PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH,
MARCH 7, 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 7, 2013.

Closed Session
1:30 p.m. Personnel, property and litigation

Work Session

3:30 p.m.	Council questions/comments	
3:40 p.m.	Legislative update	
3:50 p.m.	Walkability update	P. 5 - 16
4:00 p.m.	COSAC special projects	P. 17 - 18
4:20 p.m.	Historical Society request to the City to provide archiving solutions	P. 19 - 49
4:50 p.m.	Rocky Mountain Power expansion/relocation • Public input	P. 50 - 59
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 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 P. 60 - 63

2. Consideration of an Ordnance approving an extension for the approval of the 508 Main Street Subdivision Plat Amendment, located at 508 Main Street, Park City, Utah P. 64 - 76
   (a) Public hearing
   (b) Action

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 P. 77 - 81
   (a) Public hearing
   (b) Action

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 14, 2013

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will **not** hold its regularly scheduled meeting on Thursday, March 14, 2013.

Posted: 03/04/13
See: www.parkcity.org

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

March 2013

14 **No meeting**

21 Legislative wrap-up - work
Water leaks policy – study
Deer Valley Drive Phase 2 – work (30 min)
RMP – work (1 hour)
Marketing and advertising sales contract – ice arena – JP
Deer Valley Drive CEMP contract – MC - consent
Deer Valley Drive PIO contract – MC – consent
Planning Department funds for CNU sponsorship (public hearing/action) - AG
520 & 522 Park Avenue plat amendment
496 McHenry Lots 21-32 Echo Spur Subdivision plat amendment
421 Park Avenue plat amendment
315 Park Avenue – old business
Walkability bonds

28 Business retention and attraction – study
Historic District grant program update – work
Outdoor dining – work/action
Special event overhaul- work (30 min)
Award of contract for Transit Residential Building Construction
Change order Empire Avenue Reconstruction Project

April 2013

4 Community technology – study - SR
Golf course update – work – (20 min)
Liquor license amendments – old business

11 Deer Valley Drive Construction Contract
Echo Spur Road acceptance and name change

18 Visioning wrap-up

25 **No meeting**

May 2013

2
9
16
23
30

Pending Items:

GIS app
Wasatch Front and Back mountain resort expansions – Mayor Becker team
Latino Community outreach and engagement – study
Visioning w/County - Phyllis

City Council
Staff Report

Subject: Walkability Project List Review
Author: Heinrich Deters and Nate Rockwood
Department: Sustainability and Budget
Date: March 5, 2013
Type of Item: Administrative

Recommendation
Staff recommends that Council approve the proposed walkability project list for the remaining $7,175,000 of the $15 Million Walkability bond and direct staff to return in late March with a 2013 GO Walkability Bond Resolution.

Topic/Description
Funding Remaining Walkability Projects

Background
In November of 2007, the citizens of Park City passed the $15 Million 'Walkability Bond', to fund projects identified within the Walkability Study. Immediately thereafter, Park City advertised for applications to form a public advisory committee (WALC), to help prioritize the over 113 issues identified within the Study. Thirty six projects with a combined budget of $13,154,880 were approved and funded by the City Council during the FY2009 budget. (Attachment A)

In February of 2008, City Council approved bonding for approximately $7.8 million of the $15 million for twenty five projects identified in the initial 1-3 year timeframe.

To date, thirty one of the thirty six projects identified in the first phase of projects have been completed. These projects include the Comstock and Bonanza underpasses, pathway projects along Comstock Drive, Little Kate Road and Holiday Ranch Loop, as well as, smaller traffic calming, wayfinding and connectivity projects. Staff worked with several City Departments, specifically Streets, Water and Transit, as well as, the Utah Department of Transportation, utility companies and Snyderville Basin Water Reclamation District in an effort to coordinate associated projects and minimize construction impacts to the community. This coordination effort, often times reprioritized initial project timelines, thus, several projects from the 3-5 year timeframe were completed ahead of schedule, and within funding initially allocated through Phase 1 bonding.

To date, approximately $7,900,000 has been utilized to fund the thirty one substantially completed projects. $7,170,000 in voter approved bond funds remain from the $15 Million bond initiative. Approximately $420,000 above the previously bonded amount has been spent in anticipation of a second walkability bond issuance. These costs include the design and engineering for the Wyatt Earp and Park Ave Pathway project (west side Dan's to Jans), as well as, overruns on the Bonanza project. The $420,000 represents the minimum amount currently required for a second walkability bond.

Analysis:
Of the five remaining projects from the Council approved list, the Dan's [The Market at Park City] to Jan's project, was allocated over $4,000,000 by the WALC committee. The following projects with significant budgets have yet to be completed: Wyatt Earp Way Traffic Calming ($400,000) and the widening of existing spine pathways such as the Poison Creek Trail ($555,280).

The existing walkability project list only identifies $13.1 Million in projects, which leaves approximately $1.8 Million in funds for non-prioritized or unidentified projects, or for possible overruns to existing project costs. The SR-224 Corridor study Phase I project costs are estimated at almost $6M, which provides additional walkability projects and cost estimates above the approved $13.1M WALC project list, should Council wish to provide direction to do so.

Staff would like Council to consider the following factors associated with a second bond issuance:

1. In the fall of 2012, Park City Municipal completed the SR 224 Corridor Study. (Excerpts Attachment B) This study employed input from various stakeholder groups, including the WALC Committee, to create a 'project list' and associated timeline for the area. One aspect of the study was to better define walkability projects associated with the WALC recommendation referred to as 'Dan's to Jans' improvements.

2. Staff recommends bonding for the entirety of the remaining voter approved bond amount in order to realize cost savings associated with bond issuance costs, market conditions, and the bank qualified status of issuing the bonds this calendar year. The current financial environment is extremely beneficial for entities wishing to bond. Borrowing costs and the associated interest rates are at an all-time low and may only increase in the near future.

If Council should approve the recommendations made in the report, staff would return to Council within a few weeks with a bond resolution, as well as, specifics associated with the rates and timing of the issuance. Additionally, each individual project will still need to be approved both in the CIP budget process and design/construction contract phase.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	+ Accessible and world-class recreational facilities, parks and programs + Multi-seasonal destination for recreational opportunities + Safe community that is walkable and bike-able	+ Abundant preserved and publicly-accessible open space	+ Residents live and work locally	+ Fiscally and legally sound
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Very Positive	Positive	Positive	Positive

Alternatives:

A. Approve the attached walkability project list and subsequent funding for the remaining $7,175,000 of the walkability bond. **This is staff's recommendation.**

B. Modify the request: Council could choose to modify or reduce the amount of bonds to issue.

C. Deny the request: Council could choose to not to fund the second phase of walkability projects at this time. The Dan's to Jan's project would not be implemented.

D. Continue the Item: Council may feel there is not enough information to make a decision, and have staff return with more information.

E. Do Nothing: This would impact the timeline and completion of approved projects.

Departmental Review

This report has been reviewed by the Sustainability Department, Legal Department, Budget Department, and Interim City Manager.

Staff Recommendations:

Staff recommends that Council approve the proposed walkability project list for the remaining $7,175,000 of the $15 Million Walkability bond and direct staff to return in late March with a 2013 GO Walkability Bond Resolution.

Attachment A: Existing WALC Projects & Proposed SR-224 Projects
Attachment B: SR-224 Corridor Study Phase I Projects and Cost Estimates

Attachment A: Existing WALC Projects & Proposed SR-224 Projects

Walkability Approved Project (completed if orange)	Project Budget	NOTES
8' separated path Park Ave	$4,014,000	In design phase
8' separated path D.V. Dr. Jan's-underpa	$117,000	
Bonanza underpass	$1,150,000	
Install bike lanes on Bonanza Dr.	$0	
Ped-signal High School	$79,000	
Little Kate Sidewalk	$923,000	
Kearns underpass	$3,122,000	
Homestake & Kearns	$0	
Wayfinding for Lost Prospector trail	$900	
LJ/LDS church sidewalk	$78,000	
Bridge Rail Trail/Iron Horse	$85,000	
Traffic calming Monitor Dr.	$75,800	Traffic Counts/Speeds show reduced speeds
crosswalk inlay SR-224/HolidayRL/Payday	$34,000	
Way finding school zone	$2,500	
Traffic Calming along Comstock	$940,000	
Prospector neighborhood	$400,000	Wyatt Earp Project (soils district) 2013
Monitor Dr./SR-248 intersection	$100,000	
Safer crossing SR-224 near Albertson's	$25,000	Part of Dan's to Jan's Project; HAWK Beacon.
Sidewalk on east side of Park Ave.	$34,000	
crosswalks on Marsac	$8,000	DVD Project
Wayfinding Main St.	$4,000	
Class II bike lane on Lucky John	$0	
8' path at Barn	$50,000	
8' asphalt path east side SR-224	$100,000	
Crosswalks Main St. and Heber Ave.	$16,000	Main St projects
Widen existing bike paths	$555,280	Poison Creek/Kearns (2013)
Stop signs Monitor/Little Kate	$0	
Class II bike lane along SR-248	$40,200	UDOT implemented from Comstock to Hwy 40
Olympic Plaza sidewalk	$13,000	
Old Town crossswalks	$12,000	Main St projects
8' path Holiday Ranch Loop	$922,000	
Gun club path connection	$0	Part of PC Heights MPD
Meadows Dr. Bike Lane	$40,200	
TC Park Meadows 1	$71,333	
TC Park Meadows 2	$71,333	
TC Park Meadows 3	$71,333	
Other		
Total Budget	$13,154,880	
SR-224 Corridor Study		
Phase I		
ROW/Design/Construction	$ 800,000	Shared Costs
Pathways	$ 370,000	West side in design
Jans/Coles Underpass	$ 1,780,000	
Intersection Improvements*	$ 418,000	Shared Costs
Construction/Design	$ 900,000	Shared Costs
Contingency 50%	$ 1,700,000	Shared Costs
TOTAL	**$ 5,960,000**	

Attachment B- SR-224 Corridor Study Phase I Projects and Cost Estimates

Attributes

Intersection Improvements:

1. The eastbound lane geometry at Park Avenue / Deer Valley Drive (coming from Empire Avenue) is re-configured from a single left, shared thru-left and single right turn to dual left turn lanes and a shared thru-right. This enables the signal to be re-timed, allowing eastbound and westbound through movements to go at the same time like a traditional intersection. This should allow the intersection to operate more efficiently and be less counter-intuitive for pedestrians. Since this location experiences high levels of delay and pedestrian volumes, this improvement would help increase efficiency and pedestrian safety.

2. The southbound right turn at Park Avenue / Deer Valley Drive is converted to a "right-turn overlap" condition (See *Figure 15*). This would allow the southbound right turn to operate just like the westbound right turn at this same location. A new signal head for this movement will be required that gives southbound right turning vehicles a "green arrow" indication while the eastbound left operates. This improvement will increase capacity by allowing right turning vehicles to go without stopping while the eastbound left turns are moving.

Figure 15. Right Turn Overlap Diagram

4. A pedestrian tunnel (See Figure 16) is located on the north leg (Jan's to Cole's) of Park Ave / Deer Valley Drive. This eliminates pedestrian conflicts with the westbound right turn as well as the southbound right turn, thereby continuing to improve capacity for both of those movements and improve safety for pedestrians. The crosswalks on the east, west and south legs of the intersection remain in place.

A North – South tunnel along the west side of the intersection is not recommended at this time because the number of pedestrians using this crosswalk are significantly lower than the number of pedestrians crossing the northern side of the intersection. Also, removing the pedestrian conflicts with eastbound and southbound right turns at the intersection is less critical than removing the conflict for the westbound right turn, as is accomplished with the Jan's to Cole's tunnel. This opportunity should be re-evaluated at the completion of Phase 1

Figure 16. DVD/SR-224 Pedestrian Tunnel

5. The pedestrian (HAWK) beacon located mid-block on Park Avenue between Deer Valley Drive and Kearns Blvd. is eliminated and replaced with a new fully-signalized intersection that is a result of realigning Lame Dog Rd. with Homestake Rd. (See Figure 17) The new signalized intersection serves

Figure 18. Proposed Phase I Improvements

both roadways as well as the pedestrians currently using the HAWK signal. A benefit of this conversion is the elimination of the offset left turns currently in place at that intersection.

Figure 17. Lame Dog Rd. Re-Alignment

Trail Improvements:

1. A 10 foot wide trail (See Figure 19) is illustrated on the west side of SR-224 from the Kearns Blvd. intersection to Deer Valley Drive. This trail will need to be located in an easement negotiated with the Park Avenue Home Owners Association (HOA) board. Initial discussions with an HOA representative indicates that there is potential for an agreement to be made.

Figure 19. Trail in Easement

2. An eight foot wide trail is proposed on the east side of SR-224 from Kearns Blvd. to Deer Valley Drive. This trail will be more difficult to fit in due to existing buildings and other encroachments but there is still an opportunity to separate the trail from the street and introduce more landscaping.

3. A third trail is proposed on the north side of Deer Valley Drive to connect SR-224 with the Poison Creek Trail and pedestrian tunnel. This trail will be widened to 10 feet to provide a safer multi-use condition.

Curb-cut Consolidation:

1. Figure 20 illustrates the elimination of five curb-cuts to reduce friction along the corridor and improve vehicular and pedestrian safety. The businesses associated with each proposed curb-cut reduction has an existing alternate access point.

Figure 20. Curb-cut Consolidation

UDOT policy requires a new access permit with each change in access use (not just transfer of ownership). Access consolidation can occur through redevelopment of these properties as part of the UDOT access permit process. A critical step in ensuring this process is successful is to inform developers of the access permit process. This should be done by City staff as building permit applications are submitted for properties along this corridor and other state routes.

It has been identified that accesses along Iron Horse Drive immediately adjacent to SR-224 have been problematic. At times, traffic backs up from the accesses onto SR-224. Although Iron Horse Drive is not within the study area, it is recommended that access management and consolidation be considered at this location as well. Further study should take place to identify potential solutions.

Signage and Wayfinding Improvements:

1. A Variable Message Signs (VMS) should be implemented along Deer Valley Dr. and upon exiting Park City Mountain Resort on Empire Dr. This system will provide real time traffic/travel time information for exiting traffic. In addition, a smart phone "App" should be created providing this information and other wayfinding in the area.

2. A signage and wayfinding program should be implemented along the trail to establish clearer links to regional trail systems and City landmarks.

Landscape Improvements:

1. Along with trail improvements, a fair amount of grading will need to be done to cut in the trails and to establish noise reducing berms. Tree, shrub and groundcover plantings should also be installed along the western edge to improve corridor aesthetics.

2. Landscaped medians should be considered along sections of SR-224 to carry the aesthetic established along the corridor between Kimball Junction and the study area. The design of these medians should take into account snow removal and maintenance practices.

Phase 1 improvements could be implemented in the immediate near-future as they don't require substantial ROW or design effort.

Benefits

Improved Traffic Conditions

For the proposed Phase I improvements, analysis was performed using VISSIM to quantify the operational benefits that could be expected from these changes in near-term conditions. *Table 3* shows the anticipated phase 1 results.

The analysis shows that the Phase 1 improvements will provide acceptable LOS (LOS D or better)

TABLE 3. PHASE 1 - PM PEAK HOUR VEHICULAR DELAY AND LOS

Intersection	Existing Baseline		Existing Phase 1		Near-Term Baseline		Near-Term Phase 1	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
Park Ave / Kearns Blvd.	28	C	19	B	54	D	21	C
Park Ave / DVD	49	D	32	C	88	F	39	D
DVD / Bonanza	24	C	20	B	103	F	24	C

1. Near LOS threshold (55.0 seconds is boundary between LOS D and LOS E)

Source: Fehr & Peers, 2012

under existing traffic conditions. Additionally, reducing the congestion at Park Ave / Deer Valley Drive will result in substantial improvements at the other study intersections. These improvements are a direct result of queue reduction and improved progression. The Phase I improvements will also provide acceptable delay for the near term conditions, with all study intersections operating at LOS D or better. This suggests that Phase II may not be necessary in the near-term (5% growth).

Improved pedestrian and vehicular safety

Pedestrian and vehicular safety will be improved by re-aligning Lame Dog Dr., reducing curb-cut conflict points, reducing left turn access with landscape medians, improving pedestrian and bicycle trails and by installing a pedestrian tunnel at SR-224/ Deer Valley Drive.

Improved Aesthetics

By detaching pedestrian trails, installing berms and more landscaping, reducing curb-cuts and installing landscaped medians, the corridor aesthetic will be improved. An enhanced gateway experience will be created and the proposed improvements will unify the look of the corridor by creating a setting that is more reflective of conditions that exist along SR-224 west of the study area.

