

**PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
MARCH 31, 2011**

Present: Mayor Dana Williams; Council members Alex Butwinski; Joe Kernan; Liza Simpson; and Cindy Matsumoto

Tom Bakaly, City Manager; Mark Harington, City Attorney; Katie Cattan, Planner; Thomas Eddington, Planning Manager; Michael Kovacs, Assistant City Manager

Planning Commission Members Adam Strachan, Brooke Hontz and Dick Peek

Craig Elliott, architect for Mark Fischer; Mark Fischer, Park Bonanza property owner; Bob Wells, Deer Valley Resort, and Mike Sweeney, Treasure Project

1. Council questions/comments. Cindy Matsumoto discussed meeting with Habitat for Humanity this week. Alex Butwinski reported on a Public Art Advisory meeting. Liza Simpson stated that she attended the short range transportation plan meeting; the draft looks good and the meeting was informative. Mayor Williams discussed meeting the Leadership Class. He pointed out the benefit of getting bi-lingual information on new legislation regarding the guest worker program on our website. Phyllis Robinson suggested contacting the Catholic Church to disburse information and Liza Simpson believed that some organizations in Salt Lake may already have information compiled for outreach purposes. The Mayor invited the public to attend a memorial service for Candy Erickson this Sunday at the Eccles Center and he spoke about her as a champion of City Staff. Council member Erickson served the community with grace and class and will be dearly missed.

2. Transfer of Development Rights Overlay Zone. Planner Katie Cattan stated that on March 10, 2011, the City Council asked staff to consider five items. (1) Require Planning Commission review of all projects utilizing TDR credits which would require a MPD process; (2) Require any height exception in a receiving zone to utilize TDR credits; (3) Expand the sending areas to include vacant lots in Old Town where staff assigned a multiplier of 2. Historic District structures that could expand would be tied to a 2,000 square foot per unit development credit; (4) Add Snow Park, Deer Valley Resort and Prospector Square as receiving areas. Snow Park is included in the Deer Valley Master Plan Development so any TDR credits transferred would trigger an amendment to the MPD. Most of Prospector is built-out but there are a couple of vacant lots. (5) Review the Treasure multiplier which has been changed from 2 to 1.5.

Mayor Williams discussed the fluidity of the multipliers. Thomas Eddington recommended that as the ordinance moves forward that appraisal work be done in the associated sending and receiving areas so that the multipliers are accurate. If members want to get this in place as a tool immediately, he recommended leaving the multipliers for Treasure Hill and the others at 1 with the caveat that appraisals will be conducted when appropriate. Mark Harrington suggested the approach to be direction to return with further analyses for future modifications to the ordinance, regardless of what may or may not be on-going negotiations for specific projects. With more receiving areas, additional data may result in different multipliers for specific areas. The Mayor understood that all areas would be 1:1 until an application is received with an analysis. The City Attorney advised that it is a policy decision for the Council to determine,

based on current information, justification for the 1.5 number as a more equitable facilitator of moving the density or not, or whether members are more comfortable leaving it at 1:1. Mr. Eddington interjected that staff looked at TDR ordinances across the country where about half used rule of thumb while the other 50% utilized appraisals at the time of finalizing the transaction. He felt it beneficial to have the quantitative analysis now as a base point and if TDRs are not used for years, there may be a need for new appraisals. Mr. Eddington noted that some communities use appraisals and a qualitative element like steep slopes.

Commissioner Charlie Wintzer felt that the more restrictions on a piece of property in the Code, the harder it is to build and an appraiser might not be fully aware of all relevant details. Dick Peek emphasized that sensitive lands should be incentivized to move development. The Mayor felt 1:1 is appropriate to begin with acknowledging that multipliers can change. Brooke Hontz pointed out that the ordinance is dynamic and will need to be revisited often. A lot of effort has been put in determining varying ratios. She pointed out the windfall a vacant lot on a steep slope with no access could potentially realize with a 1:1 ratio. It is a lot less work for the owner who receives a lot of value. Liza Simpson acknowledged the complexity of this issue and felt that keeping the ordinance simple at 1:1 would be the best approach at this point. She discussed the benefits of discouraging maximizing square footage of historic structures and it seems like programs in other communities morphed over time. Mayor Williams believed that owners may accept .5. Mr. Wintzer pointed out that market values change.

