, budget, and community impacts.

RECOMMENDATION:

I believe the KAC is taking on too much too quickly. The Art Festival is a major event which creates significant impacts on almost every aspect of life in this community, and accordingly the festival has been subject to close regulation. There may be problems with the Art Festival which over time have become issues of profitability and workload. However, expanding the festival in no way guarantees financial success. There are many strategies which the KAC could incorporate to cut costs and improve revenues without creating new impacts on the community and government services. There are also many fundraising strategies which could be explored by the KAC outside of the context of the Art Festival which would not create new impacts on the city or adversely affect our budget.

Until the Art Center explores other options, I see no compelling reason to expand the festival. While undoubtedly an economic benefit to the summer season, it is also an extremely demanding event which is first and foremost a fundraiser for a private non-profit organization. I think the festival needs to explore internal solutions to their financial distress before looking to the city for relief .

I recommend denial of the license application appeal.

Sales Tax Revenue

Direct sales revenue	City #s	Kimball #s
Direct Sales for 1995 Festival*	678,000	920,000
City's sales tax percentage**	2.11%	2.75%
Direct sales revenue	14,306	25,300

Indirect Sales Revenue	City #s	Kimball #s
Indirect Sales Revenue using Kimball survey data**	958,043	1,300,000
City's sales tax percentage**	2.11%	2.75%
Indirect sales revenue	20,215	35,750
TOTAL SALES TAX ESTIMATE	**34,521**	**61,050**

Sales Tax Trends

	May	June	July	August	Sept	Total	Average	Difference Aug vs Avg
Sales Tax revenue for Summer of 1994	204277	227,269	274,412	334,470	384,470	1,424,898	284,980	49,490
Sales Tax revenue for Summer of 1995	236376	416,591	322,861	348,022	444,901	1,768,751	353,750	(5,728)
Two-Year Average Total	220,327	321,930	298,637	341,246	414,686	1,596,825	319,365	21,881

Expense Issue: City does not add indirect cost allocation percentage of 30% to the $23 per hour charge

* City Source: Doug MacDonald, Chief Economist, Utah State Tax Commission
** See attached breakdown of City tax percentages
*** Kimball method used to compute City figures, staff is in contact with Bureau of Business & Economic Research for indirect sales tax revenue multiplier

ANNEXATION FISCAL IMPACT

ESTIMATED LOCAL SALES TAX RATE

Sales tax proceeds to the City General Fund are here estimated to be 1.6% of the value of retail sales attributable to the annexation. That estimate is based on the following.

Sales taxes collected in Park City, and their use, are summarized as follows:

Figure 8[19]

Park City Sales Tax

	Park City General Fund	Park City Transit	State of Utah	Sports Authority	Other	Total
Tax on General Purchases						
Local Sales Tax	0.86%		0.121721%	0.015625%		1.00%
Resort City Sales Tax	0.75%	0.25%				1.00%
Transit Tax		0.25%				0.25%
Sales Tax			4.875%			4.875%
Resturant Tax					1.00%	1.00%
Transient Room Tax (nightly rentals)					3.00%	3.00%
Total	1.61%	0.50%	5.00%	0.02%	4.00%	

- Revenue to the General fund - about 1.6% on retail sales - is from the *Local Sales Tax* (0.86%) and *Resort City Sales Tax* (0.75%). The *Local Sales Tax* is collected by the State of Utah, reapportioned based on point of sale and population, and a portion returned to the locality where collected. The *Resort City Sales Tax* is collected locally and retained - it is not subject to reapportionment..

Reapportionment of the *Local Sales Tax* is estimated to yield 0.86%. This estimate is based on past local sales tax yield, summarized as follows:

Figure 9[20]

Effective Local Sales Tax Yeild

Description	PC Budget Acct. #	Use	City Sales Tax Revenue (FY) 1990	1991	1992	1993	1994	Total
Local Sales Tax	31211	General Fund	$1,534,079	$1,542,256	$1,712,849	$1,963,382	$1,995,667	$8,748,233
Gross Taxable Retail Sales & Services			$175,595,761	$184,825,602	$193,756,113	$218,070,868	$241,857,891	$1,014,106,235
Aprox. Local Sales Tax %			0.87%	0.83%	0.88%	0.90%	0.83%	0.86%

19 Source - PC Municipal Budget, FY 1996, page 20, here revised to show average Local Sales Tax yield.
20 Source - Park City Sales Tax Revenue from PC Municipal Budget, FY 1996 & FY 94, page168 & 197. Gross Retail Sales & Services from *Park City/Summit County - 1986 to 1995. Utah State Tax Commission Research Report*. Note that gross sales otherwise reported by the tax commission for 1994 (CY) are substantially higher than that shown in the *Research Report* ($279 mil total sales vs. $259 mil.) *Gross Taxable Retail Sales & Services* includes prior year payments and adjustments.

OF BONDS. Unless waived pursuant to this Chapter, all fees due the Park City Municipal Corporation as a result of a special event or public festival, must be paid within thirty (30) days from the final day of the event. This Section further empowers the Special Events Coordinator to require an applicant to post a bond in an amount not to exceed one thousand dollars ($1,000) prior to the issuance of a Master Festival License, as a guarantee against fees, damages, clean up, or loss of public property. Bonds may be waived by the Special Events Coordinator upon demonstration by the applicant that adequate steps are provided for protection of public property, payment of fees, and Venue clean up.

4- 8- 8. FEE WAIVERS. It is recognized that some events, particularly new events, may not have sufficient resources to pay City assessments and in fact, the event could not occur or would be significantly harmed if assessments were levied. For-profit events or events which are charitable or not-for-profit with budgets in excess of fifty thousand dollars ($50,000) will not be considered for fee waivers. The Special Events Coordinator shall make a recommendation in conjunction with the application approval process for a fee waiver based on one or more of the following criteria.

(A) Events without Corporate Sponsorship and which do not charge admission, will receive a 100% fee waiver, upon request, during the first year of operation.

(B) Events without Corporate Sponsorship and which do not charge admission will receive, upon request, a 50% fee waiver during the second year of operation. No additional waivers will be given beyond the second year of operation.

(C) Events having Corporate Sponsorship, which charge admission, or have some other source of funding, will upon request, receive a 50% fee waiver during the first year of operation or upon the first event, whichever is less. No additional waivers will be given.

(D) Charitable events having no Corporate Sponsorship and which charge two dollars ($2) or less admission, upon request for waiver and presentation of documents noting tax free status and intended donor, will have all fees waived until such time as the status of the event changes.

(E) Charitable events having Corporate Sponsorship, which charge admission, or sell tickets or any combination thereof, may receive a full, partial, or no fee waiver based upon request and presentation of a full event budget to the Special Event Coordinator who in turn will evaluate the event and the budget for applicability to this Section. Event budgets in excess of fifty thousand dollars ($50,000) in gross revenue, including donations, or fifty thousand dollars ($50,000) in gross expenditures will not be considered.

4- 8- 9. INSURANCE REQUIREMENTS. Every event licensed under the provisions of this Chapter shall provide upon application for license proof of liability insurance in the amount of one million dollars ($1,000,000) or more as may be required by the Special Events

Park City Art Festival

KIMBALL ART CENTER

June 10, 1996

Toby Ross
City Manager
Park City Municipal Corporation
P.O. Box 1480
Park City, UT 84060

RE: Park City Art Festival

Dear Toby:

As you know, for a number of months the Kimball Art Center has been involved in a dialogue with Frank Bell, Park City Police Chief, regarding certain changes to the Festival Master License which we would like to make for the 1996 Park City Art Festival. After several conversations and letters with Frank on this matter, and at his suggestion, we would like to request 20 minutes (plus or minus), on the City Council's next work session agenda to discuss the proposed changes and get Council feedback for the Art Festival.

<u>BACKGROUND</u>

- The Park City Art Festival is the largest event during the summer season in Park City, attracting an estimated 40,000 visitors per day for the two-day event.

- The Kimball Art Center has been producing this Festival for close to 18 years of the Festival's 27 years. This event is currently ranked 25th in the nation out of thousands of competing seasonal art festivals,

- A survey of the 1994 Park City Art Festival revealed that guests actually purchased more products and services from local businesses which were not Festival vendors (by a margin of $62.79 versus $56.56), 79% of which bought from Festival vendors while 100% purchased from local businesses.

- 30% of the guests in 1994 came for the first time to the Park City Art Festival and the next 30% attended for their second, third or fourth time. These numbers indicate the continuing success and viability of the Festival as a traditional cultural event and a cultural tourism destination.

- 50% of the guests in 1994 had college degrees; 50% owned their own homes and 49% of the guests had an annual household income over $50,000 per year.

