PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
JUNE 2, 2005

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

Tom Bakaly, City Manager; Tom Daley, Assistant City Attorney; Lloyd Evans, Chief of Police; Eric DeHaan, City Engineer; Gary Hill, Budget Manager; Jerry Gibbs, Public Works Director; Myles Rademan, Public Affairs and Communications Manager; Craig Sanchez, Golf Manager; Colin Hilton, Economic Development and Capital Projects Manager

1. **Council questions/comments.** Candace Erickson announced the Historical Society home tour on June 18 and thanked the Golf Course for the use of their carts. The Society is seeking a project manager for their expansion; they are looking forward to expanding into the Jan's space in the fall; and their fundraising efforts have been going well.

Marianne Cone added the Park City Artists were preparing to occupy the space for four months. She thanked Jerry Gibbs for keeping the City from flooding. Jerry will pass that along to his staff.

Mayor Williams reported that Congressman Bishop had visited with him and City Manager Tom Bakaly this week.

Myles Rademan invited Council to attend meetings on Monday with groups visiting from Scotland (Scottish Study Mission) and Whistler (Chamber of Commerce). Monday evening the City and Chamber will co-host a reception from 5-7 p.m. In July, the City of Richmond (suburb of Vancouver) will be visiting and in August a group from Gatlinburg, Tennessee will be visiting.

2. **Budget overview.** Gary Hill advised Council they are scheduled to adopt the tentative revised budget for FY-05, tentative budget for FY-06 and the tentative fiscal plan for FY-07. They are scheduled to re-open a continued public hearing on water rates and to adopt new water rates based on discussions over the past few months. Adoption of Council Compensation Ordinance was also on the agenda. There were no questions from Council.

Budget Manager Gary Hill commented that at the previous meeting an adjustment was made to one Special Service Contract, which left $15,000 unassigned; and, direction had been given to the Special Service Contract Subcommittee to bring a recommendation for reallocation to Council. He reported the consensus of the Subcommittee was not to reallocate the funds based on concerns about creating a precedent for allowing consideration of additional requests after the application deadline.

Subcommittee members Erickson and Calvert explained that many applicants received less, and some received more, than in the past. Had the committee known there were additional funds available, they would have equally distributed them. Gary Hill added that the group's secondary recommendation would be either not to reallocate, or to reallocate equally among the selected applicants. Jim Hier preferred the second recommendation. Joe Kernan suggested that the Council members who were not on the subcommittee be allowed to request funding for groups they supported. Following discussions, Council concurred that a pro-rated allocation would be appropriate and directed the sub-committee to return for Council's consent.

Gary Hill explained technical adjustments and transfers from the general fund that would restore balances for the Equipment Replacement Fund and allocate additional funding to Equipment Replacement-Rolling Stock and Computer Equipment. In addition, $500,000 would be placed in Fund 70 as debt service reserve, and $1.55 million would be transferred to projects that would otherwise have been funded from the 5-Year CIP. Remainder of funds would be allocated to other projects, including funding the construction of Quinn's Fields Phase II components as part of Phase I.

Craig Sanchez reported that the City had received several grants from the Summit County Restaurant Tax Grants: Quinn's ball fields, $105,000; museum, $50,000; sound garden, $5,000; and golf course for the purchase of winter cross country track grooming equipment, $12,000.

Colin Hilton explained that the grant for Quinn's fields would go toward an additional ball field. Staff is requesting authorization for funding of Category 1 and Category 2 components of the Complex and recommends completing as much of the design components as funding allows. Given the spike in construction costs, deferring Category 2 could result in over $500,000 in added total project costs.

Mike Andrews, People's Health Clinic, expressed gratitude to Council, individually, and as a whole. He stated his responsibility was to do the best he could for the good of operations of the Peoples Health Clinic, and Council's action was important, and appreciated. They would like to return in July with an update of the Clinic's activities this year.

Prepared by Sharon Bauman

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

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at 6:10 p.m. at the Marsac Municipal Building on Thursday, June 2, 2005. Members in attendance were Dana Williams, Kay Calvert, Candace Erickson, Jim Hier, Marianne Cone and Joe Kernan. Staff present was Tom Bakaly, City Manager; Tom Daley, Assistant City Attorney; Lloyd Evans, Chief of Police; Eric DeHaan, City Engineer; Gary Hill, Budget Manager; Jerry Gibbs, Public Works Director; Myles Rademan, Public Affairs and Communications Manager; Craig Sanchez, Golf Manager; Colin Hilton, Economic Development and Capital Projects Manager; Alison Butz, Facilities Manager

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Mayor Williams read highlights of a resolution Council would be adopting proclaiming June 2005 as History Month in Park City, Utah.

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

Peter Roberts, The Glory Hole, approached Council regarding acquisition of the Watts Property. He offered three options for the purchase and improvement of the property, as well as an update on the support he has garnered for his business venture. He asked Council to direct the Staff to enter into negotiations and recapped various ways the City would benefit from the project, including the creation of well-paying jobs and cultural tourism.

Mayor Dana Williams stated the criteria of the original Request for Proposal was not met and the Council was in the process of determining what they wished to do with the property.

Elizabeth Swank, president of the Arts Council, commented that The Glory Hole project had generated excitement and support from the community.

Greg Schirf introduced David Perkins who wished to present a unique business opportunity that might be appropriate for the Watts property. He stated Mr. Perkins had an extensive business background and had been involved in start ups.

David Perkins stated he hoped to open a whiskey distillery, possibly in the Watts property. He believed a distillery located within the City limits would provide significant benefits for the City, more so if the City were involved as a partner. He wished to gauge the City's interest in further discussions. His goal was to create a boutique, working whiskey distillery that would be a high profile community landmark. It would be dependent on tourists, with an emphasis of educating people on the history of whiskey.

He felt there was a significant history of whiskey in the Rocky Mountain West, in Park City, and in Utah.

In preparation for this business, he has apprenticed with two master distillers in Kentucky; he has applied for a federal distilling license; and he has created an advisory board composed of industry experts. He has built a pilot distillery in Salt Lake City and is waiting for the license to begin experimenting with recipes. He believes he has a good product, and a good marketing plan, which would differentiate Park City from any other ski resort.

Mr. Perkins was interested in talking to Council about a partnership because it would benefit both parties. Council members expressed interest in learning more about the proposal.

