PARK CITY 1884

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MAY 17, 2001

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, May 17, 2001.

AGENDA

Work Session

2:30 p.m. Council questions/comments
3:00 p.m. Review of regular meeting:
Operating and capital budget overview
- Parks and Recreation Board - capital projects priorities
- Water rate fee structure
- Water impact fees

5:00 p.m. Sundance Film Festival
Uniform Building Code fees
Other meetings questions/comments
5:30 p.m. Dinner break

Regular Meeting

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

III COMMUNICATIONS FROM COUNCIL AND STAFF

IV WORK SESSION NOTES AND MINUTES OF MEETING OF MAY 3, 2001

V CONSENT AGENDA PUBLIC HEARING

1. Master Festival License for The Concerts in the Park Series, June 27, 2001 through August 29, 2001 - applicant, Park City Arts Foundation

2. Ordinance amending the Land Management Code - Phase 2, Chapter 4, Historic District Commission and Preservation of Historic Buildings and Sites **(motion to continue to June 7, 2001)**

VI CONSENT AGENDA

1. Master Festival License for The Concerts in the Park Series, June 27, 2001 through August 29, 2001 - applicant, Park City Arts Foundation

2. Resolution proclaiming May 19, 2001 as Arbor Day in Park City, Utah

3. Exchange of deeds at 170 Main Street, Park City, Utah with James W. Carr

4. Resolution amending Section 1.2.8, Uniform Fire Code Fees, of Resolution No. 03-01, Fee Resolution, and replacing Resolution No. 03-01 in its entirety

VII PUBLIC HEARINGS

1. Continuation of hearing on Ordinance approving a comprehensive and substantive re-write of the Land Management Code of Park City, Utah, specifically for: Chapter 3, Planning Commission; Chapter 5, Board of Adjustment, and Chapter 15, Subdivision General Provisions, as renumbered and included in the body of the Municipal Code as follows: Chapter 3 becomes Title 15, Chapter 12; Chapter 5 becomes Title 15, Chapter 10, and Chapter 15 becomes Title 15, Chapter 7

2. Master Festival License and Service Provider Agreement with Sundance for the Sundance Film Festival

3. Revised budget for fiscal year 2000-01; the tentative budget for fiscal year 2001-2002; and a budget plan for 2002-2003 for Park City Municipal Corporation and its related agencies

VII NEW BUSINESS

1. Ordinance approving a comprehensive and substantive re-write of the Land Management Code of Park City, Utah, specifically for: Chapter 3, Planning Commission; Chapter 5, Board of Adjustment, and Chapter 15, Subdivision General Provisions, as renumbered and included in the body of the Municipal Code as follows: Chapter 3 becomes Title 15, Chapter 12; Chapter 5 becomes Title 15, Chapter 10, and Chapter 15 becomes Title 15, Chapter 7

2. Master Festival License and Service Provider Agreement with Sundance for the Sundance Film Festival

VIII ADJOURNMENT

PARK CITY
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PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
MAY 17, 2001

Present: **Mayor Brad Olch; Council members Peg Bodell; Candace Erickson; Roger Harlan; Fred Jones; and Jeff Mann**

Toby Ross, City Manager; Tom Bakaly, Assistant City Manager, Lloyd Evans, Chief of Police; Mark Harrington, City Attorney; Mark Christensen, Budget and Grants Manager; Bob Johnston, Leisure Services Director; Kathy Kelly, Racquet Club Manager; Jerry Gibbs, Public Works Director; and Ron Ivie, Chief Building Official

Dean Schulman, Chairman of Parks and Recreation Board; Barb Clark, Director HMBA; Rich Giardina and Jason Burningham, water consultants

1. **Council questions/comments.** Candace Erickson reported on the School District meeting and relayed that Recycle Utah will hold a hazardous waste collection on June 1. Council member Bodell stated that she attended a two-day wildfire conference. The Parks and Recreation Board discussed the grant request for $500,000 for restaurant tax for the Racquet Club pool and a feasibility study for an ice rink. The Board is soliciting public input on issues relating to City Park and a recommendation for trails on SR224 will be rendered to the Council soon. Fred Jones noted that he attended the Interagency Task Force meeting where regional transit was reviewed. Summit County Commissioner Shauna Kerr suggested the concept of a unified system where the County would compensate the City for operations. There is a similar system in Logan which will be explored. Roger Harlan suggested a resolution acknowledging the high school athletic accomplishments this year. Jeff Mann commented on the Sundance Children's Festival which was well attended and may be an event suitable for Park City. The Library Board is pursuing a grant for 11 additional work stations. He also attended the Interagency meeting and is pleased with the efforts in trying to solve regional transportation issues. Mr. Mann reported that he was interviewed for a volunteer position by SLOC and will be press liaison at the Park City Mountain Resort.

2. **Operating and capital budget overview.** Mark Christensen pointed out that Council reviewed the introduction and policies and procedures on May 3 and the program and resource analysis on May 10. In response to a question from Fred Jones, Mr. Christensen explained that up until now, the City fully carried our workers compensation fund at $330,000. Staff is recommending purchasing a premium, representing a savings of $123,000. He emphasized that our self-insurance reserves are still in place. Tom Bakaly added that purchasing a policy eliminates the need for a transfer from the General Fund or departmental budgets, and the cost actually decreases which is covered by interest earned in the self-insurance fund. Mark Christensen continued that last week, the Council also covered the Olympic budget and a public hearing on the budget is scheduled for

June 7, at which time an Olympic summary will be better described and available. He explained the payment to Mountainlands Association of Governments which was reduced and then reinstated. The budget anticipates that the City will continue funding the hanging basket program, but not the winter operations of the swimming pool. The Recreation Fund will be adjusted by about $175,000 reflecting the growth of both revenues and expenditures.

Parks and Recreation Board - capital projects priorities. Dean Schulman, Parks and Recreation Board Chairman, explained that priorities were based on the six elements of the master plan (1) support acquisition of open space; (2) implementation of the trails master plan; (3) encouragement of golf opportunities; (4) re-evaluation of the City Park master plan; (5) redevelopment of the Racquet Club; (6) and exploration of the feasibility of an ice skating facility. The Board achieved a consensus which emphasized preservation of existing facilities recognizing the budgetary limitations with Olympic planning and general constraints. The highest priority was assigned to the Racquet Club which is in great need of rehabilitation. He pointed out that the Board deliberated on the dichotomy of the Recreation Fund as an enterprise fund with no public service component. It recommends that a commission be formed to review the redevelopment of the Racquet Club and to formulate an action plan after the Olympics. The second priority was City Park and the master plan continues to be implemented based on available funding. The Park will be monitored for impacts from the Olympics. The Board is working on completing trails currently planned, continuing implementation of the trails master plan, interfacing with the Basin system and preparing for action items after the Olympics. Mr. Schulman reported that the Snyderville Basin Recreation District agreed to co-apply with the City for restaurant tax funds for a feasibility study for an ice facility in the greater Park City/Basin area. There was discussion about the denial last year because the proposed location was not central for tourists. He pointed out that the golf course is self-sustaining; there have been cuts in maintenance and adjustments in golf fees. Mr. Schulman expressed that the Board will probably be recommending a bond issue for recreation.

Roger Harlan referred to the feasibility study conducted several years ago on ice, and Bob Johnston explained that it identified some sites and suggested that further study take place to examine each site independently, which is the focus of the new study. Jeff Mann asked if the Board has considered the lap pool issue. Mr. Schulman expressed that the information he has seen suggests very limited usage and there appears to be great disparity between cost and benefit derived, especially since there are other swimming alternatives. Mr. Mann explained that he has been receiving calls from master swimmers asking how much it really costs. Kathy Kelly explained the real difficulty is staffing life guards. The cost for staffing and utilities was about $16,000 and about $3,000 was raised in revenue, averaging about 16 swimmers a day in the winter. Mr. Mann reported that the Silver Mountain Spa is interested in accommodating the master swimmers in a program.

Mark Christensen explained that there are about three years left on the general obligation bond for the original renovation of the Racquet Club facility and the voters could be asked to extend the life of this bond. The property tax rate would remain the same for an amount of time needed to make the improvements. Mr. Bakaly recalled that as a part of the open space bond, a survey was conducted to assess public opinion to determine the scope of the bond project. If projects are not identified, it is probably a good idea to establish a review board with policy guidelines to monitor bond funds. Bob Johnston explained the anticipated $500,000 to $800,000 required to bring the pool up to acceptable code standards. Repairing the roof is in the range of $120,000 and the ceiling at $40,000. These are the critical needs, followed by locker room expansions and some mechanical work, and other wish lists like climbing walls and storage areas. Mr. Johnston noted that it is about a $2 million list. Mr. Mann expressed that he has never heard of extending a bond and Mr. Bakaly explained that the existing debt is refinanced and the voters would extend the term for 15 years and issue the new money. He discussed the advantages of private placement and open market strategies; this debt would be bank qualified and could be privately placed. The tax rate would not be increased, but would be extended. Roger Harlan felt this makes a lot of sense, and pointed out the merit in adequately marketing the concept to the public. Candace Erickson added that the County is also considering bond issues and Tom Bakaly suggested that the Parks and Recreation Board investigate the public's interest. Fred Jones stated that there needs to be a plan for the $2 million before it goes to the voters and there needs to be sufficient funds to do what is required, rather than piece-mealing it and trying to go back to the voters. The Mayor suggested postponing the bond issue for a year and supported the Parks and Recreation Board examining various options.

With regard to public service contracts, Mr. Christensen explained that the City Council approved funding for the HMBA to cover administrative costs this year, but not in future years. The Sundance Film Festival agreement is another consideration, which is scheduled on the agenda for approval. The tentative budget anticipates $50,000 a year beginning in 2002 for the Sundance Institute but does not include funding for the ESL program which was funded by about $3,000 from the contingency fund. The fund balance over the years has declined and currently totals $4,000. The Council could fund the program and increase the over-all percentage earmarked for special service contracts which is set at 2.6%. Jeff Mann stated that he would like ESL to be a permanent line item in the budget. Fred Jones expressed that he is uncertain if ESL should be a permanent line item but would like to fund the program again this year. Ms. Erickson pointed out that unfortunately, funding the program would leave a balance of only $1,000 in the contingency and Roger Harlan expressed concern about depleting this fund. Council agreed on increasing the overall percentage devoted to grants which will be presented to Council on June 7. There was discussion about the sources for funding the HMBA, including $15,000 from parking revenues, which is difficult to forecast for 2002. Ms. Bodell felt that there are other funding options available to this group and emphasized that last year financial support was rendered to start the organization. Jeff Mann commented that he is willing to provide funding for another year for the full $25,000 for the HMBA so that the focus of the director is on formulating long term programming rather than securing funding. Fred Jones expressed that he is not opposed to Mr. Mann's comments, but prefers that the HMBA formulate a plan to present to the Council. There has been broad support from the Council for Main Street, but the Council needs some input as to how best to accomplish that. Roger

Harlan agreed that more information would be helpful. Peg Bodell continued that the grant last year was seed money, and Candace Erickson recalled that the HMBA presented a budget for the year and the request was made at an off-time, not as part of the annual budget. The Council considered using parking revenues to fund the HMBA and Ms. Erickson believed that the Olympic budget contemplates losses in the parking fund. She supports the HMBA, but hopes that the subsidy can be reduced as it becomes more established.

Barb Clark, Director of HMBA, explained that the grant was given at an off cycle. She is working on a short-term marketing plan which will be presented to the board next week. This involves bringing new events to the street and programs to attract locals, destination and day visitors. The plan contemplates beautification projects and efforts to consolidate the Main Street group and create a *voice*. In response to a question from the Mayor regarding other funding sources, Ms. Clark noted that although she has not spent a lot of time on this, she is finding that most grants are not supportive of administrative services, but there is funding available for events and marketing. The HMBA is exploring a business license tax for Main Street merchants to raise revenues. Ms. Bodell suggested the opportunities with the City providing in-kind services, which is more logical than paying administrative salaries. Ms. Clark stated that this is much appreciated, but if administration is not supported, it can easily revert to a volunteer organization which limits results. The Mayor expressed concerns about funding the HMBA every year and that there may be an overlap of services, because the City also funds the Chamber. Ms. Clark explained that the Chamber no longer produces events. Fred Jones agreed and added that he would be more inclined to support continuation of the funding for a year or maybe longer if he was assured that the HMBA was formulating a business plan. Ms. Clark added that they are interested in programming Miners Park this summer.

Mr. Christensen explained that there are two options for trash collection on Main Street. One proposes automatic pick-up at $16,000 and another option at $219,000 for the City to take over a portion of the BFI contract servicing the Main Street area and associated billing. The Mayor cautioned that the City be very careful in taking over trash collection. In response to a question from Jeff Mann, Mr. Christensen explained that this is a revenue neutral option where BFI would be paid directly by the City to pick up trash. We would bill and collect fees, providing the City with some flexibility over the control of the contract. Jeff Mann emphasized that trash collection is BFI's responsibility and Ms. Erickson expressed concern about the potential administrative burden on staff.

The City Manager explained that the fee would cover administrative and hauling costs and there have been no negotiations with BFI regarding credit to the City for billing. There have been suggestions about the City covering all of Old Town. He continued that Council members expect some responsiveness from BFI and staff attempts to get results, but because the City isn't a party to the contract, we have no clout. If Council is sufficiently concerned about the problem, taking control of the service is a way to address it. If Council supports this option, the City would negotiate with the County for a rebate, perhaps equal to the amount of property taxes collected for that purpose in Old Town. The Mayor suggested removing Park City from the contract altogether and contracting our own services and the City Manager noted that that would be possible if all three parties are agreeable. Mr. Ross continued that the reason the City has never suggested taking over residential collection is that there was a decision made in the 1970s that the oil producers would be responsible for trash collection by putting them on the general tax of the county; that strategy is not fully justified at this point in time. The County Commission may be open to negotiations because they view this a difficult area as well and there have been many complaints. However, this is not an insignificant project.

Jerry Gibbs added that another advantage of the City taking over a portion of the contract is that about 10% of the Main Street merchants are not paying their bills. BFI has no way to collect bad debt and the people who are paying their bills are covering the costs for those who do not. Tying billing to business licensing provides the City a mechanism to collect, while currently BFI's only option is to discontinue service which it can't do on Main Street. There was discussion about recycling being part of the program. Mr. Gibbs explained that costs needs to be spread equitably on Main Street which is difficult to assign when there aren't individual containers. Fred Jones asked if this would improve our trash situation and Mr. Gibbs felt this would be a more effective way to deal directly with the merchants to solve their problems and BFI's only option is to charge them more for the people who aren't paying. There is an effort between BFI, the County and the merchants to improve the collection schedule. He emphasized that he is not advocating that the City do this, as it will require a lot of staff time to work with BFI and the Main Street merchants to make this a workable solution. However, he doesn't see how things will improve under the current program. Fred Jones felt it would be inappropriate for the City to collect past due accounts. Mr. Gibbs stated that he doesn't disagree, but until the City initiates negotiations, it is difficult to predict any outcomes. Roger Harlan stated that the potential staff time involved collecting from 10% of the merchants should not be underestimated. This should be considered in the billing component to cover staffing costs. He also questioned if the City would be more successful with collections and warned that this could be a public relations nightmare. The City Manager advised of the staff time expended up to this point without reimbursement; the staff is not recommending this, but *offering* it as an option.

