**PARK CITY COUNCIL MEETING**
**SUMMIT COUNTY, UTAH,**
**MARCH 28, 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, March 28, 2013.

**Closed Session**
3:30 p.m. Property and litigation

**Work Session**

| | | |
|---|---|---|
| 4:00 p.m. | Council questions/comments | |
| 4:10 p.m. | Council questions on Managers' Report | |
| 4:20 p.m. | Library renovation update | P. 4 - 40 |
| 5:00 p.m. | Special event overhaul | P. 41 - 49 |
| 5:30 p.m. | Street dining leases | P. 50 - 66 |
| 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 7, 2013** P. 67 - 85

**V RESIGNATIONS AND APPOINTMENTS**

Consideration of the appointment of Diane Foster as City Manager

**VI NEW BUSINESS**

1. Consideration of authorizing the Mayor to appoint and enter into an agreement for the provision of services by Diane Foster to Park City Municipal Corporation as the City Manager, in the amount of $128,083 annually, in a form approved by the City Attorney P. 86 - 93

2. Consideration of authorizing the City Manager to sign the Construction Agreement with Keller Construction, Inc. for construction of the Transit Residential Building in the amount of $1,599,702 in a form to be approved by the City Attorney P. 94 - 97

**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: 03/25/13
See: www.parkcity.org

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

**April 2013**

4 Air Quality Update – (10 min) - JC
Golf course update – work – (20 min)
Liquor license amendments – old business
Award contract for Main St improvements – Miller Paving
MGBA Change Order to Contract

11 Community technology – study - SR
Appropriation of $2,500 for sponsorship of the Congress of New Urbanism 21 (public hearing/action
Deer Valley Drive Construction Contract
Echo Spur Road acceptance and name change
Change order Empire Avenue Reconstruction Project

18 Visioning wrap-up

25 **No meeting**

**May 2013**

2 Soils Commission study session

9

16

23 **No meeting**

30

**June 2013**

6

13

20

27

**Pending Items:**

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
Visioning w/County - Phyllis

# Redevelopment Agency
# Staff Report

**Subject:** Library Renovation & Expansion Discussion
**Author:** Jonathan Weidenhamer, Economic Development Manager
**Department:** Sustainability
**Date:** March 28, 2013
**Type of Item:** CIP Project Scope: Direction

**Summary Recommendations:**
Staff recommends Council direct staff to pursue a renovation and expansion of the Library and Education Center, which incorporates the following scope:

- Interior renovation and expansion of the library into all of floors one and two;
- Partial interior renovation of the 3rd floor for flexible community space and Park City Cooperative Preschool (PCCP) and Park City Film Series (PCFS). This community space is to be used in the short term to house senior center functions and support community activities during off hours;
- An added, single-story entry sequence to the library at the north façade;
- A 2 to 3-story addition at the northwest corner providing added function, flexibility and consolidation of services; and
- Modifications of the 1992 addition to expose the original historic structure on the south, west and north facades.

**Topic**
This report outlines an intensive, two-month effort led by Blalock & Partners Architectural Design Studio, the professional consultant contracted through a qualifications-based selection process. In addition to weekly meetings with the Library and City representatives, this effort included a community workshop for public input, a discussion with the Library Board and meetings with the PCCP, Seniors, Historical Society, Park City Film Series and Sundance Film Festival representatives.

Recently, Blalock & Partners provided six options for consideration and evaluation. The evaluation process reviewed functional aspects, community requests, historic preservation goals, sustainable design objectives and, of course, project costs. These will be presented at the meeting and discussed later in the report.

The recommendation outlined above recognizes tradeoffs balancing three primary matters:

1) Interior library programming use, priorities and space needs;
2) Urgent need for an improved entry sequence; and

3) Community needs and input.

**Background**
In 1992, the City purchased the Carl Winters Building. Due to the dilapidated condition of the structure at the time, the original 1926-27 building was renovated to accommodate the library, and expanded to provide a variety of support spaces. The 1992 addition was approved as a Master Planned Development (approved by City Council on appeal) and included stair towers, storage and support areas wrapping the historic building on the south, west and north facades; ultimately surrounding the projecting auditorium space at the rear of the historic building.

In 2004, the structure was renovated again; however, construction was limited to the first floor interior library expansion with minor exterior signage and construction of an archway to help direct patrons to the first floor side entry. Also funded by the RDA, this project was expected to have an approximate life span of 10 years. This project was compatible with original the original 1992 MPD approval.

The Park City Library conducted a statistically relevant Community Attitude and Interest Survey during the spring of 2008 to establish priorities for the future improvement of library facilities, programs and services. The major findings are summarized in Exhibit HI. Questions addressed included: user satisfaction; use and frequency stats; most important services; what services and roles users would want with an expansion.

On January 12, 2012 Library staff presented an overview of the 2004 renovation and expected life span, the 2008 citizen satisfaction survey and facility expansion plan, and a recommendation to begin the expansion process. Council asked for more information prior to making any decisions.

During the April 19, 2012, work session, City Council held a comprehensive policy discussion on the future direction of the library, including a conversation on Council's preference for the future level of library service. The majority of the Council supported investing additional funds into a library expansion and renovation project to ensure a high future level of library service (Exhibit J).

On July 26, 2012, City Council discussed a potential library renovation within the context of the Lower Park Avenue Redevelopment Authority (LPA RDA) Master Plan, which was accepted on January 8, 2010, and specific LPA Neighborhood & Community Redevelopment Plan for City owned property as accepted by City Council on January 27, 2011 (Exhibit M – staff report & meeting minutes). Consistent with the Plan, Council's direction was to return with formal recommendations including next steps and a timeline for implementation of a renovated library. The presentation included conceptual floor plans and programming priorities for an expanded/renovated library.

The 2012-2014 Library Strategic Plan was included in the Library's annual business plan as part of the BFO process (Exhibit HII). As part of the Library Annual Report provided to City Council on November 1, 2012, Council reviewed and discussed trends and use statistics of comparable peer resort community libraries (Exhibit A), Furthermore, research has identified that many of our peers have made significant investments in combinations of additions, renovation, and/or new construction, including (Exhibit B):

| | Town | Size | Cost | Cost/sf |
|---|---|---|---|---|
| • | Steamboat | 35,000 sf | $13M | $448 per sf; |
| • | Jackson | 35,000 sf | $10M | $286 per sf; |
| • | Aspen | 39,000 sf | $10M | $257 per sf; and |
| • | Vail | 14,000 sf | $2.15 M | $154 per sf); |
| • | *Park City Concept* | *29,755 sf* | *$2.85M* | *$96per sf* |

On November 8, 2012, Council reviewed:

- Library Level Of Service Matrix Options (high level estimated cost and scope) (Exhibit C);
- Timing & Phasing Plan;
- Library Floor plans and space utilization master plan;
- Library Peer Comparisons (use stats) (Exhibit A); and
- Library Peer Competition (construction comps) (Exhibit B).

Based on conceptual floor plans and preliminary cost estimates presented, Council directed staff to pursue a renovation of the entire library to meet the highest functional and service level goals for a "21st Century Library" (Exhibit L, staff report and meeting minutes). Council also directed staff to remodel the 3rd floor to include flexible community space and a commercial kitchen, acknowledging that the senior center activity would temporarily relocate to this space (two year duration anticipated). CRSA roughly projected costs, which included cosmetic improvements to the Library, building HVAC upgrades (potentially incorporating a geothermal system), and a complete roof replacement, at $3.25M.

During that meeting there was discussion on the peer library construction comparisons. Specifically, concerns of distinguishing between scope of remodel versus renovations or new construction were discussed. Council also stated concerns that comparisons given were not an apples-to-apples comparison; in particular, whether or not Steamboat numbers included the cost of land. Staff has verified that the Steamboat comp does not include land, only construction costs.

On February 7, 2013, Council approved a contract with Blalock and Partners for a fixed fee of $214,200, which is approximately 7% of the estimated $2.9M construction + FF&E costs, plus minor reimbursable expenses.

On March 7, 2013, Council heard a presentation on the Historical Society's archival needs. The majority of Council was interested in identifying opportunities to highlight and make accessible a link to unique, local content within the library expansion to be determined. Council also directed staff to return at a later date to vet potential longer-term options for partnering opportunities. For purposes of preparing for the next discussion on this topic, staff has since met with Council liaison Dick Peek and subsequently, with the Historical Society to understand the frequency of access required for documents versus items that require archival storage such as a washbasin, shovels and a quadricycle.

**Design Team Information:**

Established in 2004, Blalock & Partners Architectural Design Studio is a professional design, planning and programming firm based out of Salt Lake City. Its founder and principal, Kevin Blalock, AIA, has developed a core team of design professionals focused on public projects, with a particular emphasis on public libraries.

The professionals at Blalock & Partners have worked on over 16 library projects in the past 12 years. Currently, in addition to the Park City Library, the firm has a new Salt Lake City branch library in design, the Grantsville Library completing construction and the recently opened Davis County Headquarters Library. The firm's resume includes award-winning library projects throughout the Intermountain West for additions, renovations and new construction of all sizes. Among these is the Grand County Public Library in Moab, which, in 2007, was awarded the "Best Small Library in America" by the *Library Journal* (Exhibit HV).

As a result of the firm's knowledge and unique library solutions, in 2011 Kevin was a keynote speaker at the Utah State Library System's *Small Library Design Symposium.*

**Analysis**

Looking Back: Budget

At Council's request, the conceptual floor plans and rough budget prepared by a different consultant (CRSA) in 2012 were very high level, done quickly and very inexpensively. In looking back at the November 8, 2012 analysis and discussion, in particular scope of "remodel" versus "renovation" or new construction, it should have been more of a red flag for staff to see that our concept project was at least $60/sf cheaper from the nearest comparable project and almost $350/sf cheaper than the most expensive peer project.

When CRSA was shortlisted and interviewed for this project, their answer to the question, "Can we build a 21st Century Library with the $2.9M budget?", was simply, "no." CRSA's concept budget (Exhibit F), staff believes, was based on a scope that would really only allow a minor, cosmetic remodel. The budget allowed for $48/sf for the first and second floor library; and $55/sf for the 3rd floor community space – totaling approximately $1.8M. There was an additional $1.05M for re-roof, HVAC, FF&E and geothermal system. The total proposed cost was just over $100/sf.

Looking Forward: Budget

The Design Team includes the Architect, Library, Sustainability and Historic Preservation Planning Staff. The Design Team has met weekly for the past seven weeks to get to this decision making juncture. The more the Design Team has engaged in the process of identifying what a 21st Century Library means, has been informed by public input on project goals, and tried to define what Park City's "community living room" should look like, we have become convinced that the conceptual project budget is inadequate. The current conceptual budget isn't sufficient to accomplish the stated goals and preferred level of service, identified by Council, from a programming and component standpoint, an internal layout and floor planning standpoint, and an overall aesthetic standpoint. The renovation that would result from the preliminary and subpar budget would not be consistent with "Keeping Park City Park City" nor would it be consistent with Council's priorities of being world-class and of providing cutting-edge services.

Staff believes that due to its location within the Lower Park Avenue RDA, that Council can and should have a discussion about the estimated budget for the project and its consistency with Council priorities. While a preliminary budget was discussed and presented, it is impossible to determine a final budget until:

a. The project has been designed and a scope is defined; and
b. The project receives construction bids.

Staff has learned through the design process that the preliminary cost estimates were woefully inadequate to meet Council and the community's vision for the library renovation. The project sits within the Lower Park Avenue RDA. The RDA currently has a fund balance of approximately $14M.

The LPA RDA is the funding source for these projects. The LPA RDA is now generating approximately $1.2M annually. There is currently $10M in uncommitted funds available in the LPA RDA. The RDA will amass an estimated additional $4M more through 2015 for a total of approximately $14M. The approved 2015 - 2030 extension is anticipated to amass as much as $30-40M additional increment depending on growth and tax base.

General direction from Council during the LPA Planning was to prioritize RDA increment through 2015 for the community and neighborhood RDA projects. The adopted master plan identifies a placeholder number of $10-$15 M for the neighborhood projects. Currently we identify the following estimates for those projects:

**LPA RDA Budget Overview**

| **Revenues** | $ |
|---|---|
| Current uncommitted funds | $10M |
| Additional funds through 2015 | $4M |
| Current RDA subtotal | $14M |
| RDA forecast 2015 - 2030* | $35M |
| total | $49M |

| **Expenses (potential for neighborhood portion of LPA Master Plan)*** | |
|---|---|
| Library | $5.5M |
| Multi-generational housing** | $8M |
| Structured Parking | $2M |
| Senior/Community Center | <u>$2M</u> |
| total | $17.50 |

**The approved 2015 - 2030 extension is anticipated to amass as much as $30-40M additional increment depending on growth and tax base.*

***Anticipate 50% cost recovery*

****This does not include the PCMR Parking Lot or Streets, Circulation & Walkability projects in the LPA Master Plan*

Ultimately through the next 20 years there will be competition for these dollars. However, staff believes an increase in the Library budget will result in a better project that will be an enhancement to the District and further drive values, and resulting tax increment.

In addition to being cognizant of the per square foot costs of libraries in similar western ski resort communities, staff respectfully requests that Council keep in mind the financial position of the RDA when considering the six options that will be presented below.

Blalock & Partners created an overall strategy to give options to balance the tradeoffs, opportunities, and potential risks, which was to generate six conceptual options in response to the levers identified below. These will be presented at the meeting. They will also present a computer-generated model during the meeting to visually illustrate the historic building, past expansion projects and identify potential volumes that could result from the various options. Many of the options are flexible from a footprint standpoint, and can be expanded or contracted based on Council direction.

Input and discussion on the following levers has informed the options and, ultimately, our recommendations:

1. Programming Priorities and Goals, Floor Planning, & Available Space;
2. Exterior Opportunities, Entry sequence & Historic Fabric;
3. Overall Budget Comps & Fixtures, Furnishings and Equipment (FF&E);
4. Mechanical, Structural and Operating Systems (and “Green”);
5. Existing Stakeholder & Tenant Requests;
6. Underlying land use approvals; and
7. Public input received.

The presentation from Blalock & Partners will respond to each of these levers and describe them in further detail.

1. Programming Priorities and Goals, Floor Planning, & Available Space

The questions we've been attempting to answer include:

- What is the vision of/for the library relative to the "21st century library" model?
- What's the role of the library in the community currently, and how should it change (if at all)?
- What is working currently, what needs improvement?
- What are the goals with the expansion? What kinds of services and patron amenities are to be added or introduced that are not currently offered?
- What are the "must haves", and what are the "wish list" items? ID the "programming priorities".
- Is there a desire to create and promote any outdoor program spaces? If so, how does this work relative to material/collection security?

A list of Programming Priorities, itemized requests and "wish list", was submitted by library staff to the architect at the beginning of this process (Exhibit D). These have been informed, sometimes modified, and the results are supported by the Library Board, Friends of the Library, citizen satisfaction survey, users and public input.

Programming priorities for the library include responding to 21st Century Library User needs by:

- adding interactive children's literacy features;
- providing ample space configured for laptop use and quiet places to read and study;
- computer instruction space; and
- content creation facilities, such as a digital media lab.

Community input also indicates that library users have high interest in a café space. This mirrors national library trends as well as what people expect from their library. An American Realtors Association study placed "a great library" in the top three most important considerations when people are relocating to a new community. More information on attitudes and expectations for public libraries can be found in the "Libraries in the Digital Age Report" published by the Pew Research Center's Internet & American Life Project. The report finds that people have embraced new technologies and would like to see more in their libraries but that many still want printed books.

2. Exterior Opportunities, Entry Sequence & Historic Fabric

The questions the Team explored were, relative to #1 above, how many of the following and to what extent/degree are the following worth further evaluation?

- Entry sequence/ identity and sets up clear wayfinding;
- Budget constraints based on preliminary numbers – what becomes prioritized?;
- How does any exterior improvement relate to the 21st century library idea?; and
- What other community/private activities are going to be supported by any exterior improvements?

The 1926-27 Carl Winters building is a locally designated “Landmark” structure eligible for listing on the National Register of Historic Places. Because of this, it is vital that any additions or modifications to the exterior of the structure be completed with the utmost respect for the historic building and compliance with the Department of Interior’s and PCMC guidelines. Per City Design Guidelines for Historic Districts and Historic Sites, alterations should be made in such a way that the exterior features of the building are retained and preserved. Moreover, distinctive materials, components, and finishes—such as the ornate terra cotta cornice and window moldings—must be retained and preserved. It is imperative that new additions, alterations, or related new construction should not destroy historic materials, features, or spatial relationships that characterize the site or building. Moreover, these additions must be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment could be restored. This is in accordance with the *Secretary of the Interior’s Standards*.

Through the LPA RDA master planning, specific neighborhood planning and subsequent RDA extension, Council stated 5 deliberate goals for the Neighborhood. The following is an excerpt from the January 27, 2011 adoption of the Neighborhood Plan, which includes goal related to historic fabric (#2):

1. Maintain all existing green / open spaces;
2. Maintain and don’t overpower remaining historic fabric, scale, character and authenticity;
3. Explore housing alternatives;
4. Explore an east-west corridor;
5. Explore community / senior center opportunities; and
6. All projects should have sustainability & green goals.

3. Overall Budget Comps & Furniture, Fixtures and Equipment (FF&E)

In addition to the previous peer city comparisons, Blalock & Partners has provided additional construction cost unit comparisons. Cost of Headquarter Libraries range from $458 - $201/sf and Branch and Community Libraries range from $405 - $141/sf. Staff believes our users desire the Park City Library to be on par with the best of these comparisons and in many ways consider this to be its own “headquarters”.

The Design Team continues to balance the options available using the preliminary budget, as a starting point. Incorporated into the project uniformly, this results in an increase of approximately $5/sf across the entire building. Most of the existing furniture and finishes are extremely dated and will not create an attractive “sense of place” in a newly renovated library; in fact it would be the opposite. While the primary responsibility of staff must be to limit expenditures to reasonable and prudent public standards and necessity, the function of space in the case of libraries is directly related to the aesthetic and community living room feel.

Lastly, the current budget estimates do not include specific work in the Santy Auditorium. There may be some A/V, lighting and equipment upgrades that Council may want to consider separately as part of discussions with either Sundance or the Park City Film Series lease negotiations.

4. Mechanical, Structural and Operating Systems

Over the past two weeks, the engineering consultants to the architect have been consulted for their professional opinion. Preliminary feedback from the structural engineer is positive, though contingent upon the final project scope. The biggest unknown is the mechanical system. They are currently preparing a decision option matrix that will identify potential mechanical options with advantages, disadvantages and costs. They understand the directive to pursue green alternatives, depending on final budget.

The preliminary budget held a 15% contingency. Blalock & Partners is still recommending maintaining this percentage until a more thorough evaluation can be conducted and preliminary systems can be designed at the schematic level.

5. Existing Stakeholder/Tenants

The current schedule revolves around the timing and school calendar of the PCCP. The intention is to complete the 3rd Floor renovation and building reroof first, so the PCCP can be relocated, then pursue the library renovation on the first and second floors. Staff has kept in close contact with the Film Series and anticipates their return (office and use of Santy) upon completion of the 3rd Floor, as soon as access can be provided safely. Lastly, the preliminary construction schedule anticipates completion prior to January 1, 2014 so as not to impact the Sundance Film Festival. If the project scope expands to the preferred Option 4, this will have to be renegotiated/ extended around the Film Festival operations.

6. Underlying land use approvals

In 1992, a Master Plan Development (MPD) was approved concurrent with the renovation of the Carl Winters School. Clear policy goals were identified:

- Highlight and protect historic fabric;
- Commitment to the library as a community service priority;
- Prioritization of open space;
- Mitigate for the impacts of restoring the facility; in particular parking and traffic;
- A 500 seat theatre is a benefit to the community; and
- Impacts from operations/events at the theatre should be adequately mitigated.

While staff believes the stated goals continue to be relevant – they were almost restated verbatim through Council's recently approved RDA planning efforts - we should take this opportunity to identify and restate community priorities and the interplay between interior programming and exterior uses within the context of the Neighborhood. The underlying Recreation Commercial Zoning is one of the City's more flexible designations.

The anticipated Area Plan for the Neighborhood, as part of the General Plan update, will inform this process. Any necessary formal land use approvals will be consummated prior to final occupancy of the library.

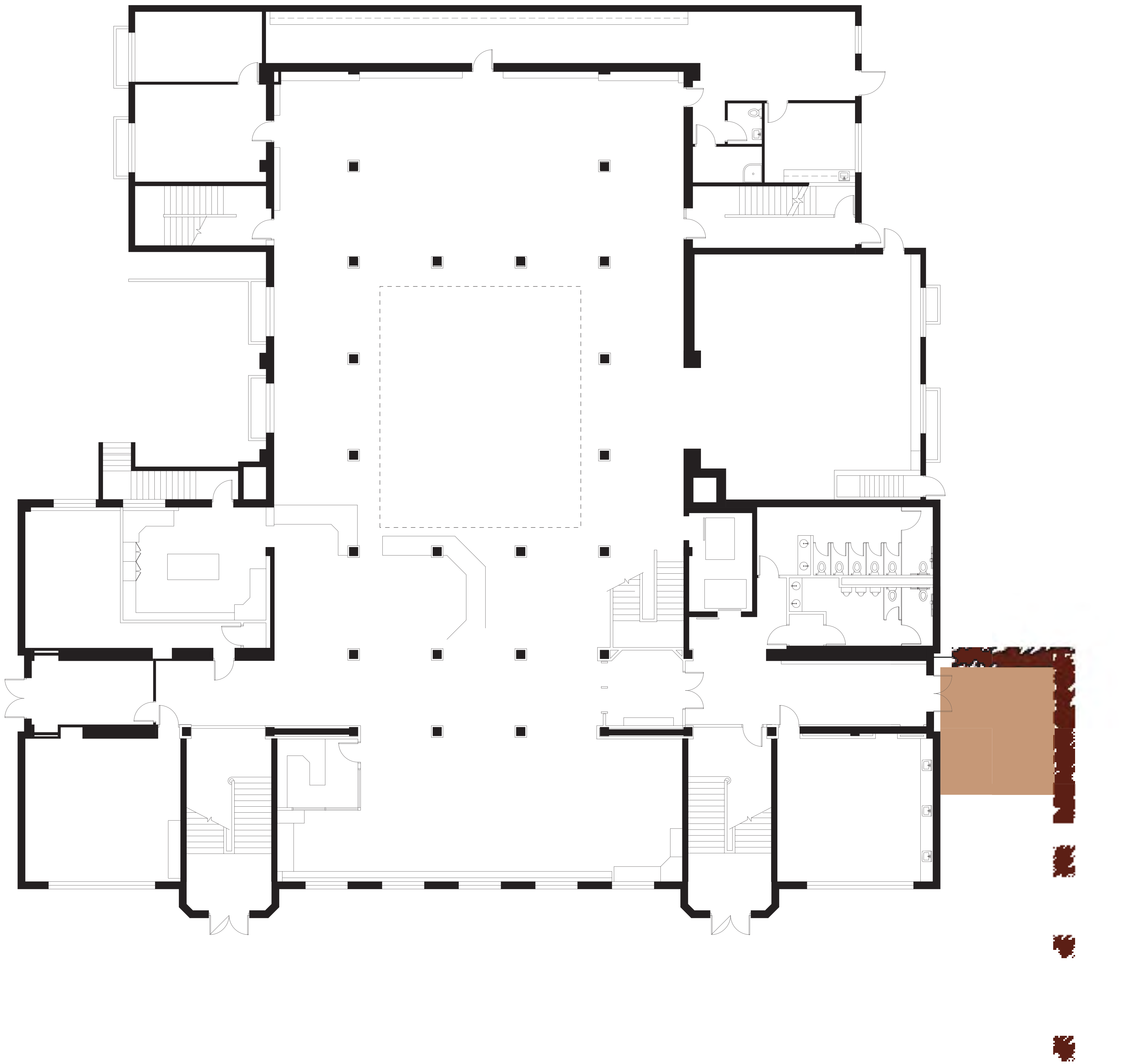
7. Public Input

On March 5, 2013 two public workshops were held to solicit input on what works and doesn't in the current library, desired services and design. Over 30 people attended. The workshop was formatted as an open discussion, engaging all of the attendees in an information gathering and analytical process with emphasis on group involvement and open, collaborative input. The attendees filled out surveys and did "dot polling" on various library look & feel/finishes. Participants were also asked to define a 21st century library and to define Park City. The results are available as Exhibit G.

In addition to the work shop, staff has used the Lets Talk Park City site to gather additional information and input from community members who were unable to attend the workshop. One user posted the PEW research report on Library Services in the Digital Age. The Pew Research Center is a non-profit "fact tank" that provides information on the issues, attitudes, and trends shaping America and the world. One major finding is that 59% of Americans ages 16 and older say libraries should have more comfortable spaces for reading, working, and relaxing: http://libraries.pewinternet.org/files/legacy-pdf/PIP_Library%20services_Report_012213.pdf.

Options

The following 6 options defined by Blalock include an overview and pros/cons. They are followed by a corresponding budget.



# OPTION 01 - The Minimalist Approach

## Overview

The Option builds upon the idea that some site development occurs to reinforce a new, more recognizable, primary entry.

This Option proposes a number of “little moves” that will have significant impact on the patron experience and in creating more amenities.

