PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH,
APRIL 4, 2013

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, April 4, 2013.

Closed Session
3:00 p.m. Property and litigation

Work Session

4:30 p.m.	Presentation of Outstanding Facility Award from Utah Recreation & Parks Association	
4:45 p.m.	Council questions/comments	
4:55 p.m.	Council questions/comments on Managers' Report	P. 4 - 5
5:05 p.m.	Revenue update	P. 6 - 7
5:20 p.m.	Air quality update	P. 8 - 11
5:30 p.m.	Golf course update	P. 12 - 20
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 the agenda)*

IV MINUTES OF MEETING OF MARCH 21, 2013 P. 21 - 33

V OLD BUSINESS

Consideration of an Ordinance adopting Title 4, Chapter A – Special Event Temporary Alcoholic Beverage Licenses described in the Municipal Code of Park City and amendment Title 4, Chapter 4, Beer and Liquor Licensing; Title 4, Chapter 5, Beer Licenses described; Title 4, Chapter 6, Liquor License Described, of the Municipal Code of Park City

(a) Continuation of public hearing
(b) **Motion to continue to May 9, 2013**

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

1. Consideration of authorization to proceed with the Main Street Improvements Project and authorization to the City Manager to enter into a construction manager at risk contract, in a form approved by the City Attorney's Office, with Miller Paving Inc. in the amount of $13,980 P. 34 - 38

2. Consideration of authorization to the City Manager to execute a change order to the Professional Service Provider Agreement, in a form approved by the City Attorney's Office, with MGB+A, for additional work in an amount of $65,270 P. 39 - 42

VII ADJOURNMENT

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

Posted: 04/01/13
See: www.parkcity.org

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

April 2013

5 *Regional planning*

11 Plaza Palooza debrief
Appropriation of $2,500 for sponsorship of the Congress of New Urbanism 21 (public hearing/action
PSSM Supplemental Plan
Deer Valley Drive Construction Contract
Echo Spur Road acceptance and name change
Change order Empire Avenue Reconstruction Project
Housing Authority – Blackrock deed restrictions

17 *Great Utah ShakeOut*

18 Visioning wrap-up
Engineering contract

25 **No meeting**

30 *City/County visioning*

May 2013

2 Soils Commission study session

9 Community technology – study – SR
Liquor license amendments

16

23 **No meeting**

30

June 2013

6

13

20

27

Pending Items:

Water leak adjustment policy - work
Amendment to Municipal Code - pre-inspections for business licenses
GIS app
Wasatch Front and Back mountain resort expansions – Mayor Becker team
Latino Community outreach and engagement – study

To: Honorable Mayor/Members of City Council
Management Team
KPCW Park Record

From: City Manager's Office

MANAGER'S REPORT – APRIL 4, 2013

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1. 4th of July Managers' Report – submitted by Jason Glidden & Tommy Youngblood.
Staff would like to advise the City Council on steps it has taken to improve operations of the 4th of July Celebration.

The 4th of July has grown over the years and last year drew over 15,000 people. Last year, the City issued two separate Master Festival Licenses (MFL) on that day. The Park City Ambassadors received a MFL for the parade (from the top of Main Street to City Park), along with their "Celebration in the Park" that includes live music, beer garden, and food vendors at South City Park. The second MFL was issued to the Park City Rugby Club to host rugby games, a beer garden and food vendors on the North City Park Fields area.

Staff expects for both groups to apply again this year. In addition, the HPCA is working on plans to activate portions of Main Street after the parade in an effort to encourage parade spectators to remain on Main Street rather than funnel down to City Park.
In planning discussions for this year's event, staff has requested each permit holder to address specific aspects/impacts of their event:

- Need to increase parade volunteers – increased staffing would improve the Park City Ambassadors' ability to manage the execution of the parade, including the pre-staging on Swede Alley;
- Integrated and improved management of activities at City Park – In 2012, there were incidents of underage drinking and unapproved outdoor music adjacent to the basketball courts, which required responses by the Park City Police Department; and
- Cost incurred by the City to mitigate negative impacts caused by the event - PCMC currently expenses out over $36,000 in costs for our part in the celebration. Most of those costs are public safety personnel and are increased by the holiday pay required.

Staff is working with the Ambassadors and PC Rugby to further mitigate impacts from the event. Staff believes that the two groups will work together to develop operational plans that will better manage the event in 2013. Staff will recommend a policy discussion regarding limiting uses and the future management of the day's events if the impacts are not better managed this year.

Staff wants to ensure that the celebration remains attractive to all segments of our community and represents Park City in the best light. Most visitors perceive the 4th of July in Park City as a City-

sponsored event from shotgun breakfast to Fireworks.
Staff plans to return to Council in the coming weeks with an update on the operation plans by representatives of the Ambassadors and PC Rugby.

2. Vacation Rental By Owner Compliance Software – submitted by Jason Glidden.
Staff was directed on February 7, 2013 to investigate software solutions for identifing non-compliant vacation rentals in the Park City area. This is an issue that the City's Code Enforcement Department has struggled to keep up with. Non-compliant rental properties are not licensed through the city. This presents health and public safety concerns as these properties have not been property inspected to ensure that they pass all building codes. Also, non-compliant properties' business activity is not reported and cannot be tracked. Therefore, the property owner is not paying fees/taxes on any nightly rental sales, and the city, county, and state are unable to collect those revenues.

A group of local stakeholders met to discuss the issue further and detirmine possible next steps. This group included members from the Chamber of Commerce, Park City Lodging Association, and Summit County. It was decided that a demonstrations would be set up with one of the companies that produces software that helps municipalities in identifying non-compliant properties. The demonstrations would allow the group to gain a better idea of how a possible software solution would work.

In addition to the software demonstration, the company conducted a search using there software and found over 8,000 vacation rentals in the Park City area, including nearby unicorporated areas of Summit County. Staff pulled licensing records and found that there were roughly 2,200 properties currently that have nightly rental licenses. While it is likely that a majority of the properties found in the serach are located outside of City limits, staff believes that there could be hundereds of non-compliant properties located within City limits.

Staff has met internally (Budget, Finance, and Building) to discuss how the software would assist them in becoming more efficient in reducing the number of non- compliant properties. Generally staff was excited about the possibilities of the software and support investigating the software options more completely through the Request for Proposal (RFP) process.

Staff plans to put the RFP out for bid in late April with a deadline of mid-May for bids to be submitted. While the RFP will be for the City's use of the VRBO software, should the County be interested in also contracting with this vendor, City staff can provide support to the County where it is efficient and effective. Staff will evaluate the bids and return to Council during work session with an update.

City Council
Staff Report

Subject: Revenue Update
Author: Nate Rockwood, Capital Budget, Debt & Grants Manager
Department: Budget, Debt & Grants
Date: April 4, 2013
Type of Item: Informational

Summary Recommendations:
Staff will provide a Council an update on the current year general fund revenue projections including monthly property tax and sales tax collections year-to-date.

Topic/Description:
General Fund Revenue Update

Background:
As part of Council Visioning staff presented the annual Financial Impact Assessment Report detailing the short and long term financial forecast of revenues and expenditures. City Council has asked that staff provide periodic revenue updates regarding major city revenues which have an impact on the City's General and Capital Funds.

In past fiscal years, staff has presented revenue updates periodically during the second half of the fiscal year when large seasonal revenues such as property tax and sales tax are received.

Analysis:
The following table, found in the February 2013 FIAR, details the current year's General Fund revenue projections. The table has been updated to include projections based on year-to-date revenue collection. Sales tax figures include the amount anticipated as part of the General Fund transfer to Fund 31 (Capital Improvements Fund).

General Fund Revenue Type	FY 2011	FY 2012	YTD Revenue	FY 2013 Budget	FY 2013 Projected	% =/-
Sales Tax	$ 8,988,804	$ 9,568,666	$ 5,613,278	$ 9,292,000	$ 9,581,055	3%
Property Taxes	8,647,083	9,964,464	9,812,762	9,690,000	10,072,831	4%
Franchise Tax	2,906,981	2,816,071	1,934,609	3,275,000	2,993,399	-9%
Planning Building & Engineering Fees	824,537	791,384	720,056	1,095,000	1,012,377	-8%
Recreation	849,891	1,430,096	1,000,824	1,681,000	1,707,252	2%
Ice Revenue	583,221	687,932	451,074	701,288	588,291	-16%
Licenses	227,704	344,597	357,122	372,000	464,994	25%
Intergovernmental	136,693	147,298	295,871	119,000	295,871	149%
Court Fees	94,798	79,857	50,239	105,000	83,470	-21%
Fees/Other	468,231	446,566	366,782	490,510	514,018	5%
Interfund Transfers	1,520,444	1,471,500	1,030,491	1,471,500	1,471,500	0%
Total	**$ 25,248,388**	**$ 27,748,431**	**$ 21,633,108**	**$ 28,292,298**	**$ 28,785,057**	**2%**

Department Review:
This report has been reviewed by the City Manager and Legal Department. Any and all comments received have been integrated or addressed in this report.

Alternatives:

A. **Approve the Request:**
No Action Required - Provide a discussion regarding current revenue projections

B. **Deny the Request:**
No Action Required

C. **Continue the Item:**
Council may request additional information

D. **Do Nothing:**
No Action Required

Significant Impacts:
The significant impact matrix has been removed from this staff report. A significant change in revenue projections, positive or negative, has the potential to affect all levels of service across all council goals.

Funding Source:
Not Applicable – No funding is required

Consequences of not taking the recommended action:
The intent of this report is informational, no council action in required.

Recommendation:
Staff will provide a Council an update on the current year general fund revenue projections including monthly property tax and sales tax collections year to date.

City Council Staff Report

Subject: Air Quality Update
Author: Joan Card and Jim Blankenau
Department: Sustainability—Environmental Regulatory
Date: April 4, 2013
Type of Item: Informational—Work Session

Summary Recommendations:
Evaluate and understand the information provided in this report. Direct staff to continue proactive coordination with the Utah Division of Air Quality and the Summit County Health Department regarding air quality issues in Summit County and especially in Park City.