Jeff Mann felt that this proposal is a real *loser*. BFI is a large operation behaving like this is the first time it has ever had a challenge like Old Town, and the City would be crazy to take over its responsibilities. The Mayor agreed. Ms. Bodell stated that she is very much in favor of this option because the service will improve and the City will be reimbursed for staff time. Ms. Erickson expressed mixed emotions about this proposal and would appreciate a staff recommendation. Fred Jones expressed that he is reluctant to become involved in providing trash collection, but admitted that it has been a year and a half of poor service. Old Town is another issue because of County rebates but Main Street is not funded by the County, and this may be the place to start. Jerry Gibbs was uncertain if the City has the flexibility of servicing just one residential area. The City Manager suggested returning to Council with more information on June 7. The Mayor stated that his concern is creep and cost. Roger Harlan felt that taking on the service has the potential of being an unpopular issue and he doesn't believe that the 10% will change. Fred Jones suggested that the HMBA consider this proposal and render a recommendation on the 7th. The City Manager explained that the City would not take over service until an agreement is reached, but this has to be budgeted this year in order to pursue it. Fred Jones asked if this would provide other options for collections in Swede Alley, especially a long-term plan. The City Manager explained that it may provide more flexibility with managing costs. Services for the Olympic celebration on Main Street is another uncertain consideration.

Water rate fee structure. Jerry Gibbs explained that last fall a supply and demand study was performed based on development yet to be built and a capital facilities plan that applied what type of infrastructure was necessary to add to the system to meet the demands of growth. With those two studies, the impact fee analysis was developed and user rates to look at projects that are not growth related but need capital support, i.e., Woodside, Park Avenue, Spiro treatment plant.

Impact fees. Jason Burningham of Lewis Young Robertson & Burningham, Inc. explained that this firm has been retained by the City to update the impact fee structure for the water system. Impact fees are the primary funding for growth related projects for future expansion of facilities that are precipitated by growth. This is a preliminary report on how much capital improvements are needed to facilitate growth over the next 15 to 20 years. Based on prior studies on the water system, LYR&B has identified $28 to $29 million of capital infrastructure that needs to be built within the next several years to accommodate approximately 3,800 new units or equivalent residential users. One ERU is equivalent to one gallon per minute of flow at peak daily demand and using about one acre foot of water right each year, consistent with the Montgomery Watson assumption. Mr. Burningham described his methodology for the study in detail. About $30 million has been identified in capital projects and a couple of million of buy-in infrastructure to serve approximately 3,800 units. The base impact fee is about $5,200 plus the cost of acquiring water rights which may increase the fee to $8,000 to $10,000. LYR&B is still working with staff and will have hard numbers and recommendations on June 7. The methodology assumes 100% recovery but Council has the option to fund it at a level lower.

User fees. Jerry Gibbs explained that Rich Giardina was retained to develop a financial model for the Water Fund, including impact fees and user rates. Rich Giardina explained that his focus will be on the first objective which was the development of a five year financial plan. There are two revenue components of the water enterprise fund, impact fees and user charges. The costs not covered by impact fees need to be recouped by user charges. The five-year cash flow analysis is being developed to determine if our current revenue stream is adequate, and the second element is to determine how to recover those costs. The operating fund is identified as a separate sub-fund within the water enterprise fund. The operating fund includes user charges, renewal and replacement, non-growth related capital, and O&M costs of the system. The state code mandates separate accounting for the impact fee fund for growth related debt service and capital improvements. The adequacy of the revenue stream is measured by a debt service coverage ratio and dictates that there is $1.25 of revenues available for each dollar of outstanding debt service, which is a legal requirement. Because this is a water utility, he is recommending that a slightly higher coverage ratio be targeted. The second measure is a cash reserve ratio and the City has established a 20% threshold. Through illustration of a graph, he explained that the City has a $5.5 million capital improvement need for non-growth related expenditures over five years. Today the City is generating about $2.8 million in revenue from user charges. Through illustration of a graph, Mr. Giardina explained that the operating fund doesn't come close to reaching the City's 20% cash reserve requirement, but the total enterprise fund (including impact fees) is well above 20%. There are significant capital improvements over the next five years, estimated at $5 million. Jerry Gibbs interjected that if the City decides to maintain the Judge Tunnel, it will require a $3 million investment which is considered in the study.

Mr. Giardina recommended a 5% revenue increase to be effective this summer. The subsequent 5% increases as a part of the plan are contingent on results. The current structure provides for a minimum charge, regardless of the amount of water used. The minimum for 3/4" is $15 per month for 5,000 gallons and beyond that, there is a charge under a volume rate structure. This has both a seasonal and inverted pricing element with conservation incentives. Every element of the existing rate structure could be increased by 5% and all customers would be affected equally. Another option may be creating an additional block of usage or raising the unit prices only for those blocks priced for irrigation use which would send a stronger conservation message. By raising the additional revenue through the upper blocks, the rate could be reduced for the non-irrigation season. These different techniques will be evaluated and the financial plan and rate report will be again presented on June 7. Roger Harlan asked what would happen if the conservation efforts worked so well that revenues raised were lower than 5%. Mr. Giardina explained that adequate cash reserves need to be in place and rates can be adjusted to ensure fund performance, but he feels confident that 5% will be raised. Jeff Mann suggested loading the front end so that every person is aware of conserving water. Mr. Giardina explained that the entire rate structure could be based strictly on volume, but there is reliability with fixed costs. He pointed out that there are base costs that could relate to the base charge to customers that recoup administrative costs like meter readings and billings.

There was discussion about current escalating utility costs and the potential that the water industry will experience the same cycle, resulting in associated affordability issues. Jerry Gibbs interjected that the current ordinance provides for the City Manager to approve applications for reduced rates based on certain criteria. Jeff Mann again suggested that the consultants provide a lower block and Mr. Giardina explained that this summer and fall, Council will be considering significant changes, and that may be a better time to consider blocks at the lower end. Fred Jones pointed out that there are many seasonal homes, and if a lower block is created, revenues will be cut. The infrastructure is supported by irrigation needs, not domestic and the upper end should be the focus. Mr. Giardina emphasized that there is a limit on how much revenue can be generated as it must match expenditures. However, both goals can be reached if costs are loaded on the top end with very high rates for irrigation use. To offset that, there should be low rates established for domestic rates. Jerry Gibbs felt that if users don't conserve and additional revenues are raised, those funds could be allocated to a conservation program with incentives like changing out water demanding fixtures. The City could provide a credit to reduce overall use; indoor use constitutes about 50% to 55% of our annual use. In the event of a surplus, Council member Mann asked if revenues could be used for a filtration project in excess of the minimum federal guidelines. Jerry Gibbs explained that specific expenses need to be identified with a revenue source that meets the cost of the project. In short, additional revenues can not be generated without programs or projects. The federal requirements are unknown at this time, and it is staff's recommendation to take a phased-in approach for improvements to Spiro Tunnel.

Peg Bodell felt that water conservation should be a community effort, and supported incentive programs. There was discussion about the same formula being used to calculate impact fees for commercial projects which is included in the ERU projections and the duration of projections. User fees are used for the replacement program, and Mr. Gibbs discussed the line breaks prompted by the flushing program and other unexpected circumstances. Ms. Erickson pointed out that one acre foot per residence seems high and Mr. Giardina agreed that it is higher in Park City where the average is more like .78. Jerry Gibbs reported that he will be coming back to Council on June 7 with information on summer user rates which will hopefully be in place by July 1. The City received a $45,000 grant from Water Resources for conservation efforts, which will be used for the installation of three weather stations for monitoring irrigation.

Sundance Film Festival. Tom Bakaly explained that the item includes a master festival license and service agreement for an initial term of four years with a three year option. He pointed out the letter of intent signed by both parties. In response to a question from Ms. Erickson, Mr. Bakaly noted that Sundance is interested in using our fiber optic system as well as the City's ordering capabilities for technical equipment for minor upgrades. Fred Jones emphasized that Sundance has a provision for opting out of the agreement and felt that the City should have the same ability; Mark Harrington stated that it can be added and Council concurred.

Uniform Building Code fees. Ron Ivie explained that this is a simple amendment intended to be revenue neutral in the collection of fees for temporary buildings. Since the two Olympic stadiums will be built to permanent standards, they will be charged on the regular building permit fee standard.

See regular meeting minutes.

Prepared by Janet M. Scott, City Recorder

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PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MAY 17, 2001

I ROLL CALL

Mayor Brad Olch called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, May 17, 2001. Members in attendance were Brad Olch, Peg Bodell, Candace Erickson, Roger Harlan, Fred Jones, and Jeff Mann. Staff present were Toby Ross, City Manager; Mark Harrington, City Attorney; Pace Erickson, Parks and Golf Course Superintendent; Alison Kuhlow, Special Events Manager; Tom Bakaly, Assistant City Manager; Kirsten Whetstone, Planner; Eric DeHaan, City Engineer; and Mark Christensen, Grants and Budget Manager.

II PUBLIC INPUT

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

III COMMUNICATIONS FROM COUNCIL AND STAFF

In response to questions from Peg Bodell, Pace Erickson advised that the construction address sign at the Mawhinney property will be down in a couple of weeks. With regard to the seniors center, he reported that staff has replaced some broken windows and are working on acquiring an air conditioner. The City is coordinating with the County on landscaping improvements. Ms. Bodell added that The Elks have volunteered their services. Mr. Erickson pointed out the resolution adopting May 19 as Arbor Day is especially special because of the matching grant received from the Utah Community Forest Partnership, enabling a community tree-planting project. He encouraged everyone to participate.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF MAY 3, 2001

Hearing no corrections or omissions, the Mayor requested a motion to approve. Roger Harlan, "I so move". Jeff Mann seconded. Candace Erickson abstained as she was not in attendance. Motion carried.

Peg Bodell	Aye
Candace Erickson	Abstention
Roger Harlan	Aye
Fred Jones	Aye
Jeff Mann	Aye

V CONSENT AGENDA PUBLIC HEARING

1. Master Festival License for The Concerts in the Park Series, June 27, 2001 through August 29, 2001 - applicant, Park City Arts Foundation - Alison Kuhlow explained that this event is before Council because of some changes. The PCMR lot will now be used for shuttle parking and there is a request to use the Mawhinney parking lot for parking. For the benefit of Roger Harlan, Ms. Kuhlow explained the park and ride strategy. Ms. Erickson pointed out the tendency of people to park on residential streets which become quite congested. Ms. Kuhlow suggested posting temporary signs directing patrons to PCMR and Ms. Bodell recommended placing barricades in red zones. The Mayor invited the Council and the audience to comment. Hearing none, the public hearing was closed.

2. Ordinance amending the Land Management Code - Phase 2, Chapter 4, Historic District Commission and Preservation of Historic Buildings and Sites **(motion to continue to June 7, 2001)** - The Mayor requested a motion to continue to June 7. Fred Jones, "I so move". Jeff Mann seconded. Motion unanimously carried.

VI CONSENT AGENDA

The Mayor requested a motion to approve the Consent Agenda. Candace Erickson, "I so move". Fred Jones seconded. Motion carried unanimously.

1. Master Festival License for The Concerts in the Park Series, June 27, 2001 through August 29, 2001 - applicant, Park City Arts Foundation - See staff report and public hearing.

2. Resolution proclaiming May 19, 2001 as Arbor Day in Park City, Utah - See *Communications from Council and Staff.*

3. Exchange of deeds at 170 Main Street, Park City, Utah with James W. Carr - See staff report.

4. Resolution amending Section 1.2.8, Uniform Fire Code Fees, of Resolution No. 03-01, Fee Resolution, and replacing Resolution No. 03-01 in its entirety - See staff report and work session notes.

VII PUBLIC HEARINGS

1. Continuation of hearing on Ordinance approving a comprehensive and substantive re-write of the Land Management Code of Park City, Utah, specifically for: Chapter 3, Planning Commission; Chapter 5, Board of Adjustment, and Chapter 15, Subdivision General Provisions, as

renumbered and included in the body of the Municipal Code as follows: Chapter 3 becomes Title 15, Chapter 12; Chapter 5 becomes Title 15, Chapter 10, and Chapter 15 becomes Title 15, Chapter 7 - Kirsten Whetstone, Planner, explained that staff is recommending adoption of the first three chapters of Phase 2 of the LMC rewrite. These provisions have been reformatted to conform with Phase 1 and sections will be renumbered for codification in the Municipal Code. The Planning Commission held a public hearing and no changes were made and staff felt it appropriate to provide another opportunity for public input. There was discussion about a provision in the subdivision regulations regarding properties being described in metes and bounds, and Mark Harrington clarified that the older historic surveys are the only two areas which the City will recognize some subdivided areas. Other subdivisions are required to go through the formal plat amendment process for the City to recognize the property lines. Ms. Erickson pointed out a typographical error and the City Attorney described the administrative process for lot line adjustments which is allowed only once by state code. Hearing no further questions or comments from the Council or the public, the public hearing closed.

2. Master Festival License and Service Provider Agreement with Sundance for the Sundance Film Festival - Tom Bakaly, Assistant City Manager, explained that this was discussed in work session. This master festival license and service provider agreement has a term of four years with a three year option. Mark Harrington requested that Council approve it in a form approved by the Legal Department as a couple of minor adjustments are required. The changes mentioned in work session will also be included in the final document.

Dan Nechemias, resident, read that the Restaurant Tax Committee was guaranteeing $75,000 of grant funds and asked how the County Commission can commit to this. Tom Bakaly explained that this was a mistake in the article in the *Park Record* and is not part of the agreement.

Fred Jones expressed his appreciation of the cooperative efforts of City staff, the Chamber and the Restaurant and Lodging Associations. Hearing no further questions or comments from the Council or the public, the public hearing was closed.

3. Revised budget for fiscal year 2000-01; the tentative budget for fiscal year 2001-2002; and a budget plan for 2002-2003 for Park City Municipal Corporation and its related agencies - See staff report. Mark Christensen, Grants and Budget Manager, referred to the discussion during work session. In response to a question from Council member Erickson about funding the skate park, Tom Bakaly explained that the City would be using the lower Park Avenue RDA and no budget adjustment was needed. The fence replacement project at the cemetery was discussed. Ms. Bodell referred to the City Park lighting project area, which ends at the tunnel to the north. Tom Bakaly stated that an amendment is proposed for the CUP and staff is looking at bidding it in such a way so that the lighting can be extended to Bonanza Drive, but this portion is not budgeted as part of the project. When Council considers the contract, this proposal will be included as an option. Ms. Bodell expressed that lighting this part of the trail is important to her and thought that it had been

a part of the original approval. In response to a question from Ms. Bodell, the City Manager described the distinctions between the Olympic Park project and the south end of City Park capital project. For the benefit of Fred Jones, Mr. Bakaly explained that at the time of the approval, direction was given by Council to pursue the lighting and not proceed with the permanent widening of the trail. There was discussion about the confusion with project allocations, and the Assistant City Manager stated that he will reword some descriptions so that the dollar amount reflects the specific project.

Ms. Erickson asked if paying for the under-grounding of utilities has been discussed with the Park Avenue residents which she understood amounts to $1.7 million. Mr. Bakaly responded that he and the City Engineer met with two representatives of UPAPA and explained the process for a special improvement district. It was clarified that staff's position is that the streets be improved by the City, but not under-grounding the utilities. If the neighborhood agrees to just the street improvements and not under-grounding, the City would look to proceed in 2002. If under-grounding is a component, not withstanding funding considerations, it is a two-year construction project. There may be comments from the neighborhood at future budget hearings. Fred Jones recommended that in future years, the Council agree to reopen discussion of the capital improvement budget following the Olympics to reevaluate priorities, discuss some of the issues relative to recreation, and assess where the City is fund-wise. Jeff Mann asked if the Park Avenue project can be completed in 2002 with empty conduit installed under the road. Eric DeHaan explained that the City would be bidding the project during the Olympics and probably opening bids the week after the Games in order to get a contractor on line by April 15, 2002 and completion by October 15, 2002. He emphasized that it takes a couple of years to coordinate with utility companies who are not enthusiastic about these projects.

