

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH,
MARCH 8, 2012**

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 8, 2012.

Closed Session

3:30 p.m. Property and litigation

Work Session

4:30 p.m. Council questions/comments

4:40 p.m. Legislative update

5:00 p.m. 2012 Council goals and desired outcomes P. 4 - 11

5:30 p.m. 2012 Kimball Art Center Arts Festival and debrief on Main Street deck dining

5:50 p.m. Break P. 12 - 21

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 NEW BUSINESS

1. Consideration of an Ordinance approving the First Amended Ridgepoint at Deer Valley Condominium Plat located at Ridgepoint Lane at Woodland Drive near Royal Street, Park City, Utah

(a) Public hearing

(b) **Motion to continue to March 22, 2012**

2. Consideration to authorize staff to execute an amendment to the Professional Services Agreement with Brown and Caldwell in an amount not to exceed \$87,000, in a form approved by the City Attorney

P. 22 - 25

V 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.

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MARCH 15, 2012**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will **not** hold its regularly scheduled meeting on Thursday, March 15, 2012.

Posted: 03/05/12

See www.parkcity.org

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

March 2012

- 15 **No meeting**
- 22 Legislative wrap-up
 - Coalition of Mayors against Illegal Guns – work
 - 2012 Council goals and desired outcomes - work
 - Event center – work
 - Issues related to Sundance Film Festival – work
 - Special event fees - work
 - Quarterly goal reporting format - work
 - Ridgepoint at DV plat amendment – action - ME
 - North Silver Lake Appeal on extension – Appellant Lisa Wilson
- 29 Open space easements – work
 - Wyatt Earp Walkability Project – work
 - Economic Development Strategic Plan update – work
 - Legal training - work

April 2012

- 5 Revised strategic plans – work
 - Special event use and temporary licensing regulations
- 12 **No meeting**
- 19 Recreation survey – work (1 hour)
 - Award of contract for audit services
- 26 **Dana gone**

May 2012

- 3 **Dana gone**
- 10 **No meeting**
- 17
- 24
- 31

June 2012

- 7 Bonanza Park Plan update
- 14
- 21 (Regular meeting begins at 5 p.m. and limited to budget)
- 28

Pending Items:

Special events overhaul and associated fee resolution
Resolution establishing a strategic plan for City-owned property with development potential in Park City, Utah and repealing and replacing Resolution No. 22-05 in its entirety



City Council Staff Report

Sustainability

Subject: Council Visioning Follow-up on Biennial Strategic Plan
Author: Bret Howser & Phyllis Robinson
Department: Sustainability
Date: March 8, 2012
Type of Item: Administrative

Summary Recommendation: Staff recommends that the City Council review and approve the changes to the biennial strategic plans discussed at Council Visioning and the revised vision and mission posters for 2012.

Topic/Description: Biennial Strategic Plans

Background:

Staff presented a set of biennial strategic plans to City Council during its visioning session in February 2012. The biennial strategic plans are consistent with Council Goals with the addition of Public Safety and our Outcome Areas

- Preservation of Park City Character
- World Class, Multi-Seasonal Resort Economy
- Effective Transportation
- Water and the Natural Environment
- Recreation and Open Space
- Regional Collaboration
- Open and Responsive Government
- Public Safety

Analysis:

Following the presentation by staff of each outcome area, Council discussed and made minor modifications to some of the Action Plans. Below are the Desired Outcomes and the revised Biennial Action Plans. Changes are shown in **RED**. Following Council approval of the revised plans staff will finalize the documents for public dissemination.

PRESERVATION OF PARK CITY CHARACTER

Desired Outcomes

- Diverse population and social fabric
- Connected, knowledgeable and engaged citizens
- Vibrant community gathering spaces and places
- Physically and socially connected neighborhoods
- Preserved and celebrated History and protected National Historic District
- Vibrant arts and culture offerings for community and visitors
- Protected pristine natural setting.

Biennial Action Plan

Operating Plan

- Enhance library's technology resources
- Complete 5-yr housing plan including a finance program to assist low-income homebuyers
- Rewrite General Plan with neighborhood focus
- Complete National Historic District inventory and National Register analysis
- Complete Historic Park City/Main Street Plan while retaining historic designation
- Identify programs utilizing technology for citizen engagement
- Adopt plans for Bonanza Park, form-based code, & transportation connectivity
- Participate in ICMA Capstone 2030 Strategic Plan
- Implement Senior Strategic Plan
- Facilitate work of the Advisory Committee for Latino Affairs

Capital Plan

- Reconfigure Library and Education Center **based upon approved comprehensive plan for building**
- Implement senior housing plan for City-owned property on Lower Park Avenue
- Implement Dan's to Jan's Walkability
- Acquire equipment and software for technology upgrades
- Complete Main Street Plazas and streetscape projects if funded
- Partner on parking/transit at PCMR parking lots

WORLD CLASS, MULTI-SEASONAL RESORT COMMUNITY

Desired Outcomes

- Proactive partnerships with major landowners in redevelopment efforts
- Extend the Lower Park Avenue RDA
- Balance tourism & local quality of life
- Further populate event calendar
- Unique & locally owned businesses

Biennial Action Plan

Operating Plan

- Take More Facilitative Role in Events
- Implementation of BOPA and LPA Area Plans
- Secure LPA RDA Extension
- Institute Direct Business Recruitment Program
- Secure Sundance Agreement thru 2028 & Address MLK Conflict
- Develop Ski Resort Interconnect Concept Plan