Topic/Description:
Council previously has identified air quality as a topic of interest. Council's expression of interest in this topic coincides with the Utah DEQ Division of Air Quality's recent ozone monitoring activity in Summit County and Park City. Staff presented an informational air quality report to Council on May 24, 2012. That report covered the topics of ozone and PM2.5 monitoring and regulatory activities on the Wasatch Front. This report provides an update on additional ozone monitoring in Park City and Summit County conducted by the Utah Division of Air Quality in the summer of 2012.

Background:
The Clean Air Act, which was last amended in 1990, requires EPA to set National Ambient Air Quality Standards (NAAQS, pronounced "naks") for pollutants considered harmful to public health and the environment. The Clean Air Act identifies two types of national ambient air quality standards. *Primary standards* provide for public health protection, including protecting the health of "sensitive" populations such as asthmatics, children, and the elderly. *Secondary standards* provide for public welfare protection, including protection against decreased visibility and damage to animals, crops, vegetation, and buildings.

EPA has set National Ambient Air Quality Standards (NAAQS) for six principal pollutants, which are called "criteria" pollutants. They are:

1. Carbon monoxide
2. Lead
3. Nitrogen dioxide
4. Ozone (ground level)
5. Particulate pollution (PM)
6. Sulfur dioxide

EPA determines if an area (usually a county) is attaining or not attaining NAAQS through regulatory monitoring. If an area is designated non-attainment for a NAAQS criteria pollutant, the state Division of Air Quality prepares a State Implementation Plan (SIP) for EPA review and approval. Once EPA approves the SIP, the Division of Air Quality implements and enforces the SIP. The goal of SIP implementation is attainment of the air quality standard.

Ozone

According to EPA's web site, "Ozone is found in two regions of the Earth's atmosphere – at ground level and in the upper regions of the atmosphere. Both types of ozone have the same chemical composition (O3). While upper atmospheric ozone protects the earth from the sun's harmful rays, ground level ozone is the main component of smog."

"Tropospheric, or ground level ozone, is not emitted directly into the air, but is created by chemical reactions between oxides of nitrogen (NOx) and volatile organic compounds (VOC). Ozone is likely to reach unhealthy levels on hot sunny days in urban environments. Ozone can also be transported long distances by wind. For this reason, even rural areas can experience high ozone levels."

"High ozone concentrations have also been observed in cold months, where a few high elevation areas in the Western U.S. with high levels of local VOC and NOx emissions have formed ozone when snow is on the ground and temperatures are near or below freezing. Ozone contributes to what we typically experience as 'smog' or haze, which still occurs most frequently in the summertime, but can occur throughout the year in some southern and mountain regions." "Emissions from industrial facilities and electric utilities, motor vehicle exhaust, gasoline vapors, and chemical solvents are some of the major sources of NOx and VOC."

According to EPA, "[b]reathing ozone can trigger a variety of health problems including chest pain, coughing, throat irritation, and congestion. It can worsen bronchitis, emphysema, and asthma. Ground level ozone also can reduce lung function and inflame the linings of the lungs. Repeated exposure may permanently scar lung tissue."

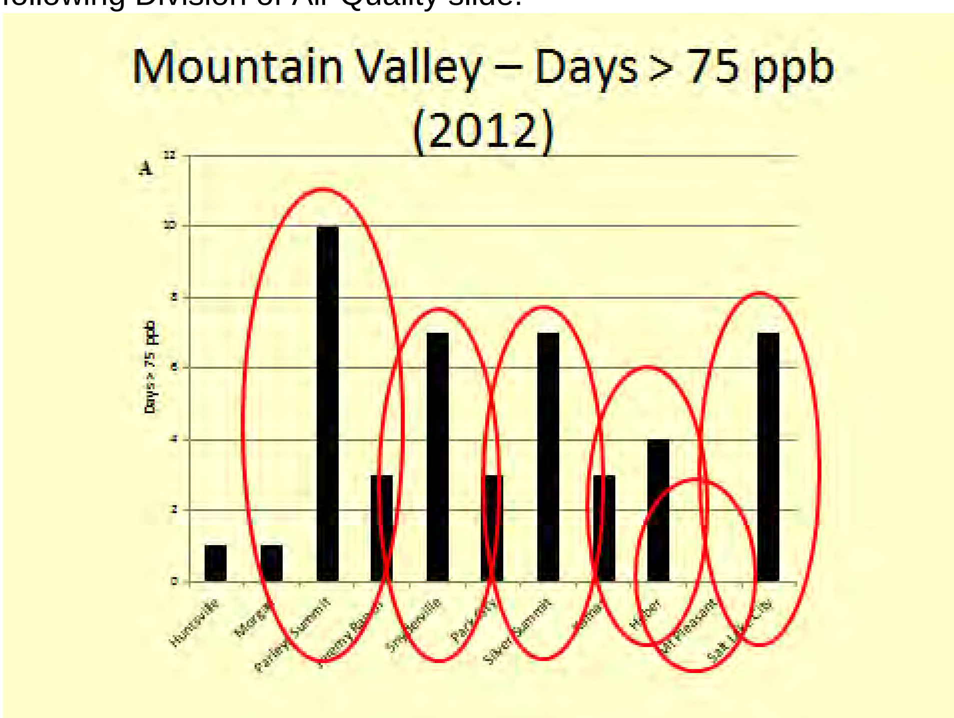
Utah's Wasatch Front is in attainment of the current ground-level ozone standard of 75 parts per billion (ppb) (the Uintah Basin is designated "unclassifiable" pending additional monitoring). Recently, based on several years of scientific effort, EPA was prepared to lower the ozone standard to somewhere in the range of 60-70 ppb in an effort to be more protective of public health. In September 2011, President Obama directed the EPA not to revise the standard in an apparent effort to decrease (or not increase) regulatory burdens during a fragile economic recovery. EPA currently is reviewing the ozone standard (the CAA requires review of the NAAQS every five years) and expects to make a decision regarding a revised ozone standard in 2014.

In 2011, the Utah Division of Air Quality placed ozone monitors in a number of locations throughout Utah, including a monitor next to the Fire Station on Promontory Ranch

Road in Summit County. Data obtained from the Fire Station monitor indicated that ozone levels in that location are at or above the possible more stringent standard of 60-70 ppb. Consequently, the Division of Air Quality decided to do additional monitoring in the summer of 2012 to have more information about Summit County ozone occurrences in the event EPA lowers the standard. This monitoring is not "regulatory monitoring" to determine whether Summit County is attaining the NAAQS for ozone.

However, this information led the Division of Air Quality to conduct more extensive monitoring in the Wasatch Back. The Division called this a mountain valley ozone "saturation study." Council directed staff to work collaboratively with the Division on its ozone study and a temporary ozone monitor was installed on the City Hall building on Marsac Ave. The Division also installed temporary monitors at several locations in Summit County, including Parley's Summit, Jeremy Ranch, Parley's Park Elementary in Snyderville, and Silver Summit (the same monitor installed at the Fire Station on Promontory Ranch Road in 2011).

After a summer of ozone monitoring activity, the Division of Air Quality reports that the summertime ground level ozone readings in the Summit County area tend to be at or above the current standard of 75 parts per billion. The most frequent high levels were monitored at Parley's Summit, Snyderville and Silver Summit as indicated in the following Division of Air Quality slide:



The Division has indicated there was a strong correlation (85-95%) between high ozone readings at the Salt Lake City monitor (located at 1675 S. 600 E.) and the readings at the Parley's Summit, Snyderville and Silver Summit monitors. This suggests that ozone itself, as well as its precursors (oxides of nitrogen and volatile organic compounds (VOCs)) may transport from the Salt Lake City metropolitan area to Summit County.

The Division also suggests that higher solar radiation and the effects of vegetation (“biogenic VOCs”) may contribute to ozone in mountain valleys.
The Division has reported it intends to continue summertime ozone monitoring at the Silver Summit location and to add temporary monitoring in Coalville. The Coalville site may provide additional useful information regarding the possible transport of ozone and its precursors from the Salt Lake City area.

Analysis:
The information resulting from the Division of Air Quality’s mountain valley ozone monitoring effort has yet uncertain implications for public health, especially in the summer months when ozone is expected to be highest, and air quality compliance in Park City and western Summit County. It appears that ozone attainment may be a problem in western Summit County under the current standard of 75 parts per billion and likely will be a problem if EPA lowers the ozone standard to 70 ppb or lower. In either case, the next step will be for the state to make a “designation” of ozone attainment or nonattainment in the coming few years. Once an area is designated nonattainment, the state is required to prepare a state implementation plan (SIP). As indicated above, the purpose of the SIP is to improve air quality enough to comply with the NAAQS.

Park City staff will continue to follow developments at the federal (new ozone standard), state (additional monitoring, modeling, and compliance results), and local (Summit County Health Department) levels and will continue to coordinate proactively with the state and Summit County Health Department on efforts that impact Park City’s residents and visitors.

Department Review:
Legal and Executive Departments have reviewed this report.

Recommendation:
Evaluate and understand the information provided in this report. Direct staff to continue proactive coordination with the Utah Division of Air Quality and the Summit County Health Department regarding air quality issues in Summit County and especially in Park City.

Subject: **Park City Golf Club 2013 Season**
Author: **Craig Sanchez, Clint Dayley**
Department: **Golf Shop / Golf Maintenance**
Date: **April 4, 2013**
Type of Item: **Informational / Administrative**

Recommendation:
Staff recommends a fee increase of $.50 per nine for residents and $1.00 per nine for non-residents for the upcoming golf season. Staff also recommends a $.50 increase per nine holes for off-season rates.

Topics:
Golf Course 2012 season update, rate change for 2013, 5 year capital plan, and water line project.

I. Golf Course update / Fee Increase / Capital Plan

A. Background

Park City Golf Club had a successful 2012 season. We had an early opening, April 15th, a successful fall season, and closed on November 8th. There were very few rain days during the main summer months. We saw growth as compared to 2011 in both user numbers and revenues. Heading into the Spring season of this year we are in a strong financial position for fiscal year 2013.