Adam Strachan believed that dealing with applications on a property-by-property basis may prompt claims of inequity which is not a great situation for the Planning Commission, City Council or staff. Ms. Simpson didn't believe the recommendation to be that multipliers would be developed on a case-by-case basis. Thomas Eddington pointed out that staff would be looking at sending and receiving areas holistically and will not isolate specific properties. Mark Harrington clarified that the ordinance would be dynamically modified to reflect changing market conditions and the state of Utah audit recommendations encourage cities from making case-by-case determinations. Mr. Strachan pointed out that sending areas Alice Claim, upper Ridge Avenue, and Treasure Hill are developments, not zones and he didn't know how a case-by-case analysis can be avoided. Ms. Simpson suggested that the analysis be broad and Dick Peek stated that definitions could distinguish contiguous undeveloped lots on the perimeter of the developed part of town addressing Mr. Strachan's concern. Adam Strachan added that multipliers could be assigned by zone but it was pointed out that zones would not distinguish between flat and steep lots. Mr. Wintzer relayed that the Code is already set up with overlays and credits could be awarded through the MPD process.

The Mayor asked the Commission's preference and Charlie Wintzer stated that he prefers assigning all at 1 and return with an analysis or appraisal. Brook Hontz indicated that if assigning 1 results in an adopted ordinance, she supports the approach as she feels this program needs to be initiated. The value of 1 matters when Treasure is added back into the mix. Dick Peek agreed. Mr. Strachan stated that he is in favor of an ordinance with further analysis.

Charlie Wintzer questioned Council direction that the only way to obtain a height exception is with a TDR which may compromise the flexibility of the MPD process and he felt the Planning Commission needs that tool. The Mayor stated that he agreed and cited community benefits that a project could provide in exchange for added height. Mr. Wintzer stated that it has been his experience that better designs and buildings can be achieved with this MPD tool. Adam

Strachan asked if a series of vacant lots in Old Town is an appropriate place for in-fill development and whether we want to incentivize buying down the development potential on those lots. Alex Butwinski expressed concern about the maintenance of vacant lots with out-of-state owners. He asked the Commission if the desired result of smaller more compatible homes on Old Town lots can be accomplished by offering the owner the opportunity to sell density. Dick Peek pointed out situations with historic homes and situations with vacant lots and new construction in Old Town. Katie Cattan stated that the draft can be changed so that it addresses all homes not just historic homes. Cindy Matsumoto asked if the ordinance is written so that a 1,000 square foot home in the Historic District, for example, will still be allowed and other density on the lot could be transferred. Ms. Cattan noted that the ordinance is not written that way now but she can make that modification. Charlie Wintzer stated that he favors that change. Mark Harrington felt this should be studied to better understand the consequences of opening up the program to new construction which could be addressed with the next round of amendments.

Liza Simpson felt all these points are valid but relate to the analysis and incentive elements. The requirement to use TDRs for height exceptions was suggested to incentivize the use of TDRs but she is willing to remove it. Mr. Wintzer suggested that the ordinance be reviewed once a year for appropriate modifications. Ms. Simpson believed that new construction in Old Town should be contributory to the Historic District to be eligible for credit. She looks forward to all of the analyses. Joe Kernan discussed achieving better designs and buildings with height exceptions within a MPD and Ms. Cattan explained that the MPD requires separation between buildings, appropriate mass and scale and compliance with architectural standards. Cindy Matsumoto supported requiring TDRs for height exceptions. Discussion ensued on this point. Alex Butwinski stated that he would rather have the Planning Commission maintain its flexibility in the MPD process. Mr. Wintzer felt it could be left in and amended later. Joe Kernan believed the Commission should have the flexibility to achieve a better project. Brooke Hontz felt that the Commission already gives too much away and this restriction may better promote the TDR program.

Ms. Cattan introduced a concept where 75% would be attributed to TDR credit and the remaining 25% to a variation in the building. Thomas Eddington clarified that if a developer wanted to utilize the height exception in the MPD without the use of TDRs, basically 25% of the density will be given up. Mr. Strachan suggested that the restriction be eligible to be waived by the Planning Commission if the applicant can show good cause. Good cause could mean meeting the purpose statements of the MPD. Ms. Simpson liked this better than a straight percentage and felt restricting the use of TDRs for height exceptions should be studied further. Mark Harrington emphasized that the project must meet the purpose statement in any event but will think of a way to do something similar. He suggested leaving the criteria in place for height exceptions within a MPD with an option to use TDRs. Commissioner Strachan felt the alternative will get the same result and commented on the fluidity of the ordinance. Mr. Wintzer felt it important to get it on the books to see how it works. Mr. Butwinski spoke about incentivizing receiving areas, not just focusing on the sending areas.