Capital Plan

- Dan's to Jans Implementation
- HPC/Main St. Projects
- Wi-Fi Network Infrastructure
- Increased Public Art Funding
- City Owned Property in Lower Park Avenue (Fire Station & Sr. Center)
- Define & Test City's Role in High Altitude Destination

Other Targets for Action

- Woodward Facility

EFFECTIVE TRANSPORTATION SYSTEM

Desired Outcomes

- Effective, Well Maintained Multi-modal Transportation Network. promoting use of alternative modes of transportation.
- Well utilized, Environmentally Sensitive, Efficient & Effective Public Transit System. Community Transportation & Walkability Plan
- Parking management system that balances demand for convenient options while still

Biennial Action Plan

Operating Plan

- Kamas & Heber Transit Service
- Expanded Pedestrian Path Snow Removal

Capital Plan

- Smart Wayfinding Signs
- Empire Ave Re-construction 2012
- Deer Valley Drive Reconstruction 2013
- Royal Street Reconstruction 2014
- Traffic Control Sign Replacement
- SR 224 Corridor Walkability– 2014

Other Targets for Action

- SR-248 Projects—Park and Ride
- Storm Water Infrastructure repair and replacement
- FEMA Mapping of Flood Plains
- Interconnect Plan

Long Term Action Plan

- Snow & Seasonal Equipment Storage Site
- Smart Highway Technologies
- Implement Storm Water Master Plan
- Street Lighting Renewal Program
- Implement SR-248 & SR-224 Corridor Plan elements

WATER & NATURAL ENVIRONMENT

Desired Outcomes

- Secure Water Rights, Leases & Agreements, and Source Redundancy
- Water Quality, Customer Confidence/Service, and Conservation
- Adequate & Reliable Infrastructure & Financial Stability
- Storm Water Management
- Increased Utilization of Renewable Energy
- Reduced Municipal & Community Carbon Footprints
- Economically Feasible Soil Disposal Options

Biennial Action Plan

Operating Plan

- Quinn's Junction WTP
- Sampling Plan
- McLeod Creek Intake Start up
- Blending and Source Management Program

Capital Plan

- UPDES Related Facilities
- Soil Repository
- Pipeline Projects, Raw & Potable
- Replacement and Renewal Projects

Other Targets for Action

- Pursue Water Importation Options

Long Term Action Plan

- Integrated Drinking Water and UDPEs Facilities for Compliance and Public Health
- Round Valley Reservoir
- Additional Water Procurement
- Continuous Tunnel Maintenance
- Water Conservation
- Continue to Improve Public Perception
- Monitor Regulatory Trends

- Integrated Water Solutions

- Improved Condition of the Natural Environment.
- Increased efficiency, public information, and data base management using technology
- New Soil Repository

RECREATION, OPEN SPACE & TRAILS

Desired Outcomes

- Provide accessibility to premier recreational activities/facilities to the local community at an affordable cost.
- Preserve the Park City brand through beautification of City parks and open space preservation.
- Responsive and respectful internment services
- Effective and safe vehicle & pedestrian transportation
- Environmental Stewardship
- Preserve natural resources to promote recreational opportunities
- Healthy active community
- Develop Park City as a year round destination recreation location

Biennial Action Plan

Operating Plan

- Additional maintenance staff for Park City Sports Complex
- **Open Space Management Plan**
- Increase staff to accommodate increased use of facilities.
- ~~Weed maintenance program~~
- Develop and implement community wellness program
- **Inventory & Capacity plan for City cemetery**
- Increase Aquatic programs to 12 months

Capital Plan

- Install high efficiency irrigation systems
- Osguthorpe acquisition
- **Hard Surface of Silver Quinn Trails**
- Purchase new golf cars
- Shower renovation at Ice Arena
- Concourse Repairs at Quinn's
- New trash and recycling containers
- Purchase hybrid greens mowers
- Purchase additional fitness equipment
- Construct Memorial Wall at cemetery
- Public/Private Rec Facility RFP

Long Term Action Plan

- Open Space Management Plans
- **Annexation of Round Valley**
- County regional cemetery
- Implement Golf Course Renovation Plan
- Develop Recreation Master Plan
- Open Space Capital Projects

REGIONAL COLLABORATION & PARTNERSHIPS

Desired Outcomes

- A City that other agencies invest in
- A community that is ever prepared
- A City part of a regional water network
- A City that protects its resources
- A beautiful unique mountain town
- A town that plays on the world stage
- A City respected and admired globally

Biennial Action Plan

Operating Plan

- Kamas & Heber Commuter Service
- Mayor/Council/Staff learn & lead

Capital Plan

- Equipment for commuter services

Long Term Action Plan

- Prioritize state legislative involvement
- Advance regional, national, international relations and partnerships
- Expand regional transit connections
- Examine growth strategies, regional planning & our position in the County and metro SLC. Be ready to alter our style.

- Assess recycling service levels
- Tactical plan: interagency relations

- Recycle Center

- Enhance interagency relationships
- Good relationship w/federal delegation
- Regional Planning
- Provide for learning and active leading

OPEN AND RESPONSIVE GOVERNMENT

Desired Outcomes

- Fiscally and legally sound
- Engaged, capable workforce
- Flexible and nimble to adjust quickly to changing environments
- Security, maintenance and preservation of city assets
- Connected with our citizens with a shared vision for the future

Biennial Action Plan

Operating Plan

- Develop mid-range and long term Information Technology Strategic Deployment and Management Plan
- Connect, collaborate and create with community in person and virtually.