B. Analysis

Over the last few years, patrons have let us know, via our surveys, that they want to see a more manicured golf course. This feedback, combined with the age of our maintenance equipment and the need for increased water & energy efficiencies, pushed us to continue to make some critical capital improvements. These include: the purchase of 3 hybrid mowers and replacement of all sprinkler heads. We did receive RAP tax funding from Summit County ($129,000) which will cover half of the above costs. Other capital projects for this year included a new; forward tee box (#7), server for the pro shop, range ball dispenser, 3 work vehicles, and a turf seeder.

We have also purchased needed equipment replacements over the last four years, including a rough mower, greens rollers, greens mowers, utility vehicles, seeder, and an upgrade to our irrigation pump station. We also purchased new golf cars, new carpet for the golf shop, and a golf car battery water filling system. These expenses totaled approximately $1,200,000 over the last four fiscal years.

These expenditures were entirely funded by the golf course fund.
The unrestricted net assets have decreased from $239,056 at June 30, 2011 to $(45,612) at June 30, 2012. Unrestricted net assets serve over time as a useful indicator of the Golf Fund's financial position. Staff understands the need to have this be a positive number. This fiscal year we will see positive increases in our fund balance which will put our net assets in the positive. Our fund balance is projected to increase from $108,000 to $250,000. Staffs goal in the next several years will be to reach the level of $500,000 and use this as a base for future expenditures. The primary reason for this decrease is our aggressive capital improvement purchases over the last four years. .

During this time (2009) we have also seen significant increases in HOA fees, utility costs, and insurance costs. In 2009 we started paying into the Hotel Park City HOA. This total amounts to about $48,000 per year currently.

During this off season golf staff worked with the budget department to create a golf model spreadsheet. This will be a valuable tool to determine the need for future rate adjustments. The expense information includes all operational and capital expenses. It does not include capital depreciation.

The Golf Fund is an enterprise fund and is required under City policy to establish user fees at a level to recover the cost of providing services including capital costs such as depreciation while maintaining positive unrestricted net assets.

The golf course is recommending a rate increase of $.50 per nine holes for residents and $1.00 per nine holes for non-residents. Many courses in the state are seeing increases in rates to fund their capital programs.

The following figures are not seasonally adjusted but are the first seven months of each fiscal year (July1 through January 31) and do not include depreciation expense or capital purchases made during the fiscal year.

	Revenues	Expenses	Net Revenue
Actual Jul-Jan 2013	$935,748	$648,144	+$287,604
Actual Jul-Jan 2012	$871,582	$700,362	+$171,220
Net Change Jul-Jan 12-13	$64,166	$52,218	$116,384

Revenues & Expenses per Round	FY 13	FY 12
Revenues	$45.80	$43.49
Expenses	$31.72	$34.95
Net Difference	+$14.08	+$8.54

As can be seen in the data above the golf course had a strong start to the fiscal year. However these net numbers will decrease as we do not see a strong revenue stream in the winter. Golf does receive $3300 a month in rental fees from White Pine Touring. We also receive 6% of the gross track revenue at the end of the winter season. Last season this amount was $7,522. Expenses decrease, but we do fund some personnel, HOA fees, utilities, and our costs for startup in the spring are substantial. The fall of FY 2013 was the strongest revenue period over the last 15 years.

Rounds – These numbers are Fiscal July 1 – January 31, 2012

Rounds (18)	**FY 2013**	**FY 2012**	**Net Change FY 13-12**	**% Change**
Resident	12,324	12,185	139	1.1%
Season Pass	985	871	114	13%
Non Resident	3,093	3,461	(368)	(10%)
Punch Pass	1,217	1,040	177	17%
Tour/Lodge	1,570	1,036	534	52%
Comp / emp	1,243	1,444	(201)	(14%)
Total	20,432	20,037	395	2%

For FY 2013 total rounds increased slightly (2%). Both July-November seasons were long and unusually dry. The positive note for these numbers is the increase in our tournament/lodging rounds. The rate for this round is our premium rate of $80 per person. This player also tends to spend more on retail items. This group increased by 52%.

Rounds - these rounds are seasonal rounds – April to November

Rounds (18)	**2012**	**2011**	**Net Change Season 12-11**	**% Change**
Resident	19,397	16,259	3138	19%
Season Pass	1,555	1,260	295	23%
Non Resident	4,334	4,240	94	2%
Punch Pass	1,509	1,257	252	20%
Tour/Lodge	1,888	1,352	536	40%
Comp / emp	2,060	1,988	72	4%
Total	30,743	26,356	4,387	17%

For the season 2012 we had significant increase in almost all rounds categories. We increased total rounds by 17%. Total rounds nationally (National Golf Foundation) grew by 6.1%. In Utah rounds increased by 12%. This was primarily due to the longer, dryer season. The most positive increase was in our tournament/lodging program (40%). The 2012 season was the second busiest rounds year over the last 15 years. 2012 seasonal revenues compared to 2011 increased by $213,037, an 18% increase.

Over the years the business plan was to become a daily fee course. Season pass sales have dropped from the high of 112 in 2003 to our current number of 22. Our comp rounds are primarily employee rounds. As the majority of our staff is part time seasonal this is the one major benefit we can provide for staff. Last year the course saw an employee retention rate of 95%. At 75% of play being residents, Park City Golf Club is still largely a local's course.

The chart below shows the current and proposed rates for the 2013 season. These increases are needed primarily to fund future capital projects / purchases and same level of service increases such as our HOA fees. Based on 2012 season rounds played at these proposed rates will increase revenues by $27,846. All of the rate increases are under 10%, by policy these can be approved by the City Manager. These changes have been communicated to our Friends of Golf group and they are supportive.

	Current Resident*	Current Non Res.	Proposed Resident	Proposed Non Res.
9 holes	$16.50	$22.50	$17.00	$23.50
9 holes / car	$24.00	$30.00	$24.50	$31.00
18 holes	$33.00	$45.00	$34.00	$47.00
18 holes / car	$48.00	$60.00	$49.00	$62.00
Season Pass	$1,020		$1,050	
Season P (corp)	$2880 (2)		$3,000	
Season P (Jr)	$425 (8)		$425	
Punch Pass (Sr)	$285		$300	

* Resident lives or owns property within Park City School District boundaries.

Rate comparisons of Utah courses. All rates are for 18 holes and include a golf cart.

Golf Course	**Proposed Rates**
Park City – Resident	$49.00
Park City – Non Resident	$62.00
Wasatch – Soldier Hollow	$49.00
Salt Lake City – Mt. Dell, Bonneville	$49.00
Salt Lake County – Old Mill	$46.00
Crater Springs	$65.00

Park City Golf Club's rates are comparable for the resident rate. The non – resident rate is on the high side for Utah courses. As compared to other resort towns outside of Utah, the green fee non-resident rate is substantially below market. The rates below are for prime time (June – September).

Golf Course – Public Access	**Current Rates / car**
Aspen Golf Club	$149.50
Vail Golf Club	$109 – Non Res $87 - Resident
Jackson Hole Golf and Tennis	$195 – Semi Private
Sun Valley Golf Club	$175

The course is also increasing the cost of our small and large range ball buckets. These increases will provide funding for our driving range improvements.

Capital Projects: Attachment A

Completed projects / purchases in FY 2012

- Purchases new golf cars. This new all electric fleet total was $210,000. $70,000 was paid out of our golf fund, the balance was financed by a loan from fund 31 (capital fund) and is being paid back over the next 4 years.
- Begin replacement of current greens mowers fleet with new hybrid mowers. These mowers are projected to have a savings on fuel of 56% and this new technology will eliminate the risk of hydraulic leaks on the greens.
- New turf seeder
- 3 new work vehicles
- Built a new forward tee box on #7.
- New carpet for the golf shop. The golf shop is now in its 11th year of operation.
- Purchase of golf car battery water filling system.

New projects / purchases for FY 2013

- Replace last 3 current greens mower fleet with new hybrid mowers. These mowers are projected to have a savings on fuel of 56% and this new technology will eliminate the risk of hydraulic leaks on the greens.
- New bunker rake machine
- Sprinkler head upgrade: new sprinkler head conversion will provide reliable turf irrigation for 15+ years. This upgrade will increase water application (uniform distribution) efficiency.
- New range ball dispenser, this dispenser will have credit card, gift card capabilities. It will make the selling of range balls more efficient. It will also not require tokens which annually cost us about $800.
- New server for the golf shop. This upgraded server will allow the golf shop to upgrade to the current version of “FORE” software. This

software handles our tee sheet, reservations, inventory management, and POS system. We are currently on the 2008 version.

II. Water line project

This season there will be impacts on the golf course due to the construction of multiple water lines. These water lines are being built to comply with future regulations. Golf course staff has worked with water staff over this winter to determine the best and least impactful way for this construction to proceed. Construction will begin tentatively on July 1st of this year.
The main areas of impact will be on the east side of the parks and golf building between holes 11 and 12, and an area between holes 15 and 16 just north of Three Kings condos. Between these two areas the water lines (3) will be bored underground. The major logistical issue is how to get trucks in and out of these areas with minimal impacts to the golfers. There will be a single line (open trench) on the west side of hole 16. This will primarily take place on the west side of the tree line and will have little impact on play. There will be 2 water lines that cross (open trench) from the bore pit between 15 and 16 that cross holes 16 and 18. This water line will exit the golf course at the Park Ave condo complex. This work will begin on October 1st. During this time the tee boxes on 16 and 18 will be moved to make this dig work logistically. The construction in this area needs to be completed by November 15th to accommodate the cross country ski track. Re-vegetation of the open trench areas will take place in the spring of 2014.
There are also plans to build a water storage tank in close proximity to the parks and golf building. Included in this area will be a building which will house a micro-hydro-electric plant. This construction will take place after the golf season.
Attachment B: water line mapping

C. Department Review:

The City Mangers Office, Legal, Budget and Grants Department, Public Works Department, Water Department, and the Recreation – Library Department have reviewed this report.