Hearing no further comments or questions from the City Council or the audience, the Mayor requested a motion to continue the hearing. Fred Jones, "I move to continue the hearing to June7, 2001". Jeff Mann seconded. Motion carried unanimously.

VII NEW BUSINESS

1. Ordinance approving a comprehensive and substantive re-write of the Land Management Code of Park City, Utah, specifically for: Chapter 3, Planning Commission; Chapter 5, Board of Adjustment, and Chapter 15, Subdivision General Provisions, as renumbered and included in the body of the Municipal Code as follows: Chapter 3 becomes Title 15, Chapter 12; Chapter 5 becomes Title 15, Chapter 10, and Chapter 15 becomes Title 15, Chapter 7 - See staff report and public hearing commentary. The Mayor requested a motion to approve. Peg Bodell, "I so move". Fred Jones seconded. Motion carried unanimously.

2. Master Festival License and Service Provider Agreement with Sundance for the Sundance Film Festival - See staff report, work session notes, and public hearing commentaries. The

Mayor requested a motion to approve. Roger Harlan, "I move approval of the Master Festival License and Service Provider Agreement with Sundance for the Sundance Film Festival". Fred Jones seconded. Motion carried unanimously.

VIII ADJOURNMENT

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

* * * * * * * *

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

Prepared by Janet M. Scott

Janet M. Scott

Janet M. Scott, City Recorder

PARK CITY
1884

CITY COUNCIL REPORT

DATE: May 17, 2001
DEPARTMENT: Facilities and Special Events
AUTHOR: Alison Kuhlow
TITLE: Concerts in the Park Series
TYPE OF ITEM: Master Festival License Application

SUMMARY RECOMMENDATIONS: Review the Master Festival License application, conduct a public hearing and consider approving the license for the Concerts in the Park.

A. TOPIC

Review of the Master Festival License Application, submitted by the Park City Performing Arts Foundation for the Concerts in the Park Series operating Wednesday evenings from June 27, 2001 until August 29, 2001, excluding July 4, 2001.

B. BACKGROUND

The Concerts in the Park Series has been operating successfully since the early 90's and has historically been organized by the Park City Chamber of Commerce. This year the Concerts in the Park has a new organizer, the Park City Performing Arts Foundation.

The Concerts in the Park Series is held on Wednesday evenings beginning at 6pm and ending at 8pm in the Jack Green Bandstand. The Concert in the Park Series requires review of the Master Festival License by the City Council for two reasons. The first being the use of the Park City Mountain Resort for the park and ride facility. The second being the construction of the skateboard park, coupled with possible elimination of existing spaces as well as the request for use of the Mawhinney lot for parking during the event.

The applicant expects between 250 to 400 people at each performance. The Performing Arts Foundation will be selling water and t-shirts at the event, and at this time there are no additional concessioners anticipated. The Series will not conflict with other approved Master Festival Licensed events in Park City. The applicant has eliminated a concert on the fourth of July in lieu of the Independence Day celebrations.

B. <u>Analysis</u>
The Concerts in the Park will be taking place every Wednesday evening from June 26, 2001 until August 29, 2001, excluding July 4, 2001. Other than the Fourth of July activities the concerts will not conflict with any other events scheduled in City Park.

The main concern from City staff is the traffic impacts to the surrounding neighborhoods from the traffic to the Park. The applicant has addressed Staff's concerns by receiving permission to use Park City Mountain Resort's parking lot as a park-and-ride lot for the event. Park City Mountain Resort will be hosting the Farmers' Market every Wednesday afternoon and the City has permanent bus routes which service the resort which pass by City Park. Park City Mountain Resort is also within walking distance to City Park for those who would rather not ride the bus. With the Farmers' Market occurring prior to the start of the concerts, the applicant believes the park-and-ride situation could benefit both events with customers of the Farmers' Market taking the bus to the Park as well as drawing the audience of the concerts to the resort to park their cars.

The applicant will be promoting the park-and ride lots through announcements on KPCW, providing information at the concerts as well as including the parking information within their press releases.

To curb the parking situation within the park, Staff requests the Council approve the use of the Mawhinney lot for Concerts in the Park, through the approval of the Master Festival License. At the time the Planning Commission reviewed the skateboard park, June 2000, discussion focused on the future use of the Mawhinney lot. The Planning Commission placed a condition restricting parking within that lot unless a Conditional Use Permit or Master Festival License is granted. Staff finds that by opening the Mawhinney lot for use will provide additional parking spaces which were previously available prior to the construction of the skateboard park.

Department Review
The City Special Events Department, Legal Department, Police Department, Transit Department, Parks Department, Building Department and Planning Departments have reviewed of this application. All concerns have been addressed within the Analysis section and within the Conditions of Approval.

<u>ALTERNATIVES</u>

A. Approve the Master Festival License, as conditioned by staff, allowing Wednesday night concerts in City Park.

B. Modify the parameters of the event and approve the Master Festival License, allowing Wednesday night concerts in City Park.

C. Deny the Master Festival License, thereby preventing the Wednesday night concerts in City Park.

D. The City Council may continue the hearing for more information and discussion.

RECOMMENDATION:

Staff recommends approval of the Master Festival License to allow for the Concerts in the Park on Wednesday evenings between June 27, 2001 until August 29, 2001, excluding July 4, 2001, based on the following:

Findings of Fact

1. The applicant has not proposed any street closures. The conduct of the event will not substantially interrupt the safe and orderly movement of public transportation or other vehicular and pedestrian traffic in the area of its Venue.

2. The conduct of the event will not require the diversion of so great a number of police, fire, or other essential public employees from their normal duties as to prevent reasonable police, fire, or other public services protection to the remainder of the City. The placement of the barricades along Park Avenue, near the entrances of City Park, as conditioned, will prevent the need to ticket unlawful parking.

3. The concentration of persons, vehicles, or animals will not unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles on the streets or with the provision of other public health or safety services. The applicant has received permission from Park City Mountain Resort for use of their property as a park-and-ride lot. Information regarding the park-and-ride lot will be included within Public Service Announcements as well as any press releases.

4. The event will not substantially interfere with any other Special Event or Master Festival for which a license has already been granted or with the provision of City services in support of other such events or governmental functions.

5. The event does not create the imminent possibility of violent disorderly conduct likely to endanger public safety or cause significant property damage.

6. The Applicant has demonstrated an ability and willingness to conduct the event pursuant to the terms and conditions of the Park City Municipal Code and has never failed to conduct a previously authorized event in accordance with the law or the terms of a license, or both.

7. The Planning Commission restricted the use of the Mawhinney lot to those who received a Conditional Use Permit or Master Festival License.

8. The facts discussed in the Analysis section are incorporated herein.

Conclusions of Law:

1. The application is consistent with the requirements of the Park City Municipal Code, Title 4, Chapter 8.

Conditions of Approval:

1. The applicant shall place barricades and provide temporary no parking signs along Park Avenue near the entrances to the park.

2. The applicant shall open the Mawhinney lot no more than one hour prior to the start of the concerts and shall secure the lot that evening once all vehicles have left.

3. The Applicant will work with Staff in order to ensure that any safety, health, or sanitation equipment, and services or facilities reasonably necessary to ensure that the event will be conducted with due regard for safety are provided by Applicant.

4. The Applicant shall provide to the Special Events Manager proof of liability insurance as required by the Special Events Manager or the City Attorney's Office, and shall further name Park City Municipal Corporation as an additional insured.

EXHIBITS:

Exhibit A - MFL Application

PARK CITY MUNICIPAL CORPORATION
MASTER FESTIVAL LICENSE
APPLICATION

Please Return to:
Melissa Caffey, Special Events Manager
PO Box 1480 Park City, UT 84060
phone: (435)615-5151 **fax:** (435) 615-4911 **email:** melissa@parkcity2002.com

APPLICANT: PLEASE FILL OUT THIS QUESTIONNAIRE AS IT RELATES TO YOUR PLANNED EVENT. YOU NEED ANSWER ONLY THOSE QUESTIONS WHICH PERTAIN TO YOU OR YOUR EVENT. MARK QUESTIONS WHICH DO NOT APPLY "N/A".

1. Name and Date(s) of Event & Name, address, phone/fax/e-mail **of applicant**

   Wells Fargo Concerts in the Park
   Wednesday evenings from 6-8 PM, June 27- Aug. 29 (except July 4)

   Applicant: * Teri Orr/ Jane Southey
   Park City Performing Arts Foundation
   PO Box 2621
   Park City, UT 84060
   Phone: 655-8252
   Fax: 940-9676
   E-mail: torr@ecclescenter.org

2. Name, address, and phone of person, **other than applicant** who will be responsible for the event in case of an emergency:

   Jane Southey/ Mona Marler/ Jenny Knaak
   (Same address and phone number as above)

3. Name and address of corporate sponsors, if any:

   Wells Fargo (formerly First Security)
   1400 Kearns Blvd., Park City

   Park City Chamber/Bureau
   PO Box 1630
   Park City, UT 84060

4. Location of event/describe property to be used. Applicant must supply written permission from private property owners for the event venue with this application.

   We would like to use the City Park bandstand area.

5. Describe the event in detail (dates, times, crowd expected, activities, etc.)

   In keeping with the format established by the Park City Chamber/Bureau, the Concerts in the Park will take place in City Park from 6 to 8 PM on Wednesday evenings throughout the summer (see attached schedule). We anticipate that 200-450 people will attend each concert, depending on the weather and the popularity of the group performing. The concerts provide an opportunity for community members of all ages to gather in a relaxed and fun outdoor environment while listening to some quality local performers. The event also benefits local musicians by creating a forum for their talents. We request the use of the bandstand and will present several bands which will require amplified sound. Park City Coffee Roasters may be selling beverages and snacks during the event. We plan to start the event set-up approximately at 5 PM and complete clean-up before 9 PM. The music will end at 8 PM sharp.

6. List any street closures desired, as well as times and dates.

   None

7. What parking facilities are available for your event?

   City Park and Park City Mountain Resort
   We will encourage people to "park and ride" or to walk from the resort.

8. Will you be selling concessions? (Yes/ No) Possibly
   If yes, what will you be selling and where will sales take place?

   Park City Coffee Roasters may sell concessions (drinks and snacks) near the bandstand.

   List sales tax number ________________ or tax exempt number N11835

9. Will you be selling clothing or memorabilia which is copyrighted or has a logo for your particular event? (Yes/ No) Possibly
   If yes, how do you plan to enforce exclusivity?
   If we do sell T-shirts etc., they will be PCPAF goods. We will not open up sales to outside vendors.

10. Will you be selling beer during your event? (Yes /No)
If yes, describe location of sales, hours of operation, control of sales to minors, type of containers.

11. Have your alcoholic beverage servers had state certified server training? (Yes/No)
N/A

12. Do you require a consent letter from the City Council for single event liquor sales? (Yes/No) If yes, please note consent must be obtained prior to attending the Alcoholic Beverage Control Commission meeting which occurs only once each month.
N/A

13. Are you going to charge admission to your event? (Yes/No)
If yes, how much will be charged each person $________ and who (person, business, charity) benefits from the admission charge?

14. Is your event for profit or non-profit?

Non-profit

15. The applicant must maintain a comprehensive general liability insurance policy, naming the City as an additional insured, satisfactory to the City, protecting both Licensee and the City against public liability, products liability and property damage. The applicant is required to furnish a Certificate of Insurance certifying coverage for public liability and property damage in the amount of $1,000,000 (One Million Dollars) combined single limit per occurrence, $2,000,000 (Two Million Dollars) in the aggregate and which states the coverage as primary insurance with the City insurance policy being secondary. Please attach Certificate to this application.

We have requested the certificate from our insurance and we will submit it as soon as possible.

16. If you are using or storing flammable materials, including fuels, gasses, or fireworks, where will they be stored? Have you received approval of the Park City Fire Marshall (Yes/ No)

N/A

17. What is the source for your electrical needs?

We request use of the City Park Bandstand electricity.

18. Has the ambulance service been contacted regarding your event? (Yes/No) *
If yes, will they be on stand-by at the scene of your event? (Yes/No)
Given the proximity of the fire station, we do not feel that an on-site ambulance is necessary.
If yes, who will pay any associated fees?
N/A

19. Describe restroom facilities to be used.
We plan to use City Park facilities

Will you be renting portable toilets? (Yes/No)
If yes, how many and where will they be erected? Who will remove them and when?

20. List your anticipated signage needs. Traffic control signs will be supplied and erected by the city, if available. No signage is allowed on state highways without state approval. Other type of off-site advertising signs must have Planning Department review and approval.

We plan to put signage (banners) above the bandstand.

21. Are you requesting city transportation services? (Yes/No)
If yes, are you requesting shuttle service or expanded route service? Describe shuttle route, frequency of service, and expected number of passengers. If you wish expanded route service, describe the new route and times of operation.

We do not anticipate a change in service from existing shuttle routes or frequency. However, we plan to encourage people to use City Transit, by parking at Park City Mountain Resort or other outlying parking lots and taking buses or walking to the concerts.

22. Will you be erecting temporary structures such as grandstands, tents, etc.? (Yes/No)
If yes, describe type of structure, expected use, who will erect, take down, etc. Please note all temporary structures are subject to city inspection to assure compliance with building and fire codes. Please provide any specifications on these structures.

23. Will you be requesting permits for fireworks? (Yes/No) If yes, then describe location of fireworks display, times and types of fireworks (aerial, concussion, etc.)

24. Do you need trash containers supplies by the city? (Yes/No)
If yes, how many and where?

We would like to request that the usual amount of cans in the park remain there for the concerts (approximately 10). We are also working on providing a recycling service and will provide containers for recyclables during the concerts. If the city has permanent recycling bins, we would be more than happy to use those containers.

25. Will you be using a city building? (Yes/No)
If yes, which building, when and for what reason? (Note: Some city buildings may have user fees which apply to your event and are generally NOT waivable)

26. Will you be using a city park? (Yes/No)
If yes, describe park, including pocket parks, times of use, expected crowd, who will clean up, etc. (Note: Some city parks may have user fees which will apply to your event and are generally not waivable.)

We would like to use the City Park Bandstand area from 5 - 9 PM. PCPAF staff and volunteers will set-up before and clean-up after each concert.

Have you made a reservation through the Leisure Services Department for use of city parks? (Yes/No) Nancy Johnson is our contact.

27. Do you desire law enforcement services beyond routine periodic patrol? (Yes/No)
If yes, for what purpose (security, traffic control, parking control)?
State dates and times officers are needed and how many officers you need. (Note: The Chief of Police reserves the right to place officers and staff events in the best interest of public safety interests. All officers remain employees of the city when working private events.)

28. Do you require assistance from the public works department for such items as street maintenance, heavy equipment, sweeping, set-up/take-down, etc.? (Yes/No)
If yes, describe services you feel you need. (Note: City equipment will not be loaned, and your event will be charged for labor, materials and equipment)

29. It is the applicant's responsibility to contact agencies outside of Park City which may be

involved in the permit, inspection, sales, convenience, or assistance process connected with your event. Those agencies may include, but not be limited to: Health Department, Utah Power and Light, Mountain Fuel, Utah Department of Transportation, Alcoholic Beverage Control Commission, Summit County Sheriff, Utah Highway Patrol, Merchants Association, ASCAP, BFI, Summit County Commission. Other:
(Circle those agencies listed above which you have contacted)

30. Are you coordinating your event with the Park City Chamber Bureau and Visitor's Center? (Yes/No)
If yes, which staff member is assisting you? Bill Malone & Meghan Rogers
Have you checked existing event schedules for possible event conflicts? (Yes/No)
If yes, are there any conflicts or simultaneous events?

We will not present a concert on July 4 as it conflicts with city celebrations.

