PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
DECEMBER 10, 2009

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, December 10, 2009.

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

Work Session

4:30 p.m.	Council questions/comments	
4:40 p.m.	Visioning debrief	P. 4 - 30
5:10 p.m.	Park Avenue parking regulations • Public input	P. 31 - 40
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 agenda)*

IV WORK SESSION NOTES AND MINUTES OF MEETING OF NOVEMBER 19, 2009
P. 41 - 52

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

Consideration of insurance placement for 2010 P. 53 - 65

VI ADDITIONAL DISCUSSION – AGENDA ITEMS

VII ADJOURNMENT

A majority of 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.

See: 11/30/09
www.parkcity.org

Note: This future meeting schedule is TENTATIVE and subject to change.
PARK CITY COUNCIL TENTATIVE MEETING SCHEDULE

December 2009

10 See agenda
17 Senior survey needs assessments (work)
US Postal Service – gang box plan (work)
Municipal Carbon Reduction Goal (work)
Audit approval
Appeal of award of construction contract for Lower Silver Creek
Construction Contract for Lower Silver Creek for $1,894,453 – TT
Clissold conservation easement – DF
Stantec Construction contract
Parameters resolution – water bond
Anti-discrimination ordinance
24 **No meeting – Christmas Eve**
31 **No meeting – New Year's Eve**

January 2010

7 Swearing-in ceremony
Lower Park Avenue RDA
Resolution - census
Ordinance – 1440 Empire Avenue – KS
Ordinance – 3615 Sun Ridge Drive – JM
Ordinance – 2001 Park Avenue – BR
Ordinance – 7447 Royal Street #351 – BR
Ordinance – 801-817 Park Avenue Park Place - BR
11-12 Council Visioning Session
14 (light meeting)
21 **No meeting – Sundance opening**
28 Open space maintenance (work)
Ordinance – LMC amendment for MPD in HR-2 - KW

February 2010

4
11
18
25

March 2010

4
11
18
25 **No meeting**

Pending Items:

Quinn's WTP Building Construction Contract – TT
Special event prioritization – work
Performance measures (work)
Resolution amending (or replacing) Resolution No. 20-07, adopting Affordable Housing Guidelines and Standards for Park City, Utah

Carrying capacity/market analysis survey
Wild land interface issues

City Council Staff Report

Author: Phyllis McDonough Robinson
Subject: Vision Park City 2009
Date: December 10, 2009
Type of Item: Informational

Sustainability

Summary Recommendations: This item is for information only. No specific action is requested.

Description: Vision Park City 2009 Final Report

Topic: Staff is providing an update to City Council on the outcomes of the Vision Park City 2009 project.

Background:
Park City has conducted several community outreach and visioning events in the past. Through Community Vision processes conducted in 1987, 1993, and 2002, we have seen that community values, concerns and perceived or actual problems have remained remarkably consistent over the past 20 years.

- *Preserve: community, history, scale and natural environment*
- *Promote: resorts, year-round economy, quality growth, and recreational opportunities and amenities*
- *Address: housing, sprawl, transportation, water and sustainability.*

The last significant community-wide visioning effort was completed in 1993 in advance of the mid-1990s general plan update.

One of the most valuable outcomes through out each of the past visioning processes was the individual involvement and community building that occurred through the shared discussion. Common to each visioning process was the focus on current conditions and resources. The focus was on addressing problems and anticipating what they might be 5 – 10 – 20 years out with an emphasis on government programs and services.

Vision Park City 2009 asked Parkites to express what they value about their community and want to preserve for the future. Equally important was the goal of community engagement – a cornerstone of community governance. Finally, the project was tasked with creating an evaluative tool that staff, policy makers and the community may use when considering future land use, economic, social and environmental decisions.

Park City engaged ***czb LLC***, an Alexandria, Virginia-based neighborhood planning firm with experience working in 44 states on strategic analysis and planning to design and facilitate the visioning process.

ANALYSIS:
There were three phases of Vision Park City 2009. The first phase was the *Community Engagement and Data Collection* process that incorporated a variety of community participation

activities in order to engage a broad and deep cross section of the community including those not typically present at more formal public meetings.

- 198 unique individuals attended community gatherings and focus groups
- 450 interviews conducted
- At least 759 photos taken
- 182 comment cards were collected with more than 534 comments
- Four focus groups held
- More than 500 hours contributed by Parkites in participating in community gatherings, conducting interviews, preparing a visual inventory and/or participating in focus groups.

Collectively, this process represents a tremendous body of knowledge about Park City and a remarkable commitment of time and energy by Parkites.

Following the Community Engagement and Data Collection, the consultants began *Phase Two: Data Analysis* in which all of the input was cataloged, distilled, and eventually shaped into a format from which a set of shared values, concerns and hopes for Park City's future began to emerge. *Phase Three: Key Findings, Recommendations and Next Steps* were prepared including the creation of an evaluative framework to guide future decision making.

A copy of the final report is included in your packet. Below are the number one responses to the community interviews and implementation strategies.

What brought you here:	**Percentage**
Skiing / Snow	17.88%

What keeps you here	**Percentage**
The community and people	19.39%

What would make you leave	**Percentage**
Too much change or growth	17.86%

Where would you go	**Percentage**
Back home for family	14.08%

Proud of Park City	**Percentage**
Olympics	24.62%

What don't we like to admit	**Percentage**
Growing income gaps/workforce being pushed out/social equity	23.42%

Park City's Personality	**Percentage**
Active/Involved/Community-Oriented	12.0%

What do you hope Park City will be like in 20 years?	**Percentage**
Stays the same/ small town feel, sense of community, uniqueness	22.20%

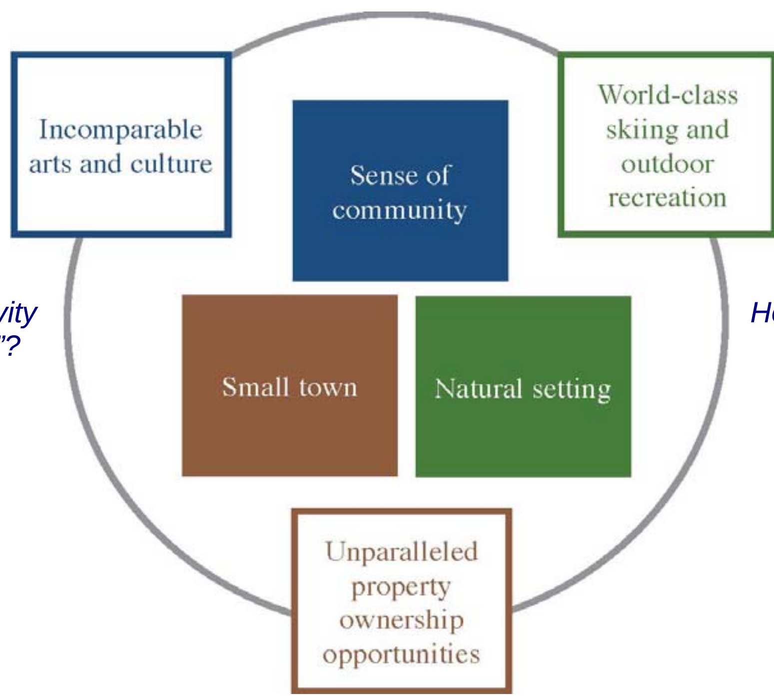
In addition to the data and knowledge gained about our community through Vision Park City 2009, ***czb*** developed an evaluative framework to provide us with a tool to plan for the future in an interconnected context and keep Park City's 'ecosystem' in proper balance. It is based upon the clear, identifiable ingredients in Park City that have attracted and continue to attract people to Park City. While different people describe them in different ways, mainly they fall into three distinct categories: (1) *Park City as a Historic Small Town*, (2) *Park City is in an Incomparable Natural Setting*, and (3) *Park City's Sense of Community*.

In addition, Park City's: (1) *World class skiing and outdoor recreation; (2, Incomparable arts and culture, and (3) Unparalleled property ownership opportunities* are unique and very appealing qualities that further enhance life in Park City and Park City's attractiveness in the marketplace.

There are four key areas or levers that must work in an interconnected framework to balance and optimize our assets – *who we are as a community, and what we offer to both residents and visitors*. — and keep our community 'e*cosystem*' system in balance.

Environmental Impact
How will any proposed activity demonstrate responsible environmental stewardship?

Quality of Life Impact
How will any proposed activity 'make Park City Park City"?



Equity Impact
How will any proposed activity add to or subtract from economic diversity?

Economic Impact
How will any proposed activity bring revenue and wealth to Park City?

Staff is developing a process for incorporating these four impact areas: quality of life, economy, environment and equity into their analysis of proposed projects and programs. This will provide a fuller review of significant impacts and provide a broader context for decision makers. We will be discussing this approach with Council during its annual visioning session in January 2010.

The outcomes of the community visioning process and this evaluative tool can be used by the City as it considers policy alternatives, shapes a new general plan or land management code, but also by other stakeholders in the community as they make their plans for the future in Park City. Below is a summary of implementation initiatives in the next 18 months.

1. **General Plan Update**
   The Community Visioning process is a core component of the General Plan update. The data, community input and key learnings serve as starting points for the General Plan re-write which began this fall. The result is a General Plan that aligns with the community's values and goals for Park City.

2. **Sustainability Strategic Plan**
   Many of the ideas, issues and future goals identified in this process focus on the environment, economy and community – the core of the City's Sustainability Team. The Sustainability Team will use the information gained through Vision Park City 2009 to inform a strategic plan for the department beginning in 2010.

3. **Review of Existing Strategic Plans**
   As other City departments and programs review and update their strategic plans and annual work programs, the findings of Park City Vision 2009 will be considered to ensure that goals, programs and services align with the community core values.

4. **Guidance for Decision Making**
   Incorporation of the evaluative tool into proposed projects and programs to provide a fuller review of significant impacts and provide a broader context for decision makers.

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

Recommendation: This item is for information only. No specific action is requested.

Attachment A: Vision Park City 2009 Final Report

Vision Park City 2009 Summary Report

Background

Park City has conducted several community outreach and visioning events in the past. Through community visioning processes conducted in 1987, 1993, and 2002, we have seen that community values, concerns and perceived or actual problems have remained remarkably consistent over the past 20 years.

- *Preserve: community, history, scale and natural environment*
- *Promote: resorts, year-round economy, quality growth, and recreational opportunities and amenities*
- *Address: housing, sprawl, transportation, water and sustainability.*

The last significant community-wide visioning effort was completed in 1993 in advance of the mid-1990s general plan update.

One of the most valuable outcomes through out each of the past visioning processes was the individual involvement and community building that occurred through the shared discussions. Common to each visioning process was the focus on current conditions and resources. The focus was on addressing problems and anticipating what they might be 5 – 10 – 20 years out with an emphasis on government programs and services.

Vision Park City 2009 asked Parkites to express what they value about their community and want to preserve for the future. Equally important was the goal of community engagement – a cornerstone of community governance. Finally, the project was tasked with creating an evaluative tool that staff, policy makers and the community may use when considering future land use, economic, social and environmental decisions.

Process

Park City engaged ***czb***, an Alexandria, Virginia-based neighborhood planning firm with experience working in 44 states on strategic analysis and planning to design and facilitate the visioning process.

Vision Park City 2009 was an open-ended dialog between Parkites – including full and part-time residents, employees, business owners and other community stakeholders. It began with a dialog about what Parkites as individuals hold dear about their community which revealed a set of shared values. Next we identified concerns and challenges facing Park City, as well as future goals in order to reveal a set of shared values to guide Park City in the future.

We asked the people of Park City some questions about the future of Park City. They had some great ideas and strong opinions. The process was fundamentally different from an issues-based approach in that participants were not given a pre-selected list of issues or responses from which to select from or to rank. The process was open-ended intentionally so as not to shape or direct the responses.

There were three phases of Vision Park City 2009. The first phase was the *Community Engagement and Data Collection* process that incorporated a variety of community participation activities in order to engage a broad and deep cross section of the community including those not typically present at more formal public meetings. There were four stages of community engagement and data collection: *Community Brainstorming*, *Listening*, *Exploration* and *Distillation*. Parkites engaged in the process in many ways:

- 198 unique individuals attended community gatherings and focus groups
- 450 interviews conducted
- Four focus groups held
- At least 759 photos taken
- 182 comment cards collected with 534 comments
- More than 500 hours contributed by Parkites in participating in community gatherings, conducting interviews, preparing a visual inventory and/or participating in focus groups.

Collectively this process represents a tremendous body of knowledge about Park City and a remarkable commitment of time and energy by Parkites.

Following the Community Engagement and Data Collection, the consultants began *Phase Two: Data Analysis* in which all of the input was cataloged, distilled, and eventually shaped into a format from which a set of shared values, concerns and hopes for Park City's future began to emerge. *Phase Three: Key Findings, Recommendations and Next Steps* were prepared including the creation of an evaluative framework to guide future decision making.

Community Engagement and Data Collection Phase: March 31 – June 15

Community Brainstorming
March 31

Vision Park City 2009 formally launched with the first Community Gathering held at the Yarrow Hotel on March 31. It was attended by 117 community members who engaged in a discussion of "*who is Park City*", "*what do we believe in*" and "*what concerns us*". One hundred eight two input with more than 534 comments addressing these questions were collected during the meeting. Ideas and issues identified on the input cards were discussed in small groups and then shared among the whole group. The cards were collected and their input recorded for later analysis. The evening was designed to be highly interactive and creative. Following reports from small groups on their comment cards, they were challenged to develop a representational tool identifying inputs and processes for evaluating ideas, projects or proposals.

Community Listening
April 1 – June 15

Following the Community Brainstorming Session, more than 480 people participated in a Community Listening project with the objective of sharing their stories and experiences about Park City, exploring personal and shared goals and concerns and ultimately define a set of community values to guide Park City's future. A variety of outreach and engagement approaches were used. The most significant tool was a series of one-on-one interviews where community members volunteered to interview not only their friends, neighbors and colleagues, but to introduce themselves to others in the community who they did not know. Interviews were conducted in English and Spanish, as necessary. More than 35 volunteers completed 386 community interviews. An additional 64 interviews were collected via an on-line survey. These interviews engaged people at the individual level and provided an opportunity for meaningful participation for folks who were unable or uninterested in attending an evening meeting. The interviews revealed a snapshot of Park City today, a vision for the future and concerns in reaching that goal. We also conducted focus groups to capture feedback from the part-time resident community. We also conducted a Spanish-speaking focus group in partnership with Holy Cross Ministries. Randy Barton hosted a call-in show where community members were invited to share their stories about what brought them to Park City, what keeps them here and what would make them leave.