Alternatives:

- **A. Approve the request:** Staff recommends a fee increase of fifty cents per nine for residents and one dollar per nine for non-residents for the upcoming golf season.
- **B. Deny the request:** Not approving the rate increase could cause the golf fund to decrease thus impacting the golf course's future capital plans.
- **C. Continue the Item:** Council could direct staff to provide further information at a future date.
- **D. Do nothing:** This would have the same effect as alternative B.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	+ Accessible and world-class recreational facilities, parks and programs + Balance between tourism and local quality of life + Multi-seasonal destination for recreational opportunities + Accessibility during peak seasonal times	~ Effective water conservation program		+ Fiscally and legally sound + Engaged, capable workforce + Well-maintained assets and infrastructure
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Very Positive	Neutral	(Select from List)	Positive
Comments:				

Recommendation: Staff recommends a fee increase of $.50 per nine for residents and $1.00 per nine for non-residents for the upcoming golf season. Staff also recommends a $.50 increase per nine holes for our off-season rates.

Attachment A: Capital project schedule.
Attachment B: Water line map

GOLF COURSE CAPITAL IMPROVEMENT PROGRAM - Fiscal year

PROJECT	CIP FUND	2013	2014	2015	2016	2017	5 - YEAR TOTAL
BUNKER SAND	55-47208						unscheduled
CART PATHS	55-47208			2 green 20,000			20,000
DRIVING RANGE IMPROVEMENT	55-47208	15,000	fencing 12,000				27,000
EQUIPMENT REPLACEMENT	55-44039	98,000	98,000	98,000	98,000	98,000	490,000
GOLF CART REPLACMENT	Debt	35,000	35,000	35,000	35,000		140,000
IRRIGATION MAIN LINE	Budget Request						unscheduled
NURSERY GREEN	55-47208					32,000	32,000
PUMP STATION BACK NINE	55-47208						Complete
PRO-SHOP IMPROVEMENTS	55-47208	2,000	10,000				12,000
REBUILD 14 GREEN	55-47208						unscheduled
BACK RESTROOMS ACCESS IMPROV.	55-47208				32,000		32,000
SPRINKLER HEADS REPLACEMENT	Budget Request	150,000					150,000
11- STREAM FILL-IN	55-47208						unscheduled
SILT REMOVAL 6, 7, 12,13 PONDS	55-47208						unscheduled
TEE CONSTRUCTION	55-47208	Front - 7 7,000					7,000
TOTAL COST		**307,000**	**155,000**	**153,000**	**165,000**	**130,000**	**910,000**

Bowen Collins & Associates, Inc.
CONSULTING ENGINEERS

PARK CITY
2013 PIPELINES PROJECT - SEGMENT B

GOLF COURSE ALIGNMENT WITH DIRECTIONAL DRILLING

NORTH:

SCALE:
0 100 200 Feet

FIGURE NO.
1

P:\Park City\2013 Pipelines - Segment B\GIS\Projects\Figure 1, Golf Course.mxd joldham 3/19/2013

PARK CITY COUNCIL STUDY SESSION MINUTES **DRAFT**
SUMMIT COUNTY, UTAH
MARCH 21, 2013

Present: **Mayor Dana Williams; Council members Andy Beerman; Alex Butwinski; Cindy Matsumoto; Dick Peek; and Liza Simpson**

Diane Foster, Interim City Manager; Mark Harrington, City Attorney; Jason Christensen, Water Analyst; Brenda Wilde, Water Utility Clerk, and Clint McAffee, Water Manager

Donald Horowitz, water customer

1. Water leak adjustment policy, meter accuracy program and City Manager administrative relief. Jason Christensen pointed out that the City has a leak adjustment policy while other utilities do not which is mainly due to the nature of water. The second reason for adjustments is because in the distant past Park City didn't bill as often for water but in the more recent past, the City had only monthly data points. It would take at least a month to obtain data allowing staff to determine if there are problems. The Water Department's goal was to change that and one of the tools is the customer portal which is currently in the RFP process. The portal will give customers more real-time feed-back on water usage so that problems are identified sooner. Ms. Simpson asked if the portal can be used by customers to monitor water conservation efforts. Mr. Christensen felt that the data will serve a lot of purposes, including conservation.

He referred to the current adjustment policy which lists things not covered like faucets, toilets, appliances, sprinklers, leaking sprinkler heads, incompletely closed valves and no adjustment is given during a water emergency. The basic policy is that if you qualify for an adjustment under this policy, the City will credit back half of the excess use. Brenda Wilde explained how the credit is calculated by conducting a three year history of water usage for the property. The average of the three would be considered normal usage and would be deducted from the highest usage number and the customer is credited with half. In response to a question from Ms. Simpson about the average volume of leaks, Ms. Wilde replied that it is all over the map. She stated that a residence with four leaking toilet sustained a $4,000 water bill which averages about 10,000 gallons a day. The leak detection program still needs work and she runs a daily report identifying the meters using over 1,000 gallons.

Jason Christensen clarified that there are two systems in place to detect leaks. The first is the radio-read system which came on line in 2009. The biggest issue with leak detection is programming the radio and during installation some of the radios were programmed incorrectly. Some have been reprogrammed over the years but the remaining radios require a field visit from a technician to update the settings. Until those settings are changed, the radio may be broadcasting a leak alert even though there is no leak or it may be missing a leak because of the settings. Mr. Christensen estimated that the about 20% of the radios in the field are not working properly. The radios do a good job of broadcasting information back to the towers, but for 20% of the radios, the towers can't communicate to the radios. Improvements have been made in the last six months and he felt it is something staff can address but it will take some time to get to 100%. There was discussion about Ms. Wilde monitoring data and the location of the radio and meter.

In response to a question from Andy Beerman, Mr. Christensen stated that the City has identified the 20% and the manufacturer is working on this to improve the situation acknowledging that the radios are in a mountain setting. A software setting needs to be changed which has to be done in the field. Mr. Christensen believed the City is receiving data from 98% of the radios and 2% cycle in and out with problems. They run on batteries which are warranted for ten years and relay battery life.

The second leak detection system is the customer portal which will be the second generation of the current system. The database just accepts data and as staff looks at upgrading the portal, the back-end could be designed to run that calculation and the radios become less important.

The Mayor referred to the Deer Valley leak where he understood the owners were not contacted. Ms. Wilde explained that when a potential leak is discovered, the Department does its best to contact the customer. Unfortunately many phone numbers are out of service but in this case, on the day it was discovered, the leak was stopped within an hour. Ms. Wilde believed what the customer was upset about was that her water bill was turned over to a collection company. A letter is also sent out from the Department about a potential problem. Often property management companies handle these issues for second home owners.

Liza Simpson favored upgrading the customer portal to analyze data. It is a worthwhile back-up to the radio reads which go down from time to time. Mr. Christensen noted that the leak detection system will never be perfect but can be improved. Ms. Wilde pointed out that customers can look at their own data and would have the best idea on circumstances. In response to a question from Dick Peek, Ms. Wilde explained the four hour delay from the meter to her screen. In response to a question from Alex Butwinski, Mr. Christensen agreed that improving the customer portal was anticipated as a first step and money was set aside for the upgrade which was not available until now; the customer portal will be on the cutting edge.

Mayor Williams asked if the 20% discounting ability of the City Manager is too low (additional 20% after the 50%) since the City Manager is the final adjudicator. Ms. Simpson asked what is typical. Brenda Wilde pointed out that in the Deer Valley case, this person did not qualify for any relief under the current policy because it was a toilet leak. The City Manager was able to give her 20% but most cases go through adjudication to gain the 50%.

Donald Horowitz asked why a mountainous area creates problems for the radios. Mr. Christensen explained that the radio broadcast has to reach one of the towers and from the tower back to the radio and the billing system. Ms. Wilde stated that there is very good coverage with the towers.

Ms. Matsumoto suggested that toilets be added to the list as these types of leaks can be very expensive. Clint McAffee explained that it was felt that toilet leaks are audible and should be part of regular maintenance. The Mayor pointed out that 75% of properties are now owned by people who don't live here. The ones in rental pools should be checked regularly but there was some sort of a disconnect.

Donald Horowitz stated that his problem was gaged at 1,200,000 gallons a month, typical usage is 200,000, and the leak was caught within a day or two. His issue was that he thought the meter was faulty and suggested that home owners be able to inspect the meter or have an independent inspection of the meter. Apparently the Water Department has a policy of disposing the meters before anyone can have it tested independently. He encouraged Council members to change the policy and allow people to have meters independently inspected because some meters will be defective and the City loses credibility if people aren't allowed to inspect the meter.

Jason Christensen explained that the City doesn't have a policy to dispose of the meter although his was definitely disposed of by the tester. Diane Foster interjected that the City sends the meter out to be inspected rather than having home owners deliver the meter to their selected vendor. Mr. Christensen referred to the meter test program in the staff report. As outlined in the Municipal Code, the City allows a customer who believes the meter is not reading accurately to request that the meter be tested. The meter is then removed and shipped to an independent AWWA certified tester or it's tested in-house and depending on the results of the test, the customer is credited or charged $100 to cover the cost of the test if the meter is operating accurately. Until Mr. Horowitz's request, the Water Department never had a customer ask for the meter after it had been sent out for testing and once the meter has been removed and tested, it doesn't have any value to the City. Typically the City never asks for the meters back since the meter has already been replaced and there is no value in reinstalling the tested meter.

Dick Peek understood that the customer owns the yoke and the City owns the meter. Mr. Christensen clarified that the City owns the meter and under the Code, the City is responsible for maintaining the system up to the meter but beyond the meter is the customer's responsibility. Alex Butwinski pointed out that the improved system will have 120,000 data points an hour and asked how long this data will be stored. Jason Christensen relayed that the data is retained for 13 months and a monthly read is transferred into the billing system and that data is stored indefinitely. Clint McAffee commented that staff is working on auditing activity in specific zones so a snapshot of the distribution system is achieved. Cindy Matsumoto asked Mr. Horowitz what his problem was.

