PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH,
JANUARY 9, 2014

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, January 9, 2014.

Closed Session

3:00pm	To discuss Property, Personnel and Litigation
4:25pm	Break

Work Session

4:30pm	Council questions and comments and Manager's Report	
4:40pm	Selection of Council Liaison to the Utah League of Cities and Towns / Utah State Legislature	
4:50pm	Electric Vehicle Charging Station discussion	PG 6
5:10pm	Library site alternatives	PG 14
5:50pm	Break	

Regular Meeting

6:00 pm

I. ROLL CALL

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

1. Consideration of a Resolution Honoring Service Personnel.

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

IV. APPOINTMENTS & RESIGNATIONS

1. Consideration of Appointment of Mayor Pro tem and alternate for 2014

V. MINUTES FROM THE REGULAR MEETING ON DECEMBER 19, 2013

VI. 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)*

1. Consideration of a Resolution setting forth the regular meeting dates for the City Council for 2014 PG 63

2. Consideration of Local Consent for Special Event Temporary Alcoholic Beverage Licenses to various applicants during the 2014 PG 66

VII. OLD BUSINESS

1. Consideration of Authorization to proceed with pre–construction services for the Library and Education Center Building Remodel Project and authorize the City Manager to enter into a Professional Services Provider Agreement in a form approved by the City Attorney's Office with Okland Construction Inc. in the amount of Nineteen Thousand Nine Hundred Forty Eight Dollars. ($19,948) PG 72

VIII. NEW BUSINESS

1. Consideration of Authorization to enter into a Stipulated Compliance Order for the Judge and Spiro Tunnel Utah Pollutant Discharge Elimination System permits between Park City Municipal Corporation and the Utah Division of Water Quality, in a form approved by the City Attorney. PG 78

2. Consideration of Authorization to execute a Construction Agreement, in a form approved by the City Attorney, with Beck Construction & Excavation, Inc., for construction of the Quinns Fields Irrigation Filter Station project in an amount of $200,000.00. PG 94

3. Consideration of Approval of Addendum 2 for Soils Management and Testing Services- 2013 Pipelines project, URS Corporation, in an amount not to exceed $38,800 in a form approved by the City Attorney. PG 101

4. Consideration of Authorization to enter into a service provider agreement with Horrocks Engineering, for the SR-224 Phase II Pathway & Underpass Project in the amount of $297,486 in a form approved by the City Attorney. PG110

5. Consideration of approval of the proposed plat amendment to the Carl Winters School Subdivision located at 1255 Park Avenue, based on the findings of fact, conclusions of law and conditions of approval. PG 115

    a)Public Hearing
    b) Action

IX. ADJOURNMENT

PARK CITY REDEVELOPMENT AGENCY
SUMMIT COUNTY, UTAH
JANUARY 9, 2014

I. ROLL CALL

II. PUBLIC INPUT

III. MINUTES OF MEETING FOR JUNE 20, 2013, NOVEMBER 14, 2013 and DECEMBER 12, 2013

PG 148

IV. CONSENT AGENDA

1. Resolution establishing a regular meeting date, time, and location for 2014 meetings and appointing officers of the Board of Directors of the Park City Redevelopment Agency PG 152

V. ADJOURNMENT

PARK CITY MUNICIPAL BUILDING AUTHORITY
SUMMIT COUNTY, UTAH
JANUARY 9, 2014

I. ROLL CALL

II. PUBLIC INPUT

III. MINUTES OF MEETING OF JANUARY 10, 2013 and JUNE 20, 2013 PG 155

IV. CONSENT AGENDA

1. Resolution establishing a regular meeting date, time, and location for 2014 meetings and appointing officers of the Board of Directors of the Park City Municipal Building Authority PG 157

V. ADJOURNMENT

PARK CITY WATER SERVICE DISTRICT MEETING
SUMMIT COUNTY, UTAH
JANUARY 9, 2014

I. ROLL CALL

II. PUBLIC INPUT

III. MINUTES OF MEETING OF JANUARY 10, 2013, JUNE 24, 2013 SPECIAL MEETING

PG 160

IV. CONSENT AGENDA

1. Resolution establishing a regular meeting date, time, and location for 2014 meetings and appointing officers of the Board of Directors of the Park City Water Service District PG 162

V. ADJOURNMENT

A majority of City Council members may meet socially after the meeting. If so, the location will be announced by the Mayor. City business will not be conducted. Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the City Recorder at 435-615-5007 at least 24 hours prior to the meeting. Wireless internet service is available in the Marsac Building on Wednesdays and Thursdays from 4 p.m. to 9 p.m. Posted: 01/06/2014 See: www.parkcity.org

TENTATIVE MASTER CALENDAR

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

January

9 **See agenda**

16 **No Meeting – Sundance**

23 Blue Ribbon Commission Recommendations to Council – Matt D
Empire Ave- change order – Matt C. New bus.
Wasatch Summit- Ann (WS) 30 min
Approval of a change in number of on-mountain affordable Housing units – Flagstaff Housing Plan and Development Agreement
Amendment to purchase sale agreement- Park City Heights (NB)

29-31 Visioning Retreat

February

6 Friends of the Farm- study session 45 min Denise
Farm Animals – code amendments – Work – Deb
The Retreat at the Park First Amended Plat, located at 1450 & 1460 Park Ave Plat Amendment PL-13-01830- public hearing
The Fifth Supplemental Plat for Constructed Units at the Belles at Empire Pass Condominiums amending Units 10 & 11, located at 20 & 26 Silver Strike Trail- Amendment to Record of Survey PL 13-02096-public hearing
1255 Park Avenue, Park City Library plat amendment PL-13-001950, public hearing
115 Sampson Avenue Subdivision plat amendment PL-13-02035, public hearing

13 PW Update- Study Session- Blake 30 min

20- **No Meeting**
27 Round Valley Annexation- Kirsten

March

6
13- **No Meeting- Last Day of Legislative Session**
20
27

April

3
10- **No Meeting- ULCT Spring Conference**
17
24

Pending Items:

Latino Community outreach and engagement – study
Amendment to the housing resolution – for regular council – RS

Consideration of an Ordinance approving the McHenry Subdivision Replat Amendment located at 496 McHenry Avenue, Park City Survey, Park City, Utah
Ordinance 2519 Lucky John Drive – Plat Amendment PL-13-01980- KW
Gamble Oak Easements, new, Heinrich
Consideration of City Property Disposition Resolution-Heinrich

- Housing Authority Meeting
Housing Mitigation Plan for 1555 Lower Iron Horse Loop Road MPD in Bonanza Park – Rhoda/ Phyllis

City Council
Staff Report

Subject:	**Electric Vehicle Charging Stations – China Bridge**
Author:	**Matt Abbott**
Department:	**Sustainability**
Date:	**January 9, 2013**
Type of Item:	**Informational**

Summary Recommendations:

Staff recommends that City Council review details on electric vehicle (EV) charging stations and provide direction. Staff is recommending that the City designate two (2) parking stalls in the China Bridge Garage as EV only parking and invest in two (2) charging stations as a pilot and assess community utilization.

Topic/Description:

This report provides a basic overview of electric vehicle technology and electric vehicle charging stations. This report includes a detailed analysis of the proposed installation including costs, cost recovery, additional economic benefits, environmental benefits, and social benefits.

Background:

Electric Vehicles

The electric drive vehicle (EV) was first introduced in the 1830s. Over the past 180 years EVs have transformed from concept to market reality. To date, there are four vehicle categories that make up the EV market:

Vehicle Category	Abbreviation	Example
Hybrid Electric Vehicle	HEV	Toyota Prius and other hybrids
Plug-in Hybrid Vehicle	PHEV	Plug-in Toyota Prius
Extended Range Electric Vehicle	EREV	Chevy Volt
Battery Electric Vehicle	BEV	Tesla or Nissan Leaf

Utilizing data from the Electric Drive Transportation Association[1], EVs represent almost one out of every 25 of the automobiles that Americans purchased in 2013, or roughly 4%.[2]

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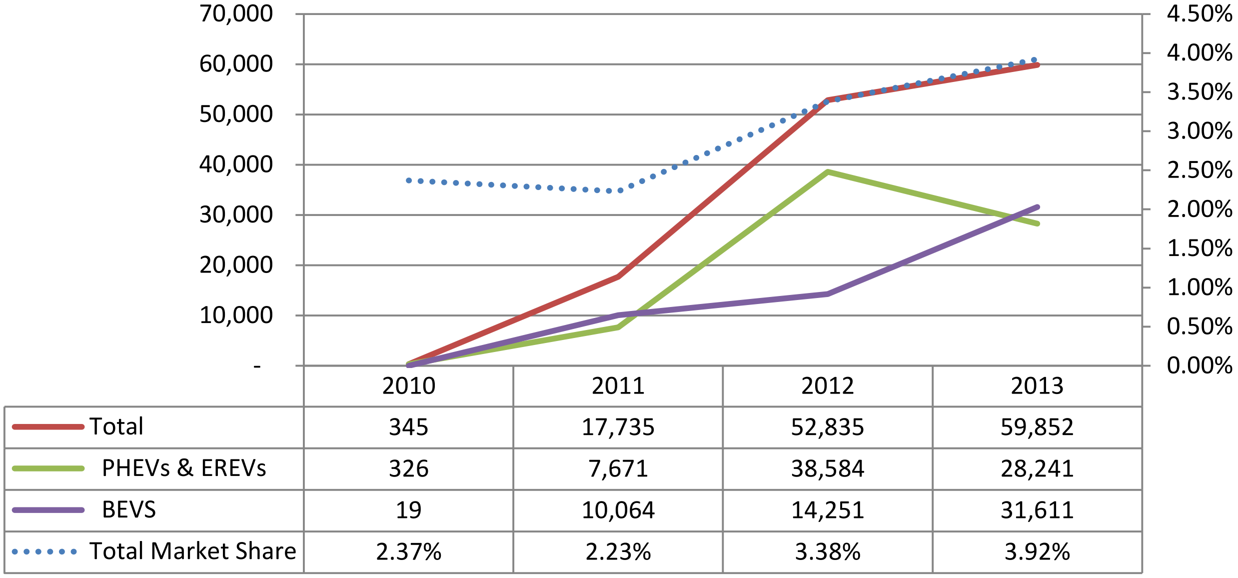
[1] http://www.electricdrive.org/

[2] "Electric Drive Vehicle Sales Figures (U.S. Market)". http://electricdrive.org/index.php?ht=d/sp/i/20952/pid/20952



EV Market Share in the United States (2010 – 2013)

	2010	2011	2012	2013
Total	345	17,735	52,835	59,852
PHEVs & EREVs	326	7,671	38,584	28,241
BEVS	19	10,064	14,251	31,611
Total Market Share	2.37%	2.23%	3.38%	3.92%

- Note: 2013 data includes all sales figures prior to September, 2013

This market is supported by decreasing vehicle prices, expanding selection, and generous State and Federal tax incentives.[3]

Staff contacted the Summit County DMV, the State DMV, and the Utah State Tax Commission and was unable to get a count of EVs in the City, County, or State.

Charging Stations

PHEVs, EREVs, and BEVs all utilize charging stations and there are two types of charging stations. A Level 1 station provides approximately 4.5 miles of range per hour of charging using a 120V line. A Level 2 station provides approximately 70 miles of ranger per hour of charging using a 208V line.[4]

Assessing other EV Charging Stations

According to a recent Urban Sustainability Directors Network (USDN) poll:

- The City of Dallas has four charging stations in use and has averaged 72 charges per station, per year; and
- The City of Knoxville has used a total of 952kWh of electricity over 215 charges.

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[3] $7,500 Federal Tax Credit and $605 Utah State Tax Credit - http://www.ncsl.org/research/energy/state-electric-vehicle-incentives-state-chart.aspx

[4] Tesla owns and operates Super Chargers, which utilize a 750V line. These systems are only compatible with Tesla vehicles and are not available for purchase or installation.

Extrapolating and normalizing this data we can estimate:

- 4.4 kWh per charge
- 72 charges per year
- 316.8 kWh per charger, per year (less than the annual energy use of Park City's 'Welcome' sign)
- $22.46 → $25.34 in electricity per charger, per year (using the Rocky Mountain Power Utah average of $0.071 to $0.080 per kWh)[5]

This estimate is in line with other cities utilizing public EV stations. Actual utilization in Park City may vary and Environmental Sustainability is prepared to track utilization.

Analysis:
Staff assessed this project from the perspective of community vision core values and impact levers: economic, environmental, and social impact.

Economic

Costs

Total anticipated upfront cost - $5,480

- $2,740 per stall
    - $1,500 wiring and installation
    - $1,175 Level 2 Eaton Charging Station (link)
    - $65 signage

Estimated annual energy cost for two stalls - $50.68

- $25.34 per stall, per year
- Estimate a 5.5% annual riser on the cost of energy per Rocky Mountain Power's published goal of 8.0% per year and historic achievement of 5.5% per year
- This estimate is intentionally high and does extrapolate commercial demand charges that may understate total energy costs

Cost Recovery

There are a few potential methods for cost recovery.

The first method is to charge per kWh. This method recently became a legal possibility in Utah. Despite legal feasibility, charging per kWh does not make fiscal sense. Charging stations that include credit card readers cost four to seven times more than the commercial charging station we recommend. In addition to the charging station there are network fees, transaction fees, and station maintenance costs. Pursuing the lowest cost model and charging $1.00 per kWh (a 12.5X mark-up) would result in a 20+ year payback period. Staff will continue to monitor other community's efforts recover costs through electricity sales.

The second method is to charge for parking. The City of Salt Lake charges for parking at each of their six EV parking stalls. This methodology adapts well to Salt Lake City's

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[5] http://www.rockymountainpower.net/about/rar/cpc.html

existing infrastructure, in that they already charge for parking. With the exception of the Sundance Film Festival, there is no fee for parking in China Bridge, although it would be possible to utilize the City's new PayByPhone parking app. Staff does not foresee pursuing EV charging stations at locations that have existing, paid parking infrastructure, and therefore does not recommend this methodology.

A third possibility would be to charge for an annual EV parking/charging sticker. This option offers the most price flexibility and the least associated infrastructure. However, staff still does not find the payback sufficient to institute this option at the current test level.

Each of these methodologies fails to effectively recover costs at the current scale of this project. If Park City continues to pursue EV stations cost recovery becomes more feasible. Staff will reassess cost recovery methodologies and make a cost recovery recommendation as we scale. Accordingly, at this time, staff recommends proceeding without charging for the use of the stations. Normal time limits will continue to apply.

Additional Economic Benefits

EV owners tend to represent the LOHAS (Lifestyle of Health and Sustainability) demographic. In addition to spending an average of $4,000[6] more than the average cost of a non-EV there is a growing number of luxury automakers introducing EVs. Tesla Motors currently has 8.4%[7] of the market share for all US luxury vehicles manufacturing only BEVs. They led the luxury market with the introduction of the Roadster (base price of $109,000) followed by the Model S (base price of $71,070). Tesla is introducing their first SUV, the Model X, in 2014. Other luxury EVs include BMW's i3 (2014), Cadillac's ELR (2014), Mercedes's B-Class (2014), and Audi's A3 (2015). EV luxury vehicles are interesting for two reasons. The first is that automakers tend to subsidize the cost of developing new technologies by introducing them to their luxury consumers first. There are a number of standard automotive technologies that began as luxury features. Second, it indicates that early EV charging station users are likely to benefit the Main Street shopping corridor.

Environment

There are two primary environmental considerations for EVs. The first is localized pollution from tailpipe emissions. BEVs have zero tailpipe emissions. PHEVs and EREVs have drastically reduced tailpipe emissions as compared to non-EVs. Tailpipe emissions are readily diluted in Park City but have a notable impact in Salt Lake Valley. Supporting infrastructure that reduces tailpipe emissions provides a real and direct environmental benefit regionally and globally.

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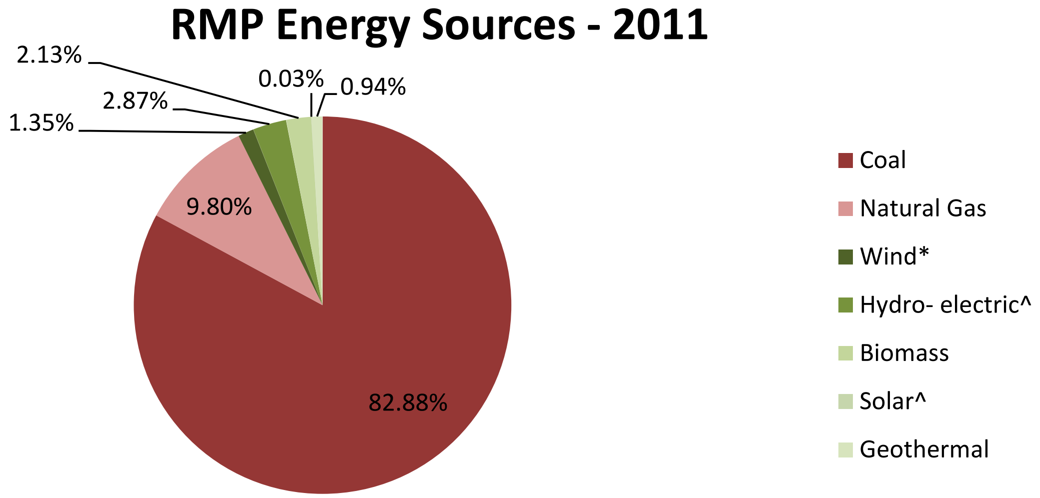
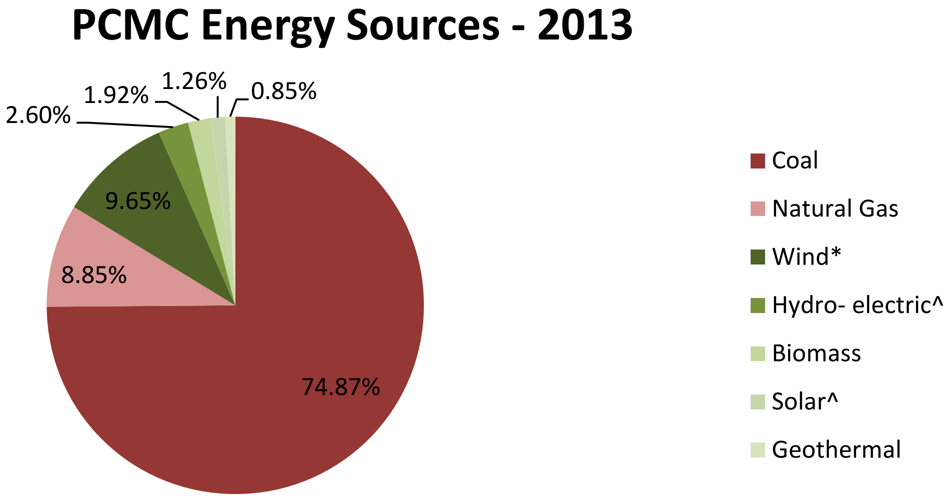
[6] Muller, Joann. "The Price of Electric Vehicles Is Falling; Is It Time to Buy?" *Forbes.* http://www.forbes.com/sites/joannmuller/2013/07/10/the-price-of-electric-vehicles-is-falling-is-it-time-to-buy/

[7] King, Dan. "Tesla's 8.4% Market Share Beats Audi 8, BMW 7 Series" *Autobloggreen*. http://green.autoblog.com/2013/08/07/teslas-8-4-market-share-beats-audi-a8-bmw-7-series/

The second environmental consideration is the source of the electricity used to charge EVs. According to calculations from the U.S. Energy Information Administration[8], Rocky Mountain Power's energy blend is as follows:



Park City's renewable energy portfolio and participation in Rocky Mountain Power's Blue Sky Renewable Energy Program improves our energy blend substantially.



In a study conducted by the Union of Concerned Scientists it was determined that the carbon emissions associated with the energy used to charge an EV equate to a vehicle that averages 27 miles per gallon equivalent (MPGe) for RMP's blend and 58 MPGe for Park City's blend[9], substantially higher than the current US average of 24.6 MPG. In

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[8] U.S. Energy Information Administration. "Utah: State Profile and Energy Estimates". http://www.eia.gov/state/?sid=UT#tabs-1

[9] "State of Charge." *Union of Concerned Scientist*. http://www.ucsusa.org/assets/documents/clean_vehicles/electric-car-global-warming-emissions-report.pdf

other words, the energy used to charge an EV in Park City is substantially cleaner than gasoline, natural gas, or diesel. Secondarily, electricity is ~~the~~ energy resource that we have the most control over. We have opportunities to further decarbonize this resource. If we pursue all of the currently recommended renewable energy projects, the MPGe for EV charging would increase from 58 to 125 and over a 1/4th of our energy blend would come from renewable energy.

In summary, EV charging reduces environmental impacts regionally and globally.

Social

The primary social impact of EV charging is environmental. Air quality is a regional health and social justice issue. EV infrastructure will help to lessen these issues. A secondary social impact is demonstrating support for vehicles that have lower lifetime operating costs. Investing in EV infrastructure demonstrates to citizens and visitors alike that EVs are an intelligent investment and are supported by the City of Park City.

Summary

In assessing the potential project's consistency with the City visioning (economic, environment, and social impacts), EV charging stations represent both an environmental and social win. In the near-term, EV charging stations represent a small cost to Park City but as EV charging scales there is, at minimum, a cost recovery potential. There are secondary economic benefits associated with the current EV demographic and supporting EV access to Park City businesses. Staff believes that designating and supporting two (2) EV charging stations in China Bridge is an overall win and a justifiable tradeoff.

Staff is approaching 2014 as a pilot year for EV charging. Information gathered during this pilot phase will help to determine the City's ongoing role with public EV charging. During this time, Sustainability will assess charging station utilization, parking use, and additional demand. Staff will also be working with Parking to understand unintended consequences, complications, and opportunities. Staff will continue to assess potential locations, address citizen requests, and continue to monitor the EV market. The team will not pursue new charging stations during the pilot phase. Based on the outcomes of the first year, Staff will determine the best strategy moving forward. If it is determined that the City will continue to support EV charging, Sustainability will pursue cost recovery in 2015.

Department Review:

Sustainability, Transit, Legal, and the City Manager reviewed this Staff Report.

Alternatives:

A. Approve:

City Council will review details on electric vehicle (EV) charging stations comment and provide policy direction. City Council will designate two (2) parking stalls in the China Bridge Garage as EV only parking and invest in two (2) charging stations to pilot the technology and community utilization. **(STAFF RECOMMENDATION)**

B. Deny:

City Council will not designate two (2) parking stalls in the China Bridge Garage as EV only parking and will deny the use of funds for two (2) charging stations. Council will provide policy direction

C. Modify:

City Council will review details on electric vehicle (EV) charging stations and provide policy direction. City Council will modify direction for EV dedicated parking stalls and invest in two (2) charging stations to pilot the technology and community utilization.

D. Continue the Item:

City Council may request that staff return with more information to help inform their decision and priorities.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination **(Economic Impact)**	**Preserving & Enhancing the Natural Environment** **(Environmental Impact)**	**An Inclusive Community of Diverse Economic & Cultural Opportunities** **(Social Equity Impact)**	**Responsive, Cutting-Edge & Effective Government**
Which Desired Outcomes might the Recommended Action Impact?	+ Internationally recognized & respected brand	+ Reduced municipal, business and community carbon footprints	+ Shared use of Main Street by locals and visitors + Entire population utilizes community amenities	+ Fiscally and legally sound + Well-maintained assets and infrastructure
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Positive ⇧	Very Positive ⬆	Very Positive ⬆	Positive ⇧
Comments: As stated in the analysis, EV charging stations represent a win acrossi the triple bottom line of people, planet, and profit. Pursuing charging stations will futher many of Council's priorities. Investing in EV stations Park City is leading the region's clean transportation economy.				

Funding Source:

The Downtown Improvements CIP. During discussions on the concept plan submitted by IBI, we discussed charging stations in China Bridge, the Library, and in any new parking structures. The approximate $5,480 price tag will not impact other projects. The annual operating costs will be will be monitored by Environmental Sustainability.

Consequences of not taking the recommended action:
Choosing not to pursue EV charging stations represents a forgone opportunity to support low emission vehicles. Park City would be choosing not to support the anticipated social, environmental, and economic benefits associated with EV ownership.

Recommendation:
Staff recommends that City Council review details on electric vehicle (EV) charging stations and provide policy direction. Staff is recommending that the City designate two (2) parking stalls in the China Bridge Garage as EV only parking and invest in two (2) charging stations to pilot the technology and community utilization.

Attachments:
None

City Council
Staff Report

Subject: **Library Site and Green Building Alternatives**
Author: **Jonathan Weidenhamer**
Department: **Sustainability**
Date: **January 9, 2014**
Type of Item: **Informational, Direction**

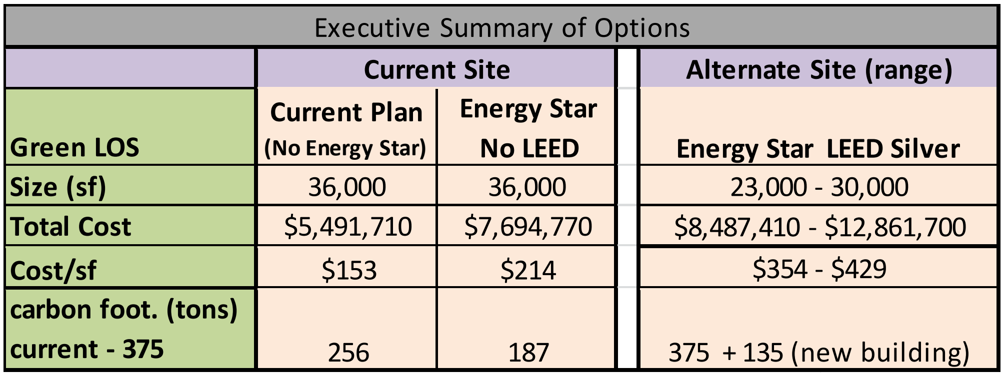
Summary Recommendations:
City Council should direct staff to continue the Library remodel and addition in the currently planned location (Carl Winters Building).

City Council should also direct staff on their preferred “green” building level of service:

- The Capital Budget Manager recommends staying within the current budget;
- The Sustainability Staff recommends meeting the City’s green building policy of Energy Star Certification by adding $2.3 to the budget;
- The Library Director is supportive of the energy star recommendation, but only if incremental budget can be realized;
- The City Manager recommends Council discuss their level of interest in making this building meet the Energy Star certification. If Council determines that they would like the building to meet the Energy Star standard, the City Manager and Capital Budget Manager recommend Council delay their decision until January 23rd when the Capital Budget Manager can provide a detailed presentation on the impact to the RDA of a $2.3 million increase to the Library remodel budget.

Topic/Description:
Library remodel and addition:
1. Consideration of site alternatives; and
2. Green building level of service.

Executive Summary



Executive Summary of Options

	Current Site			Alternate Site (range)
Green LOS	**Current Plan** **(No Energy Star)**	**Energy Star** **No LEED**		**Energy Star LEED Silver**
Size (sf)	36,000	36,000		23,000 - 30,000
Total Cost	$5,491,710	$7,694,770		$8,487,410 - $12,861,700
Cost/sf	$153	$214		$354 - $429
carbon foot. (tons) **current - 375**	256	187		375 + 135 (new building)

The current project construction estimate is $5.4M ($153 sf). If Council wants to pursue an offsite alternative, the estimated range for an Energy Star, LEED Silver building is $8.5M ($375/sf) - $12.8M ($429/sf) depending on the assumptions the estimates are based on.

Alternatively the cost to ensure the existing building will meet Energy Star certification by addressing the building envelope is estimated at an incremental $2.3M in soft and hard costs, for a total project budget of $7.6M ($214/sf).

Summary of Alternatives:

1. Build as currently planned (at Carl Winters for $5.5M);
2. Build a new library on an alternative site;
3. Build an energy model to verify if the currently planned upgrades will make energy star requirements and return for further direction;
4. Address the building envelope (add $2.3M);
5. Alternatively Council could direct staff to reduce existing planned components/programs of the project to meet Energy Star within current budget;
6. Add 4% to the project budget to focus on the lighting and operational controls;
7. Exercise exemption from the Green Building Policy.

Background:

On December 19, 2013, the City Council requested feasibility and cost assessment of a stand-alone library at alternative sites in the Lower Park Avenue redevelopment area. This direction was in the context of Council's consideration of a contract with Okland Construction for pre-construction services for the pending remodel and expansion of the library in its current location at the Carl Winters Building (CW), located at 1255 Park Avenue.

An overview of the 2 plus years of planning to date on this project is included as Exhibit B. Exhibit B also has links to the staff reports and additional background information.

The approved project budget is $5,600,000, and includes approximately $4.6 M in hard (construction) costs and $1M in soft (design, FF&E, etc.) costs. On September 9, 2013, at the end of Schematic Design, staff updated Council on the architect's approach to design and sustainable/green elements per Resolution 12-07(http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=11755). The following is an excerpt from that report:

> *Blalock and Partners, the architect, through their own design approach and consistent with current Council Policy plans to follow the intent of the United States Green Building Council (USGBC) as a "guideline" as opposed to a certification target. A preliminary discussion with PCMC Environmental staff recognizes we are calibrated with the design team by heavily focusing on energy efficiency and minimum energy requirements within the current budget. The architect has conducted on preliminary scoring with the USGBC's LEED (Leadership in Energy and Environmental Design) scoring system for Major Renovations and estimates at*

least 40 points and as many as 52 which scores somewhere between a base line Certified level and Silver level (Exhibit B):

LEED 2009 for New Construction and Major Renovations

100 base points; 6 possible Innovation in Design and 4 Regional Priority points

Certified	*40–49 points*
Silver	*50–59 points*
Gold	*60–79 points*
Platinum	*80 points and above.*

The approximate scoring, just below Silver, and not seeking actual certification is consistent with our approach on the Ice Rink, Police Station and MARC. Council current policy (Exhibit E) is to consider LEED certification on a project-by project basis. Further stated is the ability to allocate up to 4% incremental budget to further or enhance "green" elements beyond the initial assessment.

Next steps will be to have the sub-consultants (mechanical, electrical, structural) prepare formal analysis and cost estimates on proposed systems and their effects on energy performance and carbon footprint. Staff will then bring the financial and energy analysis and seek final policy direction on green level of service (LOS), including discussion on formal LEED certification.

Pursuing any of the aforementioned green building certifications will require staff time and varying levels of City funding. Staff believes it can pursue ENERGY STAR within the existing CIP budget for energy efficiency projects, but pursuing any of the LEED ratings will require unbudgeted funding and/or higher upfront costs on new projects. As discussed above, potential payback times (through utility savings) for LEED have been found to be highly project-specific and require analysis on a case-by-case basis.

If Council has a desire for a substantially higher green LOS or alternative environmental goals, such as a carbon neutral building, they should direct staff to start considering that now as it would have major impacts to scope, need for incremental budget, and timeline.

Council had a preliminary discussion with the design team on all the green elements that had been considered. Council was generally split on issues such air conditioning, but ultimately directed staff to continue to explore sustainable options, including specifically costs for LEED Certification. A majority of Council did not support adding large incremental budget amounts for additional green measures, based on an understanding that the project would meet our administrative green building policy – meeting minutes (http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=11841).

The library design is approximately 80% of the way through construction documents. The preliminary schedule estimates bidding in March, beginning construction in early April, and project completion in early spring of 2015. Not counting staff time, we have spent approximately $200,000 in design fees on the current design. Based on the outcome of this site and green building LOS alternatives discussion, the City Council will also be asked to reconsider approving a contract with Okland Construction for pre-construction services during their Regular meeting, but only if they agree with staff's recommendation to continue with the current project.

Analysis:

<u>Site Alternatives</u>

The following section will identify some basic assumptions and then explore various site alternatives and estimated costs.

Assumptions

1. <u>Size & Footprint of current plan</u> – The current library is 19,000 square feet (sf). The expanded library will be about 24,000 sf. The entire building, including the 3rd floor and Santy Auditorium, is 54,000 sf including a net 2,500 sf addition. The entirety of the 3 floor renovation, but not counting Santy, is 36,000 sf.

2. <u>Building efficiencies stipulate 30,000 sf for a new building</u> – Based upon input from Steve Brown and Okland, we assume with any new commercial construction, the ideal footprint is 15,000- 20,000 sf to realize cost savings through efficiencies in the floor plan (egress, elevators, corridors etc.). The minimum one can go before the cost/sf starts really escalating is 15,000 sf. Therefore all cost estimates for new construction are based on a 30,000 sf building (2 floors x 15,000 sf), which is above the approximate 24,000 sf of the current expansion plan for the library portion of the CW.

3. <u>Ideal size for a Library in a new building -</u> The ideal space if we were building a new, stand-alone library facility would be approximately 23,000 sf (Blalock). The Library staff and Board have submitted a formal statement that their positioning in the 21st century is rooted in being an anchor in a mixed use community facility (Exhibit H). This concept is supported by a recent Chicago Tribune article (Exhibit I), plus a series of other articles (Exhibit J). This provides additional support to the 30,000 sf building issue.

4. <u>Operating Costs</u> – There is often a belief that reconstructed facilities will be more energy efficient that they were prior to the remodel. Staff is firmly recommending adding air conditioning to this facility. The air will need, per the building code to be conditioned all the time, we would however be cooling it during certain times during the summer months. Without additional energy efficiency measures, this building will use more energy after the remodel than it did prior. Removing the air conditioning would only reduce the operating cost approximately 2%. A second

building will require incremental operating costs and result in additional carbon footprint.

5. <u>New Construction cost estimate is $250 - $265/sf.</u> This number includes site development, utilities, parking, etc. beyond just the internal finishing. The project at CW is approximately $138/sf (cost of construction) and takes advantage of the existing site development, utilities and parking. This estimate is based on:
   a. Case Studies from Okland (Exhibit C); and
   b. Case Studies from Blalock & Partners (Exhibit D)

   This $/sf would be for a straight forward, non-constrained site.

6. <u>Costs of structured Parking</u> – We've assumed $50,000 per underground stall and $16,000 for ground level and above grade based on input from Steve Brown and Okland (Exhibit C). The architect believes this high end is very high. Depending on the site these costs may be in addition to the $265/sf cost.

7. <u>Required Acres to develop a 15,000 sf building is 1.5 acres –</u> This is based on a series of assumptions: An acre is 43,560 sf; Footprint would be <u>15,000 sf;</u> 60 parking stalls needs <u>10,000 sf</u> (half underground (45 stalls) and 15 above; Landscaping, site development and setbacks (25' required) needs <u>15,000 sf</u> – total 40,000 sf. Open space requirements (60%) equals <u>24,000 sf;</u> for a total of <u>64,000</u> sf (1.46 ac) – setbacks may be able to count as open space, which would reduce the site size requirements.

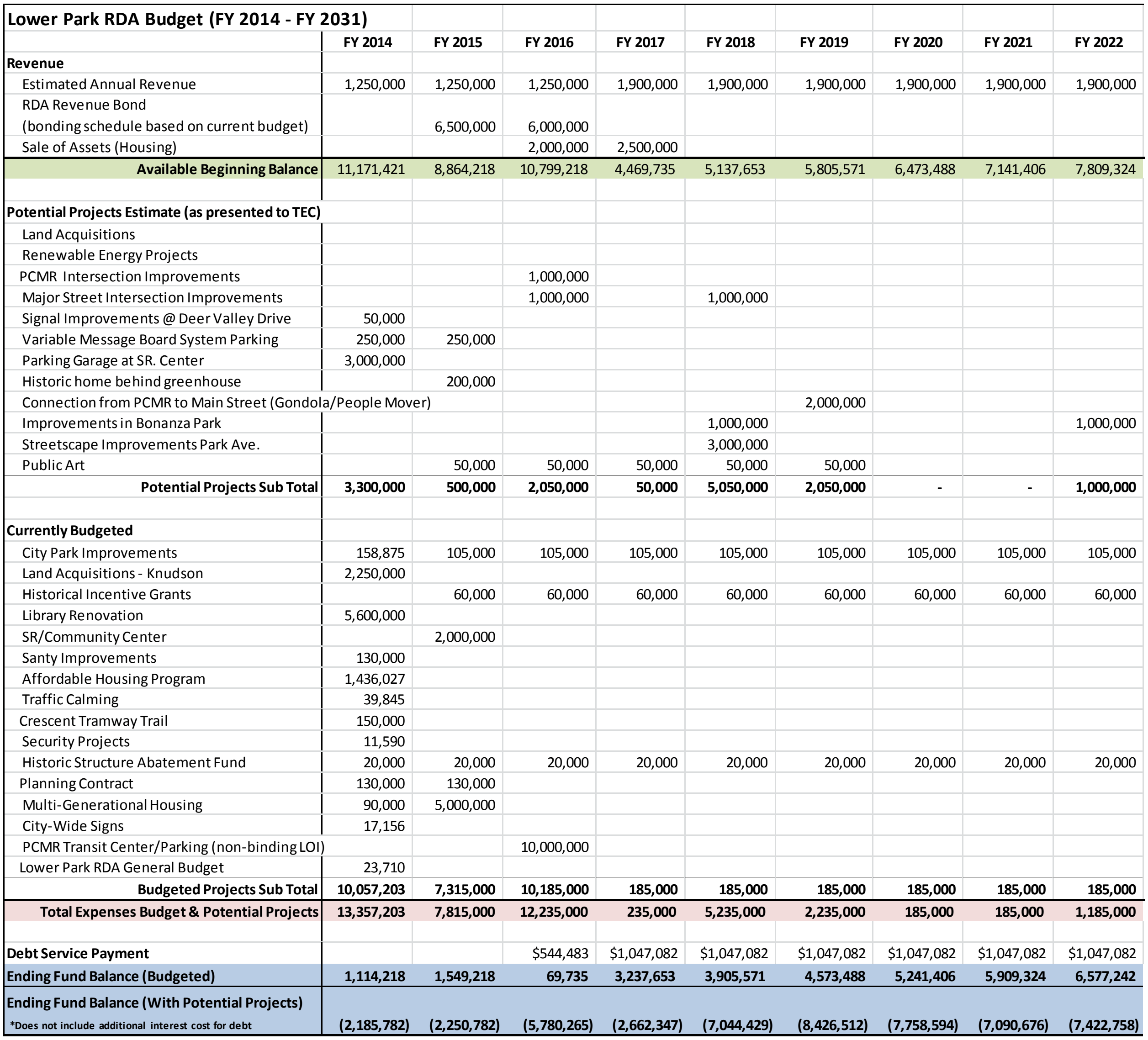
   The architect believes we need less space, something closer to 1 ac. Based on experience of the project manager and staff consultant we believe the standards required to develop in Park City will require more space than he recommends. The library field and parking lot alternatives exceed 1.7 acres. Alternatively, the City Council could change LMC open space requirements or look to combine multiple parcels such as Boo Radley and Mahwinney although this may be difficult as they are split by Sullivan Drive and platted 12th Street.

8. <u>Soils Remediation –</u> Soils tests at the senior center indicate limited exposure. Based on development of the Skate Park and information we know about the soils in Boo Radley Forest there are potentially substantial soils remediation issues. Accordingly, we've estimated $100,000 for remediation for sites west of Park Avenue and $650,000 for sites east of Park Avenue. Depending on amount and type of soil (and underground parking), this number could be much worse.

9. <u>What to do with CW if no library? -</u> The building would make a wonderful community center. Council suggested seniors on the first floor, community space on the second and a business incubator on the third floor to go along with the Santy Auditorium. We would still be left with an underperforming 22 year old building, a little more than halfway through its 40 year operational lifecycle. The building has a severely antiquated mechanical system and lacks air conditioning.

Additionally, in terms of unforeseen costs there could be some exposure resulting from the change of use and requirements to meet updated building codes for occupancy and life safety. A detailed analysis has not been prepared for potential requirements for having seniors, cooking and other potential uses. Occupancy per sf would be greater than the library use, but without a more concrete plan it is hard to forecast any code issues. Staff believes, at minimum, the building needs a new elevator system ($100,000), and a new boiler ($100,000), we would also have to consider a new roof at some point ($1.15M) total - $1,350,000. Lastly this does not take into account if the City's green building policy applies or the cost implication resulting from it.

10. Current LPA RDA Master Plan & Budget
The concept Master Plan includes a community and senior center. Over the past 15 months staff has been focused on the Library and land assemblage. We anticipate this spring/summer beginning the public engagement process to see what facilities and amenities we want to move forward with beyond the multi-generational housing. That process will begin with an assessment of the existing facilities in the RDA (Miners, Rec. Bldg., Fire Station, Senior Center). While the current budget includes $2M for a senior and community center and a $3M parking garage to park that facility, staff isn't convinced those projects will be prioritized after we understand the community and Council's priorities. The City Manager and Capital Budget Manager recommend Council delay their decision until January 23rd when the Capital Budget Manager can provide a detailed presentation of the long-range financial picture of the Lower Park RDA.



