PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
DECEMBER 9, 2010

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 9, 2010.

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

Work Session

4:30 p.m.	Council questions/comments	
4:40 p.m.	Market analysis and carrying capacity study metrics	P. 6 - 17
5:10 p.m.	Economic Development grant request	
	• Business Resource Center – SLCC	P. 18 - 25
5:30 p.m.	Annual audit report	P. 73 - 75
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 18, 2010

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

1. Consideration of a Resolution approving a Letter of Intent with Summit County on Environmental Sustainability P. 43 - 46

2. Consideration of Contract Modification No. 1 with Stanley Consultants for the Bonanza Drive Reconstruction Project in a form approved by the City Attorney for a not to exceed amount of $141,845 P. 47 - 72

3. Consideration of acceptance of Comprehensive Annual Financial Report for 2010 P. 73 - 75

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

1. Consideration of an Ordinance approving the Little Belle Condominiums Fifth Amended Plat, Unit 3, to expand the private ownership area of Unit 3, located at 7175 Little Belle Court, Park City, Summit County, Utah P. 76 - 85

(a) Public hearing
(b) Action

VII ADDITIONAL DISCUSSION – AGENDA ITEMS

VIII ADJOURNMENT

A majority of City Council members may meet socially after the meeting. If so, the location will be announced by the Mayor. City business will not be conducted. Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the City Recorder at 435-615-5007 at least 24 hours prior to the meeting. Wireless internet service available in Marsac Building on Wednesdays and Thursdays – 4 p.m. to 9 p.m.

Posted: 12/06/10
See www.parkcity.org

PARK CITY COUNCIL MEETING **TENTATIVE**
SUMMIT COUNTY, UTAH
DECEMBER 16, 2010

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 16, 2010.

Closed Session
1:30 p.m. Property and litigation

Work Session
3:30 p.m. Council questions/comments
3:40 p.m. *Budgeting for Outcomes* prioritization update
4:40 p.m. 657 Park Avenue recap and preservation practices
- Public input

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

1. Consideration of addendums to facility leases extending terms – Library and Education Center and Miners Hospital

2. Consideration of award of contract for state lobbyist services

3. Consideration of 2011 Insurance Placement

4. Consideration of an award of contract to update the Short Range Transportation Development Plan

5. Consideration of award of contract to Direct Digital Controls in an amount not to exceed $32,000

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

1. Consideration of MFL – Holidays in Historic Park City
   (a) Public hearing

(b) Action

2. Consideration of a Change Order No. XX with Granite Construction for the Bonanza Drive Reconstruction project for a not to exceed amount of $737,344

3. Consideration of an Anti-Idling Ordinance for Park City, Utah
   (a) Public hearing
   (b) Action

VI ADDITIONAL DISCUSSION – AGENDA ITEMS

VII ADJOURNMENT

Closed Session – dinner will be served
Property and litigation

A majority of City Council members may meet socially after the meeting. If so, the location will be announced by the Mayor. City business will not be conducted. Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the City Recorder at 435-615-5007 at least 24 hours prior to the meeting. Wireless internet service available in Marsac Building on Wednesdays and Thursdays – 4 p.m. to 9 p.m.

Posted: 12/13/10
See www.parkcity.org

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

December 2010

9	**Alex and Joe gone**
10	Holiday luncheon – Park City Ice Arena
16	See tentative agenda
23	**Holiday**
30	**Holiday**

January 2011

6	BFO prioritization exercise
	Pay Plan
	Debrief of Bonanza Road construction – *things learned*
	Montage record of survey plat amendment – KW
	Tower Club record of survey plat amendment – KW
	LMC amendments – KW
	8680 Empire Avenue – KW
	9100 Marsac Avenue – KW
	Award of contract for the Storm Water Master Plan
13	BFO discussion
20	**No meeting – Sundance premiere**
27	

February 2011

3-4	*Visioning Session*
3	**No meeting**
10	
17	
24	

Pending Items:
Delivery ordnance
Board and commission training
Review of two year special event policy
U S Postal Service gang boxes in Old Town – MC

City Council and Redevelopment Agency Staff Report

Author: Jonathan Weidenhamer
Subject: Market Analysis and Carrying Capacity Study Update
Date: December 9, 2010
Type of Item: Informational

City Council Summary Recommendation –
Provide input to staff on preliminary list of metrics for the Market Analysis and Carrying Capacity Study.

Background:
On October 14, 2010 the City Council, acting also in their authority as the Redevelopment Agency, approved a contract for a market analysis and carrying capacity study (Study). Design Workshop was the chosen consultant. They will ultimately make recommendations for the appropriate type and amount of business for Park City's resort-based economy. The consultant will also determine the answer to the question, "how much is too much?" as it relates to quality of experience and the law of diminishing returns for growth and expansion of our commercial inventory and bed base. The results of this process will set groundwork for future economic and land use decisions.

The approved scope of the Study is attached as Exhibit C. The third task in this scope includes an update to City Council to discuss the framework by which to collect measure and compare data. Attached as Exhibits A and B are preliminary lists of metrics and data categories intended to examine how the individual business districts and the overall Park City community currently perform. These metrics are broken into 3 areas: economy, environment, and community; and then further split into 3 additional categories: baseline, quantitative, and qualitative data. For each metric the following headings would be defined:

> <u>Preliminary Goal:</u>
> The Preliminary Goal articulates the overall (and more general) objective or goal of the Park City community in the particular category. For example, for Retail Vacancy, the Preliminary Goal may be to "maintain retail vacancies at levels low enough to support the overall viability of retail businesses and a given retail district".
>
> <u>Baseline:</u>
> The baseline refers to the current reading for the particular metric in the Park City community. For example, the Baseline for Retail Vacancy simply refers to the most recent available data concerning retail vacancy in the community.

Benchmark:
The benchmark represents the prevailing standard for a particular metric, based upon experience in similar communities. For example, the benchmark retail vacancy for resort communities may equal X percent, based upon observation of similar communities (Vail, Breckenridge, etc.)

Smart Goal:
The Smart Goal represents the goal articulated for the Park City community for a particular metric. Note that the Smart Goal for a metric may differ from the Benchmark for the metric. The Smart Goal represents a goal that is appropriate and deemed attainable for Park City.

Strategies:
As the name implies, Strategies refers to tools and / or policies the Park City community may consider using to achieve the Smart Goals articulated for particular metrics. For example, Strategies designed to increase the Retail Dollars Spent per Day by Destination Visitors may include tools such as enhancing parking, coordinating the marketing efforts of merchants, enhancing streetscapes and public art, and other ideas generated by staff and Council.

Analysis

The intention of this discussion is to update Council on what we intend to measure, thereby setting expectations for final deliverables. Council should provide feedback on the categories and metrics and identify potential gaps.

The metrics from this effort will include both Qualitative and Quantitative metrics. Some of the metrics (retail vacancy, for example) may involve purely quantitative measures. Others, such as "Community Reputation", may involve primarily qualitative measures.

This project may not obtain precise data for every category and every metric included in our matrix. The city has a good deal of data available already for a number of metrics (in particular for Environment), but data may not be available for every metric.

Important to note that the set of metrics will change and evolve during the course of the project. Some metrics will be removed based upon subsequent analysis, and others may be added during the course of the project.

We should be cognizant that the budget for the project is $57,618, which does pose certain limitations on how much time can be spent collecting and measuring data. While data is critical to success and accuracy of the project, much of the Study needs to focus on the carrying capacity portion of the exercise, which will focus on setting a groundwork for making decisions that often are based on competing goals. Additionally, data for some of the preliminarily identified metrics may prove difficult or impossible to gather, at which point we will have to decide how important the metric is.

Department Review: This report has been reviewed by representatives of Sustainability, Legal Departments and the City Manager's Office.

City Council Summary Recommendation
Provide input to staff on proposed metrics for Market Analysis and Carrying Capacity Study.

Exhibits:
Exhibit A – Preliminary List of Metrics
Exhibit B – Carrying Capacity Data
Exhibit C – Study Scope, Statement of Approach & Deliverables

Exhibit A

PARK CITY METRICS
UNDERLYING DATA
DRAFT VERSION
DECEMBER 2010

METRIC	UNDERLYING DATA CATEGORY	DATA
ECONOMICS		
Retail Vacancy		
Retail Sales / SF		
	Total Retail Sales	
	Total Square Footage (Retail)	
Lodging Vacancy		
	Total number of rooms	
	Occupancy Level	
Lodging Sales / SF		
	Total Lodging Sales	
	Total Square Footage (Lodging)	
Tenant Mix		
Target Market		
Bonding Capacity of City and the RDA		
	Legal Bonding Capacity	
	Current Bonding Level	
Taxing Capacity: Sales Tax		
	Legal Sales Tax Ceiling	
	Current Sales Tax Rate	
Taxing Capacity: Property Tax		
	Legal Property Tax Ceiling	
	Current Property Tax Rate	
Taxing Capacity: Hotel Tax		
	Legal Hotel Tax Ceiling	
	Current Hotel Tax Rate	
Housing Affordability		
	Primary homeowners (% of residents)	
	Secondary homeowners (% of residents)	
Retail Dollars Spent / Day (Day Visitor)		

Retail Dollars Spent / Day (Destination Visitor) Qualitative metrics related to Attributes of Successful Resort Retail.	
ENVIRONMENT Developable Land (Acres) Re-Developable Land (Acres) - within next 10 years Open Space and Conservation Lands (Acres) Community Carbon Footprint (measured in GHGs) Municipal Carbon Footprint (measured in GHGs) Municipal Water Consumption Community Water Consumption Municipal Building Efficiency Measures Community-Wide Recycling Rate Renewable Energy - Utilization Rate (Community, and for Municipality) Community-Wide Energy Consumption and Community-Wide Energy Costs Utilization Rate of Public Transportation Community Air Quality Visibility of Night Sky Pedestrian Counts by District	
COMMUNITY Demographic Profile of Year-Round Resident	Median Age Median Income Household Size

Resort Rankings (Deer Valley, PCMR, Canyons)	
Community Reputation	
Regional Role of P.C.	
Destination Resort vs. SLC Satellite Community	
Percentage of Land by Land Use Category (commercial, residential, etc.)	
Percentage of Public Project Budgets Dedicated to Public Art	
Rate of Non-Profit Giving (by City)	
Qualitative metrics related to Attributes of Successful Resort Retail.	

Exhibit B
Carrying Capacity Data

The information that we gather to complete the Carrying Capacity analysis will, in part, feed the data set that we use for the metrics analysis. The following data will inform the carrying capacity:

Demand considerations:

* Permanent (year round) population
* Seasonal workforce population (broken out by season)
* Numbers of day visitors (broken out by season)
* Numbers of destination visitors (broken out by season)

Assets:

Number of restaurant seats
Number of theater seats
Retail square footage
Number of overnight pillows
Width of sidewalk (in various retail districts)
Uphill ski capacity
Bus routes and frequency
Hiking / biking trail capacity
Road Capacity (including data on Level of Service)

Exhibit C
Study Scope

Statement of Approach
Task 1: Project Management

The work plan assumes that the City would work with Design Workshop to establish an Advisory Committee to inform the project. We anticipate this group will include the consultant team, Park City staff, Park City Mountain Resort (PCMR) officials, representatives from various neighborhoods, representatives from the business community and other stakeholders. We propose a regular communication strategy to maximize the value of everyone's time. We will provide weekly email updates and hold a bi-weekly update meeting with the City's project manager. In addition, we will communicate with the Advisory Committee as appropriate.

Deliverable:
• Agendas and minutes for each meeting, circulated to the Advisory Committee and City staff

Task 2: Project Kick-Off Meeting and Site Visit

The Design Workshop team will conduct a kick-off meeting (approximately two hours) with staff from the Park City Municipal Corporation (PCMC) as part of a two-day site visit in the Park City area. The meeting with staff will confirm the goals and work plan for initial market and carrying-capacity research during the visit. During this two day visit, we will review recent development projects executed or planned in various districts within Park City and conduct interviews and research as necessary with local real estate brokers, business leaders and community representatives to understand the local market.

Deliverables:
• Finalized project schedule and work plan
• Project team directory
• Identification of the vision, goals and critical success factors for the project
• Meeting minutes from the kick-off meeting
• Notes from site visit and initial market research in the Park City area

Task 3: Park City Community Metrics Analysis

Design Workshop believes that "what gets measured gets achieved." To this end, we will identify and measure key metrics in the categories of Economics, Environment, Community and Art to guide the planning effort for the Main Street, Lower Park Avenue, Bonanza Park, and Prospector districts. At the beginning of this effort, we will identify key metrics and examine how the districts and the overall Park City community currently perform for the particular metric. For example, if the team and the community decide that improving the percentage of sales tax dollars spent in Park City versus elsewhere in the county is an important consideration, we will examine how the community is performing in this regard at the current time. The process will involve designating "benchmarks" or goals for the metric (for example, a goal may be to attract more sales tax revenue to Park City than it loses to outside communities). In terms of environmental metrics, the consultant team and the community may establish key metrics (i.e., in terms of land cover, open space, carbon emissions, etc.) that may inform the carrying capacity analysis to be conducted as part of this engagement. The metrics information will guide the consultant team as it creates recommendations for development strategies and conducts the carrying capacity analysis for development. Then, as the individual districts and Park City overall continues to evolve, the community will be able to measure the success of the current planning effort against these metrics.

During the two-day site visit trip to Park City at the beginning of the project, the Design Workshop team will conduct an internal worksession with the Advisory Committee and selected stakeholders from the community to identify the key metrics for analysis in the areas of Economics, Environment, Community and Art. During this session the Design Workshop team will identify the current condition of the four districts and for Park City overall for each of the metrics identified for analysis. Following the initial metrics analysis section, Design Workshop will identify benchmarks or goals for each metric.

Deliverable:
• Memorandum summarizing the metrics identified for analysis during the project, as well as benchmarks and goals. This memorandum will include tables and graphics of information.
• City Council Work session

Task 4: Base Data Analysis

Design Workshop will work with city staff to gather sales tax receipt data by type and size of business for the various districts within Park City and to compile a complete and accurate inventory of businesses in each district. We will also conduct any additional telephone-based interviews with local merchants, chamber of commerce officials and other agencies as needed.

Deliverables:
• Inventory of existing retail businesses by type for Park City, organized by district
• Memorandum to City staff summarizing the sales tax data gathered by type and size of business
• Notes from discussions with local stakeholders and merchants

Task 5: Overview of Current Trends in Ski Industry

Design Workshop will draw from its work in mountain resort communities nationwide and its current and recent work for private sector ski resort companies to outline a comprehensive overview of current trends in the ski resort industry that will impact the Park City market in the near future. In particular, we will examine prevailing trends in ski resort communities with regard to retail and commercial development and how municipal governments in various resort communities have leveraged public investments and development strategies to promote and sustain retail, both for visitors and for local populations. The trends analysis will document the trends that have emerged in particular as a result of the strained economic climate nationwide.

Deliverable:
• Trends section (to be included in final report)

Task 6: Comparable Community Analysis

In order to offer a broader outlook on the current situation in Park City, Design Workshop will profile three comparable resort communities in the West and outline key findings and trends with regards to commercial and retail development. We will identify how the comparable communities have worked to balance retail strategies designed to attract visitors with those geared to serve the local resident population. The outline for the comparable community analysis will include:

• General description of the comparable resort community (including location, access, key attributes, etc.)
• Market positioning versus local, regional and national competitors
• General description of real estate offerings (including descriptions of key resort projects in and near the community)
• Key community amenities that drive tourism-based economic activity
• Identification of how Park City may be similar or different from each community and in the key community amenities and what elements Park City could consider adopting or should avoid.

Deliverable:
• Analysis of comparable resort communities (to be included in final report)

Task 7: Positioning Identification of Park City Districts

Drawing from an analysis of existing base information, discussions with local economic development and business leaders, and the examination of current trends in the ski industry and comparable resort communities, Design Workshop will outline how each of the four districts identified in the RFP complement each other and compete with other districts in the larger regional market. The analysis will identify Park City's place in the local and regional market and provide recommendations on how it can compete with them.

Deliverable:
• Memorandum to Park City staff summarizing the recommended positioning of the four Park City districts identified in the RFP (to be included in final report)
• Map identifying physical boundaries of each district
• Table of district descriptors: A layout that shows the characteristics of each district (physical size, sales tax volume generated by that district, forecast of district potential sales tax, number of businesses by type, what makes each district unique, weakness factors of each district, best potential future use for each district, position of each district within the local market, position of each district within the regional market, etc..

Task 8: Retail/Commercial Demand Analysis

Design Workshop will calculate the supportable retail and commercial demand in each district within Park City (in terms of square footage). This calculation will outline the types and quantities of retail/commercial space that the local market can support both in the short term (immediate) and long term (five to ten years). For the long term analysis, two forecasts will be provided: one more conservative forecast will be based on the current economic trends and the second based on an assumption of economic recovery within the next four to five year and future growth greater than current growth, but not quite the pace of expansion seen in the earlier part of this decade.

The demand analysis will draw from assumptions and projections concerning the growth of the full-time resident population in Park City and surrounding jurisdictions in order to quantify the square footage and type of retail supported by non-visitors. Furthermore, we will examine information concerning the income, buying preferences and psychographic profiles of the local population in order to provide estimates and descriptions of the types and quantities of retail that locals would support in the near and long term. The demand analysis would include assumptions concerning the capture rates that local-serving retail space in Park City would realize in comparison to other retail centers in nearby communities.

In order to calculate and describe the quantity and type of retail supported by visitors and tourists to Park City, the analysis would leverage information from the base analysis, interviews with the local business community and the analysis of comparable ski resort communities in the West.

The retail demand analysis will:
• Characterize the existing and potential future demand drivers for retail real estate types
• Use the information from above to construct market supportable demand quantities for retail and commercial land uses over five- and 10-year periods
• Reconcile the above with a supply inventory and pipeline analysis to arrive at two matrices of supportable quantities of retail and commercial land uses over five and 10-year periods. One matrix will assume current economic trends and the other will assume economic recovery within a period of three to four years.
• Provide guidance as to achievable pricing for retail and commercial (for rental and fee simple real estate products)

Deliverables:
• Spreadsheets detailing the calculations of supportable retail and commercial demand for the various districts within Park City (as articulated in the RFP)

• Retail and commercial demand analyses for each of the four districts within the community (to be included in final report)

Task 9: Outline of Development Scenarios and Fiscal Impact on Park City

Drawing from the retail and commercial demand analysis, the community's stated goals and vision (in terms of environment, traffic considerations, etc.) and the metrics analysis at the beginning of this project, Design Workshop will outline key development scenarios for retail and commercial uses in each of the four districts. We will consider the sustainability goals of the community in creating these scenarios and will articulate how the scenarios meet these goals and the metrics established by the community. We will describe how the scenarios will enhance the competitive position of each district and how they collectively will help Park City compete with other local jurisdictions and with other mountain resort communities in the West. Using assumptions for sales tax and property tax generation, we will work with City staff to provide an outline of how the recommended development scenarios would impact the fiscal position of Park City (in terms of tax receipts generated from different types of businesses).

Deliverables:
• Spreadsheets and graphical representations necessary to describe the recommended development scenarios for each of the districts, how the scenarios would enhance Park City's competitive position, and how the scenarios would impact the fiscal position of the city (to be included in final report).

Task 10: Public Policy Implications Analysis

Design Workshop will outline the zoning and municipal code or ordinance changes necessary to implement the development scenarios over time, based upon our experience in creating site plans for projects in a variety of resort markets over the last four decades. The scope of work for this project will not include detailed writing of codes.

Deliverables:
• Summary memorandum outlining recommended zoning and municipal code changes resulting from the development scenarios.