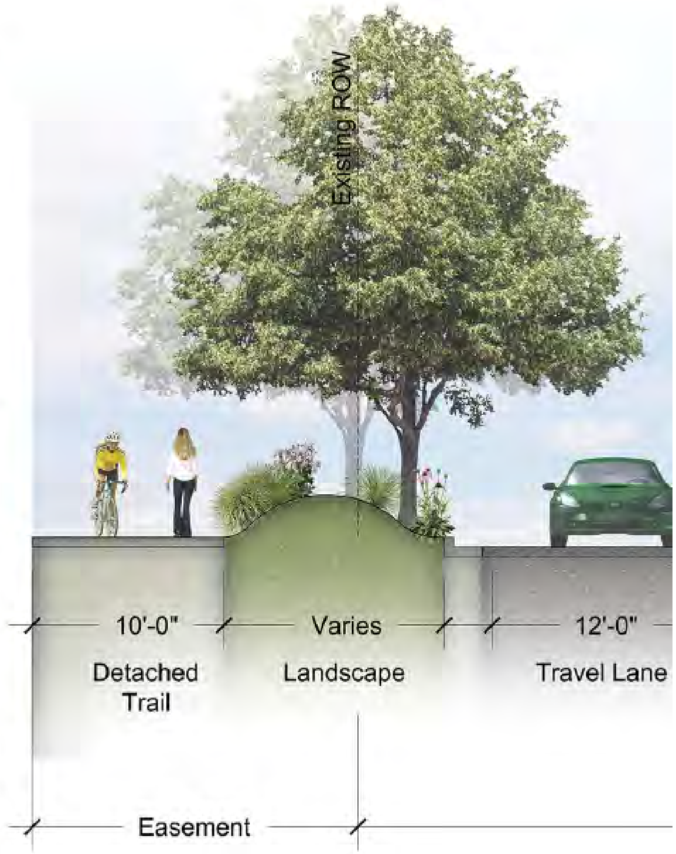
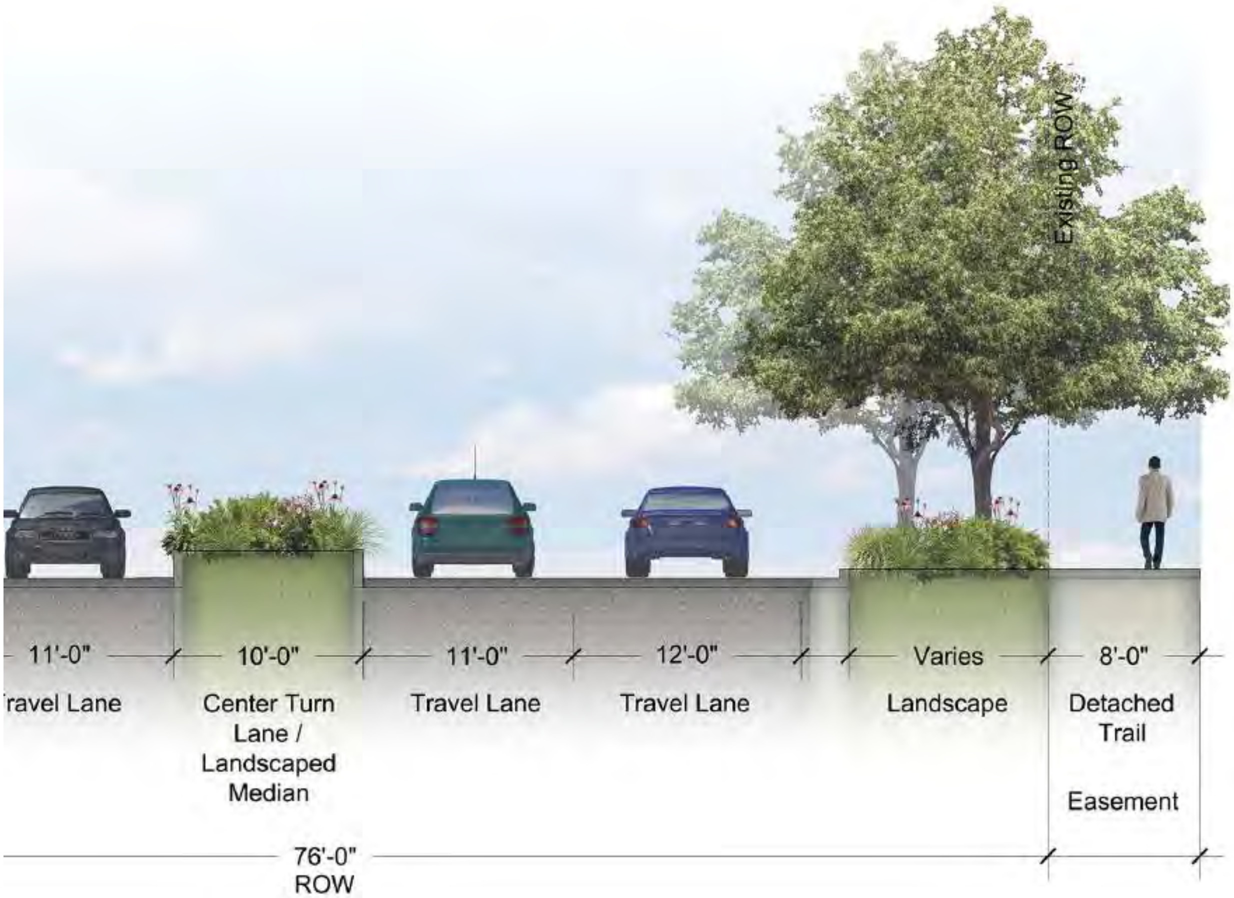


Figure 21. Proposed Phase I Street Section

Considerations

The primary considerations for improvements outlined in Phase 1 include:

- Cooperative easement agreement(s) will need to be established between the City, Park Avenue Condo's and other land owners on the east side of the corridor.
- There are turning restrictions created by the installation of landscaped medians.
- Striping/signing changes will need to be implemented on the eastbound approach at Park Ave / Deer Valley Drive.
- One new signal head (Type IV) will need to be installed to accommodate the right-turn overlaps.
- Opportunity to partner with upcoming water projects
- Funding is available using remaining WALC bond (approx. $7 million)



• A more detailed plan and engineering study will be needed to determine the feasibility of the pedestrian tunnel. The study will need to include space requirements, ADA requirements, and existing utilities to determine if, where and how a tunnel will fit.

• The signal timing plan will need to be revised at Park Ave / Deer Valley Drive to accommodate the recommended changes.

• Due to limited space curb-to-curb, no bike lanes are proposed within the Right-of-Way.

• Any construction will need an environmental assessment for regulated soils.

• A policy should be developed with the Bonanza Park plan for parking lot and access consolidation during the redevelopment.

Phase I Probable Cost

SR-224 Corridor Study - Phase 1

Cost Estimate - Concept Level

Prepared By: TCA	Date		Manually Input
Approximate Route Reference Post (BEGIN) =		(END) =	
Accumulated Mileage (BEGIN) =		(END) =	
Project Length =	0.000	miles	ft
Current Year =	2012		
Assumed Construction Year =	2014		
Construction Items Inflation Factor =	1.24	2 yrs for Inflation	
Assumed Yearly Inflation for Engineering Services (PE and CE) (%/yr) =	3.0%		
Assumed Yearly Inflation for Urban Residential Right of Way (%/yr) =	1.0%		
Items not Estimated (% of Construction) =	50.0%		
Preliminary Engineering (% of Construction + Incentives) =	8.0%		
Construction Engineering (% of Construction + Incentives) =	10.0%		

Item #	Construction Items	Quantity	Unit Price	Unit	Cost	Remarks
1-1	Mobilization	1	$297,888.36	lump	$297,888	10% of construction cost
1-2	Public Information Services	1	$5,000.00	lump	$5,000	
1-3	Survey	1	$10,000.00	lump	$10,000	
1-4	Traffic Control	1	$148,944.18	lump	$148,944	5% of construction cost
				General Subtotal	**$461,833**	
	RIGHT OF WAY					
1-5	Right of Way Easements	67140	$6.00	sq ft	$402,840	30% of Land Value estimated at $20 per Sq Ft
				Right of Way Subtotal	**$402,840**	
	PHASE 1A - SEPARATED TRAIL					
1A-1	Sidewalk	2840	$23.50	sq yd	$66,740	trail
1A-2	Grading	7460	$2.00	sq yd	$14,920	
1A-3	Earthwork	2462	$10.00	cu yd	$24,620	
1A-4	Construct Berm/Import Topsoil	2829	$28.00	cu yd	$79,212	
1A-5	Trash Receptacles	5	$1,100.00	each	$5,500	
1A-6	Planting Box	6	$800.00	each	$4,800	
1A-7	Benches	4	$1,400.00	each	$5,600	
1A-8	Waiting Shelter	0	$15,000.00	each	$0	Utilize existing Shelters
1A-9	Bike Rack	4	$750.00	each	$3,000	
1A-10	Highway Lights	12	$4,000.00	each	$48,000	
1A-11	Trees	35	$400.00	each	$14,000	
1A-12	Shrubs	500	$35.00	each	$17,500	
1A-13	Irrigation System	1	$40,000.00	lump	$40,000	
1A-14	Turf Sod/Flowers	89467	$0.50	sq ft	$44,734	
1A-15	Landscape Boulders	30	$50.00	each	$1,500	
				Subtotal for Phase 1A	**$370,126**	
	PHASE1B- LAME DOG LN/HOMESTAKE RD/SR-224 INTERSECTION					
1B-1	HMA - 3/4 Inch	1,061	$80.00	ton	$84,900	7" HMA
1B-2	Untreated Base Course	587	$35.00	cu yd	$20,554	8" UTBC
1B-3	Granular Borrow	1,101	$19.00	cu yd	$20,919	15" GB
1B-4	Roadway Excavation	1,809	$9.00	cu yd	$16,281	
1B-5	Curb and Gutter Type B1	1,802	$16.75	ft	$30,184	
1B-6	Drainage Catch Basins	6	$3,000.00	each	$18,000	
1B-7	Drainage Manholes	2	$5,000.00	each	$10,000	
1B-8	Drainage Pipe	500	$50.00	ft	$25,000	
1B-9	Signing/Striping/Pavement Markings	1	$10,000.00	lump	$10,000	
1B-10	Trees	5	$400.00	each	$2,000	
1B-11	Landscaping	1	$30,000.00	lump	$30,000	
1B-12	Highway Lights	4	$4,000.00	each	$16,000	
1B-13	Pedestrian/Intersection Signalization	1	$110,000.00	lump	$110,000	Lame Dog/Homestake
1B-14	Relocate Utilities	1	$25,000.00	lump	$25,000	
				Subtotal for Phase 1B	**$418,837**	

	PHASE 1C - LANDSCAPED MEDIAN					
1C-1	Remove Asphalt Pavement	2262	$4.06	sq yd	$9,266	
1C-2	Roadway Excavation	380	$9.00	cu yd	$3,423	
1C-3	Type B4 Curb	3575	$14.90	ft	$53,268	
1C-4	Plowable End Section	12	$815.00	each	$9,780	
1C-5	Import Topsoil	1332	$28.00	cu yd	$37,296	
1C-6	Shrub Plantings	1200	$35.00	each	$42,000	
1C-7	Irrigation System	6	$3,500.00	each	$21,000	
1C-8	Trench/Bore Electrical Utility	6	$2,000.00	ft	$12,000	Water/Electricity
1C-9	Connect Water Utility	6	$2,000.00	ft	$12,000	
			Subtotal for Phase 1C		**$200,033**	
	PHASE 1D - PEDESTRIAN TUNNEL AT DEER VALLEY DRIVE					
1D-1	Roadway Excavation	4,000	$9.00	cu yd	$36,000	
1D-2	Sidewalk	1,088	$23.50	sq yd	$25,568	trail
1D-3	Roadway Reconstruction	5,088	$15.00	sq ft	$76,320	
1D-4	Pedestrian Tunnel	116	$3,000.00	cu yd	$348,000	
1D-5	Retaining wall	4,500	$75.00	sq ft	$337,500	
1D-6	Drainage Catch Basins	4	$3,000.00	each	$12,000	
1D-7	Drainage Manholes	1	$5,000.00	each	$5,000	
1D-8	Drainage Pipe	250	$50.00	ft	$12,500	
1D-9	Signing/Striping/Pavement Markings	1	$10,000.00	lump	$10,000	
1D-10	Landscaping	1	$50,000.00	lump	$50,000	
1D-11	Relocate 2 Signal Foundations	1	$115,000.00	lump	$115,000	
1D-12	Loop Water Line	1	$50,000.00	lump	$50,000	
1D-13	Realign Sewer Line (or install Lift Station)	1	$500,000.00	lump	$500,000	
1D-14	Relocate Gas Line	1	$32,000.00	lump	$32,000	
1D-15	Relocate Phone Line	1	$20,000.00	lump	$20,000	
1D-16	Relocate Fiber Optic Line	1	$40,000.00	lump	$40,000	
1D-17	Transport Material Offsite	4,000	$30.00	cu yd	$120,000	
			Subtotal for Phase 1D		**$1,789,888**	
	PHASE 1E - DEER VALLEY DR. SIGNAL					
1E-1	Signal Improvements @ Deer Valley Dr.	1	$50,000.00	Lump	$50,000	
			Subtotal for Phase 1E		**$50,000**	
	PHASE 1F - VMS SYSTEM					
1F-1	VMS System	1	$150,000.00	Lump	$150,000	
			Subtotal for Phase 1F		**$150,000**	
			Phase 1 Subtotal		$3,440,716	
		Contingency For Items Not Estimated	(50%)		$1,720,358	
			Construction Subtotal		**$5,161,074**	
P.E. Cost			**P.E. Subtotal**		$413,000	8%
C.E. Cost			**C.E. Subtotal**		$516,000	10%
Right of Way			**Right of Way Subtotal**		$402,840	
Incentives			**Incentives Subtotal**		$0	
Miscellaneous			**Miscellaneous Subtotal**		$0	

Cost Estimate		2012		2014
P.E.		**$413,000**		**$438,000**
Right of Way		**$403,000**		**$411,000**
Construction		**$5,161,000**		**$6,400,000**
C.E.		**$516,000**		**$547,000**
Incentives		**$0**		**$0**
Aesthetics		**$0**		**$0**
Change Order Contingency	9%	**$464,490**		**$576,000**
UDOT Oversight		**$0**		**$0**
Miscellaneous		**$0**		**$0**
	TOTAL	**$6,957,490**	TOTAL	**$8,372,000**

PROPOSED COMMISSION REQUEST	TOTAL	**$6,957,490**	TOTAL	**$8,372,000**

City Council
Staff Report

Subject: **COSAC Policy Discussions**
Author: **Heinrich Deters**
Department: **Sustainability Department**
Date: **March 14, 2013**
Type of Item: **Administrative**

Summary Recommendations:
Staff requests Council review and provide direction per possible policy discussions with the Citizens' Open Space Advisory Committee.

Topic/Description:
Policy input from an advisory committee.

Background:
The Citizens' Open Space Advisory Committee IV, was created on February 7, 2013. COSAC's role is purely advisory to City Council and is not in any way mandated by law or ordinance. COSAC's mission is to make timely recommendations to City Council on acquiring and permanently preserving public open spaces by wisely leveraging public funds and other resources as available and entering into appropriate partnerships. The group consists of local Stakeholder Representatives and five appointed members of the public.

Council has previously acknowledged COSAC as a committee that could provide feedback on topics pertaining to open space and restrictive covenants.

Analysis:
Staff would like to know if Council would like to provide initial direction to have COSAC participate in the following policy discussions and, in the future, present their findings to Council.

- Where to use Conservation Easements vs. Deed Restrictions
- Open Space Regulations- Leash Laws/Hunting
- Funding priority- Open Space stewardship vs. Property acquisition
- Passive and Active Open Space Priorities (Wildlife/Recreation)
- Open Space Management Plan Process

Department Review:
This report has been reviewed by the Sustainability, Legal and Executive Departments.

Alternatives:
Council may wish to provide initial direction based on this report, ask for staff to return with more information or do nothing.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	+ Accessible and w orld-class recreational facilities, parks and programs	+ Abundant preserved and publicly-accessible open space		+ Engaged and informed citizenry
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Positive ⇧	Positive ⇧	(Select from List)	Positive ⇧
Comments:				

Funding Source:
Funding is not applicable to this topic

Recommendation:
Staff requests Council review and provide direction per possible policy discussions with the Citizens' Open Space Advisory Committee.

City Council
Staff Report

Subject:	**Park City Historical Society Archives & Collections**
Author:	**Diane Foster & Jonathan Weidenhamer**
Department:	**Executive & Sustainability**
Date:	**March 7, 2013**
Type of Item:	**Work Session- Project Direction**

Summary Recommendations:
City Council should provide direction on the following questions:

1. Policy question: What is the City's role in finding a solution for the Historical Society's archive and collection needs?;
2. Which option(s) should be further investigated for feasibility? (in blue, below);
3. Are there other items that Council would like included in the analysis, in addition to evaluate, such as liability, PCMC staff time or potential cost sharing? (in blue, below);
4. If Council would like options explored that require funding (in addition to staff time), what funding sources would Council like staff to consider?; and
5. If one of the options that Council would like staff to explore includes the Library, is Council supportive of staff returning by the end of May with the evaluation?

Topic:
The Park City Historical Society (HS) seeks support from City to preserve and conserve their current collection of archives, items and objects as well as support in making those archives accessible to the public now and in the long term.

Background:
The HS entered into a lease in 2003 for use of 543 sf at the Library for storage. That lease expires on August 31, 2013 (Exhibit D).

Prior to and through the course of the current library expansion project, the Historical Society has been in discussions with City staff exploring potential options to maintain storage/use on City property including, and not limited to the Library - see minutes from July 26 and November 8, 2012 work sessions (Exhibit E). On December 7, 2012 the City Council directed staff to continue those discussions and return with more information and decision points.

The HS requested formally to explore the possibility of incorporating their archive needs into the proposed remodel of the library and submitted a detailed narrative (exhibit A) articulating suggested options to "enhance their level of service to Park City residents and visitors" (Exhibit A). The HS's two options are summarized below and in the Options Matrix (Exhibit B):

1) <u>Enhanced LOS</u> – A partnership with the City Library whereby the HS history library would be consolidated into the City's library space focused on education and research. 2,000 sf is requested as part of the pending remodel.
2) <u>Significantly Enhanced LOS</u> – Use of an existing City facility or new building to allow a state of the art archives and history library. Their proposal estimates the need for approximately 4,500 sf to house their entire collection and archives.

Staff currently seeks direction from City Council on their preferred next steps.

Analysis:

Strong Partnership
The City and HS have a long standing relationship based on common goals of promoting and protecting historic fabric and history. This is displayed through:

- 99 year lease of old City Hall for museum on Main Street;
- 10 year lease for storage at library, expires August 2013;
- Special service contract - $40,000 annually for
    - Ops and staffing of PC research library;
    - Visitor research on their historic district property;
    - Research visitors genealogy;
    - City staff requests on historic research;
    - Exhibits and activities related to youth programming.

Determining HS Archive Needs:
Since receiving Council direction on December 7, 2012, staff and Council liaisons Peek and Matsumoto have had two meetings with HS Executive Director Sandra Morrison as well as HS Past President Noah Levine and Board President Ben Massimino. The purpose of the meetings and development of worksheets (see Exhibits B & C) was to understand the HS needs and their ideas on how the City might be able to support those needs. The HS is looking for archive space; not storage and not display space.

Staff worked the HS to define the range of their needs so as to present Council with a range of possible options, should Council wish to support the HS in meeting their archive needs.

While the HS is appreciative of any help Council is willing to lend to meeting their archive needs, below is the HS's ideal option:

- Accommodate the preservation of our collection & archives including future growth.
- Total of approximately 4,500 square feet.
- Work stations for staff and the residents and its guest of Park City.
- Classroom space for workshops with professional conservators (staff education/ professional training and public education)
- Incorporate a cold storage vault to safeguard historic film-based & photographic collections.
- Located within a 5 mile radius of the Museum.

• Long term lease or lease in perpetuity.
• Accommodate up to a 25 foot delivery truck

Range of Options
If Council would like staff to take the next step to evaluate specific archive options, including evaluating costs and impacts to other city services, it would be helpful if Council could narrow the range of options for staff to explore. "Impacts to other city services" specifically refers to potential options at the Library or Miner's Hospital, where some HS archive options could displace existing or planned Library services or existing community uses of Miner's Hospital.

Analysis will include:
1. Description of level of service
2. Description of service delivery (how HS or PCMC staff will staff archive)
3. Cost & potential cost sharing arrangement (if Council does not want to be exclusive funder)
4. Other PCMC resources required (staffing, space)
5. Displacement of other City services / tradeoffs (if any)

Below is a list of options that staff could explore.

Option Number	**Title**	**Square Footage**	**Location**	**Notes**
1	Significant increase in LOS of archive (see Exhibit B – Significantly Enhanced LOS)	4,500sf	Library or other location: entire archive in one location	City Council should provide direction on location(s) to be investigated
2	Enhanced increase in LOS of archive (see Exhibit B – Enhanced LOS)	2,000sf	Library or other location	City Council should provide direction on location(s) to be investigated
3	Replace current HS archive at Library (see Exhibit B – Business as Usual)	543ft	Library or other location – entire archive in one location	City Council should provide direction on location(s) to be investigated
4	Replace current HS archive space at other location	543sf	Miner's Hospital, Spriggs Barn, City builds new space, other location (Council directed)	Council should provide direction on which space options should be considered
5	No role	None	NA	City would not participate in future HS storage needs
6	Other option	TBD	TBD	Council direction needed

Additionally, Council may wish to provide additional direction on other items related to the scope of the HS archive needs:
1. Does Council want to be the exclusive funder of the archive space or should the cost be shared between PCMC and HS?
2. Should PCMC staff or HS staff be responsible for retrieving articles from the HS archive? If PCMC staff, what hours and what level of service?