Lower Park RDA Budget (FY 2014 - FY 2031)

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
Revenue									
Estimated Annual Revenue	1,250,000	1,250,000	1,250,000	1,900,000	1,900,000	1,900,000	1,900,000	1,900,000	1,900,000
RDA Revenue Bond (bonding schedule based on current budget)		6,500,000	6,000,000						
Sale of Assets (Housing)			2,000,000	2,500,000					
Available Beginning Balance	11,171,421	8,864,218	10,799,218	4,469,735	5,137,653	5,805,571	6,473,488	7,141,406	7,809,324
Potential Projects Estimate (as presented to TEC)									
Land Acquisitions									
Renewable Energy Projects									
PCMR Intersection Improvements			1,000,000						
Major Street Intersection Improvements			1,000,000		1,000,000				
Signal Improvements @ Deer Valley Drive	50,000								
Variable Message Board System Parking	250,000	250,000							
Parking Garage at SR. Center	3,000,000								
Historic home behind greenhouse		200,000							
Connection from PCMR to Main Street (Gondola/People Mover)						2,000,000			
Improvements in Bonanza Park					1,000,000				1,000,000
Streetscape Improvements Park Ave.					3,000,000				
Public Art		50,000	50,000	50,000	50,000	50,000			
Potential Projects Sub Total	**3,300,000**	**500,000**	**2,050,000**	**50,000**	**5,050,000**	**2,050,000**	**-**	**-**	**1,000,000**
Currently Budgeted									
City Park Improvements	158,875	105,000	105,000	105,000	105,000	105,000	105,000	105,000	105,000
Land Acquisitions - Knudson	2,250,000								
Historical Incentive Grants		60,000	60,000	60,000	60,000	60,000	60,000	60,000	60,000
Library Renovation	5,600,000								
SR/Community Center		2,000,000							
Santy Improvements	130,000								
Affordable Housing Program	1,436,027								
Traffic Calming	39,845								
Crescent Tramway Trail	150,000								
Security Projects	11,590								
Historic Structure Abatement Fund	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000
Planning Contract	130,000	130,000							
Multi-Generational Housing	90,000	5,000,000							
City-Wide Signs	17,156								
PCMR Transit Center/Parking (non-binding LOI)			10,000,000						
Lower Park RDA General Budget	23,710								
Budgeted Projects Sub Total	**10,057,203**	**7,315,000**	**10,185,000**	**185,000**	**185,000**	**185,000**	**185,000**	**185,000**	**185,000**
Total Expenses Budget & Potential Projects	**13,357,203**	**7,815,000**	**12,235,000**	**235,000**	**5,235,000**	**2,235,000**	**185,000**	**185,000**	**1,185,000**
Debt Service Payment			$544,483	$1,047,082	$1,047,082	$1,047,082	$1,047,082	$1,047,082	$1,047,082
Ending Fund Balance (Budgeted)	**1,114,218**	**1,549,218**	**69,735**	**3,237,653**	**3,905,571**	**4,573,488**	**5,241,406**	**5,909,324**	**6,577,242**
Ending Fund Balance (With Potential Projects) ***Does not include additional interest cost for debt**	**(2,185,782)**	**(2,250,782)**	**(5,780,265)**	**(2,662,347)**	**(7,044,429)**	**(8,426,512)**	**(7,758,594)**	**(7,090,676)**	**(7,422,758)**

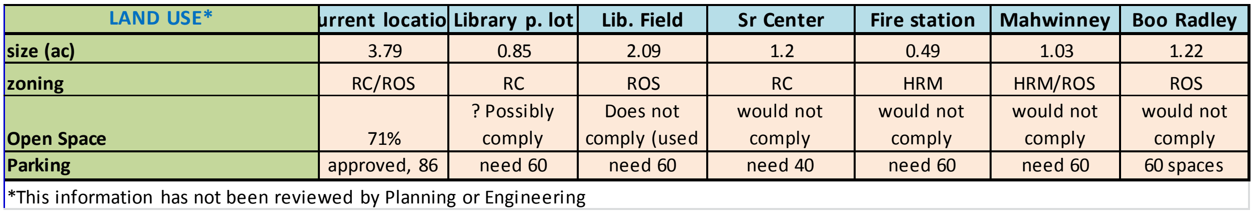
Budget worksheet continues to FY 2031

Ending Fund Balance Budgeted	$11,799,484
Ending Fund Balance with Potential Projects	$-2,200,516

Aside from the site specifics discussed below, and, depending on how much parking one assumed could be above versus underground, the cost estimates for each of the sites was relatively close. Rather than split out by site, staff thought it was more important for Council to understand the very broad spread of high and low cost estimate range based on the level of information we have at this time on each site.

In summary, staff believes it will take between $10M – $12.5 M to build a comparable library on a new site:

FEE Range	assumption	Energy Star Certified	LEED Basic Cert, w enhanced mechanical
High Range	includes $50k parking stall underground, sewer & water fees	**$12,454,750**	**$13,124,500**
cost/sf		**$415**	**$437**
Medium Range	includes $35k parking stall - no sewer & water fees	**$11,779,750**	**$12,449,500**
		$393	**$415**
lowest range	iincludes no cost for underground parking or sewer or water fees	**$10,079,750**	**$10,749,500**
cost/sf		**$336**	**$358**



LAND USE*	urrent locatio	Library p. lot	Lib. Field	Sr Center	Fire station	Mahwinney	Boo Radley
size (ac)	3.79	0.85	2.09	1.2	0.49	1.03	1.22
zoning	RC/ROS	RC	ROS	RC	HRM	HRM/ROS	ROS
Open Space	71%	? Possibly comply	Does not comply (used	would not comply	would not comply	would not comply	would not comply
Parking	approved, 86	need 60	need 60	need 40	need 60	need 60	60 spaces

*This information has not been reviewed by Planning or Engineering

The following information has not been reviewed by Planning, Building or Engineering.

1. <u>Library Parking Lot</u>
    a. Pros – Already disturbed, RC zoning, could create a civic campus, can use Mahwinney for Santy use overflow parking, access to Park Ave.
    b. Cons – Small site, would have to build parking underground or save $2M by building in library field, adjacent to residential, would have to replace the required 86 spaces for CW, wouldn't meet open space requirements, would render CW non-complying (parking).
2. <u>Library Field</u>
    a. Pros – Large site, could use CW parking & Mahwinney as overflow for Santy use, Could save over $2M by having all surface parking.
    b. Cons – Green space considered sacred by current master plan, would have to amend open space requirements for recently approved CW MPD, would render CW non-conforming (open space).
3. <u>Senior Center</u>
    a. Pros – Larger site, proximate to resort base, opportunity to establish campus with old fire station site and Miners Hospital.
    b. Cons – surrounded by residential, not sure Woodside could handle the vehicle trips.
4. <u>Fire Station</u>
    a. Pros – Good access to Park Ave., institutional use in the past, creates civic campus, overflow parking at City Park.
    b. Cons –Smallest site, surrounded by residential. Parking would have to be underground, at least 3 levels at a premium cost (lack of circulation).
5. <u>Mahwinney</u>
    a. Pros – Big flat site. Could underground parking or do combo to combine with Boo Radley to save $2M in underground parking
    b. Cons – Has some ROS zoning, access from Park Ave. unsure, access from Sullivan may be tough, would have to amend open space requirements.
6. <u>Boo Radley</u>
    a. Pros – Proximate to trail
    b. Cons – ROS zoned, in poison creek drainage (soils), adjacent to residential, access from Sullivan Ln. would be tough, would have to amend open space requirements.
7. <u>Miners Hospital</u>
    a. Pros – Cool site, could be a great adaptive reuse with substantial addition

Green Gazebo space would go away.

8. Outside Site
    a. Council could expand their search outside the adjacent neighborhood. Conceptual ideas could include a location in Prospector or Bonanza Park (BOPA). In BOPA we could look at sites within the RDA. The idea of a community education center adjacent to a central green space is appealing. We could also look to establish a joint venture with the school district and a private land owner to establishing an education based campus somewhere.

Green Building LOS Alternatives

A next step identified during the Library update to Council on September 5, 2013 was to prepare formal analysis and cost estimates on the proposed mechanical and electrical systems in relation to the City's Green Building resolution which requires that all new buildings and major renovations be designed to meet Energy Star certification (Exhibit E). Additionally, this resolution requires that these projects meet the requirements of LEED Certified but does not require the City to pursue certification. The policy also allows for an additional 4% in additional funding for enhanced green elements ($180,000). Staff intended to do this after the contractor was hired, to allow for the design team and contractor the time needed to agree on cost alternatives.

The design team prepared estimates against the LEED scale. Based on current estimates, we anticipate meeting a LEED Certified level; to be sure we could pursue at least two more points, which could come from an enhanced mechanical system (Exhibit F – current LEED estimates).

Consistent with input from Environmental staff, we've focused on enhanced performance, mainly electrical and mechanical systems. Due to the masonry construction and cement roof, the current Energy Star rating for the building is 51.4. We need 75/100 to be certified. Within the current project budget and mechanical system, the Energy Star rating would be 50.4 even with an enhanced mechanical system the Energy Star rating only climbs to 51 because the building is so highly inefficient.

There are however, alternative ways to address the Carbon Footprint of the facility. These include structural improvements to the building envelope that could negate the need for improved mechanical systems. However, since the end of schematic design and after the update to Council on 9/5/13 we moved into Design Development Drawings and have now learned the existing project scope and budget cannot accommodate these types of improvements, because the price is cost prohibitive. These options included new roof with insulation improvements, wall insulation and new windows. Pursuing these would also require removal of the existing baseboard radiator heating system.

possible at the CW. However, adaptively reusing the historic landmark building is in of itself a sustainable choice.

Green Building Assumptions

1. Incremental Cost of LEED Certification – We started by developing two different approaches. First, we used at cost/ sf averages of LEED Certified projects that Okland has constructed: Silver ($250); Gold ($275); Platinum ($375). The second approach was using architect's (ours and a SLC firm that our environmental staff has specific experience with) estimated percentage increase on cost of construction for green and commissioning cost assumptions. At each level, the estimated LEED commissioning cost is 1.5%, plus incremental construction cost would be: Silver (3%), Gold (4%), and Platinum (6.5%).

2. Incremental Cost of Energy Star Certification – There are options to increase the efficiency of the mechanical system for $310,000 in hard costs for an annual savings of $8,000.

Unit Type	Efficiency	Cost	Difference	Simple Payback (yrs)	$/SF	Projected Annual HVAC Cost
VRF (current proposal)	Baseline	$ 1,190,000	N/A	N/A	$ 0.60	$32,040.00
VAV RH w/ WC Chiller	25%	$ 1,500,000	$ 310,000	27	$ 0.45	$24,030.00
Displacement	33%	$ 1,650,000	$ 460,000	32	$ 0.40	$21,360.00

   This is not enough to reach Energy Star Certification as supported by our policy. There is no way of knowing exactly how much energy a new building will use (energy star rating) without either measuring after a year's time or by building an energy model ($10-$20K). To ensure we will meet Energy Star we would have to make significant changes to the building envelope. As we've learned with the masonry building at Marsac, the mortar, walls and cement roof at CW are sieves. Upgrades to the building envelope would include:

   - new roof ($1.15M),
   - insulating the walls ($225k),
   - new baseboard heaters ($150k),
   - new windows ($175k).

   The total cost estimate for all these hard cost items with the upgraded mechanical system is $2.3 M, including design and certification costs.

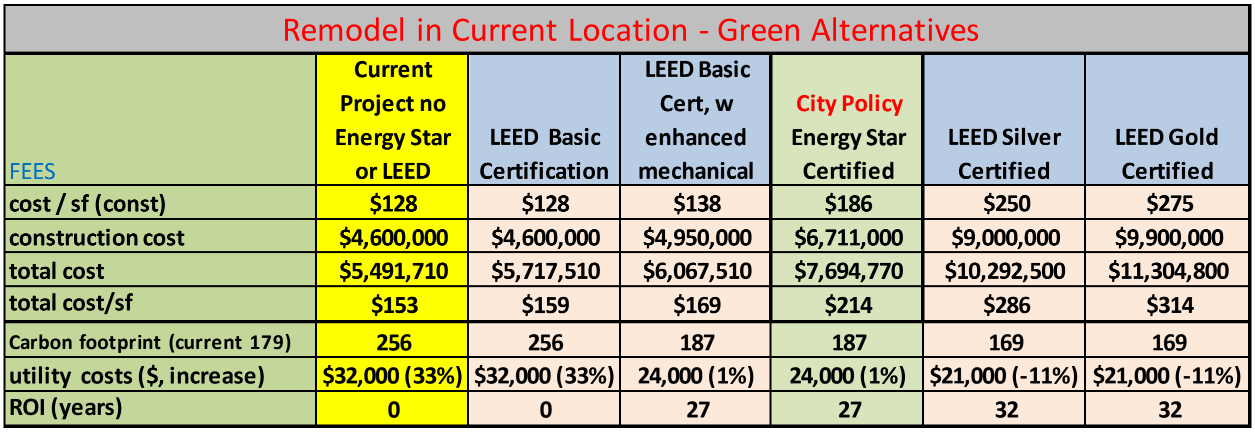
   A new roof would have the biggest impact on the energy efficiency. The mechanical system would have the biggest impact on the carbon footprint.

3. Carbon Footprint
   The current library's Carbon footprint is 375. The current expansions' budget and mechanical system would decrease that to 255. An enhanced mechanical

incremental carbon footprint for a 30,000 sf new building (Energy Star, Silver) would be approximately 135 tons for an Energy Star, Silver building.

4. The whole story (submitted by PCMC Environmental Staff) - There are two different paths to having a “green” facility. Reusing a facility minimizes the creation of new “stuff.” The environmental impact is less manufacturing and less transportation of goods. The second option is creating new “stuff,” but using fewer goods over the future life of the facility. In the time allocated the team was unable to provide a firm picture as to which would be better over the next thirty years. We were also not comfortable saying that the two locations would be an apples-to-apples comparison in “usability.” Some big determining factors that we were lacking were hours of operation if the facility was used for something other than a library, amount of technology required by the new user, the number of individuals at the location on a daily or seasonal basis, etc. Without these details our estimates would be a farce.

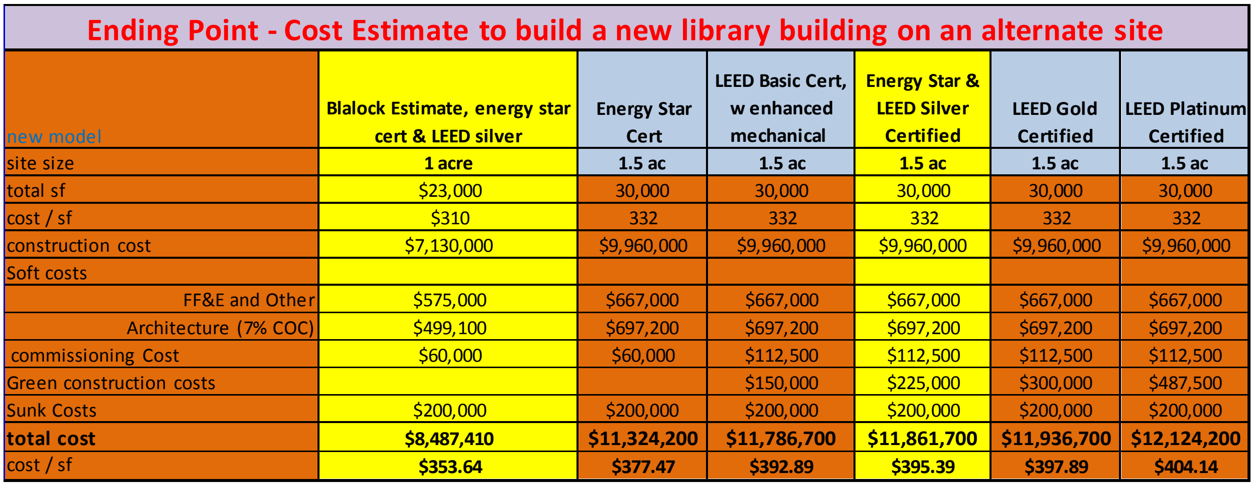
   Supposing that the Council decided to stay at the existing location, the Environmental staff would recommend achieving the Energy Star rating, but not the optional LEED Certification. Though we believe LEED provides a better, more holistic approach, we are 80% into the design phase for this project and LEED certification was not included in the existing scope, as affirmed by Council on September 5, 2013. It is costly to restart this process at this time. We would recommend revisiting the City’s green policy in the future. As staff has seen through their experiences, LEED standard rarely means the same as LEED certification. If the Council decides to move locations, Environmental staff believes that the Council should consider building to LEED Silver. If a focus is placed on achieving energy efficiency points, the benefits assist in achieving our City goals and the resolutions intent.



Remodel in Current Location - Green Alternatives

FEES	Current Project no Energy Star or LEED	LEED Basic Certification	LEED Basic Cert, w enhanced mechanical	City Policy Energy Star Certified	LEED Silver Certified	LEED Gold Certified
cost / sf (const)	$128	$128	$138	$186	$250	$275
construction cost	$4,600,000	$4,600,000	$4,950,000	$6,711,000	$9,000,000	$9,900,000
total cost	$5,491,710	$5,717,510	$6,067,510	$7,694,770	$10,292,500	$11,304,800
total cost/sf	$153	$159	$169	$214	$286	$314
Carbon footprint (current 179)	256	256	187	187	169	169
utility costs ($, increase)	$32,000 (33%)	$32,000 (33%)	24,000 (1%)	24,000 (1%)	$21,000 (-11%)	$21,000 (-11%)
ROI (years)	0	0	27	27	32	32

To forecast cost estimates for both alternative sites and green alternatives was incredibly difficult. Staff’s various models and methodology is described in detail in established a middle ground of $11.3M as a starting point, and applied the estimated costs for a baseline Energy Star Certification for higher green LOS alternatives. As seen below, the architect’s estimates are lower than staff’s:

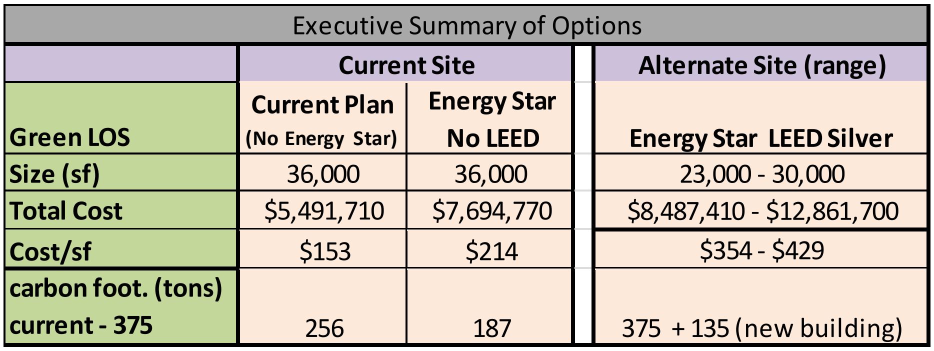


Ending Point - Cost Estimate to build a new library building on an alternate site

new model	**Blalock Estimate, energy star cert & LEED silver**	**Energy Star Cert**	**LEED Basic Cert, w enhanced mechanical**	**Energy Star & LEED Silver Certified**	**LEED Gold Certified**	**LEED Platinum Certified**
site size	**1 acre**	**1.5 ac**	**1.5 ac**	**1.5 ac**	**1.5 ac**	**1.5 ac**
total sf	$23,000	30,000	30,000	30,000	30,000	30,000
cost / sf	$310	332	332	332	332	332
construction cost	$7,130,000	$9,960,000	$9,960,000	$9,960,000	$9,960,000	$9,960,000
Soft costs						
FF&E and Other	$575,000	$667,000	$667,000	$667,000	$667,000	$667,000
Architecture (7% COC)	$499,100	$697,200	$697,200	$697,200	$697,200	$697,200
commissioning Cost	$60,000	$60,000	$112,500	$112,500	$112,500	$112,500
Green construction costs			$150,000	$225,000	$300,000	$487,500
Sunk Costs	$200,000	$200,000	$200,000	$200,000	$200,000	$200,000
total cost	**$8,487,410**	**$11,324,200**	**$11,786,700**	**$11,861,700**	**$11,936,700**	**$12,124,200**
cost / sf	**$353.64**	**$377.47**	**$392.89**	**$395.39**	**$397.89**	**$404.14**

<u>Kevin Blalock Estimates</u> - 23,000 sf building, $265/sf construction; $35 sf site (no unusual conditions (water, soils, etc.)), includes 65 parking stalls about ½ underground. Energy Star compliant, LEED Silver – total construction cost $7.13M, FF& E budget of $550k.
<u>Staff Estimates</u> – 30,000 sf building, $275/sf construction; $35 sf site, $22/sf bad soils, <u>parking unclear,</u> Energy Star, – total construction cost $9.96M, FF&E budget of $667k:

Staff is unsure if the building could be parked within these budget ranges. In either case, the starting point of $310/sf allows for a premium beyond the $250/sf in the first section of the staff report. The architect’s approach offers an isolated approach to a stand-alone facility, as opposed to factoring the facilities potential place as an anchor in a broader community master plan.



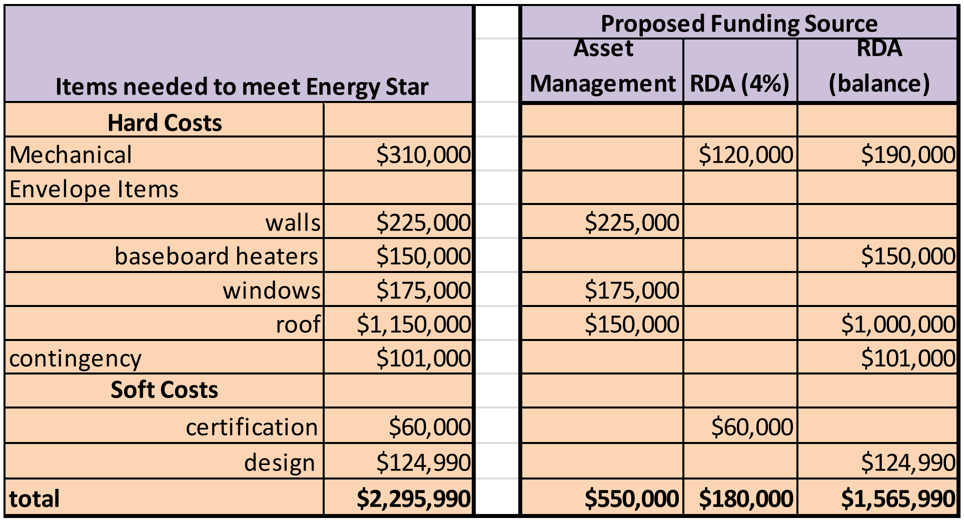
Executive Summary of Options

	Current Site		**Alternate Site (range)**
Green LOS	**Current Plan** **(No Energy Star)**	**Energy Star** **No LEED**	**Energy Star LEED Silver**
Size (sf)	36,000	36,000	23,000 - 30,000
Total Cost	$5,491,710	$7,694,770	$8,487,410 - $12,861,700
Cost/sf	$153	$214	$354 - $429
carbon foot. (tons) current - 375	256	187	375 + 135 (new building)

5. Funding Assumptions

To get Energy Star certification the incremental cost is estimated at $2.3M additional dollars beyond the current project. Because the price/sf is still significantly lower ($214/sf) than a comparable new building ($354 - $429/sf) Council could consider green building options ($180,000). Staff recommends doing so from the RDA budget. Certain portion of the building envelope improvements are eligible to be funded with asset management funds ($550,000). To fund the remainder of the Energy Star items, staff recommends using RDA funds. Council must be aware that substantial expenditures beyond what is currently budgeted significantly affect the RDA's primary function which is to generate economic development through new growth and may potentially impact planned projects in the RDA (see Significant Impacts Section below).

The long term RDA budget plan cannot support funding a library in an alternate location without significantly reducing or eliminating other projects in the District. If Council determines that they would like the current building to meet the Energy Star standard, the City Manager and Capital Budget Manager recommend Council delay their decision until January 23rd when the Capital Budget Manager can provide a detailed presentation on the RDA.



			Proposed Funding Source		
Items needed to meet Energy Star			**Asset Management**	**RDA (4%)**	**RDA (balance)**
Hard Costs					
Mechanical	$310,000			$120,000	$190,000
Envelope Items					
walls	$225,000		$225,000		
baseboard heaters	$150,000				$150,000
windows	$175,000		$175,000		
roof	$1,150,000		$150,000		$1,000,000
contingency	$101,000				$101,000
Soft Costs					
certification	$60,000			$60,000	
design	$124,990				$124,990
total	**$2,295,990**		**$550,000**	**$180,000**	**$1,565,990**

Based on an assessment of the 15 year project budget for the RDA and the historic nature of the Carl Winters building, it is the Budget Manager's recommendation that Council consider exercising the exemption section (Section 4) of the PCMC Green Building Resolution which allows the City to not apply the policy with City Council approval. The two criteria which may be applicable are (4) *Projects where the application of LEED factors will increase construction costs beyond the City's funding capacity for the project* and (6) *Projects where LEED factors are not attainable due to the nature of the facilities or the schedule for construction.*

Alternatively Council could direct staff to reduce existing planned components/programs of the project to meet Energy Star within current budget. The roof will have the biggest impact on Energy Star; the mechanical will have the biggest impact on the carbon footprint. Staff is supportive of using Asset Management funds for the building components listed in the table above, not to exceed $550,000.

After the mechanical system, the second priority to enhance energy points would be on the lighting and operational control systems. Overhauling the current lighting plan to use all LED lights could reduce the lighting load up to 18%. The lighting system is about 35% of the entire building energy use. This could also be done within the 4% option.

Department Review:
Economic Development, Environmental Sustainability, Community Affairs, Budget, Legal Staffs and the City Manager.

This report has not been reviewed by Building, Planning or Engineering.

Alternatives:

1. Build as currently planned (at Carl Winters for $5.5M);
2. Build a new library on a new site;
3. Build en energy model to verify if the currently planned upgrades will make energy star requirements and return for further direction;
4. Address the building envelope (add $2.3M);
5. Alternatively Council could direct staff to reduce existing planned components/programs of the project to meet Energy Star within current budget;
6. Add 4% to the project budget to focus on the lighting and operational controls;
7. Exercise exemption from the Green Building Policy.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination **(Economic Impact)**	**Preserving & Enhancing the Natural Environment** **(Environmental Impact)**	**An Inclusive Community of Diverse Economic & Cultural Opportunities** **(Social Equity Impact)**	**Responsive, Cutting-Edge & Effective Government**
Which Desired Outcomes might the Recommended Action Impact?	+ Accessible and world-class recreational facilities, parks and programs + Balance between tourism and local quality of life + Safe community that is walkable and bike-able + Internationally recognized & respected brand (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome)	- Reduced municipal, business and community carbon footprints (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome)	+ Preserved and celebrated history; protected National Historic District + Cluster development while preserving open space (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome)	~ Fiscally and legally sound - Streamlined and flexible operating processes + Well-maintained assets and infrastructure (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome)
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Very Positive ↑	Negative ⇩	Very Positive ↑	Neutral ⇔
Comments:				

Additional Costs

Staff expects the following incremental costs to the project in addition to any costs with enhanced green elements:

- Design Change Order – The architect has submitted an invoice for $25,000 for additional services ($20k for additional work related to the MPD process, $5k for additional analysis on the green building design). This can be accommodated within staff's administrative authority within the current contract.

- Santy Upgrades – Staff is currently assimilating anticipated costs for needed upgrades to technical equipment in the Santy. The preliminary estimates are approximately $300k. Council should anticipate roughly a 3 way split of those costs, depending on the outcome of pending negotiations.

- Move during Construction – Staff will be working with Okland to estimate costs to move and temporary house the library.

Funding Source:

The LPA RDA is the funding source for these projects. The LPA RDA is now generating approximately $1.2 M annually. There is currently $11 M in budgeted funds available in the LPA RDA for FY 2014. The RDA will accumulate an estimated additional $1.2 M more through 2015, and with the extension now through 2030 as much as an additional $30M or potentially more, depending on new growth and tax base through 2030, when the RDA is scheduled to expire. The budget identifies approximately $11M in projects in the RDA in FY2014. These projects include $5.6 M for the library rebuild, $2.3 M for land acquisitions, $1.5 M for affordable housing, and $2 M for senior community center in addition to several smaller projects.

Once current budgeted funding for FY 14 is exhausted, there will be approximately $30 M in anticipated funding over the next 15 years. Ultimately there will be competition for these dollars. Through a non-binding LOI, the RDA has already pledged as much as $10M to contribute to a transit center and parking garage at the base of PCMR as the focal point of the RDA's master plan. There will be additional competition for dollars in the limited section Bonanza Park included in the RDA (generally the Iron Horse Drive area, but not the proposed relocation area for the substation), the base of PCMR and other ongoing parts of the master plan (exhibit I).

The long term RDA budget plan cannot support funding a library in an alternate location without significantly reducing or eliminating other projects in the District. If Council determines that they would like the current building to meet the Energy Star standard, the City Manager and Capital Budget Manager recommend Council delay their decision until January 23rd when the Capital Budget Manager can provide a detailed presentation on the RDA.

Consequences of not taking the recommended action:

Budget

If Council directs staff to pursue a new site approximately $200,000 of specific site design will be foregone. This does not recognize significant staff time.

As detailed above, between recent land acquisition and budgeted projects for FY 14, the current $11 M in RDA funds will be exhausted in FY 14. The ability of the RDA to generate additional tax increment financing is dependent on the taxable value of new growth in the district. The TEC approved the extension of the Lower Park RDA with a tentative list of redevelopment projects which might be pursued in the district. This project list did not include the library renovation. It was anticipated that the Library Renovation project would be completed with existing RDA funding and would not require new RDA extension funding. It is staff's recommendation that if the library renovation exceeds the available budget in the current RDA, that staff present a new prospective RDA funding plan to the TEC.

Timeline

If Council agrees to continue to pursue the current site and scope or the current site and only enhanced mechanical we will be able to maintain the current timeline.

If they decide to pursue Energy Star or LEED certification on the current site, the project will be delayed 3 months.

If they decide to pursue an alternative site, the project will be delayed approximately one year.

Existing Tenants

The pending construction and lease negotiations with the tenants have been difficult. The COOP's registration is at its lowest point ever and their revenues have been impacted by the uncertainty of the project.

Recommendation:

City Council should direct staff to continue the Library remodel and addition in the currently planned location (Carl Winters Building).

City Council should also direct staff on their preferred "green" building level of service:

- The Capital Budget Manager recommends staying within the current budget;
- The Sustainability Staff recommends meeting the City's green building policy of Energy Star Certification by adding $2.3 to the budget;
- The Library Director is supportive of the energy star recommendation, but only if incremental budget can be realized;
- The City Manager recommends Council discuss their level of interest in making this building meet the Energy Star certification. If Council determines that they

would like the building to meet the Energy Star standard, the City Manager and Capital Budget Manager recommend Council delay their decision until January 23rd when the Capital Budget Manager can provide a detailed presentation on the impact to the RDA of a $2.3 million increase to the Library remodel budget.

Exhibits

A	Detailed cost estimate spread sheet & methodology background
B	Background on Library - Why we are here
C	Okland Case Study #'s
D	Blalock Case Study #'s
E	Green Building Resolution (12-07)
F	Current LEED Point Analysis
G	Mechanical Analysis
H	Library Board & Library Staff Position
I	Recent Chicago Tribune article on the 21st Century Library
J	Other Research - http://libraries.pewinternet.org/

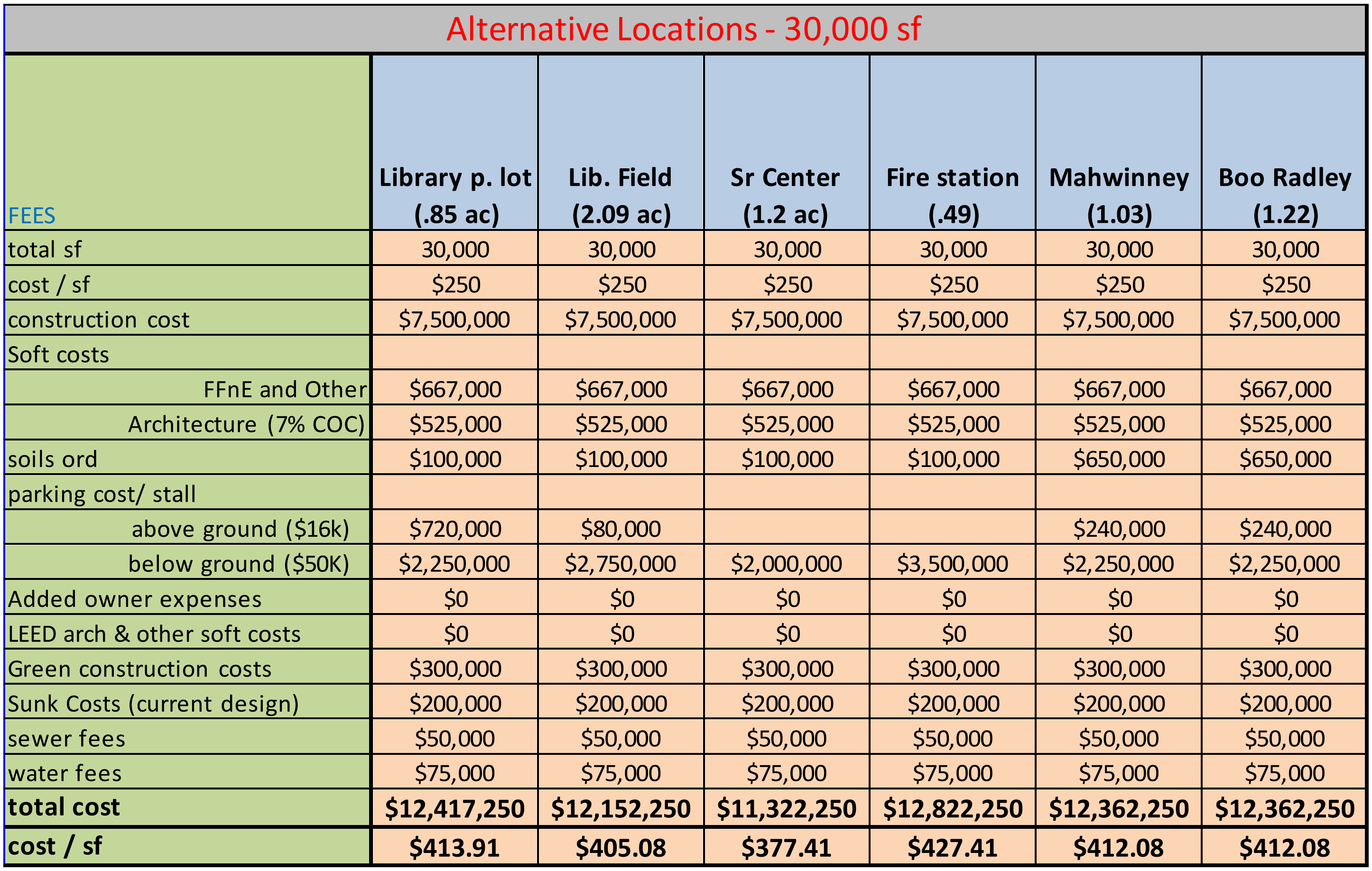
Exhibit A – Spreadsheets & Methodology

Remodel in Current Location - Green Alternatives

FEES	**Current Project no Energy Star or LEED Cert**	**LEED Basic Certification**	**LEED Basic Cert, w enhanced mechanical**	**City Policy Energy Star Certified w enhanced mechanical & envelope**	**LEED Silver Certified**	**LEED Gold Certified**
total sf	36,000	36,000	36,000	36,000	36,000	36,000
cost / sf (const)	$128	$128	$138	$158	$250	$275
construction cost	$4,600,000	$4,600,000	$4,950,000	$5,670,000	$9,000,000	$9,900,000
Soft costs						
FFnE and Other	$514,000	$514,000	$514,000	$514,000	$514,000	$514,000
Architecture (7% COC)	$377,710	$377,710	$377,710	$446,900	$680,000	$743,000
Added owner expenses		$38,100	$38,100	$60,000	$45,000	$50,000
LEED arch & other soft costs		$49,700	$49,700		$53,500	$97,800
Green construction costs		$138,000	$138,000			
total cost	**$5,491,710**	**$5,717,510**	**$6,067,510**	**$6,690,900**	**$10,292,500**	**$11,304,800**
total cost/sf	**$153**	**$159**	**$169**	**$186**	**$286**	**$314**

Cost for Construction new building in alternate location(s)

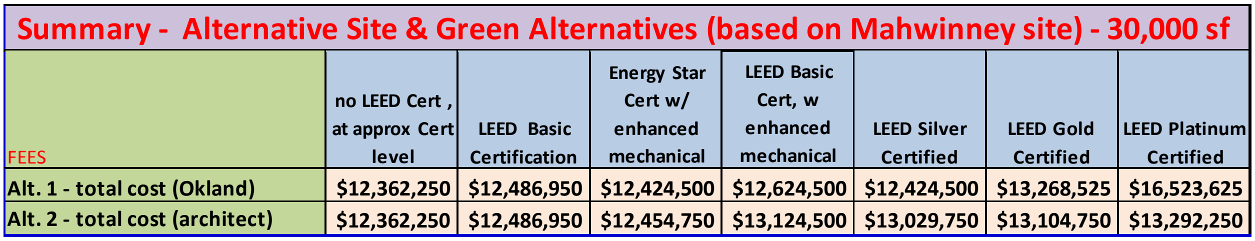
Starting Point (high range estimate). This model was based on assumptions made by staff identified in the staff report.