Focus Groups

Three focus groups were held to get input from part-time residents. Part-time residents see Park City as a friendly and welcoming place, an authentic mountain town with a sense of heritage and place and place high value on its sense of community and small town feel. Park City is seen as a first class, accessible resort town with year round recreation. They are concerned about over-development without sustainable practices and the related issues of traffic, pollution and climate change and how it affects Park City's community and economy. Participants noted that Park City has an active retirement community, but health and age issues were of concern to them and their ability to stay. Several participants added that they would like to receive more regular information about Park City and suggested better use of electronic communications. The comments and concerns brought forth in these focus groups were remarkably consistent with those of full-time residents.

An additional focus group was conducted in Spanish at St. Mary's. Two key themes that emerged were the ability to find work in Park City and the educational opportunities for their children. Parents were very complimentary of the schools. Participants liked the smallness of the community, describing Park City as mellow, and the ability to get around and access services. They discussed their concerns about being able to find secure housing and live without fear of SB81. The general consensus was the things work well in Park City. The only significant complaint was insufficient public laundry services. Two divergent views of note emerged during the discussion. The first is that while the population in general did not see Park City as diverse, participants in the Spanish-speaking focus group felt that Park City was diverse in terms of culture, activities and food. The second is the perception that the general population places the greatest importance on open space, the environment and the outdoors while affordable housing, equity and diversity were considered more important to the participants. Participants did think that the above two issues were mutually exclusive and both can be obtained.

Community Exploration
April 1 – May 5

Vision Park City 2009 also created a visual component. Community members volunteered to develop a visual vocabulary for Park City and create a visual representation of our values, beliefs and concerns. Approximately 20 community members volunteered to take photos to create this visual iconography.

From there a core group of 12 continued with this process and contributed a significant amount of time in collecting, assembling and distilling hundreds of images. A smaller group prepared the presentation for the next community gathering. The quality and quantity of visual data was excellent and created a visual vocabulary to represent qualitative concepts, provided an additional means for folks to participate and provided an alternative to verbal communication. A DVD with hundreds of images representing images that were illustrative, treasured, at risk, eyesores, representative of old and new Park City, of what works and what we do (or don't) need more of was compiled.

Community Reports May 5

A second Community Gathering was held on May 5. One hundred ten community members attended the second community gathering to hear community reports on initial learning from interviews and to participate in the visual survey project. More than half of the participants had not attended the initial community gathering. Many of the new participants were brought into the process through the community interviews. Attendance at the second community gathering was affected somewhat by the closure of schools due to the H1N1 virus during which time many families left town.

The photography group collected nearly 1,000 images and distilled them into a photo exhibit at the second community gathering. Community members, working in small groups, further refined the collection and identified images that best represented Park City and who were are as well as images that were not in keeping with our values and vision.

Stage 2: Data Analysis and Distillation

Hundreds of Park City citizens, business owners, employees, and stake holders gathered in large group meetings, smaller focus groups and one on one interviews. Within less than three months, more than 5,300 ideas, comments, suggestions, criticisms (constructive and otherwise) and well penned visions for Park City's future were collected. What Parkites told us during this process provides valuable insight into the community and helps identify community needs, programs and services to sustain our shared vision for Park City.

All of this input was cataloged, distilled, and grouped by topic or theme to identify points of commonality, conflict and anomalies. Through an iterative analysis process, data was distilled into a usable format from which a set of shared values, concerns and hopes for Park City's future began to emerge. Over the summer, ***czb*** further evaluated the data and prepared a set of findings and analyses which begins on page 16 of this report.

What we said about ourselves: Community Interviews

The community interviews were open-ended questions and many participants listed more than one reason. The percentages below represent the number of times a specific reason or issue was identified among all reasons given for that question.

What brought you here:	**Percentage**
Skiing / Snow	17.88%
A great small town / the community	16.32%
A job / business opportunity	14.76%
The scenery / weather/ air quality	9.03%
My significant other / family came, and I joined	7.99%

What keeps you here	**Percentage**
The community and people	19.39%
Mountain Lifestyle/Quality of Life	18.76%
Open Space/Setting/ Outdoor beauty	11.01%
The small town character	10.59%
Recreation (year round)	8.49%

What would make you leave	**Percentage**
Too much change or growth	17.86%
Loss of natural beauty/ environmental decline	12.66%
Loss of job / better opportunities elsewhere	11.20%
If the people change too much	9.90%
If it gets too expensive / forced out by high cost of living or lack of off-season jobs	9.58%

Where would you go	**Percentage**
Back home for family	14.08%
Colorado	11.27%
Big City (e.g., Seattle, Manhattan & Portland)	8.45%
Northern California/Tahoe	7.04%
Montana	7.04%

What we said about ourselves: Community Interviews

Proud of Park City	Percentage
Olympics	24.62%
When we rise to a challenge and do the right thing for the community and its people	17.67%
When we host cultural events	14.47%
City / Town events that are for the town (e.g. Miner's day, 4th of July, summer concerts)	14.29%
Sundance	11.65%

What don't we like to admit	Percentage
Growing income gaps/workforce being pushed out/social equity	23.42%
We're elitist/money-focused	19.37%
We need to address traffic & other big city issues	10.36%
Not really diverse	9.31%
Social separation between long timers and new comers	7.21%

Park City's Personality	Percentage
Active/Involved/Community-Oriented	12.0%
Outdoorsy/Recreation-Oriented	10.0%
Friendly/Outgoing/Welcoming	8.0%
Fun loving/Living Life to the Fullest	7.0%
Bourgeoisie Bohemian	6.0%
Ego-Centric/Pretentious	6.0%

What do you hope Park City will be like in 20 years?	Percentage
Stays the same/ small town feel, sense of community, uniqueness	22.20%
Less development/smarter growth/more Green & Open	14.04%
Diverse, Affordable and Inclusive: people who work here live here	13.38%
Less traffic/integrated transit & alternative modes/connected trail/bike/pedestrian system	11.57%
Stays local (particularly no chain stores or real estate offices on Main Street & more family/kid friendly shops/activities)	9.87%

What we said about ourselves: Community Input Cards

At the first community gathering and at focus groups participants were invited to provide their thoughts on "*who is Park City*", "*what do we believe in*" and "*what concerns us*. A total of 182 cards were collected with more than 534 comments. The diagrams on the following pages summarize the main themes captured on the comment cards. The size of the word indicates its relative frequency as compared to others.

How we see ourselves…

How we see our town…

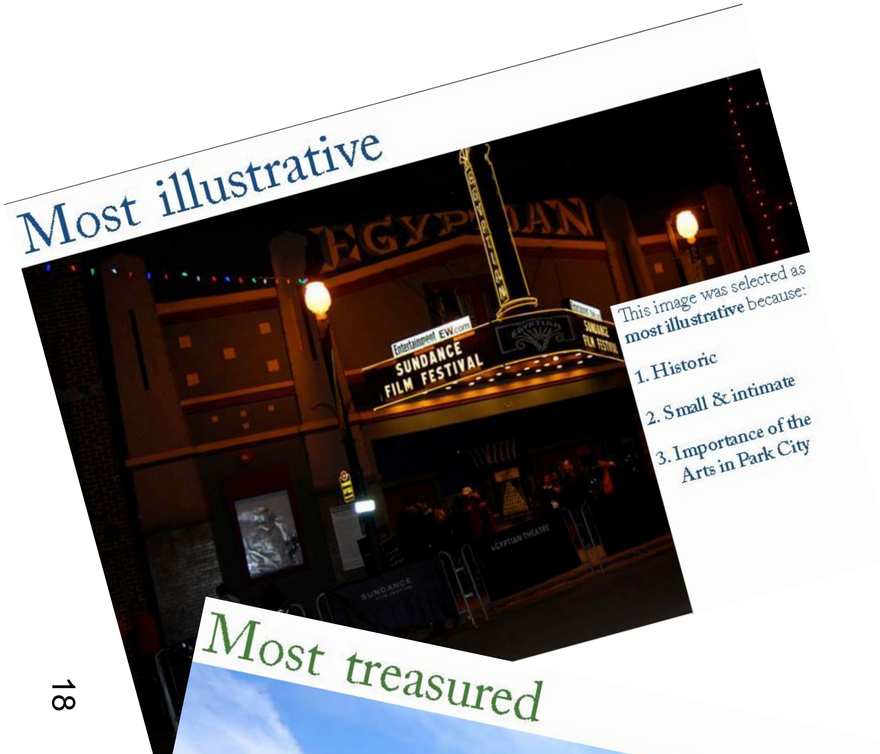
We feel great about our:

History Future
Environment
Capacity Quality of Life
Independence
Community
Leadership
Flexibility

But we are very concerned about:

What we said about ourselves: Visual Inventory

The third method of data collection and input was the visual inventory which created a visual representation of our values, beliefs and concerns. These images were distilled first by the photography committee and later by the community members at the gathering held in May. The photos that follow are representative of the outcome of the May meeting.



What works

This image was selected as what works because:

Outdoor events:

1. Bring people together and build community on equal footing
2. Fun & kid-friendly
3. Arts & culture (good music)

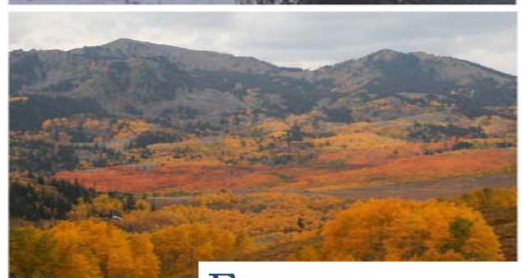
Park City funk

This image was selected as Park City funk because:

1. Community
2. Fun
3. Eclectic

0.13.2009 |

Most at risk



These images were selected as **most at risk** because of:

Development pressures

vs.

Natural resources and water quality and quantity

What we need more of

This image was selected as what we need more of because:

1. Sustains cultural diversity
2. Reduced commute
3. Promotes viable workforce

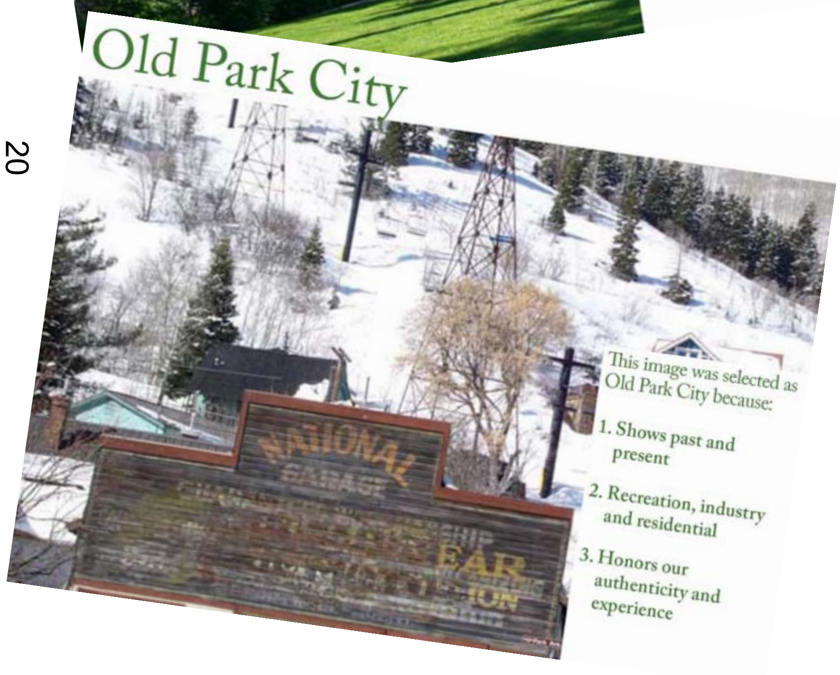
Eyesores

These images were selected as **eyesores** because:

1. Construction mess/ disorderly
2. House too large
3. Ongoing, never-ending construction


Old Park City
This image was selected as Old Park City because:
1. It represents community
2. Adaptive re-use
3. Sensitive restoration


New Park City
EASY STREET
This image was selected as New Park City because:
1. Integration of old and new
2. Positive change
3. Revenue generating / economic


Old Park City
NATIONAL
This image was selected as Old Park City because:
1. Shows past and present
2. Recreation, industry and residential
3. Honors our authenticity and experience


Most treasured
This image was selected as most treasured because:
1. Ski town
2. It's core to who we are
3. Quality of skiing

SUMMARY OF KEY VISIONING THEMES

Respect and conserve the natural environment.

- *We need a firmer commitment to sustainability, green building practices and innovation.*
- *We need to grow carefully without taxing our environment.*
- *Open space bonds were difficult decisions, but the right ones.*
- *Proud of our rising organic connection to nature such as the City's climate change and carbon footprint initiatives and Save our Snow.*
- *Keep open hillsides and more open space and trails*
- *Preserve nature, environment and wildlife*

Promote balanced, managed and sustainable growth.

- *Fear that we will be some huge urban sprawl from the top of Parleys out to Kamas, Coalville and Heber.*
- *Keep our small town feel – not overbuilt and sprawling.*
- *Traffic is an issue today that we need to figure out how to deal with for the future or else we'll lose our appeal as a resort community.*
- *There is always the balance between growth and lifestyle and finding the proper balance will be key.*
- *I don't want to have to drive as much to do things.*

Preserve a strong sense of place, character and heritage

- *I hope Old Town looks the same and has preserved its historic identity.*
- *We are in a unique position to lead with exposure to the nation and the world on how to incorporate sustainable values in the context of an existing historic place.*
- *I'm worried that we will lose our traditions and sense of place.*
- *Keep the "eye candy"*
- *I don't want to lose much more of our rich history and become only remembered as a ski/resort town.*

Foster a strong sense of community vitality and vibrancy.

- *We are becoming two (or maybe three) Park City's. We are segregated racially/ethnically and economically. How can we be proud of ourselves if we know there are people who aren't included in our community?*
- *There is a treasure trove of intellect and expertise in this town that simply needs to be brought together*
- *City isn't always good at utilizing various avenues of communication and technology to help keep citizens plugged into the process and informed, especially second homeowners.*
- *We need more community gatherings and opportunities to get together and talk*
- *More public art – I love the bus shelters, the sound garden and the fish.*
- *I'm always bummed that the Concerts in the Park moved up to Deer Valley. I understand why, but it's still a disappointment.*

Support and promote diversity in people, housing and affordability.