3. Should PCMC have any legal liability for the condition and maintenance of the HS archive?
4. Are there other features that Council would like staff to evaluate?

Staff Time exploring locations and costs
Staff believes these tasks include:
a) calling storage companies;
b) researching costs;
c) researching other needs related to storage requirements including temperature control; and
d) determining trade offs / possible displacement of other municipal services.

Depending on the option(s) chosen by Council and to ensure that the specific needs of the HS can be met, staff recommends

1. that the Historical Society take the lead on
    a. exploring alternative archive locations and costs, including
        i. the cost of local museum quality archive;
        ii. the cost of local storage-only options
    b. investigating the cost of systems and equipment needed to support the Council-directed options to explore, such as
        i. cold storage vault
        ii. workstations
2. that staff take the lead on
    a. Evaluating impacts to other municipal services
    b. Providing options for how Council-directed option could be realized (building structure within Spriggs Barn, addition to Library

Use of Library Space
Should Council be interested in exploring use of library space, staff recommends completing an initial public input process and internal programming needs process/prioritization recommendations as part of the current library expansion process so that any tradeoffs of "giving up" space can be put into context of what library programming would be forgone. Initial feedback from the Library architect is that library programming is severely challenged to meet a number of the currently stated goals as they understand them. Next steps in that process include:

when	what
March 5	Public Open House
March ?	Council work session to review preliminary options and programming needs
March	Refine Concept Design, proceed into Schematic Design
April	Council Work Session to finalize programming

Pursuit of this option can be done within the currently approved budget and timeline for the library expansion.

<u>Other City or New Facility</u>

Should Council be interested in exploring use of an existing City facility such as Miners Hospital or the Sprigg's Barn, or building of a new facility, they should direct staff to do so. Pursuit of these option will take approximately 30-40 hours of staff time in addition to the need for formal feasibility/structural evaluations that are estimated at minimum of $15,000. These can also be accomplished within the existing budget, but will affect other Council priorities and implementation of staff business plans. <u>Staff recommends pursuit of this option but is concerned with balancing the timeliness and urgency</u>. Other priorities will have to be delayed.

Department Review:

This report has been reviewed by Budget, Library, Public Works, Legal and the Interim City Manager.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination **(Economic Impact)**	**Preserving & Enhancing the Natural Environment** **(Environmental Impact)**	**An Inclusive Community of Diverse Economic & Cultural Opportunities** **(Social Equity Impact)**	**Responsive, Cutting-Edge & Effective Government**
Which Desired Outcomes might the Recommended Action Impact?			+ Preserved and celebrated history; protected National Historic District (+/-) Vibrant arts and culture offerings (+/-) Community gathering spaces and places	+ Engaged and informed citizenry (+/-) Well-maintained assets and infrastructure + Ease of access to desired information for citizens and visitors (+/-) Fiscally and legally sound
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*			Neutral	Positive
Comments: The Significant Impacts depend largely on the direction given by Council. For example, should Council wish to pursue a significant enhancement in the level of serivce, by dedicating 4,500 sf of the Library to HS archive needs, hsitoric preservation will be enhanced, but there may be a tradeoff with other library services. However, no impact will actually be realized until Council gives final direction on which option to pursue and that option is implemneted.				

Funding Source:

There is a Sprigg's Barn Feasibility CIP with $23,000 in the approved budget. Otherwise there is no other current direct funding source to support any capital facility, expanded role or level of support for the HS. Should Council direct staff to further pursue options, there are multiple funding options not limited to the LPA RDA which could be contemplated as part of the FY 14 budget process.

Recommendation:

1. Policy question: What is the City's role in finding a solution for the Historical Society's archive and collection needs?;
2. Which option(s) should be further investigated for feasibility? (in blue, above);
3. Are there other items that Council would like included in the analysis, in addition to evaluate, such as liability, PCMC staff time or potential cost sharing? (in blue, above);
4. If Council would like options explored that require funding (in addition to staff time), what funding sources would Council like staff to consider?; and
5. If one of the options that Council would like staff to explore includes the Library, is Council supportive of staff returning by the end of May with the evaluation?

Exhibits:

Exhibit A	March 1, 2013 letter from Historical Society and Submitted narrative
Exhibit B	Historical Society's Archive Level of Service Matrix
Exhibit C	Current Archive Locations & Conditions Matrix
Exhibit D	Current Level 2 Floor Plan
Exhibit E	Current Lease
Exhibit F	Meeting Minutes from July 26,
Exhibit G	Meeting Minutes from November 8, 2012

EXHIBIT A

March 1, 2013

Honorable Mayor and City Council
Park City Municipal Corporation
P.O. Box 1480
Park City, UT 84060

Dear Mayor and City Council,

Thank you for asking Interim City Manager Diane Foster to meet with our Board members on February 5, 2013. We appreciated the opportunity to clarify our needs.

The Park City Museum is not looking for “storage”. We don’t have any old exhibits. Currently housed at the Library are our Collections and Archives: the antiques, objects, documents, papers, historic photographs and other items important to Park City history. We serve the educational needs of Park City residents and visitors by protecting this shared historical record in perpetuity. We believe that protecting our history helps bridge cultural differences, honors our forbearers, improves our town’s economic vitality, and nurtures a shared sense of belonging.

With the recent expansion of the Museum, most of the collections (antiques and objects) are on exhibit. But our archives (paper and original images) are too fragile to display. We currently operate a History Library within the Park City Museum and it is visited by more than 350 researchers each year. Unfortunately our services are limited and requests to view the original documents held in our archives are currently denied due to cramped quarters and lack of security.

Our request is two-fold: support from Council to preserve and conserve these historic items and objects; and support to make these important pieces of Park City history accessible to the residents and its guests of Park City for many years to come.

Thank you for your consideration

Sincerely,

Sandra Morrison

Sandra Morrison
Executive Director

Cc: Diane Foster, City Manager
Jon Weidenhamer, Economic Development Manager

Park City Museum Archives & Collections

Narrative for Staff Report

Background:
The Park City Museum holds antiques, objects, papers, historic photographs and other items of Park City history for future generations to use for research and education. The mission of the museum is to preserve, protect and promote Park City history. These archives (the documents, paper, photos etc.) and collections (the antiques and objects), stored in multiple offsite locations, are key to our mission of preserving, protecting, and promoting Park City History. The Museum continues to collect recent archives and collections such as the Park Record newspaper, Myles Rademan's slides of Park City from the past 20 years, and items from the 2002 Olympics. The archives and collections will be important to understanding our history 50 and 100 years from today. The Museum's collections and archives will continue to grow in to perpetuity. Therefore a plan has been put in place to house these precious archives and collections.

With the recent expansion of the Museum, most of the collections are on exhibit. However the museum has in its trust, vast amounts of achieved materials. The archived materials are housed three separate locations; the first is the Park City Library and Education center, a climate controlled storage unit near Home Depot, and the storage depot on Iron Horse Drive. These archives include original Park Record newspapers dating back to 1880, Anchor Mine log books from 1895, Park City High School yearbooks dated from 1915-1948, Small Claims Court records dated from 1937-1948, Congregational Church records dated from 1892-1906, Park City Public Library records dated from 1930-1980, Mayflower Mine records dated from 1930s-mid1950s, and much much more. Due to cramped quarters and lack of security, the residents and guests of Park City are denied access to these incredible archives and collections. These archives are unsuitable to be exhibited at the Park City Museum due to their fragility. They need climate controlled storage and secure handling to ensure their survival for future generations. It is the goal of the museum to make these archived items available to the residents and guest of Park City for research and education.

The Museum currently operates a History Library in the museum; the library is visited by more than 350 researchers, homeowners, genealogists, scholars, journalists, city staff and others each year. Unfortunately requests to view original documents are currently denied due to the current constraints of the museum. Staff works to digitize the most requested items so their content is available on our Museum database. However many items aren't available for Park City residents and its guest due to the location and lack of staff to properly handle the archives.

In 2011 the museum received a federal grant to bring a professional conservator Irena Calinescu of Fine Arts Conservation in Los Angeles to review the museum's current efforts and make appropriate recommendation for the museum's future needs. These recommendations are defined in the October 2011 Conservator report and the basis for the attached matrix. The Conservator recommended a state-of-the-art facility with room for growth as essential to accommodate and safeguard the Museum's collection and archives of Park City artifacts.

An ideal facility would include the following items:

- Accommodate the preservation of our collection and archives including future growth.
- Total of approximately 4,500 square feet.
- Work stations for staff and the residents and its guest of Park City.
- Classroom space for workshops with professional conservators (staff education/ professional training and public education)
- Incorporate a cold storage vault to safeguard historic film-based & photographic collections.
- Located within a 5 mile radius of the Museum.
- Long term lease or lease in perpetuity.
- Accommodate up to a 25 foot delivery truck

<u>Summary:</u>
The Museum is not looking for "storage space". Our request is two-fold: support from Council to preserve and conserve the fragile paper, photographic and recent history items and objects; and support to make these important pieces of Park City history accessible to the residents and its guests of Park City for many years to come.

<u>Timing and Next Steps:</u>
The following two options represent enhanced level and significantly enhanced levels of service to Park City residents and visitors.

- Enhanced Level of Service to the Community through a Partnership with Public Library. The Library has proposed a "Park City History room", a second history library in Park City would duplicate the Museum's History Library. The Museum is interested in a true partnership with the library and consolidating the museum's history library in the new public library space and creating an area for education and research of the many archive materials that the museum currently holds out of the reach of the public. The museum believes that this would be a great opportunity to expand Park City history services to the community, and to provide unique resources in a secure library environment. An enhanced level of service would incorporate approximately 2,000 sq ft of space in the remodel of the 2nd floor (or where the architect and City Council see fit) and provide seamless service to the residents and its guest of Park City; 7 day per week access; efficiencies of programming and operating costs between the Museum and Library; ultimately benefiting the entire community for years to come. This type of relationship between a library and a museum is commonplace, for example the Ski Archives and Alf Engen Museum partnering with the Marriott Library of the University of Utah or the Uinta County Historical Society partnering with the Uinta County Public Library in Vernal.

- Significantly Enhanced Level of Service to the Community through an "Under One Roof" solution: Some locations of interest could be an adaptive reuse of Miners Hospital, Sprigg's Barn or other underutilized facility or newly constructed facility to serve as a state-of-the-art Archives and History Library, or incorporating 4,500 sq. ft. to housing the Museum's entire collection and archives in the Library remodel. This option allows for professional "best practices” in the preservation and conservation of the documents, paper, photographs etc.; and expanded digitization efforts; secure public access to these unique documents; specialized programming and workshops attracting private collectors and professional staff from institutions across the west; and more (see “Service Level Matrix”). Services that will engage the community for generations to come.

EXHIBIT B - HS ARCHIVE LOS

	Reduced Level - substandard archives & collections housing	**Business as Usual** - History Library at the Museum with limited archives and no room for expansion	**Enhanced Level** -- partnership with Library allows increased access and eliminates duplication of servces	**Significantly enhanced Level** - state of the art Archives & History Library facility either incorporated Library building or separate facility
Desired Outcomes				
Connected, knowledgeable & engaged citizens	citizens disinterested in history	portion of the population is engaged	many connected, knowledgeable and engaged residents	highly connected residents engaged on many levels to Park City and its history
Vibrant community gathering spaces	no space for community to gather	history library at the museum is crowded at times. Some duplicate services offered at the Park City Library	high level of utilization and new offerings for Library patrons ensure long-term demands and unique offerings	Utilized by both the community and visitors with specialized programming attracting Museum, Library & Archives staff from institutions across the west
Archives and Collections grow to offer continued vibrant cultural offerings	stagnant & deteriorating offerings	no growth in archives and collections due to lack of space	limited growth due to continued space issues	Cultural offerings city wide, enhancement to residents daily lives
Level of Service				
Adult Services	limited to computer database & web searches	staff services available week days 10am-4pm	staffed services available in partnership with Library staff 7 days per week.	Professional workshops for residents & visitors. Western regional professional training center
Youth	none	none	programming for students incorporated with Museum field trips and classroom cirriculum	programming for students incorporated with Museum field trips and classroom cirriculum
Access to archives and original documents	none	none	some availability during business hours for residents and scholars	space allocated within state-of-the-art facility for controlled access to entire archives and collections
Technology	outdated technology	limited technology and digitization	technology hub w/computers and wifi area; flexible us of classrooms; digital media center	Technology hub, digital media center, expanded digitization of archives & collections
Preservation	no HVAC or environmental controls to prevent archives and original materials from deteriorating	limited preservation of archives	continued preservation of archives integrated with Library expansion with updated HVAC and enviromental controls	Enhanced preservation of archives with updated HVAC and enviromental controls, professionsal workshops demonstrating facility enhancements. Entire collection and archives under one roof.
Implementation				
cost		increased cost for multiple storage units to replace 500 sq ft	efficiencies in design/construction and long-term operations cost sharing (including sharing of staff) with Park City Library	TBD. Costs dependant upon adaptive reuse versus new construction options
Square footage		1690 sq ft	2000 sq ft (including shared spaces)	4500 sq ft +/- 25%
impacts to Library		duplication of services	some programming revisions to allow multiple use of Tech Hub, Park City room, digital media, AV and to allow adjacencies with Museum Archive space.	revision of concept floor plan to find efficiencies in operations and programming. No impacts if separate facilty.
possible locations			Library & Education Center	Library & Education Center, Miners Hospital, Spriggs Barn, Transit Center, or new facility