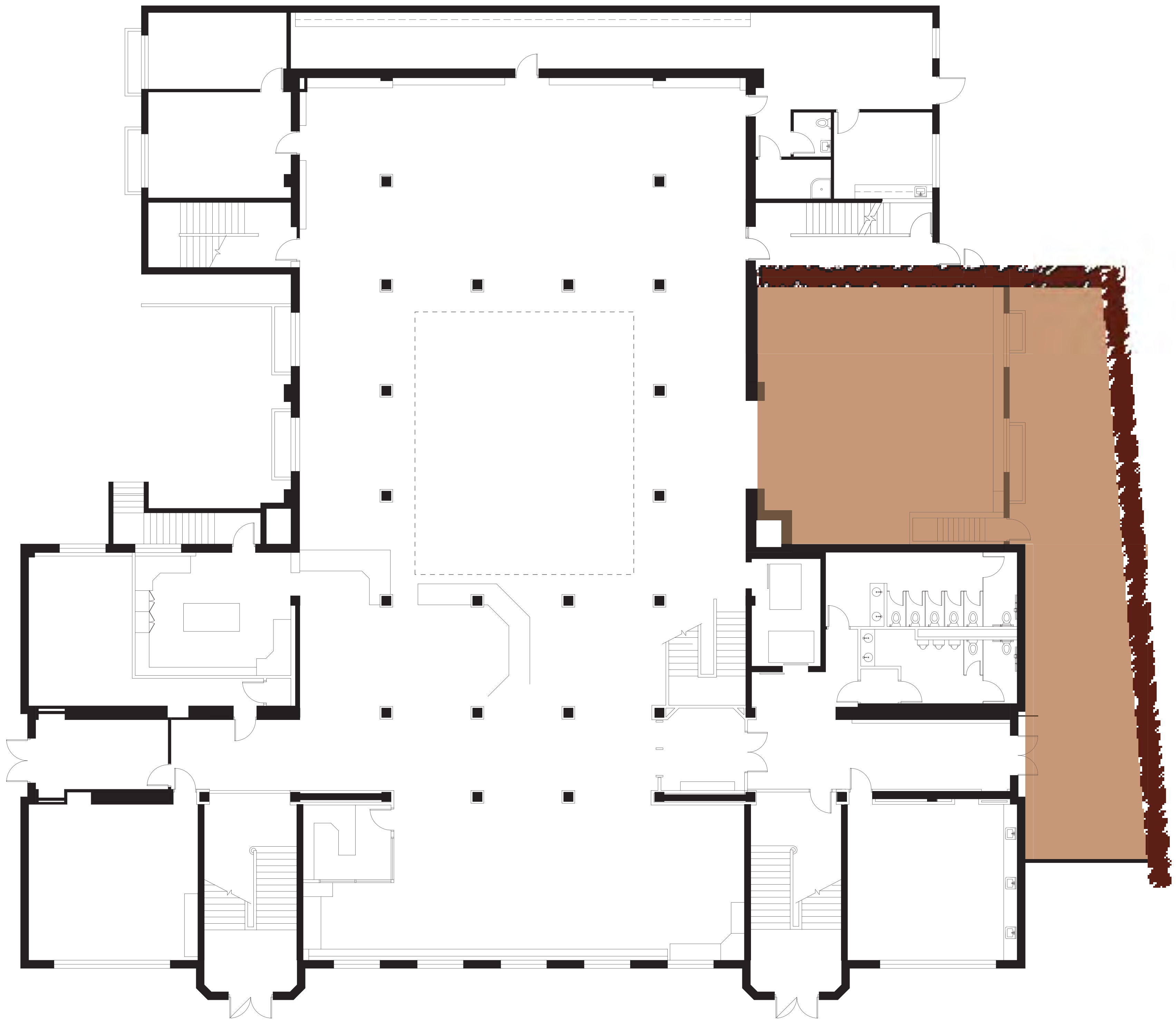
The goal with the second floor is to make the main volume of space as open as possible to house the General Collection, as well as offering support and expansion space at the “wings” of the building

## Pro’s

- Comes closest to the current allocated budget
- More defined entry (with site development)
- Open floor plan - “visual rest”
- New connecting stair
- Cafe accessible after hours
- Achieves some of the requested high priority items
- Expanded Children’s Library - pending structural analysis
- Larger Staff Work area
- Larger Computer Classroom
- Larger Media Lab
- Potential to create Study Rooms out of Storage Area
- Additional Meeting Room accessible after hours

## Con’s

- Separated / isolated staff areas
- The “little moves” are not as recognizable / appreciable
- Cafe takes usable floor area for Collection
- Very little room for growth / expansion; essentially reconfiguring what you have now
- Existing structure (columns & walls) create inefficiencies for laying out stacks
- Majority of spaces are smaller than requested in “Programming Priorities” and from previous “bubble diagrams”
- More cost associated with opening up the Children’s Library
- Smaller Teen / Y/A area
- Differences in floor elevations - mezzanine to existing - creates inefficiencies
- Collection size may not accommodate expected volumes (needs further study)



## OPTION 02 - Entry + First Floor Function

### Overview

This Option proposes an expanded entry sequence that leads patrons more toward the middle of the Library. The entry sequence could be open for "after hours uses" in support of other community activities. The approach is to make the building more appealing at the ground level, create more usable space and free up additional floor area.

The goal with the second floor is to make the main volume of space as open as possible to house the General Collection, as well as offering support and expansion space at the "wings" of the building

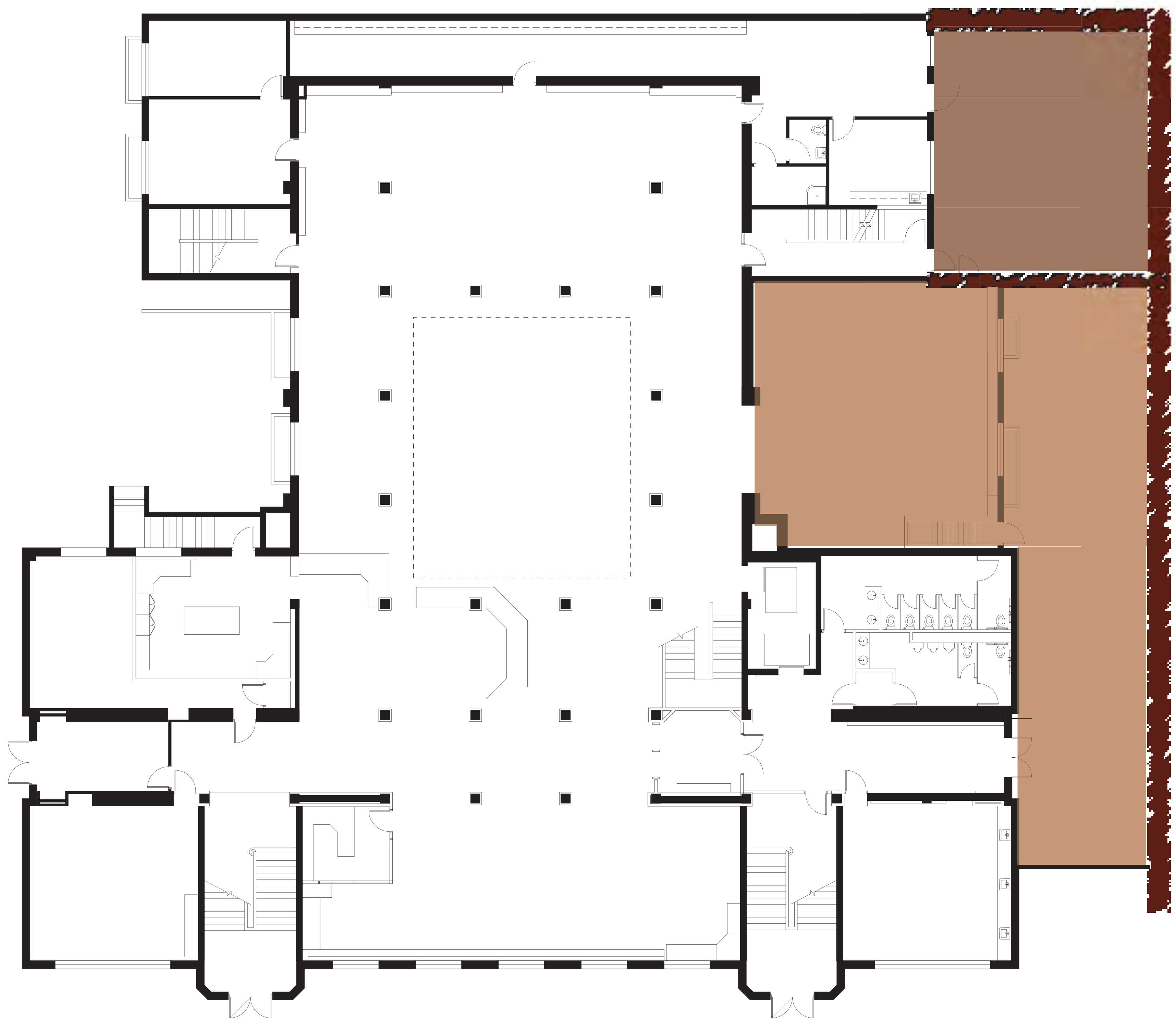
It should be noted that any aspect of the previous Option could be incorporated into this approach.

### Pro's

- More defined entry (with site development)
- Open floor plan - "visual rest"
- New connecting stair
- Cafe accessible after hours & w/o impact to Library floor area
- Achieves some of the requested high priority items
- Direct connection of Children's / Teen
- Larger Teen / Y/A area
- Larger Staff Work area
- Entry sequence offers new opportunities
- Larger, more recognizable impact of improvements
- Direct view / connection of patron entry and restroom monitoring
- Better connection between Staff Work and Circ Desk
- Offers amenities to the city park space & community events

### Con's

- Staff areas spread between two floors
- Small Children's Library
- Patron "re-learning" the entry sequence
- Existing structure (columns & walls) create inefficiencies for laying out stacks
- Majority of spaces are smaller than requested in "Programming Priorities" and from previous "bubble diagrams"
- Cost is a bit more beyond current budget



## OPTION 03 - Entry + 3-Story Function

### Overview

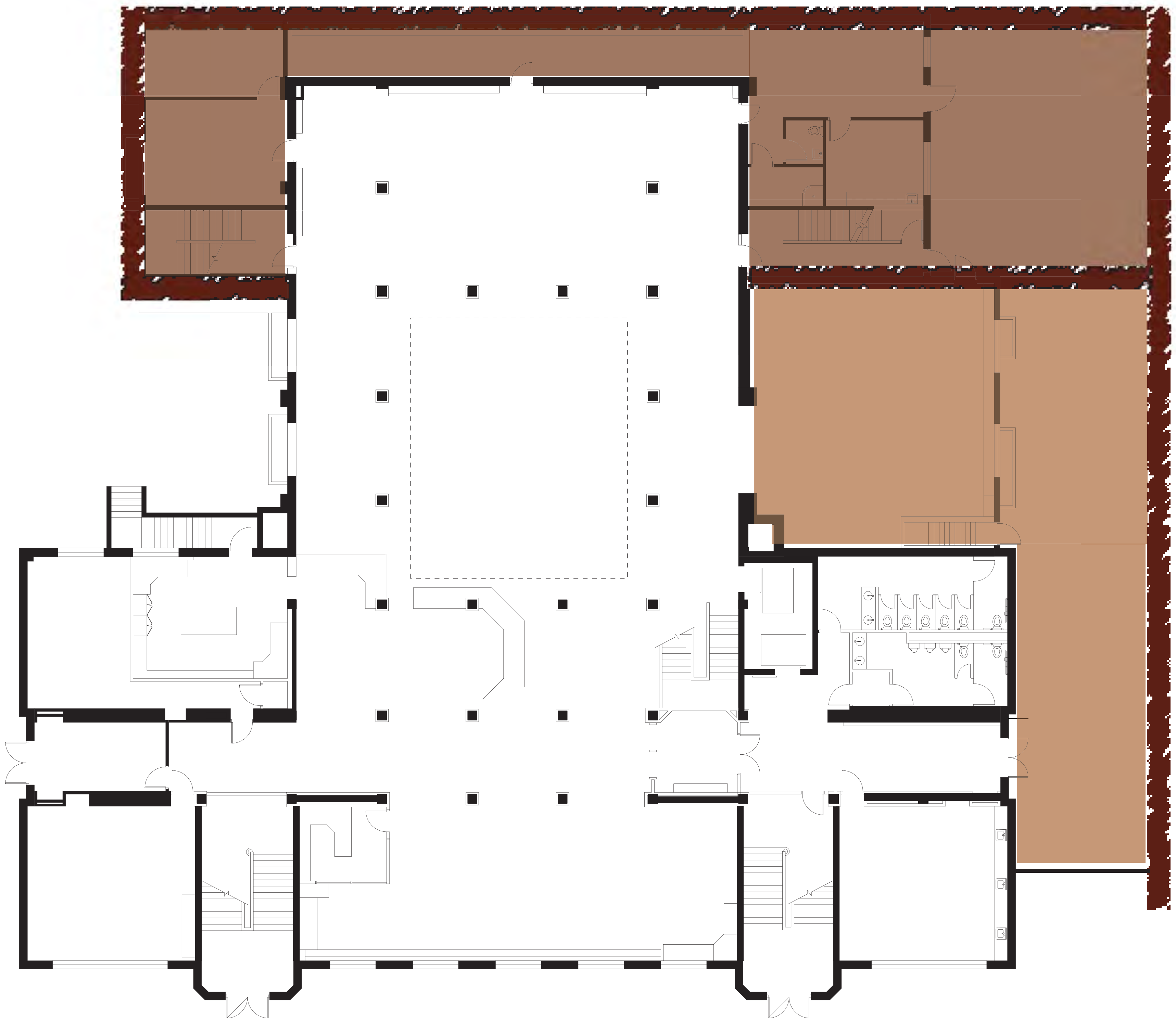
This Option, like Option 2, proposes an expanded entry sequence that leads patrons more toward the middle of the Library. In addition, it explores a larger expansion on all three floors at the northwest corner. The entry sequence could be open for "after hours uses" in support of other community activities. The approach is to make the building more appealing at the ground level, create more usable space and free up additional floor area.

### Pro's

- More defined entry (with site development)
- Open floor plan - "visual rest"
- New connecting stair
- Cafe accessible after hours & w/o impact to Library floor area
- Achieves many of the requested high priority items
- Larger Children's Library
- Larger Teen / Y/A area
- Consolidated Staff Work area
- Entry sequence offers new opportunities
- Larger, more recognizable impact of improvements
- Direct view / connection of patron entry and restroom monitoring
- Better connection between Staff Work and Circ Desk
- Offers amenities to the city park space & community events
- Conference Room & Meeting Room accessible to the public after hours

### Con's

- Patron "re-learning" the entry sequence
- Existing structure (columns & walls) create inefficiencies for laying out stacks
- Cost is above current budget



## OPTION 04 - Historic Reveal & Clarity

### Overview

This Option further builds upon the benefits of Option 3. Like the previous options, it proposes an expanded entry sequence that leads patrons more toward the middle of the Library.

In addition, to a larger expansion on all three floors at the northwest corner, it explores modifying the previous 1992 addition at the roof line to expose the original historic structure that was covered up at that time. By modifying and capturing this additional space around the north west and south wings of the building, it allows creation of a more open floor plan, creating more usable, contiguous floor area on all three levels, and presents the opportunity to reintroduce natural light into the building from the west. The approach is to make the building more appealing at the ground level, create more usable space, free up additional floor area, and restore some of the historic features and context of the original building.

### Pro's

- Increased Level of Service and gets closer to current and future models for the "21st Century Library"
- Reveal and restores historic context of the original building.
- Improved function & efficiency
- Natural light from the west
- Increased use and efficiency for third floor functions
- More defined entry (with site development)
- Open floor plan - "visual rest"
- New connecting stair
- Cafe accessible after hours & w/o impact to Library floor area
- Achieves most of the requested high priority items
- Larger Children's Library
- Larger Teen / Y/A area
- Consolidated Staff Work area
- Entry sequence and addition offer new opportunities
- Larger, more recognizable impact of improvements
- Direct view / connection of patron entry and restroom monitoring
- Better connection between Staff Work and Circ Desk
- Offers amenities to the city park space & community events
- Conference Room & Meeting Room accessible to the public after hours

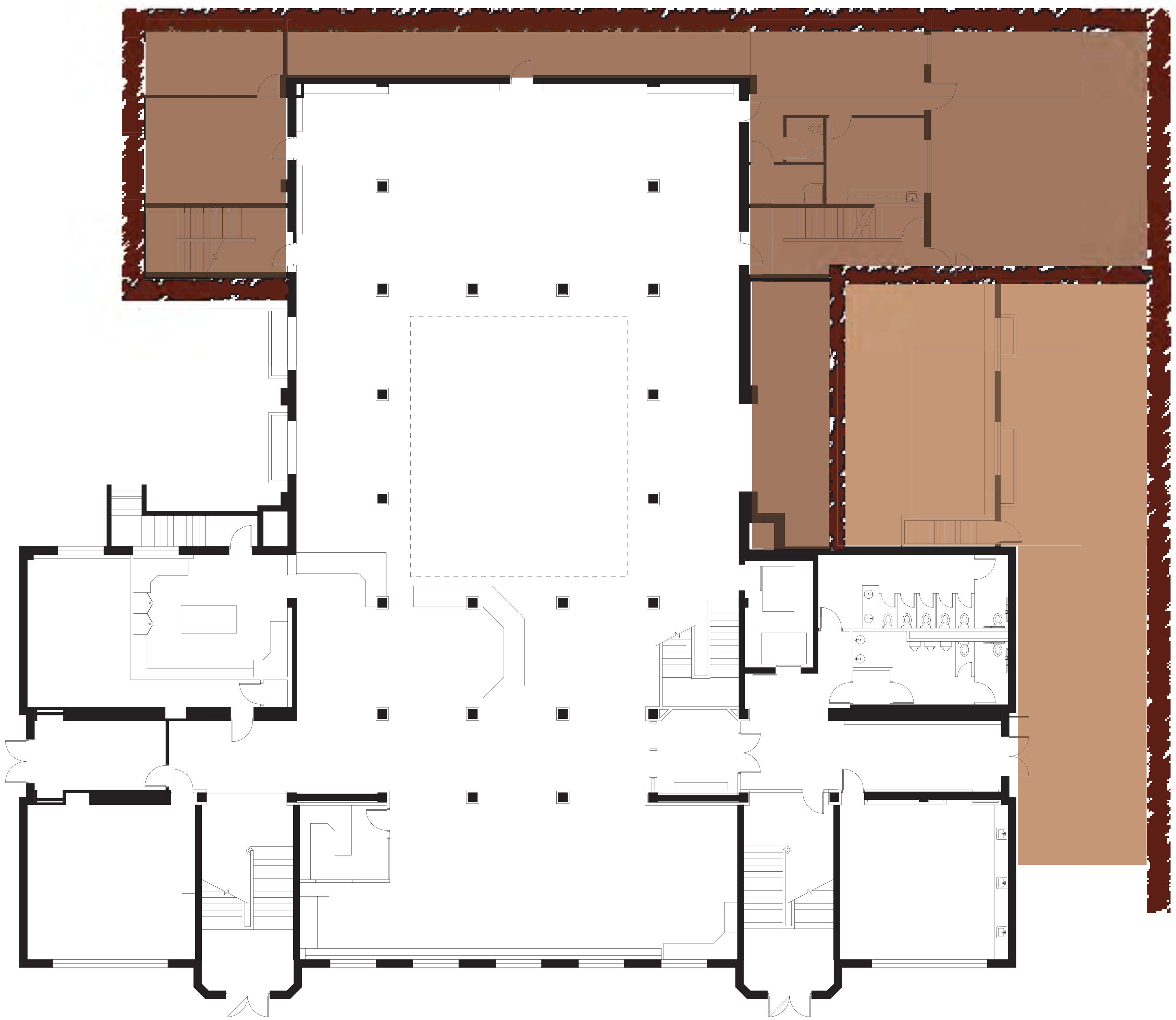
### Con's

- Patron "re-learning" the entry sequence
- Existing structure (columns & walls) create inefficiencies for laying out stacks
- Cost is above current budget

## OPTION 04a - Historic Reveal & Clarity

### Overview

This sub-option proposes having a 2-story component wrapping the back, north & south sides of the existing building, as opposed to the 3-story component proposed in Option 4.



## OPTION 05 - 2nd & 3rd Floor Link

### Overview

This Option takes Option 4 another step, by relocating the existing bathrooms, stair and elevator core to the northwest corner of the new addition. This allows the existing locations to be reconfigured for uninterrupted floor space at all 3 floors. The new core functions would be accessed on the 3rd floor via a new all-glass addition/link across the north facade at the 2nd and 3rd stories.

As in Option 4, it explores modifying the previous 1992 addition at the roof line to expose the original historic structure that was covered up at that time. By modifying and capturing this additional space around the north west and south wings of the building, it allows creation of a more open floor plan, creating more usable, contiguous floor area on all three levels, and presents the opportunity to reintroduce natural light into the building from the west. The approach is to make the building more appealing at the ground level, create more usable space, free up additional floor area, and restore some of the historic features and context of the original building.

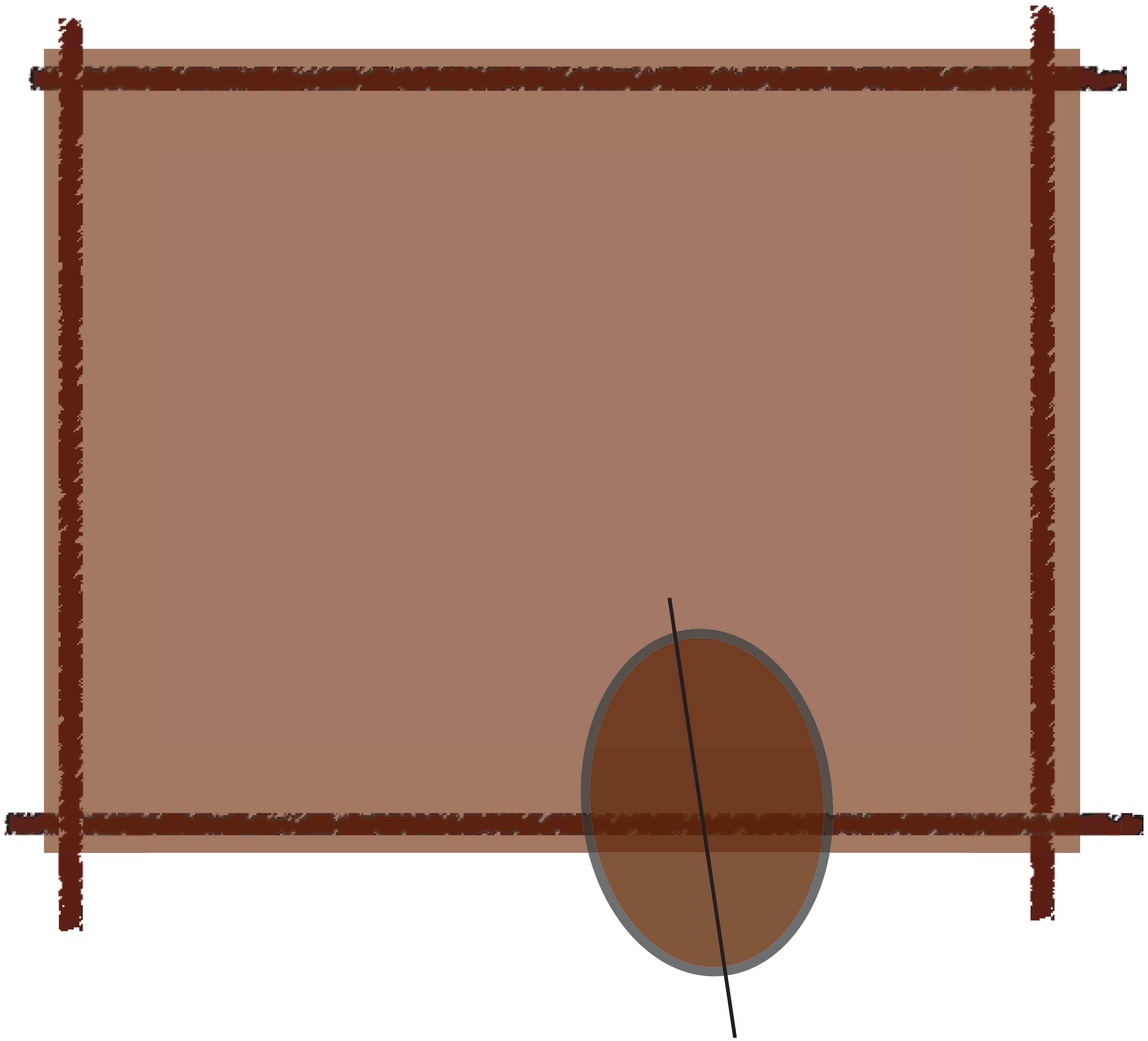
This option maximizes the function and efficiency of the entire building and all users, within the limitations of renovating the existing historic structure.

### Pro's

- Increased Level of Service and gets closer to current and future models for the "21st Century Library"
- Reveal and restores historic context of the original building.
- Improved function & efficiency
- Natural light from the west
- Increased use and efficiency for all building functions

### Con's

- Patron "re-learning" the entry sequence
- Existing structure (columns & walls) create inefficiencies for laying out stacks
- Cost is the furthest above current budget



# OPTION 06 - New Construction

## Overview

New construction eliminates the limitations inherent with renovating the existing building.

A new facility would be programmed and designed to meet all service, function, and future goals for all stakeholders.

## Pro's

- Maximum Level of Service with facility in-line with current and future models for the "21st Century Library"
- Maximum function & efficiency

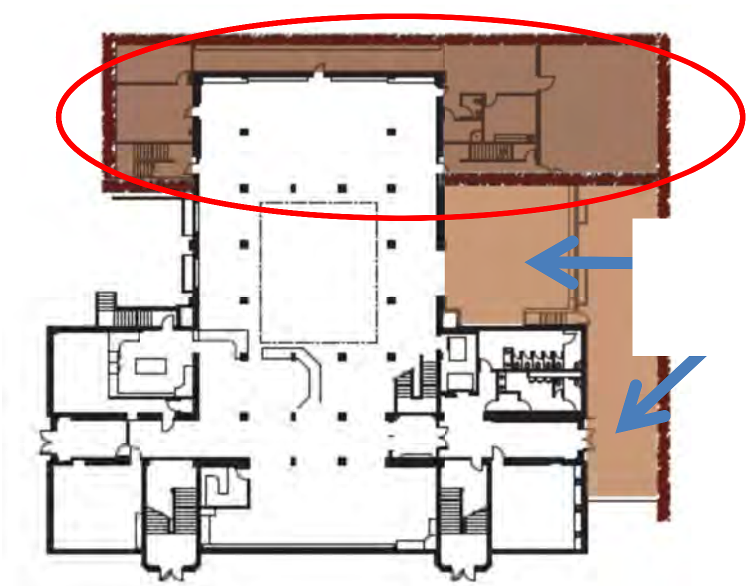
## Con's

- Loss of historic Library context
- New location
- Loss of shared community building functions, i.e. Santy
- Patron "re-learning" the library location
- Cost is well above current budget

Staff Recommendation
Staff is recommending Option 4 for the following reasons:

Creation of a strong new entry sequence
Staff is recommending as a priority a redefined entry sequence. Site development and a modest new single-story entry respect the existing historic structure, but offer flexibility for Library, City and community uses, as well as affording a better connection to the open park space. This will give both library and 3rd floor users a much clearer idea of where to enter the library, allow much better internal circulation and separation of internal programming. It will increase operational efficiency for staff. Furthermore, it will improve user experience from an "I've arrived somewhere great" standpoint. The new entry sequence would ensure an accessible coffee shop if it can be located outside of the library entrance doors. This could be used outside of the library hours and for the film series concessions. The concept plan includes creation of a starting point at the Park Avenue bus stop and leading the user from that point through the parking lot as a priority over the parked car through landscaping and site improvements.

Compliance with Landmark Standards: Hold the City to the same standard as the private sector.
While on recent projects the City has admirably gone beyond the requirements of historic regulations, staff asserts that Option 4 although, isn't necessary to ***comply*** with current standards applicable to Landmark Structures, it would be a great demonstration effort to showcase our history – the recommended option removes the 1992 addition to the building that did little to contribute to the building's historic significance, and anticipates a transparent structure to create the sense of entry while further displaying the historic fabric and visual character of the façade. The removal of the top portion of the 3rd story addition will reveal the original cornice, historic windows, and ornamental terracotta trim and will also allow natural light to enter into the Library's second floor west (Norfolk) façade (3-D modeling will be provided during the presentation at the meeting).



Addition

Lastly, the Team is recommending an addition above the new entry sequence for the second and 3rd floors, expanding the Library by approximately [XXXX] square feet (tbd). This would allow more programming of the second floor and to make the auditorium more functional through a better entry presence. This expansion allows the Library to provide more patron services and amenities and creates a flexible, adaptable facility to better address current demands, future needs and changing technologies.

The addition would also enable a more multi-purpose third floor. The third floor provides a temporary location for the Senior Center and a new home for the PCCP. The space allocated to the seniors becomes flexible, open community space accessible outside of Library hours. The space captured on the third floor is approximately [XXXX] square feet (tbd).

Similar to the MARC renovation and expansion, staff is firmly in the mindset of “You build it, they will come.” As referenced in the Library Journal article on the Grand County Library(Exhibit HV), http://www.libraryjournal.com/article/CA6407751.html, Moab saw a 66% increase in user visits. In a location that has a comparable (County) permanent population, and similar international destination guests, Grand County focused on similar programs (sustainable, technology, children). Library use trends in Park City spiked after to the 2004 addition. Staff believes we would have even better results with the current recommendation.