Alison Butz advised Council that Staff was constantly approached by people interested in the Watts Property. Two of the most recent were Don and Janet Shoeney, Old Town property owners, and Pam Crowe-Weisburg, Kimball Arts Center. Kay Calvert reported she had been approached by Utah Ski and Golf. Alison stated Staff would prepare follow-up information for Council. Kate Doordan spoke in support of the Shoenys and stated they have the resources to accomplish their proposal.

Elizabeth Swank and Peter Roberts, Park City Summit County Arts Council, encouraged a continued emphasis on Cultural Tourism as the City moves forward with the joint venture. They spoke of the Mountain Spirit Heritage Area and encouraged a focus on "mines and medals". Funding a part-time person to assist with the application process could ultimately reap benefits up to $1,000,000 per year for ten years.

Mayor Williams requested additional information which the Arts Council will provide. Ms. Swank noted that the Bear River area has this designation and it is one of the most successful programs in the country.

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

Joe Kernan disclosed that he submitted minor corrections to the minutes to the City Recorder. Candace Erickson modified the corrections. Jim Hier, "I move we approve the Work Session Notes and Minutes of the Meeting of May 19, 2005 as corrected". Kay Calvert seconded. Motion carried.

Kay Calvert	Aye
Marianne Cone	Absent on May 19, 2005
Candace Erickson	Aye
Jim Hier	Aye

Joe Kernan Aye

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 – Planner Jonathan Weidenhamer explained changes to the building would improve circulation and access issues. The Mayor opened the public hearing, and hearing no input, the hearing was closed.

2. Ordinance approving a subdivision of the metes and bounds parcels, located at 291 Daly Avenue, Park City, Utah – Planner Ray Milliner stated the subdivision would create three lots of record. Two of the lots have existing single family homes and one vacant lot for future development. The Mayor opened the public hearing, and hearing no input, the hearing was closed.

3. Ordinance approving the Van Oordt-Matsumoto Subdivision plat located at 1002 and 1002½ Norfolk Avenue, Park City, Utah – Planner Brooks Robinson explained that the subdivision would create two lots from four lots that are split east and west by two property owners. The house at 1002 occupies the west half of these lots and a house at 1002½ occupies the east half of the lots. Following a brief discussion about maintenance issues, Cindy Matsumoto requested the right to seek access to 1002½ Norfolk from 10th Street in the future. The hearing was closed.

VI CONSENT AGENDA

Marianne Cone, "I move approval of Consent Agenda Items 1 through 4". Kay Calvert seconded. Motion carried.

1. Ordinance approving the second amended record of survey map for the Fashion Coalition Condominiums located at 613 Main Street, Park City, Utah – See staff report and public hearing.

2. Ordinance approving a subdivision of the metes and bounds parcels, located at 291 Daly Avenue, Park City, Utah – See staff report and public hearing.

3. Ordinance approving the Van Oordt-Matsumoto Subdivision plat located at 1002 and 1002 ½ Norfolk Avenue, Park City, Utah – See staff report and public hearing.

4. Resolution proclaiming June as History Month in Park City, Utah – Staff recommends approval.

VII PUBLIC HEARINGS

1. Ordinance establishing compensation for the Mayor and City Council for Fiscal Year 2005-2006 in Park City, Utah - Stating that the Mayor was not compensated well enough, Candace Erickson yielded the floor to Kay Calvert who read a resolution proclaiming appreciation of Mayor Dana Williams' outstanding service as an elected official. Council Members offered quips about the Mayor's enjoyment of coffee, and presented the Mayor with items related to two of his passions: coffee cards and soccer tickets.

2. Resolution amending Section 2, Water Fees, of the Park City Fee Resolution increasing user rates - Mayor Dana Williams opened the public hearing.

Mike Sweeney questioned the philosophy for summer water rates. Based on the Water Conservation Rates, the rate increase from Block 3 to Block 4 was a smaller percentage than those for Blocks 1 to 2 and 2 to 3. He asked whether the rates were revenue neutral and what type model they were based on. Hearing no further comment, the hearing was closed.

Jim Hier explained the block rate structures were changed two years ago, through extensive surveys of usage in the various categories, in an effort to make each block revenue neutral, but to penalize higher users over the lower users. This proposal represents a 20% increase for all single and multi-family users. A punitive excessive use rate for commercial users was set by taking the worst case scenario of each commercial user and penalizing them if they exceed that amount. He explained there was an extensive model which takes everything into consideration. He suggested that Kent Cashel could review the data with Mr. Sweeney. He added there had been several public hearings regarding the rate increases, but very few people had attended.

3. Resolution adopting a tentative 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

Mayor Dana Williams opened the public hearing. Peter Roberts, president-elect of Park City Summit County Arts Council stated they faced a reduction in their service contract and requested a rent reduction for their office space in Miners Hospital. Hearing no additional input, the hearing was closed.

Council members recommended that Kay Calvert and Candace Erickson review Special Service Contract re-allocation and return with a final recommendation. The rent request can be addressed at that time. They will also prepare a synopsis of specific benefits provided by each group. Manager Tom Bakaly asked Council to keep in mind there were other non-profit tenants in the building who did not apply for grants.

Jim Hier recommended that a subcommittee be established to work with Gary Hill next budget season. He wanted committee members to have a budget and audit function within the City so there was an opportunity to be involved in the budget review and criteria, well in advance of the presentation to Council.

Marianne Cone requested information submitted by the Special Service Contract applicants. Candace Erickson agreed it was important for the public to see what services the organizations provided.

VIII NEW BUSINESS

1. Ordinance establishing compensation for the Mayor and City Council for Fiscal Year 2005-2006 in Park City, Utah - Kay Calvert, "I move approval of an Ordinance establishing compensation for the Mayor and City Council for Fiscal Year 2005-2006 in Park City, Utah." Marianne Cone seconded. Motion unanimously carried.

2. Resolution amending Section 2, Water Fees, of the Park City Fee Resolution increasing user rates - Candace Erickson, "I move approval of a Resolution amending Section 2, Water Fees, of the Park City Fee Resolution increasing user rates." Marianne Cone seconded. Motion unanimously carried.

3. Resolution adopting a tentative 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 - Joe Kernan, "I move approval of Resolution adopting a tentative 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." Jim Hier seconded. Motion carried unanimously.

4. Approval of Amendment #2 to the existing Hogan & Associates Construction Agreement, in a form to be complet4ed by the Legal Department, for work related to the Quinn's Recreation Complex project in the amount of $5,110,475 - Joe Kernan stated he had been concerned about committing funding above the $4 million in bonds for ice. He asked Colin to reiterate their conversation so the public might understand better.