Alternative Locations - 30,000 sf

FEES	Library p. lot (.85 ac)	Lib. Field (2.09 ac)	Sr Center (1.2 ac)	Fire station (.49)	Mahwinney (1.03)	Boo Radley (1.22)
total sf	30,000	30,000	30,000	30,000	30,000	30,000
cost / sf	$250	$250	$250	$250	$250	$250
construction cost	$7,500,000	$7,500,000	$7,500,000	$7,500,000	$7,500,000	$7,500,000
Soft costs						
FFnE and Other	$667,000	$667,000	$667,000	$667,000	$667,000	$667,000
Architecture (7% COC)	$525,000	$525,000	$525,000	$525,000	$525,000	$525,000
soils ord	$100,000	$100,000	$100,000	$100,000	$650,000	$650,000
parking cost/ stall						
above ground ($16k)	$720,000	$80,000			$240,000	$240,000
below ground ($50K)	$2,250,000	$2,750,000	$2,000,000	$3,500,000	$2,250,000	$2,250,000
Added owner expenses	$0	$0	$0	$0	$0	$0
LEED arch & other soft costs	$0	$0	$0	$0	$0	$0
Green construction costs	$300,000	$300,000	$300,000	$300,000	$300,000	$300,000
Sunk Costs (current design)	$200,000	$200,000	$200,000	$200,000	$200,000	$200,000
sewer fees	$50,000	$50,000	$50,000	$50,000	$50,000	$50,000
water fees	$75,000	$75,000	$75,000	$75,000	$75,000	$75,000
total cost	**$12,417,250**	**$12,152,250**	**$11,322,250**	**$12,822,250**	**$12,362,250**	**$12,362,250**
cost / sf	**$413.91**	**$405.08**	**$377.41**	**$427.41**	**$412.08**	**$412.08**

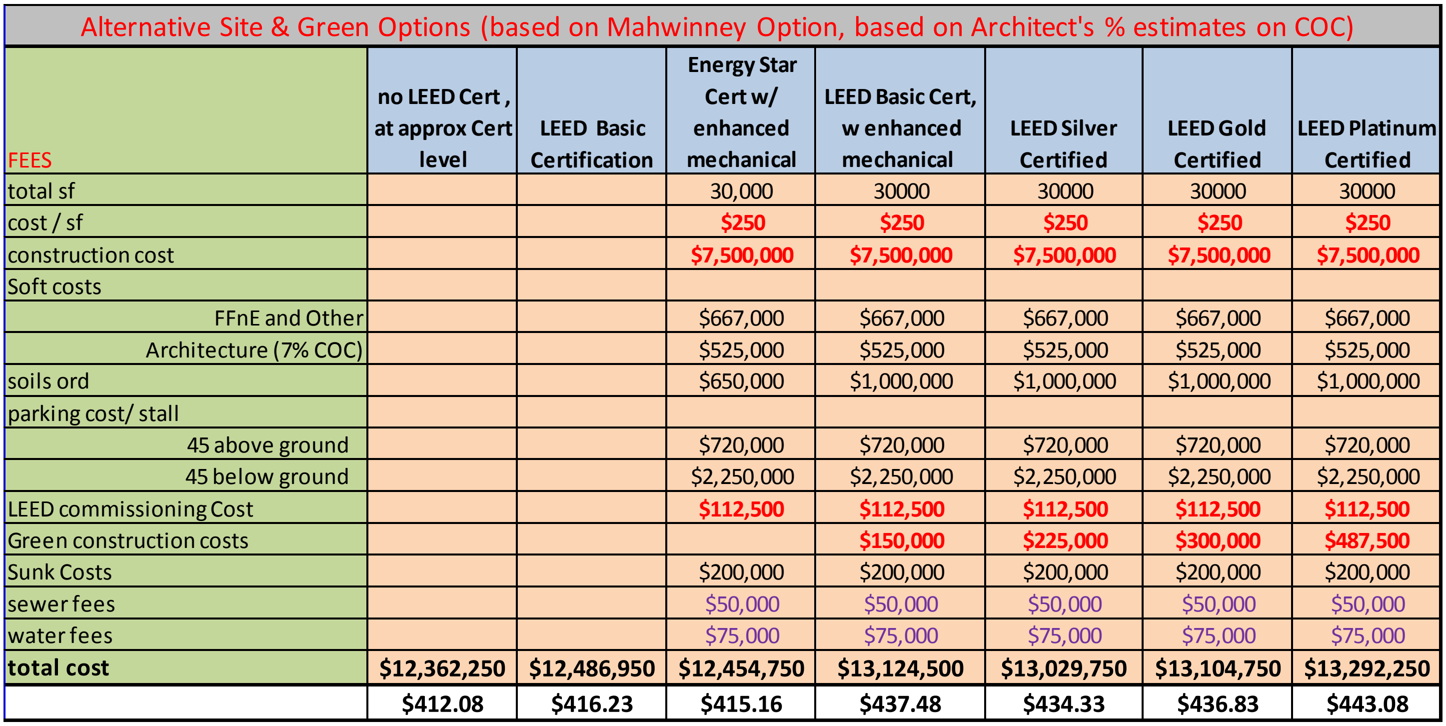
The numbers above were then used as a baseline to prepare cost estimates for enhanced levels of Green Building. We ran the thing a number of ways, One way based on actual Okland construction experience, and another based on input from an SLC architect that Ann has experience with. Ultimately the model I choose blended those two along with preliminary input from Blalock. Here is the summary:



Summary - Alternative Site & Green Alternatives (based on Mahwinney site) - 30,000 sf

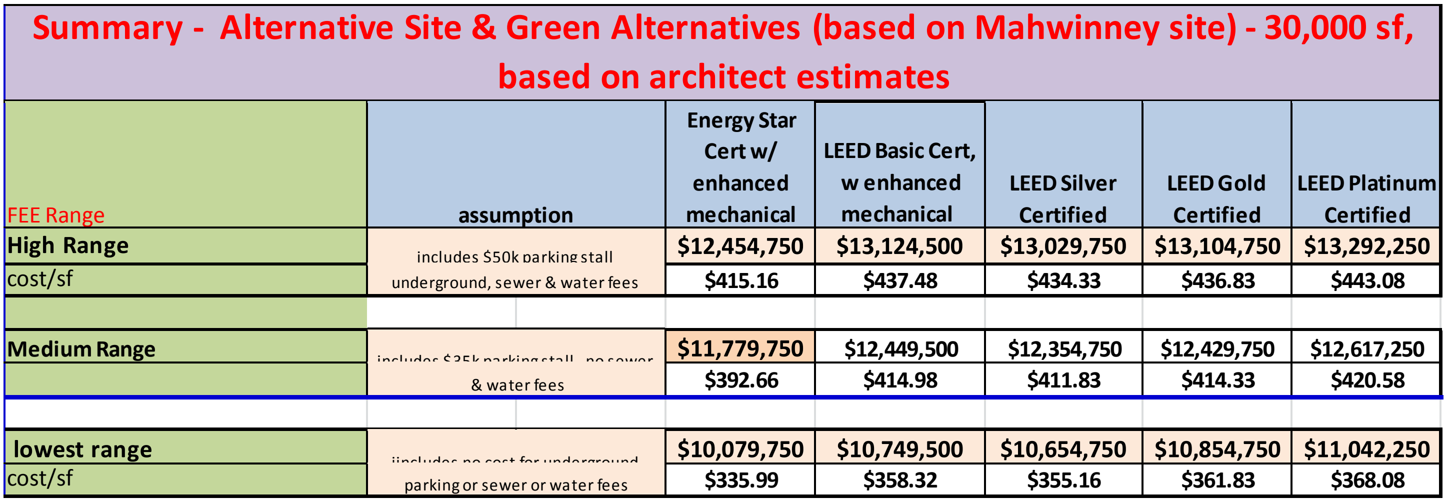
FEES	no LEED Cert , at approx Cert level	LEED Basic Certification	Energy Star Cert w/ enhanced mechanical	LEED Basic Cert, w enhanced mechanical	LEED Silver Certified	LEED Gold Certified	LEED Platinum Certified
Alt. 1 - total cost (Okland)	**$12,362,250**	**$12,486,950**	**$12,424,500**	**$12,624,500**	**$12,424,500**	**$13,268,525**	**$16,523,625**
Alt. 2 - total cost (architect)	**$12,362,250**	**$12,486,950**	**$12,454,750**	**$13,124,500**	**$13,029,750**	**$13,104,750**	**$13,292,250**

Here is the detail:



Alternative Site & Green Options (based on Mahwinney Option, based on Architect's % estimates on COC)							
FEES	no LEED Cert , at approx Cert level	LEED Basic Certification	Energy Star Cert w/ enhanced mechanical	LEED Basic Cert, w enhanced mechanical	LEED Silver Certified	LEED Gold Certified	LEED Platinum Certified
total sf			30,000	30000	30000	30000	30000
cost / sf			$250	$250	$250	$250	$250
construction cost			$7,500,000	$7,500,000	$7,500,000	$7,500,000	$7,500,000
Soft costs							
FFnE and Other			$667,000	$667,000	$667,000	$667,000	$667,000
Architecture (7% COC)			$525,000	$525,000	$525,000	$525,000	$525,000
soils ord			$650,000	$1,000,000	$1,000,000	$1,000,000	$1,000,000
parking cost/ stall							
45 above ground			$720,000	$720,000	$720,000	$720,000	$720,000
45 below ground			$2,250,000	$2,250,000	$2,250,000	$2,250,000	$2,250,000
LEED commissioning Cost			$112,500	$112,500	$112,500	$112,500	$112,500
Green construction costs				$150,000	$225,000	$300,000	$487,500
Sunk Costs			$200,000	$200,000	$200,000	$200,000	$200,000
sewer fees			$50,000	$50,000	$50,000	$50,000	$50,000
water fees			$75,000	$75,000	$75,000	$75,000	$75,000
total cost	**$12,362,250**	**$12,486,950**	**$12,454,750**	**$13,124,500**	**$13,029,750**	**$13,104,750**	**$13,292,250**
	$412.08	**$416.23**	**$415.16**	**$437.48**	**$434.33**	**$436.83**	**$443.08**

These numbers still seemed high, so I explored a number of different scenarios to test my assumptions:



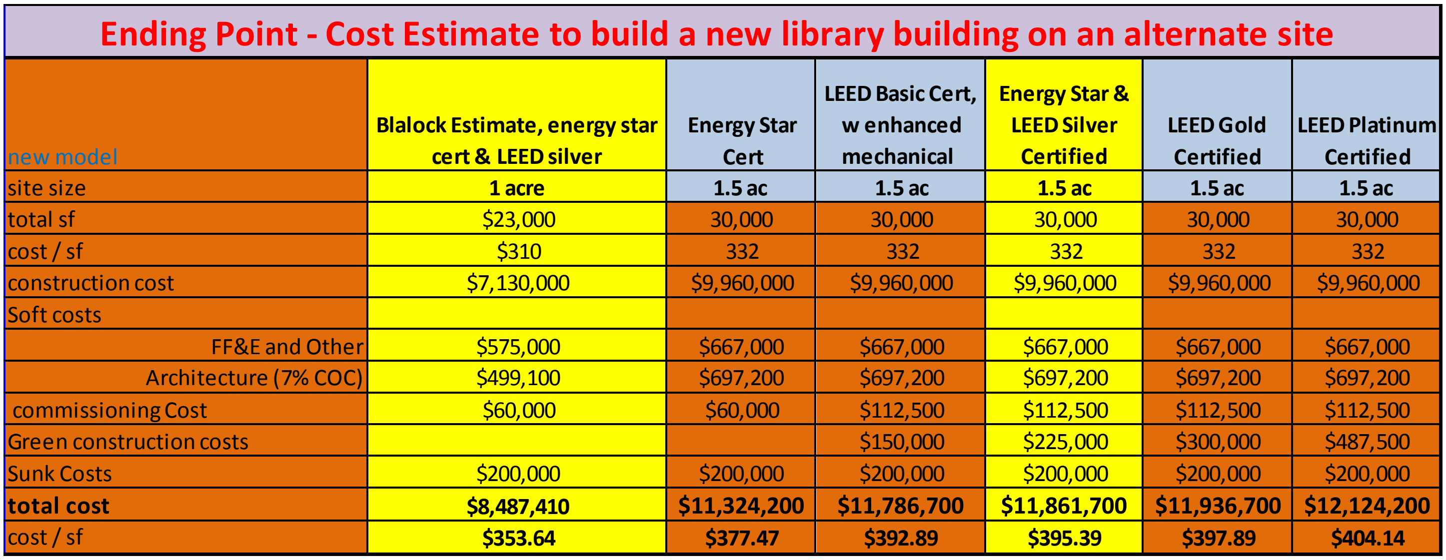
Summary - Alternative Site & Green Alternatives (based on Mahwinney site) - 30,000 sf, based on architect estimates						
FEE Range	assumption	Energy Star Cert w/ enhanced mechanical	LEED Basic Cert, w enhanced mechanical	LEED Silver Certified	LEED Gold Certified	LEED Platinum Certified
High Range	includes $50k parking stall underground, sewer & water fees	**$12,454,750**	**$13,124,500**	**$13,029,750**	**$13,104,750**	**$13,292,250**
cost/sf		**$415.16**	**$437.48**	**$434.33**	**$436.83**	**$443.08**
Medium Range	includes $35k parking stall, no sewer & water fees	**$11,779,750**	**$12,449,500**	**$12,354,750**	**$12,429,750**	**$12,617,250**
		$392.66	**$414.98**	**$411.83**	**$414.33**	**$420.58**
lowest range	iincludes no cost for underground parking or sewer or water fees	**$10,079,750**	**$10,749,500**	**$10,654,750**	**$10,854,750**	**$11,042,250**
cost/sf		**$335.99**	**$358.32**	**$355.16**	**$361.83**	**$368.08**

Steve Brown (consultant), Kevin Blalock (architect) and I continued to wrestle with the numbers and tried two new approaches.

Kevin Blalock - 23,000 sf building, $265/sf construction; $35 sf site (no unusual conditions (water, soils, etc.)), includes 65 parking stalls about ½ underground. Energy Star compliant, LEED Silver – total construction cost $7.13M, FF& E budget of $550k.

Jonathan – 30,000 sf building, $275/sf construction; $35 sf site, $22/sf bad soils, parking unclear, Energy star & LEED Silver – total construction cost $9.96M, FF&E budget of $667k:

This is our ending point. Parking is unclear.



Ending Point - Cost Estimate to build a new library building on an alternate site

new model	Blalock Estimate, energy star cert & LEED silver	Energy Star Cert	LEED Basic Cert, w enhanced mechanical	Energy Star & LEED Silver Certified	LEED Gold Certified	LEED Platinum Certified
site size	**1 acre**	**1.5 ac**	**1.5 ac**	**1.5 ac**	**1.5 ac**	**1.5 ac**
total sf	$23,000	30,000	30,000	30,000	30,000	30,000
cost / sf	$310	332	332	332	332	332
construction cost	$7,130,000	$9,960,000	$9,960,000	$9,960,000	$9,960,000	$9,960,000
Soft costs						
FF&E and Other	$575,000	$667,000	$667,000	$667,000	$667,000	$667,000
Architecture (7% COC)	$499,100	$697,200	$697,200	$697,200	$697,200	$697,200
commissioning Cost	$60,000	$60,000	$112,500	$112,500	$112,500	$112,500
Green construction costs			$150,000	$225,000	$300,000	$487,500
Sunk Costs	$200,000	$200,000	$200,000	$200,000	$200,000	$200,000
total cost	**$8,487,410**	**$11,324,200**	**$11,786,700**	**$11,861,700**	**$11,936,700**	**$12,124,200**
cost / sf	**$353.64**	**$377.47**	**$392.89**	**$395.39**	**$397.89**	**$404.14**

Exhibit B – Relevant Background

The library is the highest rated community service provided by the City and is an essential element to Park City's small town character and sense of community. In order to preserve Park City's long tradition of offering top notch library service the facility and services must keep up with current trends and the changing needs of the community by

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

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

During the April 19, 2012 work session, City Council held a comprehensive policy discussion on the future direction of the library, including a discussion on Council's preference for future level of service. Based upon the April 19th meeting, the majority of Council was supportive of reinvesting to keep the highest level of service, but was concerned about efficiency and not duplicating services or building or expanding new buildings until existing facilities are being programmed and used to their capacity.
http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=9204

On July 26, 2012, Council considered the broader concept LPA RDA Master plan and reviewed conceptual programming and floor plans and cost estimates conducted by CRSA and Wally Cooper.
http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=9660

The 2012-2014 Library Strategic Plan was included in the Library's annual business plan as part of the BFO process for the FY 2013 Budget. As part of the Library Annual Report provided to City Council on November 1, 2012, Council reviewed and discussed trends and use statistics of comparable peer resort community libraries. Furthermore, research has identified that many of our peers have made significant investments in combinations of additions, renovation, and/or new construction, including:

Town	Size	Cost	Cost/sf
Steamboat	35,000 sf	$13M	$448 per sf;
Jackson	35,000 sf	$10M	$286 per sf;
Aspen	39,000 sf	$10M	$257 per sf; and
Vail	14,000 sf	$2.15 M	$154 per sf);

On November 8, 2012, Council reviewed:

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

Based on conceptual floor plans and preliminary cost estimates presented, Council directed staff to pursue a renovation of the entire library to meet the highest functional and service level goals for a “21st Century Library”.
http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=10171

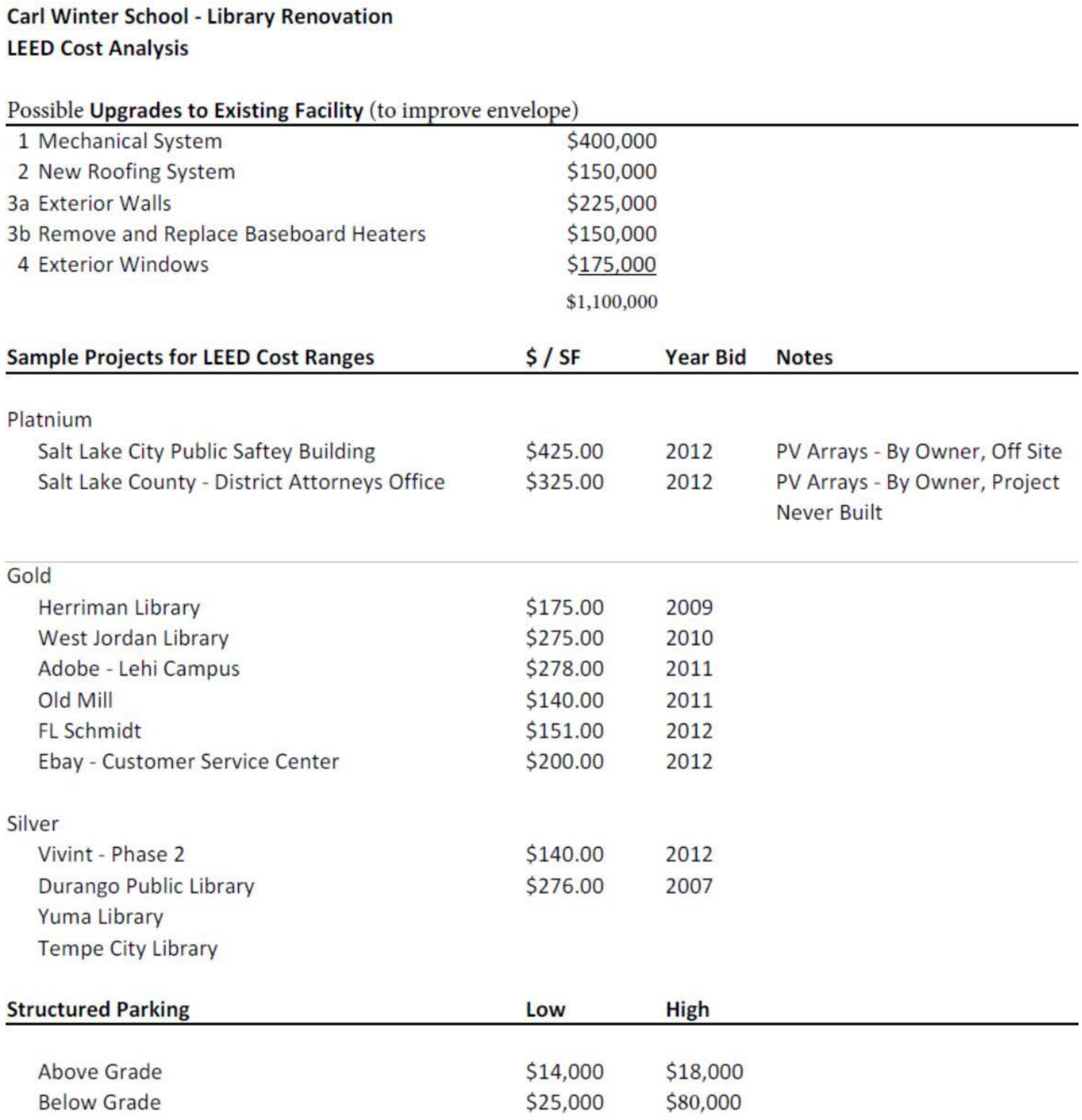
On March 28, 2013 the City Council directed staff to pursue an expanded project scope that included a “historic reveal”, which allowed for demolition of a portion of the 1992 addition and revealed the Landmark Historic structure, and expanded the library into the entire first and second floors, and called for renovation of the 3rd floor for flexible community space including a temporary senior center and permanent relocation of the Park City Cooperative Preschool.
http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=10914

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

Exhibit C – Okland Case Studies

Cost/sf

Experience indicates a big swing in cost for different LEED levels and building types. Site selection also plays an important factor in achieving LEED points. For example Herriman library was designed in conjunction with Herriman Rec. center, which was right next door. The Rec. Center installed the geo well system for both buildings. The library tapped into the well system. So the library did not include these costs, so they are low. Okland also provided dates for projects bidding to show the cost in perspective. Herriman library bid at the bottom of the recession and subs were buying projects to stay busy. Today Herriman library will bid around $225/sf. A range for a new library in Park City Okland suggests is $225-$275/sf, so we are using $250/sf.



Carl Winter School - Library Renovation
LEED Cost Analysis

Possible **Upgrades to Existing Facility** (to improve envelope)	
1 Mechanical System	$400,000
2 New Roofing System	$150,000
3a Exterior Walls	$225,000
3b Remove and Replace Baseboard Heaters	$150,000
4 Exterior Windows	$175,000
	$1,100,000

Sample Projects for LEED Cost Ranges	**$ / SF**	**Year Bid**	**Notes**
Platnium			
Salt Lake City Public Saftey Building	$425.00	2012	PV Arrays - By Owner, Off Site
Salt Lake County - District Attorneys Office	$325.00	2012	PV Arrays - By Owner, Project Never Built
Gold			
Herriman Library	$175.00	2009	
West Jordan Library	$275.00	2010	
Adobe - Lehi Campus	$278.00	2011	
Old Mill	$140.00	2011	
FL Schmidt	$151.00	2012	
Ebay - Customer Service Center	$200.00	2012	
Silver			
Vivint - Phase 2	$140.00	2012	
Durango Public Library	$276.00	2007	
Yuma Library			
Tempe City Library			

Structured Parking	**Low**	**High**
Above Grade	$14,000	$18,000
Below Grade	$25,000	$80,000

Cost/Parking Stall

Using averages, above grade parking at $16K per stall and $35K below grade would require a certain number of stalls to achieve critical mass. You would need to have a few hundred stalls. *Some things that affect parking costs are efficiency of the garage, ramping, exterior skin selection, and ventilation requirements. The numbers (Okland) provided would be a typical garage with at least a few hundred (>300) stalls. (Okland) finished an above grade garage this summer which was a continuation of an existing garage deck, so there was no ramping, elevators, stairs, etc since the existing garage had all of those core items. This averaged out to be $11,500 /stall. On the flip side we finished a below grade single level garage which was $80k/stall. The cost premiums for this garage were extensive dewatering, shoring, bathtub approach waterproofing system, garden / plaza above the garage so the lid increased significantly.*

Nobody would build a structured parking garage for anything less than a couple hundred stalls? *It all depends on the owners need and site constraints. This summer for a bid parking structure in SLC which had 82 stalls, the cost / stall was $27k. Generally (Okland) agrees with the statement.*

Exhibit D – Blalock Case Studies

LIBRARY CASE STUDIES: CONSTRUCTION COST COMPARISON

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

LIBRARY CASE STUDIES: CONSTRUCTION COST COMPARISON

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

Exhibit E- PCMC Green Building Policy

Resolution No. 12-07

A RESOLUTION ADOPTING GREEN HIGH PERFORMANCE BUILDING REQUIREMENTS FOR ALL NEW OR RENOVATED PUBLIC BUILDINGS, OWNED AND CONTROLLED BY PARK CITY, UTAH AND ALLOCATION OF 4% MAXIMUM ADDITIONAL BUDGET TO ACHIEVE HIGHER LEVELS OF CERTIFICATION AND PROMOTE ENERGY EFFICIENCY AND SUSTAINABLE DESIGN.

WHEREAS, the City desires to promote sound environmental practices in new construction and renovation of facilities that are funded by the City; and

WHEREAS, high performance building standards promote a healthy environment, provide long-term cost benefits through the efficient use of energy, optimize building performance, and create healthier workplaces for employees and visitors; and

WHEREAS, a strategic approach to sustainable buildings and energy management can produce twice the savings for the bottom line and the environment as typical approaches; and

WHEREAS, the Environmental Protection Agency (EPA) and Department of Energy (DOE) Energy Star Program is designed to help reduce energy costs and protect the environment through efficient products, homes, industrial plants, and buildings; and

WHEREAS, the Energy Star program includes free online benchmarking and monitoring tools for simple implementation of the program; and

WHEREAS, it is accepted by the professional engineering community that an Energy Star rating of a minimum of 75 can be achieve with no net impact on the first costs of a project; and

WHEREAS, the Leadership in Energy and Environmental Design (LEED) rating system, which is a system created by the United States Green Building Council (USGBC) to provide a national standard for healthy environmental and energy efficient design; and

WHEREAS, many professionals in our region are familiar with the LEED process, which is considered to be a consensus-based national standard for developing high-performance, sustainable buildings; and

WHEREAS, the foregoing alternative standards provide for various certifications designated as "Certified," "Silver," "Gold," or "Platinum," based on the number of specified environmental practices incorporated into a project, with "Certified" being the lowest level of certification; and

WHEREAS, there is consensus in the professional community that LEED Certification can be achieved with no net *effect* on initial budgets; and

WHEREAS, Park City understands that additional energy efficiencies, further reductions in environmental impact, and increased benefits to health and safety of employees and visitors can be achieved by achieving higher levels of Energy Star rating and LEED certification; and

WHEREAS, the purpose of this Policy is to adhere to high performance building practices, and provide additional funding to ensure Park City facilities are the most energy efficient, cost effective, environmentally responsible, and safe and healthy buildings in the State of Utah; and

WHEREAS, the City has determined to require the use of Energy Star and LEED standards on all new construction and major renovations in order to obtain the benefits promoted by those standards.

NOW THEREFORE, be it resolved by the City Council of Park City as follows:

SECTION 1. REQUIRE FACILITIES BE DESIGNED TO MEET ENERGY STAR.

It is the intent of the City Council of Park City that all new buildings and major renovations be designed to meet Energy Star certification to a score of 75 or higher. The City Council understands that Energy Star certification cannot be awarded until an entire year of building operations have past. After one year, energy use will be reviewed, buildings will be benchmarked using the Energy Star inventory, and Energy Star certification will be achieved. Energy Star knowledge and implementation experience shall be required, but not individually controlling, selection criteria for service providers and contractors for all Park City building projects.

SECTION 2. REQUIRE FACILITIES BE DESIGNED TO LEED "CERTIFIED" LEVEL OR COMPARABLE INDUSTRY STANDARD.

It is the intent of this Policy that. in order to obtain the benefit of reduced operating and maintenance costs and other building efficiencies, as well as cost-saving healthy environmental practices, all new construction and major renovation projects meet the LEED Certified level or comparable industry standard such as . This policy does not require the City go through the process of receiving LEED certification from the United States Green Building Council, instead, certification can be reviewed on a case by case basis.

SECTION 3. APPLY THIS RESOLUTION TO THE FOLLOWING PROJECTS.

Park City will apply this policy to the following construction projects when the project's design contract is first solicited after the date of this Resolution, except as exempted or waived under this Resolution: All new construction to construct buildings owned and controlled by the City that are larger than 3,000 square feet, all affordable housing projects developed by the City, and all major renovations of buildings owned and controlled by the City that are larger than 3,000 square feet when the building has a remaining useful life in excess of fifteen years. The term "major renovation" means a construction project affecting more than 25% of the building's square footage.

SECTION 4. EXEMPT PROJECTS FROM THIS POLICY WITH CITY COUNCIL APPROVAL.

Park City will not apply this resolution to the following, and City departments are required to document the reason for the exemption:

- Any improvement that is not a building.
- Buildings that will not be occupied, or that serve specialized functions (including pump stations, garages, storage buildings, equipment areas, etc.)
- Projects where the useful life of an improvement or other factors do not justify whatever additional expense would be incurred to increase a building's long-term efficiency.
- Projects where the application of LEED factors will increase construction costs beyond the City's funding capacity for the project.
- Projects where the use of LEED factors will create an impediment to construction due to conflicts of laws, building code requirements, federal or state grant funding requirements, or other similar requirements.
- Projects where LEED factors are not attainable due to the nature of the facilities or the schedule for construction.

In addition to the exemptions stated above, particular LEED factors shall not prevail over any prohibition in the City Code. The documentation for any of the above exemptions shall be maintained in the project file of the Department with a copy to the City Council.

SECTION 5. ADDITIONAL FUNDING FOR PROJECTS TO ACHIEVE INNOVATIVE ENERGY AND ENVIRONMENTAL PERFORMANCE.
At completion of the schematic design process, a professional cost estimate will be done and a list of green elements, with differential pricing, will be provided to the City Council. The City Council will approve green design elements and allocate any additional funding, not to exceed 4% of total building costs, including approved change orders, to be utilized to design and construct a high performance building above levels previously described in this resolution. If the City Council is unable to allocate the full 4% of the total building costs the remaining amount may at the Council's discretion be placed into a CIP budget for energy and environmental improvements to other City facilities.

SECTION 6. EFFECTIVE DATE. This resolution shall become effective upon adoption.

PASSED AND ADOPTED this 24th day of May, 2007.

PARK CITY MUNICIPAL CORPORATION

Dana Williams
Mayor Dana Will1ams

Attest:

Janet M Scott
Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney

MARCH 1, 1884

Exhibit F -Current LEED Estimates

LEED 2009 for New Construction and Major Renovations

Project Checklist

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Project Name

Date

15 5 6 Sustainable Sites

y			Pro<cq 1	Construction ActiVity Pollution Prevention	
		1	Cre<m 1	Site Selection	1
5			Credit 2	Development Density and Community ConnectiVity	5
		1	credit 3	Brownfield Redevelopment	1
6			Credit 4.1	Alternative Transportation-Public Transportation Access	6
1			Credit 4.2	Alternative Transportation-Bicycle Storage and Changing Rooms	
	3		Credit 4.3	Alternative Transportation-Low-Emitting and Fuel-Efficient Vehicles	3
2			Credit4.4	Alternative Transportation–Parking Capacity	2
		1	Credit 5.1	Site Development-Protect or Restore Habit OI	
		1	Credit 5.2	Site Development – Maximize Open Space	
		1	Crcclit6.1	Stormwater Design-Quantity Control	
		1	Credit 6.2	Stormwater Design–Quality Control	
	1		Credit 7.1	Heat Island Effect-Non-roof	
1			Credit 7.2	Heat Island Effect-Roof	
	1		CreditS	Light Pollution Reduction	

lb

2 a Water Efficiency

Possible Points: 10

Y			Prcrcq 1	Water Use Reduction-20% Reduction	
	4		Credit1	Water Efficient Landscaping	2 to 4
	2		Credit 2	Innovative Wastewater Technologies	2.
2	2		Credit 3	Water Use Reduction	2 to 4

6 19 2 Energy and Atmosphere

Possible Points: 35

y			Prereq 1	Fundamental Commissioning of Building Energy Systems	
			P<crcq 2	Minimum Energy Performance	
			Prereq 3	Fundamental Refrigerant Management	
4	7		Credit 1	Optimize Energy Performance	1 to 19
	7				
		2	Credit 2	On-Site Renewable Energy	1 to 7
2			Credit 3	Enhanced Commissioning	2
	3		Credit 4	Enhanced Refrigerant Management	2
	2		Credits	Measurement and Verification	3
			credit 6	Green Power	2

S 7 2 Materials and Resources

Possible Points: 14

lli;

Ptereq 1	Storage and Collection of Recyclables	
Credit 1.1	Building Reuse– Maintain Existing Walls, Floors, and Roof	1 to 3
Credit 1.2	Building Reuse– Maintain SO% of Interior Non-	1
Credit 2	Structural Elements Construction Waste Management	1 to 2
Credit 3	Materials Reuse	1 to 2

y		N			
			Credit4	Recycled Content	1 to 2
			Credit	Regional Materials	1 to 2.
			Crcdit6	Rapidly Renewable Materials	1
			Credit 7	Certified Wood	

9 6 Indoor Environmental Quality

Possible Points: 15

y			Prereq 1	Minimum Indoor Air Quality Performance
y			Prcrcq2	Environmental Tobacco Smoke (ETS) Control
	1		Credit 1	Outdoor Air Delivery Monitoring
1			Credit 2	Increased Ventilation
1			Credit3.1	Construction IAQ Management Plan-During Construction
1			Credit 3.2	Construction IAQ Management Plan-Before Occupancy
1			Credit 4.1	Low-Emitting Materials-Adhesives and Sealants
1			Credit 4.2	Low-Emitting Materials-Paints and Coatings
1			Credit 4.3	Low-Emitting Materials-Flooring Systems
1			Credit 4.4	Low-Emitting Materials-Composite Wood and Agrifiber Products
	1		credit 5	Indoor Chemical and Pollutant Source Control
	1		credit 6.1	Controllability of Systems-Lighting
1			credit 6.2	Controllability of Systems-Thermal Comfort
1			credit 1.1	Thermal Comfort-Design
	1		credit 1.2	Thermal Comfort-Verification
	1		credit 8.1	Daylight and Views-Daylight
	1		credit 8.2	Daylight and Views-Views

3 3 Innovation and Design Process

Possible Points: 6

Credit 1.1	Innovation in Design: Specific Title	-Me<e< ---1,
Credit 1.2	Innovation in Design: Specific Title	tu"" be
credit 1.3	Innovation in Design: Specific Title	cc..n.. ,,.....''tc ,foot , ,,,..,_t- cr- "-'<c.c.c. 1
credit 1.4	Innovation in Design: Specific Title	
Credit U	Innovation in Design: Specific Title	
Credit 2	LEED Accredited Professional	

<edit1.1

Daylight and Views - Daylight

4 1 Regional Priority Credits

Possible Points: 4

C

Credit 1.2	Optimize Energy Performance 32% / 11 Points
Credit 1.3	Renewable Energy 5% / 3 Points
Credit 1.4	

1 40 s2 10

110


Certified 40 to 49 pmnts
Silver 50 to 59 potnts
Cold 60 to 79 pomts
Possible Points
Platinum 80 to 110

Ex. G Mechanical & Operating Analysis

Unit Type	Efficiency	Cost	Difference	Simple Payback (yrs)	$/SF	Projected Annual HVAC Cost
VRF	Baseline	$ 1,190,000	N/A	N/A	$ 0.60	$ 32,040.00
VAV RH w/ WC Chil	25%	$ 1,500,000	$ 310,000	27	$ 0.45	$ 24,030.00
Displacement	33%	$ 1,650,000	$ 460,000	32	$ 0.40	$ 21,360.00

Rates			
Natural Gas (DTh)	Summer (7 mo.)	Winter (5 mo.)	Weighted Average
<45	$ 7.559	$ 8.500	$ 7.951
45+	$ 6.300	$ 7.110	$ 6.637
Electricity ($/kW	$ 0.034		

GHG	
CO2e/kWh (lb	1.77528
CO2e/Therm (l	12.36

Energy History	Library			
	Energy (kWh)	Gas (therms)	Propane (gal)	Carbon Footprint (lbs)
2007	310,480	30,404	-	926,978
2008	301,680	33,045	-	943,998
2009	212,640	33,692	-	793,927
2010	197,760	31,836	-	744,571
2011	196,160	37,087	-	806,638
2012	200,400	31,854	-	749,484
Average	201,740	32,986		

Cost History	Library			
	Energy ($)	Gas ($)	Propane ($)	Carbon Footprint ($)
2007	$ 21,531	$ 23,166	$ -	$ 44,697
2008	$ 21,052	$ 23,524	$ -	$ 44,577
2009	$ 15,431	$ 23,431	$ -	$ 38,862
2010	$ 15,473	$ 20,807	$ -	$ 36,280
2011	$ 16,264	$ 25,257	$ -	$ 41,521
2012	$ 15,873	$ 21,715	$ -	$ 37,587

Projections					Savings		
	Energy ($)	HVAC Energy ($	Gas ($)	Sum ($)	VRF	VAV	Displacement
		http://www.il	http://www.	HVAC + Gas	-34%	-1%	11%
2015	$ 6,859.16	$ 1,920.56	$21,952.57	$23,873.13	$ (8,166.87)	$ (156.87)	$ 2,513.13
2016	$ 7,236.41	$ 2,026.20	$22,479.43	$24,505.63	$ (8,383.24)	$ (161.02)	$ 2,579.72
2017	$ 7,634.42	$ 2,137.64	$23,018.94	$25,156.57	$ (8,605.92)	$ (165.30)	$ 2,648.24
2018	$ 8,054.31	$ 2,255.21	$23,571.39	$25,826.60	$ (8,835.14)	$ (169.70)	$ 2,718.77
2019	$ 8,497.30	$ 2,379.24	$24,137.10	$26,516.35	$ (9,071.10)	$ (174.24)	$ 2,791.39
2020	$ 8,964.65	$ 2,510.10	$24,716.39	$27,226.50	$ (9,314.03)	$ (178.90)	$ 2,866.14
2021	$ 9,457.70	$ 2,648.16	$25,309.59	$27,957.74	$ (9,564.19)	$ (183.71)	$ 2,943.12
2022	$ 9,977.88	$ 2,793.81	$25,917.02	$28,710.82	$ (9,821.81)	$ (188.65)	$ 3,022.40
2023	$ 10,526.66	$ 2,947.46	$26,539.03	$29,486.49	$ (10,087.17)	$ (193.75)	$ 3,104.05
2024	$ 11,105.63	$ 3,109.58	$27,175.96	$30,285.54	$ (10,360.52)	$ (199.00)	$ 3,188.17
2025	$ 11,716.44	$ 3,280.60	$27,828.19	$31,108.79	$ (10,642.14)	$ (204.41)	$ 3,274.83
2026	$ 12,360.84	$ 3,461.04	$28,496.06	$31,957.10	$ (10,932.35)	$ (209.99)	$ 3,364.13
2027	$ 13,040.69	$ 3,651.39	$29,179.97	$32,831.36	$ (11,231.43)	$ (215.73)	$ 3,456.17
2028	$ 13,757.92	$ 3,852.22	$29,880.29	$33,732.51	$ (11,539.70)	$ (221.65)	$ 3,551.03
2029	$ 14,514.61	$ 4,064.09	$30,597.41	$34,661.51	$ (11,857.51)	$ (227.76)	$ 3,648.83
2030	$ 15,312.91	$ 4,287.62	$31,331.75	$35,619.37	$ (12,185.19)	$ (234.05)	$ 3,749.66
2031	$ 16,155.12	$ 4,523.43	$32,083.71	$36,607.15	$ (12,523.10)	$ (240.54)	$ 3,853.65
2032	$ 17,043.66	$ 4,772.22	$32,853.72	$37,625.95	$ (12,871.63)	$ (247.23)	$ 3,960.90
2033	$ 17,981.06	$ 5,034.70	$33,642.21	$38,676.91	$ (13,231.16)	$ (254.14)	$ 4,071.53
2034	$ 18,970.01	$ 5,311.60	$34,449.63	$39,761.23	$ (13,602.10)	$ (261.27)	$ 4,185.68
2035	$ 20,013.37	$ 5,603.74	$35,276.42	$40,880.16	$ (13,984.88)	$ (268.62)	$ 4,303.47
				Total	**$(226,811.17)**	**$ (4,356.53)**	**$ 69,795.02**

				Current			
	Energy (CO2e	HVAC Energy (	Gas (CO2e)	Sum (CO2e)	VRF	VAV	Displacement
Projections		http://www.il	http://www.	HVAC + Gas	134%	101%	89%
2015	179.07	50.14	203.86	254.00	340.89	255.66	227.26
2016	179.07	50.14	203.86	254.00	340.89	255.66	227.26
2017	179.07	50.14	203.86	254.00	340.89	255.66	227.26
2018	179.07	50.14	203.86	254.00	340.89	255.66	227.26
2019	179.07	50.14	203.86	254.00	340.89	255.66	227.26
2020	179.07	50.14	203.86	254.00	340.89	255.66	227.26
2021	179.07	50.14	203.86	254.00	340.89	255.66	227.26
2022	179.07	50.14	203.86	254.00	340.89	255.66	227.26
2023	179.07	50.14	203.86	254.00	340.89	255.66	227.26
2024	179.07	50.14	203.86	254.00	340.89	255.66	227.26
2025	179.07	50.14	203.86	254.00	340.89	255.66	227.26
2026	179.07	50.14	203.86	254.00	340.89	255.66	227.26
2027	179.07	50.14	203.86	254.00	340.89	255.66	227.26
2028	179.07	50.14	203.86	254.00	340.89	255.66	227.26
2029	179.07	50.14	203.86	254.00	340.89	255.66	227.26
2030	179.07	50.14	203.86	254.00	340.89	255.66	227.26
2031	179.07	50.14	203.86	254.00	340.89	255.66	227.26
2032	179.07	50.14	203.86	254.00	340.89	255.66	227.26
2033	179.07	50.14	203.86	254.00	340.89	255.66	227.26
2034	179.07	50.14	203.86	254.00	340.89	255.66	227.26
2035	179.07	50.14	203.86	254.00	340.89	255.66	227.26
				Total	**7,158.60**	**5,368.95**	**4,772.40**

Exhibit H – Library Board and Staff Position

In the age of ebooks and seemingly endless online information, is the public library still a relevant institution in the 21st century? The answer is a resounding "yes." According to the Institute of Museum and Library Services, in 2011, 169 million people in the U.S. used one of 16,000 public libraries, 77 million of those people used a library computer. Closer to home, the 2013 National Citizen Survey of Park City indicated that 80% of citizens surveyed reported using the Park City Library or library services more than once a month.

Libraries, including the Park City Library, have remained relevant because they recognize the changing role the library plays in the community. Rather than serving as a place to store content, libraries are positioning themselves as strong community anchors that enhance community engagement, offer cultural experiences, support economic vitality, and offer connecting points to community services. Libraries are doing this by becoming mixed-use, vibrant facilities. The 21st century library is a place of innovation and exploration, a place where people of all ages and income can create and produce content themselves, and keep their own digital literacy tools honed for the marketplace. Most importantly, as technological and informational needs outpace the economic realities of many citizens, the library serves as the great equalizer.

<u>The Park City Library Board and library staff firmly believe the Carl Winters Building is far and away the best location for our own 21st century library.</u> Why?

- For over 20 years, the Carl Winters Building has served as a hub for the community, housing not only the library but also the Montessori School, the Park City Film Series, the Co-op, the U of U continuing education classes, and the Sundance Film Festival. By expanding, the building would also be able to include the senior center, perhaps a small business center, community garden, and ample space for collaborative programming such as "Books to Movies."
- The Carl Winters building is close to civic and community assets such as the skate park, sound garden, Miners Hospital, City Park, and the current Senior Center. The building is right on the bus line, its location encourages walkability and is within bike riding distance for most people.
- In this time of fast-paced change both within and outside of Park City, the Carl Winters building can serve as a community heart with its strong civic and historical presence, connecting old Park City with new Park City.
- Under Area Plan Principle 5, it states that the Lower Park Avenue RDA Project "should demonstrate Park City's commitment to historic preservation, sense of community, education, local entrepreneurship, and sustainability. *Adaptive reuse of Historical Structures to accommodate civic uses is recommended."* (italics mine)
- Keeping the library in the Carl Winters Building is in keeping with the City Council's Core Values: Sense of Community, Small Town, Natural Setting, and Historical Character.

By keeping the Park City Library at the Carl Winters Building, we will better be able to meet the needs of all Park City residents and visitors by providing dedicated teen zones, labs to help patrons develop their technology skills, more programs to support year round literacy for area students, provide recreational reading in multiple formats, and a comfortable, welcoming environment.

Exhibit I – Recent Chicago Tribune Article on the 21st Century Library

Chicago Tribune

Libraries reinvent themselves for the 21st century

Beyond the stacks

The Arlington Heights Public Library has added a new space designated for teens called The Hub. The Chicago Public Library is also considering new ways to use space. (Arlington Heights Memorial Library, Handout)

By Tom Mullaney

December 12, 2013

For centuries, the defining role of the library has been as a repository of books. Now, in the 21st century, the library faces perhaps its most momentous challenge: Americans are moving away increasingly from the printed page to digital screens for information and communication.

Library leaders nationwide are adapting to this shift by reimagining the library as an engaged community center. The role of librarians is being re-branded to reflect their expertise as content curators and trusted navigators in an ever-expanding ocean of information — in whatever format it may exist.