- *Poverty exists amidst affluence. We have true poverty in this community and people are completely unaware of it.*
- *I feel a bit in limbo, I don't know how many people consider themselves part of the community but can't actually live here. I have no connection to Heber so I'm not part of that community, but it is where I have a house I can afford.*
- *Concerned about our Latino community and service workers in general who struggle to support their families.*
- *Who will come behind us if people can't afford to live here? For whom are we preserving Park City?*
- *More work has to be done to keep the working class in Park City and maintain a full spectrum of folks from different economic levels.*
- *I don't want to have to relocate because of age or skiers knees.*

Promote a diverse, stable and sustainable economy.

- *We are a national leader as a winter sports destination; we could also be nationally recognized for winter sports development.*
- *We are a community, but don't like to admit that we are also a product. Our economy is tourism-based and image is everything.*
- *Rents are getting so high it's hard for people to keep their businesses in town.*
- *Maintain a strong theme of independent merchants and provide more options on Main Street for families with children.*
- *I hope there are more career opportunities here eventually to sustain and retain year round residents.*
- *Park City needs to be a year round attraction with more events and activities.*
- *I wish we were better known as a cultural destination, not just a winter sports destination.*

Key Findings

Park City residents overwhelmingly live in Park City *by choice.* This is important because it means that residents have options, and overwhelmingly financial resources. It renders Park City a *community of choice*, placing a premium on many of its qualities. It means that the community's qualities become what are known as "pull factors", and serve to attract households to Park City that have sufficient means to act on their desire to live or own property in Park City. It means there is what economists call a high "willingness to pay" factor in Park City. When a market enjoys a high "willingness to pay" quotient, the "ability to pay" becomes an additional and equally influential factor in shaping the market. People arrive with an expectation the qualities that attracted them in the first place will remain if not get better (as they define it) and the have the means (financial or otherwise) to get involved to ensure precisely that result.

Residents have a deep commitment to getting the results they want through sustained commitment. At one level, residents work hard to make Park City continually better, and have distinct results to show for their efforts. Once a struggling near-ghost town, Park City today is an economic powerhouse. Once a place with severe environmental challenges, Park City now models sustainability and open space preservation. As Park City has polished its signature qualities and grown in demand, and as prices have risen and affordability declined accordingly, Park City has been responsive with leading edge housing affordability outcomes.

At another level, the success in making Park City *even better* by virtue of sustained hard work by people used to success has created an ever present expectation of and demand for success of stakeholders themselves, but also of the public processes and public institutions. Ordinarily, high levels of confidence in a community couples with sharpened political and social skills mean good results. And Park City has consistently generated very good results, as noted. But as Park City has become more exclusive owing to cost, which owes to the preservation of old and creation of new assets, confidence to shape the future of Park City has become diversified. That is, different populations with Park City, mainly segmented by year of arrival, may have differing aspirations. The result is not a single Park City, but rather several populations within Park City each with confidence to shape their competing vision of the future.

But, even within potentially competing visions for the future, there are clear, identifiable ingredients in Park City that have attracted and continue to attract people to Park City. While different people describe them in different ways, mainly they fall into three distinct categories.

Park City as a ***Historic Small Town***

Park City is in an ***Incomparable Natural Setting***

Park City's ***Sense of Community***

Park City as a **Historic Small Town**

Park City is a small town variously and enthusiastically described as an “old mining town”, “historic”, “quaint”, “charming”, and “beautiful”. It’s a big part of why many people came to Park City. For the town’s historic qualities, it’s charm, and it’s beauty. It’s very important to residents that the town remains “charming” and retains its “historic character”, and stay “beautiful” and “lovely”.

When the town is threatened in any way that might result in a reduction of its “beauty”, “charm”, or “historic” value, it alarms residents, but as beauty and charm are subjective, what alarms some residents is not a problem for others.

- Residents who are alarmed by potential threats to Park City’s small town*ness* have and will continue to mobilize to protect the town.
- Residents who are alarmed by limitations on the ability to invest in and leverage gains that owe to the town setting have and will continue to mobilize for the ability to do so.

The implication for the planning process and for public institutions addressing the issue of the town is to find the right balance between <u>retaining the qualities that make the town unique and permitting those activities that leverage Park City’s uniqueness economically</u>.

Park City is in an **Incomparable Natural Setting**

Park City is a place of rare and exceeding natural beauty. It is the main direct or indirect reason why most everyone is in Park City in the first place. It’s very important to residents that the natural setting remain “pristine” and retain its wild character, typified by open undeveloped space.

When that natural setting is threatened in any way that might result in a reduction of the amount of open space, or the addition of development inconsistent with environmental values, it alarms residents. But what defines a threat to the natural environment is subject to disagreement – what alarms some residents is not a problem for others.

- Residents who are concerned by potential threats to the natural setting have and will continue to mobilize to protect the environment.
- Residents who are concerned by limitation on or to the ability to leverage gains that owe to he natural setting have and will continue to mobilize for the ability to do so.

The implication for the planning process and for public institutions addressing the issue of the environment is to find the right balance between <u>preserving open space to the exclusion of development and permitting development activities that leverage Park City’s economic strength.</u>

Park City’s **Sense of Community**

Park City’s sense of community is the glue that transcends both the aesthetic and functional qualities of the town and the majesty of the natural environment, with all its incredible recreational opportunities. Park City is a community of involved citizens. It’s a reason many people came and continue to stay in Park City. It’s vitally important to residents that the community they know remain in tact and retain its funkiness and playfulness.

Park City is a community of a size and composition where it's part of everyday living to run into friends in the grocery store or the coffee shop. So, when the sense of community people have come to know and love feels threatened, it alarms some. But as the definition of community differs among people, what alarms some is not a problem for others. Residents who are alarmed by potential threats to these qualities of their community have and will continue to mobilize to protect their sense of community.

Residents use a variety of 'touchstones" to indicate whether their community is changing: where and under what circumstances they see one another, for example. The implication for the planning process and for public institutions is to pay attention to the richness of civic and community life in Park City, for it is a vital ingredient in making Park City *Park City*. As attention is given in planning processes to the economy and the environment, how residents *experience* life in everyday routines - traffic, in the grocery store, at the coffee shop, on the trails or in restaurants - will be invaluable indicators for whether economic and environmental decisions are meeting the community's expectations.

Park City's unique and appealing qualities

The town and the natural environment and the sense of community come together - naturally and by intention - and have unique and very appealing qualities that further enhance life in Park City and Park City's attractiveness in the marketplace.

World class skiing and outdoor recreation

Incomparable arts and culture

Unparalleled property ownership opportunities

*Park City offers **world class skiing and outdoor recreation***

The Olympics cemented Park City's well-deserved and earned reputation as the finest ski destination in the United States and among the very best in the world. Its infrastructure – for hosting world cup and sub-professional outdoor recreational activities - is second to none. Park City is nearly a 12 month resort community in terms of outdoor recreational opportunities.

*Park City has **incomparable arts and culture***

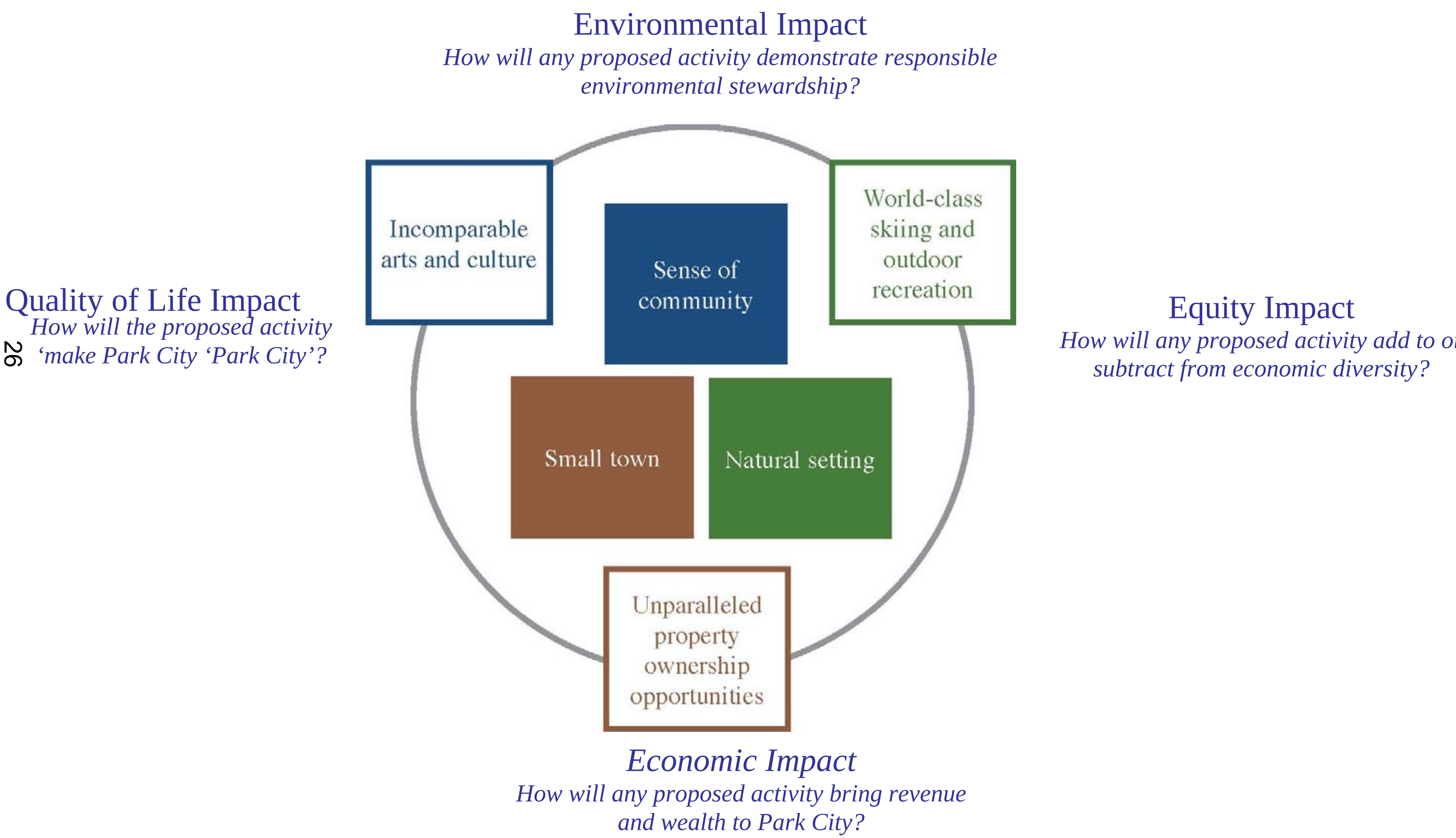
Sundance is one of many cultural venues that sets Park City apart from otherwise similar mountain resorts. The galleries and performing arts venues in town provide access to visual and theatrical arts almost nonexistent for communities of its size. There is an active and sophisticated network of nonprofit organizations based in Park City that exercise leadership on a wide variety of issues, local and global in aim and reach.

*Park City has **unparalleled property ownership opportunities***

Real estate in Park City is very valuable and its economic value continues to rise. The high and increasing quality of life in Park City means the imputed value of owning a home in Park City is equally strong. This is strengthened further by the fact that Park City offers:

- One of the finest school districts in the state and beyond.
- Extremely sophisticated infrastructure.
- Municipal government recognized praised for its competence and leadership
- World class medical services
- Access to the Salt Lake region means global reach

When we balance and optimize these assets—who we are as a community, and what we offer to both residents and visitors—we make Park City a unique and highly desirable place to live and vacation. But it's not easy to keep this system in balance. Over time, all towns and cities naturally change, grow, and develop. Done well, it's part of what keeps a place vibrant, prosperous and a 'good place to live'. Done less optimally and those changes can jeopardize the city's core elements that make it unique and loved by its residents.



Analysis and Next Steps

At its most basic, residents live in Park City by choice, *choosing* to live in Park City because of its small town qualities, its natural setting, and its sense of community. Along the way they have enhanced the town, the setting, and the community through their force of will: preserving historic architecture, open space, and building lasting civic institutions and cultural traditions. Parkites have made Park City an exceedingly rare if not priceless jewel in a 21st century America of increasing sameness, banality, and gracelessness. They have great confidence in local government, and in civic institutions to work together to great outcomes.

Yet there is a growing and not inconsiderable angst among residents that the place they *chose*, and having chosen *improved*, has become less and less the place they intended to wind up with. This is a substantial paradox given the self-confidence to achieve whatever outcome Parkites typically set out for that is a part of Park City's DNA.

On the one hand, Park City is a place populated by people of financial and social capacity; if ever there were three thousand households capable of charting their own course exactly as they wish, it's Park City. On the other, there is the growing sense that the community they thought they were building is at risk of becoming something else. As Park City has become better and better, it has increasingly attracted more and more people with ever (a little bit at a time) different values and intentions.

For these reasons, significant successes - like historic and open space preservation, the improvement of the public schools, and the development of a sophisticated event infrastructure, the advent of a well developed nonprofit sector, and the development affordable housing - can be overshadowed by the concerns many have about the change they have wrought and what might come next.

As Park City moves forward with the next phase of general planning, ***czb*** identified are four 'levers' at the community's disposal citizens must pay attention to. They are levers that keep the Park City 'ecosystem' in proper balance.

1. Economic Impact
How will any proposed activity bring revenue and wealth to Park City?

- Revenue and wealth are essential building blocks for any community. They are necessary to fund public services and maintain a quality of life.
- The benefits of an economic activity have to be weighed against its costs.

2. Quality of Life Impact
How will any proposed activity make Park City Park City?

- The qualities that make Park City like no other place are the very ingredients that make it economically and socially attractive. The 'funk', the playfulness, the friendliness, the small town setting, the charm. Each articulates Park City in ways that create value.
- The benefits of a proposed activity have to be weighed against its costs.

3. Environmental Impact
How will any proposed activity demonstrate responsible environmental stewardship?

- Park City in any other setting ceases to be Park City. If Park City were to be surrounded right up to its municipal boundaries by Wal-Marts, gas stations, McDonald's, Best Buys, and other placeless retail, or by endless seas of mountain condos and serpentine housing developments, it would no longer be the charming town in a natural setting defined by incomparable view corridors and other ingredients of a more rustic era.
- The benefits of a proposed activity have to be weighed against the costs

4. Impact on Equity
How will any proposed activity add to or subtract from economic diversity?

- More than seven in ten dollars of economic activity in Park City trace to tourism and thus the city has hitched its wagon in no small measure to the service industry. This means that those who provide essential public (teachers, police) and private services (ski instructors, waitresses) either find affordable housing in Park City or commute. Affordable living in Park City has a cost and a benefit. Affordability outside Park City has a cost and a benefit.
- The benefits of a proposed activity have to be weighed against the costs.

