



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH,
April 17, 2014**

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, April 17, 2014.

Closed Session

2:00pm Property, Personnel and Litigation

Work Session

2:45pm Council Questions and Comments and Manager's Report	PG 8
3:00pm Budget Pre Meeting	PG 45
3:45pm Tour of Utah Update	PG 58
4:00pm Planning Project Schedule Update	PG 62

Study Session

4:20pm Historic Preservation Board Joint Meeting	PG 66
5:05pm <i>Break</i>	

Work Session

5:10pm Historic Preservation Work Session	PG 66
5:55pm <i>Break</i>	

Regular Meeting

6:00 pm

I. ROLL CALL

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

III. PUBLIC INPUT (*Any matter of City business not scheduled on the agenda*)

IV. APPOINTMENTS AND RESIGNATIONS

Consideration of the following Board of Adjustment appointments: Hans Fuegi for a term ending June 2018, Jennifer Franklin to fill the remainder of Mr. Ludlow's term which ends June 2016 and Travis McGhee as an alternate for a term ending June 2019.

V. CONSENT AGENDA (Items that have previously been discussed or are perceived as routine and may be approved by one motion. Listed items do not imply a predisposition for approval and may be removed by motion and discussed and acted upon)

1. Consideration of a contract with Forsgren Associates for the Park City Heights public improvements inspections in the amount of \$131,850 PG 70

VI. CONSIDERATION OF MINUTES FROM COUNCIL RETREAT, JANUARY 29-31, 2014 AND MINUTES FROM APRIL 3, 2014

VII. NEW BUSINESS

1. Consideration of approval of a subdivision plat for the Park City Film Studio located at 4001 Kearns Blvd., Park City pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance in a form approved by the City Attorney. PG 103
 - (a) Public Hearing
 - (b) Action
2. Consideration of the Risner Ridge and Risner Ridge No. 2 Plat Amendments based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the attached ordinances in a form approved by the City Attorney. PG 164
 - (a) Public Hearing
 - (b) Action
3. Consideration of a resolution regarding the Disposition of City Owned Property PG 196
4. Consideration of Addendum No. 1 to the 2014 Main Street Improvements Construction Manager at Risk Contract with Miller Paving for the Guaranteed Maximum Price of \$986,084 PG 205
5. Consideration of approval of a contract with QuantiPerm, LLC not to exceed \$23,018 and approval of a contract with Central Valley Mechanical not to exceed \$49,739 for upgrades to reduce carbon footprint and operational costs to the Park City Ice Arena's water heating and treatment systems PG 209
6. Consideration of an Ordinance approving the re-establishment of Lots 30 and 31 of Holiday Ranchettes Subdivision, located at 2519 and 2545 Lucky John Drive, Park City, Utah
 - (a) Public Hearing
 - (b) Motion to Continue to April 24, 2014
7. Consideration of approval of Snyder's addition to Park City Amended Lot 1, Block 15, located at 901 Norfolk Avenue Plat Amendment continued from March 6, 2014
 - (a) Public Hearing
 - (b) Motion to Continue to May 8, 2014

VIII. ADJOURNMENT INTO RDA MEETING

**PARK CITY REDEVELOPMENT AGENCY
SUMMIT COUNTY, UTAH
APRIL 17, 2014**

I. ROLL CALL

II. CONSIDERATION OF MINUTES FROM JANUARY 9, 2014

III. NEW BUSINESS

1. Consideration of proceed with the procurement of the long lead items for the Library and Education Center Building Remodel Project and authorize the City Manager to enter into a Construction Manager at Risk Agreement in a form approved by the City Attorney's Office with Okland Construction Inc. for a Guaranteed Maximum Price of One million seventy four thousand one hundred sixty dollars (\$1,074,160). PG 222

2. Consideration of authorization staff to enter into a purchase order with Bailey's Moving in the amount of Ninety Three Thousand Five Hundred Seventy Four Dollars. (\$93,574)
PG 228

IV. ADJOURNMENT

A majority of City Council members may meet socially after the meeting. If so, the location will be announced by the Mayor. City business will not be conducted. Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the City Recorder at 435-615-5007 at least 24 hours prior to the meeting. Wireless internet service is available in the Marsac Building on Wednesdays and Thursdays from 4 p.m. to 9 p.m.

Posted: 04/14/2014 See: www.parkcity.org

TENTATIVE MASTER CALENDAR

Note: This future meeting schedule is TENTATIVE and subject to change.

April

17 **See Agenda**

24 **STUDY**

Water Conservation: Water portal, water conservation rate structure, etc. (1 hour)
Renewables discussion continued from April 3rd. (1hr)

WORK

Lower Park Ave Master Plan (40 mins)
Deer Valley Phase 2 Update (15 mins)
Nathan Rafferty, Ski Utah (30 mins)
RMP (20 mins)
Discussion of Mountain Top Potential Application for Annexation (20 min)

REGULAR

300 Deer Valley Loop- Roundabout Subdivision ROS-continued from April 3rd
670 Deer Valley Loop-Portico Condominiums record of survey amendment
Consideration of an Ordinance approving the re-establishment of Lots 30 and 31 of
Holiday Ranchettes Subdivision, located at 2519 and 2545 Lucky John Drive, Park City,
Utah- Continued from April 17th
MFL-Intermountain mountain bike cup- hearing/action

May

1 **No Meeting**

8

STUDY

Mountain Accord (1hour)

WORK

Presentation of City Manager's Recommended Budget (1.5 hour)

CONSENT

Poison Creek
Service Agreement for Stoneridge

REGULAR

Swearing in of New Police officer and Lieutenant
North Silver Lake Condominium Plat, located at 7101 Silver Lake Drive, Record of
Survey- PL-13-02225-continued from March 6th

Echo Spur plat amendment- Lot 21-32, Block 58 Park City Survey
901 Norfolk Avenue Subdivision, 901 and 907 Norfolk Avenue- Plat Amendment
Park Silly Sunday Market Supplemental plan
Snyder's Addition to Park City Amended Lot 1, Block 15, located at 901 Norfolk Avenue
Plat Amendment PL-13-02180 – continued from April 17

13 Joint Meeting with Planning Commission 6:00 pm

15 WORK

Budget: CIP Budget (1.5 hours)
Summer Events Preview (45 mins)

REGULAR

22 No Meeting

29 WORK

Electric bike discussion (30 min)
Budget: Operating (2 hours)

REGULAR

June

5 WORK

Budget: Adoption of the Tentative Budget (2 hours)

REGULAR

26 STUDY

Public Art Advisory Board (1 hour)
Green Building Standards study (1 hour)

WORK

COSAC- Gamble Oak (30 mins)

REGULAR

July

3 No meeting

10 STUDY

Planning Commission (1 hour)

WORK

REGULAR

- 17** **STUDY**
Recreation Advisory Board (1 hour)

WORK

REGULAR

- 24** No meeting

- 31** **WORK**

REGULAR

August

- 7** **STUDY**
Board of Adjustment (1 hour)

WORK

REGULAR

- 14** No Meeting

- 21** 8am Breakfast and Meeting with Park City Medical Center CEO Rob Allen

WORK

REGULAR

- 28** No Meeting

Pending Items:

Amendment to the housing resolution – for regular council – RS

Consideration of an Ordinance approving the McHenry Subdivision Replat Amendment located at 496 McHenry Avenue, Park City Survey, Park City, Utah
Ordinance 2519 Lucky John Drive – Plat Amendment PL-13-01980- KW
Gamble Oak Easements, new, Heinrich

Manager's Report

To: Diane Foster, For City Council
Author: Heinrich Deters
Subject: Poison Creek Pathway Project
Date: April 17, 2014



SUSTAINABILITY

On April 3rd, Staff provided Council and informational update on the upcoming Poison Creek Pathway Project, scheduled for construction this May and June. Council provided feedback on the following aspects of the project, which staff is incorporating into the final design.

- *City Park Shade Structures:* Staff has met with the Planning Department to address a functional and sustainable design, which will not add to the existing 'hodgepodge' of structures currently located within the Park. Additionally, an Administrative Use Permit is required, which will provide additional design review by staff professionals in the Planning Department. Finally, staff has provided a 'placeholder' in the construction bid documents, so as to continue with the bidding, award and construction of the project in a timely manner and allow for continued design/approval of the structures.
- *User Safety (Hiking Trails):* Council noted the previous Crime Prevention Through Environmental Design (CPTED) study performed several years ago, for City Park and asked staff to consider additional design steps which might help complement safety measures, such as the pathway lighting currently in place. Staff intends to provide greater visibility to the hiking trails identified in the project by clearing additional vegetation, thus negating blind areas. Secondly, it should be noted, that similar to other recreational backcountry trails and trailheads within Park City, the intended use of these trails is between dawn and dusk and not nighttime hours.
- *Pathway Design and Safety Measures:* Council expressed interest in creating additional safety measures. Staff consulted the AASHTO guidelines per pathway safety and has incorporated additional signage and 'slow' stencils along the pathway. Additionally, staff is interested in pursuing some educational outreach in conjunction with Mountain Trails. Staff does not recommend additional curves or turns within the design per AASHTO recommendation and negative impacts to the Park and/or creek.
- *Oriental Poppies:* Staff has been in contacted with the City's Landscape Manager and we will coordinate efforts during construction to help minimize impacts to the vegetation.

Staff has publically advertised the project for bid and will return to Council on May 8th to award the construction contract.

To: Diane Foster, City Manager
CC: Mayor Thomas / Members of City Council
Management Team

From: Kory Kersavage
Budget, Debt, & Grants Department

MANAGER'S REPORT – April 17, 2014

This Manager's Report presents the Quarterly Goals Report for the period of January 1st-April 1st 2014. This is presented in a Manager's Report per City Manager's request due to the crowded nature of Council's docket. Thus, if Council has departmental questions concerning individual Action Steps they may want to contact the manager directly. The Action Steps within the Quarterly Goals are those activities which each department is currently undertaking and many of which are to be completed in the near future. The Action Steps are assembled from each department's business plan, Council's priorities and goals set by individual departments. Goals that address Council priorities, as determined in Council Retreat, have the associated Council priority included in the comments section.

Changes that have been made to this Quarterly Goals Report that are different then last Quarter's report include:

- All low and medium priority action steps have been removed in order to focus on those action steps of high priority.
- Action steps that are a high priority to Council are so indicated, and are associated with a corresponding Council priority.

The Quarterly Goals Report is meant to provide a high-level look at what activities each department is undertaking and what progress is being made on those goals. It is also an opportunity for department managers to provide comments or an update on those goals. In order to increase the understanding of the Quarterly Goals Report, a description of each column in the document is as follows:

- **Action Step:** A succinct description of the activity being undertaken.
- **Dept.:** The Department responsible for the goal.
- **Deliverable/Description:** This is either the proposed outcome of the Action Step or a more detailed description of the action being taken.
- **Status:**
 - Delayed: The project will not be completed by its current deadline, a comment/update should explain why.
 - On Track: The project is on track to be completed by its current deadline.
 - Complete: The project has been completed.
- **Color Coding:**
 - Green: Corresponds with On Track
 - Yellow: Corresponds with Delayed

- Red: Corresponds with Complete
- ***Type:** Indicates whether the goal is Council, Department or Individual priority.
- **Original Deadline:** The Deadline that the Action Step was originally given for completion.
- **Revised Deadline:** When the Original Deadline can no longer be achieved a Revised Deadline is set.
- **Priority:** How important the project is to the city council, low, medium or high.
- **Responsible Party:** The person or people that oversee the progress of the project.
- **Comments/Update:** Any updates on the project or comments on the current state of the project. This is also an area for the responsible party to bring up any issues that may be causing a delay in the project.

*Items denoted with an asterisk are new to this report.

Action Step	Dept.	Deliverable/ Description	Status	Type	Original Deadline	Revised Deadline	Priority	Responsible Party	Comments/ Update
WORLD-CLASS, MULTI-SEASONAL RESORT DESTINATION									
0463 Implementation of RDA	ECONOMY	Housing and Parking	On Track	2 Council	06/15/2014		Top	Jon Weidenhamer (ED Manager)	Council work session scheduled in April/ May to review timeline and deliverables Council Priority: LPRDA Master Plan
0438 Mountain Accord	TRANSPOR TATION OPER	Mountain Accord/Wasatch Summit transportation	On Track	2 Council	03/01/2015		Top	Kent Cashel (Transportation Manager), Jon Weidenhamer (Economic Development Manager), Ann Ober (Regional Community Development Director)	System Teams are meeting regularly working toward the next significant milestone (Individual System Scenarios). System Teams are scheduled to forward recommendations to Executive committee in August 2014. Council Priority: Traffic Mitigation
0454 Summit County Long Range Transportation Plan	TRANSPOR TATION OPER	Assist Summit County with Development of updates L RTP.	On Track	2 Council	12/15/2014		Top	Kent Cashel (Transportation Manager)	Currently securing consultant and refining study scope. Council Priority: Traffic Mitigation
0455 Kamas\Heber Transit Plan	TRANSPOR TATION OPER	Develop plan for Heber\Kamas Transit Service	On Track	2 Council	10/01/2014		Top	Kent Cashel (Transportation Manager)	Currently meeting with Kamas Mayor to discuss scope and evaluate. Council Priority: Traffic Mitigation
0456 Peak Day Main Street Employee Parking	TRANSPOR TATION OPER	Develop and test plan to reduce employee parking in historic core during peak hours and days.	On Track	2 Council	07/01/2014		Top	Kent Cashel (Transportation Manager), Jon Weidenhamer (ED Manager)	Currently meeting with HPCA task force reviewing existing parking conditions. Council Priority: Traffic Mitigation
0470 Round Valley Annexation	ECONOMY	PCMC Annexation of approximately 1300 acres, primarily open space	On Track	2 Council	10/15/2014		High	Heinrich Deters (Trails and OS Project Manager)	Council Priority: Open Space Acquisition
0184 Treasure Hill Negotiations	PLANNING DEPT.	Treasure Hill Negotiations	Complete	3 Council	06/01/2013	12/31/2014	High	Mark Harrington, Diane Foster and Jon Weidenhamer	This project will move back into the Planning Commission process Council Priority: Treasure Hill

Action Step	Dept.	Deliverable/ Description	Status		Type	Original Deadline	Revised Deadline	Priority	Responsible Party	Comments/ Update
0167 Broadband Network Feasibility Analysis	TECHNICAL & CUSTOMER SERVICES	Put out RFP for fiber to the home w/in 5 years. Review RFP responses and provide information to Council.	On Track	2	Council	03/01/2013	4/11/2014	High	Scott Robertson (IT Manager), Matt Dias (Assistant City Manager), Blake Fonnesbeck (Public Works Operations Manager) and Ann Ober (Director of Intergovernmental Relations)	The RFP is about 98% complete. Final discussion being held regarding ROW and Franchise Agreement language in the RFP. Hoping to release RFP week of 4/14/14. Council Priority: Broadband Fiber
0224 SR 224 Corridor Plan Implementation: Project co-op agreement with UDOT on SR-224 Lane Dog-Homestake Signal and Intersection Improvements	TRANSPORTATION OPER	Project co-op agreement with UDOT on SR-224 Lane Dog-Homestake signal and intersection improvements	On Track	2	Council	10/01/2013	6/30/2014	High	Brooks Robinson (Transit-Transportation Manager)	Delay in deliverable results from process delays and staff changes at UDOT. Draft of Amended Corridor Preservation Agreement in Process. Council Priority: Traffic Mitigation
0230 SR 248 Corridor Plan Implementation: Ongoing Coordination with UDOT on Completion of Construction of Improvements from Richardson Flats (Including Richardson Flats Road Intersection) to Comstock	TRANSPORTATION OPER	Ongoing coordination with UDOT on completion of construction of improvements from Richardson Flats (including Richardson Flat Road intersection) to Comstock.	Complete	3	Council	10/01/2013		High	Brooks Robinson (Transit-Transportation Manager)	UDOT Project Completed. Council Priority: Traffic Mitigation
0153 Utilize Gymnasium more efficiently	CITY RECREATION	Marketing of space to be rented by private groups	On Track	2	Dept	Ongoing		High	Jessica Moran (Recreation Supervisor)	Gymnasium is being well utilized by a variety of community groups; minimal availability

Action Step	Dept.	Deliverable/ Description	Status		Type	Original Deadline	Revised Deadline	Priority	Responsible Party	Comments/ Update
0158 Recreation Master Plan: Develop Master Plan	CITY RECREATION	Work with RAB & SBSRD to develop a Recreation Master Plan	Complete	3	Dept	08/01/2013		High	Ken Fisher (Recreation Manager)	Hired Landmark Design; held stockholder meeting; should be complete in July
0160 Replace existing recreation registration software	CITY RECREATION	Replacement of Class Software	Complete	3	Dept	10/01/2013	3/14/2014	High	Jessica Moran (Recreation Supervisor)	Received Council approval for purchase of Rec Trac; Software will be installed & all staff trained by 3/14/14
0389 Park City Sports Complex	CITY RECREATION	Install outdoor fitness equipment	On Track	2	Dept	12/15/2014		High	Karen Yocum (Recreation Supervisor)	
0442 Implementation Strategy for Recreation Master Plan	CITY RECREATION	Enter CIP request to fund conceptual design & feasibility work for second sheet of ice, indoor aquatics & indoor field	On Track	2	Dept	04/01/2014		High	Ken Fisher (Rec Manager) and Jon Pistey (Ice Manger)	Submitted requests, waiting for final recommendation on funding
0166 Transportation Master Plan Report Card	ECONOMY	Annual Report Card	On Track	2	Dept	Ongoing		High	Brooks Robinson (Principal Planner) and Heinrich Deters (Trails and OS Project Manager)	Will be completed in June every year. Will be compiled in a report and presented to Council.
0172 Wyatt Earp Implementation	ECONOMY	Completed Street Improvements	On Track	2	Dept	10/01/2013	10/15/2014	High	Heinrich Deters (Trails and OS Project Manager)	Take 2, Under Construction, Completion Oct. 15, 2014
0173 Pave Silver Quinn Trail	ECONOMY	Paved Trail	Complete	3	Dept			High	Heinrich Deters (Trails and OS Project Manager)	
0176 Sidewalk Reconstruction & Streetscape	ECONOMY	Sidewalk & Streetscape Improvements	On Track	2	Dept	01/01/2020		High	Matt Twombly (Sr. Project Manager)	Ongoing. Claimjumper to Heber ave on West side and 5th street to Heber, and 300 block west side to be done summer 2014
0178 Historic Wall	ECONOMY	Preserved Wall	Complete	3	Dept	07/01/2013		High	Dave Gustafson (Sr. Project Manager)	

Action Step	Dept.	Deliverable/ Description	Status		Type	Original Deadline	Revised Deadline	Priority	Responsible Party	Comments/ Update
0179 City Hall Plaza	ECONOMY	Completed Promenade	On Track	2	Dept	10/01/2014		High	Matt Twombly (Sr. Project Manager)	Council directed this to be included as an additive alternate as part of the 2014 summer projects. It will be reviewed as part of the final project budget in May 2014.
0183 Parking Redevelopment at PCMR Lot	ECONOMY	1) LOI2) RDA Extension3) Signed Agreement4) Phase I - Woodward Facility5) Parking & Transit Ctr Construction	On Track	2	Dept	10/01/2013	10/1/2014	High	Jon Weidenhamer (Economic Development Manager)	Woodward is moving forward with concept drawings and preliminary review from Planning & Building. Construction anticipated in spring 2015.
0190 Upon Completion of General Plan, Isolate ED Strategies into a document	ECONOMY	Create a summary of General Plan Economic Development strategies.	Delayed	1	Dept	02/01/2014	12/31/2014	High	Jon Weidenhamer (Economic Development Manager)	The General Plan was adopted in March 2014. This is delayed until December 2014
0192 LMC Changes	ECONOMY	Implement General Plan strategies including, support vitality, activity while protecting scale and integrity of historic buildings	Delayed	1	Dept	08/01/2013	12/31/2014	High	Jon Weidenhamer (Economic Development Manager), Thomas Eddington (Planning Director) and Sr. Planner	Following adoption of General Plan, staff to make changes needed to implement economic and other land use goals.
0326 Poison Creek Pathway Project	ECONOMY	Improve Safety and Experience of Poison Creek Trail	On Track	2	Dept	07/01/2014		High	Heinrich Deters (Trails and OS Project Manager)	Implementation of Walkability Projects (construction scheduled for June 14)
0429 Special Events Municipal Code	ECONOMY	Review & Refinement of Municipal Code as it relates to Special Events	On Track	2	Dept	04/15/2014		High	Jason Glidden (ED Program Mgr)	
0430 Way finding and Signage	ECONOMY	Way finding and Signage plan for Old Town area	On Track	2	Dept	04/15/2014		High	Jason Glidden (ED Program Mgr)	
0468 Dans-Jans Phase II Project	ECONOMY	Separated pathway on east side of Park Ave. & Pedestrian Underpass	On Track	2	Dept	11/01/2015		High	Heinrich Deters (Trails and OS Project Manager)	Implementation of Walkability Projects (construction scheduled for Summer/Fall 15)
0136 Replace aging driving range fence	GOLF MAINT.	Keep range balls within golf course property	On Track	2	Dept	10/01/2014		High	Clint Dayley	

Action Step	Dept.	Deliverable/ Description	Status		Type	Original Deadline	Revised Deadline	Priority	Responsible Party	Comments/ Update
0140 Install sprinkler head conversions	GOLF MAINT.	Increase sprinkler head efficiency	Complete	3	Dept	10/01/2013		High	Clint Dayley	Project completed
0061 Work with finance department and State auditors to accurately report daily sales	GOLF PRO SHOP	New checkout procedure	Complete	3	Dept	11/15/2013		High	Craig Sanchez (Golf Manager)	Worked with Finance and State Auditor to develop new system.
0294 Food and Beverage in house operation	GOLF PRO SHOP	Work with Legal, Planning, and budget teams to determine options for future Food and Beverage operation.	On Track	2	Dept	01/15/2014	4/15/2014	High	Vaughn Robinson (Interim Golf Manager)	Program has been approved, Liquor License is in hand and recruitment for upcoming season has begun
0026 NHL Camp	ICE FACILITY	The Goal is to develop the concept of a high altitude destination training camp for NHL/professional hockey players for the summer of 2014.	On Track	2	Dept	09/01/2014	6/1/2015	High	Jon Pistey (Ice Manager)	We will work with partners at USSA, in the lodging community, and through the NHL to attract coaches and players for pre-season training. We currently have interest from USSA, and a recently retired NHL player who believe the concept has potential. It remains to be seen whether PCIA will run the program, or help an outside group develop our idea.
0070 Dryland Training	ICE FACILITY	Develop a dryland training program that meets the needs of Hockey players and speed skaters	Complete	3	Dept	11/01/2013		High	Erika Roberts (Skating Director)	Off-ice strength and agility training and ballet classes are now being offered to meet the needs of all youth sport participants
0078 Replace Rubber Flooring Throughout Facility	ICE FACILITY	Design Layout, Issue Bids and Choose Vendor to Provide/Install Flooring	On Track	2	Dept	07/01/2013	7/1/2014	High	Jon Pistey (Ice General Manager)	Installation is scheduled for April 12-20 under contract with Rocky Mountain Builders.
0081 Replace Existing Arena Management Software	ICE FACILITY	Replacement of Class Software	Complete	3	Dept	07/01/2013		High	Amanda Noel (Front Desk Supervisor)	Class was replaced with Frintline in early January, 2013.

Action Step	Dept.	Deliverable/ Description	Status		Type	Original Deadline	Revised Deadline	Priority	Responsible Party	Comments/ Update
0422 Subsidy Reduction	ICE FACILITY	Through generation of additional revenue, and judicious expenditures, reduce the PCIA subsidy by \$40K compared to FY '13.	On Track	2	Dept	07/01/2014		High	Jon Pistey (Ice Manager)	Currently on track to meet the goal. Working with Budget Department closely on expense budget monitoring. Through February, subsidy reduced by \$80K vs. Feb. '13.
0451 Fire Sprinkler System Repair	MCPOLIN BARN	10k-15k repair of the Fire Sprinkler System	On Track	2	Dept	06/01/2014		High	Denise Carey	Beck Construction will begin 4/9/2014 on the repair and restructuring of the fire sprinkler system for the McPolin Farm complex. Work to be completed by May 2014.
0244 Parking Management Technology	PARKING	Parking Software, Pay-by-Cell Phone, and License Plate Recognition system implemented	Complete	3	Dept	07/01/2013	6/30/2014	High	Brian Andersen (Parking & Fleet Team Leader)	Successfully completed pay-by-phone and on-line payments & appeals implementation. Staff provided an update to Council on April 3, 2014. LPR testing continues early summer 2014.
0245 China Bridge Capital Maintenance Project	PARKING	China Bridge South Stairwell Refurbish	Complete	3	Dept	12/01/2012	7/13/2013	High	Brian Andersen (Parking & Fleet Team Leader)	Work completed
0135 Create a headstone Inspection program, repair unsafe monuments	PARKS & CEMETERY	Visitor safety / preservation of monuments	On Track	2	Dept	Ongoing		High	Clint Dayley Jarren Chamberlain	An inspection program has been implemented. Several more headstones have been identified for repairs.
0141 Replace outdated 20 year old controllers	PARKS & CEMETERY	Reduce system failures due to aging equipment.	On Track	2	Dept	01/01/2020		High	Clint Dayley	Several new controllers have been installed this year.
0142 Provide Hanging Basket to Main Street & Prospector area	PARKS & CEMETERY	Streetscape beautification	On Track	2	Dept	Ongoing		High	Clint Dayley Maria Barndt	Hanging baskets were installed on-time. This project is on-going.

Action Step	Dept.	Deliverable/ Description	Status		Type	Original Deadline	Revised Deadline	Priority	Responsible Party	Comments/ Update
0118 Continue Implementation of Main Street Mini-haul program	STREET MAINTENANCE	Improved parking, vehicular and pedestrian travel	On Track	2	Dept	Ongoing		High	Troy Dayley	This concept has proven to be very successful we are able to reduce the hauling costs while increasing service levels during typical snow storms. Challenges are the reduction in temporary snow storage sites in Swede Alley. We plan to continue this program next winter.
0121 Perform an annual internal street, sidewalk and bike path condition assessment	STREET MAINTENANCE	Identify and prioritize repair and maintenance efforts	On Track	2	Dept	Ongoing		High	Troy Dayley; Ever Armendariz	Streets assessment is completed and the information gathered was used in the development of the 2014 Pavement Management Program. Sidewalk and Bike Path assessments are underway.
0122 Inspect / replace regulatory street signage to comply with new MUTCD requirements	STREET MAINTENANCE	Compliance of all city regulatory signs	On Track	2	Dept	Ongoing		High	Troy Dayley	Sign retroreflectivity inspections are underway. Signs that fall below the minimum reflectivity threshold will be replaced.
0124 Apply 5,000 ton asphalt	STREET MAINTENANCE	A City street network with an average RSL (Remaining Service Life) of 10 years	On Track	2	Dept	Ongoing		High	Blake Fannesbeck; Troy Dayley	Project completed 10/1/2013. Staff is currently soliciting bids for the 2014 pavement program, anticipating 5,131 tons of asphalt to be applied to our streets.
0125 Repair potential hazards in streets, sidewalks and bike paths	STREET MAINTENANCE	Provide safe walkable sidewalks and bike paths	On Track	2	Dept	Ongoing		High	Troy Dayley	Assessment is underway and prioritized repairs are planned for this summer.
0149 City Park Tennis Court Expansion	TENNIS	New Courts	Complete	3	Dept	07/01/2013		High	Ken Fisher (Recreation Manager)	
0152 Utilize tennis courts more efficiently	TENNIS	U10 Tennis Lines on all indoor courts	Complete	3	Dept	01/01/2014		High	Michael O'Keefe (Tennis Director)	
0155 More welcoming to visiting tennis players	TENNIS	Tennis Concierge program; Walk-In Tennis Lessons/Clinics; Destination tennis camps	On Track	2	Dept	Ongoing		High	Michael O'Keefe (Tennis Director)	

Action Step	Dept.	Deliverable/ Description	Status		Type	Original Deadline	Revised Deadline	Priority	Responsible Party	Comments/ Update
0156 Increase/Offer destination tennis tournaments.	TENNIS	Host site for level 4 National Tournament run by Utah Tennis; Regional youth tournament; St. Paddy's Day Level 1 Tournament	On Track	2	Dept	Ongoing		High	Michael O'Keefe (Tennis Director)	Hosting Men's national Tournament 4/15-4/20; hosted largest St Paddy's Day tournament ever with over 165 youth playing.
0025 Yearly Update	TRANSPOR TATION OPER	Provide Council a yearly update of the transportation report card	Complete	3	Dept	12/01/2013		High	Kent Cashel (Transportation Manager)	Public Works took over update of report card. This item has been removed from Engineering over sight. This goal is now called Transportation Master Plan Report Card
0171 Dan's to Jan's Implementation	TRANSPOR TATION OPER	Completed Phase I Projects	On Track	2	Dept	10/01/2014	10/15/2014	High	Heinrich Deters (Trails and OS Project Manager)	Public Open House on design 3/18Strong Public supportStart of Construction scheduled summer 2014.
0239 Transit Coaches Replacement and renewal	TRANSPOR TATION OPER	Procure 5 buses and 5 support vehicles	On Track	2	Dept	12/01/2013	6/1/2014	High	Darren Davis	RFP nearing completion. Delays in deliverable caused by FTA closure during government shutdown, time required to develop technical spec for Deisel, Hybrid and CNG options.
0246 Parking Wayfinding: Coordinate Implementation with Overall Wayfinding Project	TRANSPOR TATION OPER	Coordinate implementation with overall wayfinding project	Complete	3	Dept	04/15/2014		High	Brian Andersen (Parking & Fleet Team Leader)	Initial Wayfinding inventory completed awaiting for Citywide plan completion. China Bridge tower sign installation completed.
0376 Service Expansion: Continued support of PC-SLC Connect Winter Transit Service	TRANSPOR TATION OPER	Continued Support of PC-SLC Connect	On Track	2	Dept	Ongoing		High	Kent Cashel (Transit & Transportation Manager)	Request for continued subsidy of system scheduled for Council 4-3-14
0378 Service Expansion: Continued support of PC-SLC Connect Summer Transit Service	TRANSPOR TATION OPER	Continued Support of PC-SLC Connect	On Track	2	Dept	Ongoing		High	Kent Cashel (Transit & Transportation Manager)	Request for continued subsidy of system scheduled for Council 4-3-14

Action Step	Dept.	Deliverable/ Description	Status		Type	Original Deadline	Revised Deadline	Priority	Responsible Party	Comments/ Update
PRESERVING & ENHANCING THE NATURAL ENVIRONMENT										
0215 Community Carbon Footprint Updates and Mitigation Initiatives	COMMUNITY & ENVIRONMENT	1) Permitting improvements and rebates for residential solar PV – clean tech econ2) Launch and support car sharing program – outreach & mktg.3) Communications Initiatives: Websites, Social Media, TV, Radio	Complete	3	Council	08/01/2013		High	Matt Abbott	Summit Community Solar (SCS) project has been a great success thus far. County / City residents completed 280 online solar assessments and contracts have been signed for 21 new residential solar PV systems. The deadline for new contracts in October 18th. Community car sharing is up to 52 users and staff is implementing a variety of new marketing measures this summer. Staff is also meeting with a new non-profit focused on greenhouse gas reductions to identify program and partnership opportunities. Council Priority: Community-wide renewable energy policy and action plan
0464 Open Space Acquisition	ECONOMY	-Staff attend monthly Basin Open Space Advisory Committee-Staff manage monthly COSAC meetings and update Council-Continued open space acquisition negotiations with landowners -Continued updates to Council in CLOSED per ongoing landowner discussions/budget - Coordination of RCST Bonding timeline per possible acquisition targets	On Track	2	Council	Ongoing		High	Heinrich Dieters (Open Space Project Manager) Nate Rockwood (Capital Budget Manager)	Council Priority: Open Space Acquisition
0223 Evaluate future uses and when those uses will be needed.	ENVIRONMENTAL REGULATORY	Analysis and recommendation to Council.	On Track	2	Council	Ongoing		High	Jim Blankenau (Environmental Reg. Program Manager)	Blue Ribbon Commission is set to begin meeting in February. Have contacted EPA about proposed changes to Soils Ordinance. Council Priority: Clean Soils

Action Step	Dept.	Deliverable/ Description	Status		Type	Original Deadline	Revised Deadline	Priority	Responsible Party	Comments/ Update
0432 Determine City Council's "Green Vision"	INTERGOVERNMENTAL & ENVIRONMENT	Council Renewables Study Session	On Track	2	Council	04/01/2014		High	Ann Ober, Matt Abbott	Feedback from this meeting will structure ongoing deliverables. Council Priority: Community-wide renewable energy policy and action plan
0433 Municipal & Community Green Building Standards	INTERGOVERNMENTAL & ENVIRONMENT	Green Building Council Study Session	On Track	2	Council			High	Ann Ober, Matt Abbott, Chad Root	Council Priority: Municipal & Community Green Building Standards
0434 Solar Panels	INTERGOVERNMENTAL & ENVIRONMENT	Solar panels on the roof of PC MARC.	Delayed	1	Council	12/15/2016		High	Ken Fisher (Recreation Manager), Matt Abbott	Delayed due to lack of funding. Council Priority: Municipal & Community Green Building Standards; CIP request submitted waiting to hear on funding
0457 Soil Ordinance Outreach Plan	INTERGOVERNMENTAL & ENVIRONMENT	Web page and mailers	On Track	2	Council	07/01/2014		High	Jim Blankenau	Council Priority: Clean Soils
0458 New Soils Ordinance Web Page	INTERGOVERNMENTAL & ENVIRONMENT	New web map and new web page	On Track	2	Council	05/01/2014		High	Jim Blankenau	Council Priority: Clean Soils
0459 Soil Transfer Station	INTERGOVERNMENTAL & ENVIRONMENT	Meet with EPA; Feasibility Study	On Track	2	Council	01/01/2015		High	Jim Blankenau	Council Priority: Clean Soils
0460 Amend Soils Ordinance	INTERGOVERNMENTAL & ENVIRONMENT	Meet with EPA; Adapt changes	On Track	2	Council	08/01/2014		High	Jim Blankenau	Council Priority: Clean Soils

Action Step	Dept.	Deliverable/ Description	Status		Type	Original Deadline	Revised Deadline	Priority	Responsible Party	Comments/ Update
0386 Meter Maintenance program	WATER OPERATIONS	meter maintenance programs	On Track	2	Council	06/15/2013	7/1/2014	High	Jason Christensen (Water Conservation Business Coordinator)	Initially, we identified and replaced about 20 large meters that had a slow decline in reported usage over the years. We are in the process of identifying more meters to replace as a result of the success of the first 20 in term of financial payback. Ultimately, we will have a plan to replace all meters over a period of time in order to accurately capture and charge for water use. Council Priority: Water Conservation & Clean Soils
0408 Pursue working leak detection.	WATER OPERATIONS	A process that maximizes our ability to detect leaks within our current software suite	On Track	2	Council	09/15/2013	6/30/2014	High	Jason Christensen (Water Conservation Business Coordinator)	There are two approaches with this. One approach is to attempt to find leaks in the field using various methods including acoustic devices and visual inspections. The other method is to conduct an audit on certain areas of our system to determine if the input matches the metered output, if there is a large difference in these values one explanation could be that there are leaks. This method is useful in narrowing down the field work into areas of known water loss. We are close to implementing software that will help conduct these water audits. Council Priority: Water Conservation & Clean Soils

Action Step	Dept.	Deliverable/ Description	Status		Type	Original Deadline	Revised Deadline	Priority	Responsible Party	Comments/ Update
0410 Investigate customer portal	WATER OPERATION S	Recommendation to issue a Request for Proposals for a Customer Portal	On Track	2	Council	06/15/2013	6/15/2014	High	Jason Christensen (Water Conservation Business Coordinator)	The main goal of a customer portal is to increase the user's awareness of their water use which will allow them to better manage, and hopefully reduce, how much they are using on a month to month basis. WaterSmart was selected and we are in the process of launching this software now. Should be up and running by early summer 2014. Council Priority: Water Conservation & Clean Soils
0207 Enhance Consumer Confidence in Water	COMMUNI TY & ENVIRONM ENT	Water PI contract and program management	On Track	2	Dept	Ongoing		High	Phyllis Robinson; Water Staff	Contract approved. Work on pipeline and website underway. Quarterly sampling and reporting initiated.
0436 Prosecution E-filing and Paperless Case Management	LEGAL		On Track	2	Dept	10/01/2014		High	Lisa Rogers and Tricia Lake	
0298 Complete and submit detailed engineering and financial analysis of options for UPDES compliance for Judge Tunnel and identification of the preferred alternative	WATER OPERATION S	Recommended Treatment option for Judge	On Track	2	Dept	10/01/2015	12/31/2015	High	Clint McAfee	Staff is working on an alternatives analysis
0356 Judge/Spiro Mine Maintenance	WATER OPERATION S	Long Term, reliable water sources	On Track	2	Dept	Ongoing		High	Kyle MacArthur (Water Operations Team Leader)	Mine Maintenance is up to date.
0357 Well and Spring Maintenance	WATER OPERATION S	Long Term, reliable water sources	On Track	2	Dept	Ongoing		High	Kyle MacArthur (Water Operations Team Leader)	This is up to date.

Action Step	Dept.	Deliverable/ Description	Status		Type	Original Deadline	Revised Deadline	Priority	Responsible Party	Comments/ Update
0358 Update and Enforce Source Protection Plan	WATER OPERATIONS	Long Term, Reliable Water Sources	On Track	2	Dept	Ongoing		High	Kyle MacArthur (Water Operations Team Leader)	This plan is up to date with the Utah Division of Drinking Water
0359 Empire Tank Replacement	WATER OPERATIONS	Staff Recommendation of Size and Schedule	On Track	2	Dept	12/15/2013	12/31/2014	High	Roger McClain (Water Engineer)	The existing Empire Tank has been repurposed to a raw water tank. This storage for drinking water will need to be replaced in the next few years. However, in order to delay this cost, we are looking at some pressure zone changes that would tap into the storage of the existing Aire Tank. These modifications will provide adequate fire flow and peak day storage for the near term. As the plans for the Treasure Development and the lower PCMR area start to come together, we will be able to more accurately determine the size and location of the replacement tank.
0362 Analyze and potentially, propose rate structure alternatives to meet revenue requirements and encourage water conservation	WATER OPERATIONS	Potential Rate alternative	On Track	2	Dept	Ongoing		High	Clint McAfee (Water Manager)	We will be looking at our rate structure to determine if a more aggressive conservation approach could be implemented. We will also be considering a higher base rate to cover fixed water operating costs. Staff will present options and recommendations to Council.

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0365 WTP Micro-hydro Power Generation Station	WATER OPERATIONS	Power production from new station	On Track	2	Dept	08/01/2014	1/1/2017	High	Roger McClain (Water Engineer)	Two sites have been identified for micro-hydro: at Quinns WTP and at Spiro WTP. The cost of this infrastructure is in the financial model but there is still work to do before we can design and construct a working facility. Micro Hydro will be a part of the treatment processes that will treat the Judge and Spiro Tunnels. Micro-hydro will be integrated into the design and construction of these facilities.
0367 Meet and/or be below all federal and state drinking water requirements.	WATER OPERATIONS	Water quality sampling and monthly reports to Utah Department of Environmental Quality Division of Drinking Water	On Track	2	Dept	Ongoing		High	Michelle DeHaan (Water Quality and Treatment Manager)	We continue to work towards a process that will meet our needs. However, we do not have final permit limits for the Tunnels and we haven't finalized the Stipulated Compliance Order and until these items are finalized we don't want to waste staff/consultant time and money. We continue to work with the Utah Division of Water Quality on finalizing these items. Through this process, staff has greatly increased the relationship and cooperation level with the DWQ. Once these items are finalized, it's pedal to the metal on coming up with a process that will meet our needs.
0368 Update water impact fee study and upgrade financial model for water fund	WATER OPERATIONS	Impact Fee Adoption and Upadated Model	On Track	2	Dept	07/01/2014		High	Clint McAfee	Zions Bank is under contract for the Impact Fee and Model Update. Work is expected to be complete by early to mid Summer

Action Step	Dept.	Deliverable/ Description	Status		Type	Original Deadline	Revised Deadline	Priority	Responsible Party	Comments/ Update
0369 Raw Water Irrigation Connections	WATER OPERATIONS	Conversion of the North 40 and portions of the Quinn's area to Raw Water	On Track	2	Dept	10/15/2014		High	Roger McClain (Water Engineer)	This project will convert the irrigation supply to several large irrigated areas to raw water. The major benefit here is that we free up treatment capacity and reduce the future treatment capacity required in the future. The water currently serving these areas is treated for drinking water.
0370 Judge Tunnel Pipeline	WATER OPERATIONS	Complete from Judge to Spiro WTP	On Track	2	Dept	12/15/2015		High	Roger McClain (Water Engineer)	This project is the first major step toward improving the water quality from the mine tunnels and complying with the Safe Drinking and Clean Water Acts. This project is awarded to a contractor and work could begin as early as the fall of 2013. Major work will begin during the spring of 2014. This project is partially funded by a STAG Grant in the amount of \$1.9M.
0371 Obtain UPDES permits for the Judge and Spiro Tunnels	WATER OPERATIONS	UPDES permits	On Track	2	Dept	12/15/2014		High	Clint McAfee (Water Manager)	We are close to permits and an agreement with the Utah Division of Water Quality on a compliance schedule and terms. As I type this, the ball is in EPA's court. Both the City and DWQ have interest in finalizing the permits and the agreement asap.
0372 Continue to Participate in Western Summit County Project	WATER OPERATIONS	Annual Updates on Supply and Demand, regionalization fees, and provide input on future regional projects	On Track	2	Dept	Ongoing		High	Clint McAfee (Water Manager)	This is on track, The Master Agreement was executed mid-2013. A three way interconnection between Park City, Mountain Regional, and Summit Water is being studied.

Action Step	Dept.	Deliverable/ Description	Status		Type	Original Deadline	Revised Deadline	Priority	Responsible Party	Comments/ Update
0373 Continue optimization of Spiro WTP to gain more stable production capacity, better process functionality and more robust compliance reliability.	WATER OPERATION S	Facility assessment and associated technical memorandum.	On Track	2	Dept	12/15/2013	12/31/2014	High	Michelle DeHaan (Water Quality and Treatment Manager)	This is an ongoing effort. Much progress has been made with this process including in the chemical feed system, PLC system, filter run times, influent WQ parameters, solids handling and processing and many others. Recent changes to the structure of the Water Department have also greatly improved the ability to have dedicated operators running the WTP rather than the entire team. With more consistent operating time, each treatment operator has become closer to an expert as they have more time to dedicate to the process with fewer distractions.
0374 Continue optimization of Quinn's Junction WTP.	WATER OPERATION S	Internal water quality result reporting	On Track	2	Dept	Ongoing		High	Michelle DeHaan (Water Quality and Treatment Manager)	This is a new facility and technology for us as of early 2012. This addition has more than doubled the complexity and workload of our treatment system and we have had many successes and failures along the way. e continue to invest in technical and specialized training for staff and continue to make upgrades for safety, water quality, and operational efficiency.
0375 Continue water quality blending and source management	WATER OPERATION S	Internal evaluation of water quality and blending ratios for continuous stable water quality	On Track	2	Dept	Ongoing		High	Michelle DeHaan (Water Quality and Treatment Manager)	Many positive changes have been made that has resulted in a very consistent water blend in the distribution system. Operator awareness and appreciation of this need has also been dramatically increased.
0390 Deer Valley Drive Water Line	WATER OPERATION S	Water main replacement / Engineering Dept. contract	Complete	3	Dept	07/01/2013	11/30/2013	High	Roger McClain (Water Engineer)	Complete

Action Step	Dept.	Deliverable/ Description	Status		Type	Original Deadline	Revised Deadline	Priority	Responsible Party	Comments/ Update
0395 Estates Drive Water Line Replacement	WATER OPERATIONS	Replace 750 ft. of corroded water main	On Track	2	Dept	11/01/2013	10/31/2014	High	Roger McClain (Water Engineer)	This section of pipe has regular failures. We will be replacing this water main during the summer of 2014. Depending on funding, we may delay this replacement to 2015.
0398 13th Street Pump Station Rebuild	WATER OPERATIONS	Modify to replace/relocate existing PRV in Empire Avenue	Complete	3	Dept	10/01/2013	11/30/2013	High	Roger McClain (Water Engineer)	Complete
0402 Water Master Plan Update - 2013	WATER OPERATIONS	Updated potable and raw water system planning update / to be incorporated in the IWRP / Council approval	On Track	2	Dept	01/01/2014	4/30/2014	High	Roger McClain (Water Engineer)	The master plan is another task that is always evolving and updated. The purpose is to accurately plan for improvements in the system related to growth and existing deficiencies.
0416 Water Right Monitoring, Management, and Compliance	WATER OPERATIONS	Water Source Availability	On Track	2	Dept	Ongoing		High	Kyle MacArthur (Water Operations Team Leader)	Monitoring and reporting are up to date.
0418 Complete and submit PCMC Integrated UPDES Plan to Division of Water Quality	WATER OPERATIONS	Draft Integrated Plan	On Track	2	Dept	10/01/2014		High	Clint McAfee	Staff is drafting Plan

Action Step	Dept.	Deliverable/ Description	Status	Type	Original Deadline	Revised Deadline	Priority	Responsible Party	Comments/ Update
AN INCLUSIVE COMMUNITY OF DIVERSE ECONOMIC & CULTURAL OPPORTUNITIES									
0448 City Housing Plan Implementation	COMMUNITY AFFAIRS	Implementing the goals of the city housing plan including developing funding options to foster homeownership opportunities in Park City.	On Track	2 Council	Ongoing		Top	Phyllis Robinson (Community Affairs Manager) and Rhoda Stauffer (Affordable Housing)	Revision of Housing Resolution and Deed Restriction templates being completed by October of 2014. Mortgage program tool still in consideration. Council Priority: Affordable, attainable, middle-income housing
0452 Complete area scan	COMMUNITY AFFAIRS	Complete area scan of planned and proposed middle income projects – including Park City Heights and projects in Summit County	On Track	2 Council	07/01/2014		Top	Phyllis Robinson (Community Affairs Manager) and Rhoda Stauffer (Affordable Housing)	Council Priority: Affordable, attainable, middle-income housing
0453 Complete a white paper on proposed projects	COMMUNITY AFFAIRS	Complete a white paper on proposed projects, projected need, and tools for meeting those needs for a study session with City Council in September	On Track	2 Council	10/01/2014		Top	Phyllis Robinson (Community Affairs Manager) and Rhoda Stauffer (Affordable Housing)	Council Priority: Affordable, attainable, middle-income housing
0461 Community Engagement Process Lower Park RDA	COMMUNITY AFFAIRS	a. ID community & council goals b. Expert/ professional recommendations	On Track	2 Council	09/01/2014		Top	Phyllis Robinson (Community Affairs Manager)	Council Priority: Citizen Engagement
0465 Complete revisions to Deed Restriction template and Housing Resolution	COMMUNITY AFFAIRS	Complete revisions to Deed Restriction template and Housing Resolution by October	On Track	2 Council	11/01/2014		Top	Phyllis Robinson (Community Affairs Manager) and Rhoda Stauffer (Affordable Housing)	Council Priority: Affordable, attainable, middle-income housing

Action Step	Dept.	Deliverable/ Description	Status		Type	Original Deadline	Revised Deadline	Priority	Responsible Party	Comments/ Update
0004 Lower Park Redevelopment	PLANNING DEPT.	Draft of an area plan presented to City Council, approve goals, strategies and concepts, and ID preferred build-out	On Track	2	Council	12/01/2013	5/31/2015	Top	Thomas Eddington (Planning Director)	Pending adoption of General Plan and Form Based Code for Bonanza Park, work will begin on the draft of the Lower Park Redevelopment Area Plan. The current proposal is to conduct a community charrette process over the summer of 2014, then begin the actual planning document. Council Priority: LPRDA Master Plan
0006 Annual Historic Site Inventory update	PLANNING DEPT.	Updated Historic Site Inventory and individual property site forms adopted by the Historic Preservation Board	On Track	2	Council	07/01/2013	2/1/2015	Top	Thomas Eddington (Planning Director)	The Planning Department will review the full HSI and reconcile Landmark / Significant structures based upon work completed during the year. Council Priority: Historic Sites Plan
0007 Annual Historic Guidelines update	PLANNING DEPT.	Updated Historic Guidelines adopted by the Historic Preservation Board and daily utilization by Planning Staff	On Track	2	Council	07/01/2013	10/31/2014	Top	Thomas Eddington (Planning Director)	A draft update will be produced and brought before the Historic Preservation Board - the nature of these updates will be dependent upon possible expansion of the HSI to include incentivising (not mandatory) ski-era buildings. Council Priority: Historic Sites Plan
0009 Intensive Level Survey of Main Street Historic District	PLANNING DEPT.	An intensive level survey of each historically designated site to identify important characteristics for preservation	On Track	2	Council	07/01/2014	10/31/2014	Top	Thomas Eddington (Planning Director)	CRSA was awarded an intensive level survey contract for Main Street - it is scheduled to be concluded by end of FY 2014. Results may require an update to the Historic Site Inventory. The contract was awarded to CRSA in May. Council Priority: Historic Sites Plan
0205 Research, develop and implement 2013-15 Communications Plan	COMMUNITY & ENVIRONMENT	5 Year Strategic community engagement plan	Complete	3	Council	02/01/2013	2/27/2014	High	Phyllis Robinson	This goal is continued with the Community Engagement Process Lower Park RDA goal. Council Priority: Citizen Engagement

Action Step	Dept.	Deliverable/ Description	Status		Type	Original Deadline	Revised Deadline	Priority	Responsible Party	Comments/ Update
0462 Preservation Plan and Structural Engineer Report	MCPOLIN BARN	Preservation Plan and Structural Engineer Report	On Track	2	Council	08/01/2014		High	Denise Carey	Council Priority: Historic Sites Plan. Staff has met with the Planning Department's Historic Preservation Planner Anne Oliver of SWCA Environmental Consultants to discuss the potential preservation plan. Further, staff proposes to partner with Ms. Oliver to develop the preservation plan, utilizing City resources such as Historic Preservation Planner Anya Grahm and the Building Department to provide necessary research and information. the purpose of the preservation plan is to guide future planning processes and action plans in order to minimize the loss, damage, or irreversible effects on the historic fabric of a site. Utilizing this plan, work efforts can be phased to explore and achieve desired goals. Further, the preservation plan will allow owners and stewards of the historic site to prioritize their work and responsibly plan for the future. Denise Carey will propose a bid outline for two (2) Historical Architectural Engineers to bid on a structural analysis.

Action Step	Dept.	Deliverable/ Description	Status	Type	Original Deadline	Revised Deadline	Priority	Responsible Party	Comments/ Update
0444 Spriggs Barn	BLDG MAINT ADM	Determine the final use for the Spriggs Barn and create a plan for preservation.	On Track	2 Dept	04/01/2015		High	Blake Fannesbeck (Public Works Operations Manager)	A structural evaluation and preservation plan will be performed on this facility along with McPolin Barn, Miner's Hospital and City Park Recreation Building. With these buildings we will also id possible use scenarios for policy and funding discussion. This historical structure is continuing to deteriorate and needs a preservation strategy. In 2012 an interior wall was built to shore up the roof and east side from collapse from snow load. The exterior wood continues to degrade as well as disappear from the site even though we have installed a chain link fence around the building.
0029 Arson Investigation	BUILDING DEPT.	Training and certification to allow for ongoing arson investigations	Complete	3 Dept	07/01/2013		High	Kurt Simister (Deputy Fire Marshall)	The Deputy Fire Marshall has completed the New Fire Investigation Training.
0031 Special event inspections	BUILDING DEPT.	Record of site inspections and status for special events	Complete	3 Dept	07/01/2013		High	Chad Root (Chief Building Official)	ongoing
0032 Increase in inspections	BUILDING DEPT.	Night and Weekend inspections to increase level or compliance with City regulations	Complete	3 Dept	07/01/2013		High	Chad Root (Chief Building Official)	alternating schedules as needed
0423 Construction Site Mitigation	BUILDING DEPT.	Mitigate construction impacts on Main Street	On Track	2 Dept	07/01/2014		High	Chad Root (Chief Building Official)	
0424 Business License Investigation	BUILDING DEPT.	Address businesses that do not have valid business licenses/nightly rental licenses	On Track	2 Dept	01/01/2015		High	Chad Root (Chief Building Official)	
0425 Meet Increased Inspection Demands for Large Scale Projects	BUILDING DEPT.	provide building inspections within a 72 hrs from initial request	On Track	2 Dept	01/01/2015		High	Chad Root (Chief Building Official)	

Action Step	Dept.	Deliverable/ Description	Status		Type	Original Deadline	Revised Deadline	Priority	Responsible Party	Comments/ Update
0426 Business License Process	BUILDING DEPT.	Discuss amending the Business License Code with staff from other departments	On Track	2	Dept	10/01/2014	3/1/2015	High	Chad Root (Chief Building Official)	
0427 Permitting Software	BUILDING DEPT.	Provide a recommendation on building permitting software	On Track	2	Dept	01/01/2017		High	Chad Root Chief Building Official)	
0428 Plan Check Software	BUILDING DEPT.	Provide a recommendation on a new plan checking software	On Track	2	Dept	01/01/2017		High	Cha Root Chief Building Official)	
0440 Main Street Enhancements	COMMUNITY AFFAIRS	Completion of infrastructure and sidewalk renovation.	On Track	2	Dept	Ongoing		High	Craig Sanchez (Golf Manager / Community Engagement Liaison)	
0186 Develop Business Retention and Attraction Plan	ECONOMY	Adopted Business Retention and Attraction Plan	On Track	2	Dept	04/01/2013	10/15/2014	High	Jon Weidenhamer (Economic Development Manager) & Jason Glidden (ED Program Mgr)	A draft plan was reviewed by Council in December 2014. The ED task force was delayed until a new Council liaison was appointed during visioning. A work session update on the ED work plan should be anticipated by July 1, 2014. Council will review priorities and discuss next steps.
0194 Identify target properties and Development of a Direct Business Recruitment Plan	ECONOMY	Business Recruitment Program	Delayed	1	Dept	04/01/2013	10/15/2014	High	Jon Weidenhamer (Economic Development Manager) & ED Pgm. Mgr.	A work session update on the ED work plan should be anticipated by July 1, 2014. Council will review priorities and discuss next steps.
0034 Complete Community Wildfire Protection Plan (CWPP)	EMERGENCY MANAGEMENT	Completed Plan presented to Council	Complete	3	Dept	12/01/2013		High	H Daniels (Emergency Manager), P Robinson (PIO)	Working with other partners to implement
0037 Develop an online employee preparedness program	EMERGENCY MANAGEMENT	Develop an audio-visual program for employee preparedness review for all city staff.	Delayed	1	Dept	07/01/2013	6/30/2014	High	H Daniels (Emergency Manager)	Changed this to a video program which is planned for May 2014 and distribution the summer of 2014.

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0047 Update Hazard Inventory & Vulnerability Analysis (HIVA)	EMERGENCY MANAGEMENT	Updated section in the CEMP	On Track	2	Dept	05/01/2013	6/30/2014	High	H Daniels (Emergency Manager) & Emergency Management Group (EMG)	Review has been partially completed with a new Cyber Security Hazard & Vulnerability Analysis being added. This will be before the Emergency Management Group (EMG) in April, 2014.
0048 Develop a Continuity of Operations Plan (COOP)	EMERGENCY MANAGEMENT	Completed Plan	Delayed	1	Dept	12/01/2015	6/30/2016	High	H Daniels (Emergency Manager)	New Safety program has taken priority and this is also a complicated and long process project.
0050 Convert and update all closed circuit video systems to centralized network	EMERGENCY MANAGEMENT	Centralized digital camera system	Complete	3	Dept	06/01/2015		High	H Daniels (Emergency Manager), S Robertson (IT Manager) & M Lennon (Building Maintenance Manager)	All closed Circuit Video Systems (CCVS) are now on the central network except for the Park and Ride which has its own issues but is still available for viewing in Dispatch.
0052 Purchase necessary equipment and upgrade to digital where possible	EMERGENCY MANAGEMENT	All CCVS moved to the central network and analog cameras replaced with digital	On Track	2	Dept	06/01/2015		High	H Daniels (Emergency Manager), S Robertson (IT Manager) & M Lennon (Building Maintenance Manager)	53 (40%) of our cameras are digital and another 71 need to be converted over the next several years as funding allows.
0300 Develop a citywide Safety program that is consistent throughout all departments and develops a culture of Safety for all employees	EMERGENCY MANAGEMENT	Utah Occupational Safety and Health (UOSH) Compliance	On Track	2	Dept	12/01/2014	6/1/2016	High	H Daniels (Emergency Manager), D Foster (City Manager), M Dias (Assistant City Manager) & Management Team	Program in its first year of organization and implementation. Probably will take an additional two to three years to be completely established and functional.
0303 Outline available funding and future funding as a part of a multi-department Risk Management Team	EMERGENCY MANAGEMENT	Identify accounts for Safety and Risk Management and applicable access	Complete	3	Dept	12/01/2013		High	H Daniels (Emergency Manager), D Foster (City Manager), M Dias (Assistant City Manager), M Harrington (City Attorney) & J Briggs (Budget Operations Manager)	Meeting complete and interim funding identified for FY14 with new BFOs submitted for FY 15 and FY16.