P.O. Box 1478 • Park City, UT 84060 • 801-649-8882 • 801-649-8889 (Fax)

- 28% of the guests came from the north-east and south-east sections of Salt Lake City. 17% of the guests were from "out of Utah".

FINANCIAL IMPACT

The Park City Art Festival has been one of the primary revenue sources for the Kimball Art Center. As you know, we have never asked the City for any direct grants or subsidies of any kind and would like to continue that tradition. But we would like to ask for an offset against some City expenses which we have traditionally paid for.

Specifically;

1. In 1995, the Park City Art Festival generated over $920,000 in direct sales from visual artists and food vendors. This figure is derived from the Utah State Tax Commission as well as evaluation forms completed by participants.

2. When added to the purchases from local merchants of an estimated $1,300,000 (920,000 divided by 79% [the number of guests purchasing from Festival vendors] multiplied by 00% [the number of guests purchasing from local businesses]) the total direct sales are lose to $2.2 million. Taking into account other indirect economic impacts, the total economic benefit to the local Park City economy is probably closer to $3.0 million!

3. This translates into *direct tax revenue* to Park City Municipal Corporation of $60,500 to 80,000 (1% transit tax; 1% resort tax and .75% general municipal portion).

Within this context, the Kimball Art Center's operational surplus was only <u>$6,000</u> for this event last year. Corporate Sponsorships added to our net revenues, but clearly we must pursue every avenue to reduce expenses and increase revenues for the Festival or our Board of Trustees may reconsider the wisdom of continuing such an enormous undertaking with such marginal financial benefit to the Kimball Art Center.

PROPOSED CHANGES TO THE 1996 PARK CITY ART FESTIVAL

We have requested four specific changes to our Master Festival License from previous years. They are:

1. Extend the Event We propose to extend the Festival by 1/2 day on Friday. With set up time, this will essentially close Main Street for three days. We have the support of the Main Street Merchants Association and the Park City Chamber Bureau for this and plan to emphasize Friday as "locals day" by giving out free passes to locals to increase their participation. Artists, vendors and guests also support expanding the event by the extra 1/2 day.

2. Extend the Time. We propose to extend the Friday and Saturday schedule by one hour, from a 6:00 p.m. to 7:00 p.m. close. This gives one additional hour to artists and vendors

at a cooler time of day. Until 1993 the Festival closed at 7:00 p.m., which time schedule is what we are asking to return to.

3. Beer Sales. We are asking to have beer sales at the food pavilion, in a restricted, fenced off area, adding to the event. The Wasatch Brew Pub will supervise all such beer vending in coordination with our Food and Beverage Manager, Commercial Recreation Management. This will NOT add more beer consumption to the Festival, but rather move it from the private clubs on Main Street to a supervised pavilion near the food booths. This has been requested by our guests and vendors for many years and we would like to accommodate their wishes (and perhaps increase our revenue base at the same time).

4. Friday Night Concert. We added this event last year to attract overnight visitors and for the participants, volunteers and sponsors of the Festival. We wish to continue this concert at Deer Valley in 1996. By extending the Festival to Friday, we can also (hopefully) attract more overnight visitors as well.

RESPONSE

Frank Bell has indicated his opposition to the first three (3) requested items and his approval for the Friday concert. I will not reiterate his reasons nor will I attempt to answer each of each concerns in this memo, but I am enclosing copies of past correspondence for your information. We would, however, like to address his understandable concerns with the Council during the work session.

PROPOSAL

In addition to the four specific changes listed above, we would like to request two specific economic "off sets" from the City. Last year, Park City police officers provided 236 hours of duty for the Park City Art Festival, supplemented by 569 hour of out-of-jurisdiction officers, for a total of 805 duty hours. The City billed Kimball for all such additional police and security hours. We would request the following:

A. Kimball Art Center would directly contract with Eagle Security for all non-Park City police security officers required by the Festival (2-day or 3-day) and place all such officers under the direct supervision and control of the Park City Police Department as to assignments and responsibilities.

B. We request that Park City Municipal Corporation NOT bill Kimball Art Center for additional police officer duty time for this event. Considering the City receives direct tax revenues from this event ($60,000 to $80,000) far in excess of any such police security costs (2-day event: 236 hrs. x $23.00 = $5,428.00; 3-day event: 350 hrs. x $23.00 = $8,050.00) we believe this to be a reasonable request.

Toby, we very much appreciate the City's continuing support of the Park City Art Festival in the past and look forward to continuing that tradition and relationship. The changes we are requesting are designed to make the Festival better for everyone, including the Kimball Art Center. We hope that all of these change requests could be accomplished this year, but even if only some of them can be implemented, we would like to discuss these with the City Council within the context of the future direction of the Park City Art Festival.

Sincerely,

Gary M. Sanders

Director

enclosures

cc: Mayor Brad Olch
City Council Members
Frank Bell, Police Chief

PARK CITY
1884
Police Department

APR

3 April 1996

Mr. Gary Sanders, Director
Park City Art Festival
P.O. Box 1478
Park City, Utah 84060

I am in receipt of the Master Festival Application for the 1996 Art Festival. I appreciate receiving your requests early in the event planning season. I apologize for the length of this letter, but obviously there are many items to address.

Given our conversations in December, I am somewhat surprised at the requests for an expanded festival. We discussed many options for raising additional revenue for the Kimball Art Center, both in and out of the Art Festival context. I believe the KAC has chosen the most difficult of those options, and is taking on too much, too quickly.

Since December, it has become apparent to me that this summer will be difficult for event planning as we will be taking a close look at the Atlanta Olympic Games. You may already be aware that the final weekend of the Olympics coincides with the Art Festival. I expect several key staff members (including me and several police officers) to be in and out of Atlanta during the Olympics, and may miss the Art Festival this year (woe is me). We strongly feel the Atlanta experience is a laboratory for our own Olympic planning efforts which we cannot afford to ignore. That creates a couple of problems. First, it will be difficult to do much new event planning this summer in Park City as we will be otherwise occupied. Second, because of our involvement with the Atlanta Olympics, we anticipate being shorthanded. I am thus reluctant in the best of circumstances to take on new commitments.

Those issues aside, if I understand your proposal, you would like four additions to the festival. First, you would like the festival to begin at noon on Friday. Second, you are requesting that the festival hours on Friday and Saturday be extended to 7:00PM. Third, you would like to have an event beer license issued for the festival for beer sales in the food pavilion. Finally, you would like an expanded Deer Valley Jazz Concert on Friday evening.

Park City Municipal Corporation • 445 Marsac Avenue • P.O. Box 1480 • Park City, UT 84060-1480
Phone (801) 645-5050 • FAX (801) 645-5078

As we discussed in December, there are a variety of problems with some of these proposals. Please bear with me while I itemize our concerns.

First, the proposal for adding Friday to the festival. Here we have an issue of public safety staffing - police, fire, and EMS. As you know, we rely heavily on resources from other jurisdictions to assist with traffic control and public safety during the festival. Many of these folks are simply not available on weekdays as they have commitments with their employers. The University of Utah and other metro agencies have been kind enough to allow their officers to work up here on their weekend days off, but in discussing this issue with them, they are not inclined to loan us the officers, investigators, and administrative staff, which comprise our event officers as they have duties in their own jurisdictions. I too would have to close down our investigations and administrative sections on Friday to staff the festival. I see no compelling reason to do that.

Second, Chief Wayne Shepherd of the University of Utah recently announced his retirement. We have had a long and productive relationship with the university. However, until their search for a new chief is completed (sometime this summer), and new working agreements are worked out, we have no assurance that officers from the university will be available to the festival or any other event, even on weekends. Their new chief may feel differently about allowing their officers to work out of jurisdiction assignments. While I am sure we can find officers to work the festival if our historic arrangements with the university fall through, I am not inclined to deal with that potential and an expanded Art Festival simultaneously

Third, I question the idea of beginning a Friday Art Festival at noon. It serves no purpose to start late since all traffic and access control, parking areas, street closures, and transportation services must be in place early in the day, and must be maintained all day. The impacts of the festival are the same from day to day and hour to hour. You have no ability to predict whether or not a Friday festival will attract large crowds, but you will have to prepare for them on Friday just as on Saturday. The idea of offering free admission only increases the likelihood of a larger crowd, thus requiring more staff and volunteers.

Finally, a Friday Art Festival may create hardships for weekday businesses in the historic district (banks, post office, law firms, offices, construction activity, and deliveries) that I do not think have been adequately addressed. While certain businesses might benefit from an expanded festival, I think you ought not to minimize the adverse affects a weekday festival will create on other aspects of our business and residential communities.