Task 11: Carrying Capacity of the Tourism-Built Environment

The appropriate and sustainable amount and type of development in a resort community like Park City is influenced by physical planning factors, community goals and sustainability metrics, as well as by market considerations. Design Workshop, together with Nolte Associates, will work with the Park City community to identify the carrying capacity of new developments in the four districts, given the identified market and physical constraints.

At some point, resort communities simply reach their capacity for development, given space limitations, market limitations and other physical considerations. In this task Design Workshop will examine the carrying capacity of the Park City area to accommodate new development and, in particular, new tourism-related development in accordance with market realities and the physical limitations of various tourism-related factors, including but not limited to the seven categories listed in the RFP. We will also examine the effect of continued sprawl on Park City's development potential and how potential no-growth strategies in Park City may affect overall development patterns in the Summit and Wasatch County areas.

Deliverables:
• Summary memorandum outlining the potential carrying capacity of tourism-related development in Park City, based upon community goals and metrics.

Task 12: Carrying Capacity from the Environmental Perspective

Design Workshop, together with Nolte Associates, will work with City staff to determine the environmental carrying capacity of the Park City community as it continues to plan for potential development scenarios and investment projects for the Lower Park Avenue and Main Street areas. We will draw qualitative conclusions concerning the carrying capacity in terms of a variety of metrics identified in the earlier metrics worksession and continued discussions with City staff and the Advisory Committee. We anticipate measuring the carbon impact for the community for the various development scenarios. The determination of the carrying capacity will also take into account the impacts of urban sprawl in Summit County and the net-carbon effects of pushing development into more remote regions.

Deliverables:
• Summary memorandum outlining the environmental carrying capacity of the Park City community.

Phase V
Design Workshop will draw from the results of the market analysis and carrying capacity analysis to refine the project list for Lower Park Avenue created during Phase I in 2009. The refined list may include projects not listed on the original version, based upon the development scenarios created during Phase III and continued discussions with City staff and local stakeholders. The projects identified on the refined list should, in addition to leveraging potential market opportunities, also represent efforts by the community to satisfy overall goals and metrics for Park City over the next few decades (such as, for example, affordable housing goals). The refined project list will incorporate land-use goals for City-owned property identified in Phase II as well as the City's Transportation Master Plan and General Plan updates. We will outline recommended amenities the City should incorporate in the project list in order to stimulate investment and satisfy community goals. In addition, in creating a project list for the Lower Park Avenue area we will identify how the different districts in Park City (Main Street, Lower Park Avenue, etc.) should position in the local and regional markets.

Deliverables:
• Revised project list (in MS Excel format), including rankings of the various projects in terms of financial and physical feasibility and alignment with community goals and metrics
• Conceptual diagrams to describe the key projects on the list and the main planning frameworks underlying the recommended projects (such as circulation, open space, etc.)
• Memorandums to city staff providing additional details

Task 13: Summary Report and Presentation

Whether or not the City elects to proceed with Phase V as part of this engagement, Design Workshop will complete a summary document and make a presentation of findings from Phases III, IV, and V (if applicable) to the Park City Council in January 2011. We will outline how the findings from the market study and the carrying capacity analyses should guide future land-use strategies, future public and/or private sector investments in new development scenarios in various districts in the community, and how Park City should position itself versus other resort communities in the future. We will describe how investments in the Lower Park Avenue area, the Main Street Area, Bonanza Park and Prospector may stimulate the local economy. The summary memorandum will also outline how particular public investment projects in these districts may support the Economic Element of the Park City General Plan.

Deliverable:
• Summary final report from Phases III, IV and V.
• Presentation / Discussion of final results and conclusions of the planning effort with staff members of the Park City Municipal Corporation and the Park City Council. We anticipate conducting this presentation in person.

City Council
Staff Report

Subject: Park City Business Resource Center
Author: Michael Kovacs, Jed Briggs
Department: Executive, & Budget, Debt, & Grants
Date: December 9, 2010
Type of Item: Administrative

Summary Recommendations:
The staff Economic Development Grant committee recommends that Council direct staff to bring back a funding request for a January award to the Park City Business Resource Center in the amount of $12,500.

Topic/Description:
Work Session – discussion on local funding options for a new satellite office for a business resource center.

Background:
The City applied to the CDBG (Community Development Block Grant) program last week on behalf of Salt Lake Community College's Miller Business Resource Center (the College) for $80,000 to fund a satellite office of the center to assist local businesses. We do not a expect grant award. The College is planning an application to USDA's (US Dept. of Agriculture) Rural Development's economic development program for $90,000 in funding assistance. This source has a higher probability of success, but competition is still expected to be extreme.

The College has applied to us under our economic development grant program for the Park City Business Resource Center. They are requesting $12,000 to fund a portion of the wages for a part-time Business Resource Director. The City Manager, in talks with Summit County's Manager, has indicated a $25,000 total local award from both the City and County would be recommended at this time. It is recommended we use the $12,500 figure, and we expect the County to match any grant award we make. The economic development grant review committee met on Dec. 3 and gave a favorable recommendation on the award to the College. Public notices will be sent out targeting a January Council award (we must do a 14 day notice due to our policy language).

The Chamber of Commerce has pledged to do all the needed marketing and integration for Chamber members into using the new center to make full use of the resources.

Analysis:

In the 2009-10 fiscal year, the Miller Business Development Center positive economic impact totaled over $23 million in capital formation and sales increase for Salt Lake County. Jobs created and saved through the Center totaled 401 for the same period. Other partners in the Miller Business Resource Center created further job and economic impact that is in addition to the sales, capital formation and jobs data of the business development center. A satellite location would be of great benefit to Park City area businesses. The City has supported the CDBG grant application with no local match (match provided by Zions Bank [in-kind – office space] and the College's $15,000).

The application demonstrates clear program objectives and public benefits associated with the proposed services. The Business Resource Center (BRC) will assist in business/retention of both resort-based and year round businesses; assist businesses on retention and development initiatives; assist in redevelopment of the resort economy; and assist the City in meeting its top and high priority business objectives. Also, members of the community could receive hospitality training, sustainability training, certification, or other training identified by the City.

The College has agreed to provide clear accounting of how public funds have been spent as well as provide performance measures designed to evaluate whether the program is meeting its targeted goals.

The College is pursuing funding from multiple sources including Summit County, and the State of Utah. A local award by both the City and County would help with attaining funding for the center in the legislative process through the Governor's office (to be lead by the College).

While $5,000 worth of funds have been awarded, there are adequate funds remaining in the economic development grant budget line item to approve the $12,000 or $12,500 request. An option other than the economic development grant program could be to do a special service contract, but staff encourages the Council to perhaps consider that at a later time.

Department Review:
Budget, Debt, & Grants Department; Legal Department; and the City Manager reviewed this report.

Alternatives:

A. Approve:
Direct staff to come back in January with a grant award agenda item after going to public notice.

B. Deny:
Contact Summit County and relay a negative recommendation to them on the College.

C. Modify:
Council may at its discretion modify the existing funding recommendation and move to award a special service contract instead.

D. Continue the Item:
Council may continue the item in order to obtain any additional information which it deems necessary.

Significant Impacts:
The economic development budget has adequate funding to award the grant. Awarding the grant will deplete the majority of the line item's remaining budget and will limit Councils ability to fund future requests prior to the end of the fiscal year.

Consequences of not taking the recommended action:
County matching funding to assist the center will likely not be awarded and the lack of local support will likely dissuade the College from trying to open a satellite resource center to assist our businesses gain access to funding, loans, information, business classes, and free consulting assistance.

Recommendation:

The staff Economic Development Grant committee recommends that Council direct staff to bring back a funding request for a January award to the Park City Business Resource Center in the amount of $12,500.

Attachments:

1. Grant Application
2. Grant Criteria

PARK CITY
1884

Economic Development Grant Application Form

Park City Municipal Corporation

Please provide five (5) copies of this application and requested attachments and send to the attention of The Economic Development Program Committee, Economic Development Office, Park City Municipal Corporation, PO Box 1480, Park City Utah 84060.

Criteria for awarding Economic Development Grants are identified in the City's Budget Policy. Please read this policy prior to submitting an application to ensure compliance.

(1) Organization Contact Information

Name Rex, Falkenrath, Park City Business Resource Center

Address c/o Miller Business Resource Center

9690 South 300 West, Sandy, UT, 84070

Phone 801.957.5279 Fax 801.957.3488

E-mail rex.falkenrath@slcc.edu

(2) Indicate the type of Economic Development Grant category that is applicable for this proposal:

___ Business Relocation Assistance
__X__ New Business Start-up Assistance

(3) Grant Request Amount: $12,000

(4) In addition to the above requested information, please provide the following:

A. A description of how your organization meets the ED Grant Criteria #1-#6 outlined in the City's Budget policy.
B. Summarize the economic and community benefits of having this organization in Park City.
C. Provide specific detail on how the requested funds would be used.
D. Detail any milestones or measures of success you would work with the City reporting on.

Signed: Rex Falkenrath
Date: 11-18-2010

Proposal for Business Resource Center serving Park City and Summit County

Economic and Community Benefit

This funding request is for economic development funding to support a portion of the November 2010 - July 2011 wage for a part-time Park City Business Resource Center Director.

The Park City Business Resource Center (PCBRC) is a newly established business resource center located at Zions Resort Bank, 1100 Snow Creek Drive, Park City. The PCBRC will follow the proven business plan of the established network of Utah Business Resource Centers as supported by the Governor's Office of Economic Development. The PCBRC will be supported with business and training resources by the Miller Business Resource Center of Salt Lake Community College, Sandy, UT.

Salt Lake Community College (SLCC) has contributed $15,000 in funding toward the 2010-2011 wage ($50,000 annualized) need of the BRC director. Additional funding of $12,000 is being requested of Park City and Summit County for first year wage and office-related expenses, for a total of $39,000. Park City is sponsoring a Community Development Block Grant (CDBG) in partnership with SLCC. Funding from the CDBG would be available July 2011. These sources of funding would provide resource for a PCBRC director through December 2012. Additionally, there is opportunity for a USDA Rural Development Grant and there are anticipated follow-on funds, pending legislative support, from the GOED BRC network.

The Park City Business Resource Center will provide one-on-one business counseling to Summit County residents who wish to launch or expand their businesses. The PCBRC will also offer job training programs to residents including hospitality services, green job skills, and work-related sustainability certification as driven by the needs of the Park City / Summit County community.

Meeting Park City Economic Development Criteria

***Criteria #1** – The organization must demonstrate a sound business plan that strongly supports prioritized Goals of the current City Economic Development Plan.*

In 2008, the Utah State Legislature signed into law the Utah Business Resource Centers Act. Business Resource Centers (BRC) will increase the success rate of Utah businesses, providing services that will ultimately allow new and existing businesses to grow and flourish.
BRCs one-stop resource centers providing coordination of business support, education, tracking of clients, access to sources of funding, training, technical expertise, talent, and networking for new and existing businesses[1].

Per the PC ED Plan the PCBRC will be well-positioned to support the city, as appropriate, with the following priorities:

- Assist in business attraction/retention of both resort-based and year round businesses;

[1] http://business.utah.gov/start/Business-Resource-Centers/

- Assist PC businesses on retention & development initiatives;
- Assist in redevelopment of the resort economy;
- Assist the City in meeting its top and high priority business objectives.

***Criteria #2 –** The organization must be unique and innovative; with a forecasted ability to generate overnight visitors who would spend dollars within the City's resort offerings.*

The capability of the PCBRC will be to assist businesses in achieving their business objectives and to provide training resources that are in line with the business objectives of the community. This could include hospitality training, sustainability training and certification or other training needs as identified by the BRC and the City.

***Criteria #3** – The organization must be new to Park City or represent a distinctly new enterprise supportive of the current priority Goals of the City's Economic Development Plan. Organizations must commit to and demonstrate the ability to do business in the City limits no less than three years. Funding cannot be used for 1-time events.*

The Park City BRC is new to Park City however its business template is established and proven within the State of Utah. THE PCBRC will leverage the experience and resources of the SLCC Miller Business Resource Center, ensuring an efficient use of funds and business assistance training of SLCC.

***Criteria #4** – The organization must produce items or provide services that are consistent with the economic element of the City's General Plan; enhances the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the inhabitants of the City.*

The objective of the PCBRC will be to assist local governments in meeting economic development objectives as relates to business startup and retention, access to capital and other resources, training, and access to State and Federal business assistance resources.

***Criteria #5 –** Can forecast and demonstrate at the time of application an ability to achieve direct taxable benefits to the City greater than twice the City's contribution.*

For SLCC's latest fiscal year the Miller Business Resource center was instrumental in establishing and retaining over 400 jobs and facilitating sales and capitalization growth of $23 million.

***Criteria #6** – Fiscal Stability and Other Financial Support: The organization must have the following: (1) A clear description of how public funds will be used and accounted for; (2) Other funding sources that can be used to leverage resources; (3) A sound financial plan that demonstrates managerial and fiscal competence.*

The funds requested will be used for salary and office-related (travel, reports, etc.) expenses related to the BRC's mission of economic development for the local community.

Detail on Use of Funds

Funding for the PCBRC is proposed as follows. SLCC has committed to an initial $15,000 cash contribution and has hired the part-time director. The director will be an employee of SLCC. The College is working with Summit County to obtain funding of $12,000. Additionally, GOED has expressed support of the BRC and funding will be as available through State legislative action. The College has also discussed USDA Rural Development grant funding with the USDA and will support the application of a proposal.

Park City Business Resource Center Budget Proposal

11/10-06/11	Budget	Park City	SLCC	Summit County	CDBG grant	Total
Director wage - ($50,000 annualized)	$ 29,167	$ 7,500	$ 15,000	$ 7,500	$ -	$ 30,000
Office (travel, supplies, media, initial & ongoing awareness, other)	$ 9,000	$ 4,500	$ -	$ 4,500		$ 9,000
Office space	Zions Bank donation					
Training space	Govt. donation					
Computer & related	SLCC donation					
TOTAL	$ 38,167	$ 12,000	$ 15,000	$ 12,000	$ -	$ 39,000

08/11-12/12	Budget	Park City	SLCC	Summit County	CDBG grant	Total
Director wage - ($50,000 annualized)	$ 75,000	$ -	$ -	$ -	$ 75,000	$ 75,000
Office (travel, office, media)	$ 5,000	$ -	$ -	$ -	$ 5,000	$ 5,000
Office space	Zions Bank donation					
Training space	Govt. donation					
Computer & related	SLCC donation					
TOTAL	$ 80,000	$ -	$ -	$ -	$ 80,000	$ 80,000

Milestone Reporting

The Miller Business Resource Center can assist the PCBRC with establishing those reporting metrics that have been used State-wide in measuring economic impact of business resource centers. There are currently available database management tools that are used for such reporting purposes.

11/10-06/11	Budget	Park City	SLCC	Summit County	CDBG grant	Total
Director wage - ($50,000 annualized)	$ 29,167	$ 7,500	$ 15,000	$ 7,500	$ -	$ 30,000
Office (travel, supplies, media, initial & ongoing awareness, other)	$ 9,000	$ 4,500	$ -	$ 4,500		$ 9,000
Office space	Zions Bank donation					
Training space	Govt. donation					
Computer & related	SLCC donation					
TOTAL	$ 38,167	$ 12,000	$ 15,000	$ 12,000	$ -	$ 39,000

08/11-12/12	Budget	Park City	SLCC	Summit County	CDBG grant	Total
Director wage - ($50,000 annualized)	$ 75,000	$ -	$ -	$ -	$ 75,000	$ 75,000
Office (travel, office, media)	$ 5,000	$ -	$ -	$ -	$ 5,000	$ 5,000
Office space	Zions Bank donation					
Training space	Govt. donation					
Computer & related	SLCC donation					
TOTAL	$ 80,000	$ -	$ -	$ -	$ 80,000	$ 80,000

PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
NOVEMBER 18, 2010

Present: **Mayor Dana Williams; Council members Alex Butwinski, Candace Erickson; Joe Kernan; and Cindy Matsumoto**

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Michael Kovacs, Assistant City Manager; Matt Cassel, City Engineer; Diane Foster, Sustainability Manager; Thomas Eddington, Planning Manager; Jon Weidenhamer, Economic Development Manager; Dave Gustafsen, Project Manager; Kent Cashel, Transportation Manager; Wade Carpenter, Chief of Police; and Shelley Hatch, Finance Analyst II

Marianne Cone, resident; Chris Crowley, Kimball Art Center; Andy Beerman, Historic Park City Association; and Sara Pearce, Sundance Institute

Absent: **Council member Liza Simpson**

1. Council questions/comments. Joe Kernan relayed that the inter-agency task force met during the week. Cindy Matsumoto discussed participating in the Peace House visioning session. A new mission statement has been developed recognizing all of the services it offers to the community. The Peace House has been chosen as the charity benefitting from the sale of lift tickets on the opener by Park City Mountain Resort. She also attended Leadership. Alex Butwinski reported on attending the night sky presentation on Monday night which was very educational. The HPCA Board met and will comment on the outdoor dining deck item today. He thanked staff for organizing the reception for state legislators co-sponsored with the County.

Mayor Williams referred to the discussion on the CDBG grant at the Summit County Council meeting last night. The Mayor of Kamas is also the Chair of Mountainlands Association of Governments and indicated that it is not likely that the Business Resource Center will receive funding because Mountainlands already provides a similar service. Michael Kovacs explained that the CDBG grant process is very competitive and the regional review committee typically favors rural type projects and those critical to health and safety. MAG has a small business revolving loan fund which is well utilized. Most businesses receiving loans are in Wasatch County but Park City is in the service area and interested persons should contact the City or MAG. The Mayor reported on other items discussed by the County Council.

2. 3rd Quarter goals. Tom Bakaly explained that the dates in the table are intended to represent allocated staff time as opposed to completion deadlines. Alex Butwinski felt that resource allocation is not intuitive like prioritization. He indicated that the comment section is helpful and the report has improved. Cindy Matsumoto asked for an update of the Bonanza Tunnel. Matt Cassel explained that a redesign of the retaining walls for more support was needed but the look will remain the same. It should be open by the end of the year.

Marianne Cone, resident, explained her involvement in the night sky presentation held Monday evening. The Park City lighting ordinance contains regulations for down-lighting and she referred to the sustainability strategic plan addressing both night skies and saving energy. Ms. Cone requested that night skies be added to Council's goals. Diane Foster explained that updating the night sky ordinance is a goal but not a high priority in the strategic plan so it doesn't appear in Council's quarterly goals. She clarified that new construction requires compliance but there are issues with people later retrofitting lighting devices. There are historic non-compliant fixtures and a comprehensive lighting plan may be appropriate. The Mayor requested that the night sky ordinance be addressed during Visioning. Ms. Cone interjected that she understands the difficulty in enforcement and suggested that the focus be on awareness and education. Since the ordinance is in place, there is probably little work involved.

3. Street dining deck debrief. Thomas Eddington referred to the staff report recommending that decks be removed during Arts Festival and that parking fees be implemented for the loss of parking spaces. Last year, City Council approved four dining decks, three of which were built with the goal of adding vibrancy to Main Street. Comments from residents were positive and there were no complaints. Staff collected feedback from patrons of the decks, included in the staff report, which was favorable. It was determined that there are about 31 locations that could accommodate outdoor dining decks and staff is recommending that applications be received by March 1 so that an analysis can be done from a public health, safety and welfare standpoint.

Mr. Eddington continued that the HPCA felt that last year was successful but have a couple of recommendations for future operations. The HPCA suggested that decks be open seven days a week for lunch and dinner and staff concurs. It further recommends a maximum length of 40 feet which relates better to the parking space measurement of 20 feet as opposed to 50 feet which is currently designated in the guidelines. Mr. Eddington estimated that Ciseros' deck probably measures 42 feet. The HPCA also recommends that restaurants not located at street level obtain their neighbors' written permission to add a deck and staff agrees. The last suggestion is that all applicants must be affiliated with a Main Street restaurant. Based on the City's continued commitment to the Kimball Art Center, it is recommended to remove the decks during the Arts Festival. The booths are installed in the middle of Main Street for emergency access to and for continuity of the Festival. The only exceptions for restaurants with decks would be contracting with KAC as a vendor. Mr. Eddington pointed out that Ciseros' deck created a gap between booths last Festival.

