PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JUNE 2, 2005

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, June 2, 2005.

Closed Session – Executive Conference Room
3:00 p.m. Property and personnel

Work Session – City Council Chambers
4:00 p.m. Council questions/comments
4:45 p.m. Budget overview

- Tentative budget
- Special service contracts
- Outstanding issues

5:45 p.m. Break

Regular Meeting – City Council Chambers
6:00 p.m.
I ROLL CALL

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

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

IV WORK SESSION NOTES AND MINUTES OF MEETING OF MAY 19, 2005

V CONSENT AGENDA PUBLIC HEARINGS

1. Ordinance approving the second amended record of survey map for the Fashion Coalition Condominiums located at 613 Main Street, Park City, Utah

2. Ordinance approving a subdivision of the metes and bounds prcels, located at 291 Daly Avenue, Park City, Utah

3. Ordinance approving the Van Oordt-Matsumoto Subdivision plat located at 1002 and 1002 ½ Norfolk Avenue, Park City, Utah

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VII PUBLIC HEARINGS

1. Ordinance establishing compensation for the Mayor and City Council for Fiscal Year 2005-2006 in Park City, Utah

2. Resolution amending Section 2, Water Fees, of the Park City Fee Resolution increasing user rates

3. Resolution adopting a revised tentative budget for fiscal year 2004-2005 and a tentative budget for fiscal year 2005-2006 for Park City Municipal Corporation and its related agencies

VIII NEW BUSINESS

1. Ordinance establishing compensation for the Mayor and City Council for Fiscal Year 2005-2006 in Park City, Utah

2. Resolution amending Section 2, Water Fees, of the Park City Fee Resolution increasing user rates

3. Resolution adopting a revised tentative budget for fiscal year 2004-2005 and a tentative budget for fiscal year 2005-2006 for Park City Municipal Corporation and its related agencies

4. Approval of Amendment #2 to the existing Hogan & Associates Construction Agreement, in a form to be approved by the Legal Department, for work related to the Quinn's Recreation Complex project in the amount of $4,353,168.

IX ADJOURNMENT

A majority of City Council members may meet socially after the meeting. If so, the location will be announced by the Mayor. City business will not be conducted.

Posted: 05/31/05
See www.parkcity.org

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

June 2005

9 Sign Code – work
Outdoor art/display – work
Arts Festival MFL and City Services Agreement
Miner's Hospital leases – Arts Council, Mountain Mediation and Mountain Trails
Sound garden contract
Ordinance – 88 King Road – Summer Subdivision – Brooks
Ordinance – impact fees
Resolution accepting Homeland Security grant
Mountainlands - 90 day extension for $10,000 loan for 555 Deer Valley Drive
Adoption of final budget

14-17 Innovations in Local Government - Sarasota

16 **No meeting**

25-28 All America Cities – Atlanta

23 **No meeting**

30 Transit Center Land Match Resolution – Gary
Resolution adopting the personnel policies and procedures manual
Ordinance – 1825 Three Kings Drive, Spiro Condominiums Building A – Record of Survey Plat – Kirsten
Municipal Code Amendments, LMC Title 15, Section 7- relating to outdoor art and outdoor display of merchandise placement and amending front yard setback exception in all zoning districts except HCB and POS – public hearing/action - Kirsten and Pat
Municipal Code Amendments, Title 12, Sign Code – public hearing/action - Kirsten/Ray

July 2005

7 Board interviews

14

21 Resolution adopting a strategic plan for City-owned properties

25 Pioneer Day

28 **No meeting**

August 2005

4

11 **No meeting**

18

25

Pending Items:

KPCW 99 year lease
General Plan Update
Regional bus service SLC - work
CDBG preliminary hearing – July

PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
MAY 19, 2005

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

Tom Bakaly, City Manager; Tim Twardowski, Assistant City Attorney; Patrick Putt, Planning Director; Gary Hill, Budget Manager; Lori Collett, Finance Manager; Kim Leier, Human Resources Manager; Ken Fisher, Recreation Manager; Craig Sanchez, Director of Golf; Linda Tillson, Library Director; Aziz Kurdi, Information Technology Director; Alison Butz, Special Events and Facilities Manager; Myles Rademan, Public Affairs Director; Kathy Dunks, Water Manager; Eric Nesset, Transit Manager; Pace Erickson, Operations Manager; Ron Ivie, Chief Building Official; Eric DeHaan, City Engineer; Patrick Putt, Planning Director; and Lloyd Evans, Chief of Police

Kevin Callahan, Summit County Public Works Director; Bob Richer, County Commissioner

Absent: **Council member Marianne Cone**

1. Council questions/comments. Candace Erickson reported that she met with SBWRD this week on East Canyon Creek conservation projects. The Mayor announced that the community received an Envision Utah Quality Growth Award for our Wind Power Campaign and added that he attended the Recycling Coalition's annual conference. The Mayor asked Council about their thoughts on applying to the Livable Communities group. Candace Erickson responded that her husband is checking out this organization with his European associates and more importantly, she feared ethics conflicts if a judge resides in Park City. There was discussion about waiting a year to better explore the organization and the Mayor relayed that he will meeting with the judge sometime next week and will update Council.

2. Kimball Junction. Kevin Callahan explained that the City financially participated in a 25 year regional transportation study, adding that most of the traffic on SR224 is headed into Park City. Aspects of the scope of work included analyzing existing and future traffic conditions and formulating associated policies with regard to acceptable standards. Seasonal fluctuations and demands on regional transportation complicate the issue. The study addresses capital improvements including facilities, proposed to be supported by an impact fee program. Traffic flows work pretty well from April through to November, but the east ramp on I-80 often becomes congested when special events are occurring. The first phase addresses better managing Landmark Drive and he mentioned a number of commercial developments coming on line at the Junction and the potential that occasional congestion will become routine. Volumes are expected to double within 25 years, which is also based on population growth. Mr.

Callahan commented on input form the business community and pointed out that the first phase focuses on the Junction including collector roads on either side of SR224 and a new entrance into Landmark Drive from the Olympic Park both serving commercial development.

Mr. Callahan continued that Phase 2 includes frontage roads and intersection improvements and Phase 3 consists of the overpass connecting Landmark and Ute. Traffic standards for new projects will be formulated by the County for the road network. He again emphasized the importance of regional cooperation and maximum use of existing roads before new roads are constructed. The plan does not meet high volumes at peak times and it is anticipated that during the winter, there may be delays but the County has initiated a traffic monitoring and reporting program. In the short term, public transit is the focus with a goal of 15 minute service between Park City and Kimball Junction within the next couple of years and expanding neighborhood service. Another enhancement is providing a commercial shuttle at Kimball Junction for visitors and employees and a transit facility at some point in time. There are non-motorized trails planned as an option. The state approved an event signal program to better move traffic according to volume and three will be installed this year. Medians will also be part of the first phase. UDOT relayed that it will fund the widening of SR224 to Bear Hollow. County staff continues to meet with the business community and are working on a draft plan for Commission consideration in late June or July. Kevin Callahan referred to his meetings with the City's Special Event Committee, which is helpful in working toward solutions. It would be beneficial to update the inter-local agreement as transit services expand. The County may look to the City for advice on managing and funding projects, i.e., bonds, traffic impact fees, business licensing, etc. In response to a question from Kay Calvert about transit service to Salt Lake, Mr. Callahan reported that this is not in the plan. Candace Erickson stated that she is pleased to see non-motorized options in the plan. Commissioner Bob Richer thanked the City Council for its cooperation.

3. Budget overview. Gary Hill detailed the budget schedule and categories already covered. He explained that the *manager's recommended budget* is a product of Council's visioning session in January and meeting service levels and prioritizing requests are discussed later by staff teams . This year there were $2 million in department requests, not including the pay plan or Quinns. Staff looks at reaching service levels with a minimum of full-time staff as possible. The General Fund will increase by $1.5 million and Mr. Hill discussed surpluses in the General Fund which are transferred to the CIP annually. Staff looks at this transfer as one-time revenue from sales tax and is careful not to treat it as on-going but since this has been occurring over the past several years, it has been determined to earmark a portion to on-going operations with caveats to minimize the risk. He emphasized that the increase would not exceed the average of historical transfers. Programs and contract positions are established with some flexibility in the event of poor revenues the following year and with this approach, permanent programs and staff are better protected. As a result, there is funding for temporary positions, and contract and consulting services. He referred to the budget document and pointed out that any increase in full-time employees is negligible and each fund shows its associated pay plan costs, other additive personnel options, and contract services. The bulk of General Fund transfers are allocated to flexible categories which is consistent with the budget policy. Meeting service and staffing levels is a balancing act and there is a budget request from Human Resources in the amount of $40,000 for bonuses for temporary employees, who work largely year-round.

Gary Hill addressed non-departmental accounts, i.e., City merchandise, Leadership Program, parking mitigation for Sundance, and the Joint Venture Fund. Lori Collett explained that in order to maintain the same level of service in Finance, there is a request for contract money for a .75 position to full time to assist with the computer system conversion, audit, accounting system for Quinns, etc. Kim Leier interjected that the system conversion affects Human Resources and funding for contract services is also requested. She discussed the bonus plan for temporary employees which will be managed by her department. There was discussion about the definitions for temporary, full-time and contract employee and Ms. Leier pointed out that $10,000 is budgeted for the education assistance program. Craig Sanchez reported that the golf course eliminated a full-time position. Ken Fisher explained that the same level adjustment request was $13,000 and $5,000 was approved. Candace Erickson discussed the importance of marketing recreation, especially in consideration of the change in policy for Snyderville Basin patrons. Mr. Fisher believed there is $8,000 allocated for marketing which is used to produce *Play Magazine* and ads in the *Park Record*. The City Manager believed that marketing dollars could be maximized with SBSRD, rather than competing with the District. Mr. Fisher noted that the Recreation District does not have a marketing plan. Ms. Erickson believed it important to provide quality programs by attracting and compensating fitness instructors at market and Ken Fisher stated that after researching comparables, it was decided to bump the hourly rate to $20 which is consistent with other facilities. He relayed that tennis programs have been very popular and $41,000 has been added to the Tennis Pro line item to cover the costs of lessons and clinics. This is not a position, but is funding for contracted services. Linda Tillson discussed funding to secure personnel computers from the public computer system at the library. There is more programming for adults, which is reflected in the budget and a request for additional part-time hours to cover the increase in library business. From 2002 to 2004, there has been a 33% increase in computer use, 9% in circulation, and 37% in programs. Customer service is important and the library was rated number one in the City survey. Ms. Tillson addressed her request to increase pay for some positions to attract recruitments for vacancies. The same level adjustment is reflected as a 2% increase.

Aziz Kurdi spoke about the new computer support program for departments and related on-call costs. There are transfers from other departments to the Information Technology Department because it assumes contracts and maintenance costs on a City-wide basis. The front desk position will be reclassified from a Secretary II to a Secretary III. Alison Butz stated that there are no changes in the Special Events Department but is also here representing Economic Development and Capital Projects Department where there is a $50,000 budget request for the strategic plan implementation. It will consist of an analysis of inventory of exiting business types, potential impacts of adding commercial space at Kimball Junction, and recommendations on the commercial mix within the City. Myles Rademan stated that there are no changes to his Public Affairs Department budget.

Kathy Dunks clarified that requests for the Water Fund relate to maintaining water quality. These projects include the new Judge Tunnel water treatment plant, the Park Meadows Well treatment facility, and antimony treatment at Spiro Tunnel totaling $591,000. She discussed a miscalculation in the payment to Salt Lake City for the lease of Spiro water amounting to $37,380, which will be paid by the City over a three year period. With regard to a question from Jim Hier on the costs of individual projects, Ms. Dunks explained that treating antimony is $250,000 per year. This covers chemicals, additional utility costs, equipment, and maintenance. Eric Nessett stated that the budget options for the Transit and Fleet Departments reflect increased regional service levels. Summit County reimburses the City for a portion of the costs; County service accounts for about 30% of service hours and about 40% of mileage, averaging one million miles per year. Fleet stock has increased in transit and police resulting in the request for mechanics. Jim Hier asked for an update on the reimbursement plan from the County at a later date. Mr. Nesset explained that the cost allocation model is based on revenue hours, covering the costs for drivers fuel, and maintenance. This arrangement is based strictly on incremental costs and the County feels it appropriate to repay the City for management costs. Mr. Hier believed that it would be appropriate for Council to spend some time on the cost sharing transit plan. Mr. Nesset interjected that he believes the City is substantially recovering our costs.

Pace Erickson pointed out that his team looked at the following criteria in rating priorities: providing the same level of service for existing programs; the same level for new facilities, and enhanced levels of service. He discussed the associated costs with new parks and playgrounds which will be on line to be maintained. The FY 2006 budget includes costs relating to the maintenance of mechanical systems in the renovated Marsac Building. He is requesting funding in the Streets Department budget for sidewalks and crosswalk. This is seed money to set up a program for solutions other than painting intersections. He addressed the funding for maintenance of the Swede Alley Parking Structure and explained that the position requested is intended for snow removal and special summer projects.

Gary Hill invited Council direction on the level of snow removal service in Prospector. Joe Kernan expressed that he would like some level of snow removal on the sidewalks in the commercial area. Candace Erickson felt that $71,000 is too much money; there could be appropriate compromises. Mr. Erickson emphasized that the 2006 numbers decrease significantly because equipment will need to be purchased for the first year. He suggested that staff par down service recommendations, while still providing some level for Prospector and return to Council with strategies. Mayor Williams felt that the Prospector commercial area meets criteria for sidewalk snow removal. Jerry Gibbs explained that because buildings were built lot to lot line, there is no storage for snow cleared from interior sidewalks and hauling snow would cost the Association $30,000 a year. Typically a portion of the sidewalk is cleared and a path system created. Gary Hill suggested that the service level for Prospector be determined at a later date. Mr. Gibbs explained that the City and Property Owners Association agreed to cooperate on widening the sidewalks. Tom Bakaly recommended budgeting $57,000 as a City-wide resource for snow removal and also conducting trial operations for expanded service. However, the more involved the City becomes in snow removal, the more likely regulations will be enforced. Joe Kernan supported an effort to make the interior sidewalks more useable for pedestrians. In response to a question from the Mayor about liability associated with a trial program, Attorney Tim Twardowski expressed that there should be no risks. Joe Kernan again encouraged staff to formulate a snow removal plan for interior sidewalks. Jerry Gibbs understood Council direction for the Prospector commercial area to be to clear perimeter sidewalks and remove snow at some level on interior sidewalks, which is less of a priority. He suggested that the Association may be willing to contribute funding and there was discussion about Code requirements for property owners. Pace Erickson interjected that the area serves a large bed base and meets the criteria for services. The issue is that existing City equipment would cause extensive damage to landscaping and new equipment would need to be purchased. Gary Hill stated that staff will provide more information for Council on May 26.

Ron Ivie pointed out that although his budget is *same level*, the Building Department is attempting to manage this peak period without additional resources, and he felt that customer service may be affected. He discussed costs associated with lab and field work. Eric DeHaan reported there are no changes in the Engineering Department. Patrick Putt explained that the Planning Department's budget reflects same level service and an increase for consulting services, specifically work on the General Plan. There was discussion about the elimination of the preservation planner position. Historic preservation planning will be shared among planners and Mr. Putt explained staff review meetings where information and expertise is shared between planning and building staff.