The next issue is one of extended festival hours. This has come up every year since the festival hours were cut back to 6:00PM. That cutback was made several years ago in the interest of public safety and reducing the Saturday night party on the closed Main Street. We have all worked hard for many years to make the festival more of a daytime family event, and less of a nighttime venue for All Star Wrestling. In my opinion, we have been very successful in reducing rowdiness during the festival, but the Saturday night party activities are still a major community concern (and an expensive one to mitigate, I might add). The three hours between the 6:00PM festival closing and dark allow us to clear some of the crowds and artists off Main Street so that we can adequately address the public safety concerns attached to the bar crowds. Your proposal for a Friday festival and extended hours only compounds these problems. I see no compelling reason to abandon our present strategy.

The third proposal is for the issuance of a beer license for the festival. As hard as the festival and the city has worked over the years to keep beer sales out of the festival (the Muckers and others), this proposal is a puzzle to me. You have presented no plan addressing how to isolate beer sales to the food pavilion, how it will be staffed, or how sales will be monitored. Since the food pavilion sits on public property, I think the city has a strong interest in regulating the sale of alcoholic beverages. In my opinion, I think any such sales would require a revision of our open container ordinance. Other than a profit motive, I can see little justification for having beer sales in the festival in the face of past unpleasant experiences with crowd control. There are plenty of places along Main Street where anyone wanting a beer can obtain one. The liability and increased law enforcement costs incurred by the festival would seem to negate much of the potential profit from the sale of beer. I am not inclined to grant the festival a beer license.

Your fourth proposal deals with the Friday night jazz concert at Deer Valley. While this concert was not well attended last year, I think it demonstrated the positive potential of a concert tied to the festival. This could be a way to improve festival revenues without creating additional public impacts. In the event KPCW wishes to relinquish their Friday evening event, and presuming there is no Art Festival to deal with on Friday, we would be happy to discuss an expanded concert for Friday evening. As with last year, there would probably be some sort of ticketing limit (though we are willing to raise it from last year), and an understanding that the nature of the concert would create few impacts to the community or city services.

Last, is the issue of finances. I know traffic control and public safety costs related to the festival are high, and a frequent source of complaint. You should understand that, at least from this office, you are only charged about 75% of our actual costs (yes, you get a break). The rest is absorbed in our budget. Being in the middle of a two year budget cycle, my budget is not able to absorb any additional Art Festival costs. I am happy to hold those costs at close to present levels, but in the face of an expanded festival, your costs for our services will increase dramatically.

I am also uncertain how all this reconciles with your proposal to have Friday be a "free admission" day. Since the expanded festival is, I assume, being proposed as a method of increasing revenues, you should understand that we will be less likely to be charitable in our cost recovery if we have to work longer and harder.

As you have probably surmised by now, the license application as proposed is not acceptable. Given what I believe are serious and legitimate public concerns, I would hope that you and your board would reconsider your position. I recognize the necessity for the festival to be financially viable, but I think the KAC has many options for fundraising which are not driven by the Art Festival (in fact, you can run the Art Festival year around if you will move it off of Main Street). Many of these options (such as additional concerts at Deer Valley, or mini art shows on the resort plazas) would not create expensive public impacts.

Taking editorial license, I think it important that we remember the Art Festival is, first and foremost, a fundraiser for a private non-profit organization. While it has also become good for many summer businesses, it has created expensive public impacts and inconveniences. Over the years we have all wrestled with revenue and expense dilemmas. It is easy in the event business, and particularly for non-profit organizations, to become over extended. As time passes, it often becomes more difficult to recruit volunteers, costs become burdensome while revenues may stagnate, and the event itself becomes the driving force rather than the organization it was designed to support. Often, event organizers respond to such pressures by saying we have to do more to get a better payoff (not unlike feeding a slot machine), when the better strategy would be to do less, or to do what we do now better.

As one who has watched and worked on the festival for a number of years, it is my impression that the festival may be suffering from some stagnation that might be best addressed by remodeling rather than expanding. We have discussed before that all events have a lifespan. It is unusual (and commendable) for any event to survive for more than a quarter century. Gary, I do not mean to be self serving, but there are not too many folks around who know more about both the public and private aspects of event management than I do. I think there are many things the KAC Board needs to do before taking on more Art Festival responsibilities, and I urge you to look more closely at the event and the role of the KAC before charging into the dangerous territory of expansion.

In the event you are firm in your resolve to move ahead with these proposals in their present form, your next step would be to appeal the license denial to the Park City Council. The council will receive your letter of application and this letter of response in a few days, so they will be aware of the issues in advance. Short of a formal appeal, you may wish to schedule a few minutes at a future work session to feel out their position on your proposals. In either case, feel free to call me or Jan Scott for a time on the agenda.

I appreciate your consideration.

FRANK M. BELL
Chief of Police

cc. Manager's Report

Park City Art Festival

KIMBALL CENTER

April 24, 1996

Frank Bell
Chief of Police
Park City Municipal Corporation
P.O. Box 1480
Park City, UT 84060-1480

Dear Frank:

I apologize for the delay in getting back to you following your response to the Kimball's Master Festival license application for the Park City Art Festival. We appreciate your reviewing and responding to each of the issues we are looking to change for the 1996 Festival.

Please be assured that it is not our desire to cause difficulties in event planning for the city as relating to the Festival. We realize the tremendous impact the Festival has on Park City's resources and infrastructure as well as the lives and businesses of city residents and guests. The changes we are considering for the Festival are in response to suggestions made to us by Festival patrons, Main Street businesses, and Festival vendors.

As we consider suggestions, it is our objective to assess whether such changes will enhance or detract from the Festival. In order to make such an assessment, we like to open a dialogue with those we feel may be impacted by any changes. We have discussed the proposed changes for the 1996 Festival with members of the Main Street community and Festival vendors and participants. The overwhelming response has been positive.

At our meeting in December we briefly discussed extending the Festival into Friday. Since the Festival infrastructure is already in place, additional expenses incurred would primarily be in man-power, both public safety and Festival staffing. If such an extension is granted, the Kimball is prepared to cover these costs.

Public safety is one of our foremost concerns. For that reason, I have availed myself of several conferences relating to event production. I have also had numerous discussions with colleagues and other professionals relating to event production issues. It is my conclusion that the Festival needs to develop a comprehensive public safety & emergency plan utilizing the expertise of your office, the fire district, event consultants and ourselves. I am hopeful that we can work together in this effort.

The Park City Art Festival has grown and matured to a point whereby it is particularly advantageous for us to use outside professionals to handle some of the production needs

P.O. Box 1478 • Park City, UT 84060 • 801-649-8882 • 801-649-8889 (Fax)

of the event. For this reason the Board of the Kimball has determined to contract with Commercial Recreation Management to handle the food and beverage operations of the Festival for a contracted period of time.

CRM is a Denver based company that works with the Cherry Creek Art Festival, the Utah Arts Festival and other concessionaires. They bring a much needed expertise into this aspect of the Festival.

We have discussed proposed beer sales with CRM and with Greg Schirf of the Wasatch Brew Pub. Our preliminary determination is to fence the tented area of the food pavilion and allow for the sale of beer in the tented area only. Individual beer stations would then be set on the perimeter of the tent. The limited entrances/exits will be manned by private security guards from Eagle Security. They will insure that patrons do not take open containers of beer out of the designated area.

We will require that all beer servers be TIPS certified. These servers would either be trained by or come from Schirf Brewery or CRM resources. Our goal in the food pavilion is not to create an environment where individuals can get "loaded", but to provide a place for patrons to enjoy a beer with their food pavilion meal. All parties understand we want to err on the side of caution in bringing beer back into the Festival grounds proper.

We plan to use Eagle Security to handle our security needs for the beer area as well as other security needs of the Festival. Eagle Security has worked with events in the Salt Lake valley such as the Utah Arts Festival and the Salt Lake County Fair, and they have been approached to handle the security needs of the upcoming 1996 Utah State Fair.

They are also aware of the change in direction at the University of Utah relating to the officer situation. We would like to facilitate a dialogue between Eagle Security and your department as to the possibility of Eagle filling in the voids you are anticipating this year in manning the security needs of the Festival. Enclosed are letters of reference for your review as well as business cards of the manager, Dennis Rowley and the sales manager, Kent Demke.

Last week I had a luncheon meeting with Blair and Susan from KPCW. They confirmed that KPCW will be moving their fund-raiser to the week of August 12 - 16 this year. While we hope that we will attract more patrons to the Friday evening concert, our primary purpose is to provide the concert as a thank you to our sponsors, supporters and Festival artists.