Core issues — including technology integration, new services, institutional identity and right-sizing collections (consider the flap over New York Public Library's proposed redesign) — are under active review. Last month, the American Library Association announced it had received a grant from the Institute of Museum and Library Services to establish a Center for the Future of Libraries.

What will the nation's 9,000 public libraries be like in 2020 and beyond? Starting this summer, when the ALA hosted its annual conference here in Chicago — its theme was "Transforming Libraries, Ourselves" — Printers Row Journal began examining this question. Visits to several new and recently renovated Chicagoland libraries, reports from other cities, and interviews with library directors offer clues.

Space

Walk into Arlington Heights Memorial Library, whose renovations were completed this year, and you'll see an expansive, open space. Several dividing walls have been removed. One section of the library, Marketplace, mimics a supermarket aisle, with 20,000 books, DVDs and music CDs. Books are divided by category — Cookbooks, Health, Jobs & Money and Trending — and shelved with covers, rather than spines, facing out.

The attractive display is so popular, reports library executive director Jason Kuhl, that although it occupies only 10 percent of floor space, Marketplace accounts for more than one-quarter of the library's 2.6 million circulation. "It's much easier to find a cookbook here than under its 641.5 (Dewey Decimal System) classification," Kuhl says.

This is just one example of how libraries have begun to rethink library design. Striking architecture — LEED-certified, energy efficient with green roofs — and an expanded portfolio of practices that broaden the library's community impact are central. For cities without the funds to build new libraries from scratch, a promising solution lies in repurposing abandoned and vacant commercial properties. The city of McAllen, Texas, purchased a vacant 123,000-square-foot former Walmart that MSR, a Minneapolis architectural firm, transformed into a new main library.

In existing libraries, former storage areas and the elimination of stacks of reference books and magazine back issues have enabled architects to give old spaces new life. A study of the Pew Internet & American Life Project indicated that 59 percent of library users want more comfortable reading areas. Glenview Public Library and Arlington Heights Memorial Library both feature living room-like spaces with plush chairs and fireplaces.

Another major trend in library design, digital studios, began as a way to entice a younger, digitally savvy audience. Now, library directors report, adults are flocking to them to convert old photographs and vinyl discs to digital formats and to create podcasts. Local businesses are using studios to make marketing videos.

Traditionally, libraries have served two populations: young children and adults. Teenagers were a lost demographic.

"That's a group that libraries tend to lose, especially when they turn 16," says Kuhl. "It's a group that wants to create their own space, which is one thing that was keeping them from the library. They never felt welcome."

In addition to digital studios, libraries nationwide have begun to offer dedicated, tech-rich teen spaces. Arlington's library has The Hub, a large glassed-in room where teens study in groups, play video games or design products with a 3-D printer. The Vortex is Bolingbrook's similar space in the Fountaindale Public Library. Staff at both sites report the spaces are packed every afternoon after school.

The New York Public Library opened its first full-floor dedicated teen space in a branch last year. The design, which won a 2013 American Institute of Architects/American Library Association Building Award, converted 4,400 square feet of unused space into a colorful environment with bleacher-style seating, akin to what project architect Lyn Rice calls "a clubhouse where teens can be themselves and a little louder."

The Chicago Public Library has its YouMedia teen showcase at Harold Washington Library Center and four branches. Library Commissioner Brian Bannon said YouMedia will debut in six additional branches next year along with 12 roving pop-up venues around the city.

Chicago's Harold Washington Library had the misfortune to open in 1991, just before the start of the digital era. The floor plan thus follows a traditional spatial arrangement for furnishings, reading areas and book display. Bannon said a spatial study is underway to introduce "some experiments" — including the newly installed Innovation Lab, which features a 3-D printer — and to create a more contemporary environment.

"We are looking at ways in which to align our services with what our patrons need," he says.

Library staff are working with IDEO, a "human-centered" design practice, to update the building's functional program. This fall, staff held the Library Redesign Challenge, a pop-up display in the lobby that asked patrons what changes they'd like to see. Among user suggestions were better Wi-Fi, lounge areas with couches, more enclosed spaces and "nooks everywhere with good lamps."

Services

A Pew Internet and American Life Project study this year found that 91 percent of Americans 16 years or older say public libraries are important to their communities. Yet just 22 percent say they know most of the services their libraries offer now, and 31 percent said they know little or nothing about such offerings.

Libraries are abuzz with services that go beyond traditional fare to offer more active programming for patrons. The title of a recent talk at the Wisconsin Library Association sums up the new philosophy in programming: "From Repository to Experience: Library Becomes a Verb."

New initiatives include Glenview's drive-up window for customers' pick-up orders; Oak Park, Skokie and Arlington public libraries' off-site book discussions; and Arlington's tech "petting zoo," which allows patrons to test various models of computer tablets.

Chicago Public Library recently rolled out several new services. All of its 80 branches offer Teacher in the Library, an after-school program to aid students with homework. In the summer, Chicago instituted the

Summer Learning Challenge to counteract students' usual "summer slide" after school lets out: 71,000 students read a reported 2.1 million books.

Barbara Stripling, president of the American Library Association, says these initiatives mark "a huge shift in turning libraries into learning centers." Many who lost their jobs in the 2008 crash started their own companies from home. Arlington Heights Memorial Library's response was to open its Business Center. Library director Kuhl says entrepreneurs and business owners come for coaching and guidance on financial, marketing and tech matters that they couldn't otherwise afford. The Harold Washington Library Center offers a similar program with its recently launched Geeks in Residence program.

Libraries here and nationally are adding more meeting rooms for patrons to use for business appointments, community gatherings or private study. Glenview's community rooms are separate from the library area so meetings can be held after library hours.

Both suburban libraries feature computer labs where patrons learn tech skills. Arlington programs more than 50 tech classes each month on Microsoft Office and social media sites, such as LinkedIn, Pinterest and Twitter. Standard computer use is down slightly, reports Kuhl, but tech classes are booming.

"It's more about learning the tool than just providing the tool," he said.

Such an attitude reflects an emerging commitment by libraries to lifelong learning. The fast pace of new knowledge, college's high cost, plus the need to gain or maintain professional skills, will drive the demand for more adult courses now through 2020. A current hot topic among librarians involves introducing massive open online courses, or MOOCs. Margaret Donnellan Todd, County of Los Angeles Public Librarian, recently told a professional audience that she has put MOOCs into the library's new strategic plan.

"In the future, we see the library becoming a local meeting place for people enrolled in specific MOOCs," Todd said. "We also believe we may offer group MOOC viewing — perhaps for literacy-based classes, GED prep and courses from Gage's Ed2Go platform."

Storytelling

Librarians have been touting their shift to community learning centers for about a decade, yet public perception lags behind, said Bannon, the Chicago Public Library commissioner.

"The challenge is that so many people perceive the brand of a public library solely with the checking out of a physical object," he said, noting that the library system is the city's most visited cultural institution, registering 12 million visitors annually. "Libraries of the future will be less about stuff we are providing than about how we are connecting with our communities."

PARK CITY COUNCIL MEETING MINUTES DRAFT
SUMMIT COUNTY, UTAH,
DECEMBER 19, 2013

Work Session

Council questions and comments and Manager's Report

Council member Beerman attended the Joint Council meeting and feels it is very useful. Attended the HPCA meeting where they discussed Main Street Mitigation. Wasatch Summit had a "Save our Canyons" event, acknowledged and thanked both Mayor Williams and Council member Butwinski for their service.

Council member Peek also thanked Mayor Williams and Council member Butwinski for a job well done. Attended a Board of Adjustment meeting and the General Plan scheduling meeting with Council member Beerman and the other members of the scheduling team stating they have outlined the meetings.

Council member Simpson thanked Denise Carey and other staff members for a great Friends of the Farm holiday party and also thanked Mayor Williams and Council member Butwinski.

Council member Matsumoto attended the School board meeting stating it went well discussing coordinating efforts and opportunities around promise Park City. She said she will miss Alex and Dana.

Council member Butwinski hosted a Utah Quality Growth meeting, also attended his first and last ULCT board meeting. He also felt the Joint meetings with the County have been very successful.

Mayor Williams thanked staff for the community open house. Stated Park City has a great bunch of employees, reminisced of where we were 12 years ago, of what we inherited post Olympics and where we have gone. Seeing employees grow into their jobs has been very fulfilling and it has been an honor to serve. Recognized the accomplishments in water, transportation, and emergency preparedness. Expressed his love to all staff. He also expressed his gratitude to the Council and thanked them for being exceedingly professional.

Staff gave Mayor Williams and Council member Butwinski a round of applause.

Special Services Extraordinary Request discussion

Nate Rockwood, Capital Budget, Debt and Grants Manager, stated that two extraordinary requests have been brought to the City for the Mayor and Council's consideration. One is for Promise Park City and Summit County Children's Justice Center. Staff organized a subcommittee to evaluate special service extraordinary requests.

Council member Simpson stated she is a member of that subcommittee and they felt both requests were great.

Main Street Construction Mitigation

Jonathan Weidenhamer, Economic Development, Chad Root, Building Official, and Thomas Eddington, Planning Director, discussed main street mitigation. Staff recognized that this item got away from staff and the community is feeling the impact.

Staff is looking for a definition on what Council would like to see. Staff held a meeting with Elliot Work Group, Marriot, & HPCA, and staff where they discussed clear parameters and got clarity for what a process would look like from beginning to end. Weidenhamer emphasized the importance of balance. HPCA asked for pedestrian experience, visibility to the business and easy access. Weidenhamer stated that communication and detail are the keys to a clear process and as well as having a clear contact person for the businesses to reach out to. The most critical piece is how the critical windows are handled to keep the businesses happy and permanent.

Council member Matsumoto thanked staff for putting the team together to take look and feels they have hit the key point of communication. She looks forward to implementing the process.

Council member Beerman also thanked staff for the quick, thorough response. He touched on two items; the first regarding switching fees from bid fees to impact fees, the second being a further look into the seasonal impacts options.

Council member Simpson also appreciated the responsiveness of staff. She would like to explore the possibilities of minimizing seasonal closures as well. She feels that the pedestrian experience is vital. She would like to look into covered walkways and would like to get copies of the mitigation plan to the businesses to keep the lines of communication open.

Council member Peek also thanked staff for the hard work. He would like to look at the narrowness of the sidewalk in front of the Main Street Mall and keep pedestrians out of the lanes of traffic.

Council member Butwinski stated that he had attended an HPCA meeting where the 333 main contractor presented a firm timeline. He felt it was a good case study for where we need to be going. Root concurred even though the timeline was delayed about two weeks it was progressively better than the old plan.

Mayor Williams stated that staff has hit the nail on the head with the reference to positive attitude towards the great growth.

Root went over staff's recommendation for a mitigation plan stating the steps a project would go through to include multiple departments in the City.

Council went in to detail on the restrictions of sidewalks, cars and the pedestrian impact. They would like to look into seasonal restrictions and beautification. Also looking into the safety of the pedestrians.

Discussed not using the BID money and would encourage staff to look at other options. City Attorney Harrington clarified they could use right of way fees not impact fees.

Allison Butts, Historic Park City Alliance, encouraged Council to look at an increase Right of Way fees. She also stated that they need to keep in mind that the businesses need to be profitable all winter not just during certain events.

Hanz Fugi thanked Weidenhamer for his quick response to his complaint. He also brought the noticing flaws to the attention of staff. Also pointed out that tourists do not come to Park City to see construction, closed sidewalks etc. he is in favor of development but it frustrated with the length and process of the current construction.

Craig Elliot stated that he feels the most important aspect is that the requirements are lined out in the beginning of the projects. Clear definition will keep things on pace. Stated that three important components to construction projects, they are life safety, preservation with the Economic aspect and preservation of beauty. He would suggest that the City look into building hard structure sidewalk barriers. They are usually built out of plywood and require lighting and would be better to look at.

Regular Meeting

I. ROLL CALL-Mayor & Council present

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Kiersten Whetstone, Planning department thanked Dana for being the best mayor ever!

Mayor Williams thanked the community for the last 12 years stating that is has been a great ride. He has loved keeping the town funky and keeping the ski bums in town. Looking at the improved relationships we have with the State. He is very proud of the citizen involvement in the different committees and groups. Thanked his beautiful bride for all her help. Thanked staff, management, and the community.

Chief Wade introduced Malena Stevens as the new Victim Advocate. Stevens stated that she is very excited to be a part of the community and the police department and to be able to help people in unfortunate circumstances help themselves.

Mayor Williams presented two awards of excellence.

The first award went to Ruth Menitsa; Mayor Williams stated that Ruth has been a great champion for Old Town, Council member Butwinski also thanked Ruth for all her time. Council thanked her for her thorough, thoughtful public input.

The second award went to a lifelong resident, Bob Wells, he has moved Deer Valley to the top of the resort scale and his involvement has been phenomenal. Also his commitment to the affordable housing and the underbelly of the community is wonderful. He is the pinnacle of community involvement. He has always stepped up to make Park City a great City.

Bob Wells, thanked Mayor Williams for the award. Stated community service is taking a piece of what is given and giving back. He is very proud of this award.

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

Wesley Smith, founder of Wave, gave Mayor Williams a shout out; two years ago they met with the Mayor and explained his project for under the road electric charging stations and the interest sparked from the beginning with Council’s decision to invest toward a project to be completed with the trolley car on Main.

Laura ?? thanked Council member Butwinski for his four years great service and stated she looks forward to seeing him around.

Council member Simpson presented Dana a gift for all the great service he has done for, to and with the Council.

IV. APPOINTMENTS AND RESIGNATIONS

1. Swearing in of Officer Chelsea McIntyre

Chief Carpenter introduced Officer McIntyre. Mayor Williams completed the swearing in.

V. Minutes from the Regular Meeting on December 12, 2013

Council member Beerman moved to approve the minutes
for the December 12, 2013 meeting
Council member Butwinski seconded
Approved unanimously

VI. 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)*

1. Consideration of authorizing the City Manager to sign a Professional Services Agreement with Ward Engineering for consultant services related to the Deer Valley Drive Phase 2 Project in the amount of $129,867.

2. Consideration of Local Consent for Special Event Temporary Alcoholic Beverage Licenses to various applicants during the 2014 Sundance Film Festival

4. Consideration of approving the extraordinary funding requests by Promise Park City – Park City Community Foundation in the amount of $11,500 and the Summit County Children’s Justice Center in the amount of $8,000.

Council member Peek moved to approve items 1,2 & 4 and
to pull item #3 from consent agenda
Council member Butwinski seconded
Approved Unanimously

3. Consideration of Authorization to proceed with pre–construction services for the Library and Education Center Building Remodel Project and authorize the City Manager to enter into a Professional Services Provider Agreement in a form approved by the City Attorney’s Office with Okland Construction Inc. in the amount of Nineteen Thousand Nine Hundred Forty Eight Dollars. ($19,948)

Council member Simpson would like to relook at this option with the newly acquired property in the RDA she feels it beneficial and fiscally responsible to take another look at the plans for the library and the community center.

Council member Beerman agreed with Council member Simpson

Council member Matsumoto stands committed to keeping the library in the historic site and feels it is more important to keep the project rolling.

Council member Peek agrees with Matsumoto that the adapted uses of historic structures are very important.

Council member Butwinski feels taking a look would be a great option and feels the City can still use historic building for a remodel and keep the area vibrant without the additional costs at this point to get a 21st century library in that building. At the end of the day it is a good time to look at the path before any more funds are spent to be fiscally responsible.

Weidenhamer asked for clarification as to where the Council would like to look. Council concurred the lower RDA would be favorable.

City Manager Foster cleared up the direction for staff. City Attorney Harrington stated that this is the first step in the construction process and if the Council feels that they may not keep the original plan then they should table the item because the severance penalty would be harsh if the construction plans change.

Weidenhamer stated that if Council would like to completely look at the entire project feels it would take longer than the next meeting and gave Council a clear picture of the delays; however, did state that a high level look and decision on the 9th will not impact construction.

Council member Matsumoto felt it appropriate with the 3-2 in favor of a second look to come back on the 9th with another look. She also stated that she feels they cannot make a clear decision if they do not look at the entire project and would feel it beneficial to bring the public input into the equation as well.

Council member Simpson would like the Carl Winters building to be a highly active community center, alive and vibrant. There is a big wish list for that area.

Council member Butwinski stated that he would like to see Adriane Juarez, Library director, give her opinion in the staff report for what they would like in the library to make it a 21st century building.

Council member Simpson moved to continue the item
to the January 9, 2014 City Council meeting
Council member Butwinski seconded
3-2 Vote as follows:
Simpson- aye
Butwinski-aye
Beerman- aye
Matsumoto-nay
Peek- nay
Motion Carried

VI. NEW BUSINESS

1. Consideration of authorize the City Manager to enter into an annual Licensing and Support Agreement and Hosting Services Agreement with VR Compliance Software Inc. not to exceed $100,000.

Jason Glidden, Special Events Manager, presented the VR compliance software to Council stating it would greatly assist the City in the nightly rental infractions of our current business license code. Discussed the time saving aspect for code enforcement. Stated the annual cost is $1,200 as well as a $75 fee per non-compliant property identified. Discussed that transit would pick up 50% of the fees in the first year in addition to the use of the contingency fund in the first year and as we work through the list the fees will reduce every year. Also discussed the staffing requirements with the software. Discussed revenue of the business licensing fees the City would see with the software.

Council member Simpson inquired of the requirement of the 80 properties to be identified each month in as stated in the contract. Glidden further discussed that it would be processing 80 properties not bringing them into compliance.

Council member Peek inquired about looking into imposing the fees accrued on the properties to the violator.

Council members Simpson and Matsumoto feel that every one that rents their property may not know they need a business license and would like a softer approach at least during the first year.

Shelly Hatch, Finance, stated that as long as they are working with the City the soft approach will be taken, if they do not work with staff then double fees can be assed as per code.

Glidden stated that the County is looking at this product as well and are right behind the City in implementing the product. He also clarified that the company has been great to work with and the 80 properties a month number can be negotiated.

Mayor opened the floor for public input.

Hope Melville, inquired if there is a public list of those with business licenses for nightly rentals and would also like to see a contact number for said licenses for first level complaints.

Hatch stated that currently the information is available through the GRAMA request process. City Attorney Harrington stated that Council could direct staff to provide the information on-line as long as the protected information remains protected.

Council member Simpson moved to authorize the City Manager to enter into an annual Licensing and Support Agreement and Hosting Services Agreement with VR Compliance Software Inc. not to exceed $100,000 as amended to use contingency funds as needed.
Council member Matsumoto seconded
Approved Unanimously

2. Consideration of the Call-Up and remand of the General Plan from the Planning Commission:
    a) Public Hearing on Call-Up
    b) Action on Call-Up
    c) Consideration of Remand to the Planning Commission
    d) Continued public hearing on the pending draft the General Plan
    e) Motion to call a Joint Meeting with the Planning Commission on January 15, 2014 and to continue the City Council public hearing until February 13, 2014

Consideration of the Adoption of the General Plan

Planning Director Eddington presented the general plan schedule the scheduling committee has agreed upon. This committee included Council members Peek & Beerman, Planning Commissioner Jack Thomas, and Planning Commissioner Nan Whorel as well as planning staff and City Attorney.

This schedule would require 2 additional planning commission meetings in January, 2 off-site open houses for public input as well as a joint meeting with the Council and Planning Commission.

Council member Butwinski thanked staff for the well thought plan. He also suggested a brief update to Council following each Planning Commission meeting to track progress.

Council member Beerman inquired about an up-to-date version of the General Plan. Eddington stated that an up-to-date, date stamped version is on line.

Council agreed they would like to see a verbal report at each of their meetings following each Planning Commission meeting.

Commissioner Thomas stated that he is concerned with the accelerated schedule and the impact on staff. Eddington felt staff would be able to keep up with the schedule.

Brad Smith, resident, stated that he would like to see the time for public input following the edits to be able to give feedback.

Council member Simpson inquired of staff the timeliness to get the edits up online. Eddington stated the goal would be by the Monday following the meeting.

Planning Commissioner Charlie Wintzer stated his concerns with the timeliness of the edits.

Mayor Williams stated that the main focus to is to get this right the first time and in a timely manner.

Council member Beerman suggested that staff bring in extra bodies to help with real time edits during the Planning Commission meetings.

Joe Scott clarified if there was flexibility of this schedule.

City Attorney Harrington stated that the flexibility would remain with the motion tonight and if a hard deadline was specified and Council felt the need to amend the deadline in the future they would again have to call out the plan and amend the date.

Council member Butwinski concurred with Council member Peek's suggestion from the Dec 12th meeting to keep the deadline. He feels that as long as progress is being made with fresh comments then the plan will keep moving along.

Brad Smith, resident, again asked for a joint meeting with Council and public to be able to give comments on edits other than the public input section of the agenda.

City Manager Foster spoke to the comment that this Council has listened to the comments of the public thus far and we are continuing to tweak this plan and if residents feel the plan has derailed then comments during public input would be sufficient.

Council member Simpson stated that the meetings are the opportunity for the public comments.

Mayor Williams thanked residents for the comments

Council member Butwinski also reminded residents that they can always contact the planning department or the Council personally.

Steve Swanson agreed with the entire general plan and weighed in on the process and his fears and a personal observation.

Council member Peek moved to Call-Up the General Plan
Council member Simpson seconded
Approved unanimously

Council member Peek moved to remand the General Plan from the Planning Commission
Council member Beerman seconded
Approved unanimously

Council member Simpson moved to call a Joint Meeting with the Planning Commission on Feb 4th, 2014 and to continue the City Council public hearing until February 13, 2014 Consideration of the Adoption of the General Plan.
Council member Butwinski seconded
Approved unanimously

VII. ADJOURNMENT TO HOUSING AUTHORITY

MEETING PARK CITY HOUSING AUTHORITY MEETING
SUMMITCOUNTY, UTAH,
DECEMBER 19, 2013

I. ROLL CALL- Chair & Board present

II. NEW BUSINESS

1. Consideration of approval of Housing Plan for Richards Annexation

Rhoda Stafford, Affordable Housing Specialist, and Kirsten Whetstone, Planning Department, presented the consideration of the housing plan and are recommending fees in- lieu

Chair Williams opened the public hearing. There were no comments. The public hearing was closed.

Board member Simpson moved to authorize the Park City Housing Authority accept an in lieu payment in the amount of $103,345 as fulfillment

of the housing obligation for the Richards Annexation Council member Butwinski seconded
Approved unanimously

III. ADJOURNMENT

With no further business the meeting was adjourned.

MEMORANDUM OF CLOSED SESSION

The City Council met in a closed session at approximately 12:30 p.m. Members in attendance were Mayor Dana Williams, Alex Butwinski, Andy Beerman, Liza Simpson, Dick Peek and Cindy Matsumoto was excused. Staff present were Diane Foster, City Manager; Matt Dias, Assistant City Manager; Mark Harrington, City Attorney; Tom Dayley, Deputy City Attorney; Lori Collett, Finance Manager; Phyllis Robinson, Public Affairs; Thomas Eddington, Planning Director; Jonathan Weidenhamer, Economic Development Manager; Clint McAfee, Water Manager; Michelle DeHann, Water Department; Roger McClain, Water Department; Jack Thomas, Mayor-Elect; Tim Henney, City Council member-elect. **Council member Butwinski moved to close the meeting to discuss Property, Litigation, and Personnel. Council member Simpson seconded. Motion carried.**

Council member Beerman moved to open the closed session. Council member Peek seconded. Motion carried.

City Council
Staff Report

Subject: **Resolutions setting forth 2014 meeting dates**
Author: **Marci S. Heil, City Recorder**
Department: **Executive**
Date: **January 9, 2014**
Type of Item: **Administrative**

Summary Recommendations:

Adopt resolutions setting forth meeting dates for the City Council and its related agencies are recommended actions in order to comply with our municipal code and state law.

Topic/Description:

Setting yearly meeting dates is a housekeeping matter which occurs at the first meeting of the year. Setting an annual meeting schedule is a requirement of the Utah Open and Public Meetings Act. The annual meeting notice is often required as an attachment to bond resolutions; all meetings require at least a 24 hour public notice period.

Analysis:

The proposed meeting dates follow the current outline of three meetings a month in most cases. All meetings are set to begin at 6:00 pm with work, study and closed sessions preceding the regular meeting. Meetings may be canceled when there is no pending business, no quorum, or the regular meeting date falls on a holiday. 24 hour notice is required to cancel, change or add a meeting date.

Department Review:

City Manager and Legal

Alternatives:

Approve: Approve the resolutions adopting meeting dates.

Deny: This is not a realistic option. The Council has the discretion to change the time, dates, and/or location for meetings. However, state law requires that meeting dates be adopted by resolution which logically occurs at the first meeting of the year.

Continue the Item: If Council desires to reconsider meeting dates, a continuance may be appropriate.

Recommendation:

Adopt resolutions setting forth meeting dates for the City Council and its related agencies are recommended actions in order to comply with our municipal code and state law.

Resolution No. 01-14

A RESOLUTION ESTABLISHING A REGULAR MEETING DATE, TIME, AND LOCATION FOR MEETINGS OF THE CITY COUNCIL OF PARK CITY, UTAH FOR 2014

BE IT RESOLVED by the City Council of Park City:

SECTION 1. REGULAR MEETING DATE. The regular meetings of the Park City Council shall be held on Thursdays at 6 p.m. at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah. Regular meetings are open meetings, where agenda items are scheduled for public hearing and/or action. The time may change if it is felt appropriate to schedule issues of general interest at a time that may better accommodate the public. Meetings may be canceled when there is no pending business, no quorum, or the regular meeting date falls on a holiday.

The meeting schedule for the City Council in 2014 is as follows:

January 9, 23
February 6, 13, 27
March 6, 20, 27
April 3, 17, 24
May 8, 15, 29
June 5, 19, 26
July 10, 17. 31
August 7, 21
September 4, 18, 25
October 2, 9, 16, 23
November 6, 13, 20
December 4, 11, 18

SECTION 2. NOTICE OF PUBLIC MEETINGS. Notice shall be given, including the agenda, date, time, and place of the meeting. The agenda will be posted at least twenty-four (24) hours prior to each regular meeting, and delivered to the local news media. The agenda for special or emergency meetings shall be noticed in the best manner practicable. The Mayor and Council may meet socially at an announced location after the meeting, but City business will not be conducted.

SECTION 3. WORK SESSIONS. Work sessions are open informational meetings, where new items are introduced or regular meeting agenda items are discussed for clarification prior to action. Typically, no formal action is scheduled or taken during a work session, but formal actions may be made to conduct the City's business, if it is deemed to be in the best interest of the public.

SECTION 4. CLOSED MEETINGS. Every meeting and work session is open to the public, unless closed pursuant to Sections 52-4-204 and 52-4-205 of the Utah Code. A closed meeting may be held if a quorum is present and upon the affirmative vote of two-thirds of the members of the public body present at an open meeting for which notice is given pursuant to Section 52-4-202. No closed meeting is allowed except for purposes expressly allowed under Section 52-4-205; provided no ordinance, resolution, rule, regulation, contract, or appointment shall be approved at a closed meeting. A record of closed meetings shall be created and maintained in accordance with Section 52-4-206 of the Utah Code, as amended.

SECTION 5. EFFECTIVE DATE. This Resolution shall take effect immediately.

PASSED AND ADOPTED this 9th day of January, 2014.

PARK CITY MUNICIPAL CORPORTATION

____
Mayor Jack Thomas

ATTEST:

____
Marci S. Heil, City Recorder

Approved as to form:

____
Mark D. Harrington, City Attorney

City Council
Staff Report

Subject: **Emergency Local Consent for Special Event Temporary Alcoholic Beverage Licenses**
Author: **Shelley Hatch**
Department: **Finance Department**
Date: **January 9, 2014**
Type of Item: **Legislative**

Summary Recommendations:
Meet with Council to consider legislatively approving Special Event Temporary Alcoholic Beverage Licenses during the 2014 Sundance Film Festival for three emergency applications.

Topic/Description:
This is an application for three emergency Special Event Temporary Alcoholic Beverage Licenses for the duration of the Sundance Film Festival.

Background:
On June 6, 2013, Council passed amendments to the requirements for Special Event Temporary Alcoholic Beverage Licenses during the Sundance Film Festival. One of those amendments requires that by the final regularly scheduled council meeting in December of each year preceding the festival, Council will approve/deny all Special Event Temporary Alcoholic Beverage Licenses. This schedule is consistent with the regular DABC process which requires applicants to apply by the 10th of the month, a month prior to the event. Language to allow for a special/emergency meeting was also included.

On December 19, 2013, Council approved 46 Special Event Temporary Alcoholic Beverage Licenses for the duration of the Sundance Film Festival.

The deadline for the special/emergency meeting is the first Friday in January (January 3rd); however, only the first 12 complete applications will be heard. No further exceptions will be made. Special Event Temporary Alcoholic Beverage Licenses are required for all events which are commercial in nature, regardless of whether a DABC license is required as well.

At the January 9th regularly council meeting three completed emergency applications will be heard and all final applications were due on January 3, 2014.

In order for an application to meet the minimum code requirements, it must meet the following requirements:

- Applicants/licensees for license must be bona fide corporation

- Applicants must report all applicable criminal convictions and must attest under penalty of perjury to the truthfulness of their disclosures
- All Special Event Alcoholic Beverage License holders must secure liquor liability insurance or a liquor liability insurance rider in the amount of at least $1,000,000 per occurrence and 2,000,000 aggregate
- The Qualifications listed in Municipal Code 4-4-3 including being over 21 years old; not convicted of a felony within 2 years; no prior licenses revoked within the last 3 years; etc.
- The liquor license period not for over 120 consecutive hours. (Muni Code 4-6- 5).

Analysis:
The Council review of the Special Event Temporary Alcoholic Beverage Licenses allows the City to address issues related to adverse impacts or carrying capacity issues related to the licensed activity and evaluate maximum volume as well as coordinating with a DABC hearing as necessary. It also allows service departments, event staff, and public safety to obtain a more adequate picture of the total public service demands for the festival in a timeframe that provides for service level and cost adjustments. State Code gives the City wide discretion on whether to provide local consent in evaluating those issues. As a benefit to applicants it provides them greater advance time to address issues that may otherwise delay or result in denial of their event.

There are two licenses required by the City for commercial events serving alcohol: (1) a license, which may be in the form of a (a) special event license; (b) convention sales license; (c) a business license or a (d) master festival license; and (2) a special event temporary alcoholic beverage license. In addition, if DABC licensing is needed as well, the City issues a “Local Consent” to be given to the DABC once the liquor license has been approved.

We have three applicants, two are under the Master Festal License, one applicant is a business license. One of the Master Festal Licenses needs to have a Local Consent form sent to the Utah department of Alcoholic Beverage Control. All of the three applicants have been reviewed by the Finance, Planning, Police, and Building Departments.

A final business license cannot be issued until a final inspection of the physical location is completed. None of the physical sites of these applicants for the special event temporary alcoholic beverage licenses is set up yet. Once the sites are prepared, final inspection can occur, and the requisite license issued. Therefore, all of these special event temporary alcoholic beverage licenses require a Condition of Approval which states:

> This special event temporary alcoholic beverage license is conditioned upon a License being granted prior to operation and after final inspection.

Procedurally, staff does not give the actual liquor license (which is required to be posted at the site) until final inspection has occurred, all conditions are met and a License is also granted. If council approves the Special Event Temporary Alcoholic Beverage Licenses the local consent will be forwarded to the DABC for their review.

Staff has reviewed all applicants and recommends that Council reviews these Special Event Temporary Alcoholic Beverage Licenses and approve them.

Department Review:
The City Manager, Legal, Police Department, Planning, Building, and Finance Departments have reviewed this report.

Alternatives:

A. Approve:
The recommended action would be to approve all applicants for the Special Event Temporary Alcoholic Beverage Licenses. This is Staff's recommendation.

B. Deny:
Council could deny all applicants for the Special Event Temporary Alcoholic Beverage Licenses.

C. Modify:
Council could deny some or all of the Special Event Temporary Alcoholic Beverage License applicants.

D. Continue the Item:
Council could ask for this to be changed and be continued for further discussion, but applicants may not make the deadlines for the UDABC.

E. Do Nothing:
Council could do nothing on this request. Staff does not recommend.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government

Which Desired Outcomes might the Recommended Action Impact?	+ Unique and diverse businesses + Balance between tourism and local quality of life + Varied and extensive event offerings ~ Internationally recognized & respected brand	~ Reduced municipal, business and community carbon footprints	+ Shared use of Main Street by locals and visitors + Vibrant arts and culture offerings + Shared use of Main Street by locals and visitors ~ Primarily locally owned businesses	+ Fiscally and legally sound + Engaged and informed citizenry + Streamlined and flexible operating processes + Ease of access to desired information for citizens and visitors
Assessment of Overall Impact on Council Priority *(Quality of Life*	Very Positive ⬆	Neutral ⇔	Positive ⇧	Very Positive ⬆

Funding Source:

The primary impacts will be on the applicants for the Special Event Temporary Alcoholic Beverage Licenses. Approvals will help applicants to get the information to the State (DBAC) in a timely matter and give staff adequate time to prepare for the impacts of the licenses.

Consequences of not taking the recommended action:

If no action is taken at this time applicants will not be allowed to hold a Special Event Temporary Alcoholic Beverage License. Applicants will be unable to serve alcohol at their event for the Sundance Film Festival.

Recommendation:

Meet with Council to consider legislatively approving 12 Special Event Temporary Alcoholic Beverage Licenses attached as Exhibit A during the 2014 Sundance Film Festival with the following condition:

(1) This special event temporary alcoholic beverage license is conditioned upon a License being granted prior to operation and after final inspection.

Exhibits:

Exhibit A: List of three “emergency” Applicants

EXHIBIT A

NAME OF APPLICANT	LOCATION	DATE	COMPLETE APPLICATION
MOTHER INDUSTRIES	444 MAIN ST	1-17-2014 THRU 1-19-2014	UNDER THE MFL
SUNDANCE INSTITUTE	500 SWEDE ALLEY	01-16-2014 THRU 01-26-2014	UNDER THE MFL

NAME OF APPLICANT	LOCATION	DATE	COMPLETE APPLICATION
LUXE MARKETING LLC	573 MAIN ST	1/19/2014	BUSINESS LICENSE APLICATION

City Council
Staff Report

Sustainability

Author: Matthew Twombly
Subject: Library and Education Center Building Remodel
- Award of Professional Services Provider contract
Date: January 9, 2014
Type of Item: Administrative - Award of Contract

Summary Recommendation –
Staff requests authorization to proceed with pre–construction services for the Library and Education Center Building Remodel Project and authorize the City Manager to enter into a Professional Services Provider Agreement in a form approved by the City Attorney's Office with Okland Construction Inc. in the amount of Nineteen Thousand Nine Hundred Forty Eight Dollars. **($19,948)**

Topic: Library and Education Center Building Remodel Project.

Background:
On December 19, 2013 this item was pulled from the Consent Agenda, discussed between Council and continued. Council requested that staff look at the feasibility and cost to build a stand-alone library in the Lower Park Avenue area. Based on the Work Session discussion of building a new building for the library, staff is requesting that the Council consider awarding the Professional Services Provider Agreement to Okland Construction and proceeding with the remodel of the Carl Winter's School Building and Library.

On February 7, 2013 Council authorized the City Manager to enter into a professional service provider contract with Blalock and Partners for the design and engineering for the Library and Education Center Remodel project.On March 28, 2013 Council agreed to proceed with a final budget of $4.6M construction cost and $5.6 total project budget. Due to the change in scope of the project Blalock and Partners amended their proposal and Council authorized a change order to their contract.

The project team consisting of Sustainability and Library staff, Steve Brown with Millcreek Consulting, and the design team led by Blalock and Partners has discussed at length the project budget, the challenges with the renovation of the historic structure to today's building codes, as well as the coordination and scheduling required with the Library and the tenants. The project team thought it would be most beneficial to bring in the Construction Manager prior to the completion of drawings so that budgets can be modified prior to bidding for subcontracts, refine construction schedules and possible procurement of long lead items and help with defining budget options for the team and Council. The architects and engineers of the project team wish to move into construction drawings for the project so it is best to bring on the Construction Manager as soon as possible.

As defined in the City's purchasing policy a (CM/GC)Construction Manager/General Contractor is a contractor who enters into a contract for the management of a construction project when that contract allows the contractor to subcontract for additional labor and materials that were not included in the contractor's cost proposal submitted at the time of the procurement of the Construction Manager/General Contractor's services. The Construction Manager will implement all bid packages and subcontractors under a competitive bid requirement as required in the City's purchasing policy. The purchasing policy requires that the Project Manager will attend the award of all subcontracts which meet the threshold requirements in which the State Code (and our purchasing policy) requires a formal bid if it was bid individually.

Analysis:

The Request for Qualifications (RFQ) for construction contractors was advertised on October 30thand November 2nd, 2013 in the Park Record and October 29th and 30thin the Salt Lake Tribune. Additionally, the RFQ was posted on the City's website and at utahlegals.com.

Park City's purchasing policy states that Contracts for Professional Service where the Service Provider is responsible for Building Improvements/Public Works Project (CM/GC method) are exempt from competitive bidding. The selection of CMGC contracts shall be based on a documented evaluation process (such as a Request for Qualifications(RFQ). Usually, emphasis will be placed on quality, with cost being the deciding factor when everything else is equal.

There was a mandatory pre-submittal meeting on November 11, 2013. And there were 12 firms that submitted on the proposal due date of November 19, 2013. There were four members of the project team responsible for short-listing the CMGC contractors. These were Kevin Blalock with Blalock and Partners, Steve Brown with Millcreek Consulting, Jonathan Weidenhamer, and Matt Twombly. The selection committee met on November 21, 2013 and short-listed 4 of the 12 firms that submitted qualifications. The four shortlisted firms of Okland Construction, R & O Construction, Ascent Construction and Jacobsen Construction were interviewed by the selection committee (members as previously noted plus Tegan Davis from the Library) on December 6, 2013.

In review of the proposals and interviews the committee determined that Okland Construction is the most qualified and their price was reasonable. Their qualifications were based on previous and similar experience, project team proposed, bonding or financial risk, cost estimating and scheduling, quality control, claims management (minimizing),staff's previous experience with the members of the project team including the project manager, and additional considerations. The proposed Pre-construction Services fee, estimated General Conditions and the Construction Manager's Fee were considered under Additional Considerations, but these items were not weighted in such a manner that by themselves determined the final selection of the CM.

Shortlist Proposal	**Pre-construction Services**	**Manager's Fee (based on $4.6 M)**	***Estimated General Conditions**	**Bond**	**Total**
Okland	$19,948	2% ($92,000)	$245,277	$27,600	$384,825
Ascent	$22,400	1.17%** ($53,820)	$172,730	$40,793	$289,743
R&O	$27,560	4% ($184,000)	$191,770	32,200	$435,530
Jacobsen	$15,500	5.5% ($241,500)	$413,350	$29,800	$700,150

*The general conditions are estimated at this time. They will be finalized during the Guaranteed Maximum Price (GMP) proposal and negotiations.

**Ascent had self-performance and long lead procurement fees of 6%. This was not requested and unclear in their proposal.

Okland Construction was the low bid general contractor for the MARC. The MARC construction occurred during the most snow days and during the worst downturn in the US economy since the Great Depression. Okland was able to complete the project within budget while seven of their key subcontractors went bankrupt during the course of the MARC construction. Based on our past experience with Okland on the whole and specifically their project manager, their experience on other projects in Park City, such as the Intermountain Hospital and Silver Star, and their project team, the selection committee felt strongly that Okland would be the best construction manager for the Library and Education Center Building Remodel project.

The CMAR contract at this point, is only a Professional Service Provider contract for preconstruction services of $19,948. The $19,948 is below the amount requiring Council award; however there will be a GMP contract of approximately $4.6 million. At the point where 90% of construction documents are prepared, the Construction Manager will bid the project consistent with State code and City policies. The Construction Manager will then propose a Guaranteed Maximum Price (GMP) that includes a detailed schedule of work and costs based on the subcontractor bids, General Conditions, Construction Manager's Fee, Bonds and a Contingency. Staff will return to Council for award of the Construction Manager at Risk (CMAR) Agreement for the GMP.

The project team has been coordinating with the Library staff, the tenants and other stakeholders such as Sundance. Once the contractor is on board, the construction schedule of construction can be better coordinated between the City and these entities. It is anticipated that construction will start in March/April and be complete in December prior to Sundance.

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

Alternatives:

A. **Approve the request, and authorize the City Manager to enter into a Professional Services Provider Agreement in a form approved by the City Attorney's Office with Okland Construction Inc. in the amount of Nineteen Thousand Nine Hundred Forty Eight Dollars. ($19,948): (Staff recommendation)**
B. Modify the request: Council could choose to modify the project and redo the CMGC selection process, which would delay the project.
C. Deny the request: Council could choose to not continue with the project at this time.
D. Continue the Item: Council may feel there is not enough information to make a decision, which will delay the project and the proposed schedule.
E. Do Nothing: Same effect as continuance.

Not approving the contract will cause significant delays to the project most notably the procurement process of long lead items such as the elevator and jeopardize the schedule for the tenants including the Film Series and possibly Sundance.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	+ Balance between tourism and local quality of life + Varied and extensive event offerings	+ Abundant preserved and publicly-accessible open space - Reduced municipal, business and community carbon footprints	+ Preserved and celebrated history; protected National Historic District + Skilled, educated workforce + Entire population utilizes community amenities + Community gathering spaces and places + Vibrant arts and culture offerings	+ Well-maintained assets and infrastructure
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Positive ⇧	Neutral ⇔	Very Positive ⬆	Positive ⇧

Comments: The carbon footprint will be increased with the remodel, however the re-use of the historic structure is significantly more sustainable than constructing new. The project aims to expose more of the historic structure. The facility will be improved for both community and events.