Chief Lloyd Evans stated that the Police Department submitted about eight budget requests for personnel and equipment, and an increase for same level service. Equipment requests relate to purchases that would increase officers' safety and efficiency. Jim Hier requested a list of equipment and costs at a later date because it is of interest to the community. The Chief added that a police advisory team has been created, consisting of officers and employees charged with reviewing safety needs. Ms. Erickson thanked the Chief for enhanced traffic enforcement efforts. The City Manager discussed his recommendation to extend Phyllis Robinson's contract. He added that there are no changes in the Legal Budget. Gary Hill noted that next week, the Quinns Recreation Complex, CIP, special service contracts, Joint Venture, and outstanding issues will be reviewed.

With regard to Council compensation, Mr. Hill relayed that two years ago, Council directed staff to formulate a methodology for determining market pay for elected officials and a lengthy public process was conducted. Last year, Council directed staff to identify a peer group, which included the Wasatch Front and a group of resort communities. The market analysis suggests a $2,300 increase for Council and $5,300 for the Mayor. There was discussion about the process for donating a portion of a pay check to a non-profit to an organization. Ms. Erickson felt that West Valley is not an effective comparison because of its size and associated high salaries. Gary Hill explained that West Valley is included for staff with the rationale of paying the average of the top group, which may change every year. Jim Hier pointed out that elected officials are not competing in a labor market and perhaps West Valley should be a variable for the pay plan, but not Council compensation. He suggested removing non-resort communities and using the same methodology. Mr. Hill stated he will bring this information back on May 26.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MAY 19, 2005

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, May 19, 2005. Members in attendance were Dana Williams, Kay Calvert, Candace Erickson, Jim Hier, and Joe Kernan. Marianne Cone was excused. Staff present was Tom Bakaly, City Manager; Tim Twardowski, Assistant City Attorney; Jonathan Weidenhamer, Planner; Patrick Putt, Planning Director; Gary Hill, Budget Manager; and Eric DeHaan, City Engineer.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

<u>Flood control alert</u> – Alison Butz referred to a memo from staff regarding potential high water flows. It is felt that for the next month, staff will be on alert and have some measures in place. She identified potential flood areas, like Daly Avenue and a manned emergency number 615-5777 has been established. All critical drainage channels and debris basins are being cleared and staff is stockpiling sand bags. There will be increased coverage and inspections of the areas and public service announcements. Additionally, another public service announcement will address potential mudslides in Empire Canyon, which will be temporarily closed to pedestrian and bicycle traffic. There is an employee volunteer program in place to fill sand bags. She reported that the Judge Tunnel is turbid and if it continues to increase, the water will be kicked out to the stream. People are encouraged to conserve water, because the work on the Spiro Tunnel will take it out of operation.

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

<u>Electronic voting machines</u> - Kathy Dopp, Utah Count Votes, expressed her belief that the state election office has succumbed to the pressure of lobbying, specifically on behalf of Diebold Election Systems, which offers a very poor product. She also explained the differences between the DRE electronic ballot machine and the up-scan machine which produces a paper ballot which can be re-counted or audited. Computer experts are opposed to the DRE machines, which can be easily corrupted and there are privacy issues. The up-scan also counts as people vote so the totals are available immediately after the polls close. She referred to the exhibits included in her hand-out to the Mayor and Council members. The state will be making an unwise decision if it purchases DREs and Utah County is considering foregoing the Help America Vote Act funding by purchasing its own equipment. Ms. Dopp expressed that many election officials are unqualified, uninformed, and underpaid and believe that the DREs will be time saving. She spoke about being a member of a group of mathematicians studying presidential elections. They found evidence of fraud in many states.

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

IV WORK SESSION NOTES AND MINUTES OF MEETING OF MAY 5, 2005

Joe Kernan disclosed that he submitted minor corrections to the minutes to the City Recorder. Candace Erickson, "I move we approve the Work Session Notes and Minutes of the Meeting of May 5, 2005, as corrected". Joe Kernan seconded. Motion carried.

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

V CONSENT AGENDA PUBLIC HEARING

1. Ordinance approving a plat amendment to combine all of Lots 12, 13, 14, and portions of Lots 11, 15, and 16 of Block 13 of the Park City Survey into one lot, located at 151 Main Street – Planner Jonathan Weidenhamer explained that this plat applies to Grappa Restaurant. It was originally approved in 2002 but the plat was never recorded and expired. The Planning Commission forwards a positive recommendation. He acknowledged a call from a neighbor after the meeting about the loss of a pocket park. The citizen was informed that the property is privately owned. The Mayor opened the public hearing, and hearing no input, the hearing was closed.

2. Ordinance approving a plat amendment to combine Lots 27-30, Block 6 of the Park City Survey into one lot of record known as the 650 Woodside Subdivision, located at 650 Woodside Avenue, Park City, Utah – Patrick Putt stated that the applicant is Lowell Brown. Through illustration of a rendering, he pointed out historic Crescent Tramway which bisects the property, ranging from 10 to 15 feet in width. It was the old railroad bed for the tramway and when the tracks were removed at the turn of the century, it was used for a number of public purposes, i.e., road, easement, pedestrian connection. If approved, the plat amendment will create a single lot of record to accommodate a single family residence located to the south of Crescent Tramway, totaling 2,200 square feet. The detached two-car garage is proposed on the north side and Mr. Brown is proposing to formally dedicate the northern portion of Lot 8 (approximately 21 feet) and the Crescent Tramway as a public non-vehicular and utility easement for the same purpose. The Planning Commission reviewed this in June 2004 and forwards a positive recommendation. The reason it has taken so long to come before Council relates to the design of the house and the detached garage. Mr. Putt discussed Mr. Brown's application to the Board of Adjustment to seek a front and side yard setback variance to move the house further away from the Tramway. The BOA recommended that staff return for findings for denial, but the project was later modified to comply with all setbacks in the HR-1 zone. This plan was reviewed by the Planning Commission on April 13, 2004 where the Steep Slope CUP was approved for the

structures. In response to a question from Joe Kernan, the character of the Crescent Tramway will remain the same, i.e. no stairs. The public hearing was opened and hearing no comments from the audience, was closed.

VI CONSENT AGENDA

Jim Hier, "I move approval of Consent Agenda Items 1 and 2". Kay Calvert seconded. Motion carried.

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

1. Ordinance approving a plat amendment to combine all of Lots 12, 13, 14, and portions of Lots 11, 15, and 16 of Block 13 of the Park City Survey into one lot, located at 151 Main Street – See staff report and public hearing.

2. Ordinance approving a plat amendment to combine Lots 27-30, Block 6 of the Park City Survey into one lot of record known as the 650 Woodside Subdivision, located at 650 Woodside Avenue, Park City, Utah – See staff report and public hearing.

VII NEW BUSINESS

First amendment to November 27, 1996 Agreement between Eagle Mountain Partners LLC, Kearns-Tribune Corporation, and Park City Municipal Corporation – Jonathan Weidenhamer clarified that the original agreement dates back to the early 1980s relating to the Park Meadows Well. Eagle Mountain Partners submitted an annexation petition for Wilburn West, located directly north of The Cove and on the southwest corner of Round Valley. There are about 65 outstanding certificates which will expire in early July. It is proposed to extend 20 water certificates and to allow for a certain number of new certificates applied to the Wilburn West equal to the approved density, and cap the value of each certificate at $15,000. The extension is recommended to July 2, 2008 and the Wilburn West certificates to July 20, 2010. Kay Calvert, "I move to approve the an amendment to November 27, 1996 Agreement between Eagle Mountain Partners LLC, Kearns-Tribune Corporation, and Park City Municipal Corporation, with the conditions outlined by Mr. Weidenhamer". Candace Erickson seconded. Motion carried.

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

VIII PUBLIC HEARING

Tentative budget for fiscal year 2005-2006 for Park City Municipal Corporation and its related agencies – The Mayor invited the audience to comment on the budget.

Dick Weber, Three Kings Home Owners Association, referred to the CIP Budget, specifically Project #819, Three Kings Storm Drain. The existing culvert and pipe are inadequate and in poor condition causing flooding in Buildings 4, 5, 6 and 7. The HOA did some work last year and the Natural Resource Division of Water Rights has provided preliminary approval to alter the stream. He relayed that they spent about $7,000 last year and have budgeted another $15,000 to alter the stream and to landscape. This project has been scheduled in 2007 and Mr. Weber urged Council to consider moving this project up to 2006, and to work together with the HOA to complete the project. Gary Hill relayed that $23,000 is budgeted in 2007 and there were three storm drain items included in this year's budget. One is for a study and two specific storm drain projects, Prospector and Three Kings; staff felt it helpful to complete the study first. Jim Hier asked staff to provide information on potential consequences of moving the Three Kings project forward before the study. Eric DeHaan commented on aspects of the project and the HOA is mainly responsible for replacing landscaping. The Mayor suggested moving the project to 2007 since the dollar amounts are so close.

With no further comments, the public hearing was continued to May 26, 2005.

IX ADJOURNMENT

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

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 2 p.m. Members in attendance were Mayor Dana Williams, Kay Calvert, Candace Erickson, Jim Hier, and Joe Kernan. Marianne Cone was excused. Staff present was Tom Bakaly, City Manager; and Tim Twardowski, Assistant City Attorney. Jim Hier "I move to close the meeting to discuss property and litigation ". Candace Erickson seconded. Motion carried unanimously. The meeting opened at approximately 3:15 p.m.

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

Prepared by Janet M. Scott

Planning Department

City Council Staff Report

Author: Jonathan Weidenhamer
Subject: 613 MAIN ST – SECOND AMENDED RECORD OF SURVEY - FASHION COALITION CONDOMINIUMS
Applicant: Tom Shaner
Date: June 2, 2005
Type of Item: Administrative

Summary Recommendations:

Staff recommends that the City Council review the amended record of survey, conduct a public hearing and consider approving the amendment according to the findings of fact, conclusions of law and conditions of approval outlined in attached ordinance.

Background:

The Planning Commission reviewed this item at the May 25, 2005 meeting. A Public hearing was held. No public comment was received. The Planning Commission voted unanimously to forward a positive recommendation to the City Council to approve the plat amendment.

This request is to amend the existing record of survey in order to accommodate the Americans with Disabilities Act (ADA). The applicant intends to reconfigure existing private, common and limited common areas between Units 1, 2 and 3, located on Levels 1 and 2 of a 5 level, 8 unit building. This reconfiguration will modify/expand the stairwells and add an elevator (Exhibit A).

Analysis:

The underlying zoning is General Commercial (GC). The original Fashion Coalition Condominium plat was recorded on November 12, 1985. This Second Amended Record of Survey for 613 Main Street is intended to modify the floor plans and their ownership of Levels 1 and 2 of sheet 2 of 3 of the existing record of survey. All ceiling and floor elevations will remain unchanged. Sheets 1 and 3 of the original ROS will not be amended, nor will level 3 on sheet 2. The specific ownership changes are referenced by Exhibit B and are listed as follows:

- Level 1 – Unit 2 Approx. 25 sf of private area converted to common area
- Level 1 – Unit 2 Approx. 20 sf of private area converted to limited common
- Level 2 – Unit 3 Approx. 67 sf of limited common converted to private area

Department Review:

The City's Staff Review Team and City Attorney's Office have reviewed this application on April 19, 2005 and find it to be in conformance with all requisite city development codes. The City Attorney's office will review the plat and CC&R's before recordation.

Recommendation:

Staff recommends forwarding a positive recommendation to the City Council to approve the proposed amended record of survey at 613 Main Street based upon the following findings of fact, conclusions of law, and conditions of approval:

Exhibits

Ordinance

A. Proposed Condominium plat

B. Notation of specific changes

Ordinance No. 05-

AN ORDINANCE APPROVING THE SECOND AMENDED RECORD OF SURVEY MAP FOR THE FASHION COALITION CONDOMINIUMS.

WHEREAS, the owner of 613 Main street, known as the Fashion Coalition Condominiums has petitioned the City Council for approval of an amended record of survey; and

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

WHEREAS, on May 25, 2005 the Planning Commission held a public hearing to receive public input on the proposed plat amendment, and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, the proposed plat amendment allows the property owner reconfigure existing private, common, and limited common areas in order to expand stairwells and add an elevator; and

WHERAS, owners representing 66.6 percent of the ownership of the project desire to amend the record of survey to bring the property into compliance with the Americans with Disabilities Act; and

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

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

<u>SECTION 1. FINDINGS OF FACT.</u> The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The property is within the General Commercial Zone.
2. The original Fashion Coalition Condominium plat was recorded on November 12, 1985.
3. The Fashion Coalition Building is a 5 level, 8 unit building.
4. This amendment reconfigures existing common and limited common areas between Units 1, 2 and 3, located on Levels 1 and 2.
5. This reconfiguration will modify/expand the stairwells and add an elevator.
6. All ceiling and floor elevations will remain unchanged.
7. Only Levels 1 and 2 of sheet 2 of 3 of the existing record of survey will be modified.
8. Sheets 1 and 3 of the original ROS will not be amended. Level 3 on sheet 2 will not be amended. The specific ownership changes are listed as findings 9-11.
9. Level 1 – Unit 2 - Approx. 25 sf of private area converted to common area
10. Level 1 – Unit 2 - Approx. 20 sf of private area converted to limited common
11. Level 2 – Unit 3 - Approx. 67 sf of limited common converted to private area.
12. No exterior changes to the building are approved
13. The applicant has agreed to the conditions of approval.
14. The Planning Commission reviewed this item at the May 25, 2005 meeting. A Public hearing was held. No public comment was received. The Planning

Commission voted unanimously to forward a positive recommendation to the City Council to approve the plat amendment.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby adopts the following Conclusions of Law:

There is good cause for this plat amendment.

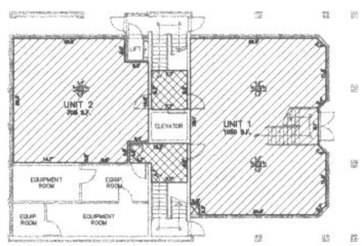
1. The plat amendment is consistent with the Park City Land Management Code and applicable State law.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.
3. As conditioned the amended record of survey is consistent with the Park City General Plan.

SECTION 3. CONDITIONS OF APPROVAL. The City Council hereby adopts the following Conditions of Approval:

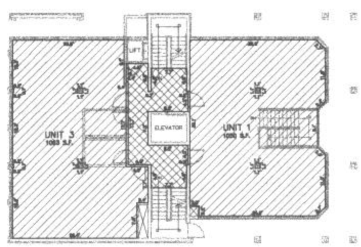
1. The City Attorney and City Engineer shall review and approve the condominium plat for compliance with the Land Management Code and conditions of approval, as a condition precedent to recording the plat.
2. All standard project conditions shall apply.
3. The final condominium plat shall be recorded at the County within one year from the date of City Council approval. If recordation has not occurred within the one year of City Council's approval, this approval and the plat shall be void.
4. An inspection of the Building's transformer vault by the City's Building Department is required prior to recordation of the record of survey.
5. The exterior walls of the building shall not be amended.