I am pleased to report that this year we received the highest number of applications to the Festival ever recorded. Approximately 1,125 artists applied for the available booths on Main Street.. This leads me to believe that in spite of increased booth for the 1996 Festival, the changes and additions made in recent years have been recognized by visual artists. Over the past year various patrons of the Festival have commented on the changes made over the past years and the new vitality and look at the Park City Art Festival

Incidentally, I was pleasantly surprised to hear a patron/sponsor of the 1995 Park City Art Festival comment on their experience and perceptions. This person relocated to the Salt Lake City area about a year ago from Denver and commented that the Park City Art Festival was more enjoyable to attend than the Cherry Creek Art Festival because our event was organized such that what we want to accomplish is very recognizable.

This comment succinctly states the goals of the Kimball, the Board, and myself as relating to Festival and all of our programs. Anticipated changes are carefully thought out as to the long-term ramifications on the program or the Kimball in general.

Over the past few months the Kimball Board has been doing some inward searching to determine how we might address public perception, or misconception, of the Kimball Art Center. While our community is rapidly changing with an influx of new residents, there are still some residents that feel do not feel that the Kimball Art Center makes them welcome.

Admittedly, the Festival is the largest and most visible program, albeit fund-raiser, that the Kimball does during the year. However, the community has not fully connected that by supporting the Park City Art Festival they receive the benefits of the Kimball's programming year-round.

One reason for us to expand the Festival is to increase public awareness of the community to an event which many feel imposes on their lifestyle. By offering a "free day" to Park City residents on Friday, we feel that we might be able to involve locals once again in a community event that many grew up with, but which now, itself, has grown up.

We appreciate and understand the concerns and reluctance you have to make the changes we are proposing for the Festival. With your approval, I would like to contact you in a few days to schedule a time when we could sit down and discuss ways in which these changes could possibly happen, if not this year, then in future years.

Thank you in advance for all of your help in making the 1996 Park City Art Festival a success for all involved. Also, best of success in your planning for the 2002 Olympics.

Sincerely,

Gary M. Sanders
Director

enclosures

U t a h
A r t s
F e s t i v a l

April 4, 1995

Dennis Rowley
Eagle Security
4746 West 5015 South
Kearns, UT 84118

168 West 500 North
Salt Lake City, Utah 84103
(801) 322-2428
Fax (801) 363-8681

Dear Dennis,

Thank you for your efforts in the service of the 1995 Utah Arts Festival. Your officers were competent, well-trained, and reliable, as well as courteous and pleasant to work with. The integrity you showed by your willingness to coordinate our needs with our budget restrictions was very much appreciated. I also extend my thanks for your conscientious attention to our sensitive staffing requirements, and for your willingness to deal quickly and decisively with problems as I brought them to your attention. The Utah Arts Festival is a demanding job for a security organization: 80,000 patrons, music, visual art, food, drinks, fences, parking, box office -- the potential for disaster is enormous. Thanks in large part to the competence and dedication of Eagle Security, the whole thing went off without a hitch.

Please feel free to keep this letter on file to use as a recommendation to potential future clients. Your three years with the Utah Arts Festival have been a great success, and we look forward to working with you again in the future. Good luck in all your endeavors!

With warm regards,

Jeffrey Berke

Jeffrey Berke
Assistant Director

Tanglewood Apartments
3856 West 3500 South
West Valley City, Utah, 84120

To whom it may concern:

This letter of appreciation is to thank your security personnel for the assistance they provided during a recent situation at your apartment complex. On June 10th, 1995, at approximately 0019 hr.s, Manager Dennis L. Rowley and Supervisor Gene S. Smith, of Eagle Security and Investigations, assisted with the arrests of two suspects who had brought a sawed-off shotgun, revolver, and a large knife with them and had came to the complex to attend a party where illegal drugs were to be ingested.

These security officers assisted officers of the West Valley City Police Department in maintaining security at the scene and in identifying the suspects and others who had came with them. They aided the police officers at the scene by providing information about the apartment in question and rendered assistance as needed while dealing with the suspects in custody. The security officers used their authority as agents acting on behalf of the apartment complex to issue trespass warnings to all those involved in the illegal activity, insuring that they would not be returning in the future to cause more trouble. The security officers conducted themselves in a professional manner and cooperated fully with the police officers responsible for the case investigation.

A potentially deadly situation was diffused and the suspects where arrested and taken to jail, thanks to the cooperation between your security personnel and the police. Because of the security officers ability to work with the police and their knowledge of the perimeters and boundaries they must work within, your security officers aided rather than hampered the police officers at the scene. Thanks again for a job well done.

Sincerely,

Officer Jerry Randall, West Valley City Police
Community Oriented Police

Officer Clayton D. Dumas, West Valley City Police
Special Enforcement Team

3656 West 3500 South
West Valley City, UT 84120
(801) 966-1261

Tanglewood
APARTMENTS

To Whom it May Concern:

This letter is to strongly recommend Dennis Rowley and his company Eagle security. At Tanglewood Apartments we have some special concerns regarding security and we feel that Dennis has proven himself amply qualified to handle all aspects of these concerns. After having met Dennis Rowley we were first in line to become one of his clients. He has been terrific to work with and is always prepared to handle any and all problems as they arise on our property. We have employed other companies in the past but never have we obtained the amount of service and cooperation that we receive from Dennis and Eagle security.

G Wiseman
Greg B. Wiseman
Manager Tanglewood Apartments
(801)966-1261

PARK CITY
1884

COUNCIL AGENDA REPORT

DATE: June 20, 1996
DEPARTMENT: Administrative Services
AUTHOR: Tom Bakaly, Finance Manager
TITLE: FY 1997 Budget (next year)
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATION:

- Hold and then close the Public Hearing that was opened and continued on May 23, 1996.
- Review and adopt by resolution the FY 1997 plan with recommended changes as the FY 1997 budget.
- Approve and adopt the Certified Property Tax Rate for FY 1997 of .002419. The Certified Property Tax Rate was calculated by City staff after the county provided the City with the data necessary to determine the Certified Tax Rate.

DESCRIPTION:

A. Topic: In accordance with Utah State Code, the City Council must adopt a budget for each fiscal year. Last year, as part of the budget process, the City used a two-year budget process. At that time, the City Council adopted both a budget for FY 1996 and a financial plan for FY 1997. It is now time to formalize the FY 1997 plan by appropriating funds and adopting the FY 1997 budget. At the same time, the City Council also should adopt an adjusted budget for the current Fiscal Year (FY 1996).

B. Background: On May 2, 1996, the City Council received an Agenda Report that showed recommended changes to the FY 96 (current) budget, as well as changes to the FY 97 (next year) budget. Also at that time, the City Council received a copy of the new budget policies for the distribution of grants (attached).

The spreadsheets that depict the City's budget (Attachment A) have been modified to reflect City Council adjustments during budget review sessions and on June 6, 1996 when the City Council tentatively adopted the FY 1997 budget by resolution. On June 6, 1996, the City Council formally adopted the changes to the current fiscal year (FY 1996) by resolution. Therefore, no further action relating to the FY 1996 (Current Year) budget is recommended. Lastly, another spreadsheet that shows the changes from the May 2, 1996 recommended budget submittal has also been attached.

In addition to modifying Attachment A to reflect City Council action, Attachment A has also been modified since June 6, 1996 to reflect more current data received from Summit County. Property tax estimates for the general fund have increased slightly (a little more than $1,000). However, the projected tax increment amount received for the Lower Park Avenue RDA is expected to be significantly higher than what was originally budgeted for FY 1996-97 (upcoming fiscal year). The County is estimating that the RDA will receive $1,150,000 instead of the $700,000 that was originally budgeted. The Lower Park Avenue RDA received $600,000 during FY 1995-96 (current fiscal year). Staff is researching with the County what is causing the large increase.

Rather than just add the difference of the two estimates ($450,000) to the Lower Park Avenue RDA budget, staff recommends the following: 1) Use the County tax increment estimate for the Lower Park Avenue RDA of $1,150,000 and 2) Reduce budgeted bond proceeds for the Lower Park Avenue land purchase by $450,000 from $700,000 to $250,000. It is important to note that the bond proceeds are a revenue source, and the $700,000 expenditure would remain as part of the CIP. This strategy would give the City the opportunity to make sure the County estimate is correct. If it is not correct, the City Council could always increase the borrowing amount from $250,000 back to the original $700,000 level.

The budget presentation for this year was focused on the recommended changes to the FY 1997 plan. A new complete budget document was not presented, rather the budget document adopted last year and the approved changes to the FY 1997 plan will constitute the FY 1997 Budget. The budget presentations over the last several weeks have focused on those changes that are deemed necessary to address the goals adopted by the City Council during its January retreat.