31. Will you require any special communications apparatus such as communication towers, auxiliary equipment etc....? Please describe equipment needed, provider and proposed location. A Special Use Permit may be required for such uses. Permit is issued through the City's Planning Department and is valid for no more than 30 days.

We will use the same sound equipment and technical personnel as last year. We do not anticipate use of any other auxiliary equipment.

32. Please outline any special consideration not included above:

Applicant Signature: Jani M Southey
Date of Application: 4/23/01

2001 Wells Fargo Concerts In The Park

Presented by
The Park City Performing Arts Foundation and KPCW 91.9 FM in Park City

Wednesday Night Summer Concert Series
City Park Bandstand
6:00pm to 8:00 pm
Free Admission

Performer Scheduled

Date	Performers	KPCW Announcer
June 27	Detonators	
July 11	Lo-Fi Breakdown	
July 18	Soul Patrol	
July 25	Spontaneous	
August 1	Motherlode Canyon Band	
August 8	Muddpuddle	
August 15	Sautéed Mushrooms	
August 22	Mary Beth Maziarz	
August 29	Sleepy Ray	

PARK CITY 1884

Resolution No.

RESOLUTION PROCLAIMING MAY 19, 2001
PARK CITY ARBOR DAY

WHEREAS, Park City is vitally interested in maintaining its natural tree resources and other significant flora ; and

WHEREAS, Park City is further interested in planting trees and other significant flora so that the present generation can leave an even more lush and healthy environment to future generations than presently exists; and

WHEREAS, Park City recognizes the importance of educating and involving our citizens in the care, planting and nurturing of our arbor resources; and

WHEREAS, Park City desires to be known as a "Tree City USA" and so join the ranks of those other cities demonstrating their commitment to the arbor resources;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of Park City, Utah proclaim May 19, 2001 as:

PARK CITY ARBOR DAY.

PASSED AND ADOPTED this 17th day of May, 2001.

PARK CITY MUNICIPAL CORPORATION

____
Mayor Bradley A. Olch

Attest:

____
Janet M. Scott, City Recorder

Approved as to form:

____
Mark D. Harrington, City Attorney

The National Arbor Day Foundation®

211 N. 12th Street • Lincoln, NE 68508 • 402-474-5655 • www.arborday.org

March 27, 2001

The Honorable Bradley A. Olch
Mayor of the City of Park City
P.O. Box 1480
Park City, UT 84060

Dear Mayor Olch:

Congratulations to Park City on being named as a 2000 Tree City USA!

Trees and their many benefits to our community have never been more important. Proper tree planting and care today will ensure cleaner, healthier, more tree-filled cities and towns tomorrow.

Tree City USA is a recognized standard of an effective community forestry program and the basis of su a program is a commitment of ongoing improvement and renewal.

Tree City USA is sponsored in cooperation with the National Association of State Foresters and the USDA Forest Service. State foresters are responsible for the presentation of the Tree City USA flag and other materials. We will forward your awards to Brook Lee in your state forester's office. They will be coordinating the presentation with you. It would be especially appropriate to make the Tree City USA award a part of your Arbor Day ceremony.

Again, congratulations on receiving this national recognition for your tree-care program.

Best regards,

John Rosenow
President

cc: Pace Erickson

For more information, contact
John Rosenow, President or
Gary Brienzo, Information Coordinator
at (402) 474-5655

News from
The National Arbor Day Foundation®
100 Arbor Avenue • Nebraska City, NE 68410 • www.arborday.org

FOR IMMEDIATE RELEASE:

Park City Named Tree City USA

Park City has been named a Tree City USA by The National Arbor Day Foundation. It is the eighth year Park City has received this national recognition.

The Tree City USA program is sponsored by The National Arbor Day Foundation in cooperation with the National Association of State Foresters and the USDA Forest Service.

To become a Tree City USA, a community must meet four standards: a tree board or department, a tree care ordinance, a comprehensive community forestry program, and an Arbor Day observance.

"Trees and their many benefits to our communities have never been more important," said John Rosenow, president of The National Arbor Day Foundation. "Proper tree planting and care today will help ensure cleaner, healthier, more tree-filled cities and towns tomorrow."

"Tree City USA is a recognized standard of an effective community forestry program," Rosenow continued. "And the basis of such a program is a commitment to ongoing improvement and renewal."

# # #

PARK CITY
1884

CITY COUNCIL REPORT

DATE: May 17, 2001
DEPARTMENT: Community Development
AUTHOR: Eric DeHaan, P.E., City Engineer
TITLE: Carr Parcel @ 170 Main Street - Exchange of Deeds
TYPE OF ITEM: Administrative

SUMMARY RECOMMENDATIONS: Staff recommends that the Council should approve the exchange of deeds at 170 Main Street with James W. Carr as described in this staff report.

DESCRIPTION:

C. Analysis: Mr. Carr arguably has a claim to title of both parcels. He has agreed to convey his interest in the eastern parcel (717 square feet) to the City in exchange for the City relinquishing our (arguably flawed) title in the 824-square-foot parcel abutting platted Block 20. One possible flaw in the City's title involves the historic home which had long existed on the property before the Colmans acquired what is now the City's interest. The general location of the subject property is shown on Exhibit B. Mr. Carr stipulates in his proposed deed to Park City that the eastern parcel shall remain open space, subject to the City's right to construct and maintain improved or unimproved recreational trails. Staff supports this restriction because the parcel now contains a major sewer line and a major wetland flood channel (Silver Creek). The heavily-used footpath leading from Swede Alley up to Prospect Street lies on City property just east of the subject parcels. By approving the exchange of deeds we eliminate the chance of a quiet title action against the City.

D. Department Review: This issue has been reviewed by the City Engineer and the Legal Department. No issues remain unresolved to the best of our knowledge. Guided tours of the site are available from the City Engineer. Please call 615-5075 to arrange a tour if desired. Incidentally, the home at 170 Main has received a Historic District grant in 2001 from the Main Street RDA.

ALTERNATIVES:

A Approve the Request: This is the staff's recommendation. The exchange of deeds will

WHEN RECORDED MAIL TO:

Park City Municipal Corporation
Legal Department
445 Marsac Avenue
Park City, Utah 84060

QUIT CLAIM DEED

JAMES W. CARR, GRANTOR, for ten dollars ($10.00) and other good and valuable consideration, hereby quit claims to **PARK CITY MUNICIPAL CORPORATION, GRANTEE,** the following described tract of land located in Summit County, State of Utah:

SEE ATTACHED EXHIBIT "A"

GRANTEE agrees that the above described tract of land shall be used exclusively for open space, subject to the City's right to construct and maintain improved and/or unimproved recreational trails on the land, and subject to any easements of record at the office of the Summit County Recorder.

WITNESS the hand of the GRANTOR this ______ day of ___________, 2001.

GRANTOR

____
James W. Carr

State of Utah)
ss.
County of Summit)

The above Quit Claim Deed was acknowledged before me on the _______ day of __________, 2001, by James W. Carr, who did acknowledge to me that the foregoing Quit Claim Deed was executed by him.

____
Notary Public

Residing at:________________________

Commission Expires:_________________

qc deed carr to pc 4.23.01 (DWJ 4-01)

EXHIBIT "A"

LEGAL DESCRIPTION

PCMC PARCEL

Beginning at a point South 81°31'00" East 21.57 feet from the southeast corner of Lot 2, Block 20, Park City Survey, according to the Official Plat thereof on file and of record in the office of the recorder, Summit County Utah; and running thence North 08°29'00" East 28.17 feet to a point on the southerly line of a parcel as deeded to Dale Nelson, Entry # 146253, Recorded 5-17-78, Book M113, Page 370; thence along the southerly line South 83°56'00" East 25.02 feet; thence South 08°29'00" West 29.22 feet; thence North 81°31'00" West 25.00 feet to the point of beginning.

Description contains 717 square feet

Y:\Pcs\Docs\Pcmc parcel.doc

WHEN RECORDED MAIL TO:

JAMES CARR
526-B Via de la Valle
Solana Beach, CA 92075

QUIT CLAIM DEED

PARK CITY MUNICIPAL CORPORATION, GRANTOR, for ten dollars ($10.00) and other good and

valuable consideration, hereby quit claims to JAMES W. CARR, GRANTEE, the following described tract of land

located in Summit County, State of Utah:

SEE ATTACHED EXHIBIT "A"

WITNESS the hand of the GRANTOR this _______ day of ____________, 2001.

GRANTOR
PARK CITY MUNICIPAL CORPORATION

____
Bradley A. Olch, Mayor

ATTEST:

____
Jan Scott, Asst. City Recorder

State of Utah)
ss.
County of Summit)

The above Quit Claim Deed was acknowledged before me on the _______ day of __________, 2001, by Bradley A. Olch and Jan Scott, who each for himself or herself, respectively, did say that he is the Mayor and she is

EXHIBIT "A"

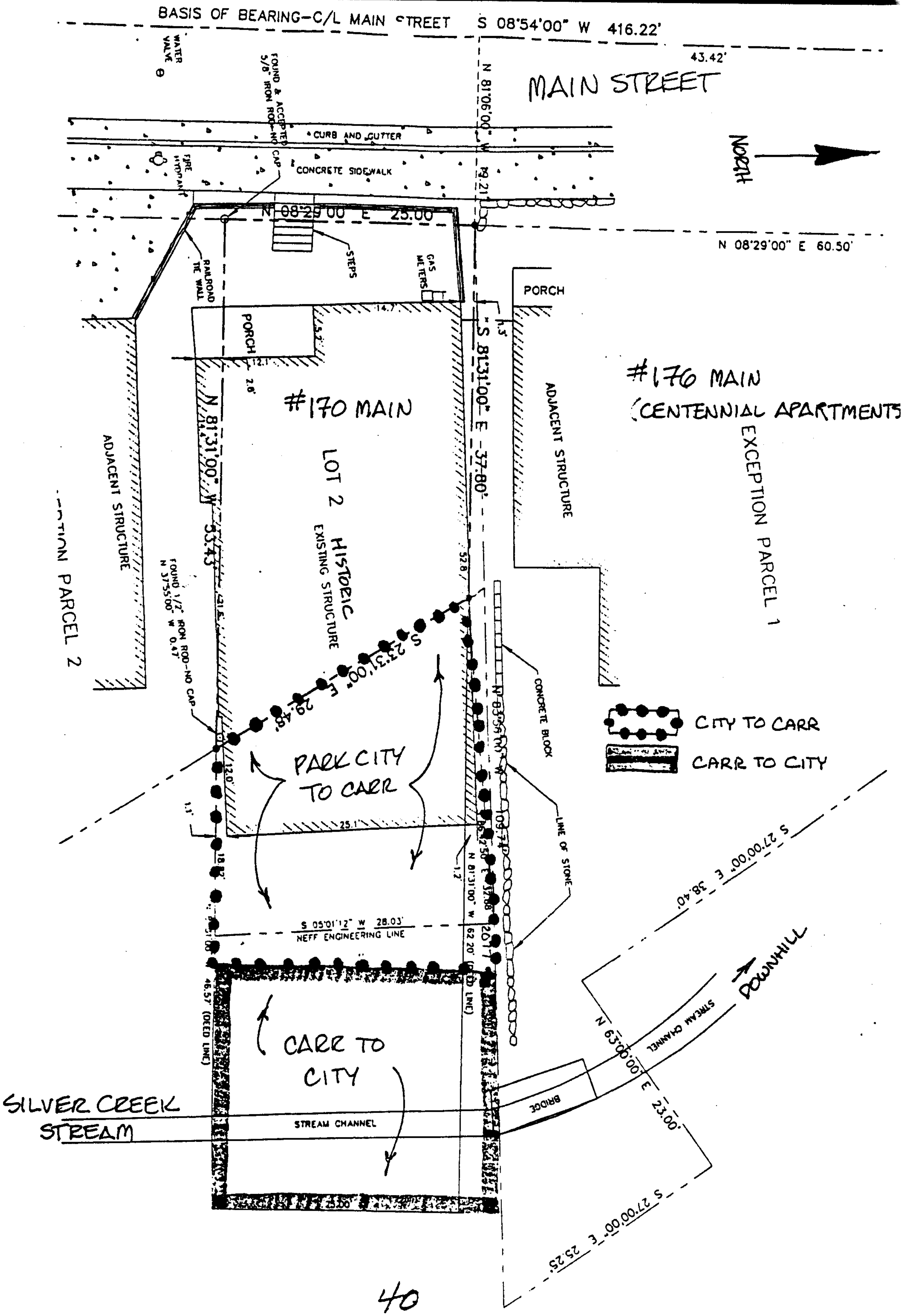
LEGAL DESCRIPTION

CARR PARCEL

Beginning at the southeast corner of Lot 2, Block 20, Park City Survey, according to the Official Plat thereof on file and of record in the office of the recorder, Summit County Utah; and running thence along the easterly line of Lot 2, North 23°31'00" West 29.48 feet to the northeast corner of Lot 2; thence North 23°31'00" West 1.83 feet to a point on the southerly line of a parcel as deeded to Dale Nelson, Entry # 146253, Recorded 5-17-78, Book M113, Page 370; thence along the southerly line South 83°56'00" East 38.20; thence South 08°29'00" West 28.17 feet; thence North 81°31'00" West 21.57 feet to the point of beginning.