Funding Source:
There is currently approximately $5.6 budgeted for the Library and Education Center Building Remodel project out of the Lower Park Avenue RDA tax increment funds. Sustainability, Library and other City staff resources will be required to complete the project.

There are additional expenses anticipated with the project not currently within the project budget that have to be further discussed with Council. These include:

1. Santy Upgrades;
2. Cost of temporary relocation of the library;
3. Any incremental sustainability;
4. Additional professional services for design & permitting.

Staff anticipates returning to Council prior to establishing a Guaranteed Maximum Price (GMP) to address these possible costs comprehensively in context of the GMP. At that time staff also anticipates an in-depth discussion with Council on the long term financial plan for the Lower Park RDA.

Staff Recommendations:
Staff requests authorization to proceed with the Library and Education Center Remodel Project and authorize the City Manager to enter into a Professional Services Provider Agreement in a form approved by the City Attorney’s Office with Okland Construction Inc. in the amount of Nineteen Thousand Nine Hundred Forty Eight Dollars. ($19,948)

City Council
Staff Report

Subject: **UPDES Stipulated Compliance Order and UPDES Permits**
Author: **Clint McAffee, Water Manager**
Department: **Water**
Date: **January 9, 2014**
Type of Item: **Administrative**

Summary Recommendations:
Staff recommends Council authorize the City Manager, or her designee, to enter into a Stipulated Compliance Order for the Judge and Spiro Tunnel Utah Pollutant Discharge Elimination System permits between Park City Municipal Corporation and the Utah Division of Water Quality, in a form approved by the City Attorney.

Topic/Description:
Water Rights, Leases, Agreements, Source, Water Quality, Financial Stability, Infrastructure, and Water Conservation

Abbreviations Used in this Report:
EPA: United States Environmental Protection Agency
SCO: Stipulated Compliance Order
DWQ: Utah Division of Water Quality
SWTP: Spiro Water Treatment Plant
QJWTP: Quinn's Junction Water Treatment Plant
UPDES: Utah Pollution Discharge Elimination System
KKR: Kaplan Kirsch and Rockwell
GPM: Gallons per Minute
UPCM: United Park City Mines Company

Background:
In 2009, EPA Region 8 and DWQ directed Park City to obtain UPDES permits for Judge Tunnel and Spiro Tunnel as required by the Clean Water Act. In July 2011, Park City submitted initial applications and in February 2012 Park City submitted revised applications for UPDES permits (permits) at each source. Over the past several years, Water Staff has been working with DWQ to establish a reasonable time period for Park City to come into compliance with the permits. The basis of Staff's argument that Park City needs time to comply with the permits is that planning, designing, and constructing infrastructure to comply with the permits will be extremely complicated and expensive and will place a severe financial burden on the rate payers of Park City. During this time, Staff has gained support from EPA Region 8 and DWQ for extended compliance periods.

Over the course of many long meetings with DWQ, Staff has successfully demonstrated the complexity, cost, and financial burden associated with compliance and DWQ has agreed to an extended compliance period. It should be noted that the length of the proposed time periods are extremely unusual and beneficial to Park City. By extending the compliance date, Staff will be able to better plan and construct a comprehensive tunnel treatment system. Extended compliance also means delayed cost of infrastructure and eliminates many years of debt service payments and operational costs, which would amount to millions of dollars per year.

The SCO is an agreement between DWQ and Park City that was created to outline the schedule and other terms of Park City coming into compliance with the Judge and Spiro Permits. While UPDES permits require renewal every 5 years, the SCO is designed to span the entire compliance period which could be as long as 19 years. After the compliance period, Park City will be required to comply with UPDES permits in perpetuity. During the compliance period the UPDES permits will be “report only”. This allows Park City time to come into compliance with the Clean Water Act, thereby reducing our legal exposure. Further, because these are report only permits, there are no water quality limits or standards that Park City can violate during the compliance period. Park City agreed that, in general, Judge Tunnel would be addressed first and then Spiro Tunnel. This approach generally compliments Park City’s goal of improving water quality in our drinking water system and securing the City’s water sources as treatment of Judge will have a significant improvement on Park City’s water quality in the distribution system.

Judge Tunnel

The portal of the Judge Tunnel is located in Empire Canyon. Until recently, the water discharged from the portal has been used as a drinking water source for many decades. This water has entered the potable water system after disinfection using chlorine gas. When the water is turbid or the water is not needed in the distribution system, it has been discharged into an ephemeral drainage channel in Empire Canyon prior to being exposed to chlorine. Due to a variety of water quality concerns and the availability of water produced from QJWTP, Staff discontinued the use of the Judge Tunnel as a drinking water source in June of 2013. Under the terms of a separate agreement with the Division of Drinking Water, Judge water will be prohibited from further use in the distribution system without additional treatment for antimony starting June 14, 2014. The water that is currently being discharged into the drainage channel also exceeds several additional parameters included in the proposed UPDES permit for Judge Tunnel.

Several citizens have reported that they have perceived an improvement in water quality since we stopped using Judge as a potable water source in June of 2013. Most of these reports describe household water filters being much cleaner and lasting longer than they have in the past. This is likely due to the iron and manganese reduction as a result of diverting Judge out of our distribution system. In the future, treatment of the Judge water will result in further improvements to water quality. Recently, Staff has confirmed this water quality improvement during routine water sampling in 8 areas of the distribution system. These samples have shown significant reduction of antimony, arsenic, cadmium, iron, lead and manganese levels in the distribution system. Staff attributes these improvements directly to the diversion of the Judge Tunnel Water. For detailed water quality results and locations, see:

http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=10190.

It is important to highlight that the diversion of Judge Tunnel water has resulted in an increased flow of water in the drainage channel which will continue until infrastructure to convey and treat Judge Tunnel is complete. At the completion of this construction, and the corresponding deadline per the SCO, water will no longer be discharged into Empire Canyon from Judge Tunnel and the drainage channel will return to its historic condition as an ephemeral drainage channel. In 2013, as part of a plan to convey Judge Tunnel water to a future treatment facility near the existing SWTP or QJWTP, Council approved the construction of a pipeline running from Judge Tunnel to the existing SWTP site. This pipeline, which was recommended by Staff based on an alternatives analysis, essentially precludes treatment and subsequent discharge of Judge Tunnel water in Empire Canyon in the future.

The flow rate from the tunnel ranges from about 700 gallons per minute (gpm) to over 2,000 gpm with an average flow rate of about 1,200 gpm. Park City effectively has the right to use all of the water coming from the Judge Tunnel.

UPCM owns the tunnel, the infrastructure near the portal, and the land near the portal. The land under which the tunnel was driven is now owned by several entities including Talisker and Deer Valley Resort Company. Park City has an easement in the Tunnel running ten feet either side of the tunnel’s centerline; the scope of the easement is to maintain and operate the Tunnel and the waterworks facilities near the portal.

Spiro Tunnel

The portal of the Spiro Tunnel is located west of the existing SWTP and within the Silver Star Development. A portion of the water draining from the Tunnel has been used by Park City for decades. At first it was chlorinated and mixed with Judge Tunnel water and a controlled blend of Thiriot Springs water to reduce arsenic. In about 1990, the first phase of the SWTP was constructed in order to remove arsenic, manganese, iron, thallium, and turbidity from the water prior to entering the potable water system. Controlled blending of Thiriot Springs and treated SWTP waters was also implemented for antimony compliance. Over the years, SWTP has received several process and capacity upgrades, however it is not able to treat to stream standards as will be required by a future UPDES permit and can only treat a portion of the total flow from the tunnel. Water not treated at the SWTP is discharged into the North and East Ditches, which run through the Park City Municipal Golf Course. Other entities with water rights in the Spiro Tunnel are Salt Lake City Corporation and Park City Mountain Resort. Also, a portion of the Tunnel flow is considered to be tributary to the East Canyon drainage and is to remain un-diverted and allowed to run down McLeod Creek. Uses for the Spiro Tunnel water include municipal, golf course irrigation, snowmaking, and agricultural use.

The flow rate from the tunnel averages about 4,500 gpm with peak flow rates above 8,000 gpm.

Much like Judge, Park City has an easement in the Tunnel to maintain and operate the Tunnel and the waterworks facilities near the portal.

Analysis:

The SCO outlines 3 main potential solutions to achieve compliance with future UPDES permit limits. As mentioned earlier in this report, Judge Tunnel is to be addressed first followed by Spiro Tunnel and each of the 3 solutions has 2 phases as described below. Staff ensured great flexibility in the drafting of the SCO in terms of choosing solutions that will maximize the benefit to the City. The best solution for the City may not be the least expensive; rather it will be the optimal combination of cost, water quality, schedule, and other key factors.

Rather than providing a comparative analysis of each solution, the outline below focuses on what is contained in the SCO. A complex and in depth decision making process will occur during the compliance period evaluating many factors including cost, impacts to the City, water quality, operational redundancy, and security.

Interim Solution for Judge Tunnel (time period: present to 2024)

Staff has identified 3 potential solutions for compliance with drinking water standards and the UPDES permits for Judge. The completion dates for each solution per the SCO are included below. After a comprehensive analysis of all options, only one solution will be selected. This analysis and selection process will occur in the next several years.

1. Treat Judge at the existing Quinns Junction Water Treatment Plant (QJWTP). Completion date: January 1, 2018.
    a. Potential Infrastructure includes:
        i. Pipeline from Judge to QJWTP.
        ii. Expansion of QJWTP.
        iii. Potential pretreatment of Judge Tunnel Water.
        iv. Dewatering at QJWTP.
2. Treat Judge at the existing SWTP. Completion date: January 1, 2021.
    a. Potential Infrastructure includes:
        i. Pipeline from Judge to SWTP.
        ii. Modification and upgrades of the existing SWTP.
        iii. Dewatering upgrades at SWTP.
3. Treat Judge at a new treatment facility at or near the existing SWTP site. Completion date: January 1, 2024.
    a. Potential Infrastructure includes:
        i. Pipeline from Judge to SWTP.
        ii. Demolition of the existing SWTP.

    iii. Potential relocation of Golf and/or Parks facilities.
    iv. Potential modification to portions of the Golf Course.
    v. Construction of a new SWTP to treat Judge and to be expandable in the future to treat Spiro water.
    vi. NOTE: an alternative to demolition of the existing SWTP and relocating other City facilities would be to find an alternative location for the new tunnel treatment facility similar to location and size of the existing site.

It is important to note that with option 3 there could be impacts to the Park City Municipal Golf Course that include localized modifications. Staff understands the year round importance and value this amenity has to the community for both golfers and non-golfers alike and the goal with any construction at this location will be to mitigate any impacts to the amenity.

There are significant advantages to the existing SWTP site on the golf course including:

- It is the headwaters of McLeod Creek. Locating the treatment facility elsewhere would require pumping water back to this location for discharge which would consume massive amounts of energy and require significant infrastructure.
- It allows for separation of the City's mine tunnel treatment system from the surface water treatment system at QJWTP. This greatly simplifies operations and infrastructure required.
- System redundancy. This facility would be independent of other facilities providing treatment and source redundancy for the City's water system.
- It complements concepts put forth in the Western Summit County Project (aka Regional Water Project) by keeping the future capacity in QJWTP available for treatment of additional imported surface water in the future.

<u>Final Solution for Judge and Spiro Tunnels (time period: 2025 – 2033)</u>

Depending on the interim solution that is selected for Judge (see above), the final solution for both Judge and Spiro will be either a combined tunnel treatment facility for both sources, or the addition of a facility to treat Spiro only.

Below are the second phases of the 3 solutions presented above. After a comprehensive analysis of all options, only one solution will be selected. This analysis and selection will occur over the next several years.

1. New treatment facility for Spiro discharge:
    a. Construct treatment facilities to treat Spiro Tunnel water.
    b. This could include reconstruction of the existing SWTP in its current location or a nearby location.

    c. Judge would continue to be treated at QJWTP.
    d. If cost is less than $12.5 M, completion date is: January 1, 2025.
    e. If cost is more than $12.5 M, completion date is: January 1, 2033.
2. Demolish and construction of a new facility capable of treating Judge and Spiro Tunnel discharges.
    a. If cost is less than $12.5 M, completion date is: January 1, 2025.
    b. If cost is more than $12.5 M, completion date is: January 1, 2033.
3. Expand new treatment facility that was constructed per interim option 3 above.
    a. If cost is less than $12.5 M, completion date is: January 1, 2025.
    b. If cost is more than $12.5 M, completion date is: January 1, 2033.

Again, many factors are involved in determining which solution to implement. These discussions will occur later as we approach the deadline per the SCO and as we gain a better understanding of each solution. Flexibility was one of the main outcomes of the negotiated compliance period and I think we have achieved this to the maximum extent tolerated by the DWQ.

Next Steps

Once Staff received Council authorization to execute the SCO, Park City will sign the SCO and the SCO and permit documents will be made available for a minimum of 30 days for public comment. If no substantive comments are received, DWQ will execute the SCO and permits. If revisions are required due to public comment, the process will start again with Staff returning to Council for approval of the changes, public comment, and execution.

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

Alternatives:

A. Approve:
Council could authorize the City Manager to enter into a Stipulated Compliance Order for the Judge and Spiro Tunnel Utah Pollutant Discharge Elimination System permits between Park City Municipal Corporation and the Utah Division of Water Quality, in a form approved by the City Attorney.

B. Deny:
Council could deny the request for authorization. This would delay execution of the SCO, require Staff to re-enter negotiations with DWQ, and delay compliance with the Clean Water Act.

C. Modify:
Council could request modifications to the SCO. This would delay execution of the SCO, require Staff to re-enter negotiations with DWQ, and delay compliance with the Clean Water Act.

D. Continue the Item:

This would have a similar effect as requesting a modification.

E. Do Nothing:

This would have a similar effect as requesting a modification.

Significant Impacts:

	Preserving & Enhancing the Natural Environment **(Environmental Impact)**	**Responsive, Cutting-Edge & Effective Government**
Which Desired Outcomes might the Recommended Action Impact?	+ Managed natural resources balancing ecosystem needs + Enhanced water quality and high customer confidence + Effective water conservation program + Adequate and reliable water supply	+ Fiscally and legally sound
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Very Positive ↑	Very Positive ↑

Funding Source:

There are no direct costs associated with execution of the SCO. Budget requests for infrastructure described in the SCO will be brought to Council during future budget cycles and will be funded by water service fees. Entering this SCO does guarantee future capital expenditures and these will have rate impacts.

Consequences of not taking the recommended action:

Not taking the recommended action could delay the execution of the SCO and issuance of the UPDES permits for the Judge and Spiro Tunnel discharges. Under the Clean Water Act, Park City is required to obtain UPDES permits for these discharges and the SCO allows for a reasonable amount of time to comply with the permits. Denying the request to execute the SCO could eliminate the compliance period and the City would be in violation of the pending UPDES permits.

Recommendation:

Staff recommends Council authorize the City Manager, or her designee, to enter into a Stipulated Compliance Order for the Judge and Spiro Tunnel Utah Pollutant Discharge Elimination System permits between Park City Municipal Corporation and the Utah Division of Water Quality, in a form approved by the City Attorney.

Exhibits:

EXHIBIT A: SCO

UTAH DIVISION OF WATER QUALITY

IN THE MATTER OF **Judge Tunnel and Spiro Tunnel UPDES** **Park City Municipal Corporation** **445 Marsac Ave.** **P.O. Box 1480** **Park City, Utah**	**DOCKET NUMBER M14-01** **STIPULATED COMPLIANCE ORDER**

PURPOSE

1. The purpose of this **STIPULATED COMPLIANCE ORDER** (“**AGREEMENT”)** is to specify a compliance schedule for the **PARK CITY MUNICIPAL CORPORATION** (“**OPERATOR**”) to come into full compliance with the final effluent limits that will be in the Utah Pollutant Discharge Elimination System (“UPDES”) discharge permits for the Judge Tunnel and Spiro Tunnel, UPDES permits #UT0025925 and #UT0025941. The permits and this **AGREEMENT** are expected to be finalized concurrently, subject to public comment and other requirements of the Utah Water Quality Act, Title 19 Chapter 5 of the Utah Code (“**ACT**”), and Rule 317 of the Utah Admin. Code and other applicable law. The compliance schedule extends beyond the expiration dates of the permits. This **AGREEMENT** is expected to be incorporated by reference into the permits and into future renewal permits.

AUTHORITY

2. The **DIRECTOR** of the **UTAH DIVISION OF WATER QUALITY (“DIVISION**”) is authorized to issue, continue in effect, renew, revoke, modify or deny discharge permits and to issue orders in accordance with Section 19-5-106, and to specify a schedule of compliance in a permit leading to compliance with the **ACT** pursuant to Rule 317-8-5.2.

3. The **DIVISION** was created to administer the **ACT** under the immediate direction and control of the **DIRECTOR** pursuant to Section 19-1-105 of the Utah Code.

4. The State of Utah has been delegated authority by the U.S. Environmental Protection Agency (EPA) to administer the National Pollutant Discharge Elimination System (NPDES) permit program under the Federal Clean Water Act (CWA), known in Utah as UPDES.

FINDINGS

5. **OPERATOR** operates a municipal water system in Park City, Utah. Under certain agreements with the owner of historic mine tunnels, known as the Judge Tunnel and Spiro

Tunnel, **OPERATOR** manages the water draining from the Judge Tunnel and Spiro Tunnel, to provide domestic water to its water system customers. Excess tunnel waters are discharged into adjacent water courses, including Empire Canyon Creek and the Spiro North and East ditches. These waters eventually discharge into McLeod, East Canyon and Silver Creeks. *See* Park City February 7, 2012, updated application for a UPDES permit in the administrative record.

6. As of 2009, EPA Region 8 and the **DIVISION** have directed **OPERATOR** to obtain UPDES permits for Judge Tunnel and Spiro Tunnel. In July 2011, **OPERATOR** submitted initial applications to the **DIVISION** for UPDES permits at each source. The **OPERATOR** has requested compliance schedules to come into compliance with the final effluent limits that will be established in the UPDES permits. Pursuant to Rule 317-8-5.2, a "permit may, when appropriate, specify a schedule of compliance leading to compliance. . ." with the **ACT**. The purpose of this **AGREEMENT** is to specify compliance schedules that will be incorporated into the UPDES permits.

7. On June 5, 2012, EPA issued the *Integrated Municipal Stormwater and Wastewater Planning Approach Framework* ("*Integrated Framework*") dated May 2012. The *Integrated Framework* allows a municipality to identify its relative priorities for infrastructure projects required by the Clean Water Act, balancing human health and water quality impacts with financial capability. A copy of the Integrated Framework is in the administrative record.

8. **OPERATOR** represents that compliance schedules are appropriate to meet permit effluent limits at Judge Tunnel and Spiro Tunnel, because the complex nature of the water sources, the existing water system, local conditions and climate, and financial constraints require time to develop a plan to treat each source, as needed, including time to analyze the feasibility and desirability of integrating treatment for the sources. **OPERATOR** has also represented that compliance will require **OPERATOR** to construct several miles of pipeline through challenging mountain town topography and treatment systems for some or all of the sources and that **OPERATOR** requires time to raise funds through water rate increases to acquire land, design, construct and operate treatment facilities.

9. **OPERATOR** represents that it will develop and implement a plan under the *Integrated Framework*, generally, by addressing discharges at the Judge Tunnel first, completing a Sampling and Analysis Plan and water quality modeling and other studies to characterize the Spiro Tunnel watershed, and conducting engineering feasibility analysis on integrating Judge Tunnel and Spiro Tunnel water sources for treatment, distribution and discharge in the vicinity of Spiro Tunnel, including potentially expanding the capacity and upgrading the process of the existing Quinns Junction Water Treatment Plant ("QJWTP") or Spiro Water Treatment Plant ("SWTP") as may be required by an integrated approach. See **OPERATOR's** *Expanded Draft Outline for Park City Municipal Corporation Integrated NPDES Plan* in the administrative

record. **OPERATOR's** *Expanded Draft Outline for Park City Municipal Corporation Integrated NPDES Plan* is modeled after EPA's *Integrated Framework*. The *Expanded Draft Outline for Park City Municipal Corporation Integrated NPDES Plan* describes the water quality improvements expected from addressing the Judge Tunnel and the financial capability of the **OPERATOR** to address the discharges in total, especially Spiro Tunnel, which is anticipated to be the most costly source due to its size and importance to **OPERATOR'S** water system. The **OPERATOR** has also represented that the activities and facilities contemplated by **OPERATOR** to achieve compliance with UPDES permit requirements are expected to be costly (tens of millions of dollars), are expected to have a significant permanent impact on **OPERATOR'S** construction, operation, maintenance, and replacement expenses far into the future, and will be funded entirely by existing and future water rate payers. **OPERATOR** has represented that it anticipates significant annual water rate increases for several years to pay for the required new facilities. The **OPERATOR** has also represented that the compliance schedules will allow the **OPERATOR** to both mitigate the financial impacts of many years of significant water rate increases and reduce pollutant loading in the Silver Creek, McLeod Creek and East Canyon watersheds from the Spiro and Judge Tunnel discharges. The financial representations of the **OPERATOR** are also in the **OPERATOR**'s May 23, 2013 *Analysis of the Financial Impact of Alternative UPDES Compliance Schedules with 12-30-13 updated Table 10* in the administrative record.

10. **The DIRECTOR** finds there is adequate support in the administrative record as described above to reasonably find that the compliance schedule will lead to compliance with the effluent limitations that will be in the permits to meet water quality standards by the end of the compliance schedule, that the compliance schedule is appropriate given the circumstances, that compliance will be achieved as soon as possible, and that the **OPERATOR** cannot immediately comply with the final effluent limits that will be in the permits.

AGREEMENT

11. **THE DIRECTOR HEREBY ORDERS** and the **OPERATOR** agrees to the following compliance schedules:

Final Park City Municipal Corporation Integrated NPDES Plan

A. No later than October 1, 2014, **OPERATOR** agrees to complete and submit to the **DIVISION** for approval, the *Park City Municipal Corporation Integrated NPDES Plan ("Integrated Plan")*. The scope of the *Integrated Plan* shall include descriptions of all projects and work necessary, in as much detail as is known at the time, to bring all surface water discharges from the Judge and Spiro Tunnels into compliance with their associated UPDES permits, with schedules and deadlines consistent with those in this **AGREEMENT**. The *Integrated Plan* shall be modeled after the *Integrated Municipal*

Stormwater and Wastewater Planning approach Framework attached to the June 5, 2012 memorandum from EPA Administrators Nancy Stoner and Cynthia Giles.

Through the end of the term of this **AGREEMENT, OPERATOR** agrees to submit to the **DIVISION** combined routine *Integrated Plan and construction project* updates and addenda every April 1 and October1 when project construction is in progress, and annually on October 1, when project construction is not in progress. The reports, at a minimum, will document any changes or updates to the *Integrated Plan,* a summary of progress and milestones achieved in all construction, study and design projects during the previous reporting period, projected progress and milestones scheduled to be completed during the following reporting period, and if the project(s) are on schedule. The reports will also include any revisions to the **OPERATOR's** Level II Antidegradation Review for the Judge and Spiro Tunnel discharges, if needed.

Judge Tunnel Pipeline and Empire Tank and Site Improvements

B. No later than 30 days after the execution of this **AGREEMENT**, **OPERATOR** agrees to submit to the **DIVISION** a complete, detailed scope of work and engineering and construction plans for the Empire Tank discharge site improvements, and a pipeline from the vicinity of the Judge Tunnel portal to the vicinity of the SWTP. **OPERATOR** agrees to complete this construction by November 1, 2015.

C. No later than October 1, 2015, **OPERATOR** agrees to submit to the **DIVISION** a detailed engineering and financial analysis of the options for compliance with the effluent limits for water from the Judge Tunnel identified in the Judge permit. This analysis shall include the identification of **OPERATOR'S** intended option for treatment of water from the Judge Tunnel, as well as an assessment of feasible options to minimize bypass for reasonably foreseeable bypass scenarios.

> 1. If **OPERATOR** determines in the October 1, 2015 analysis above that the best means of treating Judge Tunnel water to meet effluent limits would be to send the water to and treat it at the QJWTP (hereinafter, "QJWTP Solution"), it shall provide, no later than October 1, 2016, a complete, detailed scope of work and engineering and construction plans for the construction of the continuation of the Judge Tunnel pipeline from the vicinity of the SWTP to the QJWTP, expansion of the capacity of the QJWTP and upgrades to the treatment capability of QJWTP to include options such as dewatering to remove solids filtered from Judge Tunnel water, **OPERATOR** agrees to comply with Paragraph 11.D of this **AGREEMENT** (collectively, "the QJWTP solution").

2. If **OPERATOR** determines in the October 1, 2015 analysis that treatment of Judge Tunnel water at SWTP would be technically, operationally, or financially superior to the QJWTP Solution, **OPERATOR** agrees to comply with Paragraph 11.E of this **AGREEMENT** (collectively, “the Interim SWTP solution”).

The QJWTP Solution for Judge Tunnel Water

D. If **OPERATOR** elects to pursue the QJWTP solution, no later than January 1, 2018, **OPERATOR** agrees to complete construction of the continuation of the pipeline from the Judge Tunnel portal to the QJWTP, expansion of the capacity of the QJWTP, and upgrade the treatment capability of QJWTP to include options such as dewatering to remove solids filtered from Judge Tunnel water. At the completion of such construction, all surface water discharges from the Judge Tunnel, associated water treatment facilities and Empire Tank water storage facility shall comply with the final limits in the UPDES permit issued for the Judge Tunnel, except in cases of upset or emergency condition, as described in Rule 317-8-4.1(14), or other circumstances necessary for proper operation, maintenance and replacement of the water system only as allowed in the UPDES permit issued for the Judge Tunnel and the **OPERATOR’S** UPDES General Permit for Drinking Water Treatment Plants.

The Interim SWTP Solution for Judge Tunnel Water

E. If **OPERATOR** elects the Interim SWTP solution (defined below), no later than October 1, 2017, **OPERATOR** agrees to submit to the **DIVISION** a complete, detailed scope of work and engineering and construction plans for the expansion of the capacity of the SWTP and upgrades to the treatment capability of SWTP to treat Judge Tunnel water, including options such as dewatering to remove solids filtered from Judge Tunnel water. An Interim SWTP solution is a project which involves a modification or reconstruction of the present SWTP treatment process and facilities to achieve final effluent limits in the UPDES permits for Judge Tunnel water.

1. If **OPERATOR** elects the Interim SWTP solution as the final solution needed to achieve final effluent limits for the Judge Tunnel UPDES permit and such project costs less than $6 million (including legal, engineering, construction, and other direct costs of the Interim SWTP revision), no later than January 1, 2021, **OPERATOR** agrees to complete construction of the expansion of the capacity of the SWTP, and upgrade the treatment capability of SWTP to include options such as dewatering to remove solids filtered from Judge Tunnel water, if necessary.

2. If **OPERATOR** elects the Interim SWTP solution as the final solution needed to achieve final effluent limits for the Judge Tunnel UPDES permit and such project costs more than $6 million (including legal, engineering, construction, and other direct costs of the Interim SWTP revision), no later than January 1, 2024, **OPERATOR** agrees to complete construction of the expansion of the capacity of the SWTP, and upgrade the treatment capability of SWTP to include options such as dewatering to remove solids filtered from Judge Tunnel water, if necessary.

3. The project costs described in this Paragraph 11.E shall be based on the cost estimates provided in the analysis to be provided pursuant to Paragraph 11.C of this **AGREEMENT.**

4. At the completion of such construction called for in this Paragraph 11.E, all surface water discharges from the Judge Tunnel, associated water treatment facilities and Empire Tank water storage facility shall comply with final limits in the UPDES permit issued for the Judge Tunnel, except in cases of upset or emergency condition, as described in Rule 317-8-4.1(14), or other circumstances necessary for proper operation, maintenance and replacement of the water system only as allowed in the UPDES permit issued for the Judge Tunnel and the **OPERATOR'S** UPDES General Permit for Drinking Water Treatment Plants.

Final SWTP Solution

F. No later than January 1, 2020, **OPERATOR** agrees to submit to the **DIVISION** a complete, detailed engineering and financial analysis of the options for compliance with any permitted effluent limits for water from the Spiro Tunnel and/or the combined Spiro and Judge Tunnel discharge. This analysis shall include the identification of **OPERATOR'S** intended option for treatment of water from the Spiro Tunnel and/or the combined Spiro and Judge Tunnel discharge, as well as an assessment of feasible options to minimize bypass for reasonably foreseeable bypass scenarios. If no additional revision to the existing SWTP treatment process, beyond the Interim SWTP solution scope of work identified in Paragraph 11.E above, and no further revision of that facility is required to meet water quality standards for any Spiro and/or the combined Spiro and Judge Tunnel discharges, **OPERATOR** agrees that all discharges related to the Judge and Spiro Tunnels will comply with the final effluent limits in the applicable UPDES permits, including applicable General Permits, one year after completion of construction called for in Paragraph 11.E, except in cases of upset or emergency condition, as described in Rule 317-8-4.1(14), or other circumstances necessary for proper operation, maintenance and replacement of the water system only as allowed in the UPDES permits issued for the Judge & Spiro Tunnels and the **OPERATOR'S** UPDES General Permit for Drinking Water Treatment Plants. Minor construction and revisions to the facility, or the need to construct other major drinking water-related facilities, which are not material in achieving water quality standards, will not delay this deadline to meet water quality discharge standards.

G. If a 'Major Revision' of the SWTP process (defined below), beyond the scope of work described in Paragraph 11.E. above, is needed to meet the final limits in all applicable UPDES permits for all discharges related to the Judge and Spiro Tunnels and all other Park City drinking water system infrastructure, then **OPERATOR** agrees to achieve the deadlines set forth in this Paragraph 11.G. A Major Revision of SWTP is defined as a project, including land acquisition, with a total cost, including legal, engineering, construction of only the infrastructure which is a direct component of the revision or expansion of the SWTP, and other direct costs of $12.5 million or less to complete including the work outlined in Paragraphs 11.D, E, G, and H of this **AGREEMENT**.

1. No later than January 1, 2022, **OPERATOR** shall submit construction plans and specifications to the **DIVISION** for such Major Revision of the SWTP.

2. No later than January 1, 2025, **OPERATOR** shall complete construction of such Major Revision of the SWTP as the chosen alternative to meet final UPDES permit effluent limits.

3. No later than July 1, 2025, **OPERATOR** shall comply with all final UPDES permit limits for all water treatment plant infrastructure if a Major Revision of the SWTP is required to meet all such limits.

4. The project costs described in this Paragraph 11.G shall be based on the cost estimates provided in the analysis to be provided pursuant to Paragraph 11.F. of this **AGREEMENT**.

H. If an 'Extensive Revision' of the SWTP process (defined below), beyond the scope of work described in Paragraph 11.E. above, is required to meet the final limits in the applicable UPDES permits for all discharges related to the Judge and Spiro Tunnels and all other Park City drinking water system infrastructure, then **OPERATOR** agrees to achieve the deadlines set forth in this Paragraph 11.H. An Extensive Revision of SWTP is defined as a project, including land acquisition, with a total cost, including legal, engineering, construction of only the infrastructure which is a direct component of the revision or expansion of the SWTP, and other direct costs, of greater than $12.5 million, including the work outlined in Paragraphs 11.D, E. G. and H. of this **AGREEMENT.**

1. No later than January 1, 2028, **OPERATOR** agrees to submit to the **DIVISION** construction plans and specifications for demolition, if necessary, of the existing SWTP and reconstruction of the new SWTP in the vicinity of the existing SWTP site as required to meet all such final limits.

2. No later than January 1, 2033, **OPERATOR** agrees to complete construction of all remaining facilities needed to achieve final effluent limits for Spiro Tunnel and Judge Tunnel and all other Park City drinking water system related discharges and begin startup and optimization of such treatment facilities.

3. No later than July 1, 2033, **OPERATOR** agrees all discharges related to Judge Tunnel and Spiro Tunnel discharges, and all other Park City drinking water infrastructure related discharges will comply with all applicable UPDES discharge permit limits, except in cases of upset or emergency condition, as described in Rule 317-8-4.1(14), or other circumstances necessary for proper operation, maintenance and replacement of the water system only as allowed in the UPDES permits and the **OPERATOR'S** UPDES General Permit for Drinking Water Treatment Plants.

4. The project costs described in this Paragraph 11 H. shall be based on the cost estimates provided in the analysis to be provided pursuant to Paragraph 11.F. of this **AGREEMENT**.

12. Nothing in this **AGREEMENT** shall constitute a waiver by **OPERATOR** of any claims it may have against third parties for costs, damages or other relief associated with pollutants in Judge and Spiro Tunnel discharges. Further, nothing in this **AGREEMENT** shall prohibit or limit in any way **OPERATOR's** ability to seek contribution or cost recovery from third parties under Comprehensive Environmental Response, Compensation and Liability Act, Resource Conservation and Recovery Act, Clean Water Act, or other laws or regulations. **OPERATOR** reserves all rights to any remedy not expressly prohibited by this **AGREEMENT**.

13. **OPERATOR** acknowledges that this **AGREEMENT** waives governmental immunity as to the **DIVISION** and State of Utah relating to this **AGREEMENT**. Nevertheless, the **OPERATOR** is not waiving any defenses or immunity as to any other party that may be available under the Utah Governmental Immunity Act (Chapter 63G-7, Utah Code) nor does the **OPERATOR** waive any limits of liability currently provided by the Utah Governmental Immunity Act. Subject to all provisions of this **AGREEMENT**, and as may be applicable to third parties, nothing herein shall be deemed a waiver by the **OPERATOR** of any immunity provided by law to the **OPERATOR** or an extension of any limits of liability applicable to the **OPERATOR**. This **AGREEMENT** shall not be construed as an **AGREEMENT** to indemnify,

hold harmless, or in any way to assume liability for personal injury, death or property damage caused by the negligence of another party.

14. **OPERATOR** shall supply to the **DIVISION** all requested information in order to assure compliance with this **AGREEMENT**, the **ACT**, associated rules and permit requirements.

15. **OPERATOR** shall perform the requirements of this **AGREEMENT** within the time frames set forth herein except as may be modified in accordance with Rule 317-8-5.6(d) and other applicable law.

16. Disputes arising hereunder are subject to Sections 19-5-112, 19-1-301 and 19-1-301.5 of the Utah Code, Rule 305-7 of the Utah Admin. Code, and other applicable law.

17. The undersigned representatives certify that they are fully authorized to enter into the terms and conditions of this **AGREEMENT** and to bind the party they represent to this **AGREEMENT**.

18. This **AGREEMENT** shall be effective the day upon which it has been fully executed by the parties.

IT IS SO AGREED.

Park City Municipal Corporation

______________________________ Date:______________

By:
Clint McAffee, P.E., Water Manager
Park City Municipal Corporation

IT IS SO ORDERED.

_______________________________ Date:______________

Walter L. Baker, P.E., Director
Utah Division of Water Quality

City Council
Staff Report

Subject: **QUINNS FIELDS IRRIGATION FILTER STATION CONSTRUCTION AGREEMENT**
Author: **Roger McClain, Water Engineer**
Department: **Public Works, Water**
Date: **January 9, 2014**
Type of Item: **Administrative**

Summary Recommendations:

Staff recommends Council authorize the City Manager to execute a Construction Agreement, in a form approved by the City Attorney, with Beck Construction & Excavation, Inc., for construction of the Quinns Fields Irrigation Filter Station project in an amount of $200,000.00.

Topic/Description:

Construction of the water supply improvements are in accordance with the Water Strategic Plan's Source Strategies & Policies as follows:

- Source, Water Quality and Infrastructure
- Maximize efficient use of existing City sources;
- Ensure public health and safety is protected through quality water; and
- Maximize operational efficiency.

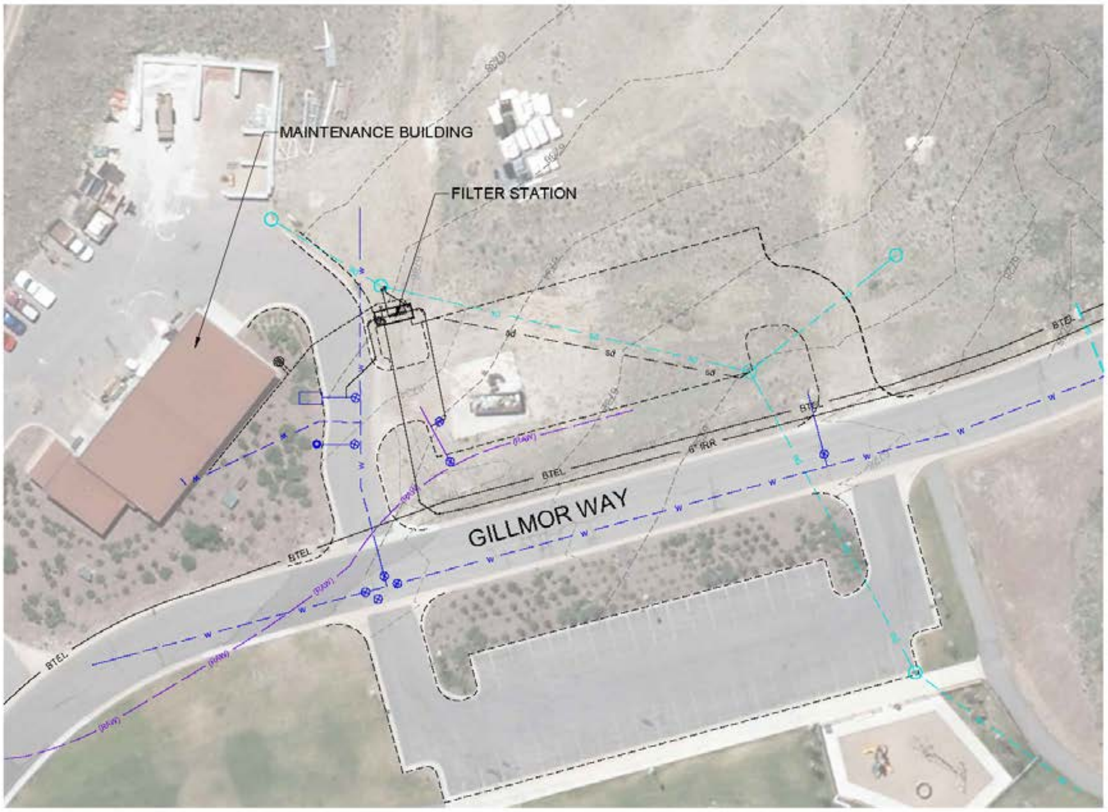
Background:

The Quinns Fields Irrigation Filter Station project (Project) is an integral part of the City's ongoing water system management effort to effectively use existing Rockport Reservoir raw water source to reduce demands on the potable water treatment, storage, and distribution system. The Project addresses the connection and conversion of a significant water user, the Quinns Fields, from potable to raw water. Raw water means water not treated to drinking water standards.

This project will eliminate potable water demands, associated with the sprinkler irrigation of the Quinns Fields area, on the Quinns Junction Water Treatment Plant (QJWTP), the Fairway Hills potable water storage tank, and the potable water pumping at the QJWTP. Raw water for the irrigation will be stored in the existing Signal Hill pond and be conveyed via gravity to the irrigation filter station through the existing raw water transmission line. The irrigation connection will occur prior to the treatment plant.

Proposed Construction:

To facilitate the conversion from potable to raw water, a filter station will be installed in the vicinity of the existing Quinns Fields maintenance building. The filter station will screen the raw water to prevent materials, such as sand and organic material, that might clog irrigation sprinkler nozzles from entering the existing sprinkler systems and will reduce water pressure for the irrigation sprinkler system. The filter station, as shown on the following site map, has been located to be consistent with and not interfere with improvements proposed in the Quinns Fields master plan. The filter station will be connected to the existing raw water supply line that parallels Gillmor Way and the irrigation supply lines will be extended from the filter station to two existing potable water connections that currently serve the Quinns fields irrigation system. The potable water service will then be disconnected.



The filter station consists of a buried vault containing an automatic self-cleaning 300 micron filter (similar to the filters on the raw water inlet line at the QJWTP), a pressure reducing valve to adjust water system pressure to meet the sprinkler irrigation system pressure requirements, associated valving and piping, water meters, system controls and SCADA system. Irrigation supply lines will be extended from the filter station to the existing irrigation water meter vaults. Work will be located within public rights of way and City easements. The filter station will be buried to meet visual and deed restriction considerations.

Upon construction completion, testing, startup, and training, the filter station will be operated and maintained by the City Parks Department.

Analysis:

Construction Contract:

The Quinns Fields Irrigation Filter Station construction project was advertised in the Park Record on 12/4, 12/7, 12/11, 12/14 & 12/18, 2013, online at utahlegals.com, and on the Park City Website beginning December 5, 2013. Nine bids were received and publically opened on December 19, 2013. The following summarizes the bids:

Contractor	***Total Bid***
Engineer's Estimate	**$239,197.00**
Hills Construction	$283,560.00
Vancon, Inc.	$217,000.00
SCI, Inc.	$289,497.00
Beck Construction & Excavation	***$200,000.00***
Counterpoint Construction	$254,000.00
Lyndon Jones Construction	$222,400.00
Terra Engineering & Construction	$237,500.00
Allied Construction & Development	$212,202.76
S&L Inc.	$320,000.00
5% Local Preference Consideration Total	*$210,000.00*

Beck Construction, Inc. is the lowest responsive bidder. Bid Documents have been verified by Staff. Staff therefore has determined that **Beck Construction & Excavation, Inc.** is the successful Bidder.