The Mayor believed there is consensus for the 1:1 multiplier. Charlie Wintzer expressed his concern that setbacks are included in open space calculations. Michael Kovacs pointed out that the City may want right-of-way in exchange for height. Mr. Wintzer felt that the applicant must provide a circulation plan in any event. He disclosed that he owns property in the Bonanza Park

receiving zone. The Mayor invited public input and Mr. Wintzer excused himself from the meeting.

Craig Elliott, Elliott Work Group, urged members to focus on the big picture and he felt that the Bonanza Park receiving zone is an opportunity to build a place for residents. He spoke about his need to drive to Kimball Junction too often while Bonanza Park is within walking distance from a number of locations. Putting limitations in the area may not be the best thing to do; it is not inspiring developers to create the greatest product but is telling people *what not to do bad*. From the perspective of the height exception, he does not want to take discretion from the Planning Commission. Height variances within MPDs allows for better designs. On the detail side, streets and rights-of-way are important and the current circulation plan in Bonanza Park is obsolete. Two and three stories can be done well but he does not feel it is the right thing for the town. Mr. Elliott believed that constructing a street for improved circulation and then penalizing the project is a mistake. If the provision limiting height exceptions to TDRs is adopted, it is likely his clients in Bonanza Park will ask not to be a receiving zone. There is no incentive to give up density and then buy it back. Mark Harrington clarified that density can not be increased with increased height under the existing language. Mr. Elliott understood that additional height is obtainable in exchange for street fronts, walkways, plazas, etc. He spoke about the new City Center in Salt Lake and the lack of a street grid which he feels is not a good design. There are projects that could be approved within the height constraints and the setbacks in the zone but the result could be poor design. The Mayor asked how he felt about TDRs and Mr. Elliott questioned who will buy them. The locations that make sense are areas that already have successful viable projects and Prospector is a great location. He spoke about the integrity of buildings that can handle another story and the substandard construction in the Bonanza Park area. He can't think of an incentive to make the TDR program work, except a simpler process and not going to Planning Commission.

Mr. Strachan expressed that the program is valuable for the applicant, the Planning Commission and the community and asked what it would take for Bonanza Park to participate. Mr. Elliott believed that a reduction in parking through the purchase of TDRs might be an incentive but this can currently be done through a MPD. Dick Peek interjected that there may be other incentives, other than density and a simplified MPD process. Mr. Elliott suggested that the base height could be increased by something like ten feet, for example, and negotiate from there.

Bob Wells, Deer Valley Resort, stated that he agreed with many of Mr. Elliott's comments. He felt there is potential benefit in adopting a TDR ordinance but it is important to remember that the final step that makes it work or fail is what the transferring party is going to charge the receiving party. The more the Council tries to tighten the process, the more likely a deal is going to fail. A simple process that identifies areas to reduce development and allows an opportunity for the parties to negotiate and propose a transaction back would be better than a complicated set of rules. The existing code allows an opportunity for height variation within a MPD as long as mass is not increased. In his mind, this is the best planning tool in the Code because it deals with the sensitivity of the site like view corridors, for example. This has not been used a lot and the larger the site, the more beneficial.

Mike Sweeney, Treasure Project, expressed his desire to talk about the program with his negotiation team. He spoke about the 1986 negotiations with the City where they gave up 50% of their density, provided 97% open space, and created a project for Old Town that was missing from the Town Lift. They agreed to take the obligation on and donated a portion of Main Street,

constructed 9th Street, and their partners donated rights-of-way for Deer Valley Drive for additional heights. There are ways to incentivize people to arrive at a plan that is good for the community. TDRs may do that to some extent but not the way the ordinance is currently drafted, specifically taking away the ability to use the MPD process. Buying TDRs for height in many instances is not practical or rationale and he did not feel it is a good solution for the community. He likes the ability for the property owner to go vertical and give up some density for a better design and referred to the successful Sky Lodge project as an example. With respect to multipliers, Mr. Sweeney believed that appraisals will be used in any event to identify values and he likes the ability to negotiate. He felt this is a good effort. Mr. Elliott's comments should be taken to heart when crafting the ordinance and there are many opportunities to move density in better locations.