Capitol Project and Economic Development Director Colin Hilton stated the building would be better termed a recreation complex building. It will serve not only the ice arena, but also the outdoor fields and a myriad of additional items such as dry floor uses of the Olympic sheet ranging from trade shows, to art shows, or theatre style concerts. The building was designed with restrooms to handle those numbers of crowds. It will be a launching pad for outdoor recreational enthusiasts who hike and bike in Round Valley and the Rail Trail. The building is being funded from the ice budget, as well as the site and fields budget.

Mr. Hilton reviewed the Staff request for $5,110,475 for completion of Phase I and Phase II components of the Quinn's Recreation Complex. Category 1 items amount to $2,155.345; Category 2 items tally $2,186,823; and, ice rink finishes total $757.307. Combined with the budget surplus, construction during mobilization makes economic sense. He stated the project team had spent an enormous amount of time and resources to get the best value for the money.

Mayor Williams stated it was exciting to see the vision hitting the ground. He also commended Colin on how quickly the gas leak was resolved today.

Candace Erickson, "I move approval of Amendment #2 to the existing Hogan & Associates Construction Agreement, in a form to be complet4ed by the Legal Department, for work related to the Quinn's Recreation Complex project in the amount of $5,110,475." Kay Calvert seconded. Motion unanimously approved.

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 3:00 p.m. Members in attendance with Mayor Dana Williams, Kay Calvert, Marianne Cone, Candace Erickson, Jim Hier and Joe Kernan. Staff present was Tom Bakaly, City Manager; and Tim Daley, Deputy City Attorney. Candace Erickson "I move to close the meeting to discuss property and personnel". Jim Hier seconded. Motion carried unanimously. The meeting opened at 4:45 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.

Sharon Bauman

Sharon Bauman, Administrative Assistant

City Council
Staff Report

PARK CITY
1884

Planning Department

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.

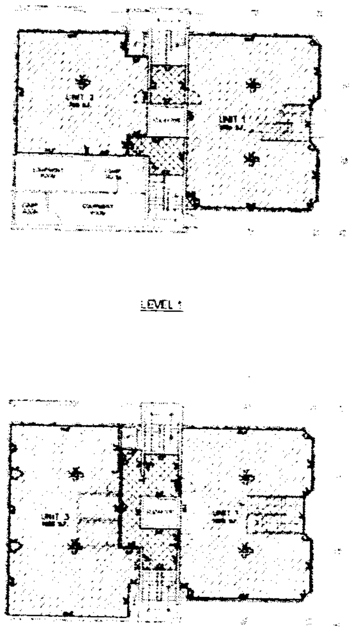
1. The plat amendment is consistent with the Park City Land Management Code and applicable State law.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.
3. As conditioned the amended record of survey is consistent with the Park City General Plan.

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.

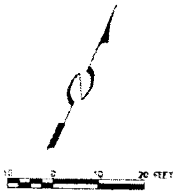
SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

