

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
DECEMBER 16, 2010**

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, December 16, 2010.

Closed Session

1:30 p.m. Property and litigation

Work Session

3:30 p.m. Council questions/comments

3:40 p.m. *Budgeting for Outcomes* prioritization update P. 4 - 26

4:40 p.m. 657 Park Avenue recap and preservation practices P. 27 - 54

- Public input

5:50 p.m. Break

Regular Meeting

6:00 p.m.

I ROLL CALL

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

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

IV 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 under "Additional Discussion – Agenda Items"*)

1. Consideration of award a three year contract for state lobbying services to Legislative Executive Consulting, LLC (David Stuart) for \$80,000 per year in a form to approved by the City Attorney P. 55 - 57

2. Consideration of Resolution in Support of 2009 IECC Building Standards P. 58 - 60

3. Consideration of authorization of the following Insurance premium payments for the 2011 City insurance placement covering a one-year period January 1, 2011 through January 1, 2012, and crime insurance covering a three year period from January 1, 2011 through January 1, 2014: P. 61 - 65

(a) \$111,933 to States Self-Insurers Risk Retention Group, Inc. for public entity broad form liability insurance

(b) \$2,905 to States Self-Insurers Risk Retention Group, Inc. for Potable Water Treatment Operations insurance supplement;

(c) \$139,389.00 to Workers Compensation Fund for workers compensation insurance;

(d) \$73,583 to Lloyds of London for property insurance;

(e) \$7,394 to Zurich American for boiler/machinery insurance;

- (f) \$9,782 to Travelers for Public Officials Employee Dishonesty (Crime) insurance (3 years);
- (g) \$1,238 to Hartford for property insurance covering 1255 Iron Horse Drive, leased by City through 2011

V OLD BUSINESS (Continued items)

Consideration of acceptance of Comprehensive Annual Financial Report for 2010

P. 66 - 68

VI NEW BUSINESS (New items with presentations and/or anticipated detailed discussions)

1. Consideration of a Master Festival License for Holidays in Historic Park City, as conditioned, on December 18 - 29, 2010 on Main Street and Park Avenue from 7th St. to Heber Avenue and Miners Park

P. 69 - 73

- (a) Public hearing
- (b) Action

2. Consideration of Service Provider/Professional Services Agreement with LSC Transportation Consultants, Inc. for professional services related to the preparation of an update to the Park City Short Range Transit Development Plan in an amount not to exceed \$89,830 in a form approved by the City Attorney

P. 74 - 79

3. Consideration of a Contract Change Order No. 18 to Utah Department of Transportation's (UDOT) Construction Agreement with Granite Construction for additional construction services related to the construction of Phase 2 for Bonanza Drive in an amount not to exceed \$737,344 in a form approved by the City Attorney

P. 80 - 83

4. Consideration of an Ordinance amending Title 9, Parking Code, of Park City Municipal Code Sections 9-1-2, application of the Code, 9-9-4 penalties for illegal parking, and 9-9-5 enforcement; payment, and adopting a new Chapter 10, anti-idling, prohibiting the idling of vehicles within City Limits and providing for limited exceptions

P. 84 - 95

- (a) Public hearing
- (b) Action

VII ADDITIONAL DISCUSSION – AGENDA ITEMS

VIII ADJOURNMENT

Closed Session – dinner will be served

Property and litigation

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 available in Marsac Building on Wednesdays and Thursdays – 4 p.m. to 9 p.m.

Posted: 12/13/10

See www.parkcity.org

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

December 2010

9 **Alex and Joe gone**
10 Holiday luncheon – Park City Ice Arena
16 See tentative agenda
23 **Holiday**
30 **Holiday**

January 2011

6 BFO prioritization exercise
 Pay Plan
 Debrief of Bonanza Road construction – *things learned*
 Addendums to facility leases extending terms – Library and Education Center and
 Miners Hospital
 Montage record of survey plat amendment – KW
 Tower Club record of survey plat amendment – KW
 Economic Development grant request – Business Resource Center – SLCC
 LMC amendments – KW
 8680 Empire Avenue – KW
 9100 Marsac Avenue – KW
 Award of contract for the Storm Water Master Plan
13 BFO discussion
 4th Quarter Goals
20 **No meeting – Sundance premiere**
27

February 2011

3-4 *Visioning Session*
3 **No meeting**
10
17
24

Pending Items:

Delivery ordinance
Board and commission training
Review of two year special event policy
U S Postal Service gang boxes in Old Town – MC



City Council Staff Report

Subject: Budgeting for Outcomes Update
Author: Bret Howser, Budget Officer
Department: Budget, Debt, & Grants
Date: December 16, 2010
Type of Item: Informational/Discussion

Summary Recommendations:

Staff recommends that Council hold a discussion and provide direction regarding the prioritization of City programs and services, including levels of service, in preparation for the FY 2012 budget process.

Topic/Description:

Budgeting for Outcomes

Background:

On December 2, Council began work on prioritization and service level determination of City services. Much discussion was had regarding the need for benchmarking data and the potential for obtaining this data in time to inform the Budgeting for Outcomes (BFO) process. Council agreed to delay the scheduled discussion on programs within Council Goals, and to add a BFO discussion to the agenda for January 13.

Analysis:

The analysis as it pertains to the BFO prioritization exercise remains unaltered from what was written in the staff report on Dec 2. Since that meeting, staff has endeavored to compile a handful of benchmark comparisons with other cities in the areas identified by Councilperson Kernan during work session on Dec 2. These benchmark areas and staff's recommended performance measures to be compared are outlined here:

Benchmark Area	Measure	Comparison Group(s)
Street Snow Removal	1) City streets cleared to two passable lanes (hours from end of storm)	Local; CAST
	2) Streets plowed during a storm (hours from start of storm)	Local; CAST
	3) Provide 24-hr service (Y/N)	Local; CAST
Sidewalk Snow Removal	1) City sidewalks plowed following a storm (shifts or hrs)	Local; CAST
Street/Sidewalk Maintenance	1) Avg Remaining Pavement Life for City Streets (years)	Local; CAST; LTAP
	2) % of City streets rated in satisfactory condition or better (RSL of X and higher)	ICMA
Parks/Fields Maintenance	1) Parks Acres per 1000 Pop	Local; CAST; ICMA
	2) Quality of Parks (Citizen Satisfaction Survey)	ICMA; Leisure Vision
Adult Recreation Programs Youth Recreation Programs	1) Quality of Parks & Recreation Programs (Citizen Satisfaction Survey)	ICMA; Leisure Vision
Community Policing Police Investigations	1) Sworn & Civilian FTE's per 1000 Pop	ICMA; CAST; Local
	2) # of Top Priority Calls per 1000 Pop	ICMA; CAST; Local
	3) Response Time (seconds)	ICMA; CAST; Local
	4) Part I Crimes per 1000 Pop	ICMA; CAST; Local
	5) % of Part I Crimes Cleared	ICMA; CAST; Local
	6) Arrests for Part I Crimes per 1000 Pop	ICMA; CAST; Local
	7) % of Dispatched Calls that are Top Priority	ICMA; CAST; Local

The proposed benchmarks were determined in consultation with the applicable managers. Staff has made every effort to contact local jurisdictions (such as Summit Co, Heber, Midway, Coalville, Snyderville Basin, etc.) for those measures which staff determined should be compared against a "Local" group (indicated in the chart above. In addition, staff felt that some measures would do well to be compared with other ski towns. In this event, staff worked hard over the last week and a half to contact towns in the Colorado Association of Ski Towns (CAST) to retrieve their data. In some cases, staff was successful getting others to respond in such a brief timeframe. Staff will continue to seek data from those cities/towns which have yet to respond.

In addition, staff used datasets on hand, such as the International City/County Management Association (ICMA) benchmark data from the Center for Performance Measurement (CPM), the Leisure Vision survey group, and Local Technical Assistance Program (LTAP).

The data which has been obtained is compiled and attached here as the Preliminary Benchmarking Report. In truth, this is a draft version which staff expects to update as

more cities report data, the measures are further refined, and more measures are developed and added. Admittedly, the data is a bit messy and the comparison city data available is not always ideal. A considerable amount of time and cooperation from targeted comparison cities would be necessary to refine this report into something that can be relied upon more heavily as a policy-making tool.

In the meantime, this benchmarking data is intended to inform the prioritization and service level discussion which Council should continue on December 16. Staff proposes that Council pursue the following schedule with regards to BFO prioritization discussion.

Date	Discussion Topic
Dec 16, 2010	Effective Transportation
	Recreation, Open Space & Trails
	Regional Collaboration & Partnerships
Jan 6, 2011	Open & Responsive Government to the Community
Jan 13, 2011	Quality & Quantity of Water
	Preservation of Park City Character
	Public Safety
	World Class Multi-Seasonal Resort Community
Council Visioning	Wrap-Up Prioritization & Level of Service Direction
	Revenue & Taxation Policy
	Long-Term Funding Strategy

Holiday Ranch Loop Sidewalk Snow Removal Request

Council has received a request from the public to explore winter snow operations on the newly built sidewalk on Holiday Ranch Loop. While the cost to do so is not particularly high, staff believes this is a good BFO “test case.” Staff recommends that such requests be prioritized using the BFO framework in the following manner.

- 1) When considering expanding levels of service, staff recommends that Council begin by considering which Council goals may be in need of further investment. This is purely a policy decision, but the total amount of investment and the goal’s total Cost/Benefit Index may serve as indicators to help Council with this decision.
- 2) Once certain Council goals have been identified for further investment, programs within those goals can be evaluated based on their relative prioritization (where they are vertically on the list) as well as the CB Index (which gives an indication of the relative value compared to the relative cost). Generally speaking, programs which are prioritized as “high impact” and have a high CB Index are good candidates for Council to consider investing in a heightened level of service. “Low Impact” programs with lower CB Index scores should probably not be early targets for increased level of service.
- 3) Council should direct staff to return with proposals for increased levels of service for the targeted programs in the budget process. In many cases this will involve going through the steps outlined in the Request for Elevated Level of Service

(RELS) policy (see attachment C). Staff will ultimately present a recommendation and a budget option. The City Manager will either include it in the proposed budget or not, and Council will have final say on whether the expanded level of service becomes a reality when they discuss and vote on the budget.

- 4) Council should identify a method of funding the expanded level of service in the long-run. In short, this could come from cutting the level of service elsewhere in the budget (for which staff also recommends using the BFO framework, just in reverse) or by increased revenues. Increased revenues could include natural growth of existing revenue sources (which are generally needed to cover inflation on the cost side and maintain existing levels of service) or new revenue sources such as a new or increased tax or fee, a grant, etc. This step could be done prior to, concurrently, or following step 3, but must be done at some point and should be handled within the parameters of broad City revenue and taxation policy.

With this process in mind, staff presents here some analysis to help Council follow these steps with respect to the Holiday Ranch Loop request.

Effective Transportation currently has the highest level of investment of the eight Council goals in the BFO framework. It also has the lowest total goal CB Index (0.41). While this does not mean that further investment in transportation is unwarranted, it may mean that Council would do well to consider expanded levels of service in other Council goals before transportation.

Urban Trails and Walkability was prioritized by the Results Team as a “Medium Impact” program. Council certainly has the authority to adjust this prioritization at their discretion, and may consider doing so in this case. Additionally, the CB Index for Urban Trails and Walkability is somewhat low 0.41, suggesting that much investment is already being made to this program relative to the perceived benefit. However, this program lumps together the capital cost of constructing urban trails (where the vast majority of the annual cost is applied) and the operating cost of maintaining and clearing snow from them. If these activities were separated out, the CB Indices for each may appear somewhat different. Under current circumstances, though, it would appear that there are other programs within the Transportation goal with higher prioritization and CB scores which Council may want to consider prior to distributing limited resources to expanding the level of service of Urban Trails.

The additional cost to plow Holiday Ranch Loop for 2010-11 is about \$4,000. This is a quoted price from the contractor who is currently plowing the Little Kate sidewalk for \$12,000. (This additional service quoted is due to the fact that the contractor is already on site.)

It should be noted that the contract is being used because the current sidewalk plow policy states that any additional sidewalks that may be considered need to meet certain criteria. Little Kate and Holiday Ranch Loop do not meet the criteria ‘use of existing resources.’ (We do not have enough plows/FTEs to handle this request and meet our current obligations)

If Council directs staff to pursue an expanded level of service for Urban Trails and Walkability for 2011-12, then staff will pursue the RELS process and return with a budget option in the spring which explores varying options. For a broad expansion of level of service there will likely be a request made for a new sidewalk plow (approx \$125K) and 1 FTE to replace the existing contract services. This would enable the City to provide service on Little Kate, Holiday Ranch Loop, and Comstock seven days a week. If Council directs staff to implement just the Holiday Ranch Loop portion and to implement it for the current season, Council should identify another program to cut (using the BFO framework) or identify a revenue source (likely fund balance as it is not currently anticipated that General Fund revenues will exceed budgeted levels).

Department Review:

Budget; Legal; City Manager; Economy; Public Works

Alternatives:

A. Approve:

This item is for discussion. Council may provide direction as it pertains to prioritization of City programs and services and/or service levels for inclusion in the FY 2012 Recommended Budget. Final decisions will be made as part of the Council Adopted FY 2012 Budget in June, 2011.

B. Deny:

C. Modify:

D. Continue the Item:

E. Do Nothing:

Significant Impacts:

This item is for discussion. Council may provide direction as it pertains to prioritization of City programs and services and/or service levels for inclusion in the FY 2012 Recommended Budget. Final decisions will be made as part of the Council Adopted FY 2012 Budget in June, 2011.

Consequences of not taking the recommended action:

This item is for discussion.

Recommendation:

Staff recommends that Council hold a discussion and provide direction regarding the prioritization of city programs and services, including levels of service, in preparation for the FY 2012 budget process.

Attachments:

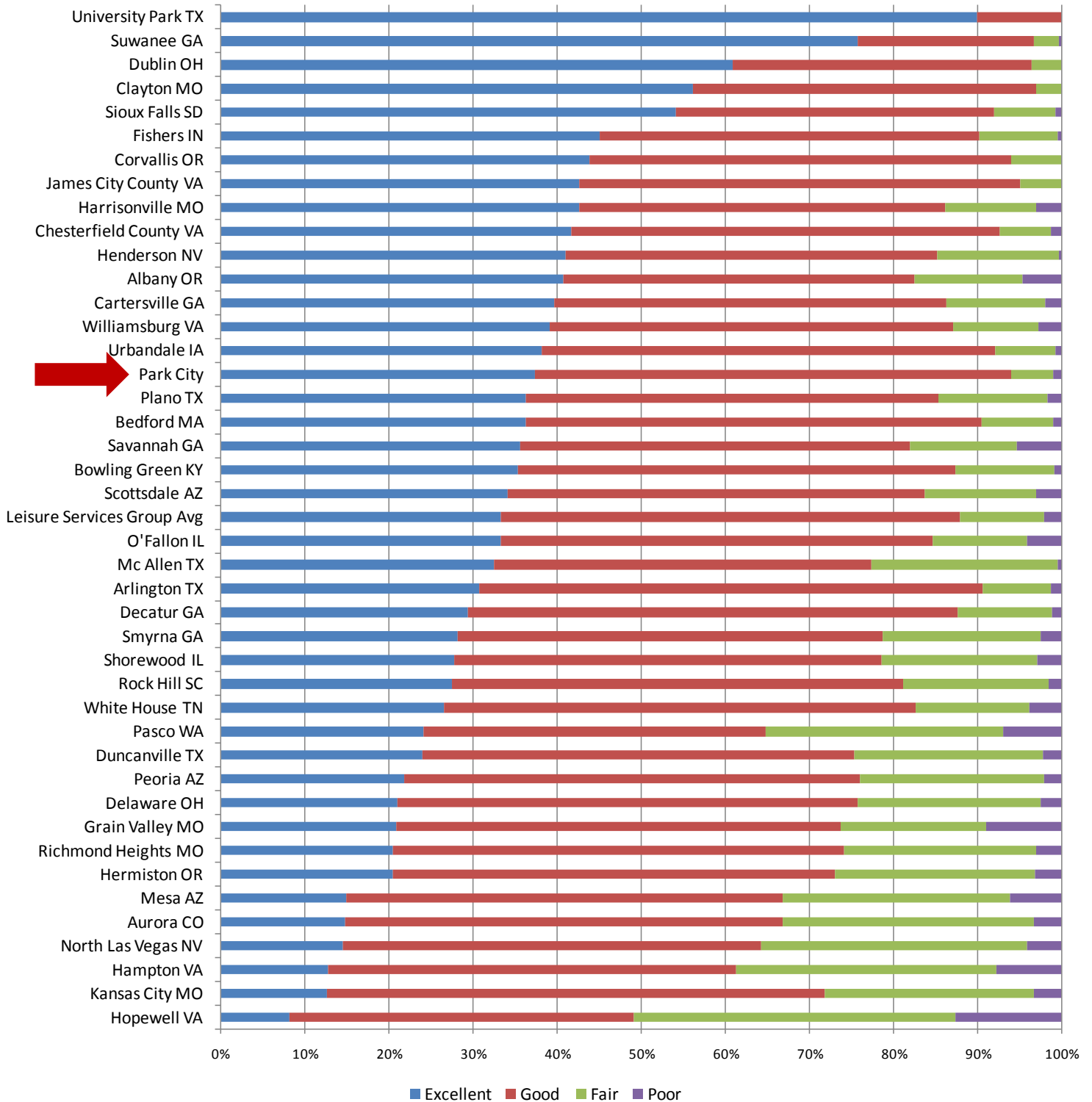
A – Preliminary Benchmarking Report

B – BFO Prioritization Worksheets

C – Request for Elevated Level of Service (RELS) Policy

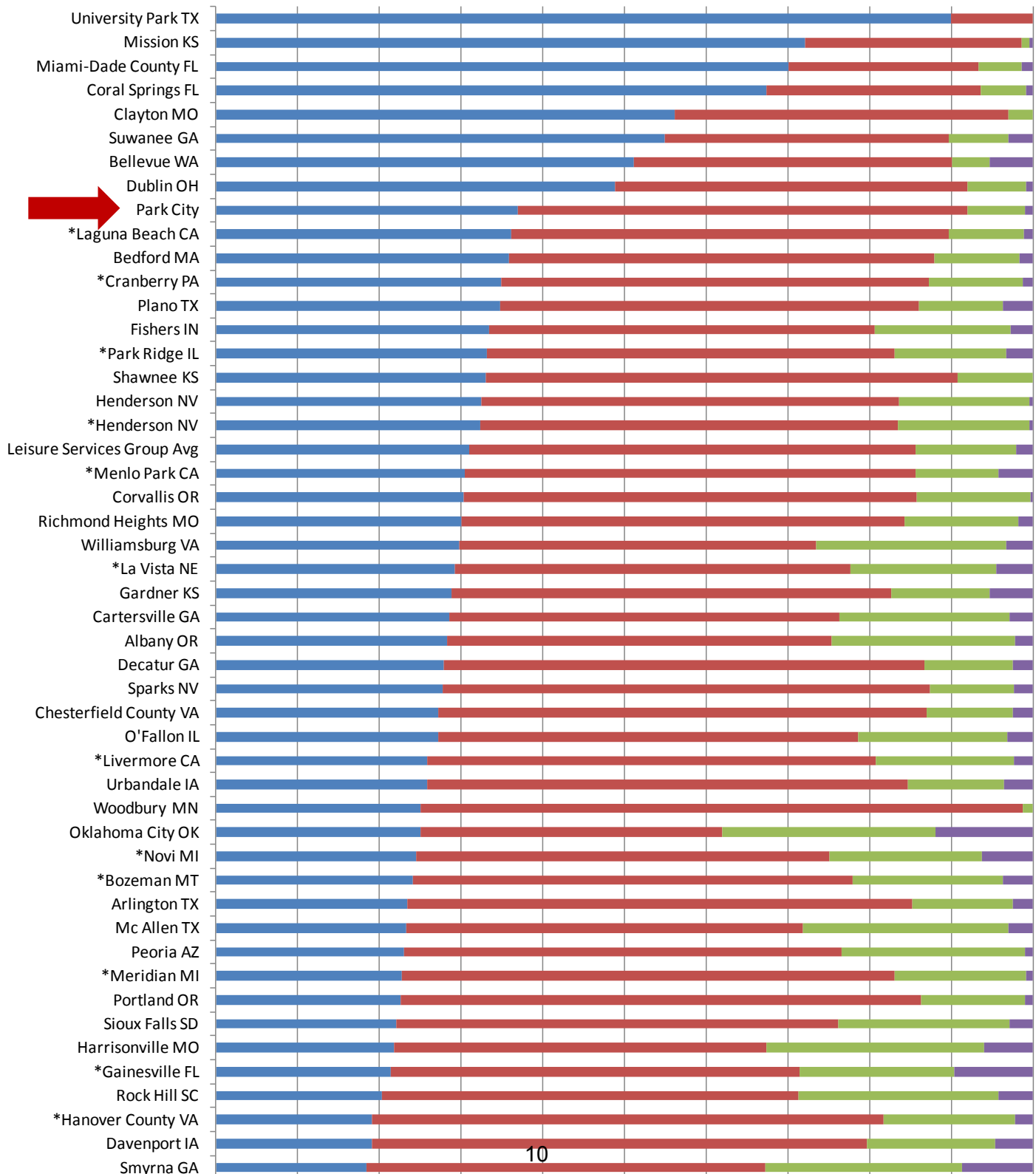
Quality of Parks

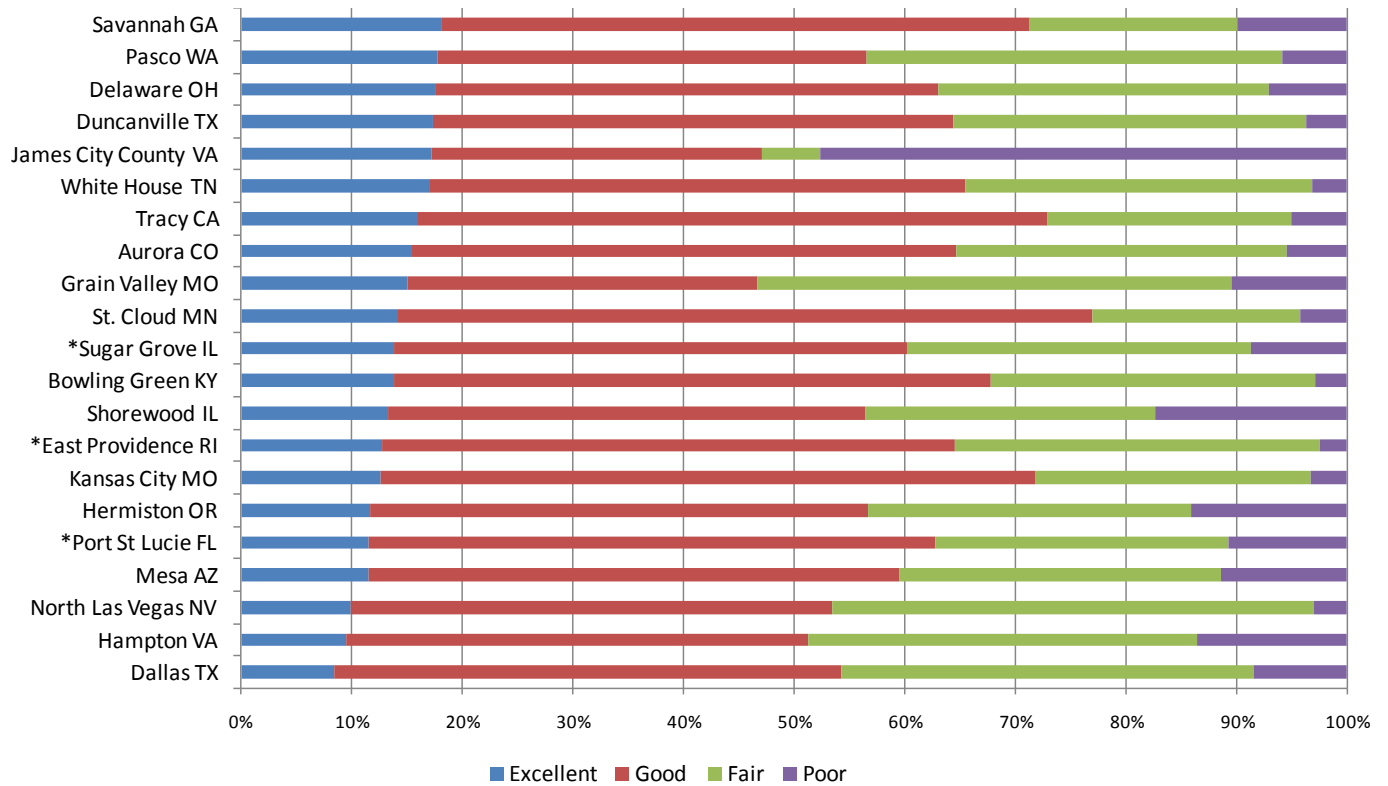
	Excellent	Good	Fair	Poor	> Fair
Park City	37%	57%	5%	1%	94%
ICMA Mean	34%	48%	15%	3%	82%
Leisure Svcs Mean	33%	55%	10%	2%	88%



Quality of Parks & Recreation Programs

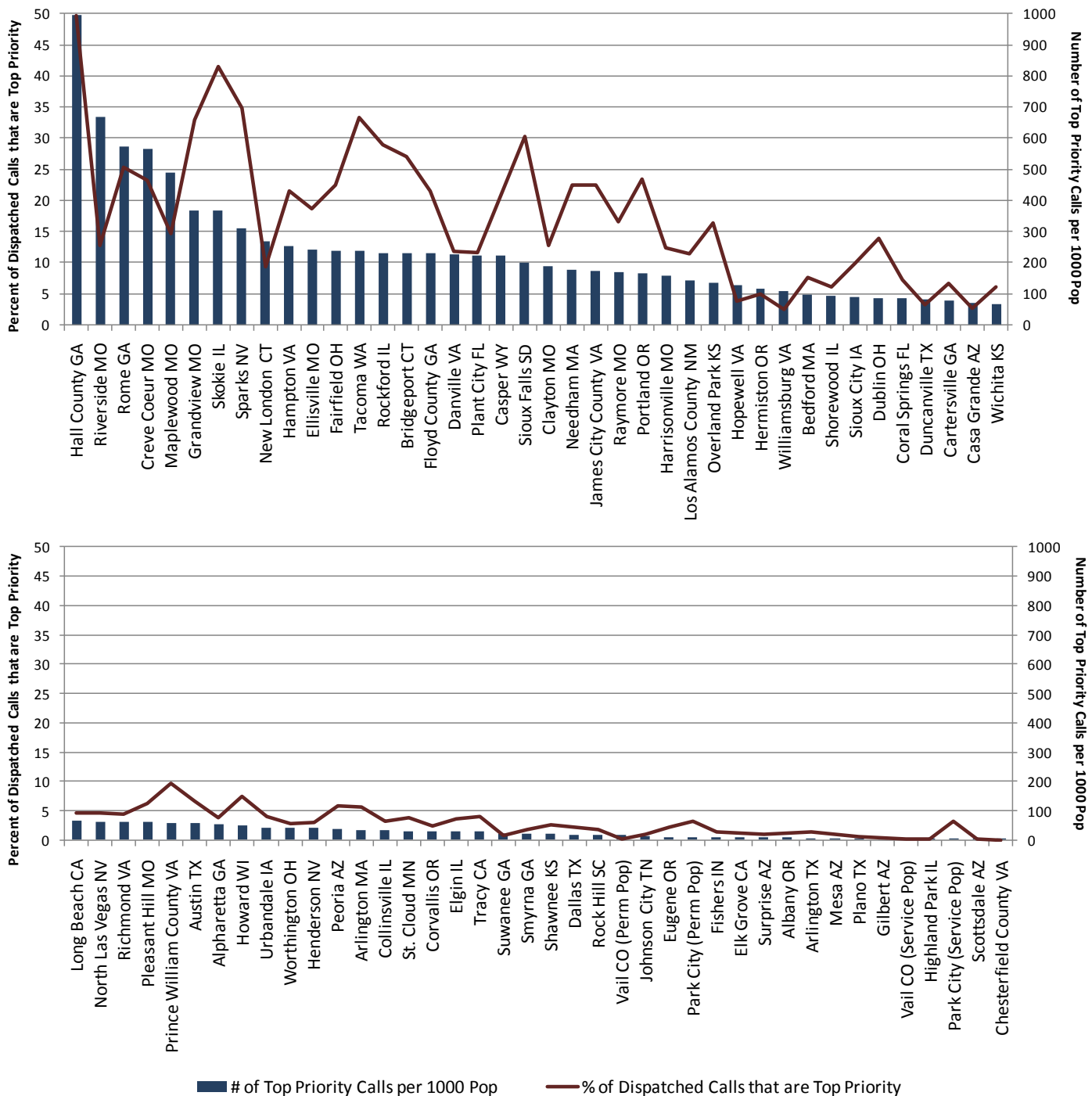
	Excellent	Good	Fair	Poor	> Fair
Park City	37%	55%	7%	1%	92%
ICMA Mean	26%	47%	21%	6%	73%
Leisure Svcs Mean	31%	55%	12%	2%	86%