Jon Weidenhamer explained that $270 per parking space is recommended which represents 10% of the cost for the entire year. This low cost supports the goal of vitality and vibrancy while making it feasible for most restaurants. Additional square footage costs assessed for business licensing purposes are minimal.

Discussion ensued on removing and storing decks during Arts Festival. Chris Crowley stated that KAC is exploring all options for the decks. They can be functional in specific areas but to display someone's artwork on a deck, for instance, would be unfair to other artists. It is important to maintain a consistent look and feel and having booths in the middle of the street opens Main Street storefronts. Unfortunately, there isn't an opportunity to use the decks and moving them to the middle of the street is not much different than moving them altogether. Candace Erickson suggested using a forklift and moving them to the top of Main Street. Alex Butwinski emphasized that the Arts Festival has been operating for 40 years and he believed the decks need to be removed. He referred to staff's recommendation about the 10% parking fee and the City's support of $1,500 in helping to move decks which effectively represents a $3,400 subsidy. Jon Weidenhamer clarified that staff is recommending the owner pay for moving the deck. Mr. Butwinski pointed out that the City is still losing about $2,500 in foregone parking revenue. He understood that the bigger concern in moving decks is potential damage and he supported the forklift suggestion.

Mr. Weidenhamer explained a provision that the decks not be moved more than three times a season. This would only occur if another master festival license for the street warranted moving them. Ms. Matsumoto asked if 31 decks could exist on Main Street and Mr. Eddington explained that locations will be analyzed for impacts to emergency response and parking. He stated that 10 of 31 are located between 4th and 5th Streets but staff has discussed a maximum of 12 to 15 decks. Not every restaurant is interested in installing a deck or willing to be open for lunch and dinner for seven days a week and not everyone will qualify if the location doesn't fit within the overall system. The HPCA has requested a limit of 12 decks. Restaurants that already have outdoor dining would probably have lower preference in the selection process. It is likely that the 42 foot deck at Ciseros will be grandfathered and not altered.

In response to a question from the Mayor, Mr. Crowley stated that the Brewpub Lot has not yet been programmed. Storing decks during Arts Festival at the top of Main Street or Swede Alley were debated. Candace Erickson believed that the needs of the Arts Festival should be a priority. Chris Crowley detailed the benefits of using scaffold platforms which can be customized to match buildings and can be constructed and dismantled easily. Mayor Williams acknowledged the high price associated with decks and suggested that standardizing them may cut costs. Joe Kernan hoped the decks would not need to be moved frequently and over time there may be an option to keep them in place during events. If they have to be moved, it would be beneficial to identify a good storage area. Alex Butwinski did not agree with standardizing designs and likes the uniqueness of each individual deck. He requested a rendering of a scaffolding platform and asked whether it will meet installing and dismantling time frames.

Mayor Williams stated that members are in agreement with proceeding with minor tweaks to the operation and lease agreements. Mr. Crowley explained that the Zona Rosa and Bistro 412 decks worked during the Arts Festival last year but the Ciseros deck created significant problems. He stated that KAC is more than willing to evaluate decks on a case-by-case basis and work with restaurant owners.

Kevin Valika, Chairman of the Restaurant Association, stated that the Association agrees with the recommendations of the HPCA, except for the seven day a week lunch and dinner requirement. Hours of operation should be consistent with practices of the restaurant like closing on a certain day of the week. There shouldn't be a problem for businesses adjusting to lunch or dinner. Mr. Valika suggested that the seven day a week requirement only be effective in July and August.

The Mayor recommended that business owners disclose their ability to fulfill hours of operation on the application and that be considered when selecting locations. Joe Kernan liked this option instead of making hours of operation a hard and fast rule. Alex Butwinski believed the HPCA wants seven days a week and encouraged the HPCA and Restaurant Association to continue to work together on this standard. It was explained that decks can be installed at any time. Andy Beerman explained that keeping them open in inclement weather is not expected; the goal is not to have vacant decks on the street.

4. Sundance supplemental plan. Jon Weidenhamer pointed out that not using the Racquet Club this year is a significant change. China Bridge parking was reduced last year to $10 beginning on Wednesday, and based on input and user numbers, moving it back to Tuesday is recommended. There is no parking on the west side of Park Avenue between to 14th Street and Heber Avenue because of impacts to the neighborhood and the parking plan provides better access and circulation for buses. This takes 55 parking spaces out of the mix. Alex Butwinski felt the left side may be better because there are more homes on the west side. Dave Gustafsen expressed that the west side seemed like the most logical choice and there is no parking between 2 a.m. to 6 a.m. A Sundance employee in the audience explained that there are fewer parking spaces on the east side and addressing parking on the west side maximizes Park Avenue. Transit has problems passing obstacles on Park Avenue and Sundance is interested in the customer experience and ensuring that shuttles are efficient. Jon Weidenhamer pointed out that allowing parking may lead to littering and double-parked vehicles. The Mayor felt it important to check with the residents about their preference. Alex Butwinski agreed there should be neighborhood input on Park Avenue parking.

Mr. Weidenhamer acknowledged the challenges with the PCMR load-out and impacts to Deer Valley Drive and Park Avenue. Pedestrian controls will be installed at the intersection, manual controls at the Fresh Market crossing and UDOT is going to manually control the signal at SR224 and SR248. The New Frontier program will be moved from Main Street to City Park. Two open houses have been held at Miners Hospital and flyers have been delivered door-to-door about the new plan. Generally, the comments have been favorable and he believes City Park residents are used to activity. It is anticipated that operational strategies will mitigate impacts.

Last year *drop and load* began on the west side of Main Street Tuesday morning before the Festival. On Thursday, the east side also became drop and load for the remainder of the Festival and not open for parking. HPCA wants some of the parking back for businesses and the compromise recommendation is Tuesday to Thursday, the pay and display until 5 p.m. and change-out to drop and load in the evening. He acknowledged that Sundance feels this will be extremely confusing to the public and would prefer to leave it pay and display Tuesday, Wednesday and Thursday. See regular meeting minutes.

5. Taxi licensing ordinance. Kent Cashel stated that Council discussed recommended changes to the for-hire vehicle licensing provisions on September 22 and members directed staff to explore seven items: (1) Include a statement in the preamble of the ordinance that the City Council supports a free market approach in regulating for-hire fares. This is included in the draft. (2) A vehicle age limit was addressed and a 10 year limit is recommended. An age limit would help the City in its effort to reduce its carbon footprint. It would also help protect Park City's image as a world-class resort and keep vehicles compliant with current national safety standards. (3) Drug testing was reviewed and staff is recommending not conducting drug testing which can become very complicated to administer. It is recommended that each business have an adopted drug-free workplace policy. When a drug-related accident occurs in a licensed vehicle, it must be reported to the City. (4) Mr. Cashel noted that conducting more stringent background checks was reviewed and staff recommends using the FBI database which may take up to 14 weeks to process. Chief Wade Carpenter explained the importance of taking a 50 state look for drug or alcohol violations or crimes of violence. Kent Cashel stated that the background check certificate would be issued by the Police Department and each driver would be required to carry it while operating a taxi and when applying for a license. (5) Increasing fines for failure to post taxi rates was another suggestion. Mr. Cashel explained that violations for failing to post rates would be handled through an administrative process, not a court, which is much quicker and the fines are remitted directly to the City. The fine is $25 per day per violation per vehicle and a business can be fined up to a maximum of $2,000. Staff is not recommending increasing this fee which is an average amount. (6) The education effort is something the City can accomplish quite easily and the focus should be on the Sundance Film Festival. (7) He relayed that the last request from Council was to consider a 90 day waiting period for licensing but the duration needs to be reasonably tied to the process. There is time involved in FBI background checks but a blanket 90 day waiting period is problematic and staff is not recommending this.

Shelley Hatch stated that a significant amount of time and effort has been expended on this effort over many years. Staff and the industry are anxious to get this resolved and there will never be total consensus on decisions. Joe Kernan and the Mayor expressed interest in the background check turn-around and how companies have reacted. Alex Butwinski stated that he supports the 10 year age limit and asked how the background check process will impact the Police Department. Chief Carpenter explained that time is already set aside each week for fingerprinting drivers and the background check could be processed during the same visit. Kent Cashel understood that the 14 week waiting period is being driven by demands on the FBI for this type of information. Chief Carpenter explained that background checks used to be conducted at the Police Department but now every request has to go through the FBI.

Mr. Butwinski stated that Council member Simpson relayed to him that she wants everything implemented this year with the exception of the background checks. Shelley Hatch noted that the Finance Department has already started issuing business licenses and she cautioned against a piece-meal approach to the licensing process. She is also concerned about the 10 year old vehicle limit which may create a hardship on some operators. Mr. Butwinski suggested implementing the Ordinance in 2011 and grandfathering licenses that have been issued. See regular meeting minutes.

Public Art Advisory interviews – Council interviewed Linda McCausland and Kathy Kahn for a vacancy on the board.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
NOVEMBER 18, 2010

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, November 18, 2010. Members in attendance were Dana Williams, Alex Butwinski, Candace Erickson, Joe Kernan, and Cindy Matsumoto. Council member Liza Simpson was excused. Staff present was Tom Bakaly, City Manager; Michael Kovacs, Assistant City Manager; Jon Weidenhamer, Economic Development Manager; Wade Carpenter, Chief of Police; Kent Cashel, Transportation Manager; Shelley Hatch, Finance Analyst; Polly Samuels McLean, Assistant City Attorney; and Mark Harrington, City Attorney.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

None.

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

1. Military Installation Development Authority – project impacts to Park City and Summit County – Jan Wilking, resident, acknowledged that elected officials have information that is not shared with the public. The state legislature created MIDA to provide subsidized vacation housing for military personnel and somehow this morphed into an incredibly giant commercial real estate project which is going to be very detrimental for everyone in Summit County for many years. He referred to correspondence he sent earlier to the Summit County Council and Park City Council.

Mr. Wilking expressed that he doesn't think anyone objects to providing subsidized housing for military personnel, but there are many ways this can be accomplished. The needs of the military must be defined and he is convinced that the lodging industry can solve that issue. He sees no need for the commercial development element but recognized that MIDA has a lot of power, probably more power than the state legislature ever assumed it should have. Why are we building a hotel when our lodging industry is suffering? One of the primary negotiation points should be that MIDA buy an existing facility.

The commercial development is proposed between two intersections on US40 and other applications for commercial development there were denied by Summit County. The City and the County bought this property (Triangle Parcel) for future public operations and selling it to MIDA and facilitating this development is a very serious mistake. The amount of development requested is going to be the largest land use approval in his 40 years in Park City. He encouraged members and the public to visit the website www.summitatparkcity.com where the development is illustrated and equivalent to every single commercial building in Kimball Junction, Quarry Village, Jeremy Ranch and ranges from 1.25 to 1.5 million square feet of commercial. The entire commercial retail square footage in Summit County is 2.5 million and this plan adds 60% more commercial development in one project. Mr. Wilking believed the incredible over-supply to demand will hurt property values.

Mr. Wilking felt MIDA has not worked with the City Council and Summit County Council in good faith. He participated at the MIDA public hearing and presented a plat map of the project which was distributed in Las Vegas six months earlier which MIDA officials said they had not seen. It is absurd that MIDA hasn't seen the plan and it has greatly over-stepped its bounds according to state law.

He understood that MIDA has done some economic analysis of the project and determined that one Cosco store will generate enough money to support the hotel facility. The Council needs to ask MIDA its objective and find a way to avoid this harmful development on US40. Rather than being located at the interchange this project is located between two interchanges and he understood that the state has agreed to pay $5 million to improve access to the site. Some tax revenues will go to Summit County but profits will go to some developer to build a hotel which is located in Wasatch County resulting in Summit County tax dollars going to Wasatch County. Building 1.25 million square feet of commercial will result in demands on public services which are supported by tax dollars, putting the burden on Summit County taxpayers. Council will cause taxes to rise by facilitating this development.

The state legislature created law that this commercial development doesn't need to comply with local zoning processes and without planning review, the result will be a much worse project. He is convinced that will happen here. The County and City should require that the project go through a planning process. Special benefits are being given to certain people which has created an uneven playing field which is wrong. There is a potential of the development generating 5,000 employees which will impact the School District, but the money that would normally go to the District is now going to the developer of the hotel. This has to be considered.

Mr. Wilking stated that this much development in Summit County will significantly impact existing businesses. Property values and sales tax revenues will decrease by facilitating this development. He has received feedback from residents about boycotting the tenants in the development and it is important to relay this to MIDA.

He quoted language that was stricken from the enabling legislation, *the Authority Board may not adopt a project planning area unless there is at least one member of the Board….is a Mayor or a member of the legislative body or municipality that is adjacent or in close proximity to the project described in the project area plan proposed to be adopted*. It was taken out so that Park City and Summit County would have no input which is wrong. He felt MIDA is subject to a lawsuit because it is not complying with state law. MIDA must make findings regarding the public purpose, public benefit, and economic benefit and he is unaware of an economic feasibility plan. The fourth finding is that the project area plan will promote the public peace, health, safety and welfare of the community in which the project area is located. Mr. Wilking understood that the Council is a week away from selling the property and he felt that the City should wait until the state legislature is in session with a request to clarify the intent of the law. He understood that many of them feel like MIDA has gone too far and allowing MIDA to gain some rights before the session will compromise our ability to ask for reason. There are many other solutions to accomplish the goal of subsidized vacation housing for military personnel without any development. It is critical that research is conducted on real impacts and that more public input is received so the plan is more transparent. There are many professionals in the community that can help. He reiterated his concerns about building another hotel, even if it is in Wasatch County, because it will compete with existing lodging. He suggested that the project be divided and built throughout the state in areas where there is demand. He encouraged Council to stand up to MIDA who has acted in bad faith by not providing development plans, not disclosing the website, or not supplying the numbers revealing that only one Cosco is needed. The City can not go forward without this information and MIDA should be forced to comply with state law.

Mayor Williams stated that many of Mr. Wilking's concerns are *on the table* and being discussed. He emphasized that the Council is not *facilitating* this plan and referred to the initial goal of not allowing a hotel on the entry corridor and protecting Quinns Junction. Members are briefed on this issue weekly and he agreed with many of Mr. Wilking's arguments. Jan Wilking interjected that members have to stand up and say this is wrong and bad for our community. He felt we shouldn't be fearful if we are right and felt the state legislature will make these changes. The City and County do not have to sell this property

2. <u>Role of Historic Preservation Board</u> – Lynn Fey, resident, commented on researching the demolition of the historic structure at 657 Park Avenue. Interpretations of the Land Management Code and Historic District Guidelines can significantly vary and dialog is important now. She urged members to consider the role of the HPB which doesn't really have oversight over renovations, restorations or demolitions in the Historic District. Every community that is really serious about historic preservation has a board that works with the planning department and she emphasized that Council appoints members. Decisions need to be made collaboratively and she urged members to consider her suggestion.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF NOVEMBER 4, 2010

Joe Kernan, "<u>I move we approve the notes and minutes with a small correction</u>". Candace Erickson seconded. <u>Motion carried</u>.

Alex Butwinski	Aye
Candace Erickson	Aye
Joe Kernan	Aye
Cindy Matsumoto	Aye

Liza Simpson	Absent

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

1. Consideration of a sewer easement agreement with Snyderville Basin Water Reclamation District across Park City property to provide sewer service to 74 Prospect Avenue - and

2. Consideration of a Professional Service Agreement, in a form approved by the City Attorney, with URS Corporation for engineering services related to the management, handling, storage and disposal of mine waste and soils contaminated with mine waste in an amount not to exceed $50,000 - Candace Erickson, "I move we approve Consent Agenda Items 1 and 2". Alex Butwinski seconded. Motion carried.

Alex Butwinski	Aye
Candace Erickson	Aye
Joe Kernan	Aye
Cindy Matsumoto	Aye
Liza Simpson	Absent

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

1. Consideration of the Sundance Film Festival Supplemental Plan for 2011, in a form approved by the City Attorney – Jon Weidenhamer referred to the technical changes to the operational plan discussed in work session, including parking along Park Avenue. Staff will follow-up with an outreach effort to the neighborhood which will be reported to members through a manager's report. He urged approval of the supplemental plan as conditioned. Sundance Institute expressed concerns about the recommended parking plan on Main Street, specifically instituting the pay and display until 5 p.m. for Tuesday through Thursday. Sara Pearce clarified that last year Main Street parking was closed for the entire Festival which was a great public safety opportunity. The street was cleaner and police could better access emergencies. Sundance's first priority is public safety but the PHCA feels that things are calmer in the middle of the week and it was decided to compromise with paid parking during the day and closing it at night. Ms. Pearce believed this will be a logistical failure. People parked on Main Street after 5 p.m. will be towed or ticketed. If there is a compromise, she stated that she favors opening up parking Tuesday, Wednesday and Thursday and then closing it again on the last weekend. Jon Weidenhamer stated that staff believes it has the resources to pull it off while balancing interests. Candace Erickson remarked on the public's confusion with making only seasonal changes to parking and can't imagine it working in a day timeframe.

Ms. Pearce displayed a PowerPoint presentation about the Institute and the importance of sponsorships. The sponsors and venues on Main Street were described as well as the new volunteer program. She detailed the New Frontier venue at City Park celebrating the artists behind the films and displayed interactive works of featured artists. The venue will close at 10 p.m.

The Mayor opened the public hearing.

Alison Butz, Director of PCHA, expressed that the group appreciates the Main Street parking compromise recommended by staff by allowing paid parking on the street from Tuesday through Thursday and no parking in the evenings. She believes there is a decrease of people on the street with the loss of paid parking.

With no further comments, the public hearing was closed.

In response to a question from Cindy Matsumoto, Chief Wade Carpenter reported that over the years there has been an increase in calls for service. There were 100 more calls last year than the previous year totaling about 400 calls for service on Main Street with the majority occurring in the evening. Types of calls vary from assaults to ambulance calls and parking was an issue for emergency response. His biggest issue is maintaining access and egress on the street where there are large gatherings at any given time. It's difficult to predict what will happen and there is a lot of press at the event. Cindy Matsumoto suggested allowing pay and display on one side of the street. Jon Weidenhamer explained that it is on one side from 11th Street to 5th Street for three days. Ms. Pearce added that the street has a lot of space dedicated to drop and load throughout the entire Festival so people can get a cab or get dropped off. Ms. Matsumoto stated that she felt the street should be closed to parking because it is too confusing as proposed. She understood merchants may be upset about this but their customers will be more upset if they get towed. Prohibiting parking benefits the circulation of the downtown core. Alex Butwinski agreed and made a motion, "<u>I move we approve the Sundance Film Festival supplemental plan for 2011 with the modification of (receiving) neighborhood feedback on elimination of parking (on a potion) of Park Avenue and the amendment of the elimination of paid parking on Main Street keeping it as a drop and load the whole Festival</u>". Cindy Matsumoto seconded. <u>Motion carried</u>.