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

PASSED AND ADOPTED this 2nd day of June, 2005.



LEVEL 1



LEVEL 2

LEGEND

S.F. REPRESENTS SQUARE FEET

SQUARE FOOTAGE TABLE

UNIT NUMBER	LEVEL 1	LEVEL 2	TOTAL
UNIT 1	1050	1050	2100
UNIT 2	708		708
UNIT 3		1083	1083

COMMON OWNERSHIP

PRIVATE OWNERSHIP

LIMITED COMMON OWNERSHIP

SURVEYOR'S CERTIFICATE

I, Christopher R. Braun, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 5152604 as prescribed by the laws of the State of Utah, and that I have caused to be made under my direction and by the authority of the owners, this Second Amended Record of Survey Map of FASHION COALITION CONDOMINIUMS, a Utah Condominium Project in accordance with the provisions of Section 57-8-12 of the Utah Condominium Ownership Act. I further certify the buildings and property are shown correctly.

Christopher R. Braun L.S. 5152604   Date

BOUNDARY DESCRIPTION

Plat Amendment, FASHION COALITION CONDOMINIUMS, recorded November 12, 1985, as Entry No. 241570 according to the official plat thereof on file and of record in the Summit County Recorder's Office.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT, the owners of the herein described tract of land, hereby certify that they have caused this survey to be made and this Second Amended Record of Survey Map to be prepared and consent to the recordation of this Second Amended Record of Survey Map. The owners hereby dedicate all easements shown on this plat in accordance with an irrevocable offer of dedication.

By: Stuart Shaffer, President
Fashion Coalition Owners Association, Inc.

ACKNOWLEDGMENT

State of ____________)
) ss
County of ____________)

On this _____ day of ______________, 2005, personally appeared before me, the undersigned Notary Public, in and for said County and State, Stuart Shaffer, being duly sworn, acknowledged to me that he is the president of the Fashion Coalition Owners Association, Inc., and that he signed the above Owner's Dedication and Consent to Record on behalf of the Fashion Coalition Owners Association, Inc.

Notary Public
My commission expires __________

NOTES

1. FLOOR PLANS AND DIMENSIONS SHOWN ON THIS PLAT WERE COMPILED FROM ARCHITECTURAL DRAWING PROVIDED BY WILLIAM MAMMEN ARCHITECTURAL DESIGN.

2. INTERIOR DIMENSIONS SHOWN ARE TO FINISHED SURFACES.

3. ALL STRUCTURAL ELEMENTS ARE DESIGNATED AS COMMON AREAS.

5. REFER TO DECLARATION OF CONDOMINIUM FOR COMPLETE DESCRIPTION OF OWNERSHIP.

6. THIS SECOND AMENDED RECORD OF SURVEY MAP IS INTENDED TO MODIFY ONLY THE FLOOR PLANS AND THEIR OWNERSHIP OF LEVELS 1 AND 2 OF SHEET 2 OF 3 OF THE PLAT AMENDMENT, FASHION COALITION CONDOMINIUMS RECORDED NOVEMBER 12, 1985, AS ENTRY NO. 241570. ALL CEILING AND FLOOR ELEVATIONS REMAIN UNCHANGED.

S E C O N D   A M E N D E D

RECORD OF SURVEY MAP

FASHION COALITION CONDOMINIUMS

A UTAH CONDOMINIUM PROJECT

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

Recorded concurrently herewith is the Declaration of Condominium for Second Amended Fashion Coalition Condominiums.

JOB NO. 5-12-04   File: FashionCoalition-P1

SHEET 1 OF 1

PARK CITY SURVEYING
2041 SIDEWINDER DRIVE, SUITE 1
P.O. BOX 3003
PARK CITY, UTAH 84060
(435) 649-2918

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ____ DAY OF __________, 2005 A.D.
BY __________ S.B.W.R.D.

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF __________, 2005 A.D.
BY __________ CHAIRMAN

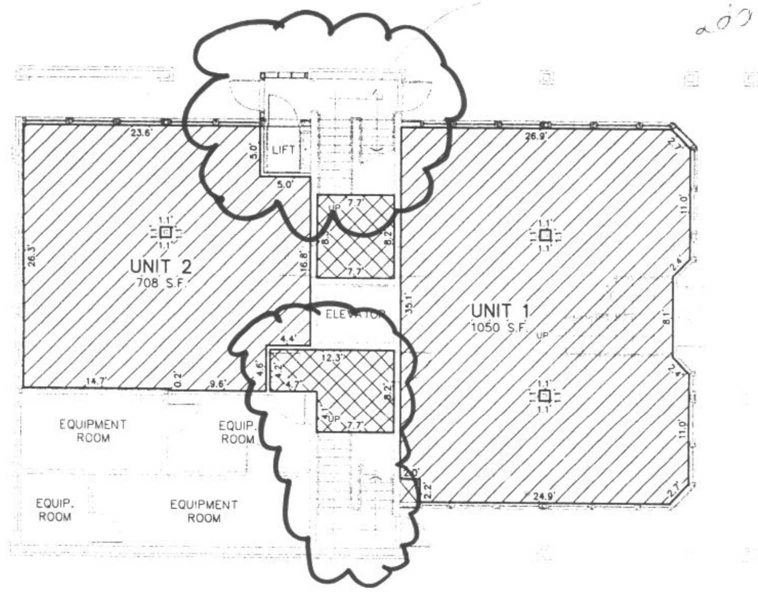
ENGINEERS CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF __________, 2005 A.D.
BY __________ PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS ____ DAY OF __________, 2005 A.D.
BY __________ PARK CITY ATTORNEY

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF __________, 2005 A.D.
BY __________ PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF __________, 2005 A.D.
BY __________ MAYOR

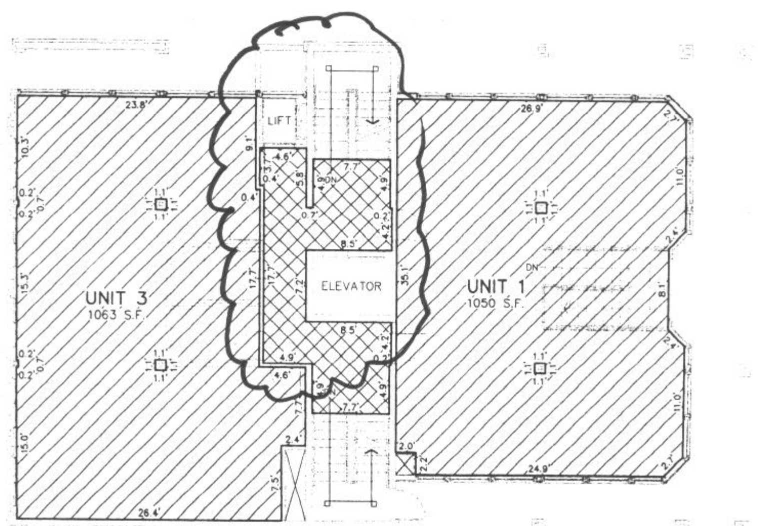
RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF __________
DATE ______ TIME ______ BOOK ______ PAGE ______
______ FEE   __________ RECORDER



LEVEL 1

PAGE 2 - MODIFIED PLAT

= AREAS MODIFIED



LEVEL 2

EXHIBIT B

LEVEL 1
1"=10'

LEVEL 2

PAGE 2 - EXISTING PLAT

EXHIBIT B

City Council
Staff Report

Subject: **291 DALY AVENUE PLAT AMENDMENT**
Date: **June 2, 2005**
Type of Item: **Administrative; Plat Amendment**

RECOMMENDATION: Staff recommends that the City Council review the proposed plat amendment, conduct a public hearing and consider approving it according to the findings of fact, conclusions of law and conditions of approval outlined in the attached ordinance.

DESCRIPTION

Project Name:	Enterprise West
Project Planner:	Ray Milliner
Applicant:	Gary Bush
Location:	291 Daly Avenue
Zone:	Historic Residential (HR-1)

BACKGROUND

The applicant is proposing the subdivision of 2 metes and bounds parcel located at 291 and 297 Daly Avenue into three lots of record, for the purpose of renovating and relocating two historic homes on the property and creating a vacant, developable lot on the third. If approved, Lot A will be approximately 4,970 square feet, Lot B will be 2,662 square feet and Lot C will be 4,957 square feet. In addition to the two historic homes, there are currently seven accessory buildings on the site. If the applicant desires to demolish these buildings, an application for a determination of historical significance will need to be reviewed and approved by the Historic Preservation Board prior to the issue of any permits for any work related to said structures. The applicant has submitted two applications for historic design guideline review (for the historic homes) which are currently under review by staff.

The application was reviewed by the Planning Commission on May 11, 2005 where a positive recommendation was forwarded to the City Council.

ANALYSIS

The property is located in the HR-1 zone. The proposed plat amendment will create 3 lots of record for the purpose of creating individual lots for the two historic homes on the property and a vacant individual development lot. Each lot as proposed would have access and frontage on Daly Avenue. In order to respect the newly created lot lines and comply and comply with the applicable HR-1 setbacks, the two historic structures will need to be moved from their current locations, code compliant to their final locations on lots A and C respectively. Staff is proposing that the Commission approve conditions of approval stating that the homes must be moved to their permanent foundations and inspected for building code compliance prior to the recordation of this plat, in order to prevent the creation of a non-complying situation on the property.

Because the lots are within zone A of the Flood Insurance Rate Map, the applicant will be required to submit a flood protection plan to the Building Department prior to the issuance of a building permit for either lot. The proposed lots comply with all required LMC lot size, lot arrangement, lot dimension and access requirements.

NOTICE
Notice of this hearing was sent to property owners within 300' on April 26, 2005. No comments have been received to date regarding the proposed plat.

DEPARTMENT REVIEW
The Planning Department has reviewed this request. The City Attorney and City Engineer will review the plat for form and compliance with the LMC and State Law prior to recording. The request was discussed at a Staff Review Meeting on April 23, 2005, where representatives from local utilities and City Staff were in attendance.

RECOMMENDATION
Staff recommends that the City Council review the proposed plat amendment, conduct a public hearing and consider approving it according to the findings of fact, conclusions of law and conditions of approval outlined in the attached ordinance.

EXHIBITS
Exhibit A – Proposed Plat Amendment
Exhibit B – Site Survey
Exhibit C – Existing Plat
Exhibit D – Photograph of Site

Ordinance No. 05-

AN ORDINANCE APPROVING A SUBDIVISION OF THE METES AND BOUNDS PARCELS, LOCATED AT 291 DALY AVENUE PARK CITY, UTAH

WHEREAS, the owner of the property known as 291 Daly Avenue, has petitioned the City Council for approval of a Subdivision; and

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

WHEREAS, on May 11, 2005 the Planning Commission held a public hearing to receive public input on the proposed Subdivision and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, the proposed Subdivision allows the property owner to modify the subdivide a metes and bounds parcel; and

WHEREAS, it is in the best interest of Park City Utah to approve the Subdivision.

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

SECTION 1. FINDINGS OF FACT. The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The property is located in the Historic Residential (HR-1) zone.
2. The HR-1 zone is a residential zone characterized by a mix of contemporary residences and smaller historic homes.
3. The amendment will subdivide two metes and bounds parcel into three lots of record.
4. Proposed Lot A would consist of approximately 4,970 square feet.
5. Proposed Lot B would consist of approximately 2,662 square feet.
6. Proposed Lot C would consist of approximately 4,957 square feet.
7. The minimum lot size for a single family home in the HR-1 zone is 1,875 square feet.
8. There are two existing historic single family homes on the property.
9. There are seven historic accessory buildings on the property.
10. In their current location, the historic homes would not respect the newly created lot lines and could not meet the required HR-1 setbacks for proposed lots.
11. The applicant filed historic design guideline review applications for the 2 historic homes. The plans show the homes being moved to proposed lots A and C.
12. The lots are within zone A of the Flood Insurance Rate Map.
13. The Planning Commission reviewed the proposal and forwarded a positive

recommendation to the City Council on May 11, 2005.

14. No remnant lots will be created as a result of this application.
15. Minimal construction staging area is available along Daly Avenue.
16. Snow removal is necessary for emergency access, and snow storage areas are necessary for good snow removal.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby adopts the following Conclusions of Law:

1. There is good cause for this subdivision.
2. The subdivision is consistent with the Park City Land Management Code and applicable State law.
3. Neither the public nor any person will be materially injured by the proposed subdivision.
4. As conditioned the subdivision is consistent with the Park City General Plan.

SECTION 3. CONDITIONS OF APPROVAL. The City Council hereby adopts the following Conditions of Approval:

1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. Prior to the recordation of the plat, the two historic residences shall be moved and inspected for building code compliance to a final location on the new lot that is compliant with all applicable LMC setback requirements in the HR-1 zone.
3. Prior to the demolition of any accessory buildings on the site, a Determination of Historical Significance application shall be submitted and a finding that they are not historically significant shall be made by the Historic Preservation Board.
4. Prior to the receipt of a building permit, the applicant shall submit a plan for flood protection that will be reviewed by the Building Department. A flood elevation certificate or flood proofing certificate is required.
5. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
6. A financial guarantee for public improvements including road repairs from utility installation shall be provided in a form acceptable to the City Attorney and in an amount acceptable to the City Engineer prior to plat recordation.
7. A ten-foot-wide snow storage easement shall be provided along the Daly Avenue frontage of all lots.

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

PASSED AND ADOPTED this 2nd day of June 2005.

291 Daly Subdivision Plat

Located in the Northeast Quarter of Section 21,
Township 2 South, Range 4 East,
Salt Lake Base & Meridian

PARCEL 1 DEED DESCRIPTION

Beginning on the easterly right-of-way line of Daly Avenue extended, as shown on the dedication plat thereof, recorded September 12, 1983 as Entry #210640 in the Office of the Recorder, Summit County, Utah, at a point which bears S 14°41'31" W, 407.27 feet and S 18°21'00" W, 266.94 feet from a brass cap monument located in Daly Avenue opposite Lot 24 of Block 74, Park City Survey and running thence along the Southerly line of the land described in the deed to Joanne A. Caluori recorded June 13, 1986 as Entry #252714, the following courses: S 68°43' E, 27.45 feet, S 48°43' E, 27.30 feet, and S 65°00' E, 25.90 feet; thence S 69°46'14" E, 2.47 feet; thence S 52°47'10" E, 31.32 feet; thence S 23°45'26" W, 37.98 feet; thence S 22°05'42" W, 20.65 feet; thence S 31°08'59" W, 15.33 feet; thence S 44°47'43" W, 3.96 feet; thence S 31°13'32" W, 28.51 feet; thence N 74°10'49" W, 13.94 feet; thence N 71°59'56" W, 80.02 feet to the said Easterly right-of-way line of Daly Avenue; thence N 18°21' E, 131.06 feet along said right-of-way line to the point of beginning.