Action Step	Dept.	Deliverable/ Description	Status		Type	Original Deadline	Revised Deadline	Priority	Responsible Party	Comments/ Update
0304 Online SDS system citywide	EMERGENCY MANAGEMENT	System contracted for and implemented for all buildings and employees	On Track	2	Dept	06/01/2014		High	H Daniels (Emergency Manager), M Dias (Assistant City Manager) & Select Departments	Infrastructure in place for staff use and inventory to vendor for completion
0003 Rocky Mountain Power System Upgrade	ENGINEERING	1) Approvals for new substation2) Replacement of overhead power lines3) Judge Station upgrade	On Track	2	Dept	01/01/2015		High	Matt Cassel (City Engineer)	Major changes by Rocky Mtn Power. Waiting for RMP to finalize their agreement with Heber Power.
0020 Reconstruction project: Reconstruction of Road	ENGINEERING	Reconstruction of Empire Avenue	Complete	3	Dept	10/01/2013		High	Matt Cassel (City Engineer)	Project completed
0021 Reconstruction project: Construction of Retaining Wall	ENGINEERING	2013 – repair failed section of Royal Street. 2014 – construction of retaining wall	On Track	2	Dept	07/01/2014	10/31/2014	High	Matt Cassel (City Engineer)	Project in design. On schedule to complete design and have out to bid this spring with construction this summer.
0023 Storm Water Utility Study	ENGINEERING	Study to look at the issues associated with creating and maintaining a storm water utility	Delayed	1	Dept	06/01/2013	6/1/2018	High	Matt Cassel (City Engineer)	Delayed until the Storm Water Master Plan is completed and adopted by Council.
0412 Storm Water Improvements	ENGINEERING	Identify, obtain funding, fix and repair one(1) project storm water issue within the city annually	On Track	2	Dept	Ongoing		High	Matt Cassel (City Engineer)	Annually
0439 Update Engineering Standards	ENGINEERING	Update of Engineering Standards and Specification and creation of standard front end construction documents	On Track	2	Dept	12/15/2016		High	Matt Cassel (Engineering Manager)	
0089 Refresh collection by systematically removing out-of-date and low use items from library collection: Youth Services	LIBRARY	Develop de-selection schedule and run reports to identify items to be considered for removal from collection	Complete	3	Dept	12/01/2013		High	Tegan (Youth & Spanish Services Librarian)	As mentioned above the Library Management Team is developing a schedule to accomplish weeding goals in concert with library renovation & expansion. This will include the Youth Services Collection.

Action Step	Dept.	Deliverable/ Description	Status		Type	Original Deadline	Revised Deadline	Priority	Responsible Party	Comments/ Update
0091 Select architect & begin planning for library expansion project if approved for funding by City Council	LIBRARY	Completed plan for the development of a 21st Century Library facility in response to the needs of the Park City community.	Complete	3	Dept	12/01/2012	4/1/2014	High	Adriane (Director), Jasmina (Adult Services Librarian), Tegan (Youth & Spanish Services Librarian) & Chris (Library IT Coordinator).	Plans underway and moving timeline in place.
0092 Research similar projects in other libraries and make recommendations for Park City Library	LIBRARY	Plan for technology hub	Complete	3	Dept	11/01/2012	8/1/2013	High	Jasmina (Adult Services Librarian), Chris (Library IT Coordinator) , Tegan (Youth & Spanish Services Librarian)	Project will coincide with planning for the library renovation & expansion.
0377 Create a focus on Community Affairs for the library, to include outreach, marketing, and collaboration.	LIBRARY	Pam Evans will focus her efforts on Community Affairs in cooperation with the management team, and will hire a Library Assistant to work on marketing in conjunction with this goal.	On Track	2	Dept	06/01/2014		High	Pam Evans (lead) (Circulation Supervisor - Customer Service & Marketing), Adriane (Director), Tegan (Youth & Spanish Services Librarian), Jasmina (Adult Services Librarian), Chris (Library IT Specialist), Trish (Cataloging Librarian), Angela (Circulation Supervisor - Operations)	A part-time Library Assistant for Marketing job description written and approved by Library Management Team and Director. 10/2013 Currently working with HR to hire the LA-Marketing. Interviews will begin in February 2014. Interviews revealed the need for a new strategy for this position, which will now be a contract approach. Pam Evans is working to develop a RFP for the needed skills.
0379 Develop and implement a moving plan to relocate to temporary library location during construction	LIBRARY	Moving Plan	Complete	3	Dept	03/01/2014		High	Adriane, Jasmina, Tegan, Chris	A moving plan has been developed, including a timeline on a shared city document.

Action Step	Dept.	Deliverable/ Description	Status		Type	Original Deadline	Revised Deadline	Priority	Responsible Party	Comments/ Update
0297 Community Survey for McPolin Farm Future use.	MCPOLIN BARN	Work with City Manager, Phyllis Robinson and Friends of Farm Committee to develop a survey for the community to participate in	Complete	3	Dept	02/01/2014	5/1/2014	High	Denise Carey (Golf Farm Coordinator)	Preservation plan and structural engineer report has replaced community survey.
0001 Bonanza Park Redevelopment Area Plan	PLANNING DEPT.	Implementation of Form Based Code for BOPA as adopted by City Council	On Track	2	Dept	07/01/2013	11/30/2014	High	Thomas Eddington (Planning Director)	The General Plan should be in place in March 2014 which will allow Planning Staff to move into completing the Draft BOPA Plan. CC directed the GP to precede the BOPA plan given that RMP revised their plans leave the substation in its current location.
0002 General Plan	PLANNING DEPT.	Draft of an updated General Plan presented to Planning Commission	Complete	3	Dept	01/01/2013	3/6/2014	High	Thomas Eddington (Planning Director)	Plan completed and adopted by CC on 6 March 2014.
0106 Establish and continue education with Park City Community Anti-bullying Coalition	POLICE	Continue to meet with community coalition and set yearly agenda.	On Track	2	Dept	01/01/2013	1/1/2016	High	Wade Carpenter	Coalition working on 501c3 status. Executive board has been selected for the Coalition. Leaders for Life is rescheduled for November 15 & 16, 2013. We are continuing to work with the United Against Bullying Coalition (UABC) The board has requested that PCPD continue to assist them while they restructure the board leadership. We are currently assisting the collation on several prevention grants.

Action Step	Dept.	Deliverable/ Description	Status	Type	Original Deadline	Revised Deadline	Priority	Responsible Party	Comments/ Update
0109 Physical Fitness Requirements	POLICE	All officers meet year one requirements according to four year plan.	On Track	2 Dept	11/01/2012	11/6/2014	High	Department Administration	Department members are taking advantage of the City Wellness Program as well as personal fitness programs and regimens. Many members are hitting the 3rd and 4th year testing standards in Year Number One. After completing the next biannual test in October of 2013, employees should be at the 3rd year standards. The 4th year standards should be achieved by the Oct. 2014 test.
0111 Continue to evaluate community needs and adapt patrol & investigative tactics accordingly.	POLICE	Presentation on how they are using data from crime reports to adapt tactics.	Complete	3 Dept	03/01/2013	9/17/2013	High	Phil Kirk & Rick Ryan	Phil and Officer Cameron Thor presented this training during this year's department annual training on Sept. 10th and 17th of 2013.
0112 Evaluate traffic enforcement efforts to improve walkability and bike-ability of community.	POLICE	Report on effectiveness of increased officer presence.	On Track	2 Dept	Ongoing		High	Phil Kirk	Phil is working with Traffic Sergeant Robinson on completing this evaluation.
0113 Establish victim advocates support.	POLICE	To have service up and running.	Complete	3 Dept	11/01/2012	10/1/2013	High	Phil Kirk & Lisa Rogers	The Victim Advocate Coordinator was hired in Nov. 2012. The program was operational until the 2nd week in June 2013 when the Victim Advocate suddenly resigned. aA very successful recruiting process brought us Malena Stevens who was hired as the new coordinator in October of 2013. Since then Malena has recruited and trained five VA volunteers and she herself has completed the necessary coordinator training. Since the beginning of 2014 the program is fully operational.

Action Step	Dept.	Deliverable/ Description	Status		Type	Original Deadline	Revised Deadline	Priority	Responsible Party	Comments/ Update
0115 Prepare personal safety training for city employees.	POLICE	Completed training and set dates.	Complete	3	Dept	07/01/2013		High	Wade Carpenter, Phil Kirk & Rick Ryan	Training has been conducted and offered to all city employees in a class room setting and two practical simulated shooting scenarios have been conducted for the Marsac Employees.
0431 Body Camera Program	POLICE	Department wide implementation of a body camera program	Complete	3	Dept	03/01/2014		High	Phil Kirk (Police Captain)	Each officer and first line supervisor have been assigned a body camera and has recieved instruction how to use the cameras consistent with Department Policy. The majority of the cameras were purchased through grants and will provide an added layer of safety for officers, the City and citizens.
0450 Police Management Team Restructuring	POLICE	Police management team restructuring; converting a patrol sergeant to an investigation's lieutenant	On Track	2	Dept	04/15/2014		High	Chief Wade Carpenter Rick L. Ryan (Captain) Phil Kirk (Captain)	Combining a Sergeant Position and the Detective positon allows us to fund an Administrative Lieutenant position with existing budget. The position will provide greater consistency in Special Events, case tracking, and personel actions just to name a few assignments.

Action Step	Dept.	Deliverable/ Description	Status	Type	Original Deadline	Revised Deadline	Priority	Responsible Party	Comments/ Update
RESPONSIVE, CUTTING-EDGE & EFFECTIVE GOVERNMENT									
0333 Increase interagency outreach among regional partners Action Step #1	CITY MANAGER	IA Task Force meetings. County manager meetings	On Track	2 Council	Ongoing		High	Diane Foster (City Manager) and Matt Dias (Assistant City Manager)	Bi-monthly Meetings with County Council, weekly staff meetings with County Manager and staff, and several regional meetings planned with Heber/Wasatch officials. Council Priority: Regional Collaboration
0437 Eden Software Green Initiative	FINANCE	Implementation of Tyler Content Manager (Eden) software in accounts payable processing. This is a green initiative to transform paper-based information to electronic documents and streamline the flow of digital information throughout the City. The long-term goal is to implement use of this software with all Eden software modules.	On Track	2 Council	07/01/2014		High	Lori Collett (Finance Manager)	Provided Eden with implementation info, April will begin implementation. Council Priority: Community-wide renewable energy policy and action plan
0466 Regional Collaboration	INTERGOVERNMENTAL & ENVIRONMENT	: The Council has scheduled regional meetings for 2014. There is one per month through December	On Track	2 Council	Ongoing		High	Ann Ober	Council Priority: Regional Collaboration
0127 Elevator Inspection	BLDG MAINT ADM	Safety, regulatory compliance	On Track	2 Dept	Ongoing		High	Mike Lennon	Annual inspection completed
0129 Implementation of building security access cards(FOB) for Public Works, Marsac and Spiro Water Plant	BLDG MAINT ADM	Improved building security and safety	On Track	2 Dept	07/01/2014		High	Mike Lennon; Hugh Daniels; Scott Robertson	

Action Step	Dept.	Deliverable/ Description	Status		Type	Original Deadline	Revised Deadline	Priority	Responsible Party	Comments/ Update
0130 Re-Bid Janitorial Service Contract	BLDG MAINT ADM	New Contract	Delayed	1	Dept	07/01/2013	9/1/2015	High	Mike Lennon	This goal is delayed so that special events can be included in the cleaning contract. The number of special events that the city does this year will be assessed and included in the re-bid in 2015.
0133 Install truncated domes to Prospector bike path at intersections	BLDG MAINT ADM	Handicap accessible / ADA compliance	Delayed	1	Dept	10/01/2015		High	Troy Dayley	Due to the alignment of the water line this project has been delayed. However, asphalt patches were completed as a temporary repair.
0443 Public Works Land Procurement	BLDG MAINT ADM	"Secure Land for the Following Priorities in Public Works Operations: Snow Dump Storage, Public Works Operations Facility	On Track	2	Dept	04/01/2015		High	Blake Fonnesebeck (Public Works Operations Manager)	Parks, Streets, and Building Maintenance are all feeling pressure to vacate spaces needed by other departments and projects due to their growth.
0278 Coordinate with Department Managers to create a balanced budget	BUDGET, DEBT & GRANTS	Budget Adoption, Budget Documents, State budget audits	On Track	2	Dept	Ongoing		High	Jed Briggs (Budget Operations Manager), Kory Kersavage (Budget Analyst)	
0280 Create/update usable performance measures that accurately track the effectiveness and efficiency of each program.	BUDGET, DEBT & GRANTS	Performance Measure Database in BOARD	On Track	2	Dept	Ongoing		High	Kory Kersavage (Performance Measure Analyst)	
0282 Coordinate with Project Managers to create a 5-year Capital Improvement Plan and 2-year Capital Budget	BUDGET, DEBT & GRANTS	CIP Plan & Budget Adoption, Budget Documents, State Budget Audit	On Track	2	Dept	Ongoing		High	Nate Rockwood (Captial, Debt & Grants Manager)	
0283 Water Bond	BUDGET, DEBT & GRANTS	Issue ~\$5M water revenue bond in CY 2012	Complete	3	Dept	01/01/2014		High	Nate Rockwood (Captial, Debt & Grants Manager)	

Action Step	Dept.	Deliverable/ Description	Status		Type	Original Deadline	Revised Deadline	Priority	Responsible Party	Comments/ Update
0286 Golf Fund Model	BUDGET, DEBT & GRANTS	Golf Fund Exp/Rev Tool	Complete	3	Dept	10/01/2013		High	Nate Rockwood (Captial, Debt & Grants Manager)	
0287 Title VI, DBE & EEO Plan Updates	BUDGET, DEBT & GRANTS	Provide updated plans for FTA review	Complete	3	Dept			High	Nate Rockwood (Captial, Debt & Grants Manager)	
0288 Create comprehensive budgeting software that is tailored to the BFO process	BUDGET, DEBT & GRANTS	Go-Live for Budget Process for FY 2014	Complete	3	Dept	01/01/2014		High	Kory Kersavage (Budget Analyst) and Jed Briggs (Budget Operations Manager)	
0331 Coordination and management of Council records and proceedings, minutes and motions. Maintenance of official documents.	CITY COUNCIL	Timely Completion of Packets, minutes, and routine maintenance of official documents	On Track	2	Dept	Ongoing		High	Marci Heil (City Recorder), Sharon Bauman (Sr. Recorder/Elections), Jody Morrison	Ongoing
0334 Robust communications to residents via multi-media	CITY MANAGER	Weekly interviews on KPCW; timely posting of new events; social media	On Track	2	Dept	Ongoing		High	Diane Foster (City Manager) and Matt Dias (Assistant City Manager)	Weekly
0336 Proactively develop initiatives to respond to community challenges and shape policy for Council.	CITY MANAGER	Guide and help support proactive policy formation	On Track	2	Dept	Ongoing		High	Diane Foster (City Manager) and Matt Dias (Assistant City Manager)	
0342 Foster relationships for City at local, state and federal levels	CITY MANAGER	With Fed & State Lobbyists identify bills that could negatively impact PC	On Track	2	Dept	Ongoing		High	Matt Dias (Assistant City Manager)	Mayor/staff Fall 2013 trip to D.C. included meetings with Hatch, Lee, and Bishop. Mayor/staff met with Powell and Van Tassell held prior to 2014 Leg session. Regular attendance at ULCT's and weekly Bacci meetings during 14' Leg session.

Action Step	Dept.	Deliverable/ Description	Status		Type	Original Deadline	Revised Deadline	Priority	Responsible Party	Comments/ Update
0345 Communication with Council and Mayor	CITY MANAGER	Weekly reports to Council/bi-weekly meetings with council members	On Track	2	Dept	Ongoing		High	Diane Foster (City Manager) and Matt Dias (Assistant City Manager)	Weekly
0348 Manage daily operations	CITY MANAGER	prompt interactions with Staff	On Track	2	Dept	Ongoing		High	Diane Foster (City Manager) and Matt Dias (Assistant City Manager)	Daily
0404 Facilitate attendance at ICMA LEAD Workshops seminars in Virginia	CITY MANAGER	Monetary contribution to allow attendance	On Track	2	Dept	Ongoing		High	Jolene Weston	Looking at budget for next fiscal year and keeping track of individuals interested in attending.
0449 Update Accountability Structure	CITY MANAGER	Work with Management Team to focus on other, complimentary aspects of accountability in the workplace that continue to promote our culture and maintain commitment to being a learning organization	On Track	2	Dept	Ongoing		High	Matt Dias (Assistant City Manager)	
0339 Manage Municipal Elections (candidate filings and financial reporting)	ELECTIONS	meet legal deadlines and ensure proper reporting	On Track	2	Dept	Ongoing		High	Sharon Bauman (Senior Recorder)	Odd years 2013
0340 Manage polling/staffing for municipal elections	ELECTIONS	Polling stations are staffed with trained poll workers	On Track	2	Dept	Ongoing		High	Sharon Bauman (Senior Recorder)	Odd years 2013
0341 Satellite Registration and Polling Location for County	ELECTIONS	Facilitate voter registrations; Primary and General Elections in City Hall	On Track	2	Dept	Ongoing		High	Sharon Bauman (Senior Recorder)	Even Years
0251 GASB Implementation	FINANCE	Implement GASBs No. 61, 62, 63 and 65	Complete	3	Dept	12/01/2013	12/12/2013	High	Lori W. Collett (Finance Manager)	Revised deadline to match date of Council audit acceptance

Action Step	Dept.	Deliverable/ Description	Status		Type	Original Deadline	Revised Deadline	Priority	Responsible Party	Comments/ Update
0252 Day to Day Policy Implementation	HUMAN RESOURCES	Compliance in daily operations and systems	On Track	2	Dept	Ongoing		High	Brooke Moss (HR Manager) and all Finance personnel	
0255 Policy Design and Implementation	HUMAN RESOURCES	Compliance	On Track	2	Dept	Ongoing		High	HR	
0256 Annual benefit program review & bid process	HUMAN RESOURCES	Affordable, practical & competitive employee benefit package	On Track	2	Dept	Ongoing		High	Brooke Moss (HR Manager)	
0259 Full Time Regular Recruitments	HUMAN RESOURCES	Highly qualified and engaged workforce	On Track	2	Dept	Ongoing		High	HR Staff	
0413 Develop Park City LEAD program	HUMAN RESOURCES	Weekly Meetings	On Track	2	Dept	Ongoing		High	Jolene Weston	Jolene will be working with the LEAD team to develop the programs and hope to have it implemented by August 1st.
0445 Organizational Development Program	HUMAN RESOURCES	"Continue to develop the Organizational Development Program	On Track	2	Dept	Ongoing		High	Brooke Moss (HR Manager)	
0446 Training Development	HUMAN RESOURCES	"Continue to develop training needed by managers	On Track	2	Dept	Ongoing		High	Brooke Moss (HR Manager)	
0447 New Staff Training	HUMAN RESOURCES	Train new staff and re-establish department priorities	On Track	2	Dept	Ongoing		High	Brooke Moss (HR Manager)	
0018 Safety program	SELF INS & SEC BOND	Development of a safety program for work performed on Right-of-way. Program starts in FY 2013 and carries through to 2014	Complete	3	Dept	07/01/2013	7/1/2015	High	Matt Cassel (City Engineer) & Hugh Daniels (Emergency Manager)	Hugh Daniels has taken over the program. Program has been expanded now to include all City Employees not just those working in the right-of-way.
0299 Establish a citywide Safety Training Program for all departments including a job specific training matrix	SELF INS & SEC BOND	Completed Training Matrix and begin training program for all identified employees	On Track	2	Dept	06/01/2014	6/1/2016	High	H Daniels (Emergency Manager) & Management Team	Program in its first year of organization and implementation. Probably will take an additional two to three years to be completely established and functional.

Action Step	Dept.	Deliverable/ Description	Status		Type	Original Deadline	Revised Deadline	Priority	Responsible Party	Comments/ Update
0262 Systems Support	TECHNICAL & CUSTOMER SERVICES	Advanced management of systems and disaster recovery	On Track	2	Dept	Ongoing		High	Andrea Mitchell (Systems Administrator)	
0265 GIS Support	TECHNICAL & CUSTOMER SERVICES	Facilitate customer centric GIS & mapping	On Track	2	Dept	Ongoing		High	Spencer Lace (GIS Coordinator)	
0268 Website management	TECHNICAL & CUSTOMER SERVICES	Verification and publication within website guidelines	On Track	2	Dept	Ongoing		High	Shannon Dale (IT Customer Service)	
0270 User support and training of core software applications	TECHNICAL & CUSTOMER SERVICES	Excellent customer support experience	On Track	2	Dept	Ongoing		High	Jolene Johnson (Helpdesk)	
0271 Network Support	TECHNICAL & CUSTOMER SERVICES	Support and management of network operations	On Track	2	Dept	Ongoing		High	Brad Pennock (Network Engineer)	
0274 Replacement of aging computer equipment	TECHNICAL & CUSTOMER SERVICES	Timely upgrades to end-user equipment and core IT systems	On Track	2	Dept	Ongoing		High	Jolene Johnson (Helpdesk)	
0275 Archiving Software Upgrade	TECHNICAL & CUSTOMER SERVICES	Improved software to retrieve and store organization archived records	Complete	3	Dept	01/01/2014		High	Ron Neeley (Records Coordinator)	
0441 Council & Board Meeting Software	TECHNICAL & CUSTOMER SERVICES	"Council & Board Meeting Software: provides staff workflow and audio recordings for public review.	On Track	2	Dept	11/01/2014		High	Scott Robertson (IT Manager)	



City Council Staff Report

Subject: Pre-Budget Hearing Meeting
Author: Jed Briggs, Matt Dias, Brooke Moss
Department: Budget, Debt, & Grants
Date: April 17, 2014
Type of Item: Informational/Discussion

Summary Recommendations:

The Council should provide preliminary direction concerning Blue Ribbon Commission Pay Recommendation, Affordable Care Act (ACA)—Employer Shared Responsibility Provisions, Pay Plan, Health Insurance, Utah Retirement Systems (URS), and 4.5% increase in the General Fund.

Topic/Description:

Pre-Budget Hearing discussion on major operating budget items.

Background:

The City usually begins the budget process in January/February with the City Council identifying objectives for the next year during the Council Retreat. This year Council reaffirmed their goals, priorities, and desired outcomes. Council also reviewed the Budgeting for Outcomes (BFO) Program scoring criteria and weights. The 10-year revenue and expenditure projections (FIAR presentation) showed the possibility of expenditures outpacing revenues in the future. Varying funding mechanisms were discussed for bolstering revenues, but no direction was given at that time. The forecasted 4.5% annual increase in the General Fund for expenditures was also mentioned, some discussion thereof occurred, however no direction to deviate from that practice was given.

It has been the intention of staff that as the City Manager's Recommended Budget is near completion and a better picture of the overall budget becomes clear that City Council would continue the discussion of major operating budget items and potential funding sources.

The high level timeline for the strategic planning and budget process was provided to City Council during their annual retreat and is as follows:

ID	Task Name	Start/Ongoing	Finish	Duration	2014												2015
					Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan
1	Council Retreat	1/30/2014	2/3/2014	3d													
2	Results Team deliberation	2/17/2014	3/31/2014	31d													
3	Quarterly Goal Update (Q3.FY14)	4/1/2014	4/15/2014	11d													
4	Council Budget Hearings	5/8/2014	6/12/2014	26d													
5	Quarterly Goal Update (Q4.FY14)	7/1/2014	7/15/2014	11d													
6	Business Plan FY14 Update	7/1/2014	9/1/2014	45d													
7	Biennial Plan FY15 & 16 Revision	7/1/2014	9/1/2014	45d													
8	Quarterly Goal Update (Q1.FY15)	10/1/2014	10/15/2014	11d													
9	BFO Departmental Submission	11/24/2014	12/19/2014	20d													
10	Biennial Plan FY15-16 Off-year Update	12/16/2014	1/15/2015	23d													
11	Quarterly Goal Update (Q2.FY15)	1/1/2015	1/15/2015	11d													

The timelines and process for the budget hearings is detailed below:

April 17 – Pre-Budget Hearing Meeting is both a follow up from the budget discussions held during the City Council Annual Retreat and a preview of some very high level budget issues that Council will need to consider. The primary purpose of the April 17 meeting is to discuss the current staff recommendation for these high-level budget issues and allow sufficient time for staff to make any needed adjustments prior to the delivery of the City Manager’s Recommended Budget on May 5.

May 5 - Staff will deliver the City Manager’s Recommended Budget (Tentative or Proposed Budget) to City Council. Public hearings are currently scheduled for May 8, 15, 29, June 5, and 12. Discussion/action is slated for these dates as follows, barring changes as needed.

May 8 – Presentation of the Tentative Budget, Budget Overview & Timeline, Update of Financial Impact Assessment Report (FIAR), Benefits (pay plan, URS-Retirement, Health Insurance), and Special Service Contracts.

May 15 – CIP Budget

May 29 – Operating Expenditures - Biennial Plan Team Presentations and Fee Changes. Presentation and adoption of the Tentative Budget.

June 5 – Personnel Policies and Procedures (P&P) Manual, City Fee Resolution, Council Compensation, Budget Policies, Outstanding Budget Issues, Adopt CEMP update by resolution

June 12 – Presentation & Adoption of Final Budget (if no property tax increase), Adoption of Provisional Budget (if property tax will be increased)

Analysis:

This budget season will be the first year of the budget biennium. Between now and June, we will be working on adjusting the FY 2014 Budget as well as developing the FY 2015 Budget and the FY 2016 Plan.

The City Manager's Recommended Budget is constructed drawing upon Council input and direction received during the Council Retreat in January. During the budget section, Council was presented with the FIAR projection of the City's expenditures and revenues over the next ten years. In essence, the FY15 and FY16 budgets have to fit within the confines of the FIAR's projected expenditure increases (based off of a 10-year historical analysis of an average annual increase of Park City's expenditures), approved by Council. The funding level recommendation has to account for Pay Plan, health insurance, Affordable Care Act (ACA) provisions, retirement, departmental requests, CIP enhancement, etc. Below are the City's Long-Term Budget Strategies for crafting the City Manager's Recommended Budget:

1. Budget draws upon Council input from Council Retreat and FIAR projections as a guide
 - a. Performance-driven operating budget based upon Council's goals, objectives, and desired outcomes
2. Two-year budget process with fewer budget requests coming in the "off-year" (FY16 in this particular biennium budget)
 - a. Second-year budget requests that will be considered are ones that will come with revenue offsets or expense reductions, or that are either required by law necessitated by market/environment changes that happened since the last budget adoption (FY15 budget in this case)
3. Budget committees' recommendations will be considered
 - a. Committees include Results Team as well as CIP, Pay Plan, and Fleet Committees and any other ad hoc committees needed for unique circumstances
 - b. Results Team will make recommendations by considering BFO score, manager's bid request, established need, available resources, and performance measures
4. All operating and capital budget requests should be considered during the budget process
5. General Fund budget surplus should be used for capital projects

BUDGET RECOMMENDATIONS



Below is a high level view of the FY15 and FY16 budget, with a particular focus on the items that are currently included in the recommended 4.5% increase over last year's budget. This year's budget is one of the highest overall budgets in recent memory, enhanced by the loss in revenue from Kimball Junction businesses that had incorrectly coded their taxes to Park City (\$400k/year in General Fund).

To work within the budget constraints -- while it is not reflected in the below chart -- the Results Team and the City Manager are actually recommending functional budget cuts: where department managers have requested inflationary increases for supplies, little to no increases are being recommended by the Results Team and the City Manager. Additionally, during the recession years, departmental budgets were reduced extensively and, at this point, staff believes that additional cuts may have a negative impact to service levels.

That being said, Council will have many opportunities during the budget process to consider service level reductions and corresponding program budget reductions.

The chart below shows the major categories of increases to the operating budget currently under consideration by the Results Team and the City Manager. Because each item is a significant expenditure, if Council does not agree with the staff recommendation, below, staff would like the opportunity to make adjustments prior to the May 5 delivery of the City Manager's Recommended Budget to City Council.

EXPENDITURE OUTLOOK

GENERAL FUND FY15, FY16

Budget Items	FY15	FY16
Blue Ribbon Commission Pay Recommendation	\$65k	\$70k
Affordable Care Act (ACA) Variable Hour Employees	\$200k	\$200k
Pay Plan/2% Increase	\$315k	\$590k
Health Insurance	\$20k	\$325k
Utah Retirement System (URS)	\$175k	\$375k
Utilities	\$0	\$100k
Allowable Operating Increases for FY15*	\$325k	\$320k
Allowable Operating Increases for FY16*	N/A	\$420k
4.5% Increase Over FY14 (Base) Total	\$1.1M	\$2.4M
*\$1.5M in Non-Approved Operating Increases		

Blue Ribbon Commission (BRC) Pay Recommendation

Summary: After examining issues related to elected official compensation, the BRC made five (5) recommendations, two (2) of which may impact the FY15 Budget. In short, the BRC recommended new compensation strategies that better utilize additional comparable communities and help to account for Park City's exceptionally high costs of living.

For the Mayor, the BRC recommended using a new, weighted compensation methodology:

- (50% weight) Broaden both type and quantity of jurisdictions used by City staff for the biennial comparative-communities analysis, such as Palm Springs (CA), Sun Valley (ID), Santa Fe (NM), and Jackson Hole (WY).
- (50% weight) Better account for and mitigate Park City's high costs of living by utilizing annual Average Household Income data provided by the U.S. Census Bureau.
- This could result in an increase of \$19,086.21 for FY15. This would increase the salary-only portion of the Mayor's salary from \$23,467.72 to \$42,553.93 (this does not include benefits).

For Council Compensation, the BRC recommended updating the current compensation methodology to utilize wage data from communities more similar to Park City:

- Broaden both type and quantity of jurisdictions used by City staff for the biennial comparative-communities analysis, such as Palm Springs (CA), Sun Valley (ID), Santa Fe (NM), and Jackson Hole (WY).
- This could result in an increase of \$9,157.75 for FY15. This would increase the salary-only portion of the City Council members' salary from \$12,735.72 to \$21,893.47 (this does not include benefits).

On March 6, 2014, Council directed staff to see the BRC recommendation in context with the other major operating items of the FY 2015 budget, which is now being presented. Also, at that meeting the City Manager noted that neither the Results Team nor the Pay Plan Committee would weigh in on the BRC recommendation, as it does not seem an appropriate role for those committees. Finally, Council expressed varying points of view on when the BRC pay recommendation should go into effect. Council may choose to direct staff on the BRC pay recommendation, which could include one of the following scenarios:

1. Full Implementation; effective July 1, 2014, increase Mayor/Council compensation as indicated above as part of the FY15 budget process (recommended by staff).
2. Defer Implementation; push implementation off to a future budget cycle(s):
 - a. Pay recommendation effective after term expires (staggered); or
 - b. Pay recommendation pushed to FY16 budget (effective Jan. 2016) or another budget year.

Affordable Care Act (ACA) – Employer Shared Responsibility Provisions

The Affordable Care Act (ACA) provisions outline rules for the City on positions which may be required to include health coverage. The City currently employs several groups of employees who could be eligible for coverage under the new law. Over the last year through an "Affordable Care Act Committee", the HR department has teamed with all departments who have any potentially eligible employees to examine hours worked, City needs and potential reductions hours worked or service levels. Each position which fits certain criteria has been examined individually, and in many cases hours have been reduced, schedules changed, and/or additional employees have been hired to reduce the total hours worked by one individual and eliminate health coverage eligibility. Service levels have not been reduced, but may be impacted slightly. However, in limited cases it has been impossible to reduce hours worked by one positions to eliminate health coverage eligibility without a large impact on service levels.

The departments most impacted would be the Transit, Streets and Parks departments. While mainly reductions have been looked at Citywide, maintaining similar service levels in these departments would be impossible. Some hours and changed schedules even in these departments have occurred, however part-time and/or seasonal employees are not able to completely cover service needs. After much consideration it

has been determined that a severe impact to service levels would occur in a few cases, and a solution is necessary. Staff is presenting five different scenarios for how the City can address these Affordable Care Act issues—the hybrid approach being recommended by staff.

All of the options are described in detail below; however, the high-level description of the options is as follows:

- 1) The first solution is to pay the penalty for all employees that meet the ACA definition of a full-time employee, but do not have health care;
- 2) The second solution is to cut the hours of the employees that currently meet ACA requirements, but are without health insurance;
- 3) The third solution is to offer health insurance to the minimum number of employees without incurring the 95% penalty;
- 4) The fourth solution is to implement a hybrid approach of offering health insurance to some employees and cutting employee hours over a period of time (recommended); or
- 5) The fifth solution is to create Full Time Regular (FTR) status positions for all those who currently meet ACA definitions of a full-time employee and offer healthcare to all of those employees.

ACA Solutions	Status Quo	Cut Hours	Meet 95%	Hybrid	All FTRs
Penalties Cost (GF)	\$218,400	\$0	\$36,000	\$15,000	\$0
Personnel Cost (GF)	\$0	\$0	\$60,000	\$269,385	\$463,920
Cost to General Fund	\$218,400	\$0	\$96,000	\$284,385	\$463,920
Penalties Cost (TF)	\$249,600	\$0	\$0	\$0	\$0
Personnel Cost (TF)	\$0	\$0	\$270,000	\$270,000	\$420,714
Cost to Transit Fund	\$249,600	\$0	\$270,000	\$270,000	\$420,714
Total Cost to City	\$468,000	\$0	\$366,000	\$554,385	\$884,634
Budget Offset (GF)	\$0	\$0	\$0	-\$90,000	-\$90,000
Budget Offset (TF)	\$0	\$0	-\$270,000	-\$270,000	-\$270,000
Total Cost to City w/ Offset	\$468,000	\$0	\$96,000	\$194,385	\$524,634
Level of Service Change	—	↓↓	↓	↓↑	↑

1. **Pay Penalty (Status Quo):** According to the IRS, if an employer does not offer health coverage, or offers health coverage to fewer than 95% of its full time employees then the penalty is calculated as follows:

$$\text{Payment} = (\# \text{ of FTEs} - 30) \times \$2,000; \text{ Park City: } (264-30) \times \$2,000 = \$468,000$$

$$\text{General Fund portion} = (14 \text{ GF employees} / 30 \text{ employees}) = \text{\$218,400 GF}$$

Transportation Fund portion = (16 TF employees/30 employees) = \$249,600 TF

This is a scenario that staff recommends the City avoid because it is very expensive and doesn't offer health insurance to any additional employees. Service levels would not be impacted and there is currently no recommendation to offset the increase since it is not the preferred option. In order to avoid this scenario the City would need to offer coverage to at least 251 of our 264 employees that meet ACA requirements for full-time employee status.

2. **Cut Hours**: In this solution all employees that currently work over 30 hours on average have their hours cut to below 30 hours/week if they are not FTRs. In this solution the cost to the city is \$0. Though this is being done in some departments, it is not recommended for Transit, Parks, and Streets in order to avoid service level decreases. The seasonal and part-time budget would not change for the identified departments, which means that they could hire more seasonal/part-time employees in order to attempt to meet current demands. However, this would result in more turnover and less expertise for individual employees equating to substantial drops in levels of service.
3. **Meet 95% Threshold**: In order to avoid the \$468,000 penalty, at least 251 of the City's 264 full-time employees must be offered health insurance. Of the City's 264 full-time employees, 235 are currently being offered health insurance. This leaves 29 employees who work more than 29 hours a week, but less than 40 hours per week, without health insurance. Of those 30 employees the City would have to offer health insurance to 17 of them in order to reach the 252 required to avoid the \$498,000 penalty.

Since Transit Fund can pay health insurance within its existing resources for its 15 eligible employees, one option would be to have Transit pay those employees health insurance in order to meet the 95% threshold. That leaves two employees that need to be offered health insurance in the General Fund in order to meet the 95% requirement and avoid the large penalty. The employees not receiving coverage would have their hours reduced to below that of eligibility over the next year, decreasing levels of service in the long run. Also, less than half of the eligible employees would receive health insurance which is why this is not the staff recommended scenario.

The cost of moving 2 employees to FTR status (\$30,000) + (12 employees X penalty (\$3,000)) = **\$96,000 GF**

Transportation Cost = 15 Employees X \$18,000= \$270,000 TF*

*Total cost would be offset within Transportation Fund (5 FTR Vacant positions and decrease to part-time budget).

4. **Hybrid:** In the hybrid approach nine employees in the Streets and Parks departments would be made FTRs while the penalty would be paid for the remaining five employees. The employees not receiving coverage would have their hours reduced to below that of eligibility over the next year. For the nine FTRs there would be a cost increase of \$31,165 for a seasonal Parks III to move to FT, and \$28,937 for a seasonal Streets III to move to a FTR. There would be four new FTR Parks III's and five new FTR Streets III's. The Transportation Fund is able to cover the cost of health insurance through unfilled FTR positions they have currently. It is staff's hope that they can continue to operate as they do now, but exact impacts to the transit system are unclear. This is staff's recommended option because 24 current employees would be offered health insurance and the level of service would be slightly better in the General Fund.

$$(\$3,000 \times 5) + (4 \times \$31,165) + (5 \times \$28,937) = \textbf{\$284,385 cost to GF*}$$

*Parks and Streets are helping to offset this by decreasing budget to the tune of about \$90,000. They are able to do this due to the increased level of service that having more FTRs would bring. That would bring the total cost to the General Fund to **\$194,385**.

$$\text{Transportation Cost} = 15 \text{ Employees} \times \$18,000 = \$270,000 \text{ TF*}$$

*Total cost would be offset within Transportation Fund (5 FTR Vacant positions and decrease to part-time budget).

5. **Make All FTRs:** In this solution, all employees that do not currently have FTR status but work more than 30 hours a week on average will be given FTR status. This would provide 29 of the eligible employees with health insurance and would definitely enhance level of service; however, the budget increase is fairly prohibitive. For this reason it is not the recommended scenario. The effect of this on the General Fund would be:

$$(7 \times \$31,165) + (7 \times \$28,937) = \textbf{\$420,714 GF*}$$

*Parks and Streets are helping to offset this by decreasing budget to the tune of about \$90,000. They are able to do this due to the increased level of service that having more FTRs would bring. That would bring the total cost to the General Fund to **\$194,385**.

$$\text{Transportation Cost} = (\$28,995 \times 15) = \$434,925 \text{ TF*}$$

*Total cost would be offset within Transportation Fund (5 FTR Vacant positions and decrease to part-time budget).

Something that should be noted, any of the above solutions can be modified if needed. These solutions are presented as packages that Council could choose from, but are not

exhaustive. Thus, the additional cost of making a year-round seasonal employee an FTR is about \$30,000 per employee, with a \$3,000 cost savings in potential penalty (net \$27,000 budget increase or \$27,000 savings if penalty is preferred). In this way the above solutions can be altered to find quick alternative solutions of differing dollar amounts.

Finally, the City will only be responsible for paying a penalty if there is an employee that the City does not offer coverage to AND that employee files for and receives a Premium Tax Credit on their tax return.

Pay Plan

Park City has a market-based pay philosophy. The Pay Plan attempts to ensure the uniform and equitable application of pay in comparison to the Utah and Colorado municipal employee market.

Every two years Park City compares its employee compensation data with approximately 30 communities from the Wasatch Front, the Colorado Municipal League, and Summit County (the Wasatch Compensation Group). The Technical Committee looks at job descriptions and compares with similar positions or “benchmarks” to determine market pay for any given position. The City Manager chooses the metrics that determine how salaries should be set and defines a threshold at which positions should be reclassified. The Pay Plan Committee is formed to review the benchmark data and make recommendations for reclassification to the City Manager.

The Pay Plan Committee has two major responsibilities:

1. Determine where internal equity positions should fit in the Pay Plan; and
2. Review the recommendations of the Technical Committee.

As the City’s Pay Plan philosophy develops, it is critical that the City’s compensation and reclassification policies are monitored and adjusted as appropriate. Of particular concern is how an employee moves to working level, eligibility for a performance bonus, and professional development within families of positions.

While the Park City economy has had a strong recovery, the same cannot be said for all communities across Utah and Colorado. The average recovery has been more modest than Park City’s, so the Pay Plan adjustments are modest as compared to the strength of Park City’s economic recovery.

The economic recovery will continue to make it more difficult for the City to compete with the private sector. For the City to maintain its high quality staffing, it will be important for the Pay Plan to keep pace.

Health Insurance

In recent years, the cost of Park City’s health insurance has risen dramatically between 8-22% per year. Historically, the City picked up almost the entirety of the tab for these increases, until three years ago when the City asked employees to pay \$50 more per

month for family health insurance. These double digit percentage increases, while consistent with trends seen across the nation, are nonetheless alarming and indicate a different approach to providing this benefit may need to be explored in the future.

The Human Resources Department has already negotiated an increase to FY15 health insurance plans and prices. This year's negotiated price increase is just under 2%—which is much lower than the national average (around 10-12%) and is the lowest increase in years. Health plans will remain largely unchanged, so the vast majority will be able to maintain their current coverage option. Also, Human Resources will be continuing to expand the City's current Wellness Program to help mitigate future increases. Efforts through the City's wellness program to educate and incentivize healthy behavior have already begun to affect health care costs with this very low renewal. HR is also examining an increased premium in some benefit areas for those employees who use tobacco products.

The hope continues to be that employees will become more aware of and accountable for medical expenses. Programs aimed at preventative care, such as the City's Wellness program, could keep usage down, and lower usage should translate to more modest renewal rates.

Retirement

All full-time Park City employees are part of the Utah Retirement System (URS) defined benefit program. The City is required by statute to contribute a certain percentage of employee pay toward the URS pool annually.

During FY 2014, URS required a 17.29% contribution for general municipal employees (32.14% for sworn officers). For FY 2015, URS will require 18.47% contribution (34.04% for sworn officers).

Allowable Operating Increases

Currently, the City employs a Budgeting for Outcomes (BFO) process that focuses on Council priorities and objectives as the driving factor for prioritization. By creating Desired Outcomes within Council goals and then receiving offers from City departments, the City can make better-informed decisions regarding the prioritization and cost of City services and programs.

The Results Team (staff-led budget committee) receives service proposals (bids) for programs and activities in each Council goal. These BFO programs are scored by departmental managers based off of scoring criteria that were discussed during the Council Retreat. The Results Team reviews these scores and changes them to arrive at a composite score agreed on by the group. This provides the ranking of proposals within each Council goal with a quartile ranking as well numbered from 1 to 4.

The team then identifies questions or gaps in specific proposals and requests additional information from the proposal owner, including potential implications of level of service adjustments or the suggestion of additional collaboration. The prioritization of the BFO

programs is the start of the discussion on where to fund programs—not the end. Decisions on budget enhancements or decreases are based on the scoring of each BFO program, as well as the department manager's rationale, established need, and availability of resources.

The Results Team has to make tough decisions in order to fit their recommendation within the confines of the FIAR's projected expenditure increase, which also has to cover Pay Plan, health insurance, retirement, and any other non-departmental budget increases. The allowable operating increase is around \$320k in FY15 and \$697k in FY16 for the General Fund. The team discusses their overall rankings and rationale for budget enhancements or decreases and prepares a final recommendation to the City Manager, who refines this recommendation and may include it in the overall budget recommendation.

On May 5, staff will deliver the City Manager's Recommended Budget (Tentative or Proposed Budget) to City Council, which will include the Results Team recommendations on level of funding for departmental requests.

Department Review:

Budget, Debt, & Grants Department, Human Resources, Transportation, Public Works, Legal, and City Manager

Alternatives:

A. Approve:

Staff recommends that Council provides direction regarding major operating budget items.

B. Deny:

Council will hold an operating budget discussion during the budget hearings

C. Modify:

Council may make modifications to the recommendations provided in this staff report. Further opportunities for Council to modify the recommended budget will occur throughout the budget process.

D. Continue the Item:

This has the same effect as Alternative B.

E. Do Nothing:

This also has the same effect as Alternative B.

Significant Impacts:

Council is being asked to provide direction on major operating budget items. The numbers reflected in this staff report represent preliminary assumptions as to what to include in the City Manager's Recommended Budget. If Council provides substantial changes to these major operating budget items, then the City Manager's Recommended Budget will be updated to reflect these changes. If Council directs staff to decrease any of the major operating budget items, the City Manager's Recommended Budget may include a larger budget for allowable operating increases.

Consequences of not taking the recommended action:

Staff will present the City Manager's Recommended Budget during the budget hearings.

Recommendation:

Provide initial preliminary discussion concerning major operating budget items which will be proposed.



City Council Staff Report

Subject: 2014 Tour of Utah Update
Author: Heinrich Deters, Bob Kollar
Department: Sustainability & Joint Venture
Date: April 17, 2014
Type of Item: Informational

Summary Recommendations:

Staff is recommending Council review information attached in this report and provide direction if required.

Topic/Description:

Update and Review for upcoming Tour of Utah Master Festival Application

Background:

The Tour of Utah is a professional road-cycling event sanctioned by the International Cycling Federation, comparable to the Tours of major European Countries. Park City has hosted the event on several occasions, most recently in 2012 and 2013, when Main Street was the venue for the start and finish of Stage 6, the final stage of the event.

Staff believes hosting such events is consistent with our economic development goals, is consistent with our past successes in hosting world-class sporting events, and we believe it helps further our relationship with and commitment to the State of Utah's Life Elevated program, the Utah Sports Commission's State of Sport program, and overall economic and tourism goals.

Analysis:

In 2013, Park City's Main Street hosted the Start and Finish of the final stage of the Tour of Utah. The event was deemed by everyone associated with the production of the event as the penultimate moment of the six day affair. A crowd of approximately 10,000 spectators descended on Main Street for a day of racing and festivities and while the event was not without impacts, members of the lodging community, Historic Park City Alliance deemed the day a success. Finally, the national and international exposure received via media outlets covering the Tour of Utah further emphasizes Park City's reputation as a world class recreational destination that hosts a variety of well organized, internationally recognized events.

In February 2014, Tour of Utah unveiled host Cities for the 2014 event. One major change to the 2014 event is that the Tour has expanded from six stages to seven. Park City was again selected to host Stage 7, the final stage of the event, on Sunday, August 10th. Details, including course, road closures, timing and the Main Street 'footprint' associated with Stage 7 will be very similar to the 2013 event. Staff will return to Council with the final layout and logistics as part of the Master Festival permitting. Additionally, it

should be noted, that Tour of Utah teams and staff will be lodging in Park City Friday, Saturday and Sunday.

Stage 6 route

Similar to the 2013 event, on Saturday, August 9th, Stage 6 of the event starts in Salt Lake City and finishes at Snowbird Resort. The stage, often referred to as the Queen Stage, is proposed to travel through Park City via Deer Valley Drive and Marsac Avenue, before climbing over Guardsman Pass into Big Cottonwood Canyon and finally climbing Little Cottonwood Canyon to the finish. (Exhibit A)

Ultimate Challenge Saturday August 9th

The Ultimate Challenge, a complementary event to the Tour of Utah, allows amateur cyclists the chance to ride Stage 6 in the morning, prior to the professionals taking the course. The event is not a race, and participants are instructed to follow 'rules of the road' while on course. Three 'distance' options are made available for the participants and the promoter would like to use Park City as the second distance option. The event in itself will add up to 500+ cyclists to the roads within the stage route. Support infrastructure includes a 10' x 10' tent for the three 'distance' cities. Staff is working with the Ultimate Challenge promoter and will return to Council with details under the same Master Festival permit as Tour of Utah.

Public Outreach

Due to possible impacts from road closures, staff will again contact numerous HOAs and residents that may be affected during the 2014 event.

Multi-Jurisdictional Outreach

Staff continues to work with the Planning and Law Enforcement Departments of Summit County, including Eastern Summit County, as well as Wasatch County and Heber City to raise awareness and help mitigate impacts associated with the tour traversing those jurisdictions. Of specific note, these efforts include the June 19th 'Road Respect Tour', which is a multi-jurisdictional cycling awareness campaign sponsored by the Utah Department of Transportation and Utah Highway Patrol. One specific leg of the Respect Tour starts in Park City and finishes in Coalville, where community members and civic leaders have been invited to a forum to discuss the 'Car and Bike rules to live by'.

Financial Element

Similar to the 2013, the City and Chamber through the Joint Venture (which is jointly funded equally by Park City and the Chamber/Bureau) will provide approximate \$80,000 of value and value-in-kind (VIK) in addition to grant application funds for the 2014 event.

- \$20,000 cash budget from Chamber.
- \$20,000 cash budget from Joint Venture.
- \$15,000 of VIK City/Chamber Services.
- \$25,000 cash for marketing from grant funds

Similar to 2013, the Tour will be broadcast live nationally, on the Fox Sports network daily from 2pm-4pm.

Department Review:

This report has been reviewed by the Sustainability, Legal and Executive Departments and their comments have been included in the document.

Alternatives:

This report is for informational purposes

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	+ Accessible and world-class recreational facilities, parks and programs + Varied and extensive event offerings		+ Shared use of Main Street by locals and visitors	+ Engaged and informed citizenry
Assessment of Overall Impact on Council Priority (Quality of Life Impact)	Positive 	(Select from List)	Positive 	Positive 
Comments:				

Funding Source:

Proposed funding for the event may come from the City/Chamber Joint Venture account.

Consequences of not taking the recommended action:

This report is for informational purposes

Recommendation:

Staff is recommending Council review information attached in this report and provide direction if required.

Exhibit A- Stage 6 Route through Park City

Proposed Tour of Utah Stage 6 Route



City Council Staff Report



Subject: Planning – General Plan Implementation
Author: Thomas Eddington, Planning Director
Kayla Sintz, Planning Manager
Date: April 17, 2014
Type of Item: Work Session

Background

The Planning Department is proposing a number of long range and General Plan implementation projects over the next few years. The attached Gantt Chart (Exhibit A) illustrates the proposed timing for these projects. Each column represents a month and, where applicable, a date has been included so that we can begin to understand how utilizing one of the two Planning Commission meetings a month will impact the schedule to complete many of these projects while maintaining our regular schedule for applications and public hearings. The chart anticipates specific meeting dates as outlined for Planning Commission (labeled with a date), City Council (labeled with a date and “C”) or Joint (labeled with a date and “J”) meetings.

The Bonanza Park (BOPA) Area Plan and Form Based Code is time sensitive due to fact that it was put on hold to finalize the General Plan. The Department committed to jumping back into this project upon completing the General Plan and we are proposing to kick off this project with a Joint Meeting between the City Council and Planning Commission on Tuesday, May 13th.

Simultaneous to the BOPA work will be the Lower Park (LOPA) public charette process to be conducted this summer, should City Council elect to go that direction for the Lower Park Avenue multi-generational housing project. Once complete and with the guiding concepts in place, Planning will begin preparation of the Area Plan document.

Starting in late summer as the number of Planning Department applications begin to decline (Exhibit B indicates current Applications as well as anticipated Applications in FY15), we will begin the Land Management Code (LMC) revisions as anticipated in the General Plan.

The Gantt Chart extends out for almost 3 ½ years to include many long range projects that are recommended in the General Plan. While this schedule will likely fluctuate, it does provide the Planning Department with a tool to plan for these projects as efficiently as possible given our day-to-day functions as well.

Staff is sharing this Planning Department document with City Council so that Council can:

1. Review the large number of significant projects that are before the Planning Department over the next three to four years;

2. Understand the process the Planning Department will be using to tackle the various projects; and
3. Ask questions about the schedule and process.

Next Steps

The next documents to complete are the BOPA Area Plan and Form Based Code. As noted above, we will hold a Joint Meeting of City Council and Planning Commission on Tuesday, May 13th, 2014.

Exhibits

Exhibit A – Gantt Chart

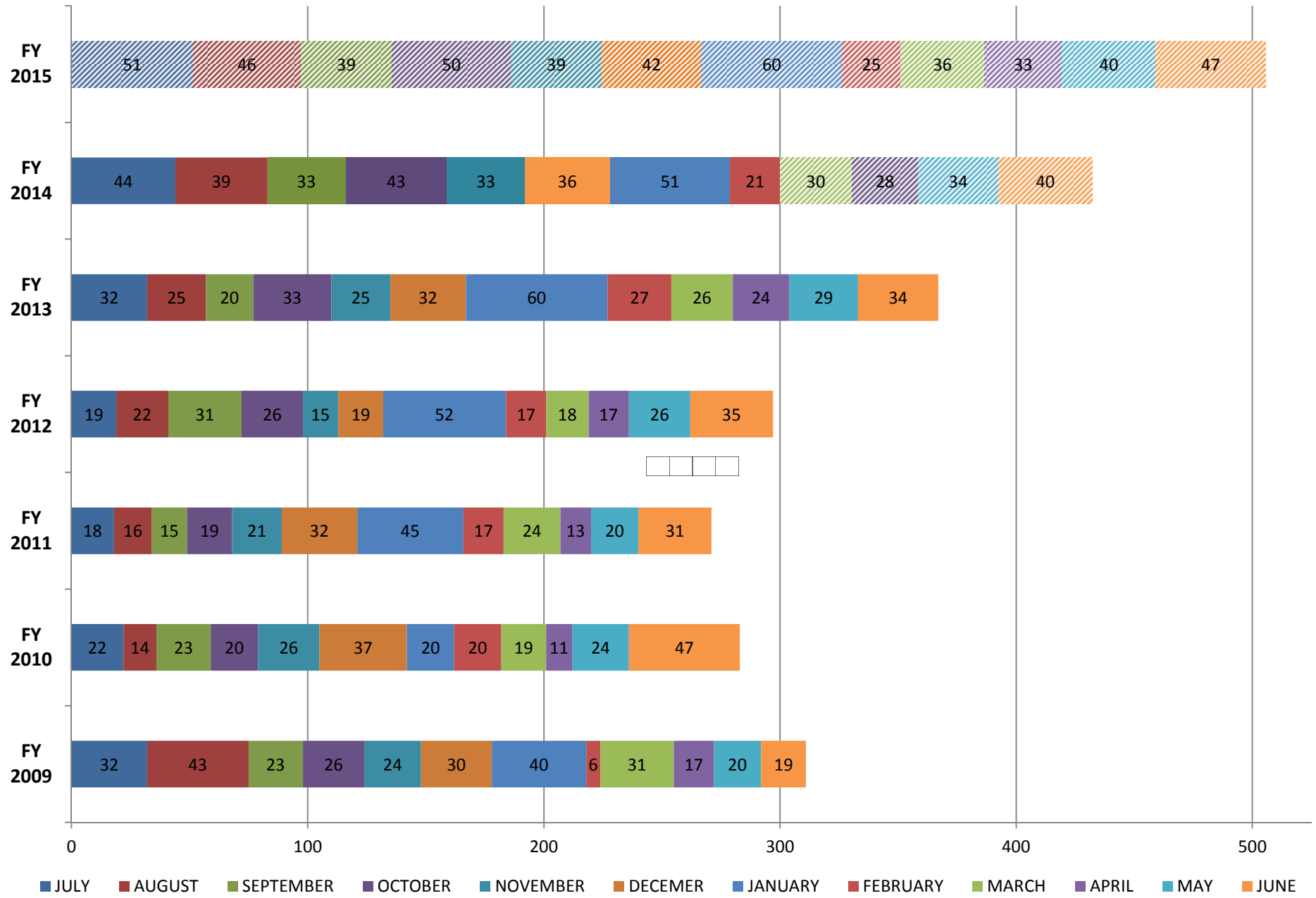
Exhibit B – Planning Department – Application Comparison

Exhibit A

Planning Department - LongRange / Project Planning																																											
	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12	Month 13	Month 14	Month 15	Month 16	Month 17	Month 18	Month 19	Month 20	Month 21	Month 22	Month 23	Month 24	Month 25	Month 26	Month 27	Month 28	Month 29	Month 30	Month 31	Month 32	Month 33	Month 34	Month 35	Month 36	Month 37	Month 38	Month 39	Month 40			
	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	Jul-15	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17			
					Application - Busy Season						Holiday/Sundance							Application - Busy Season						Holiday/Sundance							Application - Busy Season						Holiday/Sundance						
General Plan																																											
Applications																																											
PCMR (FA)																																											
Treasure (FA)																																											
Historic Sites Inventory / Main Street (AG)																																											
All Other Applications																																											
Neighborhood Plans																																											
BOPA and FBC (CA)					13J		9	13	9J		12	11C	8C																														
LOPA (RW)					Public Charette Process									10J		8	13	17		11J		8C	12C																				
Prospector Area Plan (JB & FA)																										9J			11	8		9J	10C	6C									
LMC & Municipal Code Revisions																																											
Lighting Code Update (AG/SS/CA)								27	10	16C																																	
Sign Code Update (CA/RW)																8	13	25C	16C																								
LMC ReWrite - General																																											
-Allowed Uses/CUPs & Lot Sizes (CA/KW)										8	12	10	8C	19C																													
-TDRs (FA)														11	11	8	13	11C	15C	13C																							
- Definitions (RW/CA)														11	11	9C	14C																										
-Parking (FA)																			14	12	16	22C																					
-Housekeeping (KW)																					16	14	19C																				
-CUP Criteria (FA)																							11			10	9	13	12C	2C													
-Landscape Ordinance (KW/SS)																												13	11	9C													
-MPDs (FA)																													8			10	14	20C	10C								
-HPB/HDDRs (AG/RW)																																	19H	9	14	12C	9C						
-SLO/Ridgelines (FA)																																						8	8		6C		

Dates:
Numbers alone indicate the
Planning Commission
meeting that month
"C" next to the date indicates
a City Council Meeting
"J" next to the date indicates
a Joint CC/PC meeting

Planning Department - Projected Intake and Monthly Comparison of Applications



 Projected years are estimated at a 17% increase - based on the average increase of applications over the past 3 years

City Council Staff Report



Subject: Joint City Council / Historic Preservation Board
Author: Anya Grahn, Historic Preservation Planner;
Kayla Sintz, Planning Manager
Department: Planning
Date: April 17, 2014
Type of Item: Joint Meeting and Work Session

City Council has an interest in meeting with each Board and Commission for the purpose of meeting all of the individuals who serve as well as provide a forum to discuss issues and/or questions.