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



LEVEL 1

LEVEL 2



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

RECORD OF SURVEY MAP

FASHION COALITION CONDOMINIUMS

A UTAH CONDOMINIUM PROJECT

SHEET 1 OF 1

PARK CITY SURVEYING

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

PLANNING COMMISSION

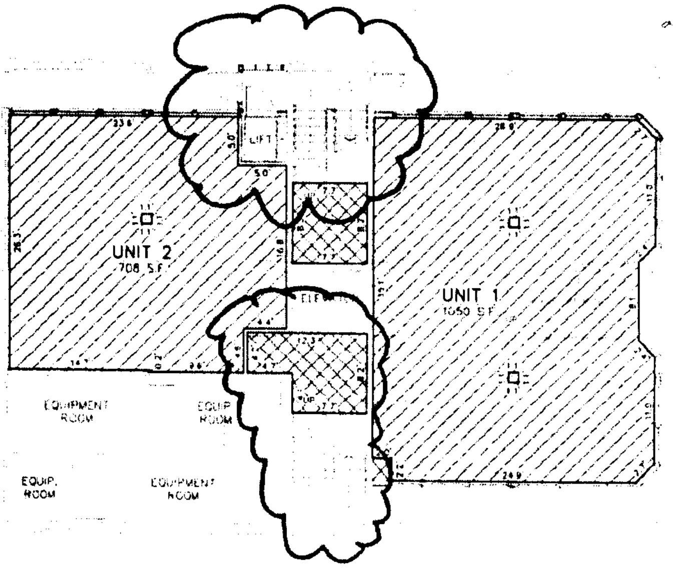
ENGINEERS CERTIFICATE

APPROVAL AS TO FORM

CERTIFICATE OF ATTEST

COUNCIL APPROVAL AND ACCEPTANCE

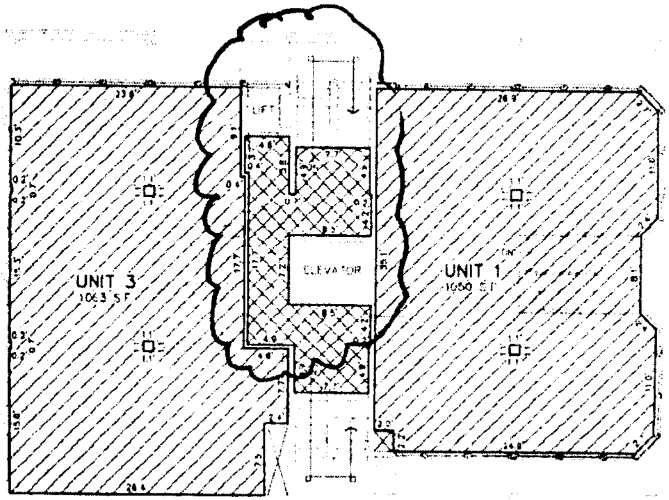
RECORDED



LEVEL 1

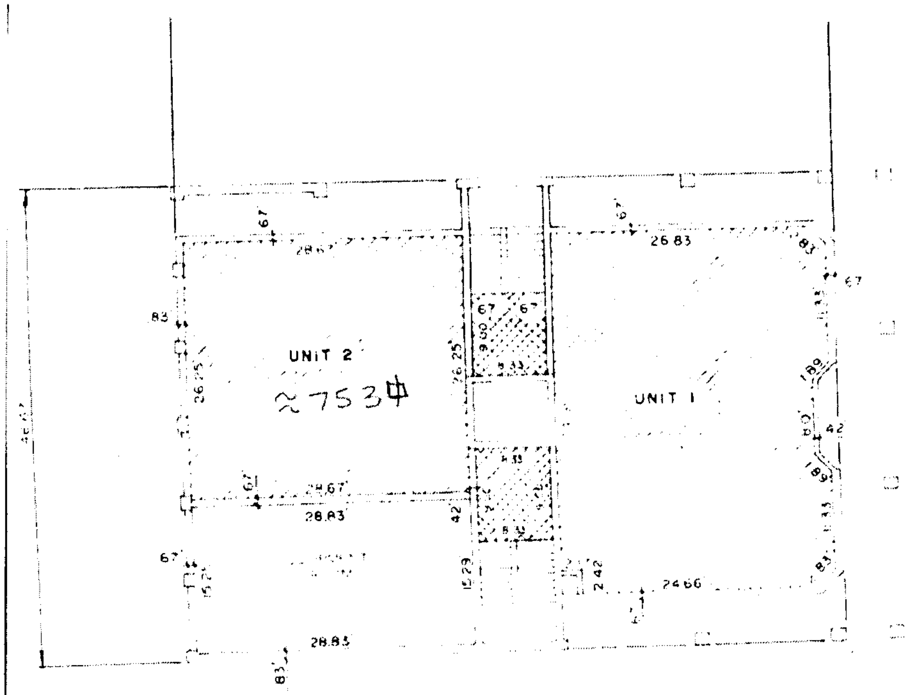
PAGE 2 - MODIFIED PLAT

☁ = AREAS MODIFIED

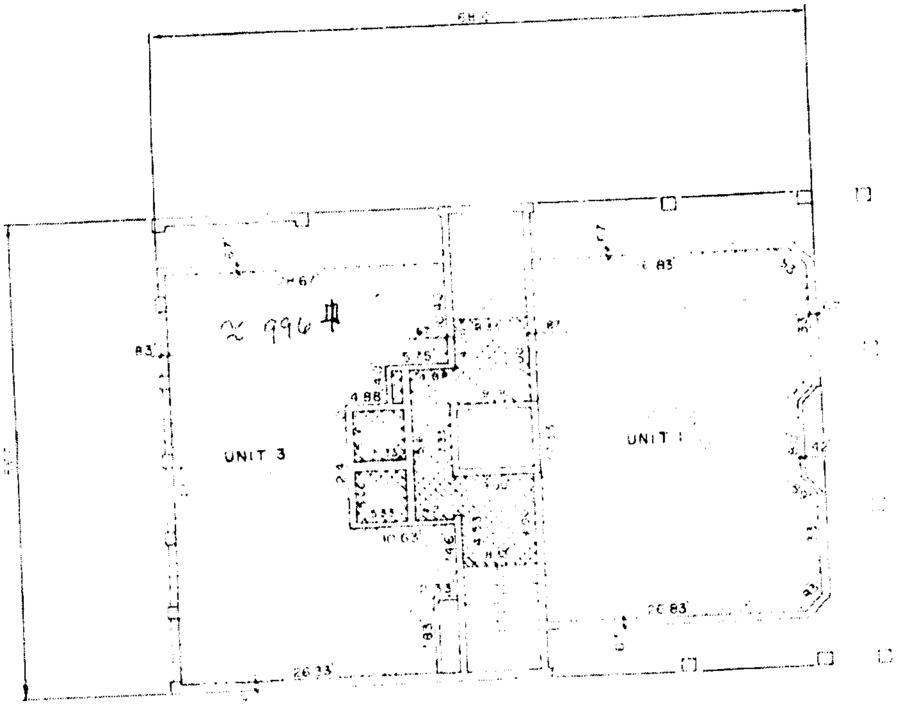


LEVEL 2

EXHIBIT B



LEVEL 1



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. Colson recorded June 12, 1986 as Entry #252714, the following courses: S 66°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, 141.21 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 855 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. Bush the following 5 calls: N 31°13'32" E, 28.51 feet, N 44°47'43" E, 3.96 feet, N 31°08'50" 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, 104.880 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, lands 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.

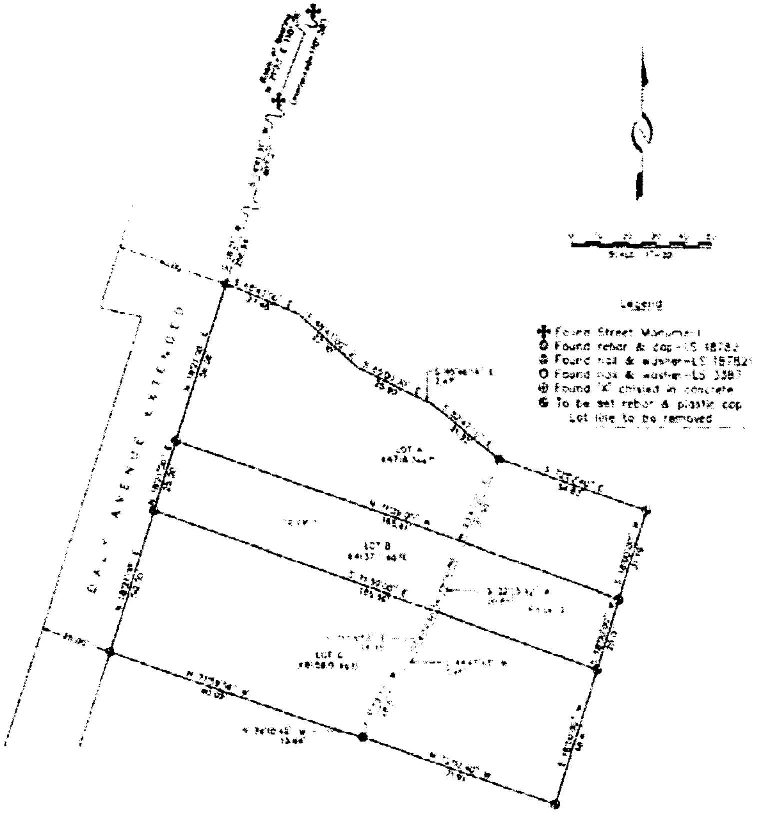
By ______________________________
Gary W. Bush
Statutory Agent, Enterprises West, L.L.C.