Alex Butwinski	Aye
Candace Erickson	Aye
Joe Kernan	Nay
Cindy Matsumoto	Aye
Liza Simpson	Absent

2. <u>Consideration of sponsorship of a Community Development Block Grant Small Cities Program application for funding of a Business Resource Center on behalf of Salt Lake Community College</u> – Assistant City Manager Michael Kovacs introduced Jeff Chance from Salt Lake Community College. He explained that the City has been

working with SLCC to provide business classes for existing and start-up businesses in the community. Zions Bank has contributed office space and SLCC has set aside about $15,000 as seed money to locate a part-time position at the business resource center office. The CDBG grant application submitted to Mountainlands Association of Governments is a partnership and Park City would be the primary applicant. It is a very competitive grant program as there is only about $500,000 to $600,000 available to Wasatch and Summit Counties. There are a number of rural projects being considered and the criteria applied by the regional review committee in the selection process favors rural-type projects. However, activities eligible under the CDBG program are fairly extensive ranging from senior centers, sewer projects or economic development programs. Mr. Kovacs clarified that as the primary applicant, Park City would be responsible for oversight of the program while SLCC would actually operate the center. SLCC is hoping for a two-year grant and is asking for $80,000 from HUD which will be scored at the regional level or MAG.

Jeff Chance described the business resource center at the Sandy campus. One-on-one business counseling is provided to existing and start-up businesses and professionals provide pro bono assistance. In addition to training, there is an export assistance center, women's business center, PTAC assistance, grants assistance, etc. SLCC is proposing a similar business resource center at Zions Bank. The CDBG funds are mainly intended to pay the salary of a part-time director.

Joe Kernan discussed his work experience in economic development and familiarity with the CDBG process. He asked how SLCC will demonstrate a benefit to low to moderate income people. Mr. Chance stated that SLCC would track incomes and has a database in place to add needed information to comply with guidelines. He believed that people in the program typically fall within that range. Candace Erickson asked what will happen if SLCC doesn't receive the CDBG grant. Mr. Chance explained that USDA rural development monies may be available and another option is to garner legislative support for business resource centers. Michael Kovacs stated that SLCC asked Summit County for $25,000 yesterday but the Council hasn't committed.

In response to questions from Alex Butwinski, Mr. Kovacs clarified that there is no City match relating to Summit County or the CDBG program. As the primary recipient, Park City will have to check in with SLCC to make sure it is compliant with the grant. He acknowledged that if there are any issues with the grant, HUD will look to the City. Tom Bakaly clarified that it is anticipated that SLCC will be applying to the City for an economic development grant; there is a $15,000 balance in this fund. The Mayor opened the public hearing; there were no comments from the audience and the public hearing was closed.

The Mayor repeated his comment from work session that he understands from the chair of the grant review committee that the business resource center application will not be supported. At yesterday's meeting, the Summit County Council expressed that the $25,000 grant request did not meet its application deadline but was willing to discuss it. He likes the idea of a business resource center but is concerned about the potential amount of City time and effort spent on a concept that may not be supported. Tom Bakaly interjected that Park City has difficulty obtaining CDBG grants because of median income numbers and it has been a long time since the City received one. However, a lot of preparation work has been done on this project and he felt it is worth pursuing.

Joe Kernan, "I move we direct staff to go ahead and apply for the CDBG grant". Cindy Matsumoto seconded. Motion carried.

Alex Butwinski	Aye
Candace Erickson	Aye
Joe Kernan	Aye
Cindy Matsumoto	Aye
Liza Simpson	Absent

3. Consideration of an Ordinance amending Title 4, Chapter 15 of the Municipal Code of Park City, Utah to include a vehicle age limit requirement, a background check requirement, and a drug free workplace policy requirement in for-hire licensing – See work session notes. Kent Cashel referred to seven items Council directed staff to explore at its September 30 meeting. (1) Council asked that a free-market statement be included in the recitals of the Ordinance; (2) A ten year vehicle age limit is recommended as it would help reduce the City's carbon footprint, help protect Park City's image as a world-class resort town, and ensure the safety of patrons. (3) Council suggested drug testing and staff is recommending a requirement for a drug-free workplace policy for all licensed for-hire businesses and not to conduct drug testing.

(4) With regard to background checks, staff is recommending a 50 state international look through the FBI. The Salt Lake International Airport and Salt Lake City impose a similar requirement. He emphasized that during discussions with operators after work session, it was recommended that the City accept a TSA badge in lieu of conducting another background check. Amendment language has already been drafted if Council is supportive. In response to questions from Joe Kernan, Assistant City Attorney Polly Samuels McLean stated that she spoke at length with an attorney from Salt Lake City and learned that TSA badges are required in order for a for-hire vehicle to pull into the curb area closest to the airport. Associated background checks are extensive and include checking the no-fly list, certain crimes, etc. Salt Lake City amended its for-hire licensing last night which has been a 10 year process. The amendment addresses background checks so that all cabs licensed in Salt Lake City have to be able to go to the airport and everyone needs to have a TSA badge. She suggested that Park City have its own background check process but accept a TSA badge in lieu of a background check.

(5) Kent Cashel discussed the suggestion of increasing fines on violations for not posting rates and staff is recommending that they remain the same. The fine is set at $25 per violation per day per vehicle up to a maximum of $2,000. (6) He addressed the education effort with the taxi industry which will focus on Sundance and information for

visitors. (7) Council requested a review of a 90 day waiting period for obtaining a for-hire business license but staff could not justify the regulation.

Joe Kernan asked the source of the 12 week waiting period for a FBI background check and Kent Cashel advised that staff found the information on its website. Alex Butwinski asked about ramifications to a licensed operator arrested for driving under the influence. Ms. McLean pointed out that the Code currently includes a section requiring compliance with city, state and federal laws. Another section provides that the licensee is responsible for its drivers. Shelley Hatch interjected that the state regulates DUI convictions by revoking the driver's license. Mr. Butwinski noted that there is no punitive action against the company and Ms. McLean indicated that its business license could be revoked by the City and language can be stronger.

Shelley Hatch addressed the Mayor's concern about idling and stated that renewals include a flyer about the anti-idling resolution. The Mayor opened the public hearing.

Amir Adabkhah, Yellow Cab, described the time and expense involved in obtaining a TSA badge and felt that another background check by Park City is unnecessary. The Mayor clarified that this issue was just discussed. The airport inspection of vehicles is extensive and the inspection sticker from the airport should suffice for the City. There needs to be more parking on Main Street for cabs during Sundance.

Robert Lopez, resident and owner of Avalanche Transportation, spoke about the concept of people helping each other out and stated that not one lodge in Park City has given him a referral. He asked for City support of local businesses and complained about how poorly he was treated in Salt Lake City.

Randy Curtis, General Manager for Express Shuttle, pointed out that the City has been trying to address for-hire vehicles for 12 years and what is being suggested are things that are already being done. Vehicle inspections are conducted at the airport and if a vehicle has an airport tag, Park City should not duplicate the effort. The City should take advantage of other agencies doing the work. Salt Lake City initiated background checks in 2004 but disbanded them because of the same problems that Park City will have with the prospect of waiting 14 weeks for a background check. It doesn't work for new employees. He discussed Midvale's ordinance which includes language that any taxi licensed through another jurisdiction shall be recognized as properly licensed. Rather than duplicating tasks, the focus should be on unlicensed for-hire vehicles. He questioned if the Council is getting accurate information as there is no such thing as a TSA badge and believes references are to the Salt Lake City Drivers Certificate. If it has an "A" on it, the vehicle can enter the airport and when applying to be allowed to service the airport, a TSA check is conducted which is not a background check but a threat assessment. A threat assessment takes one day. The FBI check is the background check that Salt Lake City requires for the badge and it only takes one day because the airport has access to the FBI database.

Cindy Matsumoto understood that staff is suggesting that if a driver has a badge or certificate that a background check by Park City is not needed. Any new employees could get licensed at the airport and show the City the paperwork. Mr. Curtis complained about this which Ms. Matsumoto could not understand. Mr. Curtis continued to object stating that it is a burden and it doesn't accomplish anything. Ms. Erickson responded it is reasonable to require a business license for someone conducting business in town. Mr. Curtis claimed that an operator has to have a Salt Lake business license to take advantage of the licensing services at the airport. He emphasized that problems arise from taxis not shuttles or limousines. He urged Council to focus its attention on the unlicensed and uninsured taxis. He explained the Z endorsement on the license which is needed for taxis but not needed for shuttles in the state of Utah but is still requested by the City. The reason there has been no consensus is because everyone has their own agenda which is to kill competition. Mr. Curtis again urged members to focus on unlicensed taxi services.

Don Barron, Yellow Cab, stated that this week Salt Lake City passed an ordinance which limits the age of taxi cabs to six years or 350,000 miles and seven years is the maximum limit.

Robert Lopez explained that the TSA badge can not be obtained in one day as his took almost four months to receive.

Rob O'Brien, 649-TAXI, stated that his Park City business is 18 years old and operates every day of the year. A free market will naturally attract high and low end operators and many of the provisions in the draft ordinance are redundant. Waiting months for background check results and getting new employees on line will disrupt operations. He is staffed now for this winter and understood that amendments would not become effective until the spring. Increasing educational efforts is a good step and marketing local businesses is helpful. However, the horse is already out of the barn with 95 companies registered in town and Mr. O'Brien requested a higher level of local enforcement understanding the importance of the visitor experience. In response to a question from the Mayor, he indicated that 90% of his drivers are licensed at the airport. He is okay with the 10 year age limit and discussed the high standards of the airport inspection. It will be interesting to evaluate the impacts of Salt Lake's recent ordinance.

Rhonda Carroll suggested using mileage rather that age of vehicles in setting a limit. Many for-hire vehicles look the same from year to year. Companies invest a lot in their stock and must make a profit; it is a balancing act. In response to a question from the Mayor, she stated that one out of three of her vehicles is more than ten years old.

Randy Curtis stated that Express Shuttle has a 12 year old van which is still used because it is ADA compliant and has a wheelchair lift. He hoped there will be exceptions and he pointed out the attraction for specialty or vintage vehicles.

Grant Collram, ASAP Transportation Limousine Service, thanked Council for opening up Main Street during Sundance which helps accommodates limousines. He stated that he has a 1999 Lincoln Town Car with low mileage and in excellent condition and hoped the City would consider waiving the ten year limit on an individual basis. Similarly, he owns a 1998 stretch limousine which has been completely refurbished and passes airport inspection as does all of his nine vehicles.

Donnie Novelle, Park City Transportation, thanked the Mayor, City Council and staff for taking a serious look at the industry's problems and exploring solutions.

With no further input from the audience, the Mayor closed the public hearing. The Mayor discussed legitimate arguments made about allowing vintage cars and suggested special exemptions for these types of vehicles and Kent Cashel stated that the Utah Code defines vintage and classic vehicles. The Mayor commented on the TSA background check option at the airport avoiding the eight to twelve week wait for a background check through the City. In response to a question from Alex Butwinski, Mr. Cashel explained the distinctions between P and Z endorsements and noted that all for-hire vehicles types are included in one ordinance. The Z endorsement could just be applied to taxis and not shuttles. Mr. Butwinski did not feel it is the City's role to give preference to local businesses. Chief Wade Carpenter added that enforcement is primarily handled on a complaint basis.

Cindy Matsumoto expressed concerns about up to a 14 week wait on background checks. The Mayor suggested a grace period so that an applicant can operate while the background check is being processed. Polly McLean stated that she understood that the FBI checks at the airport take about a week and a Salt Lake City business license is not a prerequisite. Any vehicle that uses the airport curb must have a TSA badge. Mark Harrington advised that a grace period is not recommended because a driver could potentially operate for the season without producing a background check. Honoring the TSA badge is an effort to reduce duplicity. Joe Kernan discussed the difficulty in hiring qualified drivers during the season. Tom Bakaly acknowledged that age of the vehicle, drug testing and background checks seem to be areas of interest and another issue is renewals however, Council can adopt the language on the free-market approach tonight. Council member Liza Simpson arrived at the meeting.

Joe Kernan, "I move we continue New Business Item 3 concerning transportation vehicles to a date uncertain". Candace Erickson seconded. Motion carried.

Alex Butwinski	Aye
Candace Erickson	Aye
Joe Kernan	Aye
Cindy Matsumoto	Aye
Liza Simpson	Abstention

VII ADDITIONAL DISCUSSION – AGENDA ITEMS

VIII ADJOURNMENT

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

MEMORANDUM OF CLOSED SESSIONS

The City Council met in closed session at approximately 2 p.m. Members in attendance were Mayor Dana Williams, Alex Butwinski, Candace Erickson, Joe Kernan, and Cindy Matsumoto. Liza Simpson was excused. Staff present was Tom Bakaly, City Manager; Tom Daley, Deputy City Attorney; Joan Card, Legal Counsel, Diane Foster, Sustainability Manager; Jason Christensen, Legal Intern; and Mark Harrington, City Attorney. Alex Butwinski, "I move to close the meeting to discuss property and litigation". Joe Kernan seconded. Motion carried unanimously. The meeting opened at approximately 3:30 p.m. Candace Erickson, "I move to open the meeting". Cindy Matsumoto seconded. Motion carried.

Alex Butwinski	Aye
Candace Erickson	Aye
Joe Kernan	Aye
Cindy Matsumoto	Aye
Liza Simpson	Absent

The City Council met again in closed session at approximately 8:30 p.m. Members in attendance were Mayor Dana Williams, Alex Butwinski, Candace Erickson, Joe Kernan, Cindy Matsumoto and Liza Simpson. Staff present was Tom Bakaly, City Manager and Mark Harrington, City Attorney. Joe Kernan, "I move to close the meeting to discuss property and personnel". Cindy Matsumoto seconded. Motion carried unanimously.

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

Prepared by Janet M. Scott, City Recorder

City Council
Staff Report

Subject:	**Environmental LOI with Summit County**
Author:	**Tyler Poulson**
Department:	**Sustainability**
Date:	**December 9, 2010**
Type of Item:	**Administrative**

Summary Recommendation:
Staff recommends that City Council review the attached Letter of Intent (Exhibit A) between Park City Municipal and Summit County and direct the City Manager to sign this document on behalf of the City.

Background:
During the mid-year Environmental Update to City Council on July 29th, staff presented the benefits of partnering with Summit County on environmental sustainability initiatives. City Council approved the addition of Objective 3.6, listed below, to the Strategic Plan and directed staff (Exhibit B) to return with a letter of intent (LOI) to solidify this partnership.

> Objective 3.6: *Partner with the County and other local governments to increase programmatic efficiencies and improve regional success of environmental sustainability initiatives*

Department Review:
The City Manager and staff from Environmental Sustainability and Legal have reviewed this Staff Report and their comments have been included.

Significant Impacts:
Entering into the attached LOI (Exhibit A) will provide clear direction to staff to continue partnering with Summit County on environmental sustainability initiatives. The LOI details numerous areas for ongoing partnership and collaboration that will enhance sustainability efforts and benefit citizens in the region.

The LOI lists many opportunities for partnership which include jointly seeking grant funding for regional environmental initiatives, offering assistance with carbon calculations and compiling other environmental metrics, jointly participating in community engagement activities, sharing information on related policy matters, and providing support in other areas of environmental sustainability. Formally partnering on these matters will allow both parties to deliver environmental sustainability programs in a more efficient manner which leverages the skills and experience of staff from each entity while avoiding duplication of efforts. The LOI has been drafted as a non-binding document with no formal obligations for staff time or financial resources from either party.

Exhibits (Included):
Exhibit A – Summit County and Park City Municipal Letter of Intent
Exhibit B – Minutes from Mid-year Environmental Update to City Council on July 29, 2010

SUMMIT COUNTY AND PARK CITY MUNICIPAL CORPORATION ENVIRONMENTAL SUSTAINABILITY LETTER OF INTENT

THIS LETTER OF INTENT, is made and entered into this 9th day of December 2010, by and between **SUMMIT COUNTY**, 60 N. Main Street, Coalville, Utah 84017, a local county government of the State of Utah, hereinafter “Summit County”, and **PARK CITY MUNICIPAL CORPORATION**, P. O. Box 1480, Park City, Utah 84060, a municipal corporation of the State of Utah, hereinafter “Park City”, and may be referred to as “party” or “the parties”.

PURPOSE. Acknowledging a shared interest in promoting environmental sustainability, the parties commit to partnering on initiatives which reflect the desires of local citizens and further the goals of the County Council and City Council. The areas for ongoing collaboration between staff members and government leaders include, but are not limited to, the following:

a. Applying for, and sharing the administrative responsibilities of, grants and other funding opportunities which promote environmental sustainability and the goals mentioned in this agreement.

b. Collaborating on carbon footprint calculations, and the estimate of other important metrics, to share best practices and information which allow the efficient and accurate estimate of environmental impacts on both municipal and community-wide levels.

c. Partnering in the community engagement process to collect information and identify priorities for future environmental initiatives such as occurred during the 2009-10 Save Our Snow Action Planning process.

d. Promoting shared interests in improving sustainability-related programs, such as local food coalitions, public transit, and recycling, which serve the populations of both parties and can be enhanced through ongoing dialogue and cooperation.

e. Working to deliver a consistent and collective opinion on federal and state-level policy matters which impact the environmental goals of the region and reflect the best interests of both current and future citizens of Summit County and Park City.

f. Offering ideas, staff time resources, and other forms of support to overcome resource constraints and improve environmental sustainability in the region.

WHEREAS, Summit County and Park City share a collective interest in promoting environmental sustainability in their municipal operations and on a community-wide basis; and

WHEREAS, natural resources, such as fresh water and traditional forms of fossil fuel energy, are finite in nature and should be preserved, protected, and utilized in a responsible manner that respects the rights and well-being of future generations; and

WHEREAS, individuals living and working within the boundaries of Summit County and Park City have demonstrated clear support for environmental initiatives and continue to demand progress towards long-term sustainability; and

WHEREAS, the parties recognize that numerous environmental issues, and programs promoting solutions, transcend political boundaries; and

WHEREAS, both Summit County and Park City have formalized their commitment to environmental sustainability by allocating staff to advance the environmental goals, programs, and vision of both the County Council and City Council; and

WHEREAS, it is in the best interest of the parties to deliver environmental sustainability programs in an efficient manner which leverages the skills and experience of elected officials and staff from each entity while avoiding duplication of efforts;

NOW THEREFORE, **BE IT RESOLVED,** that Summit County and Park City Municipal Corporation enter into this Letter of Intent to actively work together in promoting environmental sustainability in the region. The parties recognize that environmental issues transcend political jurisdictional boundaries and intergovernmental coordination is essential for promoting progress on environmental initiatives and delivering long-term sustainability in the region for our citizens. The parties further recognize that a signed Letter of Intent does not obligate either party to provide or receive staff time or financial resources, but rather provides a framework for encouraging such cooperation when it benefits the interests and goals of both organizations.

IN WITNESS WHEREOF the parties hereto have caused this Letter of Intent to be executed the day and year first hereinabove written.

SUMMIT COUNTY

____

Bob Jasper, Summit County Manager

Attest:

____

Kent Jones, County Clerk

PARK CITY MUNICIPAL CORPORATION

____

Tom Bakaly, City Manager

Attest:

____

Janet Scott, City Recorder

PARK CITY COUNCIL WORK SESSION NOTES
JULY 29, 2010

Environmental update. Tyler Poulson spoke about creating the framework for a local Hero's Award acknowledging the efforts of individuals, businesses, or non-profits creating positive environmental results in helping further the goals of City Council. It is proposed to select one or two awardees a year by a selection committee, consisting of two elected officials. Frequency and number of awards were discussed. Liza Simpson suggested reviewing nominations in tandem with environmental updates which occurs twice a year, and setting a goal of two awards per six month period, unless a different number is recommended by the committee. Council members selected Cindy Matsumoto and the Mayor to serve on the committee.

Diane Foster updated members on the local Summit County Beef Program which was successful. The City was involved in getting it started but Uinta Headwaters and RFC&D offered to take it over and started the Summit County Food Coalition. Tyler Poulson described joint efforts with Summit County and the potential for on-going cooperation on policies and programs. He asked if members would like to enter into a Letter of Intent or interlocal agreement to formalize our relationship on environmental issues. Members were supportive and this feature was added to the strategic plan.