Because Planning staff needs to update City Council on historic preservation-related activities, staff thought it would be helpful to schedule first the 45 minute Joint Meeting between the City Council and the Historic Preservation Board to be followed by the 45 minute work session on staff-level historic preservation activities. The HPB is invited to stay for the 45 minute work session, as they may find it interesting and relevant.

Historic Preservation Board Members

Meet the Current Historic Preservation Board (HPB) members:

- John Kentworthy, Chair (7/12-5/15)
- Marian Crosby (7/12-5/15)
- Hope Melville (7/13-5/15)
- Puggy Holmgren (7/11-5/14)
- Clayton Vance (7/11-5/14)
- Gary Bush (7/11-5/14)
- David White (7/12-5/15)

Purposes and Duties of the Historic Preservation Board (HPB):

The purposes of the HPB are:

- (A) To preserve the City's unique Historic character and to encourage compatible design and construction through the creation, and periodic update of comprehensive Design Guidelines for Park City's Historic Districts and Historic Sites;
- (B) To identify as early as possible and resolve conflicts between the preservation of cultural resources and alternative land Uses;
- (C) To provide input to staff, the Planning Commission and City Council towards safeguarding the heritage of the City in protecting Historic Sites, Buildings, and/or Structures;
- (D) To recommend to the Planning Commission and City Council ordinances that may encourage Historic preservation;

- (E) To communicate the benefits of Historic preservation for the education, prosperity, and general welfare of residents, visitors and tourists;
- (F) To recommend to the City Council Development of incentive programs, either public or private, to encourage the preservation of the City's Historic resources;
- (G) To administer all City-sponsored preservation incentive programs;
- (H) To review all appeals on action taken by the Planning Department regarding compliance with the Design Guidelines for Park City's Historic Districts and Historic Sites; and
- (I) To review and take action on all designation of Sites to the Historic Sites Inventory Applications submitted to the City.

In addition to those listed above, the duties of the HPB also include:

- (A) Participate in the design review of any City-owned projects located within the designated Historic District.
- (B) Recommend to the City Council the purchase of interests in Property for purposes of preserving the City's cultural resources.
- (C) Recommend to the Planning Commission and the City Council zoning boundary changes for the district to preserve the historical integrity of the Area. Subdivision, Conditional Uses and planned unit Development Applications must continue to be acted upon by the Planning Commission.
- (D) Provide advice and guidance on request of the Property Owner or occupant on the construction, restoration, alteration, decoration, landscaping, or maintenance of any cultural resource, Historic Site, and Property within the Historic District, or neighboring Property within a two (2) block radius of the Historic District.

Planning Staff Current Ongoing Projects:

- ***CRSA's Intensive Level Survey (ILS)***
City Council authorized the City Manager to execute a contract with Cooper Roberts Simonsen Associates (CRSA) for consulting services for historic preservation and an intensive level survey (ILS) of the Main Street National Register district. CRSA completed their research on Main Street in February 2014, and they are currently researching the historic resources of the residential historic district. (CRSA anticipates completing this project in the fall of 2014.)

Following the results of CRSA's intensive level survey, staff anticipates re-evaluating the Historic Sites Inventory (HSI).

- ***Ski Era Historic Resources***
Staff met with City Council on October 16, 2013, to discuss the importance of the Ski-Era architecture and growing trend of demolition of the City's A-frame structures. At that time, staff informed City Council that these structures may be eligible for the National Register of Historic Places. City Council directed staff to conduct a reconnaissance level survey and research a voluntary

designation program similar to that of Aspen, Colorado. (Staff will begin this work in partnership with the University of Utah. Anticipated completion date is Spring, 2015).

- ***PCMC Partnership with the University of Utah Preservation at the College of Architecture + Planning***

Staff has met with the University of Utah's Director of, Robert Young, to develop a curriculum for historic preservation students to conduct a reconnaissance level survey of the City's Ski Era historic resources. Staff will determine the boundaries of the possible Ski Era thematic district, and the students will be responsible for researching and verifying construction dates for structures within these boundaries. Street view surveys will be conducted to determine the different styles of Ski Era architecture as well as the number of sites.

One student will be hired part-time as a Planning Department intern over the summer of 2014. This student will work closely with staff to research potential preservation efforts of the Ski Era structures. Staff will present findings to City Council later this year.

Staff kicked off this partnership with the University of Utah on Saturday, April 12th in meeting with second year architectural graduate students from Shundana Yusuf's class. This semester, the students studied the past 100 years of the historic preservation movement. Planning staff led students on a walking tour of Old Town to discuss the past, present, and future of Park City's historic preservation efforts. The group also toured the McPolin Barn as part of this visit.

- ***Preservation Education***

Staff is working diligently to identify and research growing trends related to historic preservation. In February, staff presented a work session to the HPB regarding the treatment of historic properties and outlined the effects of panelization on the City's National Register designation. Staff has invited Cory Jensen and Chris Merritt from Utah State History to discuss National Register eligibility, historic preservation tax credits, and archeology during the May 21st HPB meeting.

- ***Mine Sites***

On October 18, 2013, staff from Utah State History, multiple City Council members, multiple Historic Preservation Board members, Sandra Morrison of the Park City Museum, and Planning Department staff toured the Judge, Alliance, and Silver King Mining Sites. During this tour, the conditions of these sites were assessed, and Cory Jensen and Chris Merritt of Utah State History, the State Historic Preservation Office (SHPO), found that these sites were strong candidates for eligibility in the National Register of Historic Places. City Council has expressed interest in maintaining and preserving Park City's extensive collection of intact Mining Sites.

- ***Annual Historic Preservation Board (HPB) Award***

Since 2011, the HPB has honored projects in the community for their exemplary historic preservation. The Board has agreed that the HPB Preservation Award should not compete with any of the Historical Society's awards, but complement the existing joint preservation efforts already taking place and highlight the *Design Guidelines for Historic Districts and Historic Sites* by which all development in the Historic Districts must comply. This year, the HPB has chosen two(2) award recipients, the residential property at 929 Park Avenue and Talisker on Main at 515 Main Street.

In addition to the HPB award, the property at 929 Park Avenue will also be receiving the Utah Heritage Foundation's annual Heritage Award. Staff nominated the project for its exemplary renovation of a condemned historic structure, which included a new garage addition designed by Jonathan DeGray, as well as Contractor Joe Whitt's dedication to detail and preservation during the construction phase of the project.

- ***Updates to the Design Guidelines***

Following the adoption of the 2009 Design Guidelines, staff committed to reviewing and evaluating the effectiveness of the guidelines on an annual basis. Staff has been working on identifying important guideline revisions, which we intend to begin reviewing with the HPB during the summer of 2014.

- ***Historic District Grant Program***

As real estate demands and the number of construction projects in Old Town continue to grow, staff has noted the limited funding available for the Historic District Grant Program. During the 2013 calendar year, the HPB awarded funds to five (5) historic preservation projects—the largest of these grants was in the amount of \$42,115. Staff plans to meet with the HPB for a robust discussion on the grant giving procedures in the upcoming months.

- ***Historic Preservation App***

Staff is working on the contract and statement of work for the contractor developing our Historic Preservation App. The concept for this Historic Buildings Web App is to be an outlet for the historic preservation information, similar to a "coffee table book" for Park City's historic inventory. This application would allow residents and visitors to browse and learn about buildings using our database and maps. The Web App is a key to unlocking information for everyone in an attractive and compelling interface – without it the historic inventory will be delivered in office document formats, similar to the existing Historic Site Inventory (HSI) forms available online at the City's website.

Department Review:

This report has been reviewed by the City Manager and the Legal Department.



City Council Staff Report

Subject: Professional Services Contract to
Provide Public Improvements Inspections for the
Park City Heights Development
Author: Matthew Cassel, P.E., City Engineer
Date: April 17, 2014
Type of Item: Administrative

Summary Recommendations:

The Council should consider authorizing the City Manager to sign a Professional Services Agreement with Forsgren Associates, Inc. to provide public improvement inspection services related to the Park City Heights Development in the amount of \$131,850.

Description

The developer for Park City Heights (Ivory Homes) has spent the last year preparing construction plans for the construction of the public improvement infrastructure for the first phase of the Park City Heights development. This infrastructure will be installed before the developer starts constructing homes. The infrastructure to be installed as part of this construction project will be public improvements that will be dedicated to the City in the future. These facilities include:

- Water system including waterlines and Pressure Reduction Valve (PRV) station,
- Storm Drain system including pipelines, detention ponds and outfalls,
- Roadway, curb and gutter and sidewalks along with their appurtenances, and
- Trails and parks

This contract with Forsgren Associates, Inc. is to provide public improvement inspection services to document that the infrastructure, to be dedicated to the City in the future, is installed per Park City's Standard Specifications.

Background:

On May 27, 2010, this property was annexed into Park City with the Park City Heights Annexation, and was zoned Community Transition (CT). Park City Municipal Corporation and Boyer Park City Junction were joint owners of the property.

On May 11, 2011, the Park City Planning Commission approved the Park City Heights MPD for a mixed residential development consisting of 160 market rate units and 79 affordable units for a total of 239 units on 239 acres. On June 22, 2011, the Planning Commission reviewed and approved a preliminary subdivision plat for the Park City Heights MPD.

On October 26, 2011, the Planning Commission voted to forward a positive recommendation to Council on the first phase subdivision plat. At the same meeting,

the Commission voted to ratify the Park City Heights Development Agreement that spells out terms, requirements, and restrictions of the Development and memorializes the conditions of approval of the Master Planned Development.

On November 3, 2011, the City Council voted to approve the sale of the City's interest in the property to a third party. Park City Municipal Corporation and Boyer Park City Junction were joint owners of the property at the time.

On November 17, 2011, the City Council conducted a public hearing and approved the Park City Heights Phase 1 Subdivision plat.

In November of 2012, Ivory Development took ownership of the property

On December 28, 2013, the City Planning Department received an application for a revised first phase subdivision plat for the Park City Heights MPD. The application was deemed complete on January 7, 2014 with receipt of additional information.

On January 24, 2013 the City Council approved an extension of the Phase 1 plat to allow the applicant additional time to resolve issues regarding historic mine soils.

On November 6, 2013, the Planning Commission approved an amended Master Planned Development and overall preliminary subdivision plat for the entire Park City Heights Development to address relocation of lots, streets, and parcels due to mine soils mitigation and a Voluntary Clean-up plan to be approved by the State. The amendments to the Master Planned Development and overall preliminary plat necessitated submittal of a revised phase one plat.

On February 12, 2014, the Planning Commission conducted a public hearing and voted unanimously to forward a positive recommendation to the City Council on a revised phase one subdivision plat for 28 townhouses, 35 small lot park homes for affordable housing and 40 additional lots with a mix of lot and house sizes.

On February 27, 2014, the City Council conducted a public hearing and approved the amended Park City Heights Phase 1 Subdivision plat. This plat has not yet been recorded.

Analysis:

A review committee consisting of Blake Foncesbeck and Troy Dayley (Public Works), Roger McClain (Water), and Matt Cassel, Jennifer Byrd and Nick Graue (Engineering) evaluated the seven (7) submitted Statement of Qualifications (SOQs) from consulting firms as listed below:

FIRM

Al Naif Consulting and Engineering, LLC
Civil Science Infrastructure, Inc.
Forsgren Associates, Inc.

JUB Engineers, Inc.
Stanley Consultants, Inc.
Terracon Consulting Engineers and Scientists
Wallace and Associates Consulting, Inc.

The SOQs were evaluated based on the following criteria:

1. Inspection experience on similar projects (20% of total score),
2. Strength of individuals committed to the project (25% of total score),
3. Relevance of the submitted work plan (15% of total score),
4. Hourly Fee (15% of total score),
5. Strength of SOQ addressing Park City concerns (20% of total score), and
6. Other factors (5% of total score)

Forsgren Associates, Inc. and Stanley Consultants were the top two ranking firms and the selection committee shortlist interviewed both firms on April 4, 2014. From the shortlist interview, the selection committee chose Forsgren Associates, Inc. The final scope of services and proposed fee were negotiated with Forsgren Associates Inc.

The following are the deliverables to be provided by Forsgren Associates, Inc.:

- Provide pre-construction photos/video of the site impacted by the construction,
- Provide a monthly construction report to PCMC including daily field reports, testing results, changes, progress, photos, etc.,
- Provide closeout paperwork including substantial completion and final completion and verification of completion.
- Compile all paperwork necessary to obtain an operating permit from the State of Utah DWQ – Division of Drinking Water and provide electronic copies of daily reports, testing results, changes, photos, etc.

Funding – This inspector contract will be paid from Engineering’s operating budget. To offset the impact to the Engineering’s operating budget, the developer will pay an inspection fee which will be used to cover the cost impacts to the operating budget.

The developer will be paying a 6% inspection fee for the project. Because off the changes to the development, the developer has been updating their construction plans over the last few months. Once completed, the developer will submit an estimate of construction costs. This estimate will be used to determine the inspection fee to be paid. From cost estimates submitted by the developer last year when they were previously ready to start construction, staff anticipates their inspection fee to be approximately \$135,000.

Department Review:

This report has been reviewed by City Manager, Budget, Planning, Public Works and Legal. All issues have been resolved.

Alternatives:**A. Approve the Request:**

This is the staff's recommendation.

B. Deny the Request:

If this request is denied, staff will not have the resources necessary to properly oversee the installation of public infrastructure for the Park City Heights development.

C. Continue the Item:

If the Council needs more information the item can be continued.

D. Do Nothing:

This option would not provide staff with the resources to inspect the installation of public infrastructure for the Park City Heights development

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	+ Safe community that is walkable and bike-able			+ Well-maintained assets and infrastructure
Assessment of Overall Impact on Council Priority (Quality of Life Impact)	Positive 	Neutral 	Neutral 	Positive 
Comments:				

The construction of infrastructure within the Park City Heights will have impacts to the intersection of SR-248 and Richardson Flat Road as the number of construction vehicles turning will increase dramatically. Additionally, the construction of water and sewer lines outside of the Park City Heights limits may impact the rail trail usage and Richardson Flat Road for short periods of time. Staff will closely monitor these activities and make adjustments necessary to mitigate friction between the construction and users of the trail and Road.

The construction of a section of Richardson Flat Road will also be part of this construction project. This road construction will cause impacts for those using Richardson Flat Road for special events such as Arts Fest, etc. As part of the

construction mitigation plan for this project, staff will require the contractor to control/stop construction during events where Richardson Flat Road will be utilized.

Consequences of not taking the recommended action:

By not taking the recommended action, the Engineering Department will not have the resources to adequately inspect the construction of future dedicated City facilities.

Recommendation:

The Council should consider authorizing the City Manager to sign a Professional Services Agreement with Forsgren Associates, Inc. to provide public improvement inspection services related to the Park City Heights Development in the amount of \$131,850.

Exhibit - Forsgren's Fee Schedule

Forsgren Associates Fee Schedule

Park City Heights Development Project							
Code	Title	hourly rate	Task Number	Description	Days	Hours	Total Est.
Inspection	Const. Mgr. Insp.	\$98	1	*Onsite Full Time Est. 1st const. season	120	960	\$94,080
			1	**Onsite Full Time Est. 2nd const. season	40	320	\$31,360
			1	Reports Prep Time		included	
			1	Close Out Paperwork		15	\$1,470
			2	Review Record DWGs		8	\$784
			2	Paperwork for DWQ permit		4	\$406
				Total two const. seasons*		1307	\$128,100
Hourly Rates For Approved Additional Staff							
Title	Hourly Rate	Est. Hours	Total				
Engineer	\$125	20	\$2,500				\$2,500
Clerical	\$75	10	\$750				\$750
Misc. costs							
Item	Cost	Est.	Total				
Reimbursables	Cost + 15%	\$500	\$500				\$500
				Grand Estimated Total			\$131,850

**PARK CITY COUNCIL RETREAT
SUMMIT COUNTY, UTAH
JANUARY 29, 30, AND 31, 2014**

D R A F T

I. ROLL CALL

Mayor Jack Thomas called the Annual Council Retreat to order on January 29, 2014 at 1:00 p.m. at the Hotel Park City in Park City, Utah. Members in attendance were: Jack Thomas, Andy Beerman, Tim Henney, Cindy Matsumoto, Dick Peek and Liza Simpson. Staff members in attendance were Diane Foster, City Manager and Mark Harrington, City Attorney. Also present was Brian Muir, The James Madison Group.

Retreat facilitator Brian Muir, The James Madison Group, Inc., talked about his experience as a City Council member in North Salt Lake, where he realized the need for specialized training for local governments. He developed programs for leadership in the public sector and strategic planning and began facilitating strategic planning leadership retreats.

Mr. Muir explained they would begin by focusing on team building, learning about personal styles, and appreciating the individual talents and gifts that each member contributes. In subsequent days, they will focus on establishing top and high priorities for calendar year 2014, including financial elements that feed into the two year budget process.

Mr. Muir posed a question, "What would you do if you had \$1,000,000.00," to illustrate the importance of Council's stewardship for the City budget and the importance of ensuring they are able to address the wide range of the community's values with limited resources.

Brian Muir facilitated a series of exercises designed to help Council members identify personal communication, leadership and goal setting styles. They discussed the strengths and challenges of each style and discussed the importance of being able to identify those differences while working successfully as a group.

MEMORANDUM OF CLOSED SESSION

The City Council met in a closed session at approximately 4:00 p.m. Members in attendance were Mayor Jack Thomas, Andy Beerman, Tim Henney, Cindy Matsumoto, Dick Peek and Liza Simpson. Staff present was Diane Foster, City Manager; Matt Dias, Assistant City Manager; Mark Harrington, City Attorney. **Council member Simpson moved to close the meeting to discuss Personnel. Council member Peek seconded. Motion carried.** At approximately 5:30 p.m. Council opened the meeting and adjourned for the day. **Council member Matsumoto moved to open the meeting and adjourn for the day. Council member Beerman seconded. Motion carried.**

JANUARY 30, 2014

I. ROLL CALL

Mayor Jack Thomas called the meeting to order at 8:30 a.m. on January 30, 2014 at the Hotel Park City in Park City, Utah. Members in attendance were: Jack Thomas, Andy Beerman, Tim Henney, Cindy Matsumoto, Dick Peek and Liza Simpson. Staff members in attendance were Diane Foster, City Manager; Matt Dias, Assistant City Manager; and Mark Harrington, City Attorney. Also present was Brian Muir, The James Madison Group.

Form of Governance and Expectations

City Attorney Mark Harrington pointed out that Park City's government is vested in a City Council composed of six members, one of which is the Mayor. He stated the elegance of this form of government was that City Council retains the ultimate authority structured by ordinance. City Council is the governing body of our community. The City Manager is the administrator of the will of that body.

Brian Muir discussed broad areas of responsibility:

- Mayor – leadership for council, staff and community/executes documents for City
- Council - policy creation/communication/resources/provide ideas and support for implementation
- City Manager – implementation/policy advice to Council/ administers staff/public relations and customer service/Council and staff relations
- City Attorney – independent legal advice/counsel; review contracts from policy and legal perspective/develop ordinances and policies/represents City and City Council and Mayor in lawsuits; prosecutes

Mr. Muir commented that management is being able to work within a defined process and moving it forward in a realm that has already been defined, while leadership is visionary and innovative. He stressed the importance of working within defined processes, or redefining those processes when necessary.

Manager Diane Foster talked about Council providing direction to Staff regarding, for example, the outcome of the Main Street project, the “what”, as opposed to bringing Staff an implementation plan to construct the project. An alternative example, however, would be discussing the key elements, the “how”, of Council preparing to hold neighborhood meetings. Council Member Beerman preferred the use of “policy and implementation” rather than the “what and how”, which oversimplifies the process.

Mayor Thomas brought up the broader view (conceptual, evolution, enactment and execution) in terms of being able to measure throughout the process whether you are going in the right direction. Sometimes there is an element of supervision of the process in order to reach the desired outcome.

Council members felt that providing direction to Staff after being presented with options for projects helped to maintain clarity of purpose and emphasized they would step in if

they observed issues with implementation. Manager Foster stated that Staff expected Council to bring items to their attention. Council members felt there was a lot of communication between Staff and Council via numerous project updates.

Council Member Matsumoto noted that implementation of projects becomes more of a Council issue when the community doesn't feel like things are going the way they expected. This led to a discussion of citizen engagement and the importance, and difficulty, of getting citizens engaged at the beginning of projects when Council is making the policy decisions.

Expectations

Mr. Muir led the group through a discussion about expectations of the others in their roles as Mayor, Council, and Staff.

Council's Expectations of Mayor

- Lead the meetings
- Receive input across the board
- Create a comfortable/safe environment at meetings for citizens
- Drive consensus through facilitation
- Mayor sounding board of opinions of different perspectives—reframes them
- Make sure all are heard
- Check-in with various perspectives
- Cheerleader for the policy and council and staff after decisions are made
- Know where boundaries are to keep things civil/comfortable
- Foster regional relationships
- Be knowledgeable of issues

Mayor's Expectations of Council

- Don't take things personally
- Similar to their expectations of him
- High level of propriety
- Be prepared, knowledgeable
- Respectful of each other/staff
- Propriety in language and gestures; set tone: warm, comfortable, no vilification
- Empathy to citizens expressing opinions
- Open to citizens input in meetings (empathy to their fears)
- Avoid in-speak, acronyms
- Excellent ambassadors to community
- Conduit: accessible, approachable, *objective*
- Constructive in meetings—not overly positional

Council's Expectations of Staff

- Note differences of opinion among City Council
- Professionalism
- Have differences of opinion—It's OK

- Express your opinions, ideas
- Present good arguments
- Anchor opinions, philosophies, ideas in our core values—Ask how it's consistent
- Think more about our broader purpose

Staff's Expectations of Council

- Don't jump on the citizen bandwagon without hearing staff's side and perspective
- Celebrate staff's successes!
Treat staff as professionals
- Being there at events
- Respect to people speaking (doing good on this now!)
- Check-in with staff
- Professional relationship, feelings of teamwork
- Tell us what you need—don't hesitate!
- Friendly hello
- Sincere compliment and acknowledgement
- Remember, there's more to city staff than Marsac building (make part of City Council Orientation)
- Stand up for staff in public and stand behind them
- Respect, trust, open honest communication
- Direct communication

Staff's Expectations of Mayor

- Mediate City Council conflicts
- Represent best of Park City
- Ensure adherence to protocols
- Embrace protocols as if they're guidelines
- Be around a lot but don't be around a lot
- Leave input and decisions in chamber
- Own change in policy/direction
- Incorporate history in your decisions (where we've been) to give them historical context
- Managing conflict to foster teamwork and innovation (staff, Council, community)
Help staff (especially younger) prepare for meetings by expressing concerns ahead of time (avoid "gotcha" moments)

State of the City Part I – Park City 2030 Strategic Plan Review

Jed Briggs, Budget Manager, and Jason Glidden, Sustainability Projects Manager, reviewed various strategic planning tools developed in the past few years.

Park City 2030 defined Council goals and was based largely on results of Community Vision 2009 where the community expressed their desire for the future of Park City. Combined with the biennial strategic plans, it serves as a roadmap of where the City wants to go and offers a step-by-step plan to get there. The biennial strategic plans have been updated for the two year budget process and contain strategies for achieving

Council's desired outcomes. In addition, each department has developed business plans. Goals are found within the business plans and action steps are updated annually following adoption of the budget and Council receives quarterly progress reports.

BFO (Budgeting for Outcomes) programs are defined by city-wide services and are tied to performance measures. The City's entire budget is reviewed holistically based on how the services they provide correspond to Council Goals and desired outcomes. The process is unique and provides a high level of transparency.

Mr. Briggs emphasized the Annual Council Retreat provides an opportunity for Council to reaffirm their goals, priorities and outcomes and set their agenda for the balance of the year. In prior years, Council had eight goals, and the context of those was found within the four goals. They also tie back to the values and levers that came out of Community Vision 2009.

Mayor Thomas commented that desired outcomes for "Small Town" were found in each of the four goals. Council member Simpson added that "Keeping Park City '*Park City*'" was only partially about the built environment; it was also about social interactions and recognizing people.

City Attorney Mark Harrington commented that Council delineates objectives, outcomes and roles based on which priorities it is trying to meet and those may fluctuate based on neighborhood, zone, and objective. The Planning Commission's perspective is that no decisions should be made that harm any of the four levers. Council is faced with difficult decisions which are not black and white.

Mayor Thomas stated Park City will continue to evolve and change and asked how we hold onto the small town character and sense of community as that occurs. It was important to have flexibility to stay true to the community as Council made important decisions in the future.

Council Member Simpson stated there many pieces that go into making us Park City, and keeping us Park City, that are not addressed by the four goals. However, she was comfortable with them and encouraged a broader discussion.

Attorney Harrington noted the goals were high level and broad enough to reflect some semblance of common value. As Council sets priorities they are assigned to the goals and create a priority for the year.

Jason Glidden explained priorities were woven into the BFO (Budgeting for Outcomes) process and prioritized so resources could be allocated to priority projects. Council members requested that Staff return for a Work Session discussion about re-wording the four goals and a discussion whether an additional goal should be added that talked about historic preservation and other pieces of built environment.

Discovering Council's Shared Values

Mr. Muir asked whether "Keeping Park City 'Park City'" needed to be revised. Council members shared their thoughts.

- Means something different to every individual, which is a positive, since it can be re-framed to different visions to be a living, breathing slogan
- Keep it from being too generic
- Engenders conversation
- Challenge: literal interpretation or not?
- Is it dynamic or static?
- Relationships of people, sense of community (don't mess it up)
- Be in touch with citizen's values and "Keeping Park City...." means
- Is it protectionist? Balance sense of place.
- We need to define what it means to us as far as scale and scope.
- Balance
- How do you articulate what it means?
- Levers are important to balance
- Are things mutually exclusive?
- Balance competing interests (example Economic Development vs. Historic Preservation)
- Need more citizen input

Mr. Muir guided Council through a discussion of Dreams and Fears.

Fears

- Playing values against each other ("ands" not "buts" is what we need to have)
- Afraid citizens who built Park City (whether they helped or have since moved) feel like that have to or want to move (or can't move back), because they can't afford it and are either cashed out or forced out
- County sprawl
- External pressures—pollutions, etc.
- No borders to community, being assimilated
- Burdening our primary resident caring community
- Over-taxing by congestion (vehicular, event, etc.)
- Climate change
- That regional collaborative efforts hurt us
- Entry corridor
- Failure to own our own contradictions and hypocrisy in efforts to be environmental leaders or spill-outs to county (This one was important enough that it should be 2 bullet points, to highlight that some of our choices push negative impacts out into the county and we should own that).
- If the daily cycle reversed itself (became a suburb)
- Continue to move in a direction that is not a "complete town" (away from self-sufficiency, away from diverse across class, and away from diverse economically)

Dreams

- To be a complete town
- For residents to be able to downscale and still stay in the community.
- Children/Grand-children have “job and opportunity” to return to Park City after they get their education, etc.
- Leader in sustainability in action not just rhetoric
- Buy available open space
- Have a middle class (thriving)
- Recognized as a town where you don’t need a car
- Community alternative energy farm
- Unique, seamless, affordable transportation to move people to resorts, town, etc.
- Visually appealing community conscious of aesthetic of decisions—visually like a work of ART
- No children or other residents without access to adequate medical care, education, representation, and safe places to live
- Main street: China bridge, look and feel stays, small, locally owned business (not franchises)
- Think Tank Community that supports and nurtures creativity and has an energy for shared ideas; 4 movements: 1) Park City Inst., 2) Incubator, 3) Climate change, 4) Architects/Planners
- Adapting to growth around us: collaborating with neighbors so there is less impact on us (vice versa: we want them to collaborate with us so they can be complete communities too)
- Evolve like model European communities
- Preserve small town identity despite the assimilation around us

Liaison Assignments

Manager Diane Foster and Senior Recorder Sharon Bauman reviewed the 40+ Council liaison assignments to City Boards, Commissions, and Task Forces; Community and Non-Profit Organizations; and Outside Agencies and Professional Organizations. Assignments were selected and Council Members chose to share the liaison role for the Planning Commission on a quarterly basis.

State of the City Part II – FIAR, Revenue Forecast and Expenditures

Nate Rockwood, Capital Budget and Grants Manager, explained the intent of the FIAR (Financial Impact Assessment Report) was to provide Council with a long-term vision of the City’s finances in order for Council to have best information available during budget discussions. The FIAR has historically been very accurate in short term projections. Most recently, the FIAR was about 3% away from projecting the actuals; it was 3% on the good side meaning revenues came in a little higher than projected.

Using a series of charts and graphs, Mr. Rockwood demonstrated projected revenues versus projected expenditures through 2024. Over time, expenditures are projected to outpace revenues. The City’s current mix of revenues comes from sales tax, property tax and other fees such as franchise taxes, fees and licenses. The budget process

provides the Budget Department with an opportunity to discuss with Council the various opportunities available for curbing the long-term projections.

Mr. Rockwood commented that over time, the purchasing power of property tax is declining because it does not have an inflationary component. He explained that property tax is set based on the previous year's tax collection, plus new growth. Under Truth in Taxation, we can collect the same amount that we collected the previous year.

He talked about the SLAC (Service Level Analysis Committee) study which projects average annual growth. He added that although we received some one-time money, we want to guard against allowing operating revenues or expenditures to shoot up beyond our calculations. We want to maintain the same level of service and we don't want to allow the operating budget to increase over 4.5%. Using the rest of the money in the capital side, where it is primarily one time spending will not drive the lines further together. Building capital projects and having operating expenditures creep up is better than just letting operating expenses creep up; however, both ways are unsustainable.

Mr. Rockwood touched on future budget issues such as growth of operating expenditures and increase cost of providing services. There are underlying costs associated with many programs and we continue to deal with the Affordable Care Act, retirement and pay plan. On top of that, we have demand for increased levels of service beyond what the City is currently providing.

Mr. Rockwood stated the BFO process provides the opportunity to scrutinize the operating levels, having that transparency and looking for offsets in the budget. He reviewed potential revenues that were available, as well as the potential cuts that could be made to the operating budget. Components of sales tax could be adjusted including the resort sales tax and mass transit sales tax. The City does not currently charge a Transient Room Tax which could be used for general fund operating or capital improvement projects. Building, Planning and Engineering fees fluctuate greatly on building activity and are set for cost recovery. Recreation fees are adjusted annually. The property tax general levy could be increased by a Truth-in-Taxation hearing and approval by Council. This would result in an annual general fund revenue increase and is the most stable tax.

Council Member Simpson noted Council had seriously considered a tax increase several years ago. Going through initial discussions provided an educational component for citizens. Nate Rockwood added that when we considered this, citizens asked if we had turned over every stone. The BFO process has created transparency and helped to build a trust level.

Council Member Beerman did not support going through that process unless there were a dire need. Member Simpson indicated there was no winning combination. Dick Peek supported delaying until it was absolutely needed. Mayor Thomas felt Council should hold it in context with everything else they were discussing; it should drive a discussion about needs versus wants.

Attorney Mark Harrington added one issue for additional revenues was in terms of actual values. We hear criticism from citizens about undeveloped property, with assigned density, being assessed very low property tax levy and not paying a fair share. Cities could continue to encourage the State to improve tax assessments and providing more oversight on counties. .

The retreat adjourned at approximately 4:15 p.m. and Council members joined members of the City's Boards and Commission for a reception, followed by a guest speaker, Scott Christopher, who spoke on Levy in the Workplace at the Santy Auditorium in the Park City Library and Education Center.

JANUARY 31, 2014

I. ROLL CALL

Mayor Jack Thomas called the Annual Council Retreat to order at 8:30 a.m. on January 31, 2014 at the Hotel Park City in Park City, Utah. Members in attendance were: Jack Thomas, Andy Beerman, Tim Henney, Cindy Matsumoto, Dick Peek and Liza Simpson. Staff in attendance was Diane Foster, City Manager; Matt Dias, Assistant City Manager; and Mark Harrington, City Attorney. Also present was Brian Muir, The James Madison Group.

Brian Muir opened the discussion and asked Council members to summarize highlights of the preceding days. Mayor and Council all enjoyed the exploration of personality types and learning how they individually approach problem solving. They all appreciated the dreams and fears discussion and having the opportunity to discuss challenges and opportunities. They concurred that “Keeping Park City Park City” was constantly going to evolve, and it hold different meanings for different people.

Manager Foster referred to the discussion about historic preservation and emphasized that Staff would consider how to bring that more to the forefront. Based on Council's interest in personal styles, Staff will return to Council with opportunities for further discussions.

Manager Foster commented that Council focused on their fears first, which members felt was a hard exercise. She wondered whether focusing on dreams first would have results in a shorter list of fears.

Mayor Thomas noted the brain reacted differently in response to fear. He asked Council members if they had missed anything in terms of dreams. He mentioned the Aspen Institute, which had accomplished amazing things, and asked whether Park City could become a center for that kind of powerful thinking. Council Member Beerman believed those seeds had already been planted by several community groups and the City's role was to support and nurture. Council Member Henney added that seeds planted 5 to 10 years ago, such as community alternative energy plans and linking modes of transportation, had already come through the ground.

Budgeting for Outcomes

Jed Briggs, Budget Manager, explained the Budgeting for Outcomes process melds the Council Goals, Priorities, and Desired Outcomes to guide budgeting decisions. He talked about short-term fixes to decrease expenditures: “over the counter” treatments which are temporary; “emergency room” treatments which are drastic; and, “cosmetic” treatments which distort estimates or projections. Through strategic planning, budgets, tasks and projects are tied to Council's Goals and Desired Outcomes. Budgeting for outcomes and priority-based budgeting provide a holistic view of a

budget. He displayed various BOARD Tools which show costs associated with each goal, staffing, performance measures, etc.

Mr. Briggs quickly reviewed the six steps of the budget process:

1. Council reaffirms goals and desired outcomes.
2. Managers cost out, score and report performance of programs
3. Budget department presents bids to results team
4. Results team affirms bid scores and recommends funding
5. City Manager reviews bids and makes recommends to council
6. Council deliberates on proposed budget; adopts budget

The Results Team is made up of a representative from each of the five teams. The group reviews and scores all submittals based on eight scoring criteria that have varying weights. Council members were supportive of each of the criteria.

Mayor Thomas commented that every single thing the City does aligns with a Council Goal and expressed concern that through the scoring process wants don't overwhelm fundamental needs.

Attorney Harrington explained new requests are looked at harder than old requests. There is a subjective component to every process. Budgeting for Outcomes aligns those more closely and has inherent values that get you to the best possible result.

Council Member Henney believed the beauty of Budgeting for Outcomes was that it provided a continuous review, delineates it, and drills down into the issues of where we are on the want versus need component on every single line item.

Mr. Briggs spoke to future budget issues and stated a 4.5% increase for the next two fiscal years will match projected revenues. He asked Council if they were comfortable with a 4.5% expenditure increase for the General Fund. He referred to the FIAR projections and reiterated that Council could consider methods of cutting expenses or increasing revenues.

Council members expressed concern about setting a baseline that was not sustainable. Approximately 75% of the budget increase addresses things that have to be paid for, such as health insurance, retirement, Affordable Care Act, etc. They expressed concern about decreasing services and noted that many of the programs are Council directed.

Manager Foster emphasized this is a challenging budget year and many Council directed items over the course of the year will require increases. The group asked to return in Work Session for further discussions about the budget.

Two Year Prioritization Based on Goals and Shared Values

Prior to the Retreat, Council members identified their three top goals for the year. Using the list of 20 goals, Council members were each asked to select their top five goals.

Manager Foster cautioned against creating goals that were too broad and encouraged Council to be fairly specific so Staff can meet Council's expectations. Council members reviewed last year's top priorities, the majority of which had been completed.

Mayor Thomas suggested beginning with broad, long-term goals and then identifying the short term steps necessary to achieve the goal. Assistant City Manager Dias emphasized that specifics help Staff stay laser focused on the goals.

Council Member Beerman agreed with the purpose of creating a laundry list, but requested a future discussion about the steps necessary to get us to the long term goals. He noted many were building blocks and they needed to have a broader discussion about how the parts fit together.

Council Member Matsumoto suggested that Council direct Staff to evaluate various projects so that Council can select the top priorities.

Manager Foster understood Council wanted to make sure the items they identified are represented in the Biennial Plans and the Park City 2030 Strategic Plan. She stressed that we actually have all of the pieces, but haven't articulated it to Council in a way that is making sense. She referred to the four goals contained in the Park City 2030 Strategic Plan. For each goal we have desired outcomes, and key indicators which delineate measurements of the outcomes. Those all link to the Biennial Plans, which explain key strategies to achieve the goals, the current challenges, trends and marketplace opportunities, and the Staff Action Plan. Staff is asking if there are things we have overlooked and if there are areas Council would like Staff to focus on. She noted the final exercise on the agenda was presentation of the Biennial Plans and confirming the Staff Action Plan for each.

Mayor Thomas noted the long term vision goals are the way we operate, the way we engage our community, and support our core values. He encouraged the group to cull through the list to seek agreement on whether they are integrated into the long-term vision of the community.

Council members encouraged revisiting the high level goals to consider rewording Goal 4 to incorporate citizen engagement, and to place more emphasis on historic preservation.

Two-Year Prioritization based on Goals & Shared Values Exercise

"Our Core Values Are Non-Negotiable"

1. Middle Income Housing Stock/Economic Diversity Among Residents	5 dots
1. Citizen involvement by Community Outreach/Improve Government Decision-making process	5 dots
2. Lower Park Ave. Redevelopment plan/LPRDA Master Plan	4 dots
2. Main St. preservation plan & keep historic designation/National Historic Site Plan	4 dots
2. Transportation solutions locally and regionally/Addressing congestion through transportation	4 dots
3. Open space (OS) evaluation & acquisition/Prioritize & Purchase OS/Secure additional OS	3 dots
3. Increased green building standards	3 dots
4. Community-wide renewable energy policy and action plan	1 dot
4. How we view, use and conserve water	1 dot
4. Plan for clean safe soils	1 dot
5. Treasure Hill	0 dot
5. Regional Collaboration	0 dot
5. Broadband/WIFI	0 dot

Special Presentation – Updating Organizational Values:

Amanda Noel, Ice Arena Program Coordinator, and Jolene Weston, Interim Human Resources Manager, participated in the LEAD Program which focuses on high performance organizations. Along with other LEAD participants, they decided to facilitate a group of employees, some new, some seasoned, to update the City's Organizational Values. Member of the group were:

Amanda Noel, Ice	Jolene Weston, Human Resources
Troy Daley, Streets/Public Works	Jennifer Danowski, Budget
Destry Pollard, Transit/Public Works	ReNae Rezac, Sustainability
Cathy Jones, Ice	Jody Morrison, Executive
Angele Arreche, Library	Francisco Astorga, Planning

Jennifer Danowski explained that Council Goals are outwardly focused on community priorities, while the organization's core values are character traits that are personal to each and every employee.

Current Organizational Values are: communication, respect, quality and excellence, fun and humor, and honesty and integrity. The task force developed a clear set of values that represented defining characteristics of the organization and of the individuals working for the City.

Integrity	We have the courage to consistently do what is right, honest and ethical.
Respect	We value every person at Park City Municipal, and every citizen and visitor in our community, and we recognize that their contribution is critical to our success.
Engagement	We take seriously our roles as public service employees by acknowledging our responsibility to connect to, be flexible with, and make a concerted effort to always contribute towards the success of our peers, PCMC, and the City of Park City

Accountability	We take pride in being accountable for our individual actions and trusting the commitment of our team's accountability to handle problems.
Communication	We value honesty, transparency, the sharing of ideas and information and communicating with each other and the community
Humor	we recognize the value of humor creating a fun, enjoyable and professional work environment.

I Reach!

Ms. Danowski stated the Task Force has asked Management Team to develop implementation plans. Opportunities for immediate feedback could include pins, posters and thank you cards. She also noted that Council was in a unique position as the public face of Park City Municipal to citizens and visitors.

Manager Foster emphasized that Council treats staff with respect and expects accountability. She asked Council if these proposed organizational values resonated for them.

Council Member Henney applauded the deep level of engagement at the Staff level and appreciated that they were also inviting the Mayor and Council to be good ambassadors for the community and organization. Council members agreed that although it was simple, it covered a lot of issues and every word was appropriate. Council Member Beerman suggested that the Mayor and Council present an award at the annual holiday party to a staff member who embodies these values throughout the year.

Biennial Plan Updates

Jed Briggs facilitated the review of Biennial Plans. Teams for each of the Council Goals provided updated plans and discussed action steps, successes, challenges, and key indicators. These are two year plans that run concurrently with the two year budget.

1 – Preserving & Enhancing the Natural Environment

Committee Members: Ann Ober, Jason Christensen, Heinrich Deters, Jim Blankenau, Matt Abbott, Clint McAfee, Jonathan Weidenhamer, Tom Daley, Jason Glidden

Ann Ober noted three big priorities in the water area: mine tunnel management plan with UPDES (Utah Pollutant Discharge Elimination System) a long-term project; conservation which involves water impact fee studies; and water quality distribution which involved an academic study in partnership with Water Research Foundation to test methods of cleaning pipelines. Additional areas of focus included: open space and purchase of Gillmor Property; completion of the Blue Ribbon Task force on Soils which addresses regulatory components; and ongoing opportunities for financial savings resulting from reducing energy demand. Regulatory requirements continue to get tighter and implementation is expensive. Also, open space is expensive to maintain.

Jason Christensen commented the stipulated compliance order is an expensive undertaking that will also require significant engineering and design. This will maximize future options for the City's water supply. Another challenge the Water Department is facing is the possibility of drought restrictions this summer after several years of below average snowpack.

Council Member Simpson asked about potential ordinances changes and outreach regarding importation of soils into the Soils Ordinance Boundary. Jim Blankenau reported continued work with EPA (Environmental Protection Agency) on what we can do at least for the segregation of soils. He is working on outreach and agreed with Ms. Simpson's request for outreach to the real estate community as well as homeowners. He talked about requiring homeowners to obtain permits for landscaping work, viewing it as an additional education tool.

Council Member Tim Henney suggested considering incentivizing conservation in the water fee structure. As an example, charging a nominal amount for use at the lower end and creating a penalty system to offset what would be lost through incentives. Jason Christensen explained that 80% of rates are fixed and only about 20% is variable so reduction of use is difficult to translate into substantial savings. He believed the customer portal will help in the conservation efforts as it will empower customers to review their usage.

2 – World Class Multi-Seasonal Resort Destination

Committee Members: Blake Fannesbeck, Heinrich Deters, Vaughn Robinson, Craig Sanchez, Denise Carey, Jon Pistey, Troy Dayley, Clint Dayley, Ken Fisher, Kent Cashel, Jason Glidden, Jonathan Weidenhamer

Blake Fannesbeck commented his view of Park City had changed over the past 20 years from it has a hotel and a ski resort, to "wow, this place is awesome!" The City has successfully struck a balance between tourism and local quality of life. *Outside Magazine* rated Park City the best town in America stating there was no better blend of small town friendliness and absurdly easy access; a five star culture.

Mr. Fannesbeck highlighted successes which included: extension of the Sundance contract until 2026; PC MARC named facility of the year by URPA (Utah Recreation and Parks); Armstrong Trail named as IMBA (International Mountain Biking Association) Epic 2013. In other areas, the ice facility is 97% booked, 86% of walkability projects are completed, and we continue expanding the winter trails program. Public Works instituted a concrete and asphalt recycling program.

As Park City has more and more people visiting and enjoying what we have to offer, we experience continued growth, traffic congestion and parking issues; increased demand for recreation facilities; trail user conflicts; and declining space for onsite and remote snow storage. National surveys results indicate very high rankings for recreation, ice programs, snow removal, etc. against other resort communities.

Mr. Fonnesbeck summarized that this could not be accomplished with Council's support and Staff's commitment to the City's priorities. Council Member Henney added that during his orientation he saw progressive attitudes and creativity applied to problem solving in every department he visited.

3 – Inclusive Community of Diverse Economic & Cultural Opportunities

Committee Members: Thomas Eddington, Denise Carey, Rhoda Stauffer, Phil Kirk, Adriane Juarez, Matt Cassel, Chad Root, Kaya Sintz, Phyllis Robinson, Michelle Downard, Polly Samuels McLean, Jason Glidden, Wade Carpenter

Thomas Eddington noted this goal is more similar to what one sees in other communities around the country and addresses: developing affordable housing; providing diverse opportunities for the workforce; creating economic diversification; and, preservation of not only our historic community, but our small town character.

Mr. Eddington referred to key indicators which demonstrate the mix of successes and challenges for the community. Building permit applications and planning applications have increased from the past couple years.

Mr. Eddington highlighted successes, including: significant event participation at McPolin Farm; completion of transit housing for seasonal employees; high ratings on 2013 Community Engagement Survey; and, partnerships with organizations such as Habitat for Humanity that help create diverse affordable housing. Challenges include: volatility of mortgage markets; meeting workforce needs; funding for capital projects; and, local and regional growth pressures.

Rhoda Stauffer explained that the indicator for affordable housing units had been measured against all units in the community. Because Park City is a resort community, with many second homes, in the future, it will be compared to primary, owner-occupied, units.

Council Member Simpson referred to the key indicator for percentage of construction projects substantially completed within a construction season and asked if we analyzed those that could conceivably be completed, and suggested that we should be evaluating timely completion of large projects.

Council Member Simpson addressed an item in the action plan regarding staffing needs due to increased building activity. She encouraged an evaluation of code enforcement needs for at every tier of the organization, especially special events.

4 – Responsive, Cutting-Edge and Effective Government

Committee Members: Scott Robertson, Mike Lennon, Hugh Daniels, Nate Rockwood, Mark Harrington, Matt Dias, Jason Glidden, Kent Cashel, Brian Andersen, Phyllis Robinson, Brooke Moss and Lori Collett.

Scott Robertson stated this section was about people, technology, financial and legal resources, customer service, innovation, flexibility and creativity. Challenges result from operational complexities, adoption of new technology, and growth within the organization. Challenges come from resource competition, human resource competition, changing technology and regulations. The evolution of programs requires additional funding and competition for CIP funds continues to increase. Successes have been about efficiencies and process improvements; internal and external communications, and partnerships. Eighty percent of action plans are technology related. It also includes critical organizational development.

Council Member Beerman suggested that the website remodel include a rework of the search engine to allow searches by relevance or date.

Takeaways

Participants were asked to list one “takeaway” or reflection that they had regarding the Leadership Retreat.

Councilmember Cindy Matsumoto

Enjoyed the process; and appreciated the dialogue to help define/re-define our goals.

Mayor Jack Thomas

Styles exercise helped him understand how to see himself and others and appreciated the inclusiveness.

City Manager Diane Foster

Learned more of what the City Council wants to achieve through the whole experience than just on the particular focus goals. Discussions informed what the next year is going to look like.

Councilman Dick Peek

Personal Styles Survey and dialogue we had learning each of our styles; learning how people communicate when upset; enjoyed the “Levity-in-the-Workplace” speaker, Scott Christopher.

Councilmember Liza Simpson

Liked working with I-Speak exercises. It would be beneficial to receive the updated Biennial Plans in advance next year.

Tim Henney

Beneficial to integrate with group and understand team dynamics; benefited from getting to know each other.

Councilman Andy Beerman

We’re going to work well together. Liked having time for free-form discussion

Assistant City Manager Matt Dias

Impressed how we were able to have difficult conversations right off the bat. It is not about this group; it is about the community.

City Attorney Mark Harrington

Echoed comments on quality of dialogue which does set the tone for the rest of the year. Be sure to address “parked” lists. We shouldn’t take for granted the 60% of community that is pleased with our governance approach. If we can’t get people to attend retreat, consider methods to incorporate the public in pre-retreat check-ins.

Throughout the Retreat many topics were identified that warranted future discussion. Parking Lot items, future Study Session topics, and next steps in the process are detailed below.

Parking Lot

- Follow-up on publishing City Council Agenda in the Park Record
- What is our standard (staff) for responding to citizens
- Look at levers that go with community core values + ensure those are showing up in staff reports, etc. (Need to look at significant impacts Matrix relative to core values + levers)
- Make sure we are communicating with community about how resorts/events/tourism economy is critical to quality of life/revenue
- Future work session: reword “Inclusive” goal to incorporate historic preservation, community, economic, cultural; bring options (also small town?) Align with outcomes/actions
- Possible Joint Meeting with Planning Commission regarding core values, levers + tension amongst them
- Phyllis work session on derivation of “Keeping Park City Park City”
- Follow up on styles exercise. Get people’s scores + schedule future discussion OR do Myer Briggs
- Online budgeting vetting process with sample citizens + council
- Continue BFO exercise in pre-budget work session or study session
- Create a “connect-the-dots” graphic to illustrate how an individual staff action item—such as *open space acquisition*—is delineated in key indicators, desired outcomes, key strategies and long-term Council goal

Council Mayor	Focus—open space
Staff actions	⇒ open space acquisition
Key indicators	⇒ acres of open space
Desired outcomes	⇒ abundant....
Council goal	⇒ Preserving and Enhancing
Community goal	⇒ Natural setting
Community vision	⇒ Keep Park City Park City

Council + Mayor award IREACH: award at holiday party to employee who embodies each of the six PCMC values/Determine what item could be given to Council so they

can communicate to an employee that they have done something consistent with our IREACH value

Future Study Sessions

Lifecycle approach ⇒ reduction/upcycle (creating an environmental approach that works for our community)

- Community Engagement/Outreach
- Provide to Council a list of Utah cities that have an inflationary component to their property tax
- Myer Briggs? (or Intuitior, Thinker, Feeler, Sensor)
- Online budget review before putting it online
- Re-visit Dreams and Fears
- What it means to “Keep Park City Park City”
- Carrying capacity
- Water conservation rate structure discussion

Next Steps

- Need time frames on Parking Lot, Study Sessions, Etc.
- Schedule work sessions to bring clarity to documents
- Put the long-term “why” on identified projects
- With the three goals, don’t diminish the broader concept
- High level—next level—weeds
- Mid-Term Retreat

The Retreat adjourned at 4:00 p.m. The meeting for which these minutes were prepared was noticed by posting at least 24 hours in advance and by delivery to the news media two days prior to the meeting.

Prepared by Sharon Bauman, Senior Recorder / Election Officer

Sharon C Bauman
Sharon C. Bauman, Senior Recorder





PARK CITY COUNCIL MEETING MINUTES DRAFT
SUMMIT COUNTY, UTAH,
April 3, 2014

Work Session

Council Questions and Comments and Manager's Report

Council member Matsumoto attended a Chamber meeting last week where they heard a report from One Wasatch they had positive acceptance from the Chamber. One Wasatch would be spending time educating and stated they will not need to acquire any land to complete the connection and will only take one summer to complete the work.

Council member Peek stated he had nothing.

Council member Simpson had a very successful lunch with the Mayor of Kamas and engineer of Summit County discussing bus routes from Park City. Stated the Fire board meeting and Mountain Accord transportation sub group meeting were very productive. Attended the Lodging Association meeting discussing the legislative updates. Gave Council and Staff a head's up there is a bill on the horizon to weight tax codes of the TMP funding to help rural tourism infrastructure. Thank you to Phyllis Robinson for putting together the Vail/Tahoe group.

Council member Henney attended the Mountain Accord recreation working group stating things are progressing.

Council member Beerman spent three days at Mountain Accord meetings, the executive session reported that the legislature has approved another 3 million to go towards the Mountain Accord. Spoke to the UTA transportation group's model that will include the Wasatch Back. Spoke about the general goals of the economic group he heard most were, preservation, balance and protecting the natural environment.

Mayor Thomas stated he had nothing.

Council and staff offered condolences to Mayor Thomas regarding the passing of his mother.

Poison Creek Pathway Update

Mayor Thomas thanked Heinrich Deters, Trails and Open Space, for the great staff report. Deters and Recreation Manager Ken Fisher presented the staff report stating the trail was constructed in the 80's and has grown over the years with the transit center, skate park and walkability project. The average daily use is over 400 users. Deters went over the project update and the future time line to have construction completed to include milling the pathway and resurfacing by July 4th. Talked about the project goals to include: safety, experience, City Park improvements stating this is an experience trail as well as a transportation trail. Highlighted the rest areas and public art features. Fisher spoke about two picnic shade structures that will be installed at

Council member Matsumoto asked staff to keep the look of the structures similar to what is in the park currently. Mayor Thomas inquired if there was a newer version of the shade structure

that would be more economical than heavy timbers. Council member Simpson stated she remembered when she was on the Recreation Advisory Board, discussing the speed on this trail and would like staff to look into curve/grade signs to remind people to slow down. Simpson also discussed the recreation study from 12 years ago encouraging staff to keep safety in mind when putting in meandering trails.

Council member Beerman stated that he uses this trail a lot and is excited to see these upgrades. He also asked for staff to look into the speed issue as well as adding fixed mirrors to the second tunnel under Bonanza.

City Manager Foster spoke to a policy discussion regarding what the Council would like to vote on and what they would like staff to decide on. Mayor Thomas feels that Council should at least take a look at the concept design. Council member Beerman suggested that with the direction that was given today staff should bring back a manager's report. Council member Simpson stated that a large portion of the concern in asking for in-depth update it to keep the Council refreshed of what is planned when projects can take up to a year to start; it is good for Council to get a refresher so when the public comments come in then council is prepared to discuss the project.

Parking Management Update

Brian Anderson, parking introduced the staff Steve Cummings, Max Paap, parking officer, Aerial Sholly, parking officer. Anderson stated that they have taken a look at customer service and have had really great success with the mountain town philosophy. They have received great feedback from the merchants which is a great compliment for parking. They now have the online appeals and pay by phone up and running and it is a very easy process with directions on the ticket. Council member Matsumoto inquired if they had any comparisons dealing with revenue with the new system. Anderson stated that they are down a little due to the higher number of warnings and education first approach. Council member Beerman thanked staff for the great job as being ambassadors to the City. Council member Henney inquired if someone wanted to pay in person they can still go to Public Works. Mayor Thomas thanked the parking staff for the great public relations aspect. Council member Simpson also thanked staff for the great customer service skills. Council member Henney inquired about the training required for staff. Anderson stated that it is both an in-house staff level training as well as outsourced training.

PC-SLC Connect Bus Service Update

Kent Cashel spoke about the third year of the SLC to PC connect bus service. Touched on the learning curve of the new service, marketing and advertising to get the numbers up. The main aspect of success was the scheduling and route alignment to be efficient. Spoke of the fare rates stating that Park City is in the premium fare bracket where they can ride up here and then transfer in SLC for one price. Cashel spoke about the U of U student passes stating they are talking with U of U to come to the table with funds to help make this happen especially with the erosion of the parking lots on campus. Staff's recommendation is to continue the subsidy with an analysis each year.

Council member Simpson stated that she feels that UTA is finally taking this marketing seriously and there is base line ridership that would bump with support from the local businesses and hotels.

Council member Matsumoto felt staff was on the right path. She would like to look into the option of using a smaller bus in the summer time when ridership is lower.

Council member Henney asked for clarification about the subsidy. Cashel stated that the City and the County have equal parts of the subsidy and there is a steady baseline year round and there is equal benefit for the City and County.

Council member Beerman stated he views this as a long term investment and will continue to grow with further education. Inquired about the status of the Kamas connect and Heber connect routes. Cashel stated that the first step is the RFP for a study with a transportation services company to see what the structure would be. Depending on the information gathered from the study there could be the potential for limited routes up and running by winter.

Council agreed they were in favor of continuing the subsidy.

Mayor Thomas challenged the Council to ride the service and gain the experience.

2014 Downtown Projects Update

Jon Weidenhamer, Economic Development; Greg Boudrero with MGB+A; Matt Twombly, Sustainability and Thomas Eddington, Planning Director spoke to Council about the upcoming downtown improvements including 7th & Main intersection, sidewalk and street scape, Bear Bench pass through and City Hall plaza. Spoke to the lighting addition at the Bear Bench pass through stating it will represent an old mining rail. Weidenhamer stated that they are working with Historic Park City Alliance to create place.

Council member Beerman thought that the original discussions decided in favor of a pocket park instead of a plaza at the base of City Hall. Weidenhamer stated that it has been looked at in great detail to bring connectivity to City Hall. Council member Beerman stated that he is concerned with function. Boudrero spoke to the safety aspect of the design to add to pedestrian function and safety as well as the ceremonial connection to City Hall.

Council member Matsumoto stated she loves the design and feels it gives Swede Alley a sense of place. She asked staff to look at adding more parallel parking in front of China Bridge to gain a few of the lost parking spots. She also spoke to the bear bench pathway regarding the plaza and the recycle center. Boudrero spoke to the aspect of screening the recycle center with vegetation screens or a more decorative screen.