Addresses immediate infrastructure, maintenance and code compliance needs

The proposed scope of work includes a building re-roof, a new high-efficiency mechanical system and power, data and communication improvements.

A 20+ year solution

All of the items above endeavor to solve known and projected building uses extending out over a 20 year period. The infrastructure and facility improvements will have a life expectancy between 20-30 years. Incorporating flexible spaces allow for the continual evolution of the building and community.

Budget

The following is the update to the concept budget. It includes both soft and construction costs with a 15% contingency. The FF&E is included in the soft costs.

| Library Concept Cost Estimates | | | | |
|---|---|---|---|---|
| | Prelim. Cost Estimate | Option 01 | Option 02 | Option 03 |
| Construction Costs | $2,845,661 | $2,969,362 | $3,310,337 | $4,284,962 |
| Total Project Costs | $3,250,661 | $3,763,873 | $4,150,557 | $5,244,166 |
| | | | | |
| | Option 04 | Option 04a | Option 05 | Option 06 |
| Construction Costs | $4,779,462 | $4,421,812 | $6,127,032 | $6,360,000 |
| Total Project Costs | $5,773,281 | $5,390,595 | $7,215,181 | $7,507,396 |

Options 3-5 are scalable. Meaning from a vertical footprint standpoint, they can be expanded or contracted based on Council direction. For example Option 4a would only have a 2 floor addition, rather than 3 stories. A more detailed budget is included in Exhibit HIV.

**Department Review:** This report has been reviewed by the Library Division, Sustainability, Planning, Budget and Legal Departments and the Interim City Manager.

## Significant Impacts:

<u>Council Goal Tradeoffs</u>

| | World Class Multi-Seasonal Resort Destination<br>(Economic Impact) | Preserving & Enhancing the Natural Environment<br>(Environmental Impact) | An Inclusive Community of Diverse Economic & Cultural Opportunities<br>(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<br>+ Balance between tourism and local quality of life<br>+ Accessibility during peak seasonal times<br>+ Safe community that is walkable and bike-able<br>+ Multi-seasonal destination for recreational opportunities<br>+ Internationally recognized & respected brand | + Abundant preserved and publicly-accessible open space<br>- Reduced municipal, business and community carbon footprints | + Residents live and work locally<br>+ Preserved and celebrated history; protected National Historic District<br>+ Diverse population (racially, socially, economically, geographically, etc.)<br>+ Part-time residents that invest and engage in the community<br>+ Entire population utilizes community amenities<br>+ Community gathering spaces and places<br>+ Physically and socially connected neighborhoods | + Well-maintained assets and infrastructure |
| Assessment of Overall Impact on Council Priority *(Quality of Life Impact)* | Very Positive | Neutral | Very Positive | Positive |

## Recommendation:

Staff recommends Council direct staff to pursue a renovation and expansion of the Library and Education Center, which incorporates the following scope:

- Interior renovation and expansion of the library into all of floors one and two;

- Partial interior renovation of the 3rd floor for flexible community space and Park City Cooperative Preschool (PCCP) and Park City Film Series (PCFS). This community space is to be used in the short term to house senior center functions and support community activities during off hours;
- An added, single-story entry sequence to the library at the north façade;
- A 2 to 3-story addition at the northwest corner providing added function, flexibility and consolidation of services;
- Modifications of the 1992 addition to expose the original historic structure on the south, west and north facades.

**Exhibits**

A. Peer Community Use Stats
B. Peer Community Construction Comps
C. Library LOS Matrix
D. Programming Priorities
E. Blalock Library Construction Comps
F. Budget Options
G. Public Input Excerpts
H. The following information is available through the following link: http://parkcitylibrary.org/renovation-expansion/
    I. Citizen Satisfaction Survey (2008)
    II. Library Strategic/Work Plan 2012-2014
    III. Public input survey & dot polling results
    IV. Budget Detail
    V. Library Journal article on Moab Library available at: http://www.libraryjournal.com/article/CA6407751.html
I. January 12, 2012 staff report – http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=8609
   January 12, 2012 meeting minutes – http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=8719
J. April 19, 2012 staff report – http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=9204
   April 19, 2012 meeting minutes – http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=9342
K. July 26, 2012 staff report – http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=9660
   July 26, 2012 meeting minutes - http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=9740
L. November 8, 2012 staff report – http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=10199
   November 8, 2012 meeting minutes – http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=10530
M. LPA RDA Master Planning & background (available at: http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=9653

# PUBLIC LIBRARY PEER GROUP COMPARISONS
## FY 2011

| Library | Service Locations | Service Hours Per Week | Population of Legal Service Area | Total Expenditures | Total Operating Expenditures per Capita | Total Paid Staff | Collection Expenditures | Total Coll. Exp per Capita | Total Public Access Computers |
|---|---|---|---|---|---|---|---|---|---|
| **Aspen** | 1 | 64.7 | 13,015 | $2,892,017 | $222.21 | 21.4 | $217,741 | $16.73 | 27 |
| **Park City** | 1 | 64 | 7,558 | $769,941 | $101.87 | 11.23 | $91,829 | $12.15 | 14 |
| **Steamboat** | 1 | 66.7 | 17,453 | $1,930,417 | $110.61 | 22 | $345,400 | $19.79 | 33 |
| **Telluride** | 1 | 61 | 5,867 | $2,365,846 | $403.25 | 33 | $257,750 | $43.93 | 57 |
| **Vail** | 1 | 58.7 | 5,305 | $791,041 | $149.11 | 9 | $131,677 | $24.82 | 19 |
| **Average** | 1 | 63.02 | 9,840 | $1,749,852 | $197.41 | 19.33 | $208,879 | $23.48 | 30 |

| | Annual Visits | Visits Per Capita | Total Circulation | Total Circulation per Capita | Attendance at Childrens Programs | Volumes | Volumes per capita | Total# of Library Holdings | Total # of Holdings per Capita |
|---|---|---|---|---|---|---|---|---|---|
| **Aspen** | 233,430 | 17.94 | 201,560 | 15.49 | 6,455 | 108,568 | 8.34 | 155,713 | 11.96 |
| **Park City** | 121,306 | 16.05 | 89,174 | 11.80 | 5,242 | 53,067 | 7.02 | 71,657 | 9.48 |
| **Steamboat** | 385,548 | 22.09 | 343,490 | 19.68 | 13,896 | 75,188 | 4.31 | 99,899 | 5.72 |
| **Telluride** | 280,090 | 47.74 | 301,611 | 51.41 | 14,413 | 53,849 | 9.18 | 83,490 | 14.23 |
| **Vail** | 123,454 | 23.27 | 87,164 | 16.43 | 7,228 | 38,423 | 7.24 | 59,920 | 11.30 |
| **Average** | 228,766 | 25.42 | 204,600 | 22.96 | 9,447 | 65,819 | 7.22 | 94,136 | 10.54 |

*stats from Colorado State Library and Utah State Library

Aspen - Pitkin County Library
Park City - Park City Library
Steamboat - East Routt Library District (Bud Werner Memorial Library)
Telluride - San Miguel Public Library District #1 (Wilkinson Library)
Vail - Vail Public Library

**Peer City Library Expansion comps**

| | Current or Original sf | Total Proposed Renovation/ Expansion sf | Type: New Addition/ Renovation | Cost | Cost/sf | Completion Date or Targeted Completion | Goals |
|---|---|---|---|---|---|---|---|
| **Steamboat Springs** | 9,000 | 35,395 | 26,395 sf addition & 9,000 renovation; 35,395 total | $12,880,000 note - the $12.8m represents direct construction costs only. Indirect costs ( public art, land, FFE, technology, etc) = $3m. | $446 | Mar-09 | • Expanded interactive children's library with dedicated story room and outdoor space for summer reading program events<br>• Comfortable, inviting reading and study spaces for adults<br>• Space to house collections - we were out of shelf space<br>• Variety of spaces for meetings small and large and library programs<br>• Efficient staff work areas<br>• The building truly had to last 25- 50 years in terms of size and integrity, ie "built to last", LEED certified, sustainable and efficient. |
| **Jackson - Teton County Library** | 24,000 | 35,000 | 11,000 sf addition & 24,000 sf renovation | $ 10,000,000 | $286 | Feb-13 | • More books, DVDs and other library materials;<br>• More quite space to read, research and study (separated from noiser library areas);<br>• Additional computers & upgraded technology infrastructure, with collaborative stations for families, groups and classes;<br>• Dedicated teen space for books, computers and homework;<br>• Adaptable and adequate space for educational programs for all ages;<br>• Expanded meeting spaces for individuals, non-profits, students and community groups;<br>• Building & technological upgrades will allow staff to operate & supervise the new facility more efficientyly;<br>• Building upgrades will improve our energy efficiency and contribute to county green efforts and electrical upgrades will alleviate overloaded computer systems<br>• More books, DVDs and other library materials;<br>• More quite space to read, research and study (separated from noiser library areas);<br>• Additional computers & upgraded technology infrastructure, with collaborative stations for families, groups and classes;<br>• Dedicated teen space for books, computers and homework;<br>• Adaptable and adequate space for educational programs for all ages;<br>• Expanded meeting spaces for individuals, non-profits, students and community groups;<br>• Building & technological upgrades will allow staff to operate & supervise the new facility more efficientyly;<br>• Building upgrades will improve our energy efficiency and contribute to county green efforts and electrical upgrades will alleviate overloaded computer systems |
| **Aspen - Pitkin County Library** | 31,703 | 7,198 | 7,198 addition & 31,703 renovation; 38,901 total | $ 10,000,000 | $257 | target start Spring 2013 | •Expansion of the children's library to accommodate new programs, including an interactive learning center and storytelling area<br>•Expansion of the teen's library, including small study areas and tutoring space<br>•Multiple, flexible large and small meeting room space, including a self-contained community meeting room for use by non-profits, government agencies, and small businesses during and beyond library hours<br>•Relocation of the most popular library collections to the main level<br>•Reconfiguration of pathways and book stacks to address safety and security concerns and to meet ADA compliance<br>•Renovation of the existing space in keeping with the library's original character<br>•Upgrade of technological infrastructure to support digital collections and computer work areas<br>•Greater connectivity to the Galena Plaza with amenities such as a covered walkway, an outdoor reading deck, and indoor/outdoor wireless hotspot access |
| **Vail Library** | 10,500 | 14,000 | 14,000 sf renovation | $2.1 million + $50,000 from Friends Group | $154 | Oct-12 | • Aging/dated facility (30 years old)<br>• Need for new shelving<br>• New, improved, energy efficient lighting ; need for additional/updated technology<br>• Community room upgrades to allow increased/enhanced programming<br>• Ability to make use of lower level after more than a dozen years |
| **Park City Library** | 12,395 | 23,320 (library only) | 29,755 total 6,435 3rd fl renov. | $3,000,000 (if we include everyting) | $101 | Sep-12 | • Expanded childrens' area with space for early literacy interactive area and a family space<br>• Technology hub consisting of a computer and wi-fi area with comfortable seating, vending machines, and an eating area.<br>• Improved Park City History Room with oral histories and interactive history features<br>• More efficient use of study room space (same number, smaller size)<br>• Sufficient space for expanded choices in library collection<br>• More comfortable quiet places to read and study potentially with window seating and a fireplace.<br>• Large flexible community use space with movable walls for meetings and events and potentially a commercial kitchen. |

# Library Service Level Matrix

| | Deteriorating Library (Significantly Reduced Level) | Outdated Library (Projected Level with Business as Usual) | World Class Resort Town Library (Continued Enhanced Level) | World-Class Resort Library & Community Ctr. (Significantly Enhanced Level) |
|---|---|---|---|---|
| | **LEVEL OF SERVICE** | | | |
| **National Citizen Survey Rating** | 30% | 75% by 2014 | 90% | 98% |
| **Desired Outcomes** | | | | |
| Connected, Knowledgeable & Engaged Citizens | Distinterested citizens | A portion of the population is engaged | Many connected, knowledgeable & engaged citizens | Many more connected, knowledgeable & engaged citizens |
| Vibrant Community Gathering Places & Spaces | Uninviting, dilapidated, infrequently used space | Moderately growing level of use, potential decrease if services are not updated | High level of utilization; more than a place to find a book; community spaces of differing sizes | Large percentage of the commuity utilizes the space; space is utilized for many community happenings; community center of Lower Park |
| Vibrant Arts & Culture Offerings | No arts & culture offerings | Limited arts and culture offerings | Rotating art displays; better spaces for various sizes of community group meetings & events | Artist talks; partnership with Kimball & Arts Kids; |
| **Level of Service** | | | | |
| Adult Services | None | Book group and occasional programs through partnerships | Small business development area; window seating & a fireplace to create more comfortable spaces; Park City History room with oral histories & interactive history features ; rotating educational & artistic exhibits | Multiple meeting room sizes; reception space outside of Santy; small business development resource area; Coffee bar; Window seating & a fireplace to create more comfortable spaces |
| Youth & Spanish | No focus on children; no Spanish offerings | Childrens and Spanish areas with limited collection & program space | Early literacy interactive area for children; enhanced Spanish collection & area; family area in children's section | Children's Reading Room; interactive displays; bi-lingual staff; Spanish center |
| Circulation | no additions to circulation | limited additions to circulation | Maintain current pace of circulation expansion | Expanded circulation |
| Technical Services | very limited outdated technology; no classes | limited technology; basic services; infrequent classes | Technology hub w/ computer & wifi area; flexible use classrooms; digital media center; Technology expansion at current pace; more frequent classes | Technology hub; digital media center; maintain pace with current technology; expanded class offering; frequent classes |
| | **IMPLEMENTATION** | | | |
| **Impacts/Tradeoffs** | | | | |
| Impacts to Current Building | Deterioration of Existing Building over Time | Maintain Existing Building As Is | Expansion to 2nd Floor/Secure Control of 3rd Floor or Move to New Location | Expansion to 2nd & 3rd Floor Immediately or Move to New Building |
| Building Maintenance | No building maintenance | New Roof | New Roof; New HVAC system | New Roof, New HVAC System; Geothermal & Solar (PV) |
| Tenants | No Change | No Change | Some Tenants Move | Some Tenants Move |
| Programs | Elimination of Multiple Programs | Reduction of Some Programs | Some Expansion/Some Reduction | Expansion |
| **Cost** | | | | |
| Capital | | | | |
| Operating | | | | |
| Forgone Revenue | Some tenants will eventually move out | none | $85,000 per year | $85,000 per year |
| **Time Until Subsequent Renovation** | N/A | N/A | 10 years | 15-20 years |

***Most essential – highest priority for 21st Century Library goal

**Still important to attaining 21st Century Library

*Important but not completely essential to successful project

# Programming Priorities for Park City Library Project

*** Technology Hub -comfortable & inviting area designed for laptop/tablet use with some areas for collaboration
*** Interactive childrens' feature
***Study rooms/collaboration spaces-reconfigured for more efficient space use with whiteboards and ample power
***Physical collection growth accommodated
***Digital media lab in an improved space
***Public meeting room & storytime room with built-in technology
***Smaller circulation desk

**More comfortable quiet places to read and study potentially with window seating and a fireplace
**Vending area/café
**Multi-use computer classroom (Can be used for public internet access when classes are not in session)
**Exhibits space retained (1,000 square feet of contiguous space w/easily movable features)
**Better defined teen area
**Family Area-space with parents to be with kids while working on computer
**Movable Service Desks in the children's area and upper level

*New shelving with lower heights, greater flexibility, and display features
*Stroller Parking
*Ski/Snowboard storage lockers

**Other Ideas/Wish List-Not in Order of Priority**

Renovated restrooms
Electric Door Opener (press to open) – wheelchair accessible
Book return in building
Automatic check in with bin sorter
Network capabilities for copy machine for emailing scans
Media surfer
Lighting issues for study rooms – low lights that stay on all day or motion sensor lighting
New matching trash cans and recycle bins throughout the building
Entry doors that keep cold out/warm in
Sound proof auditorium flooring
Panic button at circ desk for emergency
Intercom for library that can make announcements for at closing time
Bell at circ desk to notify others when busy and need help (non-emergency)
Opening day collection
Washing machine/dryer to clean stuffed animals
Cleaning Service
updated lighting fixtures

## LIBRARY CASE STUDIES: CONSTRUCTION COST COMPARISON

**HEADQUARTERS LIBRARIES**

| FACILITY / ENTITY | SIZE | CONST. COST | COST / SQ.FT. |
|---|---|---|---|
| **Fort Vancouver Regional Library District HQ Library**, Vancouver, WA<br>Completed in October 2011; designed to LEED Gold (not certified); donated land; cost includes parking and considerable site development (park, amphitheater; roof garden); voter approved bond | 83,000 | $38,000,000 | $457.83 |
| **Lawrence City Main Library,** Lawrence, KS<br>Feasibility study only; included large parking structure (added cost); 2006-2008 planned construction | 85,000 | $35,000,000 | $411.76 |
| Rangeview Library System HQ, **Anythink Wright Farms**, Thornton, CO<br>Completed in July 2010; LEED Gold certification; hoping to be "carbon neutral"; includes 1 acre "park"; geothermal & PV systems. | 45,000 | $15,250,000 | $338.89 |
| **Salt Lake County HQ Library**, West Jordan, UT<br>Completed in May 2012; seeking LEED Gold; Originally bid $1.2M over budget and had to be redesigned / re-bid; PV System | 55,000 | $14,000,000 | $254.55 |
| **Davis County HQ Library**, Farmington, UT<br>Completed in October 2012; functions more as a branch location; geothermal system; no LEED requirements; general obligation bond | 18,150 | $3,650,000 | $201.10 |

# LIBRARY CASE STUDIES: CONSTRUCTION COST COMPARISON

BRANCH / COMMUNITY LIBRARIES

| | | | |
|---|---|---|---|
| **Magna Branch Library,** Salt Lake County<br>Completed Fall 2010; LEED Gold | 20,000 | $8,100,000 | $405.00 |
| **East Millcreek Library / Comm. Center**, Salt Lake County, Holladay, UT<br>Completed in May 2012; combines library (20,000 SF branch) with community center component; LEED Gold (pending); voter approved bond | 46,000 | $18,230,000 | $396.30 |
| Rangeview Library System **Anythink Brighton**, CO<br>Completed in September 2009; LEED Gold certification; Carbon Neutral / Positive facility; geothermal system; large PV array | 20,000 | $6,500,000 | $325.00 |
| **Marmalade Branch Library** [in planning], Salt Lake City Library System<br>In planning currently; cost does not include land costs or improvements (parking, landscape, utilities, etc.); LEED Silver required | 18,500 | $4,650,000 | $251.35 |
| **Glendale Branch Library** [in design], Salt Lake City Library System<br>In Design Development currently; cost does not include land costs or improvements (parking, landscape, utilities, etc.); LEED Silver required | 18,500 | $4,500,000 | $243.24 |
| **Herriman Library,** Salt Lake County<br>Completed October 2011, LEED Gold | 20,000 | $4,563,950 | $228.20 |
| **Grantsville City Library**<br>Very small library; does not compare in function, services, operations, management or patron base to Park City; To be completed Spring 2013; no LEED requirements | 10,800 | $2,000,000 | $185.19 |
| **Grand County Library**, Moab, UT<br>Very small library; does not compare in function, services, operations, management or patron base to Park City; Completed in 2006; no LEED requirements; voter approved bond | 13,800 | $2,375,000 | $172.10 |
| **Cedar City Library**<br>Completed in 2003; no LEED requirements; stand-alone city library; voter approved bond | 24,000 | $3,800,000 | $158.33 |
| Uinta Library Systems, **Lyman Branch Library**, Lyman, WY<br>Very small library; does not compare in function, services, operations, management or patron base to Park City; Completed in 2010; no LEED requirements | 9,200 | $1,300,000 | $141.30 |

# Park City Library Renovation / Expansion: Cost Study

| | Original Project Budget | | Option 01 | | Option 02 | | Option 03 | | Option 04 | | Option 04a | | Option 05 | | Option 06 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Construction Cost Budget (hard costs / physical construction)** | | | | | | | | | | | | | | | | |
| ITEM | COST / SQ.FT. | ALLOCATED BUDGET | COST / SQ.FT. | BUDGET APPROACH | COST / SQ.FT. | BUDGET APPROACH | COST / SQ.FT. | BUDGET APPROACH | COST / SQ.FT. | BUDGET APPROACH | COST / SQ.FT. | BUDGET APPROACH | COST / SQ.FT. | BUDGET APPROACH | COST / SQ.FT. | ESTIMATE |
| **Construction Costs: First Floor** | $48.00 | **$ 601,800.00** | $82.00 | **$ 1,016,390.00** | $82.00 | **$ 1,016,390.00** | $82.00 | **$ 1,016,390.00** | $82.00 | **$ 1,016,390.00** | $82.00 | **$ 1,016,390.00** | $82.00 | **$ 1,016,390.00** | $240.00 | **$ 5,760,000.00** |
| "GREEN ELEMENTS" - allowance - ?? | $2.00 | $ 24,790.00 | | | | | | | | | | | | | | |
| **Construction Costs: Second Floor** | $48.00 | **$ 530,575.00** | $77.00 | **$ 841,225.00** | $77.00 | **$ 841,225.00** | $77.00 | **$ 841,225.00** | $77.00 | **$ 841,225.00** | $77.00 | **$ 841,225.00** | $77.00 | **$ 841,225.00** | | |
| "GREEN ELEMENTS" - allowance - ?? | $2.00 | $ 21,850.00 | | | | | | | | | | | | | | |
| **Construction Costs: Third Floor** | $55.00 | **$ 354,100.00** | $62.00 | **$ 398,970.00** | $62.00 | **$ 398,970.00** | $62.00 | **$ 398,970.00** | $62.00 | **$ 398,970.00** | $62.00 | **$ 398,970.00** | $62.00 | **$ 398,970.00** | | |
| "GREEN ELEMENTS" - allowance - ?? | $2.00 | $ 12,870.00 | | | | | | | | | | | | | | |
| **Construction Costs: Roof Replacement** | | | $11.76 | **$ 141,100.00** | $11.76 | **$ 141,100.00** | $11.76 | **$ 141,100.00** | $11.76 | **$ 141,100.00** | $11.76 | **$ 141,100.00** | $11.76 | **$ 141,100.00** | | |
| **Construction Costs: Site Entry Development** | | | | **$ 60,000.00** | | **$ 60,000.00** | | **$ 60,000.00** | | **$ 60,000.00** | | **$ 60,000.00** | | **$ 60,000.00** | | |
| **Construction Costs: New Building Entry** | | | | **$ 103,500.00** | | **$ 400,000.00** | | | | | | | | | | |
| **Constrruction Costs: New Building Entry & Addition** | | | | | | | | **$ 972,500.00** | | **$ 1,677,500.00** | | **$ 1,366,500.00** | | **$ 2,849,300.00** | | |
| **Renovation Costs: West Side Renovation** | | | | | | | | **$ 275,000.00** | | | | | | | | |
| **Subtotal:** | $51.00 | **$ 1,545,985.00** | $86.00 | **$ 2,561,185.00** | $96.00 | **$ 2,857,685.00** | $124.00 | **$ 3,705,185.00** | $138.00 | **$ 4,135,185.00** | $128.00 | **$ 3,824,185.00** | $178.00 | **$ 5,306,985.00** | $240.00 | **$ 5,760,000.00** |
| **15% Construction Contingency:** | | $ 231,897.75 | | $ 384,177.75 | | $ 428,652.75 | | $ 555,777.75 | | $ 620,277.75 | | $ 573,627.75 | | $ 796,047.75 | | $ 576,000.00 |
| **1% for Public Art:** | | $ 17,778.83 | ALLOWANCE | $ 24,000.00 | ALLOWANCE | $ 24,000.00 | ALLOWANCE | $ 24,000.00 | ALLOWANCE | $ 24,000.00 | ALLOWANCE | $ 24,000.00 | ALLOWANCE | $ 24,000.00 | | $ 24,000.00 |
| **Construction Cost Subtotal:** | $60.00 | **$ 1,795,661.58** | $99.00 | **$ 2,969,362.75** | $111.00 | **$ 3,310,337.75** | $144.00 | **$ 4,284,962.75** | $160.00 | **$ 4,779,462.75** | $148.00 | **$ 4,421,812.75** | $205.00 | **$ 6,127,032.75** | $265.00 | **$ 6,360,000.00** |
| **Construction Costs: HVAC** | | $ 250,000.00 | | | | | | | | | | | | | | |
| **Construction Costs: ROOF** | | $ 200,000.00 | | | | | | | | | | | | | | |
| **Construction Costs: CARPET, PAINT, LIGHTING** | | $ 100,000.00 | | | | | | | | | | | | | | |
| **Construction Costs: GEOTHERMAL** | | $ 500,000.00 | | | | | | | | | | | | | | |
| **ADDITIONAL Construction Costs Subtotal:** | $35.00 | **$ 1,050,000.00** | | | | | | | | | | | | | | |
| **ALLOCATED] Construction Cost Subtotal:** | $95.00 | **$ 2,845,661.58** | $99.00 | **$ 2,969,362.75** | $111.00 | **$ 3,310,337.75** | $144.00 | **$ 4,284,962.75** | $160.00 | **$ 4,779,462.75** | $148.00 | **$ 4,421,812.75** | $205.00 | **$ 6,127,032.75** | $213.00 | **$ 6,360,000.00** |
| **Soft Costs - Fees for Construction** | | | | | | | | | | | | | | | | |
| ITEM | | PROJECTED COST | | BUDGET APPROACH | | BUDGET APPROACH | | BUDGET APPROACH | | BUDGET APPROACH | | BUDGET APPROACH | | BUDGET APPROACH | | BUDGET APPROACH |
| Geotech Report | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - |
| Property / ALTA Survey | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - |
| Building Permit Fee $2,454,345 x .0075 | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - |
| Plan Check Fee (permit fee x 65%) | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - |
| State Fee (permit fee x 1%) | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - |
| Water Meter | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - |
| Non-Residential Fee [ALLOWANCE] | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - |
| Sewer Impact Fee | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - |
| Landscape / Irrigation Fee | | $ - | | $ 5,762.00 | | $ 5,762.00 | | $ 5,762.00 | | $ 5,762.00 | | $ 5,762.00 | | $ 5,762.00 | | $ 5,762.00 |
| Public Safety Impact Fee | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - |
| Parks, Trails & Open Space | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - |
| Utility Connection Fees | | $ - | | $ 30,000.00 | | $ 30,000.00 | | $ 30,000.00 | | $ 30,000.00 | | $ 30,000.00 | | $ 30,000.00 | | $ 30,000.00 |
| Testing & Special Inspections | | $ 5,000.00 | | $ 6,500.00 | | $ 6,500.00 | | $ 6,500.00 | | $ 6,500.00 | | $ 6,500.00 | | $ 6,500.00 | | $ 6,500.00 |
| Move Management | | $ 30,000.00 | | $ 15,000.00 | | $ 15,000.00 | | $ 15,000.00 | | $ 15,000.00 | | $ 15,000.00 | | $ 15,000.00 | | $ 15,000.00 |
| Data / Security | | $ 30,000.00 | | $ 20,000.00 | | $ 20,000.00 | | $ 20,000.00 | | $ 20,000.00 | | $ 20,000.00 | | $ 20,000.00 | | $ 20,000.00 |
| Environmental | | $ 5,000.00 | | $ 5,000.00 | | $ 5,000.00 | | $ 5,000.00 | | $ 5,000.00 | | $ 5,000.00 | | $ 5,000.00 | | $ 5,000.00 |
| Miscellaneous | | $ 10,000.00 | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - |
| Legal / Other Professional Fees | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - | | $ - |
| 10% Soft Costs Contingency: | | $ - | | $ 8,226.20 | | $ 8,226.20 | | $ 8,226.20 | | $ 8,226.20 | | $ 8,226.20 | | $ 8,226.20 | | $ 8,226.20 |
| **Soft Costs - Construction Fees Subtotal:** | | **$ 80,000.00** | | **$ 90,488.20** | | **$ 90,488.20** | | **$ 90,488.20** | | **$ 90,488.20** | | **$ 90,488.20** | | **$ 90,488.20** | | **$ 90,488.20** |
| **Soft Costs - FF&E Items** | | | | | | | | | | | | | | | | |
| ITEM | | PROJECTED COST | | BUDGET APPROACH | | BUDGET APPROACH | | BUDGET APPROACH | | BUDGET APPROACH | | BUDGET APPROACH | | BUDGET APPROACH | | BUDGET APPROACH |
| Furniture, Fixtures & Equipment ALLOWANCE | | $ 75,000.00 | $18 / SF | $ 425,160.00 | $18 / SF | $ 444,600.00 | $18 / SF | $ 489,780.00 | $18 / SF | $ 489,780.00 | $18 / SF | $ 489,780.00 | $18 / SF | $ 489,780.00 | $22 / SF | $ 528,000.00 |
| | | | | | | | | | | | | | | | | $ - |
| Contingency: | | $ - | 5% | $ 21,258.00 | 5% | $ 22,230.00 | 5% | $ 24,489.00 | 5% | $ 24,489.00 | 5% | $ 24,489.00 | 5% | $ 24,489.00 | 5% | $ 26,400.00 |
| **Soft Costs - FF&E Subtotal:** | $3.00 | **$ 75,000.00** | | **$ 446,418.00** | | **$ 466,830.00** | | **$ 514,269.00** | | **$ 514,269.00** | | **$ 514,269.00** | | **$ 514,269.00** | | **$ 554,400.00** |
| **Soft Costs - Professional Design Fees** | | | | | | | | | | | | | | | | |
| ITEM | | PROJECTED COST | | BUDGET APPROACH | | BUDGET APPROACH | | BUDGET APPROACH | | BUDGET APPROACH | | BUDGET APPROACH | | BUDGET APPROACH | | BUDGET APPROACH |
| Architecture & Engineering Fees | | $ 240,000.00 | | $ 239,104.65 | | $ 264,401.74 | | $ 335,946.22 | | $ 370,561.22 | | $ 345,525.72 | | $ 464,891.12 | | $ 484,008.00 |
| Kitchen Consultant Fees | | $ 5,000.00 | | $ 7,500.00 | | $ 7,500.00 | | $ 7,500.00 | | $ 7,500.00 | | $ 7,500.00 | | $ 7,500.00 | | $ 7,500.00 |
| Interactive Display Consultant | | $ 5,000.00 | | $ 11,000.00 | | $ 11,000.00 | | $ 11,000.00 | | $ 11,000.00 | | $ 11,000.00 | | $ 11,000.00 | | $ 11,000.00 |
| **Soft Costs - A/E Fees Subtotal:** | | **$ 250,000.00** | | **$ 257,604.65** | | **$ 282,901.74** | | **$ 354,446.22** | | **$ 389,061.22** | | **$ 364,025.72** | | **$ 483,391.12** | | **$ 502,508.00** |
| **Total Estimated Soft Cost Budget:** | | **$ 405,000.00** | | **$ 794,510.85** | | **$ 840,219.94** | | **$ 959,203.42** | | **$ 993,818.42** | | **$ 968,782.92** | | **$ 1,088,148.32** | | **$ 1,147,396.20** |
| **Project Budget Summary** | | | | | | | | | | | | | | | | |
| ITEM | | PROJECTED COST | | BUDGET APPROACH | | BUDGET APPROACH | | BUDGET APPROACH | | BUDGET APPROACH | | BUDGET APPROACH | | BUDGET APPROACH | | BUDGET APPROACH |
| Estimated Construction Costs | | $ 2,845,661.58 | | $ 2,969,362.75 | | $ 3,310,337.75 | | $ 4,284,962.75 | | $ 4,779,462.75 | | $ 4,421,812.75 | | $ 6,127,032.75 | | $ 6,360,000.00 |
| Soft Costs - Fees for Construction | | $ 80,000.00 | | $ 90,488.20 | | $ 90,488.20 | | $ 90,488.20 | | $ 90,488.20 | | $ 90,488.20 | | $ 90,488.20 | | $ 90,488.20 |
| Soft Costs - FF&E Items | | $ 75,000.00 | | $ 446,418.00 | | $ 466,830.00 | | $ 514,269.00 | | $ 514,269.00 | | $ 514,269.00 | | $ 514,269.00 | | $ 554,400.00 |
| Soft Costs - A/E Fees | | $ 250,000.00 | | $ 257,604.65 | | $ 282,901.74 | | $ 354,446.22 | | $ 389,061.22 | | $ 364,025.72 | | $ 483,391.12 | | $ 502,508.00 |
| **TOTAL ESTIMATED PROJECT COSTS: ORIGINAL PROJECT BUDGET** | | **$ 3,250,661.58** | | **$ 3,763,873.60** | | **$ 4,150,557.69** | | **$ 5,244,166.17** | | **$ 5,773,281.17** | | **$ 5,390,595.67** | | **$ 7,215,181.07** | | **$ 7,507,396.20** |