PARCEL 2 DEED DESCRIPTION

Beginning at a point which is S 35°27' W, 1620.00 feet and S 18°00 W, 641.00 feet and N 18°00' E, 190.23 feet from the Northeast Corner of Section 21, Township 2 South, Range 4 East, said point being on the East Boundary of the Washington Millsite, Lot 80-B; thence N 72°02'40" W, 71.91 feet along the North boundary line of the property conveyed in Quit-Claim Deed recorded December 29, 1994 as Entry No. 421928 in Book 859 at Page 330 of the Official Records in the office of the Summit County Recorder; thence along the East boundary of property owned by Rose H. Busio the following 5 calls: N 31°13'32" E, 28.51 feet, N 44°47'43" E, 3.96 feet, N 31°08'59" E, 15.33 feet, N 22°05'42" E, 20.65 feet, and N 23°45'26" E, 37.98 feet; thence S 72°02'40" E, 54.82 feet to the East boundary of said Washington Millsite; thence along said boundary S 18°00' W, 104.589 feet to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that the undersigned is the authorized Statutory Agent of Enterprises West, L.L.C., the legal owner of the hereon described 291 Daly Subdivision, a portion of Block 73, Millsite Reservation to the Park City Survey, and having caused this Plat Amendment to be prepared, does hereby consent to the recordation of this Record of Survey Map in accordance with Utah State Law.

Also, the owners, hereby irrevocably offer 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 in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set his hand this ________ day of ____________ 2005.

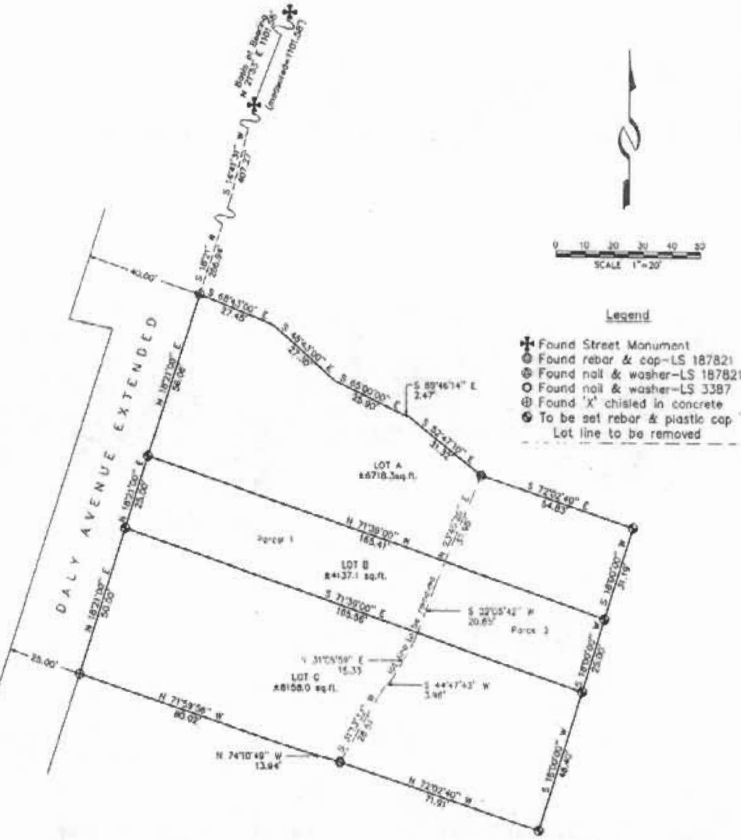
By: ________________________________
Gary W. Bush
Statutory Agent, Enterprises West, L.L.C.

ACKNOWLEDGEMENT

STATE OF UTAH
County of Summit:

On this ___ day of ______, 2005, Gary W. Bush personally appeared before me, the undersigned Notary Public, in and for said State & County, who after being duly sworn, acknowledged to me that he is the Statutory Agent for Enterprises West, L.L.C., that he has signed the above Owner's Dedication and Consent to Record freely and voluntarily on behalf of said Enterprises West, L.L.C., and that he executed this document in his capacity as Statutory Agent as the act of said Enterprises West, L.L.C. for the purpose set forth herein.

My commission expires: ___________ ______________________________
NOTARY PUBLIC
RESIDING IN _______ COUNTY,_____



NARRATIVE

1. Survey requested by: Gary W. Bush.
2. Purpose of survey: subdivision of existing property.
3. Basis of survey: found street monuments as shown, from the Amended Park City Monument Control Map by Bush & Gudgell, Inc. recorded as Entry No. 199887 in the office of the Summit County Recorder.
4. Date of survey: February 25, 2005
5. Property monuments set or found as shown.
6. Located in the Northeast Quarter of Section 21 Township 2 South, Range 4 East, Salt Lake Base & Meridian.
7. The owner of this property should be aware of any items effecting the property that may appear in a title insurance report.
8. The property dimensions are based on a previous survey by Joseph Dhoeners dated June 8, 2004, provided by the owner.

SURVEYOR'S CERTIFICATE

I, J.D. Gailey, a Registered Land Surveyor as prescribed by the laws of the State of Utah and holding License No. 359005, do hereby certify that I have supervised a survey of the hereon described property and that this plat is a true representation of said survey.

________________ Date

________________ J.D. Gailey R.L.S.#359005

LOT A LEGAL DESCRIPTION

Beginning on the Easterly right-of-way line of Daly Avenue Extended, as shown on the dedication plat thereof, recorded September 12, 1983 as Entry #210640 in the Summit County Recorders Office, Summit County, Utah, at a point which bears S 14°41'31" W, 407.27 feet and S 18°21'00" W, 266.94 feet from a brass cap monument located in Daly Avenue opposite Lot 24 of Block 74, Park City Survey and running thence along the Southerly line of the land described in the deed to Joanne A. Caluori recorded June 13, 1986 as Entry #252714, the following courses: S 68°43' E, 27.45 feet, S 48°43' E, 27.30 feet, and S 65°00' E, 25.90 feet; thence S 69°46'14" E, 2.47 feet; thence S 52°47'10" E, 31.32 feet; thence S 72°02'40" E, 54.83 feet to the East Line of the Washington Millsite, Lot 80-B; thence along said East Line S 18°00'00" W, 31.19 feet; thence N 71°39' W, 165.41 feet to the said Easterly right-of-way line of Daly Avenue; thence N 18°21' E along said right-of-way line of Daly Avenue, 56.06 feet to the point of beginning; containing 6718.3 square feet, more or less.
Basis of Bearing being N 21°33' E, 1101.58 feet from said brass cap monument to another brass cap monument found at the intersection of Daly Avenue and First Street

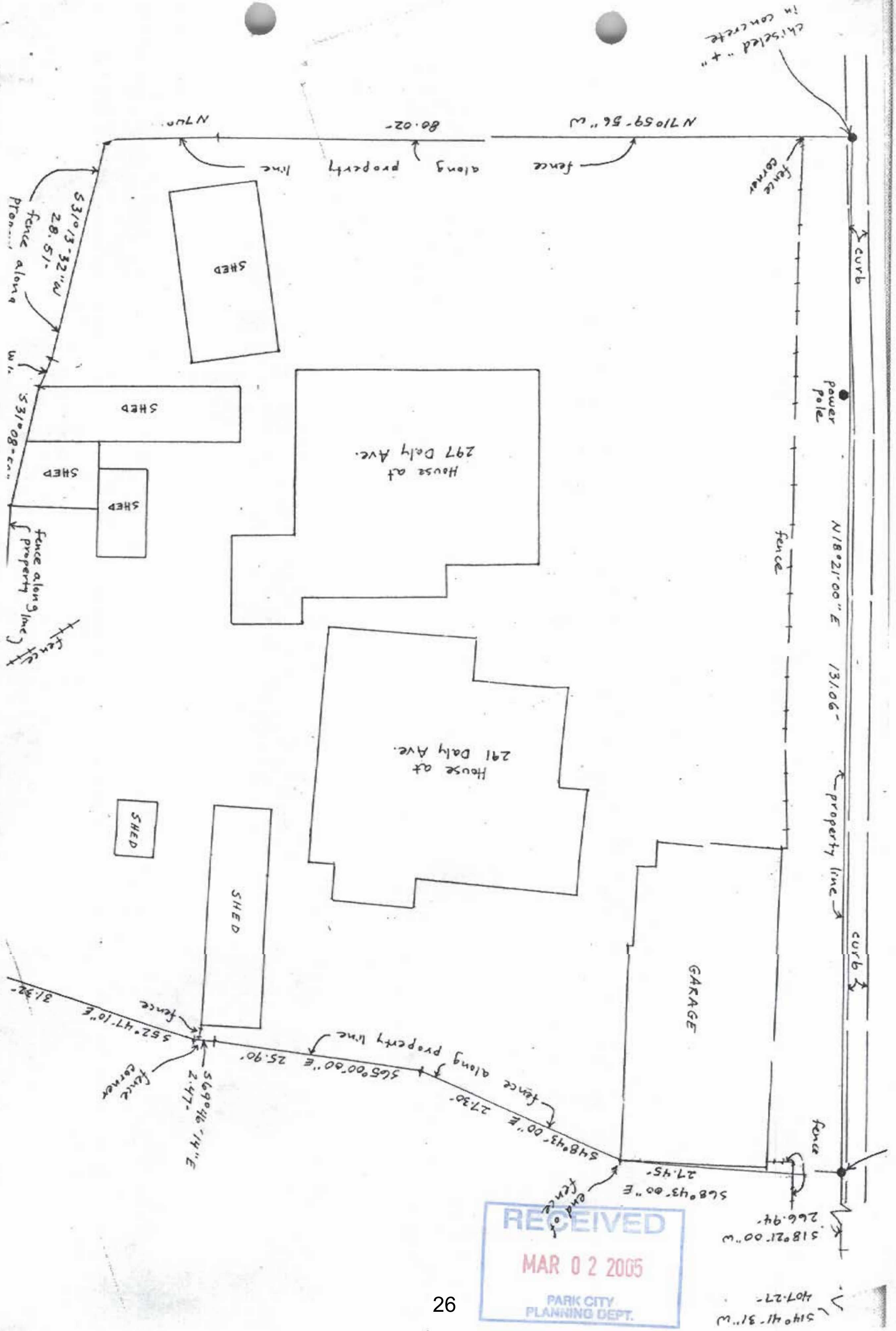
LOT B LEGAL DESCRIPTION

Beginning on the Easterly right-of-way line of Daly Avenue Extended, as shown on the dedication plat thereof, recorded September 12, 1983 as Entry #210640 in the Summit County Recorders Office, Summit County, Utah, at a point which bears S 14°41'31" W, 407.27 feet and S 18°21'00" W, 323.00 feet from a brass cap monument located in Daly Avenue opposite Lot 24 of Block 74, Park City Survey and running thence S 71°39' E, 165.41 feet to the East Line of the Washington Millsite, Lot 80-B; thence along said East Line S 18°00'00" W, 25.00 feet; thence N 71°39' W, 165.56 feet to the Easterly right-of-way line of Daly Avenue; thence N 18°21' E along said Easterly right-of-way line of Daly Avenue, 25.00 feet to the point of beginning; containing 4137.1 square feet, more or less.
Basis of Bearing being N 21°33' E, 1101.58 feet from said brass cap monument to another brass cap monument found at the intersection of Daly Avenue and First Street

LOT C LEGAL DESCRIPTION

Beginning on the Easterly right-of-way line of Daly Avenue Extended, as shown on the dedication plat thereof, recorded September 12, 1983 as Entry #210640 in the Summit County Recorders Office, Summit County, Utah, at a point which bears S 14°41'31" W, 407.27 feet and S 18°21'00" W, 348.00 feet from a brass cap monument located in Daly Avenue opposite Lot 24 of Block 74, Park City Survey and running thence S 71°39' E, 165.56 feet to the East Line of the Washington Millsite, Lot 80-B; thence along said East Line S 18°00'00" W, 48.40 feet; thence N 72°02'40" W, 71.91 feet; thence N 74°10'49" W, 13.94 feet; thence N 71°59'56" W, 80.02 feet to said Easterly right-of-way line of Daly Avenue; thence N 18°21' E along said Easterly right-of-way line of Daly Avenue, 50.00 feet to the point of beginning; containing 8158.0 square feet, more or less.
Basis of Bearing being N 21°33' E, 1101.58 feet from said brass cap monument to another brass cap monument found at the intersection of Daly Avenue and First Street

Alpine Survey, Inc. 19 Prospector Dr. Park City, Utah 84060 (435) 655-8016	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _______ 2005. BY: ____________ SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF __________, 2005 A.D. BY ____________ CHAIRMAN	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF __________ 2005 A.D. BY ____________ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF __________ 2005 A.D. BY ____________ PARK CITY ATTORNEY	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF __________ 2005 A.D. BY ____________ PARK CITY RECORDER	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF __________ 2005 A.D. BY ____________ MAYOR	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF ____________ DATE ______ TIME _____ BOOK _____ PAGE ___ ______ FEE ______ RECORDER



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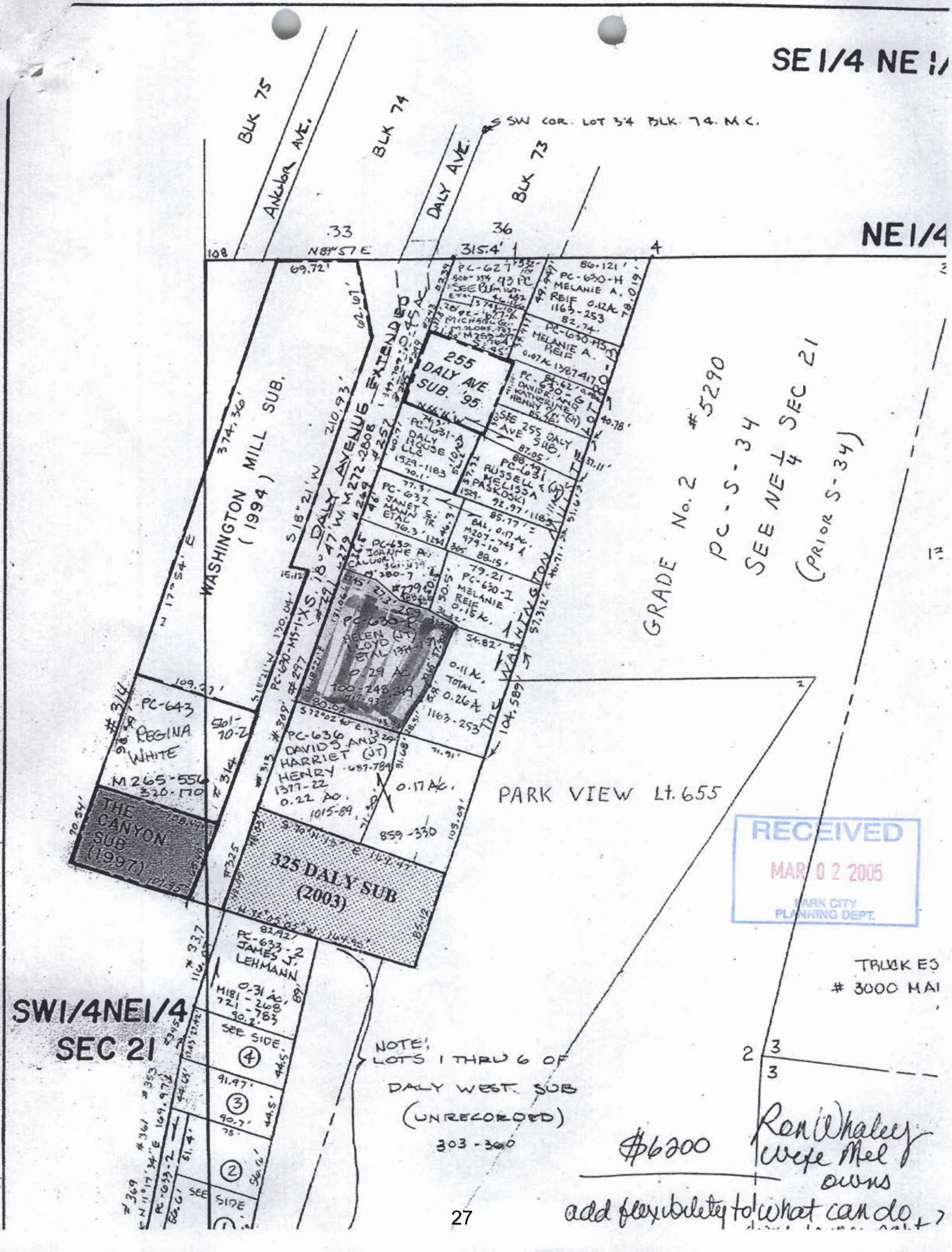
MAR 0 2 2005
PARK CITY PLANNING DEPT.