Local Bidder Preference was considered during the determination of lowest responsible bidder. Terra Engineering & Construction LLC, has a physical presence & staff based in Summit County. Terra Engineering & Construction's submitted bid exceeded five percent (5%) of the low bid, therefore, their bid did not qualify for local bidder preference in the determination of lowest responsive bidder.

The City's Project Manager, Roger McClain, will be working under the guidance of the Water Manager.

Department Review:

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

Alternatives:

A. Approve:

Council could authorize the City Manager to execute a Construction Agreement, in a form approved by the City Attorney, with Beck Construction & Excavation, Inc., for the construction of the Quinns Fields Irrigation Filter Station project in an amount of $200,000.00.

B. Deny:

Council could deny the request for the agreement. Denying the request could result in a delay to the project as alternate construction methods are evaluated.

C. Modify:

Council could modify the request for the agreement. Modifying the request could result in a delay to the project as the impacts of the requested modifications on construction and/or management elements are evaluated.

D. Continue the Item:

Council could continue the request for the agreement. Continuing the request could result in a delay to the project until key elements can be addressed.

E. Do Nothing:

Staff does not recommend this alternative. Doing nothing would delay the construction of the time-critical project and create a potential inability to meet existing water obligations and impact reliable water delivery to customers.

Significant Impacts:

	Preserving & Enhancing the Natural Environment **(Environmental Impact)**	**Responsive, Cutting-Edge & Effective Government**
Which Desired Outcomes might the Recommended Action Impact?	+ Managed natural resources balancing ecosystem needs + Enhanced water quality and high customer confidence + Adequate and reliable water supply + Reduced municipal, business and community carbon footprints	+ Fiscally and legally sound + Well-maintained assets and infrastructure + Streamlined and flexible operating processes
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Very Positive ⬆	Positive ⇧
Comments:		

Funding Source:

The funding for the project is from water service fees and is part of the approved FY 14 budget.

Consequences of not taking the recommended action:

The project components are critical to the operation of the delivery of water to meet existing obligations.

Recommendation:

Staff recommends Council authorize the City Manager to execute a Construction Agreement, in a form approved by the City Attorney, with Beck Construction & Excavation, Inc., for construction of the Quinns Fields Irrigation Filter Station project in an amount of $200,000.00.

Exhibits:

EXHIBIT A:	Quinns Fields Irrigation Filter Station, Scope of Work
EXHIBIT B:	Bid Tabulation

EXHIBIT A

Scope of Work
Quinns Fields Irrigation Filter Station
Construction Agreement

DESCRIPTION AND SITE OF WORK: For the project known as the QUINNS FIELDS IRRIGATION FILTER STATION, (hereinafter “Project”), the Work generally consists of construction of a raw water irrigation filter station and irrigation system connections with associated appurtenances. The work is located in Park City, Utah, as indicated on the Drawings.

The project includes the construction of a 750 gpm automatic self-cleaning filter station and pressure reducing valve in a buried concrete vault, raw water line connection, 4” & 6” irrigation supply lines, connections to existing irrigation systems, associated electrical, and site restoration.

The full scope shall be determined from the contract documents.

COMPLETION OF WORK: All WORK shall be substantially complete by May 15, 2014 and Final Complete by June 1, 2014. Time is of the essence.

EXHIBIT B
Bid Tabulation – Quinns Fields Irrigation Filter Station

Quinns Fields Irrigation Filter Station
Bid Results, December 19, 2013, 3:00 pm

	Contractor	Bid Total	% Higher than Apparent Low Bid
1	Hills	$283,560.00	41.78%
2	Vancon	$217,000.00	8.50%
3	SCI	$289,497.00	44.75%
4	Beck	$200,000.00	0.00%
5	Counterpoint	$254,000.00	27.00%
6	Lyndon Jones	$222,400.00	11.20%
7	Terra Engineering	$237,500.00	18.75%
8	Allied	$212,202.76	6.10%
9	S&L	$320,000.00	60.00%
	Average of Bids	$248,462.20	24.23%
	Engineers Estimate	$239,197.20	19.60%

City Council
Staff Report

Subject:	**2013 PIPELINES PROJECT, METALS IMPACTED SOILS MANAGEMENT AND TESTING SERVICES PROFESSIONAL SERVICES AGREEMENT – AMENDMENT NO. 1**
Author:	**Roger McClain, Water Engineer**
Department:	**Public Works - Water**
Date:	**January 9, 2014**
Type of Item:	**Administrative**

Summary Recommendation:

Staff recommends Council authorize the City Manager to execute the First Amendment to the Professional Services Agreement, in a form approved by the City Attorney, with URS Corporation for Metals Impacted Soils Management and Testing Services for an increase to the contract in an amount not to exceed $38,800.

Topic/Description:

Construction of the water supply improvements are in accordance with the Water Strategic Plan's Source Strategies & Policies as follows:

- Source, Water Quality and Infrastructure
- Maximize efficient use of existing City sources;
- Ensure public health and safety is protected through quality water; and
- Maximize operational efficiency.

Background:

On September 5, 2013, the City Manager executed a Professional Services Agreement Minor, in an amount of $24,600.00, with URS Engineers for Metal Impacted Soils Management and Testing Services during construction of the 2013 Pipelines Project.

The 2013 Pipelines Project consists of piping to convey Judge Tunnel Water to Spiro Water Treatment Plant (Segment B) and potentially from SWTP to QJWTP (Segment A). Other improvements such as upsizing existing water lines in conjunction with the Wyatt Earp Improvement and installation of irrigation improvements are also included in the 2013 Pipelines Project.

The Soils Handling Plans (SHP) for the Project defines the processes, criteria, and methodologies that will be used to manage the metals impacted soils that may be encountered during construction, in order to achieve the above objectives and obtain concurrence from the UDEQ and EPA. As PCMC's representative, URS is to provide environmental oversight and testing of excavated soils and soils handling activities to ensure that the Soils Handling Plan is being followed. URS is to observe Contractor operations to ensure conformance with the SHP and perform special testing and inspections accordingly. Utilizing on-site X-Ray Fluorescence (XRF) field screening to determine the lead content of the excess excavated material during excavation and construction for the water pipelines, URS is to develop a soil profile for soils management purposes. This soil profile is to be used by the Contractor to segregate soils to meet criteria that must be met for soil transport and disposal or on-site wasting of acceptable materials. Construction requiring URS's services was originally to be completed by October 15, 2013 but due to soils related impacts construction has been extended into late spring 2014.

During construction in Segment A, existing soil conditions rendered soil profiling ineffective requiring additional on-site field screening and testing by URS. Additionally, soils characterization issues raised by the State of Utah required the temporary stockpiling of excess materials and delayed hauling and disposal of metals impacted soils at Clean Harbors. Amendment No. 1 to URS's Professional Service Agreement includes costs associated with an increase in services to provide additional on-site field screening and services associated with the soils hauling/disposal delay.

Initial construction site work on Segment B within the Alice Lode area is being scrutinized by Park City Water Staff and the City's Environmental Regulatory Programs Manager. To ensure that the pipeline construction will meet the City's requirements related to construction within the Alice Lode area, additional environmental monitoring is proposed. This environmental monitoring includes increasing soils management and SHP oversight during construction from periodic to full-time and including fugitive dust monitoring during construction activities. For clarification, the proposed increase in oversight and monitoring is not a result of concerns with the contractor's actions, but is intended to provide an increased level of attention to activities within this environmentally sensitive area.

URS's existing scope of work does not include the described level of on-site services. Amendment No. 1 outlines the scope and fee for these additional services. The detailed scope changes are discussed in the Analysis section.

Analysis:

Original RFQ and Professional Services Agreement (PSA)

Engineering consultant qualifications that best address the needs of the Project were identified through a Request for Qualifications (RFQ) issued on August 15, 2013 to three firms; AMEC Environmental & Infrastructure Inc., URS Corporation, and Stantec Consulting Services. In response to the RFQ the consultants submitted Statements of Qualifications (SOQ).

A selection committee comprised of Roger McClain (Water), Jim Blankenau (Environmental Regulatory) and Griff Lloyd (Water Project Manager) used the following criteria to evaluate the submitted SOQs:

1. Consultant Firm Experience, Project Manager/Principal Engineer/Staff Experience, and Rate Structure – Weighted importance 30%

2. Level of Qualifications with Respect to Scope of Services and Key Project Elements – Weighted importance 30%
3. Experience Working with Local Projects, Site Conditions, Related construction issues – Weighted importance 40%

Based on the selection criteria, URS Corporation was awarded the contract. Staff developed and negotiated the scope of services and fee with URS, **Exhibit A** to this Staff Report, which were made a part of the Professional Services Agreement executed by the City Manager on September 5, 2013 in an amount not-to-exceed $24,600.00.

Proposed Amendment to the PSA

Proposed Amendment No. 1 captures additional costs in an amount of $38,800 (for a total contract amount of $63,400) for the following scope items that are added to the consultant services:

- Segment A, Additional Services – The original scope of services anticipated that metals impacted soils would be encountered in the upper portion of the trenching operations allowing for trench soils characterization and limited on-site consultant services. As construction has progressed it is evident that the metals impacted soils extend the full depth of excavation and vary considerably. The addition of time reflects a change from periodic to full-time on-site soils management & testing to ensure compliance with the Soils Handling Plan.
- Segment A, Temporary Soils Staging/Stockpile – To keep the project construction progressing and avoid additional mobilization/demobilization and price escalation claims by the contractor, a temporary staging/stockpile site for metals impacted soils was established. URS is responsible to document pre-existing conditions prior to soils stockpiling, verify compliance with the Soils Handling Plan, and verify post-cleanup conditions at the site.
- Segment B, Additional Services – The original scope of services included periodic on-site observation. The change from periodic to full-time on-site soils management & testing in this environmentally sensitive area ensures full compliance with the Soils Handling Plan and enables City Staff to effectively document site conditions during construction activities.
- Segment B, Fugitive Dust Inspection and Compliance Monitoring – The original scope did not include monitoring of fugitive dust activities. The addition of this environmental related service was determined by Park City Staff and the City Environmental Regulatory Program Manager to be beneficial to the City to effectively monitor site disturbance operations within the Alice Lode area. Fugitive dust inspection and compliance monitoring will be performed using EPA Method 9.

The attached Amendment No. 1, Exhibit A, provides additional information and detailed costs for the above items. Staff feels that these fees are usual and customary with projects of this type, scope, and complexity.

The City's Project Manager, Roger McClain, will be working under the guidance of the Water Manager.

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

Alternatives:

A. Approve the Request:
Council could authorize the City Manager to execute the First Addendum to the Professional Services Agreement, in a form approved by the City Attorney, with URS Corporation, for Metals Impacted Soils Management and Testing Services in an amount not to exceed $28,800.

B. Deny the Request:
Council could deny the request for the agreements. Continuing the request could result in a delay to the project as alternate soils management methods are evaluated.

C. Continue the Item:
Council could continue the request for either or both agreements. Continuing the request could result in a delay to the project as alternate soils management methods are evaluated.

D. Do Nothing:
Staff does not recommend this alternative. Doing nothing would delay the construction of the time-critical project and potentially inability to meet existing water obligations and future water quality requirements.

Significant Impacts:

	Preserving & Enhancing the Natural Environment (Environmental Impact)	**Responsive, Cutting-Edge & Effective Government**
Which Desired Outcomes might the Recommended Action Impact?	+ Managed natural resources balancing ecosystem needs + Economically and environmentally feasible soil disposal	+ Fiscally and legally sound + Engaged, capable workforce + Engaged and informed citizenry + Streamlined and flexible operating processes + Ease of access to desired information for citizens and visitors
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Very Positive ⬆	Positive ⇧
Comments:		

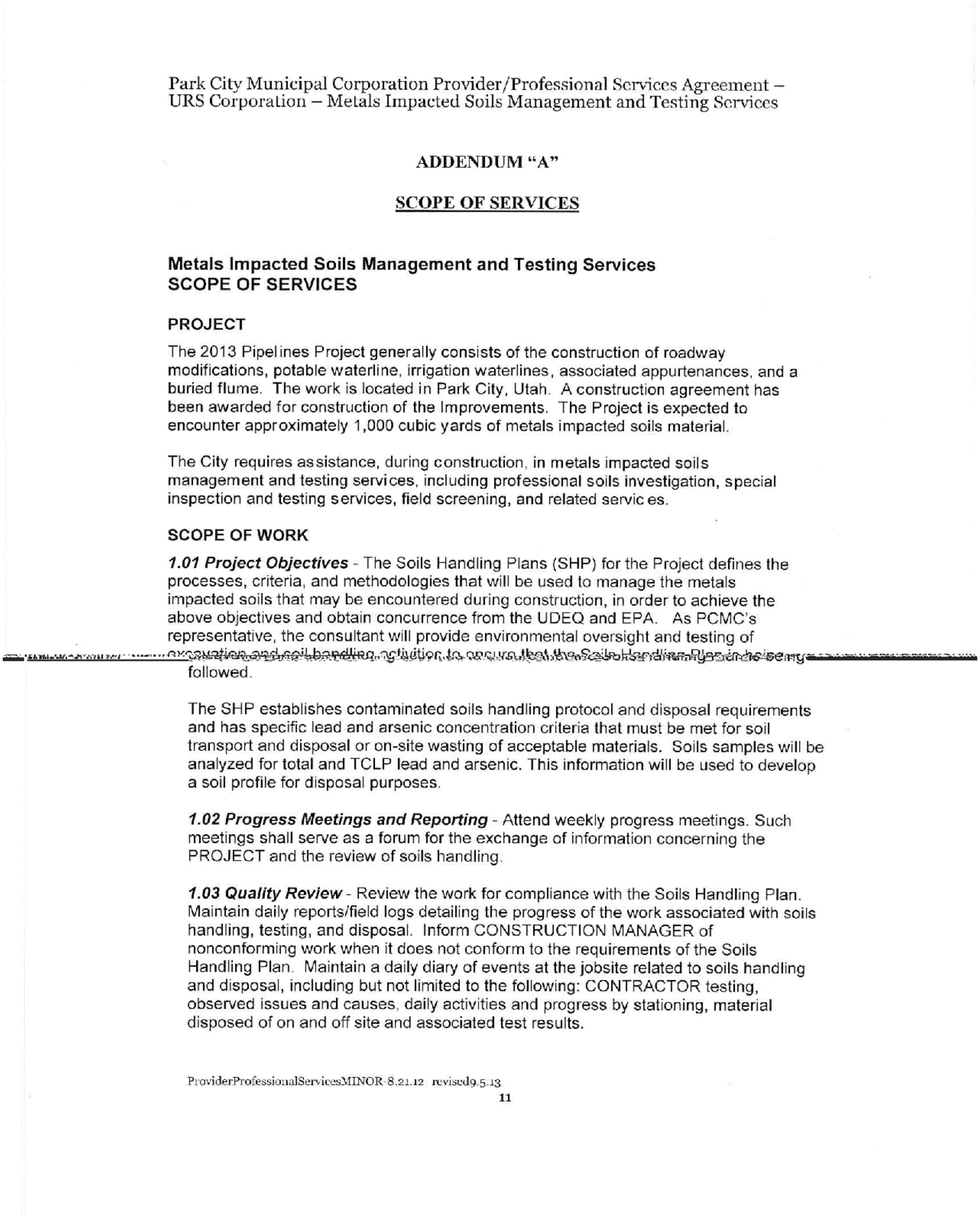
Funding Source:
The funding for the project is from water service fees and is part of the approved FY 14 budget.

Consequences of not taking the recommended action:
The project components are critical to the operation of the delivery of water to meet State and Federal water quality regulations.

Recommendation:
Staff recommends Council authorize the City Manager to execute the First Amendment to the Professional Services Agreement, in a form approved by the City Attorney, with URS Corporation for Metals Impacted Soils Management and Testing Services for an increase to the contract in an amount not to exceed $38,800.

Exhibits:
EXHIBIT A: Metals Impacted Soils Management and Testing Services PSA
URS, Original PSA Scope of Services and Fee
EXHIBIT B: Metals Impacted Soils Management and Testing Services PSA
URS, Amendment No. 1 Scope of Services and Fee Summary

EXHIBIT A
Metals Impacted Soils Management and Testing Services PSA
URS, Original PSA
Scope of Services and Fee



ADDENDUM "A"

SCOPE OF SERVICES

Metals Impacted Soils Management and Testing Services
SCOPE OF SERVICES

PROJECT

The 2013 Pipelines Project generally consists of the construction of roadway modifications, potable waterline, irrigation waterlines, associated appurtenances, and a buried flume. The work is located in Park City, Utah. A construction agreement has been awarded for construction of the Improvements. The Project is expected to encounter approximately 1,000 cubic yards of metals impacted soils material.

The City requires assistance, during construction, in metals impacted soils management and testing services, including professional soils investigation, special inspection and testing services, field screening, and related services.

SCOPE OF WORK

1.01 Project Objectives - The Soils Handling Plans (SHP) for the Project defines the processes, criteria, and methodologies that will be used to manage the metals impacted soils that may be encountered during construction, in order to achieve the above objectives and obtain concurrence from the UDEQ and EPA. As PCMC's representative, the consultant will provide environmental oversight and testing of excavation and soil handling activities to ensure that the Soils Handling Plan is being followed.

The SHP establishes contaminated soils handling protocol and disposal requirements and has specific lead and arsenic concentration criteria that must be met for soil transport and disposal or on-site wasting of acceptable materials. Soils samples will be analyzed for total and TCLP lead and arsenic. This information will be used to develop a soil profile for disposal purposes.

1.02 Progress Meetings and Reporting - Attend weekly progress meetings. Such meetings shall serve as a forum for the exchange of information concerning the PROJECT and the review of soils handling.

1.03 Quality Review - Review the work for compliance with the Soils Handling Plan. Maintain daily reports/field logs detailing the progress of the work associated with soils handling, testing, and disposal. Inform CONSTRUCTION MANAGER of nonconforming work when it does not conform to the requirements of the Soils Handling Plan. Maintain a daily diary of events at the jobsite related to soils handling and disposal, including but not limited to the following: CONTRACTOR testing, observed issues and causes, daily activities and progress by stationing, material disposed of on and off site and associated test results.

1.04 Third Party Inspections and Testing - Review reports and obtain ENGINEERS recommendations as needed. CONTRACTOR will provide third party inspection and testing as outlined in the project specification.

1.05 Coordination with City Departments and Other Agencies – Coordinate and communicate with the CITY's Representative to keep informed of the PROJECT status, field encounters, field meetings, and other pertinent information. Coordinate with disposal sites as needed.

1.07 Project Observation and Testing - Observe Contractor's operations to ensure conformance with the SHP, and perform special testing and inspections accordingly. X-Ray Fluorescence (XRF) field screening will be used on-site to determine the lead content of the excess soils. Provide equipment and technical staff to perform XRF field screening of excavated material during excavation and construction for the water pipelines. Soils will be segregated by the contractor and consultant will field screen the segregated material with the XRF and will inform the on-site Construction Manager of field screening results.

1.08 Project Closeout - Complete and deliver all PROJECT files and documents to CITY. All testing data & reports, RFIs, daily reports, photos, shall be submitted to the CITY in a digital format (CD or DVD).

1.09 Assist City with Obtaining Compliance Certificate for Disturbed Areas - Review testing data for sufficiency and compliance with SHP and Soils Ordinance requirements. The work will include XRF screening of the lead concentration of the soils during excavation and prior to transport. Consultant shall screen the soils with an XRF machine as the soils are excavated. Soils screening will be from the excavator bucket prior to loading the transportation truck.

At the conclusion of the work, a report will be submitted showing the log of soil screening, date, time of screening, and XRF readings.

This scope of service does not include providing soils and materials testing services (QA/QC, compaction testing, etc.) for the project. The selected firm shall be independent of the Contractor and/or its subcontractors & testing agents and shall not perform quality testing work for the Contractor.

PROJECT SCHEDULE

The project is anticipated to occur from September 9, 2013 to October 15, 2014. It is anticipated that the consultant will be on site during excavation activities which may not be consecutive days. The segregating and transport activities are expected to cover nine hours per day for five days per week and will be primarily associated with the utility related work. A trained XRF operator shall be available for screening full time during the soil excavation, segregating, and transport operations. A soils management professional shall be available on an as needed basis to assist with SHP compliance related issues. Consultant's time on the site is at the discretion of the Resident Engineer and Owner and will depend upon their requirements.

URS's Statement of Qualifications Proposal is provided on following pages

EXHIBIT B
Metals Impacted Soils Management and Testing Services PSA
URS Corporation, Amendment No. 1
Scope of Services and Fee Summary

URS Corporation
PSA Amendment No. 1 Scope of Services

The purpose of this Addendum No. 1 is to address scope of services changes required to successfully complete the 2013 Pipelines Project as identified in URS's scope of services.

Soils Management and Testing Scope Changes: Specific soils management and testing services have been modified as required to meet the project requirements and needs. The proposal and original agreement was based on a project completion date of October 15, 2013. Work associated with the removal of metals impacted soils to an Owner designated temporary stockpile site, the subsequent removal of materials from the temporary stockpile site, and work within the Alice Lode property are anticipated to occur periodically through and until June 15, 2014.

To address the anticipated metals impacted soils management and testing services associated with the contractor's project time extension, a total of $28,800 is hereby added to the agreement.

Anticipated services include:

- Segment A – The original scope of services anticipated that metals impacted soils would be encountered in the upper portion of the trenching operations allowing for trench soils characterization and limited on-site consultant services. As construction has progressed it is evident that the metals impacted soils extend the full depth of excavation and vary considerably. The addition of contract hours reflects a change from periodic to full-time on-site soils management & testing to ensure compliance with the Soils Handling Plan.
- Segment A, Temporary Soils Staging/Stockpile – To keep the project construction progressing and avoid additional mobilization/demobilization and price escalation claims by the contractor, a temporary staging/stockpile site for metals impacted soils was established. URS is responsible to document pre-existing conditions prior to soils stockpiling, verify compliance with the Soils Handling Plan, and verify post-cleanup conditions at the site.
- Segment B, Additional Services – The original scope of services included periodic on-site observation. The change from periodic to full-time on-site soils management & testing in the environmentally sensitive Alice Lode area of Segment B ensures full compliance with the Soils Handling Plan and enables City Staff to effectively document site conditions during construction activities.
- Segment B, Fugitive Dust Inspection and Compliance Monitoring – The original scope did not include monitoring of fugitive dust activities. The addition of this environmental related service was determined by Park City Staff and the City Environmental Regulatory Program Manager to be beneficial to the City to effectively monitor site disturbance operations within the Alice Lode area. Fugitive dust inspection and compliance monitoring will be performed and reported weekly using EPA Method 9.

Cost Estimate for Additonal Work for the Park City Water Department Soils Management and Testing Services Contract

BUDGET BREAKDOWN					Other Direct Costs (ODCs)					
Park City Water Department Soils Management and Testing: Amendment 1										
		Project Manager	Staff Engineer/ Scientist	Labor Total Hours	Quantity	Units	Notes	Unit Price	Sub / ODC Markup	**Total Costs**
TASKS:		$130	$75							
BASE SCOPE OF SERVICES										
1.0	**Soils Management and Testing**									
1.1	Invoicing, Task Management, Client Coordination, QC	20		20	70	miles	1	0.565	0.07	$2,642
1.2	Wyatt Earp and School Area: Additional Oversight		80	80	1400	miles	2	0.565	0.07	$6,846
1.3	Gordo Soil Removal Oversight		16	16	140	miles	3	0.565	0.07	$1,285
1.4	Segment B: Additional Oversight		300	300	2100	miles	4	0.565	0.07	$23,770
1.5	Segment B: Fugitive Dust and Compliance Monitoring			0	-	Unit Cost	5	$1,500	0.07	$1,605
SUBTOTAL FOR ADDITIONAL SCOPE OF SERVICES IN 2014		**20**	**396**	**416**						***$36,147.88***
SUBTOTAL FOR ADDITIONAL WORK PERFORMED UP TO 12/31/13										***$2,653.53***
TOTAL ADDITIONAL COST										**$38,801.41**

Notes:

1. *Assumes five months total project duration at one hour of management time per week.*
2. *Assumes part-time oversight for remainder of the Waytt Earp and School Area for 20 days at 4 hours per day (including travel time).*
3. *Assumes two 8-hour days.*
4. *Assumes full-time oversight in Segment B (Alice Load and Empire Canyon) for 30 days at 10 hours per day (including travel time).*
5. *Fugitive Dust and compliance monitoring will be conducted, as needed based on the moisture content of the soil being excavated, and will be performed either using individuals with opacity training and certification per EPA Method 9 (this will require sending someone to opacity training, Smoke School) or will be conducted using real-time aerosol monitoring and filter sampling in conjunction with oversight by the soils management staff (this would not require certification). The dollar amount shown is intended to be a place holder and should cover either option.*
6. *Travel assumes a 70 mile round trip.*
7. *XRF rental costs not included. It is assumed these will be handled by Park City in accordance with previous practice.*

City Council
Staff Report

Sustainability

Author:	Heinrich Deters
Subject:	SR-224 Phase II Pathway & Underpass Project Professional Service Provider Contract
Date:	January 9, 2014
Type of Item:	Administrative - Award of Contract

Summary Recommendation: Authorize the City Manager to enter into a service provider agreement with Horrocks Engineering, for the SR-224 Phase II Pathway & Underpass Project in the amount of $297,486 in a form approved by the City Attorney.

Topic: SR-224 Phase II Pathway & Underpass Project Professional Service Provider Contract Award.

Background:
In 2008, the Walking and Biking Liaison Committee (WALC) identified a project list, including improvements to the City's entry corridor on SR-224. These improvements were the Committee's highest priority and received the largest funding allocation.

The first phase of the SR-224 project is currently under design with construction scheduled to start in the spring of 2014. This project allows for a separated 8' wide multiuse pathway along the west side of the road between Kearns Boulevard and Empire Drive. A map of the proposed Phase II improvements has been provided. (Exhibit A)

A Request for Proposals was advertised on November 23rd and 27th, 2013 in the Park Record and November 24th and 25th in the Salt Lake Tribune. Additionally, the RFP was posted on the City's website and utahlegals.com.

Numerous firms expressed interest in the RFP; however only three firms submitted formal proposals on December 11th. Staff has provided a breakdown of the firms who responded and their cost proposals:

Horrocks Engineering	**$297,486.00**
PEC Engineering	$230,722.50
Stanley Consultants	$655,463.60

On December 16th, a selection committee including the following participants reviewed the proposals:

- Heinrich Deters- Trails and Open Space Project Manager
- Thomas Eddington- Planning Director
- Lisa Rogers- Legal Department
- Bryan Atwood- Snyderville Basin Water Reclamation District
- Brooks Robinson- Transit Department
- Blake Fonnesbeck- Public Works Operations Manager
- Clint Dayley –Parks Department
- Jon Weidenhamer- Economic Development Manager
- Nate Rockwood- Budget Department

Analysis:

Selection of the consulting firm was based on the following criteria:

1. Thoroughness of firms 'approach' to the requested scope of services
2. Experience with easement procurement
3. Experience with walking and biking infrastructure design specific to project components
4. Ability to be responsive and available to City Staff and affected neighborhood
5. Cost/Timeline effectiveness in providing the desired services/ product
6. Consistent with City policy, subject to federal, state and local procurement laws, that Park City Municipal Corporation will make reasonable attempts to support Park City business by purchasing goods and services through local vendors and service providers.

The selection committee unanimously determined that Horrocks Engineering was the most qualified and responsive firm. Horrocks Engineering’s approach to the request for proposals, overall firm experience and availability, previous work credentials were highlighted by the Committee. More specifically, the selection committee felt that Horrocks Engineering’s cost estimate most accurately reflected the tasks required, in addition to, Horrocks Engineering’s ability to provide appropriate resources to best serve the project.

Park City’s purchasing policy states that Professional Service Contracts are exempt from competitive bidding, where the lowest quote need not necessarily be awarded the contract. Furthermore, the policy states that emphasis will be placed on quality, with cost being the deciding factor when everything else is equal.

Design will begin immediately upon execution of the contract. The scope of services briefly entails: Feasibility, Preliminary Design, Design and Construction Documents, Project Bidding, and Construction Management. Due to the feasibility aspect of the project, as well as the overall challenges associated with easement acquisitions and utility coordination, staff intends to ‘phase’ the contract via assigned tasks by providing ‘notices to proceed’. This practice will allow for better budgetary oversight of the project and coordination with stakeholders and Council. Staff further intends to return to City Council in work sessions at several design milestones, as well as, for the award of the Construction contract. The tentative schedule anticipates construction completion by October 2015.

Department Review: This report has been reviewed by department representatives of Sustainability, Legal, Budget, Transit and the City Manager’s Office and their comments have been integrated into this report.

Alternatives:

A. **Approve the request, and authorize the City Manager to execute the service provider agreement as attached: (Staff recommendation)**
B. Modify the request: Council could choose to modify the agreement, which would likely delay the schedule of the project.
C. Deny the request: Council could choose to not continue with the project at this time.
D. Continue the Item: Council may feel there is not enough information to make a decision, which will delay the project and the proposed schedule.
E. Do Nothing: Same effect as continuance.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination **(Economic Impact)**	**Preserving & Enhancing the Natural Environment** **(Environmental Impact)**	**An Inclusive Community of Diverse Economic & Cultural Opportunities** **(Social Equity Impact)**	**Responsive, Cutting-Edge & Effective Government**
Which Desired Outcomes might the Recommended Action Impact?	+ Accessible and world-class recreational facilities, parks and programs + Safe community that is walkable and bike-able			+ Well-maintained assets and infrastructure
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Very Positive ⬆	(Select from List)	(Select from List)	Positive ⇧
Comments:				

Funding Source:

Funding for this project, as well as other future Walkability projects will be funded with proceeds from the 2013A Walkability General Obligation Bonds which were issued in August 2013 in the amount of $7,170,000.

Consequences of not taking the recommended action:

If Council chooses to deny the contract award, implementation and design of the project would not move forward.

Staff Recommendations: Authorize the City Manager to enter into a service provider agreement with Horrocks Engineering, for the SR-224 Phase II Pathway & Underpass Project in the amount of $297,486 in a form approved by the City Attorney.

Exhibit A- Phase II Project Map

PCMC SR-224 Phase II Pathway and Underpass Project

Exhibit B – SR-224 Phase II Pathway & Underpass Project Professional Service Scope and Cut Sheet

SR-224 East Side Pathway and Underpass Feasibility, Coordination and Design Project

Projected Manhours and Costs

HORROCKS ENGINEERS

Task & Description	Total Cost	Total Hours	Deryl Mahew	Ron Mortimer	Rob Sunderlage	Shawn Shuler/ Brett Broadhead	Sandi Lampshire	Sr. Des. Tech.	Mark Clark	Sr. Field Tech.	Sr. Lic. Surv.	Lic. Surv.	Sr. Surv./ ROW Tech.	Surv./ ROW Tech.	Clerical	Alliance Engineering (Design Partner)				Design Workshop
			Prin. Eng. II	Sr. Eng.	Sr. Assoc. Eng.	Eng. (PE)	Sr. Comm. Spec.		Field Eng.							Sr. Eng.	Sr. Land Planner	Drafter	Survey Crew	Landscape Architect Subconsultant
Billing Rate			$149	$148	$129	$97	$137	$88	$106	$73	$126	$102	$86	$66	$49	$115	$100	$70	$155	
	0	0																		
Task 1 - Preliminary Feasibility, Easement Coordination and Initial Layout	$ 53,676	518																		
1. Review SR-224 study																				
2. Attain survey and identify additional needs																				
3. Assess SR-224 ROW and coordinate with UDOT																				
4. Create property ownership exhibit with contacts																				
5. Review ROW encroachment or access agreements with UDOT																				
6. Review parking agreements and/or easements																				
7. Attain subsurface utility information																				
8. Intial design of pathway and underpass (w/ design alternatives)																				
9. Coordinate easments with property owners																				
10. Utility provider review and coordination																				
11. Coordinate project impacts with property owners																				
12. Meet with PCMC staff																				
13. Pedestrian counts at peak hours (Winter and Summer 2014)																				
14. Cost estimates																				
15. Final feasibility (pro/cons) of path and tunnel designs																				
Task Subtotal Hours			16	4	34	60	8	40	0	0	18	32	92	28	14	84	50	30	8	
Task Subtotal Cost			$ 2,384	$ 592	$ 4,386	$ 5,820	$ 1,096	$ 3,520	$ -	$ -	$ 2,268	$ 3,264	$ 7,912	$ 1,848	$ 686	$ 9,660	$ 5,000	$ 2,100	$ 1,240	$1,900
Task 2a - Initial Design (Pathway)	$ 31,041	245																		
1. Present prioritized design options																				
2. Assess and design drainage																				
3. Assess/coordinate utility needs for 2014 and 2015																				
4. Assess/coordinate fiber optic needs																				
5. Incorporate pathway into bus stop																				
6. Recommend consolidation of vehicular access points from SR-224																				
7. Review and incorporate design with City water projects																				
8. Develop timeline																				
9. Develop landscape alternatives and perm. and temp. easements																				
10. PCMC/UDOT review of initial design																				
11. Determine impacts to neighboring properties																				
12. Finalize concept and provide cost																				
13. Present design to PCMC, property owners, and public																				
14. Identify staging areas and traffic control																				
Task Subtotal Hours			10	2	12	24	14	32	0	0	0	0	14	0	4	123	10	0	0	
Task Subtotal Cost			$ 1,490	$ 296	$ 1,548	$ 2,328	$ 1,918	$ 2,816	$ -	$ -	$ -	$ -	$ 1,204	$ -	$ 196	$ 14,145	$ 1,000	$ -	$ -	$4,100
Task 2b - Initial Design (Underpass)	$ 33,698	282																		
1. Present prioritized design options																				
2. Assess and design drainage																				
3. Assess/coordinate utility needs for 2014 and 2015																				
4. Review and incorporate design with City water projects																				
5. Develop timeline																				
6. Determine impacts to neighboring properties																				
7. Finalize concept and provide cost																				
8. Present design to PCMC, property owners, and public																				
9. Identify staging areas and traffic control																				
Task Subtotal Hours			12	16	24	96	18	80	0	0	0	0	12	0	4	20	0	0	0	
Task Subtotal Cost			$ 1,788	$ 2,368	$ 3,096	$ 9,312	$ 2,466	$ 7,040	$ -	$ -	$ -	$ -	$ 1,032	$ -	$ 196	$ 2,300	$ -	$ -	$ -	$4,100
Task 3 - Final Design (Underpass & Pathway)	$ 42,485	347																		
1. Incorporate design review comments (incl. 4 meetings)																				
2. Utility and property ownership coord.; prepare easement docs																				
3. Prepare bid documents incl. final const. drawings and specs																				
4. Provide periodic cost estimate updates																				
5. Project review meeting (75%) with PCMC staff																				
6. Project review meetings (100%) with PCMC and utility staff (4)																				
7. Attend City Council meetings (2)																				
8. Procure UDOT permits																				
Task Subtotal Hours			8	4	32	72	4	80	0	0	0	0	28	0	12	87	20	0	0	
Task Subtotal Cost			$ 1,192	$ 592	$ 4,128	$ 6,984	$ 548	$ 7,040	$ -	$ -	$ -	$ -	$ 2,408	$ -	$ 588	$ 10,005	$ 2,000	$ -	$ -	$7,000
Task 4 - Bidding Support	$ 4,752	50																		
1. Provide electronic copies of contract documents																				
2. Adevertise for bidding per PCMC policy																				
3. Conduct pre-bid meeting																				
4. Answer questions and issues addendum																				
5. Conduct bid opening																				
6. Evaluate bid and prepare summary and recommendation																				
7. Provide conform or consultation drawings for contractor																				
Task Subtotal Hours			0	2	8	16	0	12	4	0	0	0	0	0	8	0	0	0	0	
Task Subtotal Cost			$ -	$ 296	$ 1,032	$ 1,552	$ -	$ 1,056	$ 424	$ -	$ -	$ -	$ -	$ -	$ 392	$ -	$ -	$ -	$ -	
Task 5 - Construction Management	$ 120,194	1,216																		
1. Conduct pre-construction conference																				
2. Provide construction administration																				
3. Provide on-site construction observation and coord.																				
4. Provide weekly written project reports																				
5. Coord. on-site changes with construction documents																				
6. Coordinate testing and inspection with contractor																				
7. Provide project closeout coord. and documentation																				
8. Provide post construction coord. and documentation																				
Task Subtotal Hours			240	4	8	24	40	32	160	620	0	0	0	0	34	32	2	8	12	
Task Subtotal Cost			$ 35,760	$ 592	$ 1,032	$ 2,328	$ 5,480	$ 2,816	$ 16,960	$ 45,260	$ -	$ -	$ -	$ -	$ 1,666	$ 3,680	$ 200	$ 560	$ 1,860	$2,000
Total Labor	$ 285,846	2,658																		

Subconsultants:		
GSH Geotechnical, Inc.	$	5,600
TOTAL SUBCONSULTANT COSTS	$	5,600
Direct Costs:		
Mileage (8,000 miles @ $0.63/mi)	$	5,040
GPS	$	-
Printing (Estimated)	$	1,000
TOTAL DIRECT COSTS	$	6,040
PROJECT TOTAL:		**$297,486**

City Council
Staff Report

Application #: **PL-13-01950**
Subject: **Carl Winters School Subdivision**
(1255 Park Avenue)
Author: **Anya Grahn, Historic Preservation Planner**
Date: **January 9, 2014**
Type of Item: **Administrative – Plat Amendment**

PLANNING DEPARTMENT

Summary Recommendations

Staff recommends the City Council hold a public hearing for the Carl Winters School Subdivision located at 1255 Park Avenue, and consider approving the proposed plat amendment based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Description

Applicant:	Park City Municipal Corporation, represented by Matt Twombly
Location:	1255 Park Avenue
Zoning:	Recreation Commercial (RC) District; Recreation and Open Space (ROS) District
Adjacent Land Uses:	Single-family residential, vacation rentals, recreational open space (green space), office space (Miner's Hospital)
Reason for Review:	Plat approval requires City Council review and approval

Proposal

The applicant is requesting a Plat Amendment for the purpose of combining all of the following:

- The north half of lot 5, all of Lots 6 through 12, inclusive, the south half of Lot 13, and all of Lots 23 through 44, inclusive, of Block 6 of the Snyders Addition to the Park City survey.
- All of Lots 1 through 44 of Block 7 of the Snyders Addition to the Park City Survey.
- The portion of land that is the Vacated Woodside Avenue.

The applicant wishes to combine the lots in order to move forward with a Historic District Design Review (HDDR) and MPD amendment approval for an addition to the Carl Winters School building. In order to accommodate growing community demands and the library's ability to be a Twenty First Century library, an addition of approximately 2,400 square feet is proposed. This addition will be located on the north elevation of the structure.

The Carl Winters School, historically known as the Park City High School, is a Landmark structure that straddles the lot lines of Lots 1 through 6 and Lots 39 through 44 of Block 7. The structure has been identified as a Landmark on the City's Historic Sites Inventory (HSI).

The parcel is currently zoned as Recreation Commercial (RC) as well as Recreation Open Space (ROS). The historic library structure is part of the RC District; whereas, the open space to the north of the library structure is zoned ROS.

Purpose

The purpose of the Recreation Commercial (RC) District is to:

- (A) Allow for the Development of hotel and convention accommodations in close proximity to major recreation facilities,
- (B) Allow for resort-related transient housing with appropriate supporting commercial and service activities,
- (C) Encourage the clustering of Development to preserve Open Space, minimize Site disturbance and impacts of Development, and minimize the cost of construction and municipal services,
- (D) Limit new Development on visible hillsides and sensitive view Areas,
- (E) Provide opportunities for variation in architectural design and housing types,
- (F) Promote pedestrian connections within Developments and to adjacent Areas,
- (G) Minimize architectural impacts of the automobile,
- (H) Promote the Development of Buildings with designs that reflect traditional Park City architectural patterns, character, and Site designs,
- (I) Promote Park City's mountain and Historic character by designing projects that relate to the mining and Historic architectural heritage of the City, and
- (J) Promote the preservation and rehabilitation of Historic Buildings.

Additionally, the purpose of the Recreation Open Space (ROS) District is:

- (A) establish and preserve districts for land uses requiring substantial Areas of open land covered with vegetation and substantially free from Structures, Streets and Parking Lots,
- (B) permit recreational Uses and preserve recreational Open Space land,
- (C) encourage parks, golf courses, trails and other Compatible public or private recreational Uses, and
- (D) preserve and enhance environmentally sensitive lands, such as wetlands, Steep Slopes, ridge lines, meadows, stream corridors, and forests; and
- (E) encourage sustainability, conservation, and renewable energy.

Background

The three (3)-story, historic Park City High School was constructed in 1926-1927 by the design firm Scott & Welch, two(2) of Utah's most prominent architects. The physical elements of the site, in combination, convey a sense of the institutional/educational development in Park City in the early 1920s. In 1993, a three (3) story addition was constructed to wrap the T-shape building along its west elevation, Norfolk Avenue. Though eligible, the library is not individually listed on the National Register of Historic

Places.