# Park City Library & Carl Winters School Building Remodel Project

## Public Workshop 01 Summary

05 March 2013

blalock and PARTNERS

architectural design studio

## Intent
Blalock and Partners was retained by the Park City Municipal Corporation, for the Park City Library & Carl Winters School Building Remodel Project. The existing library services will be expanding into the 2nd floor of the Library and Education Center. As a first step in the programming and design process, a community workshop was held on March 5, 2013, with the intention of gathering information and input from the community, regarding what services and amenties they would like to see in the renovated library.

## Approach
The workshop was formatted as an open discussion, engaging all of the attendees in an information gathering and analytical process with emphasis on group involvement and open, collaborative input.

Two hour-long community input sessions were held, aimed at accomodating flexibility in schedules for those attending. Each session included a presentation of the overlying project goals, followed by open discussion and input on the library and the community. Each session concluded with an interactive dot-polling exercise.

Attendees were also encouraged to fill out a short survey about their library use, preferred amenities, and thoughts on the new library.

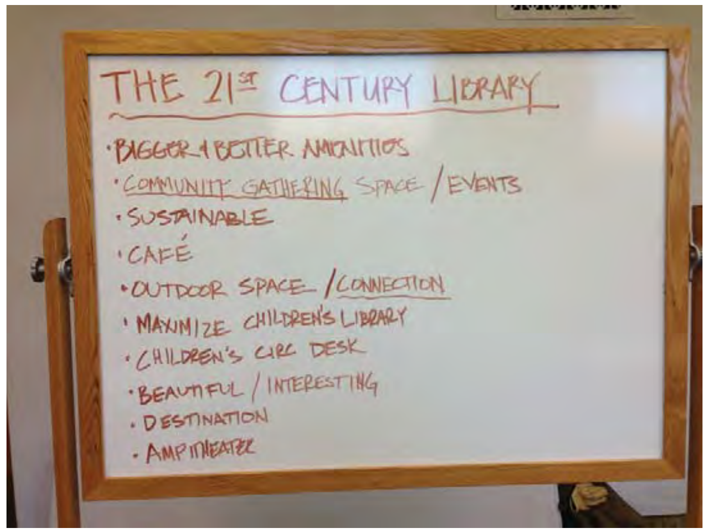
## Conclusions
Turnout for the event was very good, with approximately 18 - 20 patrons attending the workshop, including several members of the Library Board and Friends of the Library, in addition to 7 working committee members and staff.

The discussions were engaging and all-inclusive. The overall atmosphere was lively and positive, with everyone sharing in the process. A lot of good points were raised, and the feedback collected is invaluable to an informed design process moving forward.

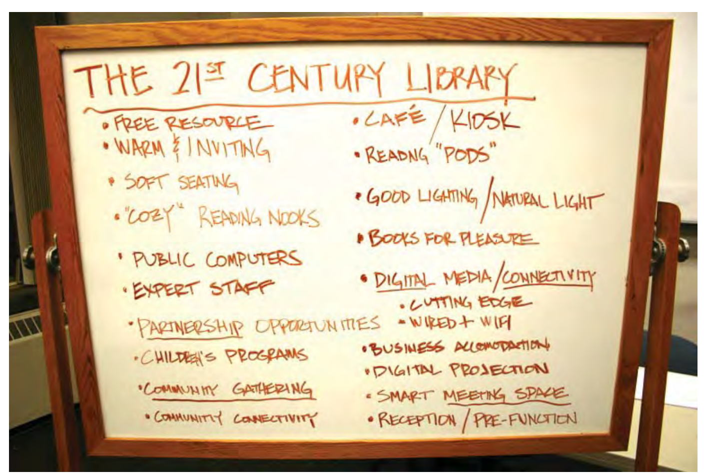
The overall survey results were consistent with previous efforts and initial expectations.

## THE 21ST CENTURY LIBRARY

Part of the workshop included capturing feedback on the meaning of "21st Century Library," and the amenities one might expect to be available. Below is an outline of thoughts and ideas that were shared through the open discussions:




- Community Gathering Space / Events
- Community Gathering
- Community Connectivity
- Reception / Pre-Function
- Bigger & Better Amenities
- Free Resource
- Cafe
- Cafe / Kiosk
- Outdoor Space / Connection
- Maximize Children's Library
- Children's Circ Desk
- Children's Programs
- Beautiful / Interesting
- Good Lighting / Natural Light
- Warm and Inviting
- Sustainable
- Soft Seating
- "Cozy" Reading Nooks
- Destination
- Ampitheater
- Public Computers
- Digital Media / Connectivity
- Cutting Edge
- Wired + WIFI
- Business Accomodation
- Digital Projection
- Smart Meeting Space




- Expert Staff
- Partnership Opportunities
- Reading "Pods"
- Books for Pleasure

## WHAT IS PARK CITY?

The discussions continued, to gain a feel for what Park City means to people, in one or a few words.

- Home
- Family
- Community
- Wecoming
- Destination
- International
- Progressive
- Resourceful
- Self-Sustaining
- Green
- Idealistic
- Dynamic
- Artistic
- Fun
- Fun & Vibrant
- Vibrancy / Life
- Diverse (Economic)

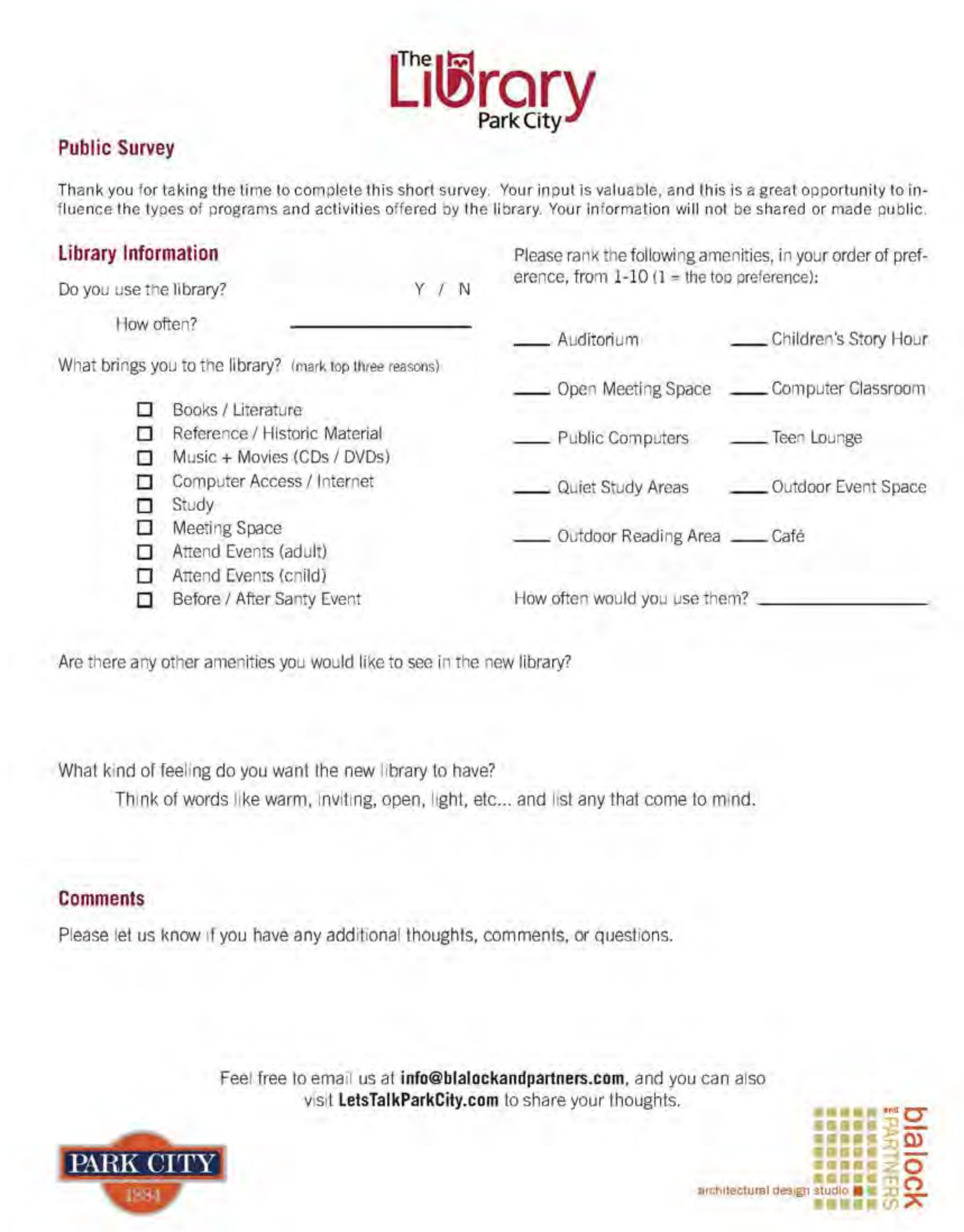


- Resort Town
- Resort Town / Skiing
- Outdoor Activity / Year-round
- Dog City
- History / Nostalgia
- History (Gritty / Sophisticated)
- Great Place to Live
- Water Flows Upstream
- Passionate Engagement
- Everyone can make a difference
- Concentration of "do-gooders"
- "Everything I could possibly want"

### Survey Response Information

Attendees were encouraged to fill out a short survey about their library use, preferred amenities, and thoughts on the new library.

There were a total of 16 survey responses, the results of which are summarized in the following pages.


The Library Park City

**Public Survey**

Thank you for taking the time to complete this short survey. Your input is valuable, and this is a great opportunity to influence the types of programs and activities offered by the library. Your information will not be shared or made public.

**Library Information**

Do you use the library? Y / N

How often? ____________

What brings you to the library? (mark top three reasons)

- ☐ Books / Literature
- ☐ Reference / Historic Material
- ☐ Music + Movies (CDs / DVDs)
- ☐ Computer Access / Internet
- ☐ Study
- ☐ Meeting Space
- ☐ Attend Events (adult)
- ☐ Attend Events (child)
- ☐ Before / After Santy Event

Please rank the following amenities, in your order of preference, from 1-10 (1 = the top preference):

___ Auditorium ___ Children's Story Hour

___ Open Meeting Space ___ Computer Classroom

___ Public Computers ___ Teen Lounge

___ Quiet Study Areas ___ Outdoor Event Space

___ Outdoor Reading Area ___ Café

How often would you use them? ____________

Are there any other amenities you would like to see in the new library?

What kind of feeling do you want the new library to have?

Think of words like warm, inviting, open, light, etc... and list any that come to mind.

**Comments**

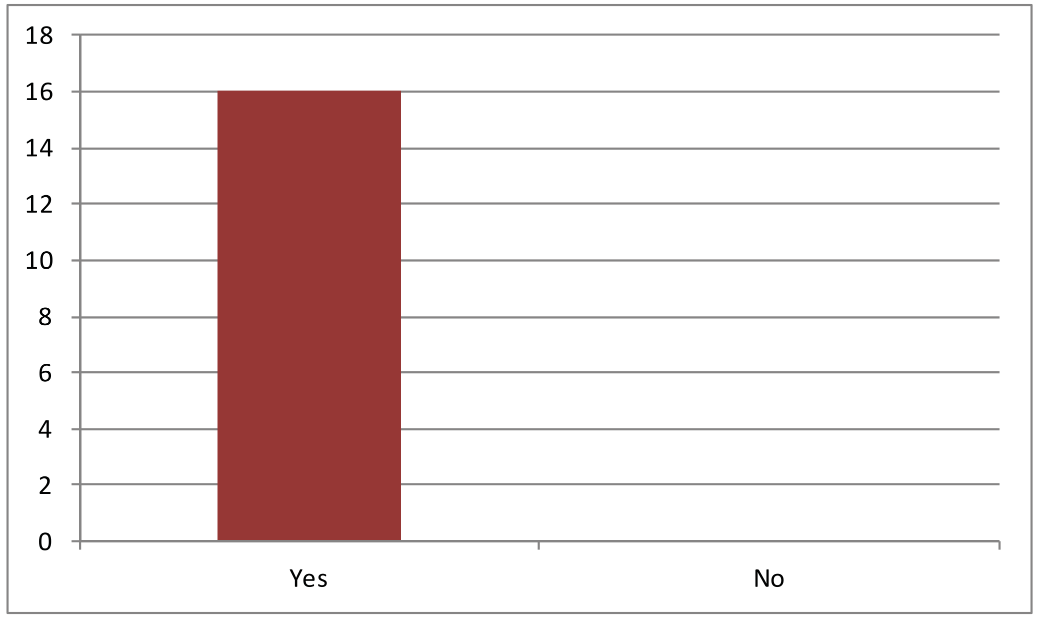
Please let us know if you have any additional thoughts, comments, or questions.

Feel free to email us at **info@blalockandpartners.com**, and you can also visit **LetsTalkParkCity.com** to share your thoughts.

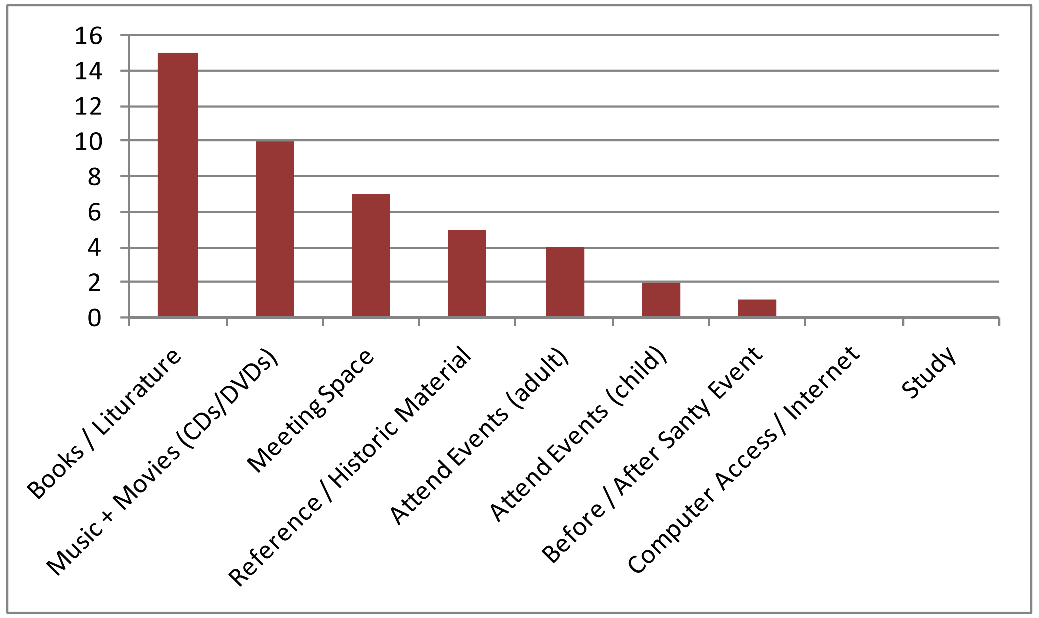
PARK CITY 1884

blalock and PARTNERS architectural design studio

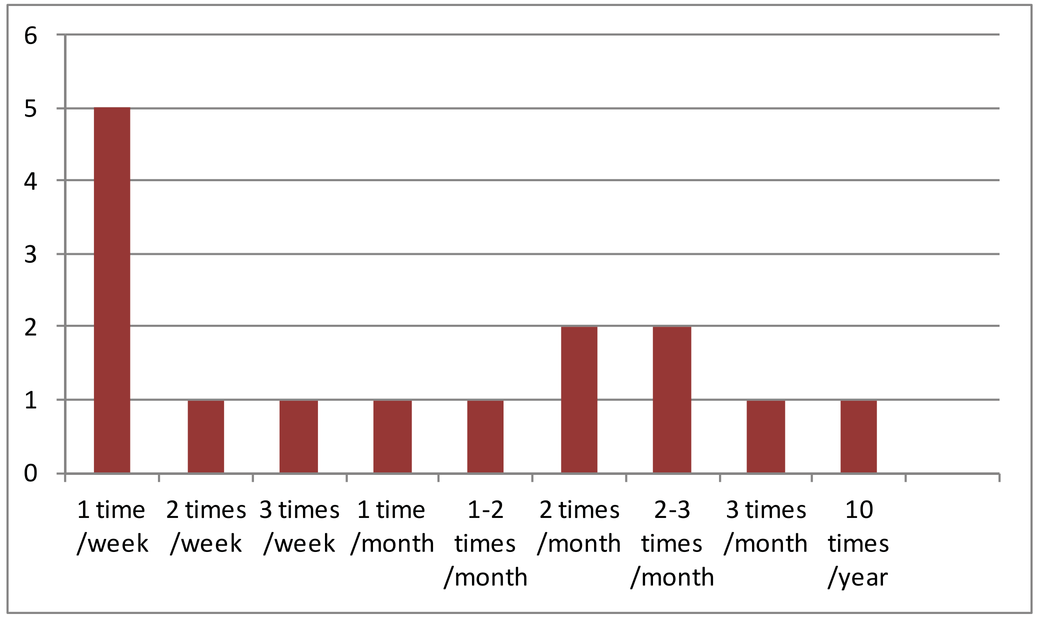
### Do you use the Library?



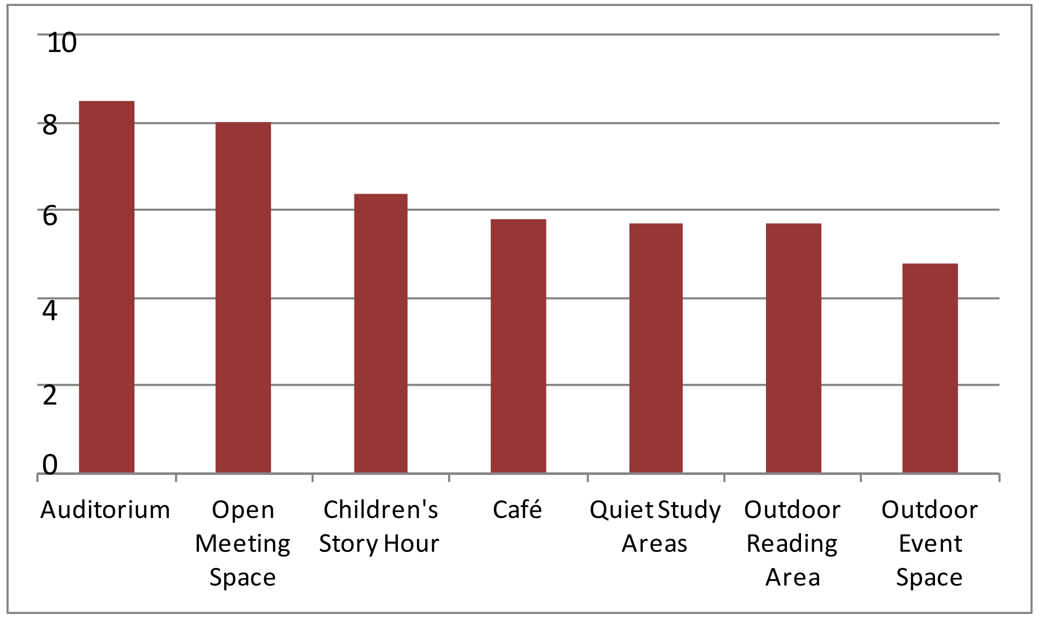

### What brings you to the library?




### How often?




### Amenities ranked in order of preference (based on an average of preferences indicated)



## Are there any other amenities you would like to see in the new library?

- Expanded children's area
- Children's librarian's desk central to children's area
- More computers, tutorials for kids
- Technical spaces – digital film editing, website design, etc...
- Space for teens to meet.
- More study rooms – small, medium, large (6 max.)
- New entry that is more than an afterthought
- Outdoor gathering spaces for events
- Like the rooftop of the SLC Library
- Lockers for backpacks, bag lunches, etc...
- Window seating
- Broadband internet
- Free meeting space
- Excellent selection of new books
- Up-to-date collection

## What kind of feeling do you want the library to have?

**Architecture Related**

- Modern
- Classically Modern Design
- Sustainable Design
- Education about these elements
- Energy Efficient
- Wood
- Natural Stain
- Flexible Space
- Key, especially with space constraints
- Impressive architecture
- "Not super contemporary to the point of being industrial."
- Responsive to community needs
- Reflecting the building's historic charm and "funkiness"

**Experience Related**

- Warm
- Clean
- Open
- Light
- Natural Light
- Great lighting
- Comfortable
- Plenty of upholstery
- Welcoming
- Inviting
- Friendly
- Calm
- Quiet Space
- Fun
- Colorful
- Cutting edge
- Techie
- Attracting children (and their parents)
- Key to having life-long library users
- Community gathering space
- Easy to navigate
- Easy to plug in personal computers

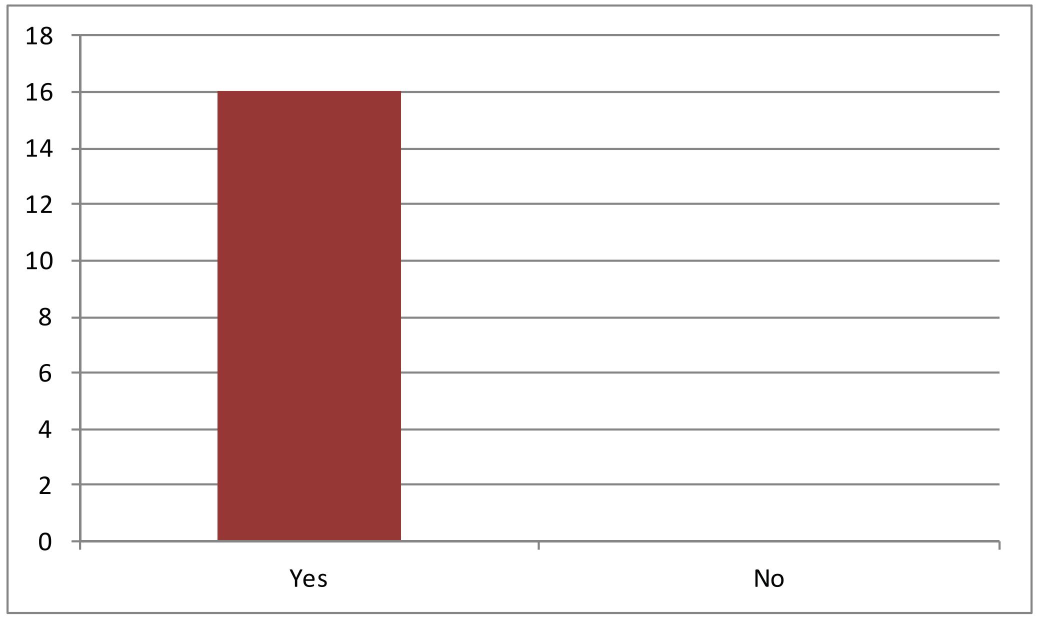
## Additional thoughts and comments:

- I think it would be good to have a better defined entrance to the Library.
- Think what libraries will be like in 15 years.
- Take a page from Starbucks.
- Take another page from the Family History Library in SLC.
- Historic on the outside, not so on the inside.
- Place for book readings by authors.
- Would love to have more foreign language resources and support (Spanish and French) for dual immersion programs at the elementary schools.