He displayed a graph on the City's 2009 carbon footprint report on emissions where buildings were down 9.3%, partly due to the Johnson Controls project, moving to other buildings, and general weather fluctuations. The emissions footprint for water treatment and distribution was down because of the decline of 9.7% in overall community water usage relative to 2008. Overall, vehicle fuel numbers declined by about 3% between 2008 and 2009 and trends are favorable for meeting the 2012 goal. Staff completed a grant application for some energy efficiencies and conservation block grant funding which are given by the Department of Energy and administered through the state energy program. Park City was able to apply for up to four energy efficiency upgrades limited to municipal facilities. Mr. Poulson explained that most funding will be allocated toward a solar array on City Hall. Federal and state historical guidelines are becoming more accommodating to sustainable upgrades and no problems are anticipated. The City was awarded funding for its energy audit and a possible project is assessing the technical potential for renewable energy generation. Other grant funds are intended to be used on direct digital control systems to achieve energy savings and reporting expenses. Ms. Foster interjected that Mr. Poulson received funding on everything applied for, and there is no matching requirement.

He described a number of reasons for creating a revolving loan fund to finance and track municipal energy renewable projects and reported that there is a $127,000 surplus from the Johnson Controls contract. These savings are recommended to be redirected into the fund for other building energy and fuel projects and would be monitored by the Budget Department. Projects would be assessed on their financial and environmental parameters and pursued based on their qualifications. In response to a comment from Liza Simpson about Johnson Controls, Ms. Foster explained the reasons for the $127,000 contract balance.

Prepared by Janet M. Scott, City Recorder

City Council Staff Report

Subject: Contract Modification No. 1 to UDOT Consultant Services Agreement for Bonanza Drive Construction Management
Author: Matthew Cassel, P.E., City Engineer
Department: Engineering
Date: December 9, 2010
Type of Item: Administrative

Summary Recommendations:
The Council should authorize the City Manager to execute Contract Modification No. 1 to UDOT Consultant Services Agreement with Stanley Consultants, Inc. for construction management services related to the construction of Bonanza Drive in an amount not to exceed $141,844.34.

Topic/Description:
This contract modification No. 1 is with Stanley Consultants to provide additional construction management services for the second phase of the Bonanza Drive reconstruction. Because federal money is included in this second phase, the UDOT process was required to be followed for processing this contract modification.

In January 2008, H. W. Lochner completed the Bonanza Drive Corridor and Pedestrianization Plan. City Council reviewed and approved this concept plan during their January 24, 2008 meeting. The design included raised medians along a short section of Bonanza Drive (near the intersection of Kearns Boulevard), acceleration lanes at Prospector Avenue, "no left turn" restrictions, Bicycle lanes, northbound bus pull-out, trail connection including a pedestrian tunnel at the Iron Horse intersection, pedestrian crossing, consistent 6 foot wide sidewalks, speed limit feedback signs, right turn lane at Iron Horse and lengthened southbound left turn lane at Deer Valley Drive. As part of this work, the existing sewer line was relocated due to the pedestrian tunnel and replaced to SR-248, the existing water line was relocated due to the pedestrian tunnel and a new transmission water line was installed.

The waterline was designed by Bowen, Collins & Associates through their contract with the City's Water Department and incorporated into the construction plans. The sewer was also designed by Bowen, Collins and Associates in a separate contract with Snyderville Basin Water Reclamation District (SBWRD) and incorporated in the construction plans.

Because of the size of this project, it was decided early in the design process to break the project into two construction seasons. The first construction season included the installation of the transmission waterline from Deer Valley Drive to Kearns Boulevard and the reconstruction of Bonanza Drive from Deer Valley Drive to a point just north of Upper Iron Horse Drive. The second construction season completed the utilities, completed the pedestrian tunnel and reconstructed the rest of Bonanza Drive and its associated facilities. The project was originally anticipated to be bid as one complete project in June of 2009.

In the spring of 2009, numerous issues still remained unresolved on the project and UDOT indicated they would not proceed with bidding until those issues were resolved. All of the unresolved issues pertain to the second season of construction. To keep the project moving forward, staff decided to split the project into two biddable phases. The first phase was all work associated with the first season of construction and the second phase is all work associated with the second season of construction.

The Council has approved funding for this project as follows:

Capital Project cp0097 (Bonanza Drive Reconstruction) initially contained $2,593,671 for the project and our Water Department provided funding for the new transmission waterline. Additional monies in the amount of $1,072,616 were encumbered through UDOT's STP Small Urban Funds Program and up to $1,893,900 may be allocated in the walkability bond. SBWRD also provided funding for the replacement of their sewer line. Design services, construction management services, soft costs and the actual construction are all included in the funding package for this project.

The UDOT Consultant Service Contract Modification No. 1 with Stanley Consultants is complete, has been reviewed by the appropriate divisions in UDOT and was forwarded in mid November to Park City where it will be reviewed in form by our legal department once approved.

Analysis:
This contract modification is the first and anticipated to be only modification to Stanley Consultant's construction management contract for Bonanza Drive. The original contract amount was for $450,133.

This Contract Modification No 1 includes the additional services listed below:

- Additional oversight and utility coordination - There were a number of complex utility issues with the project that necessitated extra coordination with numerous utility companies. Rocky Mountain Power and Questar have essential transmission lines that conflicted with the design location of the pedestrian tunnel at the intersection of Bonanza Drive and Iron Horse Drive. Additionally Qwest had a 900 pair and 300 pair phone line and a fiber optic line that services Heber City airport that also conflicted with the pedestrian tunnel. Due to the importance of these utilities, it became apparent that a weekly coordination meeting would be helpful in coordinating the installation of the pedestrian tunnel with the different utility companies. It was also imperative that the contractors schedule be coordinated with the various utility companies due to the short amount of time the contractor had to close the intersection.

This project has required more time originally proposed and City staff requested that Stanley Consultants provide additional on site staffing to deal with the conflicts. City staff recognized early in the construction that without the additional oversight, the tunnel and work within the intersection of Iron Horse/Bonanza would not have been completed this past construction season. The additional cost for this task is $131,728.73.

- Additional design work for Stanley Consultants – During the utility coordination meetings, Questar requested that the grade at the intersection of Bonanza Drive/ Iron Horse be raised 2.5 feet. Because of the critical timeline associated with the intersection, Stanley Consultant was requested to make the design changes. Stanley Consultants made the changes and supplied the contractor with the updated plans. The additional cost for this task is $5,500.04.

- Additional design work for PDA Engineering – Due to the change in horizontal elevation of the Bonanza Drive/Iron Horse Drive intersection, it was necessary to evaluate the impacts on the pedestrian trail retaining walls. PDA provided the original design and Stanley Consultants retained them as sub-consultants in order to modify the wall heights to reflect the changes made to the intersection. The additional cost for this task is $2,100.

- Additional public involvement costs - Fehr and Peers was asked to pay for and manage advertising related to notifying the public about construction activities on Bonanza Drive. Fehr and Peers worked with the Ad companies to produce and review the advertising. The additional cost for this task is $2,515.57.

The fee increase due to Contract Modification No. 1 is $141,844.34 (31.5% of original contract amount) for a total construction management fee of $591,977.34.

The anticipated budget on this project was $500,000 for construction management of Bonanza Drive and thus the construction management budget has been exceeded by $91,977.34. To help offset this budget overrun, it should be noted that phase 2 of the construction had an anticipated budgeted of $4,633,485 but the original bid by Granite Construction ($3,587,561.00) was $1,045,924 under budget. The final construction cost will be higher because it will include additional costs including change orders, incentives and the soil hauling costs but to date we do have budget to work with. It should be noted that at the next City Council meeting on December 16, 2010, a change order will be presented for Granite Construction that will exceed our project budget. Funds, though, have been identified for this anticipated budget overrun.

Department Review:
This report has been reviewed by City Manager, Planning, Sustainability, Public Works and Legal. All issues have been resolved.

Alternatives:

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

B. Deny the Request:
Without approval, the Bonanza Drive reconstruction project could not be closed out. Not closing out the project in a timely manner and completing the mandatory closeout paperwork could expose the City to forfeiture of the $1,000,000 Federal money provided for this project.

C. Continue the Item:
If the Council needs more information the item can be continued, but this would cause the same consequence as denying the request.

D. Do Nothing:
This option would have the same result as denying the request.

Significant Impacts:
At this point in the project, the construction impacts have been realized and the only remaining work is to finalize the last remaining construction elements on phase 2 of the construction and closeout the whole Bonanza Drive Reconstruction project. The funds for the construction management contract have been appropriated, and there are no budget impacts which the Council hasn't already been considered in the FY2009 and FY 2010 budgets.

Consequences of not taking the recommended action:
Bonanza Drive is an important commuter link for the City, and has seen a significant increase in traffic congestion. This year's construction is nearing completion and the project as a whole is almost complete. By not taking the recommended action, closeout of the project could not occur.

Recommendation:
The Council should authorize the City Manager to execute Contract Modification No. 1 to UDOT Consultant Services Agreement with Stanley Consultants, Inc. for construction management services related to the construction of Bonanza Drive in an amount not to exceed $141,844.34.

Exhibit - Local Government Contract Modification – Stanley Consultants, Inc.

CS FILE COPY

UDOT CONSULTANT SERVICES
LOCAL GOVERNMENT CONTRACT MODIFICATION

STATE OF UTAH
UTAH DEPARTMENT OF TRANSPORTATION
ENGINEERING SERVICES
2007-2010 LG POOL
COST PLUS FIXED FEE

EFFECTIVE DATE ____________
TRACKING NO. ____________

COOP NO.
CONTRACT NO. **10-8708**
MOD NO. **1**

Consultant Stanley Consultants Inc
Project No.: F-LC43(28)
Location: Bonanza Drive (Between Sr-224 & SR 248)
Job/Proj. No.: 5263813C
PIN No.: 6285
Work Discipline: Construction Engineering Management

This Modification is to be attached and made part of Contract No. 10-8708 between Park City Municipal Corp referred to as the LOCAL AUTHORITY, and Stanley Consultants Inc, referred to as CONSULTANT, and as approved by the Utah Department of Transportation, referred to as DEPARTMENT.

It has been determined that contract modifications are required to complete the work specified by this Contract. The CONSULTANT agrees to the modifications as specified below.

CONTRACT MODIFICATIONS

[X] Exhibit A - The "Services Provided by the CONSULTANT" contained in "Attachment C" to the Contract is changed.

[X] Exhibit B - The fixed fee amount, overhead rate, or hourly wages in "Attachment D, Fees" of the Contract is revised.

[X] Exhibit B - The maximum disbursement from "Attachment D, Fees" to the Contract is increased by $141,844.34 for a new total of $591,977.34.

[ ] Exhibit C - The termination date for the Contract remains September 30, 2011.

[ ] Other:

The parties hereto agree to abide by all provisions of the original Contract as well as the provisions of this and any previous contract modifications.

IN WITNESS WHEREOF, they sign and cause this Contract Modification to be executed.

CONSULTANT - Stanley Consultants Inc

By: [signature] 11/12/10
Title: VICE PRESIDENT Date

UTAH DEPARTMENT OF TRANSPORTATION

By: Lisa Wilson 11-4-10
Title: Engineer for Preconstruction Date

LOCAL AUTHORITY – Park City Municipal Corp

By: ____________ ________
Title: Date

DEPARTMENT Comptroller's Office

By: ____________ ________
Title: Contract Administrator Date

Rev. 8/10/05

Contract No. 10-8708 Mod. No. 1

EXHIBIT A

Scope of Services

The Scope of Services is expanded to allow for additional work as requested by Ritchie Taylor, Region 2, in the memorandum dated October 19, 2010 on Page 3 of this Exhibit.

For further details, see Pages 2 through 15 of this Exhibit.

UDOT Consultant Services
Contract Approval Memo
Memo Printed on: October 21, 2010 1:27 PM

PM Approval Date: October 19, 2010 **UDOT PM:** Ritchie Taylor

The Project Manager has reviewed and approved the contract/modification documents: Executive Summary, Work Plan, QC/QA Plan and Checklist, Staffing Plan, Work Schedule, and Cost Proposal.

PROJECT INFORMATION

PIN:	6285
Project No.:	F-LC43(28)
Job/Proj:	5263813C
Project Location:	BONANZA DRIVE (BETWEEN SR-224 & SR 248)

CONTRACT INFORMATION

CS Admin:	Michael R. Butler	
Contract No.:	10-8708	Complete CE including testing, inspection and documenation
Mod No.:	1	Additional Oversight and Utility Coordination
Expiration Date:	September 30, 2011	
Contract/Mod Amount:	$141,844.34	
Fee Type:	COST PLUS FIXED FEE	
Selection Method:	POOL - GE / LG	
Period:	2007-2010 GE / LG	
Phase:	CONSTRUCTION ENGINEERING	
Discipline:	CONSTRUCTION ENGINEERING MANAGEMENT	

CONTACTS

Consultant	**Local Government**
STANLEY CONSULTANTS INC	Park City Municipal Corp
Kurt Miller	Matt Cassel
383 WEST VINE ST STE 400	445 MARSAC AVE
MURRAY, UT 84123	MARSAC MUNICIPAL BUILC ,
	PARK CITY, UT 84060
(801) 201-9445	(435) 615-5075
MILLERKURT@STANLEYGROUP.COM	MATT.CASSEL@PARKCITY.

Exhibit A
2 of 15

Brief Description of Work Preformed

Stanley Consultants will provide construction services for the Bonanza Drive Phase II (Between SR-224 & SR-248) project, an FHWA and Park City co-sponsored project with stewardship by Region 2 of UDOT.

Stanley Consultants will mobilize staff and resources to manage all aspects of the construction project including the pre-construction conference, construction survey verification, construction inspection, material testing, maintenance of traffic, weekly construction project meetings, monthly pay estimates, contract change orders, contractor compliance with federal wage and equal opportunity requirements, substantial completion, final acceptance and contract finalization. Stanley Consultants will sub-consult to **Alliance Engineering, a local firm,** to utilize various services that they can provide including their knowledge of the City and City's specifications and inspection of Snyderville Basin Water Reclamation District's specific utilities. Alliance will provide survey verification as well. Stanley Consultants will also sub-consult with **Fehr and Peers**, who is currently implementing the preconstruction public involvement with the local businesses and residents. Fehr and Peers will manage the Public Involvement under our contract during the construction. Lastly, Stanley Consultants will sub-consult with **H.W. Lochner, Inc** to provide the design oversight during construction, and provide post construction CADD drawings and as-builts based on redline drawings provided by Stanley Consultants.

Stanley Consultants will manage the construction contract consistent with UDOT procedures for local government processes as well as ***Park City's Design Standards Construction Specifications and Standard Drawings***. Stanley Consultants will utilize UDOT's PDBS system for entering construction contract documentation and will provide construction oversight in the form of inspection and testing for the construction project. Stanley Consultants and our team will partner with all stakeholders including working with the City and your staff, local residents and businesses, utilities as well as with the contractor.

PROJECT PHASING

Mobilize and Prepare for Construction NTP

- Review Plans for Constructability
- Setup Construction Management Project Office
- Provide full Public Involvement Services
- Participate in Public Involvement, Public Meetings

Manage the Construction Services Activities

- Conduct pre-Construction Meeting
- Manage the Construction Project
- Project Inspection
    - Specialized Inspection
- Design Oversight
- Survey Verification
- Materials Testing
- Inspect Landscape/Streetscape
- Issue Notice of Substantial Completion
- Issue Notice of Physical Completion
- Provide Closeout Documentation

FEE TYPE

Fee type will be time and materials. This is the standard billable contract required for this type of funded project.

Cost Plus Fixed Fee

PROJECT TEAM

Stanley Consultants will continue to provide the project with a complete team of professionals who have UDOT, local government project experience and Park City specific knowledge. Below are the revised project team members.

Stanley Consultants Construction

Brett Hadley – Client Liaison

Kurt Miller – Resident Engineer

Ray Carter – Field Engineer

Joyce Ball – Documents Control

Ron Keller – Lead Inspector

Cole Peck – Inspector

Gerard Kies – Lead Signal / ATMS Inspector

Adam Nester – Signal / ATMS Inspector

Dan Brock – Lab Technician

Rick Rhodes – Lab Technician

Stanley Consultants Design

James Dahl – Lead Designer

Trevor Egan – Junior Designer

PDA Engineering INC.

Brian Garrett – Engineer

Fehr & Peers

Mardi Pearson – Public Involvement

Maria Vyaf – Public Involvement

Overview

Stanley Consultants will continue to manage the construction of the Bonanza Drive (Between SR-224 & SR-248), a road asphalt pavement reconstruction and improvement project for Park City which encompasses aspects of the City's trails system including a pedestrian underpass. This is a local government project using Federal Funds being stewarded through UDOT Region 2. Close coordination will continue to be required with Snyderville Basin Water Reclamation District and Park City Water Dept. Coordination of utility betterments will continue to be an essential item that could determine the success of the project.

Stanley Consultants and Alliance Engineering will continue to mobilize staff and resources to perform all aspects of the construction services project including the plan, specification and pre-construction conference, construction surveying, construction inspection, material testing, maintenance of traffic, weekly construction project meetings, monthly pay estimates, contract change orders, Contractor compliance with federal wage and equal opportunity requirements, substantial completion, final acceptance and contract finalization. Stanley Consultants will continue to manage the construction contract consistent with UDOT procedures for local government processes as well as ***Park City's Design Standards Construction Specifications and Standard Drawings*** and the approved plans and specifications. Additional oversight from Stanley Consultants will utilize UDOT's PDBS system for entering construction contract documentation and communicate regularly with the City.

ACTIVITIES

Additional Oversight and Utility Coordination:

There are a number of complex utility issues with the project that have necessitated extra coordination with utility companies. Rocky Mountain Power and Questar have essential transmission lines that conflict with the design location of the pedestrian tunnel at the intersection of Bonanza Drive and Iron Horse Drive. In addition, Qwest has a 900 pair and a 300 pair phone line and a fiber optic line that services the Heber City airport that conflict with the pedestrian tunnel. Due to the importance of these utilities, it became apparent that a weekly coordination meeting would be helpful in coordinating the installation of the pedestrian box with the different utility companies. It was imperative that the Contractors schedule be coordinated with the various utility companies due to the short amount of time the Contractor had to close the intersection.

This project has required more time than originally proposed. The amount of necessary oversight has required that Stanley Consultants spend more time than originally proposed.

Additional Design Work Stanley Consultants:

During the utility coordination meetings, Questar requested that the grade at the intersection of Bonanza Drive and Iron Horse Drive be raised 2.5 feet. Lochner requested additional funds to cover the costs associated with the design change. A meeting was held between Lochner engineers and Park City where it was decided that Lochner would not be involved in the design. UDOT and Park City asked if Stanley Consultants would make the design changes. Stanley Consultants made the changes and supplied the Contractor with the updated plans.

Additional Design Work PDA Engineering:

Since the intersection of Bonanza Drive and Iron Horse Drive were elevated, it was necessary to evaluate the impact on the pedestrian trail retaining walls. PDA did the original design, and Stanley Consultants retained them as sub-consultant in order to modify the wall heights to reflect the changes made at the intersection.

Additional Public Involvement Costs:

Fehr and Peers was asked by Park City to pay for and manage advertising related with notifying the public about the construction activities on Bonanza Drive. Fehr and Peers works with add companies to produce and review advertising. The additional costs associated with this assignment are attached.

Staffing Plan

Stanley Consultants will use the following revised Staffing Plan. PDA Engineering will be using Brian Garrett to perform the evaluation of the revised retaining walls. Proposed personnel assigned to the project are those shown with associated hours. Backup personnel are also shown that can be used as substitutes or mobilized to assist in times of high work volume.