Capital Plan

- New vehicle for Building Maintenance
- Specialized software acquisition for BFO and Performance Reviews

Other Targets for Action

- Enhance mobile technology & related training to enhance citizen access and communication.

Long Term Action Plan

- Centralized building security system
- Expanded computerized control systems for maintenance
- In-house janitorial staff

- Reduce paperwork and mailing costs through direct paperless billing and payroll
- Enhance centralized HR training program
- Invest in backup, storage & recovery

- Streaming media software

- Identify training needs and develop implementation plan for staff, elected and appointed officials.

PUBLIC SAFETY

Desired Outcomes

- Preparedness: actions that they can take to keep themselves and their families safe.
- Prevention: how to prevent or reduce crime and maintain quality of life
- Education: delivery of public safety services, prevention of crime and build mutually beneficial relationships
- Response: deployment of resources efficiently & effectively

Biennial Action Plan

Operating Plan

- Maintain and expand as able current our Comprehensive Emergency Management
- Specific team training for distinct Emergency Support Functions (ESF)

Capital Plan

- Begin a funding plan for acquiring a Mobile Command Post (MCP)
- Funding to implement City building security recommendations.

Long Term Action Plan

- Continue with implementation of all long-range strategic plans
- Implementation of theft reduction & crime efforts

Vision, Mission, and Targets for Action Posters

At the conclusion of the Council Visioning session, staff was asked to synthesize the various goals, ideals and targets for action. Attachments A and B are the revised Vision and Mission posters for the Council Chambers. We will create a poster with outcome areas and targets for action following this council meeting.

Quarterly Goals Reporting

Upon acceptance of the final biennial action plans Staff will return to Council with a revised quarterly goal reporting format.

Department Review: This report was reviewed by Sustainability, the City Attorney and the City Manager.

Recommendation: Staff recommends that the City Council review and approve the changes to the biennial strategic plans discussed at Council Visioning and the revised vision and mission posters for 2012.

COMMUNITY IDEALS

RESPECT & CONSERVE THE NATURAL ENVIRONMENT

PROMOTE BALANCED, MANAGED & SUSTAINABLE GROWTH

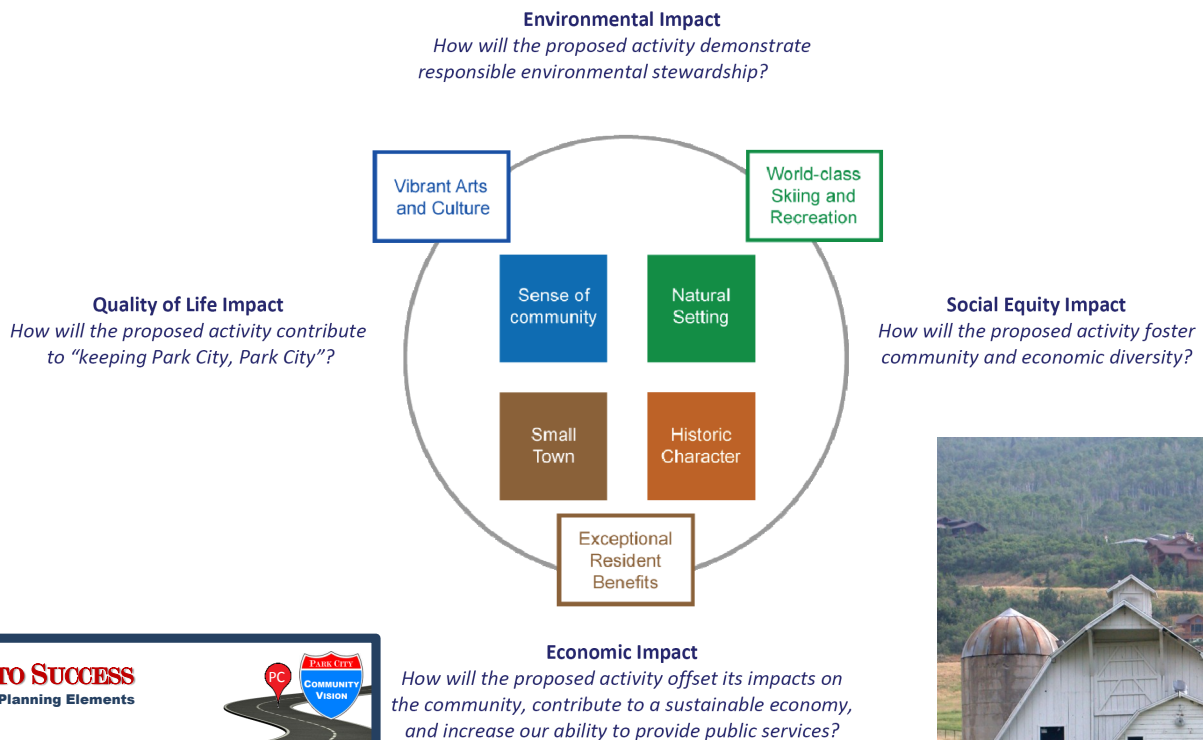
PRESERVE A STRONG SENSE OF PLACE, CHARACTER & HERITAGE

FOSTER A STRONG SENSE OF COMMUNITY VITALITY & VIBRANCY

SUPPORT & PROMOTE DIVERSITY IN PEOPLE, HOUSING & AFFORDABILITY

ADVANCE A THRIVING, DIVERSE & SUSTAINABLE ECONOMIC BASE

COMMUNITY VISION POLICY FILTER



MISSION STATEMENT

**THROUGH HIGH QUALITY SERVICE TO OUR COMMUNITY & GUESTS WE
WILL PROVIDE A MEMORABLE & UNIQUE EXPERIENCE WHILE PRESERVING
& ENRICHING PARK CITY'S HERITAGE, DIVERSITY & ENVIRONMENT**

PHILOSOPHY

"The Best Led & Managed Resort Town in America"

Own it!