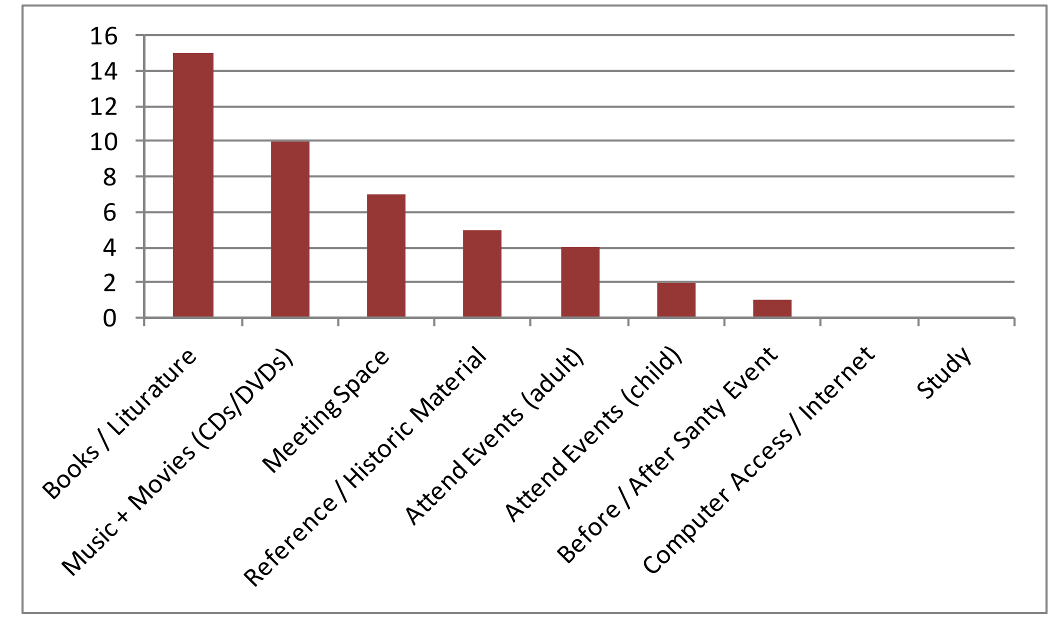
blalock and PARTNERS

architectural design studio

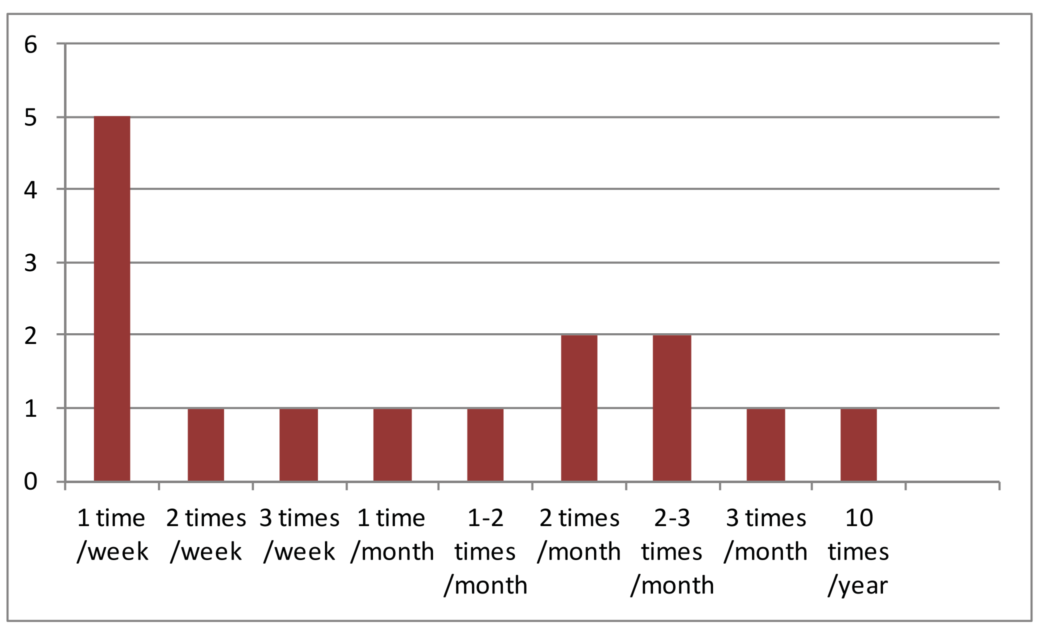
### Do you use the Library?




### What brings you to the library?




### How often?

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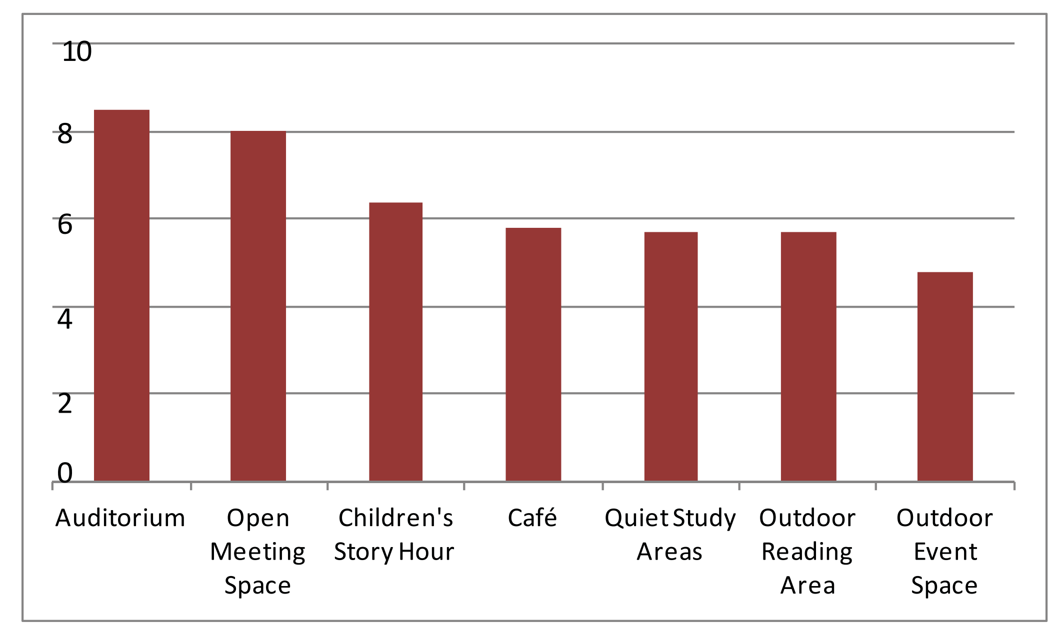

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- Would love to have more foreign language resources and support (Spanish and French) for dual immersion programs at the elementary schools.

# City Council Staff Report

| | |
|---|---|
| **Subject:** | **Event Overhaul Update - Master Festival, Special Events, Business Licensing, Liquor licensing: code and processing interconnectivity and departmental directions and timelines.** |
| **Author:** | **Jason Glidden & Tommy Youngblood** |
| **Department:** | **Sustainability** |
| **Date:** | **March 28th, 2013** |
| **Type of Item:** | **Administrative** |

**Summary Recommendations:**
Staff is seeking affirmation on direction, scope, and timeline on remaining action items in event overhaul.

**Topic/Description:**
The Special Event Team has been in the process of overhauling the City's Administrative event policies and procedures. The purpose of this staff report is to inform Council what items have been completed, what projects remain, and affirm Council direction moving forward.

The goals of the event overhaul are to:
- Increase cost recovery levels of the Special Event Program;
- Align City administrative codes in line with City goals;
- Effectively and efficiently utilizes City resources;
- Streamline event approval process; and
- Increase communication both internally and externally.

**Background:**
In 2009 Council directed Staff to do a review of all codes and processes related to Special Events. Since that time, particularly through the Budgeting for Outcomes process, staff has been communicating with the many other City departments that the Special Event process touches and has been working with them on code issues that are outside of Special Events' specific directive. Issues with business and liquor licensing, zoning, building codes as well as the community needs are inherent in this process. This process would also include determining how altering any of these would affect all of current events and future applicants.

Since 2009 the Special Events department and others have returned to Council on various items surrounding these issues. Through these work session updates Special Events and the other relevant department staff finds that while the majority of the easiest tasks have been completed, a more comprehensive multi-departmental discussion and action plan needs to be implemented to complete the assignment. The following chart outlines Completed Projects:

| | | | | | |
|---|---|---|---|---|---|
| Completed Projects | | | Year | Effect | Documents |
| Regulatory | **Gifting Language** | Change code to include language that "Gifting" be included in the definition of conducting business | 2010 | These code changes have allowed staff to better track “tag-on” activity during Sundance. | |
| | **Occupancy Load Calculations** | Requires event organizers to present a site plan stamped by a Utah Professional to increase occupancy load in a space | 2012 | Brought city in line with State Building code and increased safety at event venues. | |
| | **Increased Code Enforcement Plan** | Work with the Building Department to create an increased presence during the Film Festival. | 2012 & 13 | The increase in enforcement has decreased public safety issues as well as non-compliant events occurring without proper permitting | |
| | **Approval Process** | Evaluate the event approval process to look for inefficiencies | 2010 | Staff went through a process engineering exercise to find areas to gain efficiencies. These lead to changes in the application and the way debrief information is collected and making the process easier on event organizers | http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=10822 |

| | | | | | |
|---|---|---|---|---|---|
| | **Application** | Evaluate and re-create the Special Event Application to make it easier for applicants to fill out and also contain all the information the city staff need to estimate resources need to successfully execute event | 2010 | The changes have resulted in a more concise application which is easy for applicants to understand and fill out. | http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=10820 |
| | **Fee Schedule Changes** | Included Special Events, and Facilities and resources related to extra services. | 2012 | Up to date with discussion | http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=10824 |
| | | | | | |
| **Informational** | **Event Planning Guide** | Update current planning guide with updated information regarding event application process, fees, policies and procedures. | 2010 | This guide has educated event organizers on City policies and procedures and increased efficiency within the event approval process. | http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=10816 |
| | **Venue Guidelines** | Create one page venue sheets that identify approved event uses of city property. Information on sheet will include: Utilities available, parking available, emergency plans, permitted uses, and event days allowed, rental fees, booking policies and procedures. | 2013 | Has helped to set parameters for City owned venues and increase public safety. Venue Guidelines also help event organizers and event staff to select best location for events. | http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=10823 |
| | | | | | |

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|---|---|---|---|---|---|
| **Reporting** | **Event Rating Sheet** | Provide an event rating system to allow for events to receive a score and be rank in order to prioritize events in relation to Council and community goals.  Policies and procedures need to be created with the rating sheet. | 2011 | Allows staff a means of "scoring "an event to create event prioritization system in situations where two conflicting events are competing for the same date. | http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=10821 |
| | **External Debrief Survey** | Combine external operational along with economic impact debrief survey | 2012 | Has increased the amount of information that is collected from events and helped the event team to calculate ROI. | http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=10819 |
| | **Weekly Council/City Manager Event Report** | Create a brief weekly event summary that will provide City Council with an overview of the events that took place the previous week and what events are in the near future; spotlighting potential issues | 2012 | Provides a tool for staff to summarize events and communicate issues. | |
| | **Event Debrief Summary Report** | Create an event debrief process that allows for both internal and external feedback to be gathered and summarized to evaluate performance of events both operationally and economically | 2012 | Combines all internal and external event debrief information info one report. | http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=10814 |

**Analysis:**

The following chart identifies identify the projects on which the Special Events team are continuing to work. The chart identifies next steps based on current Council direction. Staff would like for Council to affirm that the planned next steps are appropriate and in line with Council direction.

| Project | | | Target | Background | Next Steps and Timelines | Documents |
|---|---|---|---|---|---|---|
| | Special Events Cost Recovery Policy/Plan | Develop a cost recovery plan that will propose cost recovery goals for different types of special events. Plan will include 5 year fee schedule to reach goals. Determine if long term City Services Contract contributions continue at same level year after year. | May-13 | Sept. 29, 2011 - Council asked for staff to create mechanism whose primary goal was to fulfill cost of service recovery goals without imposing unnecessary financial burdens the event community; seeking 100% cost recovery for more commercial related event activity and a lesser percentage for community and not-for-profit organizations. This Position was reaffirmed with Council on March 29, 2012. March 29, 2012 Council approved increases in basic special event fees, current facility rental fees, and new special event related fees based on 2010 study | April 2013- need to define what cost recovery means and to what level? Local events, Nonprofit, participant, etc.?? Meet with stakeholders ( internally and externally) Return to council with code or Policy change recommendation | **http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=10818** |
| | | | | | | |
| Reporting | External Stakeholders Special Event Educational Program | Create an educational program that can be presented to local event organizers to better educate them on the policies and procedures that the Special Event Department has in regards to how events are approved, what restrictions are present, and what permitting is required. This program should be in a presentation format that will be accompanied by Event Planning Guide | May-13 | Staff has used event brochures along with pre-event meetings in the past to educate event organizers. This program will take a more proactive approach where staff will go visit with larger event organizers to educate them on what is involved in the permitting of a special event and how Conditional Use Permits may be a more appropriate processes for approval. 5 | April 2013 - Staff will put together a draft outline of the presentation as well as begin the design work on a media presentation. May 2013 - Staff will schedule meetings with event organizers to make presentations Specifically the event staff would like to meet with St. Regis, Montage, and Silver Star. These properties are newer venues for events and may more appropriately served with a CUP for their property to hold future events. | |

| | | | | | | |
|---|---|---|---|---|---|---|
| | Special Event Performance Measures | Create a list of performance measure for Special Events that will chart performance in comparison to past years and other resort communities | Apr-13 | Past performance measures have been hard to track and unable to compare to other resort communities. Work has now been done with the Budget Department to create new measures. In addition, event departments in other resort communities have been contacted in hopes of coordinating these measures all be tracked by each organization for comparison | April 2013 - Staff will finalize performance measures and enter them into the special event program bid. A new debrief survey has been created to ensure that the event staff collects the needed data from event organizers | [http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=10817](http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=10817) |
| | Event Definition | Evaluate current event definitions that are present in City code to determine if additional definitions are needed to better reflect the various events Park City hosts | Apr-13 | On Sept 29th 2011, Council reported that they accepted a three event type definitions as drafted and approved the 'directions' of the code and venue guidelines changes. The meeting discussed elements of liquor, business and temporary licensing, Sundance, Council seemed to request finalizing issues | April 2013 - Meet with finalized wording, meet with stakeholders to confirm direction and specific concepts, Return to council with recommendations | |
| **Regulatory** | Event Liquor License | Add additional requirements to increase notice of events requesting liquor licensing. Make changes to require application be filled by December 1st for events taking place from January 15th through February 1st.Make changes to the application to make the application process more in line with the state process. | | On Dec. 20, 2012, Council was supportive of looking at implementing a system the mirrored the state. They stressed the importance of involving local stakeholders. | April 2013 - Staff will meet to put together a proposal on what a new permitting system would look like along with a list of possible impacts. Staff will them meet with a group of local stakeholders (HPCA, event organizers) to receive their input. | [http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=10606](http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=10606) |

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|---|---|---|---|---|---|---|
| | **Temporary Business Licenses** | **Evaluate current business licenses available to determine if new classifications are needed.** | **Jun-13** | **On Sept 29th 2011, Council liked idea of city departments working as a team to resolve business licensing issue. Alison Butz, HPCA, expressed that members feel that many of these activities are trying to fit under the current code but the City should look into a new type of license for certain types of events. Council members expressed that fees need to be examined for business activities outside the MFL.** | **March - April 2013 - Work with City staff to review current Business licensing types. Are the types adequate for current and future business activity? Discuss possible amending of current standard business licenses and CSL definitions? Discuss possible changing of Deadline dates for all or some types of licenses? How would any change affect Staff? Public? Budgeting? How does a Liquor license change affect all or Some type of business license procedures? Address Trade shows & vendors, full time licensees, less than full time licenses, special event vendors, Brick and mortar vs. event /tradeshow/other temporary commercial.** | |
| | | | | | **April-May 2013 - 1. Create organized agenda and talking points to educate stakeholder on conversation and proposed solutions** | |
| | | | | | **2. Set up Individual meetings and final group meeting with stakeholders** | |
| | | | | | **3. Is revenue and fees adequate? Do we need to do a business licensing fee study of rate structure?** | |
| | | | | | **4. Current time spent for approvals, per licensing type: Building, Planning, Finance, Police, etc.** | |
| | | | | | **5. Proposed changes would mean the following time will be spent for approvals, per licensing type: Building, Planning, Finance, Police, etc.** | |
| | | | | | | |

**Staff seeking further direction on the following items:**
***Event Definitions*** – Current direction is to move a three event type system (Master Festival, Special Event, and Small Scale Community Event). Staff would like Council to reaffirm that each definition is acceptable.

***Cost Recovery Level*** – Current direction is for there to be a 100% cost recovery on events. Staff would like to understand if Council is interested in 100% cost recovery on all of the aforementioned event types or would Council like to explore a different approach for cost recovery on Small Scale Community Events?

***Temporary Business Licenses*** – Event Liquor Licenses – Current direction is that staff collaborates with local stakeholders on creating a proposed policy that more closely mirrors the state system.

**Department Review:**
Economic Development, City Manager and Legal and Special Events departments have reviewed this report and their comments have been incorporated into the report.

**Significant Impacts:**

| | World Class Multi-Seasonal Resort Destination<br><br>(Economic Impact) | Preserving & Enhancing the Natural Environment<br><br>(Environmental Impact) | An Inclusive Community of Diverse Economic & Cultural Opportunities<br><br>(Social Equity Impact) | Responsive, Cutting-Edge & Effective Government |
|---|---|---|---|---|
| Which Desired Outcomes might the Recommended Action Impact? | + Balance between tourism and local quality of life<br>+ Varied and extensive event offerings | (Select Desired Outcome) | + Residents live and work locally<br>+ Shared use of Main Street by locals and visitors | Fiscally and legally sound<br><br>Streamlined and flexible operating processes |
| Assessment of Overall Impact on Council Priority *(Quality of Life Impact)* | Positive | Neutral | Positive | Very Positive |
| **Comments:** | | | | |

**Funding Source:**
This project uses only internal staff time, therefore the Special Events operating budget is covering all associated costs.

**Consequences of not taking the recommended action:**
Staff would not have clarity on moving forward on the remaining projects of the event overhaul.

**Recommendation:**
Staff is seeking affirmation on direction, scope, and timeline on remaining action items in event overhaul

# City Council
# Staff Report

**Subject:** Street Dining on Main Pilot Program
**Author:** Francisco Astorga, Planner
**Department:** Planning
**Date:** March 28, 2013
**Type of Item:** Administrative

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**Summary Recommendations:**
Staff recommends that the City Council review and analyze the effects of the three (3) year Street Dining on Main pilot program which started in 2010 and consider extending the program for another term. The extension includes the renewal of leases of City property/Right-of-Way (ROW) for several restaurants located on Main Street, so that they can have on-street dining on City property/ROW.

**Topic/Description:**
Cisero's Ristorante, Bistro 412, 501 on Main, Main Street Pizza & Noodle, Bandits' Grill & Bar, Bangkok Thai on Main, The Eating Establishment, Shabu, and Flanagans placed temporary street dining decks on Main Street. These restaurants would like to continue leasing the City ROW and propose to utilize the same temporary street dining decks that the City approved during the three (3) year pilot program.

The 2010-2013 Street Dining on Main program allowed restaurant owners that have direct access to Main Street to build temporary decks on City ROW pending City Council approval of a lease agreement and City approval of an administrative Conditional Use Permit (CUP).

**Background:**
Land Management Code (LMC) § 15-2.6-12 allows Outdoor Dining on "leased public property" as an administrative Conditional Use Permit (CUP). Street Dining was first explored and used the summer of 2010. The Lessees entered into a three (3) year contract. Since that time, Council has discussed the Street Dining on Main program and suggested amendments to the terms of the leases in November 2010, April 2011, and March 2012. In March 2012, direction was given to move forward with a minor update to the operational & lease agreements which included charging five hundred and fifty dollars ($550) per parking space (twenty feet [20'] in length) based on a linear calculation (and prorated as necessary).

In 2010, three (3) restaurants on Main Street were granted leases for the use of the ROW. In 2011 and 2012, six (6) more restaurants, for a total of nine (9) restaurants, were granted leases to place their decks in City ROW. Based on changes requested by Council during their annual review of the leases, each restaurant entered into new leases in 2011 and then again in 2012. These nine (9) sites all have approved administrative CUPs. This year, the same nine (9) restaurants approved in 2011/2012 request the use. The term of the lease noted that “an annual review by the City Council, with input from the Planning Department will be conducted each year. City Council may terminate or change the terms of this lease at that time.”

A maximum of twelve (12) street dining decks can be accommodated on Main Street based on the layout of the proposed decks. The applications are evaluated on a first-come first-serve basis both for the maximum number accommodated and where they are placed on the street. The leases are for the use of Main Street in front of the property from May 1st to October 30th.

**Analysis:**
The lease to restaurant owners to use the City ROW on Main Street for on-street dining includes provisions which regulate the time and duration of the use, provide for consistency in look and materials of the decks which are placed in the ROW, prevent conflicts with Special Events/Master Festival Licenses, mitigate for conflicting uses in the public ROW, ensure for clean sidewalks, and provide an ongoing monitoring mechanism and revocation provision for failure to comply with regulations. In addition to the lease, the Lessee is required to receive an Administrative CUP which regulates the operation of the on-street dining.

The nine (9) participants have indicated that their deck has brought more patrons to their establishments. Staff has not received complaints. The decks have remained in placed through the many different events on Main Street and the City has always been able to mitigate any possible impacts.

In 2012 the City Council directed staff to charge five hundred fifty dollars ($550) per parking space (twenty feet [20’] in length) based on a linear calculation. Staff proposes if the program continues that the rent provision of the existing leases remain the same as 2012. The following chart indicates the location, deck size, linear parking spaces, rent, and outdoor dining business license fee:

| **Restaurant** | **Address** | **Deck size** | **Parking Spaces** | **2012 Rent (based on linear foot)** | **Outdoor Dining Business License Fee** |
|---|---|---|---|---|---|
| Cisero’s Ristorante | 306 Main Street | 9’ x 31’ (279 SF) | 1.55’ | $852.50 | $25.11 |
| Bistro 412 | 412 Main Street | 9’ x 20’ (180 SF) | 1.0’ | $550 | $16.20 |
| 501 on Main | 501 Main Street | 10’ x 17’ (170 SF) | 1.0’ | $550 | $15.30 |
| Main Street Pizza & Noodle | 530 Main Street | 9’ x 31’-2” (281 SF) | 1.56’ | $858 | $25.29 |
| Bandits’ Grill | 440 Main | 10.5’ x 23’ | 1.15’ | $632.50 | $21.78 |

| | | | | | |
|---|---|---|---|---|---|
| & Bar | Street | (242 SF) | | | |
| Bangkok Thai on Main | 605 Main Street | 9’ x 38’ (342 SF) | 1.90’ | $1,045 | $30.78 |
| The Eating Establishment | 317 Main Street | 9’ x 21’-10½” (197) | 1.09’ | $599.50 | $17.73 |
| Shabu | 442 Main Street | 9’ x 23’ (207 SF) | 1.15’ | $632.50 | $18.63 |
| Flanagan’s | 438 Main Street | 9’ x 22’-8” (204) | 1.13’ | $621.50 | $18.36 |
| | | **Totals:** | **11.53’** | **$6,341.50** | **$189.18** |

Staff has prepared a draft lease template that would be executed with each applicant prior to approving any Outdoor Dining on City Streets (Exhibit A). Staff has also prepared updated operational restrictions (Attachment 1). Staff recommends that the nine (9) businesses that entered into the lease agreements in 2012 be permitted to enter into the attached leases.

<u>Rental Rate</u>

On March 29, 2012 staff presented to City Council an analysis of the street dining program fee. Kent Cashel, Transit and Transportation Manager, indicated that based on a two (2) year average paid parking meter collection (actual revenue) the City made a total of $1,126 during the six (6) month period per parking space (20’). During this work session discussion, staff recommended increasing the fee charged in 2011 of $300 per space (20’) to $550. In essence, this was an increase from 10% of potential revenue to 19% of potential revenue (or 49% of actual revenue). The following table below lists each individual restaurant, its linear length (in terms of parking spaces measured at twenty feet [20’]), yearly charge per linear length, potential revenue (in terms of collecting $16 a day for 180 days, and actual revenue (2-year average, 2010-2011):

| Restaurant | Linear parking spaces | 2010 ($0) | 2011 ($300) | 2012 ($550) | Potential Revenue | Actual revenue |
|---|---|---|---|---|---|---|
| **Cisero’s** | 1.55’ | $0 | $465 | $852.50 | $4,464 | $1,745.30 |
| **Bistro 412** | 1.0’ | $0 | $300 | $550 | $2,880 | $1,126.00 |
| **501 on Main** | 1.0’ | $0 | $300 | $550 | $2,880 | $1,126.00 |
| **Main St. Pizza** | 1.56’ | - | 468 | $858 | $4,493 | $1,756.56 |
| **Bandits’** | 1.15’ | - | $345 | $632.50 | $3,312 | $1,294.90 |
| **Bangkok Thai** | 1.90’ | - | $570 | $1,045 | $5,472 | $2,139.40 |
| **The EE** | 1.09’ | - | $327 | $599.50 | $3,150 | $1,227.34 |
| **Shabu** | 1.15’ | - | $345 | $632.50 | $3,312 | $1,294.90 |

| | | | | | | |
|---|---|---|---|---|---|---|
| **Flanagan's** | 1.13' | - | $339 | $621.50 | $3,254 | $1,272.38 |
| **Totals** | **11.53** | **$0** | **$3,459** | **$6,341.40** | **$29,963** | **$12,982.78** |

Staff recommends that the parking rental fee for the 2013 season remain the same as 2012 calculated at $550 per parking space consisting of twenty linear feet (20').

Main Street Improvements

The City is currently planning Main Street improvements ranging from sidewalk reconstruction between 4th and 5th Street on the east side and the west side of 5th Street to the "bear" bench, etc. The City is currently in the design and engineering stage. Staff is contemplating appropriate communication with each specific street dining business owner to coordinate the schedule of improvements and subsequent timing of deck installation and/or removal. It appears very likely that individual decks will have to be temporarily removed as construction creeps its way up and down Main Street. Due to anticipated conflicts with the Main Street improvements the City identifies the following options:

a. The City may choose not to enter into the Street Dining leases until the construction is complete in the affected area depending on location and construction schedule. The business owner shall be responsible of removing their deck in the required timeframe so that the improvements are not delayed. The City shall not be responsible of any associated costs of deck placement, removal, or any possible lost revenue.

b. Each affected street dining business owner will be notified by the City when the deck must be placed and/or removed; the City will give each affected deck business owner at least 72 hours to remove their deck to ensure the timeliness and safety of the construction of the various Main Street improvements. The business owner shall be responsible of removing their deck in the required timeframe so that the improvements are not delayed. The City shall not be responsible of any associated costs of deck placement, removal, or any possible lost revenue.