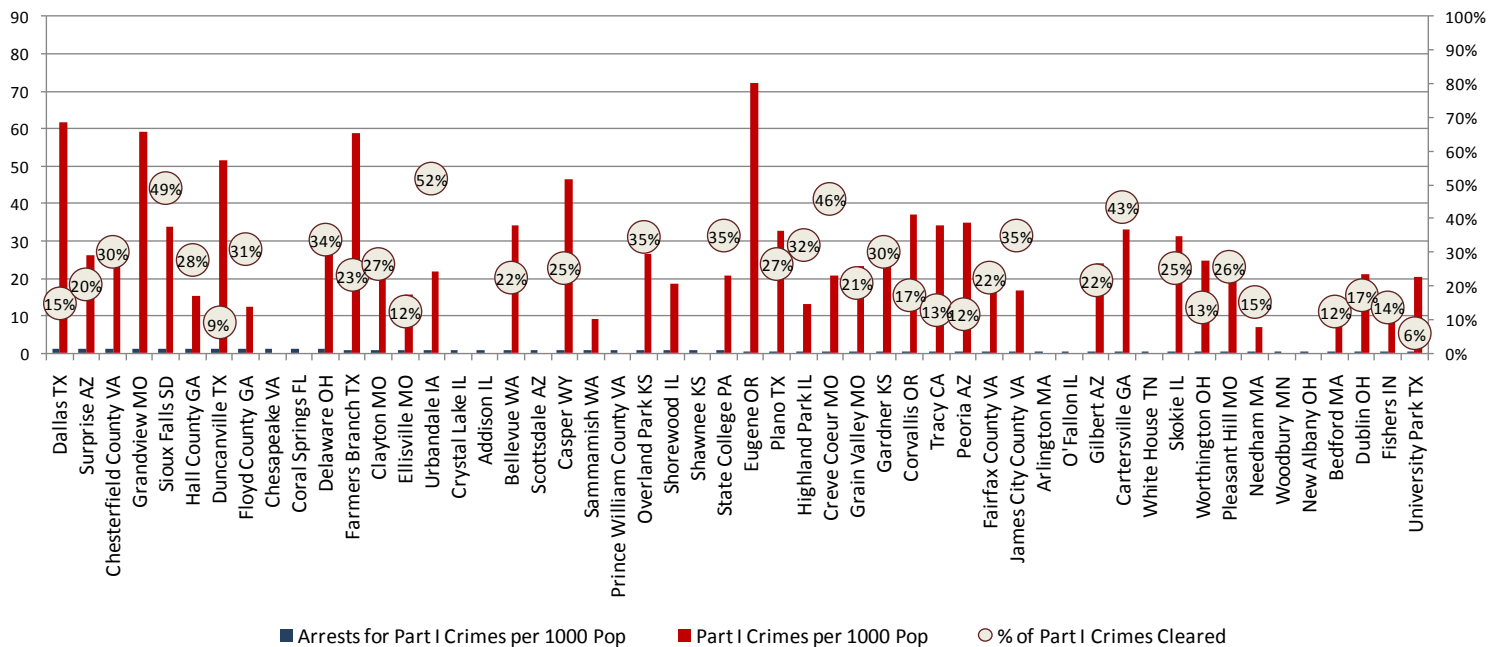
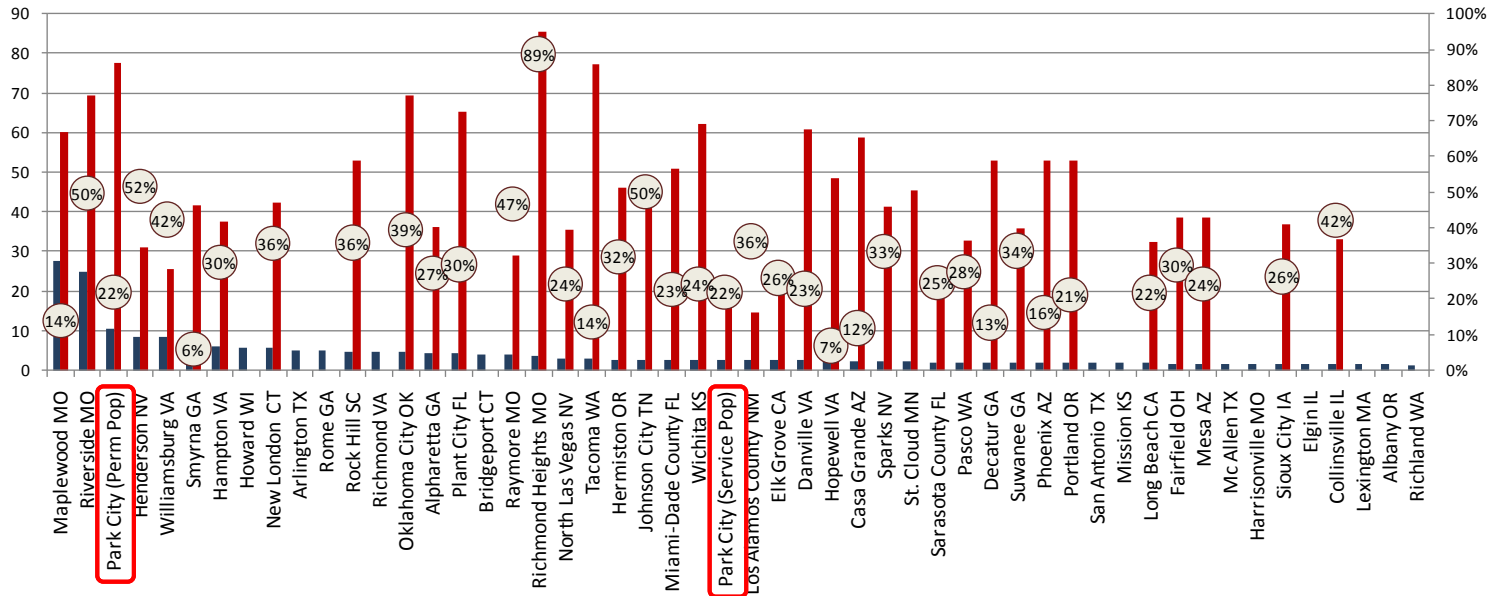
Number of Top Priority Calls perr 1000 Population Compared with % of Calls that are Top Priority

	Top Priority Calls/1000 Pop	% of Calls - Top Priority
Park City	10.45 (service pop)	3.20%
ICMA Mean	139	10.68%
Resort Cities Mean	TBD	TBD



UCR Part I Crimes

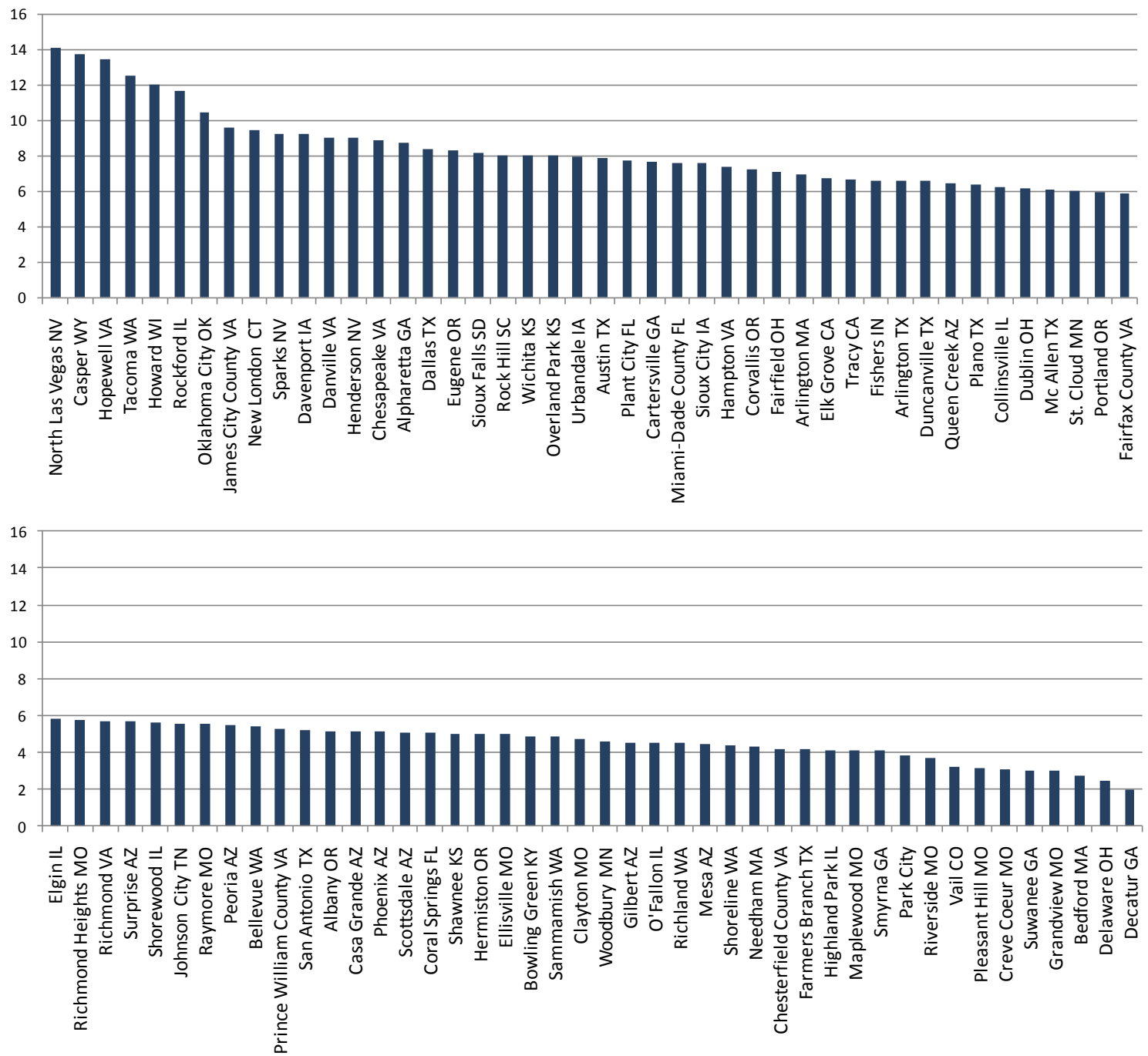
	Arrests per 1000 Pop	Part I Crimes per 1000	% Cleared
Park City (service pop)	2.61	19.31	21.90%
ICMA Mean	2.34	37.05	27.30%
Resort Cities Mean	TBD	TBD	TBD



■ Arrests for Part I Crimes per 1000 Pop ■ Part I Crimes per 1000 Pop ○ % of Part I Crimes Cleared

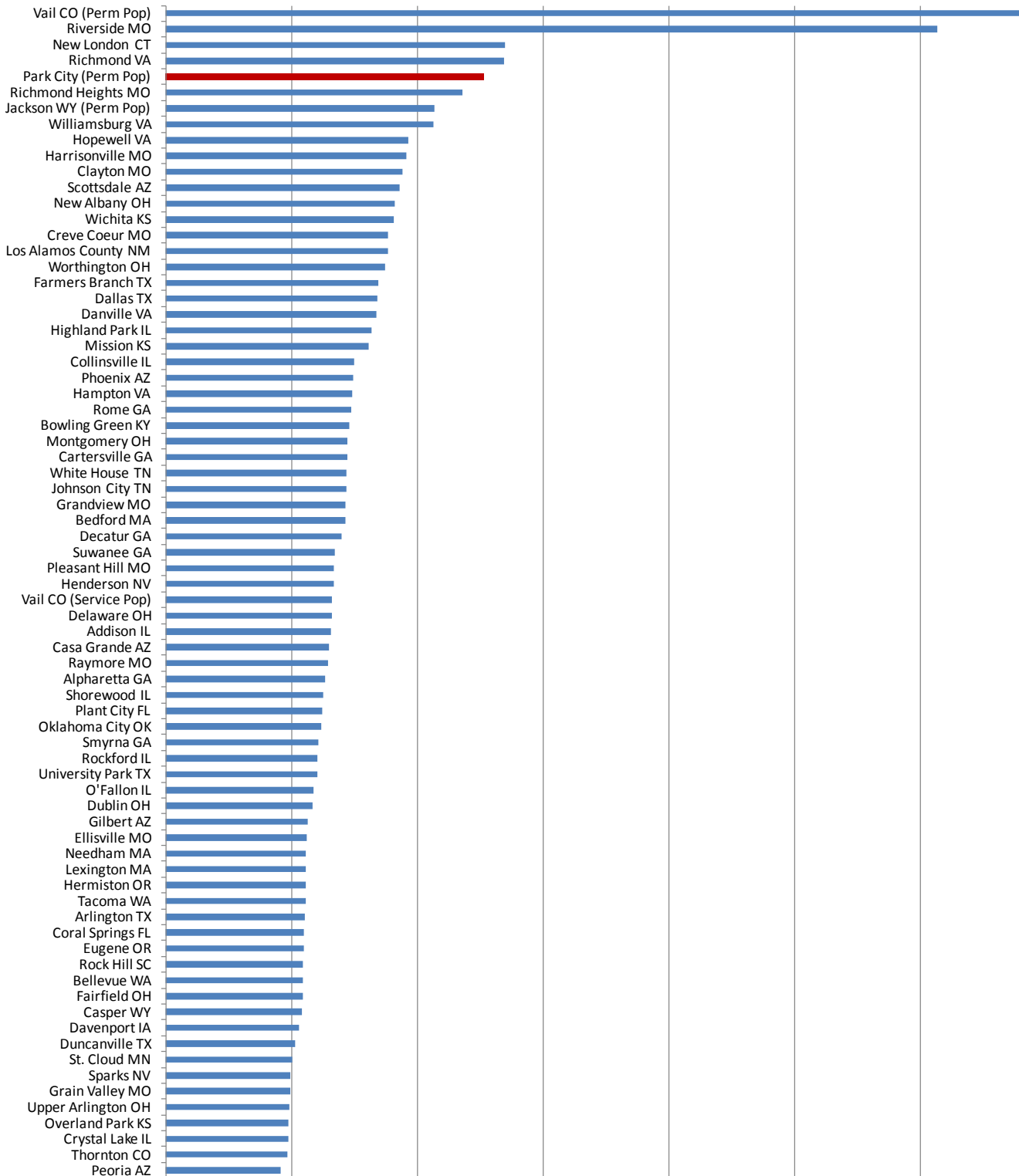
Response Time (Minutes) to Top Priority Calls

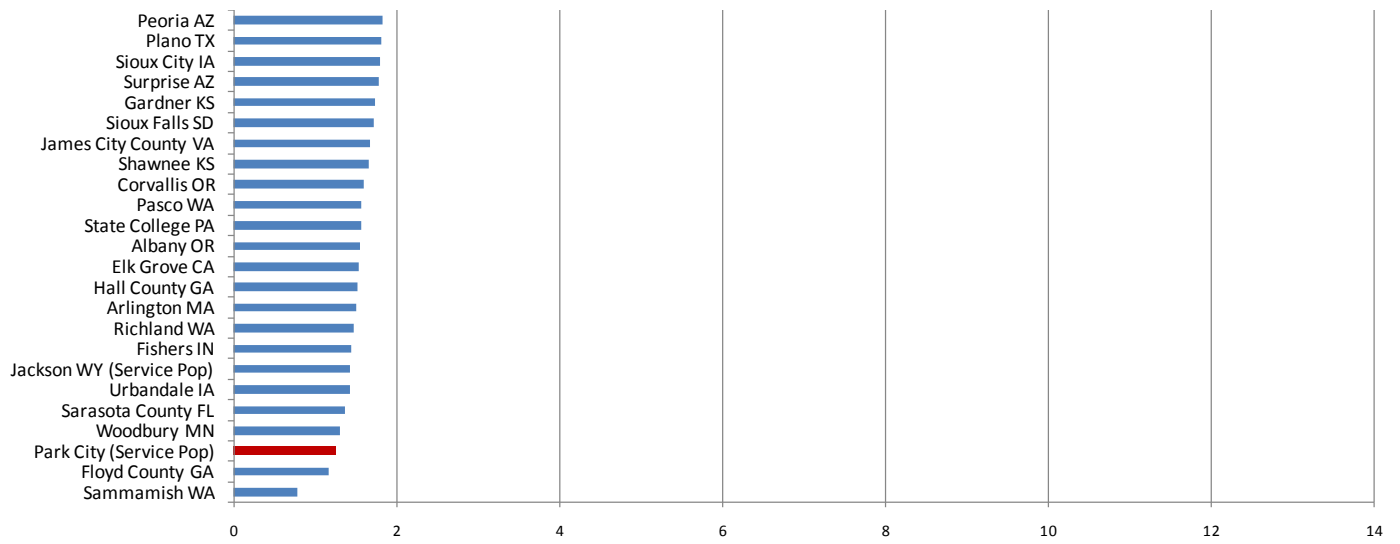
Response Time	
Park City	3.82
ICMA Mean	6.49
Resort Cities Mean	TBD



Sworn & Civilian FTE's per 1000 Pop

	Service Population	Perm Population
Park City	1.26	5.05
ICMA Mean	N/A	2.61
Resort Cities Mean	2.03	8.92





Streets/Sidewalks/Snow Removal Benchmarks

	PARK CITY	SUMMIT CO.	COALVILLE	FRISCO	SILVERTHORNE	DURANGO	VAIL	BRECKENRIDGE	ASPEN	DILLON
STREETS CLEAR/2 LANES, HRS FROM END OF STORM	ALL ROADWAYS CLEARED WITHIN 8 HRS AFTER STORM ENDS	NOT SPECIFIC/4:00AM UNTIL FINISHED. NO SHIFT FROM 11PM -4AM	2-3 HRS	GOAL: CLEAR MAIN STREETS BY 7:30 AM EVERYDAY	WITHIN 24 HRS	GOAL: ALL STREETS PASSABLE WITHIN 12 HRS	PRIORITY ROUTES BY 8 AM SECONDARY BY 9:30 AM	ALWAYS WITHIN 24 HRS, USUALLY MUCH FASTER	ALL STREETS PLOWED AT LEAST ONCE PER 9 HR SHIFT	6 INCHES OF SNOW OR LESS: 4 HOURS/TO BE CLEAR BY 8 AM MORE THAN 6 INCHES OF SNOW ALL BETS OFF
STREETS PLOWED DURING STORM/HRS FROM START	ALL STREETS AT LEAST ONCE EVERY SHIFT (10 HRS). USUALLY MUCH MORE	NOT ANSWERED	1-4 HRS	BEGINNING AT 1" OR MORE/NO TIME FRAME	BEGINNING AT 2" OR MORE/NO TIME FRAME	AT 4" DEPENDING ON SEVERITY OF SNOW EVENT	3:30 AM-12AM DAILY 4SHIFTS/DAY 7 DAYS/WEEK	AS SOON AS NEEDED, NO TIME FRAME	FULL DEPLOYMENT OF ALL CREWS AT 3" OF ACCUMULATION	6 INCHES OF SNOW OR LESS: EVERY 4 HRS. PENDING SEVERITY 24/7-3 SHIFTS. MORE THAN 6 INCHES OF SNOW ALL BETS OFF
PROVIDE 24 HR SERVICE ?	YES, FULL CREWS, TWO 12 HOUR SHIFTS 7 DAYS PER WEEK	NO-EMERGENCY ONLY 1 PERSON PER ROUTE	NO, PLOWS RUN FROM 4AM TO 10 PM AND ON CALL FROM 10PM TO 4AM	NO, ON CALL FROM 10:30PM TO 5:30AM	5:30AM-6PM SHIFT ON CALL OVERNIGHT	YES AS NEEDED DEPENDING ON THE SEVERITY	20 HRS PER DAY	YES	YES, IN 3 SHIFTS 7 DAYS/WEEK	REGULAR SHIFT 4:00 AM - 4:00 PM, 6PM-4AM COVERED BY ON CALL
SIDEWALKS PLOWED FOLLOWING STORM (shift or hrs)	ONCE PER 10 HR SHIFT. 6:00 AM TO 4:30 PM 7 DAYS PER WEEK	JUST STARTED- KIMBALL JCT ONLY CLEARED BY 24HRS AFTER STORM	WITHIN 1 HOUR OF STORM STOP	1" OR BY 7:30 AND AS NEEDED THROUGH STORM	WITHIN 24 HRS	AFTER 4" ALL DONE AT ONCE CONTINUOUS SNOWFALL= SHIFTS OF CLEARING	BY 10 AM EVERYDAY	CLEARED 6:00AM-4:30PM EVERYDAY	ANSWER WILL BE SUBMITTED MONDAY	4:00 AM - 4:00 PM EVERY 4 HRS. 7 DAYS A WEEK PENDING SEVERITY. MORE THAN 6 INCHES OF SNOW ALL BETS OFF
CITY STREETS AVG. REMAINING PAVEMENT LIFE (YEARS)	10 YEAR AVERAGE REMAINING SERVICE LIFE	NOT ANSWERED	10 YEARS	5-10 YEARS JUST HAD "RECYCLED" ASPHALT TREATMENT	10 YEARS	8.65 YEARS AVERAGE	25 YEARS	NOT ANSWERED	10 YEARS	5-15 YEARS
% OF CITY STREETS IN SATISFACTORY CONDITION OR BETTER	NOT MEASURED	90%	75%	90%	90%	65-70%	80%	NOT ANSWERED	90%	70% RATED GOOD OR BETTER. JUST RECEIVED TAX INCREASE SPECIFIC TO ROADWAY MAINTENANCE AND IMPROVEMENTS

Effective Transportation

Program		Department	Page #	Reduced	Current	Enhanced	Total Points	Cost/Benefit Index
Higher Impact	Streets Snow Operations	STREET MAINTENANCE	2	\$1,029,540	✓ \$1,131,978	\$1,234,415		
	Street & Sidewalk Maintenance	STREET MAINTENANCE	3	\$648,340	✓ \$822,456	\$1,095,103		0.48
	Parks Snow Operations	Multiple Departments	4	\$310,215	✓ \$379,659	\$478,136		0.59
	Engineering Project Management	ENGINEERING	5	\$167,969	✓ \$182,489	\$197,008		1.27
	Winter Transit Service	TRANSPORTATION OPER	6	\$4,469,543	✓ \$4,648,557	\$5,120,135		2.56
Medium Impact	Street Lights/Signs	Multiple Departments	7	\$281,529	✓ \$334,920	\$411,282		0.10
	Clean-up and Control	STREET MAINTENANCE	8	\$190,336	✓ \$209,192	\$239,672		1.32
	Summer Transit Service	TRANSPORTATION OPER	9	\$3,204,332	✓ \$3,283,518	\$3,550,924		2.09
	Parking Management	TRANSPORTATION OPER	10	\$432,028	✓ \$487,668	\$543,309		0.13
	Urban Trails and Walkability	ECONOMY	11	\$888,665	✓ \$936,780	\$1,730,165		0.80
	Transportation Management	TRANSPORTATION OPER	12	\$215,356	✓ \$270,356	\$399,356		0.41
	Swede Alley Parking Structure	SWEDE ALLEY PARKING STRUCT.	13	\$557,769	✓ \$577,251	\$596,676		1.39
Lower Impact	Park City Mobility (Paratransit)	TRANSPORTATION OPER	14	\$221,516	✓ \$226,035	\$350,000		0.64
Goal CBI								1.27
Goal Total Cost: \$13,490,859							0.41	

Recreation, Open Space, & Trails

Program		Department	Page #	Reduced	Current	Enhanced	Total Points	Cost/Benefit Index
Higher Impact	Trails (Backcountry)	ECONOMY	16		✓ \$35,305	\$55,216	172	14.23
	Parks Trash Clean-Up	Multiple Departments	17	\$16,822	✓ \$105,730	\$137,603	158	4.37
	Open Space	COMMUNITY & ENVIRONMENT	18	\$81,568	✓ \$3,922,191	\$3,978,890	157	0.12
Medium Impact	Adult Programs - CITY RECREATION	CITY RECREATION	19	\$326,535	✓ \$365,823	\$402,898	146	1.17
	Recreation Marketing	CITY RECREATION	20		✓ \$54,165	\$62,859	141	7.60
	Park Amenities & Infrastructure	Multiple Departments	21	\$33,859	✓ \$99,478	\$139,222	141	4.14
	Parks, Turf & Athletic Fields	Multiple Departments	22 - 23	\$75,293	✓ \$548,261	\$647,449	134	0.71
	Quinn's Recreation Complex	Debt/CIP	24	\$448,643	✓ \$499,326	\$524,326	125	0.73
	Golf Course Improvements	GOLF MAINTENANCE	25	\$499,326	✓ \$130,000	\$195,000	123	2.76
	Youth Programs - CITY RECREATION	CITY RECREATION	26	\$65,000	✓ \$555,105	\$610,616	122	0.64
	Golf Maintenance	GOLF MAINTENANCE	27	\$501,443	✓ \$679,863	\$856,626	122	0.52
	Golf Management Operations	GOLF MAINTENANCE	28	\$591,481	✓ \$376,920	\$414,611	114	0.88
	Ice Operations	GOLF PRO SHOP	29	\$339,229	✓ \$380,919	\$445,000	110	0.84
Lower Impact	Youth Programs - ICE FACILITY	ICE FACILITY	30	\$310,000	✓ \$92,165	\$106,829	103	3.26
	Rec Center Operations	ICE FACILITY	31	\$55,501	✓ \$420,875	\$460,576	102	0.71
	Adult Programs - ICE FACILITY	CITY RECREATION	32	\$381,173	✓ \$113,242	\$129,092	96	2.48
	Golf Pro Shop & Parking Acquisition	ICE FACILITY	33	\$97,092	✓ \$172,352	\$172,352	95	1.61
	Golf Shop Programs	Debt	34	\$172,352	✓ \$49,629	\$54,591	92	5.41
	Programs - ICE FACILITY	GOLF PRO SHOP	35	\$37,696	✓ \$168,863	\$201,163	85	1.47
	Programs - TENNIS	ICE FACILITY	36	\$130,163	✓ \$408,295	\$447,701	85	0.61
	Tennis Pro Shop	TENNIS	37	\$368,353	✓ \$0	\$110,000	84	0.00
	Cemetery	TENNIS	38	\$0	✓ \$127,128	\$170,769	83	1.91
	Tennis Operations	CITY RECREATION	39	\$97,903	✓ \$89,808	\$96,083	81	2.63
	Flowers/Holiday Lighting/Beautification	TENNIS	40	\$85,057	✓ \$298,284	\$384,927	81	0.79
	Tennis Tournaments	Multiple Departments	41	\$219,941	✓ \$24,794	\$27,273	79	9.31
	Golf Retail Operations	TENNIS	42	\$22,143	✓ \$141,872	\$160,093	79	1.63
	Childcare	GOLF PRO SHOP	43	\$128,086	✓ \$13,234	\$14,500	78	17.22
	Ice Retail	CITY RECREATION	44	\$11,900	✓ \$46,712	\$84,000	75	4.69
		ICE FACILITY		\$26,000				
Goal CBI								
Goal Total Cost:				\$9,920,338				0.90