RESPONSIBILITY is a "before the fact" mindset of personal ownership and commitment to a result

Act on it!

SELF-EMPOWERMENT is taking action and appropriate risk in order to ensure the achievement of the result

Answer for it!

ACCOUNTABILITY is a personal willingness to answer for outcomes produced

Every member of the **Park City Municipal Team** contributes to the success of accomplishing Council Goals and excellence in operations through: teamwork, innovation, continuous improvement, data-based decision making, clear processes, relationship and communication.

PARK CITY CORE VALUES

COMMUNICATION

FUN & HUMOR

HONESTY & INTEGRITY

QUALITY & EXCELLENCE

RESPECT



City Council Staff Report



Subject: 2011 Debrief of
- Street Dining
- Park City Kimball Arts Festival
Authors: Francisco Astorga & Max Paap
Department: Planning & Sustainability Staff
Date: March 8, 2012
Type of Item: Informational

Summary Recommendations:

Council should review the 2011 Debrief of the Kimball Arts Festival and Street Dining Program and should:

- 1) Specifically consider impacts potentially resulting from expansion of the Street dining program or other capital projects that may impact the operational aspects of the Kimball Arts Festival;
- 2) Affirm the City's ongoing commitment to the Kimball Arts Center as identified in our City Services contract to host the annual Arts Festival.

Topic:

Debrief of the 2011 Kimball Arts Festival and Street Dining Program

Background:

Street Dining De-Brief - Background

In 2011, nine (9) restaurants on Main Street participated in the Street Dining on Main program. These restaurants were granted leases for the use of the right-of-way and fulfilled the requirements of Departmental administrative Conditional Use Permits (CUPs). The term of these leases was for one (1) year with an automatic renewal of up to two (2) years. The term of the lease provided 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. This will be the third year of the program.

The table below illustrates the information related to each street dining deck.

<u>Restaurant</u>	<u>Address</u>	<u>Deck size</u>	<u>Parking spaces</u>	<u>Charged Rent (based on linear foot)</u>	<u>Maximum parking fee</u>
Cisero's	306 Main Street	9' x 31'	1.55	\$465	\$4,464
Bistro 412	412 Main Street	9' x 20'	1.0	\$300	\$2,880

501 on Main	501 Main Street	10' x 17'	1.0	\$300	\$2,880
Main Street Pizza & Noodle	530 Main Street	9' x 31'-2"	1.56	\$468	\$4,493
Bandits' Grill & Bar	440 Main Street	10'- 6" x 23'	1.15	\$345	\$3,312
Bangkok Thai on Main	605 Main Street	9' x 38'	1.90	\$570	\$5,472
The Eating Establishment	317 Main Street	9' x 21'- 10½"	1.09	\$327	\$3,139
Shabu	442 Main Street	9' x 23'	1.15	\$345	\$3,312
Flanagan's (deck removed during Arts Fest)	438 Main Street	9' x 22'-8"	1.13	\$339	\$3,254
		Totals:	11.53	\$3,459	\$33,206

In order to promote street activity during the summer season, the City Council during their April 2011 meetings, directed Staff to waive a portion of the parking fee to \$300 per parking space, twenty feet (20') in length, based on a linear calculation. The normal fee for special use of public parking on Main Street is a daily rate of \$16 per space, totaling \$2,880 for the 180 day period per space (the decks are permitted from May 1st thru October 30th).

In 2011 the City had an application deadline in March where eight (8) restaurants requested to participate in the program. Since the terms and scheduling of the use of the outdoor dining decks must not conflict with any previously existing Master Festival License (MFL), specifically the Arts Fest (Kimball Art Center), Staff received input from representatives from the Kimball Art Center (KAC) regarding the submitted requests. The KAC indicated that they were willing to work with the proposed eight (8) street dining decks as they would not require these participants to remove their deck during the Arts Fest subject to the applicable fees and their terms and conditions.

During the April 21, 2011 City Council work session, the restaurant owner of Flanagan's requested to participate in the program even though he had missed the March deadline. The City Council allowed Staff to review their application and approve subject to all requirements and deck removal during the Arts Fest. The participant agreed to these terms.

Kimball Arts Festival - Background

In June of 2007, Park City Municipal Corporation and KAC entered into a 5 year agreement to hold the annual Park City Kimball Arts Festival for the 2007 through 2011 seasons that included automatic renewal for an additional five (5) years,

unless either party opted out. PCMC Events received confirmation from Kimball Arts Center staff of their intent to renew the contract for the next five year term, thus extending the contract in its current form through November 1, 2016. However, KAC expressed concerns over potential capital or operational changes to the street that could significantly affect their festival footprint and operations. (i.e. street dining decks, bulb outs, etc.)