There are two rate columns shown, with the first showing the individual's actual rate of pay for each category of technical staff proposed. The second column shows the categorical rate for each individual implemented by Stanley Consultants.

Insurance

Stanley Consultants, Inc. Certificate of Insurance is on file with the Utah Department of Transportation.

Cost Proposal

Including anticipated sub-consultant fees, the anticipated cost for our services is **$141,844.34**

Direct costs for Stanley Consultants include vehicle costs, cell phones, and the testing costs estimated at the Minimum Sampling and Testing Costs.

The following documentation includes our breakdown of services for the project.

STAFFING PLAN

Name	Firm Name (Prime and Subs need to complete a detailed Staffing Plan)	Title (Within firm and/or proposed on project)	Certification Category/ Level	Utah License/ Certification No./ WAQTC No.	Other State License/ Certification No.	Education Level	Hours (Estimated number of project hours)	Rate of Pay (Current actual rate of pay)	Rate on Cost Proposal (Note any pay variances in a footnote)*
Kurt Miller P.E.	Stanley Consultants, Inc	PM/Resident Engineer PE	• Professional Engineer	276398-2203	N/A	B.S.C.E. - 1994	0	$ 50.00	$ 50.00
Project Roles (Mark all that apply) X Resident Engineer (CEMT), ☐ Field Engineer (CEMT), ☐ Office Manager (CEMT), ☐ Inspector (IQP), X Partnering, ☐ Lab Tech ☐ AgTT (TTQP), ☐ AsTT (TTQP), ☐ CSTT (TTQP), ☐ CTT (TTQP), ☐ EbTT (TTQP), ☐ LbTT (TTQP), ☐ SRDT (TTQP), ☐ SRTT (TTQP), ☐ SMD (TTQP)									
Ray Carter P.E.	Stanley Consultants, Inc	Field Engineer PE	• Professional Engineer	5562596-2002	N/A	B.S.C.E. 2006	635	$ 27.38	$ 27.38
Project Roles (Mark all that apply) ☐ Resident Engineer (CEMT), X Field Engineer (CEMT), ☐ Office Manager (CEMT), ☐ Inspector (IQP), X Partnering, ☐ Lab Tech ☐ AgTT (TTQP), ☐ AsTT (TTQP), ☐ CSTT (TTQP), ☐ CTT (TTQP), ☐ EbTT (TTQP), ☐ LbTT (TTQP), ☐ SRDT (TTQP), ☐ SRTT (TTQP), ☐ SMD (TTQP)									
Gaylord Davis	Stanley Consultants, Inc	Section Manager	• Previously WAQTC certified. • NICET Level IV – Survey & Highway Const. • Transportation Engineering Technology Program – completed June, 1989	N/A	N/A	High School	340	$ 42.38	$ 42.38
Project Roles (Mark all that apply) ☐ Resident Engineer (CEMT), ☐ Field Engineer (CEMT), ☐ Office Manager (CEMT), ☐ Inspector (IQP), X Partnering, ☐ Lab Tech ☐ AgTT (TTQP), ☐ AsTT (TTQP), ☐ CSTT (TTQP), ☐ CTT (TTQP), ☐ EbTT (TTQP), ☐ LbTT (TTQP), ☐ SRDT (TTQP), ☐ SRTT (TTQP), ☐ SMD (TTQP)									

Exhibit A
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Gerard Kies	Stanley Consultants, Inc	Senior Signal / ATMS Inspector	• Traffic Signal and A.T.M.S. Experienced Inspector • IMSA Work Zone Safety Trained • UDOT Crash Attenuator/Cushion Installation • UDOT Traffic Control certified	N/A	N/A	B.S.	0	$ 30.00	$ 30.00
Project Roles (Mark all that apply) ☐ Resident Engineer (CEMT), ☐ Field Engineer (CEMT), ☐ Office Manager (CEMT), X Inspector (IQP), X Partnering, ☐ Lab Tech ☐ AgTT (TTQP), ☐ AsTT (TTQP), ☐ CSTT (TTQP), ☐ CTT (TTQP), ☐ EbTT (TTQP), ☐ LbTT (TTQP), ☐ SRDT (TTQP), ☐ SRTT (TTQP), ☐ SMD (TTQP)									
Adam Nester	Stanley Consultants, Inc	Signal / ATMS Inspector	• UDOT Traffic Control certified	WAQTC #161836	N/A		0	$ 25.00	$ 25.00
Project Roles (Mark all that apply) ☐ Resident Engineer (CEMT), ☐ Field Engineer (CEMT), ☐ Office Manager (CEMT), X Inspector (IQP), X Partnering, ☐ Lab Tech ☐ AgTT (TTQP), ☐ AsTT (TTQP), ☐ CSTT (TTQP), X CTT (TTQP), ☐ EbTT (TTQP), ☐ LbTT (TTQP), X SRDT (TTQP), ☐ SRTT (TTQP), ☐ SMD (TTQP)									
Ron Keller ***	Stanley Consultants, Inc	Lead Inspector		WAQTC #161616	N/A	High School	0	$ 29.57	$ 29.57
Project Roles (Mark all that apply) ☐ Resident Engineer (CEMT), ☐ Field Engineer (CEMT), ☐ Office Manager (CEMT), X Inspector (IQP), X Partnering, ☐ Lab Tech ☐ AgTT (TTQP), ☐ AsTT (TTQP), ☐ CSTT (TTQP), ☐ CTT (TTQP), ☐ EbTT (TTQP), ☐ LbTT (TTQP), ☐ SRDT (TTQP), X SRTT (TTQP), ☐ SMD (TTQP)									
Dan Brock	Stanley Consultants, Inc	Materials & Lab Manager	• ACI Concrete Laboratory Testing Tech. Level I • ACI Aggregate Testing Technician Level I • ACI Concrete Strength Testing Technician. • Radiation Safety Officer Trained • NICET certified, Highway Materials & Construction	WAQTC #160107	N/A	A.S.	45	$ 35.00	$ 35.00
Project Roles (Mark all that apply) ☐ Resident Engineer (CEMT), ☐ Field Engineer (CEMT), ☐ Office Manager (CEMT), X Inspector (IQP), X Partnering, X Lab Tech X AgTT (TTQP), X AsTT (TTQP), X CSTT (TTQP), X CTT (TTQP), X EbTT (TTQP), X LbTT (TTQP), ☐ SRDT (TTQP), ☐ SRTT (TTQP), ☐ SMD (TTQP)									

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Exhibit A
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Rick Rhodes	Stanley Consultants, Inc	Lab Manager	• NICET certified, Highway Materials, Construction, and Survey.	WAQTC #160069	N/A	High School	0	$ 34.13	$ 34.13
Project Roles (Mark all that apply) ☐ Resident Engineer (CEMT), ☐ Field Engineer (CEMT), ☐ Office Manager (CEMT), ☐ Inspector (IQP), X Partnering, X Lab Tech									
X AgTT (TTQP), X AsTT (TTQP), X CSTT (TTQP), X CTT (TTQP), X EbTT (TTQP), X LbTT (TTQP), ☐ SRDT (TTQP), ☐ SRTT (TTQP), ☐ SMD (TTQP)									
Cole Peck	Stanley Consultants, Inc	Tester Technician	• ACI Concrete Field Testing Technician Grade I • UDOT Crash Attenuator/Guardrail Installation	WAQTC #161670	N/A	High School	139	$ 15.50	$ 15.50
Project Roles (Mark all that apply) ☐ Resident Engineer (CEMT), ☐ Field Engineer (CEMT), ☐ Office Manager (CEMT), X Inspector (IQP), X Partnering, ☐ Lab Tech									
☐ AgTT (TTQP), ☐ AsTT (TTQP), ☐ CSTT (TTQP), X CTT (TTQP), ☐ EbTT (TTQP), ☐ LbTT (TTQP), X SRDT (TTQP), ☐ SRTT (TTQP), ☐ SMD (TTQP)									
Joyce Ball ***	Stanley Consultants, Inc	Office Manager	• UDOT Construction Engineering Management Training (CEMT) Certified (courses).	N/A	N/A	High School	420	$ 28.03	$ 28.03
Project Roles (Mark all that apply) ☐ Resident Engineer (CEMT), ☐ Field Engineer (CEMT), X Office Manager (CEMT), ☐ Inspector (IQP), X Partnering, ☐ Lab Tech									
☐ AgTT (TTQP), ☐ AsTT (TTQP), ☐ CSTT (TTQP), ☐ CTT (TTQP), ☐ EbTT (TTQP), ☐ LbTT (TTQP), ☐ SRDT (TTQP), ☐ SRTT (TTQP), ☐ SMD (TTQP)									

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If a Consultant has a change in key personnel during a project, they are required to submit the proposed change in writing within 10 working days to the UDOT Project Manager (and Local Government, if applicable) for approval. If the Project Manager (PM) approves, the PM will forward the change and their approval to UDOT Consultant Services and the Comptroller's Office within 10 working days. If the PM does not approve, they may request a revision of the proposal, score the Consultant lower on the Consultant Project Evaluation, or terminate the contract.

* Calculated Categories are as follows:

a. Stanley Employee: Only one individual to meet category specifics. Actual rate of pay = Categorical rate of pay. Multiply OH and Markup (2.74 mult) to get Categorical Rate of Pay.
b. Materials Testing Personnel covered under "price per test" in Direct Costs unless specific other task then refer to a.
c. Alliance Engineering Employee: Only one individual to meet category specifics. Actual rate of pay = Categorical rate of pay. Multiply OH and Markup (2.5 mult and 1.1 for sub consultant markup) to get Categorical Rate of Pay

Design Assistance

STAFFING PLAN

Name	Firm Name (Prime and Subs need to complete a detailed Staffing Plan)	Title (Within firm and/or proposed on project)	Certification Category/ Level	Utah License/ Certification No./ WAQTC No.	Other State License/ Certification No.	Education Level	Hours (Estimated number of project hours)	Rate of Pay (Current actual rate of pay)	Rate on Cost Proposal (Note any pay variances in a footnote)*
James Dahl P.E.	Stanley Consultants, Inc	Senior Civil Engineer	• Professional Engineer	179190-2201	N/A	B.S.C.E. - 1989	18	50.72	50.72
Project Roles (Mark all that apply) ☐ Resident Engineer (CEMT), ☐ Field Engineer (CEMT), ☐ Office Manager (CEMT), ☐ Inspector (IQP), ☐ Partnering, ☐ Lab Tech ☐ AgTT (TTQP), ☐ AsTT (TTQP), ☐ CSTT (TTQP), ☐ CTT (TTQP), ☐ EbTT (TTQP), ☐ LbTT (TTQP), ☐ SRDT (TTQP), ☐ SRTT (TTQP), ☐ SMD (TTQP)									
Trevor Egan E.I.T	Stanley Consultants, Inc	Civil Designer	• E.I.T.		N/A	B.S.C.E. 2010	42	25.18	25.18
Project Roles (Mark all that apply) ☐ Resident Engineer (CEMT), ☐ Field Engineer (CEMT), ☐ Office Manager (CEMT), ☐ Inspector (IQP), ☐Partnering, ☐ Lab Tech ☐ AgTT (TTQP), ☐ AsTT (TTQP), ☐ CSTT (TTQP), ☐ CTT (TTQP), ☐ EbTT (TTQP), ☐ LbTT (TTQP), ☐ SRDT (TTQP), ☐ SRTT (TTQP), ☐ SMD (TTQP)									

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 5/11/2010

PRODUCER
Willis of Illinois, Inc.
233 S. Wacker Dr
Ste 2000
Chicago IL 60606

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED
H.W. Lochner, Inc.
310 East 4500 South
Suite 600
Salt Lake City UT 84107

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Lexington Insurance Company	19437
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
		GENERAL LIABILITY COMMERCIAL GENERAL LIABILITY CLAIMS MADE / OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY / PRO-JECT / LOC				EACH OCCURRENCE	$
						DAMAGE TO RENTED PREMISES (Ea occurence)	$
						MED EXP (Any one person)	$
						PERSONAL & ADV INJURY	$
						GENERAL AGGREGATE	$
						PRODUCTS - COMP/OP AGG	$
		AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident)	$
						BODILY INJURY (Per person)	$
						BODILY INJURY (Per accident)	$
						PROPERTY DAMAGE (Per accident)	$
		GARAGE LIABILITY ANY AUTO				AUTO ONLY - EA ACCIDENT	$
						OTHER THAN AUTO ONLY: EA ACC	$
						AGG	$
		EXCESS/UMBRELLA LIABILITY OCCUR / CLAIMS MADE DEDUCTIBLE RETENTION $				EACH OCCURRENCE	$
						AGGREGATE	$
							$
							$
							$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATU-TORY LIMITS / OTH-ER	
						E.L. EACH ACCIDENT	$
						E.L. DISEASE - EA EMPLOYEE	$
						E.L. DISEASE - POLICY LIMIT	$
A		OTHER Professional Liability	044177432	5/1/2010	5/1/2011	$1,000,000 $2,000,000	Per Claim Aggregate

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
*Except for Non-Payment, 10 Days.
Engineering and Planning Services

REC'D 5/12/10

CERTIFICATE HOLDER
UDOT Consultant Services
4501 South 2700 West
Box 148490
Salt Lake City UT 84119

CANCELLATION
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30* DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

ACORD 25 (2001/08)

Exhibit A
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Client#: 39357 HWLOC

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 4/30/2010

PRODUCER	
Construction - Remegi Team Mesirow Insurance Service 353 N. Clark Street Chicago, IL 60654	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED

H. W. Lochner, Inc.
20 N. Wacker Drive, Suite 1200
Chicago, IL 60606

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Travelers Indemnity Co. of Amer	25666
INSURER B: St. Paul Fire & Marine Insuranc	24767
INSURER C: Charter Oak Fire Insurance Comp	
INSURER D:	
INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A		GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY X PRO-JECT LOC	6608451B877TIA10	05/01/10	05/01/11	EACH OCCURRENCE	$1,000,000
						DAMAGE TO RENTED PREMISES (Ea occurrence)	$1,000,000
						MED EXP (Any one person)	$5,000
						PERSONAL & ADV INJURY	$1,000,000
						GENERAL AGGREGATE	$2,000,000
						PRODUCTS - COMP/OP AGG	$2,000,000
C		AUTOMOBILE LIABILITY X ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS X HIRED AUTOS X NON-OWNED AUTOS X Drive Other Car	8108451B877COF10	05/01/10	05/01/11	COMBINED SINGLE LIMIT (Ea accident)	$1,000,000
						BODILY INJURY (Per person)	$
						BODILY INJURY (Per accident)	$
						PROPERTY DAMAGE (Per accident)	$
		GARAGE LIABILITY ANY AUTO				AUTO ONLY - EA ACCIDENT	$
						OTHER THAN AUTO ONLY: EA ACC	$
						AGG	$
B		EXCESS/UMBRELLA LIABILITY X OCCUR CLAIMS MADE DEDUCTIBLE X RETENTION $ 10000	QK01202385	05/01/10	05/01/11	EACH OCCURRENCE	$5,000,000
						AGGREGATE	$5,000,000
							$
							$
							$
A		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below	PHUB8976P38710	05/01/10	05/01/11	X WC STATU-TORY LIMITS OTH-ER	
						E.L. EACH ACCIDENT	$1,000,000
						E.L. DISEASE - EA EMPLOYEE	$1,000,000
						E.L. DISEASE - POLICY LIMIT	$1,000,000
A		OTHER Valuable Papers	6608451B877TIA10	05/01/10	05/01/11	$700,00 Main Location $3,390,000 All Locs.	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Engineering and Planning Services.

RECEIV[illegible] 5/11/10

(See Attached Descriptions)

CERTIFICATE HOLDER	CANCELLATION 10 Days for Non-Payment
UDOT Consultant Services 4501 S. 2700 W. Box 148490 Salt Lake City, UT 84114-8490	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE [signature]

DESCRIPTIONS (Continued from Page 1)

The following are included as Additional Insureds on the General Liability and Automobile Policies per written contract: UDOT, the State of Utah and the Local Government Agency.

The General Liability Policy is on a Primary and Non-Contributory Basis per written contract.

Contract No. 10-8708 Mod. No. 1

EXHIBIT B

Fees

The maximum disbursement is increased from $450,133.00 by $141,844.34 for a new total of $591,977.34 as negotiated and approved by Ritchie Taylor, Region 2, in the memorandum dated October 19, 2010 on Page 3 of Exhibit A. The fixed fee amount is increased by $14,113.79 for a new total of $42,404.25. The overhead rate in this modification is the same as the base contract's overhead rate. The base contract was written with a FIXED overhead rate.
For further details, see Pages 2 through 4 of this Exhibit.

Contract/Modification	Amount	NTP Date	Notes
Base Contract	$450,133.00	4/1/2010	Complete CE including testing, inspection and documentation
Modification No. 1	$141,844.34	Pending	Additional Oversight and Utility Coordination
Total	$591,977.34		

Stanley Consultants			
CONSULTANT COST PROPOSAL **Bonanza Phase II F-LC43(28)**			
DIRECT LABOR EXPENSES			
LABOR DESCRIPTION	HOURS	PAY RATE $/HR.	AMOUNT $
Field Engineer	635	$27.38	$17,386.30
Project Oversight	340	$42.38	$14,409.20
Tester Technician	139	$15.50	$2,154.50
Document Control	420	$28.03	$11,772.60
Laboratory Manager	45	$35.00	$1,575.00
TOTAL	1579		$47,297.60
	Overhead Rate / Overhead Amount	148.67%	$70,317.34
	Subtotal		$117,614.94
	Fixed Fee Rate / Fixed Fee Amount	12.00%	$14,113.79
		Total Labor	$131,728.73
DIRECT EXPENSES			
DESCRIPTION	RATE	NUMBER	$ AMOUNT
Stanley Consultants (Design)	see attched cost breakdown		$5,500.04
Fehr and Peers	see attched cost breakdown		$2,515.57
PDA Engineering	see attched cost breakdown		$2,100.00
		Direct Expenses	$10,115.61
		TOTAL COSTS	**$141,844.34**
PREPARED BY:	Stanley Consultants		

Consultant Cost Proposal

DIRECT LABOR EXPENSES

Labor		Hours	Pay Rate (w markup)	Amount
Title / Category	Roles / Responsibilities		$/hr.	$
Resident Engineer	Overall Project Management	0	$ 50.00	$ -
Field Engineer	Backup for Resident Engineer	635	$ 27.38	$ 17,386.30
Project Oversight	Ensure compliance with UDOT requirements	340	$ 42.38	$ 14,409.20
Senior Signal / ATMS Inspector	Specialized inspection of Signalized Systems and ATMS	0	$ 30.00	$ -
Signal / ATMS Inspector	Specialized inspection of Signalized Systems and ATMS	0	$ 25.00	$ -
Lead Inspector	Overall Project Inspection and specification (UDOT & PC) standards are met	0	$ 29.57	$ -
Tester Technician	Inspection and Testing	139	$ 15.50	$ 2,154.50
Documents Control	Document project in accordance with FHWA funding requirements	420	$ 28.03	$ 11,772.60
Laboratory Manager	Perform all required testing. (Note time allocated is for submittal review and attend meetings)	45	$ 35.00	$ 1,575.00
				$ 47,297.60
			Overhead Rate/Amount (148.67%)	$ 70,317.34
			Fixed Fee/Amount 12%	$ 14,113.79
			Total Labor	$ 131,728.73

Client: Stanley Consultants

Stanley Consultants Inc.