Regional Collaboration & Partnerships

Program		Department	Page #	Reduced	Current	Enhanced	Total Points	Cost/Benefit Index
Higher Impact	Legislative Liaison Grant Administration	CITY MANAGER BUDGET, DEBT & GRANTS	46	\$53,338	✓ \$67,328	\$80,828	192	8.33
			47	\$9,569	✓ \$15,069	\$20,508	161	31.21
Medium Impact	Business Improvement District Special Service Contracts	Non-Departmental	48	\$58,391	✓ \$58,391	\$58,391	146	7.30
		Non-Departmental	49	\$358,973	✓ \$358,973	\$358,973	135	1.10
Goal CBI								
Goal Total Cost:				\$499,761				3.71

Open & Responsive Government to the Community

	Program	Department	Page #	Reduced	Current	Enhanced	Total Points	Cost/Benefit Index
Higher Impact	Software Maintenance/Upgrades	TECHNICAL & CUSTOMER SERVICES	51	\$147,656	✓ \$167,656	\$504,650	163	2.84
	Pay Plan Design/Administration	HUMAN RESOURCES	52	\$56,356	✓ \$66,751	\$100,251	160	7.00
	Financial Services	FINANCE	53	\$271,159	✓ \$281,159	\$281,159	160	1.66
	Council & Board Support	Multiple Departments	54	\$298,152	✓ \$308,830	\$310,137	160	1.51
	Budget Preparation, Coordination, and Monitoring	BUDGET, DEBT & GRANTS	55	\$85,096	✓ \$97,189	\$99,585	158	4.75
	Revenue/Resource Management	BUDGET, DEBT & GRANTS	56	\$31,047	✓ \$52,727	\$59,885	156	8.64
	Network Support	TECHNICAL & CUSTOMER SERVICES	57	\$202,577	✓ \$269,892	\$429,892	156	1.69
	Community Outreach and Citizen Engagement	Multiple Departments	58	\$187,369	✓ \$382,603	\$427,391	154	1.18
	Systems Support	TECHNICAL & CUSTOMER SERVICES	59	\$112,123	✓ \$176,899	\$276,899	152	2.51
	Website	TECHNICAL & CUSTOMER SERVICES	60	\$21,707	✓ \$21,707	\$38,707	152	20.45
Medium Impact	Policy Creation & Implementation	Multiple Departments	61	\$181,051	✓ \$198,554	\$253,555	152	2.24
	Performance Management	HUMAN RESOURCES	62	\$226,356	✓ \$399,863	\$603,363	151	1.10
	Records Management	Multiple Departments	63	\$206,647	✓ \$295,108	\$475,248	151	1.49
	Staff Support	CITY MANAGER	64	\$186,416	✓ \$205,446	\$236,646	150	2.13
	Benefit Design/Administration	HUMAN RESOURCES	65	\$43,000	✓ \$53,159	\$70,000	150	8.24
	Capital Budgeting	BUDGET, DEBT & GRANTS	66	\$19,194	✓ \$31,375	\$34,348	149	13.87
	Debt Issuance	BUDGET, DEBT & GRANTS	67	\$26,047	✓ \$31,417	\$59,577	148	13.76
	Analysis Resource	BUDGET, DEBT & GRANTS	68	\$30,743	✓ \$42,593	\$59,250	148	10.15
	Customer Service/Front Desk	TECHNICAL & CUSTOMER SERVICES	69	\$124,387	✓ \$178,615	\$182,175	147	2.40
	Support/Help Desk	TECHNICAL & CUSTOMER SERVICES	70	\$122,878	✓ \$229,797	\$309,797	146	1.86
Lower Impact	Special Meetings	CITY MANAGER	71	\$6,000	✓ \$8,000	\$15,000	144	52.58
	GIS	TECHNICAL & CUSTOMER SERVICES	72	\$60,908	✓ \$65,392	\$316,392	141	6.30
	Venture Fund	CITY MANAGER	73	\$20,000	✓ \$25,000	\$50,000	140	16.36
	Contracts/Grants	LEGAL	74	\$61,309	✓ \$64,715	\$66,022	140	6.32
	Valuing Employees	HUMAN RESOURCES	75	\$117,315	✓ \$148,247	\$151,247	139	2.74
	Accounting/Audit/Treasury	FINANCE	76	\$287,494	✓ \$297,494	\$297,494	139	1.36
	Performance Measures and Benchmarking	BUDGET, DEBT & GRANTS	77	\$14,693	✓ \$26,031	\$31,637	138	15.49
	City Recorder	CITY MANAGER	78	\$81,485	✓ \$89,962	\$97,992	138	4.48
	Litigation	LEGAL	79	\$69,031	✓ \$73,559	\$330,095	134	5.32
	Recruitment	HUMAN RESOURCES	80	\$61,569	✓ \$72,029	\$102,895	132	5.35
	Employment Review	LEGAL	81	\$47,747	✓ \$51,411	\$52,719	132	7.50
	Marsac Remodel	Debt	82	\$18,181	✓ \$18,181	\$18,181	129	20.73
	Risk Management	LEGAL	83	\$770,000	✓ \$800,264	\$837,964	128	0.47
	Asset Management/Replacement Program - CIP	BLDG MAINT ADM	84	\$452,032	✓ \$599,709	\$719,000	125	0.61
	Public Works Facility	Debt	85	\$18,181	✓ \$18,181	\$18,181	123	19.76
	General Legal Support	LEGAL	86	\$51,369	✓ \$55,097	\$57,711	123	6.52
	Local, State, and Federal Employment Compliance	HUMAN RESOURCES	87	\$118,142	✓ \$118,142	\$118,142	122	3.02
	Fleet Management & Maintenance	FLEET SERVICES DEPT	88	\$2,800,144	✓ \$2,947,192	\$3,159,141	120	0.12
	Building Repairs and Maintenance	BLDG MAINT ADM	89	\$230,334	✓ \$282,922	\$321,730	120	1.24
	Utilities	BLDG MAINT ADM	90	\$392,942	✓ \$413,166	\$413,166	118	0.83
	City Bldg Inspections and Contract Supervision	BLDG MAINT ADM	91	\$82,681	✓ \$83,809	\$112,081	118	4.11
	Short-Term Citywide Personnel	HUMAN RESOURCES	92	\$82,500	✓ \$94,392	\$102,319	116	3.59
	Janitorial Services	BLDG MAINT ADM	93	\$740,133	✓ \$258,343	\$367,266	111	1.26
Goal Total Cost: \$10,102,579							111	Goal CBI
							174	

Quality & Quantity of Water

Program		Department	Page #	Reduced	Current	Enhanced	Total Points	Cost/Benefit Index
Higher Impact	Water Quality	WATER OPERATIONS	95	\$984,305	✓ \$1,007,295	\$1,353,902	180	0.52
	Distribution and Maintenance	WATER OPERATIONS	96	\$2,166,646	✓ \$2,451,990	\$3,084,270	175	0.21
	Water Infrastructure	DEBT/CIP	97	\$3,378,214	✓ \$3,378,214	\$5,178,214	171	0.15
Medium Impact	Water Project Management	WATER OPERATIONS	98	\$212,402	✓ \$329,647	\$359,958	152	1.35
	Conservation	WATER OPERATIONS	99	\$54,121	✓ \$81,171	\$115,866	149	5.36
	Water Service Orders	WATER OPERATIONS	100	\$318,139	✓ \$357,246	\$409,922	147	1.20
	Water Rights/Water Projects	LEGAL	101	\$87,186	✓ \$90,243	\$90,243	132	4.27
Lower Impact	Water Billing	WATER BILLING	102	\$123,309	✓ \$152,347	\$191,033	119	2.28
Goal CBI								
Goal Total Cost:				\$7,848,154				0.46

Preservation of Park City Character

Program									
	Program	Department	Page #	Reduced		Current	Enhanced	Total Points	
								Cost/Benefit Index	
Higher Impact	Long Range Planning	PLANNING DEPT.	104	\$58,240	✓	\$101,231	\$180,275	168	4.85
	Historic District Design Review	PLANNING DEPT.	105	\$135,240	✓	\$164,393	\$205,902	153	2.72
Medium Impact	Planning Application Review	Multiple Departments	106	\$759,919	✓	\$930,711	\$1,125,415	149	0.47
	Graffiti Removal	STREET MAINTENANCE	107	\$13,295	✓	\$16,749	\$20,454	145	25.29
	Permitting/Current Planning	PLANNING DEPT.	108	\$68,102	✓	\$77,225	\$89,415	140	5.30
	Code Amendments	PLANNING DEPT.	109	\$24,619	✓	\$38,262	\$51,790	135	10.31
	Old Town Street Improvements	Debt	110	\$235,453	✓	\$235,453	\$1,705,453	130	1.61
	Carbon Reduction	COMMUNITY & ENVIRONMENT	111	\$42,674	✓	\$93,588	\$187,176	122	3.81
	Library Technical Services	LIBRARY	112	\$249,779	✓	\$253,151	\$274,847	119	1.37
Lower Impact	Library Circulation Services	LIBRARY	113	\$245,181	✓	\$265,057	\$317,337	119	1.31
	Affordable Housing	COMMUNITY & ENVIRONMENT	114	\$163,719	✓	\$199,645	\$259,258	119	1.74
	Library Adult Services	LIBRARY	115	\$190,725	✓	\$197,868	\$247,091	118	1.74
	Customer Service - PLANNING DEPT.	PLANNING DEPT.	116	\$146,367	✓	\$178,615	\$181,058	114	1.86
	Environmental Regulation/EPA	Multiple Departments	117	\$194,903	✓	\$300,629	\$383,447	112	1.09
	Library Youth & Spanish Services	LIBRARY	118 - 119	\$132,512	✓	\$141,512	\$161,937	108	2.23
	Leadership Program	Non-Departmental	120	\$65,000	✓	\$112,000	\$125,000	103	2.69
Goal CBI									
Goal Total Cost:							\$3,306,090	1.81	

Public Safety

Program		Department	Page #	Reduced	Current	Enhanced	Total Points	Cost/Benefit Index
Higher Impact	Patrol Operations	POLICE	122	\$1,081,510	✓ \$1,258,510	\$1,694,564	187	0.43
	Emergency Management	POLICE	123	\$81,300	✓ \$100,000	\$121,700	178	5.20
	Emergency Communications	COMMUNITY & ENVIRONMENT	124	\$35,436	✓ \$56,514	\$75,438	171	8.84
	Public Safety Facility	DEBT	125	\$307,627	✓ \$307,627	\$307,627	165	1.57
	Youth Services Officer	POLICE	126	\$130,077	✓ \$141,694	\$153,311	162	3.34
	Community Support	POLICE	127	\$403,825	✓ \$447,325	\$490,825	160	1.04
	Traffic Enforcement	POLICE	128	\$579,036	✓ \$670,655	\$874,780	158	0.69
	Dispatch	COMMUNICATION CENTER	129	\$466,071	✓ \$504,642	\$529,642	153	0.89
Medium Impact	Fire	BUILDING DEPT.	130	\$42,020	✓ \$84,039	\$126,058	152	5.28
	DARE/Drug Education	DRUG EDUCATION	131	\$23,695	✓ \$23,695	\$23,695	152	18.74
	State Liquor Enforcement	STATE LIQUOR ENFORCEMENT	132	\$50,113	✓ \$50,113	\$50,113	145	8.45
	Inspections	BUILDING/ENGINEERING	133	\$519,846	✓ \$683,055	\$857,375	143	0.61
	Code Enforcement	BUILDING/ENGINEERING	134	\$77,646	✓ \$155,292	\$232,938	142	2.67
	Crossing Guard	POLICE	135	\$0	✓ \$35,568	\$71,136	136	11.17
	Business Licenses	FINANCE	136	\$84,136	✓ \$93,484	\$102,832	125	3.91
	Criminal Prosecution	LEGAL	137	\$154,994	✓ \$183,478	\$193,937	121	1.93
Goal Total Cost:							\$4,795,691	Goal CBI
								1.49

World Class Multi-Seasonal Resort Community

Program		Department	Page #	Reduced	Current	Enhanced	Total Points	Cost/Benefit Index
Higher Impact	Special Events Economic and Re-development	Multiple Departments ECONOMY	139 - 140		✓	\$1,323,918	188	0.45
			141	\$810,720 \$601,390	✓ \$677,025	\$770,000	168	0.72
Medium Impact	RDA Improvements	Debt	142	\$281,106	✓ \$281,106	\$1,500,000	137	1.42
Goal CBI								
Goal Total Cost:				\$2,174,075				0.66

**Administrative Policy for Business Districts and Neighborhoods
Needs Assessments – R.E.L.S. (request for elevated levels of service)**

- 1) Submit a petition to the Executive Office
 - a. Must be from a representative number of households/ businesses of a given subdivision, business district, or a registered owners association. Accurate contact information and names of each petitioner must be provided along with designation of one primary contact person or agent.
 - b. Define Boundary - Who does the petition represent? Is it inclusive to a specific neighborhood or business district? Explain why assessment area should be limited or expanded.
 - c. Define issues - What is being requested?
 - d. Deadline – In order to be considered for upcoming fiscal year, the petition must be submitted by the end of the calendar year
- 2) Initial Internal Review
 - a. Identify staff project manager
 - b. Present petition to Traffic Calming & Neighborhood Assessment Committee (Meeting called within one month of petition being submitted)
 - c. Define and verify appropriate, basic levels of service are being provided. If they are not → provide
 - i. Health, safety, welfare
 - ii. Staff's available resources & relative workload
 - iii. Minimum budget thresholds not exceeded (below \$20k pre-budgeted – no council approval needed)
 - d. Define enhanced levels of service that are requested. Are these consistent with Council goals and priorities? If so, continue to step # 3
- 3) Initial Communication to Council (Managers Report)
 - a. Inform Council of request for assistance - outlines specific issues/ requests.
 - b. Inform Council of any basic service(s) Staff has begun to provide
 - c. No input or direction from Council will be requested at this time.
- 4) Comprehensive Internal Review
 - a. Assemble background/history & existing conditions (Identify all participants, relevant City ordinances, approval timeline, other pertinent agreements/ studies & factors, etc.)
 - b. Criteria to analyze request - What should we do & with what rationale?
 - i. Verify requested services are consistent with Council goals and priorities
 - ii. Cost/ Benefit Analysis - Define budgetary implications of providing Enhanced level of services
 - A. Define need & costs for any additional technical review
 - B. Define initial capital improvement costs
 - C. Define annual, ongoing maintenance and operational costs
 - D. Gather input from city department identified as responsible for each individual item as listed
 - a. Identify available resources & relative workload
- 5) Initiate Public Forum (Applicant & Staff partnership)
 - a. Neighborhood meeting(s) - Create consensus from petitioner and general public
 - i. Identify issues and potential solutions
 - A. Identify what we can accomplish based on funding availability.
 - B. Use cost/benefit analysis to prioritize applicant's wish list
 - C. Funding partner – any district that receives "enhanced" levels of service should be an active participant in funding or, participate in identification of a funding source (other than City budget)
 - ii. Identify agreeable solutions suited for recommendation for funding assistance
- 6) Communication to Council (Work Session or Managers Report)
 - a. Receive authorization for technical review - using "outside" consultants if necessary
 - b. Identify prioritized project wish list (unfunded)
 - c. Identify funding source for each item; or
 - d. Move to CIP/Transit Budget committee review as "yet to be funded project" for prioritization comparison
- 7) Council decision whether to include in budget or not
 - a. Spring of each year, consistent with budget policies of reviewing all new requests at once.



City Council Staff Report

Subject: 657 Park Avenue Reconstruction Recap &
Historic District Reconstruction Assessment

Author: Francisco Astorga, Planner
Thomas E. Eddington Jr., AICP, Planning Director

Department: Planning

Date: December 16, 2010

Type of Item: Update/Informational

Summary Recommendations

1. Recap the recently approved reconstruction project located at 657 Park Avenue.
2. Assess the current reconstruction criteria adopted in the Land Management Code including noticing requirements for Historic District Design Review applications.
3. Consider providing staff direction for possible amendments to the City's reconstruction policy and public noticing requirements.

Topic/Description

In October 2010, staff approved a building permit for reconstruction of the structure located at 657 Park Avenue. The structure had previously received a Historic District Design Review (HDDR) approval in June 2009. The HDDR contained a Preservation Plan which includes the appropriate findings to authorize the reconstruction of the structure. On November 08, 2010 the structure located 657 Park Avenue was removed as indicated on the approved building permit and HDDR with its corresponding Preservation Plan. The removal of the building was part of the reconstruction approval. The site was listed on the Historic Site Inventory (HSI) as a significant site and will remain on the HSI upon reconstruction pursuant to the current ordinance (LMC §15-11-10A-2b).

It is important to note as a fundamental issue that under both the 2009 LMC and current LMC, this action was not a "demolition" as defined by the Code. The definition of demolition expressly excludes an approved reconstruction or panelization that involves complete dismantling (and proposed reassembly) of the structure. This technical distinction should have been better communicated by staff who admittedly underestimated this misconception.

Background

The criteria utilized for the HDDR approval were based on the 1983 Historic District Guidelines as the submitted application was deemed complete prior to the newly adopted Design Guidelines for Historic Districts and Historic Sites (July 2009) and applicable Land Management Code (LMC) revisions (July 2009). The site received Planning Department approvals to reconstruct and relocate the historic structure within

the lot and to add an addition to create a mixed-used commercial retail and minor office building. The reconstruction and relocation are based on the Preservation Plan approved on June 8, 2009. Based on the size of the building and its condition, reconstruction was identified as an appropriate approach to rehabilitate the historic structure.

The preservation method is based on the analysis of the existing structural system outlined in the Preservation Plan which includes a complete reconstruction of the historic portion of the project to match all details illustrated on the Preservation Plan (as-built) and historic photograph with the intent to bring the building back to its 1930's era appearance. To provide for a more appropriately designed addition to the rear of the historic structure the approval included relocating and reorienting the historic building forward on the lot (the southern corner of the house will move forward approximately 7' and the northern corner will move forward almost 13') and cleaning up the existing encroachments so that the completed structure will fully comply with the side yard setbacks. There was also a financial guarantee of \$154,450 in the form of a lien on the property set up prior to the building permit approval of the removal and reconstruction.

The following timeline has been prepared that outlines the events related to 657 Park Avenue reconstruction approval:

Apr 02, 2008	Historic District Design Review (HDDR) application submitted
Jul 31, 2008	Staff meets with architect to discuss project
Aug 01, 2008	Comments given to architect, redlines needed
Aug 05, 2008	Field visit with architect, Roger Evans (Building), and Planning
Nov 17, 2008	Architect responds to previous redlines/comments
Dec 16, 2008	Comments given to architect
Jan 02, 2009	Architect responds to previous redlines/comments
May 18, 2009	Based upon meetings, additional comments given to architect
May 22, 2009	Architect responds to previous redlines/comments
May 26, 2009	Plans reviewed and stamped approved, HDDR preliminary approval
May 27, 2009	Site posted & courtesy notice sent out to adjacent neighbors
Jun 09, 2009	Final approval (HDDR), action letter sent to applicant
Jun 07, 2010	Applicant submits a building permit application
Jun 28, 2010	Redlines are given to architect (HDDR related)
Jun – Sep 2010	Plan revisions (building code related)
Sep 23, 2010	Plans are corrected and resubmitted
Oct 18, 2010	Financial guarantee of \$154,450 is determined
Oct 22, 2010	Financial guarantee trust deed recorded at Summit County
Oct 28, 2010	Building permit is issued, work includes removal and reconstruction
Nov 01, 2010	Pre-construction meeting with owner, architect, and contractor

Nov 01, 2010	On-site meeting with owner, architect, and contractor
Nov 08, 2010	Preservation Plan, removal of structure per approved HDDR, and building permit
Nov 11, 2010	City Council work-session meeting discussion of the 657 Park Avenue demolition/reconstruction

The Staff's HDDR Process for 657 Park Avenue

After the HDDR application was received in April 2008, the assigned Planner took the application through the review process, which included a review through a design review meeting. Design review meetings were held on Wednesday mornings and were attended by members of the Planning Department and the City's preservation consultant. The criteria utilized for review were the 1983 Historic District Design Guidelines, the adopted LMC (54th Edition), and applicable preservation policy papers utilized by the Planning Department at that time. Upon a series of meetings with the architect, and meetings with the design review members throughout the review of the application, reconstruction was recognized as the most appropriate means of historic preservation for this particular property.

The LMC (54th Edition) indicates the following concerning Certificate of Appropriateness for Demolition (CAD), *"With the exception of any building or structure falling under the purview of the International Building Code or undergoing complete renovation/reconstruction in compliance with the Historic Preservation Chapter (of the LMC), no building, other structure or site deemed to be significant may be demolished or removed without the issuance of a Certificate of Appropriateness for Demolition (CAD) by an independent CAD Hearing board appointed by the City."* The CAD hearing board may only approve demolition or removal of a significant building if the owner presents substantial evidence that demonstrates that unreasonable economic hardship will result from denial of the CAD application. In the last decade Park City has experienced an overall good economy in terms of property values and, as a result, CAD applications have been scarce.

Due to the fact that 657 Park Avenue was undergoing a complete reconstruction, a CAD review was not required for the reconstruction approval. Based upon the adopted Historic District Design Guidelines (1983) and the development standards found within the LMC (54th Edition), reconstruction was identified as an appropriate approach to rehabilitate the historic structure (see Exhibit A – Action Letter by Staff).

It is worth noting that the *new* LMC (55th Edition) contains the same language indicating that a building or structure undergoing complete renovation/reconstruction in compliance with the Historic Preservation chapter (LMC Chapter 11) is excepted from going through a CAD process.

Historic Site Inventory

According to Resolution No. 07-01 adopted by the Historic Preservation Board (HPB) in October 2007, the building/site located at 657 Park Avenue was deemed "significant" or "contributing" in the 2007 Historic Building Inventory (HBI) pursuant to LMC §15-11-12

(54th Edition). The HBI included three hundred fifty-nine (359) sites that included a total of four hundred sixteen (416) buildings and/or structures.

In August 2008 the City Council adopted Ordinance 08-33 imposing a temporary moratorium on the demolition of any structure located within the municipal boundaries built before 1962. When the moratorium was imposed, City Council asked staff to develop a strategy for modifying the current way in which buildings are designated as historic so that more of the buildings that give Park City its “unique character” would be subject to the protections found in the LMC for historically significant buildings. The criteria were modified to allow buildings of lesser integrity (e.g. buildings that maintain their “essential historical form”) to be designated as historically *significant*. It also included buildings as significant that had undergone replication (previously used term for “reconstruction”) which were not included in the initial HBI.

In January 2009, the Planning Commission, at a public hearing, discussed the proposed LMC amendments to Title 15-11-12 and forwarded a positive recommendation for adoption by the City Council. That same month the City Council, at a public hearing, discussed the proposed amendments and approved a resolution adopting LMC amendments to establish the expanded HBI – the new Park City Historic Sites Inventory (HSI).

The LMC §15-11-12: Park City Historic Sites Inventory (HSI) specifies that the Planning Department shall maintain an inventory of historic Sites located with Park City. The inventory was identified as an important community development resource because historic sites are eligible for specific LMC exceptions; are eligible for HPB matching grants for preservation, rehabilitation, restoration, and reconstruction; and may not be demolished without City approval of a Certificate of Appropriateness for Demolition (CAD) permit.

The HSI was prepared by the City's Historic Preservation Consultant, Preservation Solutions (Dina Blaes) and her staff using criteria set forth in current LMC. Four hundred five (405) sites – with a total of five hundred twenty five (525) buildings, accessory buildings, and/or structures – were identified as meeting the criteria for designation to the HSI. Of these sites, one hundred ninety-two (192) sites meet the criteria for designation as “Landmark” Sites (e.g. eligible for National Register designation) and two hundred thirteen (213) sites meet the criteria for designation as “Significant” Sites (e.g. locally important sites). The official inventory of historic sites includes individual historic site forms along with digitized support documents. According to Resolution No. 09-01 adopted by the HPB in February 2009, the site located at 657 Park Avenue was designated as a Significant Site in the Park City Historic Site Inventory pursuant to LMC §15-11-12 (LMC 55th Edition).

The site was listed on the HSI as a Significant Site and will remain on the HSI upon reconstruction pursuant to the current ordinance. The prior LMC (54th Edition) did not specify the status of historic buildings or structures after authorized work by the City, including reconstructions. Buildings that were previously reconstructed inaccurately remained “significant” under the earlier process and they remain our inventory today,

(e.g. 268 Main Street and 510 Main Street, for example), which is one of the primary reasons that the integrity criteria for Significant Sites now reads “essential historical form.” This allows a considerable amount of new material to be introduced without resulting in a structure being considered new construction. The intent is to extend the life of the historic resource, which sometimes requires the replacement of extant materials that cannot be made safe. One of the primary differences under the current LMC, however, is that the buildings are documented more thoroughly and the reconstruction must be executed as a true reconstruction. This is a more appropriate approach and follows accepted practice in the national preservation field.

With the adoption of the HSI and its related LMC amendments the current code requires any development involving the reconstruction of Landmark Site or a Significant Site that is executed pursuant to LMC §15-11-15 (reconstruction criteria) to remain on the Park City HSI and be listed as a Significant Site.

Analysis

Previous Reconstruction Criteria (pre-July 2009)

LMC section 15-11-14 expressly exempts approved complete reconstruction from the CAD process. The section states:

With the exception of any Building or Structure falling under the purview of Section 115.1 of the International Building Code or undergoing complete renovation/reconstruction in compliance with this Chapter, no Building, other Structure or Site deemed to be Significant, pursuant to the standards of review set forth in Section 15-11-13(A) herein, may be Demolished or removed without the issuance of a Certificate of Appropriateness for Demolition (CAD) by an independent CAD Hearing Board appointed by the City. Application for a CAD shall be made on forms prescribed by the City and shall be submitted to the Planning Department.