These four levers are not oppositional. But neither are they symmetrically harmonious. Rather, they form a network of considerations that must be taken into account as part of the work of managing Park City's *interconnected complex system*.

Traditional comprehensive planning is organized to consider a proposed activity and weigh, for example, its housing costs, and on the basis of the ratio of those costs to the activity's benefits, support, reject, or modify the activity. There is wisdom to a benefit-cost ratio analysis. But, shoehorning an activity into a single threshold criterion often obscures deeper realities that eventually must be addressed.

What this means is that all of the elements that make Park City are interconnected. Sound planning therefore absolutely cannot be atomized any longer. Prospective efforts - from real estate development projects at one end of the spectrum to cultural activities on the other - cannot be evaluated one dimensionally when both their benefits and costs are, by definition, multi-dimensional.

Example: In traditional planning, a new hotel might be approved because a formula provides for affordable housing. But development of both carries potential environmental costs. A new open space buy might be approved because land became available and the purchase served as an insurance policy against encroachment of unwanted development. But as more space is held in conservatorship, less is available for development and rising land costs impact housing costs, generating commuter pressures and reductions in air quality.

Implementation

The data and knowledge gained about our community through Vision Park City 2009, together with the evaluative framework proposed by ***czb*** provide us with the tools to plan for the future in an interconnected context.

Park City cannot take a telescopic view of activity on the horizon if it aims to retain those signature qualities that make Park City great: it's small town charm, the natural beauty all around, and the binding glue of an involved and informed community of caring citizens. We can widen our evaluation criteria *contextually* so that the range of consequences for any possible activity is evaluated in *concert*.

The outcomes of the community visioning process can be used by the City as it shapes a new general plan or land management code, but also by other stakeholders in the community as they make their plans for the future in Park City. Below is a summary of implementation initiatives in the next 12 – 18 months.

General Plan Update

The Community Visioning process is a core component of the General Plan update. The data, community input and key learnings serve as starting points for the General Plan re-write which began this fall. The result is a General Plan that aligns with the community's values and goals for Park City. The community values and vision identified through this process should be reflected in the purpose statements of the General Plan.

Sustainability Strategic Plan

Many of the ideas, issues and future goals identified in this process focus on the environment, economy and community – the core of the City's Sustainability Team. The Sustainability Team will use the information gained through Vision Park City 2009 to inform a strategic plan for the department beginning in 2010.

Review of Existing Strategic Plans

As other City departments and programs review and update their strategic plans and annual work programs, the findings of Vision Park City 2009 will be considered to ensure that goals, programs and services align with the community core values.

Guidance for Decision Making

The evaluative tool described in the Analysis section identified four key areas or levers that must work in an interconnected framework to "*keep Park City, Park City*". City staff will be incorporating these four impact areas: quality of life, economy, environment and equity into their analysis of proposed projects and programs. This will provide a fuller review of significant impacts and provide a broader context for decision makers when considering policy or program alternatives.

PARKITES SHARE THEIR HOPES FOR THE FUTURE

I hope PC is just like today but a little better. We need to be more inclusive with a greater sense of community, smaller houses and a willingness to address issues.

I hope it still has that small town feel, not just second homes but lots of year round folks and locals. If that happens everything else is OK.

I hope we still have an offbeat radio station and the Follies.

Carless and still surrounded by open space. If we need more space for people we should densify.

A sustainable, livable community that is environmentally aware with more trails and walkability and excellent schools. We need to be affordable. I would like to see us excel at being an arts and culture destination.

That we have grown well and have a high quality of life for everyone that lives and works here.

Although the population will have grown significantly in 20 years, I hope that it will not have forgotten (or forsaken) its sense of history and community nor its commitment to securing open space and preserving its rich environment.

Accepting of a wide variety of people, with different levels of wealth; that is retains its community feeling and cultural diversity; and that it will continue its support of and easy access to performing arts and live theater.

A city using alternative energy to power its energy needs, actively recycling, producing more energy than we use.
I hope the trails in and out of Park city are completely connected and there are sidewalks in every neighborhood.

A truly sustainable community that remains reasonably accessible physically and economically centered around its vibrant outdoor offerings (snow or no snow since that's somewhat beyond our control), with Sundance as a continued partner and draw and with an unapologetic drive toward zero waste.

I hope that Park City still has an identity as a historic ski resort town and its residents are still passionate about preserving the quality of life while understanding that it won't be the Park City that we knew it to be in 2009.

A place where people of all incomes, cultures, values, and occupations can live together as a loving, trusting, respectful community.

City Council
Staff Report

DATE:	**December 10th, 2009**
DEPARTMENT:	**Public Works**
AUTHOR:	**Kent Cashel, Transportation Manager**
TITLE:	**Park Avenue Parking Regulations**
TYPE OF ITEM:	**Administrative**

SUMMARY RECOMMENDATION:
Staff recommends that current parking regulations (2hour limit, with no 2am-6am parking) on Park Avenue remain in place. Staff will implement a special permit zone on west side of Park Avenue between 9th and 10th to address summer parking needs of residents of Park Avenue (between Heber and 9th).

Background
Parking regulations along Park Avenue (Heber Ave to 13th St.) include the following restrictions:

- **No parking 2-6 am**
  These restrictions move vehicles off the street once a day to enable snow removal in the winter and street maintenance (sweeping) in the summer months. While street sweeping crews do not begin until 7:00 a.m., this maintenance access is critical to keeping the street clean of snow and debris (particularly south of 9th street where the road is narrow, and parking and traffic are heavy year round).
- **2 Hour limits (Heber Avenue to just north of 9th Ave)**
  Two hour time limits help ensure parking turnover so that spaces are regularly available for customers of businesses that line both sides of Park Avenue between 9th and Heber.

These regulations were put in place prior to the Main Street paid parking program in 1998. Staff improved regulatory signage and enhanced enforcement along Park Avenue in the fall of 2008. Staff recently began a more focused enforcement program along Park Avenue in response to citizen\business requests.

The purpose or goal of these regulations is to:

- Provide for ongoing maintenance of this heavily utilized roadway (snow removal winter, street sweeping summer).
- Create parking turnover to service short term needs of business locations (Heber to 9th).
- Provide consistent year round regulations.

Residents of Park Ave (with no access to off-street parking) are provided an “A” residential permit. This permit enables them to park, free from time restrictions, on any street in the “A” permit zone other than Park Avenue. Please see “Attachment A” for a summary of interaction with one Park Avenue resident (Ron Whaley).

At Council’s request Staff is bringing this work session item regarding a review of residential parking regulations on Park Avenue (9^{th} to Heber). Staff formally noticed Park Avenue residents and businesses (located between 9^{th} and Heber) that this work session item was scheduled and where and when this Staff report would be made available. Time has been scheduled on the agenda to receive public comment.

Analysis

Park Avenue between 9^{th} and Heber has been included in the City’s Historic Core Parking Program since the inception of the program in 1998. This program uses a variety of parking management tools (time limits, permits and paid parking) to control long term parking to help ensure the availability of parking for customers while providing a reasonable level of accommodation for residents of the core.

Number of Parking Spaces (9^{th} – Heber)
The number of on street parking spaces between Heber and 9^{th} is approximately 45. Parking along the street is parallel in unmarked spaces so this number can grow or shrink somewhat depending on length of vehicles parked how each individual chooses to park. These spaces comprise the only City provided free parking in the Lower Main district.

Number of residential units along Park Avenue (9^{th} to Heber)
There are 25 residential units with a Park Avenue address (between Heber and 9^{th}. These units are a mix of single & duplex homes as well as condo units). Many, if not all of these units, have off-street parking available. However, it is important to note that while current parking regulations limits the number of permits available to residents with off street parking the Code does not restrict access to residential permits. The City’s current Parking Code enables a resident access of up to 5 permits.

Based upon the count of 25 residential units a potential of up to 125 permits could be requested. If only one permit is issued per residential unit over half the available spaces between Heber and 9^{th} could be taken up by residential permit holders. This would cause significant issues for businesses and routine maintenance efforts (snow removal and street sweeping).

A map identifying locations of these residential units is attached.

Number of Business with a Park Avenue Address (9th – Heber)
The table below contains the businesses with a Park Avenue address (9th – Heber).

Business Name	Business Type
Sugar Buzz	Retail
Davanza's	Restaurant
High West Distillery	Restaurant & Distillery
Ski and Golf	Retail
Butchers Chop House	Restaurant-Bar
Flying Sumo	Restaurant
The Bridge	Restaurant
Kimball Arts Center	Center for Arts

The above list does not include businesses along Main Street, 7th Street and Heber whose customers may use Park Avenue to meet their parking needs.

A map identifying locations of these businesses is attached.

Parking Demand
Parking demand along the street is high year round. This demand generally peaks during lunch and dinner hours but remains heavy throughout the day and night. Open parking spaces are generally limited in number with the exception of the slowest times of the year (spring and fall).

Where Do We Go From Here?
Council could Direct Staff to implement any number of different regulation scenarios on Park Avenue. What follows is a summary of a range of these options:

Leave Existing Regulations in Place – This is Staff's recommendation
The current regulations have proven themselves to accomplish the goals of the program (turnover, consistency and maintenance access). Reasonable parking accommodation (consistent with those offered to Main Street residents) can be provided to residents of the street. It should be noted that any change in parking regulations invariably cause confusion and frustration for users of the street.

Allow 2-6 AM Parking (April 15 – Nov 15) Except Wednesday's and Fridays
This would allow Street sweeping crews access to the street while providing some level of accommodation to residents. Staff has found simple, consistent parking regulations are the most effective at achieving program goals. This type of regulation would likely lead to a certain amount of user confusion and frustration.

Allow Summer Residential Permit Parking (No Time or 2-6am restrictions)
Given the volume of residential units along Park Avenue Staff is concerned that this approach will result in a significant demand for residential permits and a corresponding reduction of parking spaces available for businesses along the street.

In addition this approach will result in decreased access for street sweeping crews and a reduction in street cleanliness.

Allow Winter Residential Permit Parking (No Time or 2-6am restrictions)
The width of Park Avenue requires efficient and effective snow removal to ensure safe road width is maintained. This approach would significantly hinder City snow crew's ability to remove snow and ice. Staff strongly recommends this approach not be implemented.

Provide Mr. Whaley with a Special Parking Exemption
While this would satisfy Mr. Whaley's request and limit the potential impact that residential parking could have on the street Staff's very limited experience with providing individuals with special parking exceptions has not been good. Special exemptions were implemented in the early days of the parking program but have since been eliminated and none exist currently, generally these have led to confusion for the exemption holder, enforcement officers and users of the street. It is important to note that any special exemption must be recorded on the City's residential permit map.

The equity of this approach for other residents is also questionable and is likely to create a precedent for other special exemptions. If Council feels the need to change current regulations Staff strongly recommends against using any form of special exemption approach. Any form of exemption would require formal recording on the City's residential parking map.

ALTERNATIVES

A. Approve The Recommendation.
Staff recommends that current parking regulations (2hour limit, with no 2am-6am parking) on Park Avenue remain in place. Staff will implement a special permit zone on west side of Park Avenue between 9th and 10th to address summer parking needs of residents of Park Avenue (between Heber and 9th).

B. Amend Staff's Recommendation.
Council could direct Staff to implement one of regulation scenarios summarized in this report, or create one of its own. This is not Staff's recommendation.

C. Defer the item to a later date.
Council could defer the item to a later date. If Council directs sweeping change to current regulations Staff recommends deferral until all stakeholders can be properly noticed and provide input prior to final decision.

D. Do Nothing.
Council could choose to do nothing. This would leave current regulations in place and have the same effect as Alternative A

Significant Impacts
If Council should choose to direct Staff to change current parking regulations on Park Avenue this action should take place as an item on a regularly scheduled Council session. If directed to do so Staff will schedule the item and notice Park Avenue businesses and residents of the pending change as well as the time and place of Council meeting.

It is important to note that Mr. Whaley's appeal rights under the City's citation appeal program have expired (all citations that led to the immobilization of his vehicle). This item scheduled for work session discussion has been scheduled to review the parking regulations currently in place on Park Avenue and is not intended to serve as a venue for citation appeal. If Council would like to waive some, or all of Mr. Whaley's citations they should direct staff to return with amendments to the City's citation appeal program.

RECOMMENDATION
Staff recommends that current parking regulations (2hour limit, with no 2am-6am parking) on Park Avenue remain in place. Staff will implement a special permit zone on west side of Park Avenue between 9^{th} and 10^{th} to address summer parking needs of residents of Park Avenue (between Heber and 9^{th}).

Attachment: Attachment A – Summary of Mr. Whaley Request
Residential Permit Zone Map
Map Identifying Park Ave Business and Residential Units

Attachment A

Ronald Whaley (resides at 819 Park Ave.) contacted Staff in late May of 2009 expressing his dissatisfaction with the Park Avenue regulations. Mr. Whaley specifically requested that he be allowed to:

- Park his vehicles in the 800 block exempt from the 2 hour time limit.
- Park his vehicles in the 800 block exempt from the 2-6 am restriction.

Mr. Whaley's justification for this request were:

- He has no-off street parking at his residence
- That the "A" permit which Staff had provided him (allows access to unrestricted parking on Woodside Ave 1 road west of Park Avenue – See attached zone map) was not reasonable accommodation of his parking needs.
- That he had a standing arrangement with parking enforcement Staff that enabled him to park exempt from regulations in the past (no 2 hour time limit and no 2-6 am restriction). Parking supervisors indicated they had not made such an arrangement and Staff could find no record of a formal agreement to exempt Mr. Whaley from existing regulations. Until 2008 enforcement of this regulation had been inconsistent but it is important to note that a ten year citation history for Mr. Whaley exists (including citations for 2 hour and no-parking violations).

Staff has invested significant time and effort to address Mr. Whaley's parking needs within the confines of existing parking regulations. The timeline below summarizes those efforts and their outcomes.

Late May – mid July 2009
Brian Andersen (Parking Manager) worked with Mr. Whaley to address his parking needs. Brian offered Mr. Whaley an F residential permit that would allow him to park his vehicle on Park Avenue south of Heber Avenue. Mr. Whaley was not satisfied with this offer and requested to speak with Brian's supervisor.