Project : Park City Bonanza Drive Revisions

Engineering Services Estimate

Prepared: 09/27/10

Activity - Task Description	PROJECT MANAGER 15	SENIOR CIVIL ENGINEER 15	SENIOR LAND SURVEYOR 15	SURVEY FIELD CREW 11	CIVIL DESIGNER 6	CLERICAL 4	TOTAL	Loaded Labor
	$141	$141	$141	$106	$70	$55		
Task 1.0 - Bonanza Drive and Ironhorse Revisions								
Task 1.1 - Design Grading Revision		16					16	$2,262.40
Task 1.2 - Draft Grading Revisions					42		42	$2,928.24
Phase 1 Subtotal	0	16	0	0	42	0	58	**$5,190.64**
	$0.00	$2,262.40	$0.00	$0.00	$2,928.24	$0.00		**$5,190.64**
Project Administration & Control								
Monitor Engineering Services (QA/QC)	1						1	$141.40
Coordination with City and IOF	0.5						0.5	$70.70
Prepare Invoices	0.25						0.25	$35.35
Project Close-out Documents	0.25						0.25	$35.35
Project Admin & Control Subtotal	2	0	0	0	0	0	**2**	**$282.80**
	$282.80	$0.00	$0.00	$0.00	$0.00	$0.00		**$282.80**
Total Hours	**2**	**16**	**0**	**0**	**42**	**0**	**60**	**5473.44**
Total Loaded Labor	$282.80	$2,262.40	$0.00	$0.00	$2,928.24	$0.00		**$5,473.44**

50 miles x .50 = 25.00
.10 page x 16 = 1.60
26.60

Prepared By:	Total Labor Cost	$5,473.44
Reviewed By:	Subcontractor Cost	$0.00
Approved By:	Total Expenses	$26.60
	Total Estimated Cost	**$5,500.04**

Exhibit B
4 of 5

FEHR & PEERS
UDOT Project No. F-LC43(28) / PIN 6285
Bonanza Drive Construction PI . Phase Two
29-Sep-10

Task	Description	PM	PI	Graphics	Admin	Hours per Task	Cost per Task
		$34.37	$34.14	$24.04	$17.18		
25I-1	**Park Record Advertising**	2	2		2	6	$ 171.38
	Total Hours / Cost	2	2	0	2	6	$ 171.38
	Total Costs	68.74	68.28	-	34.36	6	$ 171.38

Total Direct Salaries		$	171.38
Payroll Additive	49.54%	$	84.90
Overhead Additive	119.06%	$	201.06
Total Labor + Overhead		$	460.33
Fixed Fee	12.00%	$	55.24

Total Labor Costs $ 515.57

FEHR & PEERS

Task Summary

Total Overhead 168.60%	Labor+OH	Fixed Costs 12.00%	Cost / Task
288.95	460.33	55.24	$ 515.57
$ 253.99	$ 460.33	$ 55.24	$ 515.57

Direct Costs

Travel	$	-
Travel (local)	$	
Copy	$	-
Phone	$	-
Plotter	$	-
Computer		
Park Record	$	2,000.00
Land Solutions		

Total Direct Costs: $ 2,000.00

Lump Sum Total: $ 2,515.57

F+P

Exhibit B
5 of 5

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Contract No. 10-8708 Mod. No. 1

EXHIBIT C

Contract Date

The contract completion date for the project remains September 30, 2011 The CONSULTANT is required to finish all work by the contract completion date. If additional time is required to complete this project, the CONSULTANT will be required to use the "Contract Time Extension Modification Form" located on the DEPARTMENT website.

City Council
Staff Report

Subject: FY 2010 Audit Report
Authors: Lori W. Collett, Finance Manager
Chelese M. Rawlings, Accounting Manager
Date: December 9, 2010
Type of Item: Administrative

FINANCE DEPARTMENT

Summary Recommendations:

City Council should review the Comprehensive Annual Financial Report and formally accept the Audit for the Fiscal Year Ended June 30, 2010.

Description:

A. Topic: Audit report for the Fiscal Year Ended June 30, 2010.

B. Background: City of Park City Comprehensive Annual Financial Report (CAFR) and Independent Auditor's Report

State law requires Park City to follow the Uniform Fiscal Procedures Act for Utah Cities, UCA § 10-6-101 et seq., which requires an independent audit of the City's finances annually. These are performed by certified public accountants (Piercy, Bowler, Taylor & Kern). The Council must accept the audit within 180 days of the end of the fiscal year. After acceptance, a copy is filed with the state auditor and filed with the City Recorder as a public document.

The CAFR includes all funds of the City of Park City (City) and is presented in four sections: Introductory, Financial, Statistical, and Single Audit, Internal Control and Compliance Reports.

The Introductory Section contains a letter of transmittal, a directory of principal officials and an organizational chart of the City. The Financial Section contains management's discussion and analysis (MD&A), the basic financial statements, notes to the financial statements, individual fund statements for which data are not provided separately within the basic financial statements, as well as the independent auditor's report on these financial statements and schedules. The Statistical Section includes selected financial and demographic information, generally presented on a multi-year basis. The Single Audit, Internal Control and Compliance Reports include the independent auditors' reports on internal control and compliance as required by *Government Auditing Standards*, Office of Management and Budget Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*, and state compliance as required by the *State of Utah Legal Compliance Audit Guide*.

The CAFR is the major document used to communicate the City's financial condition. It is distributed to various bond-rating agencies, investors in City debt and the State Auditor for use in evaluating City finances. The first two basic financial statements, the Statement of Net Assets (Page 23-24) and the Statement of Activities (Page 25-26), now present information on a government-wide, full-accrual accounting basis which reflect the overall financial position of the City and its various funds, not just the amounts available for budgetary purposes. Fiscal operations in the government-wide statements are organized into two major activities: governmental and business-type.

Fund information is also presented for major funds individually and nonmajor funds combined in a single column in the basic financial statement (Pages 29 through 41). Because the focus is so different between fund statements and government-wide statements, a reconciliation between the two types of statements is necessary to understand how the numbers differ. Such reconciliations are provided on pages 30 and 32. Comparisons of “budget-to-actual” results for the General Fund are presented on Page 33.

Staff suggests attention be focused on the MD&A (Pages 4 through 21) and the notes to the basic financial statements (Pages 43 through 75). The notes to the basic financial statements in the Financial Section provide required detailed disclosures and a description of the financial statements.

The Statement of Net Assets (Page 23-24) may serve as a useful indicator of a government’s financial position. The City had positive net assets of $242.5 million at fiscal year end. The largest portion of the net assets, $171.7 million, represents the investment in capital assets. Restricted net assets of $30.5 million are resources that are subject to external restrictions on how they may be used. The remaining $40.3 million in net assets are unrestricted and may be used to meet the City’s ongoing obligations. Again, this is an overall financial position indicator and is not the amount of current resources available for budgetary purposes.

Looking at results on a fund basis (Page 29), the City’s governmental funds reported combined ending fund balance of $49.9 million, a decrease of $16.5 million compared to the beginning of year fund balance amount due to capital project expenditures. A transfer of $1.6 million was made from the General Fund to the Capital Improvements Fund to be spent on capital projects in accordance with the City’s budget.

Utah State code establishes a 5.0 percent minimum ($1,181,716) and an 18.0 percent maximum ($4,254,177) limit to the amount that may be accumulated as the fund balance in the General Fund. As of June 30, 2010 the unreserved, undesignated fund balance of the General Fund was $3,894,972 and was $359,205 below the 18.0 percent limit. This is consistent with city policies that establish the 18% as the target for year end fund balance in the general fund. The unreserved, undesignated fund balance increased by $147,676 in 2010 as compared to an increase of $75,164 in fiscal year 2009.

General Obligation Bonds - Audit of Bond Expenditures

Resolution No.16-98, *Resolution to Appoint a Citizens Committee to Advise the City Council on Community Priorities for Open Space Acquisition, Methods to*

Permanently Preserve Open Space, and to Account for Expenditure of Open Space Bond Proceeds should Voters Approve a General Obligation Bond to Preserve Open Space, requires the City to annually audit bond expenditures and report the results of such audit to the public.

Single Audit Report
As a recipient of Federal and State funds, the City it responsible for ensuring that an adequate internal control structure is in place in order to maintain compliance with applicable laws and regulations related to the purpose of the funds.

As a part of the City's single audit, tests were made to determine the adequacy of the internal control structure, including that portion of the structure related to Federal financial assistance programs, as well as to determine that the City complied with all applicable laws and regulations. The results of the City's single audit for fiscal year 2009-10 indicated no instances of material weaknesses in the internal control structure or violation of applicable laws and regulations.

Comments from the City's Audit Firm of Piercy, Bowler, Taylor & Kern
The auditors identified no major improvement areas or areas involving material weakness in the operations or internal control structure of the City.

Consequences of Not Taking Recommended Action: The audit must be approved and accepted by Council by December 31, 2010. Failure to approve the audit would make Park City Municipal non-compliant under Utah State Law.

Summary Recommendations:
City Council should formally accept the Audit for the Fiscal Year Ending June 30, 2010.

City Council
Staff Report

Subject: **Little Belle Condominiums 5th Amended Plat Unit 3**
Author: **Katie Cattan**
Application #: **PL-10-01067**
Date: **December 9, 2010**
Type of Item: **Administrative – Plat Amendment**

PARK CITY
1884
PLANNING DEPARTMENT

Summary Recommendations

Staff recommends that the City Council review the Plat Amendment application, conduct a public hearing, and consider approving the Little Belle Condominiums 5th Amended Plat Unit 3 according to the findings of fact, conclusions of law, and conditions of approval outlined in the attached ordinance.

Topic

Applicant:	Amy Unger
Location:	7175 Little Belle Court Unit 3
Zoning:	RD-MPD (Deer Valley MPD)
Adjacent Land Uses:	Residential and Deer Valley Ski Resort
Reason for Review:	Plat amendment requires Planning Commission review and City Council approval

Background

On May 25, 2010, the City received a completed application for a Plat Amendment for the existing property at 7175 Little Belle Court. The Plat Amendment extends the private area of unit 3 into limited common and common area bound by the westerly exterior walls of units 2 and unit 4. The amendment extends the wall fifteen feet three inches (15’3”) for a total of four hundred twenty-five square feet (425 sf). This is the 5th Amendment to the original plat.

Prior to the first amendment to the Little Belle Condominium Plat, a proposal was approved by 17 of the 20 owners authorizing the management committee to make an amendment to the common and/or limited areas bounded by the westerly exterior walls of units 1,2,3,4,5,6,7,8 and the easterly walls of units 13, 14, 15, 16, 17, 18, 19, 20 and lying within the furthest extension of the exterior walls of the end units of those buildings. The current application is for Unit 3 to extend portions of the private area to the westerly exterior walls within the furthest extension of the exterior walls of the end units (1 and 4) of that building.

The previous plat amendments were recorded in 2000, 2001, 2004, and 2006. The City has approved four previous amendments to the Little Belle Condominium Plat to change the common and limited common areas as described above and consistent with the home owners associations approval.

The Planning Commission reviewed this application on November 10, 2010. No public comment was made. The Planning Commission forwarded a unanimous positive recommendation to the City Council.

Analysis

The property is located within the RD-MPD zone. The proposed amendment will change limited common and common area to private area. The applicant is proposing to extend the existing living area to the furthest extensions of the exterior walls of the end units. The amendment extends the wall fifteen feet three inches (15'3") for a total of four hundred twenty-five square feet (425 sf).

The Little Belle Condominiums are within the Deer Valley Master Plan Development. Unit equivalents within the Deer Valley MPD for the Little Belle Condominiums were calculated as an apartment unit containing one bedroom or more shall constitute a dwelling unit. The Deer Valley MPD does not limit the size of units constructed provided that following construction the parcel proposed to be developed contains a minimum of 60% open space and otherwise complies with MPD and all applicable zoning regulations. The wall extension is within the building footprint area of the original plat, therefore the open space calculation has not been altered. The proposed change does not affect allocated unit equivalents, parking requirements, setbacks, height, or open space. The unit equivalents have not increased so therefore no additional parking is required as a result of this floor area expansion.

Planning Staff finds there is good cause for the Plat Amendment as it will be consistent with the other modifications made by homeowners and not negatively affect the open space of the development. Staff finds that the plat will not cause undo harm on any adjacent property owners because the proposal meets the requirements of the Land Management Code and all future development will be reviewed for compliance with requisite Building and Land Management Code requirements.

Department Review

The Planning Department has reviewed this request. The City Attorney and City Engineer will review the plat for form and compliance with the LMC and State Law prior to recording. The request was discussed at internal staff meetings where representatives from local utilities and City Staff were in attendance. Issues which were brought up during the staff meeting have been resolved.

Notice

Notice of this hearing was sent to property owners within 300 feet and the property was posted 14 days prior to the Planning Commission meeting. Legal notice was also placed in the Park Record.

Public Input

No comments have been received by staff at the date of this writing. No comments were made during the Planning Commission meeting on November 10, 2010.

Alternatives

1. The City Council may approve the Little Belle Condominiums 5th Amendment Plat Unit 3 as conditioned or amended; or
2. The City Council may deny the Little Belle Condominiums 5th Amendment Plat Unit 3 and direct staff to make Findings for this decision; or
3. The City Council may continue the Little Belle Condominiums 5th Amendment Plat Unit 3.

Significant Impacts

There are no significant fiscal or environmental impacts from this application.

Consequences of not taking the Suggested Recommendation

The condominium plat would remain as is and a future building permit for an addition could not be obtained by the owner.

Recommendation

Staff recommends that the City Council hold a public hearing for the Little Belle Condominiums 5th Amendment Plat Unit 3 and consider approving the application based on the findings of fact, conclusions of law and conditions of approval outlined in the attached ordinance.

Exhibits

Exhibit A – Proposed Ordinance

Ordinance No. 10-

AN ORDINANCE APPROVING THE LITTLE BELLE CONDOMINIUMS FIFTH AMENDED PLAT UNIT 3 TO EXPAND THE PRIVATE OWNERSHIP AREA OF UNIT 3 LOCATED AT 7175 LITTLE BELLE COURT, PARK CITY, SUMMIT COUNTY, UTAH

WHEREAS, the owner of the properties known as 7175 Little Belle Court, has petitioned the City Council for approval of a Little Belle Condominiums 5th Amendment Plat Unit 3 for the existing Unit 3; and

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

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

WHEREAS, the Planning Commission held a public hearing on November 10, 2010, to receive input on the Little Belle Condominiums 5th Amendment Plat Unit 3; and

WHEREAS, the Planning Commission, on November 10, 2010, forwarded a positive recommendation to the City Council; and

WHEREAS, on December 9, 2010, the City Council conducted a public hearing on Little Belle Condominiums 5th Amendment Plat Unit 3; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Little Belle Condominiums 5th Amendment Plat Unit 3.

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

SECTION 1. APPROVAL The above recitals are hereby incorporated as findings of fact. The Little Belle Condominiums 5th Amendment Plat as shown in Attachment 1 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 7175 Little Belle Court within the RD-MPD zoning district.
2. The Plat Amendment is for the existing Unit 3 within the Little Belle Condominiums Plat.
3. The proposed amended record of survey adds a 425 square feet footprint of private living space to Unit 3 and changes limited common and common area to private ownership.

4. A vote exceeding 66.66% for approval of the amendment was received by the members of the homeowners association. Record of this vote has been received by the Planning Department.
5. The addition will not encroach into the required setbacks for the project.
6. The addition will not leave the project below the required 60% open space for the MPD.
7. The unit equivalents have not increased so therefore no additional parking is required as a result of this floor area expansion.
8. All findings within the Analysis section are incorporated herein.

Conclusions of Law:

1. There is good cause for this amended record of survey.
2. The amended record of survey is consistent with the Park City Land Management Code and applicable State law.
3. Neither the public nor any person will be materially injured by the proposed amended record of survey.
4. As conditioned the amended record of survey is consistent with the Park City General Plan.

Conditions of Approval:

1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the amended record of survey.
2. The applicant will record the amended record of survey at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.

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

PASSED AND ADOPTED this 9th day of December 2010.

LITTLE BELLE CONDOMINIUMS
5TH AMENDED PLAT
UNIT 3

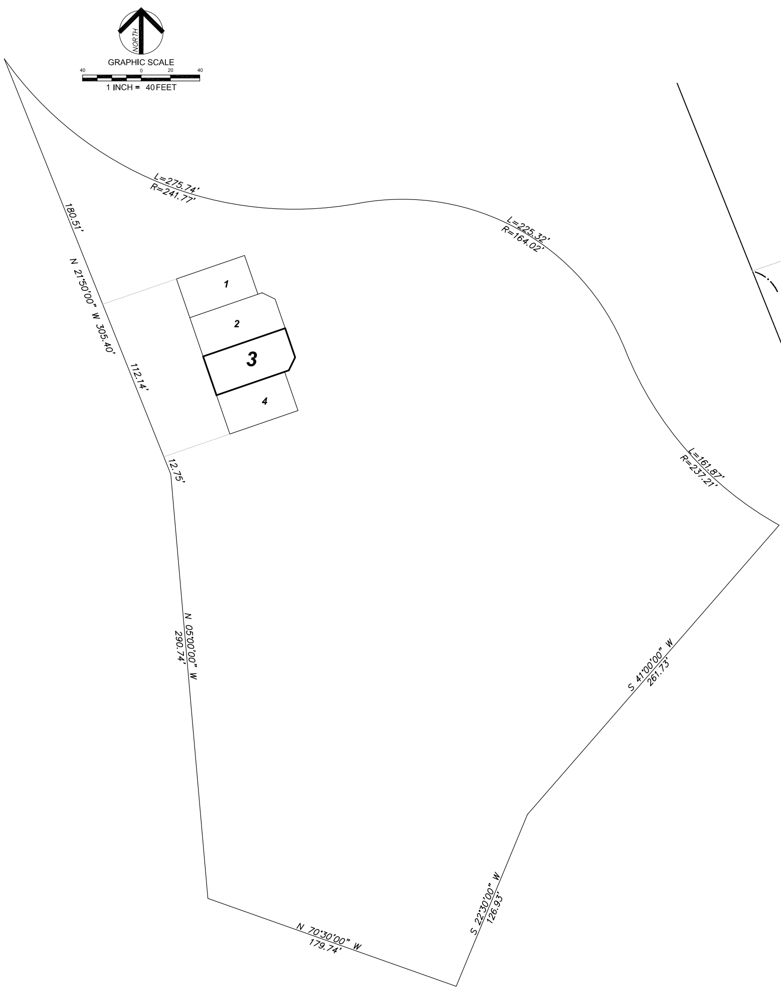
LOCATED IN THE NORTHEAST QUARTER
SECTION 28, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

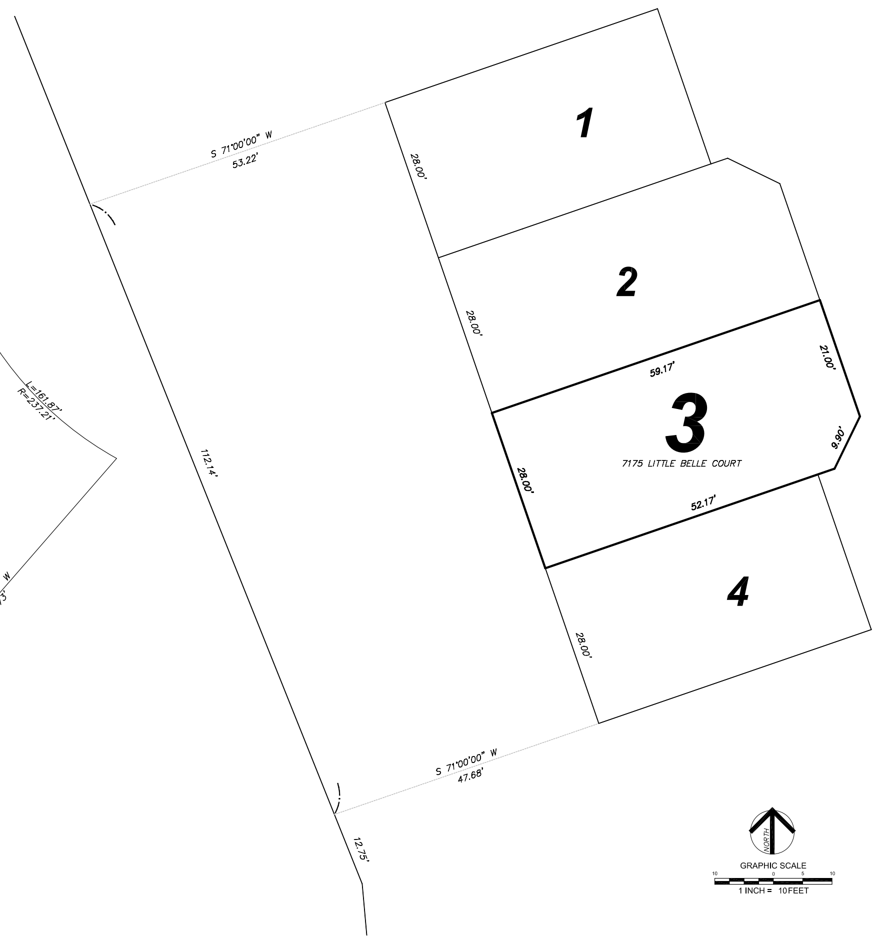
PLAT NOTES:

1. THIS PLAT AMENDMENT CONVERTS CERTAIN COMMON AREA, CONSISTING OF DECKS AND BALCONIES, TO PRIVATE AREA, AND PROVIDES FOR THE FUTURE CONSTRUCTION OF AND ENCLOSURE OF THESE AREA(S) AND THE RELOCATION OF RELATED COMMON AREA WALLS.
2. ALL NOTES AND COVENANTS OF LITTLE BELLE CONDOMINIUMS REMAIN IN EFFECT ON THIS PLAT AMENDMENT.