Mark Fischer, Bonanza Park property owner, expressed confusion about the TDR program and requested that the ordinance be continued and not approved tonight so that everyone can understand it a little better. On March 7, 2011, he filed his pre-MPD application for Bonanza Park, spent hundreds of thousands of dollars on architectural and planning fees, and submitted a pre-MPD based on today's Code. On March 10, 2011, the staff was asked to limit height exceptions to the TDR program. He is sure it is a coincidence but emphasized that he doesn't need any more density; he needs height variation. If he understands the ordinance correctly, he would have to buy density he already has the right to have. That is his issue; he likes everything else. He strongly urged members not to force people who already have the legal right to the density to buy it when they already have it. It just doesn't make sense and he requested one-on-one meetings with the planning staff to help him understand the ordinance as this has been an 11 year project in the planning. Mr. Fischer admitted that the discussion on height exceptions freaked him out.

Liza Simpson clarified that the idea of the height requirement came out of a number of discussions at the Planning Commission level which she brought up at the Council meeting for staff to review. Mark Fischer emphasized that he very carefully followed the letter of the law and at great expense in developing his pre-MPD application and if he understands the process correctly, his submittal would be set aside if this ordinance is approved. It was pointed out that he is correct as the ordinance is retroactive. Alex Butwinski acknowledged the discussions at the Planning Commission meetings about height variance but it is his recollection that rather than requiring TDRs to buy height, to use it as an option. He felt it should be an *either or* situation. Liza Simpson clarified her direction to require the use of TDR. Joe Kernan interjected that this is the first time members have had an opportunity to discuss this as a group. Mr. Fischer stated that based on what he knows tonight, he requested that his Bonanza Park property not be included as a receiving zone because he is better off by playing by today's rules. He asked if he has that right and reiterated that more time should be devoted to the ordinance.

In response to a question from Cindy Matsumoto, Katie Cattan explained that in order to obtain additional height, the TDRs must adequately cover the amount of square footage. Thomas Eddington referred to the building height subsection in the draft ordinance and suggested additional language to Subsection (1) to read, *the increase in building height results in a minimum 25% decrease in square footage of building volume or*, (the language requiring the use of TDRs). Alex Butwinski stated that he likes the concept but the percentage needs to be further discussed. Mr. Eddington felt that the percentage could be taken out as long as there is a decrease in building volume, leaving the final decision up to the Planning Commission. Mark

Harrington believed that the approach is defensible and clarified that if an applicant uses the TDR program to receive additional height; Subsections (1) through (5) do not have to be met. Mr. Butwinski stated that he feels comfortable with this approach.

Mike Sweeney noted that the Code provides the opportunity for more density if more open space is provided. Going vertical creates more open space and people should not be penalized. There needs to be consistency throughout the Code.

The Mayor closed the work session. See regular meeting minutes.

Prepared by Janet M. Scott, City Recorder

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MARCH 31, 2011**

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 31, 2011. Members in attendance were Dana Williams, Alex Butwinski, Joe Kernan, Cindy Matsumoto, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; Katie Cattan, Planner; and Thomas Eddington, Planning Manager.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

None.

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

None.

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

1. Consideration of Professional Service Agreement in a form approved by the City Attorney with Bowen Collins and Associates for design and construction management services related to the Phase 3 of Bonanza Drive in the amount of \$106,175 - and

2. Consideration of Contract Change Order No. 4 with Bowen Construction Company for additional construction services related to the construction of the SR-248 Comstock Tunnel in an amount not to exceed \$272,721 - and

3. Consideration of Professional Service Agreement, in a form approved by the City Attorney, with Brown and Caldwell for professional services related to the federal and state requirement to permit the existing discharges at Judge Tunnel, Spiro Tunnel and Prospector Drain and Biocell in an amount not to exceed \$67,400 – Joe Kernan, "I move we approve Consent Agenda Items 1, 2 and 3". Alex Butwinski seconded. Motion unanimously carried.