Description contains 824 square feet

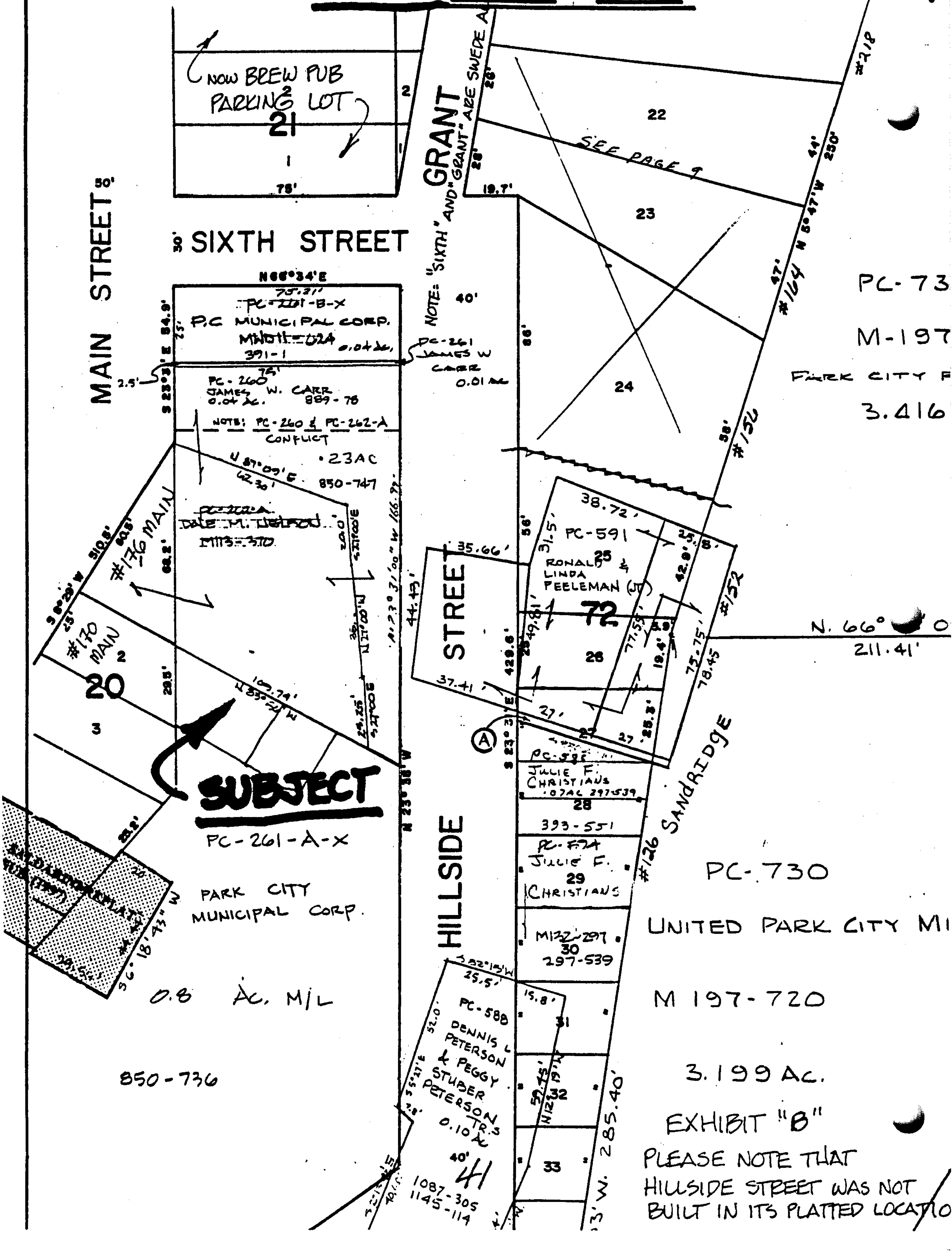
Y:\Pcs\Docs\Carr parcel.doc


BASIS OF BEARING-C/L MAIN STREET S 08°54'00" W 416.22'
MAIN STREET
NORTH
CURB AND GUTTER
CONCRETE SIDEWALK
FIRE HYDRANT
WATER VALVE
N 08°29'00" E 25.00
N 08°29'00" E 60.50'
43.42'
STEPS
GAS METERS
RAILROAD TIE WALL
PORCH
#170 MAIN
LOT 2
HISTORIC
EXISTING STRUCTURE
#176 MAIN
(CENTENNIAL APARTMENTS
EXCEPTION PARCEL 1
ADJACENT STRUCTURE
EXCEPTION PARCEL 2
S 81°31'00" E 37.80'
N 81°31'00" W 53.43'
S 23°31'00" E 29.48'
FOUND 1/2" IRON ROD-NO CAP N 37°55'00" W 0.47'
CONCRETE BLOCK
LINE OF STONE
CITY TO CARR
CARR TO CITY
PARK CITY TO CARR
S 05°01'12" W 28.03'
NEFF ENGINEERING LINE
46.57' (DEED LINE)
CARR TO CITY
SILVER CREEK STREAM
STREAM CHANNEL
BRIDGE
DOWNHILL
S 27°00'00" E 38.40'
N 63°00'00" E 23.00'
S 27°00'00" E 25.25'
25.50'

40

EXHIBIT A

1878 PARK CITY - BLOCKS 20,



DATE: May 11, 2001
DEPARTMENT: Building Department
AUTHOR: Ron Ivie, Chief Building Official
TITLE: Fee Resolution Change
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: **Staff recommends that Council approve an amendment to Resolution 03-01 Fee Resolution, to more accurately reflect cost of service.**

DESCRIPTION:

A. Topic: This amendment would increase the fee charged under Section 1.2.8 Uniform Fire Code Fees for temporary structures, i.e. Tents, and Air-supported Structures, etc., from $20.00 to $.20 per square foot (temporary structures built to permanent standards will be subject to fees set forth in Section 1.2.2.

B. Background: The Building Department charges fees for this type of work. The fees have not been updated for years. This falls under the purview of the fire code.

C. Analysis: The adjustment of fees will create a revenue neutral position for the inspection service performed for this type of work. This is needed to ensure that our costs will be covered for the set ups involved for the upcoming Olympics.

D. Department Review: This proposal has been reviewed by the Community Development Department.

ALTERNATIVES:

A. Approve the Request: A fee adjustment will help to generate revenues equal to cost of service for the added Olympic inspection services.

B. Deny the Request: This would result in revenues being less than the cost of services

C. Continue the Item: This would be the same as no action.

SIGNIFICANT IMPACTS: This will impact all of our temporary buildings, adding cost to special events.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION: Building Inspectors will be performing more work for less money.

RECOMMENDATION: Staff recommends that Council approve an amendment to Resolution 03-01, Fee Resolution, to more accurately reflect cost of service.

Resolution -01

RESOLUTION AMENDING SECTION 1.2.8, UNIFORM FIRE CODE FEES, OF RESOLUTION NO. 03-01, FEE RESOLUTION, AND REPLACING RESOLUTION NO. 03-01 IN ITS ENTIRETY

WHEREAS, it is necessary to update the fee schedule to reflect the changing costs of performing services and providing public benefits; and

WHEREAS, the City has conducted an analysis of construction related reviews and has determined that the actual cost of performing such reviews exceeds the existing permit fees; and

WHEREAS, the City Council desires to recover a portion of the costs for processing construction related applications; and

WHEREAS, pursuant to statutory authority, Park City is authorized and desires to enact and amend its fee schedule;

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

SECTION 1. AMENDMENT Resolution 03-01 is hereby amended in its entirety by the schedule attached as Exhibit A.

SECTION 2. EFFECTIVE DATE This Resolution shall take effect on upon adoption.

PASSED AND ADOPTED this 17th day of May, 2001.

PARK CITY MUNICIPAL CORPORATION

____
Mayor Bradley A. Olch

Attest:

____
Janet M. Scott, City Recorder

Approved as to form:

____
Mark D. Harrington, City Attorney

EXHIBIT A

1.2.8 Uniform Fire Code Fees	ISSUANCE FEE	$10.00

In Addition:

Aircraft Refueling Vehicles	$30.00
Bonfires or Rubbish Fires	10.00
Burning in Public Places	10.00
Candles and Open Flames in Assembly Area	15.00
Excavations Near Flammable or Combustible Liquid Pipelines	15.00
Explosives or Blasting Agents	45.00
Fireworks	30.00
Flammable Liquids	15.00
Flammable or Combustible Liquid Tanks	15.00
Garages	15.00
Liquefied Petroleum Gases	15.00
Places of Assembly	15.00
Others not listed	15.00

Tents, air-supported structures and trailers——————— ~~20.00~~ $.20 per square foot
Temporary structures built to permanent standards will be subject to fees set forth in Section 1.2.2.

1.2.9 Grading Plan Review and Permit Fees

See attached appendix of fees as adopted by the Uniform Building Code Table No. 70-A and 70-B, adopted by Park City and incorporated herein by this reference.

1.2.10 Soil Sample Fee $100

1.3 **Engineering Fees**

1.3.1 Construction Inspection Fees

Prior to receiving a building permit, a notice to proceed or plat approval, developers shall pay a fee equal to six percent (6%) of the estimated construction cost as determined by the City Engineer. In projects with private street systems that limit city inspection requirements to water, drainage, and other improvements, but not to streets, the inspection fee shall be four percent (4%) of the estimated construction cost of the improvements to be inspected as determined by the City Engineer. The city, upon notice to the developer, may charge the developer a fee of $25.00 per man-hour to recoup costs to the city above the fee charged. The city may also charge $25.00 per man-hour for re-inspections of work previously rejected.

1.3.2 Permit to Work in Public Right-of-Way

CHAPTERS 3, 5, AND 15 UNDER SEPARATE COVER

PARK CITY
1884

CITY COUNCIL STAFF REPORT

DATE: May 17, 2001
DEPARTMENT: Planning Department
AUTHOR: Kirsten Whetstone, AICP KAW
TITLE: LMC Re-write- Phase II
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS Conduct a public hearing, consider input, and consider adopting an ordinance to amend the Land Management Code (LMC), specifically Chapter 3- Planning Commission, Chapter 5- Board of Adjustment, and Chapter 15- Subdivision General Provisions, being a portion of LMC re-write- Phase II.

BACKGROUND

Revisions to Chapters 3. 5, and 15 are primarily administrative in nature and consist of editing for accuracy and consistency with other sections. Staff has incorporated comments from the City Council, Planning Commission, staff, and the public from past public hearings. The Planning Commission held public hearings on February 28 and March 28, 2001. On April 26, 2001 the City Council held a public hearing to discuss these three Chapters. There was no public input.

The following is a general summary of the revisions recommended by staff.

Chapter 3- Planning Commission (now Section 15- Chapter 12)
Proposed changes to the Planning Commission chapter of the LMC are primarily administrative rather than substantive (see Exhibit A). The Chapter has been edited and re-organized for clarity. This Chapter has been re-numbered to Title 15, Chapter 12. With revisions to Chapter 10 (MPD's) much of the language regarding MPD's in this chapter has been deleted. Revisions to the Planning Commission chapter, bring it into conformance with State law regarding Planning Commissions and achieve consistency with the remainder of the LMC.

Other changes include updating the Minutes section to comply with the Open and Public Meetings section of the Utah Code and accommodating requirements in other Chapters of the Land Management Code.

Chapter 5- Board of Adjustment (now Title 15- Chapter 10)
Proposed changes to the Board of Adjustment chapter are relatively minor (see Exhibit B). This chapter has been re-numbered to Title 15, Chapter 10. Elimination of the requirement that a member of the Board also be a member of the Planning Commission, is the most significant change. This eliminates possible conflicts of interest that would arise when applicants would appeal Planning Commission decisions to the Board of Adjustment.

Other changes include updating the Minutes section to comply with the Open and Public Meetings section of the Utah Code and accommodating requirements in other Chapters of the Land Management Code.

Chapter 15- Subdivisions (now Title 15- Chapter 7)
Only minor changes have been made to this chapter (see Exhibit C). This chapter has been re-numbered to Title 15, Chapter 7. The chapter has been re-organized and modified to conform to current Utah Code requirements regarding Subdivisions. The attached draft has been revised to reflect comments received by the City Council, Planning Commission, and public.

<u>RECOMMENDATION</u> Staff recommends the Council conduct a public hearing, discuss any outstanding issues, and consider adopting the ordinance amending the Land Management Code for Chapters 3, 5, and 15.

The remainder of Phase II of the Land Management Code re-write, including Chapters 10 and 11 (Master Planned Developments), Chapter 6 (Planning and Zoning Administration), Chapter 8 (Supplemental Regulations) and Chapter 14 (Child Care Regulations), is scheduled for a public hearing before the Council on June 21, 2001. Chapter 4 (Historic District Commission) is scheduled for a public hearing at the June 7, 2001 meeting.

<u>EXHIBITS</u>

A. **Chapter 3- Planning Commission**
B. **Chapter 5- Board of Adjustment**
C. **Chapter 15- Subdivisions**

Exhibits are attached to Council packets only. Additional copies are available at the Planning Department.

Ordinance No. 2001-

**AN ORDINANCE APPROVING A COMPREHENSIVE AND SUBSTANTIVE RE-WRITE OF THE LAND MANAGEMENT CODE OF PARK CITY, UTAH, SPECIFICALLY FOR:
CHAPTER 3- PLANNING COMMISSION,
CHAPTER 5- BOARD OF ADJUSTMENT, AND
CHAPTER 15- SUBDIVISION GENERAL PROVISIONS AS RENUMBERED AND INCLUDED IN THE BODY OF THE MUNICIPAL CODE AS FOLLOWS:
CHAPTER 3 BECOMES TITLE 15, CHAPTER 12
CHAPTER 5 BECOMES TITLE 15, CHAPTER 10
CHAPTER 15 BECOMES TITLE 15, CHAPTER 7**

WHEREAS, the Land Management Code is designed and enacted to implement the objectives of the Park City General Plan; to protect the general health, safety, and welfare of Park City's citizen's and property owners; to maintain the quality of life and experience for its residents and visitors; and to preserve the community's unique character and values;

WHEREAS, in January of 1998 the City Council directed staff to undertake a comprehensive and substantive re-write of the Land Management Code;

WHEREAS, the City is in the process of a comprehensive rewrite of the entire Land Management Code to reorganize the document's structure, clarify and resolve inconsistencies, update regulations to be consistent with the General Plan, and provide self-contained (user-friendly) Chapters;

WHEREAS, the Planning Commission duly noticed and conducted several public hearings at its regularly scheduled meetings, on February 28 and March 28, 2001 and forwarded to City Council a positive recommendation on Chapters 3, 5, and 15;

WHEREAS, the City Council duly noticed and conducted public hearings at its regularly scheduled meetings on April 26 and May 17, 2001; and

WHEREAS it is in the best interest of the residents of Park City, Utah to amend the Land Management Code to be consistent with the General Plan and the values and identified goals of the Park City community, to protect health and safety, to maintain the quality of life for its residents; and to preserve the community's unique character.

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

SECTION 1. AMENDMENT TO CHAPTER 3 OF THE LAND MANAGEMENT CODE. Chapter 3 is hereby deleted and replaced by LMC Title 15, Chapter 12 attached hereto as Exhibit A. Any conflicts or cross-references from other provisions of the LMC to Chapter 3 shall be resolved by the Community Development Director. Defined terms in Title 15, Chapter 12 shall be defined in accordance with the LMC, Title 15, Chapter 15.

SECTION 2. AMENDMENT TO CHAPTER 5 OF THE LAND MANAGEMENT CODE. Chapter 5 is hereby deleted and replaced by LMC Title 15, Chapter 10 attached hereto as Exhibit B. Any conflicts or cross-references from other provisions of the LMC to Chapter 5 shall be resolved by the Community Development Director. Defined terms in Title 15, Chapter 10 shall be defined in accordance with the LMC, Title 15, Chapter 15.

SECTION 3. AMENDMENT TO CHAPTER 15 OF THE LAND MANAGEMENT CODE. Chapter 15 is hereby deleted and replaced by LMC Title 15, Chapter 7 attached hereto as Exhibit C. Any conflicts or cross-references from other provisions of the LMC to Chapter 15 shall be resolved by the Community Development Director. Defined terms in Title 15, Chapter 7 shall be defined in accordance with the LMC, Title 15, Chapter 15.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED this 17th day of May 2001

PARK CITY MUNICIPAL CORPORATION

____

Mayor Bradley A. Olch

Attest:

____

Jan Scott, City Recorder

Approved as to form:

____

Mark D. Harrington, City Attorney

AGREEMENT UNDER SEPARATE COVER

PARK CITY 1884

COUNCIL AGENDA REPORT

DATE: May 17, 2001
DEPARTMENT: Office of Capital Management and Budget & City Attorney's Office
AUTHOR: Tom Bakaly, Assistant City Manager and Mark Harrington, City Attorney
TITLE: Mater Festival License and Service Agreement with the Sundance Institute
TYPE OF ITEM: Administrative/Legislative

SUMMARY RECOMMENDATIONS: The City Council should: 1) Hold a public hearing regarding a Master Festival License (MFL) and Service Agreement with the Sundance Institute; and 2) Approve a Master Festival License and authorize the Mayor to execute a Service Agreement with Sundance as attached in a form approved by the City Attorney.

DESCRIPTION:

A. Topic: Mater Festival License and Service Agreement with the Sundance Institute

B. Background: Park City has been the home of the Sundance Film Festival for almost 20 years. In that time, Park City has evolved with the Sundance Institute in accommodating the ever growing popularity and recognition of the Festival. The 2001 Festival was an example of successful collaboration between the Sundance Institute and Park City. Our increased code enforcement and Sundance's effort to educate their film makers allowed the 2001 festival to run very smoothly. As Sundance's popularity has grown, the Salt Lake City Chamber Bureau has expressed interest in having the Festival be headquartered in Salt Lake. Sundance's commitment has been on a year-to-year basis. They are currently committed to Park City through the 2002 festival. Pursuant to the goal of having Sundance stay in Park City, Park City and the business and arts community have approached Sundance with an offer to enter into a long-term agreement.