SE 1/4 NE 1/4
NE 1/4
SW 1/4 NE 1/4
SEC 21
BLK 75
BLK 74
BLK 73
ANCHOR AVE.
DALY AVE.
SW COR. LOT 34 BLK. 74. M.C.
N 8° 57 E
315.4'
WASHINGTON MILL SUB. (1994)
DALY AVENUE EXTENDED
255 DALY AVE SUB. 95
PC-630-H
MELANIE A. REIF
PC-631-A
DALY HOUSE LLC
PC-632
JANET S. MANN ETAL TR
PC-630-I
MELANIE REIF
PC-643
REGINA WHITE
M265-556
320-170
THE CANYON SUB (1997)
PC-636
DAVID S. AND HARRIET (JT) HENRY
325 DALY SUB (2003)
PC-633-2
JAMES J. LEHMANN
GRADE No. 2
5290
PC-S-34
SEE NE 1/4 SEC 21
(PRIOR S-34)
PARK VIEW Lt. 655
RECEIVED
MAR 0 2 2005
PARK CITY PLANNING DEPT.
TRUCK ES
3000 MAI
NOTE: LOTS 1 THRU 6 OF DALY WEST SUB (UNRECORDED)
303-360
$6200
Ron Whaley
wife Mel
owns
add flexibility to what can do

City Council Staff Report

Author:	**Brooks T. Robinson**
Subject:	**Van Oordt-Matsumoto Subdivision Final Plat at 1002 and 1002 ½ Norfolk Ave.**
Date:	**June 2, 2005**
Type of Item:	**Administrative**

PLANNING DEPARTMENT

Summary Recommendations:

The Planning Staff requests that the City Council open the public hearing on the Final Plat of the Van Oordt-Matsumoto Subdivision located at 1002 and 1002 ½ Norfolk Avenue, take any input and discuss as necessary. The staff has provided Findings of Fact, Conclusions of Law and Conditions of Approval for the City Council's consideration.

Topic

Applicant	**Michael and Maria McNulty Van Oordt and Katherine Matsumoto**
Location	**1002 and 1002 ½ Norfolk Ave.; lots 29, 30, 31 and 32 of the Snyder's Addition to the Park City Survey**
Zoning	**HR-1**
Adjacent Land Uses	**Residential**

Background

The City received an application on January 12, 2005 to combine the westerly half of four Old Town lots located at 1002 Norfolk Avenue into one lot of record. The lots are 29, 30, 31 and 32 of the Snyder's Addition to the Park City Survey. The property is located in the HR-1 zoning district and is improved with a historic house that sits on the northeast corner of Norfolk Avenue and 10th Street. Although 10th Street is paved, it is steep and not plowed of snow in the winter. A sidewalk/stairs parallels the street.

The adjoining property owner, Katherine Matsumoto, owns 1002 ½ Norfolk which is the easterly half of each of the four lots. Another historic house sits on this property and faces 10th Street. At the time of the Van Oordt application, staff could not recommend approval of the plat amendment because it left three remnant lots (easterly half of 29, 30 and 31) without legal access to a Public Street or an acceptable access easement. Subsequent discussions between the Van Oordts, Ms. Matsumoto, and Staff have resulted in an amended application to include the Matsumoto property.

The current application is to create two lots of record from four current lots. If approved, a single plat for both properties will be required. Each lot will be 3,750 square feet.

The Planning Commission heard this application at their regular meeting of May 25, 2005, and forwards a positive recommendation.

Analysis

The minimum lot area in the HR-1 zone is 1,875 square feet. Each proposed lot will be 3,750 square feet in size. A duplex is a Conditional Use in this zone with a minimum lot area of 3,750 square feet. The front door of each property faces 10th Street. The width of this frontage is 37.5 feet for each lot. The lot depth for each lot is 100 feet. With this configuration the front (south) and rear (north) setbacks are required to be 12 feet minimum, 25 feet total. Minimum side yard setbacks are 3 feet; 6 feet total. The side setback from Norfolk for 1002 is required to be 5 feet as it is a corner lot taking access from 10th Street. Any new construction on either of these lots are required to meet these setbacks.

The primary issue raised by this application relates to the nature of 10th Street. As it is steep and narrow, it is not plowed in the winter. The City piles snow into 10th from Woodside Avenue. The historic house at 1002 ½ Norfolk does not have a garage or actual year-round vehicular access. A concrete City stair/walkway is located on the north side of 10th Street that would also make vehicular access difficult. The owners may wish to remodel the house and add a garage at some point in the future taking access from 10th Street. This property does have legal access to a public street as required by the subdivision section of the Land Management Code. Although Staff is not in total agreement (see below), the consensus is to proceed with the plat amendment to clean up the property lines and handle the 10th Street maintenance issue separately.

Department Review

This project has gone through an interdepartmental review. The City Engineer has significant concerns relating to possible future requests for private driveway access to 1002 ½ Norfolk Avenue. The steep grade, seasonal limitations, and walkway improvements severely restrict future driveway access. The City Engineer strongly recommends that a plat note be added stating that “Year-round vehicular access is not available to 1002 ½ Norfolk Avenue.” This recommendation was not adopted by the Planning Commission.

Notice

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

Alternatives

- The City Council may approve the final plat of the Banner Wood subdivision with the conditions stated, or modify the conditions, or

- The City Council may deny the final plat of the Banner Wood subdivision and direct staff to prepare findings supporting this recommendation, or

- The City Council may continue the discussion to a later date.

Recommendation

The Planning Staff requests that the City Council open the public hearing on the Final Plat of the Van Oordt-Matsumoto Subdivision located at 1002 and 1002 ½ Norfolk Avenue, take any input and discuss as necessary. The staff has provided Findings of Fact, Conclusions of Law and Conditions of Approval for the City Council's consideration as found in the Ordinance.

AN ORDINANCE APPROVING THE VAN OORDT-MATSUMOTO SUBDIVISION PLAT LOCATED AT 1002 AND 1002 ½ NORFOLK AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the property known as 1002 and 1002 ½ Norfolk Avenue have petitioned the City Council for approval of the Van Oordt-Matsumoto subdivision plat; and

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

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

WHEREAS, the Planning Commission held a public hearing on May 25, 2005, to receive input on the Van Oordt-Matsumoto subdivision plat;

WHEREAS, the Planning Commission, on May 25, 2005, forwarded a positive recommendation to the City Council; and,

WHEREAS, on June 2, 2005 the City Council approved the Van Oordt-Matsumoto subdivision plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Van Oordt-Matsumoto subdivision plat.

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

SECTION 1. APPROVAL. The Van Oordt-Matsumoto subdivision plat as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The Van Oordt-Matsumoto Subdivision is located at 1002 and 1002 ½ Norfolk Avenue in the HR-1 zoning district.
2. The lots are 29, 30, 31 and 32 of the Snyder's Addition to the Park City Survey. Each property owner has one half of each lot.
3. 1002 and 1002 ½ Norfolk Ave. abut platted 10th Street.
4. Both properties are improved with historic homes.
5. Historic homes are exempt from the LMC parking requirements.
6. 1002 Norfolk Av. Has vehicular access via Norfolk Ave.
7. 1002 ½ Norfolk currently has no year-round vehicular access. Occupants either park on Norfolk or Woodside.

8. Tenth Street is a narrow, steep City street that is used seasonally for vehicular traffic and not plowed in the winter. Snow removal on 10th St poses public safety risks due to the steep grade of the street.
9. Modifications to the grade of 10th St. are extremely unlikely due to the grade, length, and utilities under the street.
10. The City stair/walkway along the north side of 10th St. impairs vehicular connections to 1002 and 1002 ½ Norfolk
11. The current application is to create two lots of record from four current lots. If approved, a single plat for both properties will be required.
12. The minimum lot area in the HR-1 zone is 1,875 square feet. Each lot will be 3,750 square feet.
13. The minimum lot width is 25 feet; proposed is 37.5 feet for each lot with the front of each lot on 10th Street.
14. The lot depth for each lot is 100 feet. With this configuration the front (10th St) and rear (north) setbacks are required to be 12 feet minimum, 25 feet total.
15. Minimum side yard setbacks are 3 feet; 6 feet total. The side setback from Norfolk for 1002 is required to be 5 feet as it is a corner lot taking access from 10th Street. Any new construction on either of these lots are required to meet these setbacks.
16. Any additions or remodel to the structures must follow the Historic District Design Review.

<u>Conclusions of Law</u>

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

<u>Conditions of Approval</u>

1. The City Attorney and City Engineer will review and approve the final form and content of the Subdivision Plat for compliance with State law, the Land Management Code, and the conditions of approval prior to recordation of the plat.
2. The applicant will record the Subdivision Plat at the County within one year from the date of City Council approval. The plat will include both properties. If recordation has not occurred within one year's time, this approval and the plat will be void.
3. A ten foot snow storage easement is required along 10th Street. Maintenance of 10th Street is at the discretion of the City.
4. Year round vehicular access is not guaranteed to 1002 ½ Norfolk Avenue.

<u>SECTION 2. EFFECTIVE DATE.</u> This Ordinance shall take effect upon publication.

Van Oordt/McNulty Subdivision
An Amendment to Block 9, Snyders Addition to the Park City Survey

C/L Street Monument
13th Street & Norfolk Avenue

SCALE: 1" = 10 FEET

34

NARRATIVE

1. Survey requested by: Michael Patrick & Maria McNulty Van Oordt.
2. Purpose of survey: lot line adjustment.
3. Basis of survey: found Street Monuments as shown. Block dimensions are from the Park City Monument Control Map by Bush & Gudgell, Inc. Recorded as Entry No. 197765 in the office of the Summit County Recorder. Subdivision of Block 9 from the Map of Park City by Caldwell & Richards Engineers, traced from the original map July, 1927.
4. Date of survey: October 6, 2004.
5. Property monuments found as shown.
6. Located in the Northwest Quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base & Meridian.
7. The owners of the property should be aware of any items affecting the property that may appear in a title insurance report.
8. The street address of Lot 1 is 1002 Norfolk Avenue.

LEGAL DESCRIPTION

Van Oordt Subdivision
Lot 1

Old Legal Description: The West 1/2 of Lots 29, 30, 31 & 32, Block 9 of Snyder's Addition to The Park City Survey according to the official plat thereof, on file and of record in the office of the Summit County Recorder.

New Legal Description: Beginning at a point which is the southwesterly corner of Lot 32, Block 9, Snyder's Addition to The Park City Survey, according to the official plat thereof, on file and of record in the office of the Summit County Recorder, said point also being the southwesterly corner said Block 9 and running thence N 35°59' W along the westerly lines of said Lots 32, 31, 30, & 29, 100.00 feet to the common corner of said Lot 29 and Lot 28 of said Block 9; thence N 54°01' E along the common line of said Lots 28 & 29, 37.50 feet to the mid point of said line, thence S 35°59' E, along the mid line running through said Lots 29, 30, 31, & 32 100.00 feet to the mid point of the southerly line of said Lot 32, thence S 54°01' W, along the southerly line of said Lot 32, 37.50 feet to the point of beginning, containing 0.086 acres, more or less.

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that we, Michael Patrick & Maria McNulty Van Oordt, the undersigned owners of the hereon described tract of land, to be known hereafter as the Van Oordt/McNulty Subdivision, Snyder's Addition to the Park City Survey, having caused this Amended Lot Line Plat to be prepared, do hereby consent to the recordation of this Record of Survey Map in accordance with Utah Law. Also, the owners, hereby irrevocably offer 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 in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set their hands this ______ day of ______, 2004

By ______________ ______________
Michael Patrick Van Oordt   Maria McNulty Van Oordt

ACKNOWLEDGEMENT

STATE OF UTAH
County of Summit

On this ______ day of ______, 2004, Michael Patrick & Maria McNulty Van Oordt personally appeared before me, the undersigned Notary Public, in and for said State & County, having been duly sworn, Michael Patrick & Maria McNulty Van Oordt acknowledged to me that they are the legal owners of the Van Oordt/McNulty Subdivision, Snyder's Addition to the Park City Survey as hereon described and that they signed the above Owner's Dedication and Consent to Record freely and voluntarily.

My commission expires: ______

______ NOTARY PUBLIC
RESIDING IN ______ COUNTY

C/L Street Monument
9th Street & Norfolk Avenue

Legend
Found Street Monument
Found rebar & cap LS 173736
Found Nail & Washer LS 173736

SURVEYOR'S CERTIFICATE

I, J.D. Caley, a Registered Land Surveyor as prescribed by the laws of the State of Utah and holding License No. 359005, do hereby certify that I have supervised a survey of the hereon described property and that this plat is a true representation of said survey.

Date ______ J.D. Caley R.L.S#359005

Alpine Survey, Inc.
19 Prospector Dr.
Park City, Utah 84060
(435) 655-8016

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ______ DAY OF ______ 2004.
BY ______ SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ______ DAY OF ______, 2004 A.D.
BY ______ CHAIRMAN

ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ______ DAY OF ______, 2004 A.D.
BY ______ PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS ______ DAY OF ______, 2004 A.D.
BY ______ PARK CITY ATTORNEY

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ______ DAY OF ______, 2004 A.D.
BY ______ PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ______ DAY OF ______ 2004 A.D.
BY ______ MAYOR

RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF ______
DATE ______ TIME ______ BOOK ______ PAGE ______
______ FEE ______ RECORDER

City Council
Staff Report

Author:	**Colin Hilton**
Subject:	**Quinn's Recreation Complex** **Hogan & Associates Construction Contract Amendment #2**
Date:	**June 2, 2005**
Type of Item:	**Award of Contract**

Summary Recommendation - Staff recommends approval of an Amendment #2 to the existing Hogan & Associates Construction Agreement, in a form to be approved by the Legal Department, for work related to the Quinn's Recreation Complex project in the amount of $5,110,475.