The owner applied for Historic District Design Review approval of 657 Park Avenue for “complete reconstruction.” The HDDR application form contains a document identified as the *Historic Preservation/Remodel Information Request* (revised December 2007). This document requires the submission of data that provides the necessary information to staff in determining the correct course of action, whether that is reconstruction, replication, or disassembly/reassembly (more commonly known throughout Park City as “panelization”) in compliance with the 1983 Historic District Design Guidelines. The document indicates the following:

[...]

Provide a detailed report from the architect or engineer that addresses the following:

- a. Description of the floors, walls and roof structure as to the size and spacing of framing members. Along with the description, provide a cross section through the exterior bearing wall to show the existing footing/foundation, floor joists, wall and roof framing. Park City will allow limited disassembly (non-structural)*

in the interior of the structure for the purposes of discovery of the items listed above.

- b. For reconstruction, replication, or disassembly, provide detailed dimensions to all walls, window and door trim, eaves and soffits, roof pitch, and any other existing conditions.*
- c. Description of the condition of the foundation to include any settlement problems, ground water issues, deterioration or insect infestation.*
- d. Description of the condition of the exterior wall envelope with findings on deterioration/moisture problems, settlement issues, lead based paints or asbestos.*
- e. Description of the condition of the roof-framing to include existing roof sheathing and roof coverings with appropriate snow loads. If insulation is added for energy issues, show additional roof bracing that might be required.*
- f. If the structure is being requested to be relocated on the property, relocated off site or if the structure will be raised to provide a new foundation system, provide a detailed description to show how the walls, floor and roof will be braced to prevent damage to existing elements.*

If based upon all of the information above, the architect or engineer recommends reconstruction, replication, or disassembly of the structure; the architect or engineer must give a detailed description/evaluation of each effected wall or component in terms of structural integrity, viability, and sustainability. They must also include details of how and where the existing elements will be preserved and maintained during the construction process along with detailed cross section of how elements will be attached or used in the construction of the proposed structure.

The appropriate information was reviewed by both Planning and Building staff to verify the assertions regarding lack of structural integrity justifying the reconstruction application. The HDDR plans included a Preservation Plan which fulfilled all of the requirements (e.g. as-builts, existing conditions, dimensions, material call-outs, notes, etc.) consistent with the 1983 Historic District Design Guidelines, and upon additional staff review, the request for reconstruction was approved. The analysis and requirements were incorporated in the Preservation Plan. The following includes some of the relevant aspects of the Preservation Plan that were reviewed and analyzed in the determination to reconstruct 657 Park Avenue:

- A comparison of the existing structure with the 1930s era tax photos indicates the exterior has been extensively modified:
 - o Change in window sizes and locations
 - o Bay window element removed
 - o Front porch supports are contemporary and do not match tax photos
- The main floor has been braced in the crawl space to counter settling issues

- The roof (in the second floor apartment) has been modified to create additional living area – size and spacing of the roof framing will not meet current building code requirements
- At the north/west bedroom the bottom cord of the truss has been removed
- The building was positioned on a 6x6 timber rim supported by stacked rocks in areas – significant decay in numerous locations
- Exterior walls – the ends of the wall studs have rotted away and are no longer bearing at the perimeter 6x6 rim
- Exterior siding sheathed with 1x8 and wood horizontal siding applied over the sheathing. Siding does not appear original, with a synthetic 6” lap siding on the front and north sides in many areas, and 6” decorative siding on the south and west side in many areas
- The condition of the existing siding is deteriorated to an extent that saving it would not be possible in many locations

The LMC and Design Guidelines (prior to the July 2009 revisions) did not contain the explicit language that now exists in these documents. The revised documents provide more detailed direction in terms of reconstruction criteria.

Current Reconstruction Criteria (post-July 2009)

In July 2009, the City Council amended the LMC to coincide with the adoption of the new Historic Design Guidelines. A resolution was also approved by the City Council at the same date they adopted the Design Guidelines for Historic Districts and Historic Sites. The LMC amendments included, but were not limited to, adding criteria and procedures for reconstruction of existing historic buildings or historic structures. The newly adopted LMC section states the following:

15-11-15. RECONSTRUCTION OF AN EXISTING HISTORIC BUILDING OR HISTORIC STRUCTURE.

It is the intent of this section to preserve the Historic and architectural resources of Park City through limitations on the Reconstruction of Historic Buildings, Structures, and Sites.

(A) CRITERIA FOR RECONSTRUCTION OF THE HISTORIC BUILDING(S) AND/OR STRUCTURE(S) ON A LANDMARK SITE OR A SIGNIFICANT SITE.

In approving an Application for Reconstruction of the Historic Building(s) and/or Structure(s) on a Landmark Site or a Significant Site, the Planning Department shall find the project complies with the following criteria:

- (1) *The Historic Building(s) and/or Structure(s) are found by the Chief Building Official to be hazardous or dangerous, pursuant to Section 115.1 of the International Building Code; and*
- (2) *The Historic Building(s) and/or Structure(s) cannot be made safe and/or serviceable through repair; and*

(3) *The form, features, detailing, placement, orientation and location of the Historic Building(s) and/or Structure(s) will be accurately depicted, by means of new construction, based on as-built measured drawings, historical records, and/or current or Historic photographs.*

(B) **PROCEDURE FOR THE RECONSTRUCTION OF THE HISTORIC BUILDING(S) AND/OR STRUCTURE(S) ON A LANDMARK SITE OR A SIGNIFICANT SITE.** *All Applications for the Reconstruction of any Historic Building and/or Structure on a Landmark Site or a Significant Site within the City shall be reviewed by the Planning Department pursuant to Section 15-11-12 of this Code.*

If an Application involving the Reconstruction of Historic Building(s) and/or Structure(s) on a Landmark Site or a Significant Site also includes relocation and/or reorientation of the Reconstructed Historic Building(s) and/or Structure(s) on the original Site or another Site, the Application must also comply with Section 15-11-13 of this Code.

In addition, the following definitions (**§15-15-1 – Definitions**) were revised in conjunction with the changes made to section 15-11-15 of the LMC:

1.71. **DEMOLISH OR DEMOLITION.** Any act or process that destroys in part or in whole a Building or Structure. Excludes Building(s) and/or Structure(s) undergoing relocation and/or reorientation pursuant to Section 15-11-13 of this Code, disassembly pursuant to Section 15-11-14 of this Code, or Reconstruction pursuant to Section 15-11-15 of this Code.

1.201. **RECONSTRUCTION.** The act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving Site, landscape, Building, Structure or object for the purpose of replicating its appearance at a specific period of time and in its Historic location.

In addition to these LMC revisions, the newly adopted Design Guidelines for Historic Districts and Historic Sites contain the following criteria for reconstruction of existing historic structures:

1. *Reconstruction of a historic building that exists in Park City is allowed if the Chief Building Official determines the structure to be a hazardous or dangerous building, pursuant to Section 115.1 of the International Building Code, AND the building cannot be made safe and/serviceable through repair.*
2. *Reconstruction must be guided by documentation and physical evidence in order to facilitate an accurate re-creation.*
3. *Reconstruction should not be based on conjectural designs or on a combination of different features from other historic buildings.*

4. *Reconstruction should include recreating the documented design of exterior features such as the roof shape, architectural detailing, windows, entrances and porches, steps and doors, and their historic spatial relationships.*
5. *A reconstruction should include measures to preserve and reuse any remaining historic materials found to be safe and/or serviceable.*
6. *A reconstructed building should accurately duplicate the appearance of the historic building in materials, design, color, and texture.*
7. *A reconstructed building should duplicate the historic building, but also the setting, placement, and orientation of the original structure.*
8. *A reconstruction should re-establish the historic relationship between the building or buildings and historic site features.*
9. *A building may not be reconstructed on a location other than its original site.*

These new criteria are more defined and strict regarding reconstruction of structures. There have been no approved reconstructions since the inception of the new Design Guidelines and applicable LMC revisions (July 2009).

For comparative purposes, the following HSI properties have been approved over the past decade (approximately) for panelization, partial panelization, or reconstruction:

81 Daly Avenue	186 Main Street	698 Park Avenue
124 Daly Avenue	268 Main Street	703 Park Avenue
291 Daly Avenue	347 Main Street	(garage)
297 Daly Avenue	361 1/2 Main Street	1326 Park Avenue
313 Daly Avenue	510 Main Street	147 Ridge Avenue
555 Deer Valley Drive	660 Main Street	601 Sunnyside Drive
577 Deer Valley Drive	104 Park Avenue	1895 Three Kings Drive
841 Empire Avenue	263 Park Avenue	232 Woodside Avenue
964 Empire Avenue	364 Park Avenue	429 Woodside Avenue
9 Hillside Avenue	411 Park (formerly 405)	501 Woodside Avenue
109 Main Street	424 Park Avenue	919 Woodside Avenue
115 Main Street	430 Park Avenue	1323 Woodside
133 Main Street	435 Park Avenue	Avenue
148 Main Street		

Those properties highlighted in bold are properties that were approved for extensive panelization and/or complete reconstruction (per the pre-July 2009 Design Guidelines) and are in the process of completing the work:

- 313 Daly Avenue – (2009 HDDR approval) the structure was approved for reconstruction based upon careful attention to detail obtained from the existing 1930's tax photograph. Materials reclaimed from the rehabilitation will be

integrated back into the reconstruction. The structure will be relocated (shifted 21 feet to the north) onto a permanent foundation and will have the same orientation. A new addition will be built to the rear of the house.

- 601 Sunnyside Drive – (2008 HDDR approval) this property was approved for reconstruction; however the applicant found some materials that could be saved and has chosen to reuse as much original material as possible.
- 429 Woodside Avenue – (2007 HDDR approval) this property was deemed appropriate for complete reconstruction. This site was reviewed at the Planning Commission for a Steep Slope CUP. The Planning Commission asked the HPB to review this reconstruction proposal (that also included an addition). The HPB approved this project. The project is currently under construction.
- 919 Woodside Avenue – (2009 HDDR approval) this property was cited by the Chief Building Official for safety concerns and recommended for reconstruction. The City Council conducted a site visit, assessed the conditions, and was in agreement with the order subject to a complete Preservation Plan that included the reconstruction of the original structure. The structure received a permit for demolition in August 2010 and was removed shortly thereafter. It has not yet been reconstructed on site.
- 1323 Woodside Avenue – (no HDDR application; but a Determination of Significance [DOS] at the HPB in January 2009) this property was cited by the Chief Building Official for safety concerns and recommended for reconstruction. After the HPB upheld the DOS, the City Council conducted a site visit, assessed the conditions, and was in agreement with the Chief Building Officer's order *subject* to a complete Preservation Plan that included reconstruction of the original structure (no addition proposed therefore no HDDR required – just an *exact* reconstruction of the original structure). The Applicant pulled a demolition permit in April 2009 and the property was removed shortly thereafter. It has not been reconstructed; final location in neighborhood to be determined in conjunction with the Lower Park Avenue Redevelopment Plan.

Direction requested: In July 2009, the City Council amended the LMC which adopted criteria and procedures for the reconstruction of the historic buildings and/or structures designated as a Landmark Site or a Significant Site on the City's HSI. The newly adopted Historic Design Guidelines, also amended in July 2009, included specific guidelines for the reconstruction of existing historic sites. The most significant change in the LMC and Design Guidelines for reconstruction of a historic structure includes the Chief Building Official's determination that the structure is a hazardous or dangerous building, pursuant to the applicable International Building Code (IBC), AND that the building cannot be made safe and/serviceable through repair (LMC §15-11-15 (A)) . The new code now mandates the reconstruction of a historic structure in such circumstances.

There has been discussion regarding the City/Planning Department using a third party consultant to review the Applicant's Preservation Plan, specifically when panelization or reconstruction is proposed. Currently, the Applicant's architect or engineer provides a detailed review and analysis (per the new HDDR Application) of the existing structure

and its condition. Upon receipt of this Preservation Plan, Staff does a complete review and analysis in conjunction with the Chief Building Official, the City's Historic Preservation consultant and members of the Design Review Team (DRT).

It may be burdensome and expensive to the Applicant to have to pay for a third party review. Since the inception of the new Design Guidelines, the review of the Preservation Plans has been more extensive; no panelizations or reconstructions have been approved. Staff recommends giving the new process additional time and reconsidering this option upon a review in a year.

Finally, the current HDDR process, per code, does not include approval by the Historic Preservation Board (HPB). Staff keeps the HPB updated on HDDR projects by providing the members a table of ongoing projects at their monthly meeting. The HPB has recently expressed an interest in better understanding the current HDDR process and appointed a member (Sara Werbelow) to sit in on the Design Review Team (DRT) meetings to observe and review the design review process. This change will be implemented in January 2011. Staff believes that this will go a long way in addressing the HPB's desire to be more involved with staff and HDDR projects.

The current Design Guidelines and associated LMC revisions has greatly improved the clarity of the process for both staff and the public. The Planning Department has utilized these documents since July 2009 and has had no applications for extensive panelization or reconstruction since their adoption. In addition, staff has received increased training to improve the design review process. While there has been discussion regarding having the HPB review proposed reconstructions, staff believes the current HDDR process is working very well. Staff recommends a review of the current process on an annual basis.

Please provide direction to staff to determine whether the current LMC and Historic District Design Guidelines provide adequate standards and guidelines for reconstruction of historic structures. Does the City Council concur with staff regarding the third party review of the Preservation Plans – keep the new process in place and review in a year? Does the City Council concur with staff and the HPB regarding the addition of an HPB member to the Design Review Team (DRT)? Additionally, does the City Council concur with staff that the current process is working well and it is advisable to wait to make any changes regarding HPB involvement until a later date (after an annual review) – once the HPB representative has been able to observe the new DRT process and more applications have been reviewed using the *new* Design Guildelines/LMC?

Noticing Requirements

The noticing requirements utilized for the recent 657 Park Avenue approval were based upon the required noticing of the 54th Edition of the LMC. This is the LMC enacted prior to the current LMC which includes the newly adopted Historic Design Guidelines and applicable LMC revisions adopted in July 2009 (LMC 55th Edition). The noticing

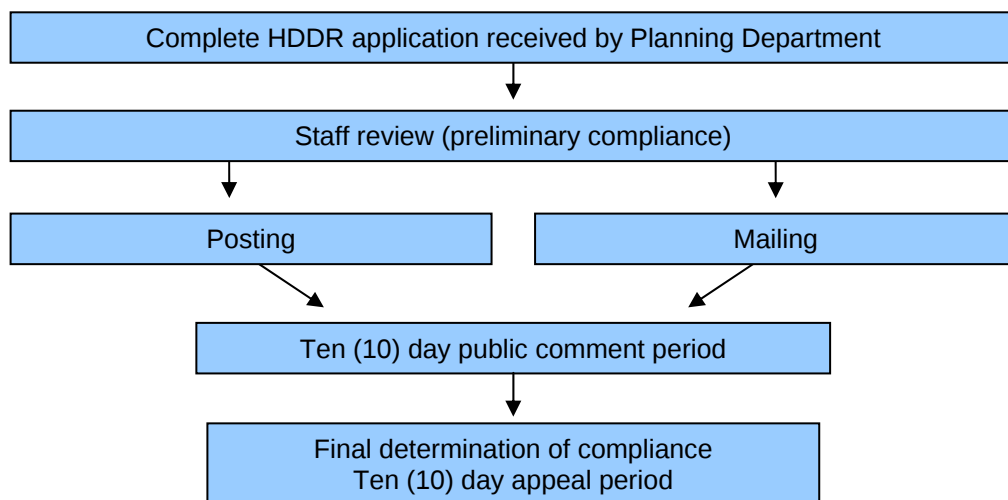
amendments in the current LMC include significant changes to the previous requirements. The amendments include the following:

- Property posting and courtesy mailing once the HDDR application is received and deemed complete establishing a fourteen (14) day period in which written public comment on the application may be taken.
- A second property posting and courtesy mailing once a determination has been made establishing a ten (10) day period in which the Planning Department's decision may be appealed.
- Expands the notification of adjoining property owners to property owners within 100 feet.

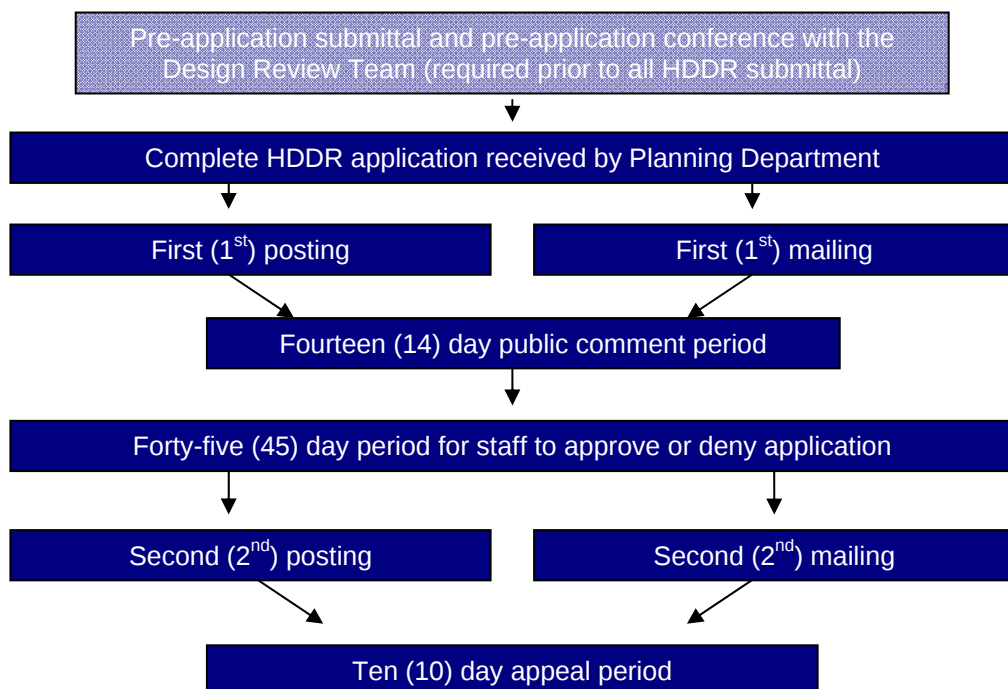
The chart on the following page compares the noticing requirements for both the 54th and 55th editions of the LMC:

HDDR Noticing requirements	Posted:	Courtesy Mailing:	Published:
LMC 54 th Edition	<i>For a 10 day period once staff's preliminary determination of compliance has been reached.</i>	<i>To owners of <u>adjoining</u> property once Staff's preliminary determination of compliance has been reached, establishing a 10 day period in which Staff's decision may be appealed.</i>	<i>Only required upon appeal of the Planning Director's decision. See appeals from Planning Director, Historic Preservation Board, Planning Commission, including City Council call-up.</i>
LMC 55 th Edition	<i>First Posting: The property shall be posted for a 14 day period once a complete application has been received. Other posted legal notice not required.</i> <i>Second Posting: For a 14 day period once the Planning Department has determined the proposed development complies or does not comply with the Design Guidelines for Historic Districts and Historic Sites. Other posted legal notice not required.</i>	<i>First Mailing: To owners within 100 feet once a complete application has been received, establishing a 14 day period in which written public comment on the application may be taken.</i> <i>Second Mailing: To owners within 100 feet and individuals who provided written comment on the application during the 14 day public comment period. The second mailing occurs after a 45 day period in which the Planning Department determines the proposed development complies or does not comply with the Design Guidelines for Historic Districts and Historic Sites, establishing a 10 day period in which the Planning Department's decision may be appealed.</i>	<i>See appeals from Planning Director, Historic Preservation Board, Planning Commission, including City Council call-up. Section 15-1-18.</i>

The illustrative chart below reflects the previously adopted process and noticing (the one used for 657 Park Avenue):



During the July 2009 LMC amendments, changes were also made to the procedure including noticing requirements to allow public input on design review applications before staff determines compliance/non-compliance with the Historic Design Guidelines. The illustrative chart below reflects the current process:



It is worth noting that the Planning Staff and the Historic Preservation Board members have recently discussed opportunities to locate informational signs at HDDR sites under construction. This signage is separate and distinct from the current LMC posting requirements. Perhaps these signs could illustrate “before and after” images and include a short narrative outlining the approved Preservation Plan. Clearly, at a minimum, staff agrees that referring to “HDDR approval” or reconstruction in cases where the whole structure is being dismantled (for panelization or reconstruction) needs to be improved. Staff admits that the May 2009 noticing for 657 Park Avenue could have been improved by more explicitly noting that the HDDR review included a complete dismantling and reconstruction with an addition to the structure.

Direction requested: In July 2009 the City Council amended the LMC which adopted revised public noticing. The most significant changes include initial public noticing, second public noticing, and an expansion of owners that are notified within 100 feet of the Applicant’s property (rather than adjoining properties only being noticed).

Park City’s website (www.parkcity.org) has an *eNotify Me* feature which allows the public who provide an e-mail address the ability to be notified of an event, news, employment, or request for proposal/bid. At the City Council’s request the Planning Department may add a historic preservation news tab that would allow the City to notify the public of relevant actions taken. The historic preservation news may include recent HDDR submittals, approvals/denials, grants, issued building permit, etc.

Please provide direction to staff to determine whether the LMC contains adequate public noticing for HDDR approvals. Also, please provide direction regarding the *eNotify Me* feature – would this function as an appropriate means of sharing historic preservation related news with the public, the Historical Society, and other interested parties?

Overview of HDDR for 657 Park Avenue

Staff appropriately implemented the HDDR process for 657 Park Avenue; the application was reviewed using the pre-July 2009 revisions to the Design Guidelines and LMC. Staff believes these newly updated documents address many of the concerns that came to light as a result of the recently approved reconstruction for 657 Park Avenue; however staff would like the City Council to address the current HDDR policy that continues to allow for panelization and reconstruction of structures as outlined in this report.

Ongoing HDDR Approvals

The City Council requested information regarding previously approved (and vested under the prior Design Guidelines) properties that may see construction activity in the future. The following charts illustrate those approvals that are still active using the old Design Guidelines (pre-July 2009) and those that are currently using the new Design Guidelines (July 2009):

Old Design Guidelines - Approvals

Total Outstanding Approvals = 109

Approved HDDR/no Building Permit applied for = 19

Approved HDDR/Building Permit pending = 42

Approved HDDR/Building Permit expired = 3

Approved HDDR/Building Permit Final (project complete) = 45

New (Current) Design Guidelines - Approvals

Total Approvals = 68

Approved HDDR/no Building Permit applied for = 38

Approved HDDR/Building Permit pending = 16

Approved HDDR/Building Permit expired = 2

Approved HDDR/Building Permit Final (project complete) = 1

Approved HDDR/Building Permit not required (e.g. fences, flatwork, etc.) = 11

Exhibit B includes a complete list of all Historic District Design Review (HDDR) applications that have been applied for since the initial Historic Building Inventory (HBI) survey was initiated in June 2006. Those highlighted in blue are applications that are vested using the old Design Guidelines (pre-July 2009).

Recommendation

Recap the recently approved reconstruction project located at 657 Park Avenue.

Assess the current reconstruction criteria adopted in the Land Management Code including noticing requirements for Historic District Design Review applications.

Consider providing staff direction for possible amendments to the City's reconstruction policy and public noticing requirements.

Exhibit A – Action Letter from Planner, Francisco Astorga, dated June 9, 2009

Exhibit B – Complete List of Historic District Design Review (HDDR) Approvals Since June 2006 – Initial Park City Inventory Study

Exhibit A

June 9, 2009

Alan Agle
C/O EIX, LLC
PO Box 3538
Park City, UT 84060

NOTICE OF PLANNING STAFF ADMINISTRATIVE ACTION

<u>Project Address:</u>	657 Park Avenue
<u>Project Description:</u>	Historic District Design Review for a historic structure to be reconstructed and relocated
<u>Date of Action:</u>	June 08, 2009

SUMMARY OF STAFF ACTION

Staff has reviewed this project for compliance with the Historic District Design Guidelines, and approved the proposed design at 657 Park Avenue pursuant to the following Findings of Fact, Conclusions of Law and Conditions of Approval:

FINDINGS OF FACT

1. The applicant is proposing to reconstruct and relocate a historic structure and to build an addition at 657 Park Avenue.
2. The property is located within the Historic Recreation Commercial (HRC) district, subject to the conditions of approval of the 657 Park Avenue Replat.
3. The lot is 3,750 square feet in size.
4. The lot is generally flat.
5. The reconstruction, relocation, and addition meet required setbacks within the HRC district.
6. The reconstruction, relocation, and addition meet the height requirements of the HRC district.
7. The subject historic structure will be relocated within the same lot to be parallel with the side property lines.
8. Access to the property is via Park Avenue, a public street
9. The site has been designated historically significant by the Park City Historic Site Inventory.

10. The maximum floor area for non-residential use for a lot this size, built after 1985, is 2,625 square feet.
11. Structures existing prior to 1985 may be used in their entirety for non-residential uses.
12. The existing historic structure is approximately 1,325 square feet.
13. The proposed (total) building area is 4,035 square feet. The addition contains 2,710 square feet of non-residential use. The addition exceeds the maximum floor area for non-residential use by 85 square feet. The addition will need to comply with the requirement of not to exceed 2,625 square feet.
14. The findings discussed in the Background and Analysis Sections of this staff report are incorporated herein.

CONCLUSIONS OF LAW

1. The proposed work complies with the Park City Historic District Design Guidelines as conditioned.
2. The proposed work complies with the Land Management Code requirements pursuant to the HRC district.

CONDITIONS OF APPROVAL

1. Receipt and approval of a Construction Mitigation Plan (CMP) by the Park City Building Department is a condition precedent to the issuance of any building permit.
2. Final building plans and construction details shall reflect substantial compliance with the drawings stamped in on June 08, 2010, as redlined. Any changes, modifications, or deviations from the approved design shall be reviewed and approved by the Planning Director prior to their construction. Any formal request for design modifications submitted during construction may result in a stop-work order by the Chief Building Official until the modifications are approved.
3. Approval of this application will expire if Building Permits are not received by June 9, 2010.
4. The designer and/or applicant shall be responsible for coordinating the approved architectural drawings/documents with the approved construction drawings/documents. The overall aesthetics of the approved architectural drawings/documents shall take precedence. Any discrepancies found among these documents that would cause a change in appearance to the approved architectural drawings/documents shall be reviewed and approved prior to construction. Failure to do so, or any request for changes during construction may require the issuance of a stop-work order for the entire project by the Chief Building Official until such time that the matter has been resolved.
5. All building ornamentation and trim shall be wood.
6. All exterior lighting and their location shall be reviewed and approved by the Planning Department for compliance with the Land Management Code prior to issuance of building permits. Excessive exterior lighting fixtures on the front facade of the dwelling and porches shall not be permitted.
7. The structure will be reconstructed with careful attention to detail obtained from the existing 1930's tax photograph as indicated on the approved plans.

8. A landscape plan for the area immediately adjacent to the house shall be submitted prior to issuance of a full permit. Areas of significant vegetation shall be protected by limits of disturbance fencing prior to commencing construction. Silt fencing shall be provided along stream corridors and otherwise as needed to protect streams and ponds.
9. The addition shall be reduced by 85 square feet to comply with the FAR requirement for non-residential use. The addition will need to comply with the requirement of not to exceed 2,625 square feet.
10. All standard conditions of approval shall apply.