C. <u>Analysis</u>:

Since receiving the budget update on May 2, 1996, the City Council has heard presentations from departments regarding the proposed changes to the current year's budget, and the FY 1997 plan. The focus of these discussions for the Operating Budget has centered on options that were presented by the operating departments. Attached to this report are the options that were included in the recommended budget, as well as those that were not. The City Council had the opportunity to ask staff why certain options were included and others were not.

The City Council accepted the changes to the FY 1996 Budget and FY 1997 Plan as recommended by staff with the following changes:

Capital Budget: The only changes City Council made to the Capital Budget were all related in one way or another to the Recycling Center Project. Rather than construct a new building for the recycling center, the City Council decided to expand the recommended bus barn enhancement project, and turn the existing bus barn into the recycling center.

This action requires an additional appropriation to the bus barn project and the new Public Works Facility project. The additional appropriation to the Public Works Facility will be used to build space for the equipment and vehicles that were going to be stored in the bus barn. However, these additional appropriations ($95,000) are far less than the $200,000 that was originally recommended for the Recycling Center Project. The net result of this action by City Council is a "savings" of $105,000 from what was originally recommended in the budget.

The specific action taken by City Council relating to this project is as follows:

1) Increase funding for the Bus Barn project from $30,000 to $50,000 (+ $20,000)

2) Decrease the funding for the Recycling Center from $200,000 to $0 (- $200,000)

3) Increase the funding for the Public Works Facility by $75,000 (+ $75,000)

Operating Budget: The major City Council changes to the recommended Operating Budget presented on May 2, 1996, have mostly been focused in the areas of public safety, parking and transportation. Specifically, the City Council appropriated more funds for an additional police officer, enhanced parking enforcement and additional evening transit. The funding sources for these changes are the General Fund and the Transportation Fund, and is reflected in the attached spreadsheets.

The City Council also directed staff to research the costs associated with enhanced Olympic and transportation/parking related research. Staff has determined that an additional $40,000 appropriation would be needed to accomplish the City Council's research goals relating to these City Council work plan priorities. Staff has included an additional $20,000 appropriation to the General Fund Olympic research account and an additional $20,000 appropriation to the Transportation Fund to comprise the necessary $40,000.

Lastly, the City Council directed staff to appropriate an additional $6,000 to the Domestic Peace Task Force's original grant of $10,000. Pursuant to the new grants policy, the Grant Contingency Fund was used for the increase, so an additional General Fund appropriation was not needed. The City Council proposal also provided for an additional $4,000 in matching funds if the Domestic Peace Task Force raises funds from other municipalities such as Summit County and other cities.

The specific action taken by City Council relating to the Operating Budget is as follows:

1) Increase Transportation Fund budget for evening transit by $40,000

2) Increase Transportation Fund budget for parking enforcement by $150,000

3) Increase Transportation Fund budget for parking research by $20,000

4) Increase Non-Departmental Olympic Research Budget by $20,000

5) Increase Domestic Peace Task Force special services grant by $6,000

6) Increase the Police Department budget by $75,000 for an additional officer (Please note that roughly 50% of this expenditure was on a one-time basis for start-up costs such as a vehicle, equipment, etc.

RECOMMENDED DEPARTMENTAL CHANGES TO THE FY 1996 BUDGET & FY 1997 FISCAL PLAN

Community Development Department	**FY 1996**	**FY 1997**
Adjustments to Maintain Same Service Levels	80,852	65,504
Other Options	43,237	187,129
Total Recommended Changes	$124,089	$252,633

These recommended changes could be funded from building related revenues (excluding impact fees). As of April 30th, building related revenues are up approximately $300,000 over the original budget. Please note that "Adjustments to Maintain Same Service Levels" are changes that reflect the increased or decreased cost of providing the same level of service.

Police Department	**FY 1996**	**FY 1997**
Adjustments to Maintain Same Service Levels	34,958	26,034
Other Options	43,171	177,148
Total Recommended Changes	$78,129	$203,182

Recommended changes include an adjustment of the overtime budget to maintain same service levels, a Youth Officer (Clean-up from last year's budget), an additional police officer and administrative staffing assistance. These changes are funded in part from revenue received from the federal Community Oriented Policing Services (COPS) grant, general operating revenues of the General Fund (primarily sales tax) and fund balance.

Administrative Services Department	**FY 1996**	**FY 1997**
Adjustments to Maintain Same Service Levels	84	39,278

Other Options	0	11,088
Total Recommended Changes	$84	$50,366

Changes relate primarily to staffing issues to maintain same service levels and assistance in the Technical Services Division. These changes will be funded through general operating revenues of the General Fund.

Public Works Department	**FY 1996**	**FY 1997**
Adjustments to Maintain Same Service Levels	11,167	19,166
Other Options	65,530	422,486
Total Recommended Changes	$76,697	$441,652

The majority of the recommended changes for both years (Approx $420,000) are in the Transportation Fund, and relate to enhanced parking enforcement, additional evening transit, parking/transportation research, staffing, valet parking, and design of a new transit guide.

Leisure Services Department	**FY 1996**	**FY 1997**
Adjustments to Maintain Same Service Levels	40,322	14,573
Other Options	15,459	48,849
Total Recommended Changes	$55,781	$63,422

The recommended changes include adjustments in the Parks Division to maintain same service levels, ongoing maintenance for the hanging basket program, and a proposal relating to City park.

Legal Department	**FY 1996**	**FY 1997**
Adjustments to Maintain Same Service Levels	602	1,116
Other Options	0	0
Total Recommended Changes	$602	$1,116

Circuit Court	**FY 1996**	**FY 1997**
Adjustments to Maintain Same Service Levels		4,101
Other Options	10,309	32,989
Total Recommended Changes	$10,309	$37,090

Recommended changes involve staffing issues that are funded through an increased contribution in the contract with the State for court services.

City Council	**FY 1996**	**FY 1997**
Adjustments to Maintain Same Service Levels	2,900	2,000
Other Options	0	1,358
Total Recommended Changes	$2,900	$3,358

Adjustments reflect actual travel usage and membership to associations.

Executive	**FY 1996**	**FY 1997**
Adjustments to Maintain Same Service Levels	$42	$42

Non-Departmental	**FY 1996**	**FY 1997**
Adjustments to Maintain Same Service Levels		14,000
Other Options		33,823
Total Recommended Changes		$47,823

The proposed changes more accurately reflect actual Leadership 2000 participation, and will be funded through program donations. Proposed change also includes approximately $13,823 in additional grant contributions if all General Fund options are approved and an additional $20,000 for Olympics research.

Other Miscellaneous Operating	**FY 1996**	**FY 1997**
Adjustments to Maintain Same Service Levels	(462,762)	19,000
Other Options	0	0
Total Recommended Changes	$(462,762)	$19,000

Recommended miscellaneous changes include a reduction in contingency funds to cover some of the proposed increases and a debt service payment relating to a proposed Lower Park Avenue project.

CAPITAL IMPROVEMENT PROGRAM BUDGET (CIP)

	FY 1996	**FY 1997**
New Requests and Appropriation Changes	$2,085,966	$689,646

Please see Attachment A for a detailed listing of new CIP appropriations. Please note that many of these changes represent increased CIP revenues that should be reflected in the budget. Many of the new projects and changes to existing projects are funded by CIP funds that had been reserved for future year's projects.

D. Department Review: - Departmental review was provided in the form of presentations during the budget review process that took place during the month of May and early June.

ALTERNATIVES:

A. Approve the Request - Formally adopt the budget as recommended on May 2, 1996, and adjusted during City Council review (relevant spreadsheets attached).

B. Deny the Requested Changes - City Council could deny (in total or in part) the recommended changes. The impact of such denial would need to be elaborated upon at the June 20, 1996 City council meeting.

C. Continue the Item - June 20 is the last date that adoption can occur in order for us to meet the filling dead lines with the County.

D. Do Nothing - Not an Option.

SIGNIFICANT IMPACTS: Establishes the level of service that the City will provide for the next year and authorizes expenditure of funds.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

The specific impacts of not approving individual recommended changes have been discussed, but could be elaborated upon further if necessary.

RECOMMENDATION:

The City Council should approve by resolution (attached) the recommended changes to the FY FY 1997 Plan and formally adopt it as the FY 1997 Budget.