This is for the outdoor fields portion of the Quinn's Complex. On May 5th, City Council approved the Ice Arena and site utilities portion of the project in the amount of $5,466,843.

Description:Topic: Quinn's Complex, Hogan & Associates Construction Amendment #2

Background:
At a November 18, 2004 meeting, City Council approved a CMGC Construction Agreement with Hogan & Associates for work associated with the Quinn's Recreation Complex

At a May 5, 2005 City Council meeting, Council approved an Amendment #1 outlining work associated with the Ice Arena building and Site Utilities.

Hogan & Associates Construction has begun initial earthwork excavation for the Ice Arena.

Analysis
Through the enclosed contract "Amendment #2," Staff is requesting authorization to approve work associated with the Fields portion of the Quinn's Recreation Complex.

The project was designed to include both Phase 1 and Phase 2 construction components. Staff recommends completing as much of the designed components as funding allows, given rapidly escalating construction costs and the demand envisioned for use of the facility. It is Staff's opinion that deferred Phase 2 components could see as much as 15-25% cost increases (that could result in over $500,000 in added total project costs). Significant long term savings could result if an accelerated schedule was taken.

Staff is providing a table that reflects Category #1 items that are recommended components within the City Manager's recommended budget as of May 5, 2005 and Category #2 items that are prioritized components recommended to be constructed in Phase 1 due to additional funds being available through one-time sales tax surpluses. Please see the budget staff report for more information. Staff is recommending completion of all Category #1 and #2 components. The 5-year CIP fund could cover the added amounts of Category #2 costs outlined below.

	Component Description	**Line Item Cost**	**Cumulative Cost**
	Category #1 – (Items within Current Budget)		
1	All site earthwork/grading	$613,228	$613,228
2	All site utilities ($1,083,655 included in previous Amendment #1)	$0	$613,228
3	Landscaping - 3 of 4 playing fields with irrigation, base soil amendments, seeding	$505,136	$1,118,364
4	Concrete - Main Entry Road concrete curb & gutter + Rink patio	$261,239	$1,379,603
5	Asphalt - Main Entry Road and Parking lots - Lot A (Rink), Lot B (Rink Overflow), Lot C & Lot D	$272,336	$1,651,939
6	Site electrical - Parking lot lights for Lot A (Rink) + Lot B (Rink overflow) plus all site electrical & conduits for future field & lot lights	$37,929	$1,689,868
7	Bridge Connection - Rink to Rink Overflow Lot B	$46,140	$1,736,008
8	Fencing - 2 backstops and site pole fence	$34,776	$1,770,784
9	Restroom Building (Scaled back version)	$135,000	$1,905,784
10	Front Entry Canopy	$46,295	$1,952,079
11	Soil Amendments (above baseline)	$0	$1,952,079
12	Contingency	$44,890	$1,996,969
13	General Conditions	$102,816	$2,099,785
14	Bonds	$25,600	$2,125,385
15	CM Fee	$40,960	$2,166,345
	Total Amount for Category 1 Items		$2,166,345
	Category #2 – (Menu of Prioritized Items to consider in Phase 1)		
1	Add Enhanced Soil Amendments - sand/compost/fert. mix	$126,122	$126,122
2	Add Sports Lighting for Field C	$101,731	$227,853
3	Add all designed concrete sidewalks, parking lot curb, and patios	$233,936	$461,789

4	Add all roadbase and asphalt trails as designed	$47,160	$508,949
5	Add 90-Day Maintenance of initial growth of natural turf fields	$36,400	$545,349
6	Add Bridge Connections #2 & #3	$75,000	$620,349
7	Add Parking lot lights in Lot C	$31,323	$651,672
8	Add Sports Lights to Field A	$101,000	$752,672
9	Add Artificial Turf Field	$550,000	$1,302,672
10	~~Add 4th Playing Field - irrigation, soil amendments, and seeding at $109,308~~	$0	$1,302,672
11	Add Infield Soil Conditioner/Mix	$38,446	$1,341,118
12	Add Hydro mulch	$20,885	$1,362,003
13	Add all designed elements/rooms to restroom building	$63,011	$1,425,014
14	~~Add Sports Lighting to Field D at$124,241~~	$0	$1,425,014
15	~~Add Sports Lighting to Field B at $87,045~~	$0	$1,425,014
16	~~Add Patio Canopy to Building at $47,529~~	$0	$1,425,014
17	~~Add Maintenance Building at $563,265.~~ Go with Alternate: $320,000 for reduced building +$74,000 Util's	$394,000	$1,819,014
18	~~Add Permanent Seats for Main Field at $206,770.~~ Go with Alternate: Reduced scope at $145,000	$145,000	$1,964,014
19	~~Add Playground at $55,000.~~ Alternate: Owner furnished	$0	$1,964,014
20	Added Contingency	$100,000	$2,064,014
21	Added Bond Amount (Based on Items Added)	$15,480	$2,079,494
22	Added CM Fee (1.6% of Items Added)	$33,024	$2,112,518
23	Added General Conditions	$74,305	$2,186,823
	Total for All Category #2 Items		$2,186,823
	Total for Category #1 above		$2,166,345
	Totals for Recommended Contract Award - Fields Phase 1		$4,353,168

Amount needed to complete the Ice Arena
$757,307
Totals for Category #1 and #2 Fields components plus Ice Finishes
$5,110,475

Summary

Staff will review and update any refinements to these numbers at Thursday’s Work Session and Public Meeting.

Park City Municipal Corporation will be responsible for costs associated with testing and inspection services, utility impact and connection fees, property insurance and any initial

FF&E items, final landscaping, and other “soft costs.” Staff recommends City Council waive impact fees (Building permits and Plan Check fees are waived per City Code). Also note that the existing frontage road entering the Quinn’s Recreation complex will not be paved as a part of the project. Additionally, Staff will be advised this week on whether a Restaurant Grant request has been funded or partially funded. This will impact the breakdown of the funding sources.

The funds needed to complete the Ice Arena amount to $757,307. Staff is recommending that Council authorize the expenditure of the Ice funds in this contract award (Amendment #2). The funds will need to be borrowed from the 5-year CIP account and paid back through fundraising efforts.

Department Input & Review: This report has input and comments from the following departments: Economic Development & Capital Projects, Legal Department, Budget Manager, City Engineer, Special Events & Facilities Manager, Recreation Manager, and City Manager’s Office.

Alternatives:

A. Approve the proposed Amendment #2 to the Hogan & Associates Construction Contract within the current funding amounts of Category #1 items only
B. Approve the proposed Amendment #2 to the Hogan & Associates Construction Contract with both Field’s Category #1 and #2 items + Ice Arena Finishes (Staff recommendation)
C. Modify the Recommended Actions during Council discussion and direct Staff accordingly
D. Continue the Item.

Significant Impacts / Consequences of not taking the recommended actions:
A delayed action would negatively impact the project schedule.

Staff Recommendation: Staff recommends approval of an Amendment #2 to the existing Hogan & Associates Construction Agreement, in a form to be approved by the Legal Department, for work related to the Quinn’s Recreation Complex project in the amount of $5,110,475.

Attachments:

Attachment #1 - Hogan & Associates Construction Contract Amendment #2
Attachment #2 – Quinn’s Recreation Complex – Site Plan

AMENDMENT NO. 2
TO STANDARD FORM OF AGREEMENT
BETWEEN OWNER AND CONSTRUCTION MANAGER

Pursuant to Paragraph 2.2 of the Standard Form of Agreement between Owner (Park City Municipal Corporation) and Construction Manager (Hogan & Associates Construction) dated ______________________December 22, 2004, for construction of the Quinn's Junction Recreation Complex, the Owner and the Construction Manager establish a Guaranteed Maximum Price and Contract Time for the Work as set forth below:

ARTICLE I
GUARANTEED MAXIMUM PRICE

The Construction Manager's Guaranteed Maximum Price for the Work, including the estimated Cost of the Work as defined in Article 5 of the Agreement and the Construction Manager's Fee as defined in Article 4 of the Agreement, is Dollars ($_______________).

Included in the Guaranteed Maximum Price is the Construction Manager's fee of $______________.

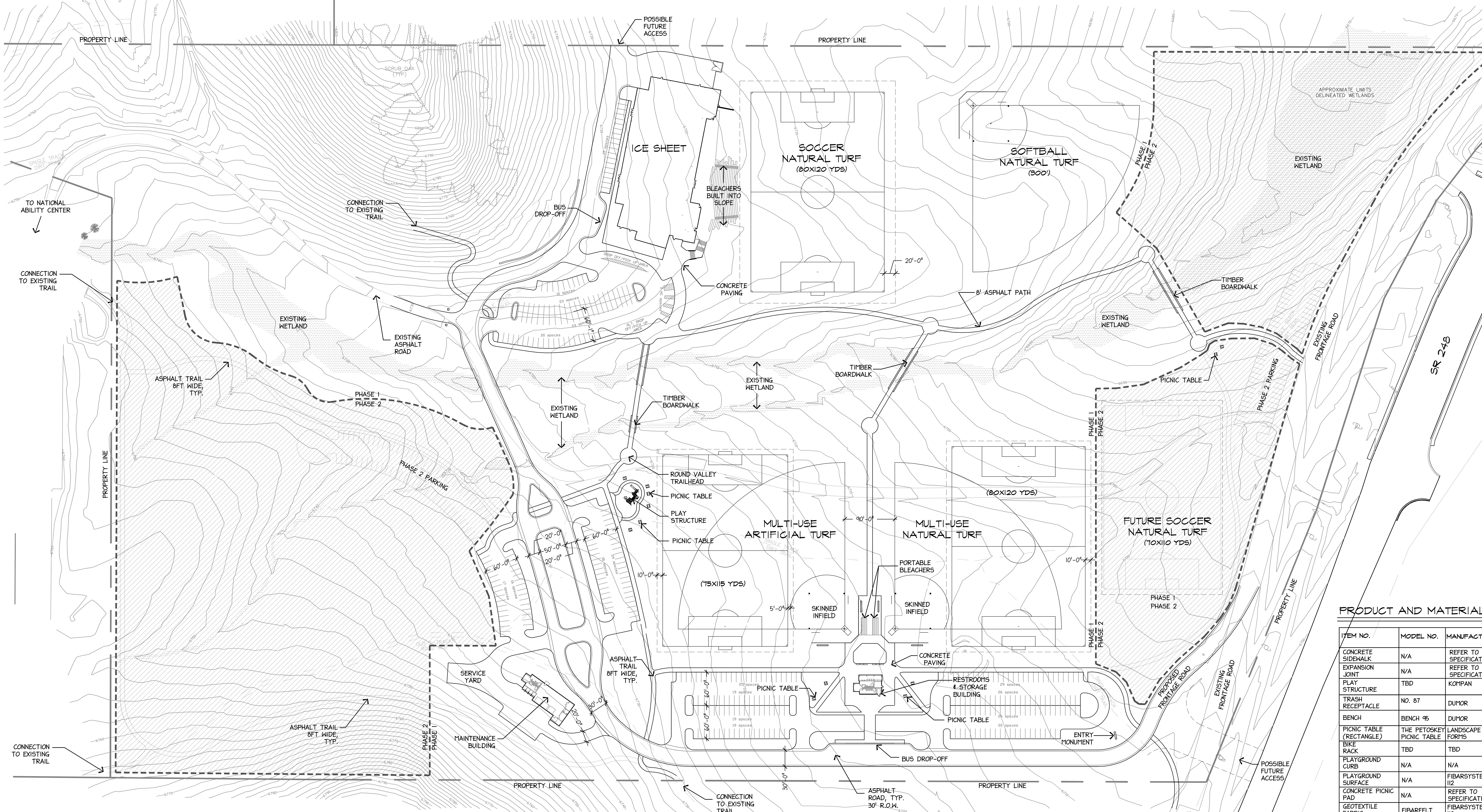
This Price is for the performance of the Work in accordance with the "Guaranteed Maximum Price Proposal" dated April ___, 2005, from Hogan & Associates Construction, and incorporated herein by this reference (the "GMP"). A Contract Addendum, approved by City Council on April 7, 2005, is included in Amendment #1.

ARTICLE II
CONTRACT TIME

The Construction Manager acknowledges that the Substantial Completion Date is ________ 2006 and the Final Completion Date is ___________, 2006.

.

OWNER:	**CONSTRUCTION MANAGER**
Park City Municipal Corporation	Hogan & Associates Construction



PARKING:

PHASE I =360
PHASE II =131
TOTAL = 491 STALLS

SITE LAYOUT NOTES

1. ALL LINES AND DIMENSIONS ARE PARALLEL OR PERPERNDICULAR TO THE LINES FROM WHERE MEASURED UNLESS OTHERWISE INDICATED.
2. ALL DIMENSION MEASUREMENTS TAKEN FROM THE FRONT OF CURB.
3. RADIUS DIMENSION OF PARKING ISLANDS IS R=5'-0" UNLESS OTHERWISE NOTED.
4. ALL LAYOUT AND GRADE WORK AS PER DRAWINGS AND SPECIFICATIONS SHALL BE LAID OUT BY A REGISTERED CIVIL ENGINEER OR SURVEYOR.
5. ALL SIDEWALK LAYOUT SHALL BE COORDINATED WITH THE LANDSCAPE ARCHITECT PRIOR TO PLACEMENT AND CONSTRUCTION.
6. RADIUS DIMENSION ON ALL CONNECTING SIDEWALKS SHALL BE 5'-0" UNLESS OTHERWISE NOTED.
7. THE GRID'S POINT OF ORIGIN (0+00) IS LOCATED ON SHEET L-L1.
8. THE COORDINATE POINTS ARE DENOTED BY THE PREFIX (N, S, W, E) AND CORRESPOND TO THE FOUR QUADRANTS OF THE COORDINATE GRID. COORDINATE VALUES ARE ACTUAL SCALED DISTANCES FROM THE GRID'S POINT OF ORIGIN.
9. THE COORDINATE GRID IS SHOWN WITH GRID LINES SPACED AT 100'-0" O.C. THE COORDINATES ARE IN DECIMAL UNITS, TO THE HUNDREDTH DECIMAL PLACE, AND ROUNDED TO THE NEAREST .05.
10. ALL CURVES TO TANGENT LINES SHALL BE NEAT, TRIM, SMOOTH AND UNIFORM.
11. WHEN THE WRITTEN DIMENSION IS DIFFERENT FROM THE SCALED DIMENSION, THE WRITTEN DIMENSION SHALL PREVAIL AND THE LANDSCAPE ARCHITECT SHALL BE NOTIFIED IN WRITING BEFORE PROCEEDING WITH WORK IN THE AREA IN QUESTION.
12. SIDEWALK CONTROL JOINTS SHALL BE PLACED WHERE CALLED FOR ON PLAN OR AT A MAXIMUM OF 10' O.C. 1/2" EXPANSION JOINTS SHALL BE PROVIDED AT LOCATIONS WHERE SIDEWALKS ADJOIN CURBS OR EXISTING SIDEWALKS.
13. LANDSCAPE ARCHITECT SHALL BE CONSULTED BEFORE ANY WORK SHALL COMMENCE.
14. CONTRACTOR SHALL VERIFY ALL CONDITIONS IN THE FIELD AND REPORT ANY DISCREPANCIES TO THE LANDSCAPE ARCHITECT.