The City purchased the historic structure in 1992. A Master Planned Development (MPD) was approved by City Council that same year in order to renovate and expand the historic structure. Currently, the structure is shared by the Park City Library, Park City Cooperative Preschool (PCCP), and Park City Film Series (PCFS). Not only will the proposed library expansion, approved through the MPD by the Planning Commission on December 11, 2013, enable the library to meet the highest functional and service level goals for a Twenty-first Century Library, but the third floor will also be remodeled to include flexible community space and a commercial kitchen, in order to accommodate the future temporary relocation of the senior center (two year duration anticipated). As previously noted, the MPD is discussed in further detail in the staff report included in this packet.

At the time of the MPD discussions in 1990 and 1992, a rezone of the property was made. Portions of the site were converted from Residential-Medium (RM) to Recreation Commercial (RC), Historic Commercial Business (HCB) to RC, and Historic Residential (HR-1) to RC in 1990. In 1992, the open space field to the north of the historic structure was rezoned from RC to Recreation Open Space (ROS). Today, the site is segregated into two (2) zoning districts—the Library is part of the RC District while the open space field to the north is zoned ROS.

On June 14, 2013, the City received an application to create one (1) legal lot of record from 73 full lots and two (2) partial lots as well as the vacated and to-be vacated Woodside Avenue. The property contains a total of 3.816 acres. The application was deemed complete on October 22, 2013. The Carl Winters School Subdivision proposes to create one (1) lot from the three (3) parcels as described by the surveyor:

- Parcel 1: The north half of lot 5, all of Lots 6 through 12, inclusive, the south half of Lot 13, and all of Lots 23 through 44, inclusive, of Block 6 of the Snyders Addition to the Park City survey. This section contains 29 full lots and two (2) partial lots (north half of Lot 5 and the South half of Lot 13).
- Parcel 2: All of Lots 1 through 44 of Block 7 of the Snyders Addition to the Park City Survey. This portion contains 44 full lots.
- Parcel 3: The area of land that contains Woodside Avenue. This includes the Vacated Woodside Avenue, just east of Lots 7 through 22 of Block 7. It also contains the section of Woodside Avenue directly to the south of the Vacated Woodside Avenue and directly east of Lots 1 through 6 of Block 7.

The Planning Commission held a Public Hearing and voted unanimously to recommend approval of the 1255 Park Avenue Plat Amendment on December 11, 2013. Although the Planning Commission held a Public Hearing, no public input was offered at the meeting.

On December 12, 2013, City Council held a public hearing, took public comment, and approved the ordinance that vacated the section of Woodside Avenue adjacent to Lots 1 through 6, Block 7 of the Snyders Addition. (See Exhibit H.) The portion directly to the north of this and adjacent to Lots 7 to 22, Block 7 of the Snyders Addition was vacated on March 9, 1940 and is now zoned ROS. It is not exactly known why the section of Woodside Avenue adjacent to Lots 1 through 6, Block 7 of the Snyders Addition was not vacated in 1940 but it could be surmised that because there existed two homes on the east side of this section (as shown on the 1929 Sanborn Maps) that these homes were not removed until after 1940 so this section of Woodside Avenue was still in use.

Analysis

The applicant wishes to combine the lots in order to move forward with a Historic District Design Review (HDDR) and Master Planned Development (MPD) Amendment approval. On September 25, 2013 the Planning Commission approved the Pre-MPD for this project; the MPD is scheduled for tonight's hearing. The maximum footprint in the RC district located on a Lot or combination of Lots, exceeding 18,750 square feet in Lot Area shall be 4,500 square feet, or 24% of the lot.

As existing, the library structure has a footprint of 17,171 square feet, or 10.3% of the lot. The proposed addition will have a footprint of 2,348 square feet, creating a total footprint of 19,519 square feet. The total footprint of the building and addition overall consumes approximately 11.7% of the lot. This is significantly less than the 24% of footprint allowed on lots exceeding 18,750 square feet.

The zoning for the one lot subdivision in Recreation Commercial (RC) and is subject to the following criteria:

RC Zone	**Permitted**	**Existing**
Lot Size	1,875 SF minimum	3.816 acres- complies
Front setback Park Avenue (East) Norfolk Avenue (West)	 15 feet 15 feet	Approx. 202 feet- complies Approx. 0-11 feet- permitted by 1992 MPD
Side yard setback (North)	10 feet	Approx. 386 feet- complies
Side yard setback (South)—12th Street	5 feet	0 feet- historic-valid noncomplying and permitted by 1992 MPD
Height	35 feet/3 stories	35 feet/3 stories-complies
Footprint	4,500 square feet or 24% of the lot	17,171 square feet (existing) or 10.3%
Parking	204 spaces *The Planning Commission may increase/decrease	105 parking spaces complies per the 1992 MPD

	the required number of off-street parking spaces based on a parking analysis during the MPD	

Per LMC 15-2.16-6, Historic Structures that do not comply with Building Setbacks, Off-Street parking, and driveway location standards are valid Non-Complying Structures. Additions must comply with Building Setbacks, Building Footprint, driveway location standards and Building Height. The historic structure does not meet the setback requirements on the south elevation, but is a historic valid complying structure.

As part of the earlier 1993 Library remodel, the Carl Winters Library Master Planned Development (MPD) approved two (2) setback exceptions which is permitted under the MPD. As outlined in the previous table, the existing historic building encroaches into the south side yard setback (12th Street); however, the 1993 addition created a further encroachment along the rear yard setback (Norfolk Avenue). The permanent parking was also approved to encroach into the side yard setback (12th Street) by the 1992 MPD.

The plat amendment also includes the vacated Woodside Avenue. On March 9, 1940, the section of Woodside Avenue immediately north of Lots 7 through 22 of Block7 of Snyders Addition was vacated. The remaining section of Woodside Avenue, located directly to the south of the Vacated Woodside and north of Lots 1 through 6 of Block 7, was not vacated. It is unknown why this portion was not vacated in 1940; however, it is likely that this street was needed to provide access to two (2) homes on the east side of the street. These homes no longer exist. City Council to consider approved an ordinance vacating the section of Woodside Avenue adjacent to Lots 1 through 6, Block 7 of Snyders Addition on December 12, 2013.

The plat will also resolve any existing encroachments. The existing historic structure encroaches into the south side yard setback (12th Street), and the 1993 addition to the building encroaches into the Norfolk Avenue right-of-way. Similarly, the existing concrete retaining wall, along the asphalt driveway on Norfolk Avenue, also encroaches into the Norfolk Avenue right-of-way. These encroachments will need to be resolved prior to recordation of the plat.

The plat amendment will be the largest in the neighborhood. The second largest is the adjacent Park City High School Mechanical Arts Building at 1167 Woodside which contains seven (7) lots.

Development of the site will be limited by the MPD approval. The density permitted on a given site will be determined as a result of a site suitability analysis and shall not exceed the maximum density in the zone. The minimum setbacks around the exterior boundary of the MPD shall be twenty-five feet (25') for parcels greater than one (1) acre in size. Under the MPD, the Planning Commission may decrease the required perimeter setbacks from twenty-five feet (25') to the zone required setbacks if it is necessary to provide desired architectural interest and variation. The Planning Commission may also reduce setbacks to match an abutting zone setback in order to maintain the general character of the surrounding neighborhood. The Planning Commission approved a ten foot (10') rear yard setback along Norfolk Avenue as part of the MPD on December 11, 2013. As part of the MPD amendment, the project will be required to provide a minimum of sixty percent (60%) open space.

Because of the Landmark status and National Register eligibility of the 1926-1927 Carl Winters School, it is vital that any additions or modifications to the exterior of the structure be completed with the utmost respect for the historic building and compliance with the Design Guidelines for Historic Districts and Historic Sites as well as the Secretary of the Interior's Standards. As existing, the Carl Winters School straddles the interior lot lines of the site, consuming Lots 1 through 6 and Lots 39 through 44 of Block 7.

In addition to gaining a ten foot (10') snow storage easement along Norfolk Avenue, this plat amendment will also incorporate the vacated Woodside Avenue. As previously noted, a portion of Woodside Avenue located on the site was vacated in 1940. City Council also approved a request to vacate the remaining portion of Woodside Avenue at the December 12, 2013 City Council hearing.

Good Cause

Planning Staff believes there is good cause for the application. Combining the Lots will allow the property owner to move forward with site improvements, which include a possible addition to the historic structure. It also includes land that exceeds the structure itself, preserving it as open space. The plat amendment is necessary in order for the applicants to utilize future plans, and if left un-platted, the property remains as is. Moreover, the plat amendment will resolve the issue of the Landmark structure straddling interior lot lines. The plat amendment will also utilize best planning and design practices, while preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community. It will also allow the City to gain a ten foot (10') snow storage easement along Norfolk Avenue as well as absorb the vacated Woodside Avenue into the Carl Winters School Subdivision.

Staff finds that the plat will not cause undo harm on any adjacent property owner because the proposal meets the requirements of the Land Management Code (LMC) and all future development will be reviewed for compliance with requisite Building and Land Management Code requirements. In approving the plat, the City will resolve the existing building encroachments over interior lot lines.

Staff finds good cause for this plat amendment to create one (1) legal lot of record from the existing lots of record, vacated sections of Woodside Avenue, and the portion of the to-be vacated section of Woodside Avenue.

Process

The approval of this plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18.

Department Review

This project has gone through an interdepartmental review. No additional issues were raised regarding the subdivision.

Notice

The property was posted and notice was mailed to property owners within 300 feet. Legal notice was published in the Park Record.

Public Input

No public input has been received as of the time of the writing of this report. Public input was taken at the regularly scheduled Planning Commission public hearing and at the Council meeting scheduled for January 9, 2013.

Alternatives

- The City Council may approve the Carl Winters School Subdivision as conditioned or amended; or
- The City Council may deny the Carl Winters School Subdivision and direct staff to make Findings for this decision; or
- The City Council may continue the discussion on the Carl Winters School Subdivision; or
- The City Council may remand the item back to the Planning Commission for specific discussion on topics and/or findings.

Significant Impacts

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

Consequences of not taking the Suggested Recommendation

The proposed plat amendment would not be recorded and 73 existing lots and two (2) partial lots would not be combined. Any additions to the landmark structure would be limited to the existing rear and side lot lines. The library structure would continue to encroach over the interior property lines of Lots 1 through 6, 39 through 44.

Recommendation

Staff recommends the City Council hold a public hearing for the Carl Winters School Subdivision, and consider approve the Carl Winters School Subdivision based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Exhibits

Exhibit A – Draft Ordinance with Proposed Plat
Exhibit B – Existing Conditions Survey
Exhibit C – Vicinity Map/Aerial Photograph
Exhibit D – Zoning Map
Exhibit E –1990 Ordinance for the Rezone of the Carl Winters School Parcel
Exhibit F –1992 Ordinance for the Rezoning of the playing field from RC to ROS
Exhibit G – Planning Commission minutes from 12/11/13 hearing
Exhibit H– 12.12.13 City Council report, including draft ordinance

Exhibit A: Draft Ordinance with Proposed Plat
Ordinance 14-

AN ORDINANCE APPROVING THE CARL WINTERS SCHOOL SUBDIVISION PLAT LOCATED AT 1255 PARK AVENUE, PARK CITY, UTAH.

WHEREAS, the owner of the property located at Carl Winters School Subdivision, has petitioned the City Council for approval of the Subdivision; 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 December 11, 2013 to receive input on the proposed subdivision;

WHEREAS, on December 11, 2013 the Planning Commission forwarded a positive recommendation to the City Council; and,

WHEREAS, on January 9, 2013 the City Council held a public hearing on the proposed subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed Carl Winters School Subdivision.

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 Carl Winters School Subdivision 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 Carl Winters School Subdivision within the Recreation Commercial (RC) and Recreation Open Space (ROS) Districts.
2. The applicants are requesting to create one (1) legal lot of record from 73 full lots and two (2) partial lots as well as the vacated Woodside Avenue. The property contains a total of 3.816 acres.
3. The plat amendment is necessary in order for the applicant to move forward with an HDDR for the purpose of an addition to the landmark Park City Library.
4. Currently the property contains 73 full Old Town lots and two (2) partial lots.
5. The existing historic 48,801 square foot structure is listed as “Landmark” on the Historic Sites Inventory (HSI).

6. A three (3) story addition was introduced in 1992, wrapping the historic auditorium wing. The applicant is proposing to reduce the height of the 1992 addition and adding a side addition along the north elevation. Thus far, no HDDR application has been submitted; however, Planning Staff has been serving on the Design Team to guide the development of the project.
7. Per LMC 15-2.16-6, existing historic structures that do not comply with building setbacks are valid complying structures. The historic structure is a valid complying structure, though it straddles Lots 1 through 6 and Lots 29 through 44 of the Snyder's Addition.
8. As part of the 1992 Carl Winters Library Master Planned Development (MPD), two (2) setback exceptions were approved including the encroachment of the 1993 addition into the rear side yard setback (Norfolk Avenue) as well as the permanent parking encroaching into the side yard setback (12th Street).
9. Any proposed additions to the existing historic structure will require a review under the adopted 2009 Design Guidelines for Historic Districts and Historic Sites through the HDDR process.
10. The maximum footprint in the RC district located on a Lot or combination of Lots, exceeding 18,750 square feet in Lot Area shall be 4,500 square feet, or 24% of the lot. As existing, the library structure has a footprint of 17,171 square feet or 10.3% of the lot. The proposed addition will create a total footprint of 19,519 square feet. The total footprint of the building and addition overall consumes approximately 11.7% of the lot and is significantly less than the 24% of footprint allowed on lots exceeding 18,750 square feet.
11. The proposed 7,730 square feet addition is significantly larger than additions seen on other neighboring historic buildings; however, the library structure is also much larger than surrounding historic residential and commercial sites. The addition must adhere to the Design Guidelines for Historic Sites would require that the mass and scale of any new additions is compatible with the historic structure.
12. The amendment of seventy-three (73) lots of record and two (2) partial lots would be the largest plat amendments in the neighborhood. The second largest of these plat amendments is the Park City High School Mechanical Arts Building at 1167 Woodside which contains seven (7) lots.
13. New additions to the historic structure would require adherence to current setbacks as required in the RC District, as well as be subordinate to the main dwelling in terms of size, setback, etc., per the requirements of the adopted 2009 Design Guidelines for Historic Districts and Historic Sites. The Planning Commission may granted an exception to these setbacks through the MPD, approving a ten foot (10') rear yard setback along Norfolk Avenue.
14. The City Council approved a street vacation for the section of Woodside Avenue adjacent to Lots 1 through 6, Block 7 of Snyders Addition on December 12, 2013.

Conclusions of Law:

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.

3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. Approval of the plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. No building permit for any work that expands the footprint of the structure or would first require the approval of an HDDR shall be granted until the plat amendment is recorded with the Summit County Recorder's office.
4. Modified 13-D sprinklers may be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation.
5. A 10 foot (10') wide public snow storage easement is required along the street frontages of the lot with Park Avenue, 12th Street, Norfolk Avenue, and 13th Street and shall be shown on the plat.
6. Encroachments across property lines must be addressed prior to plat recordation and shall either be removed or encroachment easements shall be provided.

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

PASSED AND ADOPTED this ___day of January, 2014.

PARK CITY MUNICIPAL CORPORATION

____
Jack Thomas, MAYOR

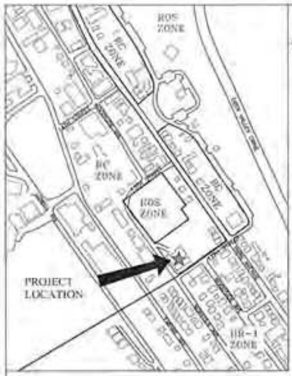
ATTEST:

____
City Recorder

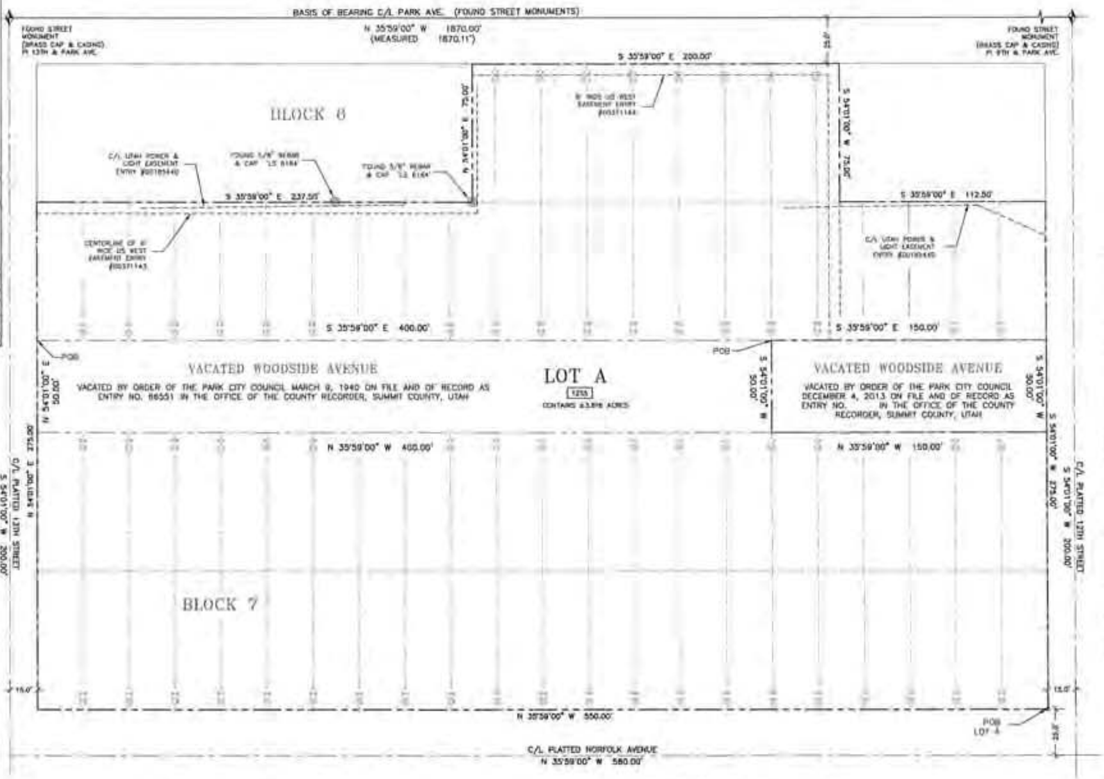
APPROVED AS TO FORM:

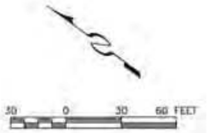
____
Mark Harrington, City Attorney

Exhibit A



VICINITY MAP
N.T.S.





LEGEND

- ◉ SET REBAR & CAP "ALTA ENGINEERING/ LS 349961"
- ⊕ SET NAIL & WASHER
- ⊡ FOUND REBAR AND CAP (UNLESS OTHERWISE NOTED)
- ✪ FOUND SURVEY MONUMENT
- ✦ FOUND BRASS CAP MONUMENT
- ☐ STREET ADDRESS

SURVEYOR'S CERTIFICATE

I, Robert J. McMahon, certify that I am a Registered Land Surveyor and that I hold Certificate No. 349961, as prescribed by the laws of the State of Utah, and that by the authority of the owner(s), I have prepared this SUBDIVISION PLAT. I further certify that this SUBDIVISION PLAT is a true representation of said properties.

Robert J. McMahon

Date

LEGAL DESCRIPTION

ORIGINAL PARCELS LEGAL DESCRIPTIONS:

SUMMIT COUNTY TAX SERIAL NUMBERS: SA-83-X, SA-84-X, SA-88-X, SA-89-X, SA-70-X, SA-72-X

PARCEL 1

The North half of Lot 5, all of Lots 6 through 12, inclusive, the South half of Lot 13, and all of Lots 23 through 44, inclusive, Block 6, Snyder's Addition to the Park City Survey according to the official plat thereof, on file and of record in the office of the Summit County, Utah Recorder.

PARCEL 2

All of Lots 1 through 44, Block 7, Snyder's Addition to the Park City Survey according to the official plat thereof, on file and of record in the office of the Summit County, Utah Recorder.

PARCEL 3

BEGINNING at the Northeasterly corner of Lot 22, Block 7, Snyder's Addition to the Park City Survey according to the official plat thereof, on file and of record in the office of the Summit County, Utah Recorder; and running thence North 54°01' East 50 feet, more or less, to the Northwesterly corner of Lot 23, Block 6, Snyder's Addition to the Park City Survey; thence along the Westerly line of said Block 6 South 35°59' East 550 feet more or less, to the Southwesterly corner of Lot 44, Block 6, Snyder's Addition to the Park City Survey, thence South 54°01' West 50 feet , more or less, to the Southeasterly corner of Lot 1, Block 7, Snyder's Addition to the Park City Survey, thence North 35° 59' West along the Easterly line of said Block 7, 550 feet more or less, to the POINT OF BEGINNING.

COMBINED LOT LEGAL DESCRIPTION

LOT A

BEGINNING at the Southeasterly corner of Lot 44, Block 7, Snyder's Addition to the Park City Survey according to the official plat thereof, on file and of record in the Office of the Recorder, Summit County, Utah; thence along the Westerly line of said Block 7 North 35°59'00" West 550 feet more or less, to the Northwesterly corner of Lot 23, Block 7, Snyder's Addition to the Park City Survey; thence North 54°01'00" East 275 feet more of less, to the Northeasterly corner of Lot 23, Block 6, Snyder's Addition to the Park City Survey; thence South 35°59'00" East 237.50 feet, thence South 54°01'00" East 75.00 feet to the Easterly line of Block 6; thence along the Easterly line of said Block 6 South 35°59'00" East 200.00 feet; thence South 54°01'00" West 75.00 feet; thence South 35°59'00" East 112.50 feet to the Southerly line of said Block 6; thence South 54°01'0" West 275.00 feet to the POINT OF BEGINNING.

Description contains 3.816 acres more or less.

WOODSIDE AVENUE VACATED BY ORDER OF THE PARK CITY COUNCIL
MARCH 9, 1940, ENTRY NO. 66551 LEGAL DESCRIPTION:

It is hereby ordered: that the plat of Snyder's Addition to Park City, Utah on file in the office of the County Recorder in the city of Coalville, County of Summit, State of Utah be and the same is hereby amended, altered and vacated as follows:

All that portion of said plat of said Snyder's Addition Addition to Park City, Utah known and designated and dedicated on said plat as Woodside Avenue, lying between and intersecting Blocks 6 and 7, in said Snyder's Addition and described as:

Beginning at the Northwest corner of Lot 23, in said Block 6 as shown on the plat of Snyder's Addition to Park City, Summit County, State of Utah as recorded in the office of the County Recorder in Coalville, Utah and running thence Southeasterly along the West end lines of Lots 23 and 38, inclusive, 400 feet to the Northwest Corner of Lot 39 in said Block 6, Snyder's Addition to Park City; thence Southwesterly 50 feet to the Northeast Corner of Lot 8, in Block 7, Snyder's Addition Park City; thence Northwesterly along the East end lines of Lots 7 to 22 inclusive in said Block 7 400 feet to the Northwest Corner of Lot 22, in said Block 7; thence Northeasterly 50 feet to the to the place of beginning.

Contains 0.459 acres more or less

WOODSIDE AVENUE VACATED DECEMBER 13, 2013
LEGAL DESCRIPTION:

A portion of Woodside Avenue, being more particularly described as follows:

Beginning at the Northwest corner of Lot 39, Block 6, Snyder's Addition to the Park City Survey on file and of record in the office of the Recorder, Summit County, Utah; thence along the Westerly line of said Block 6 South 35°59'00" East 150 feet, to the Southwest corner of Lot 44, Block 6 of said Snyder's Addition to the Park City Survey; thence South 54°01'00" West 50 feet to the Northeast corner of Lot 1, Block 7 of said Snyder's Addition to the Park City Survey; thence North 35°59'00" West 150 feet along the Easterly line of said Block 7, to the Northeast corner of Lot 6, of said Snyder's Addition; thence North 54°01'00" East 50 feet to the to the Point of Beginning.

Contains 0.172 acres more or less.

PLAT NOTES

1) THIS SUBDIVISION IS SUBJECT TO THE CONDITIONS OF APPROVAL IN ORDINANCE 13-03

2) LOT A SHALL CONTAIN A MINIMUM OF 30% OPEN SPACE

3) ALL EXISTING INTERNAL LOT LINES CONTAINED WITHIN LOT A ARE TO BE REMOVED AS PART OF THIS PLAT AMENDMENT

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that the PARK CITY MUNICIPAL CORPORATION, a political subdivision in the State of Utah, the undersigned owner of the herein described tracts of land, to be known hereafter as the CARL WINTERS SCHOOL SUBDIVISION PLAT, does hereby certify that it caused this Subdivision Plat to be prepared, and hereby consent to the recordation of this Subdivision Plat.

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

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

______________ 2013

Dana Williams
Mayor

ACKNOWLEDGMENT

State of Utah:
SS
County of Summit:

On this ______ day of ______________________ 2013, ____________________________ personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Dana Williams acknowledged to me that he is the representative of the Park City Municipal Corporation, owner of the herein described tract of land and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

A Notary Public Commissioned in Utah

Residing at: ______________________

My commission expires: ______________________

OCT 17 2013

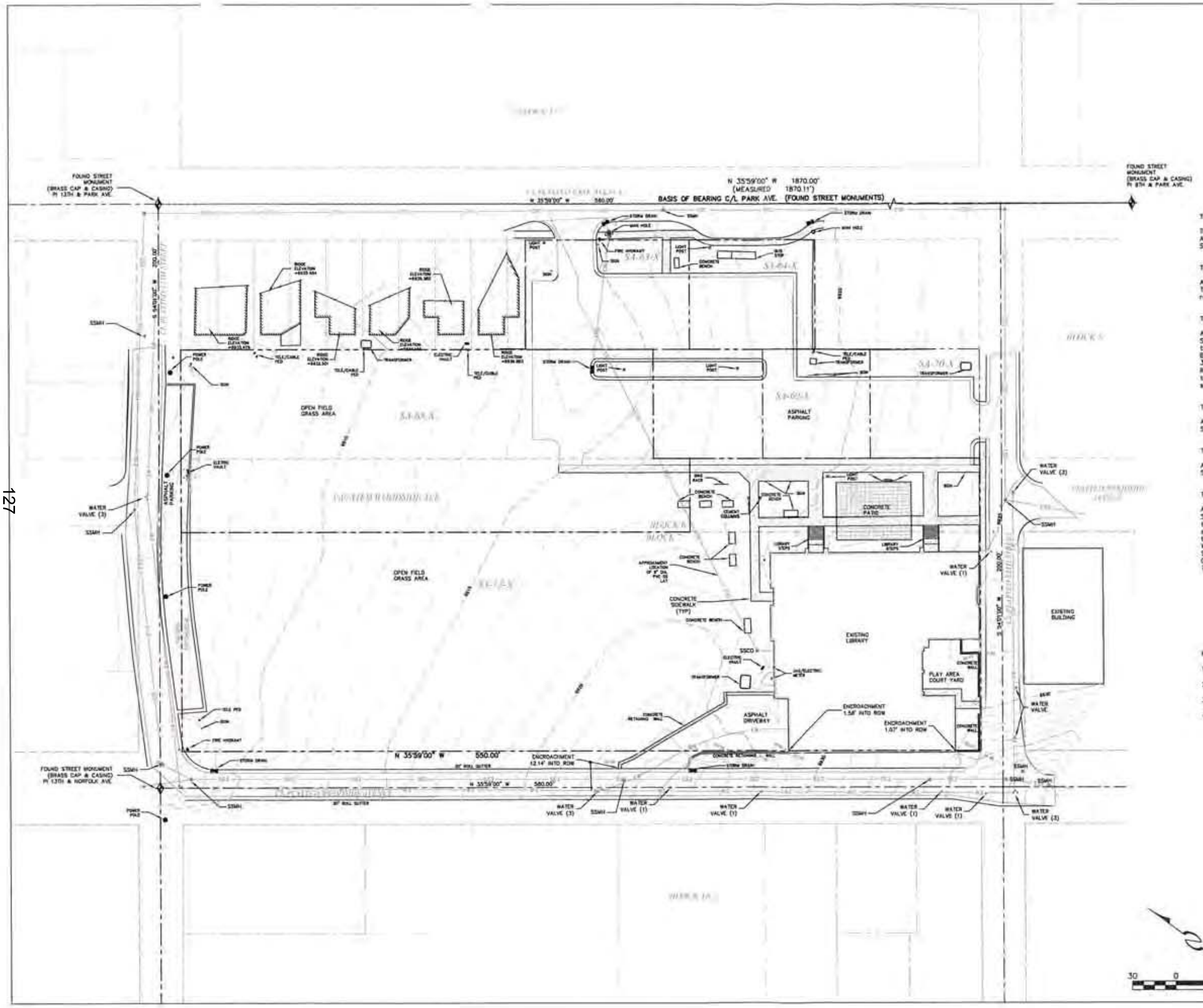
CARL WINTERS SCHOOL SUBDIVISION

A LOT COMBINATION OF PARCELS OF LAND LOCATED IN THE NORTHWEST QUARTER OF
SECTION 16 TOWNSHIP 2 SOUTH RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN

ALTA ENGINEERING INC.
LAND PLANNING . CIVIL ENGINEERING
SURVEYING PROJECT MANAGEMENT

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PLANNING COMMISSION	ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ______ DAY OF __________ 2013 A.D. BY __________ S.B.W.R.D.	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS DAY OF NOVEMBER, 2013 A.D. BY __________ CHAIRMAN	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ______ DAY OF __________ 2013 A.D. BY __________ PARK CITY ENGINEER	APPROVED AS TO FORM THIS ______ DAY OF __________, 2013 A.D. BY __________ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ______ DAY OF __________, 2013 A.D. BY __________ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 10TH DAY OF JANUARY, 2013 A.D. BY __________ MAYOR	STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF __________ DATE ______ TIME ______ BOOK ______ PAGE ______ ______ FEE ______ RECORDER

Exhibit B



SURVEYOR'S CERTIFICATE

I, Robert J. McMahon, do hereby certify that I am a registered land surveyor and that I hold certification No. 349961-2201 as prescribed under the laws of the State of Utah. I further certify that a topographic survey has been made of the lands shown and described hereon. I further certify that this survey is a correct representation of the lands shown at the time the field work was completed.

Robert J. McMahon
LS No. 349961-2201

No. 349961
ROBERT J. McMAHON

LEGAL DESCRIPTION

TAX ID NO. SA-63-X;

The North Half of Lot 5 and All of Lots 6, 7, and 8, BLOCK 6; SNYDERS ADDITION TO AMENDED PARK CITY SURVEY SURVEY, on file and of record in the office of the recorder, Summit County, Utah.

TAX ID NO. SA-64-X;

All of Lots 9, 10, 11, and 12, and the South Half of Lot 13 BLOCK 6; SNYDERS ADDITION TO AMENDED PARK CITY SURVEY SURVEY, on file and of record in the office of the recorder, Summit County, Utah.

TAX ID NO. SA-68-X;

All of Lots 23 through 38, BLOCK 6; SNYDERS ADDITION TO AMENDED PARK CITY SURVEY SURVEY, on file and of record in the office of the recorder, Summit County, Utah, also that portion of Vacated Woodside Avenue Beginning at the North East Corner of Lot 8 Block 7 of said Synders Addition and running thence along the East line of said Block 7 350 feet to the South Right of Way line for 13th street; thence East along the Right-of-Way of 13th Street to the West Line of of Block 6 of Said Snyder's Addition; thence southerly along the West line of said Block 6 to the Northwest corner of Lot 37 of said block 6; thence West along said Block 6 to the point of Beginning.

TAX ID NO. SA-69-X;

All of Lots 39, 40, and 41, BLOCK 6; SNYDERS ADDITION TO AMENDED PARK CITY SURVEY SURVEY, on file and of record in the office of the recorder, Summit County, Utah.

TAX ID NO. SA-70-X;

All of Lots 42, 43, and 44, BLOCK 6; SNYDERS ADDITION TO AMENDED PARK CITY SURVEY SURVEY, on file and of record in the office of the recorder, Summit County, Utah.

TAX ID NO. SA-72-X;

All of Lots 1 through 44, BLOCK 7; SNYDERS ADDITION TO AMENDED PARK CITY SURVEY SURVEY, on file and of record in the office of the recorder, Summit County, Utah, also that portion of Vacated Woodside Avenue Beginning at the Southeast Corner of Block 7 of said Synders Addition and running thence northerly along the East line of said Block 7 to the Northeast corner of Lot 8, Block 7 of said Snyders Addition 200.00 feet; thence West across said Right-of-Way to the Northwest Corner of Lot 37, Block 6 of said Synders Addition; thence southerly along the West line of said Block 6 to the Southwest Corner of Lot 44 of said Block 7 200.00 feet more or less; thence West along said Block 7 to the point of Beginning.

NARRATIVE:

1) The purpose of this survey is to establish the existing conditions on the subject parcel.

2) Property corners were not set as part of this topographic survey.

3) The Basis of Bearing of this survey are found survey monuments as shown.

4) Date of field survey: April 11, 2013.

TAX ID NO.s
SA-63-X,SA-64-X,SA-68-X,SA-69-X,SA-70-X,SA72-X
PARTIAL EXISTING CONDITIONS SURVEY

FOR: PARK CITY MUNICIPAL CORPORATION

JOB NO.: 11-09-01

30 0 30 60 FEET

ALTA ENGINEERING INC.
CIVIL ENGINEERING • LAND PLANNING
SURVEYING • PROJECT MANAGEMENT

Exhibit C

Library & Carl Winters Building

Exhibit D

Carl Winters Building

0 40 80 120 160 200 Feet

1 in = 67 ft

Exhibit E

Ordinance No. 90-3

AN ORDINANCE REZONING THE CARL WINTERS SCHOOL PARCEL FROM RESIDENTIAL MEDIUM DENSITY (RM) TO RECREATION COMMERCIAL-MASTER PLANNED DEVELOPMENT (RC-MPD) AND REZONING A PARCEL ON THE NORTHEAST PORTION OF THE CAMPUS AREA (COMMONLY KNOWN AS THE BOTTLING WORKS PARCEL) FROM HISTORIC COMMERCIAL BUSINESS (HCB) AND RESIDENTIAL MEDIUM DENSITY (RM) TO RECREATION COMMERCIAL-MASTER PLANNED DEVELOPMENT (RC-MPD); AND AMENDING THE OFFICIAL ZONING MAP OF PARK CITY, UTAH

WHEREAS, the Park City Land Management Code provides the City Council the authority to create zoning designations and amend zoning provisions and the Official Zoning Map; and

WHEREAS, public hearings were legally noticed and heard before the Planning Commission on November 29, 1989 and November 6, 1989 to receive public input on the rezoning of the parcels described in the above title and more particularly described as:

> The north half of Lot 5 and Lots 6 through 44, Block 6, Snyder's Addition to Park City; also Lots 1 through 44, Block 7, Snyder's Addition; also abandoned Woodside Avenue between Twelfth and Thirteenth Streets, Snyder's Addition; and

WHEREAS, on December 13, 1989, the Planning Commission forwarded a recommendation to the City Council to approve the rezoning of such parcels; and

WHEREAS, public hearings were legally noticed and heard before the City Council on December 21, 1989 and January 4, 1990 to receive public input on the rezoning of the parcels described above; and

WHEREAS, the City Council deems it appropriate that the subject parcels be duly rezoned to Recreation Commercial-Master Planned Development (RC-MPD) in consideration of adjacent commercial zoning and the Planning Commission's findings and conditions of the master planned development approval to facilitate adaptive reuse of the of the Carl Winters School building; and to provide cultural and economic opportunities within the City limits to serve the community;

NOW, THEREFORE, BE IT ORDAINED by the City Council that:

SECTION 1. OFFICIAL PARK CITY ZONING MAP AMENDED. The Official Park City Zoning Map shall be amended to apply the Recreational Commercial-Master Planned Development (RC-MPD) zoning to the parcels described above.

SECTION 2. EFFECTIVE DATE. This Ordinance shall become effective upon publication.

PASSED AND ADOPTED this 25th day of January, 1990.

PARK CITY MUNICIPAL CORPORATION

y A. Olch

Attest:

Anita Sheldon

Anita Sheldon, City Recorder

MARCH 1, 1884

Exhibit F

Ordinance No. 92-5

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF PARK CITY TO REZONE THE CARL WINTERS PLAYING FIELD FROM RECREATION COMMERCIAL (RC) TO RECREATION OPEN SPACE (ROS)

WHEREAS, the playing field next to the Carl Winters School has been used as community open space for a number of years; and

WHEREAS, the Park City Comprehensive Plan calls for the field to be retained as open space; and

WHEREAS, the parcel is currently zoned Recreation Commercial which would allow a variety of residential and commercial uses; and

WHEREAS, it is the desire of the City Council to amend the zoning to restrict uses to recreational uses;

NOW, THEREFORE, be it ordained by the Park City Council:

<u>Section 1. Official Zoning Map Amended</u>. The official zoning map of Park City shall be amended to change the zoning on the Carl Winters Playing Field from Recreation Commercial to Recreation Open Space.

<u>Section 2. Legal Description</u>. The legal description of the area to be rezoned is as follows:

> Beginning at the southwest corner of Lot 36, Block 7, Snyder's Addition to the Park City Survey; thence North 35°59'26" West along the easterly right-of-way line of Norfolk Avenue 350 feet, more or less, to the southerly right-of-way line of 13th Street; thence North 54°00'08" East 275.14 feet to the northeasterly corner of Lot 23, Block 6 Snyder's Addition; thence South 35°59'07" East 237.55 feet; thence South 54° 00' 10" West 75 feet, more or less, to the westerly line of Block 6; thence South 35° 59' 14" East along the westerly line of Block 6 112.5 feet, more or less, to the southwest corner of Lot 36, Block 6; thence South 54° 00' 11" West 50.0 feet, more or less, to the southeast corner of Lot 9, Block 7; thence South 54° 00' 11" West 150.0 feet, more or less, along the southerly lines of Lots 9 and 36, Block 7, to the point of beginning. Contains 2.016 acres, more or less.

and is represented in Exhibit A.

<u>Section 3. Effective Date</u>. This ordinance shall become effective upon publication.

Passed and Adopted this 27th day of February, 1992.

Bradley A. Olch, Mayor

Attest:

Anita Sheldon

Anita Sheldon, City Recorder

SUMMIT COUNTY UTAH

Exhibit G

20. The proposed outdoor dining shall not extend beyond the 1,891 square foot terrace. Additionally, any proposed outdoor furniture will be reviewed and approved by the Planning Department prior to purchase and installation.

21. The hours the rooftop deck will be utilized will be in conjunction with the hours the building is open, and no later than 10pm.

22. An internal review will occur one (1) year after Certificate of Occupancy (or the facility is fully operational) to analyze trash generation and demand. If necessary, trash pick-up will be increased at that time.

2. 1255 Park Avenue, Park City Library – Plat Amendment (Application PL-13-01950)

Planner Grahn reviewed the application for a plat amendment at the Park City Library at 1255 Park Avenue. The lot contains 73 full lots and two partial lots on 3.816 acres. The property is located along Park Avenue, 12th, 13th and Norfolk.

The goal of the Library plat amendment is to remove all interior lot lines. A portion of Woodside Avenue was vacated in 1940; however, a portion along 12th Street was not vacated. The City Engineer was going before the City Council to request a street vacation. Planner Grahn stated that a portion of the lot with the Library was zoned Recreation Commercial and the larger field was zoned Recreation Open Space. In previous meetings they talked about how the historic structure did not meet the setbacks; however, it is a legal non-complying structure because it is historic and the 1992 MPD approved a zero foot lot line along Norfolk Avenue.

Planner Grahn reported that this was the largest MPD that would be done in this neighborhood. The second largest was the Park City High School mechanical arts buildings, which was also the Yoga studio just south of this location. The plat amendment would provide snow storage easements on all four streets and it would resolve an existing encroachment, which includes the retaining wall along the driveway on Norfolk Avenue.

Planner Grahn pointed out that most of the issues related to the plat amendment had been addressed in previous meetings during the MPD discussion.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel closed the public hearing.

MOTION: Commissioner Strachan moved to forward a POSITIVE recommendation to the City Council for the Carl Winters School Subdivision Plat Amendment according to the Findings of Fact, Conclusions of Law and Condition of Approval as found in the draft ordinance. Commissioner Wintzer seconded the motion.

VOTE: The motion passed. Commissioner Hontz was recused.

Findings of Fact – 1255 Park Avenue Library Plat Amendment

1. The property is located at Carl Winters School Subdivision within the Recreation Commercial (RC) and Recreation Open Space (ROS) Districts.

2. The applicants are requesting to create one (1) legal lot of record from 73 full lots and two (2) partial lots as well as the vacated and to-be vacated Woodside Avenue. The property contains a total of 3.816 acres.

3. The plat amendment is necessary in order for the applicant to move forward with an HDDR for the purpose of an addition to the landmark Park City Library.

4. Currently the property contains 73 full Old Town lots and two (2) partial lots.

5. The existing historic 48,801 square foot structure is listed as "Landmark" on the Historic Sites Inventory (HSI).

6. A three (3) story addition was introduced in 1992, wrapping the historic auditorium wing. The applicant is proposing to reduce the height of the 1992 addition and adding a side addition along the north elevation. Thus far, no HDDR application has been submitted; however, Planning Staff has been serving on the Design Team to guide the development of the project.