Resolution No. _____-96

A RESOLUTION ADOPTING A BUDGET FOR FY 1996-97
FOR PARK CITY MUNICIPAL AND ITS RELATED AGENCIES

WHEREAS, the Utah State law requires that city budgets be adopted by resolution: and;

WHEREAS, a public hearing was held on May 23 and June 20, 1996, at the City Council's regularly scheduled meetings, complying with State law;

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

SECTION 1. BUDGET ADOPTED. The budget as outlined in Attachment (A) is hereby adopted as the budget for FY 1996-97 for Park City Municipal Corporation and its related agencies. The Certified Property Tax Rate for 1996 at a "No Tax Increase Rate" of .002419 is hereby adopted

SECTION 2. EFFECTIVE DATE. This Resolution shall take effect July 1, 1996 for the FY 1996-97 budget.

PASSED AND ADOPTED this 20th day of June, 1996

PARK CITY MUNICIPAL CORPORATION

____
Mayor Bradley A. Olch

Park City Municipal CIP Budget for FY 1996 & 1997

	FY 1996 Adj Budget	FY 1997 Budget
Park City Municipal Corporation		
General Fund	14,135,915	13,425,512
Recreation Fund	1,585,255	1,619,330
Golf Course Fund	1,343,016	1,402,682
Water Fund	6,180,153	5,825,837
Transportation Fund	5,038,424	3,791,350
Debt Service Fund	350,705	356,226
SID - Debt Service Fund	154,013	0
SID - Guarantee Fund	0	0
Fleet Services Fund	691,382	678,120
Circuit Court Fund	153,394	175,281
Equipment Replacement Fund	2,699,656	452,998
Self Insurance Fund	1,941,093	1,734,420
Trust Fund	0	0
Capital Improvement Fund	13,082,828	2,167,766
	47,355,834	**31,629,522**
Park City Municipal Building Authority		
Debt Service Fund	2,348,841	2,344,719
Building Authority	870,162	0
	3,219,003	**2,344,719**
Park City Housing Authority		
Housing Authority	**98,914**	**0**
Park City Redevelopment Agency		
RDA Debt Service	1,059,696	1,136,551
RDA Main Street	2,502,172	1,375,335
RDA Lower Park Ave.	907,245	1,400,000
	4,469,113	**3,911,886**
Grand Total All Units	**55,142,864**	**37,886,127**
Less: Interfund Transfers	(4,947,041)	(4,897,941)
Less: Ending Balance	(10,580,437)	(6,359,344)
	39,615,386	**26,628,842**

ATTACHMENT A

Park City Municipal Budget for FY 1997

	FY 96 Budget				FY 97 Budget			
	Orginal	Adjusted	Change		Plan	Adjusted	Change	
Total all funds Combined	**$ 37,286,425 $**	**55,142,864 $**	**17,856,439**	47.9%	**$ 34,153,598 $**	**37,886,127 $**	**3,732,529**	10.9%
LESS:								
Interfund	(4,788,382)	(4,947,041)	(158,659)		(4,798,079)	(4,897,941)	(99,862)	
Ending Balance	(6,775,957)	(10,580,437)	(3,804,480)		(4,531,361)	(6,359,344)	(1,827,983)	
	$ 25,722,086 $	**39,615,386 $**	13,893,300	54.0%	**$ 24,824,158 $**	**26,628,842 $**	1,804,684	7.3%
Less: Adjustment Due to Carry-over of Prior Year Appropriations for Capitial Improvements			(11,926,109)					
New Appropriations			**1,967,191**	7.6%			**1,804,684**	7.3%
Capital Improvement Budget (New appropriations)			2,085,966				689,646	
Operating Budget:								
Adjustments & Options								
Public Works			76,697				441,652	
Leisure			55,781				63,422	
Police			78,129				203,182	
Community Development			124,089				252,633	
Administrative Services			84				50,366	
General Government			13,853				41,606	
Non-Departmental			0				47,823	
Debt Service			0				94,000	
Contingency			(462,762)				(75,000)	
Adj of Interfund Trans Duplicated			(4,646)				(4,646)	
			1,967,191				**1,804,684**	

ATTACHMENT A

Park City Municipal Budget for FY 1997

	/----FY 96 Budget----\ Orginal	Adjusted	Change	/----FY 97 Budget----\ Plan	Adjusted	Change
RESOURCES:						
Sales Tax	4,653,000	5,223,000	570,000	4,653,000	4,853,000	200,000
Building/Planning	2,528,700	3,709,402	1,180,702	2,528,700	2,896,500	367,800
Charges for Services	4,061,884	4,160,042	98,158	4,316,884	4,439,584	122,700
Intergovernmental	926,306	1,165,027	238,721	747,906	809,996	62,090
Franchise Tax	880,000	919,000	39,000	880,000	919,000	39,000
Other	1,178,113	1,765,115	587,002	1,178,140	1,452,140	274,000
Interfund Transactions	4,788,382	4,947,041	158,659	4,798,079	4,897,941	99,862
Property Tax	6,178,554	6,442,554	264,000	6,348,336	6,599,279	250,943
Beginning Balance	12,091,486	26,811,683	14,720,197	8,702,553	11,018,687	2,316,134
	37,286,425	**55,142,864**	**17,856,439**	**34,153,598**	**37,886,127**	**3,732,529**

	Orginal	Adjusted	Change	Plan	Adjusted	Change
REQUIREMENTS:						
Community Development	$ 1,656,987	$ 1,781,076	$ 124,089	$ 1,614,476	$ 1,867,109	$ 252,633
Public Works	5,628,165	5,704,862	76,697	5,716,552	6,158,204	441,652
Public Safety	1,917,111	1,995,240	78,129	1,935,286	2,138,468	203,182
CIP Budget	7,185,663	21,197,738	14,012,075	6,180,996	6,870,642	689,646
Leisure Services	3,792,436	3,848,217	55,781	3,882,364	3,945,786	63,422
Administrative Services	1,501,592	1,501,676	84	1,488,938	1,539,304	50,366
General Government	1,069,782	1,083,635	13,853	1,081,636	1,123,242	41,606
Non-Departmental	1,866,781	1,866,781	0	1,866,336	1,900,336	34,000
Non-Dep Grants - Contracts	107,621	107,621	0	107,621	117,621	10,000
Non-Dep Grants - Programs	88,179	88,179	0	88,179	96,002	7,823
Debt Service	3,001,801	3,001,801	0	2,973,570	3,067,570	94,000
Contingency	560,193	97,431	(462,762)	544,986	469,986	(75,000)
Non-Dep Grants - In-Kind	44,492	44,492	0	44,492	40,492	(4,000)
Interfund Transfers	2,089,665	2,243,678	154,013	2,096,805	2,192,021	95,216
Ending Balance	6,775,957	10,580,437	3,804,480	4,531,361	6,359,344	1,827,983
	$ 37,286,425	**$ 55,142,864**	**$ 17,856,439**	**$ 34,153,598**	**$ 37,886,127**	**$ 3,732,529**

	Orginal	Adjusted	Change	Plan	Adjusted	Change
REQUIREMENTS:						
Personnel	$ 8,739,119	$ 8,952,571	$ 213,452	$ 8,902,371	$ 9,390,443	$ 488,072
Materials, Supplies & Services	5,726,587	5,856,687	130,100	5,733,141	6,231,257	498,116
Capital Outlay	7,761,810	21,774,320	14,012,510	6,737,043	7,536,539	799,496
Debt Service	2,934,377	2,934,377	0	2,906,617	3,000,617	94,000
Interfund Transactions	4,788,382	4,947,041	158,659	4,798,079	4,897,941	99,862
Contingencies	560,193	97,431	(462,762)	544,986	469,986	(75,000)
Ending Balance	6,775,957	10,580,437	3,804,480	4,531,361	6,359,344	1,827,983
	$ 37,286,425	**$ 55,142,864**	**$ 17,856,439**	**$ 34,153,598**	**$ 37,886,127**	**$ 3,732,529**