Respectfully,

Francisco Astorga
Planner

EXHIBIT A

PARK CITY MUNICIPAL CORPORATION STANDARD PROJECT CONDITIONS

1. The applicant is responsible for compliance with all conditions of approval.
2. The proposed project is approved as indicated on the final approved plans, except as modified by additional conditions imposed by the Planning Commission at the time of the hearing. The proposed project shall be in accordance with all adopted codes and ordinances; including, but not necessarily limited to: the Land Management Code (including Chapter 5, Architectural Review); International Building, Fire and related Codes (including ADA compliance); the Park City Design Standards, Construction Specifications, and Standard Drawings (including any required snow storage easements); and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City of Park City.
3. A building permit shall be secured for any new construction or modifications to structures, including interior modifications, authorized by this permit.
4. All construction shall be completed according to the approved plans on which building permits are issued. Approved plans include all site improvements shown on the approved site plan. Site improvements shall include all roads, sidewalks, curbs, gutters, drains, drainage works, grading, walls, landscaping, lighting, planting, paving, paths, trails, public necessity signs (such as required stop signs), and similar improvements, as shown on the set of plans on which final approval and building permits are based.
5. All modifications to plans as specified by conditions of approval and all final design details, such as materials, colors, windows, doors, trim dimensions, and exterior lighting shall be submitted to and approved by the Planning Department, Planning Commission, or Historic Preservation Board prior to issuance of any building permits. Any modifications to approved plans after the issuance of a building permit must be specifically requested and approved by the Planning Department, Planning Commission and/or Historic Preservation Board in writing prior to execution.
6. Final grading, drainage, utility, erosion control and re-vegetation plans shall be reviewed and approved by the City Engineer prior to commencing construction. Limits of disturbance boundaries and fencing shall be reviewed and approved by the Planning, Building, and Engineering Departments. Limits of disturbance fencing shall be installed, inspected, and approved prior to building permit issuance.
7. An existing conditions survey identifying existing grade shall be conducted by the applicant and submitted to the Planning and Building Departments prior to issuance of a footing and foundation permit. This survey shall be used to assist the Planning Department in determining existing grade for measurement of building heights, as defined by the Land Management Code.
8. A Construction Mitigation Plan (CMP), submitted to and approved by the Planning, Building, and Engineering Departments, is required prior to any construction. A CMP shall address the following, including but not necessarily limited to: construction staging, phasing, storage of materials, circulation, parking, lights, signs, dust, noise, hours of operation, re-vegetation of disturbed areas, service and delivery, trash pick-up, re-use of construction materials, and disposal of excavated materials. Construction staging areas shall be clearly defined and placed so as to minimize site disturbance. The CMP shall include a landscape plan for re-vegetation of all areas disturbed during construction, including but not limited to: identification of existing vegetation and replacement of significant vegetation or trees removed during construction.
9. Any removal of existing building materials or features on historic buildings shall be approved and coordinated by the Planning Department according to the LMC, prior to removal.
10. The applicant and/or contractor shall field verify all existing conditions on historic buildings and match replacement elements and materials according to the approved plans. Any discrepancies found between

approved plans, replacement features and existing elements must be reported to the Planning Department for further direction, prior to construction.

11. Final landscape plans, when required, shall be reviewed and approved by the Planning Department prior to issuance of building permits. Landscaping shall be completely installed prior to occupancy, or an acceptable guarantee, in accordance with the Land Management Code, shall be posted in lieu thereof. A landscaping agreement or covenant may be required to ensure landscaping is maintained as per the approved plans.
12. All proposed public improvements, such as streets, curb and gutter, sidewalks, utilities, lighting, trails, etc. are subject to review and approval by the City Engineer in accordance with current Park City Design Standards, Construction Specifications and Standard Drawings. All improvements shall be installed or sufficient guarantees, as determined by the City Engineer, posted prior to occupancy.
13. The Snyderville Basin Water Reclamation District shall review and approve the sewer plans, prior to issuance of any building plans. A Line Extension Agreement with the Snyderville Basin Water Reclamation District shall be signed and executed prior to building permit issuance. Evidence of compliance with the District's fee requirements shall be presented at the time of building permit issuance.
14. The planning and infrastructure review and approval is transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
15. When applicable, access on state highways shall be reviewed and approved by the State Highway Permits Officer. This does not imply that project access locations can be changed without Planning Commission approval.
16. Vesting of all permits and approvals terminates upon the expiration of the approval as defined in the Land Management Code, or upon termination of the permit.
17. No signs, permanent or temporary, may be constructed on a site or building without a sign permit, approved by the Planning and Building Departments. All multi-tenant buildings require an approved Master Sign Plan prior to submitting individual sign permits.
18. All exterior lights must be in conformance with the applicable Lighting section of the Land Management Code. Prior to purchase and installation, it is recommended that exterior lights be reviewed by the Planning Department.

April 2007

Historic Preservation Approvals since June, 2006

ADDRESS	PLANNING APPLICATION #	STATUS	BUILDING PERMIT #	STATUS	TYPE	DESIGNATION	IMPACT	DESCRIPTION
71 DALY AVE	PL-06-00102	Approved			Historic	Significant	Major	Demolition of non-historic additions and movement of house 25'
71 DALY AVE	PL-08-00560	Approved	BD-08-14057	Expired	Historic	Significant	Major	Addition to existing historic structure
118 DALY AVE	PL-06-00213	Approved	BD-07-12506	Issued	Historic	Significant	Major	Addition to existing historic structure
146 DALY AVE	PL-09-00650	Approved	BD-09-14538	Final - CO	Non-Historic	N/A	Minor	New landscaping to an existing non-historic
166 DALY AVE	PL-07-00192	Approved	BD-07-13137	Issued	Historic	Landmark	Major	Restoration of existing historic structure
191 DALY AVE	PL-06-00162	Approved	BD-06-12213	Final - CO	New Construction	N/A	Major	New Single Family Dwelling
209/207 DALY AVE	PL-10-01044	Approved			Non-Historic	N/A	Minor	Shed Maintenance
209/207 DALY AVE	PL-10-01007	Approved	BD-10-15510	Issued	Non-Historic	N/A	Minor	Replacement of window in non-historic structure
214 DALY AVE	PL-07-00113	Approved	BD-07-12714	Final - CO	Non-Historic	N/A	Major	Remodel of existing non-historic structure
220 DALY AVE	PL-10-01087	Approved			Non-Historic	N/A	Minor	Rebuild existing exterior staircase and landing to entrances of 220 & 222 Daly Ave
269 DALY AVE	PL-10-01003	Pending full HDR			Historic	Landmark	Minor	Clean, repair, or replace fences, concrete flatwork and landscaping
313 DALY AVE	PL-07-00234	Approved	BD-09-15118	Issued	Historic		Major	Reconstruction of historic home w/ addition
412 DEER VALLEY LOOP	PL-08-00520	Approved	BD-09-14757	Issued	New Construction	N/A	Major	New Single Family Dwelling
830 EMPIRE AVE	PL-08-00360	Approved	BD-09-15074	Pending	Historic	Landmark		Addition of a basement to an existing historic home
953 EMPIRE AVE	PL-07-00158	Approved	BD-08-13485	Final - CO	New Construction	N/A	Major	New Single Family Dwelling
964 EMPIRE AVE	PL-07-00126	Approved	BD-08-13612	Final - CO	Historic	Significant	Major	Addition to existing historic structure - House moved whole
1003 EMPIRE AVE	PL-10-00966	Approved	BD-10-15506	Issued	Non-Historic	N/A	Minor	Replacement of 2nd story decks at 1003 & 1007 Empire Avenue.
1110 EMPIRE AVE	PL-07-00015	Approved	BD-08-13456	Issued	New Construction	N/A	Major	Demo of non-historic home and construction of a duplex
1159 EMPIRE AVE	PL-10-01055	Approved			Non-Historic	N/A	Minor	Proposed addition of a railing on an existing deck.
1177 EMPIRE AVE	PL-09-00643	Approved	BD-09-14801	Issued	New Construction	N/A	Major	New Single Family Dwelling
1194 EMPIRE AVE	PL-07-00148	Approved	BD-08-13584	Final - CO	New Construction	N/A	Major	New Single Family Dwelling
1195 EMPIRE AVE	PL-08-00538	Approved	BD-10-15191	Pending	New Construction	N/A	Major	New Single Family Dwelling
1196 EMPIRE AVE	PL-07-00147	Approved	BD-08-13586	Final - CO	New Construction	N/A	Major	New Single Family Dwelling
1198 EMPIRE AVE	PL-07-00146	Approved	BD-08-13588	Final - CO	New Construction	N/A	Major	New Single Family Dwelling
136 HEBER AVE	PL-09-00757	Approved			Non-Historic	N/A	Minor	Awning addition to a non historic building
45 HILLSIDE AVE	PL-06-00204	Approved	BD-06-12108	Final - CO	Non-Historic	N/A	Major	Addition to a non-historic structure
3000 N HWY 224	PL-09-00793	Approved			Historic	Landmark	Minor	ADA access at McPolin Farm Driveway
99 KING RD	PL-07-00144	Approved	BD-07-12982	Final - CO	Non-Historic	N/A	Minor	Dormer addition to non-historic structure
944 LOWELL AVE	PL-07-00153	Approved	BD-08-13448	Final - CO	New Construction	N/A	Major	New Single Family Dwelling

Historic Preservation Approvals since June, 2006

ADDRESS	PLANNING APPLICATION #	STATUS	BUILDING PERMIT #	STATUS	TYPE	DESIGNATION	IMPACT	DESCRIPTION
1049 LOWELL AVE	PL-07-00007	Approved	BD-06-12223	Final - CO	Non-Historic	N/A	Major	Addition to a non-historic garage
1104 LOWELL AVE	PL-06-00167	Approved	BD-07-12475	Final - CO	New Construction	N/A	Major	New single Family Dwelling
1118 LOWELL AVE	PL-06-00166	Approved	BD-07-12476	Final - CO	New Construction	N/A	Major	New Single Family Dwelling
1310 LOWELL AVE	PL-10-01011	Approved	BD-10-15777	Issued	Historic	Significant	Minor	Silver King Coalition Mine Site - Boarding House PCA-S-98-PCMR
115 MAIN ST	PL-10-00963	Pending full HDR			Historic	Significant	Minor	Replacement of Siding & Windows on a historic structure
129 MAIN ST	PL-08-00387	Pending full HDR					Major	New Single Family Dwelling
148 MAIN ST	PL-07-00096	Approved	BD-07-12625	Final - CO	Historic	Significant	Major	Renovation and addition of a historic structure
176 MAIN ST	PL-10-00893	Pending full HDR			Historic	Landmark		Discussion of development potential
205 MAIN ST	PL-07-00049	Approved			New Construction	N/A	Major	Construction of a 7 unit condominium project
221 MAIN ST	PL-07-00039	Approved	BD-07-12626	Pending	Historic	Landmark	Major	Addition to an existing historic structure
260 MAIN ST	PL-06-00180	Approved	BD-06-12149	Issued	New Construction	N/A	Major	Construction of new commercial building
333 MAIN ST	PL-09-00637	Approved			Non-Historic	N/A	Major	Revision of approval of PL-07-00051
333 MAIN ST	PL-07-00051	Approved			Non-Historic	N/A	Major	Renovation of Main Street Mall
350 MAIN ST	PL-07-00047	Approved	BD-06-12211	Final - CO	Historic	Landmark	Minor	Additions of windows to enclose rear deck
352 MAIN ST	PL-10-00948	Pending review					Major	Retail Shell infill space
352 MAIN ST	PL-09-00775	Approved	BD-09-14964	Expired	Non-historic	N/A	Major	Renovation of restaurant
402 MAIN ST	PL-10-00953	Approved			Historic	Landmark	Minor	cut out section of wall to preserve "Bansky" graffiti
412 MAIN ST	PL-10-00944	Pending review			Historic	Significant	Minor	Review of awning
436 MAIN ST	PL-07-00034	Approved	BD-07-12715	Final - CO	Historic	Landmark	Major	Addition onto an existing Historic Commercial Building - includes the demolition of non-historic rear elements
442-444 MAIN ST	PL-10-01091	Pending full HDR			Historic	Significant	Minor	Proposed a small storage unit behind the building. The unit will be separate from the building.
447 MAIN ST	PL-08-00457	Approved	BD-08-13980	Issued	Historic	Landmark	Minor	Residential deck on shed roof over new addition of an existing Historic Commercial Building
447 MAIN ST	PL-06-00176	Approved	BD-08-13516	Final - CO	Historic	Landmark	Major	Renovation to Historic Commercial Building
508 MAIN ST	PL-10-00934	Pending full HDR			Historic	Landmark	Major	Proposed rear addition to existig Historic Commercial building
508 MAIN ST	PL-10-01065	Pending review			Historic	Landmark	Minor	3 modifications proposed to the exterior of the building to convert to a restaurant
515 MAIN ST	PL-08-00434	Approved	BD-09-14937	Issued	Historic	Significant	Minor	Renovation of a Historic Commercial Building
528 MAIN ST	PL-06-00216	Approved	BD-07-12965	Final - CO	Historic	Landmark	Major	Rear addition to a Historic Commercial Building
550 MAIN ST	PL-10-01101	Pending review			Historic	Landmark	Minor	Stucco repair of existing Historic Building
562 MAIN ST	PL-06-00132	Approved	BD-07-12870	Issued	Historic	Landmark	Major	Rear addition to a Historic Commercial Building

Historic Preservation Approvals since June, 2006

ADDRESS	PLANNING APPLICATION #	STATUS	BUILDING PERMIT #	STATUS	TYPE	DESIGNATION	IMPACT	DESCRIPTION
573 MAIN ST	PL-07-00019	Approved			Historic	Landmark	Major	Renovation and addition to existing Historic Commercial Building
577 MAIN ST	PL-10-00921	Approved	BD-10-15489	Issued	Non-Historic	N/A	Minor	Addition of second story balcony to a non-historic structure
625 MAIN ST	PL-10-01041	Approved	BD-10-15674	Issued	Non-Historic	N/A	Minor	Replacement of front door and windows of a non-historic structure
692 MAIN ST	PL-10-00916	Pending review			Non-Historic	N/A	Major	Addition to a non-historic commercial building
100 MARSAC AVE	PL-08-00504 to PL-08-00495	Pending review			New Construction	N/A	Major	10 units for Affordable Housing projects
154 MARSAC AVE	PL-08-00435	Pending review			New Construction	N/A	Major	Two new single family dwellings
320 MARSAC AVE	PL-10-00939	Approved	BD-10-15729	Issued	Non-Historic	N/A	Minor	Railing repair and siding maintenance
402 MARSAC AVE	PL-06-00103	Approved	BD-06-11791	Final - CO	Historic	Significant	Major	Addition to an existing historic structure
445 MARSAC AVE	PL-10-01020	Approved	BD-10-15894	Final - CO	Historic	Landmark	Minor	Addition of Solar Panels to roof of Historic Structure
235 MCHENRY AVE	PL-09-00693	Approved	BD-10-15548	Issued	Non-Historic	N/A	Major	New garage addition to non-historic structure
321 MCHENRY	PL-10-01008	Approved	BD-10-15864	Issued	Non-Historic	N/A	Major	New garage addition to non-historic structure
351 MCHENRY	PL-10-01036	Pending review			Non-Historic	N/A	Minor	Deck expansion off rear and deck addition over garage of existing duplex
201 NORFOLK AVE	PL-08-00582	Approved			Non-Historic	N/A	Major	Addition to an existing structure
259 NORFOLK AVE	PL-10-01027	Pending review			New Construction	N/A	Major	New Single Family Dwelling
707 NORFOLK AVE	PL-06-00174	Approved	BD-06-12041	Final - CO	Non-Historic	N/A	Minor	Renovation of windows on existing non-historic structure and 51 sq ft addition
730 NORFOLK AVE	PL-07-00012	Approved	BD-07-12593	Final - CO	Non-Historic	N/A	Major	Addition/Remodel of existing non-historic structure
811 NORFOLK AVE	PL-10-01080	Pending review			Historic	Landmark	Major	Possible movement of Landmark Structure. Within appeal period of Denial by Staff.
812 NORFOLK AVE	PL-10-00992	Approved	N/A		Non-Historic	N/A	Minor	Fence repair at a non-historic site
817 NORFOLK AVE	PL-10-01045	Pending review			Historic	Landmark	Minor	Fence at 817 Norfolk along the north side property line
817 NORFOLK AVE	PL-10-01081	Pending review			New Construction	N/A	Major	New Single Family Dwelling on site of Landmark accessory structure
915 NORFOLK AVE	PL-10-00930	Approved	BD-10-15414	Issued	Historic	Significant	Minor	Addition of windows to an existing historic building
927 NORFOLK AVE	PL-10-01088	Pending full HDR	BD-10-15873	Pending	Non-Historic	N/A	Minor	partial conversion of an existing 2-car garage into a mudroom, bedroom and bathroom.
950 NORFOLK AVE	PL-10-00949	Approved			Non-Historic	N/A	Minor	Maintenance of trim on non-historic structure
961 NORFOLK AVE	PL-06-00165	Approved	BD-06-12050	Final - CO	Non-Historic	N/A	Minor	Addition to exterior deck on existing non-historic structure
1021 NORFOLK AVE	PL-06-12259	Approved	BD-08-13382	Final - CO	Historic	Significant	Minor	Renovation and addition of historic structure
1030 NORFOLK AVE	PL-07-00092	Approved	BD-07-13238	Issued	New Construction	N/A	Major	New single family dwelling
1031 NORFOLK AVE	PL-07-00023	Approved	BD-07-12360	Final - CO	New Construction	N/A	Major	New single family dwelling
1035 NORFOLK AVE	PL-06-00133	Approved	BD-06-11925	Issued	New Construction	N/A	Major	New single family dwelling

Historic Preservation Approvals since June, 2006

ADDRESS	PLANNING APPLICATION #	STATUS	BUILDING PERMIT #	STATUS	TYPE	DESIGNATION	IMPACT	DESCRIPTION
1039 NORFOLK AVE	PL-06-00134	Approved	BD-06-11926	Final - CO	New Construction	N/A	Major	New single family dwelling
1101 NORFOLK AVE	PL-09-00658	Approved	BD-09-14475	Issued	Historic	Landmark	Major	Remodel of an existing historic structure to add a crawl space
1102 NORFOLK AVE	PL-08-00353	Approved			Historic	Landmark	Major	Rear addition to an existing historic structure
210 ONTARIO AVE	PL-10-01073	Pending full HDR			Non-Historic	N/A	Minor	propose to build a 500 sq ft deck on rear of property with covered roof.
275 ONTARIO AVE	PL-07-00011	Approved	BD-07-12851	Issued	New Construction	N/A	Major	New single family dwelling
308 ONTARIO AVE	PL-08-00346	Approved	BD-09-14746	Issued	Historic	Significant	Major	Addition to an existing historic structure
317 ONTARIO AVE	PL-10-00905	Pending full HDR			Historic	Significant	Major	Addition to an existing historic structure
327 ONTARIO AVE	PL-10-01037	Approved			Non-historic	N/A	Minor	Addition of solar panels to roof a structure
421 ONTARIO AVE	PL-07-00143	Approved	BD-07-13012	Issued	Non-historic	N/A	Minor	Addition of mudroom at front door of non-historic structure
428 ONTARIO AVE	PL-07-00055	Approved	BD-08-13595	Final - CO	New Construction	N/A	Minor	New single family dwelling
430 ONTARIO AVE	PL-07-00056	Approved	BD-10-15541	Issued	New Construction	N/A	Minor	New single family dwelling
432 ONTARIO AVE	PL-07-00057	Approved	BD-07-12849	Issued	New Construction	N/A	Minor	New single family dwelling
108 PARK AVE	PL-08-00389	Approved	BD-10-15242	Issued	New Construction	N/A	Minor	New single family dwelling
151 PARK AVE	PL-08-00302	Approved	BD-08-13377	Final - CO	Non-Historic	N/A	Major	Addition and remodel of non-historic structure
160 PARK AVE	PL-10-01075	Approved	N/A		Non-Historic	N/A	Minor	Landscaping issues
160 PARK AVE	PL-08-00388	Approved	BD-07-13324	Final - CO	New Construction	N/A	Major	New single family dwelling
313 PARK AVE	PL-08-00592	Approved	BD-09-14494	Expired	New Construction	N/A	Major	New single family dwelling
411 PARK AVE	PL-07-00170	Approved	BD-08-13487	Issued	New Construction	N/A	Major	New single family dwelling
416 PARK AVE	PL-10-01016	Approved			Historic	Landmark	Minor	Soffit repair and venting work on historic structure
455 PARK AVE	PL-10-00971	Approved	N/A		Historic	Landmark	minor	Repair to fence
505 PARK AVE	PL-10-00935	Pending review			Non-Historic	N/A	Major	Addition to non-historic structure
527 PARK AVE	PL-07-00086	Approved	BD-08-14265	Final - CO	Historic	Significant	Minor	Remode of historic home including addition of bay window
528/526 PARK AVE	PL-09-00745	Approved	N/A		Historic	Landmark	Minor	Modification of front patio of a historic building
543 PARK AVE	PL-10-00993	Pending full HDR			Historic	Landmark	Minor	Addition of pool on a historic site
553 PARK AVE	PL-07-00033	Approved	BD-10-15905	Pending	Historic	Landmark	Major	Remodel and addition of an existing historic structure
557 PARK AVE	PL-07-00035	Approved	BD-07-13349	Final - CO	Historic	Significant	Major	Remodel and addition of an existing historic structure
575 PARK AVE	PL-09-00685	Approved	BD-10-15189	Issued	Historic	Landmark	Major	Rear addition to an existing historic structure
584 PARK AVE	PL-09-00646	Approved			New Construction	N/A	Major	New single family dwelling

Historic Preservation Approvals since June, 2006

ADDRESS	PLANNING APPLICATION #	STATUS	BUILDING PERMIT #	STATUS	TYPE	DESIGNATION	IMPACT	DESCRIPTION
593 PARK AVE	PL-09-00869	Approved	BD-10-15149	Expired	New Construction	N/A	Major	New single family dwelling
657 PARK AVE	PL-08-00329	Approved	BD-10-15451	Pending	Historic	Significant	Major	Reconstruction and relocation of historic building
703 PARK AVE	PL-06-00230	Approved	BD-08-13519	Final - CO	Historic	Landmark	Major	High West Distillery - Panelization and renovation
929 PARK AVE	PL-09-00842	Approved	N/A		Historic	Significant		Preservation Plan for moth balling
1049 PARK AVE	PL-07-00093	Approved	BD-07-12855	Expired	Historic	Landmark	Major	Addition and remodel of an existing historic structure
1059 PARK AVE	PL-09-00774	Approved			Historic	Significant	Major	Addition to existing historic structure - Significant changes proposed created new application PL-10-01059
1059 PARK AVE	PL-10-01059	Pending review	BD-10-15608	Issued	Historic	Significant	Major	Addition to existing historic structure. Structure moved whole - penalty to owners for removing siding.
1135 PARK AVE	PL-06-00100	Approved	BD-06-11916	Issued	Historic	Significant	Major	Addition/Remodel of existing historic structure
1149 PARK AVE	PL-10-01005	Approved	N/A		Historic	Significant	Minor	Create a parking pad and fence
1160 PARK AVE	PL-06-00231	Approved	BD-07-12459	Final - CO	Historic	Significant	Major	Addition/Remodel of an existing historic structure
1161 PARK AVE	PL-06-00101	Approved	BD-07-12291	Final - CO	New Construction	N/A	Major	New single family dwelling
1280 PARK AVE	PL-08-00267	Approved	BD-09-14488	Pending	New Construction	N/A	Major	New single family dwelling
1328 PARK AVE	PL-10-01006	Approved	N/A		Historic	Landmark	Minor	Fence along front yard
1420 PARK AVE	PL-10-00904	Approved			Historic	Significant	Major	Remove non-historic garage and build new garage and addition to rear and north elevations of existing historic structure
44 PROSPECT ST	PL-10-01048	Pending full HDDR			Non-Historic	N/A	Minor	Replacement of shingles and siding on a non-historic structure
68 PROSPECT ST	PL-08-00507	Approved			Historic	Landmark	Major	Reconstruction of historic structure with basement and main level addition
147 RIDGE AVE	PL-08-00390	Approved	BD-08-13996	Issued	Historic	Landmark	Major	Addition/Remodel of an existing historic structure - panelization
147 RIDGE AVE	PL-09-00853	Approved			Historic	Landmark	Minor	Reconstruction of the wall on the upper part of Ridge Avenue.
158 RIDGE AVE	PL-08-00316	Approved	BD-09-14905	Pending	New Construction	N/A	Major	New single family dwelling
162 RIDGE AVE	PL-08-00317	Approved	BD-09-14907	Pending	New Construction	N/A	Major	New single family dwelling
166 RIDGE AVE	PL-08-00315	Approved	BD-09-14909	Pending	New Construction	N/A	Major	New single family dwelling
525 ROSSIE HILL DR	PL-10-01051	Approved	PB-10-00348	Issued	Non-Historic	N/A	Minor	Addition of solar collectors on roof
16 SAMPSON AVE	PL-08-00571	Pending review			Historic	Significant	Major	Addition to an existing historic structure
40 SAMPSON AVE	PL-10-01015	Pending full HDDR	N/A		Historic	Significant	Minor	Proposed parking pad
41 SAMPSON AVE	PL-06-00222	Approved	BD-07-12751	Issued	Historic	Landmark	Major	Addition/Remodel of an existing historic structure
60 SAMPSON AVE	PL-07-00135	Approved	BD-08-13659	Issued	Historic	Significant	Major	Addition/Remodel of an existing historic structure
115 SAMPSON AVE	PL-10-01069	Pending review	N/A		Historic	Significant		Preservation Plan