As outlined in the contract, Park City continues a strong ongoing commitment to working as partners with the Kimball and jointly addressing issues critical to the success of the Festival. The balancing of this collaboration with the City's primary health, safety and welfare responsibilities, as well as Historic Park City Alliance's interests is vital to the ongoing relationship between Park City, the Kimball, and HPCA and is critical to the ongoing success of the Festival in Park City.

City and Kimball Staff have met on numerous occasions to work on both short term fixes and longer-term goals and strategic planning. KAC also met with Historic Park City Alliance representatives to do the same. Each of the parties believe these meetings are effective in both fine tuning specific issues while also providing a better high level framework for future success. At minimum the efforts continue to enable a better and more effective working relationship.

Analysis:

2011 Street Dining – Analysis

There were no major issues with the program in 2011. Staff believes the program was a major success. The City did not receive any complaints and the program seems to be progressing nicely since its inception in 2010. The City allowed three (3) decks to be built in 2010. That number grew to nine (9) in 2011. The KAC indicated that they are willing to work around the approved (2011) eight (8) dining deck during Arts Fest subject to their fees and terms and conditions. If another restaurant owner(s) requests to participate in the program this year, Staff proposes to entertain their application subject to deck removal during Arts Fest and the criteria outlined in the lease agreement and operational restrictions. Staff has previously recommended no more than 12 – 15 decks on Main Street in a given season, partially dependent upon the location and impacts of the decks proposed. Based on input from KAC, Event Staff, and HPCA, that number should be limited to 12; with any decks beyond 8 being removed during the Kimball Arts Festival, unless specifically allowed by KAC and formal findings from staff that there is no harm to the Festival operations.

2011 Arts Festival - Analysis

Kimball, in partnership with HPCA, PCMC Economic Development, and Event Staff continues to focus on improving the Festival attendee experience overall by making processes easier and the event more accessible. PCMC Staff and

Kimball also work together with HPCA to meet with and work to address HPCA concerns to facilitate a successful and safe festival. HPCA has provided a response to the 2012 operational plan (Exhibit B) that favorably recommends the operations instituted in 2011. Additionally, Kimball and Park City shall use all reasonable efforts to coordinate any and all future Old Town improvements/ projects to minimize the effects that they may have on the festival footprint and operations and coordinate with the Park City Chamber Bureau to solicit business support and minimize adverse impacts to the community.

On September 12, 2011, representatives from the Kimball and City Staff met to debrief on operations of the 2011 Festival. Coming out of that meeting KAC submitted in writing an overview (Exhibit A) which specifically included their thoughts on numerous items including the following items which will affect their Supplemental Plans (*staff analysis in italics*).

- Restaurant Decks - Kimball has indicated that the Festival can only operate with eight dining decks on Main Street. *Introduction of the Street Dining Program has significantly impacted the operations and footprint of the Arts Festival by reducing available space for revenue generating boots. Kimball has met with HPCA and PCMC Staff to integrate a lay-out that accounts for placement of the dining decks during the 2012 Festival. Staff is aware of the March 14, 2012 deadline for applications for dining decks and will work with all parties involved to mitigate for any negative impacts to the 2012 festival. PCMC Engineering, Building, Planning, and Special Events have met on-site to go over any operational challenges that may arise from the introduction of the proposed eight dining decks. KAC, PCMC & HPCA are in agreement that only 8 decks should exist during the Festival. Approval of any decks beyond that number will be required by lease to be removed during the Arts Festival unless KAC and PCMC agree to specific findings mutually that a specific location couldn't harm or negatively impact operations of the Festival.*
- Transit at 9th and Main St. - Kimball requests a Transit stop at 9th and Main with both drop-off and pick-up capabilities. *Staff ran a trial of this during the 2011 Festival. All parties believed it was beneficial as it was instrumental in delivering attendees to lower Main Street that greatly increased pedestrian traffic which had a positive comment from sponsors and exhibiting artists. PCMC Transit and Events recommend integrating this component into the 2012 festival.*
- Friday Night- Free Locals - KAC will again offer "Free Locals Night" on the first Friday night of the 2012 Festival. *This element seemed to work really well last year to balance the benefit of a "locals Friday" with perceived operational confusion as to what a local is. Same as last year KAC defines 'Locals' as all Summit County residents and second home*

owners, and employs a “no hassle” philosophy. Ticket prices for Park City visitors that are sold on Friday night for \$10 for adults, \$5 for children 6-18, and free for children under 5 will enable visitors to return to the Festival for the entire weekend. KAC has agreed to place more volunteers and KAC staff, and Board Members at established entrance gates to further help direct the flow of pedestrians.

- Parking Lots- KAC has requested assistance and support to secure more additional parking. PCMC will use a facilitory role in this endeavor and seek assistance with our other community partners to enable parking solutions for ongoing festivals.

Department Review:

Sustainability, Transit, Police, Parking, Streets, Building, and Legal departments have reviewed the Kimball Arts Festival 2012 Supplemental Plans Update and their comments have been incorporated into the report.

Issues for discussion

Direct Staff to:

1. Limit Street Dining to 8 during Kimball Arts Festival; and 12 the rest of the year.
2. Affirm ongoing commitment to working with KAC during Arts Fest to minimize impacts that may result from potential HPCA/ Main Street projects.

Consequences of not taking the recommended action:

The Street Dining Program and the potential of any capital improvements in the downtown could have major impacts on the operational aspects of the Kimball Arts Festival.