Mid July – August 2009
Kent Cashel (Manager Transit\Transportation) met with Mr. Whaley to fully understand his parking situation and request. Staff offered the following accommodation to Mr. Whaley:

- To create a permit zone that would allow Park Avenue residents (including Mr. Whaley) to park, without restriction, along the west side of Park Avenue between 9th and 10th avenue during the summer months. It is important to note this parking is located less than 50 yards from Mr. Whaley's residence.
- To provide Mr. Whaley with access to (2) C permits which would allow him to park in either the Gateway garage or the China Bridge garage during the winter months. This approach is consistent with

accommodations made for Main Street residents who do not have access to overnight parking on Main Street.

Staff felt that these accommodations:

- Reasonably addressed Mr. Whaley's parking needs
- Are consistent with parking accommodations provided to other residential permit holders in the historic business core.
- Are consistent with purpose of existing regulations.

Mr. Whaley did not feel that this accommodation addressed his parking needs. Mr. Whaley began working with the City Attorney's office to determine what options were still open to further pursue his request.

July 29, 2009
Ron Whaley was formally notified (via US mail) that he was not exempt from existing parking regulations and any citations he has received would need to be handled either through either payment or the City's formal citation adjudication program. Mr. Whaley was provided instructions on how to file an appeal.

August 7th, 2009
Mr. Whaley left two parking citations he had received with the City Attorney. These tickets were returned to Mr. Whaley he was again formally notified (via US mail) that he was not exempt from any existing parking regulations and any citations he has received would need to be handled either through either payment or the City's formal citation adjudication program. Mr. Whaley was provided appeal forms and instructions on how to file an appeal.

The deadline for filing an appeal on these citations had expired. Staff as a courtesy extended the filing deadline for these citations until August 19th (Mr. Whaley did not file an appeal).

Early August 2009
Mark Harrington (City Attorney) met with Mr. Whaley and Kent Cashel at 819 Park Avenue to discuss Mr. Whaley's request. At this time Mr. Harrington advised Mr. Whaley that Staff's offer appeared reasonable to him but if Mr. Whaley did not agree he could formally appeal to the City Manager.

Late August 2009
Mr. Whaley formally appealed Staff's decision on his parking request. On August 21st, 2009 Mr. Bakaly (City Manager), Mark Harrington and Kent Cashel met with Mr. Whaley at 819 Park Avenue. Mr. Whaley described his dissatisfaction with Park Avenue parking regulations and with Staff's recommended accommodation. Mr. Whaley requested that Mr. Bakaly consider his appeal and Mr. Bakaly agreed he would. September 9th, 2009 Mr. Bakaly advised Ron Whaley that after careful consideration he is denying Mr. Whaley's appeal.

Late September 2009
Council was presented a Manager's Report outlining the above issues and actions. Mr Whaley was notified of the Managers Report, where to find the report on the web and invited to provide comment during the Public Input session of the September 30th regular Council meeting. Mr. Whaley chose not to comment.

October 26th, 2009
Mr. Whaley was mailed a formal notice indicating his vehicle was now subject to immobilization (booting) due to unpaid citations in accordance with Municipal Code 9-9-6.

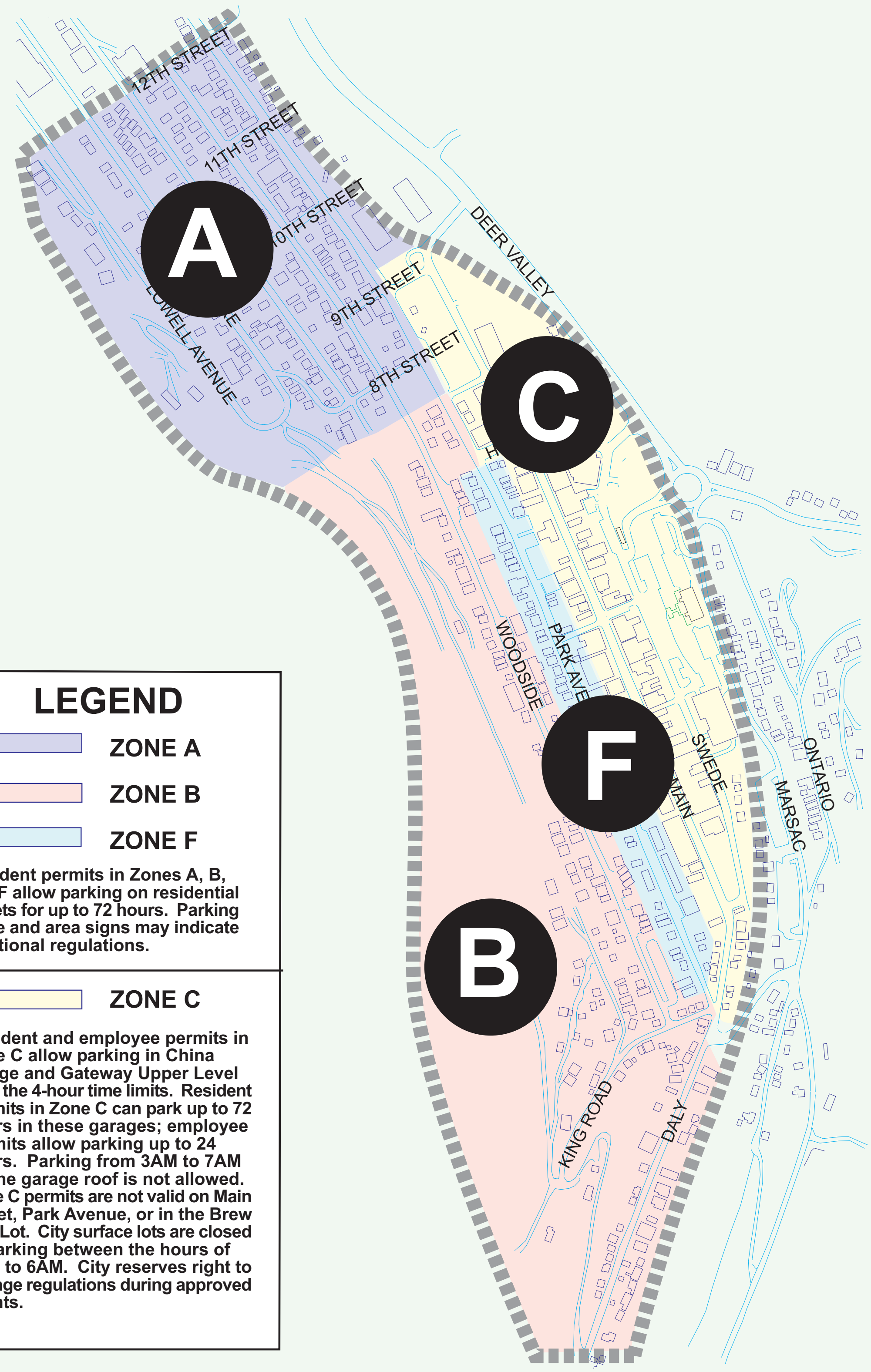
Mr. Whaley's citation appeal rights (on all unpaid citations) had expired on or before September 3rd, 2009.

November 16th, 2009
In accordance with provisions of Municipal Code 9-9-6 Mr. Whaley's vehicle was immobilized (using a boot) on Park Avenue.

November 17th, 2009
Mr. Whaley submitted payment (In Protest) to the City Attorney and Staff removed the boot from the immobilized vehicle

PARKING AREA MAP - PART 2

Permit Parking Zones



LEGEND

ZONE A

ZONE B

ZONE F

Resident permits in Zones A, B, and F allow parking on residential streets for up to 72 hours. Parking Code and area signs may indicate additional regulations.

ZONE C

Resident and employee permits in Zone C allow parking in China Bridge and Gateway Upper Level over the 4-hour time limits. Resident permits in Zone C can park up to 72 hours in these garages; employee permits allow parking up to 24 hours. Parking from 3AM to 7AM on the garage roof is not allowed. Zone C permits are not valid on Main Street, Park Avenue, or in the Brew Pub Lot. City surface lots are closed to parking between the hours of 2AM to 6AM. City reserves right to change regulations during approved events.


Deer Valley Dr
Swede Alley
Main St
Park Ave
Norfolk Ave
Lowell Ave
Empire Ave
Rio Grande
825 Park The Bridge
838 Park Flying Sumo
710 Park Butchers Chop House
698 Park Ski & Golf
690 Park Davanza's Pizza
638 Park Kimball Arts Center
631 Park 1 Unit
633 Park 1 Unit
639 Park 1 Unit
651 Park Sugar Buzz
657 Park 1 unit
703 Park High West Distillery
801 Park 1 Unit
811 Park 1 Unit
815 Park 1 unit
817 Park 8 units
819 Park 1 Unit
841 Park 8 Units
KEY
Business
Residential
Recent Developments

PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UT
NOVEMBER 19, 2009

Present: **Mayor Dana Williams; Council members, Candace Erickson, Roger Harlan, Jim Hier, Joe Kernan, and Liza Simpson**

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Jon Weidenhamer, Economic Development Manager; Bret Howser, Budget Manager; and Max Paap, Special Events Manager;

Jason Moody, Economic Planning Systems; Jeff Ward, HMBA, Jewels Harrison and Kimberly Kuehn, PSSM; and Sara Pearce, The Sundance Institute

1. Council questions/comments. Joe Kernan spoke about the dedication of the People's Health Clinic facility yesterday; it is a great asset to the community. Roger Harlan reported on the School District meeting. Liza Simpson was pleased to learn about the work being done on getting public transportation to and from the Summit County Health Department Building where the People's Health Clinic is located. Jim Hier pointed out the conflict with the dates of Martin Luther King's Day and Sundance. Candace Erickson discussed the breakfast meeting hosted by the City with the School Board and County Council this week and discussed potential legislation this session. She commented on meeting the Leadership group on Monday and attending Recycle Utah's annual meeting. She also attended Friends of the Farm and Board of Health meetings. Mayor Williams noted that he was honored to attend a community graduation of young ladies from Brownies to Girl Scouts. He also attended the Leadership session, Ambassadors meeting and the dedication of the Summit County Health Building, and was pleased that the PHC has found a permanent home.

2. Park Silly Market economic analysis findings. Jon Weidenhamer explained that with the approval of the 2009 MFL, Council asked for a comprehensive economic analysis which is typical for a long term city services contract for a recurring event like Sundance, Arts Festival or Triple Crown. He believed that the economic study results show that PSSM is a *push* with regard to negative and positive benefits but that there are indirect benefits to the community. The community gathering aspect of PSSM is important and a good reason to pursue a longer term agreement. He indicated that his original staff report included volumes of history and minutes which were later cut out because he feels it's time to move forward. The HMBA Board likes the concept of the market but wants to minimize any negative impacts. In an effort to gather more information from the membership, staff asked for an additional week or ten days to get input from the street which delayed editing the report which now reflects that some sales have been down as much as 65% on Sundays.

Jason Moody explained that EPS is an economic firm with offices in Denver, Berkeley and Sacramento. EPS teamed with a survey team RRC from Denver who conducts a lot of work in resort communities as well. Four surveys were done and the results were similar which gave them confidence in the report. The intercept survey was random and patrons on the street were asked a series of short questions. The second was an on-line follow-up with the participants of the intercept survey and the third was a short web survey of the HMBA members. The final survey was one where Main Street businesses were asked to relay detailed sales data which was more time consuming and the response rate was not good.

Mr. Moody explained that the intercept survey shows that permanent and seasonal residents represent about 50% of the market goers, then overnight visitors and then the day visitor. Sixty-seven percent of the people interviewed on the street said they were there because of the PSSM which was viewed as a positive to Main Street businesses. The sales from the market vendors were considered a negative by diverting sales from Main Street businesses. The web intercept survey showed a much higher level of spending than the intercept survey.

Jon Weidenhamer described the business zones consisting of five City blocks starting at Heber Avenue at Zone 1 and ending at 4th Street and up at Zone 4. With regard to the question to businesses about supporting the continuation of PSSM, 73% said yes, 27% said no. In response to the question about the impact on your business, roughly 40% said it was negative or very negative, roughly 40% said it was positive or very positive and 20% were neutral. It was found that the zones closer to the PSSM were less negatively impacted than in Zone 4. With regard to type of business, Mr. Moody found that the art retail galleries complained of negative impacts but on average, results were close to the mean. Thirty-eight percent of businesses indicated that there was no change on sales, 28% responded greater than a 10% change, and 15% said it was in the 4% to 10% range. He stated that only 19 Main Street merchants participated in the detailed sales survey. The impact on Sunday sales from the detailed sales survey showed 47% said it was positive, 53% said it was negative.

Mr. Moody referred to the summary table for all four surveys. The overall net impact as a percent of annual sales on Main Street is minimal; however, the negative impacts can represent a lot of money for some businesses. Other businesses reported positive impacts offsetting the negative impacts.

Bret Howser pointed out that staff is generally more comfortable with the intercept survey than the others because of the sample size and random selection. From a technical standpoint, it makes the survey more sound and the results more reliable than a self-selected survey which may bias the results. He discussed the majority of negative results from Zone 4. Staff has been working with the Special Events Division of the State Tax Commission to obtain a better idea of what the direct sales tax benefit of PSSM is to the City. Market vendors are required by the state to report separately to the Special Events Division and $300,000 worth of sales was reported per year based on the 2008 data; the 2009 information is not complete yet. This results in about $6,000 of sales tax revenue to the City or roughly 2%.

Jeff Ward stated that he doesn't agree with Jonathan Weidenhamer that it is a *push* because there are some significant negative impacts. He felt that the comments in the study lead the reader to a positive interpretation and he referred to a few examples. He did not feel it appropriate to relate the sum impacts of the market to an annual sales number for Main Street because it is fractional and seems minimal; this should be a seasonal percentage. Mr. Ward indicated that overall, the membership supports PSSM although negative impacts affect businesses located up on the Street. Adjustments need to be made so all businesses benefit. He referred to the $500,000 loss experienced by the upper Main Street businesses and the $250,000 gain by others during 15 weeks. This may make the City whole but there are more businesses suffering than benefitting and this needs to be addressed. The Mayor asked if the HMBA has suggestions. Mr. Ward stated that the report has not been reviewed by the organization but location, duration and frequency needs to be examined again.

Jim Hier pointed out the poor response from Zone 1 and discussed the fluctuation of sales during the winter and summer months. Joe Kernan expressed that he feels comfortable with the survey results except the one with only 19 respondents. In response to a question from Liza Simpson about using summer data, Mr. Moody explained that most of the information they have is annual and in most cases, annual data is preferred because it is a more conventional way of measure. Businesses tend to finance their operations annually. The shorter period of time used, the bigger the hit appears.