Council member Peek spoke to the historic aspect of the City Hall plaza stating this will be a great improvement.

Mayor Thomas inquired about the element lighting on the Bear Bench pathway. Eddington stated that staff has looked into many options to keep control of the type and brightness of lights. Thomas commented on the City Hall plaza stating it will be a flexible space and enhance the sense of community.

Council member Henney inquired if this is a high priority project, with all the construction going on along Main Street feels this may be a smaller project that could wait until things settle down.

Council member Beerman concurred with Henney on waiting a year for construction to begin. Council member Simpson stated she is not comfortable making that decision without further conversation. Council member Peek agreed with the design and would also be comfortable having a conversation regarding timeline. Council member Matsumoto agreed that delaying the

project to help lessen the impact to Main Street. Twombly suggested putting an addendum in to the contract to delay a portion of the work but would secure the price.

Mayor Thomas asked for public input.

Allison Butz spoke to the HPCA aspect of the projects stating they feel the sidewalks and bear bench are high priority along with their vision of a brew pub plaza as a great gathering plaza. She stated she feels the City Hall Plaza has so much going on that you lose the true sense of what Swede Alley has always been, back of house and delivery area and the HPCA would like to keep it that way.

Ruth Meintzma felt that the ceremonial approach to City Hall is so important and connects the Historic Main Street District. Feels the parallel parking on Swede Alley needs to go in immediately.

Council member Matsumoto spoke to Butz's comment stating that she felt the goal of the project on Swede Alley was to elevate it to something more.

Council member Simpson reminded staff and residents that 75% of our visitors arrive via Swede Alley and feel it should not look as poorly as it does.

Council directed staff to bid the project and to come back at a later date in May to discuss the timetable.

Study Session

Environmental Study Session- Energy & Anti-idling

Matt Abbot outlined the current policy and spoke to the options of increasing the strength of the ordinance. Council agreed that there has been a weakness across the board along the internal lines. They also agreed that fundamentally it is difficult to ask the residents to step up if the staff is not following policy. Discussed the public safety exemption to the policy stating that the police vehicles need to idle due to the electronic aspect of the computers on board. Abbot stated that the challenge is to define the purpose of the ordinance before issuing more changes.

Council member Beerman also stated that he feels a little discomfort comes with the territory when changing laws and residents behaviors. Council member Matsumoto stated she feels that there is work to be done with enforcement and education. Mayor Thomas stated that he feels this can be done in a polite manner with advertising and education.

Council member Simpson inquired what the School District is doing in the school zones. Abbot stated there is still an issue with the school zones and staff is meeting with the school board tomorrow to find out where they stand. Council member Simpson stated that she agreed with Mayor Thomas to keep this light and friendly and focus on education. Council member Peek is in favor of a soft approach with the tourists and residents; however, feels the vehicles for-hire should be taken to the cleaners.

Council member Henney stated that he agrees with Council member Peek and suggested having a sticker in the car stating that Park City is a no-idle community. Abbot spoke to the parking enforcements time requirement of staff. Abbot stated that the police department is in favor of increasing education.

Abbot then spoke to pursuing the amendment to the State code speaking that one City would not have footing but combining multiple Cities would be helpful. Council member Beerman inquired if the League would be a vehicle to help with this. Ann Ober, Sustainability, stated that staff's plan is to continue working toward bringing this item back to the Hill. Ober stated that there is a balance that needs to be looked at, you can push people to drive rather than idle and in turn adding to traffic issues.

Council member Beerman stated that he has had discussions with Kent Cashel, Transportation Manager, regarding a taxi idle station that would allow vehicles to remain warm while shut down waiting for patrons. Council member Simpson added that she has also spoken with Cashel who stated that the merchants were not in favor of this idea. Council agreed to have staff look in the idea again. Mayor Thomas reiterated the education and the social aspect that makes it a success.

Adam Strachan- stated that he feels signage does not work and feels that a public outreach campaign at the schools to get kids on board and partnering with the resorts would be a better idea than killing trees by putting flyers in the hotels. Radio spots are a great idea airing in the winter and the taxis should have to have a sticker and as part of the business license that they would agree to reduce idling. Internal self-improvement campaign when the police do not need to have the cars on they can turn them off. Stated he feels that the Hill will not take vengeance on Park City for bringing this forward. This should also be policy to annual checkups so that the issue does not get lost.

City Manager Foster stated that this is also an issue that needs to be brought up at a joint meeting with the County.

Shelly Hatch, Finance Department stated that she used to have pamphlets to give to the for-hires when they got their business licenses explaining that Park City was a no-idle community.

Rebecca Gillis, Finance Department also reminded Council that they currently require all taxis to have a sticker in the vehicle stating they have a current business license and would be willing to add an anti-idling aspect to that sticker.

Council directed staff to bring this item back to a future work session.

Joint Meeting with Library Board

City Manager Foster thanked the Library board for coming to the "get to know you" session with the City Council. She feels that the highest form of respect is to sit down with someone and listen to them. The library board members include: Suzette Robarge, Board Chair; Alison Butz, Pat Ball, Jerry Brewer, Marlene Ligare O'Hara, Faye Malnar and Bobbie Pyron.

They discussed the renovation schedule and the ways to keep the community involved with the move. Discussed communication options with the idea of bookmarks and an adopt-a-shelf program where Marsac could house some collections along with the self-checkout machine. Also spoke to recreating the book brigade to move the books from the current location to the temporary location at Miner's hospital. It was stressed that it is very important to get the community on board with the overall picture and functions housed in the Carl Winter's building beyond the library aspect.

Regular Meeting

I. ROLL CALL Mayor Jack Thomas called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, April 3, 2014. Members in attendance were Jack Thomas, Andy Beerman, Dick Peek, Liza Simpson, Cindy Matsumoto and Tim Henney. Staff member present were Diane Foster, City Manager; Mark Harrington, City Attorney; Matt Dias, Assistant City Manager; Kent Cashel, Transportation Manager; Christy Alexander, Planner; Marci Heil, City Recorder

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

There were no communications or disclosures from Council or Staff.

III. PUBLIC INPUT (*Any matter of City business not scheduled on the agenda*)

Allen Davies- resident for 12 years- brought a slide show to Council regarding the Library Renovation concerning the funding and the community involvement. Mr. Davies was concerned with the growth of the digital age the City may be spending a lot of money on a library that may not be used stating he talked to his grandkids and other high school aged kids who do not use public libraries. He was also concerned that the surveys the City completed do not reflect what the majority of community wanted. He felt that the data available could be better represented with data collected from the library regarding demographics and book use. He did state that he is in favor of libraries but would like the Council to look at the functionality.

Suzette Robarge spoke to a point that Mr. Davies had regarding the data he wanted collected stating it was against constitutional rights to collect personal data.

Council member Simpson stated that it is the linkage portion that is against the law. She offered to send the annual report to Mr. Davies.

IV. CONSENT AGENDA (Items that have previously been discussed or are perceived as routine and may be approved by one motion. Listed items do not imply a predisposition for approval and may be removed by motion and discussed and acted upon)

1. Consideration of approval to Authorize City Manager to Execute a Statewide Utility License Agreement with the Utah Department of Transportation

**Council member Simpson moved to approve the Consent Agenda
Council member Peek seconded
Approved unanimously**

V. CONSIDERATION OF MINUTES FROM MARCH 27, 2014

**Council member Peek moved to approve the minutes from March 27, 2014
Council member Beerman seconded
Approved unanimously**

VI. NEW BUSINESS

1. Consideration of a Resolution Honoring Park City Olympians and Paralympians

**Council member Simpson moved to approve a Resolution Honoring
Park City Olympians and Paralympians
Council member Peek seconded
Approved unanimously**

2. Consideration of approval of record of survey amendment at Silver Strike Trail- Belles at Empire Pass for Units 7, 8, & 17 based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance and in a form approved by the City Attorney

Planner Alexander stated this amendment is to determine common and private space on these units. The Planning Commission forwarded a positive recommendation.

Mayor Thomas opened the public hearing. There were no public comments. Mayor Thomas closed the public hearing.

**Council member Peek moved to approve an Ordinance amending the record of survey at
Silver Strike Trail- Belles at Empire Pass for Units 7, 8, & 17 based on the findings of fact,
conclusions of law, and conditions of approval in a form approved by the City Attorney
Council member Simpson seconded
Approved Unanimously**

3. Consideration of a plat amendment located at 1138 Lowell Avenue, Park City based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance and in a form approved by the City Attorney

Planner Alexander stated this amendment is to combine two lots of record as one lot to be able to add an addition to the existing home. The Planning Commission voted 5-1 to forward a positive recommendation.

Council member Simpson inquired about the 5-1 vote. Planner Alexander stated that Planning Commission member Clay Stuard requested to add language to set a maximum size restriction for the addition. The other Planning Commissioners felt this was an arbitrary number that would be placed on the plat.

Mayor Thomas opened the public hearing. There were no public comments. Mayor Thomas closed the public hearing.

**Council member Beerman moved to approve an Ordinance amending a plat located at
1138 Lowell Avenue, Park City based on the findings of fact, conclusions of law, and
conditions of approval in a form approved by the City Attorney
Council member Peek seconded
Approved unanimously**

4. Consideration of Record of survey amendment at 345 Deer Valley Drive, Park City Units 5 & 6 based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance and in a form approved by the City Attorney

Planner Alexander stated this amends the plat to meet the as-built conditions from the previous approved plat. The Planning Commission forwarded a positive recommendation.

Mayor Thomas opened the public hearing. There were no public comments. Mayor Thomas closed the public hearing.

Council member Simpson moved to approve an Ordinance amending the record of survey at 345 Deer Valley Drive, Park City Units 5 & 6 based on the findings of fact, conclusions of law, and conditions of approval in a form approved by the City Attorney
Council member Beerman seconded
Approved unanimously

5. Consideration of Roundabout Subdivision Record of Survey at 300 Deer Valley Drive, Park City based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance and in a form approved by the City Attorney

Planner Alexander asked Council to continue this item to the April 24th Council meeting.

Mayor Thomas opened the public hearing. There were no public comments. Mayor Thomas closed the public hearing.

Council member Peek moved to continue to April 24, 2014
Council member Matsumoto seconded
Approved unanimously

VII. ADJOURNMENT

Council member Simpson moved to adjourn the meeting
Council member Beerman seconded
Approved unanimously

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 Marci S. Heil, City Recorder



Marci S. Heil, City Recorder



City Council Staff Report



Subject: Park City Film Studios Subdivision
Author: Kirsten Whetstone, MS, AICP
Date: April 17, 2014
Type of Item: Final Subdivision plat
Project #: PL-14-02263

Summary Recommendations

Staff recommends the City Council conduct a public hearing for the Park City Film Studios Subdivision plat, consider input, and consider approving the plat pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance.

Topic

Applicant: Sahara, Inc., Owner's representative (contractor)
Owner: Quinn's Junction Properties, LC
Location: 4001 Kearns Blvd at the intersection of US 40 and SR 248
Zoning: Community Transition (CT) RCO overlay
Adjacent Land Uses: Open Space, vacant land, Highways US 40 and SR 248, Quinn's Recreation Complex, Park City Ice Arena, Park City Heights MPD, USSA, Summit County Health Department, Park City Clinics, and industrial uses to the northeast in unincorporated Summit County.
Proposed Uses: Film Studio campus consisting of sound stages, work shop and editing areas, media, support offices, support commercial, and hotel as further described in the approved MPD documents.

Proposal

This is a request for approval of a final subdivision plat to create a 29.55 acre platted lot of record for the Park City Film Studios project pursuant to the Quinn's Junction Partnership Annexation and the Park City Film Studio project Master Planned Development (MPD). Conditions of approval of the Annexation and MPD Development Agreements, including conditions of approval of the amended phasing plan and the Film Studio Conditional Use permit, continue to apply. The plat memorializes the metes and bounds parcel as a lot of record.

Background

On February 19, 2014, the Planning Department received an application for a final subdivision plat for the Park City Film Studio project. There was no preliminary plat as part of the Annexation and MPD. The application was deemed complete on March 4,

2014. The application includes a subdivision plat (Exhibit A) and an existing conditions survey of the property (Exhibit B).

The property was annexed into Park City with the Quinn's Junction Partnership Annexation on May 12, 2012, and was zoned Community Transition (CT) with Regional Commercial Overlay (RCO). The property is subject to Annexation Ordinance 12-12 (Exhibit C) and the MPD Development Agreement (May 24, 2012) (Exhibit D).

The Development Agreement includes concept plans for a film studio campus, 100 key hotel, and support uses allowed, as further defined in the Agreement, consistent with the prior January 17, 2012 Annexation Agreement, a pre-annexation agreement between the City and the property owner. The Annexation Agreement and Ordinance 12-12 include a condition of approval that an Administrative Conditional Use Permit is required for the Park City Film Studio project prior to issuance of any building permits.

On December 5, 2013, the City Council approved an amendment to the Phasing Plan (Exhibit E) allowing phase one to be broken into three sub-phases (1-A, 1-B, 1-C). The Council included a condition of approval requiring approval and recordation of a subdivision plat for the property prior to issuance of a building permit for the Film Studio project.

On December 11, 2013, the applicant submitted an Administrative Conditional Use Permit (CUP) application for Phase 1-A of the Park City Film Studios project. On March 11, 2014, the Planning Director conducted an administrative public hearing to receive public comment on the Administrative Conditional Use permit. The CUP is currently being reviewed by the Planning Director. Approval of the CUP is not anticipated prior to the Planning Commission meeting.

On March 26, 2014, the Planning Commission conducted a public hearing, received public input regarding a question regarding the CCRs and whether they are approved with the plat, and following discussion voted 4-3 to forward a positive recommendation to the City Council with the Chair breaking a 3-3 tie (Exhibit F). There was discussion as to whether the application was consistent with the General Plan. The application for a one lot subdivision plat memorializes the existing metes and bounds parcel as a lot of record and does not approve or disapprove of any use on the property. There is a prior approved use of the property for the Park City Film Studio project that is subject to all conditions of approval of the Annexation Agreement, Master Planned Development Agreement, and the Conditional Use Permit. The CCRs referenced by the Commission have been reviewed by the City Legal Staff and are attached as Exhibit G.

Analysis

The proposed subdivision plat creates a lot of record for the Park City Film Studios project that is planned to be maintained under the common ownership of the current owner, Quinn's Junction Properties, LC. No non-conforming conditions are created by the subdivision plat and the plat memorializes the existing property boundary as a lot of record.

The property is accessed from Kearns Blvd, aka SR 248, a State Highway. The access point is at an existing signalized intersection of SR 248 with Round Valley Way. There is currently no installed or activated traffic signal for the entrance/exit to the film studio property. This is an approved UDOT access point according to the 248 Corridor Preservation Plan and a traffic signal for west bound traffic will be installed when warranted by UDOT. No portion of this plat is within the Park City Soils Ordinance boundary.

The lot is consistent with the May 12, 2012, Quinn's Junction Partnership Annexation and the May 24, 2012, MPD Development Agreement, as amended, regarding phasing, by the Council on December 5, 2013.

All streets and drives within the subdivision plat are private and all maintenance and snow removal is the responsibility of the property owner.

Land Management Code review

The zoning for the subdivision is Community Transition (CT) with Regional Commercial Overlay (RCO) zone. The subdivision plat is subject to the Quinn's Junction Partnership Annexation and MPD Agreement and the following LMC criteria.

CT Zone	Permitted	Proposed
Height	28' (+5' for pitched roof) (MPD allowed max 32', except 50' for main Sound Stage Building 7 or up to max of 60' if contract for long term film production necessitates full studio height). Also 70% of non-studio buildings may have height of 36 – 40 feet. Remaining not greater than zone height. No building higher than 28' unless located more than 150' from center line of SR 248.	Heights as per Annexation and MPD Development Agreement.
Unit Equivalents	Up to 1 unit per acre for residential meeting MPD/bonus criteria of the zone. Up to 3 units per acre for non-residential uses meeting MPD/bonus criteria or as negotiated during annexation/mpd process.	Per Annexation/MPD maximum total of 374,000 sf as specified in the Annexation and Development Agreements
Lot Size	No minimum lot size	29.55 acres.

Front setback	25' perimeter of MPD	25' perimeter
Rear setback	25' perimeter Per MPD	25' perimeter
Side setbacks	25' perimeter Per MPD	25'perimeter
Parking	Per LMC for specific uses or as approved by Planning Commission during MPD review. Maximum of 730 surface spaces and 150 underground spaces permitted by the Annexation Ordinance with parking to be phased with phases of development.	Phase 1 parking proposed is 442 spaces with 297 spaces to be constructed with Phase 1-A. Future phase parking to be reviewed with each Administrative CUP.

General Subdivision Requirements

- (A) Subdivision Name-** The proposed subdivision name does not duplicate or closely approximate the name of another Subdivision in the area.
- (B) Monuments-** All survey monumentation as required by the LMC is required to be completed prior to acceptance of public improvements.
- (C) Limits of Disturbance-** A landscape and limits of disturbance plan for construction will be submitted with the building permit applications per the MPD Agreement.
- (D) Ridgeline Development-** Not applicable as there are no major or minor ridgelines within the property.
- (E) Open Space-** There are no open space parcels designated with this property per the conditions of the QJP Annexation Agreement.
- (F) Roads and Utility Lines-** All roads will be designated as private drives and streets. Easements are provided as needed for public utilities. A shared access easement with the City's parcel to the south is provided for possible future shared access point with SR 248.
- (G) Drainage Ways-** Final design of the storm water management system is subject to approval by the City Engineer.
- (H) Soils Conditions-** Due to the potential for areas of expansive soils within this subdivision, a soils conditions report shall be submitted prior to issuance of any building permits for structures, utilities, and roads, and shall be reviewed by the City Engineer and Building Official prior to issuance of an excavation permit for any construction.
- (I) Trails and Sidewalks-** Trails and sidewalks are provided consistent with the MPD Development Agreement. The applicant has provided the City with the required \$75,000 for trails to be constructed to the site by the City.
- (J) Limits of Disturbance/Building Pad locations-** No building pads or limits of disturbance areas are proposed to be platted with the plat.
- (K) Top Soil Preservation and Final Grading-** Staff recommends a condition of

approval that all applicable requirements of the LMC regarding top soil preservation and final grading be completed prior to issuance of a certificate of occupancy. No portion of this phase is within the Park City Soils Ordinance boundary; however, areas of disturbance due to off-site utility improvements that do fall within the Park City Soils Ordinance boundary are required to adhere to all requirements of the Ordinance.

(L) Architectural Standards- Architecture is reviewed at the time of Administrative CUP and building permit issuance for compliance with the Annexation Agreement and MPD Development Agreement.

(M) Water Bodies and Water Courses- There are no bodies of water that are incorporated into the lots so as to not burden the City with responsibility of the water body. There are remnants of an irrigation ditch running through the property. No water has been diverted through the ditch since 1995. If the applicant intends to use the ditch for irrigation of landscaping for Phase Two, there would first need to be resolution of water right and water source issues. The property owner is responsible for maintenance of drainage areas, including any irrigation ditches and canals that are required to provide water for downstream users. Retention areas that are part of the storm water management plan may have standing water at times. Maintenance of these areas is the responsibility of the property owner. Permission from UDOT and/or the Army Corps of Engineers is required prior to construction of the storm water detention facilities and prior to construction that would impact off-site wetland areas or that are located on UDOT property.

(N) Fire Sprinkling- There is a plat note requiring all construction to comply with the International Building Code requirements for fire protection.

General Lot Design Requirements

Staff has reviewed the proposed plat for compliance with the General Lot Design Requirements per LMC 15-7.3-3 as follows:

(A) Lot Arrangement- there are no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on this lot in compliance with the IBC, the LMC, and in providing reasonable access.

(B) Building Sites- the proposed building sites are consistent with the Annexation and MPD Agreements and comply with LMC Setback requirements.

(C) Square footage- maximum building size and floor area for all buildings and uses are identified in the Annexation and MPD Development Agreements.

(D) Lot Dimensions- there is only one lot and it is the same dimensions as the entire metes and bounds parcel. The proposed lot dimensions comply with the minimum lot dimensions of the CT and RCO zones per the MPD.

(E) Double Frontage Lots and access to Lots- Lots fronting on two streets is generally to be avoided, however this is one single lot that exists with frontage on the west and east with Highways. Only the west side frontage provides access.

(F) Lot Drainage- Drainage plans are required with each Conditional Use Permit and building permit.

(G) Landscaping- Prior to issuance of building permits for each phase of development a landscape plan is required to be submitted and reviewed by the Staff

for compliance with the LMC and conditions of the MPD and Administrative Conditional Use Permits.

(H) Limits of Disturbance/Vegetation protection- Prior to issuance of a building permit for each lot a limits of disturbance and vegetation protection plan is required to be submitted and reviewed by the Staff for compliance with conditions of the MPD and/or CUP plans and conditions.

(I) Re-vegetation, seed, and sod- All disturbed areas will be re-vegetated, seeded, and/or sodded prior to issuance of a certificate of occupancy and a financial guarantee for the completion of this re-vegetation is required to be paid or posted prior to issuance of the permit.

(J) Debris and Waste- Debris and waste are required to be removed per the LMC prior to issuance of a certificate of occupancy. This is a condition of building permitting. Consolidation and recycling of construction waste and debris shall be identified on the Construction Mitigation Plan prior to issuance of a building permit.

(K) Fencing- Fencing of hazardous conditions may be required by the Chief Building Official. Fences will be constructed according to standards of the LMC and conditions of approval of the MPD and CUP for the various phases of development.

Road Requirements and Design

Staff has reviewed the proposed plat for compliance with the Road Requirements and Design per LMC 15-7.3-4. There are no public streets proposed. The MPD access point is at an existing signalized intersection with Round Valley Way as contemplated by the February 1, 2007 Cooperative Corridor Preservation Agreement between UDOT and Park City. All streets and roads are private driveways. Staff recommends a condition of approval that a note shall be added to the plat regarding a future shared access easement with the City's parcel to the south to provide shared access to SR 248 if this access is approved by UDOT. The City Engineer shall identify the easement requirements. The traffic signal for the studio site will be with the project.

Staff finds this subdivision complies with the Land Management Code regarding final subdivision plats, including CT and RCO zoning requirements (as permitted during the Annexation /MPD approvals), general subdivision requirements, and lot and street design standards and requirements. General subdivision requirements related to 1) drainage and storm water; 2) water facilities; 3) sidewalks and trails; 4) utilities such as gas, electric, power, telephone, cable, etc.; 5) public uses, such as trails and trail heads; and 6) preservation of natural amenities and features have been addressed through the Master Planned Development process as required by the Land Management Code. Utility, grading, and site work (streets) plans were submitted with the plat for review and coordination by the City and service providers

Sanitary sewer facilities are required to be installed in a manner prescribed by the Snyderville Basin Water Reclamation District (SBWRD). The applicants have met with the SBWRD officials to review the plat and utility plans for compliance with these requirements. Final approval of the sewer facilities and a signature on the plat from SBWRD is required prior to final plat recordation. Water is provided by Summit Water for this property. The applicant is coordinating with the Park City Fire District and

Summit Water regarding water service.

The Annexation/MPD process requires LEED construction at the certified level without commissioning per the Annexation Agreement for the Studio Building. Also, at a minimum, the future Hotel shall include a “Green” operational policy within industry standards and a door key activated light shut-off (or similar system) in all rooms.

Staff recommends a plat note referencing Ordinance 12-12 and all conditions of approval of the Annexation and MPD Agreements.

Good Cause

There is good cause for this subdivision plat in that it creates a legal lot of record from a metes and bounds described parcel that is consistent with the approved QJP Annexation and MPD Development Agreements, as amended.

Department Review

This application has been reviewed by the Development Review Committee, including other City Departments and utility and service providers. Issues raised have been addressed with conditions of approval.

Notice

The property was posted and notice was mailed to property owners within 300 feet according to requirements of the Land Management Code. Legal notice was published in the Park Record according to requirements of the Code.

Public Input

Staff has not received input from adjacent property owners or public regarding this plat application. The Planning Commission and City Council will conduct public hearings at the respective meetings to receive public input regarding this subdivision plat.

Future Process

Approval or denial of this subdivision application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18. The Annexation and MPD Agreement provide for a phased development with the Studio buildings first, support offices to the Studio second, and the final phases include a 100 key hotel and support retail/office uses with parking phased per the MPD Agreement.

Alternatives

- The City Council may approve the Park City Film Studios subdivision plat as conditioned or amended, or
- The City Council may deny the subdivision plat and direct staff to make Findings for this decision, or
- The City Council may continue discussion on the subdivision plat to a date certain with specific direction to the applicant to return with any additional information and or revisions necessary to make a final decision.
- There is not a “no action” option for subdivision plats.

Significant Impacts

There are no significant negative fiscal or environmental impacts that result from this application that have not been sufficiently mitigated with plat notes, conditions of approvals, and adherence to the approved, amended MPD and to requirements of the Annexation Agreement.

Consequences of not taking the Suggested Recommendation

The property would remain as individual metes and bounds parcels and the condition of approval of the MPD would not be met.

Recommendation

Staff recommends the City Council conduct a public hearing for the Park City Film Studios Subdivision plat, consider input, and consider approving the plat pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance.

Exhibits

Ordinance

Exhibit A- Proposed subdivision plat

Exhibit B- Existing conditions survey

Exhibit C- Annexation Ordinance 12-12 (Exhibits not included)

Exhibit D- Master Planned Development Agreement (Exhibits not included)

Exhibit E- Amended Phasing Plan

Exhibit F- Minutes of the March 26, 2014, Planning Commission meeting

Exhibit G- CCRs

Ordinance No. 14-

**AN ORDINANCE APPROVING THE PARK CITY FILM STUDIOS SUBDIVISION
LOCATED AT 4001 KEARNS BLVD, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as Quinn's Junction Properties, aka, Park City Film Studios, located at 4001 Kearns Blvd, north of Richardson Flat Road, east of State Road 248 and west of US 40, have petitioned the City Council for approval of the Park City Film Studios subdivision; and

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

WHEREAS, proper legal notice was sent to all affected property owners according to the Land Management Code of Park City; and

WHEREAS, the Planning Commission held a public hearing on March 26, 2014, to receive input on the subdivision; and

WHEREAS, the Planning Commission, on March 26, 2014, forwarded a positive recommendation to the City Council; and

WHEREAS, on April 17, 2014, the City Council held a public hearing on the Park City Film Studios subdivision; and

WHEREAS, it is in the best interest of Park City, Utah, to approve the Park City Film Studios subdivision to memorialize the existing metes and bounds parcel as a legal lot of record in compliance with requirements of the annexation agreement, development agreement, and phasing plan approval.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Park City Film Studios subdivision, as shown in Exhibit A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 4001 Kearns Boulevard in Park City, Utah.
2. The property is located north of Richardson Flat Road, east of SR 248 and west of US Highway 40.
3. The property contains 29.55 acres.
4. The property was annexed into Park City with the Quinn's Junction Partnership (QJP) Annexation on May 12, 2012, and is subject to Ordinance 12-12. The property was zoned Community Transition (CT) with Regional Commercial Overlay (RCO).
5. On May 24, 2012 a Development Agreement was executed and recorded at Summit

County.

6. The Development Agreement includes concept plans for a film studio campus, a 100 key hotel, and commercial and support uses, as further defined in the Development Agreement, consistent with the prior January 17, 2012 Annexation Agreement, a pre-annexation agreement between the City and the property owner.
7. The Annexation Agreement and Ordinance 12-12 include a condition of approval that an Administrative Conditional Use Permit is required for the Park City Film Studio project prior to issuance of any building permits.
8. On December 5, 2013, the City Council approved an amended phasing plan for Phase 1 allowing it to be broken into three sub-phases (1-A, 1-B, 1-C).
9. On December 11, 2013, the applicant submitted an Administrative Conditional Use Permit (CUP) application for Phase 1-A of the Park City Film Studios project.
10. On March 11, 2014, the Planning Director conducted an administrative public hearing to receive public comment on the Administrative Conditional Use permit. No public comment was provided.
11. No portion of this plat is within the Park City Soils Ordinance boundary.
12. The proposed subdivision plat creates a lot of record for the Park City Film Studios project that is planned to be maintained under the common ownership of Quinn's Junction Properties, LC, the current owner.
13. No non-conforming conditions are created by the subdivision plat.
14. The property is accessed from Kearns Blvd, aka SR 248, a State Highway. The MPD access point is at an existing signalized intersection with Round Valley Way as contemplated by the February 1, 2007 Cooperative Corridor Preservation Agreement between UDOT and Park City. A traffic signal for the entrance/exit to the Film Studio site will be installed as part of the Studio project. The cost associated with the traffic signal shall be worked out between the applicant and UDOT.
15. All roads will be designated as private drives and streets. Easements are provided as needed for public utilities. A shared access easement with the City's parcel to the south is provided for possible future shared access point with SR 248.
16. There are no public streets within the subdivision. Each phase is designed to accommodate fire and emergency vehicle circulation through the phase.
17. The subdivision plat application complies with the Land Management Code regarding final subdivision plats.
18. General subdivision requirements related to 1) drainage and storm water; 2) water facilities; 3) sidewalks and trails; 4) utilities such as gas, electric, power, telephone, cable, etc.; 5) public uses, such as parks and playgrounds; and 6) preservation of natural amenities and features have been addressed through the Master Planned Development process as required by the Land Management Code.
19. The Annexation Ordinance applies to this plat. The Ordinance requires LEED construction at the certified level without commissioning per the Annexation Agreement and at a minimum, the Hotel shall include a "Green" operational policy within industry standards and a door key activated light shut-off (or similar system) in all of the rooms.
20. Sanitary sewer facilities are required to be installed in a manner prescribed by the Snyderville Basin Water Reclamation District (SBWRD).
21. There are wetlands adjacent to the site to the north and east, as identified on the National Wetlands Inventory. The Inventory does not identify wetlands on the

property.

22. There are remnants of an irrigation ditch running through the property. No water has been diverted through the ditch since 1995. If the applicant intends to use the ditch for irrigation of landscaping for Phase Two, there would first need to be resolution of water right and water source issues.
23. A Riparian Analysis prepared by Psomas and submitted with the CUP application, concludes that no riparian conditions exist within the property boundaries.
24. Water service is provided by Summit Water for this property.
25. There is good cause for this subdivision plat in that it creates a legal lot of record from metes and bounds described parcel for a future film studios project.
26. Trails and sidewalks are provided consistent with the MPD Development Agreement. The applicant has provided the City with the required \$75,000 for trails to be constructed to the site by the City.
27. The findings in the Analysis section are incorporated herein.

Conclusions of Law:

1. The subdivision plat complies with LMC 15-7.3 as conditioned.
2. The subdivision plat is consistent with the Park City Land Management Code and applicable State law regarding subdivision plats.
3. The subdivision plat is consistent with the May 12, 2012, Quinn's Junction Partnership Annexation and May 24, 2012 MPD Development Agreement, as amended with the December 5, 2013 Council approved phasing plan for Phase 1-A.
4. Neither the public nor any person will be materially injured as a result of approval of the proposed subdivision plat, as conditioned herein.
5. Approval of the proposed subdivision plat, subject to the conditions stated herein, will not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. City Attorney and City Engineer review and approval of the final form and content of the subdivision plat for compliance with State law, the Land Management Code, and the conditions of approval, is a condition precedent to recordation of the plat.
2. The applicant will record the subdivision plat at Summit County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat amendment will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Conditions of approval of the May 12, 2012, Quinn's Junction Partnership Annexation, as stated in the Annexation Agreement and Ordinance 12-12, continue to apply, and shall be noted on the plat.
4. Conditions of approval of the May 24, 2012, MPD Development Agreement, as amended by the City Council on December 5, 2013, continue to apply, and shall be noted on the plat.
5. A final utility plan shall be approved by the City Engineer prior to issuance of permits for site work for each phase.
6. A final grading plan shall be approved by the City Engineer prior to issuance of permits for site work for each phase.

7. Any proposed impacts to the off-site wetland areas require prior approval from the Army Corps of Engineers and/or UDOT. All proposed impacts shall be identified with the building permit application.
8. UDOT approval is required for any off-site storm-water detention facilities and/or landscaping and fencing proposed within the UDOT right-of-way areas, prior to approval of final utility plans by the City Engineer for each phase.
9. A construction mitigation plan (CMP) shall be submitted and approved by the City for compliance with the Municipal Code, LMC, and the MPD conditions of approval prior to issuance of a building permit. A construction recycling area and excavation materials storage area within the development shall be utilized and identified on the CMP.
10. A financial guarantee, in a form and amount acceptable to the City and in conformance MPD conditions of approvals, for the value of all public improvements, including landscaping, shall be provided to the City prior to building permit issuance for new construction within each phase. All public improvements shall be completed according to City standards and accepted by the City Council prior to release of this guarantee.
11. Water sufficient for adequate redundancy and fire flows per the Park City Fire District is required prior to issuance of building permits for vertical construction for each phase.
12. A certificate of occupancy for Buildings 7, 7A, and 7B (as identified on the approved revised phasing plan) shall be issued by the Park City Building Department prior to requesting a certificate of occupancy for Buildings 6 and 8 as identified on the approved revised phasing plan per the MPD Agreement.
13. Topsoil shall be stockpiled on site for use on the property and export of excess material from the site shall be minimized.
14. A note shall be added to the plat indicating that a shared access easement will be granted by the Property owner and the City for possible future shared access to SR 248 at the southwest corner of the property. The City Engineer shall identify the easement requirements prior to recordation of the easements at such time that the easements are needed.
15. Due to the potential for areas of expansive soils within this subdivision, a soils conditions report shall be submitted prior to issuance of any building permits for structures, utilities, and roads, and shall be reviewed by the City Engineer and Building Official prior to issuance of an excavation permit for any construction.

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

PASSED AND ADOPTED this ____ day of _____, 2014.

PARK CITY MUNICIPAL CORPORATION

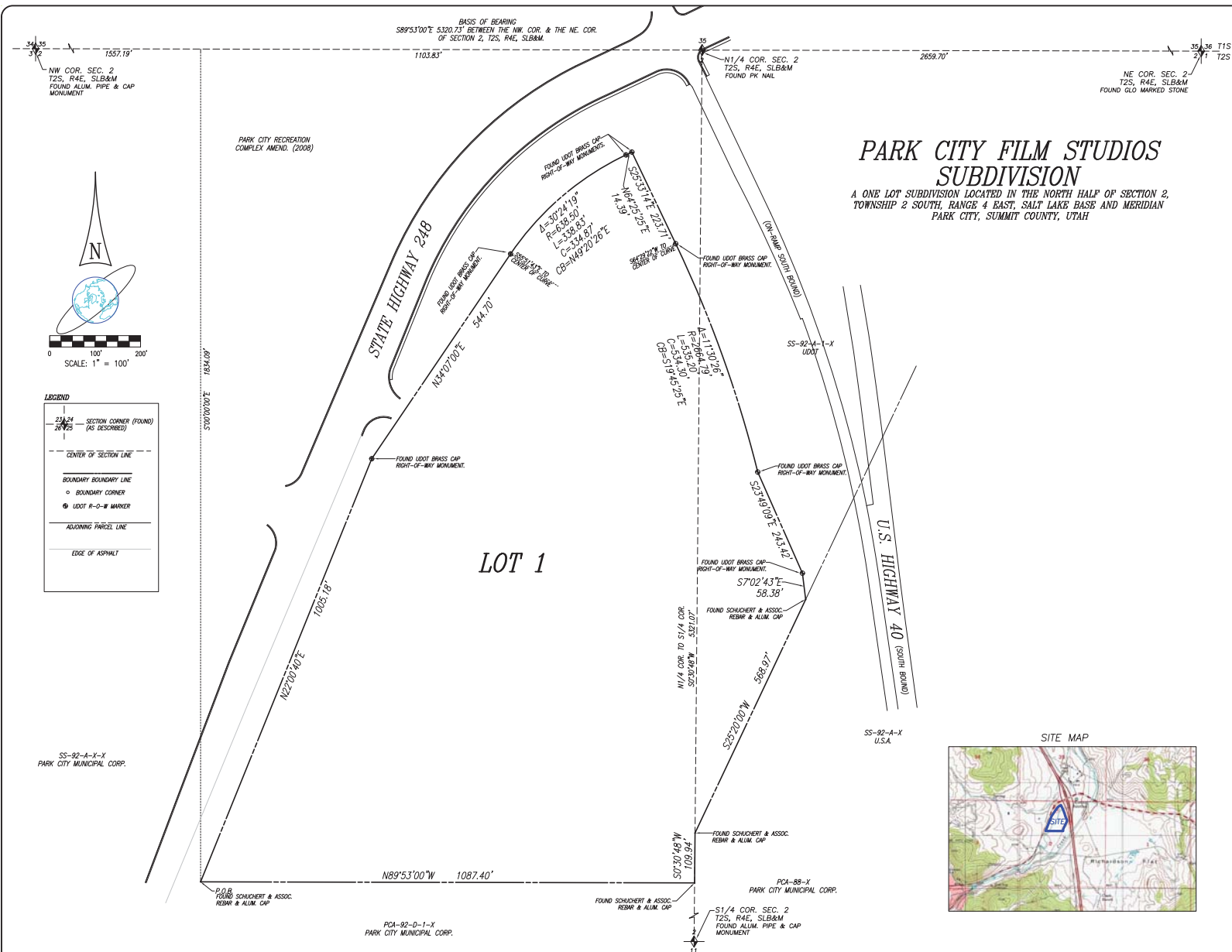
Jack Thomas, MAYOR

ATTEST:

Marci Heil, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney



SURVEYOR'S CERTIFICATE
I, Ted M. Biehn, do hereby certify that I am a Registered Land Surveyor, and that I hold Certificate No. 163473 as prescribed under the laws of the State of Utah. I further certify that, by the authority of the owner, I have made a survey of the tract of land shown on this plat as Lot 1, PARK CITY FILM STUDIOS SUBDIVISION and that the same as been correctly staked on the ground as shown on this plat. I further certify that the information on this plat is accurate.

Signed on this _____ day of _____, A.D. 2014

Ted M. Biehn, PLS
Utah Registration No. 163473

BOUNDARY DESCRIPTION

Beginning on the easterly line of State Highway 248 at a point which is S89°53'00"E 1557.19 feet along the Section Line (Basis of Bearing) and S07°00'00"E 1834.09 feet from an aluminum pipe monument at the Northwest Corner of Section 2, Township 2 South, Range 4 East, Salt Lake Base and Meridian from which Section Corner the GLO Stone Monument at the Northeast Corner of said Section 2 bears S89°53'00"E 5320.70 feet; thence U22°00'40"E 1005.18 feet along the easterly Right-Of-Way Line of said Highway to a UDOT brass cap monument; thence N34°07'00"E 544.70 feet along said Right-Of-Way Line to a UDOT brass cap monument and the beginning of a 638.50 foot radius curve the center of which bears S55°51'43"E; thence Northeastly 338.83 feet along said Right-Of-Way Line and said curve to the right through a central angle of 30°24'19" (chord bearing = N49°20'26"E 334.87 feet) to a UDOT brass cap monument; thence N64°25'25"E 14.39 feet along said Right-Of-Way Line to a UDOT brass cap monument, said point also being on the westerly Right-Of-Way Line of US Highway 40; thence S25°13'14"E 223.71 feet along said westerly Right-Of-Way Line to a UDOT brass cap monument and the beginning of a 2664.79 foot radius curve the center of which bears S64°29'22"W; thence Southwesterly 535.20 feet along said Right-Of-Way Line and said curve to the right through a central angle of 11°30'26" (chord bearing = S19°45'25"E 534.30 feet) to a UDOT brass cap monument; thence S23°49'09"E 243.42 feet along said Right-Of-Way Line to a UDOT brass cap monument; thence S70°24'33"E 58.38 feet along said Right-Of-Way Line to a rebar with aluminum cap at a point that is S89°53'00"E 800.00 feet and S25°20'00"W 1336.80 feet from the PK nail marking the North Quarter Corner of said Section 2; thence S25°20'00"W 568.97 feet to a rebar with aluminum cap on the North-South Center of Section Line of said Section 2; thence S0°30'48"W 109.94 feet along said North-South Center of Section Line to a rebar with aluminum cap, said point being S0°30'48"W 1834.13 feet from said North Quarter Corner of Section 2; thence N89°53'00"W 1087.40 feet to a rebar with aluminum cap and the point of beginning. Contains 29.5530 acres.

Owner's Dedication

Known all by these presents that we the undersigned owner of the described tract of land above, have caused the same to be subdivided in-to a one lot subdivision to hereafter be known as the PARK CITY FILM STUDIOS SUBDIVISION. No land parcels or easements are dedicated to the public as part of the PARK CITY FILM STUDIOS SUBDIVISION.

In witness whereof, we have hereunto set our hands this _____ day of _____, A.D. 2014.

Quinn's Junction Properties L.C.

Greg Erickson
President

Signature

Acknowledgement

State of Utah)
County of Salt Lake)
On this _____ day of _____, 2014, Greg Erickson personally appeared before me, the undersigned Notary Public, in and for said State and County. Having been duly sworn, Greg Erickson, acknowledged to me that Quinn's Junction Properties L.C. is the owner of the herein described tract of land and that he, as President of Quinn's Junction Properties L.C. is authorized to sign the above Owner's Dedication and Consent to Record freely and voluntarily.

NOTARY PUBLIC

My commission expires _____ Residing in _____

PARK CITY FILM STUDIOS SUBDIVISION

A ONE LOT SUBDIVISION LOCATED IN THE NORTH HALF OF SECTION 2, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN PARK CITY, SUMMIT COUNTY, UTAH

ENTRY NO. _____
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, A.D. 2014

DATE _____ TIME _____ BOOK _____ PAGE _____

FEE \$ _____ DEPUTY COUNTY RECORDER SUMMIT COUNTY RECORDER

Robinson, Biehn & Biehn, Inc.
Professional Land Surveyors
RBB
3483 South 100 East
Bountiful, Utah 84010
(801) 266-1118

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS
ON THIS _____ DAY OF _____, A.D. 2014

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

PLANNING COMMISSION
APPROVED THIS _____ DAY OF _____, A.D. 2014
BY THE PARK CITY PLANNING COMMISSION

CHAIR

CITY ENGINEER APPROVAL
APPROVED THIS _____ DAY OF _____, A.D. 2014

PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS _____ DAY OF _____, A.D. 2014

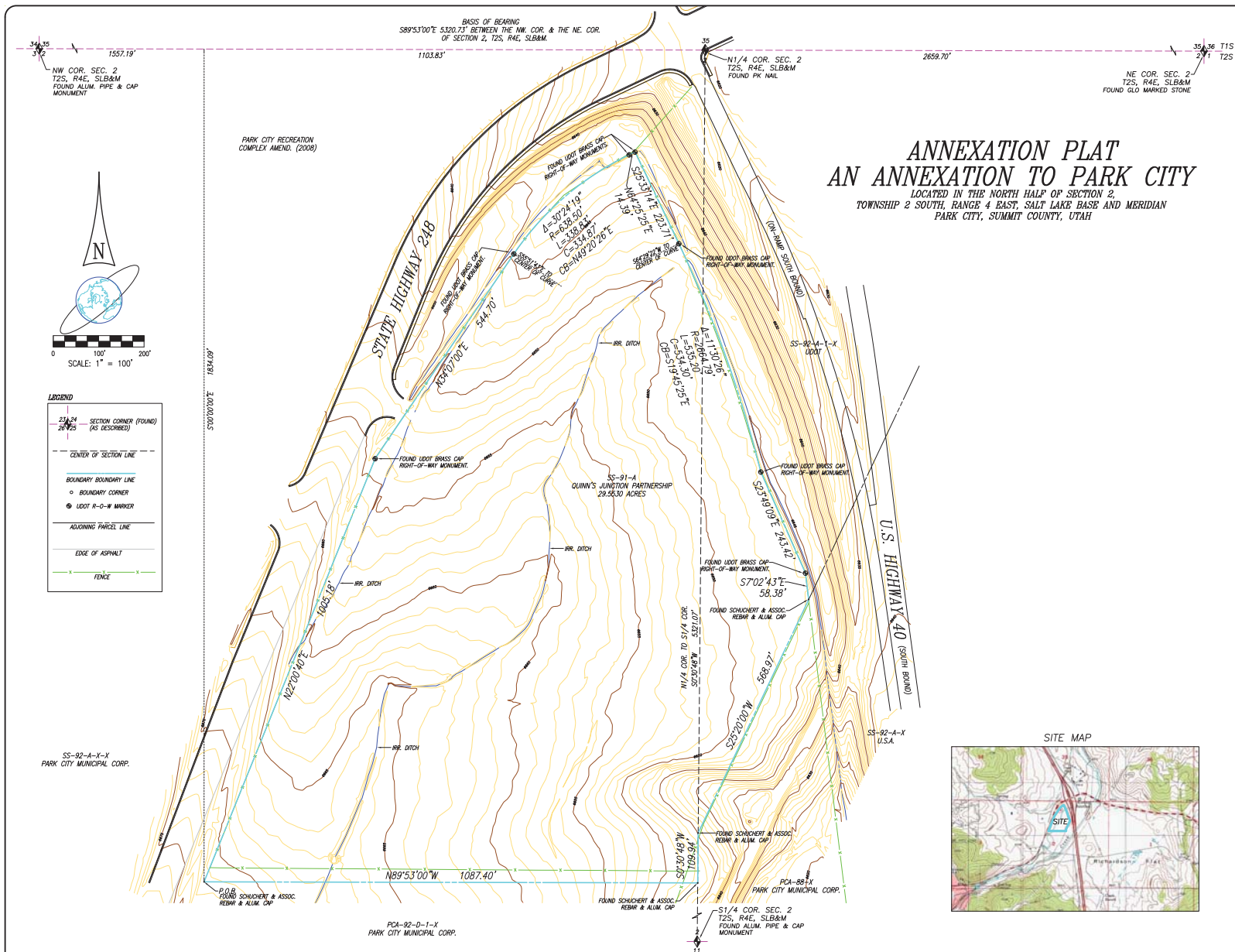
PARK CITY ATTORNEY

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, A.D. 2014

PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, A.D. 2014

MAYOR



SURVEYOR'S CERTIFICATE

I, Ted M. Biehn, do hereby certify that I am a Registered Land Surveyor, and that I hold Certificate No. 163473 as prescribed under the laws of the State of Utah. I further certify that, by the authority of the owners, I have made a survey of the tract of land shown on this plat and described below.

Ted M. Biehn
PLS 163473

DATE

BOUNDARY DESCRIPTION

QUINN'S JUNCTION PARCEL

Beginning on the easterly line of State Highway 248 at a point which is S89°53'00"E 1557.19 feet along the Section Line (Basis of Bearing) and S0°00'00"E 1834.09 feet from an aluminum pipe monument at the Northwest Corner of Section 2, Township 2 South, Range 4 East, Salt Lake Base and Meridian from which Section Corner the GLO Stone Monument at the Northeast Corner of said Section 2 bears S89°53'00"E 5320.73 feet (feet);
thence N22°00'40"E 1005.18 feet along the easterly Right-Of-Way Line of said Highway to a UDOT brass cap monument;
thence N34°07'00"E 544.70 feet along said Right-Of-Way Line to a UDOT brass cap monument and the beginning of a 638.50 foot radius curve the center of which bears S55°51'43"E;
thence Northeastly 338.83 feet along said Right-Of-Way Line and said curve to the right through a central angle of 30°24'19" (chord bearing = N49°20'26"E 334.87 feet) to a UDOT brass cap monument;
thence N64°25'25"E 14.39 feet along said Right-Of-Way Line to a UDOT brass cap monument, said point also being on the westerly Right-Of-Way Line of US Highway 40;
thence S25°33'14"E 223.71 feet along said westerly Right-Of-Way Line to a UDOT brass cap monument and the beginning of a 2664.79 foot radius curve the center of which bears S64°29'22"W;
thence Southeastly 535.20 feet along said Right-Of-Way Line and said curve to the right through a central angle of 11°30'26" (chord bearing = S19°45'25"E 534.30 feet) to a UDOT brass cap monument;
thence S23°49'09"E 243.42 feet along said Right-Of-Way Line to a UDOT brass cap monument;
thence S70°24'31"E 58.38 feet along said Right-Of-Way Line to a rebar with aluminum cap at a point that is S89°53'00"E 800.00 feet and S22°00'00"W 1336.80 feet from the PK nail marking the North Quarter Corner of said Section 2;
thence S25°20'00"W 568.97 feet to a rebar with aluminum cap on the North-South Center of Section Line of said Section 2;
thence S0°10'46"W 108.94 feet along said North-South Center of Section Line to a rebar with aluminum cap, said point being S0°30'48"W 1834.13 feet from said North Quarter Corner of Section 2;
thence N89°53'00"W 1087.40 feet to a rebar with aluminum cap and the point of beginning. Contains 29.5530 acres.

COMMENTS

1. This Survey was requested by Quinn's Junction Partnership.
2. The Basis of Bearing = S89°53'00"E between the NW. Cor. and the NE. Cor. of Section 2, as shown hereon.
3. The Bearings shown are the same as the Record of Survey by Shuchert & Associates recorded as Entry No. 425892 11-23-1992

SITE MAP



ANNEXATION PLAT AN ANNEXATION TO PARK CITY

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

Robinson, Biehn & Biehn, Inc.
Professional Land Surveyors
5330 South 400 East, Suite 120
Salt Lake City, Utah 84115-7261
(801) 264-1110 (801) 262-5814 Fax

PLANNING COMMISSION APPROVAL
APPROVED THIS _____ DAY OF _____ AD, 2012
BY THE PARK CITY PLANNING COMMISSION

CHAIRMAN, PLANNING COMMISSION

CITY ENGINEER APPROVAL
APPROVED THIS _____ DAY OF _____ AD, 2012
BY THE CITY PARK CITY ENG.

PARK CITY ENGINEER

CITY ATTORNEY
APPROVED THIS _____ DAY OF _____ AD, 2012
BY THE PARK CITY ATTORNEY.

PARK CITY ATTORNEY

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS
APPROVED BY THE PARK CITY COUNCIL
THIS _____ DAY OF _____ AD, 2012

PARK CITY RECORDER

PARK CITY COUNCIL
APPROVED THIS _____ DAY OF _____ AD, 2012
BY THE PARK CITY COUNCIL.

ATTEST: CITY CLERK

MAYOR

RECORDED # _____
STATE OF UTAH, COUNTY OF SUMMIT COUNTY,
RECORDED AND FILED AT THE REQUEST OF
DATE _____ TIME _____ BOOK _____ PAGE _____
FEE \$ _____
DEPUTY COUNTY RECORDER SUMMIT COUNTY RECORDER

**Ordinance 12- 12**

AN ORDINANCE ANNEXING APPROXIMATELY 29.55 ACRES OF PROPERTY LOCATED AT THE SOUTHWEST CORNER OF THE SR248 AND US40 INTERCHANGE IN THE QUINN'S JUNCTION AREA, KNOWN AS THE QUINN'S PARTNERSHIP ANNEXATION, INTO THE CORPORATE LIMITS OF PARK CITY, UTAH, AND AMENDING THE OFFICIAL ZONING MAP OF PARK CITY TO ZONE THE PROPERTY COMMUNITY TRANSITION (CT) WITH A REGIONAL COMMERCIAL OVERLAY (RCO) DESIGNATION

WHEREAS, on January 24, 2005, the property owner, Quinn's Junction Partnership, of the property shown on the attached Annexation Plat "Exhibit A", (the "Property"), first petitioned the City Council for approval of an annexation into the Park City limits; and

WHEREAS, the Property is approximately 29.55 acres in area and is located southwest of the intersection of State Road 248 and US-40 as described in the attached Legal Description "Exhibit B"; and

WHEREAS, the Property is included within the Park City Annexation Expansion Area, and is not included within any other municipal jurisdiction; and

WHEREAS, on January 18, 2012, Summit County and the Quinn's Junction Partnership executed a Settlement Agreement "Exhibit C" regarding vested development rights for this parcel, including an Annexation Agreement which was entered into by and among the Quinn's Junction Partnership and Park City Municipal Corporation on January 17, 2012 ("Annexation Agreement"); and

WHEREAS, on January 20, 2012, a revised annexation petition, including a zoning map amendment request to zone the property Community Transition (CT) with a Regional Commercial Overlay (RCO) was submitted. Additional information related to the annexation petition and the Master Planned Development for a 374,000 sf (Gross Floor area as described in the January 17, 2012 Annexation Agreement) movie/film studio campus, with associated uses and a 100 room (keys) hotel, was submitted to the City, and the submittal was deemed complete; and

WHEREAS, the Park City Council accepted the Quinn's Junction Partnership Annexation petition on January 26, 2012; and

WHEREAS, the City reviewed the petition against the criteria stated in Sections 10-2-403 (2), (3), and (4) of the Utah Code, annotated 1953 as amended, and found the petition complied with all applicable criteria of the Utah Code; and

WHEREAS, On February 2, 2012, the City Recorder certified the annexation petition and delivered notice letters to the "affected entities" required by Utah

Code, Section 10-2-405, giving notice that the petition had been certified and the required 30-day protest period had begun; and

WHEREAS, no protests were filed by any "affected entities" or other jurisdictions within the 30-day protest period and the petition was considered accepted on March 5, 2012; and

WHEREAS, the Planning Commission, after proper notice, conducted public hearings regarding the Annexation petition application on March 14th, March 28th, April 11th, and April 25th; and

WHEREAS, on April 25, 2012, the Planning Commission voted to forward to City Council a negative recommendation on the proposed annexation and zoning of Community Transition (CT) with a Regional Commercial Overlay (RCO) as described in the Annexation Agreement; and

WHEREAS, on May 17th and May 24th, 2012, the City Council conducted public hearings and discussed the annexation, MPD, and zoning map amendment and took public testimony on the matter, as required by law; and

WHEREAS, the January 17, 2012, Annexation Agreement outlines parameters, conditions, and restrictions regarding the Master Planned Development (the "Proposed MPD") on the 29.55 acres for a film and media campus, with associated uses; and.

WHEREAS, the MPD Plans dated May 24, 2012 as "Exhibit F" submitted by the Applicant, set forth further conditions, design objectives and standards, building massing and articulation, site plan requirements, landscaping and buffering, materials, and other specific items that have a goal of enhancing rather than detracting from the aesthetic quality of the entry corridor; and

WHEREAS, a Development Agreement between the City and Petitioner, pursuant to the Land Management Code Section 15-8-5 (C), setting forth further terms and conditions of the Annexation and Master Planned Development is herein included as Exhibit G ("Development Agreement").

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

SECTION 1. ANNEXATION APPROVAL. The Property is hereby annexed into the corporate limits of Park City, Utah according to the Annexation Plat executed in substantially the same form as is attached hereto as "Exhibit A" and according to the Findings of Fact, Conclusions of Law, and Conditions of Approval as stated below.

The Property so annexed shall enjoy the privileges of being in Park City as described in the Development Agreement attached as "Exhibit G" and shall be

subject to all City levies and assessments as described in the terms of said Development Agreement.

The Property shall be subject to all City laws, rules and regulations upon the effective date of this Ordinance.

SECTION 2. ANNEXATION DEVELOPMENT AGREEMENT. Council hereby authorizes the Mayor to execute the Development Agreement in substantially the same form as is attached hereto as "Exhibit G" and as approved by the City Attorney.

SECTION 3. COMPLIANCE WITH STATE LAW, GENERAL PLAN, AND ANNEXATION POLICY PLAN. This annexation meets the standards for annexation set forth in Title 10, Chapter 2 of the Utah Code, the Park City General Plan, and The Annexation Policy Plan - Land Management Code Chapter 8, Annexation. The CT zoning designation with Regional Commercial Overlay (RCO) is consistent with the Annexation Agreement approved by the City Council and executed on January 17, 2012.

SECTION 4. OFFICIAL PARK CITY ZONING MAP AMENDMENT. The Official Park City Zoning Map is hereby amended to include said Property in the CT zoning district, with an RCO overlay as shown in "Exhibit E".

SECTION 5. FINDINGS OF FACT, CONCLUSIONS OF LAW, AND CONDITIONS OF APPROVAL.

Findings of Fact

1. The property is subject to the January 17, 2012 Annexation Agreement between Park City and Quinn's Junction Partnership that sets forth certain requirements and waivers for the MPD development. These waivers are due to pre-existing vesting in Summit County and the terms of the January 18, 2012 County Settlement Agreement.
2. Land Uses proposed in the MPD Plans include a 100 room/key hotel and associated lodging uses, a film studio campus with sound stages, and associated uses, including support commercial, recording studio, outdoor stage amphitheater, enclosed atrium area between the hotel and ballroom/meeting space, screening rooms and theater, related mixed use office/retail/entertainment, sound stages, film school and related educational uses, associated offices, workshops, and production support and offices. The Gross Floor Area allowed per the Annexation Agreement is 374,000 square feet. Exceptions to the Floor Area, including porches, balconies, patios and decks, vent shafts, courts, and one atrium subject to further restrictions, are spelled out in the Annexation Agreement.
3. Proposed uses as identified in the MPD Plans (Exhibit F) are consistent with the January 17, 2012 Annexation Agreement.

4. The City Council as the final approving body of the MPD has decreased the number of Off-Street Parking Spaces within MPDs based upon a parking analysis and recommendation from the Planning Department per Section 15-6-5 (E).
5. The City Council hereby incorporates the staff reports dated March 14th, March 28th, April 11th, April 25th, May 17th and May 24th, 2012 as part of the record of decision.