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 [illegible] Park City Monument Control Map by Bush & Gudgell, Inc. recorded as Entry No. [illegible] in the office of the Summit County Recorder
4. Date of survey: February 17, 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 the property should be aware of any items affecting the property that may appear in a title insurance report
8. The property dimensions are based on a previous survey by [illegible] dated June 8, 2004, provided by the owner

SURVEYOR'S CERTIFICATE

I, J.D. Gates, 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. Gates [illegible]

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. Colson recorded June 12, 1986 as Entry #252714, the following courses: S 66°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

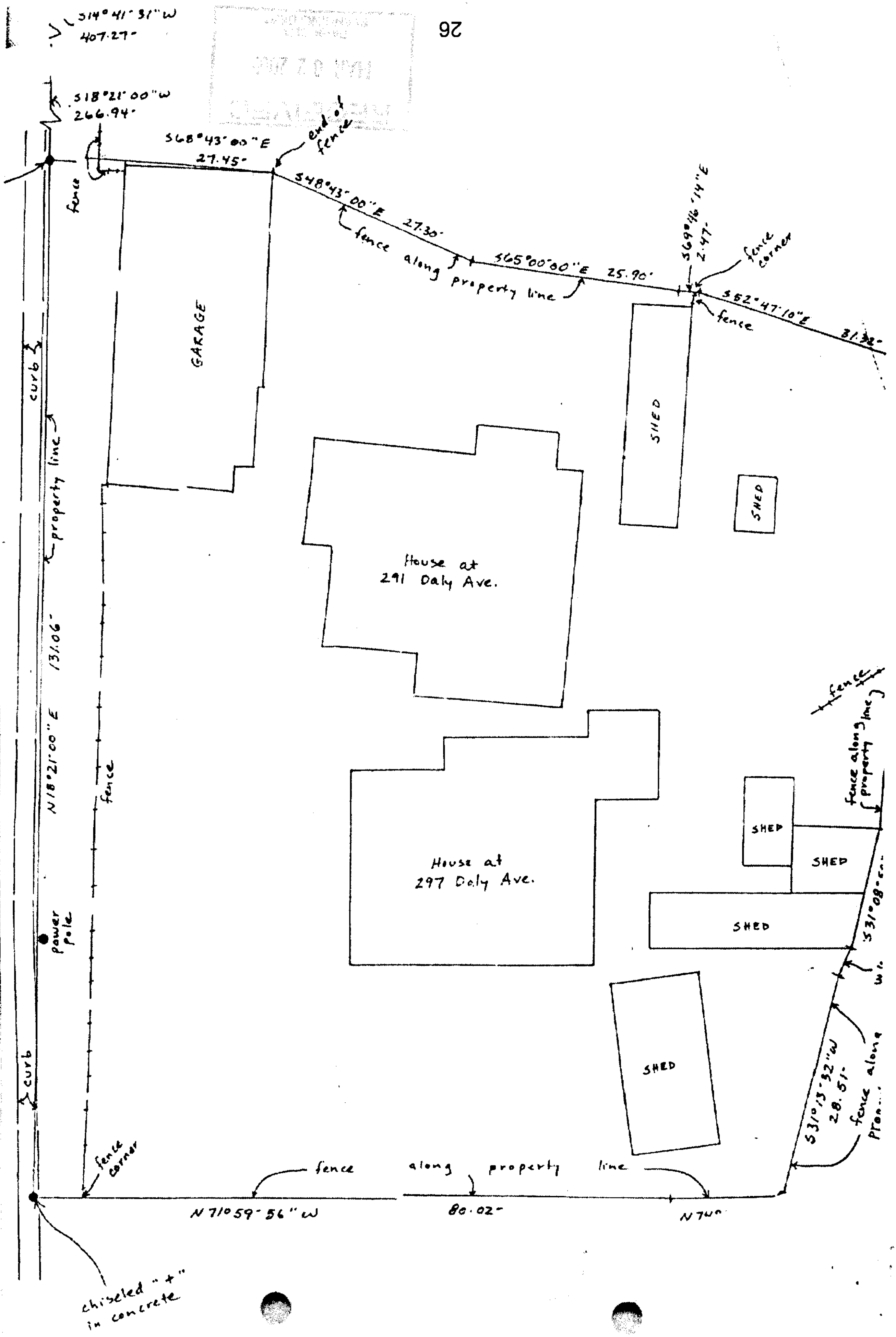
LOT B
LEGAL DESCRIPTION

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, 165.58 feet to the East Line of the Washington Millsite, Lot 80-B, thence along said East Line S 18°00'00" W, 44.40 