Recommendations:

Review the 2011 Debrief of the Kimball Arts Festival and Street Dining Program. Affirm the City's ongoing commitment to the Kimball Arts Center as identified in our contract with the Kimball Arts Center, and specifically consider impacts potentially resulting from expansion of the Street dining program or other capital projects that may impact the operational aspects of the Kimball Arts Festival.

Attachments

Exhibit A - 2012 KAC Festival Overview

Exhibit B- HPCA Letter

Exhibit C – KAF contract (excerpts) – the entire contract can be found at the following link:

<http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=8966>

kimballartcenter



Date: October 14, 2011

To: Jonathan Weidenhamer, Park City Municipal Corporation

From: Robin Marrouche, Executive Director

Re: 42nd Park City Kimball Arts Festival Overview

2011 Arts Festival by the Numbers

The 2011 Park City Kimball Arts Festival (PCKAF) attracted

- 55,000 attendees (11% increase over 2010) from 41 states and Canada
- 220 exhibiting artists from 32 states and Canada
- 20 local Park City Professional Artist Association Member
- 35% of the attendees were from out of state
- Total attendee spending by type:

Hotels	\$2,992,472
Restaurants	\$3,206,848
Retail	\$3,345,579
Arts festival	\$7,213,136
Other	<u>\$921,731</u>
TOTAL:	\$17,679,766
- Fiscal impact for Park City: \$345,416
- Fiscal impact for Summit County: \$185,472
- **Total Positive Economic Impact of the Park City Kimball Arts Festival¹ : \$18.2 million**

Festival Hours

Though difficult, the KAC was able to meet the 5:00 pm start time. Set up began at 2:45 am Friday morning. This is a huge push for KAC to load the entire street within the time allotted and open to the public on time. The KAC is willing to continue to open early and maintain late hours (7 pm) on Saturday to meet HPCA's request as long as the spirit of cooperation and partnership continue to exist within the community.

Future Festival hours:

- Friday 5:00 pm – 9:00 pm
- Saturday 9:00 am – 7:00 pm
- Sunday 9:00 am – 6:00 pm

Restaurant Decks:

As requested by the HPCA and PC Municipal, the Kimball Art Center reconfigured the Arts Festival layout to accommodate eight of the nine Main Street restaurant decks approved by Park City Council for 2011. The ninth deck failed to meet the agreed upon deadline for participation during the Arts Festival and

¹ Source: 2011 Lighthouse Research Park City Kimball Arts Festival survey.

kimballartcenter



Post Office and the Brew Pub parking lot provided all stakeholders are given the opportunity for input and participation in the design and operational programming of said properties.

Transit – 9th Street

KAC greatly appreciated Park City Transits working to include the drop and load stop at 9th Street. This new traffic configuration was instrumental in delivering attendees to lower Main Street. Sponsors, exhibiting artists and lower Main Street businesses commented on the greatly increased pedestrian traffic due to the new transit pattern. KAC asks that the 9th Street drop and load zone be added to the standard Festival operations for the coming years.

Friday Night – Free Locals

Free Locals night on Friday was a huge success. The expansion of the definition of “local” was greeted with appreciation by Summit County Residents. KAC did not receive complaints from non-locals or Main Street businesses about charging non-locals. This is most likely due to KAC’s implementation of a “no hassle” policy at the entry gates to assure a positive customer experience by attendees, residents and Main Street business patrons and owners. KAC will continue to offer “Free Locals Friday Night” with locals being defined as all Summit County residents and second home owners to enhance the sense of community.

Parking Lots

As a result of the increased attendance at the Arts Festival, coupled with the growth of other non-Festival events in and around Park City, KAC requests assistance and support from PC Municipal Corporation to secure additional parking areas, including PCMR, PCHS and Deer Valley as well as facilitating parking solution plans with other events. This year PCMR was parked out Friday night before 6:00 pm and Saturday and Sunday by 11:00 am. KAC also had to request an additional lot from Deer Valley on Saturday to accommodate Festival attendees. It is anticipated that traffic mitigation and parking needs will continue to grow especially when considering the rapid growth of non-Arts festival events happening on the same weekend.



February 2, 2012

Robin Marrouche
Kimball Art Center
PO Box 1478
Park City, UT 84060

RE: Park City Arts Festival – 2012 Operation Plan

Dear Robin:

The Historic Park City Alliance (HPCA) Events Committee met last Fall to review the 2011 operations of the Park City Kimball Arts Festival. After a recent conversation with Katie Snyder, we have come to understand that the Kimball's operation plan for the 2012 Park City Kimball Arts Festival meets the recommendations of the Events Committee.

The Kimball's 2012 operations plan successfully addresses many of the positive changes seen during the 2011 Festival which includes the bus drop-off at 9th and Main Street, earlier opening on Friday night, Summit County locals admission on Friday, and retaining the later closure on Saturday. The HPCA is in support of a maximum of 8 outdoor dining decks that can remain in place during the Festival. We request additional coordination of the signage for the outdoor dining decks and their quick serve options needs to be included in the overall Festival Master Plan.

We sincerely thank the Kimball for continuing to listen and address our concerns with regards to their operations plans and we wish them much success with the 2012 Park City Kimball Arts Festival. The HPCA sees the Kimball Art Center is a valued member of our District and the type of exhibitions and education they bring to the community is truly appreciated.

Best regards,

A handwritten signature in black ink, appearing to read "Alison Butz", written in a cursive style.

Alison Butz
Executive Director

Exhibit C – KAF contract excerpts.