Donald Horowitz stated that he is not here to talk about his water leak but to share his concern that he was not permitted to have his meter checked. He received a letter that it is standard policy to dispose of the meter immediately after it is tested so he never had the opportunity to test it himself. He was convinced that it wasn't a water leak but a defective meter. He urged members to change the policy since there are only a few meters tested in a year. It doesn't cost the City anything to keep the meter. He is supportive of having the City retain custody of the meter so that it retains control over the meter. He stated that everyone was courteous in the Water Department but there is a policy problem.

It was pointed out that only ten meters have been pulled for testing since 2007. Liza Simpson believed the solution is to never test the meters in-house because there are so few. The meters should be automatically sent to a certified lab and allow the customer to select the lab from a list. Ms. Wilde noted that Mr. Horowitz's meter went to a certified lab and the lab kept the meter. Mr. Christensen expressed that there is an opportunity to better communicate to the customer what happens when the meter is tested. The Department is looking at ways to improve communication with more information relayed to the customer upfront. Diane Foster suggested holding a work session specifically on adjusting the meter policy.

Andy Beerman asked if the City Manager should have more latitude for extraordinary circumstances and wondered why that provision exists. Ms. Foster believes that when customers sign up for water service, the responsibility for leaks is clear and it is unfair for others to pay for it and that is where the balance lies. The Mayor noted that every now and then there is an anomaly and second home owners should be reminded to have someone checking in on their homes. Ms. Simpson felt that the customer portal will help a lot. Jason Christensen added that a property manager was visiting the Deer Valley house and he feels the company should share some responsibility.

Donald Horowitz reiterated that meters should be available for independent inspection, particularly when there is a controversy like a reading of over one million gallons a month. Even through the City may use an independent inspector, the issue is credibility for customers. All credibility is lost when the meter is disposed of.

Ms. Simpson suggested that the testing companies be instructed to not dispose of the meter until the customer determines if he wants it sent it to a second company for verification. It doesn't seem hard to do with the low number of meters in question. Mr. Horowitz acknowledged that he received a report from the tester but there should be a better defined process. Ms. Foster stated that the City Manager piece will return to the City Council. Liza Simpson asked for data on how often administrative relief has been requested and monetary impacts in the event the cost is spread among water users.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING DRAFT
SUMMIT COUNTY, UTAH,
MARCH 21, 2013

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, March 21, 2013. Members in attendance were Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Diane Foster, Interim City Manager; Jody Morrison, Assistant City Recorder; Bret Howser, Special Projects Manager; Mark Harrington, City Attorney; Kirsten Whetstone, Planner; Jon Pistey, Ice Arena Manager; and Francisco Astorga, Planner.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

1. Council questions/comments – Andy Beerman reported on the COSAC meeting and the Leadership Class forum which was excellent. Liza Simpson stated that the Soils Commission continues to meet and will be wrapping up its recommendations shortly. She attended the Friends of the Farm meeting where recycling for events was brought up. Staff will follow-up. Cindy Matsumoto reported on Peace House, Library Board, and Summit Lands Conservancy business. Alex Butwinski spoke about attending the HPCA meeting and the Toll Canyon party which was well attended. Dick Peek reported the Historical Preservation Board meeting where an appeal was heard which was denied in part and continued in part. The Mayor commented on the complexity of the Toll Canyon open space acquisition. He attended the SBSWRD meeting and reported that the Silver Creek study is almost done. He attended PSSM and HPCA meetings.

Mayor Williams disclosed that he was contacted by Recycle Utah to again consider a ban on plastic bags. Ms. Simpson added that Recycle Utah is considering conducting a survey and she suggested that they contact the City about putting it on Mindmixer. Ms. Matsumoto recalled that the state of Utah wouldn't allow the City to ban plastic bags and Diane Foster explained that the state wouldn't allow placing a tax on plastic bags which is a very successful tool in reducing plastic bag use. The Mayor felt it would be useful to review what other cities have done and felt it would be helpful for the City to sponsor the program to a certain extent. Andy Beerman indicated that Aspen, Snow Mass and Carbondale all have banned plastic bags within the last year and it may be a good idea to contact them. Mr. Butwinski pointed out the high use of plastic bags by visitors.

2. Legislative wrap-up – Jody Morrison explained that the Governor has until April 3, 2013 to sign the passed bills which will take effect on May 14, 2013 except the budget bills which coincide with the July 1 fiscal year date. SB158, General Fund reserves, allows cities to keep 25% of General Fund revenues in reserve. GRAMA, transparency and the public notice bill, SB77 passed and the City will have to place its

minutes on the state Public Notice Website. HB403, municipal candidate filing, modifies filing time and recording of campaign activities. HB217 and HB310 also passed dealing with uniform fire and building codes which become effective July 1 and will bring the Code up to 2012 standards. SB76 and SB240, billboards, did not pass but the ULCT feels strongly that they will return next year. HB76, firearms, passed and allows anyone 21 or over to conceal-carry without a permit. The law enforcement community is concerned about this bill and is encouraging the Governor to veto the bill. HB268, open carry, didn't pass. This dealt with allowing police officers to approach an individual to ask why he is openly carrying.

Diane Foster reported that HB228, master liquor licensing, passed and she acknowledged the work of the Chamber, Ski Utah, and Office of Tourism to secure $12 million for the tourism fund. She thanked Council member Butwinski for attending the ULCT meetings and for lobbying directly with Representative Kraig Powell and with Senator Van Tassel. Alternates Dick Peek and Andy Beerman also participated as well as Liza Simpson. Representative Powell provided great support to Park City. She thanked Jody Morrison for taking on this project.

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

None.

IV MINUTES OF MEETING OF FEBRUARY 28, 2013

Alex Butwinski made a couple of corrections to the minutes. Andy Beerman, "I move to approve the meeting minutes of February 28, 2013 (as corrected)". Alex Butwinski seconded. Motion unanimously carried.

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

Alex Butwinski asked that dollar amounts be listed on the Consent Agenda for the benefit of the public.

1. Consideration of a Resolution supporting adoption of an Interlocal Agreement between Salt Lake City Corporation and Park City Municipal Corporation for the Wasatch Solar Challenge - and

2. Consideration of a Deer Valley Drive CEM contract with the TEA Group to provide construction oversight for the Deer Valley Drive Reconstruction project, in a form approved by the City Attorney - and

3. Consideration of a Deer Valley Drive public information contract with V-I-A Consulting to provide public information support services for the Deer Valley Drive Reconstruction project, in a form approved by the City Attorney - and

4. Consideration of a Deer Valley Drive third party change order review contract with WCEC Engineering to provide change order review services for the Deer Valley Drive Reconstruction project, in a form approved by the City Attorney - The Mayor requested a motion to approve the Consent Agenda. Dick Peek, "I so move". Liza Simpson seconded. Motion unanimously carried.

VI OLD BUSINESS

Consideration of an Ordinance approving the First Amended 315 Park Avenue Subdivision, located at 315 Park Avenue, Park City, Utah – Kirsten Whetstone explained that the request is to reconfigure three existing lots into lots that are more equal in size. This would eliminate a duplex lot and all three lots would be for single family homes. This item was continued by the City Council in February to allow staff to contact the applicant regarding the potential of the construction of an accessory structure in the area behind St. Mary's. The applicant has agreed to Condition of Approval No. 9 which adds a plat note prior to recordation that the 10 x 22 area at the rear of Lot B shall be restricted to landscaping and fencing as permitted by the LMC and construction of an accessory structure in this location is not permitted. Andy Beerman disclosed that this lot is across the street from his house.

Alex Butwinski asked for clarification about the L-shaped lot. Kirsten Whetstone explained that it existed in the area and sits behind the lot on Park Avenue. It was part of Lot A and that portion has been added to Lot B so that the property line between B and C is able to come straight down. Mr. Butwinski asked questions relating to the 2006 approval and Ms. Whetstone reiterated that the lots will be more consistent in size at 1.5 for each. Cindy Matsumoto added that the Steep Slope CUP review will also help with keeping the homes in scale with the neighborhood and Ms. Whetstone agreed that the Planning Commission can increase the setback requirements. The Mayor opened the public hearing; there was no input and the public hearing was closed.

Dick Peek, "I move to approve the First Amended 315 Park Avenue Subdivision according to the Findings of Fact, Conclusions of Law and Conditions of Approval as found in the staff report". Liza Simpson seconded. Motion unanimously carried.

VII NEW BUSINESS

1. Consideration of an Ordinance approving the Echo Spur Subdivision plat amendment, located at 496 McHenry, Lots 21-32, Park City, Utah – The Mayor opened the public hearing. There were no comments from the audience. He asked to continue this item to a date uncertain. Cindy Matsumoto, "I so move". Liza Simpson seconded. Motion unanimously carried.

2. Consideration of acceptance of an annexation petition for property located in the Round Valley open space north and south of the Quinn's Sports Complex on the west side of SR248 consisting of approximately 1,367.94 acres – applicants Park City Municipal Corporation, Afton Stephen Osguthorpe, and Jason Davis – Planner Kirsten Whetstone explained that this is an annexation petition of 1,368 acres, mostly owned by the City. The property is primarily open space and conservation easement land. This action is to accept or reject the petition. Acceptance will result in processing the annexation and all affected entities will be noticed. She explained that the zoning request is for Recreation Open Space with the exception of a couple of parcels to be zoned Light Industrial; two owned by the City and two owned by UDOT that are located along SR248. This would allow existing uses to continue. She pointed out the Round Valley open space on a map, the area that is north of the Quinns Sports Complex as well as the area to the south of Quinns which was not annexed previously. Staff has reviewed this pursuant to the City's Annexation Policy. The land falls within the Annexation Declaration Area and is contiguous to the City boundary. Staff is recommending acceptance of the petition which will go to the Planning Commission for review and recommendations. In response to a question from Alex Butwinski, Ms. Whetstone described the status of the Richards Annexation which is close to being finalized by the state.

The Mayor asked about inclusion of the PRI and Gillmor properties. Mark Harrington explained that the Planning Commission is evaluating if the annexation boundary should be expanded and will be providing Council with a recommendation as part of the General Plan. The Mayor invited public input. There was none.

Liza Simpson, "I move that we accept the petition for the Round Valley annexation". Dick Peek seconded. Motion unanimously carried.