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 5158.0 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** [illegible] 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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266.94'
S68°43'00"E
27.45'
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fence
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27.30'
fence along property line
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25.90'
S69°46'14"E
2.47'
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fence
S52°47'10"E
31.32'
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curb
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SHED
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House at
297 Daly Ave.
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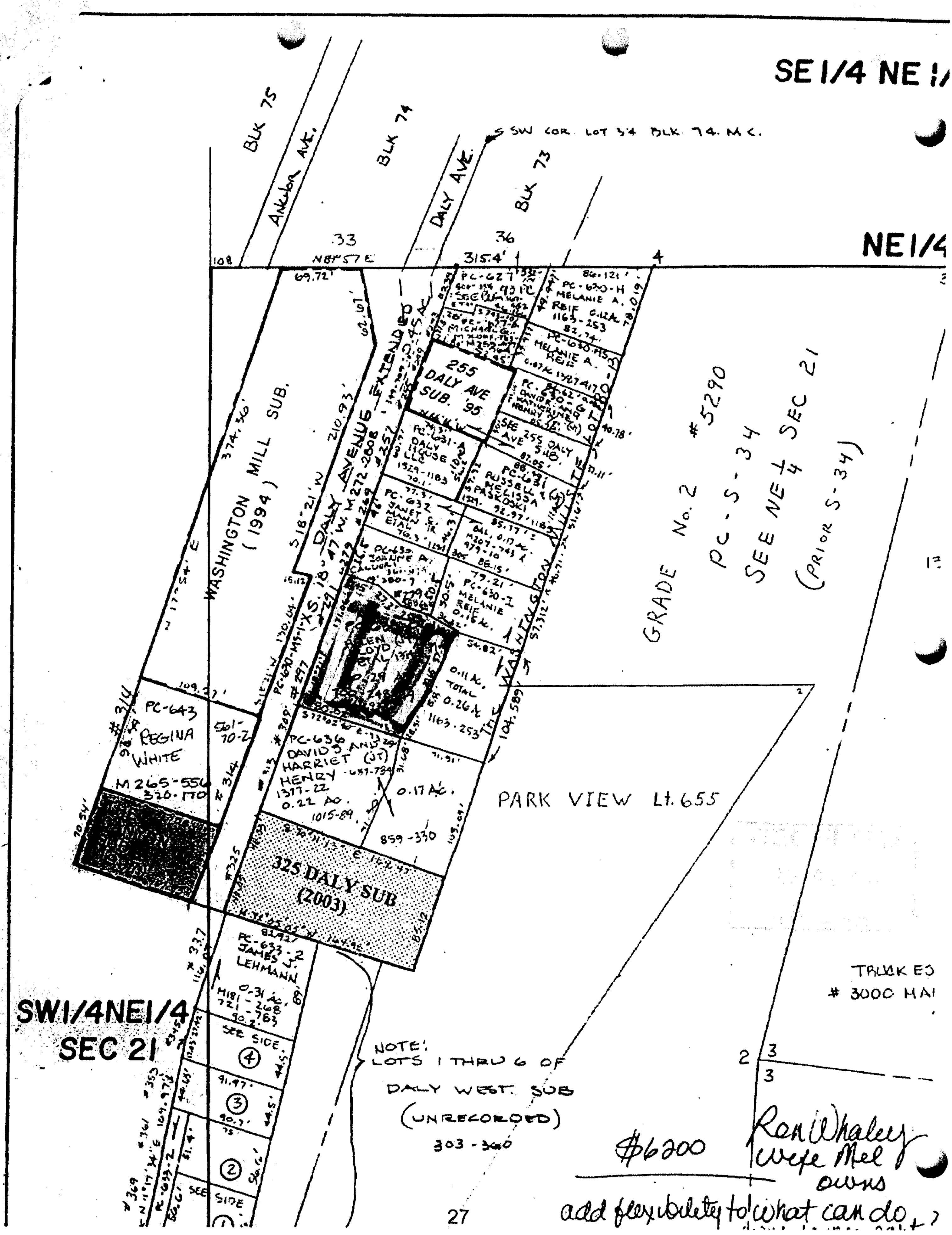
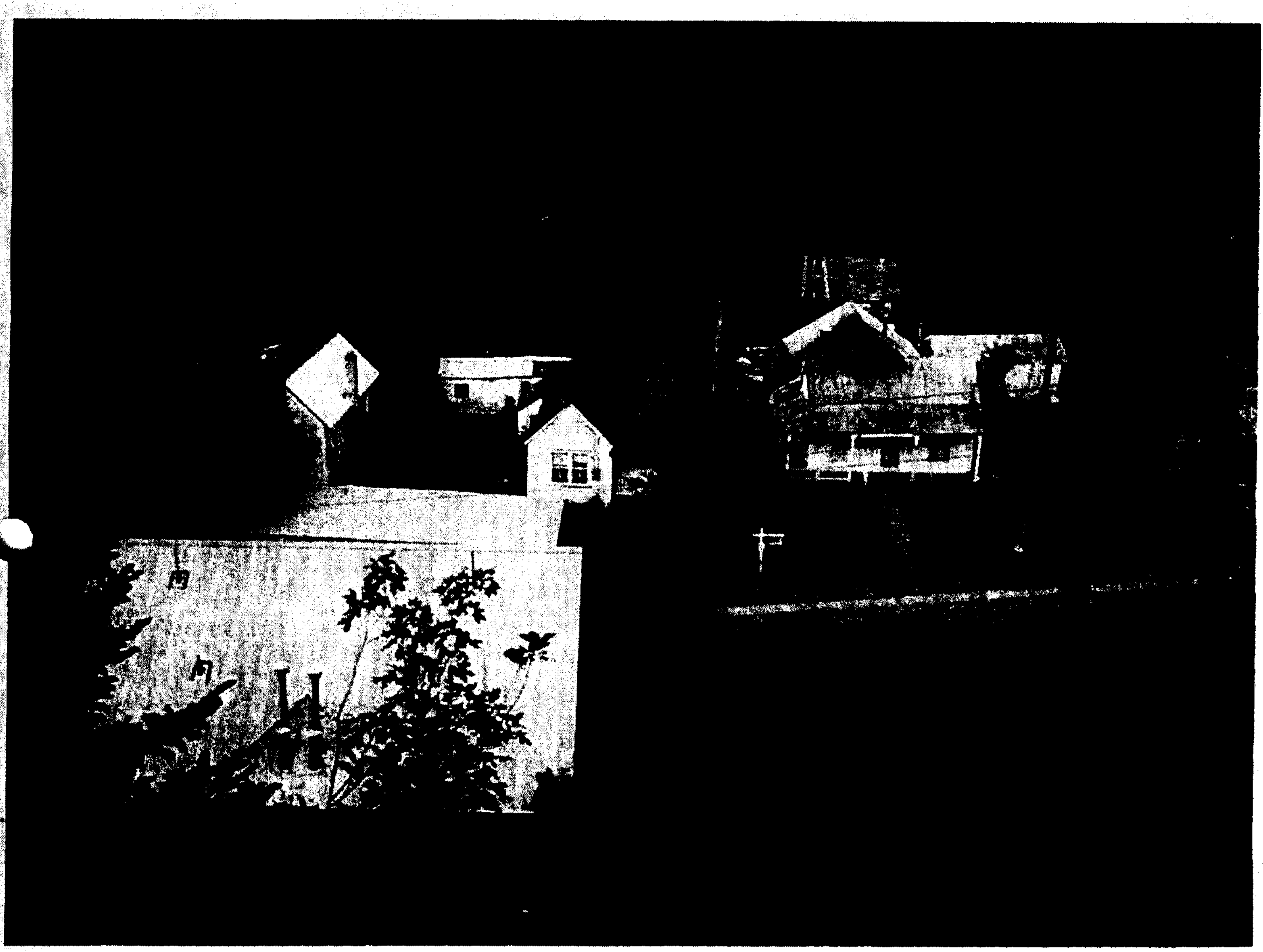


$6200

Ron Whaley
wife Mel
owns

add flexibility to what can do +?



City Council Staff Report

PARK CITY
1884

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.