ATTACHMENT A

Park City Municipal Budget for FY 1997

	FY 1996 ADj Budget	FY 1997 ADj Budget
CIP Budget		
Carry Forward of Prior Year Balance	11,926,109	
New Appropriations:		
Affordable Housing Program		
FY96 Council Commitment	250,000	
Aspen Villas Loan	500,000	
Fees Collected In-Lieu for Affordable Housing	264,000	
Housing Authority Balance	1,300	
CDBG - North Horse	113,500	
Affordable Housing Units - Purchase (MBA)	480,756	
Land Purchase - Lower Park Av RDA		700,000
School Impact Fee Usage	691,977	
Recycling Center	0	
Parking - Main & Swede Alley	120,212	
Information System Enhancement/Upgrades	120,000	
Bonanza/Deer Valley Drive Signalization	105,000	
City Wide Signage Program	100,000	
GIS/Computer Mapping	67,000	
School Fields	60,500	
In-Lieu-of Parking Fee Projs	58,025	
Police Dep Communications Eq	50,000	
Gateway Parking Membrane	50,000	
4th Street Boardwalk	50,000	
Flower Projects	44,064	
Equipment Replacement - Snow & Streets	38,500	
Education Center - Outside Sitting Area	36,000	
Park Meadows Rec. Facility	32,044	
Library Donations Expenditures	30,595	
Refurbish Bus Barn	50,000	
Community Entryway	27,590	
Spiro Flow Measurment	26,566	
Deer Valley Water Improvements	25,735	
Swede Alley Pocket Park	24,000	
Park Meadows Sidewalks	21,871	
Fiber Optics - MARSAC Bld.	12,000	
Cochise Court Drain	10,000	
Parks Irrigation Central	4,103	
Equipment Replacement - Film Eq.	3,000	3,000
Water Master Plan Implementation	1,462	
Town Lift Project	1,140	
Spiro Water Filtratin Plant Filter	237	
Buses	0	79,000
Public Works Facility	75,000	
China Bridge & Marsac Hill Landscape Project	(1,140)	
Lower Park Ave RDA Projects	(36,000)	
Marsac Building remodel	(50,000)	
Lower Park Av. RDA Projs	0	(94,000)
5 Year CIP Project Funding	(1,373,071)	1,646
	14,012,075	689,646
LESS: Prior Year Appropriations	(11,926,109)	0
New Capital Improvement Appropriations	2,085,966	689,646

ATTACHMENT A

Park City Municipal CIP Budget for FY 1996 & 1997

	FY 1996 ADj Budget	FY 1997 ADj Budget
1) Policy Discussion: Project and Issues		
Marsac Building		
Marsac Building remodel	(50,000)	
Police Department Communications	50,000	
Recycling Center	0	
Education Center - Outside Sitting Area	36,000	
Parking		
In-Lieu-of Parking Fee Projs	58,025	
Parking - Main & Swede Alley	120,212	
Gateway Parking Membrane	50,000	
Refurbish Bus Barn	50,000	
Total Policy Discussion: Project and Issues	**314,237**	
2) New Projects		
Land Purchase - Lower Park Av RDA		700,000
Lower Park Av. RDA Projs	0	(94,000)
Information System Enhancement/Upgrades	120,000	
Bonanza/Deer Valley Drive Signalization	105,000	
City Wide Signage Program	100,000	
Computer Mapping	67,000	
4th Street Boardwalk	50,000	
Enhancement Fund Projects	44,064	
Equipment Replacement - Snow & Streets	38,500	
Swede Alley Pocket Park	24,000	
Fiber Optics - MARSAC Bld.	12,000	
Cochise Court Drain	10,000	
Total New Projects	**570,564**	**606,000**
3) Budget Clean-up		
Affordable Housing: FY96 Council Commitment	250,000	
Affordable Housing: Aspen Villas Loan	500,000	
Fees Collected In-Lieu for Affordable Housing	264,000	
Housing Authority Balance	1,300	
CDBG - North Horse	113,500	
Affordable Housing Units - Purchase (MBA)	480,756	
School Impact Fee Usage	691,977	
School Fields	60,500	
Park Meadows Rec. Facility	32,044	
Library Donations Expenditures	30,595	
Community Entryway	27,590	
Spiro Flow Measurment	26,566	
Deer Valley Water Improvements	25,735	
Park Meadows Sidewalks	21,871	
Parks Irrigation Central	4,103	
Equipment Replacement - Film Eq.	3,000	3,000
Water Master Plan Implementation	1,462	
Town Lift Project	1,140	
Spiro Water Filtratin Plant Filter	237	
Buses	0	79,000
Public Works Facility	75,000	
China Bridge & Marsac Hill Landscape Project	(1,140)	
Lower Park Ave RDA Projects	(36,000)	
5 Year CIP Project Funding	(1,373,071)	1,646
Total Budget Clean-up	**1,201,165**	**83,646**
Grand Total New Capital Improvement Appropriations	**2,085,966**	**689,646**

ATTACHMENT A

PARK CITY MUNICIPAL COPRPORATION - Option Requests vs Options Adopted

Department	DESCRIPTION	96 Request Amount	96 Adopt Amount	Difference Adopt vs Req	97 Request Amount	97 Adopt Amount	Difference Adopt vs Req
City Council	Olympic Research (Travel Budget)	10,000	0	(10,000)	10,000	20,000	10,000
City Council	Mountainland Assoc. of Governments				1,358	1,358	
	TOTAL CITY COUNCIL	**10,000**	**0**	**(10,000)**	**11,358**	**21,358**	**10,000**
Legal	Change in court contract with State	10,309	10,309	0	32,989	32,989	0
	TOTAL LEGAL	**10,309**	**10,309**	**0**	**32,989**	**32,989**	**0**
City Manager	**TOTAL CITY MANAGER**	**0**	**0**	**0**	**0**	**0**	**0**
Public Works	Street Maint.: Additional sweeping				12,000	0	(12,000)
Public Works	Street Maint.: Additional funding for City clean-up				10,500	0	(10,500)
Public Works	Street Maint.: Flood Control & Pond Clean-out				12,000	0	(12,000)
Public Works	Street Lights: Signage upgrade	8,000	0	(8,000)	15,000	0	(15,000)
Public Works	Swede Alley Parking: Parking Structure Maintenance				41,000	0	(41,000)
Public Works	Building Maintenance: Line Item Adj.	20,000	0	(20,000)			
Public Works	Update 20 year transit plan				50,000	0	(50,000)
Public Works	Streets: Materials and supplies (root barriers)				10,000	10,000	0
Public Works	Street Lights: Main Street underground wiring				20,000	20,000	0
Public Works	Street Lights: Fixture Replacement				67,200	67,200	0
Transportation	Garage doors for bus barn	4,000	4,000	0	6,000	6,000	0
Transportation	Additional Parking Enforcement				0	150,000	150,000
Transportation	Additional Evening Transit				0	40,000	40,000
Transportation	Parking/Transportation Research					20,000	20,000
Transportation	Peak hour & Customer Service Support				10,079	10,079	
Transportation	Staff Changes - +.25 Assist Trans. Dir. & Postion Upgrade				17,677	17,677	
Transportation	Increased incentives/bonus pay (discretionary)	21,530	21,530	0	21,530	21,530	
Transportation	Design and print new transit guide				20,000	20,000	
Transportation	Valet Parking	40,000	40,000		40,000	40,000	
	TOTAL PUBLIC WORKS	**93,530**	**65,530**	**(28,000)**	**352,986**	**422,486**	**69,500**
Leisure	Parks: Hanging Baskets Program	37,959	10,459	(27,500)	30,459	10,459	(20,000)
Leisure	Parks: Noxious Weed Program	5,000	5,000	0	5,000	5,000	0
Leisure	Recreation Staffing Changes				11,178	11,178	0
Leisure	City Park Proposal				22,212	22,212	0
	TOTAL LEISURE	**42,959**	**15,459**	**(27,500)**	**68,849**	**48,849**	**(20,000)**
Police	Administrative Assistance				53,977	53,977	0
Police	Additional Police Officer				0	75,000	75,000
Police	Equipment - City Park Proposal				5,000	5,000	0
Police	COPS grant officer	43,171	43,171	0	43,171	43,171	0
	TOTAL POLICE	**43,171**	**43,171**	**0**	**102,148**	**177,148**	**75,000**
Comm. Dvlp.	Engineering: Transportation Consulting Services				50,000	10,000	(40,000)
Comm. Dvlp.	Planning: Consulting/Professional Services	27,000	0	(27,000)			0
Comm. Dvlp.	Planning: General Plan Update Consulting Srvcs.	0	10,000	10,000	60,000	38,000	(22,000)
Comm. Dvlp.	Planning: Additional Planner II & Upgrade (III to Principal)				64,380	60,970	(3,410)
Comm. Dvlp.	Planning: Intern program for planning department	21,937	21,937	0	20,159	20,159	0
Comm. Dvlp.	Planning: HDC Compensation - Prior Years	11,300	11,300	0			0
Comm. Dvlp.	Planning: Additional Help (Special Project)				10,000	10,000	0
Comm. Dvlp.	Building: Sierra System Upgrade				12,000	12,000	0
Comm. Dvlp.	Building: Additional Help (Temp: Inspector)				36,000	36,000	0
	TOTAL COMMUNITY DEVELOPMENT	**60,237**	**43,237**	**(17,000)**	**252,539**	**187,129**	**(65,410)**
Admin. Srvcs.	Tech. Services: Additional Help				46,052	11,088	(34,964)
	TOTAL ADMINISTRATIVE SERVICES	**0**	**0**	**0**	**46,052**	**11,088**	**(34,964)**
Non-Dept.	**Grants**	0	0	0	13,823	13,823	0
	GRAND TOTAL	**260,206**	**177,706**	**(82,500)**	**880,744**	**914,870**	**34,126**