Roger Harlan complained about not having weekly sales numbers and questioned if vendors are reporting sales. Bret Howser acknowledged that reporting is done on an honor system like any other business, but the number of vendors that reported to the state and those reported by PSSM are very similar. Organizer Jewels Harrison stated that four times during the season, PSSM sends a complete list of vendor information to the state who then sends permits to the operator.

Kimberly Kuhn thanked EPS for the study which she felt is well done and the City for funding it at $30,000. She is pleased with the results. The PSSM mission is for an eco-friendly open air market, a street festival and community forum where neighbors and friends come together to celebrate our community of fun and funky Park Sillians. The vision is to grow the experience of the inclusive quality of community, to create world-wide recognition of Park City, Utah as a place where local, national and international causes are brought to light and addressed in a spirit of celebration and connectiveness. On behalf of the board and the founders, she asked for clarity on a long term agreement today. The Mayor invited public input.

Ken Davis, HMBA, stated that he doesn't hate the market but hates what it does to some of the businesses on the street. He felt that some of the questions in the survey were misleading or inadequate and was surprised that the on-line survey was similar to what the HMBA created. He criticized the timing of the survey because sales figures for the season were not known yet and the consultant established the level of sales decline based on that information. There were no qualifications or conditions to the question of whether or not the market should continue. They believe that the study did not demonstrate the full impact of the market on the street; it was disguised with using full year's worth of sales. Also the grouping of percentages is misleading. The PSSM attendance numbers were accepted without question while the perception of the merchants is not addressed. He criticized the report for not disclosing real losses and for not providing comparisons to other resort communities. He criticized the chart describing the different categories of patrons and questioned assumptions the consultant made. Main Street is being impacted and some merchants a lot more than others.

Teri Orr, Park City Performing Arts Foundation, explained that helping Main Street merchants during the summer has been a topic for a very long time. She has been in the summer business at Deer Valley for six years but to make that happen, they have had offices on Main Street. She stated that their sales were down 50% last season because the economy took a turn which affected the entire concert industry. The Foundation has a booth at the PSSM and she is surprised to learn how many out of state visitors come to the street. It is a great asset. Ms. Orr noted that she did not respond to the survey but emphasized that she couldn't be more supportive of the PSSM experience and the energy it brings to Main Street. There are many merchants who do not participate in the HMBA and she personally feels differently than the membership. Ms. Orr indicated that the Foundation loves being on Main Street and supports anything that brings more vitality there. PSSM is doing a great job in this bad economy.

Anita Wolf, Wolf Marketing, stated that she has done work for the City, HMBA, and PSSM. As a 15 year resident, she is well aware of the efforts to increase summer business and visitation. Rather than dwelling on the past, the data and the recessionary climate, we need to move forward. The HMBA and PSSM were asked how to increase the revenues for some businesses but to her knowledge, there are very few things implemented by the HMBA. She felt that PSSM is more than willing to create a win-win situation. PSSM brings 7,000 people to town every Sunday during a downtime. She believes that the HMBA needs to find a way to pull those people up the street because they are here. There are plenty of great collaborative ways to do that and the HMBA needs to take more initiative in that regard. Stop combating PSSM and start partnering.

Mary Black, 20 year resident, former HMBA board member and six year property owner on Main Street, relayed that many Park City residents do not shop on Main Street and feel it is for tourists only. The HMBA has come up with ideas to get locals to Main Street but none have been successful. She acknowledged that although her business has grown, some others have suffered but she feels that PSSM has been effective in bringing locals and day-trippers to Main Street. A good product mix and sales staff are important for a successful business and according to the economic survey an average of 6,000 people visited Main Street during the festival in 2009. As a business owner, Ms. Black stated that she is in favor of PSSM and if it has enough funding, she suggested a secondary location be created on upper Main Street. She reiterated the importance of a good product mix and encouraged a long-term agreement be granted to

PSSM. The current hours and frequency should remain the same and a presence on upper Main Street should be encouraged.

Brent Chiles stated that he is a supporter of the PSSM and its zero waste program. For the PSSM to reduce its waste for the year to two bags this summer was unbelievable. He feels his business has had more exposure because of PSSM. He is pleased to be a partner with this organization and what it has delivered to the community both in the forms of being green and in promoting awareness of community. He plans to sponsor them as long as they are here with a zero waste program.

Mona Peeley explained that she is the publisher of Outdoor Utah which is a summer recreation publication. She has been a resident for 15 years and over the years has seen the summer visitor change and summer visits increase. The organizers of PSSM are doing a tremendous job promoting Park City on Sundays and this is a great asset to the state and the community.

Melanie O'Neal, Mountain Body, stated that she has been in business on Main Street since 1996 and has operated from upper and lower Main Street locations. She feels the community needs PSSM because it brings *light* to Main Street. She feels upper Main Street should be more positive and not be so envious. People get back what they put out and she feels that upper Main Street gets more consistent business and lower Main Street has to work harder. PSSM provides free marketing for Main Street whether or not a shop makes a sale.

Kevin Doolin, Doolin's Sports Bar and Grill, explained that he received the email from EPS who wanted a lot of information and maybe too much. His Sundays were up 30% because of PSSM, acknowledging that he is right in the middle of it. The rest of the week he was down 10% to 15% because of the economy. He agreed that it's tough to make it on lower Main Street because people traditionally walk up the street. PSSM has grown every year and he doesn't understand how having 90,000 people on Main Street during the summer can be bad. He felt it will grow and benefit upper Main Street. Don't stop it now. He encouraged the issuance of a longer license to keep PSSM.

Mac MacQuoid relayed that Main Street has suffered over the years and PSSM is a refreshing change. He hoped that the survey factored in the poor economy as contributing to declines over the year. PSSM is great for Main Street and should be supported because it is a community benefit for residents and visitors.

Emerson Oliver, Zona Rosa, stated that the PSSM increased his business on Sundays and the PSSM food vendors did not compete with his restaurant. He felt restaurants can benefit because the PSSM is bringing people to the street and it is a good thing.

Mark Spencer, Spencers Grill, explained that he has had a booth at the PSSM since day one. His business is located on Bonanza Drive and bringing his product to PSSM has definitely increased his business. He has had a lot of experiences with markets and PSSM is well done and should be supported.

Christine Miller, Miller Vance, stated that she is a 14 year resident. There are many options for the PSSM and she felt Main Street does not want to lose it to New Park or other locations clamoring to have this market because of the vitality it brings. She spoke about the growth of the event and feels it is unfortunate that some businesses feel hurt although it is difficult to tell if it is because of economics or the competition of PSSM products. She emphasized the importance of supporting the market for the community and the HMBA should come up with suggestions for marketing upper Main Street.

John Stafsholt, Woodside Avenue, spoke about PSSM attracting families because of its entertainment factor. He spoke about alternating the market on upper and lower Main Street as a test run.

Monty Coates, upper Main Street merchant, felt that PSSM does an excellent and professional job of running the market. However, he believes that it does draw patrons away from his business and he experiences an incremental drop in business on Sundays. He noted that the event and numbers are growing and we should find ways to stretch that energy throughout the street and PSSM should be required to find ways to accomplish this.

Melanie Reif, 819 Park Avenue, acknowledged that her comments are different than the merchants but it is essential that Council members know about the impacts of PSSM on the neighboring community. They are awakened at 5:30 a.m. every Sunday morning during the summer by organizers setting up and accessing two storage pods parked across the street from their house which creates a lot of noise. She relayed that contractors are not allowed to begin work on Sundays until 9 a.m. and starting so early is excessive and unreasonable especially for those directly impacted. They have made numerous complaints but the police indicate that there is nothing they can do about it. She urged Council to give her issue full attention and take it into account. The music venue at the bottom of Main Street is directly across the street and blows them out of their house all day; this should also be considered. She asked that the starting time be dramatically adjusted and the music venue be moved to another location. The storage pods should be moved to an area where they do not have impacts on the neighborhood. The noise level emitted from the music venue should also be examined. Ms. Reif believed that issues can be resolved so PSSM can operate and not be disruptive to residents. Just because PSSM is a permitted event does not allow it to infringe on others private property rights.

Liza Simpson asked the number of food vendors and Jewels Harrison responded a total of five cooking vendors offering an expanded menu. The variety of snack food offered ranged from three to five a week which is less than previous years. Ms. Simpson asked if the HMBA is satisfied with these efforts. Ms. Harrison explained that the HMBA's position was no food at PSSM and they didn't eliminate food but reduced the number of food vendors last year. Jeff Ward stated that there was no resolution on this issue and there was confusion over what constitutes food and what is a snack and it wasn't pursued further. He felt that not providing food at the market would drive people up the street. Ms. Simpson spoke about the City providing Main Street merchants with the opportunity to hold sidewalk sales on Sundays, but there were very few merchants who participated. However, she is not impressed that food vendors were dropped from eight to five and then PSSM added snack vendors. She hoped that there will be more of a spirit of true compromise.

The City Manager pointed out that action is not scheduled and the input has been helpful. He asked for direction on whether staff should move forward on discussions on a longer term contract and suggested moving forward and returning soon. There are timing issues for PSSM with regard to the MFL. Both a one year or multi-year agreement can be explored together and issues may be resolved more effectively in a longer term contract as opposed to a one year contact.

Because this is a festival and not a private business, Mr. Hier believed the Council has the responsibility to address upper Main Street issues. He spoke about conducting a better analysis to identify the losses for upper Main Street businesses and mitigation needs to be addressed because of the City's role in providing the street. Candace Erickson stated that she is disappointed with the economic report because it basically told them what they already knew. She pointed out the irony that the report cost $30,000 and the City receives $6,000 in sales tax revenues annually from PSSM. She felt we need to move on. The City needs to be involved because of reported losses but she loves what PSSM does for the community and would love to see it continue. She felt that everyone needs to work with specific businesses on a plan.

The Mayor asked if the City should move toward a long term agreement. Ms. Erickson favored a long term agreement, while Mr. Hier stated that he would rather work on a one year contract to resolve issues before moving toward a long term. The City Manager suggested a parallel track where both approaches are examined because there may be policy and/or financial trade-offs to compare. Roger Harlan commented on hearing the same arguments over the years driven by the competition for available dollars. The trolley was suggested last year to move people up the street and he feels it is underutilized and very few merchants took advantage of the City's sidewalk sale option. Joe Kernan felt the report was worthwhile as he did learn some things. Although it would be great to solve the problems now and move on to a long-term contract, members care about the businesses being negatively impacted. He is not convinced that the benefits have to be equal for upper and lower Main Street. Businesses on lower Main Street have struggled a lot and played a big part in creating PSSM and perhaps lower Main Street should benefit a little more for its effort. He suggested continuing to work on this.

Jewels Harrison stated that there have been some great suggestions from the audience, but she made it clear that the event takes place on lower Main Street and their sponsor is located in that area. She indicated that they are not closed to the idea of expanding and growing in the future but that requires financial sustainability. In order for that to occur, they need the security of a long term commitment from the City to continue to work with PSSM as a partner. They need to know tonight whether a long term contract will be negotiated or not and need clarity about moving forward to rally funds to continue to grow and incorporate ideas.

Liza Simpson indicated that she agrees with Mr. Hier and the City Manager that there be a dual track looking at a single year MFL and a multi-year license and comparing impacts and benefits. The Mayor acknowledged that it is not definitive. Most members are willing to look at long term but there are issues that need to still be considered. Mayor Williams indicated that spending $30,000 and obtaining sales information from only 19 businesses is pathetic when the HMBA was asked to motivate the membership. He is supportive of a long term arrangement with PSSM. Joe Kernan believed that an annual review would occur even with a long term commitment.

Ms. Kuehn asked if the consensus is for one year or five years and Mr. Bakaly indicated that staff will work with them. She made it clear that because there is no clear decision tonight that they need to look at other options at this point.

3. Hot air balloons. Because of the lack of work session time, this item was continued to December 3, 2009.

4. Sundance supplemental agreement. Jonathan Weidenhamer explained that on October 29, 2009 the Council adopted the 2010 supplemental plan but members requested additional information on a few specific items. He stated that for 7th to 9th Street businesses, the circulation plan has been changed to allow local traffic access to businesses which he explained in detail. Staff strongly feels that the $20 rate should remain because it is effective in discouraging cars in the district but that it be dropped to $10 beginning on Wednesday. With regard to the Racquet Club, no parking signs and barricades will be installed on streets and the City will assist the HOA with manning someone at the main entrance. The City will fund it up to $650 if the HOA operates and manages it. No parking information will appear on Sundance materials. Mr. Weidenhamer pointed out that Sundance has identified an operational outreach plan relating to the customer service line. The response time has improved and all complaint calls will go specifically to Sara Pearce. Liza Simpson thanked Ms. Pearce for her work on these issues.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
NOVEMBER 19, 2009

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6:40 p.m. at the Marsac Municipal Building on Thursday, November 19, 2009. Members in attendance were Dana Williams, Candace Erickson, Roger Harlan, Jim Hier, Joe Kernan, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; Matt Twombly, Project Manager; and Tyler Poulson, Sustainability Coordinator.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

None.

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

None.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF OCTOBER 29, 2009 AND MINUTES OF NOVEMBER 5, 2009

Roger Harlan, "I move approval of the work session notes and minutes of October 29 and November 5, 2009". Jim Hier seconded. Motion unanimously carried.

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

1. Consideration of a service provider agreement with Millcreek Consulting and Development Inc., for the project and construction management of the Racquet Club Remodel Project in the amount of $85,570 in a form approved by the City Attorney – Matt Twombly discussed related issues with the remodel of the Racquet Club dealing with phasing, implementing sustainable strategies, pre-qualifying bidders, and managing the budget. Staff is recommending entering into a contract to effectively address all components within the timeline and has advertised for outside services. He explained that five firms responded and Millcreek submitted a proposal closest in advertised scope of work and has experience with large projects. The contract provides that the City can opt out of the construction management portion if Council decides not to proceed with the project and staff is recommending approval.

Dana Williams discussed creating a list of building failures to answer the public's questions about the reasons for the remodel. Matt Twombly responded that a presentation on the project will be made on December 3 and this request can be addressed in the staff report.

The Mayor invited public input; there was none. Candace Erickson, "I move we authorize the City Manager to enter into a service provider agreement with Millcreek Consulting and Development Inc. for the project and construction management of the Racquet Club in an amount not to exceed $85,570, in a form approved by the City Attorney". Liza Simpson seconded. Motion unanimously carried.