Recitals

D. WHEREAS, Park City is authorized by Section 10-7-85 of the Utah Code Annotated to provide for and appropriate funds and services for the support of the arts for the purpose of enriching the lives of its residents. In recognition of the significant past and future artistic and economic contributions which the Kimball and the Festival make to the communities in Park City in particular and Summit County in general, Park City deems it to be in the best interests of the Park City community to enter into this Agreement.

G. WHEREAS, notwithstanding Recital E, Park City retained the firm Wikstrom Economic & Planning Consultants, Inc. to review the direct economic benefits of the Festival to Park City, and the Summary of Revenue Impacts to Park City and Summit County dated September 2003 is incorporated herein by reference. The City Council finds that the Kimball's annual direct economic impact to Park City equals or exceeds each annual fair market value of Park City's contribution herein. The City Council also finds that numerous additional indirect and intangible benefits of the Festival create additional overall positive economic, artistic and quality of life impacts on Park City, its residents and its visitors. The City Council therefore finds Park City receives a greater net value than the City's appropriations over the life of the contract.

A. PRINCIPLES AND RESPONSIBILITIES.

1. General Principles.

1.1 Mutual Cooperation and Flexibility. Park City and Kimball mutually acknowledge and agree to proceed through all stages of planning and operations for the Use Areas outlined in this Agreement and each Festival in the spirit of mutual cooperation and flexibility, recognizing that circumstances may change between the date of execution of this Agreement and the commencement of the annual Festivals. Park City and Kimball agree that the purpose for cooperation and flexibility is the successful operation of the Festival. Both Parties understand that plans may change each year.

1.4 Park City General Responsibilities. In addition to the responsibilities of Park City set forth in the balance of this Agreement, Park City is responsible for producing and providing to Kimball or its designee all official Park City information relevant to the Festival and the Use Areas, including internal staff communication, and promoting positive support for Park City's involvement in the Festival and the opportunities provided thereby. Park City shall determine its calendar of municipal activities as affected by the Festival, and emphasize realistic public expectations for Park City during the Use Periods. Park City will use its best efforts to prevent any other activity from interfering with the Festival and this agreement.

4.1 Access Prior to Use Periods. Unless otherwise set forth herein, Park City and Kimball shall cooperate to arrange times that Kimball and its designees may have non-exclusive access to the Use Areas prior to the Use Periods for the purpose of inspections, planning, preparations, testing and design work, surveys, examinations, and other activities that are necessary for Use Area planning and preparatory functions and advance preparations for and (if necessary) advance construction of certain Temporary Improvements such as installation of cables, conduits, curb cuts, signage and substructure; provided that such access shall not materially interfere with ordinary and customary Park City operations and that such advance construction shall be consistent with the requirements outlined herein.

6.1 Basic City Services. At no additional cost to Kimball Art Center, Park City will provide the following City Services for each day of the Festival:

- (a) The Kimball shall be entitled to a credit of 67 hours per day of the Festival for specific Festival police as determined by the Police Chief's use for traffic mitigation;
- (b) 73 hours per day of the Festival of enhanced transportation on Park City's existing routes;
- (c) Additional trash can placement along Main Street;
- (d) Pressure washing of the street and sidewalk post-event;
- (e) Installation of Street Banners on the City's light standards for the Festival;
- (f) Enhanced Main Street restroom cleaning; and
- (g) Two (2) electronic signs for the duration of the Festival.

E. FINANCIAL.

11. Service Contract. Subject to annual budget appropriation, Park City hereby agrees to make the following annual contribution to Kimball towards the costs of the Festival for the term of this contract:

- (a) \$10,000 cash for Free Friday Locals Event.
- (b) \$5,000 cash for Enhanced Perimeter Security
- (c) \$8,000 value in kind contribution of Additional City Services



City Council Staff Report

Subject: Brown & Caldwell Professional Services Agreement Amendment
Author: Joan Card, Jim Blankenau, Jason Christensen
Department: Sustainability
Date: March 8, 2012
Type of Item: Administrative

Summary Recommendations:

Authorize the City Manager to execute an amendment, in a form approved by the City Attorney, to the Professional Services Agreement with Brown and Caldwell dated March 31, 2011 for services related to federally-required Utah Pollutant Discharge Elimination System (UPDES) permits for Judge Tunnel, Spiro Tunnel, and Prospector Drain.

The Amendment will allow staff to consult with Brown and Caldwell regarding the technical aspects of finalizing the UPDES permits with the Utah Department of Environmental Quality (UDEQ). The Amendment also would expand the current contract scope to perform a Spiro Tunnel Watershed Characterization to set a course for alternative approaches to active water treatment at Spiro Tunnel and to test the validity of those approaches. The fee per the Amendment shall not exceed \$87,000.00.

Topic/Description:

By way of background, PCMC's Water Strategic Plan (attached) which City Council approved included the following which is related to this amendment

Topic - Water Quality

- Maintain tunnel sources to enable maximum source delivery.
- Meet or exceed all State and Federal Drinking Water Standards.
- Protect existing water sources.
- Support long term viability and improvement of East Canyon Creek and Silver Creek.
- Maximize operational efficiency.

Background:

In July 2009, the Region 8 Office of the U.S. Environmental Protection Agency advised Park City that the municipality must obtain Clean Water Act discharge permits (in Utah, UPDES permits) for the Judge Tunnel, the Spiro Tunnel and the Prospector Drain. These sources discharge dissolved metals at varying levels to Silver Creek and East Canyon Creek. The UPDES permits will authorize the discharges from the three water sources and will set discharge limits for metals and other constituents in the discharge.