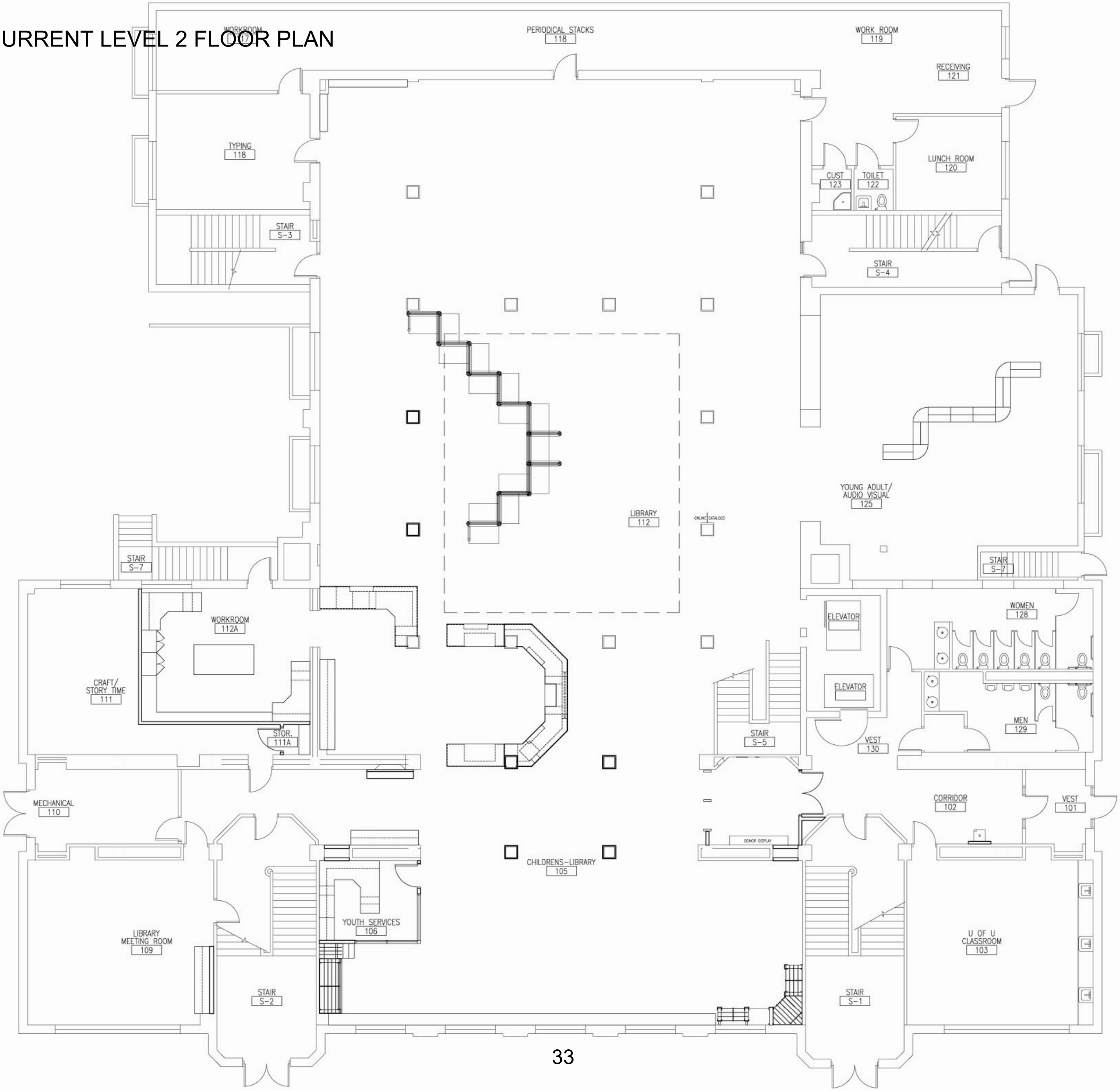
EXHIBIT C - HS CURENT ARCHIVE LOCATIONS AND CONDITIONS MIX

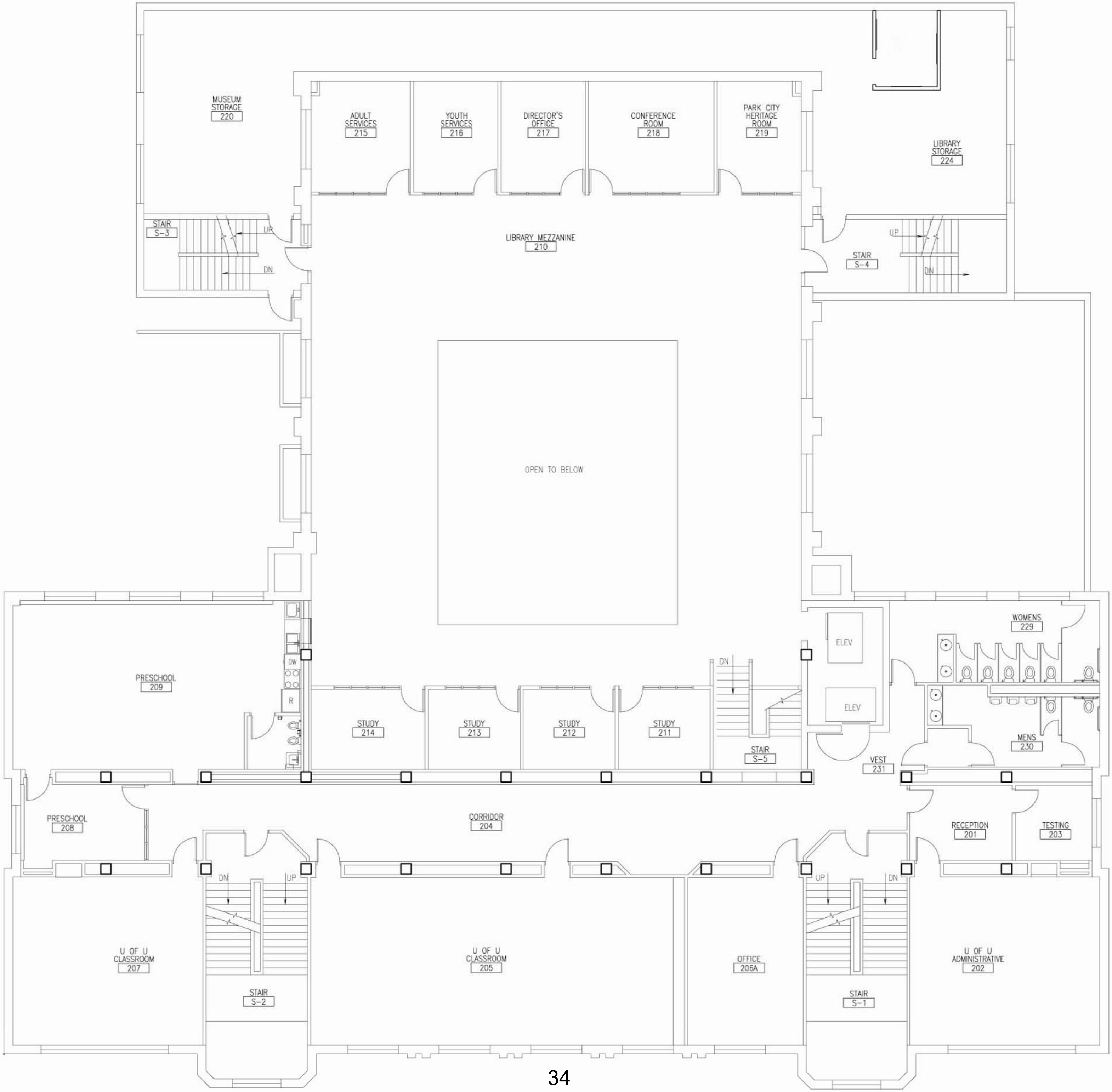
	Business As Usual				
	Enhanced Level of	Service			
	Significantly	Enhanced Level of	Service		
	Archives @ Library	Archives & Collections at Museum	Mayflower Mine Archive	Mining Equipment & other metal antiques	Total *(where total is appropriate)*
Current Archive & Collections Location	Park City Library	Park City Museum	Park City Storage(near HomeDepot)	Storage Depot (on Ironhorse drive)	
Current Cost to Museum	No cost to Museum	$1 per year	$95 per month	$180 per month	$275.00
Estimated Museum $ Contribution to Future Archive & Collection space					
What is at this location?	Park Record newspapers (to 1880), High School year books, small claims court records, Public library record, Anchor & Daly Mine records, and much more	40,000 original historic images (negatives, prints, slides, glass plate negatives, incoming acquisitions, oral history tapes & transcriptions, antiques on exhibition, 1926 fire truck, 1870s stagecoach, and much more	-Mayflower/New Park mining records 1930-mid 1950s -Mountain Times newspaper -The Journal newspaper	Shovels, pick, saw, stove, mining drill, drill bits, water fountain, quadricycle, safe, washtub, washing machine, scales, chairlift chair, etc.	
Square Footage					
Current Square Footage	543	757	240	150	1690
Total SF needs within next two years	See below	N/A – no room to grow	This space is temporary and no plans to expand	This space is temporary and no plans to expand	
Estimated total SF needs within next five years					
Why SF needs increasing or decreasing within next five years?					
Current Conditions	Locked, climate controlled, UV controlled ,light levels monitored/controlled, humidity monitored	Locked, alarmed, climate control, light levels controlled, UV control, humidity 25-30°	Locked, climate controlled, UV controlled, light levels monitored.	Locked No climate control, water leaks possible, no air filtration. Substandard space	

	Business As Usual				
	Enhanced Level of	Service			
	Significantly	Enhanced Level of	Service		
	Archives @ Library	**Archives & Collections at Museum**	**Mayflower Mine Archive**	**Mining Equipment & other metal antiques**	**Total** *(where total is appropriate)*
	25-30°			housing our mining collection.	
Archive & Collections Conditions Needs					
Bare Minimum Storage Conditions Needed	HVAC, locked, UV & light controls.				
Desired Minimum Conditions Needed	Meets current conditions at Library				
Desired Ideal, but Realistic Storage Conditions					
When 100% absolutely needs to move	August 2013	99 year lease	Ongoing rental	Ongoing rental	
Reason absolutely needs to move	Renovation of the Park City Library				
Other feedback about move	6 month process that will begin in April 2013		All archives should be consolidated in one place to public access & preservation	Substandard environment hindering long-term preservation	
Access					
Museum staff current access schedule		M-F 10am-4pm			
Museum staff access REQUIRED	M-F, 9am to 5pm				
Museum staff access desired					
Current Supervised Public Access schedule	none	Only to Museum exhibits Mon –Sat 10am – 7pm	None		

	Business As Usual				
	Enhanced Level of	Service			
	Significantly	Enhanced Level of	Service		
	Archives @ Library	Archives & Collections at Museum	Mayflower Mine Archive	Mining Equipment & other metal antiques	Total *(where total is appropriate)*
Current Unsupervised Public Access schedule	none	none	none		
Description of why Museum staff needs access	Preservation, cataloging & digitization	Preservation, cataloging & digitization	Preservation, cataloging & digitization	Preservation & cataloguing	
Description of why Public needs access	Access requested by scholars, students, historians, journalists, genealogists, etc.	Access requested by scholars, students, historians, journalists, genealogists, etc.	Access requested by scholars, students, historians, journalists, genealogists, etc.		
Services not currently available that Museum would like to have					
Public access	Mon-Sat 9am to 5pm complete public access		No public access	No public access	
Workshops hosted by Museum staff in non-Museum Facility	Workshops scheduled on regular basis				
Future Storage Locations to Considered					

EXHIBIT D - CURRENT LEVEL 2 FLOOR PLAN




MUSEUM STORAGE 220
ADULT SERVICES 215
YOUTH SERVICES 216
DIRECTOR'S OFFICE 217
CONFERENCE ROOM 218
PARK CITY HERITAGE ROOM 219
LIBRARY STORAGE 224
STAIR S-3
UP
DN
LIBRARY MEZZANINE 210
STAIR S-4
UP
DN
OPEN TO BELOW
ELEV
ELEV
WOMENS 229
PRESCHOOL 209
DW
R
DN
STUDY 214
STUDY 213
STUDY 212
STUDY 211
STAIR S-5
VEST 231
MENS 230
PRESCHOOL 208
CORRIDOR 204
RECEPTION 201
TESTING 203
DN
UP
UP
DN
U OF U CLASSROOM 207
U OF U CLASSROOM 205
OFFICE 206A
U OF U ADMINISTRATIVE 202
STAIR S-2
STAIR S-1

RE-STATED LEASE AGREEMENT FOR
Room 220, 1255 Park Avenue (City Library)

THIS AGREEMENT is made by and between the PARK CITY MUNICIPAL CORPORATION ("Landlord") and PARK CITY HISTORICAL SOCIETY, a Utah non-profit corporation ("Tenant") to set forth the terms and conditions under which Tenant will lease certain property owned by Landlord in Park City, Utah. The parties agree as follows:

1. **Property**. The property affected by this Lease is **Room 220, 1255 Park Avenue (City Library).**

2. **Term**. The Lease shall consist of one TEN (10) year term, which commenced September 1, 2003. The Lease shall terminate on **August 31, 2013,** unless terminated earlier as provided herein. The property being leased is currently surplus municipal space, but may be required for municipal or other purposes by Landlord. However, should Landlord decide to re-rent the property, Tenant shall have a right of first refusal to renew.

3. **Rent.** The parties agree that rental shall be $10.00 for the ten year term. Tenant will pay the rent for the entire term at the time of signing this restated Agreement.

4. **Utility Services**. Landlord will provide utilities and maintenance.

5. **Use of the Premises**. The premises shall be used only for storage purposes and shall comply with all applicable facility use policies. (Current Copy Attached)

6. **Liens**. Tenant shall not permit any liens to attach to the property for work done at Tenant's request or for Tenant's benefit. If Landlord receives notice of any such lien against the property, Tenant shall promptly discharge the lien at Landlord's request or post funds sufficient to satisfy the lien during any period of good faith contest of the lien by Tenant. In the event Landlord feels its title to the property is in jeopardy because of any lien Tenant has elected to attach to the property, Landlord may discharge the lien and collect the amount from the Tenant. Tenant agrees to pay all reasonable costs incurred by Landlord in the defense or discharge of any liens on the property.

7. **Insurance**. Landlord maintains public liability and casualty insurance on the Building. 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 Landlord.

8. **Assignment/Sublease**. This lease may not be assigned or the premises sublet.

9. **Remedies**. In the event that Tenant is in violation of some provision of this lease, Landlord shall be entitled to maintain an action for specific performance or injunctive relief, or upon written notice, to give Tenant thirty (30) days in which to cure the violation. If the breach continues after the expiration of the thirty (30) day notice period, Landlord may exercise any and all remedies available at law or equity, including re-entry and taking possession of the premises, or re-letting the premises for Tenant's account.

10. **Notice Provision**. Any and all notices required by this Lease Agreement shall be in writing and delivered personally to the party to whom the notice is to be given, or mailed by certified mail, postage prepaid, and addressed as follows:

If to Landlord:
City Manager
Park City Municipal Corp.
445 Marsac Avenue
P. O. Box 1480
Park City, Utah 84060

If to Tenant:
Executive Director
Park City Historical Society
P.O. Box 555
Park City, Utah 84060

11. **Care and Repair of Premises by Tenant**. Tenant has inspected the premises and accepts it as is as acceptable for the purposes of this agreement. The Tenant will not commit any waste on leased premises nor shall it use or permit the use of the premises in violation of any state law or county or municipal ordinance or regulation applicable thereto. Any permanent alterations or improvements to the leased premises shall become the property of the Landlord upon expiration or termination of this lease.

12. **Surrender of Premises.** Tenant agrees to surrender the leased premises at the expiration or sooner termination of this agreement or any extension thereof in the same condition or as altered pursuant to the provisions of this agreement. Exceptions: ordinary wear, tear and damage by the elements or other acts of God.

13. **Holdover**. No holdover is permitted.

14. **Indemnity.** Tenant covenants and agrees to indemnify, hold harmless and defend the Landlord, its agents and employees, from all fines, suits, claims, demands and actions of any kind including attorney's fees and nature by reason of any and all of its operations hereunder and agrees to assume all the risk in the operation of its business hereunder and is solely responsible and answerable in damages for any and all accidents or injuries to person or property.

Tenant agrees to indemnify, save harmless and defend Landlord, its agents and employees, from all claims, damages, demands, actions, costs and charges, including attorney's fees, arising out of or by reason of any of its agents' or employees' acts or omissions hereunder, or the Tenant's use of the property. Said indemnity and hold harmless shall not apply to the negligence or intentional torts of Landlord or its officers/employees.

15. **Landlord Liable only for Negligence**. Except where caused by Landlord's negligence, Landlord shall not be liable for any failure of water supply, natural gas supply or electrical supply; or for any injury or damage to persons or property caused by gasoline, oil, steam, gas or electricity; or hurricane, tornado, flood, wind or similar storms or disturbances; or water, rain or snow which may leak or flow from the street, sewer, gas mains or any subsurface area or from any part of the building or buildings or for an interference with light.

16. **Waiver of Covenants**. It is agreed that the waiver of any of the covenants of this Lease Agreement by either party shall be limited to the particular instance and shall not be deemed to waive any other breaches of such covenant or any provisions herein contained.

17. **Rights of Successors and Assigns**. The covenants and agreements contained within the lease shall apply to the benefit of and be binding upon the parties hereto and upon their respective successors in interest and legal representatives, except as .expressly otherwise hereinbefore provided.

18. **Entire Agreement**. This agreement constitutes the entire and only agreement between parties and it cannot be altered except by written instrument, signed by both parties.

DATED this 26th day of November, 2007.

PARK CITY MUNICIPAL CORPORATION

Dana Williams, Mayor

PARK CITY SUMMIT COUNTY UTAH CORPORATE Seal MARCH 1, 1884

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark Harrington, City Attorney

PARK CITY HISTORICAL SOCIETY

BY: Richard D. Pick
President, Board of Trustees
The Park City Historical Society

STATE OF UTAH)
) ss.
COUNTY OF SUMMIT)

On this 26 day of November, 2007, before me, the undersigned notary public, personally appeared Richard D. Pick, personally known to me/proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged that he/she/they executed the same.

Notary Public

Notary Public
SHARON C. BAUMAN
445 Marsac Avenue, P.O. Box 1480
Park City, Utah 84060
My Commission Expires
July 13, 2010
State of Utah

FACILITY POLICIES
SANTY AUDITORIUM

The Library and Education Building and Santy Auditorium is a public facility owned and operated by Park City Municipal Corporation and is administered by the Special Events and Facilities Department of Park City Municipal Corporation. The Santy Auditorium is a community facility rented to non-profit and local groups for presentations, performances, services, films and community gatherings.

General Use Rules

Cleaning and Trash Removal. Tenant is responsible for all clean-up of their room(s) in the facility, including bagging and removing all trash. City will provide dumpsters, and provide incidental clean-up and janitorial services in the remainder of the facility. Cleaning of the facility and its restrooms are scheduled to occur between 9:00pm and 10:00pm. Dumpster is scheduled to be emptied twice per week. If changes to existing services or additional services are needed the renter is responsible for notifying the Facility Manager and for any increased costs for those services.

Snow removal. All reasonable efforts will be made to keep the area clear of snow. However, in the event of a snowstorm, City streets have first priority and sidewalks have second priority. One City employee will begin sidewalk snow removal between 6:00 and 7:00 am. Tenant also accepts responsibility for removal of any and all its vehicles parked in areas other than the surface parking lot in accordance with parking restrictions.

Enforcement of "No Smoking". The Library and Education Center is a municipal building, and is therefore subject to the state laws prohibiting smoking in public buildings. The Tenant will be responsible for placing "No Smoking" sign at their rental area. Tenant and its invitees must be responsible for complying with the no smoking regulations.

Attendance Control. Tenant will be responsible for ensuring that the occupancy limit of their area is not exceeded.

Compliance with Applicable Law. The Tenant shall obey all federal, state and city laws, ordinances and regulations. The renter has the responsibility to obtain any additional permits and licenses required by City ordinances or State laws.

City Use. Tenant acknowledges the building will continue to be used by the public. Tenant and its invitees will not disrupt the City's, nor the public's use of the facility. Tenant acknowledges it does not have exclusive use of the parking lot, restrooms or common areas, halls, entrances, etc.

The Renter further agrees that it will exercise reasonable care in fulfilling its obligations under the rental agreement (contract), and in particular will not:

a. Damage or disturb any landscape.

b. Damage or deface any structure or property.
c. Disturb, obstruct or interfere with the regular activities of the Library and Education Center.
d. Disturb, deface, remove or relocate art work or any other property within Facility.
e. Allow noise levels to exceed those permitted by the City ordinances and State law.
f. Allow smoking inside the facility at any time.
g. Allow pets inside the facility at any time, with the exception of seeing-eye dogs.

EXHIBIT F

PARK CITY COUNCIL WORK SESSION MINUTES
SUMMIT COUNTY, UTAH
JULY 26, 2012

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

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Jonathan Weidenhamer, Economic Development Manager

Wally Cooper, CRSA Architects; Linda Perkins, Park City Co-Op; Kim Page, Park City Film Series; Dan Swagger and Paul Wisneski, Senior Center

1. **Council questions/comments.** Liza Simpson relayed that she attended the interagency meeting yesterday where there was a presentation from DWR on wild land fire and wild land interface issues. Wildfire contingency plans and associated grant funding will be available on a water shed basis to communities. A public meeting will be held on August 7 on the application process.

Mayor Dana Williams announced the appointment of Diane Foster as Acting City Manager from August 26, 2012 until such time as the Mayor, with advice and consent of the City Council, appoints a new City Manager.

2. Lower Park Avenue Redevelopment Agency Facilities and Master Plan update. Jon Weidenhamer explained that the boundary runs from 7th Street north to the end of the golf course and east to west from the base of PCMR to Deer Valley Drive, including Bonanza Drive to Ironhorse Drive. It was created in 1989 and expires in 2015. Redevelopment agencies collect property tax increment for the area which is invested back into the district through economic development or housing projects. A master plan was developed by Design Workshop and Jack Johnson Company, including a score sheet with projects divided in three categories: (1) parking lot redevelopment, (2) transit, traffic circulation and walkability, and (3) neighborhood and community redevelopment.

When this was presented in January 2010, Council wanted more information on the community redevelopment element in the short term. He relayed that Council also wanted to preserve existing green and open spaces and maintain existing historic fabric, scale, character and authenticity. Direction was given to explore housing alternatives, neighborhood connectivity (east/west corridor), community and senior center housing opportunities, and environmental and green goals. PlanWorks created a phased master plan for the City and adjacent private properties which was presented in 2011. Two alternatives were offered; a dense option with height and a transitional approach which the City Council preferred. Joint redevelopment meetings were held with the Council and Planning Commission over the past year. He emphasized that redevelopment is inevitable and the City needs to take a proactive role to attain preferred goals. The library, senior center property, a private parcel, fire station, Miners Hospital and the recreation building are being considered. All of this planning has been done in context with the potential of the library expansion in the broader context of the redevelopment plan and efficiencies in buildings and services were examined.

Architect Wally Cooper explained that he met with the Library staff and outlined a program for expansion of the Library. There has been a 5% growth in circulation each year but visitation is about the same. There appears to be a need for more space because of increased circulation which is what most libraries are experiencing despite the availability of the Internet. Reference collections might be shrinking but other collections are growing or remaining stable and dynamics of libraries are changing. He relayed that Salt Lake County has just built three new libraries.

He pointed out that the children's section on the first floor is 1,150 square feet and is undersized for the demand. It is proposed to move it to the southwest corner of the building to allow for growth. The use of the tech center has dropped a little bit but there is still demand for technical assistance and access and the tech hub will be expanded as well as the family interactive area. The library staff areas are inadequate and need more space to operate effectively. There is public meeting space in the northeast corner and the storage area and Friends of the Library space would remain. Mr. Cooper stated that the first floor entails relocation of uses more than remodeling.

He stated that the second floor is a little bit more complicated and costly. The conference rooms would be reconfigured on the west side. The exhibit area would remain and the collection area in the south and north would remain. He spoke about needed engineering work with regard to the possibility of expanding the addition. This area is contemplated for a Spanish periodicals which continue to be in demand. A 600 square foot patio is proposed on the south side which depends on whether the Co-Op remains in the building. The patio would provide an outdoor reading area. The entire collection will be accommodated upstairs with some areas for displays. The Park City history reading room will be larger and will offer a space for quiet reading for adults and there is one extra conference room on the north side. The second floor hallway is the same as the first floor by taking out the walls on the sides of the hallway and both floors are dedicated to the Library.