Conclusions of Law

1. Due to the unique circumstances of the terms and conditions of the County Settlement Agreement, the Annexation and Zoning Map amendment are consistent with the Annexation Agreement (Exhibit D), the City's Annexation Policy Plan, Quinn's Junction Study Area, the required findings and conclusions of LMC 15-6-6, and the Park City General Plan (2005).
2. Approval of the Annexation and Zoning Map amendment does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval

1. The Official Zoning Map shall be amended to designate the Quinn's Junction Partnership Annexation property with Community Transition (CT) zoning, with a Regional Commercial Overlay (RCO) limited to the commercial uses provided in the Annexation Agreement dated January 17, 2012 and the MPD concurrently approved herein. To the extent there is any conflict between the MPD and the Annexation Agreement, the terms of the MPD shall govern.
2. The attached Exhibits, including the Development Agreement for the Quinn's Junction Annexation and the Annexation Agreement, shall be fully executed and recorded at Summit County, along with the Annexation Plat.
3. The Master Planned Development Plans hereby approved and all final design, Administrative CUP and building permits shall comply with the Annexation Agreement and all applicable Land Management Code "LMC" provisions that are not contrary to said Annexation Agreement.
4. The required Administrative Conditional Use permit application for final design shall be reviewed for consistency with the Annexation Agreement and the MPD Plans package, these conditions of approval including site design, building massing and height, setbacks, architectural design and vernacular, materials, colors, landscaping, lighting, fencing, grading, berming, trails, circulation for buses and emergency vehicles, parking and phasing, etc. and conditions of the Annexation Development Agreement. Rendered elevations, material and color samples, shall be provided for Planning Department review prior to approval of the Administrative Conditional Use permit. Maximum building height of Building 8 (formerly Pad 7) is limited to 50 feet or maximum height not to exceed 60 feet in the event a major, long term film production contract necessitates the full studio height in compliance with Paragraph 2.5(e) of the Annexation Agreement. Final Architectural Review pursuant to 15-2.23-6 shall be

- concurrent with the Administrative CUP. Commissioner Jack Thomas shall participate in the Administrative CUP as a liaison for purpose of further input on final design and architectural elements. Final building footprints shall substantially conform to the MPD Site Plan approved by the City Council. Minor variations in building size and articulation will be considered by the Planning Director at the time of review of the Administrative CUP, provided that there is no increase in the total Gross Floor Area for each of the four main areas, namely: 1) the hotel, 2) office/sound stage support, 3) sound stage, and 4) retail/support. Final building footprints shall be located within the identified building pads.
5. A preliminary landscape plan, provided by a licensed landscape architect, and including landscape site design and materials consistent with those identified in the Annexation Agreement and as further specified in the MPD Plan package is required to be submitted with the Administrative Conditional Use permit application. The landscape plan shall identify grading, heights, and undulation of the perimeter berming to soften the view of the commercial structures. The landscape plan shall include a planting plan and an irrigation plan. Ground cover for green roofs shall also be included in the landscape plan. Perimeter landscaping should be of a substantial size and shall be reviewed and approved by the City Arborist and Landscape Architect. The landscape plan shall indicate how the landscaping will be phased and shall indicate perimeter plantings to be installed prior to vertical construction to provide screening of construction work. Temporary irrigation will be required to ensure these plantings survive. Final landscape plans, consistent with the preliminary landscape plan submitted with the Administrative CUP, shall be submitted and must be approved by the City with the building permit plan sets.
 6. Parking lot and all other exterior lighting shall meet requirements of the LMC with additional restrictions on the overall wattage, automatic timers, and lighting designed in zones and shall comply with best lighting practices as recommended by the Dark Skies organization. A lighting plan, provided by a qualified lighting professional, shall be submitted with the Administrative Conditional Use permit application. The plan shall include a requirement to shut off lighting in parking areas used on an intermittent basis, particularly in the secure studio campus.
 7. Security fencing on the property perimeter shall not exceed 7' in height and internal gate fencing may be 12' in height in areas limited to as shown on Exhibit F (page 42). Fencing shall not include razor wire or other details that read as "high security" fencing. Use of electronic monitoring is allowed. Fencing details shall be provided with the Administrative Conditional Use permit application and shall be consistent with the Final MPD Plan Package (Exhibit F, page 39) in terms of location, design, materials, colors, and extent. Perimeter fencing shall be phased consistent with the phased parking lot construction described in #16 below.
 8. All vehicular access points to the development from SR-248 shall comply with any and all existing Corridor Preservation Agreements. Changes to

these Agreements must be approved by the Utah Department of Transportation. The City approves of the two proposed access locations as depicted on the Final MPD Plan Package (Exhibit F- page 9). The Applicant will be responsible for filing application for required access approvals with the Utah Department of Transportation. Without additional UDOT approvals, there will be a single public access to the property at the signalized intersection of Round Valley Drive and SR 248, and emergency access as approved by UDOT, and the Fire and Building departments.

9. In the event that the south secondary access point is approved, this access shall be located in such a way as to not preclude access to the adjacent City open space parcel. Necessary cross access easements shall be provided, on the subdivision plat, through the public area of the MPD to provide access to the signalized intersection for the City parcel.
10. Traffic Management Plans for special events shall be approved by the City's Special Events staff as well as by the City's Police Departments of Transportation and Public Safety. All necessary special event permits and conditional use permits shall be obtained prior to commencing the Special Event or Master Festival. No overcrowding permits may be granted by the Building Department. The Applicant agrees to City use of surplus parking, said "surplus" amount and availability determined by the Applicant, for City-approved special events, primarily for overflow parking for the Park City Sports Complex (ice, fields and hosted trail races). Provided such use is consistent with deed restrictions, the City will provide reciprocal use of surplus parking as determined by the City at the Sports Complex. Fees shall not be charged for the parking unless the host event is charging fees for the parking at other locations.
11. Outdoor activities and noise shall be limited to 7AM to 10 PM and shall not exceed the City's noise ordinance, unless otherwise allowed through a Special Event/Master Festival permit in accordance with the Municipal Code.
12. At the time of the Administrative Conditional Use permit application, the applicant shall identify the square footage of all parking areas and all hard surfaced areas. Interior and perimeter parking lot landscaping shall meet requirements of the LMC Chapter 3. Snow storage areas shall be provided in accordance with the LMC Sections 15-3-3(E) and 15-3-4.8(E).
13. At the time of the Administrative Conditional Use permit application, the applicant shall provide a detailed parking analysis to identify specific uses, square footage, employee, hours of operation, shared parking ratios, and other items that will allow the Planning Staff to calculate the parking demands as such relates to the progression of the proposed phasing plan. The parking analysis shall look at the extent to which alternative modes of travel (bus, shuttle, carpool, bike, etc.) and use of the Richardson Park and Ride can reduce the demand for parking at the site, on a day to day basis. The parking analysis shall also provide information about special events and parking demand. With reductions for shared parking as well as support uses which reduce the required parking spaces, parking spaces are hereby approved up to a maximum of 730

surface spaces, and an additional 150 spaces underground at the hotel, for a total of 880 parking spaces. .

14. A phased parking plan shall be provided by the Applicant with the Administrative Conditional Use permit for approval by the Planning Department. The plan shall identify only essential paving with each phase of development, propose measures to reduce parking demand with various programs and incentives, and mitigate employee parking, particularly on the public campus and during construction. Prior to building each phase of parking, the applicant shall provide a parking analysis of existing conditions and needs, including traffic mitigation and use of the Richardson Park and Ride by full-time shift employees and mitigation of construction employee parking (such use the City hereby approves). The Planning Director must approve proceeding to construction for each phase of the parking; however such approval may not be unreasonably withheld. The final phase of parking area on Exhibit F, pg. 33 (farthest north/east lot) and any un-striped temporary parking shall contain a permeable surface area system.
15. The applicant shall pay the City \$75,000 to fulfill the proportionate share of the development's construction of public trail connections to the Park City Heights Rail Trail connector. The City shall build the trail. The applicant may install trail head amenities as shown on the MPD Plans at their expense.
16. Bike racks shall be provided for the various uses, as required by LMC Section 15-6, Master Planned Developments (hotel, mixed use, trail head area, sound stage, etc.).
17. Construction of a bus loop/bus shelter shall be provided prior to issuance of a certificate of occupancy for the hotel or mixed use buildings. The shelter shall be located at the bus drop-off located at one location of either option A, or B, as approved by the City Transit Manager. The Transit Manager may approve alternate location(s) as part of the Administrative CUP.
18. A grading plan shall be submitted with the Administrative Conditional Use permit application. Excavated materials shall remain on site to the greatest extent reasonably possible. Final grading plans, consistent with the preliminary grading plan submitted with the Administrative CUP, shall be submitted and must be approved by the City with the building permit plan sets.
19. Grading of the site, including the undulating berms and swales along SR 248 shall meet the sight distance and clear zone requirements of UDOT and be consistent with the grading proposed in the MPD Plans (with additional berm east of Building 2 adjacent to city property as reflected on revised sheets #10 and depicted on revised sheet #20, dated 5/24/12).
20. All landscaping, parking lots, driveways, roads, plazas, sidewalks, trails on the property, and other common areas shall be maintained by the property owner, or an Owner's Association, as the City will not maintain such areas.

21. Recycling centers shall be installed in the hotel, mixed use, and sound stage areas prior to issuance of a certificate of occupancy for the building.
22. The hotel shall provide shuttle service for guests within Park City and encourage guests to utilize shuttles from the airport as well as around town. The shuttle service shall be in place prior to issuance of a final certificate of occupancy for the hotel.
23. In accordance with Paragraph 2.5(h) of the Annexation Agreement, the applicant shall pay all applicable fees, including development, Building and Planning, Business licensing, and all other legally imposed fees and taxes collected by City Departments for services, utilities, etc.
24. A storm water management plan, prepared by a licensed professional, shall be submitted with the Administrative Conditional Use permit application and must meet all applicable code requirements on-site. The plan shall be consistent with best management practices for storm water management, including pre versus post run-off, water oil separators for parking facilities, and 100 year storm event detention on site. Final storm water plans, consistent with the preliminary plan submitted with the Administrative CUP, shall be submitted and must be approved by the City with the building permit plan sets.
25. Roof top mechanical equipment shall be architecturally screened from public view.
26. Trash and recycling enclosures shall be screened with landscaping, fencing, buildings, berms, etc. per the LMC.
27. LEED construction at the certified level without commissioning per the Annexation Agreement is required for the movie studios. The Applicant's architect shall score the construction and submit such to the Park City Building Department for confirmation. Based on the agreement of the anticipated manager of the complex, Raleigh Studios, Raleigh shall use best efforts to determine whether it is in their best interests to seek and obtain official LEED Construction Commissioning at the increased standard of Silver. However, at a minimum, the Hotel shall include a "Green" operational policy within industry standards and a door key activated light shut-off (or similar system) in all the rooms.
28. Areas of plazas, pedestrian walk ways, patios, etc. shall not be heat melted. Solar panels and skylights are allowed on rooftops per the LMC Chapter 5.
29. Acknowledging that the inside areas of the studio campus may be active 24/7, the applicant shall propose specific hours of operation for approval by the Planning Director as part of the Administrative CUP to mitigate traffic of employee loading and unloading. Support commercial uses, such as food service, deli, café, etc. shall be open during filming hours and office hours to mitigate vehicular trips off site for breaks and lunch. Where possible, set shift work will be scheduled in non-peak traffic times.
30. Additional Building articulation as required by LMC Chapter 5 shall be demonstrated on the final building plans prior to issuance of a building permit.

31. Permanent power shall be provided for the trailer parking area and the applicant shall use best effort to utilize solar or other renewable energy resource if technically and economically feasible.
32. A sign plan must be filed with the Administrative CUP in compliance with LMC Title 12. No icon, water tower, or billboards are allowed. Internal "plaza" areas shall be defined on the sign plan.
33. Final Subdivision approval shall contain covenants and restrictions (CCRS) in compliance with Paragraph 2.6 of the Annexation Agreement.
34. Water service is provided by Summit Water. The applicant may be required to construct an emergency connection to the City system if required by state drinking water approval or the project fails the flow and standards required by the International Fire Code (2009), specifically including Section 507, Appendix B and Table B105.1. Should City service be necessary in the future, the project may first be required to annex into the City Water District and the applicant shall pay applicable impact and user fees in effect at such time and make such dedications as required by LMC 15-8-5(C) (1-3).
35. This MPD approval and zoning approved herein are limited to the terms of the Annexation Agreement and due to the unique circumstances regarding a legal settlement of historic claims in the Summit County Settlement Agreement, such approval shall not be considered precedent for future zoning amendments or annexation petition to this or neighboring properties in the Quinn's/CT zone area. All future development applications, changes in commercial use, or rezone requests shall be processed in accordance with the General Plan, zoning and LMC in effect at the time of application. The densities approved herein shall not be considered in terms of neighborhood compatibility in the event of a rezone or CT amendment request by other properties within the CT zone.
36. As part of the required Construction Mitigation Plan, to be submitted prior to issuance of any building permits on the property, the landscape guarantee shall insure phased and adequate berming along SR248 in the event the project is not completed, and the construction guarantee bond shall take into consideration the location of this property on the entry corridor and provide for adequate landscape and site disturbance coverage for each phase of the building construction as proposed in Exhibit G of the Development Agreement to insure visual and physical impacts of any work stoppage are mitigated in the event construction is not completed on this property.
37. No wood burning devices or outdoor gas firepits/fireplaces with the exception of one fire pit (non-wood burning) and permanent BBQ appliances are allowed on the property at the hotel
38. Specific soils test pits shall be reviewed prior to building permit issuance and if environmental issues, such as contaminated soils are present, a mitigation plan shall be required prior to issuance of permits. To satisfy this condition, developer may submit prior tests and studies performed on the property.

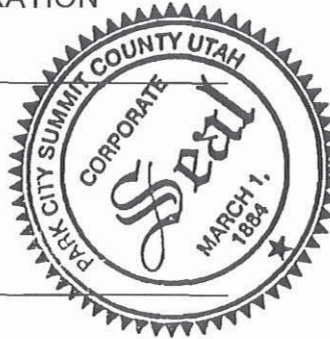
39. The secure studio campus shall serve as a public emergency shelter if approved within the City's Emergency Plan.
40. The Planning Staff and the applicant shall complete a review of the Administrative Conditional Use Permit within one year of the first certificate of occupancy, and the staff shall provide a report of the review to the City Council.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect upon publication of this Ordinance, recordation of the Annexation Plat and Development Agreement, and compliance with state annexation filing requirements, pursuant to the Utah Code Annotated Section 10-2-425.

PASSED AND ADOPTED this 24th day of May, 2012.

PARK CITY MUNICIPAL CORPORATION

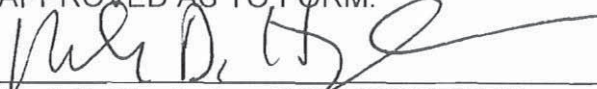

Dana Williams, MAYOR



ATTEST:


Janet M. Scott, CITY RECORDER

APPROVED AS TO FORM:


Mark D. Harrington, CITY ATTORNEY

Exhibits to the Ordinance

- Exhibit A- Annexation plat
- Exhibit B- Legal Description
- Exhibit C- County Settlement Agreement executed January 18, 2012
- Exhibit D- City Annexation Agreement
- Exhibit E- Zoning map amendment
- Exhibit F- Final MPD Plans packet
- Exhibit G- Annexation Development Agreement

**DEVELOPMENT AGREEMENT
FOR THE
QUINN'S JUNCTION PARTNERSHIP ANNEXATION
MASTER PLANNED DEVELOPMENT
PARK CITY, SUMMIT COUNTY, UTAH**

This Development Agreement is entered into as of this 24th day of May, 2012, by and between QUINNS JUNCTION PARTNERSHIP ("Developer"), as the owner and developer of certain real property located in Park City, Summit County, Utah, on which Developer proposes the development of a project known as the Quinn's Junction Partnership Annexation Master Planned Development, and PARK CITY MUNICIPAL CORPORATION, a municipality and political subdivision of the State of Utah ("Park City"), by and through its City Council.

RECITALS

A. Developer is the owner of approximately 29 acres of real property located in Park City, Summit County, Utah, which real property is more particularly described on Exhibit A attached hereto and incorporated herein by reference, and which real property is depicted on the site plan attached hereto as Exhibit D and incorporated herein by reference (the "Property").

B. As a compromise of claims and in settlement of litigation, Summit County recognized that the property in question has a vested development right to commercial uses.

C. Developer obtained these vested rights for a commercial project now known as "Quinn's Junction Partnership Annexation Planned Development" wherein, the parties agreed to settle long standing differences in return for recognition for a commercial use of the property in question. The Settlement Agreement is attached hereto as Exhibit B.

D. Developer and Park City also entered into an Annexation Agreement wherein Park City recognized the property has vested development rights to the commercial uses, densities, and configuration as part of a motion picture studio and media campus as stated in the Settlement Agreement described in Recital B. A copy of the Annexation Agreement is attached hereto as Exhibit C.

E. Based on a further agreement between developer and Park City with the consent of the County, Developer applied to build a mixed use development on the Property consisting of a Motion Picture Studio and Media Campus, ancillary and support commercial and lodging (the "Film Studio").

F. Developer obtained Park City approval for the development on the Property of a mixed use hotel and commercial project known as the Quinn's Junction Partnership Annexation Master Planned Development (the "Master Planned Development Approval"), as more fully described in the incorporated Approval Documents (hereinafter defined) and as set forth below (the "Project").

G. Park City requires development agreements under its Park City Land Management Code ("LMC") for all Master Planned Developments.

H. Park City determined that, subject to the terms and conditions of this Development Agreement,

Developer complied with the applicable provisions the Land Management Code ("LMC") as provided in the Settlement Agreement and Annexation Agreement, and has found that the Project is consistent with the purpose and intent of the relevant provisions of the LMC, as limited by the Annexation Agreement.

I. Following a lawfully advertized public hearing, Park City, acting pursuant to its authority under Utah Code Ann., Section 10-9-101, *et seq.*, and in furtherance of its land use policies, goals, objectives, ordinances, resolutions, and regulations made certain determinations with respect to the proposed Project, and, in the exercise of its legislative discretion, elected to approve this Development Agreement.

NOW, THEREFORE, in consideration of the mutual covenants, conditions and considerations as more fully set forth below, Developer and Park City hereby agree as follows:

1. Project Conditions:

1.1. The (i) Findings of Fact, Conclusions of Law and Conditions of Approval dated May 24, 2012, attached hereto as Exhibit E, and (ii) Film Studio Master Planned Development, prepared by IBI, dated May 24, 2012, attached hereto as Exhibit F, together with related documents attached thereto, are hereby incorporated herein by reference (the "Approval Documents") and shall govern the development of Project, subject to the provisions of the January 17th, 2012 Annexation agreement including the vested rights of 374,000 gross sq. ft of development of Motion Picture and Media Campus and any modifications specifically set forth in this Development Agreement. The Project is located in the Community Transition (CT) Zoning District, with a Regional Commercial Overlay (RCO). Development Application for an Administrative Conditional Use Permit and a Park City Building Department building permit are required prior to the commencement of any construction in connection with the Project and shall be processed and granted as set forth in this Development Agreement.

1.2. Developer agrees to pay the then-current impact fees lawfully imposed and as uniformly established by the Park City Municipal Code at the time of permit application, whether or not state statutes regarding such fees are amended in the future, unless otherwise made unlawful.

1.3. Developer and its successors agree that the following are required to be entered into and approved by Park City prior to the issuance of a Building Permit: (a) a construction mitigation plan; (b) a utility plan; (c) a storm water plan; (d) a grading plan; and (e) a landscape plan in compliance with condition of approval #5 of the MPD approval and the Annexation agreement. Approvals by Park City shall not be unreasonably withheld.

1.4 Development Applications.

1.4.1 Development applications shall be approved by the City within a reasonable time if they comply with the January 17, 2012 Annexation Agreement, City's vested rights laws and conform to this Development Agreement.

1.4.2 City's Denial of a Development Application. Assuming Annexation is approved, if the City denies any Development Application, the City shall provide a written determination advising the Applicant of the reasons for denial including specifying the reasons

the City believes that the Development application is not consistent with this MPD and/or the City's vested rights laws.

1.4.3 Meet and Confer regarding Development Application Denials. The City and Applicant shall meet within fifteen (15) business days of a denial to resolve the issues specified in the denial of a Development Application.

1.4.4 City Denials of Development Applications Based on Denials from Non-City Agencies. If the City's denial of a Development Application is based on the denial of the Development Application by a non-city agency, Developer shall appeal any such denial through the appropriate procedures for such a decision and not through the processes specified below.

1.4.5 Mediation of Development Application Denials.

1.4.5.1 Issues Subject to Mediation. Issues resulting from the City's denial of a Development Application shall be mediated.

1.4.5.2 Mediation Process. If the City and Applicant are unable to resolve a disagreement subject to mediation, the parties shall attempt within ten (10) business days to appoint a mutually acceptable mediator with knowledge of the issue in dispute. If the parties are unable to agree on a single acceptable mediator, they shall each, within ten (10) business days, appoint their own representative. These two representatives shall, between them, choose the single mediator. Applicant shall pay the fees of the chosen mediator. The chosen mediator shall within fifteen (15) business days, review the positions of the parties regarding the mediation issue and promptly attempt to mediate the issue between the parties. If the parties are unable to reach agreement, the mediator shall notify the parties in writing of the resolution that the mediator deems appropriate. The mediator's opinion shall not be binding of the parties.

1.4.6 Parcel Sales. The City acknowledges that the precise location and details of the public improvements, lot layout and design and any other similar item regarding the development of a particular parcel may not be known at the time of the sale of a parcel. Developer may obtain approval of a subdivision that does not create any individually developable lots in the parcel without being subject to any requirement in the City's vested laws to complete or provide security for any public infrastructure at the time of such subdivision. The responsibility for completing and providing security for completion of any public infrastructure in the parcel shall be that of the developer or subdeveloper upon a subsequent re-subdivision of the parcel that creates individually development lots, or any building permit application, whichever occurs first.

1.5 Developer is responsible for compliance with all local, state and federal regulations regarding the soils and environmental conditions on the Property. Furthermore, Developer is responsible for receiving any required Army Corp of Engineer Permits related to the riparian zone of Silver Creek if it is required.

2. Master Plan Approval and Reserved Legislative Powers

2.1 MPD. Subject to the provisions of this Development Agreement, Developer is hereby granted the right **by Park City**, to develop and construct the Project in accordance with the general uses, densities, massing, intensities, and general configuration of development approved in the January 17, 2012 Annexation Agreement, this Development Agreement, in accordance with, and subject to the terms and conditions of the Approval Documents, and subject to compliance with the other applicable ordinances and regulations of Park City. Both parties acknowledge the Site Plan attached as Exhibit D and the Approval Documents supersede and replace the Site Plan attached as Attachment A to the Annexation Agreement.

2.2 If the Developer acquires any additional property contiguous to the Property and located within the bounds of Park City or the City Annexation Declaration area, then Developer may petition to annex or apply to add such future property within this Development Agreement. Park City will reasonably process and consider such petition or application in accordance with applicable state law and the Land Management Code in effect at that time.

2.3 Reserved Legislative Powers. Developer acknowledges that the City is restricted in its authority to limit its police power by contract and that the limitations, reservations and exceptions set forth herein are intended to reserve to the City all of its police power that cannot be so limited. Notwithstanding the power of the City to enact legislation under the police powers vested in a city such exercise of power through legislation shall only be applied to modify land use and zoning regulations which are applicable to the Project in conflict with the terms of this Development Agreement based upon policies, facts and circumstances meeting the compelling, countervailing public interest exception to the vested rights doctrine in the State of Utah. Any such proposed legislative changes affecting the Project and terms and conditions of this Development Agreement under the above specific limitations and applicable to the Project shall be of general application to all development activity in the City of Park City; and, unless Park City declares an emergency, Developer shall be entitled to the required notice and an opportunity to be heard with respect to the proposed change and its applicability to the Project under the compelling, countervailing public interest exception to the vested rights doctrine. Nothing in this section shall limit the future legislative amendment of more specific ordinances or codes for which the Developer does not yet have a vested right, and except as otherwise provided in this agreement, will not vest until such time as a complete application is filed in conformance with the applicable code(s), including but not limited to: building and energy, lighting, sign and subdivision codes.

2.4 Application Under City's Future Laws. Without waiving any rights granted by the January 17, 2012 Annexation Agreement, or this Development Agreement, Developer may at any time choose to submit a Development Application for some or all of the Project under the City's Future Laws in effect at the time of the Development Application. Any Development Application filed for consideration under the City's Future Laws shall be governed by all portions of the City's Future Laws related to the Development Application so applied for. The election by the Developer at any time to submit a Development Application under the City's Future Laws shall not be construed to prevent Developer from relying on prior Development Applications or the City's Vested right Law as they pertain thereto.

3. General Terms and Conditions

3.1 Term of Agreement. The Master Planned Development is subject to Section 15-6-4 (H) of the Land Management Code. Unless a delay is a result of delay of process by the City for a complete,

pending application, a building permit for the first phase of the Project must be approved within two years of the execution of this Development Agreement.

3.2 Binding Effect; Agreement to Run With the Land. This Development Agreement shall be recorded against the Property as described on Exhibit A hereto, and shall be deemed to run with the land provided it remains effective and shall be binding on all successors and assigns of Developer in the ownership or development of any portion of the Property.

3.3 Provision of Municipal Services. Except as otherwise provided in the Annexation Agreement, Park City shall provide all City services to the Project that it provides from time-to-time to other residents and properties within the City including but not limited to police and other emergency services. The services shall be provided to the Project at the same level of services, on the same terms, and at the same rates as provided to other residents and properties in the City or applicable service district.

3.4 Assignment. Neither this Development Agreement nor any of the provisions, terms or conditions hereof can be assigned to any other party, individual or entity without assigning the rights as well as the responsibilities under this Development Agreement and without the prior written consent of the City directed to the City Recorder, which consent shall not unreasonably withheld. Any such request for assignment may be made by letter addressed to the City and the prior written consent of the City may also be evidenced by letter from the City to Developer or its successors or assigns. If no response is given by the City within 14 calendar days following Developer's delivery of a request for consent, the City consent will be deemed to have been granted. This restriction on assignment shall not prohibit or impede the sale of parcels of fully or partially improved or unimproved land by Developer prior to construction of buildings or improvements on the parcels, with Developer retaining all rights and responsibilities under this Development Agreement.

3.5 No Joint Venture, Partnership or Third Party Rights. This Development Agreement does not create any joint venture, partnership, undertaking or business arrangement between the parties hereto, nor any rights or benefits to third parties.

3.6 Integration. Except vested rights granted by Summit County to developer in consideration of the dismissal of litigation against the County and recognized by the City in the Annexation Agreement, this Development Agreement and the Approval Documents collectively contain the entire agreement with respect to the subject matter hereof and integrates all prior conversations, discussions or understandings of whatever kind or nature and may only be modified by a subsequent writing duly executed by the parties hereto.

3.7 Severability. If any part or provision of this Development Agreement shall be determined to be unconstitutional, invalid or unenforceable by a court of competent jurisdiction, then such a decision shall not affect any other part or provision of this Development Agreement except that specific provision determined to be unconstitutional, invalid or unenforceable. If any condition, covenant or other provision of this Development Agreement shall be deemed invalid due its scope or breadth, such provision shall be deemed valid to the extent of the scope or breadth permitted by law.

3.8 Attorney's Fees. If either party commences litigation regarding this Development Agreement, any of the Exhibits hereto or the Approval Documents, the prevailing party, as determined by a court of competent jurisdiction, shall be entitled to reasonable attorney's fees and all costs paid by the other party.

3.9 Minor Administrative Modification. Minor, immaterial administrative modification may occur to the approvals contemplated and referenced herein without revision of this Development Agreement. These include but are not limited to changes in building configuration to accommodate tenants so long as the square footage, general location and uses are consistent with what is vested herein.

3.10 No Waiver. Failure to enforce any rights under this Development Agreement or applicable laws shall not be deemed to constitute a waiver of such right.

3.11 Default.

3.11.1 **Notice.** If Developer or the City fails to perform their respective obligations hereunder or to comply with the terms hereof, the party believing that a Default has occurred shall provide Notice to the other party. If the City believes that the Default has been committed by a subdeveloper, then the City shall also provide a courtesy copy of the Notice to Developer.

3.11.2 **Contents of the Notice of Default.** The Notice of Default shall:

3.11.2.1 Specific Claim. Specify the claimed event of Default;

3.11.2.2 Applicable Provisions. Identify with particularity the provisions of any applicable law, rule, regulation, or provision of this Development Agreement (including exhibits) that is claimed to be in Default;

3.11.2.3 Materiality. Identify why the Default is claimed to be materials; and

3.11.2.4 Optional Cure. If the City chooses, in its discretion, propose a method and time for curing the Default which shall be of no less than sixty (60) days duration.

3.11.3 **Meet and Confer; Mediation.** Upon the issuance of a Notice of Default the parties shall engage in the "Meet and Confer" and "Mediation" processes specified in Sections 1.4.3- 1.4.5.

3.11.4 **Remedies.** If the parties are not able to resolve the Default by "Meet and Confer" or by Mediation, then the parties may have the following remedies:

3.11.4.1 Law and Equity. All rights and remedies available at law and in equity, including, but not limited to, injunctive relief, specific performance and/or damages.

3.11.4.2 Security. The right to draw on any security posted or provided in connection with the Project and relating to remedying of the particular Default.

3.11.4.3 Future Approvals. The right to withhold all further reviews, approvals, licenses, building permits and/or other permits for development of the Project in the case of a default by the Developer, or in the case of a default by a subdeveloper, development of those Parcels owned by the subdeveloper until the Default has been cured.

3.11.5 Public Meeting. Before any remedy in Section 3.11.4 may be imposed by the City, the party allegedly in Default shall be afforded the right to attend a public meeting before the City Council and address the City Council regarding the Claimed Default.

3.11.6 Emergency Defaults. Anything in this Development Agreement notwithstanding, if the City Council finds on the record that a default materially impairs a compelling, countervailing interest of the City and that any delays in imposing such a default would also impair a compelling, countervailing interest of the City, then the City may impose the remedies of Section 3.11.4 without the requirements of Section 3.11.5. The City shall give Notice to the Developer and/or any applicable subdeveloper of any public meeting at which an emergency default is to be considered and the Developer and/or any applicable subdeveloper shall be allowed to address the City Counsel at that meeting regarding the claimed emergency Default.

3.11.7 Extended Cure Period. If any Default cannot be reasonably cured within sixty (60) days, then such cure period shall be extended so long as the defaulting party is pursuing a cure with reasonable diligence.

3.11.8 Cumulative Rights. The rights and remedies set forth herein shall be cumulative.

3.11.9 Default of Assignee. A default of any obligations assumed by an assignee shall not be deemed a default of Developer.

4. Phasing; Access.

4.1 Project Phasing. The Project shall be constructed in phases in accordance with the phasing plan approved together with this Development Agreement (the "Phasing Plan") (attached hereto as Exhibit G), and in accordance with the LMC. Developer may proceed by constructing the Project all at one time or by phase within this approved project Phasing Plan. In the event of such phasing, the issuance of a building permit on the first such phase shall be deemed to satisfy the requirement of issuance of a building permit in Section 3.1 above. Any major modifications or elaborations to the approved Phasing Plan must be approved by the City Council prior to the commencement of construction of the applicable phase. If such proposed major modifications or elaborations are substantial as determined by the Chief Building Official and the Planning Director, such modifications or elaborations will come before the City Council for approval.

4.2 Construction of Access. Developer may commence grading access to the Project as approved by the City Engineer according to generally accepted engineering practices and standards, and pursuant to permit requirements of the LMC, the International Building Code (or if such Code is no longer then in effect, according to the code that is, in fact, then in effect), the Uniform Fire Code, and the Army Corps of Engineers. Developer shall be responsible for maintenance of any such accesses until they are completed according to City standards and accepted by the City.

4.3 Form of Ownership Anticipated for Project. The Project will consist of a commercial building and related improvements, and a hotel building including 100 units and related improvements. Developer anticipates that the commercial portions and, if applicable, the hotel of the Project will be owned by Developer, or its assigns. Any condominiumization of the Project for private ownership, fractional ownership and common ownership of land and common facilities requires additional approvals and shall be in compliance with applicable ordinances and state code.

5. Affordable Housing. Pursuant to the Annexation Agreement, no affordable housing is required for this MPD. QJP shall post City affordable housing information in a work place accessible to all its employees.

6. Open Space. Pursuant to the Annexation Agreement, no definable open space is required for this MPD within the granted and approved development of 374,000 gross sq ft as defined in the agreement between the parties incorporated as exhibits hereto.

7. Physical Mine Hazards. If any, a list and map of all known Physical Mine Hazards on the property as determined through the exercise of reasonable due diligence by the Owner as well as a description and GPS coordinates of those Physical Mine Hazards are hereby attached and incorporated as Exhibit _H_.

8. Notices. All notices, requests, demands, and other communications hereunder shall be in writing and shall be given (i) by Federal Express, UPS, or other established express delivery service which maintains delivery records, (ii) by hand delivery, or (iii) by certified or registered mail, postage prepaid, return receipt requested, to the parties at the following addresses, or at such other address as the parties may designate by written notice in the above manner:

To Developer:

c/o Greg Ericksen Esq.
1065 South 500 West
Bountiful, Utah 84010

With a copy to:

Scott M. Lilja
Van Cott, Bagley, Cornwall & McCarthy
36 south State Street, Suite 1900
Salt Lake City, UT 84111-1478

To Park City:

445 Marsac Avenue
P.O. Box 1480
Park City, UT 84060
Attn: City Attorney

Such communications may also be given by facsimile and/or email transmission, provided any such communication is concurrently given by one of the above methods. Notices shall be deemed effective upon receipt, or upon attempted delivery thereof if delivery is refused by the intended recipient or if delivery is impossible because the intended recipient has failed to provide a reasonable means for accomplishing delivery.

8. List of Exhibits.

Exhibit A – Legal Description

Exhibit B – Settlement Agreement for film and media campus

Exhibit D – Site Plan
Exhibit C – Annexation Agreement
Exhibit E – Master Planned Development Findings of Fact, Conclusions of Law and Conditions of Approval dated May 24, 2012
Exhibit F - Master Planned Development Plans dated May 24, 2012
Exhibit G - Phasing Plan
Exhibit H - List of all known Physical Mine Hazards on the property (None)

IN WITNESS WHEREOF, this Development Agreement has been executed by Developer by a person duly authorized to execute the same, and by Park City acting by and through its City Council, as of the 24th day of May, 2012.

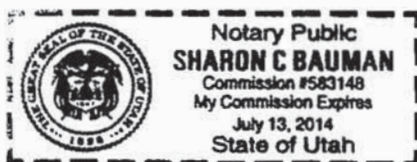
QUINNS JUNCTION PARTNERSHIP “Developer”

By: *[Signature]* *managing member.*
MICHAEL MARTIN

Acknowledgment

STATE OF UTAH)
) ss.
COUNTY OF SUMMIT)

On this 19 day of June, 2012, before me, the undersigned notary, personally appeared, personally known to me/proved to me through identification document allowed by law, to be the person whose name is signed on the preceding or attached document, and acknowledged that he/she signed it voluntarily for its stated purpose as MANAGING MEMBER (title) for QUINNS JUNCTION PARTNERSHIP, a Utah partnership.



Sharon C Bauman
Notary Public

PARK CITY MUNICIPAL CORPORATION "Park City"

By: *Dana Williams*
Dana Williams, Mayor

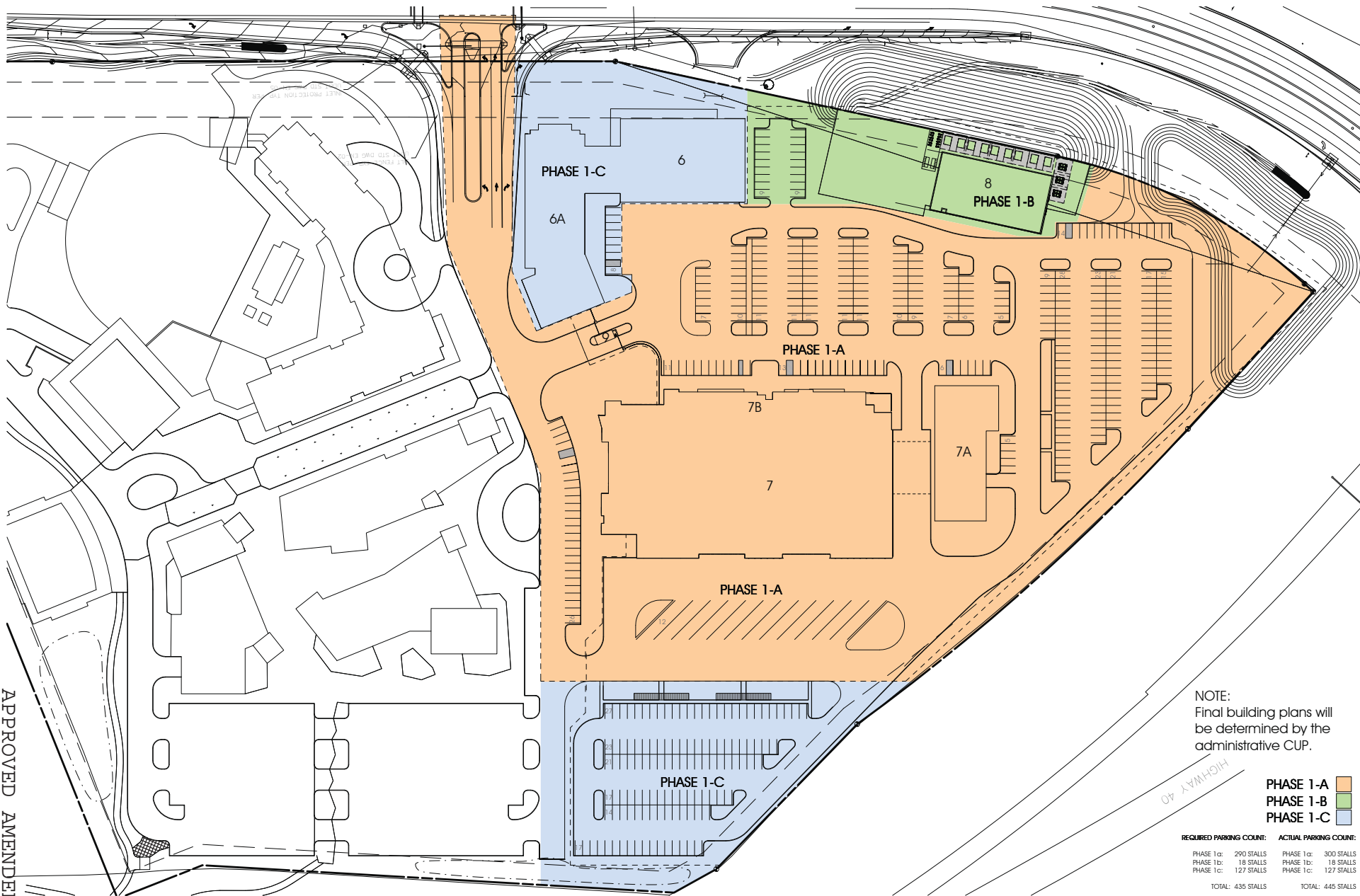
ATTEST:

By: *Janet M. Scott*
Janet M. Scott, City Recorder

APPROVED AS TO FORM:

Mark D. Harrington
Mark D. Harrington, City Attorney





NOTE:
Final building plans will
be determined by the
administrative CUP.

PHASE 1-A
PHASE 1-B
PHASE 1-C

REQUIRED PARKING COUNT:		ACTUAL PARKING COUNT:	
PHASE 1a:	290 STALLS	PHASE 1a:	300 STALLS
PHASE 1b:	18 STALLS	PHASE 1b:	18 STALLS
PHASE 1c:	127 STALLS	PHASE 1c:	127 STALLS
TOTAL: 435 STALLS		TOTAL: 445 STALLS	

PHASING SITE PLAN 1
1" = 50'-0" PR-2

703 east 1700 south
salt lake city, utah 84105
ajc@ajcarchitects.com
ajc architects
ph: 801.466.8818
fx: 801.466.8411

PARK CITY FILM STUDIOS
PROJECT: 1334-07
DATE: 10/23/13
REF: PR-2
SHEET

PREVIOUS PHASE ONE



NOTE:
Final building plans will
be determined by the
administrative CUP.

REQUIRED PARKING COUNT:	ACTUAL PARKING COUNT:
PHASE 1a: 290 STALLS	PHASE 1a: 300 STALLS
PHASE 1b: 18 STALLS	PHASE 1b: 18 STALLS
PHASE 1c: 127 STALLS	PHASE 1c: 127 STALLS
TOTAL: 435 STALLS	TOTAL: 445 STALLS

703 east 1700 south
salt lake city, utah 84106
aajc@ajcarchitects.com

ajc architects

ph: 801.466.6818
fx: 801.466.6513

PARK CITY FILM STUDIOS PROJ: 334-07
DATE: 10/23/13
REF: PG-2
SHEET

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MINUTES
SPECIAL GENERAL PLAN MEETING
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
MARCH 26, 2014

COMMISSIONERS IN ATTENDANCE:

Chair Nann Worel, Preston Campbell, Stewart Gross, Steve Joyce, John Phillips, Adam Strachan, Clay Stuard

EX OFFICIO:

Planning Manager, Kayla Sintz; Francisco Astorga, Planner; Polly Samuels McLean,
Assistant City Attorney

=====

REGULAR MEETING

ROLL CALL

Chair Worel called the meeting to order at 5:30 p.m. and noted that all Commissioners were present.

ADOPTION OF MINUTES

March 12, 2014

Commissioner Stuard referred to page 10 of the Staff report, page 8 of the minutes, and removed the word and from the second line of the fourth paragraph.

Commissioner Stuard referred to page 11 of the Staff report, page 9 of the minutes, fifth paragraph, second line and replaced the word safe family residential neighborhoods with **single** family residential neighborhoods.

Commissioner Stuard referred to page 18 of the Staff report, page 16 of the minutes, second paragraph, second line and replaced accepted the amendment with **seconded** the amendment.

Commissioner Stuard referred to page 36 of the Staff report, page 34 of the minutes, last paragraph, first line, and corrected "...was a better solution that the previous proposal." to correctly read, "...was a better solution **than** the previous proposal."

VOTE: The motion passed unanimously.

**4001 Kearns Boulevard - Park City Film Studio Subdivision Plat
(Application PL-14-02263)**

Planner Francisco Astorga stated that Kirsten Whetstone was the project planner. Planner Whetstone was out of the office this week and he would be presenting on her behalf.

Planner Astorga reviewed the application for a final subdivision plat for the Park City Film Studio Subdivision, which creates a 29.55 platted lot of record for the Park City Film Studio project, pursuant to the Quinn's Junction Partnership annexation and the approved master plan for the Park City Film Studio. All the conditions of approval from both the annexation and the MPD continue to apply. The Staff report included the annexation ordinance.

Planner Astorga noted that the property is zoned CT, Community Transition, with RCO, Original Commercial Overlay. As reviewed by Staff there are no non-conforming conditions created by the requested subdivision plat. The plat memorializes the existing property boundary as one lot of record.

The Staff recommended that the Planning Commission conduct a public hearing for the subdivision plat and consider forwarding a positive recommendation to the City Council.

The applicant was not present and the applicant's representative arrived later in the discussion.

Commissioner Strachan wanted to know who had submitted the application. Planner Astorga replied that according to the Staff report, the contractor, Sahara Construction, submitted the application.

Commissioner Stuard had sent an email to Planner Whetstone on Monday but she had not responded. He was unaware that she had been away from the office. Commissioner Stuard had asked her about a stipulation in the Annexation Ordinance 12-12, which states that final subdivision approval shall contain CC&Rs. Commissioner Stuard asked if the action they were being asked to take this evening was considered to be the final subdivision approval, and if the CC&Rs would be associated with the approval.

Planner Astorga understood that it was the final subdivision approval. He explained that certain components of CC&Rs have to be reviewed in order for plats and subdivisions to be approved; however, it was not the entire document.

Commissioner Stuard was concerned that it was possibly putting the cart before the horse.

Assistant City Attorney McLean understood that the project has been phased. She was unsure how the CC&Rs were connected, but if the Subdivision Plat is forwarded to the City Council she would make sure the issue was addressed and clarified.

Commissioner Stuard commented on the prominent berming plan on the highway 248 side of the project. He assumed that was to provide screening from the parking and the tall buildings. Commissioner Stuard remarked that coming down Highway 40, once you come over the summit between Mayflower and the Park City exit, the parcel is very much in the line of sight. While there is a little bit of landscaping in the site plan, the southeast edge of the project is very exposed. As they go through the administrative CUP, Commissioner Stuard suggested that the Planning Department consider ways to screen the back side of the tall buildings and the large amount of surface parking behind the buildings from Highway 40 with something other than tall trees.

Planner Astorga remarked that screening was addressed during the MPD process. Commissioner Strachan recalled that there was significant discussion during the MPD regarding fencing and vegetation, particularly coming down the hill from Mayflower towards the Park City exit. They did what they could to make the project aesthetically pleasing, but there was no way to completely shield a six-foot building or the vast amounts of surface parking. Commissioner Strachan stated that the Planning Commission also tried to encourage a structure parking to eliminate surface parking.

Commissioner Strachan agreed that through the administrative CUP process they should revisit the issue and consider whether there are ways to improve the berm and screening.

Chair Worel opened the public hearing.

Lisa Wilson asked Commissioner Stuard to clarify his question regarding the CC&Rs.

Commissioner Stuard stated that condition of approval #34 in the annexation ordinance indicates that approval of the CC&Rs would occur at the time of the final subdivision approval. He had asked whether the action the Planning Commission would take this evening was in fact the final subdivision approval. He understood from the response that

the CC&Rs were not complete and there would be a final opportunity to review them when the final plat is reviewed by the City Council.

Assistant City Attorney McLean clarified that it was also due to the phasing of the project. The action this evening was Phase I and the CC&Rs would be part of a subsequent phase.

Commissioner Stuard asked if the CC&Rs are recorded concurrently with final maps. Ms. McLean answered yes.

Commissioner Joyce noted that Commissioner Stuard had used the word approved. However the actual phrasing in the Condition was, "The final subdivision shall contain Covenants and Restrictions in compliance with the annexation agreement." He assumed the language was written because there was an annexation agreement; and that it was not applicable to all plat submissions. Commissioner Joyce pointed out that the Planning Commission does not address or approve the CC&Rs, other than to determine whether it meets the requirements defined in the annexation agreement. He emphasized that the language regarding CC&Rs did not apply to all plats.

Ms. Wilson thanked Commissioner Joyce for the clarification.

Chair Worel closed the public hearing.

Doug Rosecrans, representing the applicant, stated that he had reviewed the Staff report with Planner Whetstone and he had nothing further to add.

Commissioner Joyce stated that he did not have any issues with this application given that most of the issues were addressed and the battles were fought as part of the annexation agreement.

Commissioners Gross and Phillips did not have further questions.

Commissioner Strachan stated the Planning Commission is required to make a finding that the plat is consistent with the Park City Land Management Code, that no person will be materially injured, and that the project would not adversely affect the health, safety and welfare of the citizens of Park City. He remarked that those battles occurred over and over again and he consistently voted the same, that it does not meet the LMC and it was not good for the health safety and welfare of the community, and it would materially and adversely affect the community. For all the reasons he stated in all the meetings he would incorporate and reference those now. Commissioner Strachan remarked that normally the Conclusions of Law require that everything complies with the General Plan. However

there was not a Conclusion of Law for this action saying that it complies with the General Plan. He found that interesting because the Planning Commission voted a year and a half ago and every Commissioner agreed that it did not meet the General Plan. It was a unanimous decision by the Planning Commission that was overturned by the City Council.

Commissioner Strachan questioned why this plat did not have a Conclusion of Law saying that it meets the General Plan. Commissioner Strachan still believed that it did not meet the General Plan, but this was the time or place to have that fight again. The MPD was approved and the damage was already done.

Commissioner Stuard stated that he had removed the project name on the site plan and asked some of his developer friends what they thought the project looked like. They all thought it was a shopping center. He hoped the film studio was successful; otherwise the City would be looking at an adaptive re-use for a shopping center in the future.

MOTION: Commissioner Phillips moved to forward a positive recommendation to the City Council for the Final Subdivision Plat for the Park City Film Studios, based on the Findings of Fact, Conclusions of Law and Conditions of Approval stated in the draft ordinance. Commissioner Joyce seconded the motion.

VOTE: The motion passed 4-3. Commissioners Joyce, Gross, Phillips and Worel voted in favor of the motion. Commissioners Strachan, Campbell and Stuard voted against the motion.

Findings of Fact – 4001 Kearns Boulevard

1. The property is located at 4001 Kearns Boulevard in Park City, Utah.
2. The property is located north of Richardson Flat Road, east of SR 248 and west of US Highway 40.
3. The property contains 29.55 acres.
4. The property was annexed into Park City with the Quinn's Junction Partnership (QJP) Annexation on May 12, 2012, and is subject to Ordinance 12-12. The property was zoned Community Transition (CT) with Regional Commercial Overlay (RCO).
5. On May 24, 2012 a Development Agreement was executed and recorded at Summit County.

6. The Development Agreement includes concept plans for a film studio campus, a 100 key hotel, and commercial and support uses, as further defined in the Development Agreement, consistent with the prior January 17, 2012 Annexation Agreement, a pre-annexation agreement between the City and the property owner.
7. The Annexation Agreement and Ordinance 12-12 include a condition of approval that an Administrative Conditional Use Permit is required for the Park City Film Studio project prior to issuance of any building permits.
8. On December 5, 2013, the City Council approved an amended phasing plan for Phase 1 allowing it to be broken into three sub-phases (1-A, 1-B, 1-C).
9. On December 11, 2013, the applicant submitted an Administrative Conditional Use Permit (CUP) application for Phase 1-A of the Park City Film Studios project.
10. On March 11, 2014, the Planning Director conducted an administrative public hearing to receive public comment on the Administrative Conditional Use permit. No public comment was provided.
11. No portion of this plat is within the Park City Soils Ordinance boundary.
12. The proposed subdivision plat creates a lot of record for the Park City Film Studios project that is planned to be maintained under the common ownership of Quinn's Junction Properties, LC, the current owner.
13. No non-conforming conditions are created by the subdivision plat.
14. The property is accessed from Kearns Blvd, aka SR 248, a State Highway. The MPD access point is at an existing signalized intersection with Round Valley Way as contemplated by the February 1, 2007 Cooperative Corridor Preservation Agreement between UDOT and Park City. A traffic signal for the entrance/exit to the Film Studio site will be installed as part of the Studio project. The cost associated with the traffic signal shall be worked out between the applicant and UDOT.
15. All roads will be designated as private drives and streets. Easements are provided as needed for public utilities. A shared access easement with the City's parcel to the south is provided for possible future shared access point with SR 248.

16. There are no public streets within the subdivision. Each phase is designed to accommodate fire and emergency vehicle circulation through the phase.
17. The subdivision plat application complies with the Land Management Code regarding final subdivision plats.
18. General subdivision requirements related to 1) drainage and storm water; 2) water facilities; 3) sidewalks and trails; 4) utilities such as gas, electric, power, telephone, cable, etc.; 5) public uses, such as parks and playgrounds; and 6) preservation of natural amenities and features have been addressed through the Master Planned Development process as required by the Land Management Code.
19. The Annexation Ordinance applies to this plat. The Ordinance requires LEED construction at the certified level without commissioning per the Annexation Agreement and at a minimum, the Hotel shall include a "Green" operational policy within industry standards and a door key activated light shut-off (or similar system) in all of the rooms.
20. Sanitary sewer facilities are required to be installed in a manner prescribed by the Snyderville Basin Water Reclamation District (SBWRD).
21. There are wetlands adjacent to the site to the north and east, as identified on the National Wetlands Inventory. The Inventory does not identify wetlands on the property.
22. There are remnants of an irrigation ditch running through the property. No water has been diverted through the ditch since 1995. If the applicant intends to use the ditch for irrigation of landscaping for Phase Two, there would first need to be resolution of water right and water source issues.
23. A Riparian Analysis prepared by Psomas and submitted with the CUP application, concludes that no riparian conditions exist within the property boundaries.
24. Water service is provided by Summit Water for this property.
25. There is good cause for this subdivision plat in that it creates a legal lot of record from metes and bounds described parcel for a future film studios project.

26. Trails and sidewalks are provided consistent with the MPD Development Agreement. The applicant has provided the City with the required \$75,000 for trails to be constructed to the site by the City.
27. The findings in the Analysis section are incorporated herein.

Conclusions of Law – 4001 Kearns Boulevard

1. The subdivision complies with LMC 15-7.3 as conditioned.
2. The subdivision is consistent with the Park City Land Management Code and applicable State law regarding subdivision plats.
3. The subdivision is consistent with the May 12, 2012, Quinn's Junction Partnership Annexation and May 24, 2012 MPD Development Agreement, as amended with the December 5, 2013 Council approved phasing plan for Phase 1-A.
4. Neither the public nor any person will be materially injured as a result of approval of the proposed subdivision plat, as conditioned herein.
5. Approval of the proposed subdivision plat, subject to the conditions stated herein, will not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval – 4001 Kearns Boulevard

1. City Attorney and City Engineer review and approval of the final form and content of the subdivision plat for compliance with State law, the Land Management Code, and the conditions of approval, is a condition precedent to recordation of the plat.
2. The applicant will record the subdivision plat at Summit County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat amendment will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Conditions of approval of the May 12, 2012, Quinn's Junction Partnership Annexation, as stated in the Annexation Agreement and Ordinance 12-12, continue to apply, and shall be noted on the plat.

4. Conditions of approval of the May 24, 2012, MPD Development Agreement, as amended by the City Council on December 5, 2013, continue to apply, and shall be noted on the plat.
5. A final utility plan shall be approved by the City Engineer prior to issuance of permits for site work for each phase.
6. A final grading plan shall be approved by the City Engineer prior to issuance of permits for site work for each phase.
7. Any proposed impacts to the off-site wetland areas require prior approval from the Army Corps of Engineers and/or UDOT. All proposed impacts shall be identified with the building permit application.
8. UDOT approval is required for any off-site storm-water detention facilities and/or landscaping and fencing proposed within the UDOT right-of-way areas, prior to approval of final utility plans by the City Engineer for each phase.
9. A construction mitigation plan (CMP) shall be submitted and approved by the City for compliance with the Municipal Code, LMC, and the MPD conditions of approval prior to issuance of a building permit. A construction recycling area and excavation materials storage area within the development shall be utilized and identified on the CMP.
10. A financial guarantee, in a form and amount acceptable to the City and in conformance MPD conditions of approvals, for the value of all public improvements, including landscaping, shall be provided to the City prior to building permit issuance for new construction within each phase. All public improvements shall be completed according to City standards and accepted by the City Council prior to release of this guarantee.
11. Water sufficient for adequate redundancy and fire flows per the Park City Fire District is required prior to issuance of building permits for vertical construction for each phase.
12. A certificate of occupancy for Buildings 7, 7A, and 7B (as identified on the approved revised phasing plan) shall be issued by the Park City Building Department prior to requesting a certificate of occupancy for Buildings 6 and 8 as identified on the approved revised phasing plan per the MPD Agreement.

13. Topsoil shall be stockpiled on site for use on the property and export of excess material from the site shall be minimized.
14. A note shall be added to the plat indicating that a shared access easement will be granted by the Property owner and the City for possible future shared access to SR 248 at the southwest corner of the property. The City Engineer shall identify the easement requirements prior to recordation of the easements at such time that the easements are needed.
15. Due to the potential for areas of expansive soils within this subdivision, a soils conditions report shall be submitted prior to issuance of any building permits for structures, utilities, and roads, and shall be reviewed by the City Engineer and Building Official prior to issuance of an excavation permit for any construction.

When Recorded, Mail To:
 Greg S. Ericksen
 PO Box 609
 1065 So. 500 W.
 Bountiful, UT 84011

**DECLARATION
 OF
 COVENANTS, CONDITIONS AND RESTRICTIONS
 FOR
 PARK CITY FILM STUDIOS SUBDIVISION**

THIS DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR PARK CITY FILM STUDIOS SUBDIVISION (this "Declaration") is made this 31st day of March 2014 by Quinn's Junction Properties L.C., a Utah limited liability company (hereinafter referred to as "Declarant").

WITNESSETH:

Whereas, Declarant is the fee simple owner of certain real property commonly known and identified as Lot 1 of Park City Film Studios subdivision (hereinafter referred to as the "Property") located at 4001 Kearns Boulevard, Park City 84060 in Park City, Summit County, Utah. (hereinafter defined as the "Property");

Whereas, Declarant intends to own and develop portions of the Property and/or to convey portions of the Property to other persons or entities for development, all in accordance with certain covenants, conditions and restrictions as are contained in this Declaration (together the "Protective Covenants") pertaining to the ownership and development of the Property, and;

Whereas, Declarant is desirous of subjecting the Property to the Protective Covenants hereinafter set forth, each and all of which is and are for the benefit of said Property and for Declarant and each subsequent Owner of any portion of the Property.