The analysis related to discharge limits in the UPDES is complex, as was the completion of the permit applications required by UDEQ. The City selected Brown and

Caldwell to provide the technical services necessary to complete the permit applications. The applications were submitted to UDEQ on behalf of Park City on July 27, 2011. UDEQ is reviewing the applications for completeness and will prepare draft permits for City review, then public notice and comment. Upon completion of the public notice and comment period, UDEQ will issue final permits for the three sources. The three permits will have a 5-year term and then renewal will be required. The current Brown and Caldwell contract scope does not include finalizing the UPDES permit.

In addition, staff has gathered information through water quality testing at Spiro and discussions with UDEQ related to the UPDES permitting requirements that suggest there is value in considering the viability of alternatives to a new active treatment system for Spiro Tunnel discharges. Namely, UPDES permitting allows both “site-specific” water quality standards, i.e. less stringent standards that still protect fish and other aquatic life, and “mixing zones,” i.e. meeting standards at a point downstream of the discharge that still protects stream uses, such as drinking water. Brown and Caldwell has proposed a Spiro Tunnel Watershed Characterization study that involves new water quality testing downstream of Spiro Tunnel and the development of models and sensitivity analyses to determine the viability of the alternative approaches.

Analysis:

The services of Brown and Caldwell through the time UDEQ issues the final permits are necessary. Brown and Caldwell staff is not only familiar with the general requirements of the UPDES program, but is familiar with the requirements of permitting the three sources. Staff requires the continued assistance of Brown and Caldwell, as necessary, to calculate additional permit limit options, work directly with UDEQ staff to review permit limit calculations and assumptions, meet with staff and UDEQ, and develop cost estimates or work plans for implementing the compliance schedules in the final UPDES permits.

Further, staff believes the additional Spiro Tunnel Watershed Characterization is a worthwhile investment in a potential alternative that would reduce the size or eliminate the need for an additional or entirely new treatment plant for Spiro Tunnel. The Characterization project would determine whether additional modeling to develop site-specific standards and mixing zones for Spiro Tunnel discharges are viable or whether a new water treatment system must be constructed and operated for the Spiro discharge. If the alternatives are viable, the additional modeling effort will be far less expensive than the design, construction, and operation of new treatment capacity. If the alternatives are not viable, we have assurances that new treatment capacity is the only option to meet water quality standards.

Staff will continue to explore treatment concepts, including a combined Judge and Spiro treatment facility. A new treatment plant to treat Judge water is still likely but a successful site-specific standard for Spiro could reduce the required capacity of the facility. The combined Judge and Spiro option could include a future expansion option to treat Spiro if required due to stricter regulations and/or changing water quality in the future.

Department Review:

Water, Legal and Executive have reviewed this report.

Alternatives:**A. Approve:**

This is staff recommendation.

B. Deny:

This would require staff to rely solely on the technical work of UDEQ without qualified review and may result in a UPDES permit for Spiro that requires a new treatment plant without the benefit of an alternatives analysis.

C. Modify:

Council could increase or decrease the amount of the Amendment and require staff to modify the scope of work accordingly. Council could approve only the portion of the contract to finalized the UPDES permits and deny the Spiro Tunnel Watershed Characterization study.

D. Continue the Item:

The UDEQ expects to provide draft permits for staff review very soon, therefore, continuing the item may have the same effect as denying the item.

E. Do Nothing:

Doing nothing would have the same effect as denying the item.

Significant Impacts:

The UPDES permitting process is one of the several steps Park City is taking to address the environmental impacts of the City's mining history. The resolution of the permitting issues associated with Judge Tunnel, Spiro Tunnel, and Prospector Drain is a major step in addressing the environmental issues that relate to those sources and the City's relationship with the owner of the Judge and Spiro Tunnels, United Park City Mines Company. Additionally, UDEQ and EPA have the authority to enforce the UPDES permitting requirement. Penalties for non-compliance can be as high as \$25,000 per day per violation.

Council has approved an Environmental Regulatory Program budget. Brown and Caldwell has been paid \$67,400 under the current contract from the Water Operations Miscellaneous Contract Services account of the Environmental Regulatory Program budget. The additional \$87,000 would be paid from the same water operations account which currently has a budget in both 2012 and 2013 for work related to the UPDES permits.

Consequences of not taking the recommended action:

Park City would not have the technical expertise to review the final discharge limit calculations and certain other UPDES permit terms. Park City would not be as effective at negotiating permit terms or responding to UDEQ questions and comments. Park City would not have the benefit of an analysis of alternatives to new water treatment at Spiro Tunnel

Recommendation:

Authorize the City Manager to execute an amendment, in a form approved by the City Attorney, to the Professional Services Agreement with Brown and Caldwell dated March 31, 2011 for services related to federally-required Utah Pollutant Discharge Elimination System (UPDES) permits for Judge Tunnel, Spiro Tunnel, and Prospector Drain. The Amendment will allow staff to consult with Brown and Caldwell regarding the technical aspects of finalizing the UPDES permits with the Utah Department of Environmental Quality (UDEQ). The Amendment also would expand the current contract scope to perform a Spiro Tunnel Watershed Characterization to set a course for alternative approaches to active water treatment at Spiro Tunnel and to test the validity of those approaches. The fee per the Amendment shall not exceed \$87,000.00.

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