Historic Preservation Approvals since June, 2006

ADDRESS	PLANNING APPLICATION #	STATUS	BUILDING PERMIT #	STATUS	TYPE	DESIGNATION	IMPACT	DESCRIPTION
130 SANDRIDGE AVE	PL-08-00297	Approved	BD-09-14554	Issued	Historic	Significant	Major	Addition/Remodel of an existing historic structure - panelization
156 SANDRIDGE RD	PL-08-00306	Approved	BD-08-14060	Final - CO	Historic	Significant	Major	New single family dwelling on site of Significant accessory structure
601 SUNNYSIDE DR	PL-08-00293	Approved	BD-10-15824	Issued	Historic	Landmark	Major	Reconstruction of historic shed/cabin. Applicant chose to panelize and retain feasible historic material
601 SUNNYSIDE DR	PL-10-01119	Pending review			Historic	Landmark	Minor	Addition of skylights to South aspect of historic structure
1825 THREE KINGS DR	PL-06-00147	Approved	BD-04-09860	Final - CO	Historic	Significant	Major	Restoration/addition/relocation of historic mining buildings. Includes the movement and reconstruction of historic house at 1865 Three Kings Drive
109 WOODSIDE AVE	PL-10-01092	Pending full HDDR			Historic	Landmark	Minor	Applicant is proposing improvements on a free standing garage.
119 WOODSIDE AVE	PL-06-00171	Approved	BD-09-14976	Pending	New Construction	N/A	Major	New single family dwelling
123 WOODSIDE AVE	PL-06-00172	Approved	BD-09-14977	Pending	New Construction	N/A	Major	New single family dwelling
139 WOODSIDE AVE	PL-06-00137	Approved	BD-06-12111	Final - CO	Historic	Significant	Major	Renovation of an existing historic structure
239 WOODSIDE AVE	PL-07-00061	Approved			New Construction	N/A	Major	Reconstruction and addition to a historic structure
245 WOODSIDE AVE	PL-09-00849	Approved	BD-10-15565	Issued	Non-Historic	N/A	Minor	Repair of stairs
265 WOODSIDE AVE	PL-08-00441	Approved			New Construction	N/A	Major	New single family dwelling
311 WOODSIDE AVE	PL-09-00822	Approved	BD-09-15081	Issued	Historic	Significant	Minor	Repair to stairs of an existing historic structure
324 WOODSIDE AVE	PL-06-00127	Approved	BD-06-11725	Final - CO	New Construction	N/A	Major	New single family dwelling
330 WOODSIDE AVE	PL-08-00357	Approved	BD-08-13651	Final - CO	Non-Historic	N/A	Minor	Remodel of 7 windows in non-historic structure
335 WOODSIDE AVE	PL-10-00936	Pending review			Historic	Landmark	Major	Renovation of an existing historic structure - proposed rear addition and new foundation
402 WOODSIDE AVE	PL-10-01052	Approved	BD-10-15665	Issued	Non-Historic	N/A	Minor	Replacement of two exterior doors and material change of front door
426 WOODSIDE AVE	PL-08-00362	Approved	BD-09-14437	Issued	New Construction	N/A	Major	New single family dwelling
429 WOODSIDE AVE	PL-07-00117	Approved	BD-08-14250	Issued	Historic	Significant	Major	Reconstruction of an existing historic structure
505 WOODSIDE AVE	PL-09-00655	Pending review			Historic	Significant	Major	Renovation and addition to an existing historic structure
515 WOODSIDE AVE	PL-10-01047	Approved	N/A		Non-Historic	N/A	Minor	Proposed new fence
555 WOODSIDE AVE	PL-06-00195	Approved	BD-06-11990	Final - CO	Non-Historic	N/A	Major	Addition/Remodel of an existing structure
572 WOODSIDE AVE	PL-07-00134	Approved			Non-Historic	N/A	Major	Remodel of existing non-historic structure
576 WOODSIDE AVE	PL-07-00133	Approved			Non-Historic	N/A	Major	Remodel of existing non-historic structure
605 WOODSIDE AVE	PL-08-00410	Approved	BD-08-13763	Final - CO	Historic	Significant	Major	Remove non-historic elements on South side and restore the original structure
633 WOODSIDE AVE	PL-10-01097	Pending full HDDR			Historic	Significant	Minor	Restoration of existing garage

Historic Preservation Approvals since June, 2006

ADDRESS	PLANNING APPLICATION #	STATUS	BUILDING PERMIT #	STATUS	TYPE	DESIGNATION	IMPACT	DESCRIPTION
637 WOODSIDE AVE	PL-08-00327	Approved			New Construction	N/A	Major	New single family dwelling. Owners changed hands and submitted PL-10-01046.
637 WOODSIDE AVE	PL-10-01046	Approved			New Construction	N/A	Major	New single family dwelling
654 WOODSIDE AVE	PL-08-00574	Approved	BD-09-14541	Issued	New Construction	N/A	Major	New single family dwelling
901 WOODSIDE AVE	PL-09-00795	Pending full HDDR			Historic	Landmark	Minor	Reconstruct rear deck and construct new carport under deck
919 WOODSIDE AVE	PL-09-00734	Approved	N/A		Historic	Significant		Preservation Plan
951 WOODSIDE AVE	PL-07-00040	Approved	BD-10-15174	Pending	Historic	Landmark	Major	Addition to an existing historic structure
1013 WOODSIDE AVE	PL-07-00028	Approved	BD-07-12944	Issued	Historic	Significant	Major	Restoration and Addition to an existing historic structure
1027 WOODSIDE AVE	PL-07-00154	Approved	BD-07-12945	Final - CO	Non-Historic	N/A	Major	Addition to rear of existing structure
1031 WOODSIDE AVE	PL-07-00075	Approved	BD-07-12850	Final - CO	Non-Historic	N/A	Major	Addition/Remodel of existing non-historic structure
1045 WOODSIDE AVE	PL-06-00115	Approved	BD-07-12758	Final - CO	Historic	Significant	Major	Rear addition to an existing historic structure
1110 WOODSIDE AVE	PL-08-00418	Approved	BD-10-15865	Pending	Historic	Landmark	Major	Addition to existing historic structure
1144 WOODSIDE AVE	PL-10-01004	Pending full HDDR			New Construction	N/A	Major	New single family dwelling



City Council Staff Report

Subject: State Lobbyist Services Contract
Author: Michael Kovacs & Sharon Bauman
Department: Executive
Date: Dec. 16, 2010
Type of Item: Administrative

Summary Recommendations:

Staff recommends Council award a three year contract for state lobbying services to Legislative Executive Consulting, LLC (David Stuart) for \$80,000 per year.

Topic/Description:

Consulting services for state level lobbying to the Utah legislature.

Background:

The City hired Mr. Stuart's firm two years ago to assist with complex issues arising from working with MIDA. MIDA issues, although still ongoing and important, are only a portion of the scope of services that Mr. Stuart provides. The City's legislative agenda is primarily defensive in regards to stability of existing sources of revenue (property, sales and utility/energy taxes) and impacts on our citizens resulting from redistributed resources or eliminated local powers. Our proactive issues range from positive environmental initiatives to a host of issues related to our colleagues at the League of Cities and Towns.

Analysis:

In addition to the ongoing talks regarding a potential Air Force/MIDA project, which Mr. Stuart has helped us mitigate, there were several major initiatives in the last legislative session that Mr. Stuart helped the City with that would have made a considerable negative impact had they passed as drafted.

One such issue surrounded the redistribution of school property taxes in a statewide system that would be based on a per student basis. Park City School District stood to lose millions of dollars in the first year with subsequent increased losses in future years. This bill to equalize school revenues would have substantially affected all of our taxpayers in that the schools would have needed to both cut services drastically, reducing the quality of our children's education, and would have also had to raise local property taxes substantially to make up for the difference that was lost to the state system that could not be made up with cuts. Mr. Stuart's roll was absolutely critical to our strategy and success.

The City advertised in the Park Record and the Tribune in mid November and received 3 submittals. A committee made up of City staff (Diane Foster, Roger Evans, Wade Carpenter, Sharon Bauman, and Michael Kovacs) evaluated the experience and cost proposals and recommends staying with Mr. Stuart's firm.

State Lobbyist Contract

SCOPE OF SERVICES

Consultant shall represent Park City before the Utah Legislature, Governor's Office and regulatory bodies at the state or local level.

Consultant shall provide information and strategy for the Annual Legislative Session and interim leading up to the legislative session.

Consultant shall continue to work with Summit County and MIDA to resolve the military needs of a hotel in Summit County.

Consultant shall continue to advocate solutions to education equalization proposals.

Consultant shall work with Utah Department of Transportation on transportation issues.

Consultant shall actively pursue all interests identified by Park City.

Department Review:

This report was reviewed by the Executive and Legal departments.

Alternatives:**A. Approve:**

Approve the award of the lobbying services contract to Legislative Executive Consulting (recommended).

B. Deny:

Do not approve the contract.

C. Modify:

Discuss the selection process or other applicants.

D. Continue the Item:

Take up the matter at the next possible meeting.

E. Do Nothing:

Provide other direction to staff.

Significant Impacts:

Costs are \$80,000 per year for a 3 year contract. Funds are budgeted on an on-going basis for this expense.

Consequences of not taking the recommended action:

Without an effective voice at the state capital, the City and our citizens will increasingly be at risk of substantial impacts from adverse state legislation. Such impacts easily rise to a financial impact cost far exceeding the annual cost of the proposed services agreement. Nonetheless, staff utilizes ULCT and coordination with other public agencies as much as possible to minimize the need and cost of individual lobbying on behalf of the City.

Recommendation:

Staff recommends Council award a three year contract for state lobbying services to Legislative Executive Consulting, LLC (David Stuart) for \$80,000 per year.

Attachment: Scope of Services



City Council Staff Report

Subject: Resolution in Support of 2009 IECC Building Standards
Author: Tyler Poulson
Department: Sustainability
Date: December 16, 2010
Type of Item: Administrative

Summary Recommendation:

Staff recommends that City Council review the attached resolution (Exhibit A) supporting the 2009 International Energy Conservation Code (IECC) for residential construction in Utah and adopt the resolution which encourages the state legislature to approve these more energy efficient standards.

Background:

Staff presented information and analysis about the IECC building standards during a legislative update to City Council at the December 2, 2010 Work Session. Staff from the Building and Sustainability departments, along with a diverse group of stakeholders throughout Utah, have been actively supporting the 2009 IECC residential building standards throughout this year. The standards have received a favorable recommendation from the state's Uniform Building Code Commission, but ultimately need to be approved by the Utah State Legislature to be adopted. The attached resolution encourages adoption by Utah state lawmakers during the 2011 legislative session.

Department Review:

Sustainability, Building, Legal, and the City Manager have reviewed this Staff Report and their comments have been included.

Significant Impacts:

The 2009 IECC residential building standards require improved insulation, efficient lighting, and other energy-related upgrades for new residential construction. The 2009 IECC standards for commercial construction were adopted during the 2010 state legislative session, but were not approved for residential construction at that time.

From a homeowner's perspective, the 2009 IECC standards provide a clear financial benefit from the first day of owning a home since the average monthly energy savings immediately outweigh the additional monthly costs that would be included in a mortgage. Furthermore, the additional costs for these energy conservation measures are paid back in 4-8 years while significant net savings continue to accrue over time. This conclusion on homeowner savings was corroborated by all eight of the cost-benefit analyses presented recently by a Utah Energy Ad Hoc Committee. These enhanced standards, if adopted, will prevent a significant amount of greenhouse gas emissions in Utah and improve local air quality while also conserving natural resources, such as fresh water, associated with energy generation and transmission.

Exhibits (Included):

Exhibit A – Resolution Supporting Adoption of the 2009 International Energy Conservation Code (IECC) for Utah homes

Resolution No. __-10

**Resolution Supporting Adoption of the 2009 International
Energy Conservation Code for Utah homes**

WHEREAS, Utah’s commercial and residential buildings use 42% of Utah’s total energy; and

WHEREAS, energy efficiency is the cheapest, cleanest, and most plentiful energy resource available today; and

WHEREAS, according to state and national analyses, the 2009 International Energy Conservation Code (IECC) is expected to improve the energy efficiency of new homes by 10 to 17 percent; and

WHEREAS, the IECC is the most widely used model energy code for residential construction in the U.S., establishing efficiency baselines that are reviewed and updated every three years, and voluntarily adopted by over 40 states; and

WHEREAS, Utah has a history of regularly reviewing and adopting updated versions of the IECC, to be implemented and enforced by local jurisdictions; and

WHEREAS, Utah’s commercial buildings are subject to the requirements of the most up-to-date 2009 energy code; and

WHEREAS, Utah’s residential structures are still governed by the outdated 2006 energy code; and

WHEREAS, an extensive technical analysis was recently undertaken to identify the expected builder costs and energy cost savings if the 2009 IECC were adopted in Utah; and

WHEREAS, according to this analysis, the energy cost savings realized by Utah families is expected to exceed the incremental cost of implementing the updated code, resulting in a net financial savings for new Utah homeowners; and

WHEREAS, the cost to correct energy inefficiencies after construction is at least 5-times more than building homes efficiently from the start (and not every problem can be corrected after construction); and

WHEREAS, the 2009 IECC will strongly influence building practices in thousands of Utah homes expected to be built up until the succeeding 2012 IECC is adopted in Utah, making the success

of adopting the 2009 IECC critical to the long-term energy cost savings for many Utah families; and

WHEREAS, the state's largest electric utility, PacificCorp, estimates that by 2018 it will be 1,500 megawatts – or two large power plants worth of energy – short of meeting Utah's electricity needs; and

WHEREAS, homes that are constructed in line with the updated 2009 IECC reduce the need for utility companies to build expensive new power plants and transmission lines that all Utahans pay for; and

WHEREAS, building energy efficient homes will help meet Utah's future energy demands; and

WHEREAS, adoption of the 2009 IECC is consistent with the recommendation by Utah's Uniform Building Code Commission on October 20, 2010; and

WHEREAS, the Uniform Building Code Commission's favorable recommendation included a delayed effective date of January 2012 to address concerns of Utah's building industry as well as an amendment to make it easier for builders to meet the energy code requirements; and

WHEREAS, the U.S. Conference of Mayors, the Utah Housing Coalition, the American Institute of Architects, Rocky Mountain Power, and Questar Gas have supported adoption of strong energy conservation codes as a critical strategy to a successful energy policy;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Park City, Utah recognizes the important long-term energy and cost-savings benefits of adopting updated energy codes and urges the adoption of the residential provisions of the 2009 International Energy Conservation Code by the Utah Legislature during the 2011 General Session.

PASSED AND ADOPTED this 16th day of December 2010.

PARK CITY MUNICIPAL CORPORATION

Mayor Dana Williams

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney



City Council Staff Report

Subject: 2011 Annual Insurance Placement
Author: Cindy LoPiccolo
Department: Executive Department
Date: December 16, 2010
Type of Item: Administrative

Summary Recommendation:

Authorize the following Insurance premium payments for 2011 City insurance that includes public entity liability, workers compensation, property, and boiler and machinery insurance, covering a one-year period January 1, 2011 through January 1, 2012, and crime insurance covering a three year period from January 1, 2011 through January 1, 2014:

1. \$111,933.00 to States Self-Insurers Risk Retention Group, Inc. ("States") for public entity broad form liability insurance (including General Liability, Employment Practices Liability, Automobile Liability, Law Enforcement Liability, and Public Officials Error & Omission Liability);
2. \$ 2,905.00 to States Self-Insurers Risk Retention Group, Inc. ("States") for Potable Water Treatment Operations insurance supplement;
3. \$139,389.00 to Workers Compensation Fund ("WCF") for workers compensation insurance;
4. \$ 73,583.00 to Lloyds of London for property insurance;
5. \$ 7,394.00 to Zurich American for boiler/machinery insurance;
6. \$ 9,782.00 to Travelers for Public Officials Employee Dishonesty (Crime) insurance (3 years);
7. \$ 1,238.00 to Hartford for property insurance covering 1255 Iron Horse Drive, leased by City through 2011.

Topic:

2011 City Insurance Placement.

Background:

Park City exposures and risks are unique due to its world-class mountain resort environment and extensive public services. City staff continues to promote and implement safety policies, procedures, prevention methodologies, and provide regular training so that risks are mitigated, the City's assets, facilities, and public property are protected, and employees, local residents and visitors are provided a safe and enjoyable place to work and play.

Funding for insurance coverage is budgeted within the Risk Management Fund.

Marsh USA Risk & Insurance Services, Inc. is the City's insurance broker and has obtained and reviewed with staff comparative insurance quotes on the City's behalf.

Analysis:

A. **Public Entity Broad Form Liability.** Staff recommends insurance renewal with States Self-Insurance Risk Retention Group for \$5 million occurrence / aggregate policy, \$250,000 SIR (Self Insured Retention), with a premium \$111,933. Although the insurance rates are flat in comparison with last year, there is a 1% increase in premium that reflects exposure increases on the General Liability, Public Officials, and Law Enforcement lines of coverage. The Auto Fleet, however, decreased by 3%, which helped offset this.

Park City has been a member of States for eight years, along with several other Utah public entities. Park City works closely with the Utah States Group to address current risk management issues and risks facing public entities.

States is a member-owned company with policy written by public entity risk managers and specifically crafted to address the unique exposures and operations of cities, counties, school districts and related public entities. Park City is a member-owner of States and has benefited from the organization's public entity affiliation, long-term risk management components, and expertise of its risk management administrative affiliate Berkley Risk Administrators Co. who provides members with:

- o comprehensive, consultative loss control reviews and services,
- o proactive resource and information clearinghouse,
- o on-site review and safety recommendations,
- o public entity risk management education and training, and
- o provision for comprehensive membership networking, communication and information sharing.

Park City frequently receives specific risk management information and opinion from Berkley Risk Administrators staff upon request. It is also important to note that the States policy has fewer coverage exclusions in comparison to traditional carrier policies.

States is a well-established, highly regulated, multi-state program, registered to do business in 44 states. States has partnered with world-class, quality reinsurers that are committed to public entities to maintain long-term stability of the program and to assure claim paying ability. States' reinsurance A-A++ partners are: ACE Re, Gen Re, Munich Re America, and Swiss Re America – all have substantial public entity experience and are committed to the States program and the public entity sector. States files both quarterly and annual financial statements, undergoes intense audit of its financial records, underwriting and claims records at least every three years by the State of Vermont where the RRG is domiciled. States is also audited on an annual basis by reinsurance partners and outside auditors and actuaries.

Potable Water Treatment Operations insurance supplement. Staff additionally recommends approval of a policy supplement for Potable Water Treatment Operations liability coverage that will be attached to and part of the City's primary excess liability policy. This supplement addresses the increased scope of the City's water services operations and will cover bodily injury, personal injury, or property damage arising directly or indirectly out of the sale or distribution of potable water by the Insured to others. This supplement cost is \$2,905.00.

B. **Workers Compensation.** Workers Compensation Fund (WCF) has submitted a proposal of \$139,389, coming in lower than last year's premium of \$147,694. WCF provided the City with workers compensation insurance from 2000 through 2004, and 2007 through 2010, and remains the recommended carrier by Human Resources and Risk Management. WCF reports Park City remains in their Preferred Rating tier and we have benefited this year from a reduction in our NCCI Exp-Mod rating which provides for a reduction in our premium. In addition, the City received 5% off the 2011 insurance premium for association membership with Utah Home Builders Association. WCF reports to NCCI (National Council of Compensation Insurance) for receipt of national Experience Modification Factor for their policyholders. WCF also provides a dividend program to its policyholders from which Park City has benefited each year with WCF. Dividends have been received as follows: 2004 \$11,499; 2007 \$6,498; 2008 \$9,295; 2009 \$7,514; and 2010 \$16,229.

WCF is also an excellent safety training resource and worked with City departments to provide several free training sessions in an effort to reduce the impact and level of workers compensation claims.

Human Resources reports WCF's level of service is excellent, administration of the program is thorough, efficient, the administrators are helpful, react quickly to the City's employees, and keep in close connection with HR staff throughout each claim period.

C. **Property.** The Lloyds of London Property Insurance renewal quote of \$73,583 reflects a flat property rate, however, the premium increased 8.5% due to additional property responsibility e.g. the Museum/528 Main Street and construction of Quinn's Junction Water Treatment Plant. The policy covers City-owned buildings, business personal property, business income (business interruption), water facilities, vehicles and miscellaneous equipment. The perils covered are all risks of direct physical loss or damage including flood and earthquake coverage. Quotes were also sought from Chartres and Alliance, however, those insurers declined as they were unable to compete with Lloyds in coverage for earthquake and flood.

D. **Boiler and Machinery.** Zurich American Boiler and Machinery Insurance renewal rate for 2011 is also flat with a renewal quote of \$7,394.00 and coverage reflects the addition of the Museum and Quinn's WTP. Boiler and Machinery coverage includes boilers, water treatment system equipment and machinery, air

conditioning and heating equipment, electrical wiring, breakers, transformers, switches, telephone switchboard, compressors, and generators.

E. **Public Officials Employee Dishonesty (Crime)**. Marsh obtained a renewal quote for the City's Public Officials Employee Dishonesty (Crime) coverage from Travelers. Staff recommends approval of the policy quote of \$9,782.00 which covers a three year period 1/1/2011 to 1/1/2014.

F. **1255 Ironhorse, Lease Property**. A policy covering the City's lease of 1255 Iron Horse for Racquet Club temporary facilities, will continue through 2011 with insurer Hartford Insurance Company. The renewal quote for 2011 is \$1,238.00.

Department Review:

Staff and Marsh representatives reviewed the City's exposures and options to insure the City in a responsible and appropriate manner. Risk Management consulted with City departments to obtain the most current comprehensive City data (financial statement, payroll, fleet, transit, water, recreation, and safety programs), and reviewed workers compensation insurance administrative requirements and performance with Human Resources.

Alternatives:

- A. Approve the insurance recommendations as presented.
- B. Deny the recommendations and approve an alternative insurance quote presented.
- C. Continue the item and provide direction to staff. This alternative is not recommended.

Consequences of not taking the recommended action/significant impacts:

There would be a lapse in insurance coverage.

Recommendation:

Authorize the following Insurance premium payments for 2011 City insurance that includes public entity liability, workers compensation, property, and boiler and machinery insurance covering a one-year period January 1, 2011 through January 1, 2012, and crime insurance covering a three year period from January 1, 2011 through January 1, 2014:

1. \$111,933.00 to States Self-Insurers Risk Retention Group, Inc. ("States") for public entity broad form liability insurance (including General Liability, Employment Practices Liability, Automobile Liability, Law Enforcement Liability, and Public Officials Error & Omission Liability;
2. \$ 2,905.00 to States Self-Insurers Risk Retention Group, Inc. ("States") for Potable Water Treatment Operations insurance supplement;

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6. \$ 9,782.00 to Travelers for Public Officials Employee Dishonesty (Crime) insurance (3 years);
7. \$ 1,238.00 to Hartford for property insurance covering 1255 Iron Horse Drive, leased by City through 2011.

City Council Staff Report



Subject: FY 2010 Audit Report
Authors: Lori W. Collett, Finance Manager
Chelese M. Rawlings, Accounting Manager
Date: December 16, 2010
Type of Item: Administrative

FINANCE DEPARTMENT

Summary Recommendations:

City Council should review the Comprehensive Annual Financial Report and formally accept the Audit for the Fiscal Year Ended June 30, 2010. This item was continued from last week.

Description:

A. Topic: Audit report for the Fiscal Year Ended June 30, 2010.

B. Background: City of Park City Comprehensive Annual Financial Report (CAFR) and Independent Auditor's Report

State law requires Park City to follow the Uniform Fiscal Procedures Act for Utah Cities, UCA § 10-6-101 et seq., which requires an independent audit of the City's finances annually. These are performed by certified public accountants (Piercy, Bowler, Taylor & Kern). The Council must accept the audit within 180 days of the end of the fiscal year. After acceptance, a copy is filed with the state auditor and filed with the City Recorder as a public document.

The CAFR includes all funds of the City of Park City (City) and is presented in four sections: Introductory, Financial, Statistical, and Single Audit, Internal Control and Compliance Reports.

The Introductory Section contains a letter of transmittal, a directory of principal officials and an organizational chart of the City. The Financial Section contains management's discussion and analysis (MD&A), the basic financial statements, notes to the financial statements, individual fund statements for which data are not provided separately within the basic financial statements, as well as the independent auditor's report on these financial statements and schedules. The Statistical Section includes selected financial and demographic information, generally presented on a multi-year basis. The Single Audit, Internal Control and Compliance Reports include the independent auditors' reports on internal control and compliance as required by *Government Auditing Standards*, Office of Management and Budget Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*, and state compliance as required by the *State of Utah Legal Compliance Audit Guide*.

The CAFR is the major document used to communicate the City's financial condition. It is distributed to various bond-rating agencies, investors in City debt and the State Auditor for use in evaluating City finances. The first two basic financial

statements, the Statement of Net Assets (Page 23-24) and the Statement of Activities (Page 25-26), now present information on a government-wide, full-accrual accounting basis which reflect the overall financial position of the City and its various funds, not just the amounts available for budgetary purposes. Fiscal operations in the government-wide statements are organized into two major activities: governmental and business-type.

Fund information is also presented for major funds individually and nonmajor funds combined in a single column in the basic financial statement (Pages 29 through 41). Because the focus is so different between fund statements and government-wide statements, a reconciliation between the two types of statements is necessary to understand how the numbers differ. Such reconciliations are provided on pages 30 and 32. Comparisons of "budget-to-actual" results for the General Fund are presented on Page 33.

Staff suggests attention be focused on the MD&A (Pages 4 through 21) and the notes to the basic financial statements (Pages 43 through 75). The notes to the basic financial statements in the Financial Section provide required detailed disclosures and a description of the financial statements.

The Statement of Net Assets (Page 23-24) may serve as a useful indicator of a government's financial position. The City had positive net assets of \$242.5 million at fiscal year end. The largest portion of the net assets, \$171.7 million, represents the investment in capital assets. Restricted net assets of \$30.5 million are resources that are subject to external restrictions on how they may be used. The remaining \$40.3 million in net assets are unrestricted and may be used to meet the City's ongoing obligations. Again, this is an overall financial position indicator and is not the amount of current resources available for budgetary purposes.

Looking at results on a fund basis (Page 29), the City's governmental funds reported combined ending fund balance of \$49.9 million, a decrease of \$16.5 million compared to the beginning of year fund balance amount due to capital project expenditures. A transfer of \$1.6 million was made from the General Fund to the Capital Improvements Fund to be spent on capital projects in accordance with the City's budget.

Utah State code establishes a 5.0 percent minimum (\$1,181,716) and an 18.0 percent maximum (\$4,254,177) limit to the amount that may be accumulated as the fund balance in the General Fund. As of June 30, 2010 the unreserved, undesignated fund balance of the General Fund was \$3,894,972 and was \$359,205 below the 18.0 percent limit. This is consistent with city policies that establish the 18% as the target for year end fund balance in the general fund. The unreserved, undesignated fund balance increased by \$147,676 in 2010 as compared to an increase of \$75,164 in fiscal year 2009.

General Obligation Bonds - Audit of Bond Expenditures

Resolution No.16-98, *Resolution to Appoint a Citizens Committee to Advise the City Council on Community Priorities for Open Space Acquisition, Methods to*

Permanently Preserve Open Space, and to Account for Expenditure of Open Space Bond Proceeds should Voters Approve a General Obligation Bond to Preserve Open Space, requires the City to annually audit bond expenditures and report the results of such audit to the public.

Single Audit Report

As a recipient of Federal and State funds, the City is responsible for ensuring that an adequate internal control structure is in place in order to maintain compliance with applicable laws and regulations related to the purpose of the funds.

As a part of the City's single audit, tests were made to determine the adequacy of the internal control structure, including that portion of the structure related to Federal financial assistance programs, as well as to determine that the City complied with all applicable laws and regulations. The results of the City's single audit for fiscal year 2009-10 indicated no instances of material weaknesses in the internal control structure or violation of applicable laws and regulations.

Comments from the City's Audit Firm of Piercy, Bowler, Taylor & Kern

The auditors identified no major improvement areas or areas involving material weakness in the operations or internal control structure of the City.

Consequences of Not Taking Recommended Action: The audit must be approved and accepted by Council by December 31, 2010. Failure to approve the audit would make Park City Municipal non-compliant under Utah State Law.

Summary Recommendations:

City Council should formally accept the Audit for the Fiscal Year Ending June 30, 2010.

City Council Staff Report

Subject: Holidays in Historic Park City
Author: Tommy Youngblood, Special Events Coordinator
Department: Sustainability
Date: December 18 - 28, 2010
Type of Item: Application - Master Festival License

Summary Recommendations:

Review the Master Festival License application, conduct a public hearing, and approve the license for Holidays in Historic Park City, as conditioned, on December 18 -29, 2010 taking place on Main Street, Park Avenue from 7th St. to Heber Ave & Miner's Park.

Description:

Review the Master Festival License Application, submitted by Historic Park City Alliance for the Holidays in Historic Park City on December 18 -29, 2010 taking place on Main Street, Park Avenue from 7th St. to Heber Ave & Miner's Park.