3. Consideration of a Minor Professional Services Agreement with Matthew Senske for advertising and program sponsorship services for the Park City Ice Arena, in a form approved by the City Attorney – Jon Pistey explained that the intent of the contract is a way that is simple, transparent and incentivizes the provider to perform at a high level. This contract is intended to further the ice arena's goal to reduce the operating deficit and reliance on the General Fund in a way that embraces the City's pay for performance philosophy. It will benefit the City by bringing in more revenue with very little risk for the City, create more awareness of the ice arena and generate more community support for programs.

Andy Beerman asked who would pay for sales materials and Mr. Pistey answered the City will cover these costs. The Mayor pointed out that this approach was tried before but was unsuccessful. Matthew Senske felt that the companies hired before had only one focus, selling naming rights to the facility. He also believed the prior company had many clients and selling advertising spots at the ice arena became his singular focus. The RFP section of the report was clarified for Dick Peek.

Alex Butwinski felt that 60% is a phenomenal commission for selling anything. Mr. Pistey explained that staff first started exploring this about a year and a half ago and the shortfalls of the previous sales arrangements were examined. There was a sizeable guaranteed monthly payment or base pay and the commission was relatively small. It was decided to flip these elements and base the contract more on pay for performance. It was determined that for the first few months, the City would provide a base pay to develop a plan with minimal risk to the City. After that, the base will be eliminated and pay would be completely incentive-based. The 60/40 split was based on dropping the base pay. This is an area where revenues have dwindled over the past seven years but could represent a large chunk of revenue that the ice arena is not tapping into now. He explained that there is a push now to reduce the subsidy from the General Fund to zero. Mr. Pistey acknowledged that it seems like an outrageous split but it will provide incentive for Mr. Senske to sell.

Matt Senske stated that he has received up to 80% commission when he was not receiving base pay. Over the past eight months, he has worked with staff on what will be the best situation for the City. He referred to the contract with Shindig which received a high base pay and low commission. Mr. Senske emphasized that there should be little risk to the City. He explained that if he receives $1,000 in base pay one month and makes one sale then it is a wash for the City for that month. He felt this is a good split where the City will not lose any money.

Alex Butwinski pointed out that if he bought advertising this year and again the next year, Mr. Senske makes 60% both years. Mr. Butwinski felt the $330,000 of gross revenue indicated in the report is misleading because the net revenue is $133,000. He questioned the automatic renewal for three years. Mr. Pistey felt it was important to keep the process moving and the triggers in the agreement regulate the renewals and annually, Mr. Senske needs to meet the $60,000 mark for the contract to renew. Alex Butwinski asked if the City is covering all of his sales expenses. Mr. Pistey explained that anything he does on his own outside of the ice arena is his expense (gas, mileage, car expense, insurance, cell phone). Mr. Butwinski asked what contract closing costs are. Mark Harrington explained that if there are eligible expenses if the contract is terminated, Mr. Senske is able to submit a termination claim for those costs but in this circumstance, that would be unlikely.

Cindy Matsumoto understood the goal to sell $60,000 worth of advertising and program sponsorships a year. The City would make $24,000 which doesn't seem very lofty. She asked about naming rights. Jon Pistey stated that the naming proposal would be a minimum of $75,000 a year revenue to the City for a minimum of five years. Naming rights require City Council approval. Matt Senske interjected that he would love to have feedback from members on naming right.

Mr. Butwinski asked the rationale for discounted sales with the same commission ratio. Jon Pistey emphasized the pay for performance approach and if Mr. Senske is securing a three or five year contract and revenue is guaranteed for those years. Staff supports paying on the actual value not the discounted value because any discounts on standard pricing needs to be approved by arena management first.

Matt Senske stated that he wants to sell high priced products and feels that most clients will want to renew every year. On selling five year product, bonuses were considered and the discussions focused on the lowest risk for the City and it came down to the commission. Mr. Butwinski asked what happens if a client breaks a contract after two years. He expressed this is over the top.

Liza Simpson believed that it is typical to provide discounts for multi-year sponsorships. Mr. Butwinski clarified that his concern is paying the same commission on the full amount when the City is netting less money. Mark Harrington asked if the base pay is factored in for long-term deals. Mr. Pistey answered yes. In response to a question from Dick Peek about setting prices, Mr. Pistey explained that it is a collaborative process. Mr. Butwinski asked if there is a policy on discounts. Mr. Pistey stated that there is no policy but staff can look into formulating one.

Andy Beerman believed this service should be contracted out but is concerned about the value to the City overall. High commissions place the risk on the contractor but the City is providing base pay, materials, an office, and sales already generated. The renewal seems too long and complicated and he would prefer a one or two year renewal and the commission paid on the value and not the actual price makes no sense to him. It is not a benefit to the City and encourages discounting. The residual seems inappropriate if the contract is terminated. Jon Pistey clarified that if the City terminates, a commission is paid on any future contracted revenues that have not been yet been paid. Matt Senske explained that the logic in that, from his perspective, is that if in year one he sells all five year deals and raises $100,000, the City could determine that there is no sense in keeping him around and terminate the agreement and he wouldn't be paid for years two through five. If he walks away, he gets nothing.

Andy Beerman and Alex Butwinski indicated that they would like to see modifications to the proposal. Liza Simpson stated that she supports the contract as written. Although she thinks the 60/40 split is generous, given how little the ice arena has been able to generate and the City's experience with the prior contractor, she is comfortable moving forward with this. Mr. Butwinski asked if the commission was detailed in the RFQ. Mr. Pistey stated that it was not leaving the section on commissions open-ended. He added that it is rare not to provide a base pay which is the case after six months.

Matt Senske felt that essentially base pay will not be paid in the first six months. If he has one sale on the Tier 1 dasher board spots at $1,600, he will make $960 commission which would be deducted from his base pay. He is getting 60% overall on everything. If he sells nothing else, the City is paying out $40. He believes the City has minimal risk and he felt sales will be good this time of year. Mr. Beerman commented that when the split reaches over 50%, usually the risk is solely on the sales person. If the commission was 30%, he felt Mr. Senske has every right to ask for base pay. Mr. Senske reiterated the Tier 1 dasher board sales scenario and emphasized that the risk is next to nothing. He stated that he has six verbal agreements for Tier 1 dasher boards and he feels confident he will get the contracts which would result in the City having no risk for the first 4.8 months because the City will make $3,840 on those six sales and he will not make base salary for the first month because of those contracts. The City will have $3,800 to spread over the next months almost paying for four of the five months of guaranteed base salary if he were to sell nothing else for months two through five. Jon Pistey explained that base pay is just factored into commission so that if Mr. Senske makes no sales, then he doesn't receive base pay. Cindy Matsumoto stated that she is okay with the contract. Ms. Simpson believes that the contract will work well because of Mr. Senske's understanding of the ice arena which may have been part of the problem with Shindig.

Andy Beerman stated that he is comfortable with most of the contract but would like it changed so the commission is paid on the actual amount sold not on the retail cost and the renewal should be shortened to annually or every 18 months. Matt Senske explained that it is annual so there is a six month period if he hits the $20,000 and to get to the 18 month mark he has to have $60,000 then it renews for a year period, another $60,000 period and each additional year after that. Mr. Beerman asked that the contract return to Council. Dick Peek stated that he would be comfortable with those changes and Alex Butwinski agreed.

Andy Beerman, "<u>I move we approve a Minor Professional Sales Agreement with Matthew Senske for advertising and programming sponsorship services for the Park City Ice Arena, in a form approved by the City Attorney, with the amendments that a renewal (occur) before Council each year after the first 18 months and strike Item No. 2, Page 147, that says commission is paid based on non-discounted yearly value of sales contract not the actual revenue for discounted multi-year contracts</u>". Jon Pistey asked for that 18 month period, if the six month trigger should stay. Right now there is a six month $20,000 revenue clause. Alex Butwinski seconded. <u>Motion unanimously carried</u>.

Matt Senske stated that he has no issue with the yearly renewal before Council but would like to make sure that if he has those five year sales those are still included in the pay-off and not renewing is not the same as terminating the contract. The Mayor agreed. Mr. Senske noted that the biggest reason for the decision on the one year cost instead of the discounted amount was a bonus incentive for him to sell five year deals. He believes that the ice arena should not require a subsidy because of its resources. Mark Harrington added that any contract has certain flexibility built in for change in circumstances which is capped. The contract has a percentage-based ability which may be a solution. The manager would have the ability to process a bonus change-order, for instance, within that authority as long as it is within the department budget. Anything beyond that pre-determined amount in the budget has to return to Council anyway.

Andy Beerman felt that Mr. Senske will do a great job and may discover there are some efficiencies, maybe the commissions will be a little smaller but the stability of landing a five year deal is going to be less work for him and offer more financial security. Alex Butwinski added that if he sells a discounted deal for five years and it is cancelled after two years, the City hasn't received the benefit of a five year deal. Matt Senske encouraged Council members to contact him with opinions on naming rights.

4. Consideration of an Ordinance approving the 520 Park Avenue Replat, located at 520 Park Avenue, Park City, Utah – Planner Francisco Astorga explained that the replat involves two lots of record, however one is shy 46 square feet. The applicant received a variance by the Board of Adjustment but ultimately discovered that a single family dwelling could not be built on each lot and decided to combine the two lots of record. Although the variance was granted it is no longer needed. Andy Beerman pointed out that the date of the public hearing needs to be corrected in the recitals in the Ordinance. Mr. Astorga added that lot combinations have specific parameters, setbacks are increased, and construction requires a Historic District Design Review. This site may also require a Steep Slope CUP. Representative Hal Timmins added that there is a 31 foot setback from the curb compared to four feet for the homes on either side of the lot. In response to a comment from Cindy Matsumoto, Mr. Astorga did not feel that having the house recessed is a negative aspect. The Mayor opened the public hearing; there were no comments and the hearing was closed.