Now, therefore, Declarant does hereby proclaim, publish and declare that the Property shall be held, transferred, sold, conveyed, hypothecated, leased, subleased, occupied and improved subject to the Protective Covenants hereinafter set forth, the terms of which shall run with the land and be binding upon Declarant and upon all parties having or acquiring any right, title or interest in and to any part of the Property, and shall inure to the benefit of each other Owner or Occupant of all or any part of the Property.

**ARTICLE I
 DEFINITIONS**

Section 1.1 Definitions. When used in this Declaration, each of the following terms shall have the meaning indicated.

(a) "Architectural Committee" shall mean the architectural committee appointed pursuant to the provisions of Article III of this Declaration. The Architectural

Committee shall have the responsibilities and authority with respect to the interpretation and enforcement of this Declaration as set forth herein.

(b) “Building” shall mean and include, but not be limited to, any structure built for permanent use on a Building Site, and all projections or extensions thereof, including but not limited to garages, outside platforms and docks, storage tanks, carports, canopies, enclosed malls and porches, sheds, tents, mailboxes, radio or TV antenna, satellite dishes, fences, signboards or any other temporary or permanent improvements to such Building Site.

(c) “Building Site” shall mean a tract of real property within the Property. If fee simple title to one (1) or two (2) or more adjacent Building Sites, as defined hereinabove, is acquired by the same Owner, such commonly owned Building Sites may, at the option of said Owner, be combined and treated as a single Building Site for the purposes of this Declaration, provided that the location of the Improvements on such combined Building Site shall be subject to the proper written approval of the Architectural Committee.

(d) “Declarant” shall mean Quinn’s Junction Properties L.C. a Utah limited liability company, or its successors or assigns.

(e) “Declaration” shall mean this Declaration of Covenants, Conditions and Restrictions for Park City Film Studios subdivision together with all of the provisions contained herein, which shall be recorded in the office of the Recorder of Summit County, Utah as the same may from time to time be supplemented or amended in the manner described herein.

(f) “Deed” shall mean any deed, assignment, lease or other instrument conveying fee title or a leasehold interest in any part of the Property.

(g) “Improvements” shall mean and include, but not limited to, Buildings, outbuildings, driveways, exterior lighting, fences, Landscaping, Lawns, loading areas, parking areas, retaining walls, roads, screening walls, Signs, utilities, and walkways located on a Building Site.

(h) “Landscaping” shall mean a space of ground covered with Lawn and/or ground cover, and/or tree bark or decorative wood chips and gravels, combined with shrubbery, trees plants and/or flowers, which may be complemented with sprinkling systems, earth berms, masonry or similar materials.

(i) “Lawn” shall mean a space of ground covered with grass.

(j) “Occupant” shall mean a person or entity, including but not limited to a corporation, joint venture, partnership, trust, limited liability company, unincorporated organization or association that, through receipt of a Deed or otherwise, has purchased, leased, rented or has otherwise legally acquired the right to occupy and use any Building, Building Site or any portions of any Building or Building Site, whether or not such right is exercised.

(k) “Owner” shall mean a person or entity, including but not limited to a

corporation, joint venture, partnership, trust, limited liability company, unincorporated organization or association that is the record owner of any simple estate, or that has an equity of redemption, in all or any portion of a Building Site.

(l) “Property” shall mean Lot 1 of Park City Film Studios subdivision, located in the Park City, Summit County, Utah, as subdivided by the Plat which was recorded on _____ as Entry Number _____ book _____ page _____ in the office of the Recorder Summit County, Utah, and any other lots within the subdivision that may be subjected to this Declaration by a Supplemental Declaration executed and recorded by Declarant or by the then owner of the property of the initial recorded plat that is subjected to this Declaration.

(m) “Protective Covenants” shall have the meaning as set forth in the second Whereas clause of this Declaration.

(n) “Sign” shall mean and include every advertising message, announcement, declaration, demonstration, display, illustration, insignia, surface or space erected or maintained in view of the observer thereof for the identification, advertisement or promotion of the interests of any person, entity, product or service or for the purpose of providing directions or other information to the observer thereof. The term “Sign” shall also include the sign structure, supports, lighting systems and any attachments, ornaments or other features used to draw the attention of observers. This definition does not include any flag, badge, or ensign of any government or governmental agency erected for and used to identify said government or governmental agency.

(o) “Street” shall mean any public street or highway, whether presently constructed and dedicated by plat map or contemplated in the future, under a street plan approved by any public authority.

ARTICLE II

PURPOSES OF DECLARATION; MUTUALITY OF BENEFITS AND OBLIGATIONS

Section 2.1 Purposes. The purposes of this Declaration are:

(a) to inure proper use and appropriate, adequate and reasonable development of the Property and each Building Site located thereon;

(b) to preserve and enhance the value to each Owner and Occupant of all Building and Building Sites;

(c) to protect against the erection of Improvements constructed of materials deemed undesirable or unsuitable by Declarant or by the Architectural Committee;

(d) to encourage the construction and maintenance of attractive, permanent Improvements that are compatible and harmonious as to appearance, function and location with Improvements situated on or planned for other Building Sites;

(e) to assure adequate off-street parking space and off-street truck loading and maneuvering facilities on the Property; and,

(f) in general to provide for the orderly, aesthetic and high quality architectural and engineering development, improvement and design of the Property and each Building thereon that will promote the general welfare of the then current and future Owners and Occupants.

Section 2.2 Mutuality. The Protective Covenants set forth herein are made for the mutual benefit of each and every Owner and are intended to create reciprocal rights and obligations between the respective Owners and future Owners of all or any portion of the Property; and to create a privity of contract and estate between grantees of said properties, their heirs, successors and assigns. All Deeds, and any Buildings located on any portion of the Property, shall be held, transferred, sold, conveyed, used, leased, occupied, mortgaged or otherwise encumbered subject to all the terms, conditions and provisions contained in this Declaration.

ARTICLE III ARCHITECTURAL COMMITTEE

Section 3.1 Introduction. It is the intention and purpose of this Declaration to impose architectural design standards of a type and nature that results in Improvements which are compatible with the purposes of this Declaration set forth in Article II hereof and the text terms of the Development Agreement for the Quinn's Junction Partnership Annexation Master Planned Development, Park City, Summit County Dated May 24, 2012 (the "MPD Agreement"). The placement, massing, dimensions, materials, and public aspects of Improvements will be guided, but still allow for diversity in style and vitality in design. To accomplish this goal, the Declarant hereby establishes the Architectural Committee, which is empowered to oversee and enforce the provisions of this Declaration.

Section 3.2 Architectural Committee Created. The Architectural Committee will consist of three members. The initial Architectural Committee will consist of three people appointed by the Declarant, who do not need to be Owners. At the time 100% of the Building Sites are sold or leased to persons other than the Declarant, one member of the Architectural Committee will be elected by the Building Site Owners to replace an appointment of the Declarant. At the time that 100% of the Building Sites are sold to persons other than the Declarant, a second member of the Architectural Committee will be elected by the Building Site Owners. On the date which the last is to occur of (a) the thirtieth (30) anniversary of the recording of the Plat and (b) the date on which 100% of the Building Sites are sold to persons other than the Declarant, all three members of the Architectural Committee will be elected by the Building Site Owners. The above percentages are to be based on the total number of Building Sites within the Property so that the Declarant is able to remain active in the administration and enforcement of this Declaration while Building Sites are being marketed. The Declarant may elect at any time to waive the right to appoint members to the Architectural Committee to be elected by the Building Site Owners.

Section 3.3 Approval by Architectural Committee. No permanent Improvements of any kind, including without limitation the construction or installation of any Building, Landscaping, parking area, driveway, walkway, or other hard surfaced area, fences, walls, curbs, poles, satellite dishes or antenna, solar panels, utility lines or any other permanent structure may be constructed, installed, maintained or allowed to stand in the Property without the prior written approval of the Architectural Committee. Unless otherwise specifically provided in this

Declaration, all decisions made by the Architectural Committee shall require the vote of a majority of the members of the Architectural Committee, rather than the unanimous vote of the members of the Architectural Committee. Except for replacing previously approved improvements, no excavation, fill, grading, filling, draining, Landscaping, or installation or removal of existing vegetation shall be made without the prior written approval of the Architectural Committee. Approval of the Architectural Committee will be sought in the following manner:

(a) *Plans submitted.* A complete set of plans for the construction of any Improvements as described in Section 3.3 must be signed by the applicant and submitted to the Architectural Committee for review. It is recommended that preliminary plans be submitted before the expense of final construction drawing is incurred. The plans must be sufficient detail to show the location on the Building Site of the Improvements, including without limitation the exterior walls of any Buildings and all other structures to be built with it; detailed drawings of all elevations of all Buildings showing locations of windows, doors, roof pitches and other exterior elements; a list of exterior materials and roofing materials and/or sample, including color samples; and a Landscaping plan showing the location of driveways, walkways, parking lots and other hard surfaced or irrigated areas and the areas to be distributed by construction and the means of restoring those areas. In the case of an addition or modification to an existing Building, the Architectural Committee may waive any of the foregoing requirements.

(b) *Review Fee.* The applicant will pay a review fee to the Architectural Committee of \$500 which shall increase by 50% every five years from the date of filing, or, in the case of Improvements which cost less than \$5,000 or which make no structural changes, the applicant will pay a fee of \$100. The primary purpose of the fee is to cover the cost and expense of reviewing the plans and giving notice of meetings.

(c) *Review.* The Architectural Committee shall exercise its best judgment in overseeing the construction of all Improvements within the Property. The Architectural Committee shall consider the materials to be used on the external features of all Improvements, including but not limited to exterior colors, harmony of external design with existing structures within the Property, location with respect to topography and finished grade elevations and harmony of Landscaping with the surroundings. While in receipt of a complete submission of the plans, the Architectural Committee will review the plans and make an initial determination whether or not the plans comply with the conditions specifically mentioned in this paragraph together with all other conditions imposed by this Declaration. If in the judgment of the Architectural Committee the plans do not comply with the conditions imposed by this Declaration, the plans will be rejected. If the plans are in compliance with the conditions imposed by this Declaration, the Architectural Committee will approve the plans. The Architectural Committee may approve the plans subject to specific modifications or conditions. Owners may desire to submit preliminary plans to the Architectural Committee for informal and preliminary approval or disapproval. The Architectural Committee will review preliminary plans without requiring the payment of a review fee, the Architectural Committee will make its comments known to the Owner. However, no preliminary approval is to be considered a final approval, and subject to Section 3.4 below, no final approval will be granted on less than a complete submission of plans as set forth in this Declaration. If preliminary sketches will be kept by the Architectural Committee. Upon final approval, the Architectural Committee and the Owner will each sign a copy of the approved plans,

which shall be left with the Architectural Committee. Any construction that is not in strict compliance with the approved plans is prohibited. Notwithstanding any provisions in the Declaration, all construction of any nature upon any of the Building Sites within the Property shall be performed in compliance with the requirements of the land management code and the building and zoning ordinances of all governmental entities having jurisdiction with respect to the Property.

(d) *Written Record.* The Architectural Committee will maintain a written or digital record of its actions, and maintain in its files a copy of all plans approved or rejected for a period of five years.

(e) *Failure to Act.* If the Architectural Committee has not approved or rejected any submission within 45 days after payment of the review fee and submission of complete plans, the submission shall be deemed to have been disapproved.

(f) *Permits and Approval from the City of Park City.* Notwithstanding any other provision of this Declaration to the contrary, prior to commencing the construction of any Improvements on and Building Site, the Owner of each Building Site must obtain from the Park City all necessary permits and approvals required by the city of Park City in connection with the construction of any such Improvements.

Section 3.4 Variances. The Architectural Committee has the authority to deviate from the requirements contained in this Declaration under extenuating circumstances, when compliance with this Declaration would create an unreasonable hardship or burden for a Building Site Owner. No such variance may be granted without the unanimous written consent of the Architectural Committee. The Architectural Committee does not, however, have the authority to deviate beyond the requirements of the land management code and the building code and zoning ordinances of all governmental entities having jurisdiction with respect to the Property.

Section 3.5 Extraordinary Costs. Whenever it deems appropriate, the Architectural Committee shall engage the services of an architect, building/construction specialist, landscape specialist or civil or structural engineer to assist in its review of any proposed Improvements. All costs of such review will be paid by the applicant, provided however that no architect, engineer or other specialist will be hired without advanced notice to the applicant of: (a) the intention to hire a review architect, engineer or other specialist, (b) the aspects of the proposal that caused the Architectural Committee to believe that professional review was required and (c) the estimated cost of that review. If the applicant does not withdraw the proposal within five days after receipt of such notice, the applicant shall be deemed to have consented to the Architectural Committee retaining such professional assistance. Whenever the Architectural Committee retains outside professional services in its review, the reviewing architect, engineer or other specialist is acting only in an advisory capacity, and the applicant, for himself and his successors and assigns, waives any and all claims against the Architectural Committee in the event that advice from, or conditions imposed by, the reviewing professional prove ineffective, unnecessary or inappropriate to the circumstances. The costs of such review will be billed directly to the applicant. In connection with any such review by an architect, engineer or other specialist, the Architectural Committee may require that the applicant deposit with the Architectural Committee a cash deposit equal to the estimated cost of such review prior to the time of the Architectural Committee prior to the time that the Architectural Committee engages the services of such architect, engineer or other specialist, which cash deposit shall be held by the Architectural Committee to secure the obligation of the applicant to pay all costs of or for

such review, and the Architectural Committee shall be entitled to apply such cash deposits toward the cost of such review.

ARTICLE IV GENERAL RESTRICTIONS, COVENANTS AND REQUIREMENTS

The following restrictions, covenants and requirements are imposed on the Property, and on all Buildings, Improvements and Building Sites located thereon, and are binding on all Owners and Occupants, and may be enforced against such Owners and Occupants, jointly and/or severally:

Section 4.1 Use. Each Building and Building Site shall be used for high quality sound studios, production offices, theaters, distribution, film studio support warehouse(s) and/or retail purposes, lodging, access, roadways, meetings parking, entertainment, data centers, storage, transmission and internet service, and such other commercial purposes which are allowed by applicable zoning regulations, and the MPD Agreement and for service facilities approved by the Architectural Committee which are consistent with the purpose of this Declaration. In so using the Building and Building Site, the Owner or Occupant, as the case may be, shall at all times comply with all present and future safety, health, environmental or other laws, ordinances, orders, rules, regulations and requirements of all federal, state, county and municipal governments, departments, commissions, boards and officers, and all orders, rules and regulations of the National Board of Fire Underwriters or any other body exercising similar functions, which may be applicable to the Building and Building Site. Each Owner and Occupant, as the case may be, shall (a) comply with all federal, state and local statutes, rules and regulations governing substances or materials identified as toxic, hazardous or otherwise damaging to person or property by reason of its chemical nature (the "Environmental Laws") and (b) promptly notify the Architectural Committee and any affected Owner or Occupant in the event of any discharge, spillage, uncontrolled loss, seepage, release or filtration of oil, petroleum or chemical liquids or solids, particles, liquids or gaseous products, hazardous waste or any product or byproduct of such Owner's or Occupant's operations that may constitute an environmental hazard upon, on or under the Property, any Building or any Building Site or any other matter relating to the Environmental Laws as they may affect the Property.

Section 4.2 Location and Size of Buildings.

(a) Limitation on Size of Buildings. The portion of any Building Site which may be covered by a Building shall not exceed provisions in the MPD Agreement.

Section 4.3 Antennas, Aerials and Dishes. No exterior radio, television or microwave antenna, aerial, dish or similar facility of any kind shall be erected or maintained on any Building or Building Site without the prior approval of the Declarant.

Section 4.4 Auxiliary Structures. On grade, water towers, storage tanks, processing equipment, skylights, cooling towers, communication towers, vents, and any other similar structures or equipment placed upon any Building Site shall be adequately screened from public view and from the view of other Building Sites by a screening method approved in writing by the Declarant prior to the construction or erection of said structures or equipment.

Section 4.5 Utilities; Mechanical Equipment; Roof Projections.

(a) All utility lines, including electrical, shall be underground. Pad mounted transformers, switch gears and similar equipment that must be installed above the ground level shall be screened with suitable Landscaping consistent with the safety and other regulations of the relevant utility companies. Utility service lines (including, but not limited to gas, water, sewer, and electricity) shall be connected at points approved in writing by the Owner.

(b) All mechanical equipment shall be located or screened so as not to be visible when viewed from the public dedicated streets by the general public, shall be aesthetically incorporated into the architectural design of the Building and shall be constructed of materials compatible with those of the Building.

(c) No structure or appurtenance, including but not limited to water towers, standpipes, penthouses, elevators, elevator equipment, stairways, ventilating fans or similar equipment required to operate and maintain a Building, fire or parapet walls, skylights, tanks, cooling or other towers or flagpoles shall exceed a height of ten (10) feet above the finished rooftop of any Building, except as may be specifically approved in writing by the Owner.

Section 4.6 Loading and Service Areas. Loading doors, docks, material hauling facilities, accessory structures and servicing areas shall be adequately screened with Landscaping.

Section 4.7 Garbage and Debris. No refuse, garbage, trash, grass, shrub or tree clippings, plant waste, compost, bulk materials or debris of any kind shall be kept, stored or allowed to accumulate on any Building Site except within an enclosed structure or container approved by the Declarant or unless appropriately screened from view, in a manner acceptable to the Declarant or City Code, except that any refuse or storage container containing such materials and approved by the Declarant may be placed outside at such times as may be reasonably necessary to permit garbage or trash pickup or materials storage. The Declarant, in its discretion, may adopt and promulgate reasonable rules and regulations relating to the type and appearance of permitted trash receptacles, the screening thereof by fences or otherwise, and the manner of storing and using the trash receptacles on the Property. All trash receptacles or dumpsters shall be located either (a) within the portion of the Building Site which is screened or fenced with materials approved by the Declarant, or (b) within an enclosure having an exterior finish made of the same building materials used for the exterior of the Building, as approved by the Declarant. Any such enclosure for a trash receptacle or dumpster must have a swinging metal gate or a swinging chain link gate with colored vinyl slats.

Section 4.8 Parking and Parking Areas. No parking shall be permitted on any street or drive, or any place other than parking areas located upon Building Sites. Each Owner and Occupant shall be responsible for compliance by its employees and visitors of such rule. All yard parking visible from public roads shall be visually screened as required by the MPD Agreement for this project. All driveways and areas for parking, maneuvering, loading and unloading shall be paved with asphalt, concrete or similar materials. Common driveways serving more than one (1) Building Site are allowable. Notwithstanding the foregoing statements, yard areas located behind screened fences which are approved by the Declarant may be finished with gravel or slag surfaces instead of asphalt or concrete surfaces.

Section 4.9 Accumulation of Materials; Storage Areas. No materials, supplies,

merchandise, except for equipment, company-owned vehicles or similar items used in film and television production, shall be stored except in an enclosed, covered Building or on a Building Site in a location which shall have been adequately screened from the view of adjacent Buildings, public streets and pedestrian walkways by either a fence, wall, landscaping screen or similar manner, but only if approved in writing by the Declarant. Awnings of any type, including without limitation awnings covering parking areas, must be approved by the Declarant.

Section 4.10 Utilities. Other than for street lighting, all pipes, lines and other facilities for utilities, including water, gas, sewer and drainage, and all lines and conduits of any type hereafter installed for the transmission of audio and visual signals or electricity shall be located beneath the ground or within an enclosed structure, except that certain overhead lighting and utility appurtenances may be located above ground if they are adequately screened by Landscaping so as not to be visible from adjacent Buildings, public streets and pedestrian walkways.

Section 4.11 Maintenance of Property. Each Owner or Occupant shall at his or its own expense keep each Building Site owned or occupied by him or it, and all Improvements located thereon, in a clean, safe, attractive and aesthetically pleasing condition, in good order and repair including without limitation, (a) painting and repairing and generally maintaining the exterior of all Buildings and other Improvements at such times as necessary, (b) maintain (including snow removal) and repairing parking lot, road, driveway, or similar Improvements located within the perimeter of all such Building Sites in a manner and with such frequency as is consistent with good property management, and (c) maintaining all Lawns, trees, grass, shrubs, flowers and other Landscaping in accordance with the requirements of Section 4.17 hereof. The expense of any maintenance, repairs or Landscaping required in this Section shall be the sole expense of each individual Owner and/or Occupant. Neither Declarant nor the architectural committee shall not be responsible for any expense related to any maintenance, repair, landscaping or improvement on any Building Site.

Section 4.12 Noxious or Offensive Activity. No noxious or offensive activity shall be carried on or upon any Building Site, nor shall anything be done or place thereon which is or may become a nuisance or cause an unreasonable disturbance, unsightliness or annoyance to others or which constitutes a trespass against any adjoining Building or Building Sites, its Owners, Occupants or subtenants. No excessive emission of fumes, odors, vibration, gasses, radiation, dust, liquid, wastes, smoke from any Building Site.

Section 4.13 Annoying Sounds or Odors. No sound or odor shall be emitted from any Building Site that is noxious or unreasonably offensive to others. Without limiting the generality of the foregoing, no exterior, no exterior speakers, horns, whistles, bells or other sound devices, other than devices used exclusively for security, fire prevention or fire control purposes shall be located or used on any Building Site.

Section 4.14 Maintenance of Drainage. Each Building Site shall have appropriate provision for water retainage as may be necessary or appropriate for the Property's overall drainage system, as determined by Park City. The established drainage pattern over any Building Site may not be altered except as approved in writing by Park City.

Section 4.15 Curb Cuts. Curb cuts for driveways shall be a minimum of eight (8) feet from adjacent property lines, except for any driveway which is shared by adjacent Owners.

Section 4.16 Landscaping. Each Building Site shall consist of Landscaping pursuant to the approved MPD Agreement.

Section 4.17 Maintenance. Any Lawn and all Landscaping shall be properly maintained by Owners and Occupants of the Buildings or Building Site in a manner and with such frequency as is consistent with good property management and in compliance with such rules and standards as may be adopted and/or amended from time to time by the Declarant.

Section 4.18 Exterior Lighting. Unless otherwise provided by municipal code, all exterior and security lighting shall have underground service and shall be designed, erected, altered and maintained in accordance with plans and specifications approved in writing by the Architectural committee to the end that lighting shall be compatible and harmonious throughout the Property. All light poles shall be of "shoe box" style and shall be 20 feet tall, having concrete bases. Except for holiday and event lighting, the light bulbs in the lighting fixtures located on the light poles shall be 150 watts, and the color of the light bulbs shall be identical to the color of the light bulbs used in the city right-of-way. Wall pack lights located on the exterior of Buildings shall use light bulbs of a color identical to the light bulbs used in the city right-of-way.

Section 4.19 Fences. Fences shall be constructed pursuant to the approved MPD Agreement for the project.

Section 4.20 Signs. All Signs must be approved in writing by the Declarant and must conform to the following standards in addition to any sign regulations adopted by Park City.

(1) With respect to Signs on any Buildings or on a Building Site, only the following Signs are allowed:

- (a) public necessity Signs identifying danger or hazard on or near the premises;
- (b) Signs offering the property for sale or lease;
- (c) on-premises business Signs directing attention to a use, product, or service conducted on the premises on which it is located;

Section 4.21 Animals. Except for film and movie productions, no birds, livestock or other animals shall be kept or maintained in any Building or on any Building Site without the express written consent of the Declarant.

Section 4.22 Application of Restrictions. All real property within the Property shall be held, used and enjoyed subject to the limitations, restrictions and other provisions set forth in this Declaration. Reasonable variations from the strict application of the limitations and restrictions in any specific case may be granted by the Architectural Committee, Declarant in accordance with Article 3.4 above, if such strict application would be unreasonable or unduly harsh under the circumstances or otherwise not in the best interests of, or harmful to, the other Owners and Occupants. Any such variance shall not be constituted as waiver or estoppels with respect to any future action by the Declarant.

Section 4.23 Pornographic or Obscene Materials. Except for the production of movies

and televisions shows that receive an 'R' rating or better, Declarant hereby declares that all of the Property shall be held, sold, conveyed, encumbered, leased, used, occupied and improved subject to and in strict accordance with the covenant and restrictions that no portion of the Property shall ever be used for any business engaged in selling, exhibiting or delivering pornographic, obscene or sexually oriented materials or services, which restrictive covenant shall preclude without limitation, the operation on all or any portion of the Property of any business or activity which involves nude dancing, partially nude dancing, the sale, lease or exhibition of sexually oriented devices or novelties or of pornographic or obscene books, magazines, movies, videos or any other type of medium.

Section 4.24 Non-compete and Sundance Film Festival Sponsorship. Any and all tenants or Studio Operators whether permanent or temporary shall be prohibited from engaging in any activity during the annual Sundance Film Festival in direct ambush commercial uses that directly competes with the Sundance Film Festival sponsors or the festival excluding owners conducting commerce or providing services within their usual and ordinary course of business consistent with business licenses issued by state, county or municipality. Nothing herein shall prevent independent negotiations and agreements between the film studio operator, tenants and Park City or any Park City Master Festival License (MFL) holder. The contractual requirement for these provisions gives Park City standing for enforcement limited to equitable and injunctive relief. Nothing herein prevents owners/declarant to recover such damages as are available by law.

Direct ambush commercial uses shall be defined to include event rental or subleasing during the dates of the annual Sundance Film Festival for the purposes of commercial business activity, marketing or promotional gifting not approved by Sundance Institute which directly and materially competes with existing, official Sundance Film Festival sponsorships.

Studio Operators acknowledge that the trademarks and logos for SUNDANCE® INSTITUTE and SUNDANCE® FILM FESTIVAL, and the use of the mark "SUNDANCE®" in connection with film festival and entertainment industry activities (the "Marks"), are exclusively owned by the Sundance Institute and may not be used by Studio Operators in any way that constitutes or resembles branding or advertising without entering into a written license on terms acceptable to the Sundance Institute. The sole acceptable use without such license(s) shall be in editorial content as factual textual references.

ARTICLE V ZONING AND SPECIFIC RESTRICTIONS

The Protective Covenants shall not be interrupted to permit any action or thing prohibited by the applicable zoning laws, rules or regulations of any government authority, or otherwise prohibited by the specific restrictions imposed by any deed or lease. In the event of any conflict, the most restrictive provision of such laws, rules, regulations, deed, leases or the Protective Covenants shall govern and control. Any approval of the Declarant required in this Declaration does not in any way relieve Business Owners and Occupants from obtaining approval required by any governmental body or other person having jurisdiction or other legal rights there under.

ARTICLE VI GENERAL EASEMENTS

Section 6.1 Drainage. Declarant hereby reserves easements over each Building Site for drainage of surface water wherever and whenever reasonably necessary in order to maintain reasonable standards of health, safety and appearance; provided, however, that such easements shall terminate as to any particular Building Site when the entire development as approved by the City have been completed. These easements and rights expressly include the right to install, repair, maintain and replace underground drainage pipes or facilities, to cut and remove any trees, bushes, shrubbery, grass or other landscaping improvements, to make any grading of the soil, or to take any other similar action as reasonably necessary to provide economical and safe Landscaping and utility installation and to maintain reasonable standards of health and appearance.

Section 6.2 Grading. Declarant may at any time make such cuts and fills upon the Property and do such grading and moving of earth as, in its judgment, may be necessary to improve or maintain the streets in or adjacent to the Property and to drain surface waters therefrom; and may assign such rights to Park City or to any municipal or public authority. ;

Section 6.3 Maintenance and Interference. Declarant, Owners and Occupants, whichever the case may be, hereby agree to use their best efforts to minimize the interference with Owners, Occupants, tenants and their guests and/or invitees in connection with the Declarant's use of the easements described in this Article VI.

ARTICLE VII GENERAL

Section 7.1 Owner Acceptance. The Owner or Occupant of any Building Site on the Property by acceptance of a Deed or other instrument conveying an interest in or title to any portion of the Property, or the execution of a contract for the purchase thereof, whether from the Declarant or a subsequent Owner or Occupant of any portion of the Property, shall accept such Deed or other contract upon and subject to each and all of the Protective Covenants herein contained.

Section 7.2 Indemnity for Damages. Each and every Owner or Occupant and future Owner and Occupant in accepting a Deed or contract for any Building Site agrees to indemnify Declarant for any damages caused by such Owner or Occupant, or the contractor, agent or employees of such Owner or Occupant to roads, streets, gutters, walkways, or other aspects of public ways, including all surfacing thereon, or to water, drainage or storm sewer lines or sanitary sewer lines or any other type of utility line owned by Declarant or for which Owners have responsibility at the time of such damage.

Section 7.3 Enforcement. The Declarant, or Owner any portion of Property shall have the right to enforce the provisions of this Declaration. Enforcement of the provisions of this Declaration shall be by any appropriate proceeding at law or in equity against any Owner or Occupant, person, corporation, trust or other entity violating or attempting to violate said provisions, either to restrain such violation, to enforce liability, or to recover damages, or by any appropriate proceeding at law or in equity against the land to enforce any lien or charge arising by virtue thereof. The Declarant shall be liable for enforcement of, or failure to enforce, said

provisions, and the failure of Declarant or any Owner to enforce any of the provisions of this Declaration shall in no event be deemed a waiver of the right to so thereafter.

Section 7.4 Severability. Every one of the provisions and Protective Covenants of this Declaration is hereby declared to be independent of, and severable from the rest of the provisions and Protective Covenants and of and from every combination of the provisions and Protective Covenants. Invalidity by any court of any provision or restriction in this Declaration shall in no way affect any of the other provisions or Protective Covenants.

Section 7.5 Right to Declarant to Modify Protective Covenants With Respect to Unsold Building Sites. Declarant retains the right to establish and declare amendments to this Declaration as Declarant shall, from time to time deem to be reasonably appropriate so long as such amendments do not lessen the Protective Covenants for any Building Site as contained herein or increase the rights of the Declarant or the Architectural Committee as to any Building Site. Such amendments shall be effective as to all portions of the Property that have not been previously conveyed to parties other than Declarant by deed, lease, or otherwise. In the event that the Owner or Occupant of any Building Site previously conveyed joins in the execution of any such amendment, then such amendment shall be effective also as to such Building Site. Any amendment shall be effective immediately upon the recording thereof in the office of the Recorder of Summit County, Utah. This Declaration may not be modified to exempt any Building Site from any of the Protective Covenants in this Declaration.

Section 7.6 Captions. The captions preceding the various sections and subsections of this Declaration are for the convenience of reference only, and none of them shall be used as an aid to the construction of any provision of the Declaration. Wherever and whenever applicable, the singular form of a word shall be taken to mean or apply to the plural, and the masculine form shall be taken to mean or apply to the feminine or to the neuter.

Section 7.7 Mortgages; Deeds of Trust . Breach of any of the provisions of this Declaration shall not defeat or render invalid the lien of any mortgage or deed of trust made of good faith and for the value within the Property; but the provision of this Declaration shall be binding upon and effective against any Owner or Occupant of said Property whose title thereto is acquired by foreclosure, trustee's sale or otherwise.

Section 7.8 Duration, Modification and Termination. The conditions, restrictions, covenants, easements and reservations set forth in this Declaration shall run with and bind the land within the Property and shall be and remain in effect, and shall inure to the benefit of, and be enforceable by Declarant, the Architectural Committee, or any Owner or Occupant of the Property subject to this Declaration, their heirs, successors and assigns for a term of fifty (50) years from the date of this Declaration is recorded with the Recorder of Summit County, Utah, unless extended for one or more successive terms of fifty (50) years by Declarant, its successors or assigns, in its or their absolute discretion; provided, however, that this Declaration may be amended or terminated by Declarant by an instrument in writing, properly executed, acknowledged and filed with the Recorder of Summit County, Utah; and provided further that such amendment or termination shall not adversely affect any Owner's or Occupant's rights to use its Building Site for purposes consistent with this Declaration at the time of such Owner's or Occupant's first ownership or occupancy of the Building Site in question.

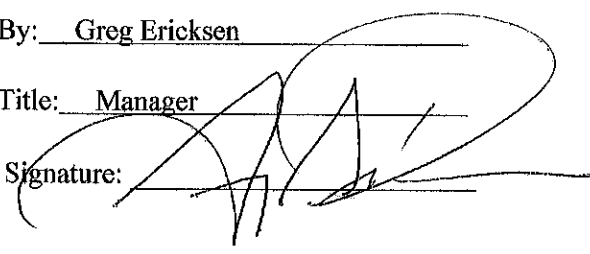
Section 7.9 Condition Subsequent. The obligation imposed in Section 4.24 above shall terminate if the Sundance Film Festival is no longer held in the city of Park City.

IN WITNESS WHEREOF, Declarant has caused this instrument to be signed by a duly authorized person on the date first above written.

Quinn's Junction Properties L.C.

By: Greg Ericksen

Title: Manager

Signature: 

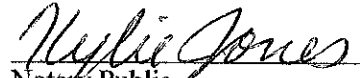
STATE OF UTAH)

:

COUNTY OF DAVIS)

The foregoing instrument was acknowledged and executed before me this 31st day of March, 2014, by Gregory S. Ericksen in his capacity as the Manager of Quinn's Junction Properties, L.C., Owner of Park City Film Studios subdivision.




Notary Public

City Council Staff Report

Subject: Risner Ridge and Risner Ridge no. 2
Subdivisions
Project Number: PL-13-02021
Date: April 17, 2014
Type of Item: Administrative – Plat Amendments



Summary Recommendations

Staffs recommends the City Council hold public hearings for the Risner Ridge Subdivision and Risner Ridge No. 2 Subdivision plat amendments and consider approving the plat amendments based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the attached ordinances. The two plat amendments have been consolidated into one (1) staff report.

On March 12, 2014, the Planning Commission conducted a public hearing and forwarded a positive recommendation to City Council by a unanimous vote. There was public input suggesting that the language be revised to allow a maximum floor area of 6,100 sf total including the garage and that if someone wanted a smaller garage (smaller than 600 sf) then they could use the rest of the allowable square footage for house floor area. This report reflects the Planning Commission recommendation (Exhibit I – Planning Commission Minutes).

Description

Applicant: Risner Ridge HOA
Project Planner: Kirsten Whetstone, MS, AICP
Zoning: Residential Development (RD) District
Land Uses: Residential, Park Meadows Country Club, and open space
Reason for Review: Plat amendments require Planning Commission review and City Council approval

Proposal

This application is a request to amend both Risner Ridge and Risner Ridge No.2 Subdivision plats to include as plat notes, language that has already been approved by the City Council of Park City and that is reflected in City Ordinance No. 90-28, dated October 11, 1990 and amended on March 18, 2004 as reflected in City Ordinance 04-09. Ordinance 04-09 clarifies that Ordinance 90-28 applies to both subdivision plats. While the Ordinances were recorded at Summit County, a plat reflecting the notes never was recorded. The requested plat amendments (Exhibit A) memorialize language that has been approved and clarified by recorded Ordinances.

Background

The Risner Ridge Subdivisions are located in the Residential Development (RD) District, north of the Park Meadows area. Risner Ridge Subdivision plat was approved

by City Council on May 26, 1988, and recorded at Summit County on June 1, 1988 (Exhibit B). Risner Ridge No. 2 Subdivision plat was approved by City Council on March 16, 1989, and recorded at Summit County on March 21, 1989 (Exhibit C).

On October 11, 1990 the City Council approved an Ordinance adding previously approved language to the Risner Ridge Subdivision plat limiting square footage of houses. This Ordinance, known as Ordinance 90-28, was recorded at Summit County on October 16, 1990 (Exhibit F). On March 4, 2004, the City Council approved an amendment to Ordinance 90-28 clarifying that the language limiting square footage of houses and describing how square footage is to be calculated was to apply to both Risner Ridge Subdivision and Risner Ridge No. 2 Subdivision. The Ordinance approved on March 4, 2004, known as Ordinance 04-09, was recorded at Summit County on April 16, 2004 (Exhibit G). There were no plats recorded with either of these Ordinances.

On September 11, 2008, the City Council amended both plats in a similar manner to this current application to increase the setback requirements to make them greater than what is required in the Land Management Code. The September 11, 2008, approval expired before the plats were recorded and the applicant was required to re-submit an application for the previous plat amendments.

On August 26, 2010, the Risner Ridge Subdivision plat was amended to include plat notes related to setbacks. The First Amended Risner Ridge Subdivision plat was recorded at Summit County on February 7, 2011. On August 26, 2010 the Risner Ridge No. 2 Subdivision plat was amended to include plat notes related to setbacks. The First Amended Risner Ridge No. 2 Subdivision plat was recorded at Summit County on February 7, 2011 (Exhibits D and E).

On March 12, 2014, the Planning Commission conducted a public hearing and voted unanimously to forward a positive recommendation to City Council. There was public input provided suggesting that the language could be revised to allow a maximum floor area of 6,100 sf total (5,500 sf plus 600 sf) including the garage and that if someone wanted a smaller garage (smaller than 600 sf) then they could use the rest of the allowable square footage for house floor area. The Planning Commission thought that if the HOA wanted to amend the language from the approved and recorded Ordinances that they should conduct a vote and apply to amend the plat note in a separate application. These plat amendments are intended to memorialize the already approved and recorded Ordinances.

Purpose

The purpose of the Residential Development (RD) District is to:

- a) Allow a variety of Residential Uses that are Compatible with the City's Development objectives, design standards, and growth capabilities,
- b) Encourage the clustering of residential units to preserve natural Open Space, minimize Site disturbance and impacts of Development, and minimize the cost of municipal services,
- c) Allow commercial and recreational activities that are in harmony with residential

neighborhoods,

d) Minimize impacts of the automobile on architectural design,

e) Promote pedestrian connections within Developments and between adjacent Areas; and

f) Provide opportunities for variation in architectural design and housing types.

Analysis

The purpose of these plat amendments is to record plats that include the approved language for both Risner Ridge and Risner Ridge No.2 Subdivisions consistent with Ordinance 90-28, amended by Ordinance 04-09, and to reduce future confusion for potential buyers, owners, real estate community, architects, and plan reviewers.

Searches at Summit County for plats and plat notes do not bring up the recorded Ordinances. Because the notes were not actually applied to plats and no plat amendments were recorded the restrictive language is not easily found.

The requested plat notes are regarding maximum allowed house size as well as language stipulating how house size is to be calculated for lots in Risner Ridge and Risner Ridge No. 2 Subdivisions. The requested amendments memorialize language that has been approved by City Council and clarified by recorded Ordinances.

Land Management Code (LMC) requirements for this Residential Development (RD) zoning district, as well as the LMC definition of gross residential floor area, are less restrictive than the requirements approved by City Council with the Subdivision approvals and the with the subsequent Ordinances.

Risner Ridge Subdivision

The original plat for this subdivision does not include plat notes related to house size that were approved with the original Risner Ridge Subdivision approval in 1988. Later, in 1990 the Council approved Ordinance 90-28 memorializing the house size requirements approved when the subdivision was approved. No plat was recorded with Ordinance 90-28. The HOA, as applicant is requesting that the language approved by Ordinance be recorded as a plat note, as follows:

Pursuant to Park City Ordinance No. 90-28, dated October 11, 1990, as amended by Ordinance 04-09 on March 18, 2004, the maximum floor area of any structure in the subdivision shall be 5,500 square feet. The floor area is defined as the area of a building that is enclosed by surrounding walls, excluding a 600 square foot allowance for garages. Floor area includes basements, whether finished or unfinished, and excludes porches, patios, and decks.

Risner Ridge No.2 Subdivision

The original plat for this subdivision also does not contain notes related to house size and the HOA desires to add plat notes consistent with the CC&Rs. Therefore, the applicant proposes to add the same language to this plat as follows:

Pursuant to Park City Ordinance No. 90-28, dated October 11, 1990, as amended by Ordinance 04-09 on March 18, 2004, the maximum floor area of any structure in the subdivision shall be 5,500 square feet. The floor area is defined as the area of a building that is enclosed by surrounding walls, excluding a 600 square foot allowance for garages. Floor area includes basements, whether finished or unfinished, and excludes porches, patios, and decks.

It is not clear why this language was not added to the plats in 2010 when they were amended to include the setback language approved with the original subdivisions. The Ordinances had been recorded prior and the house size language did apply to all of the lots in these subdivisions. According to the HOA, the issue of the house size language in the Ordinances not being readily retrievable during recorder plat searches seems to be a recent issue and related to a reliance on electronic records, rather than the City's paper plats. The paper plats do have the house size language attached to them, but because of the number of plat amendments that have been approved, Staff relies on the electronic records at Summit County for the most current plats. Because the plats themselves were not amended the house size note isn't recorded on any of the Risner Ridge plats, just on the Ordinances, which don't come up when searching plats.

Good Cause

Staff finds good cause for the plat amendments as they will create a certainty with regards to house size between the plats, the original approvals, and the CC&Rs which are based on the approvals. The City does not enforce CC&Rs, but does enforce plat notes. Other than adding notes to the recorded plats, there are no other changes requested. If the plat amendments are approved and recorded, then the Risner Ridge plats would be consistent with the approved and recorded Ordinance that memorialized specific house size and house size calculation restrictions consistent with the Risner Ridge Covenants, Conditions, & Restrictions (CC&Rs).

The Risner Ridge Homeowners Association has requested these plat amendments so that the plat notes will be of record at Summit County when a "recorders plat" search is initiated. The HOA has discovered late in the design review that owners, architects, and plan reviewers have not adhered to the house size requirements requiring costly last minute redesigns after review by the HOA. The HOA has confirmed with the City that there are no known structures in either of the two (2) subdivisions in material non-compliance with the proposed house size restrictions. Therefore no known non-compliance situations will be created by the requested action. If there are situations that surface in the future where a house was constructed in compliance with the Land Management Code in effect at the time of building permit issuance, then such structures shall be considered legal non-complying structures by the City.

Process

Final action by the City Council on this application constitutes final action that may be appealed in District Court within thirty (30) days of approval as further outlined in LMC

Section 1-18. Plat amendment approvals expire one year following a Council approval, unless an extension request is submitted in writing and the extension is granted by the City Council.

Department Review

These plat amendment applications have been reviewed by the Development Review Committee and all issues brought up at that time have been addressed.

Notice

The property was posted and notice was mailed to property owners within 300 feet and all property owners within the plats. Legal notice was also published in the Park Record consistent with requirements of the Land Management Code.

Public Input

On March 12, 2014, the Planning Commission conducted a public hearing and received input suggesting that the plat language could be revised to allow a maximum floor area of 6,100 sf total (5,500 sf plus 600 sf) including the garage and that if someone wanted a smaller garage (smaller than 600 sf) then they could use the rest of the allowable square footage for house floor area. A public hearing will be conducted at the City Council meeting on April 17, 2014.

Alternatives

- The City Council may approve the Risner Ridge and Risner Ridge No. 2 Plat Amendments as conditioned or amended; or
- The City Council may deny the plat amendments and direct staff to make Findings for these decisions; or
- The City Council may continue the public hearings and discussion on these plat amendments to a date certain and provide direction to the staff and/or applicant regarding additional information or analysis required in order to make a decision on the requested applications.
- There is not a “do nothing” alternative for plat amendments.

Significant Impacts

There are no significant fiscal or environmental impacts from this application.

Consequences of not taking the Suggested Recommendation

The notes regarding house size would not be recorded on the plats and the confusion regarding house size requirements would continue.

Recommendation

Staffs recommends the City Council hold public hearings for the Risner Ridge and Risner Ridge No. 2 Plat Amendments and consider approving these plat amendments based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the attached ordinances.

Exhibits

Ordinance 1 for Second Amended Risner Ridge Subdivision

Ordinance 2 for Second Amended Risner Ridge No. 2 Subdivision

Exhibit A- Proposed plats

Exhibit B- Original Risner Ridge Subdivision plat

Exhibit C- Original Risner Ridge No. 2 Subdivision plat

Exhibit D- First Amended Risner Ridge plat

Exhibit E- First Amended Risner Ridge No. 2 plat

Exhibit F- Ordinance No. 90-28

Exhibit G- Ordinance No. 04-09

Exhibit H- Vicinity map

Exhibit I- Minutes of March 12, 2014 Planning Commission meeting

**AN ORDINANCE APPROVING THE SECOND AMENDED RISNER RIDGE
SUBDIVISION PLAT, PARK CITY, UTAH**

WHEREAS, the Homeowners Association of Risner Ridge Subdivision has petitioned the City Council for approval of the Second Amended Risner Ridge Subdivision Plat; and

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

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

WHEREAS, the Planning Commission held a public hearing on March 12, 2014, to receive input on the Second Amended Risner Ridge Subdivision Plat;

WHEREAS, the Planning Commission, on March 12, 2014, forwarded a positive recommendation to the City Council on the plat amendment request;

WHEREAS, the City Council held a public hearing on April 17, 2014, to receive input on the Second Amended Risner Ridge Subdivision Plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Second Amended Risner Ridge Subdivision plat.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Risner Ridge Subdivision Plat Amendment as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is known as the Risner Ridge Subdivision.
2. The property is located in the Residential Development (RD) District.
3. Risner Ridge Subdivision plat was approved by City Council on May 26, 1988, and recorded at Summit County on June 1, 1988.
4. Risner Ridge No. 2 Subdivision plat was approved by City Council on March 16, 1989, and recorded at Summit County on March 21, 1989.
5. On October 11, 1990 the City Council approved an Ordinance adding previously approved language to the Risner Ridge Subdivision plat limiting square footage of houses. This Ordinance, known as Ordinance 90-28, was recorded at Summit County on October 16, 1990. There was not a plat recorded with this Ordinance.
6. On March 4, 2004, the City Council approved an amendment to Ordinance 90-28

clarifying that the language limiting square footage of houses and describing how square footage is to be calculated was to apply to both Risner Ridge Subdivision and Risner Ridge No. 2 Subdivision. There was no plat recorded with this Ordinance.

7. The Ordinance approved on March 4, 2004, known as Ordinance 04-09, was recorded at Summit County on April 16, 2004. There were no plats recorded with this Ordinance.
8. On September 11, 2008, the City Council amended both plats in a similar manner to address similar issues of inconsistency with setback requirements. The September 11, 2008, approval expired before the plats were recorded and the applicant was required to re-submit an application for the previous plat amendments.
9. On August 26, 2010 the Risner Ridge Subdivision plat was amended to include plat notes related to setbacks. The First Amended Risner Ridge Subdivision plat was recorded at Summit County on February 7, 2011.
10. On August 26, 2010 the Risner Ridge No. 2 Subdivision plat was amended to include plat notes related to setbacks. The First Amended Risner Ridge No. 2 Subdivision plat was recorded at Summit County on February 7, 2011.
11. The recorded Risner Ridge and Risner Ridge No. 2 Subdivision plats on record at Summit County do not include notes regarding house sizes because only Ordinance were recorded, not actually plat notes to physical plats, and when County recorder plats are searched the Ordinances do not come up.
12. The applicant proposes to add a plat note, consistent with Ordinances 90-28 and Ordinance 04-09, to both Risner Ridge and Risner Ridge No. 2 plats and record these amended plats at Summit County, memorializing the house size restrictions that were originally approved with the Risner Ridge and Risner Ridge No. 2 Subdivisions as approved by the City Council as stated in the Ordinances.
13. The note being added states the following: Pursuant to Park City Ordinance No. 90-28, dated October 11, 1990, as amended on March 18, 2004, the maximum floor area of any structure in the subdivision shall be 5,500 square feet. The floor area is defined as the area of a building that is enclosed by surrounding walls, excluding a 600 square foot allowance for garages. Floor area includes basements, whether finished or unfinished, and excludes porches, patios, and decks.
14. The plat note will provide consistency between the plat notes and the Risner Ridge Subdivision approval as well as the CC&Rs and house sizes will be calculated stricter than with the Land Management Code. The CCRs include the entire basement area in the total floor area as was approved with the original subdivision approvals.
15. This note will not create any known non-complying structures. If there are situations that surface in the future where a house was constructed in compliance with the Land Management Code in effect at the time of building permit issuance, then such structures shall be considered legal non-complying structures by the City.
16. The City does not enforce Covenants, Conditions, and Restrictions (CC&Rs), but does enforce notes and instructions on a recorded subdivision plat.

Conclusions of Law:

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

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will submit the amended plat to the City for recordation at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval will expire, unless a written request for an extension is submitted prior to the expiration and the extension request is granted by the City Council.
3. The plat note language shall match verbatim the language in the recorded Ordinances.

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

PASSED AND ADOPTED this ____ day of April.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

Marci Heil, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Ordinance No. 14-

**AN ORDINANCE APPROVING THE SECOND AMENDED RISNER RIDGE NO. 2
SUBDIVISION PLAT, PARK CITY, UTAH**

WHEREAS, the Homeowners Association of the Risner Ridge No. 2 Subdivision has petitioned the City Council for approval of the Second Amended Risner Ridge No. 2 Subdivision Plat; and

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

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

WHEREAS, the Planning Commission held a public hearing on March 12, 2014, to receive input on the Second Amended Risner Ridge No. 2 Subdivision Plat;

WHEREAS, the Planning Commission, on March 12, 2014, forwarded a positive recommendation to the City Council;

WHEREAS, the City Council held a public hearing on April 17, 2014, to receive input on the Risner Ridge No. 2 Subdivision Plat Amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Second Amended Risner Ridge No. 2 Subdivision plat.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Risner Ridge No. 2 Subdivision Plat Amendment as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is known as the Risner Ridge No. 2 Subdivision.
2. The property is located in the Residential Development (RD) District.
3. Risner Ridge Subdivision plat was approved by City Council on May 26, 1988, and recorded at Summit County on June 1, 1988.
4. Risner Ridge No. 2 Subdivision plat was approved by City Council on March 16, 1989, and recorded at Summit County on March 21, 1989.
5. On October 11, 1990 the City Council approved an Ordinance adding previously approved language to the Risner Ridge Subdivision plat limiting square footage of houses. This Ordinance, known as Ordinance 90-28, was recorded at Summit County on October 16, 1990. There was not a plat recorded with this Ordinance.
6. On March 4, 2004, the City Council approved an amendment to Ordinance 90-28

clarifying that the language limiting square footage of houses and describing how square footage is to be calculated was to apply to both Risner Ridge Subdivision and Risner Ridge No. 2 Subdivision.

7. The Ordinance approved on March 4, 2004, known as Ordinance 04-09, was recorded at Summit County on April 16, 2004. There were no plats recorded with this Ordinance.
8. On September 11, 2008, the City Council amended both plats in a similar manner to address similar issues of inconsistency with setback requirements. The September 11, 2008, approval expired before the plats were recorded and the applicant was required to re-submit an application for the previous plat amendments.
9. On August 26, 2010 the Risner Ridge Subdivision plat was amended to include plat notes related to setbacks. The First Amended Risner Ridge Subdivision plat was recorded at Summit County on February 7, 2011.
10. On August 26, 2010 the Risner Ridge No. 2 Subdivision plat was amended to include plat notes related to setbacks. The First Amended Risner Ridge No. 2 Subdivision plat was recorded at Summit County on February 7, 2011.
11. The recorded Risner Ridge and Risner Ridge No. 2 Subdivision plats on record at Summit County do not include notes regarding house sizes because only Ordinance were recorded, not actually plat notes to physical plats, and when County recorder plats are searched the Ordinances do not come up.
12. The applicant proposes to add a plat note, consistent with Ordinances 90-28 and Ordinance 04-09, to both Risner Ridge and Risner Ridge No. 2 plats and record these amended plats at Summit County, memorializing the house size restrictions that were originally approved with the Risner Ridge and Risner Ridge No. 2 Subdivisions as approved by the City Council as stated in the Ordinances.
13. The note being added states the following: Pursuant to Park City Ordinance No. 90-28, dated October 11, 1990, as amended on March 18, 2004, the maximum floor area of any structure in the subdivision shall be 5,500 square feet. The floor area is defined as the area of a building that is enclosed by surrounding walls, excluding a 600 square foot allowance for garages. Floor area includes basements, whether finished or unfinished, and excludes porches, patios, and decks.
14. The plat note will provide consistency between the plat notes and the Risner Ridge Subdivision approval as well as the CC&Rs and house sizes will be calculated stricter than with the Land Management Code. The CCRs include the entire basement area in the total floor area as was approved with the original subdivision approvals.
15. This note will not create any known non-complying structures. If there are situations that surface in the future where a house was constructed in compliance with the Land Management Code in effect at the time of building permit issuance, then such structures shall be considered legal non-complying structures by the City.
16. The City does not enforce Covenants, Conditions, and Restrictions (CC&Rs), but does enforce notes and instructions on a recorded subdivision plat.

Conclusions of Law:

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

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will submit the amended plat to the City for recordation at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval will expire, unless a written request for an extension is submitted prior to the expiration and the extension request is granted by the City Council.
3. The plat note language shall match verbatim the language in Section 1 of recorded Ordinance 90-28.

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

PASSED AND ADOPTED this _____ day of April, 2014.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

Marci Heil, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney



SURVEYOR'S CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491, as prescribed by the laws of the State of Utah, and that by authority of the Risner Ridge Homeowners Association, I have prepared this SECOND AMENDED RISNER RIDGE SUBDIVISION and that the information contained on this plat is for the purpose of adding a note to the original recorded plat as approved by the Risner Ridge Homeowners Association. This amendment does not change, nullify or abridge the boundary, streets, easements, or lots of said subdivision.

John Demkowicz

Date

SURVEYOR'S NARRATIVE

Refer to the recorded plat of RISNER RIDGE SUBDIVISION for all boundary, lot, street and easement data, said plat being recorded June 1, 1988, as Entry No. 290977 in the office of the Summit County Recorder.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that the Risner Ridge Homeowners Association, representing the RISNER RIDGE SUBDIVISION, hereby causes the same to be amended as stated in the note on this plat.

In witness whereof, the undersigned set his hand this _____ day of _____, 2014.

Risner Ridge Homeowners Association

By: Jonathan Eichner, President

ACKNOWLEDGMENT

State of Utah:

ss:

County of Summit:

On this _____ day of _____, 2014, did personally appear before me, the undersigned Notary Public, in and for said state and county, Jonathan Eichner who after being duly sworn, acknowledged to me that he is the president of Risner Ridge Homeowners Association, and that he signed the Owner's Dedication and Consent to Record freely and voluntarily on behalf of said association.

A Notary Public commissioned in Utah

Printed Name

Residing in:

My commission expires:

NOTE:

Pursuant to Park City Ordinance No. 90-28, dated October 11, 1990, as amended on March 18, 2004, the maximum floor area of any structure shall be 5500 square feet and shall be calculated as follows: The floor area is the area of a building that is enclosed by surrounding exterior walls, excluding a 600 square foot allowance for garages. Basements will be considered floor area whether finished or unfinished. Porches, balconies, patios and decks will not be considered floor area.

SECOND AMENDED PLAT OF THE RISNER RIDGE SUBDIVISION

FORMERLY KNOWN AS PARK MEADOWS NO. 4

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

1/4/14 JOB NO.: 1-6-13 FILE: X:\ParkMeadows\dwg\an\plat2013\010613.dwg

 (435) 649-9457 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2014 BY _____ S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 12TH DAY OF MARCH, 2014 BY _____ CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2014 BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2014 BY _____ PARK CITY ATTORNEY	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2014 BY _____ PARK CITY RECORDER	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2014 BY _____ MAYOR	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ ENTRY NO. _____ FEE _____ RECORDER _____
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SURVEYOR'S CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491, as prescribed by the laws of the State of Utah, and that by authority of the Risner Ridge Homeowners Association, I have prepared this SECOND AMENDED RISNER RIDGE NO. 2 SUBDIVISION and that the information contained on this plat is for the purpose of adding a note to the original recorded plat as approved by the Risner Ridge Homeowners Association. This amendment does not change, nullify or abridge the boundary, streets, easements, or lots of said subdivision.

John Demkowicz

Date

SURVEYOR'S NARRATIVE

Refer to the recorded plat of RISNER RIDGE NO. 2 SUBDIVISION for all boundary, lot, street and easement data, said plat being recorded March 21, 1989, as Entry No. 306172 in the office of the Summit County Recorder.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that the Risner Ridge Homeowners Association, representing the RISNER RIDGE SUBDIVISION, hereby causes the same to be amended as stated in the note on this plat.

In witness whereof, the undersigned set his hand this _____ day of _____, 2014.

Risner Ridge Homeowners Association

By: Jonathan Eichner, President

ACKNOWLEDGMENT

State of Utah:

ss:

County of Summit:

On this _____ day of _____, 2014, did personally appear before me, the undersigned Notary Public, in and for said state and county, Jonathan Eichner who after being duly sworn, acknowledged to me that he is the president of Risner Ridge Homeowners Association, and that he signed the Owner's Dedication and Consent to Record freely and voluntarily on behalf of said association.

A Notary Public commissioned in Utah

Printed Name

Residing in:

My commission expires: _____

NOTE:

Pursuant to Park City Ordinance No. 90-28, dated October 11, 1990, as amended on March 18, 2004, the maximum floor area of any structure shall be 5500 square feet and shall be calculated as follows: The floor area is the area of a building that is enclosed by surrounding exterior walls, excluding a 600 square foot allowance for garages. Basements will be considered floor area whether finished or unfinished. Porches, balconies, patios and decks will not be considered floor area.