PRODUCT AND MATERIALS SCHEDULE

ITEM NO.	MODEL NO.	MANUFACTURE	AVAILABLE VIA.	FINISH	COLOR	COMMENTS	DLTS.
CONCRETE SIDEWALK	N/A	REFER TO SPECIFICATIONS	N/A	MED. BROOM FINISH	NATURAL GREY	5" CONCRETE 5" BASE	XX L-XX
EXPANSION JOINT	N/A	REFER TO SPECIFICATIONS	N/A	CITY STANDARD	NATURAL GREY	PER DETAIL AND TECHNICAL SPECIFICATIONS	XX L-XX
PLAY STRUCTURE	TBD	KOMPAN	PLAYSPACE 1-800-840-5410	TBD	TBD	~$60,000	XX L-XX
TRASH RECEPTACLE	NO. 87	DUMOR	DUMOR 714/436-2106	BAKED ON POLY. POWDER	RAL #6009	SURFACE MOUNT-STAINLESS STEEL DROP IN ACORNS, BOLTS AND WASHERS	XX L-XX
BENCH	BENCH 95	DUMOR	DUMOR 714/436-2106	STEEL POWDER COAT	RAL #6009	SURFACE MOUNT-STAINLESS STEEL DROP IN ACORNS, BOLTS AND WASHERS	XX L-XX
PICNIC TABLE (RECTANGLE)	THE PETOSKEY PICNIC TABLE	LANDSCAPE FORMS	LANDSCAPEFORMS 888/741-6739	BAKED ON POLY. POWDER	RAL #6009	EMBEDDED PER MAN. SPEC.	XX L-XX
BIKE RACK	TBD	TBD	TBD	TBD	TBD	TBD	XX L-XX
PLAYGROUND CURB	N/A	N/A	N/A	SMOOTH TROWEL	NATURAL GREY	PER DETAIL AND TECHNICAL SPECIFICATIONS	XX L-XX
PLAYGROUND SURFACE	N/A	FIBARSYSTEM 112	BOYER RECREATION 435/845-5055	N/A	N/A	INSTALL PER MANUFACTURER'S SPECS. AND RECOMMENDATIONS	XX L-XX
CONCRETE PICNIC PAD	N/A	REFER TO SPECIFICATIONS	N/A	MED. BROOM FINISH	NATURAL GREY	PER DETAIL AND TECHNICAL SPECIFICATIONS	XX L-XX
GEOTEXTILE FABRIC	FIBARFELT	FIBARSYSTEM 112	BOYER RECREATION 435/845-5055	N/A	N/A	INSTALL PER MANUFACTURER'S SPECS. AND RECOMMENDATIONS	XX L-XX
ASPHALT	N/A	REFER TO SPECIFICATIONS	N/A	N/A	N/A	3" ASPALT 8" BASE	XX L-XX
BACKSTOP	NO. 1230-02	PW ATHLETIC COMPANY	PW ATHLETIC CO. 1-800-687-5768	ALUMINUM	N/A	INSTALL PER MANUFACTURER'S SPECS. AND RECOMMENDATIONS	XX L-XX
PLAYERS BENCH	NO. 1103-21	PW ATHLETIC COMPANY	PW ATHLETIC CO. 1-800-687-5768	GALVANIZED	N/A	INSTALL PER MANUFACTURER'S SPECS. AND RECOMMENDATIONS	XX L-XX
INFIELD EQUIPMENT	N/A	TOMARK 1-800-959-1844	N/A	N/A	N/A	BASES, HOME PLATE AND PITCHING RUBBER PROVIDED BY THE CITY	XX L-XX
SKINNED AREA SURFACE	N/A	N/A	N/A	N/A	N/A	PARK CITY STANDARDS	XX L-XX
BASEBALL FENCING	N/A	CHAINLINK FENCE	AMERICAN FENCING 801/487-7431	BLACK VINYL COATING	N/A	REFER TO TECHNICAL SPECIFICATIONS	XX L-XX
SOCCER GOALS	NO. 2236-02	PW ATHLETIC COMPANY	PW ATHLETIC CO. 1-800-687-5768	N/A	N/A	GOALS AND NETS PROVIDED BY THE CITY	XX L-XX
FILTER FABRIC	PER MANU-FACTURER	MIRAFI FABRIC	MIRAFI INC. 706/693-2226	N/A	N/A	INSTALL PER MANUFACTURER'S SPECS. AND RECOMMENDATIONS	XX L-XX

0 40 80 160

1"=80'-0"

NORTH

LAYOUT PLAN

L-L1

NOT FOR CONSTRUCTION
FEBRUARY 22, 2005
EM #: 2004-39

PARK CITY MUNICIPAL CORPORATION

RECREATION COMPLEX

QUINN'S JUNCTION, PARK CITY- UTAH
DESIGN DEVELOPMENT

G.BROWN:DESIGN INC
SITE AND LANDSCAPE ARCHITECTS
68 South Main Street,Ste400
Salt Lake City, Utah 84101
p.801.575.6066 f.801.575.6166
www.gbrowndesign.com

SPORTS DESIGN ALLIANCE

ELLIOTT*MAHONEY architecture
364 MAIN STREET PO BOX 3419
PARK CITY, UTAH 84060
435.649.0092 fax: 435.649.7127

EDWARDS & DANIELS ARCHITECTS INC.

	Component Description	Line Item Cost	Cumulative Cost
	Category #1 – (Items within Current Budget)		
1	All site earthwork/grading	$613,228	$613,228
2	All site utilities ($1,083,655 included in previous Amendment #1)	$0	$613,228
3	Landscaping - 3 of 4 playing fields with irrigation, base soil amendments, seeding	$505,136	$1,118,364
4	Concrete - Main Entry Road concrete curb & gutter + Rink patio	$261,239	$1,379,603
5	Asphalt - Main Entry Road and Parking lots - Lot A (Rink), Lot B (Rink Overflow), Lot C & Lot D	$272,336	$1,651,939
6	Site electrical - Parking lot lights for Lot A (Rink) + Lot B (Rink overflow) plus all site electrical & conduits for future field & lot lights	$37,929	$1,689,868
7	Bridge Connection - Rink to Rink Overflow Lot B	$46,140	$1,736,008
8	Fencing - 2 backstops and site pole fence	$34,776	$1,770,784
9	Restroom Building	$135,000	$1,905,784
10	Front Entry Canopy	$46,295	$1,952,079
11	Soil Amendments	$0	$1,952,079
12	Contingency	$44,890	$1,996,969
13	General Conditions	$102,816	$2,099,785
14	Bonds	$25,600	$2,125,385
15	CM Fee	$40,960	$2,166,345
	Total Amount for Category 1 Items		$2,166,345
	Category #2 – (Menu of Prioritized Items to consider in Phase 1)		
1	Add Enhanced Soil Amendments - sand/compost/fert. mix	$126,122	$126,122
2	Add Sports Lighting for Field C	$101,731	$227,853
3	Add all designed concrete sidewalks, parking lot curb, and patios	$233,936	$461,789
4	Add all roadbase and asphalt trails as designed	$47,160	$508,949
5	Add 90-Day Maintainence of initial growth of natural turf fields	$36,400	$545,349
6	Add Bridge Connections #2 & #3	$75,000	$620,349
7	Add Parking lot lights in Lot C	$31,323	$651,672
8	Add Sports Lights to Field A	$101,000	$752,672
9	Add Artificial Turf Field	$550,000	$1,302,672
10	~~Add 4th Playing Field - irrigation, soil amendments, and seeding at $109,308~~	$0	$1,302,672
11	Add Infield Soil Conditioner/Mix	$38,446	$1,341,118
12	Add Hydro mulch	$20,885	$1,362,003
13	Add all designed elements/rooms to restroom building	$63,011	$1,425,014
14	~~Add Sports Lighting to Field D at$124,241~~	$0	$1,425,014
15	~~Add Sports Lighting to Field B at $87,045~~	$0	$1,425,014
16	~~Add Patio Canopy to Building at $47,529~~	$0	$1,425,014
17	~~Add Maintainence Building at $563,265.~~ Go with Alternate: $320,000 for reduced building +$74,000 Util's	$394,000	$1,819,014
18	~~Add Permanent Seats for Main Field at $206,770.~~ Go with Alternate: Reduced scope at $145,000	$145,000	$1,964,014
19	~~Add Playground at $55,000.~~ Alternate: Owner furnished	$0	$1,964,014
20	Added Contingency	$100,000	$2,064,014
21	Added Bond Amount (Based on Items Added)	$15,480	$2,079,494
22	Added CM Fee (1.6% of Items Added)	$33,024	$2,112,518
23	Added General Conditions	$74,305	$2,186,823

	Total for All Category #2 Items		$2,186,823
	Total for Category #1 above		$2,166,345
	Totals for Recommended Contract Award - Fields Phase 1		$4,353,168
	Amount to Complete Ice Arena		$757,307
	Allowance in PCMC Budget for additional Owner Furnished Items - Playground at $55,000		$55,000
	Hogan Contract(Amendment #2) if Ice option is chosen		$5,110,475
	Total New funds needed to Complete Ice and Fields		$2,999,130

City Council
Staff Report

Author: Gary Hill
Subject: FY 2005 Revised Budget, FY 2006 Budget, and FY 2007 Fiscal Plan
Date: June 2, 2005
Type of Item: Discussion/Legislative

Budget, Debt, and Grants

Description:

Topic:

Tentative adoption of the FY 2005 Revised Budget, FY 2006 Budget, and FY 2007 Fiscal Plan

Background:

On May 2nd, staff delivered the City Manager's Recommended Budget (Tentative Budget) to City Council. Discussions have included the following:

- Budget Overview
- Financial Health Indicators
- Public Service Contracts
- Destination Tourism Joint Venture
- The Pay Plan
- Council Compensation

May 12th – Capital Improvement Program (CIP) Budget

- Prioritized CIPs
- Quinn's Junction
- Downtown Projects
- New Projects
- Impact Fee Update
- Water Fees

May 19th – Operating Budget

- Budget Process Overview
- Departmental Operating Requests
- Council Compensation

May 26th – Outstanding Issues

- Special Service Contracts
- CIP Overview
- Quinn's Junction Operating Budget

Analysis:

The budget is scheduled for tentative adoption on June 2nd, with final adoption for Park City Municipal Corporation and its related agencies on June 9th. Topics for discussion and/or action on the 2nd will include the following:

(1) Special Service Contracts
(2) Technical Adjustments
(3) Quinn's Phasing
(4) Adoption of the Tentative Budget
(5) Adoption of new water rates (Fee Resolution)

Review of Special Service Contracts

On May 26th City Council reviewed the recommendations made by the Special Service Contract Subcommittee. Council approved the Subcommittee's findings including an amendment to the contract amount for the Recycle Center. This amendment left $15,000 (over two years) to be allocated if Council so chooses. Council directed the Subcommittee to meet and return with a proposal. The Subcommittee will meet this week and return with a recommendation for discussion on June 2nd.

Technical Adjustments and Transfer from General Fund

Each year the City Council must adopt the tentative budget at the first City Council meeting in June. The tentative budget includes the changes made to the City Manager's recommended budget as directed by Council over the course of the May budget discussions. This Council direction along with updated revenue projections allows staff to calculate the balance of each fund prior to final adoption. Staff wil provide Council with updated budget summaries prior to tentative adoption on June 2nd. This year final adoption of the budget is scheduled for June 9th.

With May sales tax revenue and property tax projections now available, staff has been able to calculate the estimated transfer from the General Fund to the CIP. Revenues have been much more healthy than expected, with a 15.5% increase in sales tax revenue over last year. The City has also experienced a significant increase in new building activity, which has resulted in increased property tax, permit, and fee revenue.

Staff anticipates a healthy surplus of $6.5 million in the General Fund, and recommends restoring balances to a few items as follows:

- Replace $1,000,000 in the Equipment Replacement fund (this had been transferred to the General Fund for possible allocation to projects in the City Manger's recommended budget). This reserve will be used to supplement annual allocations to this fund in the 5-10 year timeframe.
- Allocate an additional $350,000 in FY 2005 to CIP 771 (Equipment Replacement – Rolling Stock) and $50,000 to CIP 772 (Equipment Replacement – Computer Equipment).

- Place $500,000 in Fund 70 as a debt service reserve for the recent sales tax revenue bond. Although not required, a debt service reserve is a "best practice" used to guard against unexpected emergencies.
- Transfer $1.55 million to projects in FY 2006 that have "Transfer From General Fund" as an identified revenue source. The 5-Year CIP currently has a balance of $5 million ($5 million is the amount that the City had pledged to the bonding agencies to leave in fund balance for the purpose of maintaining our bond rating). The $1.55 million allocation will fund projects that would otherwise have been funded from the 5-Year CIP.

Quinn's Phasing

After making the changes recommended above, there will still be $3.05 million available for allocation to other projects. Staff recommends using a portion of these proceeds to procure and construct all of the Quinn's Fields Phase II components as a part of Phase I.

The total cost of the "Phase II" projects is estimated at just less than $2.25 million. Funding these projects would all the construction of the following items:

Category #2 – (Menu of Prioritized Items to consider in Phase 1)	**Line Item Cost**	**Cumulative Cost**
Add Enhanced Soil Amendments - sand/compost/fert. mix	$126,122	$126,122
Add Sports Lighting for Field C	$101,731	$227,853
Add all designed concrete sidewalks, parking lot curb, and patios	$233,936	$461,789
Add all roadbase and asphalt trails as designed	$47,160	$508,949
Add 90-Day Maintainence of initial growth of natural turf fields	$36,400	$545,349
Add Bridge Connections #2 & #3	$75,000	$620,349
Add Parking lot lights in Lot C	$31,323	$651,672
Add Sports Lights to Field A	$101,000	$752,672
Add Artificial Turf Field	$550,000	$1,302,672
Add Infield Soil Conditioner/Mix	$38,446	$1,341,118
Add Hydro mulch	$20,885	$1,362,003
Add all designed elements/rooms to restroom building	$63,011	$1,425,014
~~Add Maintainence Building at $563,265.~~ Go with Alternate: $320,000 for reduced building +$74,000 Util's	$394,000	$1,819,014
~~Add Permanent Seats for Main Field at $206,770.~~ Go with Alternate: Reduced scope at $145,000	$145,000	$1,964,014
Added Contingency	$100,000	$2,064,014
Added Bond Amount (Based on Items Added)	$15,480	$2,079,494
Added CM Fee (1.6% of Items Added)	$33,024	$2,112,518
Added General Conditions	$74,305	$2,186,823
Total for All Category #2 Items		$2,186,823
Subtotal - Phase II Items		$2,186,823
Owner Furnished Items - Playground		$55,000
	Total	$2,241,823

Staff recommends completing as much of the designed components as funding allows, given rapidly escalating construction costs and the demand envisioned for use of the facility. It is Staff's opinion that deferred Phase II components could see as much as 15-25% cost increases (that could result in $500,000 to $600,000 in added costs). The Quinn's contract amendment staff report that Council will consider on June 2nd reflects this recommendation.