Conclusions of Law

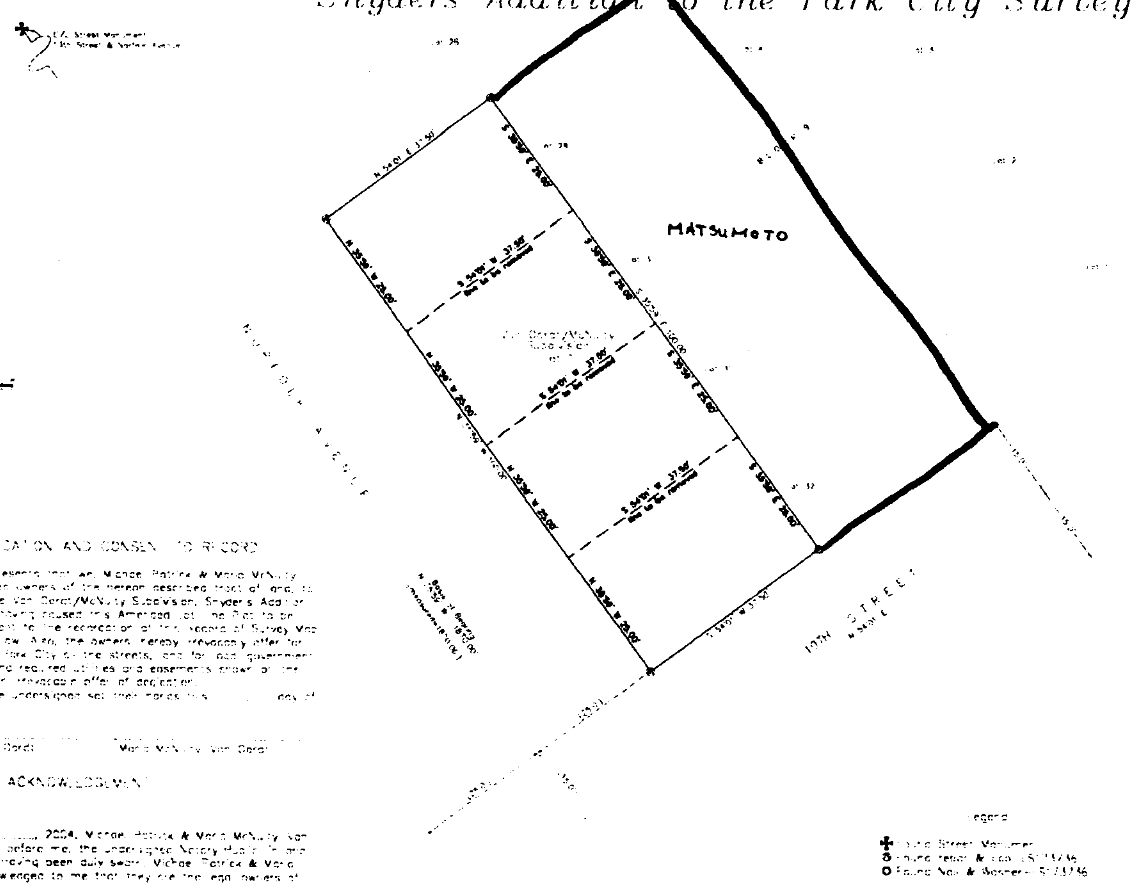
1. There is good cause for this Final Subdivision Plat.
2. The Final Subdivision Plat is consistent with the Park City Land Management Code, the General Plan and applicable State law regarding Subdivision Plats.
3. Neither the public nor any person will be materially injured by the proposed Subdivision 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.

Conditions of Approval

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.

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

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



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 Kinnear & 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 of 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, and for road, 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

ACKNOWLEDGMENT

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

SURVEYOR'S CERTIFICATE

I, [illegible] Dailey, a Registered Land Surveyor as prescribed by the laws of the State of Utah and holding License No. 159005, 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 ______ [illegible] Dailey 159005

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

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

34

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 ($________________).

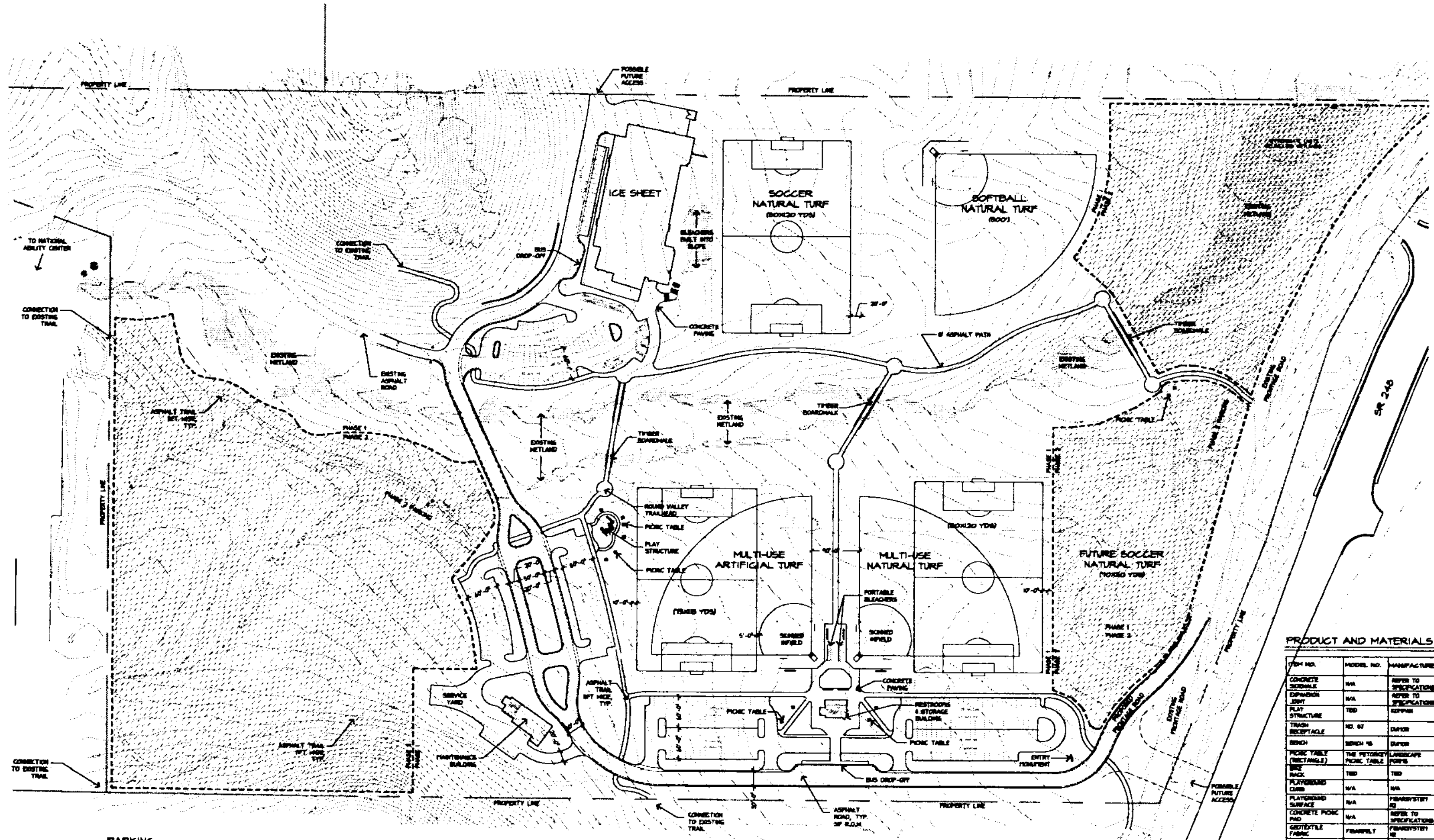
Included in the Guaranteed Maximum Price is the Construction Manager's fee of $_______________.