2. Consideration of an anti-idling Resolution for motorized vehicles in Park City, Utah and declaring Park City, Utah to be an Idle-Free City for motorized vehicles – Tyler Poulson explained that on October 29, 2009, Council directed staff to draft an anti-idling resolution for the City. Clean Air Park City provided draft language and exceptions were added by the City for auxiliary power units, emergency vehicles, and situations where health and safety considerations justify idling. Staff will continue to explore an anti-idling ordinance. Discussion ensued on idling taxis and the Mayor invited public input.

Sandra Nugent and Mary Jacquin, Clean Air Park City, expressed their appreciation of the Council's support.

Spike Englebert, taxi cab driver, stated that cabs should not be allowed to park and idle on Main Street. Additionally, drivers do not pay for parking on the street. It's wrong to pollute and it should be stopped. Cabs should not be lined up on Main Street when they are not needed and there could be some sort of ordinance regulating them.

Liza Simpson, "I move to adopt a Resolution declaring Park City an Idle-Free City". Jim Hier seconded. Motion unanimously carried.

3. Consideration of approval of a Co-Tenancy Agreement with the Boyer Company regarding approximately 200 acres of property known as PC Heights in Summit County, Utah – Mark Harrington explained that last week the Council approved the land purchase agreement and the co-tenancy agreement before Council tonight lays the foundation for how the City and the Boyer Company will interface as joint owners of the property. He emphasized that it is the intent to implement the plan deliberately, cautiously and openly and he discussed pertinent elements of the co-tenancy agreement. It does not give additional density transfers or bonuses to Boyer and the agreement is a foundation on how to refine the plan. Boyer can exercise and require the City to buy the rest of the property at a pre-determined price after two years. This is not a buy-out because the project is in trouble but rather an effort to meet the City's primary objectives for the area, including affordable housing and open space. Mr. Harrington stated that the agreement fully contemplates a full public process and provides two years to move forward with a private partner and ensure that public components are in place. Mr. Harrington explained compliance with CT District zoning and language modifications made by Council last week. The agreement restricts either party from unilaterally transferring their interest without the consent of the other party. The Mayor invited public input; there was none.

Liza Simpson, "<u>I move that we approve the Co-Tenancy Agreement, in a form approved by the City Attorney</u>". Joe Kernan seconded. <u>Motion unanimously carried</u>.

VII OLD BUSINESS *(Continued Items)*

<u>Consideration of approval of Findings of Fact, Conclusions of Law and Order remanding the North Silver Lake Conditional Use Permit to the Planning Commission</u> – Candace Erickson excused herself from discussion and/or voting. Mark Harrington referred to the draft findings in the meeting packet which should reflect Council's basis for the remand which as worded, grants in part and denies in part the appeal. Liza Simpson brought up unanticipated consequences of the wildlife interface regulations and Mark Harrington understood that the intent was to make the Planning Commission aware of landscape limitations which may lessen the mitigation plan which may have to be revisited.

Tom Bennett, counsel for North Silver Lake LLC, expressed concern over Finding No. 12 relating to the Sensitive Lands Ordinance and asked that the wording *with the exception of Building 3* be stricken because it was never discussed by Council. He corrected Finding No. 25 to read 220 feet as opposed to 120 feet and suggested that the language for bonding read *considered* rather than *required*. The issue needs to be addressed by the Planning Commission. He thanked the Council for its work on this project and will use the findings as guidelines in moving forward with the remand to the Planning Commission.

Jim Hier believed viewpoints are described in the SLO, specifically the view of Building #3 from certain vantage points and Mark Harrington recommended a language amendment. With regard to bonding, Mr. Hier recalled that members wanted to ensure completion of phases of the project. Mr. Harrington recommended language regarding site restoration in conjunction with building phasing. Ms. Simpson felt that the change from *require* to *consider* in Order #3 was not strong enough and it was decided to change *consider* to *address*.

Liza Simpson, "<u>I move that we approve the Findings of Fact, Conclusions of Law and Order remanding the North Silver Lake Conditional Use Permit back to the Planning Commission (as amended)</u>". Roger Harlan seconded. <u>Motion carried</u>.

Candace Erickson	Abstention
Roger Harlan	Aye
Jim Hier	Aye
Joe Kernan	Aye
Liza Simpson	Aye

VIII ADDITIONAL DISCUSSION – AGENDA ITEMS

<u>Park Silly Sunday Market</u> - Joe Kernan expressed concern about not giving the PSSM organizers clearer direction on a longer term contract during work session. The Mayor

noted that the organizers are not present to discuss this matter productively. Mr. Kernan felt it would have been helpful to provide a timeline to them and the Mayor believed they were not paying attention when the City Manager was speaking about a parallel review of a yearly and long-term agreement. Candace Erickson felt that there are some issues that need to be addressed before a long term contract is granted and Mr. Kernan pointed out that Sundance seems to *jump through hoops* every year even with a long term City services agreement. Jim Hier added that there are elements that need to be reviewed every year.

IX ADJOURNMENT

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

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 3:30 p.m. Members in attendance were Mayor Dana Williams, Candace Erickson, Roger Harlan, Jim Hier, Joe Kernan, Liza Simpson, and Council-elect Alex Butwinski and Cindy Matsumoto. Staff present was Tom Bakaly, City Manager; Deb Wilde, Code Enforcement Officer; Ron Ivie, Chief Building Official; Roger Evans, Building Official; Michelle Downard, Building Code Enforcement Officer; Tom Daly, Deputy City Attorney; Phyllis Robinson, Public Affairs Manager; Thomas Eddington, Planning Manager; and Mark Harrington, City Attorney. Roger Harlan, "<u>I move to close the meeting to discuss property and litigation</u>". Joe Kernan seconded. <u>Motion carried unanimously</u>. The meeting opened at approximately 4 p.m. Jim Hier, "<u>I move to open the meeting</u>". Liza Simpson seconded. <u>Motion unanimously carried</u>.

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

Prepared by Janet M. Scott

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Janet M. Scott, City Recorder

City Council Staff Report

Subject: 2010 Annual Insurance Placement
Author: Cindy LoPiccolo
Department: Executive Department
Date: December 10, 2009
Type of Item: Administrative

Summary Recommendations:
Authorize the following Insurance premium payments for public entity liability, workers compensation, property, and crime insurance covering a one-year period from January 1, 2010 through January 1, 2011:

1. $ 110,874.00 to States Self-Insurers Risk Retention Group, Inc. ("States") for public entity broad form liability insurance (including General Liability, Employment Practices Liability, Automobile Liability, Law Enforcement Liability, and Public Officials Error & Omission Liability. TRIA Act Coverage declined);
2. $ 147,694.00 to Workers Compensation Fund ("WCF") for workers compensation insurance (Brad Short 12/3);
3. $ 60,376.00 to Lloyds of London for property insurance;
4. $ 6,818.00 to Zurich American for boiler/machinery insurance;
5. $ 3,657.00 to Travelers, 3rd annual installment payment for Public Officials Employee Dishonesty (Crime) coverage;
6. $ 1,203.00 to Hartford for property insurance coverage of 1255 Iron Horse Avenue, currently leased by City.

Topic:

2010 City Insurance Placement.

Background:

Park City exposures are unique due to its world-class mountain resort environment and extensive public services. City staff continues to promote and implement safety procedures and prevention methodologies, and provide regular training, so that risks are mitigated, the City's assets, facilities, and public property are protected, and employees, local residents and visitors are provided a safe and enjoyable place to work and play.

Funding for insurance coverage is budgeted within the Risk Management Fund which is managed by Executive Department staff.

Marsh USA Risk & Insurance Services, Inc. is the City's insurance broker and has obtained and reviewed comparative insurance quotes on the City's behalf.

Analysis:

A. **Public Entity Broad Form Liability**. A renewal quote has been received for public entity liability coverage from States Risk Retention Group. Park City has been a member of States for seven years. Upon review and evaluation, staff recommends insurance renewal with States Self-Insurance Risk Retention Group for $5 million occurrence / aggregate policy, $250,000 SIR, with a premium $110,874. TRIA Act Coverage (Terrorism) will be declined. The renewal proposal is basically flat in comparison with the expiring year, with a very slight increase in premium reflecting a small increase in exposure/fleet.

States is a member-owned company with policy written by public entity risk managers and specifically crafted to address the unique exposures and operations of cities, counties, school districts and related public entities. Park City is a member-owner of States and has greatly benefited from the organization's public entity affiliation, long-term risk management components, and expertise of its risk management administrative affiliate Berkley Risk Administrators Co. who provides members with:

- comprehensive, consultative loss control reviews and services,
- proactive resource and information clearinghouse,
- on-site review and safety recommendations,
- public entity risk management education and training, and
- provision for comprehensive membership networking, communication and information sharing.

Park City has received valuable risk management information and opinion from Berkley Risk Administrators staff on several occasions.

States is a well-established, highly regulated, financially sound, multi-state program, registered to do business in 44 states. Several Utah public entities are also States members and Park City works closely with the Utah States Group to address current risk management issues and risks facing public entities.

States has partnered with world-class, quality reinsurers that are committed to public entities to maintain long-term stability of the program and to assure claim paying ability. States' reinsurance partners are: ACE Re, Gen Re, Munich Re America, and Swiss Re America – all have substantial public entity experience and are committed to the States program and the public entity sector. States files both quarterly and annual financial statements, undergoes intense audit of its financial records, underwriting and claims records at least every three years by the State of Vermont, and is additionally audited on an annual basis by reinsurance partners and outside auditors and actuaries.

Marsh USA, the City's broker, evaluated pricing indications from liability carriers and found States to be competitive with the traditional carrier market.

B. **Property**.

Property. The Lloyds of London Property Insurance renewal quote for 2010 is flat at $60,376.00. Lloyds of London is a conglomerate of A+ carriers that developed a property program tailored to public entities. The property insurance policy for 2010 includes policy limit total of $79,442,792 for each occurrence. This covers buildings, business personal property, business income (business interruption), vehicles and miscellaneous equipment. The perils covered are all risks of direct physical loss or damage including flood and earthquake coverage. The sublimit of insurance for earthquake is at policy limit, which is excellent coverage. The sublimit of insurance for flood at all locations except flood zones A, AO and V, is also at policy limit; sublimit for flood zones A and AO is $2,500,000; flood zone V is exempt and not applicable to City properties. Transit buses are covered under both liability and property policies while parked or stored on City property i.e. at the bus barn.

Boiler and Machinery. Zurich American Boiler and Machinery Insurance renewal quote for 2010 is also flat at $6,818.00. This insurance covers city equipment such as water system equipment (pumps, motors), air conditioning and heating equipment, electrical wiring, breakers, transformers, switches, telephone switchboard, compressors, and generators.

1255 Ironhorse, Lease Property
A policy covering the City's lease of 1255 Iron Horse will continue through 2010. The policy was purchased independently from Hartford Insurance Company and will remain in place until the end of the City's lease. The renewal quote for 2010 is $1,203.00.

C. **Public Officials Employee Dishonesty (Crime)**. Last year Marsh obtained a renewal quote for the City's Public Officials Employee Dishonesty (Crime) coverage from Travelers for a three year term. Staff recommends approval of the 3rd annual installment payment of $3,657.00.

D. **Workers Compensation**. Workers Compensation Fund (WCF) has submitted a proposal of $147,694.00. WCF provided the City with workers compensation insurance from 2000 through 2004, and 2007 through 2009, and remains the recommended carrier by Human Resources and Risk Managment. WCF reports Park City remains in their Preferred Rating tier.

Staff recommends approval of workers compensation insurance for 2009 with WCF for the following reasons:

1. WCF reports to NCII (National Council of Compensation Insurance) for receipt of national Experience Modification Factor for their policyholders.
2. WCF provides a dividend program to its policyholders from which Park City has benefited each year with WCF. Dividends have been received

as follows: 2004 $11,499; 2007 $6,498; 2008 $9,295; and 2009 $7,514.

3. WCF is an excellent training resource and worked with City departments to provide several free training sessions in an effort to reduce the impact and level of workers compensation claims.
4. Human Resources reports WCF's level of service is excellent, administration of the program is thorough, efficient, administrators are helpful, react quickly to the City's employees, and keep in close connection with HR staff throughout each claim period.

Department Review:

Staff and Marsh representatives reviewed the City's exposures and options to insure the City in a responsible and appropriate manner. Risk Management consulted with City departments to obtain the most current comprehensive City data (financial statement, payroll, fleet, transit, water, recreation, and safety programs), and worked with Human Resources to review workers compensation insurance administrative requirements and performance.

Alternatives:

A. Approve the insurance recommendations as presented.
B. Deny the recommendations and approve an alternative insurance quote presented.
C. Continue the item and provide direction to staff. This alternative is not recommended.

Consequences of not taking the recommended action/significant impacts:
There would be a lapse in insurance coverage.

Recommendation:
Authorize the following Insurance premium payments for public entity liability, workers compensation, property, and crime insurance covering a one-year period from January 1, 2010 through January 1, 2011:

1. $ 110,874.00 to States Self-Insurers Risk Retention Group, Inc. ("States") for public entity broad form liability insurance;
2. $ 147,694.00 to Workers Compensation Fund ("WCF") for workers compensation insurance;
3. $ 60,376.00 to Lloyds of London for property insurance;
4. $ 6,818.00 to Zurich American for boiler/machinery insurance;
5. $ 3,657.00 to Travelers, 3rd annual installment payment for Public Officials Employee Dishonesty (Crime) coverage.
6. $ 1,203.00 to Hartford for property insurance coverage of 1255 Iron Horse Avenue, currently leased by City.