Administrative CUP

The Administrative CUPs do not have an expiration date, and run with the land, or until City Council provides direction to not allow use of City-streets for outdoor dining. Currently, the nine (9) restaurants have been granted an Administrative CUP. Therefore, in order to continue with the program, they only would have to enter into a lease agreement with the City for the use of the Right of Way.

Kimball Art Center

In recent discussions with the Kimball Art Center (KAC) this year, Staff has learned that they have indicated that all nine (9) decks from 2012, including Flanagan's, can be accommodated in the 2013 Arts Festival footprint. In 2011 and 2012 Flanagan's was not allowed to participate due to its late request to participate in their program. The Arts Festival is scheduled to take place August 2 - 4, 2013.

**Department Review**
The Building, Planning, Engineering, Special Events, Legal, and Executive Departments have reviewed this staff report.

**Alternatives:**

**A. Approve:**
Provide direction to extend the Street Dining on Main program; and review the proposed lease agreements as presented; or

**B. Modify:**
Provide direction to extend the Street Dining on Main program; and review the proposed lease agreements AND modify the proposed language; or

**C. Deny:**
Provide direction to end the Street Dining on Main program; or

**D. Continue the Item:**
Continue the hearing for more information or discussion.

**Significant Impacts:**

| | **World Class Multi-Seasonal Resort Destination**<br>**(Economic Impact)** | **Preserving & Enhancing the Natural Environment**<br>**(Environmental Impact)** | **An Inclusive Community of Diverse Economic & Cultural Opportunities**<br>**(Social Equity Impact)** | **Responsive, Cutting-Edge & Effective Government** |
|---|---|---|---|---|
| Which Desired Outcomes might the Recommended Action Impact? | + Balance betw een tourism and local quality of life<br>+ Varied and extensive event offerings<br>+ Unique and diverse businesses<br>+ Accessibility during peak seasonal times | (+/-) | + Preserved and celebrated history; protected National Historic District<br>+ Shared use of Main Street by locals and visitors | + Fiscally and legally sound<br>+ Well-maintained assets and infrastructure<br>(+/-) |
| Assessment of Overall Impact on Council Priority *(Quality of Life Impact)* | Very Positive | Neutral | Very Positive | Positive |
| **Comments:** This program is very unique in that it utilizes the shoulder season to bring more people to Main Street. After researching other Historic Districts around the nation we have found that Park CIty is the only one that utilizes the street for constructions of these dining decks. We have received several inquiries by other cities as to how we manage this program. | | | | |

**Funding Source:**
Not applicable.

**Consequences of not taking the recommended action:**
The City Council may provide direction to end the Street Dining on Main Street program which would not allow any business owners to place street dining decks on the Main

Street ROW. The City Council may continue this item to another date for more information and/or discussion

**Recommendation:**
Staff recommends that the City Council review and analyze the effects of the three (3) year Street Dining on Main pilot program which started in 2010 and consider extending the program for another term. The extension includes the renewal of leases of City property/Right-of-Way (ROW) for several restaurants located on Main Street, so that they can have on-street dining on City property/ROW.

**Exhibits:**
Exhibit A – Updated Lease Agreements & Attachment 1 - Operational Restrictions
Exhibit B – Street Dining on Main Map

## Exhibit A

**STREET DINING ON MAIN**
**OUTDOOR DINING LEASE**

This LEASE AGREEMENT is made and executed this ____day of _________, 2013, by and between Park City Municipal Corporation, a municipal corporation and political subdivision of the state of Utah ("Park City") and ________________________________, located at ___________________, Park City, Utah ("Tenant").

*RECITALS*

WHEREAS, the City wishes to enable opportunities for restaurants on Main Street to be able to provide additional outdoor dining opportunities; and

WHEREAS, the City's goals include the establishment of new and creative opportunities to facilitate the Main Street experience for residents and visitors alike during the shoulder and summer seasons; and

WHEREAS, the City's goals include the preservation and enhancement of Park City's character regarding Old Town and the desire to strengthen the pedestrian experience along Main Street; and

WHEREAS, the City recognizes the desire of many visitors and residents to dine outdoors along historic Main Street; and

WHEREAS, the City's General Plan recommends utilizing street design techniques to encourage slower traffic speeds and a more intimate pedestrian-oriented scale; and

WHEREAS, the City's goals include maintaining and furthering the resort community's economic opportunities, as well as enhancing the economic viability of Park City's Main Street Business District;

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

*TERMS & CONDITIONS OF LEASE*

Based upon good and valuable mutual consideration, the Parties agree as follows:

1. PROPERTY. The property affected by this lease is generally described as the street area directly fronting Tenant's building located at ____________________Main Street, and more specifically described in site plan Exhibit A, attached hereto and incorporated herein by this reference (hereinafter referred to as the "Premises"). The length of the outdoor dining deck per restaurant may not exceed forty (40) feet.

2. RENT. Annual rent is for the use of the street for the deck is five hundred fifty dollars ($550) per parking space of a linear length of twenty feet (20'). This rent may be prorated based upon initial installation and final removal dates; however the rent reduction shall not exceed one (1) month. Payment is due prior to installation and any prorated amount due upon removal shall be refunded by the City. If a deck covers a

fraction of a parking space (20’) the rent will be calculated by the percentage of the deck on the parking space. Tenant shall be solely responsible for payment of any and all costs associated with Tenant’s performance under this lease, including but not limited to City rent, additional business licensing fees, insurance, sales taxes and other expenses.

3. TERM. The term of this Agreement shall commence on May 1, 2013 and shall terminate on October 30, 2013 unless terminated earlier as provided herein. The Property may only be utilized for a six (6) month period commencing on May 1st and terminating on October 30th 2013 except for the period of the Arts Fest (the first Friday, Saturday and Sunday of August). Additional term restrictions are attached hereto and incorporated herein by this reference in Attachment 1 (Street Dining Operation Restrictions). This Agreement may be terminated by Park City upon a finding of non-compliance of this lease or the attached operational restrictions.

   The use of the Property shall not conflict with any previously existing Master Festival License (MFL) recipients on Main Street, specifically the Arts Fest (Kimball Arts Center). The Kimball Arts Center has been leased exclusive use of Main Street during the first Friday, Saturday and Sunday of August. The Property must be vacated (i.e. removal of decks) no later than 10 a.m. MT of the first Thursday of August for the duration of Arts Fest (including set-up and breakdown) unless the Kimball Arts Center consents in writing to allow Tenant’s use of the Property. If the outdoor dining structure is not removed as required, the Landlord will remove the structure at Tenant’s cost.

4. USE OF PREMISES. Tenant may use the Premises only for outdoor dining services in a manner consistent with Section 15-2.6-12(B)(1) of the Park City Land Management Code and the terms of this Agreement. From installation until removed, the street dining decks shall be utilized for street dining that will serve lunch and dinner seven (7) days a week. Additional operational restrictions which must be complied with as part of the conditions of this lease are attached hereto and incorporated herein in Attachment 1. Park City makes no representations regarding the premises and Tenant accepts the premises “as is.”

5. IMPROVEMENTS TO THE PREMISES. Tenant shall not make any improvements to the Premises without first obtaining Park City’s written consent. Any improvements approved by Park City shall be completed at Tenant’s sole expense and removed at Tenant’s sole expense upon expiration of this Agreement. No permanent alterations to the City’s property are permitted.

6. SIGNS. No signs shall be permitted on the Premises except as specifically approved by the Park City Municipal Corporation Planning Department pursuant to the Park City Sign Code and/or Tenant’s Master Sign Plan.

7. INSURANCE. Tenant shall, at Tenant’s sole expense, carry a policy of general liability insurance in an amount of at least Two Million Dollars ($2,000,000) per combined single limit per occurrence and Three Million Dollars ($3,000,000) per aggregate for personal injury, bodily injury and property damage. Park City shall be named as an additional insured by endorsement on each policy. Tenant’s insurance is to be primary to Park City’s and Park City’s insurance shall be noncontributory. A certificate of insurance with a thirty (30) day cancellation notice provision shall be provided to Park City on or before the lease commencement date, and maintained continuously during the term of the lease. Tenant may carry whatever other insurance Tenant deems appropriate. The

parties agree that Tenant's sole remedy in the event of business interruptions, fire, windstorm, or other loss from hazard shall be its own insurance and Tenant will have no action against Park City. Park City is protected by the Utah Governmental Immunity Act, and nothing herein is intended to waive or limit the protection of the Act in behalf of either entity, but to the extent it is consistent with this intent, it is the purpose of this provision to protect Park City for liability or allegations arising out of the Tenant's use of the Premises.

8. HOLD HARMLESS. Tenant covenants and agrees to defend, indemnify, hold Park City harmless from all claims, loss damage, injury or liability (hereafter "Liability") resulting from Tenant' use and occupancy of the Premises to the full extent permitted by law and/or the Utah Governmental Immunity Act, including reasonable attorney's fees, but excluding any Liability resulting from acts or omissions of Park City, its officers, employees or agents. Nothing herein shall be construed as a waiver of any of the rights or defenses under the Utah Governmental Immunity Act (Utah Code Ann. Sections 63-30-1, et seq.), as amended. The obligations hereunder shall be determined under principles of tort law including, but not limited to, the Governmental Immunity Act. In case of an emergency including but not limited to a flood, storm drain, utility, the structure may be removed or damaged by response teams at the cost of the owner.

   Tenant shall indemnify, protect and hold the Landlord harmless from and defend (by counsel reasonably acceptable to Landlord) the Landlord against any and all claims, causes of action, liability, damage, loss or expense (including reasonable attorneys' fees and costs and court costs), statutory or otherwise arising out of or incurred in connection with (i) the use, operation, occupancy or existence of the Premises or the presence of visitors, or any other person, at the Premises during the Term or the Renewal Term, (ii) any activity, work or thing done or permitted or suffered by Tenant in or about the Premises, (iii) any acts, omissions or negligence of Tenant, any person claiming through Tenant, or the contractors, agents, employees, members of the public, invitees, or visitors of Tenant or any other such person ("Tenant Party" or "Tenant Parties"), (iv) any breach, violation or nonperformance by any Tenant Party of any provision of this Lease or of any law of any kind, or (v) except to the extent resulting from any negligence or intentional torts of Landlord.

9. ASSIGNABILITY. Tenant shall not assign or transfer any interest in this Agreement without the prior written consent of Park City. Any assignment or transfer without written approval is void.

10. PROFESSIONAL PERFORMANCE. Tenant agrees to perform services under this contract at the highest professional standards, and to the satisfaction of Park City.

11. APPLICABLE LAW. This Agreement shall be governed by the laws of the state of Utah.

12. ENTIRE AGREEMENT. This Agreement constitutes the entire and only agreement between parties and it cannot be altered or amended except by written instrument, signed by both parties.

Executed the day and year first above written.

**Tenant**:

______________________________
By:
______________________________
Its:
______________________________
Date:

**ACKNOWLEDGMENT**

STATE OF UTAH )
) ss.
COUNTY OF SUMMIT )

On this__________ day of _________________, 20___, personally appeared before me ________________, who being duly sworn, did say that he is the Owner of ______________________________, and acknowledged to me that the preceding Agreement was signed on behalf of ___________________________________, and he acknowledged that the company did execute the same for its stated purpose.

______________________________
Notary Public

**PARK CITY MUNICIPAL CORPORATION**

____________________________
Dana Williams, Mayor

Attest:

______________________________
Janet M. Scott, City Recorder

Approved as to form:

______________________________
City Attorney's Office

**Attachment 1**
**Street Dining Operation Restrictions**

Street dining may be allowed by the Planning Department upon issuance of an Outdoor Dining Administrative Conditional Use Permit. Street dining is permitted from May 1st, and shall terminate on October 30th of each year. A total of twelve (12) street dining decks will be accommodated on Main Street based on the layout of the proposed decks. The Applicant must submit an application, pay an application fee, and provide all required materials and plans. Ongoing monitoring will be provided to ensure compliance with these parameters. The Administrative Conditional Use Permit or the Lease may be revoked for failure to comply with these restrictions.

Required Submittals:

- Dining Site Plan – This plan shall be to scale and indicate: the Applicant's building as it relates to the exact proximity of the street dining deck. The plan shall include accurate locations of proposed chairs, tables, umbrellas, planters, and any other existing public improvements (light fixtures, fire department connections, parking meters, etc.).

- Details/specifications sheets – Shall be submitted for each piece of equipment proposed with the street dining is application. This will include all tables, chairs, umbrellas, etc.

Design Standards:

1. Size. Street dining area shall be limited to the linear frontage a building has on Main Street and shall not exceed nine feet (9') in width. The encroachment of the proposed decks into street will not exceed seven feet, nine inches (7'-9") in width from the curb, as the encroachment of the proposed decks into the sidewalk will not exceed one foot three inches (1'-3"), unless approved by City Council. With the written permission of the adjacent property owner submitted to the City, they may extend into the neighbor's street frontage. Forty-four inches (44") of clear sidewalk width shall be available at all times where the street dining deck is being constructed. Each outdoor dining deck shall not exceed forty (40') feet in length.

2. Location/Proximity/Spacing. The City reserves the right to reject an application for an outdoor dining deck:

    - If the proposed deck is too close to a previously existing deck and would eliminate needed parallel parking along Main Street thus creating a concentrated parking issue.
    - If the proposed deck is for a restaurant that does not have direct access at street level.
    - If the proposed deck is for a business with existing outdoor dining space and the expansion of such is deemed excessive.
    - If the proposed deck creates too much private use of the public right-of-way that may be deemed detrimental to the health, safety, welfare of the area.
    - The Building, Planning, and Engineering Departments will review the location, proximity, and spacing of each street dining deck as well as impacts of traffic and public safety concerns. A recommendation will be given to the City Council for final review and approval.

3. Hours of Operation. The street dining decks shall be utilized for street dining and shall serve lunch and dinner seven (7) days a week for the duration that the decks are in the Right of Way.

4. Material. Street dining decks may be built of wood platforms and shall have a solid base. The design of the base shall complement the style of the building. The railing shall be painted solid to also complement the building. While outdoor dining deck is not subject to a complete Historic District Design Review (HDDR), the guidelines are applicable to the project.

5. Height. The maximum height of the deck shall not exceed thirty-six inches (36”) measured from existing grade to the base/floor of the deck at any given point. The layout of the deck may include a step to meet the maximum height allowed.

6. Advertising. Additional signing or advertising beyond what is allowed by the Park City Sign Code is prohibited.

7. Furniture. All tables and chairs shall be metal, wood, or other comparable material. Plastic furniture shall not be allowed. All furniture must be approved by the Planning Department per the historic district design review.

8. Umbrellas. Umbrellas must be free standing and are prohibited from extending beyond the dining area. Any umbrellas shall be affixed permanently to the deck as required by the International Building Code requirements (including fire standards) and shall not create any public hazard.

9. Lighting. No additional electric lighting is permitted, including exterior building lighting.

10. Planters. Any proposed landscaping or atmosphere pieces shall be reviewed at the time of initial application, and shall not create any public hazard or unnecessary clutter. All plant material must be maintained in a manner that ensures their viability throughout the summer outdoor dining season.

11. Use. The terms and scheduling of the use of the outdoor dining decks must not conflict with any previously existing Master Festival License (MFL) recipients on Main Street, specifically the Arts Fest (Kimball Arts Center). Existing MFL recipients must be consulted with if the outdoor dining decks are to remain during their event. If no agreement is reached, the outdoor dining structure must be removed in full for the duration (including set-up and breakdown) of the MFL event. If the outdoor dining structure is not removed as required, PCMC will remove the structure at cost to compensate for the employees and equipment needed to complete the task.

12. Licensing. The additional square footage of the dining area must be added to the existing licensed area for the restaurant. The Applicant shall also adhere to other applicable City and State licensing ordinances, including the Department of Alcoholic Beverage Control. It is the responsibility of the Applicant to ensure that all licenses are properly obtained and adhered to.

13. Duration. Street dining is permitted from May 1st, and shall terminate on October 30th, each year.

14. Health & Safety. The Use shall not violate the Summit County Health Code, the Fire Code, or International Building Code.

15. Music. The use of outdoor speakers and music is prohibited.

16. Maintenance. The dining area shall be clean and maintained in a neat and orderly fashion.

17. Storage. All equipment and other associated materials must be removed and stored on private property during prohibited times (off season). No material associated with the outdoor dining decks may be stored outdoors on-site during the off-season.

18. Removal. Decks must be completely removed from the Right-of-Way prior to the end of business day October 30. If the outdoor dining structure is not removed as required, the City will remove the structure at cost to compensate for the employees and equipment needed to complete the task.

19. Drainage. Design of the deck and its skirting shall not interfere with the existing street drainage. Deck plans shall be reviewed by the City for drainage and may be modified so as to not interfere with the existing drainage patterns of the street.

20. Utilities. Access to utilities shall not be hindered by the structures. No outdoor dining decks will be approved if located in an area that blocks access to fire hydrants, etc. No new utility lines shall be installed as a result of the proposed outdoor dining.

21. Insurance Requirement. The tenant shall carry a policy of liability insurance in an amount of at least $2 million per combined single limit per occurrence and $3 million per aggregate for personal injury, bodily injury and property damage. Park City Municipal Corporation shall be named as additional insured by endorsement of each policy.

22. Main Street Improvements. Due to possible conflicts due to the Main Street Improvements the deck business owner will be notified by the City when the deck may be placed and/or removed. The City will give each affected deck business owner two (2) weeks to let them know of possible mitigation that needs to take place to ensure the safety of the construction of the various Main Street improvements. The business owner shall be responsible of removing their deck in a reasonable timeframe so that the improvements are not delayed.

**Staff seeking further direction on the following items:**

***Event Definitions*** – Current direction is to move a three event type system (Master Festival, Special Event, and Small Scale Community Event). Staff would like Council to reaffirm that each definition is acceptable.

***Cost Recovery Level*** – Current direction is for there to be a 100% cost recovery on events. Staff would like to understand if Council is interested in 100% cost recovery on all of the aforementioned event types or would Council like to explore a different approach for cost recovery on Small Scale Community Events?

***Temporary Business Licenses*** – Event Liquor Licenses – Current direction is that staff collaborates with local stakeholders on creating a proposed policy that more closely mirrors the state system.

**Department Review:**

Economic Development, City Manager and Legal and Special Events departments have reviewed this report and their comments have been incorporated into the report.

**Significant Impacts:**

| | **World Class Multi-Seasonal Resort Destination**<br><br>**(Economic Impact)** | **Preserving & Enhancing the Natural Environment**<br><br>**(Environmental Impact)** | **An Inclusive Community of Diverse Economic & Cultural Opportunities**<br><br>**(Social Equity Impact)** | **Responsive, Cutting-Edge & Effective Government** |
|---|---|---|---|---|
| Which Desired Outcomes might the Recommended Action Impact? | + Balance between tourism and local quality of life<br>+ Varied and extensive event offerings | (Select Desired Outcome) | + Residents live and work locally<br>+ Shared use of Main Street by locals and visitors | Fiscally and legally sound<br><br>Streamlined and flexible operating processes |
| Assessment of Overall Impact on Council Priority *(Quality of Life Impact)* | Positive | Neutral | Positive | Very Positive |
| **Comments:** | | | | |

**Funding Source:**

This project uses only internal staff time, therefore the Special Events operating budget is covering all associated costs.

**Consequences of not taking the recommended action:**

Staff would not have clarity on moving forward on the remaining projects of the event overhaul.

**Recommendation:**
Staff is seeking affirmation on direction, scope, and timeline on remaining action items in event overhaul


2012 Street Dining on Main
Participating Decks
Heber Ave
Deer Valley Dr
605 Main Street
Bangkok Thain on Main
38' long
1.9 parking spaces
530 Main Street
Main Street Pizza & Noodle
31'-2" long
1.56 parking spaces
442 Main Street
Shabu
23' long
1.15 parking spaces
440 Main Street
Bandits' Bar & Grill
23' long
1.15 parking spaces
501 Main Street
501 on Main
17' long
1 parking space
438 on Main
Flanagan's
22'-8" long
1.1 parking spaces
412 Main Street
Bistro 412
20' long
1 parking space
317 Main Street
The Eating Establishment
21'-10.5" long
1.09 parking spaces
306 Main Street
Cisero's Ristorante
31' long
1.55 parking spaces
Woodside Ave
Park Ave
5th St
4th St
Ontario Ave
Marsac Ave
Swede Aly
Main St
Grant Ave
0
200
400
600
Feet

**PARK CITY COUNCIL WORK SESSION MINUTES** **DRAFT**
**SUMMIT COUNTY, UTAH**
**MARCH 7, 2013**

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

**Diane Foster, Interim City Manager; Bret Howser, Special Projects Manager; Heinrich Deters, Trails and Open Space Manager; Jon Weidenhamer, Economic Development Manager; and Matt Cassel, City Engineer**

**Sandra Morrison, Noah Levine and Ben Masamino, Park City Historical Society; Steve Rush, Kevin Keystone and Debby Mounteer, Rocky Mountain Power**

**1. Council questions/comments.** Liza Simpson reported on the breakfast meeting with the School Board and County on Monday. She also attended the Fire Board and Lodging Association meetings; the Lodging Association is interested in more information on the nightly rental software the City is exploring. Cindy Matsumoto attended one of the Library visioning community input sessions and thanked staff for organizing both meetings. Alex Butwinski spoke about a luncheon where Bob Wheaton complimented the City about keeping Deer Valley Resort well informed on projects of interest. He attended a few legislative events and the quarterly breakfast meeting. Andy Beerman joined Mr. Butwinski for the ULCT lunch this week and attended the community input meeting about the Library which was well-attended. Mr. Beerman added that Mr. Wheaton also talked about the potential of a gondola in Old Town, the inter-connect of the resorts and the future of Park City. Ms. Simpson noted that the Soils Commission is continuing its work. The Recreation Advisory Board met and divvied up visioning tasks into subcommittees, including an emergency alert program for parks. Mayor Williams spoke about his trip to Oregon last week.

**2. Legislative update.** Diane Foster reported that because this year's session is going so well, there won't be ULCT meetings next week. As of yesterday at noon, the City was watching four bills and the billboard bills are going to Interim Session for discussion. A trails bill with imminent domain only affects second and first class cities. Ms. Foster addressed SB66, Referendum Bill, and expressed the City's opposition to HB88 which would allow landowners to opt out of a zoning map. Bret Howser stated that SB167 has passed the House and allows for master liquor licensing and frees up more licenses. HB228, removal of the Zion's curtain, has passed the House but may be held up in the Senate. HB136 increases the minimum mark-up on liquor sales by the DABC and at this point, may be dead. He reported that HB218 allows restaurant patrons to order a drink if they indicate *intent* to purchase food and this bill has passed the House. HB271 relates to alcohol revenue transferred to education which failed in the House but returned to the House calendar with amendments. Diane Foster interjected that the Valentine bill proposes that patrons purchasing a drink in a hotel, for instance, can openly carry the drink within the confines of the establishment. Discussion ensued on teachers with guns in classrooms.

**3. Walkability update.** Heinrich Deters explained that staff is returning to discuss walkability funding and project updates. Staff addressed Council about six months ago regarding a possible second bond issuance. At that time, several members wanted more information on the project list associated with the $4 million allocated in the *Dans to Jans Project*. He asked Council about its commitment to continue to fund walkability projects and all members were supportive. He relayed that in FY2009, Council adopted a project list which identified $13.1 million and he asked if members want to fund up to this amount or fund up to the $15 million remaining, which is staff's recommendation. He pointed out that Option 2 is a $5.3 million bond issuance which would cover the adopted project list from FY2009. Option 3 is $5.3 million plus $1.8 million that is unallocated, taking the bond issuance to $7.1 million. In response to comments from Alex Butwinski, Mr. Deters clarified that the pathways are estimated at $400,000 but there are right-of-way, design and construction costs in the pedestrian tunnels.

He continued to explain that Option 2 would cover expenses already approved in the FY2009 project list. He noted that the City has expended all of the funds from the first bond and has encumbered $420,000 in additional costs and at a minimum, staff is asking to cover these costs. Staff is also recommending that $7.1 million be utilized on five projects, but $6 million be allocated to the Dans to Jans Project based on the SR224 corridor study cost estimates. The other option discussed by Council members six months ago was just allocating the $4 million for Dans to Jans and to support some of the WALC projects that weren't funded. Unfunded projects include the Marsac sidewalk and the pathway by Richardson's Flats.

Mr. Deters asked how much to bond for and for what projects. The Mayor understood that this would be the last issuance of bond proceeds but there could be a lot remaining in the $2 million contingency. Mr. Deters explained that the SR224 study evolved from original Council direction to obtain more accurate cost estimates. The corridor study involves traffic, transit and walkability resulting in shared costs.

Alex Butwinski asked if the bond can be crafted to restrict proceeds for WALC projects and for clarity on time frames. Mr. Deters explained that the difficult project is going to be the Jans/Cole Sport underpass which will require a year to plan, design and construct but he felt it can be accomplished within the next three years. Mr. Butwinski feared bonding for the money, delaying the projects, and spending the proceeds on other projects. Nate Rockwood explained that the bonds will be written specifically for walkability and cannot be used for anything else. They will be used within a three year time frame because the City would not want to bond for something further out than three years.

Liza Simpson relayed that the SBWRD has a lot of infrastructure under the intersection and Mr. Deters indicated that staff has already met with the District and the study was shared. She felt it makes sense to bond for the full amount given that another tunnel is proposed. Andy Beerman stated that he is comfortable bonding for the full amount. He asked if Council's decision to wait at the last work session was a good decision. Nate Rockwood responded that the market stayed pretty stable but is starting to pick up now but waiting the last six months has not hurt the City. The City refunded some water bonds and structured them so the City will qualify for bank qualified bonds which represents big savings. Staff will return with a reimbursement resolution on the additional resort cities sales tax monies and he recommended leveraging that for six months and then bonding.

Cindy Matsumoto asked about the three year time line and Nate Rockwood explained that using funds after three years may result in penalty payments. He felt confident that it will be spent. She asked about construction impacts and Mr. Deters clarified that the goal is to work with adjacent property owners and to keep construction off of the roadway for the pathway project along Park Avenue. In some areas, the Park Avenue Condominium residents are concerned about preserving privacy but the goal is to separate the entire path. The old pathway will be removed.

Mayor Williams expressed concern about moving ahead with the bonds and not having easements in place. Jon Weidenhamer emphasized the intent to move ahead as soon as possible. Mr. Deters spoke about working with the Park Avenue Condominium owners from the onset. All members were supportive of bonding for the full amount.

**4. COSAC special projects.** Heinrich Deters explained that COSAC's role is to provide recommendations to Council for acquisition of open space. In the past, Council has asked that conservation easements and deed restrictions be reviewed by this board and management, regulation, and wildlife corridors are all issues related to open space. Andy Beerman felt that COSAC's diverse membership may be able to tackle some of these issues and might be better qualified than Council members. Alex Butwinski commented on board members becoming very invested in their recommendations and it may not be a good idea to expand COSAC's role. Liza Simpson agreed that board members can become passionate about their recommendations but suggested that COSAC members share their thoughts on ancillary issues. It is a great group and she is open to them having discussions on other issues identified in the staff report except funding priorities, and open space stewardship versus property acquisition. Mr. Deters pointed out that the board has questions about monitoring being covered with acquisition costs. Diane Foster interjected that the group understands that there is about $15 million available for open space over the next several years.