CITY COUNCIL BUDGET REVIEW
Changes from 5/2/96 Proposal (Through 5/23/96)

CIP BUDGET

Project	Original Proposal	New Proposal	Funding Source If Applicable
BUS BARN	30,000	50,000	Recylcing
RECYCLING	200,000	0	NA
ADDITIONAL FUNDING: PUBLIC WORKS BLDG.	0	75,000	Recycling
TOTAL CIP CHANGES FROM 5/2/96 Recommendation		**(105,000)**	**NA**

$20,000 for the 5th level China Bridge Concept Plan will be charged against the Parking & Traffic: Main/Swede Alley Project. No additional appropriations to the Main/Swede Alley project budget ($650,000) will be made for the China Bridge Concept Plan

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OPERATING BUDGET

Program/Service	Original Proposal	New Proposal	Funding Source If Applicable
Additional Parking Enforcement	0	150,000	Transportation
Additional Evening Transit	0	40,000	Transportation
Parking/Transportation Research	0	20,000	Transportation
Olympic Travel and Research	10,000	30,000	General Fund
Additional Police Officer	0	75,000	General Fund
Domestic Peace Task Force Special Services Grant	10,000	16,000	Grant Contingency
TOTAL OPERATING CHANGES FROM 5/2/96 Recommendation*		**305,000**	

* Because the grant increase for the Domesic Peace Task Force was done with budgeted resources from the Grant Contingency Fund, this change would have no net effect when compared to the total May 2, 1996 recommendation.

PROPOSED BUDGET POLICY FOR THE DISTRIBUTION OF GRANT FUNDS
(Approved by the City Council - May 23, 1996)

GRANTS:

As part of the budget process, the City Council appropriates funds to organizations and endeavors whose missions are consistent with those of the City. Depending upon the type of grant category, grants may take the form of ongoing cash contributions for operations, one-time capital project donations, and forgone fees or rent relating to City property.

Grant Distribution Criteria: Organizations or projects must meet the following criteria in order to be eligible for a grant: 1) Accountability and Sustainablility of Organization; 2) Program Need and General Public Benefit and; 3) Fiscal Stability and other Financial Support.

> Criterion #1 - Accountability and Sustainability of Organization or Endeavor: The organization or endeavor must have: 1) Quantifiable goals and objectives; 2) Non-discrimination in providing programs or services; 3) Cooperation with existing related programs and community service; 4) Compliance with the City contract and 5) Not-for-profit Status.
>
> Criterion #2 - Program Need and General Public Benefit: The organization or endeavor must have: 1) A clear demonstration of public benefit and provision of direct services to City residents and; 2) A demonstrated need for the program or activity.
>
> Criterion #3 - Fiscal Stability and other Financial Support: The organization or endeavor must have: 1) A clear description of how public funds will be used and accounted for; 2) Other funding sources that can be used to leverage resources; 3) A sound financial plan that demonstrates managerial and fiscal competence; and 4) A history of performing in a financially competent manner.

Total Grant Appropriations: The City appropriates a total of 2.25% of its annual General Fund budget (minus grant appropriations) each year for grants in categories 1 - 5 as described below. In addition, the City appropriates specific dollar amounts from other funds specifically related to categories 6 - 7 as described below. The General Fund budget is defined as the total of the General Fund, less interfund transactions and ending balances.

Grant Categories and Percentage Allocations: For the purpose of distributing grant funds, grants are placed into the following categories: 1) Special Services; 2) Arts, Culture, Humanities; 3) Youth; 4) Rent Contribution; 5) Grant Contingency 6) Housing and; 7) Historic Preservation. A percentage of the General Fund budget (whose sum does not exceed %) is allocated to each of the first five individual categories by the City Council. A specific dollar amount is allocated to categories 6 and 7.

The General Fund category percentage allocation does not vary from year-to-year. However, as the City's budget fluctuates (up or down) due to economic conditions, the dollar amounts applied to each category will fluctuate proportionally.

1) Special Services: An amount not to exceed 1.10 % of the General Fund budget will be designated for grants relating to services that would otherwise be provided by the City. Special services that fall into this category would include, but not be limited to; economic development, historical preservation, public safety, and recycling.

To the extent that is possible, individual special services will be delineated in the budget. Any amount not specifically designated in the budget for special services will be placed in the Grant Contingency Category. Each special service grant will have a special service contract with a term of one year. If a special service grant recipient wishes to increase their budgeted grant amount, they must justify why a change is needed. Funds used to increase individual special service contracts must come from within the Special Services Category or the Grant Contingency Category.

2) Arts, Culture, Humanities: .29% of the total General Fund budget will be designated for a grant to a representative organization of the arts, culture, and humanities community. The representative organization will propose a plan by June 1st of each year of how the grant funds will be distributed to organizations in the arts, culture, and humanities community.

The proposal must be consistent with the criteria listed in this policy. In particular, criterion 1-3: (cooperation with existing related programs and community services) will be closely monitored. Failure to comply with this criteria may result in loss of representative organization status.

Upon being designated by the City Council as the representative organization, the representative organization will enter into a contract prior to July 1st with the City for the distribution of grant funds for a one year period. If a representative organization is not identified by City Council, the grant funds will be held in a City trust fund until a representative organization is identified.

3) Youth: .24% of the total General Fund budget will be designated for a grant to a representative organization for youth services. All of the policies relating to category #2 also apply to the youth category.

4) Rent Contribution: An amount not to exceed .43% of the General Fund budget will be used as a rent contribution for organizations occupying City owned property. To the extent that is possible, individual rent contributions will be delineated in the budget. Any amount not specifically designated in the budget will be placed in the Grant Contingency Category.

The City is required to make lease contributions to the Park City Building Authority for buildings that it occupies. Organizations may enter into a lease with the City to occupy City space at a reduced rental rate. The difference between the reduced rental rate and the rate paid to the Park City Building Authority will be funded by the rent contribution amount. The City Council may make long-term lease commitments for reduced rental rates under this policy. Please note that this policy only applies when a reduced rental rate is being offered. This policy does not apply to lease arrangements at "market" rates.

5) **Grant Contingency:** .19% of the General Fund budget will be designated as a grant contingency reserve for organizations, programs, or endeavors that arise throughout the year. The policies stated above will be applied to requests from the Grant Contingency Category.

6) **Housing:** Each year, the City Council will appropriate a specific dollar amount relating to housing issues. The City Council will designate the funding for these expenditures during the annual budget process. In instances where another organization is involved, a contract delineating the services will be required.

7) **Historic Preservation:** Each year, the City Council will appropriate a specific dollar amount relating to historic preservation. The City Council will designate the funding for these expenditures during the annual budget process. In instances where another organization is involved, a contract delineating the services will be required.

It is at the discretion of the City Council as to which categories individual organizations or endeavors are placed. Any percentage changes to the General Fund categories described above must be approved by the City Council. All final decisions relating to grant funding are at the discretion of the City Council.

PARK CITY MUNICIPAL COPRPORATION
GRANTS FY 1997 - Approved by City Council on May 23, 1996

CATEGORY/DESCRIPTION	GRANT $ FY1997 (April 18)	% OF BUDGET GENERAL FUND	GRANT $ FY1997 ADJUST	% OF BUDGET GENERAL FUND
SPECIAL SERVICES				
Recycling	$8,000		$8,000	
Chamber Bureau	$65,000		$65,000	
Historical Society	$34,621		$34,621	
Domestic Peace Task Force	$10,000		$16,000	
Sub-total Special Services	**$117,621**	**1.10%**	**$123,621**	1.09%
ARTS/CULTURE/HUMANITIES				
Sub-total Arts	**$31,500**	**0.29%**	32,753	0.29%
YOUTH				
Sub-total Youth	**$26,000**	**0.24%**	27,106	0.24%
RENT CONTRIBUTIONS				
Sub-total Rent Contribution	**$45,992**	**0.43%**	40,492	0.36%
GRANT CONTINGENCY FUND	**$20,355**	**0.19%**	30,143	0.27%
TOTAL GRANTS - GENERAL FUND	**$241,468**	**2.25%**	254,115	2.25%
GENERAL FUND BUDGET W/O GRANTS	**$10,712,423**		**11,293,981**	
HOUSING				
Sub-total Housing	**$260,000**		260,000	
HISTORIC PRESERVATION				
Sub-total Historic Preservation	**$175,000**		175,000	
TOTAL GRANTS - All FUNDS	**$676,468**		**$689,115**	

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