PARK CITY MUNICIPAL CORPORATION
Table of Contents

PARK CITY MUNICIPAL CORPORATION
Premium Summary

Coverage	01/01/2009-2010	01/01/2010 - 2011			
	Expiring Policies	Proposed Policies	Commission %	A.M. Best Rating	Surplus Lines Y / N
PROPERTY					
Lloyd's of London/Zurich - Option 1				A XV / A XV	Yes / No
Property - Full Values	$66,928	$68,253	0.00%		
Property TRIA	Rejected	$7,830	0.00%		
Boiler & Machinery	$6,564	$6,818	0.00%		
Total Lloyd's of London/Zurich Program Option 1	**$73,492**	**$82,901**	0.00%		
Hartford (Iron Horse)				A+ XV	No
Earthquake Included					
Property - Building Only	$1,133	$1,203	20.00%		
Total Hartford Program	**$1,133**	**$1,203**			
Tulip Policies - Employers Fire Ins. Co.					
Personal Property Floater	$0	$0	0.00%	A XIII	No
General Liability	$0	$0	0.00%		
Excess Liability	$0	$0	0.00%		
Total Tulip Program	**$0**	**$0**	0.00%		

PARK CITY MUNICIPAL CORPORATION
Property

Coverage Description	01/01/2009 - 01/01/2010 Lloyd's of London	01/01/2010 - 01/01/2011 Lloyd's of London
Property Covered		
Buildings	$56,367,360	$58,761,515
Business Personal Property	$3,556,955	$3,556,955
Business Income	$2,000,000	$2,000,000
Subtotal	$61,924,315	$64,318,470
Vehicles	$12,906,926	$15,124,222
Miscellaneous Equipment	$274,155	Included
Total	**$75,105,396**	**$79,442,692**
Perils Covered	All Risks of Direct Physical Loss or Damage Including Flood and Earthquake, but Excluding Boiler Explosion and Machinery Breakdown as defined in the policy wording.	All Risks of Direct Physical Loss or Damage Including Flood and Earthquake, but Excluding Boiler Explosion and Machinery Breakdown as defined in the policy wording.
Policy Limit - Each Occurrence	**$75,105,396** Carrier Included Values for Vehicles and Misc. Equipment with Premium Charge	**$79,442,692** Carrier Included Values for Vehicles and Misc. Equipment with Premium Charge
Percent of Change		6%
Sublimits of Insurance:		
Earthquake (Excluding California Zones A & B)	Policy Limit	Policy Limit
Flood - All Locations except for the following;	Policy Limit	Policy Limit
Flood Zones A, AO	$2,500,000	$2,500,000
Flood Zones V	Excluded	Excluded
Windstorm (Tier One Counties of North & South Carolina, Georgia, Florida, Mississippi, Louisiana, Alabama and	$10,000,000	$10,000,000
Accounts Receivable	$1,000,000	$1,000,000
Arson and Crime Reward	$10,000	$10,000
Business Interruption	$5,000,000	$5,000,000
Civil or Military Authority	30 Days	30 Days
Consenquential Loss	Included	Included
Contingent Extra Expense	$10,000	$10,000
Course of Construction	$10,000,000	$10,000,000
Debris Removal	$1,000,000	$1,000,000
Decontamination	$100,000	$100,000
Demolition of Damaged Insured Property	$5,000,000	$5,000,000
Electronic Data Processing Media and Data	$1,000,000	$1,000,000
Errors & Omissions	$5,000,000	$5,000,000
Expediting Expense	$1,000,000	$1,000,000
Extra Expense	$1,000,000	$1,000,000
Fine Arts	No Coverage	No Coverage
Fire Department Service Charge	$50,000	$50,000
Fire Protective Devices	$50,000	$50,000
Foam Solution or Other Fire Extinguishing Materials	$50,000	$50,000
Ingress/Egress	30 Days	30 Days
Land Improvements	$50,000	$50,000
Leasehold Interest	$5,000,000	$5,000,000
Loss Adjustment Expenses	$100,000	$100,000
Loss of Rents	$5,000,000	$5,000,000
Loss to Animals - Except in Respect of Police Dogs/Police Horses	$5,000	$5,000
Loss to Animals - Police Dogs	$20,000	$20,000
Loss to Animals - Police Horses	$50,000	$50,000
Loss to Automobiles Resulting from Physical Damage, Including Collision and Upset at Locations on File, But Excluding Road Risk	Included in Policy Limit	Included in Policy Limit

PARK CITY MUNICIPAL CORPORATION
Property

Coverage Description	01/01/2009 - 01/01/2010 Lloyd's of London	01/01/2010 - 01/01/2011 Lloyd's of London
Newly Acquired Property	$10,000,000 90 Days	$10,000,000 90 Days
NMA2415 Clause V. Limited Seepage and/or Pollution	$5,000,000	$5,000,000
Ordinance or Law Coverage	$10,000,000	$10,000,000
Personal Effects of Officers/Employees	See Property of Others	See Property of Others
Pollution Clean-Up of Land, Water and Air	$250,000	$250,000
Property at Undescribed Premises	N/A	N/A
Property of Others	$50,000 subject to $10,000 per person	$50,000 subject to $10,000 per person
Property on Exhibition	$100,000	$100,000
Rented Mobile/Contractors Equipment	$100,000	$100,000
Revenue Interruption	$10,000,000	$10,000,000
Service Interruption	$250,000	$250,000
Tenant Relocation Expenses	$10,000	$10,000
Transit Coverage	Included in Policy Limit	Included in Policy Limit
Trees, Shrubs, Plants and Lawns	$100,000	$100,000
Unreported Vehicles	$100,000	$100,000
Valuable Papers & Records	$1,000,000	$1,000,000
Valuation Basis		
Property Damage	Replacement Cost	Replacement Cost
Business Interruption	Actual Loss Sustained	Actual Loss Sustained
Vehicles*	Replacement Cost - Less than 3 Years Old Actual Cash Value - Over 3 Years Old	Replacement Cost - Less than 3 Years Old Actual Cash Value - Over 3 Years Old
Co-Insurance	Waived	Waived
Deductibles		
Flood	$50,000	$50,000
Earthquake	$100,000	$100,000
All Other Perils	$10,000	$10,000
Business Interruption	No Waiting Period	No Waiting Period
Conditions		
Notice of Cancellation, except 10 Days for Non-Payment	90 Days	90 Days
Additional Named Insureds, Loss Payees and Mortgagees per policy wording, automatic additions and deletions hereon	Yes	Yes
Marsh Public Entity Program (MPEP)	Yes	Yes
Preservation of Property Clause	Yes	Yes
War and Terrorism Risk	Excluded	Excluded
Biological or Chemical Materials	Excluded	Excluded
Micro-organism	Excluded	Excluded
WEH Asbestos	Excluded	Excluded
Electronic Date Recognition	Excluded	Excluded
Electronic Data Endorsement - NMA 2914	Yes	Yes
Boiler Explosion and Machinery Breakdown	Excluded	Excluded
Joint Loss Agreement	Yes	Yes
Radioactive Contamination	Excluded	Excluded

PARK CITY MUNICIPAL CORPORATION
Property

Coverage Description	01/01/2009 - 01/01/2010 Lloyd's of London	01/01/2010 - 01/01/2011 Lloyd's of London
Subjectivities	None	None
Property Rate	0.0787%	0.0760%
Percent of Change		-3.43%
Annual Premium	$59,107	$60,376
Lloyds Global Marketing Fee	$5,000	$5,000
Surplus Lines Taxes & Fees(Lloyds Policy Only)	$2,821	$2,877
Total Annual Property Premiums & Fees	$66,928	$68,253
Percent of Change	#VALUE!	1.98%
TRIA - additional Charge includes Taxes & Fees	**Not Purchased**	$7,830
	*Vehicle Description Includes Mobile Equipment	*Vehicle Description Includes Mobile Equipment
Premium Options		Premium must be paid to insurers before February 14, 2010

PARK CITY MUNICIPAL CORPORATION
Boiler & Machinery

Coverage Description	01/01/2009 - 01/01/2010 Zurich Insurance Company	01/01/2010 - 01/01/2011 Zurich Insurance Company
Coverages and Limits		
Property Damage Limit	**$59,924,315**	**$64,318,470**
(Real & Personal Property, Business Income)		
Percent of Change		7.33%
Business Income and Extra Expense	$2,000,000	$2,000,000
Utility Interruption	$1,000,000	$1,000,000
Newly Acquired Premises	$1,000,000	$1,000,000
	365 Days	365 Days
Expediting Expense	$250,000	$250,000
Spoilage Damage	$250,000	$250,000
Ordinance or Law	$250,000	$250,000
Errors and Omissions	$250,000	$250,000
Brands and Labels	$250,000	$250,000
Data and Media (Business Income/Extra Expense)	Included	Included
Diagnostic Equipment	Included	Included
Coverage Limitations		
Ammonia Contamination	$250,000	$250,000
Consequential Loss	$250,000	$250,000
Data and Media (Property Damage)	$250,000	$250,000
Water Damage	$250,000	$250,000
Hazardous Substance	$100,000	$100,000
Fungus, Wet Rot, Dry Rot & Bacteria	$100,000	$100,000
Extended Period of Restoration	30 Days	30 Days
Valuation Basis		
Property and Spoilage	Replacement Cost	Replacement Cost
Business Income	Actual Loss Sustained	Actual Loss Sustained
Deductibles		
Property Damage	$5,000	$5,000
Business Income, Extra Expense and Utility Interruption	24 Hour Waiting Period	24 Hour Waiting Period
Conditions		
Notice of Cancellation, except 10 Days for Non-Payment	60 Days	60 Days
Contingent Business Income/Extra Expense	Excluded	Excluded
Earth Movement	Excluded	Excluded
Water, except as noted above	Excluded	Excluded
Nuclear Hazard	Excluded	Excluded
War or Military Action	Excluded	Excluded
Annual Premium	**$6,564**	**$6,818**
Percent of Premium Change		3.87%
Average Rate per $100 values	$ 0.0110	$ 0.0106
Percent of Rate Change		-3.23%
	Includes TRIA	Includes TRIA

PARK CITY MUNICIPAL CORPORATION
Iron Horse Property

Coverage Description Property Only	01/01/2009 - 01/01/2010 Hartford Insurance Company No Earthquake or Flood	01/01/2010 - 01/01/2011 Hartford Insurance Company No Earthquake or Flood
1255 Iron Horse Avenue, Park City, UT		
Building Limit	$1,342,000	$1,342,000
Contents	$17,300	$17,300
Total Insured Values	**$1,359,300**	**$1,359,300**
Perils	All Risks of Direct Physical Loss or Damage	All Risks of Direct Physical Loss or Damage
Building Valuation	Replacement Cost	Replacement Cost
Deductible per Occurrence	$250	$250
Earthquake Coverage	**Not Covered**	**Not Covered**
Coverage Sub-Limits		
Money and Securities - Inside	$10,000	$10,000
Money and Securities - Outside	$5,000	$5,000
Limited Fungi, Bacteria or Virus	$50,000	$50,000
Loss Payable Clause- Wintzer-Wolfe Properties	Included	Included
Terrorism	Included	Included
Automatic Equipment Breakdown Coverage Includes:		
Mechanical Breakdown	Included	Included
Artificially Generated Electric Current	Included	Included
Hazardous Substances	$50,000	$50,000
Expediting Expense	$50,000	$50,000
Business Income and Extra Expense	Actual Loss Sustained - 12 Months	Actual Loss Sustained - 12 Months
Annual Premium	**$1,133**	**$1,203**

Average Rate per $100 values	$0.0834	$0.0885
Percent of Rate Change		6%

PRODUCER:
BRAD SHORT
(801)284-8934
,

WCF

P.O. Box 57929
Salt Lake City, UT
84157-0929

Main: (801) 288-8000
Toll Free: (800) 446-2667

INSURANCE PROPOSAL | Proposal No: **1638608**

INSURED:
PARK CITY MUNICIPAL CORP
PO BOX 1480
PARK CITY, UT 84060-1480

INSURED IS: **Corporation Governmental Entit**
EFFECTIVE DATE: **01/01/2010** To **01/01/2011**

Workers Compensation Fund, Utah's oldest & largest workers compensation insurer rated "A" (Excellent) by A.M. Best & Company, is pleased to provide you with this proposal.
The premium for this policy will be determined by our Manuals of Rules, Classifications, Rates and Rating Plans.
All information required below is subject to verification and change.

Classifications	Code No.	Premium Basis Total Estimated Annual Remuneration	Rates Per $100 of Remuneration	Estimated Annual Premium
STATE: UT				
STREET OR ROAD MAINTENANCE CONSTRUCTION	5509	880,589	1.11	$9,774.54
CLERICAL OFFICE EMPLOYEES	8810	4,165,215	0.15	$6,247.82
CLUB COUNTRY GOLF FISHING OR YACHT & CLERICAL	9060	201,803	1.26	$2,542.72
MUNICIPAL EMPLOYEES	9417	10,183,857	1.56	$158,868.17
MANUAL PREMIUM				**$177,433.25**
EXPERIENCE MODIFICATION			1.08	$14,194.66
SCHEDULE RATING (CR)			0.85	-$28,744.19
TOTAL STANDARD PREMIUM				**$162,883.72**
PREMIUM SIZE DISCOUNT			11.22%	-$18,275.56
TERRORISM		15,431,464	0.01	$1,543.14
CATASTROPHE-OTHER THAN CERTIFIED ACTS OF TERRORISM		15,431,464	0.01	$1,543.14
ESTIMATED ANNUAL PREMIUM				**$147,694.44**
Total Due For: UT				**$147,694.44**

Proposal Prepared: **12/04/2009**

States

INSURANCE PROPOSAL

To: Park City Municipal Corporation 445 Marsac Ave/ PO Box 1480 Park City UT 84060-1480 **Attn:** Cindy LoPicolo	**From:** Martin Ericson States Self-Insurers Risk Ret. Grp. 222 S Ninth St Suite 1300 Minneapolis, MN 55402-3332
Proposal For: Park City Municipal Corporation	**Proposal Expires On:** 1/1/2010

X Public Entity Broad Form Liability (including General Liability, Employment Practices Liability, Automobile Liability and Law Enforcement Liability and Public Officials Error & Omission Liability) in accordance with the terms, conditions and exclusions of the policy form.

ONE YEAR PROPOSAL

OPTION 1

Company Limits	Self-Insured Retention Limit	Premium		TOTAL
$5,000,000 /Occ	$250,000 /Occ	$110,874	$3,326	$114,200
$5,000,000 /Agg				

Company Limits	Self-Insured Retention Limit	Premium		TOTAL
$5,000,000 /Occ	$500,000 /Occ	$102,305	$3,069	$105,374
$5,000,000 /Agg				

Company Limits	Self-Insured Retention Limit	Premium		TOTAL
$10,000,000 /Occ	$250,000 /Occ	$138,627	$4,159	$142,786
$10,000,000 /Agg				

SPECIAL TERMS AND CONDITIONS

Occurrence Policy Form

- ⇨ The quoted premium is net of commission.
- ⇨ All premiums are due at the inception date of the policy.
- ⇨ Premiums will be annually rerated to reflect experience and exposure.
- ⇨ TRIA Act Coverage must be elected or declined. If declined, a Terrorism exclusion will apply.
- ⇨ A coverage exclusion for Mold.
- ⇨ Lead Exclusion
- ⇨ Asbestos Exclusion Amendatory Endorsement
- ⇨ Policy Condition providing for Government Tort Cap & Immunity protection.
- ⇨ Coverage exclusion for nursing homes
- ⇨ Defense Costs Outside the Limit Endorsement

*****Please see attached for any additional terms and conditions.**

Martin A. Ericson

Signed

11/18/2009

Date