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 = 441 STALLS

SITE LAYOUT NOTES

1. ALL LINES AND DIMENSIONS ARE PARALLEL OR PERPENDICULAR 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 [illegible] 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 .01.
10. ALL CURVES TO TANGENT LINES SHALL BE NEAT, TRUE, 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 8' 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	DTL.
CONCRETE SIDEWALK	N/A	REFER TO SPECIFICATIONS	N/A	MED. BROOM FINISH	NATURAL GREY	5" CONCRETE 5" BASE	[illegible]
EXPANSION JOINT	N/A	REFER TO SPECIFICATIONS	N/A	CITY STANDARD	NATURAL GREY	PER DETAIL AND TECHNICAL SPECIFICATIONS	[illegible]
PLAY STRUCTURE	TBD	KOMPAN	PLAYSPACE 1-800-[illegible]	TBD	TBD	[illegible]	[illegible]
TRASH RECEPTACLE	NO. 67	DUMOR	DUMOR [illegible]	BAKED ON POLY. POWDER	RAL [illegible]	SURFACE MOUNT-STAINLESS STEEL DROP IN ACORNS, BOLTS AND WASHERS	[illegible]
BENCH	BENCH [illegible]	DUMOR	DUMOR [illegible]	STEEL POWDER COAT	RAL [illegible]	SURFACE MOUNT-STAINLESS STEEL DROP IN ACORNS, BOLTS AND WASHERS	[illegible]
PICNIC TABLE (RECTANGLE)	THE PETOSKEY PICNIC TABLE	LANDSCAPE FORMS	LANDSCAPEFORMS [illegible]	BAKED ON POLY. POWDER	RAL [illegible]	[illegible] PER FINAL SPEC.	[illegible]
BIKE RACK	TBD	TBD	TBD	TBD	TBD	TBD	[illegible]
PLAYGROUND CURB	N/A	N/A	N/A	SMOOTH TROWEL	NATURAL GREY	PER DETAIL AND TECHNICAL SPECIFICATIONS	[illegible]
PLAYGROUND SURFACE	N/A	FIBARSYSTEM 12	BOYER RECREATION [illegible]	N/A	N/A	INSTALL PER MANUFACTURER'S SPECS. AND RECOMMENDATIONS	[illegible]
CONCRETE PICNIC PAD	N/A	REFER TO SPECIFICATIONS	N/A	MED. BROOM FINISH	NATURAL GREY	PER DETAIL AND TECHNICAL SPECIFICATIONS	[illegible]
GEOTEXTILE FABRIC	FIBARFELT	FIBARSYSTEM 12	BOYER RECREATION [illegible]	N/A	N/A	INSTALL PER MANUFACTURER'S SPECS. AND RECOMMENDATIONS	[illegible]
ASPHALT	N/A	REFER TO SPECIFICATIONS	N/A	N/A	N/A	3" ASPHALT 6" BASE	[illegible]
BACKSTOP	NO. [illegible]	PW ATHLETIC COMPANY	PW ATHLETIC CO. 1-800-[illegible]	ALUMINUM	N/A	INSTALL PER MANUFACTURER'S SPECS. AND RECOMMENDATIONS	[illegible]
PLAYERS BENCH	NO. [illegible]	PW ATHLETIC COMPANY	PW ATHLETIC CO. 1-800-[illegible]	GALVANIZED	N/A	INSTALL PER MANUFACTURER'S SPECS. AND RECOMMENDATIONS	[illegible]
INFIELD EQUIPMENT	N/A	TOMARK 1-800-[illegible]	N/A	N/A	N/A	BASES, HOME PLATE AND PITCHING RUBBER PROVIDED BY THE CITY	[illegible]
SKINNED AREA SURFACE	N/A	N/A	N/A	N/A	N/A	PARK CITY STANDARDS	[illegible]
BASEBALL FENCING	N/A	CHAINLINK FENCE	AMERICAN FENCING [illegible]	BLACK VINYL COATING	N/A	REFER TO TECHNICAL SPECIFICATIONS	[illegible]
SOCCER GOALS	NO. [illegible]	PW ATHLETIC COMPANY	PW ATHLETIC CO. 1-800-[illegible]	N/A	N/A	GOALS AND NETS PROVIDED BY THE CITY	[illegible]
FILTER FABRIC	PER MANUFACTURER	MIRAFI FABRIC	MIRAFI INC. [illegible]	N/A	N/A	INSTALL PER MANUFACTURER'S SPECS. AND RECOMMENDATIONS	[illegible]

0 40 80 160

LAYOUT PLAN
L-L1

NOT FOR CONSTRUCTION
FEBRUARY 22, 2005

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 Ste 400
Salt Lake City, Utah 84101
p 801.575.6066 f 801.575.6166
www.gbrowndesign.com

SPORTS DESIGN ALLIANCE
ELLIOTT•MAHONEY
architecture

	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	$461,78
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	$2,079,49
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.

Tentative Adoption of the Budget

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.

Water Rates Fee Resolution

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

SIGNIFICANT IMPACTS: 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.

RECOMMENDATION: 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"~~	~~0-10,000 Gal~~	~~10,001-36,000 Gal~~	~~36,001-80,000 Gal~~	~~Over 80,000 Gal~~
~~1"~~	~~0-17,000 Gal~~	~~17,001-57,000 Gal~~	~~57,001-120,000 Gal~~	~~Over 120,000 Gal~~
~~1.5"~~	~~0-30,000 Gal~~	~~30,001-100,000 Gal~~	~~100,001-200,000 Gal~~	~~Over 200,000 Gal~~
~~2"~~	~~0-48,000 Gal~~	~~48,001-160,000 Gal~~	~~160,001-320,000 Gal~~	~~Over 320,000 Gal~~
~~3"~~	~~0-96,000 Gal~~	~~96,001-320,000 Gal~~	~~320,001-640,000 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