Dick Peek, "I move that we approve the 520 Park Avenue Replat, based on the Findings of Fact, Conclusions of Law and Conditions of Approval as found in the draft Ordnance (as corrected by Andy Beerman)". Liza Simpson seconded. Motion unanimously carried,

5. Consideration of an Ordinance approving the 421 Park Avenue Replat, located at 421 Park Avenue, Park City, Utah – Francisco Astorga explained that the property has an existing historic landmark structure. There are two lots of record plus another portion of a lot located toward the south. The historic structure sits on the property line and the applicant has requested to remove the lot line resulting in one lot of record. An addition is contemplated in the rear on the northwest corner of the property. He acknowledged Mr. Beerman's correction of the public hearing date in the Ordinance recitals. Mr. Butwinski asked if the potential square footage could be 4,800 square feet. Francisco Astorga answered no because the footprint is historic and an application has not been received for the addition yet. Architect Jonathon DeGray explained that any addition to the rear would be off to the right side. His client's focus is the foundation of the building and in order to do that, a plat amendment is required. An addition to a landmark structure requires a considerable amount of review and the rating of the home cannot be compromised. The Mayor opened the public hearing; there were no comments from the audience and the hearing was closed.

Liza Simpson, "I move that we approve the 421 Park Avenue Replat, based on the Findings of Fact, Conclusions of Law and Conditions of Approval, as found in the draft

Ordinance which will be amended to reflect the correct date". Andy Beerman seconded. Motion unanimously carried.

VIII ADJOURNMENT

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

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 1:30 p.m. Members in attendance were Mayor Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Diane Foster, Interim City Manager; Brooke Moss, Human Resources Manager; Tom Daley, Deputy City Attorney; Sharon Bauman, Senior City Recorder; Heinrich Deters, Trails and Open Space Manager; Thomas Eddington, Planning Manager; Nate Rockwood, Budget Manager; and Mark Harrington, City Attorney. Liza Simpson, "I move to close the meeting to discuss personnel, property and litigation". Andy Beerman seconded. Motion carried unanimously. The meeting opened at approximately 5:00 p.m. Liza Simpson, "I move to open the meeting". Andy Beerman seconded. Motion unanimously carried.

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

Prepared by Janet M. Scott, City Recorder

City Council
Staff Report

PARK CITY 1884

Sustainability

Author: Matthew Twombly
Subject: Main Street Improvements - Award of Construction Manager at Risk (CMAR) Contract
Date: April 4, 2012
Type of Item: Administrative - Award of Contract

Summary Recommendation –
Staff requests authorization to proceed with the Main Street Improvements Project and authorize the City Manager to enter into a construction manager at risk (CMAR) contract in a form approved by the City Attorney's Office with Miller Paving Inc. in the amount of Thirteen Thousand Nine Hundred Eighty Dollars. **($13,980)**

Topic: Main Street Improvement Project.

Background:
On December 12, 2012 Council authorized the City Manager to enter into a professional service provider contract with MGB+A for the design, engineering and construction observation for the first phase of streetscape improvements as currently laid out for 2013 construction which includes the East side of Main from 4th to 5th Street, the Terigo plaza/walkway, the West side of Main from 5th Street to the Claimjumper/Bear Bench bulbout, and 7th Street from Park Ave to Marriott Summit Watch Plaza.

On February 28, 2013 City Council discussed the preferred paving material for the Main Street sidewalks and radiant heat for the Terigo Walkway. Council supported staff's recommendation to use granite curb, granite pavers with concrete banding. Council was not supportive of using radiant heat on the Terigo Walkway. The staff report also outlined the scope of the Phase 1 projects.

The project team consisting of HPCA Executive Director, MGB+A, the sub-consultants (civil and electrical engineers, architect), City staff from Public Works, Engineering, Planning, and Sustainability met each week to develop the project plans/drawings through concept, schematic, and design development. The architects and engineers of the project team are moving into construction drawings for the project. This is the type of project and the preferred time to bring on a CMAR to help with cost estimating, design/construction solutions, and scheduling.

The Construction Manager/General Contractor (CM/GC) is also referred to as a Construction Manager at Risk (CMAR) and the terms are interchangeable. The CM/GC construction method is different from the traditional Design-Bid-Build method in that the contractor is brought on board during the design phase as a professional service provider to work with the project team to help reduce construction costs, improve quality control and most importantly improve schedule with early mobilization and phased bidding and construction. As defined in the City's purchasing policy a CM/GC is a contractor who enters into a contract for the management of a construction project when that contract allows the contractor to subcontract for additional labor and materials that were not included in the contractor's cost proposal submitted at the time of the procurement of the Construction Manager/General Contractor's services. The CMGC will implement all bid packages and subcontractors under a competitive bid requirement as required in the City's purchasing policy. The purchasing policy requires that the Project Manager will attend the award of all subcontracts which meet the threshold requirements in which the State Code (and our purchasing policy) requires a sealed bid if it was bid individually. The proposed CM/GC contract also requires that any competitive quotes for items of work between $15,000 and the State Code amount (approximately $135,000) will use the City's Local Bidder Preference.

Analysis:
The Request for Qualifications (RFQ) for construction contractors was advertised on January 19th and 23rd, 2013 in the Park Record and January 20th and 21st in the Salt Lake Tribune. Additionally, the RFQ was posted on the City's website and at utahlegals.com.

Park City's purchasing policy states that Contracts for Professional Service where the Service Provider is responsible for Building Improvements/Public Works Project CM/GC method) are exempt from competitive bidding. The selection of CMGC contracts shall be based on a documented evaluation process (such as a Request for Qualifications (RFQ). Usually, emphasis will be placed on quality, with cost being the deciding factor when everything else is equal.

There were eight members of the project team responsible for short-listing the CMGC contractors. These were Alison Butz (HPCA) Jay Bollwinkle and Jesse Bell (MGB+A), Michael Demkowitz (Alliance Engineering), Jonathan Weidenhamer, Matt Twombly, Dave Gustafson, and Craig Sanchez (PCMC). The selection committee met on February 8, 2013 and short-listed 3 of the 5 firms that submitted qualifications. The three shortlisted firms of Miller Paving, Allstate Construction and J. Lyne Roberts and Sons were interviewed by the selection committee on March 13, 2013.

In review of the proposals and interviews the committee determined that Miller Paving were the most qualified. Their qualifications were based on previous experience, staff proposed, proposed work plan (scheduling), quality control, minimizing impacts to business, and additional considerations. The proposed Pre-construction Services fee, estimated General Conditions and the Construction Manager's Fee were considered under Additional Considerations.

Shortlist Proposal	**Preconstruction Services**	**Manager's Fee (based on $1.5 M)**	**Estimated General Conditions**

Miller Paving Inc.	$13,980	3%	$115,475
Allstate Construction	$30,000	10%	$100,000* $150,000
J. Lyne Roberts	$26,250	7%	$158,832

*Accelerated schedule with night work

The CMAR contract at this point, is contracting for preconstruction services of $13,980. The $13,980 is below the amount requiring Council award; however this CMAR contract will be amended to a contract of approximately $1.5 million. At the point where 90% of construction documents are prepared, the Construction Manager will bid the project consistent with State code and City policies. The Construction Manager will then propose a Guaranteed Maximum Price (GMP) that includes a detailed schedule of work and costs based on the subcontractor bids, General Conditions, Construction Manager's Fee, Bonds and a Contingency. Staff will return to Council for award of the Amendment #1 to the CMAR Agreement for the GMP. If the GMP is $1.5 million, we will pay the Construction Manager $45,000 plus an estimated $115,475 in general conditions, an estimated $12,000 in bonds and $13,980 in preconstruction services. The rest of the GMP would be based on subcontractor bid amounts.

Construction Impacts to Main Street

In order to minimize impacts, the project team is considering an Early Mobilization package for Amendment # 1. This will allow the construction to begin while other portions of the project require additional design and approvals. This phased strategy was used on the Ice Rink construction to enhance the schedule. Staff will subsequently return to Council for an Amendment #2 for the remainder of the project if this strategy is used.

The Questar main and lateral gas line replacement for Main Street between 4^{th} and 5^{th} Street on the East side and 5^{th} and Bear Bench bulb-out on the West side is anticipated to start end of April or beginning of May. The project team is working with Questar and HPCA to coordinate the schedule ahead of the City's improvement project and communicate with the businesses impacted by the replacement. Questar is also communicating directly with their customers where improvements to the gas lines need to be made inside the buildings.

The gas line replacement is anticipated to take approximately 3 weeks for the east side and 3 weeks on the west side for a total of 6 weeks. To limit impacts only small sections of work will be completed at a time. Questar will be using flaggers to maintain traffic. There may be some displacement of parking on the opposite side of work and minor impacts to deliveries. Sidewalks will remain open during the Main line installation but will require re-routing for the lateral line installation to the buildings during work hours at the locations of work. There will be further public outreach and coordination closer to beginning work and when their schedule is formalized. Questar will be much further ahead of the City's project so asphalt patching will be made on the sidewalks and in the roadway until the sidewalk improvements are made.

Much like the Questar project, the City and contractor intend to limit impacts by completing small sections of sidewalk at any time and move along the Street. The contractor has worked on other Main Street/business district sidewalk replacement projects and has guaranteed access to all businesses. The contractor may need to request additional time beyond the normal hours of work to minimize impacts to businesses. Similar to Questar's work, in order to maintain pedestrian and vehicular traffic, a limited amount of parking on the opposite side of the project will need to be displaced during work hours.

The project team has been coordinating with the HPCA board and infrastructure committee. Once the contractor is on board, the construction schedule and impacts can be better coordinated between the City and HPCA. The HPCA board has stated that they do not want construction during the months of July and August. The project team and the contractor have spent a considerable amount of time trying to fulfill the request of no work in July and August without arriving at a suitable outcome. As mentioned above the project team is trying to mobilize the contractor to start the first section of improvements on Main Street. Once the project is underway the merchants can see how the improvements progress and if there are still concerns then we can address them at that time and make adjustments.

Miller Paving has already started meeting with the project team to coordinate the schedule of improvements with Questar, assess the proposed storm drains, arrange for granite samples and mock up for Planning approval, review street light refurbishing, and discuss parking meters, water meters, survey, layout and other issues in developing construction documents.