Prior to making an offer to Sundance, the City wanted a better understanding of the economic benefit that Sundance brings to Park City. The analysis section of this report contains a brief summary of that economic analysis. The analysis section also contains a brief summary of the deal points associated with the Services Agreement. Staff has been meeting with Sundance over the last months to develop the attached Services Agreement. Staff has interacted frequently with the business community as relevant issues arose.

C. Analysis: In order to assess the direct benefit of the Sundance Film Festival to Park City, the City analyzed the economic impact of the Festival on Park City and Summit County. The table below summarizes the economic benefit of Sundance. In summary, Park City receives an additional $146,801 in tax revenues from the Sundance Film Festival, while Summit County and in turn the Park City Chamber & Visitor's Bureau ("PCCVB") receive an additional $261,402, largely due to the impacts of the countywide transient room tax. Park City revenues from sales are offset by roughly $23,746 in direct costs; however, the City charges Sundance $35,137 to provide services. The total benefit to Park City Municipal Corporation is therefore estimated at $158,192.

SUMMARY OF REVENUE IMPACTS TO PARK CITY and SUMMIT COUNTY

	Park City Revenue Impacts				Summit County Revenue Impacts					PCCVB
	General Sales	Resort Tax	Transit Tax	Total PC	General Sales	Transient Room	Restaurant Tax	RAP Tax	Total Summit County	Transient Room
Lodging	$60,817	$81,090	$20,273	$162,180	$20,273	$24,327	na	$8,109	$52,709	$218,943
Ski Industry	($15,022)	($20,029)	($5,008)	($40,059)	($5,007)	na	na	($2,003)	($7,010)	na
Restaurant	$8,094	$10,792	$2,698	$21,584	$2,698	na	$10,792	$1,079	$14,569	na
Retail	$1,161	$1,548	$387	$3,096	$387	na	na	$155	$542	na
TOTAL	$55,050	$73,401	$18,350	$146,801	$18,350	$24,327	$10,792	$7,340	$60,809	$218,943

In summary, direct benefits total $437,944 ($158,192 to Park City; $60,809 to Summit County; and $218,943 to the Park City Chamber & Visitor's Bureau). The scope of this analysis does not include indirect impacts (also known as "multiplier effects") generated by the initial direct expenditures within Park City. This is not, therefore, an evaluation of total consumer impacts to the region or State. Sundance's analysis that the economic impact of the festival is roughly $37 million for the State seems to have included indirect impact estimates of the festival.

The analysis shows that overall, Park City, Summit County and the Chamber Bureau receive over $400,000 in incremental tax revenue from the Sundance Film Festival. As can be seen from the economic impact table, with the exception of the ski industry, all major segments of the business community benefit from Sundance. The losses in the ski industry are obviously more than made up in increases to lodging, restaurant and retail business. As an example, lodging relating to skiing would need to increase by roughly 30% over normal January ski lodging numbers in order to compensate for Sundance not occurring in Park City.

Deal Points of Master Festival License and Service Agreement: Using the economic analysis and a knowledge of Sundance's needs as a guide, the City has put together a Master Festival License and Service Agreement (attached). This document is a collaborative effort between The City, Summit County, the Chamber Bureau, the Lodging Association, the Historic Main Street Business Alliance (HMBA) and the Restaurant Association. While not directly involved in the Service Agreement, the arts community was supportive of efforts to keep the Sundance Film Festival in Park City. Park City should be proud that all of theses groups have come together in the best interests of the community as a whole. The financial implications of the deal points are summarized in the Significant Impacts section of this report. Attached is a letter of intent (signed by Sundance) to agree to the attached Services Agreement. The following is a brief summary of the major components of the attached Master Festival and Service Agreement.

Term: The initial term of the contract would be 2002 - 2005. There is an additional three year option that if exercised would run from 2006 - 2008.

Headquarters Provisions: There is a provision in the Services Agreement that calls for 70% of Sundance's official, ticketed activities to remain in Park City. Many of the financial offers from the City and business community for 2002 were contingent upon a longer term Festival commitment to remain and be headquartered in Park City. This provision helps guarantee that the focus of the Festival will remain in Park City.

Marketing Provisions: The Service Agreement memorializes existing practices of mentioning Park City on Sundance Film Festival literature whenever possible.

Festival Regulation Provisions: The Services Agreement states that Park City shall develop plans for effectively managing other activities and non-Sundance film events in Park City during the use period.

Sub-Agreements: As attachments to the Service Agreement with the City, there are agreements with the Park City Chamber Bureau, Lodging Association, and Restaurant Association concerning offers that those entities have made to Sundance.

D. **Department Review**: This report has been reviewed by the Legal Department and the City Manager's Office. Issues relating to certain departments (transportation, technology, etc.) have been individually reviewed with departments. The report has been reviewed by the Chamber.

ALTERNATIVES:

A. Approve the Request: **Staff recommends approval of the Master Festival License and authorize the Mayor to execute a Service Agreement with Sundance as attached in a form approved by the City Attorney based on the following:**

Findings of Fact

1. **The conduct of the event will not substantially interrupt the safe and orderly movement of public transportation or other vehicular and pedestrian traffic in the area of its Venues.**

2. **The conduct of the event will not require the diversion of so great a number of police, fire, or other essential public employees from their normal duties as to prevent reasonable police, fire, or other public services protection to the remainder of the City. The placement of the barricades along venues will prevent unlawful parking.**

3. **The concentration of persons, vehicles, or animals will not unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles on the streets or with the provision of other public health or safety services. The applicant has received or will receive permission from all necessary private venues for use of their property.**

4. **The event will not substantially interfere with any other Special Event or Master Festival for which a license has already been granted or with the provision of City services in support of other such events or governmental functions.**

5. **The event does not create the imminent possibility of violent disorderly conduct likely to endanger public safety or cause significant property damage.**

6. **The Applicant has demonstrated an ability and willingness to conduct the event pursuant to the terms and conditions of the Park City Municipal Code and has never failed to conduct a previously authorized event in accordance with the law or the terms of a license, or both.**

7. **The recitals in the Agreement are incorporated herein as findings.**

8. **The facts discussed in the Analysis and Substantial Impaces section are incorporated herein.**

<u>Conclusions of Law</u>:

1. **The Agreement and MFL is consistent with the requirements of the Park City Municipal Code, Title 4, Chapter 8.**

B. <u>Amend the Request:</u> Council could chose to amend the Services Agreement. Depending upon the significance of the changes, this may cause a delay in executing the agreement.

C. <u>Deny the Request:</u> Denying the request will cause the City to continue its year-to-year relationship with Sundance.

D. <u>Do Nothing:</u> This would essentially have the same impact as continuing the item.

E. <u>Continue the Item:</u> The next available Council meeting is June 7, 2001. Sundance has expressed a desire to have the agreement executed prior to the end of May.

<u>**SIGNIFICANT IMPACTS:**</u> The table on the next page highlights the financial aspects of the agreement. With the exception of the increased bus service, the commitments from the City are included in the recommended FY 2002 budget that Council is scheduled to tentatively adopt on June 7, 2001. If Council approves the attached Services Agreement, the operating budget for the Transportation Fund will likely need to be amended. Since the Transportation Fund is an enterprise fund, they will need to match these additional expenses with their own revenues.

Financial Components of Services Agreement

OFFER	AMOUNT/VALUE	COMMENTS
Lodging Offer	Unknown	Agree to explore and implement a central reservation system by 2003 and help solve lodging issues for 2002.
Chamber Contribution	$70,000	$50,000 in cash for problem solving; $20,000 in rent for Main Street Mall Technology Center in 2002 only; ski tickets (150 VIP & 300 Press), space at visitor center, and lodging system assistance
Restaurant Contribution Made by Summit County	$75,000	Amount represents 2001 award and any future grants are subject to annual County approval process
City Contribution	$25,000	City Service Contract Recommended in upcoming Budget for film services
City Contribution	$25,000	Cash & Staff Resources for Upgrade of Public & Private Film Venues
Transportation Services	(Value) $51,200 (City Cost) $31,200	Theater Loop Service (4 Buses) & Parking Lot Shuttle (1 Bus)
City Service & Fee Reduction	$16,537	No Charge for Barricades ($5,750), First 500 hours of Enforcement Costs - Police & Code ($7,400) & No rent charge for basement use of Miner's Hospital ($3,387)
Technology Solutions	Unknown	Cooperative Approach to Technology
Sundance Shorts - Olympics	Unknown	Possible use of Large Screen Videos on Main Street during the Olympics
PR marketing	Unknown	International Exposure for both
Use of Transit Center	Unknown	New Facility Near Main Street
Value of City Contribution	**117,737**	
Cost of City Contribution	**$97,737**	
Annual Grand Total Value	**$262,737**	

While some of the areas above have an unknown financial value, there will be an impact to the allocation of staff resources. The Services Agreement formalizes the City's role in facilitating and assisting Sundance with issues such as parking management, technology solutions and transportation management. The Services Agreement also memorializes existing practices such as reserving a limited number (5) of parking spaces on Main Street for Sundance use in connection with film venues.

CONSEQUENCES OF NOT TAKING RECOMMENDED ACTION: The consequences of not taking the recommended action would be to continue on a year-to-year contractual relationship with the Sundance Institute for the Film Festival. Given the recent interest shown by Salt Lake City in the Festival, it is possible that the Festival might be headquartered outside of Park City after 2002.

RECOMMENDATION: The City Council should: 1) Hold a public hearing regarding a Master Festival License (MFL) and Service Agreement with the Sundance Institute; and 2) Approve a Master Festival License and authorize the Mayor to execute a Service Agreement with Sundance as attached in a form approved by the City Attorney.

PARK CITY

Legal Department

May 11, 2001

Nicole Guillemet
Sundance Film Festival
P.O. Box 3630
Salt Lake City, Utah 84110
Via fax to: 801.575.5175

RE: Long-Term Contract Letter of Intent

Dear Nicole:

This letter shall serve to confirm my prior discussions with you and Jill Miller regarding the status of contract discussions aimed at ensuring that the Sundance Film Festival remains in Park City long term.

Representatives from the City and the Sundance Institute have agreed to a four-year agreement commencing in 2002, with a three year renewal option, pending final approval of the agreement by City Council on May 17, 2001. The agreement shall be substantially in the same form as the draft dated May 11, 2001.

Sincerely,

Mark D. Harrington
City Attorney

Acknowledged: Nicole Guillemet
for Sundance Institute
its Vice President

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Park City Municipal Corporation • 445 Marsac Avenue • P.O. Box 1480 • Park City, UT 84060-1480
Phone (435) 615-5025 • FAX (435) 615-4914

PARK CITY
1884

COUNCIL AGENDA REPORT

DATE: May 17, 2001
DEPARTMENT: Office of Capital Management and Budget
AUTHOR: Tom Bakaly, Mark Christensen
TITLE: FY2001 Budget Adjustment (current), FY2002 Tentative Budget (next year) and FY2003 Fiscal Plan
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATION:

- Review the budget and Conduct a Public Hearing on May 17th, June 7th and June 21th; Amend the FY2001 budget; Adopt the FY2002 tentative budget with recommended changes as the FY2002 budget. (Tentative adoption is scheduled for June 7, 2001 and final adoption on June 21st).

- Adopt the "Certified Property Tax Rate" {No Tax Increase Rate} for FY2002. [*Actual tax rate will not be known until Mid June]*

- Review & adopt the recommended changes to the FY2001 budget (Tentative adoption is scheduled for June 7, 2001 and final adoption on June 21, 2001.)

DESCRIPTION:

A. Topic: In accordance with Utah State Code, the City Council must adopt a budget for each fiscal year. Last year, as part of the budget process, the City adopted the second year of the two-year budget process. This year the City Council will adopt both a budget for FY2002 and a financial plan for FY2003. It is also now time to formalize the Olympic Budget, which was created in 1999, by appropriating funds and adopting the FY2002 budget which includes the Olympic Budget. At the same time, the City Council also should adopt an adjusted budget for the current Fiscal Year (FY2001).

B. Background: During first year of the two-year budget, the City usually emphasizes pay plan revisions, capital improvements updates and changes that need to be made to the current year budget, and simultaneously develop a fiscal plan for the second year of the budget process.

The budget presentation for this year will focus on the recommended changes to the FY2002 budget and the FY2003 Plan. Accompanying this report is a new budget document that contains updated policies and objectives, an updated Olympic Budget, the conclusions from the Program and Resource Analysis and a comprehensive operating budget for FY2001, FY2002, and FY2003.

City Council should plan to use its new budget document as a "guide" during this budget process. Budget discussions will focus on changes that are significant in the operating budget, capital projects and the Olympic Budget. The following is the recommended schedule for reviewing the FY2002 Budget - FY2003 Plan:

May 17th	**Operating Budget and Capital Improvement Budget** 1) Pay Plan (if needed- reviewed on 5-03-01) 2) Departmental Review - Budget Options 3) City Service Contracts 4) New and Modified CIP Projects 5) Budget Wrap-up
May 17th	1) Hold Public Hearing on the Budget and continue to 6/07/2001. 2) Discussion on budget as needed
May 24th	No meeting scheduled.
May 31st	No meeting scheduled.
June 7th	1) Hold Public Hearing on the Budget and continue to 6/21/2001. 2) Tentative adoption of FY2002 Budget (no tax increase) 3) Tentative adoption of FY2001 Amended Budget 2) Tentative adoption of FY2003 Plan (no tax increase)
June 21st	Continuation and closure of the public hearing on the budget, with final adoption, by resolution, of both the FY2002 Budget, the FY2001 Adjusted Budget and the FY2003 Plan with a no increase tax rate for FY2002.

C. Analysis:

Pay Plan: On May 3, Staff discussed the FY2002 and FY2003 Pay Plan. Details of the fiscal impacts of the pay plan can be found on page 4 of the Introduction section of the budget document.

Departmental Review: Under the each department tab in the budget document there is information that highlights the budget detail for that department. These sections are designed to outline the significant expenditures and staffing changes that occur within each department. These sections also outline program descriptions and objectives for FY2002 and FY2003. These sections will not be covered in great detail during the budget meeting on May 17th. However, any specific questions or concerns should be addressed at that time as Council will need to adopt a tentative budget on June 7th.

Operating Budget Issues: The largest operating issue for this budget process is the Olympic Budget which was presented to Council on May 10th. The individual department Olympic requests are found under the departmental tabs of the budget beginning on page 56. The total Olympic event represents roughly $5.7 million in revenue and expenditures for FY2002.

The City has received a request from the Mountainland Association of Governments for an increased appropriation of $1,262 for FY2002. (please see Attached letter). This request was not included in the tentative budget. Council should direct Staff to either amend the budget for this amount or reject this request. We have notified the Executive Director of Mountainlands so that he might attend our meeting.

Please note that the Operating budget anticipates funding for hanging baskets which was removed from the budget last spring. The Recreation Department submitted a budget request for winter operation of the lap pool that is not funded because insufficient revenues were raised to fund the service and logistical problems associated with winter operations. Representatives from the Recreation Department will be available for any questions on Thursday.

Special Service Contracts: This year there are several requests for special service contracts. The HMBA in the fall requested funds to help fund an administrative position. This individual request was to look for ways to increase the economic viability of the Main Street Business area. The HMBA has requested funding for this to continue. Council directed Staff to fund this in part through the contingency budget and in part through the Transit Fund for FY2001 only. See attached letter. The FY2002 budget does not include a public service contract for HMBA.

This budget anticipates a special service contract for Sundance for approximately $50,000 in FY2002 and FY2003. The first $25,000 of this contract will be used in part to fund film services associated with event. The other $25,000 will be used to fund film venue improvements (public and private) in Park City.