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

Consideration of amendments to the Land Management Code considering adding Chapter 2.24, Transfer of Development Rights Overlay Zone and related amendments to Chapter 6, Master Planned Developments; and Chapter 15, Definitions – Thomas Eddington referred to the work session discussion and pointed out concerns expressed about limiting height exceptions to the use of TDRs. Under (F) Building Height in Chapter 6, Master Planned Developments of the Land Management Code he suggested to provide two options, "The Planning Commission is required to make the following findings (1) the increase in building

height results in a minimum 25% decrease in square footage or building volume. He admitted that the appropriate percentage should be further studied and the Mayor suggested leaving the percentage out and leaving the decrease up to the Planning Commission. Subsections 2, 3, 4 and 5 would remain the same. Katie Cattan explained that with the application of development credits, the increase in building height does not result in an increase in square footage or building volume over what would be allowed under the zone required building height and density, including requirements for façade variation and design with the exception of the additional development credits. Put simply, Mr. Eddington stated that if an applicant does not use TDRs, a decrease in building volume will result but if TDRs are used, there is no building volume penalty. The application must meet Subsections 2, 3, 4 and 5.

Joe Kernan stated that he would be more comfortable with the height exception process if it results in equal density or a decrease over what would be allowed in the zone. This would provide the Planning Commission the discretion to maintain the same density without the use of TDRs, if deemed appropriate. He suggested keeping the existing language the same but provide two options. Thomas Eddington believed that a decrease in building volume will incentivize people to use the TRD program. Joe Kernan did not support forcing people to use TDRs. Discussion ensued on this point. Mr. Kernan suggested that the ordinance evolve into a decrease in density but not at this time. Mr. Eddington emphasized that complying with the other four criteria typically results in a reduction in density. The percentage was suggested to quantify the decrease but it could be left up to the Planning Commission. Tom Bakaly spoke about the Sky Lodge which probably did not lose any density during the MPD process but provided greater setbacks from a historic building. Mr. Kernan clarified that he wants the Planning Commission to have the ability to be completely flexible to gain good design. Mr. Eddington believed that even if there is risk of lost square footage, he felt that most applicants will still pursue a height exception because of potentially more window space, building articulation, and a marketable product.

Ms. Cattan felt this provision may cause problems in situations with assigned unit equivalents but would work in Bonanza Park and areas where the underlying zoning is used; large scale master plans may be problematic. Mark Harrington believed that the simpler solution is at a policy level. If Council wants to create an incentive for additional height in the case of TDRs, he suggested language, *The increase in building height does not result in increased square footage or building volume over what would be allowed under the zone required building, height and density, unless density was transferred as a result of TDRs. . .*” Ms. Simpson appreciated the alternative because requiring the use of TDRs is a *stick* rather than an incentive. She suggested pulling the language since the concept is so close to being adopted. The Mayor referred to setbacks being counted as open space which doesn’t achieve goals. Ms. Simpson stated that that is another discussion and she feels comfortable with the City Attorney’s comments and striking the existing language.

Mark Harrington explained that there would have to be findings from the Planning Commission to increase height with no increase to square footage or volume. There needs to be increased setbacks and additional open space beyond what is required in order to meet that exception. The alternative is additional height from a transferred development project where there can be additional density but substantive criteria Nos. 2 through 5 must be met. In order for the TDR program to work, members must be comfortable with allowing density somewhere where it currently is not allowed.

Joe Kernan felt it would be helpful to have a discussion on the impacts of transfers to different parts of town and Mark Harrington spoke about returning at some point with a discussion on maximum caps in a TDR program. Alex Butwinski pointed out that the Planning Commission already has discretion and noted that he feels comfortable with the City Attorney's recommended language. The Mayor opened the public hearing.

Bob Wells, Deer Valley Resort, referred to his work session comments. Deer Valley has one 15 acre development parcel left which has a density entitlement and is required to go through a MPD process within the overall Deer Valley MPD designated at 80% open space and 60% open space site specifically. The existing Code allows the opportunity to propose height variations without additional density. Height variance is a planning tool and may produce better projects. He stated that he granted permission for Deer Valley to be considered as a receiving area two weeks ago but feels that a reduction in density is too punitive for large scale MPDs.

Craig Elliott agreed with Mr. Wells. Applying this across-the-board would be a penalty to those that become a receiving zone. Too many restrictions are not good for the town.