Department Review: This report has been reviewed by representatives of Sustainability, Legal, and the City Manager's Office and their comments have been integrated into this report.

Alternatives:

A. **Approve the request, and authorize the City Manager to enter into a construction manager at risk (CMAR) contract in a form approved by the City Attorney's Office with Miller Paving Inc. in the amount of Thirteen Thousand Nine Hundred Eighty Dollars.** ($13,980)**: (Staff recommendation)**
B. Modify the request: Council could choose to modify the project and redo the CMGC selection process, which would delay the project.
C. Deny the request: Council could choose to not continue with the project at this time.
D. Continue the Item: Council may feel there is not enough information to make a decision, which will delay the project and the proposed schedule.
E. Do Nothing: Same effect as continuance.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	+ Balance between tourism and local quality of life	- Managed natural resources balancing ecosystem needs	~ Preserved and celebrated history; protected National Historic District	+ Well-maintained assets and infrastructure
	~ Varied and extensive event offerings	~ Enhanced water quality and high customer confidence	+ Shared use of Main Street by locals and visitors	(+/-) (Select Desired Outcome)
	+ Accessibility during peak seasonal times	~ Reduced municipal, business and community carbon footprints	+ Entire population utilizes community amenities	(+/-) (Select Desired Outcome)
	+ Safe community that is walkable and bike-able	~ Economically and environmentally feasible soil disposal	+ Community gathering spaces and places	(+/-) (Select Desired Outcome)
	+ Internationally recognized & respected brand	(+/-) (Select Desired Outcome)	+ Vibrant arts and culture offerings	(+/-) (Select Desired Outcome)
	(+/-) (Select Desired Outcome)	(+/-) (Select Desired Outcome)	(+/-) (Select Desired Outcome)	(+/-) (Select Desired Outcome)
	(+/-) (Select Desired Outcome)	(+/-) (Select Desired Outcome)	(+/-) (Select Desired Outcome)	(+/-) (Select Desired Outcome)
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Very Positive ⬆	Negative ⇩	Very Positive ⬆	Positive ⇧
Comments: Events and accessibility may have temporary negative impacts during construction, but the improvements are positive in the long term. Storm water improvements will have a neutral effect on water quality. The carbon footprint will be neutral even though more resources are used due to the maintenance and lifecycle costs of the materials we are considering for Main Street. The historic side is neutral in that we will celebrate historic sites and provide information, but many may consider the improvements less than desireable as historic.				

Funding Source:

There is currently approximately $1,600,000 estimated for the first phase of Main Street Improvement projects out of the $15 M 10 year project budget. Sustainability, Public Works, Planning, Engineering and other City staff resources will be required to complete the project.

Staff Recommendations:

Staff requests authorization to proceed with the Main Street Improvements Project and authorize the City Manager to enter into a construction manager at risk (CMAR) contract in a form approved by the City Attorney's Office with Miller Paving Inc. in the amount of Thirteen Thousand Nine Hundred Eighty Dollars. ($13,980)

Exhibits: The CMAR Agreement is quite voluminous. Therefore, it is available from Staff upon request.

City Council
Staff Report

Sustainability

Author: Matt Twombly
Subject: Main Street Improvements - MGB+A
– Change Order to Service Provider Contract
Date: April 4, 2012
Type of Item: Administrative – Change Order to Contract

Summary Recommendation –
Authorize the City Manager to execute a change order to the Professional Service Provider Agreement in a form approved by the City Attorney's Office with MGB+A, for additional work in an amount of Sixty Five Thousand Two Hundred Seventy Dollars ($65,270).

Topic: Main Street Improvements project, MGB+A Professional Service Provider contract change order.

Background:
On December 13, 2012 Council awarded the Main Street Improvements professional service provider agreement to MGB+A Inc., in the amount of one hundred fourteen and eighty dollars. The scope of work included completing the streetscape design. The final streetscape "design" or the look of the improvements will be carried through the 10 year plan for the Main Street sidewalks. The first phase of streetscape improvements as currently laid out for 2013 construction includes the East side of Main from 4th to 5th Street, the Terigo plaza/walkway, the West side of Main from 5th Street to the Claimjumper/Bear Bench bulbout, and 7th Street from Park Ave to Marriott Summit Watch Plaza.

The deliverables include:

- Analyze Streetscape & Pedestrian Enhancements current design.
- Assess the project cost estimates and schedule of construction.
- Work with the committee and PCMC staff to determine final design, schedule and estimates for presentation to the Historic Design Review Committee, the public, HPCA, and City Council;
- Present recommended plans, schedule and cost to HPCA Board;
- Present finalized design to City Council;
- Provide ongoing meetings with HPCA and Public into construction.
- Coordination with utility companies where the reconstruction of the sidewalks will likely trigger the need for utility upgrades;
- Prepare construction documents:
    - 30% plus cost estimate submittal.
    - 60% plus cost estimate submittal.
    - 90% including specifications and cost estimate submittal.

    - 100% including bid documents, specifications and final cost estimate submittal.
- Provide assistance to PCMC staff in bidding the first phase (year 1) improvements including pre-bid meeting and support, contractor questions, issuing addenda, preparing bid tabulations, verification of bidder's qualification, and presentation to City Council for the contract award.
- Provide construction management for the first phase improvements (year 1).

Analysis:
On February 28, 2013 City Council discussed the preferred paving material for the Main Street sidewalks and radiant heat for the Terigo Walkway. Council supported staff's recommendation to use granite curb and granite pavers with concrete banding for the sidewalk. Council was not supportive of using radiant heat on the Terigo Walkway. The staff report also outlined the scope of the Phase 1 projects.

The project team consisting of HPCA Executive Director, MGB+A, the sub-consultants (civil and electrical engineers, architect), City staff from Public Works, Engineering, Planning, and Sustainability met each week to develop the project plans/drawings through concept, schematic, and design development. The architects and engineers of the project team are now moving into construction drawings for the project.

The original contract estimated that the Design Development plans would be presented to Council by mid-January. Seeing as the presentation was made on February 28th, there was significantly more meetings and work than anticipated in the original estimate. In addition to the meetings there was additional survey coordination, three dimensional studies, materials and layout plans and additional research required for HDDR approvals. Also there was a request by planning to inventory the historic Main Street light poles to help develop a plan to refurbish them. This will be performed by the electrical engineer sub-consultant.

One of the items not contemplated in the RFP was the installation of a new storm drain system for Main Street. This has become a priority for the project team to better deal with slush, which is a complaint of the merchants and visitors, as well as a better engineering solution for storm water. The increase noted below is for the development of concept to 100% drawings, specifications and construction oversight for the work.

All along Main Street there are property corner nails and washers at the store fronts in the sidewalk. These property corners will need to be replaced after the improvements are made. In addition there are two monuments (Heber/Main, 4th/Main) on Main Street that have been destroyed over the years and are needed to be replaced in order to reset the property corners after this and each phase of Main Street Improvements. The property corners and monuments will be completed by the engineering sub-consultants.

Three Dimensional Design Drawings	$4,285
Additional Materials and layout plans, Research	$16,887

Additional Meetings	$9,960
Light Pole Inventory	$3,050
Storm Drainage plans, Property corners and Monuments	$31,088
For a total change order of	$65,270.

Department Review: This report has been reviewed by representatives of Sustainability, Legal, and the City Manager's Office and their comments have been integrated into this report.

Alternatives:

A. **Approve the request, and authorize the City Manager to enter into a change order to the professional service provider contract in a form approved by the City Attorney's Office with MGB+A, for additional work in an amount of Sixty Five Thousand Two Hundred Seventy Dollars ($65,270): (Staff recommendation)**
B. Modify the request: Council could choose to modify the contract or not perform the remainder of the contract which would delay the project.
C. Deny the request: Council could choose to not continue with the project at this time.
D. Continue the Item: Council may feel there is not enough information to make a decision, which will delay the project and the proposed schedule.
E. Do Nothing: Same effect as continuance.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	+ Balance between tourism and local quality of life	- Managed natural resources balancing ecosystem needs	~ Preserved and celebrated history; protected National Historic District	+ Well-maintained assets and infrastructure
	~ Varied and extensive event offerings	~ Enhanced water quality and high customer confidence	+ Shared use of Main Street by locals and visitors	(+/-) (Select Desired Outcome)
	+ Accessibility during peak seasonal times	~ Reduced municipal, business and community carbon footprints	+ Entire population utilizes community amenities	(+/-) (Select Desired Outcome)
	+ Safe community that is walkable and bike-able	~ Economically and environmentally feasible soil disposal	+ Community gathering spaces and places	(+/-) (Select Desired Outcome)
	+ Internationally recognized & respected brand	(+/-) (Select Desired Outcome)	+ Vibrant arts and culture offerings	(+/-) (Select Desired Outcome)
	(+/-) (Select Desired Outcome)	(+/-) (Select Desired Outcome)	(+/-) (Select Desired Outcome)	(+/-) (Select Desired Outcome)
	(+/-) (Select Desired Outcome)	(+/-) (Select Desired Outcome)	(+/-) (Select Desired Outcome)	(+/-) (Select Desired Outcome)
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Very Positive ⬆	Negative ⇩	Very Positive ⬆	Positive ⇧

Comments: Events and accessibility may have temporary negative impacts during construction, but the improvements are positive in the long term. Storm water improvements will have a neutral effect on water quality. The carbon footprint will be neutral even though more resources are used due to the maintenance and lifecycle costs of the materials we are considering for Main Street. The historic side is neutral in that we will celebrate historic sites and provide information, but many may consider the improvements less than desireable as historic.

Funding:
There is currently approximately $1,600,000 estimated for the first phase of Main Street Improvement projects out of the $15 M 10 year project budget. Sustainability, Public Works, Planning, Engineering and other City staff resources will be required to complete the project.

Staff Recommendations:
Authorize the City Manager to execute a change order to the 3rd Street Stairs Construction Agreement with Northridge Construction, Inc., for additional work in an amount of Sixty Five Thousand Two Hundred Seventy Dollars ($65,270).