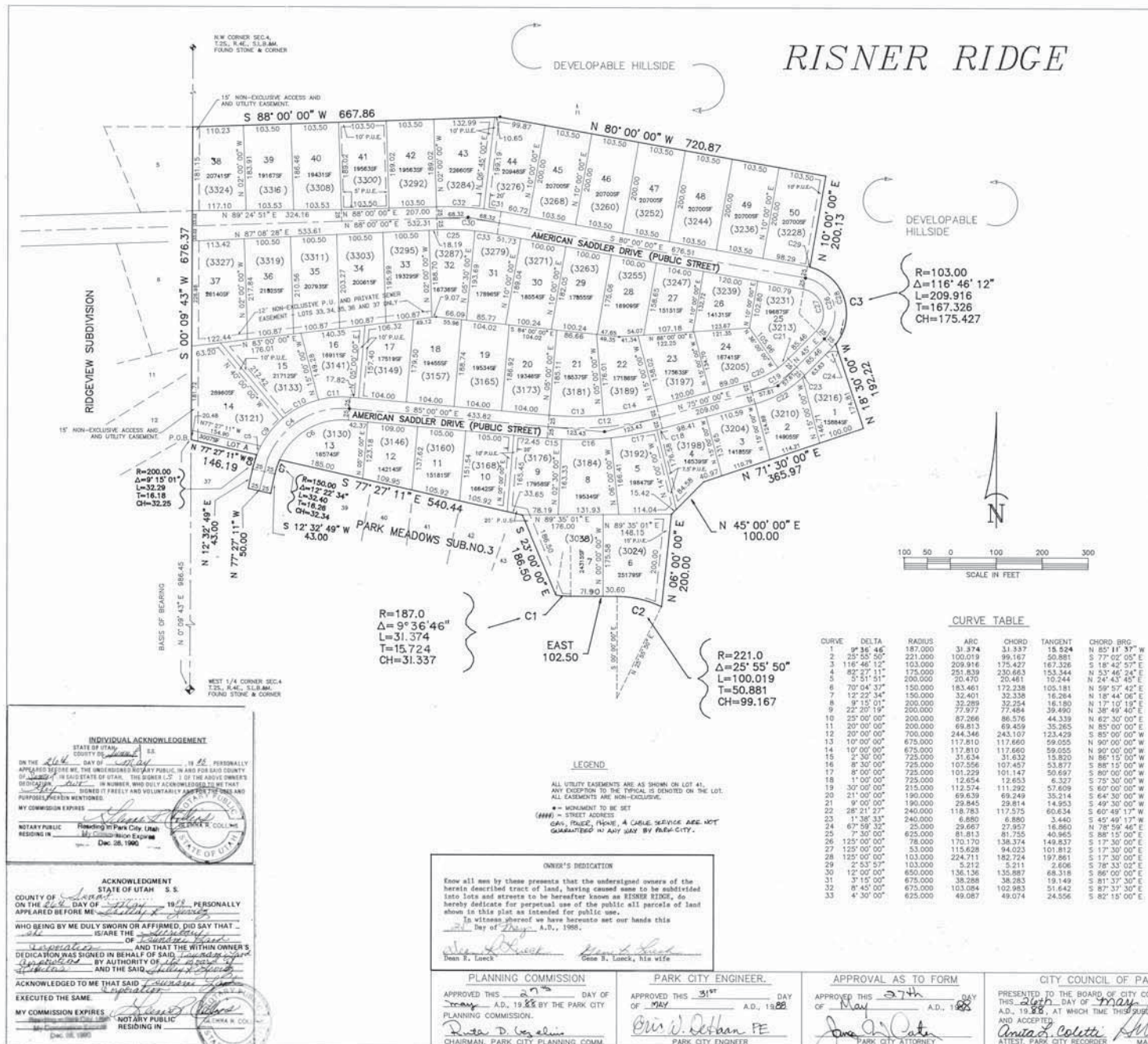
SECOND AMENDED PLAT OF THE RISNER RIDGE NO. 2 SUBDIVISION

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

1/4/14 JOB NO.: 1-6-13 FILE: X:\ParkMeadows\dwg\an\plat2013\010613 no2.dwg

 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PLANNING COMMISSION	ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 12TH DAY OF MARCH, 2014	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2014	APPROVED AS TO FORM THIS _____ DAY OF _____, 2014	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2014	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2014	STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____
	DAY OF _____, 2014	BY _____ CHAIR	BY _____ PARK CITY ENGINEER	BY _____ PARK CITY ATTORNEY	BY _____ PARK CITY RECORDER	BY _____ MAYOR	DATE _____ TIME _____
	BY _____ S.B.W.R.D.						ENTRY NO. _____ FEE _____ RECORDER _____

EXHIBIT B



SURVEYOR'S CERTIFICATE

I, HOOPER KNOWLTON JR., do hereby certify that I am a registered Land Surveyor, and that I hold certificate No. 2761, as prescribed under the laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, here after to be known as RISNER RIDGE, and that same has been correctly surveyed and staked on the ground as shown on this plat.

BOUNDARY DESCRIPTION

Beginning at a point which is N 0°09'43" E 986.450 feet along the Section line from the West Quarter corner of Section 4, Township 2 South, Range 4 East, Salt Lake Base and Meridian, and running thence:
 N 0°09'43" E 676.374 feet; thence
 N 88°00'00" E 667.860 feet; thence
 S 80°00'00" E 720.870 feet; thence
 S 10°00'00" W 200.132 feet to a point on the arc of a 103.000-foot-radius curve to the right whose center bears S 25°55'50" W, thence
 S 12°53'57" W, thence
 Southeastly 209.916 feet along the arc of said curve through a central angle of 116°46'12"; thence
 S 18°30'00" E 192.219 feet; thence
 S 71°30'00" W 365.980 feet; thence
 S 43°00'00" W 100.000 feet; thence
 S 06°00'00" W 200.000 feet to a point on the arc of a 221.000-foot-radius curve to the left whose center bears S 25°55'50" W, thence
 Northwestly 100.019 feet along the arc of said curve through a central angle of 25°55'50"; thence
 West 102.500 feet to the beginning of a 187.000-foot radius curve to the right; thence
 Northwestly 31.374 feet along the arc of said curve through a central angle of 9°36'46"; thence
 N 23°00'00" W 156.500 feet; thence
 N 77°27'11" W 540.436 feet to a point on the arc of a 150.000-foot-radius curve to the left whose center bears S 60°04'37" E, thence
 Southeastly 32.401 feet along the arc of said curve through a central angle of 12°22'34"; thence
 S 12°32'49" W 43.000 feet; thence
 N 77°27'11" W 50.000 feet; thence
 N 12°32'49" E 43.000 feet to the beginning of a 200.000-foot radius curve to the right; thence
 Northwestly 32.289 feet along the arc of said curve through a central angle of 9°15'01"; thence
 N 77°27'11" W 146.180 feet to the point of beginning (Containing 25.41 acres).

May 17, 1998

DATE

OWNER'S DEDICATION

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

Risner Ridge

The officers who sign this deed hereby certify that this Subdivision Plan was duly authorized under a resolution duly adopted by the board of directors of the owner at a lawful meeting duly held and attended by a quorum.

In witness whereof, I, have hereunto set this 26th day of MAY A.D., 1998.

TSUNAMI LAND CORPORATION

Shelley R. Levis, Secretary
 Shelley R. Levis, Secretary

ACKNOWLEDGMENT

STATE OF UTAH } S.S.
 County of Summit

On the 26th day of MAY, A.D., 1998, personally appeared before me, the undersigned Notary Public, in and for said County of Summit, in said state of Utah, the signor(s) of the above Owner's dedication, I, in number, who duly acknowledged to me that signed it freely and voluntarily and for the uses and purposes therein mentioned.

MY COMMISSION EXPIRES:

NOTARY PUBLIC
 RESIDING IN SUMMIT COUNTY

Risner Ridge

Formerly known as Park Meadows No. 4

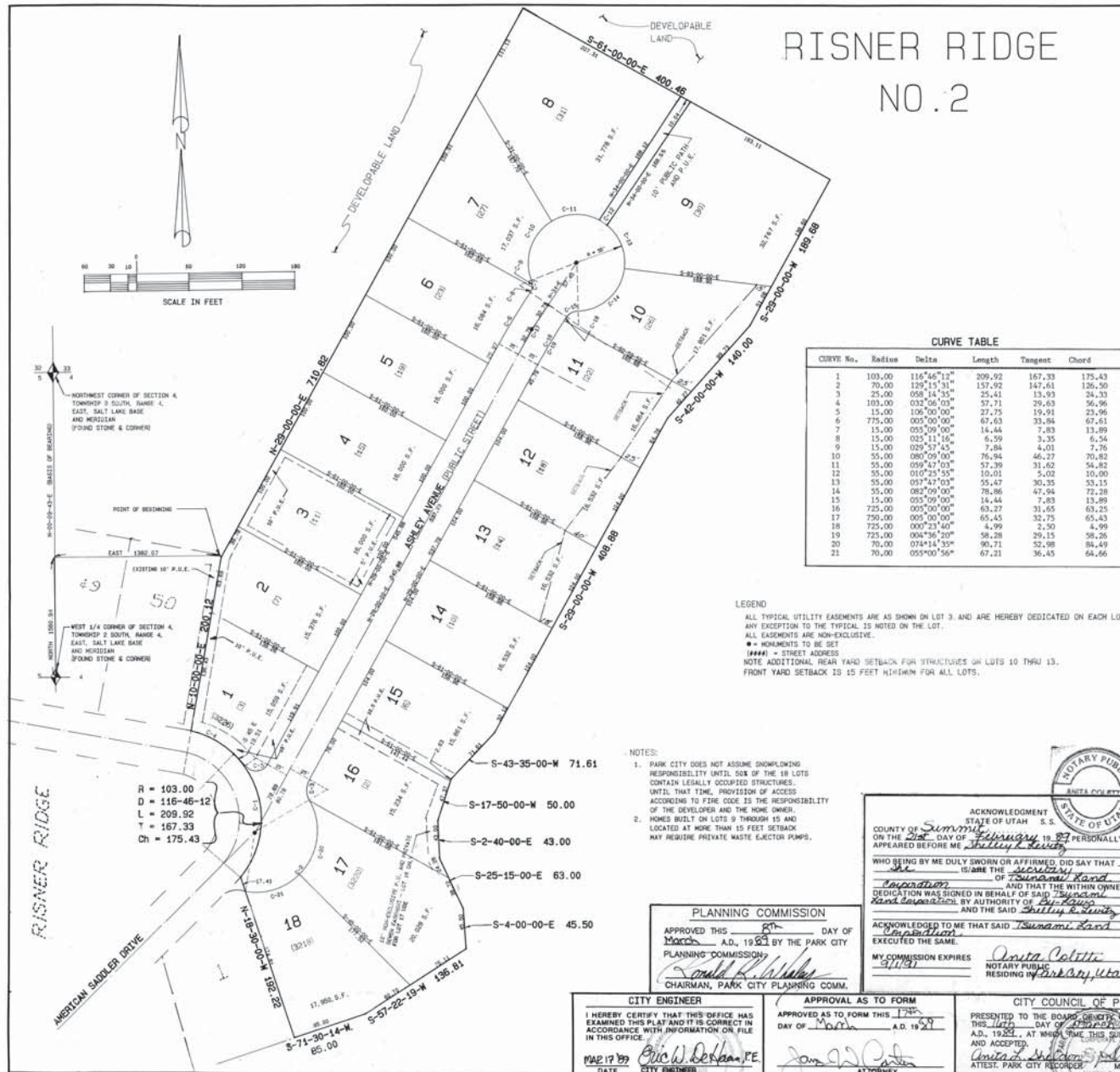
located in Section 4, Township 2 South, Range 4 East, SALT LAKE BASE & MERIDIAN

RECORDED # 200977

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE REQUEST OF Summit County Title

DATE 5/19/99 TIME 2:48 BOOK 44-8 PAGE 1
Alon SUMMIT COUNTY RECORDER

EXHIBIT C



SURVEYOR'S CERTIFICATE

I, Hooper Knowlton, Jr., do hereby certify that I am a Registered Civil Engineer, and/or Land Surveyor, and that I hold Certificate No. 2751.

as prescribed under the laws of the State of Utah, I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as **RISNER RIDGE NO. 2**

and that the same has been correctly surveyed and staked on the ground as shown on this plat.

BOUNDARY DESCRIPTION

Beginning at the Northeast corner of Lot 50, RISNER RIDGE, which point is North 1560.94 feet and East 1382.07 feet from the West quarter corner of Section 4, Township 2 South, Range 4 East, Salt Lake Base & Meridian, and running thence North 29°00'00" East 710.82 feet; thence North 61°00'00" East 400.46 feet; thence South 28°00'00" West 189.68 feet; thence South 42°00'00" West 140.00 feet; thence South 29°00'00" West 408.88 feet; thence South 43°35'00" West 71.61 feet; thence South 17°50'00" West 50.00 feet; thence South 02°40'00" East 43.00 feet; thence South 25°15'00" East 63.00 feet; thence South 04°00'00" East 45.50 feet; thence South 51°22'19" West 136.81 feet; thence South 71°30'14" West 85.02 feet to the southeast corner of Lot 1, RISNER RIDGE; thence North 18°30'00" West 192.22 feet to a point on the arc of a 103.00-foot radius curve to the left whose center bears North 50°19'51" West; thence Northwesterly 209.92 feet along the arc of said curve through a central angle of 116°46'12"; thence North 10°00'00" East 200.12 feet to the point of beginning. (Containing 8.713 acres)

OWNER'S DEDICATION

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

RISNER RIDGE NO. 2

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

in witness whereby _____ have hereunto set _____ this _____ day of _____ A.D. 19 _____

ACKNOWLEDGMENT

STATE OF UTAH
County of _____ S.S.

On the _____ day of _____ A.D. 19____, personally appeared before me, the undersigned Notary Public, in and for said County of _____ in said State of Utah, the signer () of the above Owner's dedication, _____ in number, who duly acknowledged to me that _____ signed it freely and voluntarily and for the uses and purposes therein mentioned.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC
RESIDING IN _____ COUNTY

RISNER RIDGE NO. 2

LOCATED IN THE NORTHWEST 1/4 OF SECTION 4, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN

RECORDED # 301172

STATE OF UTAH COUNTY OF SUMMIT RECORDER AND FILED AT THE REQUEST OF DATE 2-24-99 TIME 2:57 BOOK PAGE

DATE 2-24-99 TIME 2:57 BOOK PAGE

DATE 2-24-99 TIME 2:57 BOOK PAGE

DATE 2-24-99 TIME 2:57 BOOK PAGE

EXHIBIT D

AMENDED PLAT OF THE: RISNER RIDGE SUBDIVISION

FORMERLY KNOWN AS PARK MEADOWS NO. 4
LOCATED IN THE NORTHWEST QUARTER OF SECTION 4,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

SURVEYOR'S CERTIFICATE

I, BYRON T. CURTIS, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 15348, AS PRESCRIBED BY UTAH STATE LAW. I FURTHER CERTIFY THAT BY AUTHORITY OF THE RISNER RIDGE HOMEOWNERS ASSOCIATION, I HAVE CAUSED TO BE MADE UNDER MY DIRECTION THIS AMENDED PLAT OF RISNER RIDGE SUBDIVISION, AND THAT THE INFORMATION CONTAINED ON THIS PLAT IS FOR PURPOSE OF ADDING NOTES TO THE ORIGINAL RECORDED PLAT AS REQUESTED AND APPROVED BY THE ASSOCIATION. THIS AMENDMENT DOES NOT CHANGE, ALTER, NULLIFY OR ABROGE THE BOUNDARY, STREETS, EASEMENTS, OR LOTS FOR SAID SUBDIVISION.

BYRON T. CURTIS  DATE DEC 17, 2010

SURVEYOR'S NARRATIVE:

REFER TO THE RECORDED PLAT OF RISNER RIDGE SUBDIVISION FOR ALL BOUNDARY, LOT, STREET AND EASEMENT DATA. SAID PLAT BEING RECORDED IN THE OFFICE OF THE SUMMIT COUNTY RECORDER AT ENTRY NO. 28097.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS, THAT THE RISNER RIDGE HOMEOWNERS ASSOCIATION, REPRESENTING THE OWNERS OF RISNER RIDGE SUBDIVISION, HEREBY CAUSES THE SAME TO BE AMENDED AS STATED IN THE NOTE ON THIS PLAT.

EXECUTED THIS 28th DAY OF December 2010 A.D.

RISNER RIDGE HOMEOWNERS ASSOCIATION

BY [Signature] PRESIDENT

ACKNOWLEDGEMENT

STATE OF Utah

COUNTY OF Summit

ON THIS 29th DAY OF December 2010, DO PERSONALLY APPEAR BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN 2007 FOR SAID STATE AND COUNTY, [Signature] WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS THE PRESIDENT OF RISNER RIDGE HOMEOWNERS ASSOCIATION, AND THAT HE SIGNED THE FOREGOING OWNERS' CONSENT TO RECORD ON BEHALF OF SAID ASSOCIATION.

NOTARY PUBLIC RESIDING AT _____

MY COMMISSION EXPIRES: _____

 BRIAN JOYCE
NOTARY PUBLIC - STATE OF UTAH
My Comm. Exp. 11/05/2013
Commission # 8716571

NOTE:

ALL BUILDINGS AND STRUCTURES ON ALL LOTS SHALL BE SET BACK AT LEAST 15 FEET FROM THE SIDE LOT LINES, 20 FEET FROM THE REAR LOT LINE, AND A MINIMUM OF 30 FEET FROM THE FRONT LOT LINE.

AMENDED PLAT OF THE:

RISNER RIDGE SUBDIVISION

FORMERLY KNOWN AS PARK MEADOWS NO. 4
LOCATED IN THE NORTHWEST QUARTER OF SECTION 4,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

CURTIS & ASSOCIATES, INC.

LAND SURVEYORS
LAND PLANNING

3440 SO. UNION SQUARE, SUITE 204
SANDY, UTAH 84070
PHONE (801) 752-2781
FAX (801) 525-2774

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER
IMPROVEMENT DISTRICT STANDARDS ON THIS 17th
DAY OF December, 2010 A.D.

BY [Signature] S.B.W.R.D.

PLANNING COMMISSION

APPROVED BY THE PARK CITY
PLANNING COMMISSION THIS 18th
DAY OF August, 2010 A.D.

BY [Signature] CHAIRMAN

ENGINEERS CERTIFICATE

I FIND THIS PLAT TO BE IN ACCORDANCE
WITH INFORMATION ON FILE IN MY OFFICE
THIS 22nd DAY OF August, 2010 A.D.

BY [Signature] PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 23rd
DAY OF August, 2010 A.D.

BY [Signature] PARK CITY ATTORNEY

CERTIFICATE OF ATTEST

I CERTIFY THAT THIS RECORD OF SURVEY
WAS APPROVED BY THE PARK CITY COUNCIL
THIS 24th DAY OF August, 2010 A.D.

BY [Signature] PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY
COUNCIL THIS 24th DAY OF August, 2010 A.D.

BY [Signature] MAYOR

ENTRY # 916684 RECORDED

STATE OF UTAH, COUNTY OF SUMMIT
RECORDED AND FILED AT THE REQUEST OF WILSON LAW FIRM
DATE 2/1/2011 TIME 10:41 BOOK --- PAGE ---

FEE \$75.00
BY [Signature] COUNTY CLERK

EXHIBIT E

AMENDED PLAT OF THE:

RISNER RIDGE NO. 2 SUBDIVISION

LOCATED IN THE NORTHWEST QUARTER OF SECTION 4,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

SURVEYOR'S CERTIFICATE

I, BYRON T. CURTIS, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 153486 AS PRESCRIBED BY UTAH STATE LAW. I FURTHER CERTIFY THAT BY MY DIRECTION THIS AMENDED PLAT OF RISNER RIDGE NO. 2 SUBDIVISION, UNLESS CAUSED TO BE MADE UNDER MY DIRECTION THIS AMENDED PLAT OF RISNER RIDGE NO. 2 SUBDIVISION, AND THAT THE INFORMATION CONTAINED ON THIS PLAT IS FOR PURPOSES OF RECORDING TO THE ORIGINAL RECORDED PLAT AS REQUESTED AND APPROVED BY THE ASSOCIATION. THIS AMENDMENT DOES NOT CHANGE, ALTER, NULLIFY OR ABROGE THE BOUNDARY, STREETS, EASEMENTS, OR LOTS FOR SAID SUBDIVISION.



SURVEYOR'S NARRATIVE:

REFER TO THE RECORDED PLAT OF RISNER RIDGE NO. 2 SUBDIVISION FOR ALL BOUNDARY, LOT, STREET AND EASEMENT DATA. SAID PLAT BEING RECORDED IN THE OFFICE OF THE SUMMIT COUNTY RECORDER AT ENTRY NO. 306172.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS, THAT THE RISNER RIDGE HOMEOWNERS ASSOCIATION, REPRESENTING THE OWNERS OF RISNER RIDGE NO. 2 SUBDIVISION, HEREBY CAUSES THE SAME TO BE AMENDED AS STATED IN THE NOTE ON THIS PLAT.

EXECUTED THIS 28 DAY OF December 2010 A.D.

RISNER RIDGE HOMEOWNERS ASSOCIATION

BY [Signature]
JONATHAN ECHNER, PRESIDENT

NOTES:

3. ALL BUILDINGS AND STRUCTURES ON ALL LOTS SHALL BE SET BACK AT LEAST 15 FEET FROM THE SIDE LOT LINES, OTHER THAN LOTS 10 THROUGH 13. SETBACK FOR THE REAR LOT LINE SHALL BE 15 FEET. SETBACK FOR THE FRONT LOT LINE SHALL BE AS REQUIRED BY THE PARK CITY LAND MANAGEMENT CODE, BUT IN ANY CASE NOT LESS THAN 15 FEET.

ACKNOWLEDGEMENT

STATE OF Utah

COUNTY OF Summit

ON THIS 28 DAY OF December 2010, I DO PERSONALLY APPEAR BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID STATE AND COUNTY, [Signature] WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS THE PRESIDENT OF RISNER RIDGE HOMEOWNERS ASSOCIATION, AND THAT HE SIGNED THE FOREGOING OWNERS' CONSENT TO RECORD ON BEHALF OF SAID ASSOCIATION.

NOTARY PUBLIC

RESIDING AT:

MY COMMISSION EXPIRES:



AMENDED PLAT OF THE:

RISNER RIDGE NO. 2 SUBDIVISION

LOCATED IN THE NORTHWEST QUARTER OF SECTION 4,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

CURTIS & ASSOCIATES, INC. LAND SURVEYORS LAND PLANNING 9400 SO. UNION SQUARE, SUITE 204 SANDY, UTAH 84070 PHONE (801) 475-0741 FAX (801) 475-0744	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS <u>28</u> DAY OF <u>December</u> , 2010 A.D. BY <u>[Signature]</u> S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS <u>18</u> DAY OF <u>August</u> , 2010 A.D. BY <u>[Signature]</u> CHAIRMAN	ENGINEERS CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS <u>28</u> DAY OF <u>December</u> , 2010 A.D. BY <u>[Signature]</u> PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS <u>28</u> DAY OF <u>December</u> , 2010 A.D. BY <u>[Signature]</u> PARK CITY ATTORNEY	CERTIFICATE OF ATTEST I CERTIFY THAT THIS RECORD OF SURVEY WAS APPROVED BY THE PARK CITY COUNCIL THIS <u>28</u> DAY OF <u>December</u> , 2010 A.D. BY <u>[Signature]</u> PARK CITY RECORDER	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS <u>28</u> DAY OF <u>August</u> , 2010 A.D. BY <u>[Signature]</u> MAYOR	ENTRY # <u>916685</u> RECORDED STATE OF UTAH COUNTY OF SUMMIT RECORDED AND FILED AT THE REQUEST OF <u>WILSON LAW FIRM</u> DATE <u>8/1/2010</u> TIME <u>4:45 PM</u> BOOK <u>1155</u> FEE <u>48.00</u> BY <u>[Signature]</u> SUMMIT COUNTY RECORDER
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Attn: City Recorder

ORDINANCE NO. 90-28

AN ORDINANCE ADDING PREVIOUSLY APPROVED
LANGUAGE TO THE RISNER RIDGE
SUBDIVISION PLAT LIMITING SQUARE FOOTAGE OF HOUSES

Fee Exempt per Utah Code
Annotated 1983 21-7-2

WHEREAS, the Planning Commission and City Council did approve the
Risner Ridge Subdivision Plat recorded in Summit County, Utah, as Entry
290977; and

WHEREAS, in granting said approval certain conditions were
imposed by the Planning Commission and City Council; and

WHEREAS, the condition limiting square footage was omitted on the
recorded plat; and

WHEREAS, the City Council did receive a request from the Risner
Ridge Homeowners' Association asking that the Council amend the plat to
carry out the intent of the Planning Commission and City Council; and

WHEREAS, after holding a public hearing on October 4th to receive
input on amending the Risner Ridge Subdivision plat, the City Council
of Park City approved language to be added to the plat,

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

SECTION 1. The following language shall be an additional
condition of approval attaching to the Risner Ridge Subdivision Plat
(formerly known as Park Meadows No. 4 Subdivision) and incorporated
therein by this reference:

The maximum floor area of any structure shall be 5500 square feet
and shall be calculated as follows: The floor area is the area of
a building that is enclosed by surrounding exterior walls,
excluding a 600 square foot allowance for garages. Basements will
be considered floor area whether finished or unfinished. Porches,
balconies, patios and decks will not be considered floor area.

SECTION 2. This ordinance shall take effect immediately upon
passage.

^{axs}
DATED this 10th day of October, 1990.

PARK CITY MUNICIPAL CORPORATION

Bradley A. Allen
BRADLEY A. ALLEN, MAYOR

ATTEST:

Anita L. Sheldon
ANITA L. SHELDON, CITY RECORDER



REC'D BY *Dg* *NC*

ALAN SPRIGGS
SUMMIT COUNTY RECORDER

90 OCT 16 AM 10:16

Park City Municipal Corp

RED NOTE *AB/10/10/90*

582 PAGE 812

**Fee Exempt per Utah Code
Annotated 1953 21-7-2**

Ordinance No. 04-09

Recorded at the request of and return
to: Park City Municipal Corp.
Attn: City Recorder
P. O. Box 1480, Park City, UT 84060

**AN ORDINANCE AMENDING ORDINANCE 90-28 AND THE RISNER RIDGE II
SUBDIVISION PLAT LIMITING MAXIMUM HOUSE SIZES, PARK CITY, UTAH.**

WHEREAS, the Homeowners Association of the Risner Ridge Subdivision have petitioned the City Council for approval of the amendment to Ordinance 90-28; and

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

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

WHEREAS, the Planning Commission held a public hearing on February 25, 2004, to receive input on the amendment to Ordinance 90-28;

WHEREAS, the Planning Commission, on February 25, 2004, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 18, 2004 the City Council approved the amendment to Ordinance 90-28; and

WHEREAS, it is in the best interest of Park City, Utah to approve the amendment to Ordinance 90-28.

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

SECTION 1. APPROVAL. The amendment to Ordinance 90-28 as shown in Exhibit A is approved subject to the following Findings of Facts and Conclusions of Law:

Findings of Fact:

1. The project is located on Ashley Avenue and is known as Phase II of the Risner Ridge Subdivision.
2. The zoning is Residential Development.
3. Ordinance 90-28 currently applies only to Phase I of Risner Ridge.
4. Ordinance 90-28 limits the maximum size of houses and defines how that size is determined.
5. The Risner Ridge Homeowners Association requests that the Ordinance 90-28 apply to both phases as the CC&Rs incorporate both phases into one association.
6. The Planning Commission held a public hearing, at which there was no public input, at the regular meeting of February 25, 2004. A positive recommendation is forwarded to the City Council.

Conclusions of Law:

00695368 Bk01612 Pg01788-01792
ALAN SPRIGGS, SUMMIT CO RECORDER
2004 APR 16 10:52 AM FEE \$4.00 BY GGB
REQUEST: PARK CITY MUNICIPAL CORP

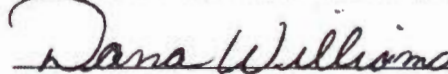
BK1612 PG1788

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

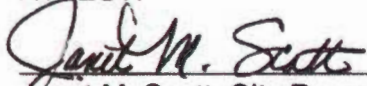
SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 18th day of March, 2004.

PARK CITY MUNICIPAL CORPORATION

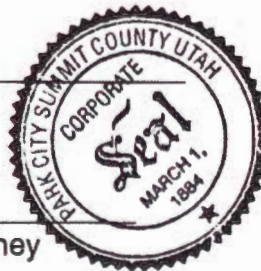

Dana Williams, MAYOR

ATTEST:


Janet M. Scott, City Recorder

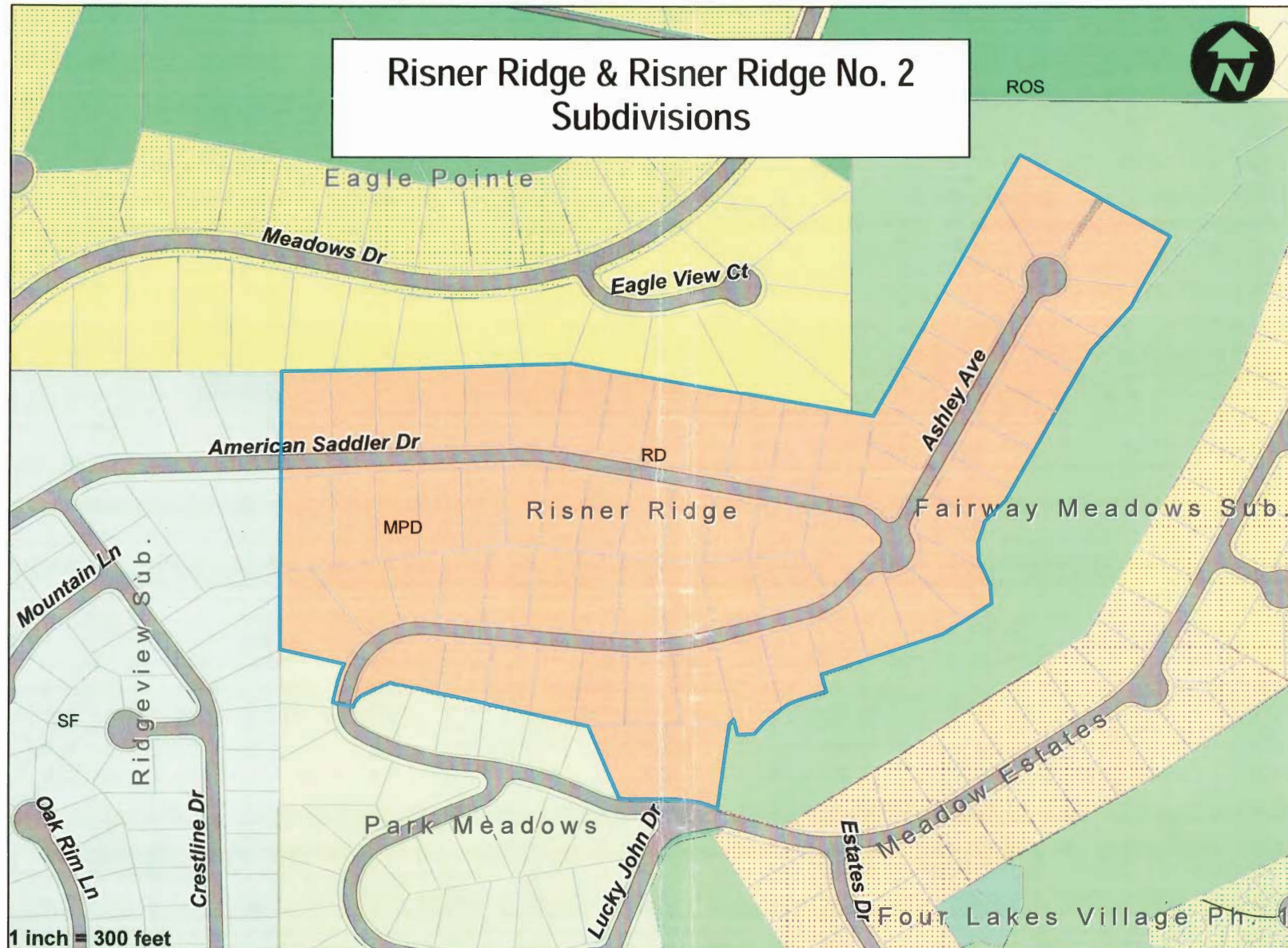
APPROVED AS TO FORM:


Mark D. Harrington, City Attorney



BK1612 PG1789

Exhibit C - Vicinity Map



PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
March 12, 2014

COMMISSIONERS IN ATTENDANCE:

Chair Nann Worel, Preston Campbell, Stewart Gross, Steve Joyce, John Phillips, Adam Strachan, Clay Stuard

EX OFFICIO:

Planning Director, Thomas Eddington; Planning Manager, Kayla Sintz; Kirsten Whetstone, Planner; Christy Alexander, Planner; Polly Samuels McLean, Assistant City Attorney

=====

REGULAR MEETING

ROLL CALL

Chair Worel called the meeting to order at 5:30 p.m. and noted that all Commissioners were present.

ADOPTION OF MINUTES

February 26, 2014

Chair Worel noted that at the last meeting she had referred to page 17 of the February 12th minutes and requested that City Attorney Matt Cassel be corrected to read, **City Engineer Matt Cassel**. She noted that it was still incorrect on the first page of the minutes of February 26th and she reiterated her request to make the correction.

Commissioner Phillips referred to page 5, second paragraph under 1049 Park Avenue, and changed 48 feet to read 48 **square feet**.

Commissioner Joyce referred to page 18, first paragraph, and removed the "s" from Summit Lands Conservancy.

Commissioner Stuard referred to page 24, condition of Approval #7, second line, and replaced the word even with **event**.

Commissioner Stuard asked for the intention of Condition #7. He did not recall that the host needed to be staying at the project when an event takes place. As written, the language says, "...all of the invited guests or the host of the event owns a unit."

**3. Risner Ridge Subdivision 1 & 2 – Plat Amendment
(Application PL-13-02021)**

Planner Whetstone reported that the applicant's representative was unable to attend due to an emergency. She noted that the Risner Ridge HOA was the applicant and they were satisfied with the Staff report and the conditions of approval.

Planner Whetstone reported that this application was a request to amend both Risner Ridge and Risner Ridge No.2 Subdivision plats to include as plat notes, language that has already been approved by the City Council of Park City and is reflected in City Ordinance No. 90-28 and 04-09. She clarified that the Ordinances were recorded; but the plat reflecting the notes never was. The requested plat amendments memorialize language that has been approved and clarified by recorded Ordinances.

Planner Whetstone provided a brief background. Two subdivisions, the Risner Ridge and Risner Ridge 2, were approved in 1988. When Risner Ridge 1 was approved, house size limitations were placed, as well as a way to measure the house size to include the basement as part of the maximum house size. The maximum house size was 5500 square feet. Planner Whetstone pointed out that the City was not as careful about placing notes on plats at that time assuming that it was understood as a part of the CC&Rs. When Risner Ridge 2 was approved, the same language was included.

Planner Whetstone explained that over time the architects designed homes that excluded the basement because the LMC excludes a truly buried basement from the square footage. The HOA caught the mistakes in the fully-developed plans and the plans had to be redone. In 1990 the City adopted Ordinance 90-28 that said the language when the subdivision was approved counted the basements and every lot has the same 5500 square feet limitation. Setback issues were also addressed through plat amendments, and the note regarding setbacks were different from the CC&Rs and how the subdivision was approved. Planner Whetstone noted that the note was placed on an actual plat and was recorded with Summit County. However, the notes regarding house size and how it was measured was never placed on a plat. It was not a problem with paper plats because the Staff had a process to identify note plats. However, now that everything is obtained electronically, the notes are missing on the plats. She pointed out that the title for each lot is subject to the ordinances, but when the plat is pulled at the County, the ordinance does not pull up.

Planner Whetstone stated that in an effort to clear up the confusion, the plat amendment, if approved, would record the plat note and it would be included on the County Recorded plat. When someone pulls up Risner Ridge all the plat notes would show. She clarified

that the plat amendment would not change any previous approval. The purpose was only to clean up the record.

Chair Worel opened the public hearing.

Alex Butwinski, a resident at Risner Ridge, stated that it has been the historical view of the HOA that the total maximum house size was 6100 square feet. However, if someone built a 4,000 square foot house they could use the remaining 2100 square feet as a garage. If they move ahead with this plat amendment, he thought the ability to continue doing that should be tied to it. Mr. Butwinski was bothered by the overall restriction of changing how basements are measured in the LMC. However, if the language is in the existing ordinance he understood why it would be included. Mr. Butwinski emphasized that his biggest issue is the ability for owners to add the square footage left over from a smaller house to the garage. He noted that it would still need to go through the HOA architectural review committee.

Commissioner Strachan asked Mr. Butwinski if there was anything in the proposed plat note that would prevent an owner from transferring the square footage from the house to the garage. Mr. Butwinski stated that the language did not prevent it, but the proposed wording was vague about allowing the HOA to make the decision. He preferred that it be clarified and codified in the plat note to give future owners the same ability.

Commissioner Gross asked if Mr. Butwinski would be comfortable changing the language to say a maximum of 6100 square feet including the garage, as opposed to specifying a 5500 square foot house. Mr. Butwinski suggested adding a second line stating that the owner has the option of trading residential space for a garage.

Commissioner Strachan referred to the language and suggested changing “any” to “all” and adding the word “structures” shall be no greater than 5500 square feet. He noted that the floor area excludes 600 square feet for the garage. Therefore, the 6100 square foot number would not be necessary.

Assistant City Attorney McLean stated that if the Planning Commission was considering a change to the plat note language, they should continue this item until they can get input from the HOA as the applicant. She explained that the language contemplated was merely putting a note on the plat to reflect what was exactly in the ordinance and what was approved. The applicant was not contemplating any changes beyond the exact ordinance.

Mr. Butwinski stated that the current HOA leadership has allowed the garage square footage in the past and as the leadership changes it becomes less clear. As recommended by Ms. McLean, he would request a continuance to give the HOA the

opportunity to provide input. Mr. Butwinski stated that he has never been invited to a meeting where this plat amendment was discussed at the HOA level. He thought the issue was significant enough for the current leadership of the HOA to consider preserving the option and clarifying it for the future leadership and owners.

Commissioner Joyce believed that the application before the Planning Commission was a simple procedure to memorialize language that already exists in an adopted ordinance and to place it on a recorded plat to stop the confusion. He thought Mr. Butwinski's request was a different matter that should involve the HOA getting together to decide if they all agree with Mr. Butwinski. Commissioner Joyce was uncomfortable changing the language to reflect one person's request. He did not believe the Planning Commission should hold up this application because the HOA could always request another amendment to include the language if they choose to; or they could update their guidelines without coming back to the Planning Commission.

Chair Worel closed the public hearing.

Commissioner Strachan agreed with Commissioner Joyce and he withdrew his intention to change the language as he previously suggested.

Planner Whetstone noted that the language on the plat did not exactly mirror the language in the ordinance and she suggested that it should be the same. She stated that the language on page 94 of the Staff report under Section 1 is the language that should be on the plat.

Commissioner Stuard stated that this application was requested by the HOA to make enforcement of their CC&Rs easier and clearer. He believed that the Planning Commission did the complete opposite by the action they took on the previous item. He understood the issue with the ordinance and that this was a ministerial action, but in the end they were supporting an HOA enforcing their CC&Rs.

Planner Whetstone noted that the language was stated in the minutes of the subdivision when the subdivision was approved by the City Council. She clarified that the HOA was requesting the plat note because they were the ones who previously requested the ordinance. The language was in the ordinance of the subdivision but it was never on the plat.

Mr. Campbell stated that the Planning Commission was being asked to clarify the ordinance and not the CC&Rs of the HOA, and that was different from the previous action.

MOTION: Commissioner Phillips moved to forward a positive recommendation to the City Council regarding the Risner Ridge and Risner Ridge #2 subdivision plat amendments based on the Findings of Fact, Conclusions of Law and Conditions of Approval as found in the draft ordinance.

Commissioner Strachan requested to amend the motion to add Condition of Approval #3, stating that the amended plat submitted by the applicant shall contain verbatim the language of Section 1 of Ordinance 90-28.

Commissioner Joyce seconded the motion as amended.

VOTE: The motion passed unanimously.

Findings of Fact – Risner Ridge Subdivision

1. The property is known as the Risner Ridge Subdivision.
2. The property is located in the Residential Development (RD) District.
3. Risner Ridge Subdivision plat was approved by City Council on May 26, 1988, and recorded at Summit County on June 1, 1988.
4. Risner Ridge No. 2 Subdivision plat was approved by City Council on March 16, 1989, and recorded at Summit County on March 21, 1989.
5. On October 11, 1990 the City Council approved an Ordinance adding previously approved language to the Risner Ridge Subdivision plat limiting square footage of houses. This Ordinance, known as Ordinance 90-28, was recorded at Summit County on October 16, 1990. There was not a plat recorded with this Ordinance.
6. On March 4, 2004, the City Council approved an amendment to Ordinance 90-28 clarifying that the language limiting square footage of houses and describing how square footage is to be calculated was to apply to both Risner Ridge Subdivisions and Risner Ridge No. 2 Subdivision. There was no plat recorded with this Ordinance.
7. The Ordinance approved on March 4, 2004, known as Ordinance 04-09, was recorded at Summit County on April 16, 2004. There were no plats recorded with this Ordinance.
8. On September 11, 2008, the City Council amended both plats in a similar manner to address similar issues of inconsistency with setback requirements. The

September 11, 2008, approval expired before the plats were recorded and the applicant was required to re-submit an application for the previous plat amendments.

9. On August 26, 2010 the Risner Ridge Subdivision plat was amended to include plat notes related to setbacks. The First Amended Risner Ridge Subdivision plat was recorded at Summit County on February 7, 2011.

10. On August 26, 2010 the Risner Ridge No. 2 Subdivision plat was amended to include plat notes related to setbacks. The First Amended Risner Ridge No. 2 Subdivision plat was recorded at Summit County on February 7, 2011.

11. The recorded Risner Ridge and Risner Ridge No. 2 Subdivision plats on record at Summit County do not include notes regarding house sizes because only Ordinance were recorded, not actually plat notes to physical plats, and when County recorder plats are searched the Ordinances do not come up.

12. The applicant proposes to add a plat note, consistent with Ordinances 90-28 and Ordinance 04-09, to both Risner Ridge and Risner Ridge No. 2 plats and record these amended plats at Summit County, memorializing the house size restrictions that were originally approved with the Risner Ridge and Risner Ridge No. 2 Subdivisions as approved by the City Council as stated in the Ordinances.

13. The note being added states the following: Pursuant to Park City Ordinance No. 90-28, dated October 11, 1990, as amended on March 18, 2004, the maximum floor area of any structure in the subdivision shall be 5,500 square feet. The floor area is defined as the area of a building that is enclosed by surrounding walls, excluding a 600 square foot allowance for garages. Floor area includes basements, whether finished or unfinished, and excludes porches, patios, and decks.

14. The plat note will provide consistency between the plat notes and the Risner Ridge Subdivision approval as well as the CC&Rs and house sizes will be calculated stricter than with the Land Management Code. The CCRs include the entire basement area in the total floor area as was approved with the original subdivision approvals.

15. This note will not create any known non-complying structures. If there are situations that surface in the future where a house was constructed in compliance with the Land Management Code in effect at the time of building permit issuance, then such structures shall be considered legal non-complying structures by the

City.

16. The City does not enforce Covenants, Conditions, and Restrictions (CC&Rs), but does enforce notes and instructions on a recorded subdivision plat.

Conclusions of Law – Risner Ridge Subdivision

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

Conditions of Approval – Risner Ridge Subdivision

1. The City Attorney and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will submit the amended plat to the City for recordation at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval will expire, unless a written request for an extension is submitted prior to the expiration and the extension request is granted by the City Council.
3. The amended plat submitted by the applicant shall contain verbatim the language of Section 1 of Ordinance 90-28.

Findings of Fact – Risner Ridge 2 Subdivision

1. The property is known as the Risner Ridge No. 2 Subdivision.
2. The property is located in the Residential Development (RD) District.
3. Risner Ridge Subdivision plat was approved by City Council on May 26, 1988, and recorded at Summit County on June 1, 1988.

4. Risner Ridge No. 2 Subdivision plat was approved by City Council on March 16, 1989, and recorded at Summit County on March 21, 1989.

5. On October 11, 1990 the City Council approved an Ordinance adding previously approved language to the Risner Ridge Subdivision plat limiting square footage of houses. This Ordinance, known as Ordinance 90-28, was recorded at Summit County on October 16, 1990. There was not a plat recorded with this Ordinance.

6. On March 4, 2004, the City Council approved an amendment to Ordinance 90-28 clarifying that the language limiting square footage of houses and describing how square footage is to be calculated was to apply to both Risner Ridge Subdivision and Risner Ridge No. 2 Subdivision.

7. The Ordinance approved on March 4, 2004, known as Ordinance 04-09, was recorded at Summit County on April 16, 2004. There were no plats recorded with this Ordinance.

8. On September 11, 2008, the City Council amended both plats in a similar manner to address similar issues of inconsistency with setback requirements. The September 11, 2008, approval expired before the plats were recorded and the applicant was required to re-submit an application for the previous plat amendments.

9. On August 26, 2010 the Risner Ridge Subdivision plat was amended to include plat notes related to setbacks. The First Amended Risner Ridge Subdivision plat was recorded at Summit County on February 7, 2011.

10. On August 26, 2010 the Risner Ridge No. 2 Subdivision plat was amended to include plat notes related to setbacks. The First Amended Risner Ridge No. 2 Subdivision plat was recorded at Summit County on February 7, 2011.

11. The recorded Risner Ridge and Risner Ridge No. 2 Subdivision plats on record at Summit County do not include notes regarding house sizes because only Ordinance were recorded, not actually plat notes to physical plats, and when County recorder plats are searched the Ordinances do not come up.

12. The applicant proposes to add a plat note, consistent with Ordinances 90-28 and Ordinance 04-09, to both Risner Ridge and Risner Ridge No. 2 plats and record these amended plats at Summit County, memorializing the house size restrictions that were originally approved with the Risner Ridge and Risner Ridge No. 2

Subdivisions as approved by the City Council as stated in the Ordinances.

13. The note being added states the following: Pursuant to Park City Ordinance No. 90-28, dated October 11, 1990, as amended on March 18, 2004, the maximum floor area of any structure in the subdivision shall be 5,500 square feet. The floor area is defined as the area of a building that is enclosed by surrounding walls, excluding a 600 square foot allowance for garages. Floor area includes basements, whether finished or unfinished, and excludes porches, patios, and decks.

14. The plat note will provide consistency between the plat notes and the Risner Ridge Subdivision approval as well as the CC&Rs and house sizes will be calculated stricter than with the Land Management Code. The CCRs include the entire basement area in the total floor area as was approved with the original subdivision approvals.

15. This note will not create any known non-complying structures. If there are situations that surface in the future where a house was constructed in compliance with the Land Management Code in effect at the time of building permit issuance, then such structures shall be considered legal non-complying structures by the City.

16. The City does not enforce Covenants, Conditions, and Restrictions (CC&Rs), but does enforce notes and instructions on a recorded subdivision plat.

Conclusions of Law – Risner Ridge 2 Subdivision

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

Conditions of Approval – Risner Ridge 2 Subdivision

1. The City Attorney and City Engineer will review and approve the final form and

content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.

2. The applicant will submit the amended plat to the City for recordation at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval will expire, unless a written request for an extension is submitted prior to the expiration and the extension request is granted by the City Council.

3. The amended plat submitted by the applicant shall contain verbatim the language of Section 1 of Ordinance 90-28.

4. **65/71/70 Silver Strike Trail – Belles at Empire Pass ROS Amendment for Units 7/8/17** (Application PL-14-02239)

Commissioner Phillips recused himself and left the room.

Planner Christy Alexander reviewed the application to plat as-built conditions for constructed units 7, 8 and 18 of the Belles at Empire Pass. This is the Sixth Supplemental Plat for the Belles at Empire Pass. This request is compatible with the previous supplemental plat that were approved and recorded for the previous constructed units.

The purpose of the application is to plat the as-built conditions. Recordation is a condition precedent to issuance of a final certificate of occupancy.

Planner Alexander reviewed the plat and noted that Units 7 and 8 were in a duplex and Unit 17 was a single family dwelling. All the conditions were consistent with the underlying Silver Strike Subdivision plat, as well as the Amended, Consolidated and Restated condominium plat at the Belles at Empire Pass.

The Staff recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation to the City Council.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel closed the public hearing.

Commissioner Strachan noted that as-built requests come up all the time; however, they need to be checked carefully because sometimes the as-built conditions are substantially



City Council Staff Report

Subject: City Property Disposition Resolution
Author: Heinrich Deters
Department: Sustainability
Date: April 17, 2014
Type of Item: Administrative

Summary Recommendations:

Council should review and adopt the attached Resolution on the possible discussion and disposition of City-Owned property. (Attachment I)

Topic/Description:

A property strategic plan for city-owned parcels enables staff and the Council to: 1) use basic, centralized management standards and prioritization for assets that are otherwise managed by various departments of the City; 2) identify long term planning strategies or options, and 3) establish some degree of predictability for property owners adjacent to municipal property. Additionally, the disposition list and associated resolution constitutes public notice that the properties listed may be intended for sale or trade if noted and the City Council may consider the best possible terms of a potential transaction in closed session if necessary pursuant to state law.

Background:

In 2013, City Council adopted a strategic plan for city- owned parcels with development potential. The intent of the plan was to provide transparency and possible intent of the City's use of available parcels for potential municipal purposes or disposition.

Analysis:

Park City Municipal owns numerous parcels, ranging greatly in acreage and use. These parcels include large open space properties restricted by deed restrictions and conservation easements, all the way to small remnant parcels, real property and dedicated rights of way. This strategic plan is for property with development potential only. The plan does not contain property restricted as open space by restrictive covenant or has been purchased with open space funds.

Identifying certain properties for possible use for municipal needs, including public works facilities, water facilities and snow storage is a long term planning priority as demands for City services increase, and potential property availability decreases. Conversely, implementation of Council goals and capital projects may be better or more efficiently achieved by selling city-owned property to a third party or otherwise transferring property to another nonprofit or government entity.

Included in Attachment I, is the disposition list (Exhibit A) and supplemental maps (Exhibit B and C) is an updated compilation of City property, service needs and/or

possible projects that Council may consider which may require the use of City property in a transactional capacity.

The potential uses identified in the list are intentionally broad and in no way binds Council to future decisions. Prior to action taken with any of the properties identified within the list, staff and Council would adhere to public notification standards for Disposals of Significant Parcels of Real Property as required by State Code and Municipal Code § 2-3-11.

Department Review:

This report has been reviewed by the Sustainability, Planning, Public Works, Transit, Water, Engineering, Executive and Legal Departments.

Alternatives:

A. Approve:

Adopt the attached resolution as attached.

B. Deny:

Do not adopt the attached resolution as attached.

C. Modify:

Modify the attached resolution as attached.

D. Continue the Item:

Continue the item because more information is required.

E. Do Nothing:

Same as continuance.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?				+ Fiscally and legally sound + Well-maintained assets and infrastructure + Engaged and informed citizenry
Assessment of Overall Impact on Council Priority (Quality of Life Impact)	(Select from List)	(Select from List)	(Select from List)	Positive 
Comments:				

Consequences of not taking the recommended action:

A lack of transparency and clarity may be perceived without adoption of a city-owned property disposition list, as well as, notification to discuss matters within closed session

Recommendation:

Council should review and adopt the attached Resolution on the possible discussion and disposition of city-owned property.

Exhibit A- Draft Resolution and 2014 City Property list

Exhibit B & C- Property Maps

Exhibit A- Resolution

RESOLUTION ADOPTING A CITY PROPERTY DISPOSITION LIST

WHEREAS, the City owns numerous properties with possible uses and/or development potential that may be utilized to attain community goals;

WHEREAS, ongoing strategic planning of municipal assets is in the best interest of the public;

WHEREAS, City Council's goal for an engaged and informed citizenry is a product of transparent government and public notification;

WHEREAS, the growing demand for City services is subject to continual evaluation of asset management.

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

SECTION 1. CITY PROPERTY DISPOSITION LIST. Park City adopts the 'Property disposition list' as attached hereto as Exhibit A.

This Resolution hereby constitutes public notice that the properties listed herein are intended for sale if so noted and the City Council may meet in closed session as allowed by state law to discuss the best possible terms of a potential sale. Any final approval of a sale by the City Council must be done at a regular, open meeting.

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

PASSED AND ADOPTED this seventeenth day of April, 2014.