Mayor Williams felt a joint meeting with COSAC would be helpful, but pointed out that the City has never purchased land that hunting was allowed on or land with deed restrictions. Andy Beerman felt that this originated with the discussion on Risner Ridge and having COSAC take a closer look; this is what staff is following up on. Mr. Butwinski suggested that COSAC discuss these issues but not return with firm recommendations but rather the pros and cons of an issue. Dick Peek viewed COSAC as an advisory committee to help Council flush out real estate transactions. Extended review should be articulated to bring to a study session. Heinrich Deters pointed out that RAB no longer deals with open space and trails so no advisory committee for open space exists to flush ideas and invite public input. Having an advisory committee meeting with groups and reviewing options helps the process by having educated, vetted advice. Mr. Beerman felt like these are fairly complex issues and advisory boards are created by Council for advice. The Council doesn't have to accept recommendations but there is an opportunity to dig deeper into these issues than Council is able to do. Members expressed support and Diane Foster clarified that the direction is for qualitative discussion rather than a firm recommendation. Alex Butwinski confirmed that is what he wants. Liza Simpson suggested that a joint meeting be held in a couple of months after COSAC has time to consider this among members.

**5. Historical Society request to the City to provide archiving solutions.** Diane Foster explained that Dick Peek, as liaison to the RDA, and Cindy Matsumoto as liaison to the Library Board gave direction to staff to explore this request. Staff is trying to understand the City's needs and after meeting with the Historical Society now understand that they are actually looking for archive space. She asked that Council narrow the scope of what staff is investigating because it will take resources to look at everything. At the end of March or early April, staff will be returning to Council with plans for the Library and she asked if members would be more comfortable making a final decision after receiving this information. She referred to the staff report and the feedback needed from Council.

In terms of the Historical Society's total need of 4,500 square feet, the Mayor emphasized that amount is not available at the Library. Sandra Morrison estimated it is half a floor. Mayor Williams stated that the Library is not an option because there is not enough room unless the City bumps other community services. Jon Weidenhamer interjected that the Library staff has prioritized its needs and on March 28, staff will have more information about storage capacity. The City has its own archived files stored next to the Historical Society's storage at the Library and it is anticipated that everyone will have to move. Diane Foster pointed out a table in the packet which is an inventory of square footage and what is stored there. The Historical Society currently has 543 square feet and at a minimum, that would be their request to store the material on a long term basis. The preference is at the Library but the Historical Society is open to considering the Sprigg's Barn, a new building, etc. She stated that staff felt it important to bring Council a range of options and the dream is to put all of the square footage identified on Page 30 of the staff report together in one particular space. Ms. Foster again referred to the policy questions in the staff report because answering them will help drive the discussion.

Liza Simpson referred to Exhibit C identifying current square footage needs at 1,690 but the dream storage is three times that number. Dick Peek emphasized that it is not storage but archive space. Ms. Foster explained that the 4,500 square feet includes work stations, classrooms and a room for archive expansion. Alex Butwinski understood that there are 350 visits to the archives a year and Sandra Morrison clarified that those are unique trips to the history library at the Museum. Mr. Butwinski didn't feel that 350 trips are compelling and there should be some evaluation of how much money the City wants to spend on accessibility. He felt that 4,500 square feet is a huge request. Sandra Morrison emphasized that 4,500 square feet is part of their vision and pointed out that there is no professional development place in the West and there is the potential of bringing in experts and holding workshops on preservation.

Andy Beerman indicated that he likes the idea of combining resources for a Library history room and having the Museum run the program. Archiving materials, like newspapers, seem appropriate at the Library. He agrees that it will be difficult to accommodate all of the Museum's needs but there are opportunities that make sense. Cindy Matsumoto hoped the Library people in the audience are not worried about losing 4,500 square feet.

Sandra Morrison stated that the Historical Society is here because they don't have a solution and 4,500 square feet is their vision for the future. They are looking for a 10 to 20 year solution. Ms. Matsumoto relayed that the ideal would be to have it all in one area and another goal would be a place for access to archives. Ms. Morrison stated that they have been operating for 30 years with collections and archives in multiple locations but it is inefficient. The history library is only open Monday through Friday so there is no accessibility to the public on the weekends.

Cindy Matsumoto spoke about the community center concept and wants it to be vibrant and well used. If there is space in the Library for a history room she would like to see if the Museum and Library could work together on the archives because they share them now to a certain extent. Maybe there is a Park City history room that the Museum and the Library manage in another building. She wants the buildings used to their maximum. The Library will already have classrooms which could possibly be shared.

Library Board Chair Ben Masamino explained that he has learned that libraries and museums can really work together and one of the things they noticed was that the Library was going to have a history room. The Museum has a history room and archives at the Library. He asked why can't we combine those two resources and make them accessible to everyone. The 4,500 square feet is an ideal space but the Historical Society is not here to take 4,500 square feet from the Library because they realize that the space is precious and finite. He explained that they were asked by the City for their wish list. We will probably land somewhere in between and having the Library and Museum working together is the way to go. Diane Foster understood that the archives will not be freely accessible to the public and there needs to be a staff person there and Mr. Masamino agreed because they are delicate items. Ms. Foster stated that she just wanted to distinguish between the history room and a climate controlled protected section. He pointed out the request for freezer storage as well. This may look daunting to Council and it may appear that the Historical Society is asking for too much but when it comes down to it, we can all work and use this space together.

Liza Simpson believed that a robust history room is appropriate at the Library that people have access to and is far more comfortable putting the responsibility of archived material squarely on the Historical Society's shoulders. Part of her statement is based on space constraints but part of it is based on liability concerns and the Historical Society probably doesn't want staff in two locations. The priority for the Library is that it be a library and community center which lends itself to being *a little too messy* for a Museum. She felt that the needs of the Library and current tenants have to be flushed out before considering any other ancillary uses inside those walls. She personally doesn't feel that holistically it is a good fit because of the level of activity contemplated there which does not seem compatible with the culture of museum and archived objects that need to be protected.

She asked what the City's storage needs are and Jon Weidenhamer indicated that he believes it is about 600 cubic feet and it is not anticipated that it will grow significantly in the future. IT has formulated some options to reduce the need for space through about $85,000 worth of scanning, etc. Cindy Matsumoto interjected that there could be a partnership on the cold storage. Liza Simpson stated that she is not objecting to considering ways to assist the Historical Society in the future but she is very committed to the approach for the Library expansion. Meeting current and future Library needs is very important to her and the whole idea of the Sprigg's Barn is interesting.

Dick Peek pointed out the goal of keeping Park City, Park City. A way to do that is to maintain a good community feel of the present based on our history and having our history available to the public. He doesn't view this as a problem for the Library and some content is not available at the Library or on-line. The idea of creating a center for archive training is an intriguing economic development idea.

Ms. Simpson pointed out that public access to the archives over the weekend is really a staffing problem. Cindy Matsumoto expressed that she would like to see public facilities well utilized. Andy Beerman stated that he would like to see the history room stay at the Library which is important to the community. He would like to hear from the Library and Museum about improving the history room. Sandra Morrison explained the books in the history room at the Library are exactly the same as what is in the research library at the Park City Museum. Right now the difference is that the library is staffed for people actively researching topics. The history room at the Historical Society is self-service and they are hoping to digitalize a lot of materials.

Jon Weidenhamer spoke about returning to Council with the architect and some options. He is pretty confident that the we will not be able to provide the level of service described in the existing footprint to begin with and it is likely there will be a conversation about potential additions or expansions and associated costs. He is hearing from members about support for some common space which is going to be really tough within the existing footprint.

Diane Foster suggested returning to Council with a full discussion of the Library and then revisit this request. She felt that Mr. Weidenhamer is struggling with trying to integrate this request into the current design. Liza Simpson stated that if the City is struggling with accommodating the needs of the Library, the last thing she wants in the Library is any kind of storage that doesn't need to be at the Library. Storing the Friends of the Library books for the annual book sale makes sense to her, but storing departmental files and Museum material does not make sense. Jon Weidenhamer stated that the Records Officer is working on clearing the City files out of the space.

Dick Peek asked about closing the mezzanine to obtain more floor space and Jon Weidenhamer explained that there is no plan to create another floor but an addition is possible. Alex Butwinski felt that Museum operations should be staffed by Museum employees and he asked that the Legal Department explore liability concerns. Changing the outside of the building is not one of his choices. He encouraged the Historical Society to request something more appropriately sized to allow for some growth, calculate the square footage, determine where it would fit, and what the space is currently being used for.

**6. Rocky Mountain Power expansion/relocation.** Phyllis Robinson explained that this discussion began with Council in November 2012 and Council last discussed the expansion on January 24, 2013. At that time, staff presented to City Council the option of lowering the height of the substation by configuring it horizontally by taking 30 feet off the top. More ground area will be covered by the facility but it reduces the height impacts. The design was presented in two formats, one at 1555 Iron Horse Drive as well as at its existing location. At that meeting, Council asked for more information regarding access options for 1555 Iron Horse Drive and an update on the project costs. This information is included in the staff report. She highlighted the potential cost savings to be realized if there isn't any additional land that needs to be acquired by RMP. Staff reviewed with Council the potential of using tax increment financing to help fund the move and/or a public/private partnership. The City is working with RMP against their deadline of having an operationally enhanced substation by September 2015. She explained that one of the factors that is really pushing this project forward is the one year lead time that RMP needs just for ordering equipment. Staff is looking for direction on moving onto the next steps of the project and is not asking Council this evening to make a decision on the location of the substation. There is a lot of information that needs to be gathered and analyses conducted on economic, land use, and timing feasibility.

Ms. Robinson stated that one of the most urgent piece is to continue to move forward with the community development area analysis. We are now at a point where we will incur additional expenses while not substantial, and staff wants to check in with Council to continue to move in the direction of further analyzing the feasibility of moving the substation to 1555 Iron Horse Drive. She reiterated that staff is not asking Council to finalize the location of the substation as there is a lot of work to do over the next 30 to 45 days and critical decision points will be identified. Staff is anticipating returning to

Council in late spring to hold a public hearing and take formal action. While Council will be giving direction on the preferred location, the application will be filed by RMP and the Conditional Use Permit process will be held before the Planning Commission. Under that process, the Planning Commission would be looking at mitigation measures. She reiterated that the City Council will not be making a decision tonight. The direction of the substation, upcoming critical decision points and next steps will be covered this afternoon.

Matt Cassel explained that staff has identified four items which are deal-breakers. The first one is the CDA analysis which is a 30 day out decision on its feasibility. Access for Iron Horse Apartments is the second consideration which needs to be resolved in the next 30 days. Thirdly is determining cost-sharing clarifying the responsibilities for portions of the project which has a 60 day decision deadline. The last piece is the public hearing contemplated in June. Phyllis Robinson interjected that at the first two meetings, design options were reviewed.

Cindy Matsumoto expressed her appreciation of the concise timelines and critical decision points. She understood that RMP needs a two-year lead time to order equipment and asked if it varies at each low profile location. Ms. Robinson explained that by moving the substation, everything must be ordered and by keeping it in place, some additional equipment is needed. She clarified that there is a one-year lead time requirement. Steve Rush referred to the potential time needed to complete the CUP process before the Planning Commission, ordering the material and actual construction which gets RMP to the September 2015 deadline in a hurry.

Alex Butwinski commented that regardless of the location, the existing equipment does not work. Matt Cassel advised that if the substation remains at the existing site, that some equipment will be used and other equipment will be added. If the substation moves, all of the equipment will be new. Kevin Keystone, RMP, explained that some equipment can be used at the existing site but the remaining will be removed. If the new site is selected, all of the equipment will be new. Discussion ensued on providing power throughout the construction period. Alex Butwinski asked who will pay for the additional equipment and Mr. Keystone explained that the low profile costs for equipment are basically the same, but the acquisition of land adds costs. RMP absorbs equipment costs. Ms. Matsumoto referred to the low profile renderings and noted that the 30 foot poles are not visible. These pieces should be clearly identified so that expectations are realistic. The Mayor opened the floor to public input.

Marlene O’Hara, Prospector Square Property Owners Association, asked if a study has been done about how this will economically impact Prospector.

Someone from the audience expressed that he thought that staff would review the report page by page to point out changes from the last meeting. Mayor Williams relayed that that was not the intent of the work session but rather the review of the CDA, access and the public hearing date.

Cindy Matsumoto asked that the CDA be explained to the public. Nate Rockwood stated that much like a redevelopment area, a CDA is a Community Development Area designated to be developed and have community benefit. The area would be defined with specific project costs associated with it. Much like a RDA, the City would be able to adjust property and sales taxes to a certain point and realize the tax increment from the development to incentivize the project to happen. In this instance, the City would be providing the developer with the opportunity to fund the project, including the required pieces of the substation move that would allow the project to happen and in doing that the developer would cover a portion of the cost of the move. Through the tax increment that was realized, the City is able to incentivize the developer or rebate a portion of those costs committed upfront. He believed that the CDA is a good way of putting a lot of the risk onto the developer to actually make the project a success. The development agreement would become a part of the CDA and the amount of increment coming back to the developer would be capped at a certain amount. Ms. Matsumoto asked if the people in the area would be paying higher property taxes or sales taxes. Mr. Rockwood explained that the CDA would not raise property or sales taxes.

Irwin Kraigman, property owner, stated that the cost to move the substation is $11.4 million. Moving the substation is the developer's desire and basically it is a land swap situation. The developer would like to get control of the property as it exists and wants the substation moved so the property can be developed. This is a land swap deal between RMP and the developer. They will be getting control of that piece of land in a similar manner that they have control of other pieces that they have purchased. This is really an acquisition of land and he sees no reason why the City should be paying a nickel for the $11.4 million cost to move it. The same with any kind of tax advantages or rebates or anything of that nature in a similar manner that the City did not pay anything for the developers when they purchased other land and one big question is has the developer presented to the City a comprehensive overview of exactly what they want to do with that land specifically. He agrees with tax incentives for people who develop land that will benefit the County but we don't know what he is going to do with this land. All that is happening now is for him to acquire land with nothing.

Mayor Williams interjected that his comments are inaccurate. The City Council held three joint meetings with the Planning Commission in terms of arriving at design guidelines for the area. The evaluation of the development includes a substantial amount of community benefits and a series of *gives and gets*. He believes the City has a general feel of the desire of the community, the developer and the Planning Commission because there has been a lot of work done. He felt that there is a unique opportunity to get certain things we need as a town in that area and the relocation is one of those trade-offs in order to achieve that.

Irwin Kraigman expressed that one of the problems he has is that the decision to move the substation or leave it where it is has to be relatively quick. The development and how it is going to work is going to take a lot more time. Once the City commits to $11.4

million to move it, it may be too late. RMP came up with one hell of a display about what they are going to do and how did this project go from 144,000 square feet to 725,000 square feet which was in the latest staff report. This piece of land is miniscule in terms of the overall plan that the developer is talking about. The developer is responsible for upfront costs but we're going to give the money back to him through tax breaks and incentives. This is land acquisition and we should be able to see what is planned for the area. He understands that the developer needs to follow the guidelines in order to be compensated but the problem is we don't have guidelines set up yet. If the plant is moved is there a responsibility from the developer to do what they are told. If he owns the land, we can't tell him what he has to do. The Mayor interjected that we do have that ability through the MPD process.

Andy Beerman understood that the CDA contains specific guidelines and criteria to assure that the developer follows those requirements before any rebates are awarded. Mr. Rockwood confirmed this is correct and added that the CDA would include the development plans and if they are not followed, the City can deny payment and a CDA would not be issued without a development plan.

Mr. Kraigman stated that once the Council commits to the plan, the substation cannot be put back if things don't work out. Cindy Matsumoto understood that the tax increment from the development will pay the developer back. If he never develops anything, there will never be a tax increment and he will not get money back which is the guarantee that something will be built. The General Plan will dictate what gets built as well as the foundation of the partnership which has an element of trust. She emphasized that $11 to $15 million is not the cost to move the station. Phyllis Robinson interjected that $11.4 million is the total development cost associated with moving the station, undergrounding power lines, landscaping, retaining walls, access, etc. If the substation remains at its current location with the low profile design it would be less but the cost of undergrounding is about half that cost. There will be some level of mitigation required through the CUP, the actual mitigation may be in excess of what those requirements might be and the existing site might cost $6 million with undergrounding the lines.

Cindy Matsumoto agreed that the cost to move the substation should fall to the developer but it isn't $11 million. Mr. Kraigman argued that it is about the difference between the two. Ms. Robinson advised that the actual cost of the move to the new site for just the substation itself is about $3.7 million which Ms. Matsumoto is referring to as far as developer's cost versus additional community benefit cost. Mr. Kraigman commented on a number of things and the Mayor explained that the CDA analysis will answer many of his questions and Nate Rockwood emphasized that the CDA will not increase property taxes. The Mayor noted that the number of poles will be reduced in the area. Cindy Matsumoto asked about tax benefits mentioned by Mr. Kraigman and Ms. Robinson clarified that there was some discussion about the potential for property tax abatement as a tool which is no longer an option. Mr. Kraigman referred to the tax rebate and Mr. Rockwood again explained that the developer will be reimbursed the increment portion the development is producing.

Mr. Kraigman expressed that the development will greatly improve the neighborhood and spoke about pedestrian access. Phyllis Robinson stated that a link to the proposed Bonanza Park area plan will be placed on the website which may address many of his questions. Thomas Eddington added that the City has some conceptual plans for the area which are already on the website. Bob Derber complained that they are conceptual and the Mayor invited him to the microphone.

Bob Derber again complained that the plans are conceptual after five years. We have a lot of options here and we could simply help RMP provide low impact equipment and we could bury what we need to bury to allow the differences in location. Burying poles is not necessarily a component of the overall project. They are not related or dependent on the other. He heard that this would be a net positive to the community but he feared that if we assume any increment in tax based upon an improvement, as something we can give away as a net positive, he is concerned because that is not a net positive to us. This development here was already something that had residential and commercial both requiring City services and in that context, giving away the future incremental tax does not necessarily tell him there is any net positive anywhere. If we want to as a City give someone $11 million to help out their development, then let's just do that. Let's not pretend we're going to CDA or RDA it so that we can reallocate future taxes. He spoke about subdividing his 300 acres where he had to install sewer, streets, etc. and no one helped him out. Mr. Derber stated that he likes what Mr. Fischer has proposed here and what he is doing. He likes Bonanza and the assistance he has given the community but it's not (worth) $11 million. Before we do the game, let's make sure we understand what the value is. Mr. Derber stated that he likes Bonanza but doesn't like paying for it in a way that is not direct in telling him exactly what he is paying for because at this particular junction, he pays with future money.

Liza Simpson apologized that her response to his email was so brief because she would have loved to go through every single step with him because she feels his concerns are valid. However, what Council is here to do tonight is to direct staff to do exactly the financial analysis he is asking for.

Scott Welling, Prospector Square Property Owners Association, asked if the financial analysis will include the proposed revenues realized. Liza Simpson explained that the City has contracted with a consultant who is a specialist in CDAs and she believes it will be comprehensive. Nate Rockwood confirmed that it will be a comprehensive analysis of all potential revenues. Mr. Welling pointed out that it hasn't been developed yet or what the uses will be and he asked how the numbers can be analyzed. Mr. Rockwood responded that the CDA is specifically geared toward a project. He agreed that there is no way you can do a CDA without having a specific plan of what the project is going to include which is a required component of state law. All of that will be comprehensively housed in the CDA which will go through a public process showing exactly what the

CDA is, what the project is, and what potential revenues are expected. Liza Simpson assumed that some of that is based on the types of uses. Nate Rockwood added that the CDA requires the project to follow the General Plan, the plan established for the area, as well as an impact analysis of the community.

Mr. Welling stated that his perspective is as a property owner and a representative of owners in Prospector Square, that Prospector Square will be debilitated by the project. Values and rents will plummet and accordingly revenues to the City will decline. As a part of this analysis, the detriments to the community need to take into account as a net outcome for the decision to make the expenditure of public monies. He asked how that analysis can be done. Ms. Robinson stated that the City hired an extremely competent individual who is the leader in the state. It is not a staff driven analysis and will be the very first piece in terms of the critical path analysis to come back to Council with a decision of the economic impacts. He asked if there is a commitment to study Prospector Square. She suggested that he meet with her and Nate Rockwood to discuss the contract with the consultant so that his concerns are addressed.

Andy Beerman felt that it is speculative that it will decrease property values rather than benefit Prospector. The CDA consultant might be able to describe how it will affect surrounding districts and that question might be answered. Mr. Welling acknowledged that it might be and likewise the question is how much revenue is to be projected from the development in our lifetimes. When is the money going to be restored because this is enhancing one developer's objectives without the numbers to know whether or not it is a rational decision for the City? It is driven by a time crunch with RMP's needs to increase its facility and this compression has a chance of redounding to the detriment of both his constituency in Prospector Square and into the community at large and the elected officials will be gone by the time the outcome of this investment is known. The Mayor asked if his concern is that the tenants in the area are going to be leaving to go to Bonanza. Mr. Welling believed that it will drive rents down because of the attraction of a new development which will detract from Prospector owners to fill buildings and be competitive.

Scott Welling commented that the actual alignment of the access that needs to be created for Iron Horse for the residential component that is already there is a bridge across Poison Creek and one of the parking lots in Prospector Square that will dump out onto Prospector Avenue. That would be a potential access point for Iron Horse. He understands that part of the benefit of this development is to address the cluster at Prospector and Bonanza. Realigning it across one of Prospector's parking lots will take parking places away from his subdivision which will require negotiations including imminent domain which may drag on for years. The outcome of that alignment is unknown and it may create a worse problem because people existing from Iron Horse and Fireside aren't going to go directly to that intersection.

Mary Wintzer, property owner, stated that she has brought up the impacts on all of the planning and walkability that was done before. She feels that moving the substation puts it on one of our two entry corridors. We want Bonanza Park to succeed but there will be a dead spot with that long brick building and it could be hidden more if it remains where it is. She referred to Messrs. Derber's and Welling's comments and stated that nothing is wrong with competition but we want to feel relieved that the competition is fair and more knowledge and understanding is needed. She commended Council for conducting studies. There is no firm read that the economy is on an upswing and this is very prudent. The Mayor asked if she sees a benefit with the poles gone and Ms. Wintzer stated that they have lived with them for so long. She encouraged members to think about all of the work done for the tunnel and bike path and to have the substation there seems to create a dead spot without people. This seems like a huge sacrifice for the area.

Linda Bellamy, Iron Horse property owner, stated that she is concerned about property values depreciating with the installation of the substation. Debby Mounteer, RMP, relayed that research reveals that living near a substation has not affected property values. Ms. Bellamy asked the price to expand the substation if it were to remain at its current site and it was pointed out zero with no low profile or burying lines. Diane Foster reiterated that of the $11.4 million about $5.6 million is the cost of undergrounding the lines. There is approximately a $3 million difference between the options. Ms. Bellamy expressed fear of her property being devalued and brought up refinancing concerns. Liza Simpson stated that this was brought up at a prior meeting but it is not a problem.

Steve Rush, RMP, stated that the number one goal is to provide reliable power on schedule so that by September 2015, RMP is meeting the needs of the community. RMP is being placed in an odd position because normally a substation would not be relocated but expanded on site. The City has asked them to look at this concept over a period of a couple of years and it is important that they work closely with the City Council and the residents to reach the best outcome.

Dean Berrett, Prospector Square Property Owners Association, recalled when the Bonanza area was a very small portion of Prospector Square. He is uncertain if that has changed but assumed that the CDA would include the entire boundary. There are unique challenges to Prospector Square and the *significant impact grid* says walkable, live and work, diverse, and open space which actually applies to all of Prospector Square. He asked if Bonanza Park guidelines should be extended to Prospector Square who should be more of a player. He is unsure of the nature of the negotiations with Prospector Square on the timetable but it may have to do with Lot G which is not included in the area of Bonanza Park but is an important area with regard to improving development constraints and traffic flow on Prospector Avenue. There are varying elevation changes between Iron Horse Apartments and the parking lot and a bridge would seem to be very expensive. As a taxpayer, he would like to understand the CDA. If the probability of success of this Bonanza Park area is so great, we have an $11.4 million nut to crack. If that were $7.7 million with the probability for success over a 20 year period that would make him feel a little bit better. He encouraged keeping the substation in place and applying the Park City *Gucci* standards.

Michael Barille, resident, briefly explained his planning background and thanked the Council for taking this project on in a deliberate fashion looking at all the issues. He felt it is a good thing that the Prospector Square owners have taken an interest. RDAs and CDAs have a long history of enhancing developments and neighborhoods which will play out in the analyses. He suggested that there be options where that CDA boundary is drawn, options for physical connections both pedestrian and vehicular between Prospector and Bonanza Park, and how to integrate those neighborhoods more to take advantage of all of the other opportunities that could come from this so that there is an increase in the economic vitality of both neighborhoods. The existing condition with Bonanza Drive is that it is bit of a load between the two neighborhoods which is one of the reasons why there isn't more use from bed base. Prospector has existing restaurants and entertainment which could be extended to the Bonanza Park area. Those kinds of synergies could be developed with a little bit of additional planning.

Henry Sigg, owner of Lot 48 A-B Prospector Square, stated that to Mr. Welling's point, if the criteria is expanded for the new development into Prospector, the playing field is level. It allows for redevelopment on the part of private development. He is glad to see that access is one of the key points of moving the substation and encouraged that the access is clearly defined before the decision is made. Those things should be defined explicitly.

An unidentified gentleman from the audience asked if other locations were considered that wouldn't affect residents and it was pointed out that six locations were examined.

Liza Simpson stated that she felt the City should move forward with the CDA analysis. Dick Peek criticized the viewpoint on the low profile building rendering so that eye level is at ground level looking up at a 30 foot structure. Thomas Eddington explained that the view is a little above ground level. Dick Peek stated that the main reason he thinks the substation should not be moved is the entry corridor trumps most everything. He believed that motorists will actually be looking down over the wall into the substation. He referred to the site plan pointing out that when exiting the tunnel, you will be 15 feet down looking straight up. Right now, it is an area that is proposed to be redeveloped but close to our densest residential area. He doesn't support this site and agreed with Mr. Sigg's comments about the bridge. Cindy Matsumoto stated that she would also like to see a better perspective of the low profile building and the proposed towers marked. She supports going through the CDA analysis, studying access and cost sharing. Andy Beerman stated that he is good with moving forward with further analysis and is supportive of having different perspectives for the concept. See public input in the regular meeting minutes.

Prepared by Janet M. Scott, City Recorder

**PARK CITY COUNCIL MEETING** **DRAFT**
**SUMMIT COUNTY, UTAH,**
**MARCH 7, 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 7, 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; Mark Harrington, City Attorney; Michelle DeHaan, Water Quality Manager; Mat Evans, Planner; and Tricia Lake, Prosecutor.

## II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

None.