With regard to the third floor, Mr. Cooper noted that the Film Series expressed a desire for more space. The east side where the Montessori School is located would be reconfigured as a senior center. The conference area is in the southeast corner and in this scenario PC Co-Op stays. Another option is locating the senior center in the Miners Hospital and in that case, the space on the east side would be devoted to public space and configured in a way allowing multiple uses based on needs. He discussed the use of movable partitions and the conference room could be rented. If the PC Co-Op were to be relocated in the recreation building, then additional space would be available on the third floor possibly for a non-profit or public use. The move of the Montessori

School results in a lot a space which can be back-filled nicely with the Library expansion.

Jon Weidenhamer added that the recreation building fits well with daycare. Miners Hospital could house the seniors but an elevator might need to be added. He referred to visiting community center facilities in Salt Lake where it was demonstrated that joint uses can be compatible. Staff has talked with Craig Elliott, adjacent property owner, about housing goals and it is recommended to begin discussions with stakeholders and to return to Council.

Liza Simpson suggested that the elevator situation in the Library building be fixed and to reconsider the side entrances. She asked why the Museum and the City is using the building for storage. Wally Cooper stated that the storage area can be studied if the materials can be moved. Ms. Simpson understood that the Museum has been looking for alternative storage space and was unclear about the City’s needs and resources. Dick Peek explained that the storage area is outside the perimeter of the historic building. The location of the patio was described. Mr. Peek believed that an elevator is a great idea for Miners Hospital but is concerned about its location on the top level and changing historic features. Mr. Cooper explained that it would be a detached structure but will still require modification of the historic fabric of the building. Having multi-users in the building complicates access requirements. Ms. Simpson suggested storing City records on the third floor of Miners. Mr. Cooper stated that stairs would be associated with the elevator to move people off of the third floor.

Alex Butwinski recalled talking about Museum storage some time ago, and Dick Peek stated that the Museum is actively looking for storage space. Mr. Butwinski commented on the need for seniors to move out for Sundance in January. Discussion ensued on the Library being a stand-alone project with funding from the RDA. Cindy Matsumoto expressed her support of remodeling the Library. She pointed out that there is no access from the Library to the storage area which limits reuse. Wally Cooper added that the wall separating the storage area from the Library is the original wall.

She asked about relocating the seniors to the third floor of the Library and Mr. Cooper acknowledged they have a great situation right now with an accessible funky one story building with parking right outside the door. Moving them to the third floor in a more educational space somewhat disconnects them from the parking and the third floor is accessible by stairs or an elevator. It isn’t as convenient. Miners Hospital is a little closer to the environment of what the seniors now have, but there are two levels and there are ramifications of dedicating the whole building to the senior center.

Andy Beerman expressed concerns about the addition of the Library looking awkward. Mr. Cooper explained that it would probably be glass as opposed to brick and is driven by the demands of the Library for space. The added space on the addition was to accommodate the Spanish periodicals section.

Liza Simpson noted that improvements to Miners Hospital would suit senior center activities in a more temporary way but would also enhance the facility for future community uses. It could be planned for both iterations while exploring a stand-alone community center.

In response to questions from Mayor Williams about the Co-Op, Linda Perkins stated that there are no plans to increase the number of students. She stated that they are willing to consider other space options. The Mayor invited public input.

Dan Swagger, Senior Center, stated that the current facility has 2,400 square feet, of which 400 square feet is kitchen. He noticed that the third floor plans for the Library do not include a kitchen. Their meals are prepared on-site and members would be very reluctant to have that change. He felt that getting a number of people on the elevator at the same time, for dinner for instance, could be a problem and impractical. The current senior center doesn't have a meeting room for presentations which is something the group is interested in having.

Liza Simpson asked if they would use a Library meeting room and Mr. Swagger discussed the convenience of having all uses on one floor. The Mayor pointed out that the Library can provide the convenience of one floor, but Miners Hospital would be two floors. The Mayor emphasized that much of the impetus for redevelopment of the area was senior-driven.

Paul Wisneski, Senior Center, expressed concerns about egress from the upper levels in case of a fire and stairs do not seem practical. Mr. Cooper confirmed that an elevator is not considered a form of egress.

In response to questions from the Mayor, Mr. Cooper noted that the current senior center consists of the original building on the north end and an addition which was done much later. Mr. Swagger stated that the original plans for the building are dated 1929 and the new section was added in the late 1970s. Mr. Cooper advised that the building is not considered historically significant because it has been substantially remodeled.

Tom Bakaly asked for a time line for returning to Council with recommendations on implementation. Jon Weidenhamer felt that meeting with the stakeholders needs to occur and staff can return in 45 to 60 days with recommendations. Mr. Bakaly understood that members are okay with the direction this is going on a conceptual basis. The Mayor relayed that his only concern is adding on to the addition at the Library with a glass structure. If the Co-Op moves, there may not be a need for the addition to the building.

Jon Weidenhamer believed that in order for the third floor to function well, a commercial kitchen is probably needed. Wally Cooper explained that it would be best to have the kitchen on the north side because of the location of the plumbing.

Kim Page, Park City Film Series, stated that if they would love a kitchen included in the remodel of the Library building and are very flexible.

Andy Beerman spoke about the discussion of relocating post office boxes at the Library. He asked if the public meeting space downstairs is sufficient. Wally Cooper stated that he doesn't know the number of mail boxes which would dictate the amount of space needed and the Library is tight right now which is why the expansion on the roof is proposed. The Mayor recalled that gang boxes were proposed outside. Ms. Simpson added that Council is still waiting for a legal opinion. Mark Harrington interjected that the conditional use permit is strict for this facility and Mr. Cooper added that parking is already an issue at the Library. Ms. Matsumoto believed that many PCMR employees park there contributing to the parking problem.

Tom Bakaly stated that Council's prior direction on this was to return with schematics and the second part was matching them up with what is planned in the Lower Park Avenue area. Possible ideas include the remodel of the Library and what happens to the senior center short-term versus long-tem. Options are narrowing down and he wanted to make sure this direction is supported by Council. Mayor Williams relayed that based on the input from the seniors that Miners is a non-starter while the Library can accommodate all activities on one floor. Mr. Bakaly indicated that the key will be what is determined temporary versus what is permanent. He heard willingness from the seniors to consider temporary alternatives. Ms. Simpson felt both ideas need to be flushed out with the seniors. Tom Bakaly emphasized that the second part of the discussion is the permanent location for the senior center.

Prepared by Janet M. Scott, City Recorder

EXHIBIT G

events and making the process easier. He congratulated the new County Councilors and thanked John Hanrahan and Sally Elliott for their service. He acknowledged the support of the increase in the Resort Cities Sales Tax for Park City.

2. Woodward Tahoe debrief. Jon Weidenhamer explained that the traveling tour included Chad Root, Nate Rockwood, Alex Butwinski, Liza Simpson, and Andy Beerman. Dick Peek visited the facility last June.

A Power Point presentation was shown and Mr. Butwinski narrated the slides. Alex Butwinski expressed that touring Truckee was an interesting experience. He spoke about Truckee's historic district which reminded him of our Old Town 30 years ago. Woodward has a progressive learning program and is an amenity that could provide PCMR with an activities and training center. He spoke about how Truckee revitalized its downtown sidewalks with pavers and pointed out old fashioned signs painted on the sides of historic buildings that could be considered public art. North Star has been significantly upgraded since Vail took it over, however designers did not take advantage of framing views and streets dead end looking at another building. Converting the ice rink for other uses was pointed out.

Liza Simpson stated that a lot of investment took place in Tahoe City where the group visited after North Star. Improvements were made to the lake front over 11 years with lots of features. Tahoe City seemed packed with visitors and business seemed good. Mr. Butwinski stated that the group also visited Squaw Valley where the streets were laid out to maximize the views which brought Bonanza Park to mind. Slides of the features of the Woodward Training Center were presented and activities lend themselves to skiing or biking training exercises. Alex Butwinski felt the trip was very informative with regard to what activities could be added to the resort experience. This facility is also great for family members, visiting Park City, who might not want to ski. Dick Peek noted that there is also a digital media component in the basement of the facility. Mr. Butwinski spoke about the success of summer camps at Woodward for kids.

Liza Simpson commented on the confidence individuals can gain with progressive training whether they want to be gymnasts, aerial skiers, etc. She explained that one really needs to see it to understand the programs and there are multitudes of applications. Andy Beerman stated that economic diversity is talked about a lot but this type of facility is a nice fit for Park City in the sense that it complements our resort economy, our visitors and local athletes or kids who want to learn these skills. It also provides year-round activities. He felt progressive training is amazing; the Center was very orderly in a chaotic sense because the kids self-police. The Mayor felt this would be a great addition to town; it takes recreation to a whole new level and would be a good economic development tool.

3. Lower Park Avenue RDA update. Jon Weidenhamer stated that Council last reviewed this topic on July 26, 2012. Projects include parking lot, traffic, transit, circulation, walkability and the last element is community and neighborhood redevelopment. Properties include the Library, current Senior Center, some land owned by Elliott Workgroup, the vacated Park Avenue fire station which is used for storage and bus driver housing, and Miners Hospital. He understood from the July meeting that members were supportive of moving forward with a multi-generational affordable housing project at the current Senior Center location and exploring a joint venture with the adjacent property owner. This would necessitate a temporary relocation of the Senior Center and the top floor of the Library and Education Center is suggested as a possible space. Through illustration of slides, he pointed out that the new Senior Community Center could be located at the vacated fire station site. If housing is dedicated to the current Senior Center site, the seniors will need to be relocated in spring 2014. Mr. Weidenhamer stated that the Senior Community Center should be constructed concurrently with the housing projects to reduce relocation time for the seniors, realize efficiencies with construction, especially for underground parking, and minimize neighborhood impacts. Consolidating time lines is in the City's best interest and the Iron Horse bus driver housing is scheduled to be completed in May 2014.

Mr. Weidenhamer stated that expanding the Library function is related to moving the Co-op which is located on the second floor. Staff is recommending moving it to the third floor so the third floor space needs to be completed first. This allows for a temporary Senior Center which can be shared.

Option 3, estimated at about $600,000, is the lowest impact alternative which involves only remodeling the third floor to make it available for seniors. Staff is recommending a new roof, HVAC and replacing the carpeting. Option 2 allows the Library to expand its space and take over the second floor but doesn't include efficiencies in programming and/or an enhanced level of service. He stated that staff is recommending Option 1 to completely renovate the entire building which is estimated at $2 million and includes about $500,000 for a geo-thermal system. Peer city construction comparisons are included in the staff report and many communities are investing heavily at $300 to $400 per square foot while CRSA has estimated $100 per square foot for this project.

He asked members if they are comfortable renovating all three floors, including two floors dedicated to the Library and the third floor for a temporary Senior Center. A broad stakeholder process will be conducted but it needs to begin now. He felt that oversight of the housing project and Senior Community Center will require hiring a project manager.

Liza Simpson pointed out the eating area contemplated for the Library and felt that the commercial kitchen space on the third floor could be shared. Cindy Matsumoto interjected that using the third floor may be out of the way. Linda Tillson explained that the designated area is not a café but an area for vending machines available to people who want to work in the technical area. Ms. Simpson asked about the space designated as museum storage and Ms. Tillson explained that the architect specified the current uses on the plans. It will probably remain a storage area for City use. Wally

Cooper stated that the Library lacks adequate storage and this is a place that can be used by the Library once the Museum's storage is relocated.

Andy Beerman felt that the timeline for transit housing should be sooner and understood that the expansion was stubbed out and prepared. Dave Gustafsen noted that everything has been stubbed out, but the project is still being designed by the architect and the completion date is estimated to November 2013. Mr. Beerman asked about hiring a project manager and Mr. Weidenhamer explained that the strategy has not been worked out but staff will return in December with more details. Diane Foster asked members if there is interest in staff exploring hiring a project manager. Mr. Weidenhamer stated that the Library project can be managed with City staff. Cindy Matsumoto asked if that person should be brought in early in the process. Jon Weidenhamer felt that if a project manager is hired earlier, it would be high level and limited input on the front end. Ms. Foster emphasized that this plan involves a number of projects and adding expertise is advised to take advantage of efficiencies of scale with construction.

Cindy Matsumoto felt community outreach is a good idea to ensure that the third floor meets the needs of a variety of non-profits. Alex Butwinski expressed concerns about providing adequate parking. Jon Weidenhamer commented on the potential for underground parking. Liza Simpson agreed with Ms. Matsumoto's comments regarding stakeholder input on the third floor, but felt that the whole project needs to be discussed by the community.

Ms. Matsumoto stated that she has witnessed people parking in the Library parking lot and walking to PCMR and it appears they are resort workers. Eliminating resort parking at the Library would free up a lot of parking and underground parking may not be needed.

Dick Peek agreed with Council members' comments. He stated that the peer construction costs should distinguish between remodels and additions. Wally Cooper explained that the number basically represents an interior remodel like carpet, paint, ceiling grid, lighting, etc. Mr. Peek pointed out that Aspen's and Jackson's projects are additions and Steamboat's number includes land.

The Mayor thanked architect Wally Cooper and Jon Weidenhamer for a good report. Wally Cooper added that the Library and Education Center is a solid building and the Library can be very successful in that space. Mayor Williams agreed that the stakeholder meeting is probably a major element and he invited public input.

Linda Perkins, Park City Co-op, thanked Council and staff for their respectful approach and stated that the school will be cooperative in this effort. Ms. Simpson thanked her for her patience but felt that it is worthwhile taking the extra time.

Diane Foster summarized that staff will move forward on the design of the renovation and will return in December with a discussion of the project management piece.

Prepared by Janet M. Scott, City Recorder

City Council
Staff Report

Subject:	**Relocation of Rocky Mountain Power's Bonanza Substation**
Authors:	**Matthew Cassel, P.E., City Engineer** **Thomas Eddington, Planning Director** **Phyllis Robinson, Community Affairs Manager** **Nate Rockwood, Capital Budget Manager**
Date:	**March 7, 2013**
Type of Item:	**Direction**

Recommendation:
Staff recommends that the Council provide direction to proceed with developing an agreement with Rocky Mountain Power for the relocation of the Rocky Mountain Power Substation 1555 Iron Horse Drive in a low profile alignment with associated site design improvements as outlined in this report. Staff further recommends that Council direct staff to prepare necessary agreements with the applicable private entities, primarily the Bonanza Park owner, and take initial steps to finance the move of the substation to 1555 Lower Iron Horse Drive using Community Development Area (CDA) funding.

Both items are subject to additional public process and land use approvals as necessary from the Planning Commission.

Topic/Description: Rocky Mountain Power Substation Relocation

Background:
Rocky Mountain Power (RMP) owns the Park City Substation in the Bonanza Park area which is critical to the City's power grid. It takes transmission line energy and converts it to distribution level charges that flow to homes and businesses in a significant portion of Park City. The substation is at nearly full. RMP has indicated that it needs to upgrade the substation by fall 2015 in order to meet local power needs.

For the past several months staff has worked with RMP to identify substation location options consistent with the Bonanza Park Area Plan. A range of alternatives was presented to Council at its November 15, 2012 work session. Following that meeting staff continued its analysis of alternatives and returned to Council on January 24, 2013 with two scenarios:

- **Maintain Existing Location.** RMP would upgrade the existing substation within the existing footprint without consideration for a low-profile system and with a mild attempt to mitigate the visual impacts.
- **Relocate**. Move the substation to 1555 Lower Iron Horse Drive with mitigations to utilities, access and visual impacts. ***This is staff's recommendation.***

Relocating the substation is consistent with the joint City Council/Planning Commission redevelopment goals to maximize long term economic and community wide benefits for the Bonanza Park area and the resulting draft Bonanza Park Area plan presented to the City Council and Planning Commission in January 2012. The draft Bonanza Park Area Plan proposes a mixed-use concept for the 99 acre area that is envisioned to be a district that is locally focused in terms of residential development (mixed-income opportunities) and commercial development that diversifies the City's existing mix and might include a satellite campus for higher education, a business incubator, a culinary institute, or research/office space for new businesses.

Analysis:
During the January 24th City Council Work Session meeting, Council asked for further information concerning the relocation of the substation, investigation into the possible access solutions for the Iron Horse Apartments and the cost to bury power lines. In this section staff reviews these options and provides the additional requested information.

Low Profile Site Layout at 1555 Iron Horse Drive
The low profile site is achieved by increasing the footprint of the substation in exchange for a reduction in height. In considering the possibility of relocating the substation explored how it could mitigate its impacts upon the surrounding community.

- **Reduce the height to mitigate overall visual impact of substation.** The low profile layout reduces the height of the substation from a height of 60 feet to approximately 30 feet, or three stories. At this height it becomes possible to effectively screen the substation and significantly reduce its visual impact. The ability to screen the substation and incorporate it into the landscape of the area reduces the impact on the streetscape that the vertical option will have.

- **Reduce the height to mitigate visual intrusion in the community.** The low profile layout reduces the visual intrusion from multiple vantage points including Iron Horse Drive and Upper and Lower Iron Horse Drive within the district, as well as neighborhoods in Prospector.

- **Create opportunities to resolve other land use issues.** This layout option can also address other land use issues including circulation and access for the residents in the Iron Horse Apartments, and in turn through traffic on Bonanza Drive. The longer-term option of re-routing access into Prospector with a bridge across Silver Creek also provides the opportunity to address traffic flow in that area, as well as other development constraints.

- **Increase separation between residential uses and substation.** While the science on the impact of EMFs is not conclusive, the lower profile layout increases the distance between the substation and adjacent residential units because the overhead power lines (which are the source of the EMFs) are virtually eliminated around the substation.

- **Reduce traffic and noise.** The site proposed for the substation relocation includes houses a fueling station and commercial laundry facility. Each of these uses generate considerable traffic on Bonanza Drive and noise to the adjacent multi-family units. These uses will be removed from the site substation relocation will remove these uses and reduce

At the January 24 City Council work session staff presented the following renderings illustrating options to screen the visual impacts of the substation relocation. Concern was expressed at that time that the height perspective was inaccurate. Staff has affirmed that the perspective is accurate. However, these renderings are illustrative. The final design for mitigation will be addressed during the regulatory process.

Figure 1: Low Profile with Building Screen

Figure 2: Low Profile with Art and Gardens

<u>Iron Horse Apartment Access</u>

City Council also directed staff to investigate the possibility of providing an access road to the Iron Horse Apartments around the proposed substation. Figure 3 below shows that if desired, the access road can remain close to its current location.