PARK CITY MUNICIPAL CORPORATION

Mayor Jack Thomas

Attest:

Marci Heil, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney

Exhibit A- Resolution

RESOLUTION ADOPTING A CITY PROPERTY DISPOSITION LIST

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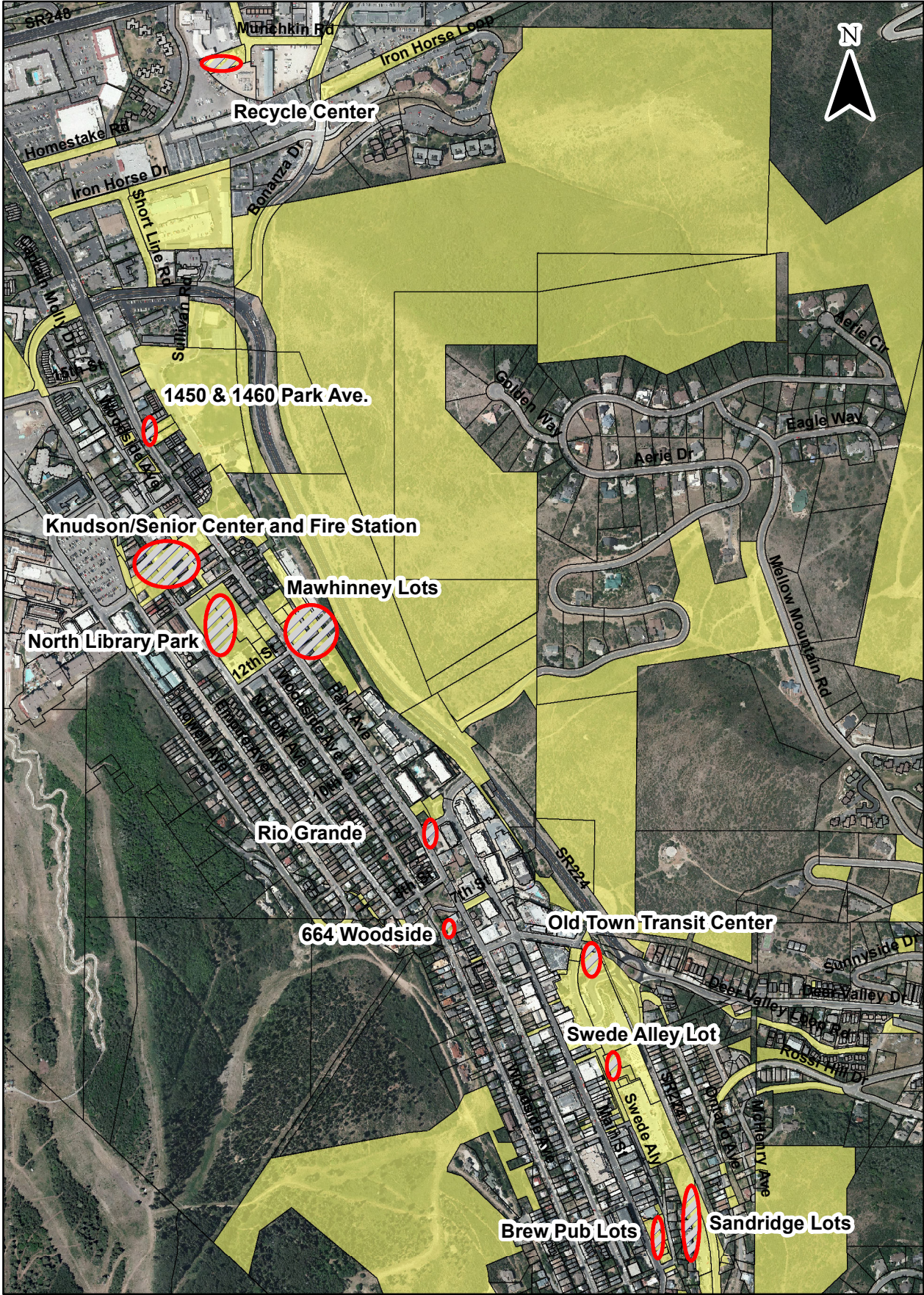
Approved as to form:

Mark D. Harrington, City Attorney

2014 City Property Disposition Resolution	
Property/Parcels/Acres	Potential Use
Bango-Wortley/Gordo Parcels PC-9-95-X, PC-9-95-M-X, PC-9-95-J-X, PC-9-95-F-X, PC-9-95-G-X, PC-9-95-H-X, PC-9-95-L-X, PC-9-95-K-X, PC-9-95-1-X, PC-9-95-B-X (approx. 14 acres)	Hold/Sell/Trade; PW Storage; Municipal Facility; Inside Soils Ordinance
664 Woodside NGS-2-X (.06 acre)	Hold/Trade/Sell; Affordable Housing
Park and Ride SS-87 (16.25 acres)	Recreation; City Facilities
Brew Pub Parking Lots PC-263-X, PC-264-1-X, PC-265-X, PC-266-X, PC-563-X (.5 acre)	Hold/Trade/Sell; Parking; Park; Inter-modal municipal oriented transit, Housing (Gondola); Inside Soils Ordinance
Old Town Transit Center Marsac Transit Center Sub., PC-476-A-X, PC-476-B-X, PC-730-B-X, PC-426-X (approx. 4 acres)	Inter-modal transit oriented use (gondola, multi-modal transportation/housing); Inside Soils Ordinance
SR-224 Kiosk (.44 acres)	Trailhead Parking
Mawhinney Lots SA-369-X, SA-370-X, SA-371-X, SA-372-X, SA-360-A (1.5 acre)	Skate Park; Parking; City Park; Affordable Housing; Inside Soils Ordinance
Swede Alley Surface Lot MPS-3-AM-X (.4 acre)	Hold/ Sell/Trade; Parking; Park; Inside Soils Ordinance
Triangle Parcel SS-57-1-B-X (111 acres)	Hold/Sell/Trade; PW Facility; Open Space; Municipal Facility; Recycle Center
Rio Grande Depot SA-398-X (.01 acre)	Hold/Sell/Trade; Pedestrian Facility; Parking; Inside Soils Ordinance
North 40 Parking area PCA-98-C-1-X (73 acres)	Recreation, Parking
IHC Lot 5 IHPCMC-5-2AM-X (15 acres)	Hold/Sell/Trade; Recreation; Trails, City Facilities
Naniola/Kivett SS-29-C-X, SS-21-A-X (60 acres)	Hold/Sell/Trade
North Library SA-68-X, SA-72-X (2.5 acres)	Park, Recreation, Affordable Housing
1353 & 1333 Park Ave. Fire Station/Miners Hospital/City Park SA-273-X (.5 acre)	Hold/Sell/Trade; Lower RDA Plan Development; partially inside soils ordinance
Knudson (portions of SA-200, SA-201, SA-202-A-1) 14,624 sq/ft. per purchase agreement)	Hold/Sell/Trade; Lower RDA Plan Development
1361 Woodside Ave. Senior Center and parking SA-265-A-X (1.5 acres)	Hold/Sell/Trade; Lower RDA Plan Development
1450 & 1460 Park Ave. Co-Housing	Hold/Sell/Trade; Co-Housing Project; Affordable Housing; Inside Soils Ordinance
1951 Woodbine Way Recycling Center SS-224-X (.5 acre)	Hold/Sell/Trade; Bonanza Park Redevelopment; Inside Soils Ordinance
Pace Parcels SS-28-A-1-X, SA-28-A-X (110 acres)	Hold/Sell/Trade; Open Space; Recreation; Snow Storage; Municipal Facility; Agricultural
Sandridge Parcels PC-730-2-X, PC-730-G-X (2 acres)	Hold/Sell/Trade; Parking; Gondola Base; Inside Soils Ordinance

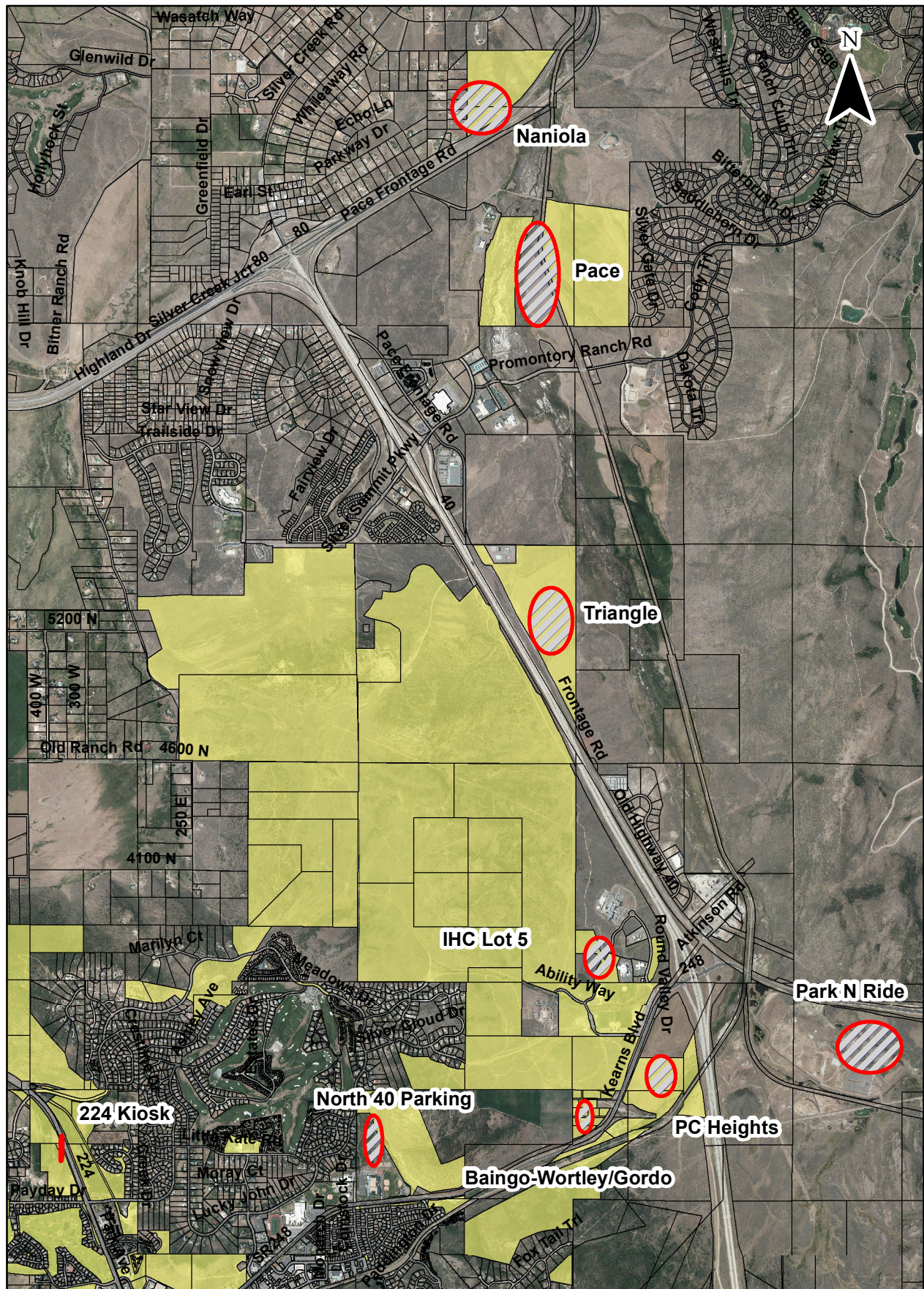
PC Heights Parcel (24 acres)	Hold/Sell/Trade; Open Space; Recreation; Snow Storage; Agricultural
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2014 City-Owned Disposition Properties I



0 0.075 0.15 0.3 Miles

2014 City-Owned Disposition Properties II



0 0.325 0.65 1.3 Miles

City Council Staff Report



Author: Matthew Twombly
Subject: Main Street Improvements - Award of Construction Manager at Risk (CMAR) Contract
Date: April 17, 2012
Type of Item: Administrative - Award of Contract

Sustainability

Summary Recommendation –

Staff requests authorization to proceed with the Main Street Improvements Project and authorize the City Manager to enter into an Amendment #1 to the construction manager at risk (CMAR) contract in a form approved by the City Attorney's Office with Miller Paving Inc. for the Guaranteed Maximum Price (GMP) of Nine Hundred Eighty Four Thousand Eighty Four Dollars. **(\$984,084).**

Topic: 2014 Main Street Improvement Project.

Background:

On March 6, 2014 Council awarded the Construction Manager at Risk contract for pre-construction services to Miller Paving Inc. In order to expedite the Main Street Improvement project, Miller Paving and the project team worked together to complete the plans and bid package for the section of Main Street sidewalks between 5th Street and Heber Avenue on the East side, and the section of Main Street between the Claimjumper and Heber Avenue on the West side.

On April 4, 2014 staff and the design team updated Council on the design and timing of the 2014 Main Street Improvement projects. Staff briefly discussed the Main Street sidewalks where the intent is to continue with the same design, materials and patterning completed last year.

The project team has concentrated on scheduling the sections of sidewalks with the dining decks first. The current schedule anticipates starting the work on April 22, at 6th Street or Schreurs Plaza to Heber Avenue on the west side of Main Street. This will complete the section where Bangkok Thai has their dining deck first. The work will then proceed on the east side of Main just north of the Main Street Pizza Noodle and work south to the Post Office in order to complete the section of sidewalk where Main Street Pizza Noodle has their dining deck. The work will then continue to the north of the Main Street Pizza noodle and finally head south from 6th Street to the Claimjumper.

The plans and the next bid package for the Bear Bench and City Hall Plaza should be completed and guaranteed maximum price set by the beginning of June so that construction can continue for these plaza projects. Staff is coordinating with the 562 project adjacent to the Bear Bench Walkway and the schedule for construction is slated to begin after July 5, 2014.

Questar Gas mobilized the week of April 7th and are currently in the process of installing the main line between 5th Street and Heber Ave on the east side. Questar Gas has coordinated with all of their customers on the upgrades. Engineering, Miller Paving and project team will be coordinating with Questar as well.

The City's Community Engagement Liaison (Craig Sanchez) has been meeting with the HPCA and all of the merchants, managers or other representatives for the businesses affected by the sidewalk improvements. The City will continue to coordinate the construction throughout the project.

Analysis:

Consistent with State code and PCMC procurement policy Miller Paving received bids and competitive quotes on April 7th, 2014 for the subcontracts for the 2014 Main Street Improvements project. The request for bids was advertised in the Park Record on March 19th and 22nd, in the Salt Lake Tribune March 21st and 22nd, posted on the Utahlegals.com, the City's website and e-notify.

The GMP does not include the \$15,320 awarded to Miller Paving for the preconstruction services on March 5th. The GMP includes the general conditions, the cost of the bond, all the subcontract costs, the Construction Manager's fee of 7% for all the subcontracts, an allowance for hauling hazardous soils and a contingency. The general conditions are the costs associated with the construction manager's on-site personnel including vehicles, travel, wages..., as well as other expenses to manage the site such as traffic control, ramps, construction fencing and other incidental expenses. A contingency is included because the plans were at 90% when they were bid. There is a 20% cost sharing clause to the contractor in the contract if the contingency is not or only partially used.

The estimated budget from IBI in 2012 for this portion of the first phase was \$980,578 without storm drains or water meter vault replacement. The architects cost estimate was \$911,780. There will also be the cost of testing and the tipping fees for the soils. They are estimated at approximately \$30,000. The water department will pay their share of project costs estimated at approximately \$36,000 and storm drain work is estimated at approximately \$100,000.

Department Review: This report has been reviewed by representatives of Sustainability, Legal, and the City Manager's Office and their comments have been integrated into this report.

Alternatives:

- A. Approve the request, and authorize the City Manager to enter into a construction manager at risk (CMAR) contract in a form approved by the City Attorney's Office with Miller Paving Inc. in the amount of Nine Hundred Eighty Four Thousand Eighty Four Dollars. (\$984,084): (Staff recommendation)**

- B. Modify the request: Council could choose to modify the project and redo the CMGC selection process, which would delay the project.
- C. Deny the request: Council could choose to not continue with the project at this time.
- D. Continue the Item: Council may feel there is not enough information to make a decision, which will delay the project and the proposed schedule.
- E. Do Nothing: Same effect as continuance.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	+ Balance between tourism and local quality of life ~ Varied and extensive event offerings + Accessibility during peak seasonal times + Safe community that is walkable and bike-able + Internationally recognized & respected brand (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome)	- Managed natural resources balancing ecosystem needs ~ Enhanced water quality and high customer confidence ~ Reduced municipal, business and community carbon footprints ~ Economically and environmentally feasible soil disposal (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome)	~ Preserved and celebrated history; protected National Historic District + Shared use of Main Street by locals and visitors + Entire population utilizes community amenities + Community gathering spaces and places + Vibrant arts and culture offerings (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome)	+ Well-maintained assets and infrastructure (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome)
Assessment of Overall Impact on Council Priority (Quality of Life Impact)	Very Positive 	Negative 	Very Positive 	Positive 
Comments: Events and accessibility may have temporary negative impacts during construction, but the improvements are positive in the long term. Storm water improvements will have a neutral effect on water quality. The carbon footprint will be neutral even though more resources are used due to the maintenance and lifecycle costs of the materials we are considering for Main Street. The historic side is neutral in that we will celebrate historic sites and provide information, but many may consider the improvements less than desirable as historic.				

Funding Source:

There is currently approximately \$980,578 estimated for the 2014 Main Street Sidewalks Improvement project out of the \$15 M 10-year project budget. The first \$3 Million will be from the Governor's Office of Economic Development. The water department will pay their share of project costs and Engineering will pay for the storm drain improvements out of the storm drain CIP. Sustainability, Public Works, Planning, Engineering and other City staff resources will be required to complete the project.

Staff Recommendations:

Staff requests authorization to proceed with the Main Street Improvements Project and authorize the City Manager to enter into a construction manager at risk (CMAR) contract in a form approved by the City Attorney's Office with Miller Paving Inc. in the amount of **Nine Hundred Eighty Four Thousand Eighty Four Dollars. (\$984,084).**

City Council Staff Report

Subject: Energy Savings Investment
Author: Chanz Skeffington
Department: ICE
Date: April 17th, 2014
Type of Item: Administrative

Summary Recommendations:

Staff is recommending that City Council approve a contract with QuantiPerm, LLC not to exceed \$23,018 and approve a contract with Central Valley Mechanical not to exceed \$49,739 for upgrades to reduce carbon footprint and operational cost to the Park City Ice Arena's water heating and treatment systems.

Topic/Description:

This is a request to purchase equipment and implement a system that will measurably reduce facility natural gas and electricity consumption by eliminating inefficiencies and enhancing the functionality of the equipment currently used for building, maintaining and resurfacing the ice. Funding for the project is through the Environmental Revolving Loan Fund. These upgrades will entitle the City to a rebate incentive of \$12,923 from Rocky Mountain Power and we are currently pursuing rebates from Questar Gas.

Background:

In May of 2013, members of the PCIA operations staff were introduced to technology that has recently become a proven application in the ice arena industry. The equipment removes dissolved gases from water to eliminate the insulation effect they can create in artificial ice. Traditionally, water is heated above boiling point (>120°F) to release these dissolved gases before it is used to build and resurface artificial ice.

Ice quality and refrigeration system efficiency are negatively impacted by dissolved gasses and solids in the water because they act as insulators; prevent energy transfer through the ice and dissolved gas molecules interfere with the compaction of water molecule bonding in ice. Currently, PCIA counteracts dissolved solid particle interference by filtering the ice-make water through a reverse osmosis system which removes the dissolved solids. We then heat the water to 135 °F to remove most of the dissolved gasses. QuantiPerm, LLC provides a system that will reduce the dissolved gases to well below 100 parts per million (ppm) and an additional component is used to "sweep" the remaining gases to virtually nil, which will effectively eliminate the need to preheat the ice-make water.

We have also identified additional inefficiencies to eliminate as part of this project. The original water boiler equipment installed during the original build of the PCIA is antiquated. It provides an efficiency rate of 68-78% while more modern systems provide over 95% efficiency rating. The latest technology presents the opportunity to considerably reduce the facility energy costs by maximizing the heating efficiency of the water utilized in the facility. The updated heating equipment is fundamental while the boon of this project is to capture heat energy from the refrigeration system. To capture "free heat", an indirect heat transfer

unit will pull expressed heat from the refrigeration system and preheat water for the facility. The heat gained from the refrigeration system will be directed to supplement the heating required to optimize the filtering system, to the Snow Melt Pit, and a moderate portion will go to the domestic hot water storage. A high efficiency water heater will be installed for system operations and another for domestic hot water thus simplifying the current system. The implementation of this system will add multiple layers of redundancy which will effectively ensure the production of hot water for the building and ultimately reduce maintenance and repair costs by consolidating equipment.

Analysis:

Water Boiler System Upgrade:

Currently, PCIA is dependent on a natural gas burning water boiler with a 68-78% efficiency that heats the water to 135°F. Rudimentary measurements of the current water heating system with a Noncontact Laser Thermometer and found that the heated ice-make water hits the ice surface at about 110-115°F; an immediate 20 °F drop in heat energy. The new system design will eliminate that immediate loss.

The current water heater does not have a modulating capability; it is either working at full capacity to raise the recirculating water to desired set point whether there is a 50 °F or 10 °F difference. The proposed high efficiency water heaters run relative to the percentage of the temperature rise demand. The modulating boilers will raise the water temperature to the set point at an efficiency rate of 95% or higher. This will include a minimum initial efficiency savings of 17% due to boiler efficiency over the existing water heater. There will also be an efficiency gain from the modulation component of the boiler of 7-9%. By eliminating the circulating pump, electrical consumption will reduce by 43 kWh per day (1.8kw x 24hrs) and the removal of the current electric water heater will provide an estimated 220 kWh per day (40kw x 5.5hrs). Many other efficiency improvements are difficult to quantify such as pumping efficiency increases with piping changes, but they do exist and will substantially add to the overall efficiency of the improvements.

The circulation of the ammonia chiller de-superheater provides an indirect heating option produced by the chiller during the latent heat transfer process to capture “free heat” will pre-heat the ice make water post reverse osmosis. The estimated production at a 50 °F rise with a 120 °F de-superheater (220 °F refrigerant discharge temperature), water is between 200-265 gallons per hour, with 90 degree de-superheater water temperatures available at approximately 100 gph. This can save approximately 178 cubic feet of natural gas per hour during production and increase the chiller condensing capacity by up to 15% thus increasing its overall efficiency and capacity during the summer months.

The procurement process for this bid included an RFP advertised in the Park Record twice, posted on the City website and the Utah Legal notice website for 30 days. The RFP required at least one site visit from each bidder and there were several inquiries with a total of five (5) site visits. The procurement process produced one complete proposal that met all proposal criteria. It was from Central Valley Mechanical. The only other proposal presented did not meet the RFP requirements. It was from Van Boerum & Frank Associates, Inc.; an engineer consulting firm that requested an evaluation phase with a maximum cost of \$8,000, an

engineering phase at a cost of 10% of the total project with a minimum of \$5,000 and a construction management fee based on hourly rates varying from \$125/hr to \$45/hour and extent of determined project. Acceptance of this proposal most likely would exceed our estimated and approved costs for the work.

Degasifying System:

The degasifying filtering system produces ice-make water that does not have to be heated above boiling. The filtration system requires water heated between 75-100°F. We are anticipating much of this heat will be provided by the refrigeration plant's indirect transfer loop via the de-superheater. It is essentially "free heat" that is pulled off the ice sheet and runs through the snow melt pit on its way to be expressed by the cooling tower on the roof. In this proposed system, adding a SmarTank parallel to the snow melt loop the ice make water will be indirectly heated to the optimal temperature for the degasifying unit. An additional SmarTank will be installed to indirectly preheat the domestic hot water and a controller will allow us to direct the heat to the desired rate and location. Again, the SmarTank water heaters will work at a fraction of their capacity which in turn optimizes their efficiency while the temperature and flow controllers ensure that the temperatures remain consistent and independent of the supplemental heat captured from the refrigeration system.

The degasifying water filter system will build ice layers that virtually eliminate the insulation effect of dissolved gases naturally occurring in water which would allow us to run our ice surface temperature at a higher set-point. The lower the water temperature will minimize the spiking temperatures on the ice surface caused by traditional hot water resurfacing. The production of gasless, temperate ice-make water will freeze faster while increasing the clarity and strength; improving overall ice quality and reducing utility costs. The summarized efficiencies the degasifying unit, energy savings can be quantified by the following:

- The degasifying system reduces the use of ~1000-1500 DTU of natural gas annually and an estimated 263 kWh/day will be saved by replacing the antiquated water boiler that currently heats the ice-make water to 135°F
- Increase the overall kWh of the refrigeration system by 15% as a result of eliminating the insulation effect caused by dissolved gases in the ice layers, allowing the configuration of higher refrigeration set-points and avoiding ice surface temperature spikes caused by introducing hot water to the surface ten to twelve times daily (10-12 resurfaces daily)
- Development of higher quality ice with less snow production during activity and more durable ice reduces overall water usage, enhances clarity and quality experience
- In addition, there is also an unaccounted factor that a durable ice sheet requires less wear and tear on the refrigeration system, ice resurfacer and ancillary equipment thus reducing maintenance, repairs and labor costs for all

The procurement process for this proposal included a procurement notice advertised in the Park Record twice, posted for on the City website and the Utah Legal notice website for 30 days. There were several inquiries but resulted in only two bids. QuantiPerm, LLC provided

the most cost effective, detailed proposal that included training, delivery and onsite installation service. QuantiPerm, LLC is located in Arizona. The other bid proposed cost was 8% more, provided by Joe Johnson Equipment, Inc. based in Canada, included minimal detail and the price did not include delivery costs, installation, or training.

The initial information for the system and efficiency upgrades was presented to the Environmental Project Manager. The Environmental Revolving Loan Fund Committee approved funding for this project based on the analysis of this degasifying system and efficiency upgrades.

Environmental Sustainability has pursued all available rebates through Rocky Mountain Power and anticipates receiving a rebate of \$12,923; below is a breakdown of Exhibit E

Adjusted Preliminary Rocky MT Power Rebate Incentives & Cost Estimates

Watt-Smart Business Custom Energy Efficiency Measures	Energy kWh	Electric Cost	Installed Cost	Incentive Percentage	Incentive Amount
Degasifying System	20,012	\$892	\$24,578	12.0%	\$2,949
Brine Pump VFD*	62,366	\$4,276	\$9,960	93.6%	\$9,318
Snow Melt Pump Cycling	4,441	\$198	\$1,971	33.3%	\$656
Totals	86,819	\$5,366	\$36,509	35.4%	\$12,923

*Demand Costs included for Energy analysis

Anticipated project payback period is under 33 months/<3 years (estimated initial rate of return of 22%). Ice and Environmental Sustainability have made arrangements to pay back the loan in approximately 48-months/4 years. This arrangement will have an immediate positive impact on the PCIA operating budget. Repaying the loan at a rate of 75% of the actual savings will bring PCIA even closer to an annual full cost recovery. PCIA will also make additional payments to the Fund after the loan is repaid in the amount of an additional 5% in order to increase the Fund balance for future carbon footprint reducing environmental projects.

Please see Exhibits included for details.

Exhibit A - Park City Ice Arena De-Ox Evaluation

Exhibit B - De-OX Energy Analysis Compressor Hours Markham Comparable

Exhibit C – Scope of Services – QuantiPerm deoxygenation system

Exhibit D – Scope of Services – Central Valley Mechanical Water Heating upgrade

Exhibit E – Rebate contingencies – Rocky Mountain Power/Cascade Energy

Exhibit F – Repayment Plan

Department Review:

The City Manager, Legal Department, Sustainability Department, Management Team and Environmental Revolving Loan Fund Committee reviewed this report.

Alternatives:

A. Approve:

Staff is recommending that City Council approve a contract with QuantiPerm, LLC not to exceed \$23,018 and approve a contract with Central Valley Mechanical not to exceed \$49,739 for carbon footprint and operational cost reducing upgrades to the Park City Ice Arena's water heating and treatment systems.

B. Deny:

Council could deny all applicants for funding the project.

C. Modify:

Council could request a modification of the fund payback plan or project scope.

D. Continue the Item:

Council could continue the item for further discussion, but installation and savings would be delayed.

E. Do Nothing:

Doing nothing will delay implementation of the projects and the associated carbon footprint and operating budget reductions.

Significant Impacts:

Which Desired Outcomes might the Recommended Action Impact?	+ Internationally recognized & respected brand + Accessible and world-class recreational facilities, parks and programs + Balance between tourism and local quality of life	+ Reduced municipal, business and community carbon footprints + Managed natural resources balancing ecosystem needs + Enhanced water quality and high customer confidence + Effective water conservation program	+ Part-time residents that invest and engage in the community + Residents live and work locally	+ Fiscally and legally sound + Streamlined and flexible operating processes + Well-maintained assets and infrastructure
Assessment of Overall Impact on Council Priority (Quality of Life Impact)	Positive 	Very Positive 	Positive 	Positive 
Comments: This project is a portion of three ancillary projects that combine for up to <20% in total savings projected to save over 50k gallons of water annually. These are conservative estimates based on the sum of the savings of the three measured separately. The combination of these projects noticeably outweighs the total of the anticipated savings of the sum combining costs of installation, overall efficiency and reduction of waste is deliberated. The resulting redundancies and reducing attrition in machinery contributes to the long term labor and repair costs while minimizing revenue loss.				

Funding Source:

Environmental Revolving Fund Loan

Consequences of not taking the recommended action:

If no action is taken at this time, carbon footprint reductions and operating budget savings will be lost and/or delayed.

Recommendation:

Approve the purchase and installation of QuantiPerm, LLC deoxygenation system utilizing the Environmental Revolving Fund. Approve the recommended payment plan to encourage fund growth through the investment and ultimately incur annual utility savings for the Park City Ice Arena.

Exhibits:

Exhibit A - Park City Ice Arena De-Ox Evaluation

Exhibit B - De-OX Energy Analysis Compressor Hours Markham Comparable

Exhibit C – Scope of Services – QuantiPerm deoxygenation system

Exhibit D – Scope of Services – Central Valley Mechanical Water Heating upgrade

Exhibit E – Repayment Plan

Exhibit A

Park City Ice Arena De-Ox Evaluation

Matt Abbott 8/28/2013

	Process Description	Gas Consumption/flood (m3)	Water Electrical Consumption/flood (kWh)	Refrigeration Electrical Consumption/flood (kWh)	GhG Emissions/flood (kg eCO2)	Cost/Flood
Hot Water	Ice Resurfacer is filled with hot water to reduce air bubbles	5.75	0.67	545.47	130.95	\$ 25.95
De-Ox	Ice Resurfacer is filled with water that has been under a vacuum removing all air	-	0.06	343.62	21.57	\$ 15.47
Difference		(5.75)	(0.61)	(201.85)	(109.38)	\$ (10.48)

Analysis

De-ox annual GHG emission reduction	438	T eCO2
De-ox simple payback	0.60	yrs

Inputs

Water/flood	681.374	L
Cp water	4.19	kJ/kg.K
Conversion	1.05	kJ/Btu
energy NG	35323	Btu/m3
GHG NG	1.88	kg eCO2/m3
GHG Hydro	0.22	kg eCO2/kWh
T incoming	5	deg C
T outgoing	65	deg C
Tank Efficiency	80%	
Energy required	$Q = m * Cp * (Ti - To)$	J
Gas rate	0.239	\$/m3
Hydro rate	0.045	\$/kWh
De-ox system cost	\$25,000.00	
Floods/yr	4000.00	

Notes:

Electrical consumption of Hot water tank is from 1/2hp recirc pump running 24/7 = 2678.4kWh/yr

Electrical consumption of De-ox calculated from energy monitoring results of 7.215kWh for 115 floods

Floods/yr based on 80/week for 28 weeks, plus 115/month for three months, no ice for two months in summer

Refridgeration demand 200 hp = 150 kW

Markham Centennial Arena							
Resurfacing ice with Ice Make Water <130°F							
	Jul-08		Aug-08		Sep-08		Total
Compressor #1	28431		29344		29773		1342
Compressor #2	17007		17160		17259		252
Compressor #3	16088		16097		16106		18
Total Hours							1612
Floods for the period							447
Compressor hour/flood Average with hot water							3.606264
Resurfacing ice with Ice Make Water <130°F							
	Jul-09		Aug-09		Sep-09		Total
Compressor #1	31477		31944		32186		709
Compressor #2	19577		20025		20226		649
Compressor #3	17588		17743		17869		281
Total Hours							1639
Floods for the period							447
Compressor hour/flood Average with hot water							3.666667
De-Ox System installed in spring of 2010 Water <80°F							
	Jul-10		Aug-10		Sep-10		Total
Compressor #1	34810		35030		35415		605
Compressor #2	22617		22817		22980		363
Compressor #3	19521		19524		19577		56
Total Hours							1024
Floods for the period							447
Compressor hour/flood Average with Degassified Water							2.29083

Park City Ice Arena
Attn Chanz Skeffington
600 Gilmore Way
Park City Utah 84060
(435) 615-5700

February 26, 2014
Ice Arena

Desired Outcome: Eliminate the need for the low efficiency boiler and large storage tank creating an additional redundancy by leaving them in place, free heat the ice make water Reverse Osmosis system as much as possible from the chiller de-superheater, secondary heat path will be to the snow melt pit, and the third heat path will be to the domestic hot water storage tank, thus allowing for 100% capture and use of the chiller superheat. Allow for connection of the new de-gassing system treating the ice make water creating an additional redundancy of the RO system. Eliminate the need for the low efficiency boiler, electric water heater, boost pump for the Rinnai bank, and improve overall water heating efficiency, including the additional superheat, improve water flow rates and system pressure for the building.

Circulation of the Ammonia chiller de-superheater to pre heat the ice make water post reverse osmosis this will provide indirect heating already being produced by the chiller during the freeze process.

Estimated production at a 50 degree rise with 120 degree de-superheater (220 degree refrigerant discharge temperature) water is between 200-265 gallons per hour, with 90 degree de-superheater water temps approximately 100 gph. This can save approximately 178 cubic feet of natural gas per hour during production and increase the chiller condensing capacity by up to 15% increasing its overall efficiency and capacity during the summer months.

Utilize a 120 gallon Smart Tank with the de-superheater in parallel to the snow melt pit to indirectly heat an 100 gallon mass of water prior to delivering it to the reverse osmosis tank. Include an additional 120 gallon Smart Tank to allow for the third use of the heat gained from the chiller de-superheater circulating to the domestic system new insulated lines will be ran back to the domestic water side.

Install a high efficiency condensing boiler that will allow R/O water heating –or- snow melt pit heating even if the Ammonia chiller does not provide enough heat or is offline. The configuration will allow both to be serviced at once or the full boiler capacity directed at either primary use.

Insulate the Reverse Osmosis tank (requiring it to be drained to install high density foam board below the tank) with faced wrap to minimize heat loss to the room ambient as it will be heated via the de-superheater or boiler coupled with the indirect tank.

Install a new high efficiency boiler and indirect hot water tank retaining the existing indirect hot water tank but eliminating the electric water heater, the electric water heater was contributing heat to the domestic and the RO, it is a poor configuration and a very inefficient means of adding an inconsequential amount of heat.

Include an additional 120 gallon Smart Tank to allow for the third use of the heat gained from the chiller de-superheater circulating to the domestic system, new insulated lines will be ran back to the domestic water side. (From above but actually contributes to the domestic hot water so shown again here in red to show that the benefit is to domestic hot water)

Re-pipe the existing hot / soft water piping which is currently very restricted and supplies the Rinnai units first causing a higher than necessary temperature rise and water flow restriction. Remove unnecessary fittings and upsize the piping coming from the soft water system then parallel pipe the two indirect water heaters then out to the Rinnai which would run with a much lower temperature rise.

Redundancy would be accomplished between the High efficiency boiler and the Rinnai units, the low efficiency boiler could also serve as an additional redundancy, as would the ammonia chiller de-superheat output when not used by the other systems.

With the Rinnai units piped series parallel secondary to the boiler, the temperature rise they are being required to overcome will be lowered from the current 80 degrees to 30 degrees the GPM output would improve from 4 GPM to 10 GPM per unit with the parallel configuration allowing 20 GPM at the low rise. The floor mount booster pump currently running 24 hours a day could be eliminated saving substantial energy; it would no longer be required to overcome the pressure drop.

The new boiler will be a modulating high efficiency boiler running between 95% and 98% efficiency depending on firing rate compared to the existing boilers current operating efficiency of 68% to 78%.

This will include a minimum initial efficiency savings of 17% due to boiler efficiency over the existing boiler and continuous water heaters. There will also be an efficiency gain from the modulation of the boiler of 7-9%. Eliminating the circulating pump will reduce electrical consumption by 43 kwh per day (1.8kw x 24hrs) and the removal of the electric water heater will provide an estimated 220 kwh per day (40kw x 5.5hrs)

Many other efficiency improvements are difficult to quantify such as pumping efficiency increases with piping changes, but they do exist and will substantially add to the overall efficiency of the improvements.

Includes: three indirect water tanks, two Lochinvar Knight KBN211 high efficiency boilers, piping, valves, pumps, controls, additional glycol, insulating the new heat lines, R/O tank, and the new water lines, labor

Total \$ 35,248

Lochinvar KBN211	\$5,625 each
Triangle Smart 120	\$2,642 each
Grundfos UP26-150	\$446 each
Grundfos UP26-99	\$286 each
Grundfos UP15-58	\$185 each

Labor - Park City Diagnostic fee \$110
Flat Rate or hourly at \$75 per hour
Warranty of 1 year parts and labor by contractor
Additional material warranties by Manufacturer

We are anticipating a shutdown of the chiller system for one day or less, a shutdown of the domestic hot water of one full day, 3-4 short term shutdowns of 1 hour or less, and a shutdown of the reverse osmosis production of one full day or less.

Any alteration or deviation from specifications involving extra costs will be an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents, or delays beyond our control. Owners are responsible for insurance covering acts of God, man or nature including but not limited to lightning, flood, fire, terrorism, or vandalism. Seller's Workman's Compensation and Public Liability Insurance provided by Farmers Insurance Group.

Respectfully submitted,

Troy Howard
Central Valley Mechanical

I have the authority to order the above work and do so order as outlined accepting all above conditions and specifications and upon being invoiced agree to abide by all terms.

Authorized Signature: _____

Date: _____

Terms: 50% down Net on completion

Unless otherwise stated above all invoices will be paid within 15 days of billing, and a FINANCE CHARGE OF 1.5% PER MONTH APR OF 18% will be paid on any account balance remaining. Returned checks will be charged \$20.00. Further, all collection costs, legal and attorneys' fees will be paid by delinquent accounts. Seller retains title to any materials or equipment provided until final and complete payment is made, and shall be held harmless for any damages incurred in the removal thereof. This proposal may be withdrawn by "us" if not accepted within 20 days.



Central Valley Mechanical

Central Valley Mechanical LLC
190 South Main Nephi, Utah 84648
435-623-4121 fax 435-417-0157
UT Lic# 322038-5501

**Park City Ice Arena
Attn Chanz Skeffington
600 Gillmor Way
Park City Utah 84060
(435) 615-5705**

**February 27, 2014
Rebate Contingency Quote**

Yaskawa Z1000 PWM Variable Frequency Drive installed on the Cool Floor 30 HP Brine Pump

***Includes Electrical connections, programming, start-up and testing
Total \$7610***

***Start-up by factory technician which extends the warranty to 3 years (recommended)
Add \$850***

***Contingency for Start-up technicians travel costs and additional control wiring
Add \$1500***

Subtotal for Brine Pump VFD: \$9960

***Add injection and mixing control pump to the RO system and a contingency for a boost pump to maintain 80 psi along with ancillary plumbing required for the DeOx system
Add \$1560***

Subtotal for RO System Optimization: \$1560

***Contingency for the snowmelt pump to be stopped and started by temperature including thermistors and controller, pump, and ancillary piping for continuity with the de-superheater and boiler
Add \$1971***

Subtotal for Snowmelt Pump Cycle Control: \$1971 plus labor see below

Contingency for work required to be performed during Non-Business hours; additional \$25/hr

Add up to \$1000 ;Not to exceed 40 Hours

Total Rebate Contingency Costs: \$14491

Any alteration or deviation from specifications involving extra costs will be an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents, or delays beyond our control. Owners are responsible for insurance covering acts of God, man or nature including but not limited to lightning, flood, fire, terrorism, or vandalism. Seller's Workman's Compensation and Public Liability Insurance provided by Farmers Insurance Group.

Respectfully submitted,

Troy Howard
Central Valley Mechanical

I have the authority to order the above work and do so order as outlined accepting all above conditions and specifications and upon being invoiced agree to abide by all terms.

Authorized Signature: _____ Date: _____
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Unless otherwise stated above all invoices will be paid within 15 days of billing, and a FINANCE CHARGE OF 1.5% PER MONTH APR OF 18% will be paid on any account balance remaining. Returned checks will be charged \$20.00. Further, all collection costs, legal and attorneys' fees will be paid by delinquent accounts. Seller retains title to any materials or equipment provided until final and complete payment is made, and shall be held harmless for any damages incurred in the removal thereof. This proposal may be withdrawn by "us" if not accepted within 20 days.

Park City Ice Arena Efficiency Upgrade Payment Plan Exhibit F

Park City Ice Arena (PCIA) will pay back 75% of monthly savings of 12 payments per year until loan is fully paid back. In addition to the loan a total interest of 5% of the total project will be paid to support PC Sustainability goal increase the principle total of the Environmental Loan Fund. The loan is estimated to be paid in full in less than 5 years, including the 5% total interest of the loan amount.

1. PCIA will make a monthly inter-fund transfer of 75% of the savings over the previous year's use for that month based on a reduction in Natural Gas volume and kWh in this year's dollars until the fund is reimbursed. So, if we save 100 DTH at \$1.00 per DTH, we pay \$75 to the fund. If there are measureable savings in electricity use, we'll use the same formula.
2. At the end of the fiscal year, we'll meet again to review the total savings vs. the total payments ice has made, and make another transfer of 50% of the difference. So, if we've saved \$10K and paid \$7500, we'll pay ½ of the \$2500 difference.
3. After the loan is repaid in full, we'll contribute an additional 5% of total amount of the loan over # of months' the payments take to pay back to the fund based on the same formula as in #1.
4. Any rebates determined by power or gas utility service providers will be shared at the same rate; 75% of the rebate will go towards payment of the total loan to reduce the principle while 25% of the rebate will go towards reducing PCIA subsidy for the same budget year.

The ice arena will see 25% of the savings until the loan is paid, but at least it will be something to help us towards our goal of 100% total operations cost recovery while paying the loan principle. If the savings are higher than anticipated, we pay back the loan faster as currently projected. The initial recovery in cost savings will help manage the time or realized savings and costs of fine-tuning the operation of the new system and make it as efficient as possible. We will strive for optimal efficiency by the end of the loan and will realize relative savings accordingly. The 5% "interest" would be guaranteed, but the additional cost savings percentage could yield additional money for the fund in less time.

Degasifying System=	\$23,018	
Water Heating System Upgrade=	\$35,248	
Rebate Contingencies=	\$14,491	
Estimated Loan amount =	<u>\$72,757</u>	
Est. Rebate based on Exhibit E:		(\$12,923) Rebate Estimate upon completion
75% Rebate applied to loan amount	(\$9,692)	
25% Rebate applied to PCIA Costs		(\$3,231)
Estimated Loan Amount post rebates	\$63,065	
5% total Fund increase of Loan=	\$ 3,638	
Est. Total amount to be paid back=	<u>\$66,703</u>	
Est. Annual utility savings of 22%		\$22,000
Estimated Monthly Savings	\$ 1,834	
Est. Monthly Payments @75%	\$ 1,375	
Est. Initial PCIA Annual Savings		(\$ 5,508)
Est. Total Monthly Payments=	48.5 mos. /4+ years	
Actual Annual Savings		TBD
50% Actual Annual Savings Paid to Loan		TBD
Total Cost=Actual Loan Amt.		TBD
Actual Monthly Payments		TBD

**PARK CITY REDEVELOPMENT AGENCY DRAFT
SUMMIT COUNTY, UTAH
JANUARY 9, 2014**

I. ROLL CALL Chairman Jack Thomas called the regular meeting of the Redevelopment Agency to order at the Marsac Municipal Building on Thursday, January 9, 2014. Members in attendance were Jack Thomas, Andy Beerman, Tim Henney, Liza Simpson, Dick Peek and Cindy Matsumoto. Staff present were Diane Foster, Executive Director; Mark Harrington, City Attorney, Matt Dias, Assistant Executive Director; Marci Heil, Secretary

II. PUBLIC INPUT- None

III. MINUTES OF MEETING FOR JUNE 20, 2013, NOVEMBER 14, 2013 and DECEMBER 12, 2013

Board member Peek moved to approve the minutes from the June 20, 2013, November 14, 2013 and December 12, 2013 meetings.

**Board member Beerman seconded
Approved unanimously**

IV. CONSENT AGENDA

1. Resolution establishing a regular meeting date, time, and location for 2014 meetings and appointing officers of the Board of Directors of the Park City Redevelopment Agency

Board member Simpson moved to approve a resolution establishing a regular meeting date, time, and location for 2014 meetings and appointing officers of the Board of Directors of the Park City Redevelopment Agency

**Board member Peek seconded
Approved unanimously**

V. ADJOURNMENT INTO MBA

**Board member Simpson moved to adjourn the RDA meeting.
Board member Matsumoto seconded
Approved unanimously**

Redevelopment Authority Staff Report



Author: Jonathan Weidenhamer & Matthew Twombly
Subject: Library and Education Center Building Remodel
- Award of Professional Services Provider contract
Date: April 17, 2014
Type of Item: Administrative - Award of Contract

Sustainability

Summary Recommendation –

Staff requests authorization to proceed with the procurement of the long lead items for the Library and Education Center Building Remodel Project and authorize the City Manager to enter into a Construction Manager at Risk Agreement in a form approved by the City Attorney's Office with Okland Construction Inc. for a Guaranteed Maximum Price of One million seventy four thousand one hundred sixty dollars **(\$1,074,160)**.

Topic: Library and Education Center Building Remodel Project.

Background:

On December 19, 2013 Council awarded the Preconstruction Services Contract to Okland Construction. The Preconstruction Services contract with Okland provided the project team with an in depth analysis of the costs of construction, costs for LEED certification and other green building envelope concepts and costs. Based on the work by Okland and the project team staff returned to Council on February 13, 2014 with a finalized budget and recommendation to proceed with the Library and Education Center Remodel project.

At the February 13, 2014 Council meeting there was significant discussion regarding the budget, green initiatives and where to move and operate the Library during the course of construction. The final direction from Council was to proceed with the Carl Winter's School Building remodel with a budget of \$6.82M for construction (\$9.32M total with soft costs) and proceed with the project this spring in order to get the Santy Auditorium open for Sundance.

One of the key components to meeting the timeline is the procurement of long lead items such as the elevator, the steel, demolition and early mobilization. This phasing of the project and breaking up of the Guaranteed Maximum Price (GMP) was used on the Ice Arena project and more recently on the Main Street projects in order to meet the project timelines for completion, to procure long lead items and to lock in pricing on major commodities that could substantially inflate such as steel and concrete. The GMP identifies the final construction budget that the General Contractor commits to completing the project within.

As defined in the City's purchasing policy a (CM/GC) Construction Manager/General Contractor is a contractor who enters into a contract for the management of a

construction project when that contract allows the contractor to subcontract for additional labor and materials that were not included in the contractor's cost proposal submitted at the time of the procurement of the Construction Manager/General Contractor's services. The Construction Manager will implement all bid packages and subcontractors under a competitive bid requirement as required in the City's purchasing policy. The purchasing policy requires that the Project Manager will attend the award of all subcontracts which meet the threshold requirements in which the State Code (and our purchasing policy) requires a formal bid if it was bid individually.

Analysis:

Because the project is complex and on a tight schedule, the project team recommended that Okland pre-qualify all potential subcontractors on the project consistent with our procurement policy. The prequalification ensures that the project will not be delayed due to irresponsible bidders. The Request for Qualifications (RFQ) for subcontractors was advertised on March 8th and March 12th, 2014 in the Park Record and in the Salt Lake Tribune on March 8th and 9th. Additionally, the Request for Qualifications was posted on the City's website and at utahlegals.com. The Bid package #1 was released to the prequalified bidders on March 25, 2014. The subcontract bids for Bid Package #1 including demolition, steel, and elevator were opened at 2:00 PM on April 10, 2014 consistent with City's contracting and purchasing policy.

The Guaranteed Maximum Price proposal of \$1,074,160 from Okland includes the subcontracts, and general contractor costs including insurance, bonds, and the construction manager's fee of 2%. The Phase 1 Guaranteed Maximum Price does not include the Pre-construction Services fee of \$19,948:

What	\$
Sub contracts	
Steel	391,700
Demo	427,674
Carbon	133,663
Elevator	85,400
Sub Total	1,038,437
General Contractor	
Fee (2%)	20,769
Insurance	9,554
Bonds	5,400
total	1,074,160

Schedule

Construction Timeline		
date	what	comment
March 24	Phase 1 construction docs done	This is for structural steel, elevator, interior demolition.
April 10	Phase 1 bid opening	
April 17	Council to consider authorizing staff to enter into contract for library move	
April 17	Council to consider award of contract for Phase 1 Guaranteed Max Price (GMP)	
April 29	Phase 2 Construction docs done	This is for the majority of the project
May 12	Begin library move	
May 16	Phase 2 Project Bid Closes	This is for the majority of the project
May 19	Okland submits Guaranteed Max Price for library renovation	
May 23	Complete move, open at Miners	
May 29	Council to consider award of contract for Phase 2 GMP	
June 3	Construction starts	
Jan 5	Sundance takes occupancy of 3rd Floor of CW building	Certificate of Occupancy required

Historic District Design Review Process

The architect has been focused on preparation of the phase one construction documents as a priority. Now that that package has been bid out, he has turned his focus to completing the Historic District Design Review Process prior to completing the phase 2 package. With an appeal period being built in the following timeline is estimated:

HDDR Timeline*		
date	what	
April 16	Planning determines HDDR application complete	
April 25	Close of 2 week public opportunity to provide input	
April 30	Staff holds Admin. Public Hearing	
May 1	Staff starts formal admin. Guideline review	
May 7	HPB input on project	
May 8	Staff determination of compliance with Guidelines	
May 18	10 day appeal period of staff determination closes	
May 29	Staff presents HPB input on project to City Council (if nec.)	
June 17	Board of Adjustment Hearing of any appeal of staff determination of compliance	
*This timeline is only the opinion of the Economic Development Staff. Confirmation of progress can only be verified by Planning based on meeting		

The construction schedule anticipates mobilization by Okland on June 3. If appealed the final determination of compliance with the Historic District Guidelines wouldn't be completed until June 17, 2014 by the Board of Adjustment. In preliminary conversations with the Building and Planning Departments we recognize this issue and have

conceptual support to proceed with interior work only until finalization of the design review process. In the case of an appeal, the structural steel and elevator design, purchase and installation wouldn't be affected. The only component that we would affect would be timing of exterior demolition.

Timing

On December 19, 2013 we delayed the decision to move forward with the project until January 9, 2014. This suspended our progress on the design and construction documents. On January 9, 2014 we also agreed to address the building envelope and roof to make the project more environmentally friendly. Final decision to proceed wasn't given until February 13, 2014. These green elements add approximately 9 weeks of work to the project scope. Due to the delay in progress on the construction documents, and the increased scope we are on a very tight timeline to gain occupancy of the third floor in time for the 2015 Sundance Film Festival.

Procurement of long lead items for the library is a critical step required if we intend to proceed with the project this year. Delay for a few weeks or waiting until May 29 to wrap into the guaranteed maximum price for the entire project is not an option if we want to have the 3rd floor open for the Film Festival.

The only alternative would be to delay the project until spring of 2015, which would discard all the work done to find temporary homes for the Film Series and Cooperative Preschool. Delay would also cast a serious amount of uncertainty on the project budget based on the volatility of the construction market and staff's belief that the market will continue to inflate resulting in cost increases. While hard to project it seems reasonable to forecast a range of 10 – 20% in increased cost resulting from waiting for one year.

In terms of risk, the City would not be committed to the entire \$1,074,160 if we chose not to proceed with the project in late May. Because the steel and elevator would not actually be on site at that time, we could cancel the order. We estimate vulnerability to approximately 25% of the overall phase 1 cost (\$269k) once contracts are actually released for the sub-contractors (estimated on May 5).

Department Review: This report has been reviewed by representatives of Sustainability, Legal, and the City Manager's Office and their comments have been integrated into this report.

Alternatives:

- A. Approve the request, and authorize the City Manager to enter into a Construction Manager at Risk Agreement in a form approved by the City Attorney's Office with Okland Construction Inc. for a Guaranteed Maximum Price of One million seventy four thousand one hundred sixty dollars (\$1,074,160) (Staff recommendation);**
- B. Deny the request: Council could choose to reject the Guaranteed Maximum Price proposal. This would delay the project until next Spring or indefinitely.

- C. Continue the Item: Council may feel there is not enough information to make a decision, which will delay the project until next Spring or indefinitely.
- D. Do Nothing: Same effect as continuance.

Significant Impacts:

Staff seeks Council's authority to enter into a guaranteed maximum price for phase 1, prior to authorization of a guaranteed maximum price for the entire Carl Winters remodel project (phase 2), anticipated for Council consideration on May 29, 2014. The budget Council has authorized to date for total construction is \$6.82M:

Architect's Budget	
ITEM	COST ESTIMATE
Estimated Construction Costs	\$ 6,820,174.00
Soft Costs - Fees for Construction	\$ 715,617.23
Soft Costs - FF&E Items	\$ 1,301,028.75
Soft Costs - A/E Fees	\$ 485,500.00
TOTAL ESTIMATED PROJECT COSTS:	
CURRENT PROJECT APPROACH	\$ 9,322,319.98
cost/sf	\$ 232

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	+ Balance between tourism and local quality of life + Varied and extensive event offerings (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome)	+ Abundant preserved and publicly-accessible open space - Reduced municipal, business and community carbon footprints (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome)	+ Preserved and celebrated history; protected National Historic District + Skilled, educated workforce + Entire population utilizes community amenities + Community gathering spaces and places + Vibrant arts and culture offerings (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome)	+ Well-maintained assets and infrastructure (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome)
Assessment of Overall Impact on Council Priority (Quality of Life Impact)	Positive 	 Neutral	Very Positive 	Positive 
Comments: Events and accessibility may have temporary negative impacts during construction, but the improvements are positive in the long term. Storm water improvements will have a neutral effect on water quality. The carbon footprint will be neutral even though more resources are used due to the maintenance and lifecycle costs of the materials we are considering for Main Street. The historic side is neutral in that we will celebrate historic sites and provide information, but many may consider the improvements less than desirable as historic.				

Funding Source:

There is currently \$6.82 million budgeted for construction in the overall \$9.32 million project. Staff anticipates returning to Council May 29, 2014 with a final Guaranteed Maximum Price (GMP) for the remainder of the construction contract. The project team will work with Okland to make sure the final Guaranteed Maximum Price is within the \$6.8 million budgeted.

Staff Recommendations:

Staff requests authorization to proceed with the procurement of the long lead items for the Library and Education Center Building Remodel Project and authorize the City Manager to enter into a Construction Manager at Risk Agreement in a form approved by the City Attorney's Office with Okland Construction Inc. for a Guaranteed Maximum Price of One million seventy four thousand one hundred sixty dollars (\$1,074,160).

Redevelopment Authority

Staff Report



Author: Matthew Twombly
Subject: Library and Education Center Building Remodel
- Moving Agreement
Date: April 17, 2014
Type of Item: Administrative – Approval of Moving Services Agreement

Sustainability

Summary Recommendation:

Staff requests authorization to proceed with the move of the Library to their interim location at Miners Hospital during the Carl Winters/Library remodel, and authorize staff to enter into a moving agreement with Bailey's Moving in the amount of Ninety Three Thousand Five Hundred Seventy Four Dollars. **(\$93,574)**

Topic: Library Move.

Background:

On December 19, 2013 Council awarded the Preconstruction Services Contract to Okland Construction. The Preconstruction Services contract with Okland provided the project team with an in depth analysis of the costs of construction, costs for LEED certification and other green building envelope concepts and costs. Based on the work by Okland and the project team staff returned to Council on February 13, 2014 with a finalized budget and recommendation to proceed with the Library and Education Center Remodel project.

At the February 13, 2014 Council meeting there was significant discussion regarding the budget, green initiatives and where to move and operate the Library during the course of construction. The final direction from Council was to proceed with the Carl Winter's School Building remodel with a budget of \$6.82M for construction (\$9.32M total with soft costs) and proceed with the project this spring. The budget included \$400,000 for "move management" of the current building users including the Library, the Park City Cooperative Preschool and the Park City Film Series. The Council also directed staff to move and operate the Library out of the Miner's Hospital.

Staff is working with all the tenants to find temporary space during the remodel project. We have tentatively located temporary spaces for each of them and will be returning shortly to Council to consider leases to accommodate their temporary situations and return to the new building.

Prior to the February 13, 2014 meeting staff contacted Bailey's Moving and Storage, one of the three State of Utah Division of Purchasing Cooperative Contracts vendors to get an estimate for the move of the Library to several sites considered for the move and this estimate was used in the budget prepared for the February 13, 2014 meeting. Since that meeting staff spent considerable time trying to design the available spaces we will use to house the temporary library function including: The Miner's Hospital for

the primary customer function; Two ½ bays at the old Fire Station on Park Ave. for on-call book storage; and The little green house next door to the south of the Fire Station for library staff, administrative functions and Friends of Library storage and City Hall for the remaining books.

Analysis:

Securing a moving company in May is a difficult time. It is a very popular time to move. Bailey's for obvious reasons is anxious for us to enter into the contract, but waiting until early May to decide isn't an option. Bailey's will only hold their estimate until April 18, 2014. The \$93,574 is only for the one way move of the Library, Friends of the Library and Miner's furnishings to the four locations noted above. It includes the Library shelving, books, some furnishings and desks, and Friends of the Library books, shelving and materials, as well as, furnishings at the Miner's into City provided storage units on site.

Staff decided to use Bailey's for several reasons. The biggest reason staff chose Bailey's was based on their specific experience moving libraries. They provided a series of positive, outside references of other Library moves. Another reason for choosing Bailey's is the size of their Salt Lake Office and ability to provide resources for the move, specifically labor and equipment. One of the biggest challenges with our move is the Miner's Hospital where there are only stairs to the 2nd and 3rd levels. This will require a significant amount of labor to move the books efficiently up the stairs. The move is anticipated to occur on May 12th through May 23rd, 2014.

Department Review: This report has been reviewed by representatives of Sustainability, Legal, and the City Manager's Office and their comments have been integrated into this report.

Alternatives:

- A. Approve the request, and provide authorization to proceed with the move of the Library and authorize staff to enter into a moving agreement with Bailey's Moving in the amount of Ninety Three Thousand Five Hundred Seventy Four Dollars. (\$93,574)**
- B. Modify the request: Any modification will delay the library move and delay the remodel project.
- C. Deny the request: Council could choose to not continue with the project at this time.
- D. Continue the Item: Council may feel there is not enough information to make a decision, which will delay the project and the proposed schedule.
- E. Do Nothing: Same effect as continuance.

Significant Impacts:

Staff seeks Council's authority to make this purchase prior to authorization of a Guaranteed Maximum Price for the entire library remodel project, anticipated for Council consideration on May 29, 2014.

On December 19, 2013 we delayed the decision to move forward with the project until January 9, 2014. This suspended our progress on the design and construction documents. On January 9, 2014 we also agreed to address the building envelope and roof to make the project more environmentally friendly. These green elements add approximately 9 weeks of work to the project scope. Due to the delay in progress on the construction documents, and the increased scope we are on a very tight timeline to gain occupancy of the third floor in time for the 2015 Sundance Film Festival. Procurement of a mover for the library is a critical step required if we intend to proceed with the project this year. Delay for a few weeks is not an option due to the scope of construction and the start date of the Film Festival.

Failure to secure a contract at this time may result in higher chargers and/or project delays.

Schedule:

Construction Timeline			
date		what	comment
March	24	Phase 1 construction docs done	This is for structural steel, elevator, and demolition.
April	10	Phase 1 bid opening	
April	17	Council to consider authorizing staff to enter into contract for library move	
April	17	Council to consider award of contract for Phase 1 Guaranteed Max Price (GMP)	
April	29	Phase 2 Construction docs done	This is for the majority of the project
May	12	Begin library move	
May	16	Phase 2 Project Bid Closes	This is for the majority of the project
May	19	Complete move, open at Miners	
May	19	Okland submits Guaranteed Max Price for library renovation	
May	29	Council to consider award of contract for Phase 2 GMP	
June	3	Construction starts	
Jan	5	Sundance takes occupancy of 3rd Floor of CW building	Certificate of Occupancy required

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	+ Balance between tourism and local quality of life + Varied and extensive event offerings (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome)	+ Abundant preserved and publicly-accessible open space - Reduced municipal, business and community carbon footprints (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome)	+ Preserved and celebrated history; protected National Historic District + Skilled, educated workforce + Entire population utilizes community amenities + Community gathering spaces and places + Vibrant arts and culture offerings (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome)	+ Well-maintained assets and infrastructure (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome)
Assessment of Overall Impact on Council Priority (Quality of Life Impact)	Positive 	 Neutral 	Very Positive 	Positive 
Comments: Events and accessibility may have temporary negative impacts during construction, but the improvements are positive in the long term. Storm water improvements will have a neutral effect on water quality. The carbon footprint will be neutral even though more resources are used due to the maintenance and lifecycle costs of the materials we are considering for Main Street. The historic side is neutral in that we will celebrate historic sites and provide information, but many may consider the improvements less than desirable as historic.				

Funding Source:

There is currently approximately \$400,000 budgeted within the soft costs of the \$9.2 Million budgeted for the Library and Education Center Building Remodel project "Move Management" out of the Lower Park Avenue RDA tax increment funds. Sustainability, Library and other City staff resources will be required to complete the project.

Staff Recommendations:

Staff requests authorization to proceed with the move of the Library and authorize staff to enter into a purchase order with Bailey's Moving in the amount of Ninety Three Thousand Five Hundred Seventy Four Dollars. **(\$93,574)**