LEGAL DESCRIPTION:

ALL OF UNIT 3, 3RD AMEMENDED CONDOMINUIM PLAT, ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.





OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENT THAT, the undersigned owner of Unit 3, the herein described tract of land, to be known hereafter as the LITTLE BELLE CONDOMINIUM 5HT AMENDED PLAT do hereby certify that I have caused this Plat to be prepared, and I, hereby consent to the recordation of this Plat. ALSO, the owners, or their representatives, hereby irrevocably offers for dedication to the City of Park City all the streets, land for local government uses, easements, parks, and required utilities and easements shown on the plat and construction drawings in accordance with an irrevocable of dedication.

In witness whereof, We have hereunto set our hand this _____ day of ____________, 2010.

BY:

____
Lenore Wyatt, Trustee of C. Wyatt Unger Decendent's Trust dated 12-30-91

ACKNOWLEDGMENT

State of______________
County of_____________

On this _____ day of ____________, 2010, personally appeared before me, the undersigned Notary Public, in and for said County of _______________, in said State of _____________________, Lenore Wyatt, as Trustee, the persons that executed the within instrument and known to me to be (or proved to me on the basis of satisfactory evidence) the persons who executed the within instrument on behalf of said person, being duly sworn acknowledged to me that they are the owners of the herein described tract of land and he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

______________________________ My Commission Expires: ________________
Notary Public

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENT THAT, the undersigned owner of Unit 3, the herein described tract of land, to be known hereafter as the LITTLE BELLE CONDOMINIUM 5HT AMENDED PLAT do hereby certify that I have caused this Plat to be prepared, and I, hereby consent to the recordation of this Plat. ALSO, the owners, or their representatives, hereby irrevocably offers for dedication to the City of Park City all the streets, land for local government uses, easements, parks, and required utilities and easements shown on the plat and construction drawings in accordance with an irrevocable of dedication.

In witness whereof, We have hereunto set our hand this _____ day of ____________, 2010.

BY:

____
Lenore Wyatt,

ACKNOWLEDGMENT

State of______________
County of_____________

On this _____ day of ____________, 2010, personally appeared before me, the undersigned Notary Public, in and for said County of _______________, in said State of _____________________, Lenore Wyatt, the persons that executed the within instrument and known to me to be (or proved to me on the basis of satisfactory evidence) the persons who executed the within instrument on behalf of said person, being duly sworn acknowledged to me that they are the owners of the herein described tract of land and he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

______________________________ My Commission Expires: ________________
Notary Public

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENT THAT, the undersigned owner of Unit 3, the herein described tract of land, to be known hereafter as the LITTLE BELLE CONDOMINIUM 5HT AMENDED PLAT do hereby certify that I have caused this Plat to be prepared, and I, hereby consent to the recordation of this Plat. ALSO, the owners, or their representatives, hereby irrevocably offers for dedication to the City of Park City all the streets, land for local government uses, easements, parks, and required utilities and easements shown on the plat and construction drawings in accordance with an irrevocable of dedication.

In witness whereof, We have hereunto set our hand this _____ day of ____________, 2010.

BY:

____
Amy Unger

ACKNOWLEDGMENT

State of______________
County of_____________

On this _____ day of ____________, 2010, personally appeared before me, the undersigned Notary Public, in and for said County of _______________, in said State of _____________________, Amy Unger, the persons that executed the within instrument and known to me to be (or proved to me on the basis of satisfactory evidence) the persons who executed the within instrument on behalf of said person, being duly sworn acknowledged to me that they are the owners of the herein described tract of land and he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

______________________________ My Commission Expires: ________________
Notary Public

SURVEYOR'S CERTIFICATE

I, Christopher R. Braun, certify that I am a Registered Land Surveyor and that I hold Certificate No. 5152604, as prescribed by the laws of the State of Utah, and this Plat was prepared under my direction in accordance with the requirements of Park City Municipal Corporation. I further certify that the property boundaries as shown are correct.

________________________________ __________
Christopher R. Braun Date
PLS 5152604

November 2010 SHEET 1 OF 2

Park City Surveying
P.O. Box 682993
Park City, UT 84068
(435)649-2918
(435)649-4637 fax

COUNCIL APPROVAL & ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____DAY OF ________, 2010 A.D.

MAYOR

PARK CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS ___ DAY OF ______, 2010, A.D.

CHAIRMAN

CERTIFICATE OF ATTEST

I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF ________, 20__ A.D.

PARK CITY RECORDER

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ______ DAY OF __________, 20__ A.D.

S.B.W.R.D.

ENGINEER'S CERTIFICATE

I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF __________, 20__ A.D.

PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS ____ DAY OF __________, 20__ A.D.

PARK CITY ATTORNEY DATE

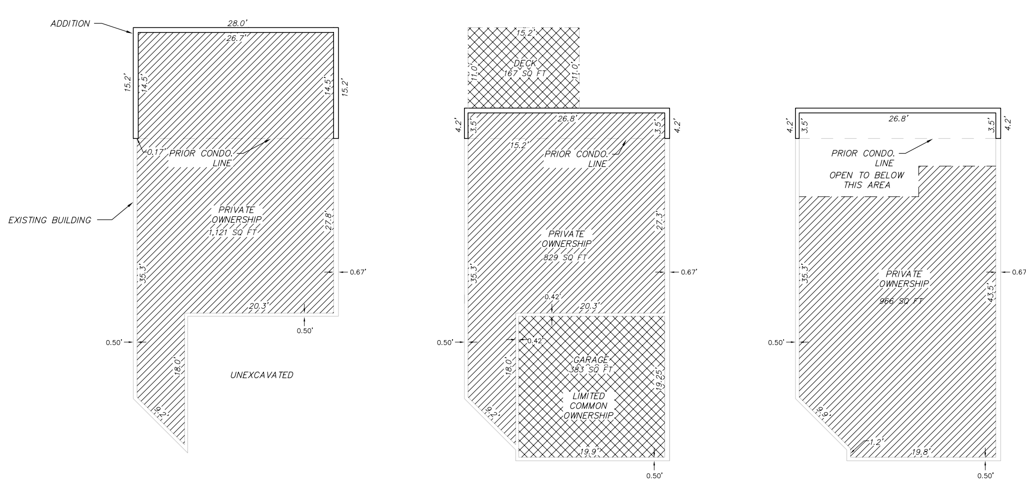
RECORDED

ENTRY NUMBER: __________________
BOOK ________ PAGE: ____________
STATE OF UTAH, COUNTY OF __________
DATE: ____________ TIME: _________
FEE PAID: ________
RECORDED AND FILED AT THE REQUEST OF:

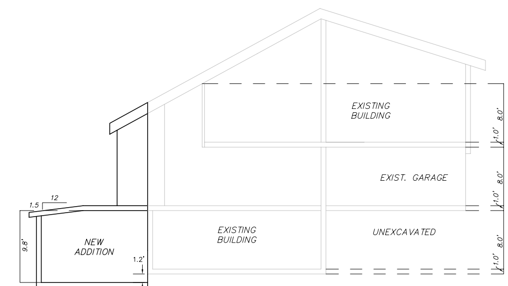
COUNTY RECORDER

LITTLE BELLE CONDOMINIUMS
5TH AMENDED PLAT
UNIT 3

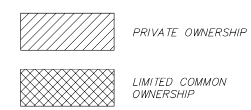
LOCATED IN THE NORTHEAST QUARTER
SECTION 28, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



LOWER LEVEL **MAIN LEVEL** **UPPER LEVEL**



ELEVATION



SQUARE FEET	LIMITED COMMON	PRIVATE OWNERSHIP
LOWER LEVEL:	0	1,121
MAIN LEVEL:	550	829
UPPER LEVEL:	0	966
TOTALS:	550	2,916

GRAPHIC SCALE
1 INCH = 8FEET

November 2010 SHEET 2 OF 2

Park City Surveying
P.O. Box 682993
Park City, UT 84068
(435)649-2918
(435)649-4637 fax

RECORDED
ENTRY NUMBER: ______
BOOK ______ PAGE: ______
STATE OF UTAH, COUNTY OF ______
DATE: ______ TIME: ______
FEE PAID: ______
RECORDED AND FILED AT THE REQUEST OF:
______
COUNTY RECORDER

ACKNOWLEDGMENT

State of California
County of Orange)

On September 9, 2010 before me, **Jessica Fuson, Notary Public**
(insert name and title of the officer)

personally appeared James H. Frisbie,
who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is~~/are~~ subscribed to the within instrument and acknowledged to me that he~~/she/they~~ executed the same in his~~/her/their~~ authorized capacity~~(ies)~~, and that by his~~/her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

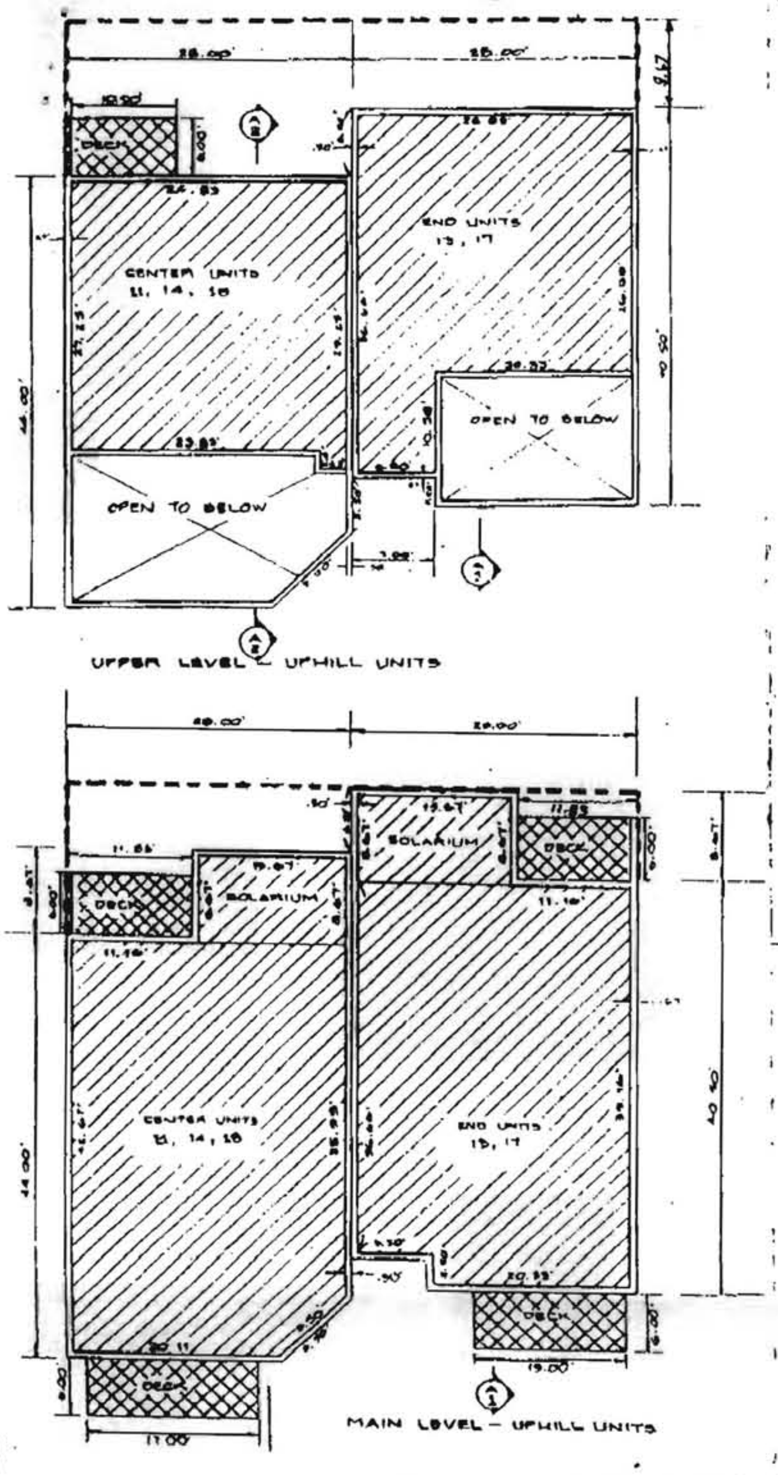
WITNESS my hand and official seal.

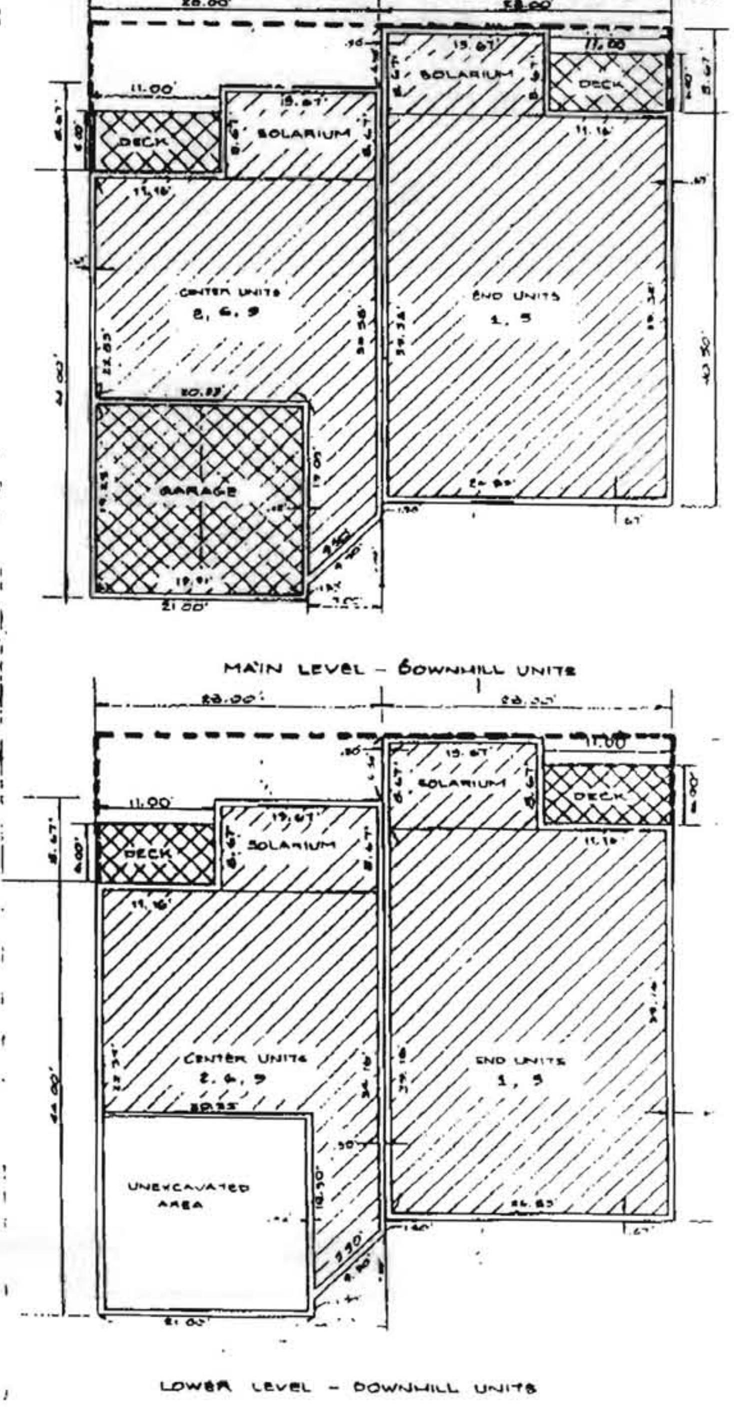
JESSICA FUSON
NOTARY PUBLIC - CALIFORNIA
COMMISSION # 1743010
ORANGE COUNTY
My Comm. Exp. April 30, 2011

Signature ________ **(Seal)**

	EXHIBIT "C"			
	OWNERSHIP OF COMMON AREAS			
	C.A.M. --OCTOBER 1, 2010			
UNIT NO.	\	PERCENT OF	BUDGET	
	(APPROX)	OWNERSHIP	CURRENT-	
			PER QUARTER	YEARLY
CURRENT BUDGET			$137,000.00	
DEDICATED RESERVES 20%			$40,000.00	
IMPROVEMENT RESERVES			$12,256.00	
	TOTAL		$189,256.00	
1	2956	5.26	$2,487.27	$9,949.08
2	2485	4.42	$2,090.32	$8,361.29
3	2504	4.45	$2,106.73	$8,426.92
4	2956	5.26	$2,487.27	$9,949.08
5	3135	5.57	$2,637.37	$10,549.47
6	2860	5.09	$2,406.25	$9,624.99
7	2970	5.28	$2,498.46	$9,993.84
8	3135	5.57	$2,637.37	$10,549.47
9	2812	5.00	$2,365.61	$9,462.45
10	3100	5.51	$2,607.92	$10,431.68
11	2725	4.84	$2,292.33	$9,169.32
12	2725	4.84	$2,292.33	$9,169.32
13	1948	3.46	$1,638.60	$6,554.42
14	2725	4.84	$2,292.33	$9,169.32
15	2725	4.84	$2,292.33	$9,169.32
16	2987	5.31	$2,512.85	$10,051.39
17	2987	5.31	$2,512.85	$10,051.39
18	2725	4.84	$2,292.33	$9,169.32
19	2725	4.84	$2,292.33	$9,169.32
20	3056	5.43	$2,571.15	$10,284.61
	56236	100		
	TOTALS-QUARTERLY		$47,314.00	
	TOTALS-ANNUAL		$189,256.00	$189,256.00
To add 188 sq. ft to unit 3.				

NOTE: UNITS 3, 4, 7, 8, 15, 16, 19, AND 20 ARE REVERSED FLOOR PLANS FROM THOSE SHOWN BELOW. ALL DIMENSIONS ARE EXACTLY THE SAME.





— — — — — — DEFINES AREA OF ADDED PRIVATE OWNERSHIP.