For the past two years the City has partially funded the ESL program that is run by the Park City School District. These requests have been funded through the Council's Unspecified Special Service Contract Account. Over the past few years the balance of funds in this account have been reduced and now only the ongoing appropriation remains. This request is not currently funded as part of the tentative budget. Council should give Staff policy direction on the ESL request.

Council could appropriate this amount from the unspecified category depleting this account. Council could direct Staff to include this in the annual service contract and increase the General Fund appropriation to Special Service Contracts. Council could remove the unspecified special service contract and replace it with the ESL contract. Council could deny the request and reserve those funds for other special service contract requests.

Trash Option: This $219,600 option would provide for the removal of trash in the Swede Alley and the Main Street Business Core. This is a new service that is currently handled by Summit County and contracted with BFI. This option will allow the City to control trash billing and the frequency of trash pickup in the Main street business core. This option has an offsetting revenue that will cover both trash pickup and the administrative costs for the service. The City would require trash service as part of a business license allowing the City to bill all of the Main Street business for their proportionate share for trash removal. BFI will still do the pickup and removal but the City will have jurisdiction over the administration of the service. BFI and the County have been informed and appear to support this action. See Attached letters from BFI.

In addition to this option the tentative budget anticipates an option that would allow for automated trash pickup of the City's 50 gallon trash cans along Main Street. It is anticipated that this option would reduce costs for the City Parks Crews that currently empty these trash cans manually.

Water Rate Study: The City Council has approved contracts with Rick Giardina and Associates and Lewis, Young, Robertson and Burningham, Inc to review our water rates and water impact fees respectively in February. The goals of both studies are:

- Equitably distribute the cost of service by water use and demand
- Provide adequate revenues to provide stable and predictable sources of water
- Minimize unexpected changes to customer's bills
- Discourage wasteful use
- Promote fairness and equity
- Maintain simplicity, convenience, certainty, feasibility and freedom from controversy
- Comply with Utah law

The water user revenues should increase about 5% per year for the next 5 years to pay for water services. Water impact fees will also need to increase to expand water supplies. Both consultants will discuss the financial impact of the Water Capital Facilities, operating and water costs on user rates and water impact fees on May 17th. Based on council discussion final rate and fee resolutions will be presented on June 7.

CIP Prioritization: In December 2000 and January 2001 the CIP Program and Resource Analysis Committee presented a prioritized list of capital projects and projects to be completed before the Olympics. Council concurred with this prioritization and suggested some minor changes at their 2001 retreat which are shown in Table 1.

Table 1							
FY 2001-2002							
Major Projects Scheduled for Completion prior to Olympics							
October 15 Target Completion Date							
Project #	Project Title	Project Manager	Olympic Relationship	Budget	Cost	Council Direction
32	Stair Retreads- 13th and 2nd retread, 12th new	Twombly		$150,000	$150,000	Yes
48	Skateboard Park	Cook/Twombly	X	$500,000	$500,000	Yes
85	Imprint Painting, Road Imp.	Lind	X	$50,000	$50,000	Yes
85	Slurry Seals and Repairs	Lind/Gibbs		$30,000	$30,000	Yes
85	Pavement Management Update	Lind/Gibbs		$35,000	$35,000	Yes
437	Prospector Buffer Strip- Scaled to budget -Trees, Grass, soil cap only	Erickson		$195,928	$195,928	Yes
485	Education Center Crossing (Imprinting only) - No Bulbout	Lind/Gibbs	X	$25,000	$25,000	Yes
485	Box of Rocks Cleanup	Gibbs	X	$50,000	$50,000	Yes/ Scale
592	City-wide Signs	Rademan	X	$102,648	$102,648	Yes
672	Transit Center Landscaping	Bakaly	X	$200,000	$200,000	Yes
696	Post Office Traffic Light	DeHaan	X	$250,000	$250,000	Yes
705	Water - Additional Filter at Spiro (Complete before Olympics)	Gibbs		$300,000	$300,000	Yes
705	Water- Judge Tunnel Treatment Facility- 1st Phase-Eng/ Study/Design	Gibbs		$200,000	$200,000	Yes
705	Water- Basin Connection (Complete before Olympics)	Gibbs		$500,000	$500,000	Yes
705	Water - Divide Well to Boothill Tank Line- Begin Construction	Gibbs		$200,000	$200,000	Yes
705	Water- Jordanelle Water Service To Park City (Before Olympics)	Gibbs		$250,000	$250,000	Yes
705	Water - Hidden Meadows Production Well (Complete prior to Olympics)	Gibbs		$300,000	$300,000	Yes
708	City Park Trail- Lights-Trail/Widening	Cook	X	$700,000	$700,000	Lights Only
708	UP Rail Trail at Bonanza	Cook/Twombly		$75,000	$75,000	No
715	Carr Bulbout (both sides)	Lewis/DeHaan	X	$120,000	$120,000	No
715	Transit Center Trash Compactor Bldg	Bakaly	X	$300,000	$300,000	Yes
715	UPL Parcel	Erickson	X	$30,000	$30,000	Yes
715	Compactors vs. Dumpsters	Bakaly/Gibbs		$50,000	$50,000	Yes
	Olympic Celebrations Site Preparation		X	$250,000	$250,000	
	South End of City Park	Cook				No
	Citywide Olympic Preparation (Light poles, trash cans, etc.)	Gibbs				Yes
	Upper Park Avenue- Fully Funded in Budget	DeHaan		$2,000,000	$2,000,000	No (2003?)
	Total			$6,863,576	$6,863,576	

Attachment 1 is a copy of the CIP project reprioritization that occurred during the Program and Resource Analysis. The ranking criteria are discussed on page 155 of the budget under Capital Improvements. This chart has been updated to show the new CIP projects and funding changes that have occurred since January. The new project for this list is the Cemetery Capital Replacement project. Projects that received funding include the Racquet Club Tennis Courts $35,000, Olympic Preparation Funds $250,000, and Upper Park Avenue $2,000,000.

On May 3rd, Council asked staff to present the CIP prioritized list without funding as a criteria. This analysis showed that several partially and totally unfunded projects in alternatives 5 and 6 moved up in ranking while fully and partially funded projects in alternative 4 and 5 moved down into alternatives 5 and 6. The projects that moved are demonstrated in Attachment 2. In short, some recreation projects moved up in prioritization while some funded projects moved down. Please note this is not a complete list of CIP projects. These were the projects that had a change in the scope of the project or were new for this budget year. Alternatives 1, 2, and 3 (page 162-163) are not included in this list as they are the expanded day to day projects that were not reprioritized as part of the Program and Resource Analysis. The alternative matrix that defines all 6 project alternatives is found on page 161 of the budget document.

Attachment 2 shows this same projects ranking request as attachment 1 with funding not included as a priority. The projects that are highlighted are those projects that moved between alternatives. In the original process Alternative 4 was fully funded,. Alternative 5 was partially funded, and Alternative 6 was totally unfunded. The projects that move up in ranking are the Racquet Club Pool, Racquet Club Master Planned improvements, New Golf Carts, Building Maintenance Replacement Schedule, Main Street Revitalization Future, the Box of Rocks Cleanup, the temporary and permanent phases of project that Council has directed staff to do the temporary solution at this time.

Projects that move down in ranking are Olympic Preparation, Trash Compactors for Main Street, Education Center Bulbouts, Traffic Calming and ADA access for the Museum.

Capital Issues: The City's Capital Improvement Program (CIP) has undergone quite a bit of recent scrutiny. These projects and prioritization processes are outlined under the Capital Improvements section of the budget document beginning on page 155. A few Capital projects will require Council policy direction. The issues of this years capital improvement update are highlighted in the budget narrative and will be addressed in detail on May 17th.

In particular, Staff will need direction from the Council regarding the Upper Park Avenue project. In Staff's opinion, the project is fully funded. If the residents are interested in paying an annual average of $1,000 per lot property assessment for undergrounding utilities at a cost of $1.7 million, then they should formally inform the City through a petition.

Staff will is requesting direction on whether and how to fund improvements at the Racquet Club. Attached is information from the City's General Obligation Bond Financial Advisor regarding various funding options if Council directs Staff to fund racquet club improvements. Currently the City has issued General obligation debt for the purchase of the Racquet Club which expires in FY2003. One funding option includes refinancing this debt for an additional time period with the tax rate remaining the same. This would generate $2.16 million for new projects at the Racquet Club. This would require a vote of the people to extend the length of the debt payment rater then a new increased tax rate. Other financing options are detailed in the attached letter that includes the issuance of a General Obligation Bond, Sales Tax Revenue Bond and a Lease Revenue Bond. Another option would be for the City to use reserves to fund improvements without issuing debt. A representative from the PRBB will attend Thursday's meeting to discuss their Capital Projects Priority.

In FY2003, the transfer from the Transit Fund to the Downtown Revitalization CIP account has been removed resulting in a decreased appropriation of $250,000 per year. The total balance in the account for FY2002 will be roughly $1.1 million. In FY2003, an additional appropriation of $200,000 will bring the project total to roughly $1.3 million. Staff recommends ending the Transfer from the Transportation Fund due to the lack of Transit or Parking related projects in the Main Street area. In Addition, the Transportation Fund Balance has decreased significantly

due to the Transit Center a Downtown Revitalization Priority Project.
Currently the projects identified and funded include Trash Compactor Buildings, Bulbouts on Main Street, and the reconfiguration of parking in Swede Alley. If Council identifies additional projects in the future, funding will need to be identified at that time.

In FY2002, a one time transfer from the 5 Year CIP account will be transferred to the General Fund for Sales Tax and Parking Revenue Stabilization related to the Olympics.

Summary:
The budget document represents the City Managers Recommended budget. The reductions taken in last years budget process have succeeded in slowing expenditure growth. This years budget anticipates a slowed expenditure trend when compared to prior years. When capital projects are excluded, expenditures only increase 4% in FY2003 in comparison to the FY2001 original budget.

On June 7, 2001 Council will need to adopt the Tentative budget. Any changes or concerns should be identified for Staff on May 17, 2001 in order for Staff to present a balanced budget for tentative adoption on June 7th.

D. Department Review: - All departments have reviewed the attached budget document.

ALTERNATIVES:

A. Provide Direction About Budget Issues and Policies and Capital Projects

B. Continue the Item - June 21, 2001 is the last date on which adoption (No Tax Increase Rate) can occur in order for us to meet the filing deadlines with the County and State if there is no property tax increase.

C. Do Nothing

SIGNIFICANT IMPACTS: The City's budget must be balanced. Staff recommends that Council provide policy direction on budget issues.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION: The specific impacts of not approving individual recommended options will be discussed during budget presentations.

RECOMMENDATION: The City Council should follow the budget presentation schedule described above and provide direction concerning budget policies and issues. Staff recommends that the prioritization in Attachment 1, that incorporates the new projects be adopted on June 21, 2001 as the prioritized CIP.

Attachments:

1. Capital Ranking Alternatives- Presented in January 2001.
2. Capital Ranking Alternatives- Without Funding as a Criteria
3. Moutainland Association of Governments Budget Request
4. Special Service Contract Requests - HMBA
5. Letter from Laura Lewis Re: Funding Alternatives for Racquet Club
6. Water Rate Study Information
7. BFI and County Letters

Attachment 1

Park City Capital Improvements Plan
2001 New Project Ranking (December 2000)

Alternative 4

Project #	Project Title	Alt #	Budget	Cost
709	Mawhinney Imp (temp)	4	$ 40,000	$ 40,000
705	Water - Hidden Meadows Test Well	4	$ 600,000	$ 600,000
48	Skateboard Park	4	$ 500,000	$ 500,000
681	Golf Pro Shop/Parking	4	$ 1,715,000	$ 1,715,000
85	Paver Painting, Road Imp.	4	$ 50,000	$ 50,000
705	Water - Additional Filter at Spiro	4	$ 300,000	$ 300,000
85	Slurry Seals and Repairs	4	$ 30,000	$ 30,000
715	Carr Bulbout (both sides)	4	$ 120,000	$ 120,000
708	City Park Trail	4	$ 700,000	$ 700,000
705	Water- Judge Tunnel Treatment Facility	4	$ 3,000,000	$ 3,000,000
705	Water- Basin Connection	4	$ 500,000	$ 500,000
705	Water- Rockport Pipeline	4	$ 10,000,000	$ 10,000,000
705	Water- Jordanelle	4	$ 250,000	$ 250,000
32	Stair Retreads-Main & LPA	4	$ 100,000	$ 100,000
705	Water - Divide Well to Boothill Tank Line	4	$ 200,000	$ 200,000
85	Pavement Management Update	4	$ 35,000	$ 35,000
715	Transit Center Trash Compactor Bldg	4	$ 300,000	$ 300,000
705	Water-Jordanelle Water Service To Park City	4	$ 250,000	$ 250,000
696	Post Office Traffic Signal	4	$ 250,000	$ 250,000
437	Prospector Buffer Strip	4	$ 195,928	$ 195,928
	Additional Stairs	4	$ 250,000	$ 250,000
705	Water - Hidden Meadows Production Well	4	$ 300,000	$ 300,000
485	Education Center Crossing (Pavers)	4	$ 25,000	$ 25,000
715	UPL Parcel	4	$ 30,000	$ 30,000
672	Transit Center Landscaping	4	$ 200,000	$ 200,000
747	Olympic Celebrations/Cleanup (Contingent of need/funding)	4	$ 250,000	$ 250,000
748	Cemetery Capital Replacement	4	$ 150,000	$ 150,000
	TOTAL:		**$ 20,340,928**	**$ 20,340,928**

Alternative 5

Project #	Project Title	Alt #	Budget	Cost
		5		
712	PCMC Building Maintenance Replacement Schedule	5	$ 103,873	$ 728,873
624	Racquet Club Tennis Court Resurfacing	5	$ 35,495	$ 35,000
741	Upper Park Avenue	5	$ 2,000,000	$ 2,000,000
485	Box of Rocks Cleanup	5	$ 20,000	$ 20,000
715	Additional Bulbout	5	$ 120,000	$ 120,000
715	Additional Trash Compactors	5	$ 148,512	$ 300,000
485	Education Center Bulbout	5	$ 120,000	$ 120,000
485	Mawhinney Permanent Imps	5	$ 80,000	$ 80,000
485	Traffic Calming Deer Valley Drive @ Park Avenue	5	$ 108,427	$ 150,000
715	Compactors vs. Dumpsters	5	$ 50,000	$ 50,000
487	ADA access @ Museum	5	$ 10,978	$ 100,000
	TOTAL:		**$ 2,797,285**	**$ 3,703,873**

Alternative 6

Project #	Project Title	Alt #	Budget	Cost
	New Golf Carts	6	$ -	$ 200,000
730	Racquet Club Pool	6	$ -	$ 250,000
	Racquet Club Master Planned Improvements	6	$ -	$ 1,550,000
715	Main Street Revitalization Future	6	$ -	$ -
	Enhanced Prospector Buffer	6	$ -	$ 300,000
	Summit County Ice Sheet and/or ice skating rink	6	$ -	$ 3,250,000
485	Mawhinney Permanent Imps	6	$ -	$ 80,000
	New Golf Course	6	$ -	$ 5,200,000
719	Snow Creek Parcel	6	$ -	$ -
485	Box of Rocks Cleanup (Permanent Traffic Calming Solution)	6	$ -	$ 50,000
	TOTAL:		**$ -**	**$ 10,880,000**