Background:

Historic Park City Alliance submitted an application requesting a Master Festival License to hold their Holidays in Historic Park City. This is a first time event for the organizer in the area. Through a series of meetings the organizer has demonstrated and good knowledge of working with this type of event. PCPD has been notified and will be involved in the public safety coordination should Council approve the event. A fee will be charged for the carriage rides on Main Street.

This application was not received within the Master Festival License submittal requirements timeline.

Holidays in Historic Park City is community and resort town use and is consistent with the City Council's Goal #4 which is to continue to promote Park City as multi-seasonal resort by maintaining its status as a World Class Resort which hosts such events as this and to increase the number of events.

Analysis:

Holidays in Historic Park City

The event organizers have requested to hold their event on December 18 -29, 2010. There are three (3) components to this event. Carolers will be singing each day at Miner's Park starting at 5pm for 45 min to one hour. There will be an electric light parade on December 21 at 5:00pm, beginning at City Park with up to 20 decorated vehicles traveling up Park Ave. Half of the vehicles will access Main Street at 9th Street. The others will access at Heber Ave, where they will rejoin and continue up Main

commencing at Swede & Main intersection and disperse. Park City Police Department and a decorated Main Street Trolley will lead the parade. This will be a rolling closure. No street parking will be removed for this event. Lastly, there will be fee based horse drawn carriage rides from 3 to 10pm except on December 24th which will be from 3 to 7pm. Pick up and Drop off will be located on the north side of 7th Street. The route will be Park Avenue, left on Heber Avenue, Left onto lower Main Street, through the Trolley turn-around, back up Main, right on 7th, left on Park Avenue. HPCA would like to retain the option of using upper Main to 5th Street and down Swede Alley and the option to operate more than one carriage, if conditions & consumer demand allows. Park City Transit and Police have evaluated (including trial runs) and approved these options. No activities will be held on December 25th

Parking

The carriage operator will stage his horse trailer and truck in the Mawhinney Lot across from the Park City Library. Operations will require 5 -6 parking spaces adjacent to Sugar Buzz 651 Park Ave for the carriage wait area. No other specific parking requirements will be required.

Traffic Circulation

There will be no full or partial road or trail closures associated with this event. At the time of this report there are no projects planned that would hinder this activity. Staff will monitor traffic impacts of the carriage rides.

Marketing

This event is being publicized within the Park City Chamber/Bureau and Local newspaper outlets as well as various event & social networking websites.

Park City Council Review:

This application is being reviewed as a Master Festival License due to the use of the Miner's Park, city streets, & right-of ways.

Department Review:

All applicable PCMC departments and the appropriate external agencies have reviewed the application for Holidays in Historic Park City and their comments have been incorporated into the report.

Alternatives:

Approve the Request:

Approve the Master Festival License allowing Holidays in Historic Park City

Deny the Request:

Deny the Master Festival License, preventing the addition of Holidays in Historic Park City to Park City's schedule of events.

Continue the Item:

The City Council may continue the discussion in order to receive additional information.

Significant Impacts:

The event, as described, should incur no significant impacts.

Park City has held similar events to the Holidays in Historic Park City.

Consequences of not taking the recommended action:

Holidays in Historic Park City would not take place, as described, within Park City Limits.

RECOMMENDATION:

Staff recommends the City Council conduct a public hearing and approves, a Master Festival for Holidays in Historic Park City on December 18 -29, 2010 based on the following Findings of Fact, Conclusions of Law and Conditions of Approval.

Findings of Fact:

1. Holidays in Historic Park City on December 18 -29, 2010. Carolers will be singing each day at Miner's Park starting at 5pm for 45 min to one hour. There will be an electric light parade on December 21 at 5:00pm, beginning at City Park. Fee based horse drawn carriage rides will occur from 3 to 10pm except on December 24th which will be from 3 to 7pm.
2. The carriage operator will stage his horse trailer and truck in the Mawhinney Lot across from the Park City Library. Operations will require Pick up and Drop off will be located on the north side of 7th Street.. No other specific parking requirements will be required
3. The applicant will supply signage to assist in the location & timing of activities.
4. Conducting Holidays in Historic Park City will not substantially interrupt or prevent the safe and orderly movement of public transportation or other vehicular and pedestrian traffic in the area of its venue other than noted.
5. The events associated with Holidays in Historic Park City will not require the diversion of so great a number of police, fire, or other essential public employees from their normal duties as to prevent reasonable police, fire, or other public services protection to the remainder of the City.
6. The event will held on Main Street, Heber Ave, 7th St, 9th St and Park Ave. The concentration of persons, vehicles, or animals will not unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles on the streets or with the provision of other public health or safety services.
7. There are no other Master Festival or Special Event licenses that have been granted on the dates requested.

8. The size of the crowd and nature of the event will not create an imminent possibility of violent disorderly conduct likely to endanger public safety or cause significant property damage.
9. The applicant has been working with City Staff and applicable departments to address all event concerns. The Applicant demonstrates an ability and willingness to conduct the event pursuant to the terms and conditions of this Chapter and has not failed to conduct a previously authorized event in accordance with the law or the terms of a license, or both.

Conclusions of Law:

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

Conditions of Approval:

1. The applicant, at its' cost, shall incorporate such measures as directed by Staff in order to ensure that any safety, health, or sanitation equipment, and services or facilities reasonably necessary to ensure that the event will be conducted with due regard for safety are provided and paid for by the applicant.
2. Applicants shall provide proof of liability insurance in the amount of two million dollars (\$2,000,000) or more as may be required by the Special Events Manager or the City Attorney's Office, and shall further name Park City Municipal Corporation as additional insured. All Applicants shall further indemnify the City from liability occurring at the event except for any claim arising out of the sole negligence or intentional torts of the City or its employees.
3. The applicant use of barricade and signage will be in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) for the duration of the event.
4. All plans for tents, fireworks, stages, signs and other temporary structures shall be submitted to the Building Department for review and permitting by December 18 , 2010.
5. The applicant is responsible for an Operational and Pedestrian Management Plan in a form approved by the Park City Municipal Event Manager and Chief of Police.

Attachments

Exhibit A- Applicant's Application Part 1

Exhibit A

PARK CITY MUNICIPAL CORPORATION SPECIAL EVENT AND MASTER FESTIVAL LICENSE EVENT APPLICATION - PART I



Special Events
435.615.5150
specialevents@parkcity.org

PART I of the Special Event and Master Festival License (MFL) must be completed and submitted electronically to the Special Events Department no less than **90 days prior to a MFL** or no less than **60 days prior to a Special Event**. The application will be reviewed by the Special Events Department. *Granting of the permit is not guaranteed.*

APPLICATION FEES - DUE AT TIME APPLICANT SUBMITS PART I

All new applications require a \$100 application processing fee.
All applications for returning events require a \$50 application processing fee.
The Application Fee is **NON-REFUNDABLE**.

ADDITIONAL FEES

Additional fees for other services, including Health Department, Fire Department, and City Services will be estimated and provided to the applicant. Applicant will receive a final invoice approximately two weeks after the event concludes.

APPLICANT AND SPONSORING ORGANIZATION INFORMATION

NAME	Historic Park City Alliance
STREET ADDRESS	PO Box 1548
CITY, STATE, ZIP CODE	Park City, UT 84060
DAY PHONE	435-640-2732
FAX PHONE	None
E-MAIL ADDRESS	alison@historicparkcityutah.com
SPONSORING ORGANIZATION	Historic Park City Alliance
Contact Person "ON SITE" Day of Event	Name: Alison Bate Cell Number: 435-640-2732

EVENT INFORMATION

Type of Event (Check all that apply):

Master Festival Criteria: A PUBLIC EVENT (If one time is checked, the event is automatically a MFL)	☐ Attention of crowds over 500	☒ Street Closure	☐ Use of City park, building or property	☐ Use of off-site parking facility	☐ Use of amplified music
Special Event Criteria: PRIVATE OR PUBLIC EVENT	☒ Causes significant public impacts via disturbance, crowd, traffic/parking	☐ Disruption of the normal routine of the community or affected neighborhood	☐ Necessitates temporary business or liquor licensing	☐ Erects signs, visible from public property	☐ Temporary structures
☐ Run/Walk	☐ Parade		☐ Trail Event		
☐ Road Bike Event	☐ Park Festival		☐ OTHER (please specify):		
☐ Street Fair	☐ Concert				
EVENT TITLE:	Holidays in Historic Park City				
FIRST TIME OR ANNUAL EVENT (IF ANNUAL, HOW MANY YEARS)	Annual Event				
EVENT DATE (S)	December 18 – December 28, 2010				
EVENT HOURS	START: 5:00pm		END: 6:00pm		
SET-UP	DATE:		TIME:		
BREAK DOWN	DATE:		TIME:		

ATTENDANCE	PARTICIPANTS:	SPECTATORS:	TOTAL: 750
LOCATION	Miners Park and Carriage Ride Pick-ups at Sugar Buzz		

OVERALL EVENT DESCRIPTION (Briefly explain event and activities):

Adding atmosphere to Historic Park City with carolers and horse and carriage rides. Also a rolling closure from City Park up to the top of main street, down swede to lower main for an electric parade (lights on cars)



City Council Staff Report

Subject: Contract Change Order No. 18 to
UDOT Construction Agreement for the
Bonanza Drive Reconstruction Project

Author: Matthew Cassel, P.E., City Engineer

Department: Engineering

Date: December 16, 2010

Type of Item: Administrative

Summary Recommendations:

The Council should authorize the City Manager to execute Contract Change Order No. 18 to Utah Department of Transportation's (UDOT) Construction Agreement with Granite Construction for additional construction services related to the construction of Phase 2 for Bonanza Drive in an amount not to exceed \$737,343.03.

Topic/Description:

This Contract Change Order No. 18 is with Granite Construction for the construction associated with the redesign of the pedestrian tunnel access ramps and associated retaining walls.

Council has approved funding for this project as follows:

Capital Project cp0097 (Bonanza Drive Reconstruction) initially contained \$2,593,671 for the project and our Water Department provided funding for the new transmission waterline. Additional monies in the amount of \$1,072,616 were encumbered through UDOT's STP Small Urban Funds Program and up to \$2,773,087 (increased from \$1,893,900) may be allocated in the walkability bond. SBWRD also provided funding for the replacement of their sewer line. Design services, construction management services, soft costs and the actual construction are all included in the funding package for this project.

Other than ordering reinforcement steel, work associated with this Contract Change Order No. 18 with Granite Construction has not yet commenced nor has the paperwork started through the UDOT process and so the final change order document is not attached. With your approval, the UDOT approval process will commence.

Background:

In January 2008, H. W. Lochner completed the Bonanza Drive Corridor and Pedestrianization Plan. City Council reviewed and approved this concept plan during their January 24, 2008 meeting. The design included raised medians along a short section of Bonanza Drive (near the intersection of Kearns Boulevard), acceleration lanes at Prospector Avenue, "no left turn" restrictions, Bicycle lanes, northbound bus pull-out, trail connection including a pedestrian tunnel at the Iron Horse intersection, pedestrian crossing, consistent 6 foot wide sidewalks, speed limit feedback signs, right

turn lane at Iron Horse and lengthened southbound left turn lane at Deer Valley Drive. As part of this work, the existing sewer line was relocated due to the pedestrian tunnel and replaced to SR-248, the existing water line was relocated due to the pedestrian tunnel and a new transmission water line was installed.

The waterline was designed by Bowen, Collins & Associates through their contract with the City's Water Department and incorporated into the construction plans. The sewer was also designed by Bowen, Collins and Associates in a separate contract with Snyderville Basin Water Reclamation District (SBWRD) and incorporated in the construction plans.

Because of the size of this project, it was decided early in the design process to break the project into two construction seasons. The first construction season included the installation of the transmission waterline from Deer Valley Drive to Kearns Boulevard and the reconstruction of Bonanza Drive from Deer Valley Drive to a point just north of Upper Iron Horse Drive. The second construction season completed the utilities, completed the pedestrian tunnel and reconstructed the rest of Bonanza Drive and its associated facilities. The project was originally anticipated to be bid as one complete project in June of 2009.

In the spring of 2009, numerous issues still remained unresolved on the project and UDOT indicated they would not proceed with bidding until those issues were resolved. All of the unresolved issues pertain to the second season of construction. To keep the project moving forward, staff decided to split the project into two biddable phases. The first phase was all work associated with the first season of construction and the second phase is all work associated with the second season of construction.

Analysis:

The contractor started the installation of the piles and lagging walls in early October. It was anticipated to take four weeks to complete the pile installation. After the first day of work, the contractor was only able to drill one pile six feet deep (the piles needed to penetrate between 8 feet up to 24 feet in depth and there are a total of 136 piles to be installed). The problem was the cobbled soil and large boulders being encountered during the drilling operation. The large boulders bound up the drilling machine, which would have to be withdrawn to remove the boulder, which then caused the hole to collapse.

The contractor, sub-contractor, City staff, designers and construction managers met on site on October 13, 2010 to determine available options. Based on the soil conditions, all attending the meeting agreed that the best alternative was to replace the piles with concrete walls with the piles and lagging to be used as facing on the concrete walls. This alternative is what was redesigned and proposed in this change order.

This contract change order would be the 18th change order to Granite Construction's contract for Bonanza Drive. Contract change orders No. 1 to 9 have been processed through UDOT and amount to \$155,443.28. Contract change orders No. 10 to 17 are pending and amount to \$72,845.96.

Additionally, City Council approved a \$695,800 not to exceed contract on September 2, 2010 with Clean Harbor for the hauling and disposal of soils at their facilities located in Tooele, Utah. This disposal contract with Clean Harbor was a separate contract outside the jurisdiction of UDOT's contracts. Only \$243,498.03 of this contract with Clean Harbor was used for the project.

This Contract Change Order No 18 only includes the cost to construct the redesigned retaining walls and ramps down to the Bonanza Drive pedestrian tunnel.

The fee increase due to Contract Change Order No. 18 is not to exceed \$737,343.03 (17.7% of the original contract amount of \$4,169,311.00). On June 10, 2010, City Council approved a construction contract with Granite Construction in the amount of \$4,169,311. This amount included Granite Construction's base bid of \$3,587,561 and \$581,750 in potential incentives to complete the work in less time then allocated.

To date, total change orders approved or pending (No. 1 to No. 17) for the project are \$228,289.24, soil hauling costs were \$243,498.03, total anticipated incentives are approximately \$60,000, the increase to Stanley Consultants contract of \$141,844.34 (presented to City Council on December 9, 2010) and this change order is \$737,343.03 for a total construction cost of \$4,998,535.64. The anticipated construction budget on this phase 2 of the project was \$4,633,485 and thus the construction budget has the potential to be exceeded by \$365,050.64.

The walkability placeholder for the Bonanza Drive project was \$1,250,000. Before construction started, the soft and hard costs for the Comstock tunnel were determined to be approximately \$1,890,000 based on the consultant engineer's estimate of construction. The cost for the Bonanza Drive tunnel and walkability portion of the project, with this change order is anticipated to now be \$2,773,087.

The combined budget for the Comstock Tunnel (\$3,122,000) and Bonanza Tunnel (\$1,250,000) was \$4,372,000. The Comstock Tunnel final cost will be approximately \$1,218,400 under budget, which will be used to offset the increase in cost on the Bonanza Tunnel. With the cost of the Bonanza Tunnel at \$2,773,087, these two projects are over budget by approximately \$304,700. To date, the other 19 walkability projects have been completed and are under budget by a total of \$1,980,000. It is this money that staff proposes to additionally use to cover this change order.

Department Review:

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

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

This is the staff's recommendation.

B. Deny the Request:

Without approval, the Bonanza Drive reconstruction project last remaining elements could not be completed. Without completing the ramps and retaining walls for the ramps, the Bonanza Drive pedestrian tunnel will not be useable.

C. Continue the Item:

If the Council needs more information the item can be continued, but this would delay the completion of the project and the opening of the Bonanza Drive pedestrian tunnel.

D. Do Nothing:

This option would have the same result as denying the request.

Significant Impacts:

At this point in the project, the construction impacts to businesses and commuters/travelers have been realized and the only remaining work is to finalize the last remaining construction elements on phase 2 of the construction and closeout of the whole Bonanza Drive Reconstruction project. The initial funds for the construction management contract have been appropriated which the Council considered in the FY2009 and FY 2010 budgets. While the budgets for the Water and Road portions of Bonanza are still slightly under budget, this change order will significantly impact walkability's budget. Funds for this change order would come from CIP account CP0226-03451-007, which is the walkability bond money. As walkability nears completion on their first 20 projects, they have been constructed for \$3,200,000 less than budgeted, which is the money proposed to be used to offset this change order.

Consequences of not taking the recommended action:

Bonanza Drive is an important commuter link for the City, and has seen a significant increase in traffic congestion. This year's construction is nearing completion and the project as a whole is almost complete. By not taking the recommended action, the final piece of work would not be completed thus allowing the full use of the pedestrian tunnel. This tunnel was one of the main reasons for the whole construction project.

Recommendation:

The Council should authorize the City Manager to execute Contract Change Order No. 18 to Utah Department of Transportation's (UDOT) Construction Agreement with Granite Construction for additional construction services related to the construction of Phase 2 for Bonanza Drive in an amount not to exceed \$737,343.03.

Exhibit - Granite Construction Companies November 22, 2010 Retaining Wall Change Order

November 22, 2010

Stanley Consultants
383 West Vine Street, Suite 400
Salt Lake City, Utah 84123



Attention: Ray Carter
CC: Matt Cassel, Kurt Miller

Reference: Retaining Wall Change Order

Ray,

During the construction of the Bonanza Drive project it was determined that the planned beam and lagging wall that was designed would not be constructible because of the existing soil conditions. The project team came up with a new design for these retaining walls. These walls are to be concrete and the original beam and lagging to be incorporated in the new wall. The original wall construction was to take place in September, but with the redesign the new walls will not start until the first week of December. This will add time to the overall project and will make the construction of the newly designed walls more difficult because of extreme winter conditions in Park City. Below is our pricing for this change. We have split out the existing beam and lagging materials.

<u>Concrete Retaining Walls</u>					
<u>Item #</u>	<u>Description</u>	<u>Quantity</u>	<u>Units</u>	<u>Unit Rate</u>	<u>Extended Amount</u>
1	Remobilization	1	LS	\$20,000.00	\$20,000.00
2	Structural Concrete	580	CY	\$902.00	\$523,160.00
3	Epoxy Coated Reinforcing Bar	50,350	LBS.	\$1.30	\$65,455.00
4	Wall Excavation	1,500	CY	\$16.00	\$24,000.00
5	Wall Backfill	2,800	TON	\$25.00	\$70,000.00
6	Temporary Shoring	1,500	SF	\$55.00	\$63,250.00
7	Traffic Control	2	MO.	\$15,000.00	\$30,000.00
8	Pile and Lagging Veneer (Install Only)	7,000	SF	\$13.00	\$91,000.00
9	Winter Protection	580	CY	\$48.00	\$27,840.00
10	Snow Removal	80	HR	\$300.00	\$24,000.00
11	Haul Off Snow	50	HR	\$104.00	\$5,200.00
12	Street Sweeping	80	HR	\$170.00	\$13,600.00
13	Construction Entrances	70	TON	\$90.00	\$6,300.00
98	Untreated Base Course	(160)	TON	\$22.00	(\$3,520.00)
99	HMA - ¾"	(90)	TON	\$131.00	(\$11,790.00)
102	Retaining Walls	(1)	LS	\$318,000	(\$318,000.00)
102A	Beam and Lagging Materials Only (See Attached)	1	LS	\$92,252.68	\$92,252.68
102B	Transport Materials to Job (See Attached)	30	HR	\$171.00	\$5,130.00
102C	Mobilization of Drill Rig (See Attached)	1	LS	\$2,857.35	\$2,857.35
102D	Test Drilling (See Attached)	1	LS	\$6,608.74	\$6,608.74
Total Proposal Price					\$737,343.03

Feel free to contact me if you have any questions. 801.831.5527

Sincerely,

Dustin Williams
Project Manager
Granite Construction

Utah Operations
1000 North Warm Springs Road
Salt Lake City, UT 84116
Phone: 801-526-6000
Fax: 801-578-7800

Wasatch/Summit County Office
2 South Main Street, Suite 2B
Heber City, UT 84032
Phone: 435-654-5201
Fax: 435-654-5198

Ogden Office
1555 South 1900 West
West Haven, UT 84401
Phone: 801-731-3131
Fax: 801-731-3161

Change Order Request
JONES EXCAVATING
Shoring Division

5633 W Axle Park Road
West Jordan, UT 84088
801-280-2908, Fax 801-280-2918

Date: 11/22/2010

Customer: **Granite Construction**

Attention: **Dustin**

Phone: **801-526-6043**

Fax: **801-526-6091**

Project: **Rocky Mountain Power Foundation**

Bonanza Dr. Park City, UT

Subject: **Change Order Request #4**

Material & Work Performed

We are requesting this change order based on the fact that the wall was redesigned, affecting our scope of work on this project.

We are offering a salvage rate of \$.0165 / lb. for the unnecessary beams, which we believe is more than fair.

We are only requesting 5% mark up on the material purchased for this project less what will possibly be credited back. If the salvage is not accepted then this amount will need to change.

We have estimated delivery to be 6 trips at 5 hours a trip. If delivery time is more, then this will need to be adjusted, as we are offering this on a T & M basis at \$149.00 / hour which will include the transport with a driver.

	Description	Qty	Units	Unit chg.	Sub Total	Total
Material:	Salvage credit offered for unnecessary beams.	72040	lb	-0.165	(11,886.60)	
	Markup for material:					
	Lagging cost = 29,475.80					
	Beam cost = 66,276.87					
	Salvage credit = (11,886.60)					
	Material total = 83,866.07					
	5% of material total.	1	ls	4,193.30	4,193.30	
	Estimated transport of material to jobsite.	30	hr	149.00	4,470.00	
Labor & Equipment:						
	Mobilization.	1	ls	2,484.65	2,484.65	
	On site test drilling 3 partial days.	1	ls	5,746.73	5,746.73	
						5,008.08

All notes and exclusions remain the same.

TOTAL **5,008.08**

City Council Staff Report



Subject: Professional Services Contract for
Short Range Transit Development Plan
Author: Brooks T. Robinson, Senior Transportation Planner
Department: Public Works
Date: December 16, 2010
Type of Item: Administrative

Summary Recommendations:

The Council should consider authorizing the City Manager to sign the attached Service Provider/Professional Services Agreement with LSC Transportation Consultants, Inc. for professional services related to the preparation of an update to the Park City Short Range Transit Development Plan in an amount not to exceed \$89,830 in a form to be approved by the City Attorney.

Topic/Description:

Park City is requesting an update to the 2007 Short Range Transit Development Plan (SRTDP). This SRTDP is required by the Federal Transit Administration as a prerequisite to applying for and receiving federal funds. The Plan is the guideline for future decisions regarding transit operations, locations, services and budget. Previous plans have been used as a basis for operations, capital improvements, management, and financial decisions, particularly with expansion into unincorporated western Summit County. The proposed plan will also provide a framework for possible connections to Salt Lake City and other areas of the Wasatch Back, including Wasatch County and the South Summit County areas.

Background:

Park City Transit is a free bus system that has operated for twenty-seven years. During the last few years it has expanded service from operating only within the Park City limits, to include several routes serving adjacent areas in Western Summit County including The Canyons Resort, Kimball Junction lodging and retail facilities and Snyderville Basin residential areas. Since the completion of the SRTDP in 2007, annual ridership has increased from approximately 1,800,000 to over 2,000,000. Much of this growth has occurred on County routes. Service and fleet expansion is expected to continue.

Park City Transit operates a 37-vehicle fleet of 30 35-foot transit buses on its fixed-routes, the Main Street Trolley, and six cutaway buses that are used for on-demand service, the Empire Canyon service, and for senior citizens and those who qualify under the eligibility requirements of the American with Disabilities Act. All vehicles are wheel-chair lift equipped. The service operates 365 days a year. Approximately 70% of the annual passengers ride during the four-month winter ski season.

The scope of this plan update encompasses the following:

- The study will evaluate transit services to Western Summit County including Park City and the Snyderville Basin. It also evaluates service to nearby areas (towns in North and South Summit County including Kamas and Coalville, western Wasatch County including Heber City, and Salt Lake City).
- The study focuses on the upcoming seven-year period FY 2011 through FY 2018 for operations planning and a longer planning horizon will be considered for capital items such as bus replacement and facilities.
- Initial “kick off” meeting (6 hours) facilitated by consultant and held at client’s location between the Consultant Team and Park City/Summit County’s staff and others at client’s discretion (the Steering Committee). The City Council member and County Council member on the Joint Transit Advisory Board (currently Liza Simpson and Claudia McMullin) will also be invited. This meeting’s objectives will be to determine data needs, identify further issues for study, finalize work program, and brainstorm develop\explore service alternatives.
- Public Meetings at several checkpoints in the process, in addition to several Steering Committee meetings.
- Council (County and City) Review and Adoption
- No original data collection will be necessary. The SRTDP effort will rely on existing data (i.e., 1990, 2000, and 2010 Census data, passenger data, and info from local planning offices, social service agencies and state agencies) and recent studies.

The Study will include the following phases:

Phase 1: Evaluate Current Services, Recent Studies and Agreements

Phase 2: Transit Demand Analysis

Phase 3: Analyze Existing Service Performance

Technical Memo #1, incorporates Phases 1-3

Phase 4: Transit Revenue Analysis

Phase 5: Develop and Prioritize Goals and Objectives

Phase 6: Develop Alternatives

Phase 7: Seven Year Financial Analysis and Projections

Technical Memo #2 incorporates phases 4-7

Phase 8: Draft Short Range Transit Plan

Phase 9: Prepare Final Short Range Transit Plan Update

Timing

The Plan from start to finish is expected to take 18 weeks. The initial kick-off meeting will probably take place in early January, 2011, depending on Steering Committee availability. Initial analysis and Technical Memo #1 should be completed by week 6 or mid-February. Alternatives and financial analysis (Phase 7) is to be completed with Technical memo #2. Final Plan should be completed by mid-May or early June.

After the initial kick-off with the Steering Committee, public meetings are expected with Developing Goals and Objectives (Phase 5), prior to Draft Plan (pre-phase 7), after the Draft Plan, and final adoption.

Joint Transit Advisory Board

The Park City – Summit County Interlocal Transportation Agreement (First Amendment Dec 2009) created a Joint Transit Advisory Board (JTAB). The JTAB will make recommendations to both the City and County regarding service rate fees, scheduling, routes, level of service, look of buses and strategies for supplementing service as well as further regionalization. The Joint Transit Advisory Board shall be comprised of one County Councilor, one City Council representative, Summit County Public Works Administrator and Park City Deputy Public Works Director. Park City Transit staff will provide technical support to the Joint Transit Advisory Board as required. The current City Council member is Liza Simpson and the County Council member is Claudia McMullin. It is recommended that these two elected officials serve on the Steering Committee for the SRTDP.

Funding

Staff has secured a Federal Transit Administration grant for 80% of the study cost. The remaining 20% of study cost must be covered with local sources (10% or \$8983 City and 10% \$8983 County). Staff's original estimate of study cost was \$110,000. Funding for the City's share of this project exists in the Transit Fund should Council authorize the contract. Staff will submit a budget option for this item during the 2011 budget process.