Mike Sweeney spoke about the use of TDRs in the MPD process where there are criteria for increased density and he asked how the Code works with respect to those two goals. People should not be penalized for going with a better vertical design. There needs to be incentives for both the sending and receiving zones. Time is important to developers and maybe participation in the TDR program could provide a quicker process as an incentive.

Dick Peek believed that using TDRs is a policy issue for Council members. Brooke Hontz pointed out the frustration over the current Code and General Plan among Planning Commissioners. The more restrictive version has more value. Discussion ensued on gaining more density if more open space is provided through the MPD process.

Joe Kernan expressed his concern of so many unknowns. He stated he feels more comfortable having the Planning Commission make the decision after reviewing actual plans rather than making a blind decision with some percentage. It is important to create a new part of town and to build out Prospector at the street level. Alex Butwinski discussed the complexity of the concept. Cindy Matsumoto suggested reducing everyone's square footage across the MPD area and giving the people in the transfer zone the ability which is a change in policy. Mark Harrington explained that density is not being reduced, you are reducing better site design alternatives utilizing height. The height exception has nothing to do with density as it currently exists. If you are limiting the height exception because of density, you are fundamentally changing the prioritization of site design alternatives. He felt members should discuss this further to get a better idea of the ramifications including a recommendation from the Planning Commission. Joe Kernan felt that impacts may vary in town; there are locations where height contributes to the architecture and other parts of town where the height might not work.

Ms. Simpson spoke about starting the program with incentives and after evaluating how TDRs are working, maybe move to mandating it in a way that works. She added that staff is currently working to amend the General Plan and the Code. In response to a question from Katie Cattan, members indicated that they are comfortable with the receiving zones. She phrased amended language in Paragraph 1, keeping the first paragraph the same and stating at the end, *unless the increased square footage or building volume is from the transfer of development credits.*

Ms. Matsumoto stated she is willing to go farther but understood the Planning Commission's desire to get something adopted now.

Liza Simpson, "I move to approve the amendments to the Land Management Code adding to Chapter 2.24, Transfer of Development Rights Overlay Zone and related amendments, including the one made by the City Attorney to 15-6-10(f)(1) to Chapter 6, Master Planned Developments; and Chapter 15, Definitions and modifying the table to reflect all transfers at a 1:1 ratio". Katie Cattan added "and modifying Section 15-2.24-7, receiving site procedures, to delete within the TDR Overlay a height exception may only be considered for projects utilizing TDR credits within the MPD". Liza Simpson accepted Ms. Cattan's addition to her motion. Alex Butwinski seconded. Motion unanimously carried.

Ms. Cattan clarified the motion for Council and the public that all multipliers will be 1:1 and the requirement that TDRs have to be utilized within a MPD in order to get additional height has been removed which is stated in two different areas. Mark Harrington interjected that the current ability to obtain a height exception exists but TDRs can be used with regard to a height exception request.

VI ADDITIONAL DISCUSSION – AGENDA ITEMS

None.

VII ADJOURNMENT

With no further business, the regular meeting of the City Council was adjourned and a closed session convened.

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 3 p.m. Members in attendance were Mayor Dana Williams, Alex Butwinski, Joe Kernan, Cindy Matsumoto, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Michael Kovacs, Assistant City Manager; Jason Glidden, Marketing Analyst; Thomas Eddington, Planning Manager; Tom Daley, Deputy City Attorney; Tommy Youngblood, Special Events Coordinator; Jonathan Weidenhamer, Economic Development Manager; Diane Foster, Sustainability Manager; Jason Christensen, Legal Intern; Joan Card, Environmental Regulatory Affairs Manager; and Mark Harrington, City Attorney. Alex Butwinski, "I move to close the meeting to discuss property and litigation". Joe Kernan seconded. Motion carried unanimously. The meeting opened at approximately 4:15 p.m. Joe Kernan, "I move to open the meeting". Liza Simpson seconded. Motion unanimously carried.

The City Council met again in closed session at approximately 7:15 p.m. Members in attendance were Mayor Dana Williams, Alex Butwinski, Joe Kernan, Cindy Matsumoto, and Liza Simpson. Staff present was Tom Bakaly, City Manager and Mark Harrington, City Attorney. Liza Simpson, "I move to close the meeting to discuss personnel". Cindy Matsumoto seconded. Motion carried unanimously. Closed session adjourn at approximately 9 p.m.

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

Prepared by Janet M. Scott, City Recorder