Staff therefore recommends that $2.05 million be allocated to the Quinn's Fields project, and that $1,000,000 be allocated to the 5-Year CIP pending the resolution of outstanding grant applications and the City's fund-raising efforts. If the City does not receive a grant award, the $200,000 in the 5-Year CIP could be used for the remaining field elements. The $800,000 could also be used as a loan for completing the finishes at the Quinn's Ice Arena if Council so chooses.

<u>Tentative Adoption of the Budget</u>
As previously mentioned, the City must adopt a Tentative Budget at the first meeting in June. Attached to this staff report is a resolution adopting a Tentative Revised Budget for FY 2005, and Tentative Budget for FY 2006, and a Tentative Plan for FY 2007 for Park City and its related agencies. Ther resolution also gives the Budget, Debt, and Grants Manager the ability to set the property tax rate at a "no tax increase rate" and file it with the County.

<u>Water Rates Fee Resolution</u>
The City has studied and discussed water rates over the past several months. These deliberations have included a review of the rate structure by the Citizen's Technical Advisory Committee (CTAC), a public open house held on May 10th, and a public hearing that was opened on May 12th. Staff now recommends holding a final public hearing and adopting the proposed water rates in the Fee Resolution (attached).

Council Compensation Ordinance
Per State law, the City is required to adopted changes to Council and/or Mayoral compensation by ordinance. Attached to this staff report is an ordinace that will establish compensation for Council and Mayor for the next two years. Council will need to hold a public hearing and adopt the ordinance during the regular meeting on June 2nd.

Department Review:

Budget, City Manager, Economic Development and Capital Projects, and Public Works

Alternatives:

Provide direction about the remaining budget issues, hold a Public Hearing on the Budget and Water Fee Resolution, and adopt the Tentative Budget and Fee Resolution.

Continue the Item: Tentative adoption of the budget is scheduled for June 2, 2005. Council could choose to give additional direction at that time prior to Final Adoption on June 9th.

Do Nothing

<u>SIGNIFICANT IMPACTS</u>: The City's budget must be balanced. Staff recommends that Council provide policy direction on budget issues. Any unresolved issues should be discussed on June 2nd so that the Final Budget can be prepared for adoption on June 9, 2004.

<u>RECOMMENDATION</u>: The City Council should follow the budget presentation schedule described above and provide direction concerning budget policies and issues if needed.

Attachments

A – Resolution Adopting a Tentative Budget

B – Fee Resolution adopting new Water Rates

C – Ordinance establishing Council and Mayoral Compensation for FY 2006 and FY 2007

A RESOLUTION ADOPTING A TENATIVE REVISED BUDGET FOR FISCAL YEAR 2005, A TENTATIVE BUDGET FOR FISCAL YEAR 2006 AND THE TENTATIVE PLAN FOR FISCAL YEAR 2007, FOR PARK CITY MUNICIPAL CORPORATION AND ITS RELATED AGENCIES AND AUTHORIZING THE COMPUTATION OF THE PROPERTY TAX RATE AT A NO TAX INCREASE RATE

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

WHEREAS, a public hearing was held on May 5, 2005, May 12, 2005, May 19, 2005, May 26, 2005 and June 2, 2005, and one more is scheduled for June 9, 2005 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. TENTATIVE REVISED BUDGET ADOPTED. The budget as outlined in the City Manager's Recommended budget presented on May 5, 2005 and with changes as summarized in the Attachments to this resolution is hereby adopted as the Tentative Revised Fiscal Year 2005 Operating Budget for Park City Municipal Corporation and its related agencies.

SECTION 2. TENTATIVE BUDGET AND TENTATIVE PLAN ADOPTED. The budget as outlined in the City Manager's Recommended budget presented on May 5, 2005 and with changes as summarized in the Attachments to this resolution is hereby adopted as the Tentative Budget for Fiscal Year 2006 and the Tentative Plan for Fiscal Year 2007 for Park City Municipal Corporation and its related agencies.

SECTION 3. CERTIFIED TAX RATE. The Budget, Debt and Grants Manager is authorized, after the County has provided the Certified Property Tax data, to compute the City's Certified Property Tax Rate for 2005 at a "No Tax Increase Rate" and file said rate with the County.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect June 2, 2005 for the Fiscal Year 2005 revised budget, the Fiscal Year 2006 Tentative Budget and the Fiscal Year 2007 Tentative Plan.

PASSED AND ADOPTED this 2nd day of June, 2005.

A RESOLUTION AMENDING SECTION 2 WATER FEES OUTLINED IN EXHIBIT A OF FEE RESOLUTION NO. 04-05 AND REPEALING RESOLUTION 04-05 IN ITS ENTIRETY

WHEREAS it is necessary to update the fee resolution to reflect the current costs of conducting business and performing services; and

WHEREAS, a legally noticed public hearing was held before the Park City council on June 2, 2005, to receive public comments on the increasing water rates; and

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

SECTION 1. FEE SCHEDULE AMENDMENTS. The Park City Fee Schedule is hereby adopted with the revisions and renumbering outlined in Exhibit A. Resolution 04-05 is hereby repealed in its entirety.

SECTION 2. EFFECTIVE DATE. This resolution shall take effect upon adoption and shall apply to all water billed on or after July 1st, 2005.

PASSED AND ADOPTED this 2nd day of June, 2005.

EXHIBIT A
Excerpt from Fee Resolution

~~2.2 Water Meter Fees~~

~~Meter Size~~	~~Fee~~
~~3/4~~	~~$255~~
~~1~~	~~$315~~
~~1.5~~	~~$505~~
~~2~~	~~$655~~
~~3~~	~~$935~~
4	~~$1,545~~
~~6~~	~~$3,140~~
~~8~~	~~$4,780~~

~~2.3 MONTHLY WATER METERED SERVICES FEE SCHEDULE:~~

~~2.3.1 Base Rates~~

~~Individually Metered Residential (single-family, condo, townhouse)~~

~~Meter size — Monthly Base/Demand Charge~~

~~5/8 x 3/4" $12.96~~
~~1" $17.50~~
~~12 A $20.74~~

~~Other than Individually metered Residential~~
~~Meter Size — Monthly Base/Demand Charge~~

~~3/4" $16.85~~
~~1" $28.51~~
~~1 2" $60.91~~
~~2" $127.00~~
~~3" $330.48~~
~~4" $600.05~~
~~6" $1,131.41~~
~~8" $1,947.89~~
~~Construction Meter $75.17~~
~~Indigent Rate* $2.00~~

~~*Indigent Rate includes 10,000 gallons. Water consumption greater than 10,000 gallons is charged per the normal block structure presented in paragraph 2.4.3.~~

~~2.3.2 Water Consumption Rates All water billed year-round for water delivered through each meter serving commercial customers and water billed between November 1 and May 31 of each year for water delivered thru each meter serving all other customers shall be charged at the rate of $2.27 per thousand gallons.~~

~~2.3.3 Water Conservation Rates~~
~~All water billed between June 1 and October 30 of each year for water delivered through each meter serving single family residential, multi-family residential and landscape irrigation customers shall be billed at the following rates:~~

~~**Type**~~	~~**Block 1 1.62/k-gal**~~	~~**Block 2 2.59/k-gal**~~	~~**Block 3 $4.21/k-gal**~~	~~**Block 4 $6.48/k-gal**~~
~~Single Family/Condo 3/4" to 1.5"~~	~~0-5,000 Gal~~	~~5,001- 30,000 Gal~~	~~30,001 -80,000 Gal~~	~~Over 80,000 Gal~~
~~Multi-Family~~ ~~3/4"~~ ~~1"~~ ~~1.5"~~ ~~2"~~ ~~3"~~	 ~~0-10,000 Gal~~ ~~0-17,000 Gal~~ ~~0-30,000 Gal~~ ~~0-48,000 Gal~~ ~~0-96,000 Gal~~	 ~~10,001-36,000 Gal~~ ~~17,001-57,000 Gal~~ ~~30,001-100,000 Gal~~ ~~48,001-160,000 Gal~~ ~~96,001-320,000 Gal~~	 ~~36,001-80,000 Gal~~ ~~57,001-120,000 Gal~~ ~~100,001-200,000 Gal~~ ~~160,001-320,000 Gal~~ ~~320,001-640,000 Gal~~	 ~~Over 80,000 Gal~~ ~~Over 120,000 Gal~~ ~~Over 200,000 Gal~~ ~~Over 320,000 Gal~~ ~~Over 640,000 Gal~~

~~4"~~ ~~6"~~	~~0-150,000 Gal~~ ~~0-180,000 Gal~~	~~150,001-500,000 Gal~~ ~~180,001-600,000 Gal~~	~~500,001-1,000,000 Gal~~ ~~600,001-1,200,000 Gal~~	~~Over 1,000,000 Gal~~ ~~Over 1,200,000 Gal~~
~~Irrigation 3/4"~~ ~~1"~~ ~~1.5"~~ ~~2"~~ ~~3"~~ ~~4"~~ ~~6"~~		~~0-56,000 Gal~~ ~~0-90,000 Gal~~ ~~0-185,000 Gal~~ ~~0-300,000 Gal~~ ~~0-600,000 Gal~~ ~~0-935,000 Gal~~ ~~0-1,865,000 Gal~~	~~Over 56,000 Gal~~ ~~Over 90,000 Gal~~ ~~Over 185,000 Gal~~ ~~Over 300,000 Gal~~ ~~Over 600,000 Gal~~ ~~Over 935,000 Gal~~ ~~Over 1,865,000 Gal~~	

~~Construction water will be charged at the rate of $2.98 per 1000 gallons.~~

~~2.4 Water Violation Penalties~~

~~$ 50.00 first violation~~
~~100.00 second violation~~
~~200.00 third violation~~
~~400.00 fourth violation~~
~~500.00 for the fifth violation and for each subsequent violation within that calendar year.~~

~~2.5 Water Service Reinstatement Fee~~

~~$100 fee for meter shut off because of non-payment of account.~~

~~2.6 Water Service Call Fee $50 fee per service call~~

~~2.7 Water Meter Testing Fee $50~~

2.2 MONTHLY WATER METERED SERVICES FEE SCHEDULE:

2.2.1 Base Rates (For all water billed on or after July 1st, 2005).

Individually Metered Residential (single-family, condo, townhouse)

Meter size	Monthly Base/ Demand Charge	Meter Price
5/8 x 3/4"	$15.55	$306.00
1"	$21.00	$378.00
1-1/2”	$24.89	$606.00

Other than Individually metered Residential (Multi-Family, Commercial, Irrigation)

Meter Size	Monthly Base/	Meter Price

	Demand Charge	
3/4"	$ 20.22	$ 306.00
1"	$ 34.21	$ 378.00
1 2"	$ 73.09	$ 606.00
2"	$ 152.40	$ 786.00
3"	$ 396.58	$1,122.00
4"	$ 720.06	$1,854.00
6"	$1,357.69	$3,768.00
8"	$2,337.47	$5,736.00

Construction Meter	$90.20
Indigent Rate*	$ 2.00

*Indigent Rate includes 10,000 gallons. Water consumption greater than 10,000 gallons is charged per the normal block structure presented in paragraph 2.4.3.

2.2.2 Water Consumption Rates All water delivered through each meter between October 1 and May 31 of each year shall be charged at the rate of $2.72 per thousand gallons.

2.2.3 Water Conservation Rates (For all water billed on or after July 1st, 2005).

All water delivered through each meter serving single family residential, multi-family residential, commercial and landscape irrigation customers per month between June 1 and September 30 of each year shall be billed at the following rates:

Type	**Block 1** **$1.94 per 1,000 gals**	**Block 2** **$3.11 per 1,000 gals**	**Block 3** **$5.05 per 1,000 gals**	**Block 4** **$7.78 per 1,000 gals**
Single Family	0-5,000	5,001 - 30,000	30,001 - 80,000	Over 80,000
Multi-Family				
3/4"	0-10,000	10,001-36,000	36,001-80,000	Over 80,000
1"	0-17,000	17,001-57,000	57,001-120,000	Over 120,000
1.5"	0-30,000	30,001-100,000	100,001-200,000	Over 200,000
2"	0-48,000	48,001-160,000	160,001-320,000	Over 320,000
3"	0-96,000	96,001-320,000	320,001-640,000	Over 640,000
4"	0-150,000	150,001-500,000	500,001-1,000,000	Over 1,000,000
6"	0-180,000	180,001-600,000	600,001-1,200,000	Over 1,200,000
Irrigation				
3/4"		0-56,000	Over 56,000	
1"		0-90,000	Over 90,000	

1.5"		0-185,000	Over 185,000	
2"		0-300,000	Over 300,000	
3"		0-600,000	Over 600,000	
4"		0-935,000	Over 935,000	
6"		0-1,865,000	Over 1,865,000	
Commercial - Year round		**$ 2.72 per 1,000 gals**	**$4.21 per 1,000 gals**	
3/4"		0-150,000	Over 150,000	
1"		0-300,000	Over 300,000	
1.5"		0-500,000	Over 500,000	
2"		0-750,000	Over 750,000	
3"		0-1,200,000	Over 1,200,000	
4"		0-1,700,000	Over 1,700,000	
6"		0-1,700,000	Over 1,700,000	
All users except construction between November & May	$2.72 per thousand gals			
Construction Water	$90.20 Monthly Base Chg.	$3.58 per thousand gals.		

2.3 Water Violation Penalties

$ 50.00	first violation
100.00	second violation
200.00	third violation
400.00	fourth violation
500.00	for the fifth violation and for each subsequent violation within that calendar year.

2.4 Water Service Reinstatement Fee

$100 fee for meter shut off because of non-payment of account.

2.5 Water Meter Testing Fee $50 per test

2.6 Water Labor Rate $50 per Hour

2.7 Water Parts & Supplies Rate Cost + 15% stocking fee

ORDINANCE ESTABLISHING COMPENSATION FOR THE MAYOR AND CITY COUNCIL FOR FISCAL YEAR 2006 AND FISCAL YEAR 2007 IN PARK CITY, UTAH

WHEREAS, the City Council has the power to establish compensation schedules pursuant to UCA Section 10-3-818; and

WHEREAS, the number of duties for the Mayor and City Council is significant and each elected officer is required to devote considerable time and expense to public service and community affairs; and

WHEREAS, according to state law, a public hearing was duly advertised and held on June 2, 2005;

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

SECTION 1. REPEALER: All previous compensation ordinances regarding elected officers hereby are repealed.

SECTION 2. COMPENSATION FOR MAYOR AND CITY COUNCIL ADOPTED: The following salary levels are hereby adopted:

	FY 2006	FY 2007
Mayor	$1,842.83 per month	$1,879.67
City Council	$ 931.75 per month	$ 950.42

SECTION 3. BENEFITS: The Mayor and each member of the City Council shall receive family medical insurance. This benefit may be received as cash in lieu of the insurance coverage. The Mayor shall also receive $250 per month in car allowance.

SECTION 4. EFFECTIVE DATE**.** This Ordinance shall become effective on July 1, 2005.

PASSED AND ADOPTED this 2nd day of June, 2005.