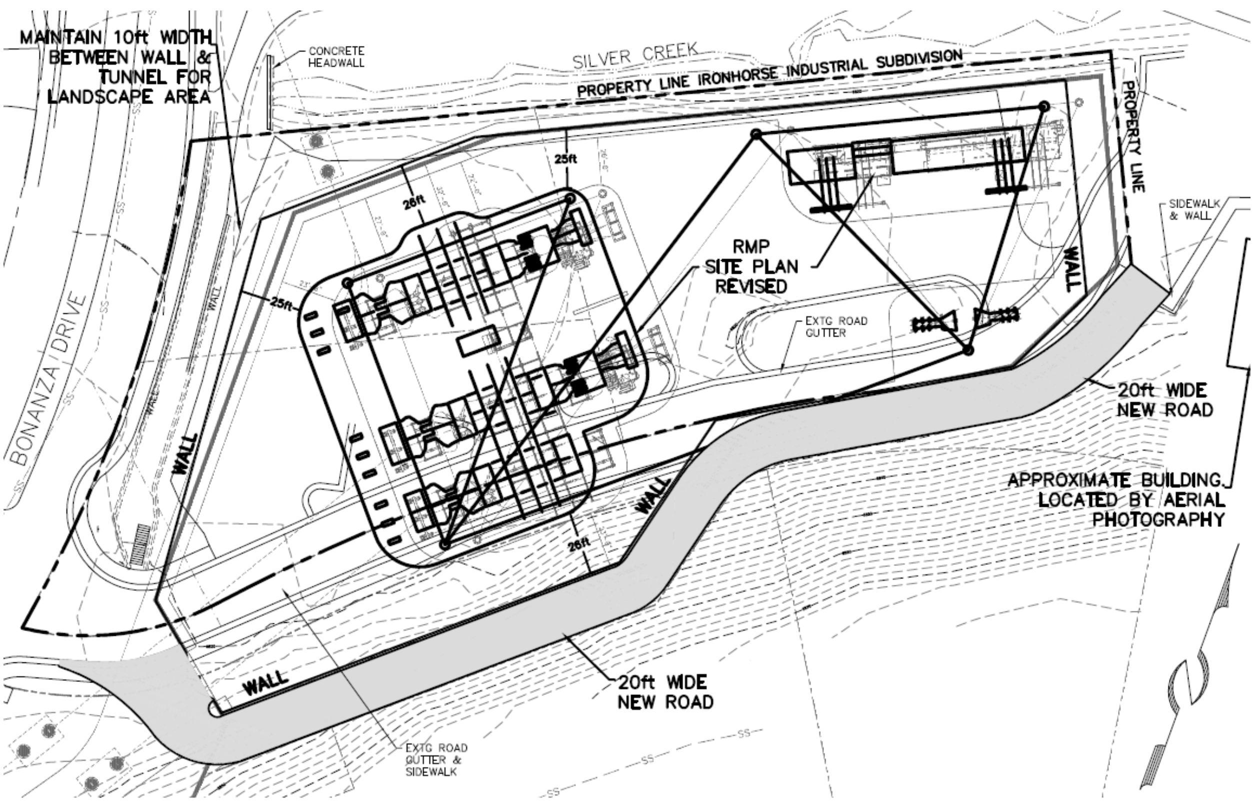


Figure 3: Access Drive around Proposed Substation

As noted in previous meetings, the existing access drive to the Iron Horse Apartments is partially on property owned by Fischer West LLC in a defined access easement dedicated to the Iron Horse Apartments and partially on a 25 foot wide parcel of property that is fee simple owned by the Iron Horse Apartments. For the low-profile substation to work at the 1555 Lower Iron Horse Drive site, the 25 foot wide parcel will need to be relocated through a land swap, sold or left in place with an alternative access to the apartments developed. The ability to provide access to the Iron Horse Apartments close to the original alignment helps in addressing this issue by providing numerous access alternatives that the property owners are exploring privately.

- Access with a road around the proposed substation,
- Access by opening the gate between the Iron Horse Apartments and the Iron Horse Condominiums, or
- Access with a bridge across Silver Creek.
- Alternative access with Rail Central.

Project Cost Update

In previous Council meetings, staff discussed the probable cost for relocating the power substation to be $11.4 million. This includes access road(s), possible rights of way acquisition, site preparation, landscaping and improvements, and burying distribution and transmission lines from the substation to Kearns Boulevard.. There are three components to this cost.

Rocky Mountain Power Direct Costs: Rocky Mountain has provided a cost estimate of $3,700,056 which represents the cost to move the substation and a place holder in the event land acquisition is retired. It appears that Rocky Mountain Power will incur little, if any, additional land cost currently budgeted at $954,600. It this is correct, the total cost of the move will be reduced. Addition cost savings of $111,963 are possible by paying the cost of the move in full to Rocky Mountain Power at the start of the project.

Site Improvements: Rocky Mountain Power will need a ready-to-proceed site by July 2014. This could site clearing, engineering and preparation, access roads and rights of way and access. Additional improvements will be needed at the conclusion of the move for visual buffering and landscaping. These costs are estimated at $2.1 million.

Underground Power Lines: The estimated cost to bury power lines from approximately the intersection of Deer Valley Drive and Bonanza Drive to Kearns Boulevard is $5,576,850. The final cost would depend on the actual distance of underground lines. Staff will return to Council with options for undergrounding the lines once the location of the substation has been determined.

These costs should be reviewed as the total amount of the project, but not the total amount for which any entity – public or private – is responsible. Based upon

Council direction staff will develop a set of draft deal points that include a proposed cost sharing arrangement and identification of funding sources.

If the substation is to remain in its existing location, staff would anticipate the cost to the City to be negligible. This cost would be negligible because staff does not recommend the low-profile substation or the burying of the power lines into and out of the substation, so the only cost to the City would be the inclusion of a better wall and landscaping around the substation above and beyond what RMP would be required to provide.

CDA Funding Option

Staff is continuing to explore all available funding options. One potential funding option is the creation of a Community Development Area. Community Development Areas or "CDA's" are intended to undertake any economic or community development purpose of the city, including job growth or retail sales. A CDA is a form of tax increment finance which would allow the City to define a community project area which is expected to see sales and property tax growth as a direct result of project improvements.

Much like a traditional Redevelopment Area (RDA), a CDA sets a current sales and property tax baseline and increment is calculated from that baseline. A CDA differs from a traditional RDA in several ways. A CDA is project driven and created to finance or incentivize a specific project. In a CDA, the City and all other public entities must "opt-in" on sales and property tax incentives if they see fit. Incentives are awarded as a percentage of the tax increment created by the development. A CDA has no eminent domain authority.

In a CDA initial project costs would be funded by the developer and tax increment resulting from the project would be rebated in the form of incentives to cover an agreed upon portion of the original project costs. Once the initial project costs are recovered, the increment is no longer isolated and the full sales and property tax revenue is collected by the public taxing entities.

The creation of a CDA potentially places the appropriate risk and incentives on the project area developers rather than on the City. The developer assumes the initial project cost and receives increment incentives or rebates based on the completion and success of the development project. All development within a CDA must be consistent with the General Plan. The CDA plan must clearly identify the development plan, boundaries, incentive uses and an analysis of the physical, economic and social conditions of the area. The plan must also specify all incentives which would be provided to potential developers. The creation of a CDA includes a formal public noticing and public hearing process. Staff has initiated the feasibility CDA study. This is the first step in the CDA process.

Project Schedule
Included as an exhibit is the schedule for the substation along with key activity end dates shown. This schedule was developed backwards using the fall of 2015 as the anticipated completion and start-up date for the substation.

Next Steps
If directed by Council to proceed with the move to the 1555 Lower Iron Horse Drive site, staff and RMP will begin to take numerous steps. The steps listed below are not in any specific chronological order:

- RMP is currently preparing to submit an application for a CUP, which will go before the Planning Commission. The estimated time frame is April 2010.
- RMP needs to seek internal approval of the land trade.
- RMP and Fischer West, LLC formalize land trade agreement to deliver clean site and associated access.
- Staff will continue to develop the key ingredients of the CDA and bring this back to Council as it develops further.
- Work with our Legal Department and RMP to start the development of a memorandum of understanding(s) and/or formal agreement between key parties including but not limited to a cost sharing agreement.
- Finalize negotiations with the other property owners affected by the replacement access.
- Staff will determine the utility relocation need.
- RMP would then turn their focus on the overhead power lines alignment and pole location.

Department Review: This report has been reviewed by City Manager, Planning, Budget, Sustainability and Legal. All comments have been integrated into this report.

Significant Impacts

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	+ Unique and diverse businesses + Safe community that is walkable and bike-able + Balance between tourism and local quality of life	- Managed natural resources balancing ecosystem needs + Economically and environmentally feasible soil disposal + Abundant preserved and publicly-accessible open space	+ Residents live and work locally + Cluster development while preserving open space + Physically and socially connected neighborhoods	+ Fiscally and legally sound + Well-maintained assets and infrastructure
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Very Positive	Positive	Very Positive	Very Positive
Comments:				

The above recommendation grid is based on the substation being moved to the 1555 Lower Iron Horse Drive location. The significant impacts from moving the substation include:

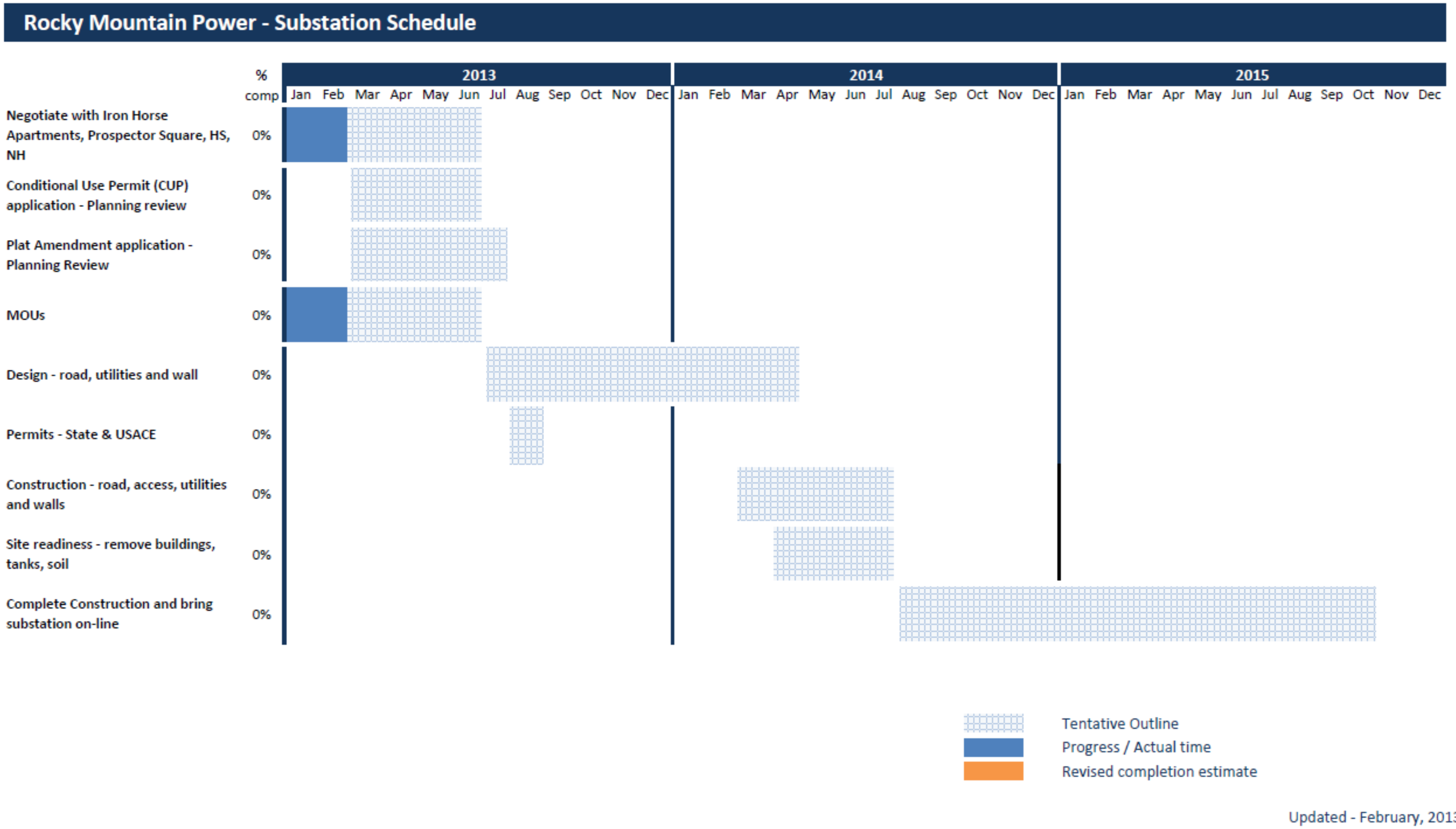
- By moving the substation to a location that currently houses a fueling station and laundry facilities, the open space in in BoPa can be fully realized.
- Locating the substation near the rail trail and along Bonanza Drive will create challenges in trying to soften and/or hide the proposed facility to reduce its visual impacts to the trail users and those entering the City. The use of a low-profile substation will significantly increase the ability to mitigate the visual impacts to the nearby recreational facilities.

Recommendation:
Staff recommends that the Council provide direction to proceed with developing an agreement with Rocky Mountain Power for the relocation of the Rocky Mountain Power Substation 1555 Iron Horse Drive in a low profile alignment with associated site design improvements as outlined in this report. Staff further recommends that Council direct staff to prepare necessary agreements with the applicable private entities, primarily the Bonanza Park owner, and take initial steps to finance the move of the substation to 1555 Lower Iron Horse Drive using Community Development Area (CDA) funding.

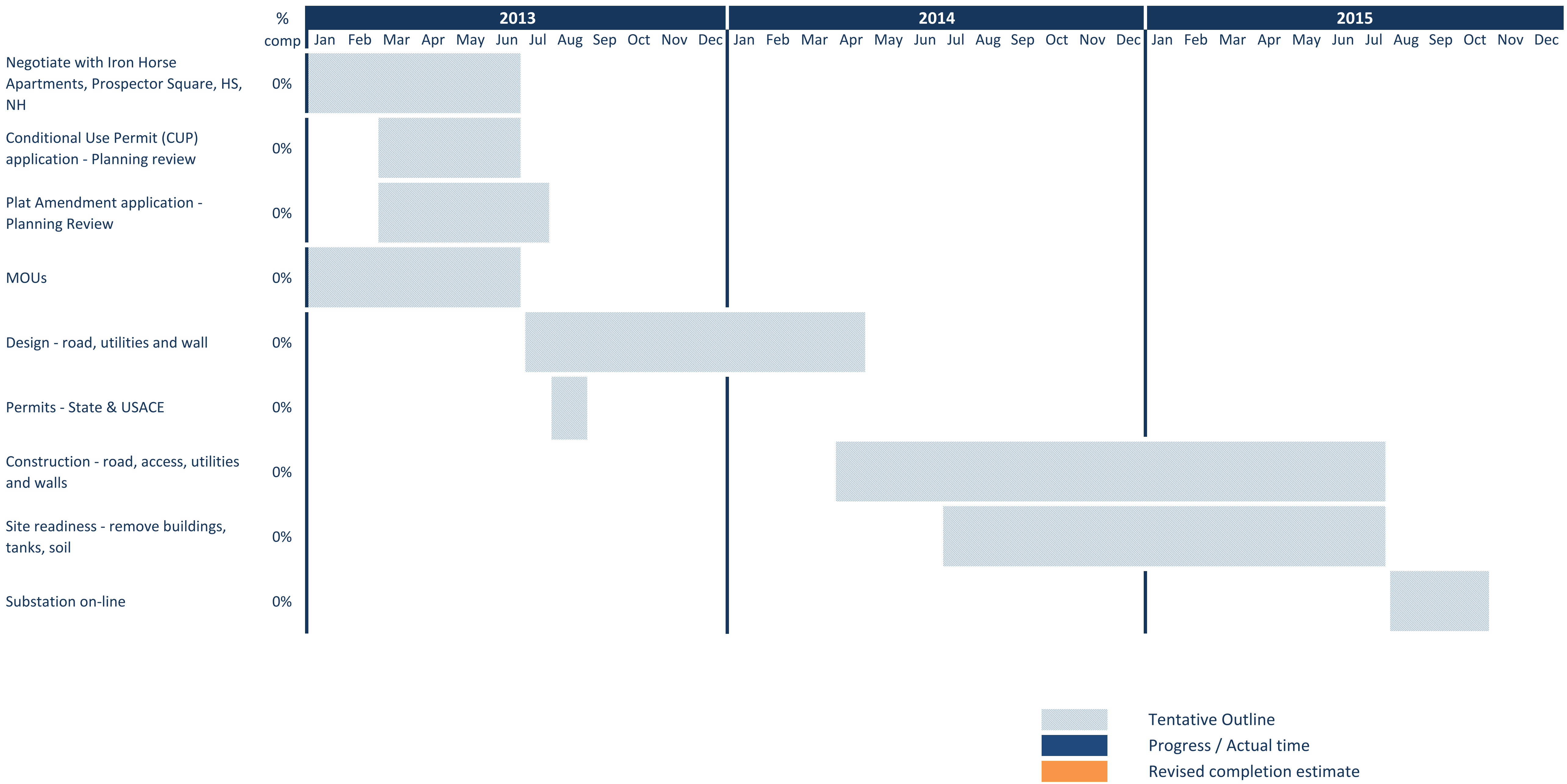
Both items are subject to additional public process and land use approvals as necessary from the Planning Commission.

Exhibit – Substation Project Schedule

Exhibit – Substation Project Schedule



Rocky Mountain Power - Substation Schedule



Updated - February, 2013

City Council Staff Report

Subject:	**Metals Accumulation and Release within the Distribution System: Evaluation of Mechanisms and Mitigation Multi Funded Research Agreement**
Author:	**Michelle De Haan, Water Quality and Treatment Manager**
Department:	**Public Works, Water**
Date:	**March 7, 2013**
Type of Item:	**Administrative**

Summary Recommendations:
Staff recommends Council authorize the City Manager to execute a Multifunded Research Agreement, in a form approved by the City Attorney, with the Water Research Foundation (WaterRF), for a Tailored Collaboration (TC) Project entitled Metals Accumulation and Release within the Distribution System: Evaluation of Mechanisms and Mitigation in an amount of $200K. The WaterRF will provide matching funds in the amount $175K to directly benefit Park City's research needs.

Topic/Description:
The research project and associated findings are in accordance with the Water Strategic Plan's Source Strategies & Polices as follows:

- Improve resident knowledge of Park City's water quality
- Ensure public health and safety is protected through quality water; and
- Maximize operational efficiency.

Background:
The Research project is co-funded by the WaterRF, the nation's leading drinking water research organization. The project will directly focus on Park City's distribution system metals accumulation and release mechanisms, and pilot test and compare effectiveness and cost implications of removal techniques (e.g. high velocity flushing, swabbing and ice pigging). This research opportunity will develop additional strategies to reduce the potential for a future contaminant release or similar event to those experienced in the Thaynes area in 2007 and 2010.

The Park City Water Department encounters unique challenges on a day to day basis in terms of water quality due to the nature of our water sources, the complexity of the distribution system, and demand fluctuations. Significant efforts have been put in place to prioritize water quality from source to customer's meters throughout the City to address water quality and consumer confidence. A July 12, 2012 City Council Staff Report identified the opportunity to apply for a WaterRF TC research project that will directly focus on Park City's distribution system metals accumulation and release mechanisms, and pilot test and compare removal techniques (e.g. high velocity flushing, swabbing and ice pigging). City Council authorized pursuing a research opportunity which will require matching funds of up to $200K from Park City and $175K from the WaterRF.

Park City has been a WaterRF utility member since 1999. To date, Park City has participated in an in-kind/non-cash contribution basis for projects that are designed to meet the broader water community needs rather than those specific to Park City. Currently Park City is a participant in a WaterRF project entitled Legacy of Manganese Accumulation in Water Systems: Assessment, Consequence, Remediation and Prevention. The background from this project will directly benefit this TC project.