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

Rocky Mountain Power expansion/relocation:

Mike Todd, long-time resident, stated that a lot has been said in the work session. He owns property in the area and is not afraid of growth and the development will be a good thing but it needs to be responsible and to take into account all citizens and how they are affected. When we met last time, this was the only rendering the public saw and it is the most ideal spot to take the photograph and he wants to see the least ideal spot and was expecting to see that tonight. The on-line packet made reference to the fact that these were only illustrative but with today's technology we can see exactly what this is going to look like from a variety of views. The meeting was referred to previously as public input yet there's been no distribution of the agenda. He feels quite confident that the vast majority of those affected by this proposed move are not even aware of it. He has asked and will continue to ask to please direct the staff to send a notice to all affected property owners within 500 feet of the area which most cities in the state do. The only reason it hasn't been done is because this isn't an official public hearing of the Planning Commission. But this train is moving down the track and the public needs to know about it so please direct staff to communicate with all of the owners involved so that everyone is aware of the proposal. A women commented at the last meeting about diminished values and he read a quote from the January 24th staff report, "The substation would also have negative impacts on the surrounding area for about a 200 foot radius, a distance of just over half of the standard City block in length. This affects an area of approximately 7.5 acres after accounting for non-productive land, e.g. square feet that would be necessary for right-of-way and open space requirements, the remaining buildable area with negative development impacts from the substation remaining in place are approximately four acres." He stated there is no question whether the substation will have a negative impact on the area. The staff has indicated in its own report to you that the substation will have a negative impact where it is now and will have a negative impact on the location where it is moved to. It is absurd to think that it's not going to have a negative impact. He felt we should be talking about how to minimize the negative impact or eliminate it. If it is moved it will impact hundreds of residential units. The City is basically taking from the poor and giving to the rich. There needs to be ways to eliminate a taking from anyone and at least preserve the value of people's existing investments. When the developer purchased that property, he knew the substation was there. When we purchased our property, we also knew the substation was there and thought it would not be moved. For many of us, this is our largest single investment and we're depending upon it both now and into retirement. For the developer, it is just another project.

He stated that he is in favor of Bonanza Park being developed, but this can occur without moving the substation which is the lowest cost way for the City to proceed and should if the impacts can be fully mitigated and addressed for those who it will affect. He is not afraid of new development or where rents will go. This needs to be on a level playing field and there needs to be no negative impacts to someone else. Don't take the investments people have made to line the pockets of another developer. Be fair. Either leave the substation where it is or spend equal effort analyzing leaving the substation where it is as what is being spent on moving the substation. Mr. Todd suggested adding a roof to the substation.

Matt Kelly, resident, stated that he has real estate experience. The relationship between the existing neighborhoods will create synergy. There are different quality levels with regard to properties and he believed that Prospector rents will at least stay where they are because the new project will probably have more costly construction and result in higher rents. He believed that Bonanza Park and Prospector will work well together. There is plenty of business in both categories to go around. Mr. Kelly believed that businesses will be willing to spend higher rents in Bonanza and Prospector will do fine.

Craig Kraigman complained that the City has not factored in the cost of roads and other expenses in moving the substation. It really isn't $6 million and it could be up to $9 million when other elements are factored in. Diane Foster clarified that the $11.4 million includes the bridge and other public improvements.

With no further comments, the public input session as closed.

## IV NEW BUSINESS

1. Consideration of authorizing the City Manager to enter into a contract with Water Research Foundation (WRF), in a form approved by the City Attorney, for a tailored collaborative project evaluating the water distribution system in the amount of $200,000 with $175,000 in funding from WRF – Michelle DeHaan explained that the title of the project is Metals Accumulation Release within the Distribution System - Evaluation of Mechanisms and Mitigation. The focus of the project is threefold to better understand

metals accumulation and release mechanisms to avoid events with colored water in the Thaynes Canyon area that has occurred in the past few years. This is also a pilot test to compare the effectiveness of three pipe cleaning techniques including high velocity flushing, swabbing, and ice pigging. The third part of the project is to develop costs for each of the techniques for budgeting purposes. She emphasized that this is the first side by side comparison within the U.S. Other parties involved in this project include several branches of the EPA, Utah Department of Drinking Water, Utah State University and the WRF. The Mayor commended Ms. DeHaan for procuring the matching funds. He invited public input; there was none.

In response to a question from Alex Butwinski, Ms. DeHaan explained that the City will be providing $200,000 and WRF will pay $175,000 in matching funds. Liza Simpson, "I move that we authorize the City Manager to enter into a contract with Water Research Foundation in a form approved by the City Attorney for a tailored collaborative project evaluating the water distribution system in the amount of $200,000 for said project entitled Legacy of Manganese Accumulation in Water System's Assessment and Consequence Remediation and Prevention". Dick Peek seconded. Motion unanimously carried.

2. Consideration of Ordnance approving an extension for the approval of the 508 Main Street Subdivision Plat Amendment, located at 508 Main Street, Park City, Utah – Mat Evans explained that this is a request for an extension to record a subdivision plat which was approved in 2011. The applicant asked that it be extended before the expiration of the deadline to record but unfortunately the encroachments agreements were not secured for the original plat and the planner for the project left the City before scheduling the matter. The main issue with the extension is that the applicant has been unable to secure an agreement with the adjacent property owner for the encroachment agreements which were a condition of approval on the original plat. The encroachment permit issue will be reviewed by the Planning Commission within the next couple of months. Staff is asking the Council to approve alternative language for Condition of Approval No. 2 regarding the extension which he prepared and distributed to the Council. Liza Simpson disclosed that she is a tenant at 510 Main Street and has no financial interest in the building or control over the encroachment permit.

Mat Evans stated that staff is recommending that the extension is granted. He read the suggested Condition No. 2, "The applicant shall record the plat amendment with the Summit County Recorder no later than February 12, 2014. If recordation has not occurred by February 12, 2014, the approval of the plat will be void." In response to a question from Liza Simpson, Mr. Evans advised that typically one year is granted not two years.

She pointed out that the staff report states that both buildings encroach on each other but when looking at the plat, there doesn't seem to be an encroachment of 510 onto 508. Mr. Evans believed that probably is the case, but this is the information the applicant gave the City. Staff has noted the discrepancy. Ms. Simpson asked that someone get back to her with information. Cindy Matsumoto understood that the historic structure is encroaching on the newer building. Mr. Evans noted that the applicant is asking that this requirement be removed as a Condition of Approval and the Planning Commission will consider this matter. The subdivision needs to be recorded because the lots still need to be combined and there is a HDDR approval. Andy Beerman asked why the property owners can't resolve this and Mr. Evans stated that he doesn't know for sure but there is no incentive for the adjacent property owner to sign the encroachment agreement. The Mayor opened the public hearing; there was none and the public hearing was closed.

Dick Peek, "I move to approve the 508 Main Street Subdivision Plat Amendment extension of approval according to the Findings of Fact, Conclusions of Law and Conditions of Approval, as amended". Liza Simpson seconded. Motion unanimously carried.

3. Consideration of an Ordinance amending Title 8, Chapter 3 of the Municipal Code of Park City, Utah to include the prohibition of reselling ski lift tickets – Prosecutor Tricia Lake recommended that Council pass an ordinance prohibiting the reselling of lift tickets. Deer Valley Resort and Park City Mountain Resort both contacted the City about enacting an ordinance. The Police Department is prepared to investigate and enforce this law. The Mayor asked members if they were contacted by concerned citizens. Cindy Matsumoto disclosed that she had a conversation with someone against the ordinance and the Mayor stated that he received four or five calls about this. Ms. Lake explained that if the ticket is being sold for profit it is a crime but if the ticket is sold for the same price, it is not a violation. She acknowledged that multi-day packages are sold at a discounted per day price and determination of a violation is based on usage and whether there was ultimately a profit realized.

Liza Simpson suggested that the wording skiers and snowboarders be changed to individuals mentioned in the recitals which Ms. Lake agreed is a good idea. The Mayor opened the public hearing.

Jenny Smith, PCMR, thanked members of Council for their support to help reel this problem in.

Bob Wheaton, Deer Valley Resort, also extended his appreciation to Council and staff. This really helps the resorts.

With no further comments, the public hearing was closed.

Andy Beerman, "I move we approve the Ordinance amending Title 8, Chapter 3 of the Municipal Code of Park City, Utah to include the prohibition of reselling ski lift tickets as amended". Alex Butwinski seconded. Motion unanimously carried.

**V ADJOURNMENT**

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

**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; Clint Coffee, Water Manager; Tom Daley, Deputy City Attorney; Jonathan Weidenhamer, Economic Development Manager; Hugh Daniels, Emergency Operations Manager; Phyllis Robinson, Public Affairs Manager; Matt Cassel, City Engineer, 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". Alex Butwinski seconded. Motion carried unanimously. The meeting opened at approximately 3:30 p.m. Alex Butwinski, "I move to open the meeting". Andy Beerman seconded. Motion unanimously carried.

The City Council met again in closed session after the adjournment of the meeting at approximately 6:45 p.m. Staff present was Mark Harrington, City Attorney. Cindy Matsumoto, "I move to close the meeting to discuss personnel". Alex Butwinski seconded. Motion carried unanimously. Liza Simpson, "I move to adjourn the meeting". Cindy Matsumoto 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

**Subject:** City Manager Appointment
**Author:** Brooke Moss
**Department:** Human Resources Manager
**Date:** March 28, 2013
**Type of Item:** Administrative- Council Consent

**Summary Recommendations:**
Authorize the Mayor to appoint and enter into an agreement for the provision of services by Diane Foster to Park City Municipal Corporation as the City Manager, in the amount of One Hundred Twenty Eight Thousand, Eighty Three Dollars and Forty-Five Cents ($128,083.45) annually.

**Topic/Description:**
Appointment of Diane Foster as City Manager of Park City Municipal Corporation.

**Background:**
Pursuant to Municipal Code § 2-4-1, the Mayor appoints the City Manager with the advice and consent of the City Council. The Mayor votes as a member of the six member Council "for or against the appointment or dismissal of a City Manager." Municipal Code § 2-2-3(B). The Mayor and City Council City conducted a national recruitment to fill the City Manager vacancy created by the resignation of Thomas Bakaly in fall 2012. The recruitment did not yield a successful candidate. The Mayor and City Council decided subsequently to conduct an internal recruitment as a next step in the process. Interviews with qualified candidates were held earlier this month. Interim City Manager Diane Foster was selected to fill the position of City Manager.

**Analysis:**
Diane Foster has been offered the appointment of City Manager to begin upon approval and signature of the attached contract. Below is a summary of the terms of the employment contract:

1. Position: Foster will provide services to Park City in the capacity of City Manager and shall report to the Mayor and City Council. The residency requirement that the City Manger reside within the Park City limits is waived.
2. Performance Evaluations/Goals Workshop: The City Manager shall be reviewed in writing annually, and verbally reviewed quarterly by the Mayor and City Council.
3. Compensation: Annual salary of $128,083.45. Foster will be eligible for bonuses and salary adjustments within City policies. A car allowance of $400 per month is also included. Foster shall not be eligible for housing allowance unless resides within City limits. Compensation package shall include reasonable professional dues, fees, travel, and subsistence expenses.
4. Leave: 15 days of vacation per year and one floating holiday.

5. Benefits: Worker's Compensation, Social Security, disability, family health and dental insurance, cafeteria plans, deferred compensation matching contributions, PC MARC access, life insurance and sick leave under the same terms as other regular full time employees of Park City.
6. Retirement: Deferred compensation and retirement benefits available to all full-time regular employees.
7. Term: Foster shall serve at the pleasure of the Mayor and City Council. Severance is provided for if the Mayor and Council dismiss the Manager without cause.

**Department Review:**
Human Resources Department, Legal Department

**Alternatives:**

**A. Approve:**
Approve contract language and proceed with appointment of Diane Foster as the City Manager of Park City Municipal Corporation.

**B. Deny:**
Reject the proposed contract. Council could choose to begin a second external recruitment for selection of another potential candidate for City Manager. HR would return with information on professional recruiters and timelines. This would adversely impact existing service levels and workload.

**C. Modify:**
Council could choose to modify the agreement or direct staff to reconsider the selection or terms, which would delay the appointment of the City Manager.

**D. Continue the Item:**
Council may feel there is not enough information to make a decision, which will delay the appointment.

**E. Do Nothing:**
Same effect as continuance.

**Significant Impacts:**
Approve the appointment of and employment agreement with Diane Foster as City Manager for Park City Municipal Corporation effective immediately.

| 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 |
|---|---|---|---|
| (+/-) (Select Desired Outcome) | (+/-) (Select Desired Outcome) | (+/-) (Select Desired Outcome) | + Streamlined and flexible operating processes |
| (+/-) (Select Desired Outcome) | (+/-) (Select Desired Outcome) | (+/-) (Select Desired Outcome) | + Engaged, capable workforce |
| (+/-) (Select Desired Outcome) | (+/-) (Select Desired Outcome) | (+/-) (Select Desired Outcome) | (+/-) (Select Desired Outcome) |
| (+/-) (Select Desired Outcome) | (+/-) (Select Desired Outcome) | (+/-) (Select Desired Outcome) | (+/-) (Select Desired Outcome) |
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| (+/-) (Select Desired Outcome) | (+/-) (Select Desired Outcome) | (+/-) (Select Desired Outcome) | (+/-) (Select Desired Outcome) |
| (Select from List) | (Select from List) | (Select from List) | (Select from List) |

**Funding Source:**
This position is currently budgeted in Executive Department personnel budget.

**Consequences of not taking the recommended action:**
No appointment of City Manager, begin an external recruitment immediately.

**Recommendation:**
Authorize the Mayor to appoint and to enter into an agreement for the provision of services by Diane Foster to Park City Municipal Corporation as the City Manager, in the amount of One Hundred Twenty Eight Thousand, Eighty Three Dollars and Forty-Five Cents ($128,083.45) annually.

**Exhibits:**
Exhibit A – Employment Agreement

# EMPLOYMENT AGREEMENT

Park City Municipal Corporation
City Manager

Park City Municipal Corporation ("Park City" or "City") and Diane Foster ("Foster") desire to enter into an agreement for the provision of services by Foster to Park City. Because the arrangement between Foster and Park City will not be in conformance with the Personnel Policies and Procedures that govern Park City's other employees, Park City and Foster desire to set for the specifics of their relationship in the form of this Employment Agreement.

In consideration of the mutual agreements and promises contained herein, the sufficiency of which is hereby acknowledged by both parties, Park City and Foster agree as follows:

1. **Position**

a. **Scope of Duties**. Foster will provide services to Park City in the capacity of City Manager and Chief Administrator as defined in the Municipal Code of Park City ("MCPC") §§ 2-4-1, 2-4-3 and 2-4-5, as amended. Foster ("City Manager") will perform other legally permissible and proper duties and functions as the Mayor and City Council may from time to time assign, or as required by federal, state or local law or regulation. The City Manager shall report to and be supervised by the Mayor and City Council. The terms of the City Manager's employment with Park City shall be governed by this Agreement. The City Manager is not subject to the terms of employment set forth in the Personnel Policies and Procedures Manual unless specifically provided herein. The City Manager shall comply with and perform the applicable duties and responsibilities as defined herein in conformance with MCPC Title 3, Code of Ethics, as amended ("Ethics Code"). The City Manager shall devote her full business time and best efforts to the City and shall not engage in outside employment except as approved by the Mayor, with the advice and consent of the Council.

b. **Residency Requirement**. The residency requirement of MCPC § 2-4-1 is hereby waived.

2. **Performance Evaluations/Goals Workshop**

The City Manager shall be subject to written performance evaluations as may be held from time to time at the discretion of the Mayor and City Council, but in any event at least once a year commencing within 60 days of the start of the annual evaluation cycle applicable to other employees (currently November 1) . The City Manager shall prepare a written self-evaluation, which shall be delivered to the Mayor and City Council at least 14 days prior to the evaluation, unless otherwise specified by the Mayor. The self-evaluation shall incorporate the City's vision/goals, roles and responsibilities, and any applicable performance standards as adopted by the Mayor and City Council at their annual Visioning workshop. Upon completion of the evaluation, the Mayor and City Manager shall execute an evaluation summary that sets forth the specific direction and expectations for the next evaluation period. The City Manager shall meet with the Council at a Closed Session Council Meeting at least once quarterly to verbally discuss performance and seek feedback.

3. **Compensation**

A. Park City will compensate the City Manager at an annual salary of $128,083.45; payable in accordance with City's regular and customary payroll practices.

B. The City Manager will also be eligible for bonuses and salary adjustments, based on performance as indicated by performance reviews in an amount to be determined by the Mayor and City Council**.** Such bonuses and salary adjustments shall not require a formal amendment of this employment agreement. All amounts payable to City Manager under this Agreement are subject to all applicable federal and state payroll withholding taxes.

C. The City Manager shall be paid a car allowance of $400 per month during the term of this agreement.

D. The City Manager shall not be eligible for the housing allowance afforded city employees unless specifically approved by the Mayor and City Council, and until such time as she resides within the City limits.

E. Subject to annual budget approval by the City Council, such approval not to be unreasonably withheld, the City agrees to budget and pay for reasonable professional dues, fees, travel, and subsistence expenses to enable the City Manager to participate in national, regional, state and local associations, organizations and conferences, including but not limited to NLC, ICMA and ULCT, as well as associated short courses, institutes and seminars for professional growth and development.

4. **Leave**

The City Manager will receive pay for City recognized holidays during the term of this Agreement. The City Manager will be eligible for the City's annual floating holiday. In recognition of the time outside normal business hours that will be required, the City Manager will be allowed to take compensatory time off during normal business hours as deemed appropriate and reported by the City Manager. Unless otherwise approved by the Mayor, utilization of compensatory time off shall not exceed 10 days per year. The City Manager will have 15 days of vacation per year available during the term of this contract, subject to increases the same as received by regular full-time employees of similar seniority as provided in the Policy and Procedure Manual. Vacation use in excess of five consecutive workdays will require pre-approval by the Mayor, said approval not to be unreasonably withheld. Annual leave carry-over shall be subject to the rules applicable to regular full-time employees in the Policy and Procedure Manual.

5. **Benefits**

As an employee of Park City, the City Manager shall be entitled to Workers Compensation and Social Security, disability, family health and dental insurance, cafeteria plans, deferred compensation matching contributions, Racquet Club access, life insurance and sick leave under the same terms as other regular full-time employees of Park City in the Policy and Procedure Manual as such benefits and terms may be modified from time to time. While acting within the scope of employment as defined herein, the City Manager shall be covered by the liability insurance policies of Park City.

6. **Retirement**

The City Manager will be entitled to deferred compensation and retirement benefits available to all other full-time employees of the City as detailed in the Policy and Procedure Manual as such benefits may be modified from time to time.

7. **Term**

A. The City Manager shall serve at the pleasure of the Mayor and City Council. The Mayor, with the advice and consent of the Council, may terminate this Agreement and City Manager's employment with or without cause at any time. In the event the City Manager is asked for her resignation or terminated without cause, City agrees to pay City Manager a lump sum cash payment equal to six month's base salary as separation pay. City Manager shall receive additional separation pay under this paragraph, based upon length of service, and computed at the rate of one month base salary for every year of service beyond the effective date of this Agreement, up to a maximum of six additional months. Payment of any separation benefits to City Manager under this Paragraph 7 or otherwise shall be contingent on City Manager's execution of a separation agreement and release of all claims in a form acceptable to City. City Manager shall also be compensated for all earned vacation or other leave accrued pursuant to City policies as of the date of termination, calculated at the base rate of pay in effect upon termination. City shall have no liability to City Manager arising from such termination except as specifically set forth in this Agreement.

If the City Manager is terminated for cause, the City shall have no obligation to pay separation or other pay to City Manager and shall be liable to City Manager only for payment of salary and benefits earned by City Manager through the last day of employment. "For cause" shall mean: (i) embezzlement, theft, larceny, material fraud, or other acts of dishonesty by City Manager; (ii) material violation by City Manager of any of her duties and responsibilities under this Agreement; (iii) conviction of or entrance of a plea of guilty or *nolo contendere* to any felony, or a misdemeanor, if such misdemeanor has or may have a material adverse effect on City Manager's ability to carry out her duties and responsibilities under this Agreement; (iv) conduct involving moral turpitude of City Manager affecting the performance of her duties and responsibilities under this Agreement; (v) conduct in violation of the City's policy against unlawful harassment or discrimination; (vi) violation of the Ethics Code; or (vii) violation of "Clear Agreement and High Performance Contract" with the City Council. At her request, the City Manager shall be entitled to an informal hearing before the Mayor, City Council, and City Attorney prior to such termination for cause. Determination of dismissal for cause shall be made in the sole discretion of the Mayor, with the advice and consent of the Council.

B. This Agreement may be terminated by the City Manager for any or no reason by providing the Mayor and Council two months written notice, unless the Mayor and Council agree to a shorter period.

C. In the event the Council at any time reduces the salary, compensation or other benefits of the City Manager in a greater amount than an applicable across the board reduction for all employees of City, or in the event the Council refuses to comply with any other provision benefiting the City Manager herein, then the City Manager may, at her option, be deemed terminated and eligible for separation payment as provided herein.

## 8. Severability

If any portion of this Agreement is found by a court of competent jurisdiction to be unenforceable, the remainder of the Agreement shall remain in full force and effect.

## 9. Merger

This Agreement constitutes the entire and only agreement between the parties and it cannot be altered except by written instrument, signed by the Mayor and City Manager.

DATED this 28th day of March, 2013.

**PARK CITY MUNICIPAL CORPORATION**

______________________________________
By: Dana Williams, Mayor

Attest:

_____________________________
Janet M. Scott, City Recorder

Approved As To Form:

_____________________________
Mark Harrington, City Attorney

City Manager

___________________________________
Diane Foster

STATE OF UTAH )
) ss.
COUNTY OF SUMMIT )

On this ____ day of January, 2013, before me, _______________, the undersigned notary public, personally appeared Diane Foster, personally known to me/proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he/she executed the same.

___________________________________
Notary Public

# City Council Staff Report

**Subject:** Construction Contract for Transit Residential Building
**Author:** Brooks T. Robinson, Senior Transportation Planner
**Department:** Public Works
**Date:** March 28, 2013
**Type of Item:** Administrative

**Summary Recommendations:**
The Council should consider authorizing the City Manager to sign the Construction Agreement with Keller Construction, Inc. for construction of the Transit Residential Building in the amount of $1,597,302 in a form to be approved by the City Attorney.

**Topic/Description:**
Park City is seeking to construct a 13-unit residential building on its property at 1053 Iron Horse Drive. A Conditional Use Permit has been approved by the City Planning Commission based on schematic plans. The architectural firm of CRSA of Salt Lake City has been under contract to provide full construction documents, bid support and construction support. Bids were solicited from construction firms based on the construction documents.

**Background:**
The 2009 Master Planned Development for the expansion of the Public Works facility included discussion on providing on-site housing for Transit employees. The City was awarded a $1.5 million grant from the Federal Transit Administration for this building. The City needed to go through the Conditional Use Permit (CUP) process with the Planning Commission to get approval. That approval was granted on August 8, 2012.

The proposed building will be three stories with the ground floor containing one accessible unit and a garage for Transit vehicles (passenger cars). The upper two floors will contain 12 single occupancy residential units of 200-250 square feet each containing a compact kitchen and sanitary facilities. A common area on each floor is also anticipated.

A request for qualifications/proposals for architectural consulting services was published (Park Record, SL Tribune, City website) in August, 2012. CRSA was the winning bidder for the construction drawings and documents, bid support, and construction management services.

A Request for Qualifications for General Contracting firms was published (Park Record, SL Tribune, City website) with submittals due on January 9, 2013. A total of eight firms submitted qualifications, of which one firm was found to be non-responsive. A mandatory pre-bid meeting was held on February 25, 2013, to go over the project and give a clear understanding of the Federal requirements associated with the project. All pre-qualified contractors attended. Bids were due on March 15, 2013, with Bid Opening at 3pm. The apparent low bidder at that time was Keller Construction, Inc.

**Analysis:**
The FTA grant applies $1.5 million in FY 2011 Livability discretionary funds for constructing a new structure adjacent to the Iron Horse Maintenance Facility. The structure will house two functions: transit vehicle storage and transit employee housing. The FTA funds will be used for constructing the shell of the building and the finishes for the transit vehicle and equipment storage on the ground level. FTA has notified the City that FTA funds can be utilized to construct the vehicle storage and housing shell but may not be utilized for furnishing, fixtures or equipment (FF&E) for the dorm style housing on the upper two levels.

At the time of application, the City estimated construction costs at $1,875,000 with $375,000 coming from City Transit funds for the FFE.

The qualified project budget is:

- $ 150,000 Design and Engineering
- $1,210,000 Construction
- $ 140,000 Project Management
- $ 375,000 FFE (City Responsibility)

The City must pay for the FFE from Transit Funds. The FFE includes everything interior to the drywall, including paint, plumbing fixtures, electrical fixtures, cabinets, and the like. On March 29, 2012, the Council authorized the use of $375,000 from the Transit Fund towards the FF&E costs. More recent cost estimates provided by CRSA indicate that the FFE costs have escalated and Staff has submitted a $75,000 budget request to reflect this. The Keller bid estimates a Finish construction cost of $317,000. The additional $133,000 will be utilized to:

1. furnish the new building with appliances and furniture; and
2. provide for construction contingencies.

Any unexpended funding will be immediately returned to Transit fund balance upon project closeout. Rents are forecasted to cover facility operating and maintenance expenses, capital renewal reserves and repayment of City funded portion of the project. These revenues and expenses (including any remaining balance) will be segregated within the Transit fund to meet Federal Transit Administration requirements.

Project construction is scheduled to begin mid-April with substantial completion on or before December 15, 2013. This schedule is somewhat aggressive but will enable Transit employees to occupy building for the 2013-14 winter season.

**Department Review:**
This report has been reviewed by Public Works, Budget & Grants Management, Interim City Manager, and Legal. Any and all comments received have been integrated or addressed in this report.

**Alternatives:**

**A. Approve the Request:**
This is the staff's recommendation.

**B. Deny the Request:**
Staff would have to re-advertise the project which would delay the project.

**C. Continue the Item:**
If the Council needs more information the item can be continued.

**D. Do Nothing:**
This option is the same as denying the request.

**Significant Impacts:**

| | **World Class Multi-Seasonal Resort Destination**<br>**(Economic Impact)** | **Preserving & Enhancing the Natural Environment**<br>**(Environmental Impact)** | **An Inclusive Community of Diverse Economic & Cultural Opportunities**<br>**(Social Equity Impact)** | **Responsive, Cutting-Edge & Effective Government** |
|---|---|---|---|---|
| Which Desired Outcomes might the Recommended Action Impact? | + Accessibility during peak seasonal times<br>+ Well-utilized regional public transit<br>+ Internationally recognized & respected brand | + Reduced municipal, business and community carbon footprints<br>+ Enhanced conservation efforts for new and rehabilitated buildings | + Residents live and work locally<br>+ Skilled, educated workforce | + Fiscally and legally sound<br>+ Engaged, capable workforce<br>+ Well-maintained assets and infrastructure |
| Assessment of Overall Impact on Council Priority *(Quality of Life Impact)* | Very Positive | Very Positive | Positive | Very Positive |

**Comments:** A residential facility for Transit drivers that is on site with enhanced energy efficiences is a great recruiting tool , environmentally and fiscally sound, and contributes to the positive Park City brand.

**Funding Source:**
The Federal Transit Administration has awarded a $1.5 million grant to Park City for the shell of the project (up to painting the interior walls, appliances, and finished fixtures). The interior finish costs are to be paid out of the Transit Fund.

**Consequences of not taking the recommended action:**
The City's transit operation experiences two peak demand periods during the year. The largest peak period occurs during the winter with summer not far behind. Each year the transit operation recruits, trains and employs approximately 50 seasonal bus drivers each winter (approximately 25 during the summer). Attracting and retaining this core group of seasonal bus drivers is a major challenge for the Transit operation. Since 2006 Transit, working with the City's affordable housing specialist has rented housing to approximately 12-16 seasonal drivers (using the Park Avenue fire station, City housing units and third party rentals). Staff identified the need for a dedicated transit seasonal housing facility as part of the City's Short Range Transit Development Plan.

**Recommendation:**
The Council should consider authorizing the City Manager to sign the Construction Agreement with Keller Construction, Inc. for construction of the Transit Residential Building in the amount of $1,597,302 in a form to be approved by the City Attorney.