Analysis:

A review committee consisting of Kent Cashel (Public Works), Brooks Robinson (Public Works), Darren Davis (Transit), Destry Pollard (Transit), Nate Rockwood (Budget), and Kevin Callahan (Summit County Public Works) evaluated five submitted proposals from the firms as listed below:

FIRM

LSC Transportation Consultants, Inc.
Moore & Associates
Nelson/Nygaard
Renaissance Planning Group
Steadman Hill Consulting, Inc

The review committee evaluated each firm according to a list of criteria including experience on similar projects, strength of individual firm members, project management skills, communication skills, and technical skills. Each proposal included the estimated number of hours and the proposal cost. Costs ranged from \$65,000 to \$180,000. The selection committee did not find that the low bidder had anticipated enough hours (by about 25%) for the plan.

The selection committee determined that the team headed by LSC Transportation Consultants, Inc was the best choice for providing professional services to the City on

this project. The LSC bid was preferred for their experience and qualifications, a mid-level cost under the proposed budget, the number of hours anticipated, the lack of City staff time needed for start-up as the LSC team has previous experience in Park City, and the fulfillment of all criteria listed in the RFP. The final scope of services and fee were negotiated with LSC Transportation Consultants, Inc.

Department Review:

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

Alternatives:

A. Approve the Request:

This is the staff's recommendation.

B. Deny the Request:

Staff would have to re-advertise the project which would delay the Plan.

C. Continue the Item:

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

D. Do Nothing:

This option is the same as denying the request.

Significant Impacts:

The Plan itself will have no significant impacts, however, implementation of the Plan will include financial considerations that will be part of upcoming budgets.

Consequences of not taking the recommended action:

The 2007 SRTDP is becoming more and more outdated. A number of recommendations from the 2007 have been implemented or are in process. The current economic climate was not anticipated, regional transit service continues to grow in importance and technology advances continue to be made.

Recommendation:

The Council should consider authorizing the City Manager to sign the attached Service Provider/Professional Services Agreement with LSC Transportation Consultants, Inc. for professional services related to the preparation of an update to the Park City Short Range Transit Development Plan in an amount not to exceed \$89,830 in a form to be approved by the City Attorney.



City Council Staff Report

Subject: Consideration of an Anti-Idling Ordinance
Author: Tyler Poulson
Department: Sustainability
Date: December 16, 2010
Type of Item: Legislative

Summary Recommendation:

Staff recommends that City Council review the attached anti-idling ordinance (Exhibit A) and adopt the ordinance which prohibits unnecessary vehicle idling within the Park City limits.

Background:

City Council has discussed anti-idling, and the potential for an ordinance, on various occasions in the past two years. During the October 29, 2009 Work Session, Council supported the passage of an anti-idling resolution which was then formally adopted in November 2009. During 2010 Visioning, staff presented details on an ordinance proposal that included staff resources for active enforcement by Parking Services.

Most recently, at the December 2, 2010 Work Session, staff presented an anti-idling ordinance which included an enforcement priority that doesn't require additional staff resources (Exhibit B). The proposed ordinance includes strategies (e.g., web reporting form) which would respect the existence of an idling law and deter idling, while also working within resource constraints. City Council provided direction on December 2nd for staff to return with a final ordinance draft for consideration on December 16th.

Analysis:

Staff has been engaged in various education and outreach efforts since passage of the anti-idling resolution by City Council in November 2009. These efforts have included street signage, website content, and informational notices handed out by Police and Parking Services. Education and outreach activities have been supplemented by the efforts of Clean Air Park City (www.cleanairparkcity.org), a local non-profit that advocates for improvements in air quality through reduced vehicle idling and other emissions-reducing behavior.

Despite conscious efforts to encourage reductions in vehicle idling, it remains clear to staff that idling issues persist in Park City. This issue is not simply due to tourist populations, but is also perpetuated by our resident and working populations. Staff believes this issue persists partly due to the lack of a clear signal conveying the negative environmental, economic, and health impacts of vehicle idling (see Exhibit A for examples of these negative impacts).

An ordinance, it is believed, will explicitly communicate the undesirable externalities created by unnecessary vehicle idling and act as a catalyst for more robust social change. Similar to ordinances that prohibit littering or texting while driving, staff feels that an anti-idling ordinance has the potential to create new social norms without necessarily requiring aggressive enforcement efforts. Additional analysis on the proposed anti-idling ordinance is available in the December 2, 2010 Staff Report (Exhibit B). Furthermore, previous research on anti-idling is included in an October 29, 2009 Staff Report which is available on the web¹.

¹ October 29, 2009 Staff Report: <http://www.parkcitygreen.org/Files/Anti-Idling---Oct-29-2009-Staff-Report.aspx>

Department Review:

Sustainability, Public Safety, Parking Enforcement, Business Licensing, Legal, and the City Manager have reviewed this Staff Report and their commentary has been included.

Alternatives:**A. Approve (Staff Recommendation)**

Approve the ordinance in Exhibit A which prohibits unnecessary idling of vehicles within Park City limits.

B. Deny

Do not adopt an anti-idling ordinance for Park City and request a break from recurring consideration of this item.

C. Modify

Direct staff to return to City Council with a final draft of an anti-idling ordinance that includes modifications in the ordinance language, as directed by Council.

Significant Impacts:

If an anti-idling ordinance is adopted, staff time will be required to set-up enforcement measures and enforcement protocol (detailed in Exhibit B). Park City would become the first municipality in Utah to adopt an anti-idling ordinance and would join a growing number of communities across the country that have taken this step to protect the environment and public health, while also promoting the conservation of finite natural resources.

Recommendation:

Staff recommends that City Council review the attached anti-idling ordinance (Exhibit A) and adopt the ordinance which prohibits unnecessary vehicle idling within the Park City limits.

Exhibits (Included):

Exhibit A – Ordinance Prohibiting the Idling of Vehicles within Park City Limits

Exhibit B – December 2, 2010 Staff Report on the Proposed Anti-Idling Ordinance

Exhibit A – Ordinance Prohibiting the Idling of Vehicles within Park City Limits

Ordinance No. 10-

AN ORDINANCE AMENDING TITLE 9, PARKING CODE, OF PARK CITY MUNICIPAL CODE SECTIONS 9-1-2, APPLICATION OF THE CODE, 9-9-4 PENALTIES FOR ILLEGAL PARKING, and 9-9-5 ENFORCEMENT; PAYMENT. AND ADOPTING A NEW CHAPTER_ CHAPTER 10, ANTI-IDLING, PROHIBITING THE IDLING OF VEHICLES WITHIN CITY LIMITS AND PROVIDING FOR LIMITED EXCEPTIONS

WHEREAS, emissions from vehicle idling contribute significantly to air pollution, climate change and increased rates of cancer and heart and lung diseases which adversely affect the health, natural environment and economic well being of residents, guests and visitors of Park City; and

WHEREAS, petroleum-based fuels are nonrenewable and should be used wisely and not wasted; and

WHEREAS, idling a typical vehicle for longer than ten seconds consumes more fuel than restarting that vehicle, resulting in excessive emissions and wasted fuel; and

WHEREAS, Park City Municipal Code, 9-8-3, already provides that no delivery vehicle parked on Main Street or Swede Alley shall be parked with its engine left idling; and

WHEREAS, Utah State Code, 41-6a-1403, prohibits the idling of an unattended vehicle; and

WHEREAS, Park City Municipal Corporation presently has a Fuel Conservation and Anti-Idling Policy in place, encouraging efficient use of City vehicles to reduce operating costs and emissions; and

WHEREAS, reducing needless vehicle idling is in keeping with Park City's promotion as an eco-tourism destination and its affiliation with ICLEI (Local Governments for Sustainability); and

WHEREAS, the City Council desires to ensure that unnecessary idling does not occur in idle-frequent locations such as school grounds, parking lots/garages, business centers, and ski resort parking lots and loading and unloading zones; and

WHEREAS, Clean Air Park City will, on its own and in partnership with Park City Municipal Corporation and other like-minded organizations, continue to educate residents, visitors, and guests of the dangers to the environment and health of citizens caused by the unnecessary idling of motor vehicles; and

WHEREAS, the City Council desires to take a proactive position on air pollution to protect the livability and viability of Park City and its residents, visitors and guests; and

WHEREAS, it is in the public interest that Park City residents, guests and visitors reduce vehicle emissions to protect the health, economy and natural environment of Park City and the surrounding area;

WHEREAS, City Council has previously demonstrated leadership on this issue by adopting an "Idle-Free Resolution" for Park City in November 2009; and

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
PARK CITY, UTAH THAT:**

Section I. Amendment. Title 9 Parking Code, Section 9-1-2, of the Municipal Code of Park City is hereby amended as follows:

9-1-2. APPLICATION OF THE CODE.

This Title is applicable on all public streets and public parking facilities, within Park City's corporate limits as now constituted or as subsequently amended by annexation or disconnection. The anti-idling Chapter is applicable everywhere within Park City's corporate limits as now constituted or as subsequently amended by annexation or disconnection including private property.

Section II. Amendment. Title 9 Parking Code, Section 9-9-4, of the Municipal Code of Park City is hereby amended as follows:

9-9-4. PENALTIES FOR ILLEGAL PARKING AND ILLEGAL IDLING.

The owner or operator of a vehicle cited for illegal parking under this Title shall be required to pay the penalty in the amount set forth in the Fee Resolution for the violation, and if the illegal parking is not contested, shall pay the fee according to the schedule set forth by resolution in lieu of administrative hearing on the infraction. In addition to the fee imposed for illegal parking, the owner of the vehicle is responsible for paying Immobilization, towing and impound fees for the release of the vehicle. Immobilization and towing fees may be levied against the violator or the owner of the vehicle, or both. The owner or operator of a vehicle cited for illegal idling under this Title shall be required to pay a penalty of one hundred (\$100) dollars.

Section III. Amendment. Title 9 Parking Code, Section 9-9-5, of the Municipal Code of Park City is hereby amended as follows:

9-9-5. ENFORCEMENT; PAYMENT.

The City may employ private enforcement officer(s) to enforce this Title and issue parking and anti-idling citations for violations thereof, including parking illegally in handicapped spaces. All fees and penalties imposed pursuant to this Title shall be paid to Park City Municipal Corporation in the manner and by the means specified on the reverse side of the parking or anti-idling citation.

Section IV. Adoption. Chapter 10, Anti-Idling, in Title 9 Parking Code of the Municipal Code of Park City is hereby adopted as follows:

9-10-1 NO IDLING.

No driver, while operating a vehicle within Park City corporate limits, shall cause or permit a vehicle's engine to idle for more than three minutes, with exceptions for the following circumstances:

- (A) The vehicle is forced to remain motionless on a roadway because of traffic conditions.
- (B) The vehicle is an authorized emergency vehicle used in an emergency situation.

- (C) Vehicle idling is necessary for auxiliary power for law enforcement equipment, fire, emergency and water equipment, refrigeration units, loading and unloading lifts, well drilling, farming, battery charging, or is required for proper functioning of other equipment that is part of the vehicle.
- (D) Vehicle idling is necessary for repair or inspection of the vehicle.
- (E) The health or safety of a driver or passenger, including service animals, requires the vehicle to idle, including instances where the temperature is below 32 degrees F or above 90 degrees F. This exception also includes idling needed to operate window defrosters and other equipment necessary to promote safe driving conditions.
- (F) Vehicle idling is necessary for efficient operation of a turbo-charged heavy duty vehicle (e.g., buses) or to operate a vehicle within manufacturer's operating requirements. This includes building air pressure in air brake systems, among other requirements.

Vehicle idling under these exceptions should not violate Utah State Code, 41-6a-1403, which prohibits the idling of an unattended vehicle.

Section V. Effective Date. This Ordinance shall become effective upon publication.

PASSED AND ADOPTED this 16th day of December 2010.

PARK CITY MUNICIPAL CORPORATION

Mayor Dana Williams

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney



City Council Staff Report

Subject: Main Street Early Deliveries and Anti-idling Ordinance Discussion
Author: Michael Kovacs, Diane Foster, and Tyler Poulson
Department: Executive Office and Sustainability
Date: December 2, 2010
Type of Item: Informational

Summary Recommendations:

Main Street Early Deliveries

Staff is requesting that City Council reaffirm the low priority, complaint-based enforcement of truck deliveries on Main Street. Staff is also requesting discussion on the issue of early Main Street deliveries, including hours of operation and violations of the City's noise ordinance.

Anti-Idling Ordinance

Staff recommends that City Council review the anti-idling ordinance listed in Exhibit A and direct staff to return to Council for formal adoption of the ordinance on December 16, 2010.

Topic/Description:

Staff is requesting that City Council discuss the issue of Main Street early deliveries and also consider a city-wide anti-idling ordinance as part of this Staff Report. These two topics are being presented together due to some overlapping concerns, such as noise created by idling vehicles.

Staff has drafted an anti-idling ordinance (Exhibit A) for consideration by City Council. This ordinance would prohibit the idling of vehicles within City limits, barring certain exceptions, and includes the possibility of a citation for repeat violators. This Staff Report details how such an ordinance would be structured and enforced while also mitigating the impacts to staff time. Staff believes that an anti-idling ordinance can clearly convey the environmental, economic, and health risks associated with vehicle idling while also accelerating the learning curve and local adoption of sensible vehicle fuel conservation practices.

Background:

Early Deliveries

A resident made a series of noise complaints, mostly due to idling trucks, in October about early deliveries taking place in Old Town prior to 7:00 a.m. (the time designated in the delivery truck parking code and the noise ordinance – Exhibits B & C). Police responded to the scene and delayed deliveries until 7:00 a.m. In one instance, Police cleared Old Town of all pre-7:00 a.m. deliveries that were taking place, and not just the truck that generated the complaint. Delivery truck companies began complaining that the 7:00 a.m. ordinance was unrealistic and that it pushed deliveries into peak morning traffic which then impacted businesses and people on the street. The companies have requested that the ordinance be amended, instead of just having a reduced enforcement priority. Delivery truck company representatives are expected to attend our Work Session.

Anti-Idling

Council has discussed anti-idling, and the potential for an ordinance, on various occasions in the past two years. During the October 29, 2009 Work Session, Council approved the passage of an anti-idling resolution (Exhibit D) which was then formally adopted in November 2009. During 2010 Visioning, staff presented details on an ordinance proposal that included staff resources for active enforcement by Parking Services (Exhibit E). The Staff Recommendation in the current report does not include additional resources for enforcement. However, staff believes the proposed ordinance will still effectively deter unnecessary vehicle idling for reasons discussed in detail in the Analysis section.

Salt Lake City has created a draft anti-idling ordinance and recently completed a public comment period on their proposal. Salt Lake City Council plans on voting on their draft ordinance in the near future. Park City staff has reviewed the Salt Lake City proposal and incorporated some of their language and exceptions into our draft ordinance that is presented in Exhibit A. Given the mobile nature of vehicle emissions, ordinances passed in surrounding communities are expected to deliver benefits to citizens beyond the immediate political boundaries in which they are created and enforced. If an ordinance is adopted this month, Park City would become the first place in Utah to have such an idling ordinance.

Analysis:

Main Street Early Deliveries

The primary driver of complaints is the noise generated from deliveries. One way of mitigating noise is to require that trucks not idle their engines unless absolutely necessary.

Below is a list of existing state laws and local ordinances governing delivery trucks in Old Town. A number of these rules already restrict vehicle idling in certain instances:

1. Utah Code, Title 41, Chapter 6a, Section 1403. Motor Vehicle Left Unattended – Requirements. (Exhibit F) Quick Summary – You cannot leave an unattended vehicle running.
2. Park City Municipal Code, Title 9 Parking, Chapter 8 Deliveries & Short-term Use (9-8-3). (Exhibit B) Quick Summary – You cannot leave a delivery vehicle idling on Main Street or Swede Alley, but you may double park in certain areas to make deliveries between 7:00 a.m. and noon.
3. Park City Municipal Code, Title 6, Chapter 3, Noise ordinance, (6-3-8) (F) Loading Operations. (Exhibit C) Quick Summary – Loading/Unloading operations cannot start before 7:00 a.m.
4. Park City Municipal Code, Title 6, Chapter 3, Noise ordinance, (6-3-8) (Q) Standing Motor Vehicles. (Exhibit C) Quick Summary – Idling vehicles are subject to noise levels specified in (6-3-9).

A formal ordinance change process to change the delivery hours to make them earlier may reignite a bigger noise ordinance review that would pit business interests against residents. If Council wishes to surgically adjust only the sections relating to delivery operations, you will need to be insistent on not entertaining a broadening of the debate. Communicating a reduced enforcement priority is always an option, but our police already have a complaint-based low priority on this ordinance; so if complaints continue, police response will have to follow.

Anti-Idling Ordinance

Staff has been engaged in various education and outreach efforts since passage of the anti-idling resolution by City Council in November 2009. These efforts have included street signage, website content, and informational notices handed out by Police and Parking Services. Education and outreach activities have been supplemented by the efforts of Clean Air Park City (www.cleanairparkcity.org), a local non-profit that advocates for improvements in air quality through reduced vehicle idling and other emissions-reducing behaviors.

Despite conscious efforts to encourage reductions in vehicle idling, it remains clear to staff that idling issues persist in Park City. This issue is not simply due to tourist populations, but is also perpetuated by our resident and working populations. Staff believes this issue persists partly due to the lack of a clear signal conveying the negative environmental, economic, and health effects of vehicle idling (see draft ordinance in Exhibit A for examples of these negative impacts). An ordinance, it is believed, will explicitly communicate the undesirable externalities created by unnecessary vehicle idling and act as a catalyst for more robust social change. Similar to ordinances that prohibit littering or texting while driving, staff feels that an anti-idling ordinance has the potential to create new social norms without necessarily requiring aggressive enforcement efforts.

Staff's belief that a significant drop in vehicle idling can result from an ordinance, without aggressively issuing citations, has been informed through discussions with other communities that have an anti-idling ordinance in place. Park City staff has consistently heard a positive response when speaking with staff from some of the other municipalities listed in Table 1 about their ordinances. They mentioned that idling behaviors have changed in their communities due to the ordinance and that stringent enforcement was not needed to encourage this change. The details in Table 1 reflect a small number of the growing number of communities that have passed an idling ordinance. The table also includes brief details on the ordinance proposed for Park City in this Staff Report.

Table 1. Examples of Anti-Idling Ordinances

City, County, or State	Idling Time Limit	Fine Amount	Vehicles Covered
State of Connecticut	3 Minutes	\$100 - \$500	All Vehicles
State of Massachusetts	5 Minutes	\$100 - \$25,000	All Vehicles
Ketchum, ID	3 Minutes	\$100 - \$300	All Vehicles
Aspen, CO	5 Minutes	\$50 - \$1,000	All Vehicles
Minneapolis, MN	3 Minutes	\$200	All Vehicles
Burlington, VT	3 Minutes	\$180	All Vehicles
St Louis, MO	5 Minutes	\$100	All Vehicles
Atlanta, GA	15 Minutes	\$500	Trucks & Buses
Chicago, IL	3 Minutes	\$250	Diesel Vehicles
Park City, UT (Proposed)	3 Minutes	\$100	All Vehicles

Enforcement and Administration

Enforcement of anti-idling ordinances is typically not a high priority, or high cost, for the Public Safety staff of municipalities that have passed them. Despite this, ordinances have been effective at communicating a publicly respected message on idling which has helped transform

behavior and social norms in the communities in which they exist. Staff from Parking Services, Police, and Sustainability have discussed the potential for an ordinance in Park City and created a reporting and enforcement structure which would honor the existence of such a code, and allow for efficiently issuing citations, without requiring significant ongoing staff time resources. This staff time resources estimate is based on the assumption that enforcement of idling infractions is low priority and complaint-based.

The ordinance proposed for Park City includes an “education first” mindset which allows for issuing a warning for any first-time violator. Oftentimes, a friendly verbal warning that such an ordinance exists will be sufficient to change behavior (particularly with out of town guests who are likely to be unfamiliar with this City code). In addition to the formal power Parking Services and Police would have to enforce the ordinance, other departments could be involved with communicating the code as they come across violations. Furthermore, a reporting form could be set-up on ParkCity.org that models the current citizen reporting page² for taxi violations and allows citizens to report idling infractions. A warning notice would be mailed out in response to online reports of idling and this information could be tracked to streamline future enforcement efforts. Citizens concerned with idling violations would be directed to the website for helping enforce the ordinance. Because standard protocol for first-time violators would include the mailing of a warning notice, staff would still be respecting the code while not being required to physically report to the scene of newly reported violations.

Table 2 lists the staff time resources and financial costs associated with the ordinance, as proposed. This table is similar to the details presented during Visioning 2010 (Exhibit E). The only change is the removal of the \$15,000 for labor and equipment costs that would be required for 10 hours of proactive enforcement by Parking Services. Parking Services staff will enforce the anti-idling ordinance during their shift, but this will occur strictly within the context of their current day-to-day operations without a change in hours or number of staff.

Table 2. Anticipated Resource Requirements for an Anti-Idling Ordinance

Task	Staff Time	Additional Expenses	Department - Owner
Finalize Ordinance Language and Set-up Technology for Parking Services and Police to Allow Enforcement	30 Hours / One-time	None	Sustainability/ Legal / Parking Services / Police / Technology
Set-up Web-based Reporting Systems	15 Hours / One-time	Website system will be free and based on ParkCity.org	Police / Sustainability / I.T.
Creation of anti-idling warning / ticket (or modification of existing tickets)	10 Hours	Minimal	Parking Service / Police / Sustainability
Retrofit Existing 'Idle-Free City' Signage w/Sticker to Indicate an Ordinance	10 Hours / One-time	<\$100 for Retrofit Stickers	Sustainability / Streets
Ongoing Ordinance Enforcement & Ticketing	<2 Hours / Week	None	Parking Services & Police
Ongoing Monitoring for Web-based Reporting System and Mailing Warning Notices	1 Hour / Week	Postage and Materials for Mailing Notices (5 / Week or 260 / Year) = \$250 / Year	Police

² Taxi Violation Reporting Page: <http://www.parkcity.org/index.aspx?recordid=83&page=338>

TOTAL ONE-TIME, UPFRONT INVESTMENT	65 Hours	\$100	Sustainability / Parking Services / Police / Streets / Technology
TOTAL ONGOING INVESTMENT	<3 Hours / Week	\$250	Parking Services / Police / Sustainability

Exceptions in the Proposed Park City Ordinance

Similar to the existing “Idle-Free City” resolution for Park City (Exhibit D), the anti-idling ordinance draft includes numerous exceptions that allow sensible, or even absolutely necessary, situations for vehicle idling. Common exceptions in other cities’ ordinances, such as low or high temperatures, have been included and more specific exceptions have also been incorporated to ensure that the ordinance is sensible and only calls for enforcement when unnecessary vehicle idling occurs. Exceptions for public safety requirements, such as idling needed to defrost windows and allow for safe driving conditions, have been included as well.

Sustainability staff worked with Police, Transit, and other City staff to include exceptions for idling that are required for day-to-day municipal operations. All exceptions in the ordinance would be listed alongside the proposed ParkCity.org idling reporting form to help inform citizens and limit the number of reports received when an exception allows necessary idling.

Questions for Council to consider:

1. Is Council interested in pursuing modifications to the delivery vehicle ordinance?
2. Is Council interested in pursuing a City-wide anti-idling ordinance?
3. If Council is not interested in pursuing an anti-idling ordinance at this time, does Council want to revisit the enforcement priority and/or enforcement methodology for the Ordinance Prohibiting the Excessive Idling of Delivery Vehicles on Main Street and Swede Alley?
4. Depending on how Council answers the aforementioned questions, staff may request a discussion around inconsistencies that arise from differences in enforcement priorities among the four existing laws and/or consideration of a new anti-idling law.

Department Review:

Sustainability, Public Safety, Parking Enforcement, Business Licensing, Legal, and the City Manager have reviewed this Staff Report and their commentary has been included.

Partner Review:

Staff has contacted Park City Mountain Resort, Deer Valley Resort, the Park City School District, and the Historic Park City Alliance to request feedback since these are the organizations most likely to be impacted by an anti-idling ordinance. If feedback is received by one or more of these entities before Work Session on December 2, staff will bring that feedback for Council review.

Alternatives (Delivery Trucks):

A. Approve (Staff Recommendation)

Staff is requesting direction from City Council on the issue of early Main Street deliveries, including hours of operation and violations of the City’s noise ordinance.

B. Deny

Direct more active enforcement of the existing ordinances.

C. Modify

Direct staff to prepare an ordinance that adds delivery trucks to the exemptions under the noise ordinance and specifies earlier hours in delivery truck section of the parking code.

D. Continue the Item

Take more time to consider the matter.

E. Do Nothing

Allow staff to handle the issue within their discretion.

Alternatives (Anti-Idling):

C. Approve (Staff Recommendation)

Direct staff to return to City Council with a final draft of the anti-idling ordinance (Exhibit A) for formal adoption and implementation.

D. Deny

Do not adopt an anti-idling ordinance for Park City and request a break from recurring consideration of the item.

C. Modify

Direct staff to return to City Council with a final draft of an anti-idling ordinance that includes modifications in the ordinance language and/or enforcement methodologies, as directed by Council.

D. Continue the Item:

Direct staff to return to City Council at a future date for reconsideration of an anti-idling ordinance.

Significant Impacts:

Main Street Early Deliveries

Depending on Council direction, impacts vary from economic development issues to increased tensions between businesses and residential property owners and renters.

Anti-Idling Ordinance

If an anti-idling ordinance is adopted, staff time will be required to draft, implement, and enforce this new code. The requirements for implementation of the ordinance and ongoing enforcement are included in Table 2 of this Staff Report. Park City would become the first municipality in Utah to adopt an anti-idling ordinance and would join a growing number of communities across the country that have taken this step to protect the environment and public health, while also promoting the conservation of finite natural resources.

Consequences of not taking the recommended action:

Main Street Early Deliveries

Taking an approach alternative to the staff recommendation will require staff time dedicated to investigating and/or more proactively enforcing City code related to noise and delivery vehicles. Continuing this item has the potential to increase tensions between area residents and business owners.

Anti-Idling Ordinance

Park City Municipal will continue on the status quo path of educating on idling via the “Idle-Free City” resolution and through the existing ordinance (Exhibit B) that covers idling of delivery vehicles in the Main Street corridor. The frequency of unnecessary vehicle idling is expected to occur at, or near, the current rate. Encouraging behavioral changes, and educating on the harmful effects of idling, is anticipated to remain more challenging with a strictly voluntary measure relative to what an ordinance would allow.

Recommendation:

Main Street Early Deliveries

Staff is requesting that City Council reaffirm the low priority, complaint-based enforcement of truck deliveries on Main Street. Staff is also requesting discussion on the issue of early Main Street deliveries, including hours of operation and violations of the City’s noise ordinance.

Anti-Idling Ordinance

Staff recommends that City Council review the anti-idling ordinance listed in Exhibit A and direct staff to return to Council for formal adoption of the ordinance on December 16, 2010.

Exhibits (See Online Staff Report Link Below for All Exhibits):

Exhibit A – Draft Ordinance Prohibiting the Idling of Vehicles within Park City Limits

Exhibit B - Ordinance Prohibiting the Excessive Idling of Delivery Vehicles on Main Street and Swede Alley

Exhibit C - Health, Nuisance Abatement, and Noise City Code Relating to Motor Vehicles

Exhibit D - Park City’s Idle-Free City Resolution

Exhibit E - 2010 Visioning Paper: Anti-Idling Ordinance

Exhibit F - Utah State Law Prohibiting the Idling of an Unattended Vehicle

Meeting Packet with December 2, 2010 Staff Report (includes above Exhibit materials):

<http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=6882>