The TC process is a competitive process in which each application is compared to other applications submitted by other utilities. In late November 2012 a topic specific Technical Review Committee was solicited by the WaterRF, and it unanimously approved Park City's TC proposal. The proposal was further reviewed in mid-February and approved for funding by the Tailored Collaborative Project Review Committee. The 2-year schedule calls for the project to kick-off in March 2013.

Analysis:
Park City has been selected by the WaterRF and awarded $200K for the TC project entitled Metals Accumulation and Release within the Distribution System: Evaluation of Mechanisms and Mitigation. The WaterRF will provide matching funds in the amount $175K to directly benefit Park City's research needs.

The EPA Office of Research and Development (ORD) and Utah State University (USU) will also support the WaterRF research project and will add additional funding at no cost to the City. This research opportunity will:

- Allow the Water Department to meet citizen commitments to further address water quality and consumer confidence.
- Continue to enhance the Water Department's understanding of past water quality events and avoidance in the future.
- Better understand potential release mechanisms and operational and maintenance practices that can assist in determining the most proactive distribution system practices.
- Gain utility specific guidance manual on distribution system monitoring practices, many of which are already in place.
- Conduct side-by-side pilot test main cleaning techniques to assess effectiveness of specific practices within a small portion of the distribution system (i.e. high velocity flushing, swabbing and ice pigging). Compare costs of each pipe cleaning technology based on these site specific testing efforts.
- Continue research relationships with the nation's top researchers in distribution system accumulation, release mechanisms and main cleaning techniques, including USU and EPA ORD.

The WaterRF will manage the research project utilizing the assistance of a technical Project Advisory Committee (PAC). The PAC reviewed the TC proposal, which was developed by the Project Team comprised of the sub-recipient/prime researcher (Confluence Engineering Group, LLC), a subconsultant (USU Water Research Laboratory) and Park City. The PAC will meet with the Project Team at regular intervals to monitor research progress and results, and to review and approve final project deliverables.

The City's Water Quality and Treatment Manager, Michelle De Haan, will be the project manager under the guidance of the Water Manager.

To begin the WaterRF approved cutting edge TC research project, the City needs to fund $200K and sign the Multi Funded Research Agreement. Concurrently, the WaterRF will cost share and contribute $175K of funds to the Park City TC project and countersign the Multi Funded Research Agreement.

The Water Department will provide in-kind support with operational staff and/or a combination of contractors and staff to remove several sections of pipe for analysis during the project.

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

Alternatives:

A. Approve:
Council could authorize the City Manager to execute a Multi Funded Research Agreement, in a form approved by the City Attorney, with the Water Research Foundation, for a TC Project entitled Metals Accumulation and Release within the Distribution System: Evaluation of Mechanisms and Mitigation in an amount of $200K. The WaterRF would cost share and provide funds in the amount $175K to directly benefit Park City's research needs.

B. Deny:
Council could deny the request for the agreement. Denying the request could result in a delay to the project, which could impact the pipe cleaning pilot demonstration timeline. Alternatively, the WaterRF may remove the project from its priority list for 2013 and cancel its cost sharing contribution of $175K.

C. Modify:
Council could modify the request for the agreement. Modifying the request could result in a delay of the project, which could impact the pipe cleaning pilot demonstration timeline. Alternatively, the WaterRF may remove the project from its priority list for 2013 and cancel its cost sharing contribution of $175K.

D. Continue the Item:
Council could continue the request for the agreement. Continuing the request could result in a delay of the project, which could impact the pipe cleaning pilot demonstration timeline. Alternatively, the WaterRF may remove the project from its priority list for 2013 and cancel its cost sharing contribution of $175K.

E. Do Nothing:
Staff does not recommend this alternative. Doing nothing would result in a loss of a cost sharing of $175K for this important research project. It would also conflict with

the Water Department's efforts to meet citizen commitments to further address water quality and consumer confidence.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?		(+/-) Enhanced water quality and high customer confidence (+/-) Adequate and reliable water supply		(+/-) Well-maintained assets and infrastructure (+/-) Engaged and informed citizenry (+/-) Fiscally and legally sound
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*		Very Positive		Very Positive
Comments:				

Funding Source:

The funding for the project is from service fees and is part of the approved FY13 Water Quality Program CIP.

Consequences of not taking the recommended action:

Doing nothing would result in a loss of a cost sharing of $175K for this important research project. It would also conflict with the Water Department's efforts to meet citizen commitments to further address water quality and consumer confidence.

Water Department personnel have implemented multiple programs to mitigate the potential for water quality events such as those that occurred in the Thaynes area in 2007 and 2010. However, this project will create a better understanding of the causes of the events, allow for avoidance for the potential of future events and pilot test pipe cleaning techniques utilizing industry experts with direct experience with these cutting edge technologies. This research opportunity will also provide a better understanding of the budgetary impacts of implementing successful main cleaning programs.

Recommendation:

Staff recommends Council authorize the City Manager to execute a WaterRF Multi Funded Research Agreement, in a form approved by the City Attorney, with the WaterRF for a TC Project entitled Metals Accumulation and Release within the Distribution System: Evaluation of Mechanisms and Mitigation in an amount of $200K. The WaterRF will provide matching funds in the amount $175K to directly benefit Park City's research needs.

City Council Staff Report

PARK CITY 1884
PLANNING DEPARTMENT

Subject: **508 Main Street Plat Amendment Extension**
Author: **Mathew W. Evans, Senior Planner**
Date: **March 7, 2013**
Type of Item: **Extension of approval of Subdivision plat amendment**
Project #: **PL-12-01476 and PL-10-01123**

Summary Recommendations

Staff recommends the City Council conduct a public hearing for the 508 Main Street Subdivision plat amendment extension of approval request and consider approving the extension pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance.

Topic

Applicant:	508 Main LLC – Mary Lisenbee
Owners Representative:	Marshall King – Alliance Engineering
Location:	508 Main Street
Zoning:	Historic Commercial Business District (HCB)
Adjacent Land Uses:	Mixed commercial and residential
Reason for Review:	Plat extensions require action by the City Council

Proposal

This is a request for an extension of the approval of a final subdivision plat for the 508 Main Street subdivision plat amendment (PL-10-01123). The proposed previously approve plat combines all of Lot 2 in Block 24 and portions of Millsite Reservation, identified as a tract of land 20 feet by 25 feet at the rear end of the Lot 2, and a tract of land 24 feet by 25 feet adjacent to the eastern boundary, into one (1) lot of record. When recorded, the proposed lot will be 2,975 square feet.

Background
The subject property is located in the HCB zoning district and contains a Landmark historic commercial building originally known as the “Utah Power and Light” building and previously known as the Phoenix Gallery. The building now operates as “Silver” a restaurant and bar, which recently underwent extensive interior renovation and rear exterior renovation, including the enclosure of a second level patio. The structure was originally built across a number of Old Town lot lines. A Historic District Design Review (HDDR) was completed by the Applicant for all exterior work. The Chief Building Official previously allowed an “at-risk” permit for exterior building construction to be executed upon submittal for a Plat Amendment Application to the Planning Department.

The City originally received a completed plat amendment application on December 6, 2010. On December 21, 2010, the application was brought before the Development Review Committee (DRC) for their review. On January 12, 2011, the proposed plat amendment was brought before the Planning Commission for a public hearing. The Planning Commission unanimously recommended approval of the plat amendment to the City Council. And on February 10, 2011, the City Council held a public hearing and also voted unanimously to approve the proposed 508 Main Street subdivision plat amendment.

On January 30, 2012, the applicant submitted a formal request to extend the previously approved subdivision plat amendment due to issues getting an encroachment agreement from their neighbors to the south (510 Main Street). According to the survey, the property at 508 Main Street encroaches onto 510 Main Street by three inches (3”) and 510 onto 508 Main by one and a half inches (1.5”). On the same date, former Planner Kayla Sintz deems the application for the subdivision plat amendment extension “complete”. Due to planning staff error, no further action was taken to schedule the extension for a hearing before the City Council. In January 2013 that error was discovered.

In their letter regarding the extension, Applicants also request changing the condition of approval regarding the need for the encroachment agreement. Such amendment has to go through the full process and will need to first be reviewed by Planning Commission.

Analysis
This application is a request for an extension of the Subdivision plat amendment second “Condition of approval”. The condition of approval required “The applicant to record the final signed plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year’s time, approval for the plat will be void, unless an extension request application is made in writing prior to the expiration date.” The plat was approved on February 12, 2011 and the expiration date was February 12, 2012. The City received an extension request application and letter in January 2012, prior to the expiration date.

Here the applicant is requesting only to a modification to Condition of Approval #2 to extend the required recording of the plat. The applicant submitted a written statement

(Exhibit B) explaining the reason for the requested extension. The reason for the request is due to the fact that the applicant (owners of 508 Main Street) has not been able to secure an encroachment agreement with the adjacent property owners, which may be necessary to record the plat. The applicant has indicated that they plan to proceed with other avenues necessary to remedy the situation. Although typically Council considers extensions of one year, staff, cognizant of the lack of action taken to extend the plat one (1) additional year, is requesting that the City Council consider a modification of Condition of Approval #2 to extend the required recording of the plat for two years until February 12, 2014.

There have been no changes to the Land Management Code that impact or change the original Council approval or conditions of approval, except as stated above.

Notice

The property was posted and notice of the extension request was mailed to property owners within 300 feet of the property, according to requirements of the Land Management Code. Legal notice was published in the Park Record according to requirements of the Code.

Public Input

Staff has not received any public input regarding this plat extension application.

Future Process

Approval or denial of this subdivision plat extension application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18.

Alternatives

- **Approval -** The City Council may approve the extension of approval of the 508 Main Street subdivision plat amendment as conditioned or amended, or
- **Denial -** The City Council may deny the extension of approval of the 508 Main Street subdivision plat amendment and direct staff to make Findings for this decision, or
- **Continuation -** The City Council may continue discussion on the extension request to a date certain with specific direction to the applicant to return with any additional information necessary to make a final decision.
- **Take no action** - This is not an option for legislative matters such as this application.

Significant Impacts

There are no significant negative fiscal or environmental impacts that result from taking the recommended action that have not been sufficiently mitigated with prior conditions of approval.

Consequences of not taking the Suggested Recommendation

The property would remain as three (3) individual metes and bounds parcels, and the “at risk” permit issued for the remodel would have to be re-examined for compliance with existing codes.

Recommendation
Staff recommends the City Council conduct a public hearing for the 508 Main Street Subdivision plat amendment extension of approval request and consider approving the extension pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance.

Exhibits
Ordinance
Exhibit A- Proposed subdivision plat
Exhibit B- Applicant's letter
Exhibit C- Ordinance 11-09

Draft **Ordinance No. 13-**

AN ORDINANCE APPROVING AN EXTENSION FOR THE APPROVAL OF THE 508 MAIN STREET SUBDIVISION PLAT AMENDMENT LOCATED AT 508 MAIN STREET, PARK CITY, UTAH

WHEREAS, the owner of the property located at 508 Main Street have petitioned the City Council for approval of an extension to the 508 Main Street Subdivision plat amendment; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission originally held a public hearing on January 12, 2011, to receive input on the 508 Main Street Subdivision plat amendment and then forwarded a positive recommendation to the City Council;

WHEREAS, the City Council originally held a public hearing on February 10, 2011, to receive input on the 508 Main Street Subdivision plat amendment;

WHEREAS, the applicant applied for an extension on January 30, 2012, the applicant submitted a formal request to extend the previously approved subdivision plat amendment due to issues getting an encroachment agreement from their neighbors to the south (510 Main Street).

WHEREAS, no action was previous taken to extend the application until Staff discovered the that the extension had not been processed..

WHEREAS, it is in the best interest of Park City, Utah to extend the approval the 508 Main Street Subdivision plat amendment.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The 508 Main Street Subdivision plat amendment as shown in Attachment 1 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. On January 12, 2011, the proposed plat amendment was brought before the Planning Commission for a public hearing. The Planning Commission unanimously recommended approval of the plat amendment to the City Council.
2. On February 10, 2011, the City Council held a public hearing and also voted unanimously to approve the proposed 508 Main Street subdivision plat amendment.

3. On January 30, 2012, the applicant submitted a formal request to extend the previously approved subdivision plat amendment due to issues getting an encroachment agreement from their neighbors to the south (510 Main Street).
4. No action was taken by Staff to bring forward the extension to the City Council for approval prior to this date.
5. The property is located at 508 Main Street in the Historic Commercial Business (HCB) zoning district.
6. There is an existing historic structure on the property, identified as Landmark on the Historic Sites Inventory.
7. The subject property encompasses all of Lot 2 of Block 24, and a tract of land 20 feet by 25 feet of Millsite Reservation and a tract of land 24 feet by 25 feet adjacent to the eastern boundary in the Millsite Reservation.
8. The historic building encroaches onto Lot 1 in the southeast corner by 0.3 feet and in the southwest corner by 0.1 feet. The historic building encroaches onto Lot 3 in the northeast corner by 0.09 feet and the northwest corner by 0.2 feet
9. The known encroachments will need to be resolved either by agreement or by other means prior to the recording of the plat.
10. The proposed amended plat would result in one lot of record of 2,975 square feet.
11. The proposed plat amendment will not create substandard lots on the neighboring lots.
12. The applicant is proposing the combination of the lots to clean up property lines discovered to be at issue during Historic District Design Review and Building permit review.
13. A Historic District Design Review was approved by staff as part of exterior building modifications enclosing a second story deck.

<u>Conclusions of Law:</u>

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. Approval of the plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

<u>Conditions of Approval:</u>

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within two years from the original date of City Council approval of the subdivision. If recordation has not occurred within one year’s time (from this date), this approval for the plat will be void.
3. Encroachment issues must be resolved prior to the recording of the plat.
4. Recordation of this plat must occur prior to 508 Main Street receiving final certificate of occupancy.

<u>SECTION 2. EFFECTIVE DATE.</u> This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 7th day of March, 2013.

PARK CITY MUNICIPAL CORPORATION

____
Dana Williams, MAYOR

ATTEST:

____
Jan Scott, City Recorder

APPROVED AS TO FORM:

____
Mark Harrington, City Attorney

REGISTERED LAND SURVEYOR
No. 154491
JOHN DEMKOWICZ
State of Utah

SURVEYOR'S CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491, as prescribed by the laws of the State of Utah, and that by authority of the owner, I have prepared this Record of Survey map of the 508 MAIN STREET SUBDIVISION and that the same has been or will be monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

______________ John Demkowicz ______ Date

BOUNDARY DESCRIPTION

ALL OF LOT 2 OF BLOCK 24, PARK CITY, UTAH, according to the amended plat thereof on file in the office of the County Recorder of Summit County, State of Utah.

ALSO a tract of land 20 feet by 25 feet situated at the rear of said Lot 2, and particularly described as follows, to wit:

Beginning at the northeasterly corner of said Lot 2 running northeasterly 20 feet in the direction of the extension of the northerly side line of said lot; thence southeasterly 25 feet at right angles to said line and parallel to the northeasterly end line of said Lot 2; thence southwesterly 20 feet to the southeasterly corner of said Lot 2; thence northwesterly 25 feet along the northeasterly end of said Lot 2 to the place of beginning.

ALSO a tract of land 24 feet by 25 feet adjacent to the eastern boundary of said 20 feet by 25 feet of tract land, and particularly described as follows, to wit:

Commencing at the southeast corner of the Utah Power & Light Company parcel, said point being North 66°22'00" East 20 feet from the Southeast corner of Lot 2, Block 24, Park City Survey, and running thence North 23°38'00" West 25 feet, thence parallel to the northerly wall of a cinderblock garage North 66°22'00" East 24 feet, thence South 23°38'00" East parallel to the easterly wall of said garage 25 feet, thence South 66°22'00" West 24 feet, to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that 508 MAIN, LLC, a Utah limited liability company, the undersigned owner of the herein described tract of land, to be known hereafter as 508 MAIN STREET SUBDIVISION, does hereby certify that it has caused this Plat Amendment to be prepared. 508 MAIN, LLC, a Utah limited liability company, hereby consents to the recordation of this Plat Amendment.

ALSO, the owner or its representative, hereby irrevocably offers for dedication to the city of Park City all the streets, land for local government uses, easements, parks, and required utilities and easements shown on the plat in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set his hand this ______ day of ______________, 2011.

508 MAIN, LLC, a Utah limited liability company

____
Bart Carlson, Manager

ACKNOWLEDGMENT

State of __________:
ss:
County of __________:

On this ______ day of ______________ 2011, Bart Carlson personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Bart Carlson acknowledged to me that he is a managing member of 508 MAIN, LLC, a Utah limited liability company, organized and existing under the laws of the State of Utah for and in behalf of said company for the uses and purposes stated therein and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

____
A Notary Public commissioned in Utah

____
Printed Name

Residing in: ______________

My commission expires: ______________

RECEIVED
DEC 06 2010
PARK CITY
PLANNING DEPT.

A PARCEL COMBINATION PLAT
IN BLOCK 24 AND MILLSITE RESERVATION, PARK CITY SURVEY

508 MAIN STREET SUBDIVISION

LOCATED IN SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

NOTE

1. The nail shaft is no longer visible. Control points used for a previous survey of adjacent property, which were set from centerline of Main Street monuments, were used for this survey.

SHEET 1 OF 1

12/2/10 JOB NO.: 10-9-10 FILE: X:\ParkCitySurvey\dwg\srv\plat\plat2010\100910.dwg

(435) 649-9467
Alliance Engineering Inc
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ______ DAY OF ______________, 2011 A.D.
BY ______________ S.B.W.R.D.