	Budget	Cost
GRAND TOTAL:	$ 23,138,213	$ 34,924,801

Attachment 2

Park City Capital Improvements Plan

2001 New Project Ranking with out Funding as a Criteria (May 2001)

Project #	Project Title	Alt #		Budget		Cost
709	Mawhinney Imp (temp)	4	$	40,000	$	40,000
705	Water - Hidden Meadows Test Well	4	$	600,000	$	600,000
85	Pavement Management Update	4	$	35,000	$	35,000
485	Box of Rocks Cleanup	5	$	20,000	$	20,000
485	Box of Rocks Cleanup (Permanent Traffic Calming Solution)	6		[illegible]	$	50,000
48	Skateboard Park	4	$	500,000	$	500,000
681	Golf Pro Shop/Parking	4	$	1,715,000	$	1,715,000
85	Paver Painting, Road Imp.	4	$	50,000	$	50,000
705	Water - Additional Filter at Spiro	4	$	300,000	$	300,000
85	Slurry Seals and Repairs	4	$	30,000	$	30,000
715	Carr Bulbout (both sides)	4	$	120,000	$	120,000
715	UPL Parcel	4	$	30,000	$	30,000
32	Stair Retreads-Main & LPA	4	$	100,000	$	100,000
705	Water - Divide Well to Boothill Tank Line	4	$	200,000	$	200,000
715	Transit Center Trash Compactor Bldg	4	$	300,000	$	300,000
437	Prospector Buffer Strip	4	$	195,928	$	195,928
712	PCMC Building Maintenance Replacement Schedule	5	$	103,873	$	728,873
	New Golf Carts	6	$	-	$	200,000
708	City Park Trail	4	$	700,000	$	700,000
696	Post Office Traffic Signal	4	$	250,000	$	250,000
32	Additional Stairs	4	$	250,000	$	250,000
705	Water - Hidden Meadows Production Well	4	$	300,000	$	300,000
485	Education Center Crossing (Pavers)	4	$	25,000	$	25,000
705	Water- Judge Tunnel Treatment Facility	4	$	3,000,000	$	3,000,000
705	Water- Basin Connection	4	$	500,000	$	500,000
705	Water- Rockport Pipeline	4	$	10,000,000	$	10,000,000
705	Water- Jordanelle	4	$	250,000	$	250,000
705	Water-Jordanelle Water Service To Park City	4	$	250,000	$	250,000
672	Transit Center Landscaping	4	$	200,000	$	200,000
	Cemetery Capital Replacement	4	$	150,000	$	150,000
	Alternative 4 - Fully Funded		$	20,214,801	$	21,089,801
624	Racquet Club Tennis Court Resurfacing	5	$	35,495	$	35,000
730	Racquet Club Pool	6	$	-	$	250,000
	Olympic Celebrations/Cleanup (Contingent of need/funding)	4	$	250,000	$	250,000
741	Upper Park Avenue	5	$	2,000,000	$	2,000,000
	Racquet Club Master Planned Improvements	6	$	-	$	1,550,000
715	Main Street Revitalization Future	6	$	-	$	-
715	Additional Bulbouts	5	$	120,000	$	120,000
	Alternative 5 - Partially Funded		$	2,405,495	$	4,205,000
485	Mawhinney Permanent Imps	5	$	80,000	$	80,000
	Summit County Ice Sheet and/or ice skating rink	6	$	-	$	3,250,000
485	Mawhinney Permanent Imps	6	$	-	$	80,000
	New Golf Course	6	$	-	$	5,200,000
715	Additional Trash Compactors	5	$	148,512	$	300,000
485	Education Center Bulbout	5	$	120,000	$	120,000
485	Traffic Calming Deer Valley Drive @ Park Avenue	5	$	108,427	$	150,000
715	Compactors vs. Dumpsters	5	$	50,000	$	50,000
487	ADA access @ Museum	5	$	10,978	$	100,000
719	Snow Creek Parcel	6	$	-	$	-
	Enhanced Prospector Buffer	6	$	-	$	300,000
	Alternative 6 - Unfunded		$	517,917	$	9,630,000
			$	23,138,213	$	34,924,801

MOUNTAINLAND
ASSOCIATION OF GOVERNMENTS
Serving Summit, Utah and Wasatch Cities & Counties

May 7, 2001

MAY 10

Mayor Bradley Olch
Park City
P.O. Box 1480
Park City, UT 84060

Dear Mayor Olch:

At the April 26, 2001, Executive Council meeting, the attached Memorandum was reviewed as an update on efforts to secure funding for MAG cash flow purposes.

The MAG FY 2000-2001 Budget, approved May 2000, specified general assessments to local jurisdictions, including $40,000 for cash reserves. The intent was to set aside $40,000 from general fund contributions over a five-year period to reach a total cash flow fund of $200,000.

At the November 2, 2000 Executive Council Meeting, Mayor Lewis Billings proposed that he make a request to the Provo City Council for a $100,000 long-term loan to MAG to be dedicated to cash flow purposes. MAG would also pursue a $100,000 line of credit, bringing the total cash flow funds available to $200,000. As a result of this alternative, the Executive Council approved a reduction of $40,000, or approximately 40%, to the FY00-01 general assessments, and invoices were mailed to jurisdictions in late December 2000. Mayor Billings made this proposal to the Provo City Council in February, the request was denied on a 4-2 vote.

With FY2001-2002 budget preparations currently underway for Mountainland and many of our jurisdictions, several alternatives to address the cash flow issue were discussed. These suggestions are outlined in the attached Memorandum in more detail. The result of this discussion was a recommendation for MAG to increase the sick leave program funding over a three-year period to raise an additional $50,000 that could be used to supplement cash flow (Alternative 1, Page Two attached). It was also recommended, and approved, that MAG include the original budget proposal as approved in May 2000 for the 2001-02 budget year to generate an additional $40,000 for cash flow (Alternative 4, Page Two attached). The attached chart identifies specific general assessment amounts by jurisdiction that will be included in the MAG Budget. MAG will also secure a line of credit as an interim solution.

This letter is to notify you of this action by Executive Council, and to request that you include $1,262.00 for MAG General Fund Assessments as you prepare the Park City budget for FY2001-2002.

Please contact me if you have any questions. We appreciate your continued consideration and support.

Sincerely,

Darrell L. Cook

Darrell L. Cook
Executive Director

Enclosures

586 East 800 North, Stratford Park • Orem, Utah 84097-4146 • (801) 229-3800 • Fax (801) 229-3801

Historic Main Street Business Alliance
P.O. Box 1348
Park City, UT 84060

7/May/01

Mayor Brad Olch, Park City
Park City Council Members
Marsac Building
Park City, UT 84060

Re: Historic Main Street Business Alliance Request for Assistance

Dear Mayor and City Council Members:

On behalf of the Main Street Business Alliance we would like to thank the members of the Park City Council and the Mayor for the generous support afforded to the Alliance earlier this year. By supporting the hiring of an Executive Director, you have assisted the merchants association in their efforts to unify the area and create a viable marketing plan to promote the heart and cultural soul of Park City.

As we head full steam into the next fiscal year, the Main Street Business Alliance would like to request the council's assistance in pursuing a revenue source for continued administrative funding. The Alliance would once again like to explore the possibility of initiating a property tax to landowners or a business license fee directly to the merchants, that would be dedicated to the ongoing administration of the organization. In addition, we would like to request that the Park City Municipal Corporation consider dedicating a portion of the parking meter proceeds to assist the continued funding of the organization. As this revenue is generated in the core of the Historic District, the Alliance would appreciate the funds being returned to the area to further enhance the economics of the community.

We realize that with the onset of the Olympics and the potential for a sluggish economy prior to the games, the forecast for the city's budget is not as strong as desired. However, the potential for increased visibility and awareness of Park City will undoubtedly assist in future benefits to the community coffers.

As always, the Main Street Business Alliance is ready to partner with the Park City Council and staff to maintain a viable historic core. If there is anything that the Alliance can do to assist with Olympic planning or the new economic development plans, please do not hesitate to contact us at 655-2621.

Thank you for your consideration and continued support of the Main Street Business Alliance.

Sincerely,

Paul Brown
Vice-President

Barb Clark
Executive Director

Toby 741

May 8, 2001

Jerry Gibbs
Park City Public Works Director
PO Box 1480
Park City, UT 84060

Dear Mr. Gibbs:

As you may be aware, BFI is experiencing a number of businesses on Main Street who either refuse to pay for trash collection services or pay what they consider to be fair. BFI is paid only for services provided as provided in the County contract. In order to collect on accounts who refuse to pay for service, BFI simply stops providing the service. While many have suggested that customers who refuse to pay is just a part of doing business, BFI is well aware of that element. Suspending service on Main Street for those who will not pay is obviously difficult when many are paying for the service. However, suspension of service is the only option BFI has to encourage businesses to pay for their waste collection service.

To avoid any risks associated with suspending waste collection service on Swede Alley and Main Street, BFI proposes the following to Park City:

- Take over the billing of all commercial customers on Main Street and Swede Alley.

This request will eliminate any suspensions of service BFI may be required to do on Main Street and Swede Alley in an effort to receive payment for services rendered. Park City obviously has a number of options available from which the City can effectively encourage payment which are not available or even possible for BFI.

Your consideration in this matter is greatly appreciated. All of us at BFI remain committed to offering options and solutions which are in the best interests of Park City residents and businesses. Please do not hesitate to call me at (801) 785-5935 if you have any questions.

Sincerely,

Brad Mertz
Public Sector Manager

BM:mds

Salt Lake District · 3765 W. 2100 So. · West Valley City, Utah 84120
Phone 801-972-4234 · Fax 801-972-3827
E-mail porcia.straw@bfi.com
www.bfi.com

Today FYI

Jerry Gibbs, Director
Park City Public Works
PO Box 1480
Park City, UT 84060

May 8, 2001

MAY 10
PARK CITY MUNICIP...

Dear Mr. Gibbs:

You have requested that BFI identify the steps that would need to be taken to change service days from Thursday to Monday for Old Town residents.

The current collection schedule was established in a manner involving BFI trucks working from one end of the County to the other end of the County during the week. The current Monday service is performed in the Jeremy Ranch and Summit Park area. In order to change these days or any days in Summit County, the following would need to take place:

1) Attend a Summit County Commission meeting to propose the change and submit an official request.
2) Attend homeowner's association meetings in Jeremy Ranch and Summit Park as well as Old Town to explain the new day change.
3) Print approximately 4,600 flyers to all residents in the affected area of the change.
4) Deliver all flyers to all residents in the associated areas.
5) Provide an additional BFI office staff member would be needed to answer the calls associated with the changes. This full-time individual would be needed for approximately 8 weeks.
6) Print and deliver additional flyers for residents who either did not get the information on the first flyer or still have questions and complaints about the day change.
7) BFI drivers would need to return to both areas for two to three weeks until the transition has been fully understood and implemented by the impacted residents. This will involve overtime pay and extra labor for BFI drivers and trucks. Mechanics will be required to stay later incurring over-time charges since trucks will be returning much later to be serviced during the transition phase.
8) Attend follow-up meetings with the various homeowner's and neighborhood groups.

Anticipated costs for the above changes: $14,591

A second option may be the purchase of a new truck and hiring a new driver to service the Old Town area twice per week. Based on the current number of homes and providing this new service, the cost would be approximately $24 per month per resident (based on 550 residents).

Please let me know if I can get you any more information.

Brad Mertz
Public Sector Manager

Salt Lake District · 3765 W. 2100 So. · West Valley City, Utah 84120
Phone 801-972-4234 · Fax 801-972-3827
E-mail porcia.straw@bfi.com
www.bfi.com

LEWIS YOUNG
ROBERTSON & BURNINGHAM, INC.
INVESTMENT BANKERS
MEMBERS: NASD AND MSRB

May 9, 2001

Mr. Mark Christensen
Budget & Grants Manager
445 Marsac Avenue
Park City, Utah 84060

Re: Financing Options

Dear Mark:

As requested, the attached summary provides you with some detail as to the possible means of funding capital improvements for the City's recreation center. The list is structured with the lowest cost of borrowing being listed first.

If the size of the transaction is relatively small, the City may be well served to have us provide an analysis of a private placement transaction versus a public offering. In any case, not counting possible election requirements, it will take approximately sixty to ninety days to complete any of the funding options mentioned in the attached material.

If you, or the council, would like further information, or would like to discuss this in greater detail, please feel free to contact me.

Assuming that the City chooses to move ahead on this project, I look forward to the opportunity of working with you again on this or any financing need.

Sincerely,

Laura

Laura D. Lewis
Principal

136 EAST SOUTH TEMPLE, SUITE 100
SALT LAKE CITY, UTAH 84111
TELEPHONE 801-596-0700
FAX 801-596-2800
TOLL FREE 1 800-581-1100

PARK CITY
1884

PARK CITY MUNICIPAL CORPORATION
FINANCE OPTIONS FOR CAPITAL IMPROVEMENTS TO RECREATION CENTER
PREPARED: MAY 9, 2001

OPTION 1. GENERAL OBLIGATION BONDS:

General Points

- Secured by full faith and credit pledge of City's taxing ability
- Provides lowest overall borrowing cost
- No debt service fund required
- Election required (can only be held quarterly, next available election date is on Aug. 7, 2001)
- Voter notification requirements
- Voter education effort
- Subject to statutory debt limitations

Considerations specific to Park City's Project Need

- Can structure debt with payments approximately equal to funds generated by existing levy for G.O. Bonds for Recreation Center acquisition
- Should be able to educate voters that tax rate will not need to increase from its current level, but that the levy currently in place for the outstanding G.O. Recreation Bonds will stay in place for a longer period of time
- Assuming use of funds currently generated from levy for an additional fifteen years Park City could issue approximately $2,160,000 in bonds {$208,000 pmts per year, 5% interest}

OPTION 2. SALES TAX REVENUE BONDS (AKA EXCISE TAX REVENUE BONDS)

General Points

- Opportunity to utilize this means of securing debt allowed by recent changes in State Constitution (November 2000)
- Secured by pledge of sales tax revenues
- Debt service reserve fund required
- Project property not encumbered
- No election required
- Borrowing costs are slightly higher than a G.O. bond
- Annual debt service cannot exceed 80% of prior fiscal sales tax revenue

PARK CITY 1884

Considerations specific to Park City's Project Need

- Similar to above can structure debt with payments approximately equal to funds generated by existing levy for G.O. Bonds for Recreation Center acquisition
- City would need to hold tax hearing to raise general tax rate to equal the decline in the total tax rate when the G.O. Bonds for the recreation center is paid off. Citizens tend to be more reasonable about this type of tax rate "increase" as it will not cause an increase in the total taxes they pay to the City. Some will have concern that once general tax rate is increased, there is no established means of reducing the amount imposed for this purpose
- Could also base debt structure on estimated increases in total sale tax receipts in Park City
- City then likely to leave tax levy unchanged allowing for natural decrease when G.O. bond debt is paid off and instead use sales taxes to pay for the debt
- Assuming use of $208,000 of sales taxes per year for this debt for fifteen years, Park City could issue approximately $2,130,000 in bonds {$208,000 pmts per year, 5.20% interest}

OPTION 3. <u>LEASE REVENUE BONDS (AKA MUNICIPAL BUILDING AUTHORITY):</u>

General Points

- Bonds issued by the City's Municipal Building Authority (MBA)
- Bonds secured by a pledge of the project property and City's annual lease appropriation
- Debt service reserve fund required
- No election required
- Borrowing costs are higher than G.O. or sales tax revenue bonds
- Debt does not count toward City's debt limit

Considerations specific to Park City's Project Need

- Utah case law prohibits using a facility that has been paid for by G.O. bonds as security for other debt
- In this instance we could only use the improvements as security and this would likely not offer enough security on its own to issue bonds
- Would need to cross-collateralize this with other outstanding MBA debt or with another project that is scheduled to be constructed by the City in the reasonably near future
- Assuming you could issue this portion of debt in conjunction with another project, and using the same amount of annual payment for fifteen years, Park City could issue approximately $2,100,000 in bonds. {$208,000 pmts per year, at 5.40% }