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ______ DAY OF ______________, 2011 A.D.
BY ______________ CHAIRMAN

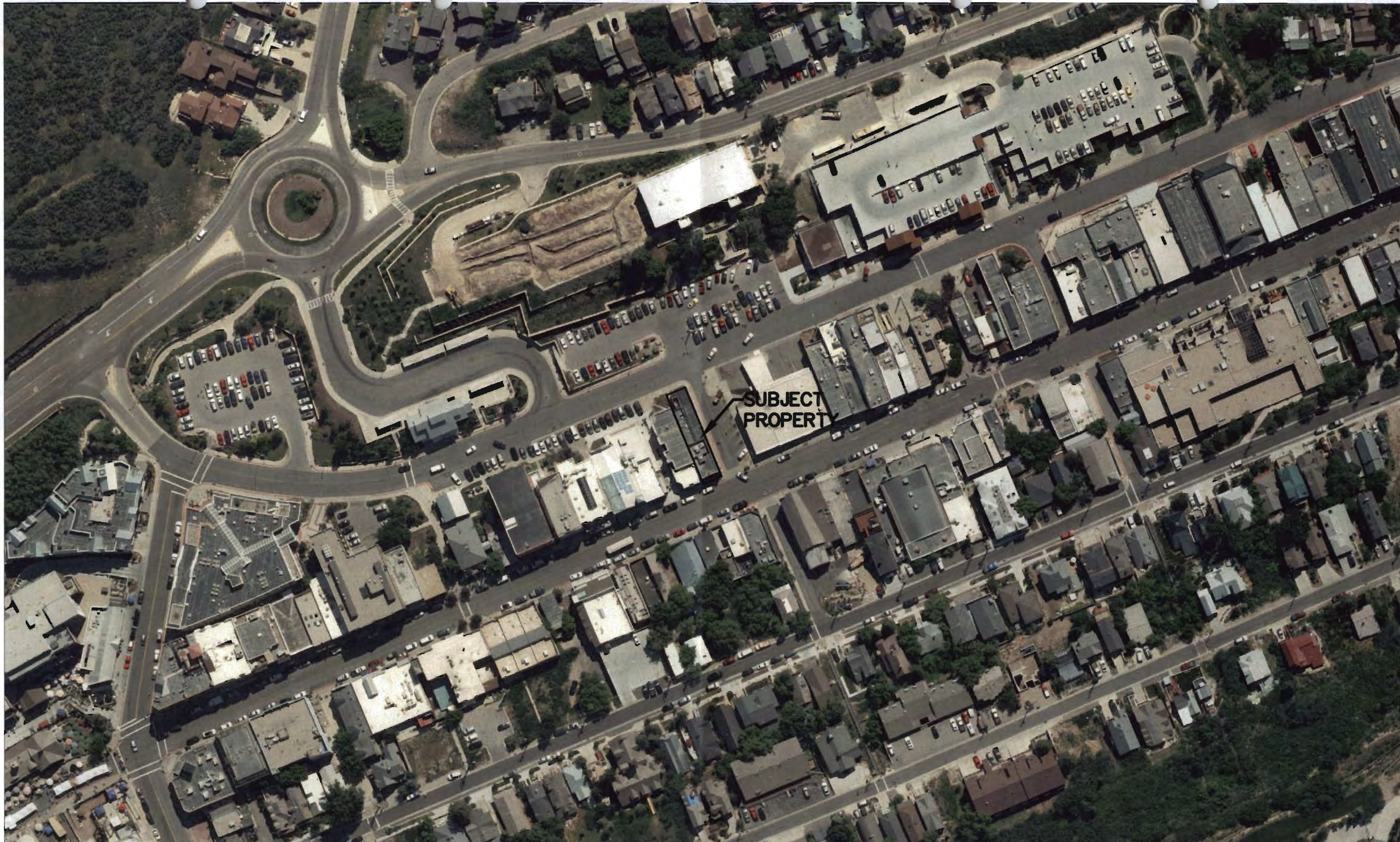
ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ______ DAY OF ______________, 2011 A.D.
BY ______________ PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS ______ DAY OF ______________, 2011 A.D.
BY ______________ PARK CITY ATTORNEY

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ______ DAY OF ______________, 2011 A.D.
BY ______________ PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ______ DAY OF ______________, 2011 A.D.
BY ______________ MAYOR

RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF ______________
DATE ______ TIME ______ BOOK ______ PAGE ______
______ FEE ______ RECORDER



RECEIVED
DEC 06 2010
PARK CITY
PLANNING DEPT.

50' 0 50' 100'

(435) 649-9467
Alliance Engineering Inc
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

STAFF: MARSHALL KING
DATE: 11/30/10

AERIAL PHOTOGRAPH
508 MAIN STREET

FOR: 508 MAIN, LLC
JOB NO.: 10-9-10
FILE: X:\ParkCitySurvey\dwg\Exhibits\508 main-ortho.dwg

SHEET 1 OF 1

REGISTERED LAND SURVEYOR
No. 4938739
MARTIN A. MORRISON
State of Utah

SURVEYOR'S CERTIFICATE

I, Martin A. Morrison, certify that I am a Registered Land Surveyor and that I hold Certificate No. 4938739, as prescribed by the laws of the State of Utah, and that a survey of the following described property was performed under my direction.

Martin A. Morrison — 10-13-'10
Martin A. Morrison — Date

LEGAL DESCRIPTION

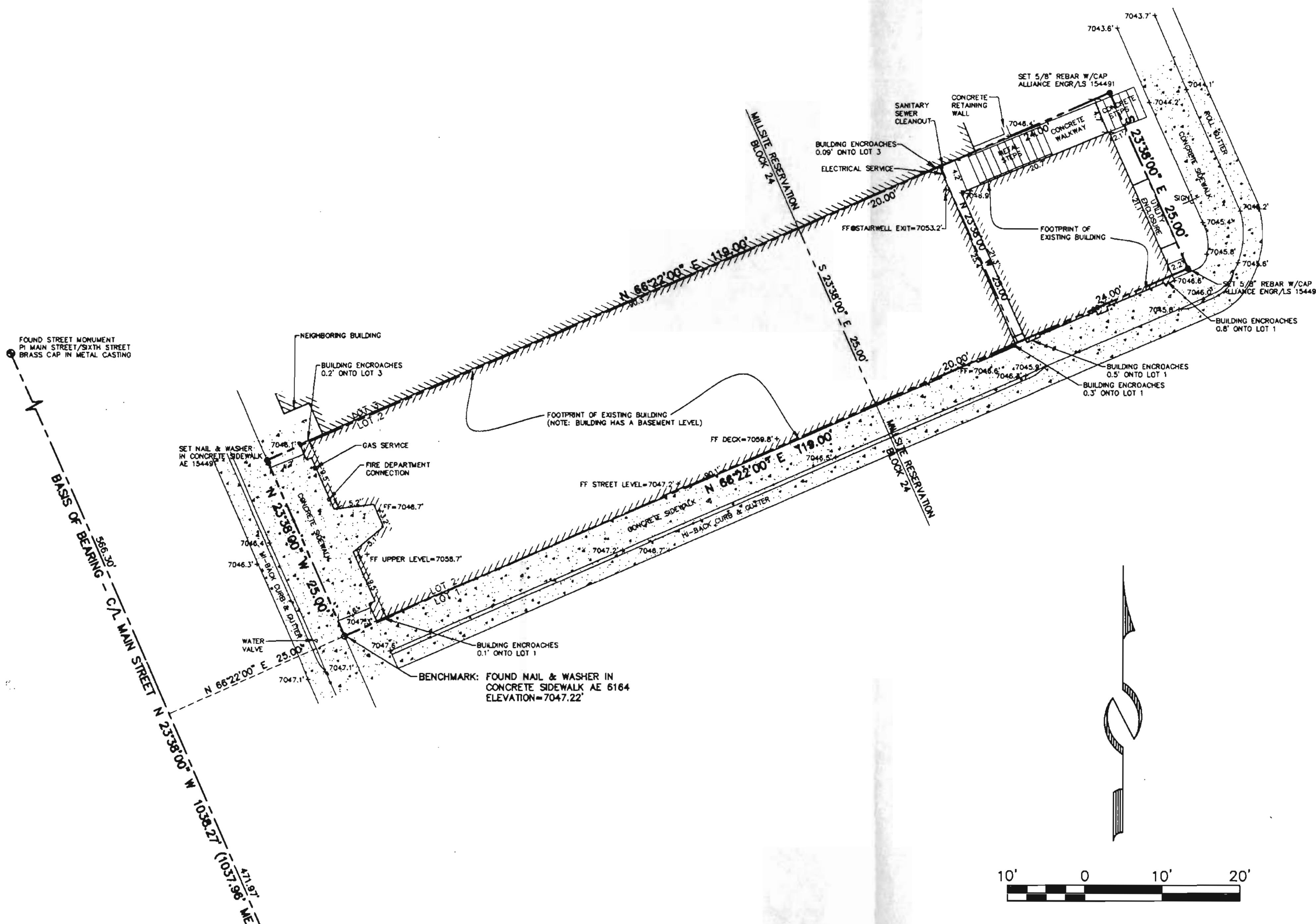
ALL OF LOT 2 OF BLOCK 24, PARK CITY, UTAH, according to the amended plat thereof on file in the office of the County Recorder of Summit County, State of Utah.

ALSO a tract of land 20 feet by 25 feet situated at the rear of said Lot 2, and particularly described as follows, to wit:

Beginning at the northeasterly corner of said Lot 2 running northeasterly 20 feet in the direction of the extension of the northerly side line of said lot; thence southeasterly 25 feet at right angles to said line and parallel to the northeasterly end line of said Lot 2; thence southwesterly 20 feet to the southeasterly corner of said Lot 2; thence northwesterly 25 feet along the northeasterly end of said Lot 2 to the place of beginning.

ALSO a tract of land 24 feet by 25 feet adjacent to the eastern boundary of said 20 feet by 25 feet of tract land, and particularly described as follows, to wit:

Commencing at the southeast corner of the Utah Power & Light Company parcel, said point being North 66°22'00" East 20 feet from the Southeast corner of Lot 2, Block 24, Park City Survey, and running thence North 23°38'00" West 25 feet, thence parallel to the northerly wall of a cinder block garage North 66°22'00" East 24 feet, thence South 23°38'00" East parallel to the easterly wall of said garage 25 feet, thence South 66°22'00" West 24 feet to the point of beginning.



FOUND STREET MONUMENT
PI MAIN STREET/FOURTH STREET
NAIL SHAFT IN ASPHALT
(SEE NOTE 7)

NOTES

1. Basis of survey: Found survey monuments as shown.
2. Property corners were set or found as shown.
3. Date of survey: October 4, 2010
4. Property location: Section 16, T2S, R4E, SLB&M
5. Purpose of survey: Building remodel
6. Improvements on the property are as shown.
7. The nail shaft is no longer visible. Control points used for a previous survey of adjacent property, which were set from centerline of Main Street monuments, were used for this survey.

RECEIVED
DEC 06 2010
PARK CITY PLANNING DEPT.

(435) 649-9467 Alliance Engineering Inc CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664	STAFF: MARSHALL KING MARTY MORRISON DATE: 10/12/10	BOUNDARY SURVEY AND EXISTING CONDITIONS BLOCK 24, PARK CITY SURVEY 508 MAIN STREET FOR: BART CARLSON JOB NO.: 10-9-10 FILE: X:\ParkCitySurvey\dwg\srv\srvy2010\100910.dwg	SHEET 1 OF 1

PL-12-01476

Request for Extension or Modification for Approval

508 Main Street – Silver Restaurant

Written Statement

Pursuant to the requirements of Park City, we were instructed to get a plat amendment for 508 Main Street upon the recent purchase and interior build out of that property. In essence, we were to combine effectively 3 lots into one lot. This new lot would be basically be encompassing the entire building at 508 Main Street into one lot and one building.

Currently we have all the paperwork, plat document, and encroachment agreements in place. However, our neighboring property owner, Lot 3 (Dolly Bookstore), are unwilling to sign the encroachment agreement which would complete our plat. Their legal counsel is under the impression that there is no reasonable cause for them to sign the agreement, and that it is essentially asking them to "give up land". As surveyed, we encroach on their property about 3 inches on one end, and they on ours about 1.5 inches on another end.

We are requesting an extension to have their encroachment agreement unnecessary, or to give us time to work this out between ourselves and the City.

RECEIVED

JAN 30 2012

Ordinance No. 11-06

AN ORDINANCE APPROVING THE 508 MAIN STREET SUBDIVISION PLAT AMENDMENT LOCATED AT 508 MAIN STREET, PARK CITY, UTAH

WHEREAS, the owner of the property located at 508 Main Street have petitioned the City Council for approval of the 508 Main Street Subdivision plat amendment; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on January 12, 2011, to receive input on the 508 Main Street Subdivision plat amendment;

WHEREAS, the Planning Commission, on January 12, 2011, forwarded a positive recommendation to the City Council; and,

WHEREAS, the City Council held a public hearing on February 10, 2011, to receive input on the 508 Main Street Subdivision plat amendment;

WHEREAS, it is in the best interest of Park City, Utah to approve the 508 Main Street Subdivision plat amendment.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The 508 Main Street Subdivision plat amendment as shown in Attachment 1 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 508 Main Street in the Historic Commercial Business (HCB) zoning district.
2. There is an existing historic structure on the property, identified as Landmark on the Historic Sites Inventory.
3. The subject property encompasses all of Lot 2 of Block 24, and a tract of land 20 feet by 25 feet of Millsite Reservation and a tract of land 24 feet by 25 feet adjacent to the eastern boundary in the Millsite Reservation.
4. Recorded Encroachment Agreements must be recorded with the owners of Lot 1 and Lot 3 of Block 24 and Millsite Reservation and the City for concrete stair encroachment at the rear of the property prior to plat recordation.
5. The proposed amended plat would result in one lot of record of 2,975 square feet.
6. The proposed plat amendment will not create substandard lots on the neighboring lots.
7. The applicant is proposing the combination of the lots to clean up property lines discovered to be at issue during Historic District Design Review and Building permit review.
8. The historic building encroaches onto Lot 1 in the southeast corner by 0.3 feet and in the southwest corner by 0.1 feet.

9. The historic building encroaches onto Lot 3 in the northeast corner by 0.09 feet and the northwest corner by 0.2 feet.
10. A Historic District Design Review was approved by staff as part of exterior building modifications enclosing a second story deck.

Conclusions of Law:
1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. Approval of the plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:
1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.
3. Encroachment Agreements shall be recorded prior to plat recordation with the owners of Lot 1 and Lot 3 of Block 24 and Millsite Reservation and the City for concrete stair encroachment at the rear of the property prior to plat recordation..
4. Recordation of this plat must occur prior to 508 Main Street receiving final certificate of occupancy.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 10th day of February, 2011.

PARK CITY MUNICIPAL CORPORATION

Dana Williams

Mayor Dana Williams

Attest:

Janet M. Scott

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington

Mark D. Harrington, City Attorney

City Council Staff Report

Subject: Reselling Ski Lift Ticket Ordinance
Author: Tricia S. Lake, Assistant City Attorney
Department: Legal Department
Date: 3/7/13
Type of Item: Legislative

Summary Recommendations:
Adopt the proposed ordinance which would amend Title 8, Chapter 3 of the Municipal Code of Park City (MCPC). This ordinance addresses reselling of ski lift tickets. This ordinance affects only those portions of Park City Mountain Resort and Deer Valley Resort that are within Park City Municipal Corporation (PCMC) boundaries.

Topic/Description:
Amending PCMC's MCPC.

Background:
Park City Mountain Resort approached the Park City Attorney's Office asking for assistance with a proposed ordinance which would prohibit the reselling of ski lift tickets. The primary concern is with individuals trying to resell ski lift tickets in the parking lots of the ski resorts as opposed to online sales.

Analysis:
Staff has reviewed and analyzed the reselling of ski lift ticket statutes in other states, including California and Colorado. The elements of the proposed ordinance are consistent with similar codes in other jurisdictions.

A violation of the proposed ordinance would be a class B misdemeanor. Under both Utah State Code and the MCPC, a class B misdemeanor is punishable by imprisonment of not more than six months and a fine of not more than $1,000. Misdemeanors are rarely sentenced to the maximum allowable sentence. Both the city and the resorts are primarily interested in this ordinance as a deterrent.

Department Review:
The Legal Department has reviewed this matter and has been in consultation with Park City Mountain Resort and Deer Valley Resort.

Alternatives:

A. Approve:
Adopt the ordinance as proposed. This is the recommended action.

B. Deny:

Denying the request would amount to being unresponsive to the local ski resorts' interest in enacting an ordinance prohibiting reselling ski lift tickets and the City's interest in continuing to assist the resorts in their effective operations.

D. Continue the Item:

Continuing the item and providing direction to staff on revisiting the proposed ordinance is an acceptable option, as long as the ordinance could quickly be brought back before the city council.

Significant Impacts:

Approving the request could impact the PCPD as it may be called upon to enforce the ordinance. Approval could also bring additional cases to the City Prosecutor's office, although there is no expectation that there will be a significant number of charges filed under this ordinance.

Consequences of not taking the recommended action:

Denying the request would amount to being unresponsive to the local ski resorts' interest in enacting an ordinance prohibiting reselling ski lift tickets and the City's interest in continuing to assist the resorts in their effective operations.

Continuing the item and providing direction to staff on revisiting the proposed ordinance is an acceptable option, as long as the ordinance could quickly be brought back before the city council.

Recommendation:

Approve and adopt the attached ordinance.

Exhibit

Proposed lift ticket ordinance

Ordinance No.

AN ORDINANCE AMENDING TITLE 8, CHAPTER 3 OF THE MUNICIPAL CODE OF PARK CITY, UTAH TO INCLUDE THE PROHIBITION OF RESELLING SKI LIFT TICKETS

WHEREAS, there exists a problem at Park City Mountain Resort and Deer Valley Resort for skiers and snowboarders reselling ski lift tickets; and

WHEREAS, the ski areas have asked the Park City Attorney's Office to assist with the enforcement of reselling ski lift tickets; and

WHEREAS, the Municipal Code of Park City does not have an ordinance regulating skiers and snowboarders who resell their ski lift tickets and therefore the city prosecutor is unable to prosecute this offense; and

WHEREAS, this section is intended to make the reselling of a ski lift ticket within the city limits a Class B Misdemeanor;

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

Section I. Amendment. Title 8 Criminal Code of the Municipal Code of Park City is hereby amended to include Section 8-3-5, as follows:

8-3-5. RESELLING OF A SKI LIFT TICKET

1. Definitions:

a. Ski Area Operator. Those persons, and their agents, officers, employees, or representatives, who operate a ski area.

b. Skier. Any person present in a ski area for the purpose of engaging in the sport of skiing, Nordic, freestyle, or other types of ski jumping using skis, sled, tube, snowboard or any other device.

c. Ski Lift. A device, excluding an elevator, used to transport passengers along a level, inclined path by means of a haul rope or other flexible element that is driven by a power unit that remains essentially at a single location. Passenger ropeways include an aerial tramway; an aerial lift, including a detachable grip lift and chair lift; a conveyor; a funicular; a surface lift, including a J-bar, T-bar, or platter pull; and a rope tow.

d. Ski Lift Ticket. Any annual pass, day pass, promotional pass, punch card, badge, pin, coupon, or other device which then entitles the bearer to the use, benefit, or enjoyment of any ski lift.

e. Snowboarder. Any person present in a ski area for the purpose of engaging in the sport of snowboarding.

2. Reselling of a Ski Lift Ticket Prohibited. Any person not authorized by the ski area operator, who, with the intent to profit therefrom, resells or offers to resell any ski lift ticket, which then entitles the bearer to the use, benefit, or enjoyment of any ski lift is in violation of this section.

3. Penalty. Any person violating the provisions of this ordinance shall be guilty of a class B misdemeanor.

4. Enforcement. The Park City Police Department, upon notification from a ski area operator or its designee shall have authority to investigate violations of this section and issue citations.

5. Violations. Violations of this section that occur within ski area boundaries which extend into neighboring jurisdictions shall be referred to the appropriate authority for investigation and prosecution.

Section II. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

Section III. Conflict with Existing Ordinances, Resolutions, or Policies. To the extent that any ordinances, resolutions, or policies of Park City Municipal Corporation conflict with the provisions of this ordinance, this ordinance shall prevail.

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

PASSED AND ADOPTED BY THE PARK CITY COUNCIL this _____ day of _____, 2013.

PARK CITY MUNICIPAL CORPORATION

____

Mayor Dana Williams

Attest:

____

Janet M. Scott, City Recorder

Approved as to form:

/s/ Tricia S. Lake__________

Tricia S. Lake, Assistant City Attorney