7. Per LMC 15-2.16-6, existing historic structures that do not comply with building setbacks are valid complying structures. The historic structure is a valid complying structure, though it straddles Lots 1 through 6 and Lots 29 through 44 of the Snyder's Addition.

8. As part of the 1992 Carl Winters Library Master Planned Development (MPD), two (2) setback exceptions were approved including the encroachment of the 1993 addition into the rear side yard setback (Norfolk Avenue) as well as the permanent parking encroaching into the side yard setback (12th Street).

9. Any proposed additions to the existing historic structure will require a review under the adopted 2009 Design Guidelines for Historic Districts and Historic Sites through the HDDR process.

10. The maximum footprint in the RC district located on a Lot or combination of Lots, exceeding 18,750 square feet in Lot Area shall be 4,500 square feet, or 24% of the lot. As existing, the library structure has a footprint of 17,171 square feet or 10.3% of the lot. The proposed addition will create a total footprint of 19,519 square feet. The total footprint of the building and addition

overall consumes approximately 11.7% of the lot and is significantly less than the 24% of footprint allowed on lots exceeding 18,750 square feet.

11. The proposed 7,730 square feet addition is significantly larger than additions seen on other neighboring historic buildings; however, the library structure is also much larger than surrounding historic residential and commercial sites. The addition must adhere to the Design Guidelines for Historic Sites would require that the mass and scale of any new additions is compatible with the historic structure.

12. The amendment of seventy-three (73) lots of record and two (2) partial lots would be the largest plat amendments in the neighborhood. The second largest of these plat amendments is the Park City High School Mechanical Arts Building at 1167 Woodside which contains seven (7) lots.

13. New additions to the historic structure would require adherence to current setbacks as required in the RC District, as well as be subordinate to the main dwelling in terms of size, setback, etc., per the requirements of the adopted 2009 Design Guidelines for Historic Districts and Historic Sites. The Planning Commission may grant exceptions to these setbacks through the MPD.

Conclusions of Law – 1255 Park Avenue Library Plat Amendment

1. There is good cause for this plat amendment.

2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.

3. Neither the public nor any person will be materially injured by the proposed plat amendment.

4. Approval of the plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval - 1255 Park Avenue Library Plat Amendment

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.

2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year’s time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.

3. No building permit for any work that expands the footprint of the structure or would first

require the approval of an HDDR shall be granted until the plat amendment is recorded with the Summit County Recorder's office.

4. Modified 13-D sprinklers may be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation.

5. A 10 foot (10') wide public snow storage easement is required along the street frontages of the lot with Park Avenue, 12th Street, Norfolk Avenue, and 13th Street and shall be shown on the plat.

6. Encroachments across property lines must be addressed prior to plat recordation and shall either be removed or encroachment easements shall be provided.

7. City Council must approve the street vacation of the portion of Woodside Avenue, directly east of Lots 1 through 6 of Block 7 of the Snyders Addition.

3. 530 Main Street, River Horse – Conditional Use Permit for a seasonal tent (Application PL-13-02066)

Director Eddington requested that the Planning Commission continue 530 Main Street to the next meeting because the applicant had to leave.

Chair Worel opened the public hearing. There were no comments. Chair Worel closed the public hearing.

MOTION: Commissioner Strachan moved to CONTINUE the conditional use permit for 530 Main Street to January 8, 2014. Commissioner Hontz seconded the motion.

VOTE: The motion passed unanimously.

4. 916 Empire Avenue – Steep Slope Conditional Use Permit (Application PL-13-01533)

Planner Whetstone reviewed the application for a Steep Slope CUP for a new single family home on a standard 25' x 75' Old Town lot at 916 Empire Avenue. She noted that the application was submitted in the Spring of 2012 and the applicants came before the Planning Commission a number of times. Because a split level design was interpreted to be a five-story structure, it did not meet the LMC requirement of no more than three stories. The applicant was advised to wait until the height/story issue could be addressed in the LMC before moving forward with the application. The LMC was amended and approved by the City Council and the applicant revised the plans to comply. The issues were the overall height from the lowest finished floor to the height of the wall plane of 35-feet, as well as the horizontal step occurring at 22-feet and no higher than 23-feet with a

EXHIBIT D

Exhibit H

Evergreen Engineering, Inc.
Civil Engineering - Land Surveying - Land Planning
1670 Bonanza Drive, Suite 104
P.O. Box 2861
Park City * Utah * 84060
Phone: 435.649.4667 * Fax: 435.649.9219 * Email: office@evergreen-eng.com

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August 12, 2013

Park City Municipal Corporation
Planning & Zoning Department
445 Marsac Avenue – PO Box 1480
Park City, Utah 84060
435-615-5060

RE: Proposed "Courchevel Condominiums at Deer Valley Fifth Amended"

The purpose of this Amended Condominium plat is to convert an existing loft space in Unit C301, currently defined as Common Area to Private Area loft space for the unit. The existing loft space in this Unit appears to have been part of the original construction. Previously, the 2nd, 3rd & 4th Amendments have converted Common Area attic space above four Units into Private Area space for those four Units. The associated Limited Common Area for this unit remains unchanged by this amendment. Unit C301 is located on Level 4 as shown on the existing "Courchevel Condominiums at Deer Valley" Plats of Record. The converted or additional Private Area is located on Level 5 as shown on the on the proposed "Courchevel Condominiums at Deer Valley Fifth Amended".

Existing Development Information:
Courchevel Condominiums at Deer Valley; Record No. 229039 (12-31-1984)
Courchevel Condominiums at Deer Valley Amended Sheet 2 of 3; Record No. 315605 (11-9-1989)
Courchevel Condominiums at Deer Valley Second Amended; Record No. 939912 (2-22-2012)
Courchevel Condominiums at Deer Valley Third Amendment; Record No. 959842 (12-21-2012)
Courchevel Condominiums at Deer Valley Fourth Amended; Record No. 961550 (1-14-2013)
* 27 Existing Residential Condominium Units
* 1.8226 acre parcel of land
* 32 parking spaces (31 Common Area Garage and 1 Surface Driveway Space)
August 12, 2009 "Deer Valley Resort Tenth Amended and Restated Large Scale Master Planned Development Permit, Exhibit 1 – Development Parcels" Includes Courchevel Multi-Family
- Maximum Permitted Density (Units) = 13.5 (2,000sf/UE) = 27,000sf
- Maximum Developed Density (Units) = 27 (1,000sf/UE) = 27,000sf
    * Existing Developed (23 Units x 759sf) + (4 Units x 1,367sf) = 22,925sf total
        - Available Remaining Permitted square feet for project = 4,075sf (27,000sf – 21,709sf)
        - Amended Unit C301 at 898sf : added 139sf
    * Post Plat Amendment: Remaining Permitted square feet for project = 3,936sf

Private Area (Unit) Comparison (Existing – Proposed):

Unit C301	*	Existing	*	Proposed	*	Change/
		Private Area	*	Private Area	*	Difference
		759 SF	*	898 SF	*	+ 139 SF

RECEIVED
OCT 10 2013

City Council Staff Report

Subject: **Public Right-of-Way Vacation; Section of Woodside Avenue**
Author: **Matthew Cassel, P.E., City Engineer**
Department: **Engineering**
Date: **December 12, 2013**
Type of Item: **Legislative**

Summary Recommendation:

Staff recommends Council open the public hearing, take any public comments, and consider approval of the proposed ordinance vacating the section of Woodside Avenue adjacent to Lots 1 through 6, Block 7 of Snyders Addition.

Topic/Description:

This vacation request comes as Park City is in the process of subdividing the property known as the Carl Winter's School located at 1255 Park Avenue. The City wishes to vacate the portion of Woodside Avenue adjacent to Lot 1 to 6, Block 7 of the Snyders Addition in order to create a one (1) lot subdivision so the historic building can be renovated.

Background:

A petition was received from Park City Municipal Corporation on September 2, 2013 to vacate this section of Woodside Avenue.

The section of Woodside Avenue immediately north of the proposed vacation request and adjacent to Lots 7 to 22, Block 7 of the Snyders Addition was vacated on March 9, 1940 and is now zoned as ROS. It is not exactly known why the section of Woodside Avenue adjacent to Lots 1 through 6, Block 7 of the Snyders Addition was not vacated in 1940 but it could be surmised that because there existed two homes on the east side of this section (as shown on the 1929 Sanborn Maps) that these homes were not removed until after 1940 so this section of Woodside Avenue was still in use.

Analysis:

The City wishes to vacate this section of Woodside Avenue to create a one lot subdivision, proceed with an amendment to the 1992 MPD and renovate the historic building. All contiguous property to the platted right-of-way is currently owned by Park City and is used as a plaza space for the Carl Winter's School building. The proposed section of Woodside Avenue to be vacated would remain in its current use as an entry plaza to the Carl Winter's School building.

State Code requires that the Council, upon a petition for a right of way vacation, hold a public hearing and determined whether:

(1) Good cause exists for the vacation; and
(2) Neither the public interest nor any person will be materially injured by the vacation.

Resolution No. 08-98 adopts a policy statement that provides guidance for City Council to vacate public right-of-ways upon findings of: (1) good cause for the proposed vacation; and (2) that neither the public nor any person will be materially injured by the proposed vacation. This resolution provides a set of criteria to be used to evaluate a proposal to determine whether a “net tangible benefit” has been demonstrated by the petitioner. The criteria include (1) No increase in density, (2) Neighborhood compatibility, (3) Consideration, and (4) Utility of existing right-of-way.

1. No Increase in Density
   The property will be used similarly to its current use. There is no building addition proposed on this section of property. Density will not be increased.

2. Neighborhood Compatibility
   There are seventeen (17) criteria to be used to analyze the property use to determine its compatibility with surrounding structures. The seventeen (17) criteria are listed below;

   a. Size and location of the site
      - The 7,500 square foot property is immediately east of the Carl Winter’s building and is currently used as an entry plaza/garden for the building.

   b) Traffic impacts including capacity of the existing streets in the area
      - The property use will be nearly identical to current use and thus will not create a traffic impact.

   c) Utility capacity
      - Utility use will not change due to this vacation.

   d) Emergency vehicle access
      - Vacation of this ROW will not alter emergency vehicle access.

   e) Location and amount of off-street parking
      - Off-street parking will not be affected by this vacation.

   f) Internal circulation
      - Vacation of this ROW will not affect internal circulation.

   g) Fencing, screening, and landscaping to separate the use from adjoining uses
      - Fencing, screening and landscaping will be provided to augment the design of the renovated Carl Winter’s building.

   h) Building mass, bulk, and site plan
      - The ROW will continue to be used as parking and entry plaza for the Carl Winter’s building. A structure is not proposed to be erected on this property. This criterion does not apply.

   i) Usable open space
      - Vacation of this ROW will not alter the proposed open space for the project.

   j) Signs and lighting
      - Vacation of this ROW will not impact the signs and lighting as proposed for the Carl Winter’s building renovation, which will go through a Historic District Design Review (HDDR) and sign permit review.

k) Physical design and compatibility with surrounding structures in mass, scale, style, design, and architectural detailing
  - A structure will not be erected on this property. This criterion does not apply.

l) Provision of snow storage, and mitigation of noise, vibration, odors, steam, or other mechanical factors that might affect people and property off site
  - The vacation of this ROW will not change the handling of snow storage, noise, vibration, etc. on this property.

m) Control of delivery and service vehicles loading and unloading zones, and screening of trash pick-up areas
  - Delivery a service vehicle load and unloading for the Carl Winter’s building will not be affected by this vacation.

n) Expected ownership and management of the project as primary residences, condominiums, time interval ownership, nightly rental, or commercial tenancies.
  - A structure will not be erected on this property. This criterion does not apply.

o) Proposed uses in an historic district must comply with the Historic District Architectural Guidelines provided in a supplement to the LMC
  - A structure will not be erected on this property. Additionally, this property is not located in the Historic District. This criterion does not apply.

p) All proposed uses in the zones outside an historic district must comply with the General Architectural Guidelines in LMC Chapter 9
  - A structure will not be erected on this property. This criterion does not apply.

q) The Sensitive Area Overlay Zone Regulations
  - The vacation of this ROW and continued use of this land as an entry plaza does not increase the impacts to the Sensitive Land Overlay zone.

3. Consideration
   Because this section of Woodside Avenue is being changed from a public right-of-way to City property, there is no consideration for the transaction.

4. Utility of Existing Right-of-Way
   This section of Woodside Avenue Right-of-Way has not been used as a street or utility corridor since at least 1961 (verified with aerial photography from the 1961 Storm Water Master Plan).

   Neither the 1984 nor the 2011 Transportation Master Plans indicated that this section of Woodside Avenue’s status is an un-built Right-of-Way.

   Current improvements within this section of right-of-way include a plaza area with gardens. Utility service lines pass through this section of ROW providing service to the Carl Winter’s School but no main utility lines exist in this section of the Woodside Avenue Right-of-Way.

Notice:
The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also put in the Park Record.

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

Alternatives:

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

B. Deny the Request:
If Council denies the request, the property would remain as the Woodside Avenue Right-of-Way

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

D. Do Nothing:
Doing nothing would leave this section of Woodside Avenue as public right-of-way.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination **(Economic Impact)**	**Preserving & Enhancing the Natural Environment** **(Environmental Impact)**	**An Inclusive Community of Diverse Economic & Cultural Opportunities** **(Social Equity Impact)**	**Responsive, Cutting-Edge & Effective Government**
Which Desired Outcomes might the Recommended Action Impact?		+ Abundant preserved and publicly-accessible open space	+ Preserved and celebrated history; protected National Historic District + Community gathering spaces and places	
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Neutral ⇔	Positive ⇧	Positive ⇧	Neutral ⇔
Comments:				

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

Consequences of not taking the recommended action:
The public right-of-way would remain as Woodside Avenue.

Recommendation:
Staff recommends Council open the public hearing, take any public comments and consider approval of the proposed ordinance vacating the section of Woodside Avenue adjacent to Lots 1 through 6, Block 7 of Snyders Addition.

Exhibit A – Ordinance No. 13-XX
Map of Platted ROW
Petition to Vacate Woodside Avenue

When recorded please return to:
Park City Municipal Corporation
Attn: City Engineer
PO Box 1480
Park City UT 84060

Ordinance No. 13-XX

AN ORDINANCE APPROVING THE VACATION OF A SECTION OF THE PLATTED WOODSIDE AVENUE ADJACENT TO LOTS 1 TO 6, BLOCK 7 OF SNYDERS ADDITION, PARK CITY, UTAH

WHEREAS, the owner of the property known as Park City Municipal Corporation has petitioned the City Council for approval of a revision to Block 7 of Snyders Addition; and

WHEREAS, Park City Municipal Corporation has petitioned the City Council for a vacation of 7,500 square feet of platted Woodside Avenue adjacent to Lots 1 through 6, Block 7 of Snyders Addition; 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 requirements of State Code 10-9a-609.5 Vacating a Street, Right-of-Way, or Easement were followed; and

WHEREAS, the guideline provided in Resolution 08-98 was followed in analyzing the request for vacation; and

WHEREAS, on December 12, 2013 the City Council held a public hearing to receive input on the proposed vacation; and

WHEREAS, the City Council voted on December 12, 2013 to amend portions of Block 7 of the Snyders Addition; and

WHEREAS, it is the best interest of Park City, Utah to approve the vacation.

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

<u>SECTION 1. FINDINGS.</u> The following findings are hereby adopted.

1. 7,500 square feet (0.172 acres) portion of right-of-way is located adjacent to Lots 1 through 6, Block 7 of Snyders Addition.
2. The lots immediately adjacent to the vacated section of Woodside Avenue are Park City Municipal Corporation owned property.
3. The right-of-way is currently being used as an entry plaza for the library.
4. The section of Woodside Avenue immediately north and adjacent to lots 7 through 22, Block 7 of Snyders Addition was vacated on March 9, 1940.
5. Resolution 08-98 sets forth review criteria for the vacation of City right-of-ways.
6. Resolution 08-98 requires the applicant to demonstrate that there is no density

increase; the project is compatible with the neighborhood; the City is compensated for the vacated right-of-way; and the utility of the existing ROW.

   a. No Increase in Density - The property will be used similarly to its current use. There is no building addition proposed on this section of property so density will not be increased.
   b. Neighborhood Compatibility – The proposal was analyzed according to the seventeen (17) criteria provided in Resolution 08-98 and was determined that the application complies with these criteria for neighborhood compatibility.
   c. Consideration - With this section of Woodside Avenue being changed from a public right-of-way to City property, there is no consideration for the transaction.
   d. Utility of Existing Right-of-Way - This section of Woodside Avenue Right-of-Way has not been used as a street or utility corridor since at least 1961). Neither the 1984 or the 2011 Transportation Master Plans indicated that this section of Woodside Avenue's status is useable but un-built Right-of-Way. Current improvements within this section of right-of-way include a plaza area with gardens. Utility service lines pass through this section of ROW providing service to the Carl Winter's School but no main utility lines exist in this section of the Woodside Avenue Right-of-Way. Therefore, this section of ROW is not considered to be of significant utility to the City.

SECTION 2. CONCLUSIONS OF LAW. The following Conclusions of Law are hereby adopted.

1. The vacation request is consistent with the City's standards for vacation of public right-of-way as set forth in Resolution 08-98
2. No increase in density will result from the right-of-way vacation.
3. The proposed project is compatible with the neighborhood.
4. Neither the public interest nor any person will be materially injured by the vacation.
5. Good cause exists for the vacation.

SECTION 3. VACATION APPROVAL. The vacation is approved as shown on Exhibit A.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 12th day of December, 2013.

PARK CITY MUNICIPAL CORPORATION

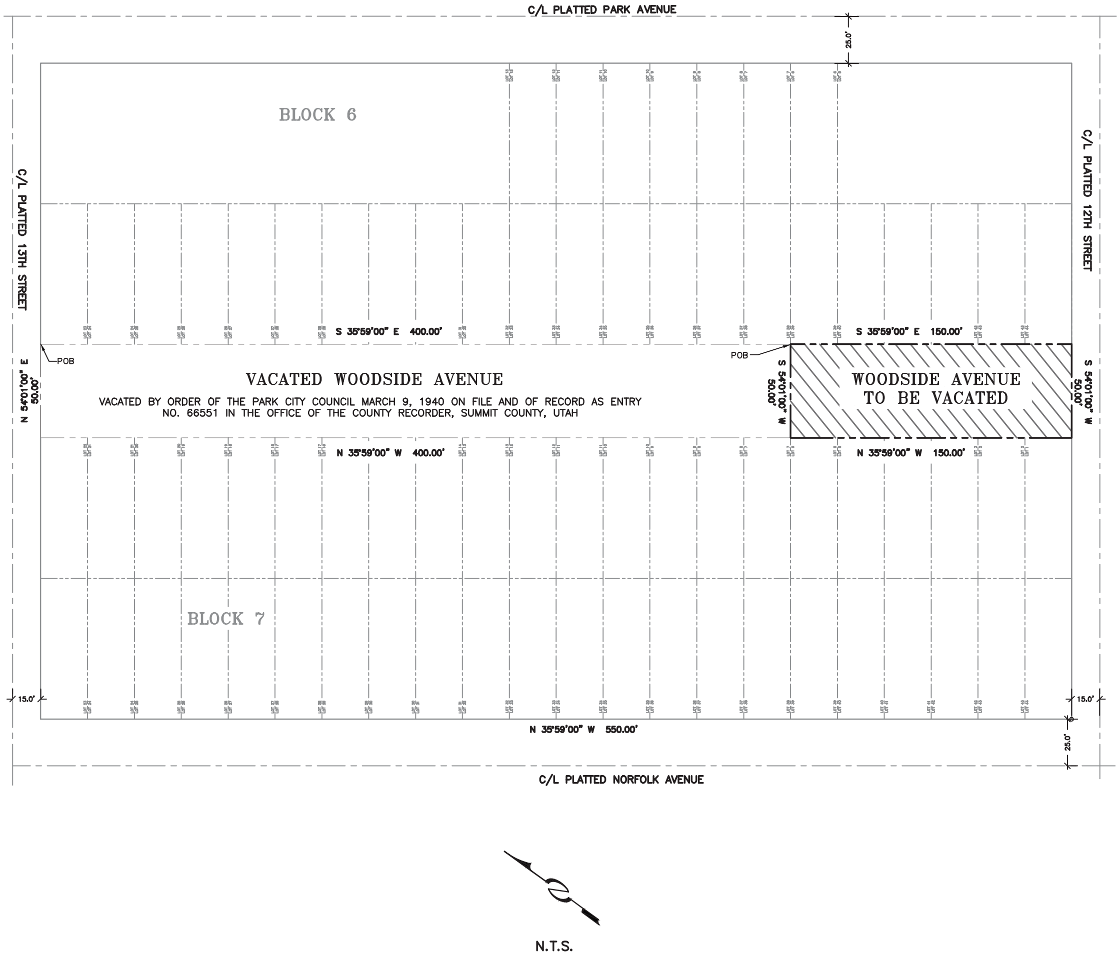
____
Dana Williams, MAYOR

ATTEST:

____
Marci Heil, CITY RECORDER

APPROVED AS TO FORM:

Mark D. Harrington, CITY ATTORNEY



WOODSIDE AVENUE VACATED BY ORDER OF THE PARK CITY COUNCIL MARCH 9, 1940, ENTRY NO. 66551 LEGAL DESCRIPTION:

It is hereby ordered: that the plat of Snyder's Addition to Park City, Utah on file in the office of the County Recorder in the city of Coalville, County of Summit, State of Utah be and the same is hereby amended, altered and vacated as follows:

All that portion of said plat of said Snyder's Addition Addition to Park City, Utah known and designated and dedicated on said plat as Woodside Avenue, lying between and intersecting Blocks 6 and 7, in said Snyder's Addition and described as:

Beginning at the Northwest corner of Lot 23, in said Block 6 as shown on the plat of Snyder's Addition to Park City, Summit County, State of Utah as recorded in the office of the County Recorder in Coalville, Utah and running thence Southeasterly along the West end lines of Lots 23 and 38, inclusive, 400 feet to the Northwest Corner of Lot 39 in said Block 6, Snyder's Addition to Park City; thence Southwesterly 50 feet to the Northeast Comer of Lot 6, in Block 7, Snyder's Addition Park City; thence Northwesterly along the East end lines of Lots 7 to 22 inclusive in said Block 7 400 feet to the Northwest Corner of Lot 22, in said Block 7; thence Northeasterly 50 feet to the to the place of beginning.

Contains 0.459 acres more or less

WOODSIDE AVENUE TO BE VACATED LEGAL DESCRIPTION:

A portion of Woodside Avenue, being more particularly described as follows:

Beginning at the Northwest corner of Lot 39, Block 6, Snyder's Addition to the Park City Survey on file and of record in the office of the Recorder, Summit County, Utah; thence along the Westerly line of said Block 6 South 35°59'00" East 150 feet, to the Southwest comer of Lot 44, Block 6 of said Snyder's Addition to the Park City Survey; thence South 54°01'00" West 50 feet to the Northeast comer of Lot 1, Block 7 of said Snyder's Addition to the Park City Survey; thence North 35°59'00" West 150 feet along the Easterly line of said Block 7, to the Northeast corner of Lot 6, of said Snyder's Addition; thence North 54°01'00" East 50 feet to the to the Point of Beginning.

Contains 0.172 acres more or less

FOR:

PARK CITY MUNICIPAL CORP

EXHIBIT A WOODSIDE AVENUE ROW VACATION

DATE: OCTOBER 14, 2013
DRAWN BY: RJMC
JOB NO.: 08-13-03

ALTA
ENGINEERING
INC.
CIVIL ENGINEERING • LAND PLANNING
SURVEYING • PROJECT MANAGEMENT
PO BOX 2864 PARK CITY, UTAH 84060 435-649-8191

Petition to Vacate Woodside Avenue
9-2-2013

The City is in the process to subdivide the property known as the Carl Winter's School at 1255 Park Avenue. In 1940 the City Council vacated the majority of the platted Woodside Avenue between 12th Street (Nelson Street) and 13th Street (Calhoun Street) between block 6 & 7 of the Snyder's Addition to the Park City Survey plat. The City wishes to vacate this portion of Woodside Avenue to create a one lot subdivision, proceed with an amendment to the 1992 MPD, and renovate the historic building. All contiguous property to the platted right of way is currently owned by the City and is used as either parking for the Carl Winter's School building, plaza and undeveloped park space. The vacated Woodside Avenue will remain in its current use as parking, plaza and park/open space. The City therefore requests that the City Council vacate platted Woodside Avenue as described in Exhibit A.

PARK CITY REDEVELOPMENT AGENCY
SUMMIT COUNTY, UTAH
JANUARY 9, 2014

I. ROLL CALL

II. PUBLIC INPUT

III. MINUTES OF MEETING FOR JUNE 20, 2013, NOVEMBER 14, 2013 and DECEMBER 12, 2013

IV. CONSENT AGENDA

1. Resolution establishing a regular meeting date, time, and location for 2014 meetings and appointing officers of the Board of Directors of the Park City Redevelopment Agency

V. ADJOURNMENT

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the City Recorder at 435-615-5007 at least 24 hours prior to the meeting. Wireless internet service is available in the Marsac Building on Wednesdays and Thursdays from 4 p.m. to 9 p.m. Posted: 01/06/2014 See: www.parkcity.org

PARK CITY REDEVELOPMENT AGENCY
SUMMIT COUNTY, UTAH
JUNE 20, 2013

I ROLL CALL

Chairman Dana Williams called the meeting to order at approximately 6:00 P.M. Members present were Dana Williams, Liza Simpson, Alex Butwinski, Cindy Matsumoto and Dick Peek. Member Andy Beerman was excused. Staff present was Diane Foster, City Manager and Mark Harrington, City Attorney.

II PUBLIC INPUT

Chair Williams explained the purpose of the meeting was to conduct a public hearing and approve the budget for the Park City Redevelopment Agency. .

III MINUTES OF MEETING OF JUNE 6, 2013

Liza Simpson moved to approve minutes of meeting of June 6, 2013.
Council member Butwinski seconded. Motion carried.
Matsumoto – Aye
Peek – Aye
Butwinski – Aye
Simpson – Aye
Beerman – Absent

IV NEW BUSINESS

Consideration of an Ordinance adopting the Fiscal Year 2013 Revised Budget and the Fiscal Year 2014 Budget for the Park City Redevelopment Agency. Chair Williams opened the public hearing. There was no public input.

Dick Peek moved to approve the Ordinance adopting the Fiscal Year 2013 Revised Budget and the Fiscal Year 2014 Budget for the Park City Redevelopment Agency.
Council member Butwinski seconded. Motion carried
Matsumoto – Aye
Peek – Aye
Butwinski – Aye
Simpson – Aye
Beerman – Absent

V ADJOURNED to City Council Meeting

PARK CITY REDEVELOPMENT AGENCY MEETING MINUTES DRAFT
SUMMITY COUNTY, UTAH
NOVEMBER 14, 2013

I. ROLL CALL

Chairman Dana Williams called the regular meeting of the Redevelopment Agency to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, November 14, 2013. Members in attendance were Dana Williams, Andy Beerman, Alex Butwinski, Liza Simpson, Dick Peek and Cindy Matsumoto was excused. Staff present were Diane Foster, Executive Director; Mark Harrington, City Attorney, Matt Dias, Assistant Executive Director; Kayla Sintz, Planning Manager; Brooks Robinson, Senior Transportation Planner; Heinrich Deters, Trails and Open Space Manager; Jody Morrison, Assistant Secretary; Marci Heil, Secretary

II. PUBLIC INPUT

There were no public comments made.

III. 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)

1. Consideration of a Purchase Agreement for 1321/1323 Woodside Ave

Board member Simpson moved to approve a purchase agreement, including a release/re-conveyance of the City-held trust deed, for 1321 and 1323 Woodside Avenue from the Elliott Work Group (EWG) in a form approved by the City Attorney.
Vice- Chairman Butwinski seconded
Motion carried
Peek- Aye
Simpson- Aye
Beerman- Aye
Butwinski- Aye
Matsumoto- Excused

IV. ADJOURNMENT

With no further business in the Redevelopment Agency the meeting was adjourned.

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 Marci S. Heil, Secretary

PARK CITY REDEVELOPMENT AGENCY MEETING MINUTES DRAFT
SUMMIT COUNTY, UTAH,
DECEMBER 12, 2013

I. ROLL CALL

Chairman Dana Williams called the regular meeting of the Redevelopment Agency to order at the Marsac Municipal Building on Thursday, December 12, 2013. Members in attendance were Dana Williams, Andy Beerman, Alex Butwinski, Liza Simpson, Dick Peek and Cindy Matsumoto. Staff present were Diane Foster, Executive Director; Mark Harrington, City Attorney, Matt Dias, Assistant Executive Director; Jonathan Weidenhamer, Economic Development; Tom Daley, Deputy City Attorney; Marci Heil, Secretary

II. NEW BUSINESS

1. Consideration to direct staff to enter into a Real Estate Purchase Agreement, for $2,250,000 for 14,624 square feet from Marya and Sklyer Ltd. Including specifically all of lots 10, 11, 12, and portions of lots 9, 33, 34, 35, 36 of Block 19 of the Snyder's Addition to the Park City Survey from Marya and Skyler Ltd. (Knudson) in a form approved by the City Attorney.

Jonathan Weidenhamer, Economic Development Manager, stated that this property is located directly West of the Senior center and the City has been looking at this project for two years in conjunction with the City's Master Plan.

Board member Peek inquired about the portion of Norfolk that was not listed in the legal description.

City Attorney Harrington inquired of Deputy City Attorney Daley if they should adopt the non-legal description in exhibit 2. Daley concurred.

Weidenhamer stated the first step is acquiring this property and then working with Phyllis Robinson, Public Affairs to get the word out and see what the community would like to see in this space.

Mary Wintzer inquired if the senior center would go away.

Weidenhamer stated that the current senior center would be taken down; however, discussions have begun with the County to work on a joint effort for a multi-use facility to be used by the entire community.

Tom Fey inquired about the intentions of the City.

Weidenhamer stated that again this is the Redevelopment Agency and the purpose of the RDA is to work with economic development and housing. This project is intended to meet the goals of the RDA and with the library being the center piece of the work here is to build a sense of community it creates new growth and keeps seniors in town.

Chairman Williams stated that one goal that we have talked about for more than a decade is to provide longtime residents an option when they cannot stay in their large homes any longer and do not need full care. Also creating a community center with multi-use for the entire community will be very beneficial.

Board member Peek moved to approve directing staff to enter into a Real Estate Purchase Agreement, for $2,250,000 for 14,624 square feet from Marya and Sklyer Ltd. Including specifically as displayed in exhibit 2 in a form approved by the City Attorney
Board member Simpson seconded
Approved unanimously

III. ADJOURNMENT

With no further business the meeting was adjourned.

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 Marci S. Heil, Secretary

Resolution No. RDA 1-14

A RESOLUTION ESTABLISHING A REGULAR MEETING DATE, TIME, AND LOCATION FOR 2014 MEETINGS AND APPOINTING OFFICERS OF THE BOARD OF DIRECTORS OF THE REDEVELOPMENT AGENCY OF PARK CITY, UTAH

BE IT RESOLVED by the Redevelopment Agency of Park City:

SECTION 1. REGULAR MEETING DATE. The regular meetings of the Redevelopment Agency shall be held on Thursdays at 6 p.m. or immediately following the adjournment or preceding the convening of other meetings that may be scheduled at 6 p.m. Meetings shall be held at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah, except when there is no pending business or the regular meeting date falls on a holiday.

SECTION 2. NOTICE OF PUBLIC MEETINGS. Notice shall be given, including the agenda, date, time, and place of the meeting. The agenda will be posted at least twenty-four (24) hours prior to each regular meeting, and delivered to the local news media. The agenda for special or emergency meetings shall be noticed in the best manner practicable. The Board of Directors may meet socially at an announced location after the meeting, but City business will not be conducted.

SECTION 3. WORK SESSIONS. Work sessions are open informational meetings, where new items are introduced or regular meeting agenda items are discussed for clarification prior to action. Typically, no formal action is scheduled or taken during a work session, but formal actions may be made to conduct the City's business, if it is deemed to be in the best interest of the public.

SECTION 4. CLOSED MEETINGS. Every meeting and work session is open to the public, unless closed pursuant to Sections 52-4-204 and 52-4-205 of the Utah Code. A closed meeting may be held if a quorum is present and upon the affirmative vote of two-thirds of the members of the public body present at an open meeting for which notice is given pursuant to Section 52-4-202. No closed meeting is allowed except for purposes expressly allowed under Section 52-4-205; provided no ordinance, resolution, rule, regulation, contract, or appointment shall be approved at a closed meeting. A record of closed meetings shall be created and maintained in accordance with Section 52-4-206 of the Utah Code, as amended.

SECTION 5. SPECIFIC MEETING DATES. The meeting schedule for the Redevelopment Agency in 2014 is as follows:

January 9, 23
February 6, 13, 27
March 6, 20, 27

July 10, 17. 31
August 7, 21
September 4, 18, 25

April 3, 17, 24
May 8, 15, 29
June 5, 19, 26

October 2, 9, 16, 23
November 6, 13, 20
December 4, 11, 18

<u>SECTION 6. APPOINTMENT OF OFFICERS</u>. The officers of the Board of Directors of the Redevelopment Agency of Park City, Utah shall be as follows: The elected Mayor shall be the Chairman; the Mayor Pro Tempore shall be the Vice- Chairman; the Alternate Mayor Pro Tempore shall be the Alternate Vice-Chairman; the City Manager shall be the Executive Director; the City Recorder shall be the Secretary; and the Deputy City Recorder shall be the Deputy Secretary.

PASSED AND ADOPTED this 9th day of January, 2014.

PARK CITY MUNICIPAL CORPORTATION

Chairman Jack Thomas

ATTEST:

Marci S. Heil, Secretary

Approved as to form:

Mark D. Harrington, City Attorney

PARK CITY MUNICIPAL BUILDING AUTHORITY
SUMMIT COUNTY, UTAH
JANUARY 9, 2014

I. ROLL CALL

II. PUBLIC INPUT

III. MINUTES OF MEETING OF JANUARY 10, 2013 and JUNE 20, 2013

IV. CONSENT AGENDA

1. Resolution establishing a regular meeting date, time, and location for 2014 meetings and appointing officers of the Board of Directors of the Park City Municipal Building Authority

V. ADJOURNMENT

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the City Recorder at 435-615-5007 at least 24 hours prior to the meeting. Wireless internet service is available in the Marsac Building on Wednesdays and Thursdays from 4 p.m. to 9 p.m. Posted: 01/06/2014 See: www.parkcity.org

PARK CITY MUNICIPAL BUILDING AUTHORITY MINUTES DRAFT
SUMMIT COUNTY, UTAH
JANUARY 10, 2013

I ROLL CALL

Chairman Dana Williams called the regular meeting of the Municipal Building Authority to order at approximately 6:45 p.m. at the Marsac Municipal Building on Thursday, January 10, 2013. Members in attendance were Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Diane Foster, Interim City Manager and Tom Daley, Deputy City Attorney.

II PUBLIC INPUT

None.

III MINUTES OF MEETING OF JANUARY 5, 2012

The Chairman requested a motion to approve. Cindy Matsumoto, "I so move". Liza Simpson seconded. Motion unanimously carried.

IV CONSENT AGENDA

Resolution establishing a regular meeting date, time, and location for 2013 meetings and appointing officers of the Board of Directors of the Park City Municipal Building Authority – Dick Peek, "I move we approve the Consent Agenda". Andy Beerman seconded. Motion unanimously carried.

V ADJOURNMENT

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

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, Secretary

PARK CITY MUNICIPAL BUILDING AUTHORITY DRAFT
SUMMIT COUNTY, UTAH
JUNE 20, 2013

I ROLL CALL

Chair Dana Williams Chairman Dana Williams called the meeting to order at approximately 6:00 P.M. Members present were Dana Williams, Liza Simpson, Alex Butwinski, Cindy Matsumoto and Dick Peek. Member Andy Beerman was excused. Staff present was Diane Foster, City Manager and Mark Harrington, City Attorney

II PUBLIC INPUT

Chair Williams explained the purpose of the meeting was to conduct a public hearing and approve the budget for the Park City Municipal Building Authority.

III MINUTES of meeting of January 10, 2013

Liza Simpson moved to approve the meeting minutes for January 10, 2013.
Seconded by Council member Alex Butwinski. Motion carried.
Matsumoto – Aye
Simpson – Aye
Peek – Aye
Butwinski – Aye
Beerman – Absent

IV NEW BUSINESS

Consideration of an Ordinance adopting the Fiscal Year 2013 Revised Budget and the Fiscal Year 2014 Budget for the Park City Municipal Building Authority. Chair Williams opened the public hearing. There was no public input.

Liza Simpson moved to approve the Ordinance adopting the Fiscal Year 2013 Revised Budget and the Fiscal Year 2014 Budget for the Park City Municipal Building Authority.
Seconded by Council member Peek. Motion carried.
Matsumoto – Aye
Peek – Aye
Butwinski – Aye
Simpson – Aye
Beerman – Absent

V ADJOURNMENT to Municipal Building Authority Meeting

Resolution No. MBA 1-14

A RESOLUTION ESTABLISHING A REGULAR MEETING DATE, TIME, AND LOCATION FOR 2014 MEETINGS AND APPOINTING OFFICERS OF THE BOARD OF DIRECTORS OF THE MUNICIPAL BUILDING AUTHORITY OF PARK CITY, UTAH

BE IT RESOLVED by the Municipal Building Authority of Park City:

SECTION 1. REGULAR MEETING DATE. The regular meetings of the Municipal Building Authority shall be held on Thursdays at 6 p.m. or immediately following the adjournment or preceding the convening of other meetings that may be scheduled at 6 p.m. Meetings shall be held at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah, except when there is no pending business or the regular meeting date falls on a holiday.

SECTION 2. NOTICE OF PUBLIC MEETINGS. Notice shall be given, including the agenda, date, time, and place of the meeting. The agenda will be posted at the Marsac Municipal Building at least twenty-four (24) hours prior to each regular meeting, and delivered to the local news media. The agenda for special or emergency meetings shall be noticed in the best manner practicable. The Board of Directors may meet socially at an announced location after the meeting, but City business will not be conducted.

SECTION 3. WORK SESSIONS. Work sessions are open informational meetings, where new items are introduced or regular meeting agenda items are discussed for clarification prior to action. Typically, no formal action is scheduled or taken during a work session, but formal actions may be made to conduct the City's business, if it is deemed to be in the best interest of the public.

SECTION 4. CLOSED MEETINGS. Every meeting and work session is open to the public, unless closed pursuant to Sections 52-4-204 and 52-4-205 of the Utah Code. A closed meeting may be held if a quorum is present and upon the affirmative vote of two-thirds of the members of the public body present at an open meeting for which notice is given pursuant to Section 52-4-202. No closed meeting is allowed except for purposes expressly allowed under Section 52-4-205; provided no ordinance, resolution, rule, regulation, contract, or appointment shall be approved at a closed meeting. A record of closed meetings shall be created and maintained in accordance with Section 52-4-206 of the Utah Code, as amended.

SECTION 5. SPECIFIC MEETING DATES. The schedule for Municipal Building Authority meetings in 2014 are as follows:

January 9, 23
February 6, 13, 27
March 6, 20, 27

July 10, 17. 31
August 7, 21
September 4, 18, 25

April 3, 17, 24
May 8, 15, 29
June 5, 19, 26

October 2, 9, 16, 23
November 6, 13, 20
December 4, 11, 18

SECTION 6. APPOINTMENT OF OFFICERS. The officers of the Board of Directors of the Municipal Building Authority of Park City, Utah shall be as follows: The elected Mayor shall be the Chairman; the Mayor Pro Tempore shall be the Vice- Chairman; the Alternate Mayor Pro Tempore shall be the Alternate Vice-Chairman; the City Manager shall be the Executive Director; the City Recorder shall be the Secretary; and the Deputy City Recorder shall be the Deputy Secretary.

PASSED AND ADOPTED this 9th day of January, 2014.

PARK CITY MUNICIPAL CORPORTATION

Chairman Jack Thomas

ATTEST:

Marci S. Heil, Secretary

Approved as to form:

Mark D. Harrington, City Attorney

PARK CITY WATER SERVICE DISTRICT MEETING
SUMMIT COUNTY, UTAH
JANUARY 9, 2014

I. ROLL CALL

II. PUBLIC INPUT

III. MINUTES OF MEETING OF JANUARY 10, 2013, JUNE 24, 2013 SPECIAL MEETING

IV. CONSENT AGENDA

1. Resolution establishing a regular meeting date, time, and location for 2014 meetings and appointing officers of the Board of Directors of the Park City Water Service District

V. ADJOURNMENT

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the City Recorder at 435-615-5007 at least 24 hours prior to the meeting. Wireless internet service is available in the Marsac Building on Wednesdays and Thursdays from 4 p.m. to 9 p.m. Posted: 01/06/2014 See: www.parkcity.org

PARK CITY COUNCIL AND DRAFT
PARK CITY WATER SERVICE DISTRICT SPECIAL MEETING
SUMMIT COUNTY, UTAH
JUNE 24, 2013

I ROLL CALL

Chairman Dana Williams called the special meeting of the Water Service District to order at approximately 5 p.m. at the Marsac Municipal Building on Monday, June 24, 2013. Members in attendance were Chairman Dana Williams, Andy Beerman, Alex Butwinski, Dick Peek, and Liza Simpson. Cindy Matsumoto was absent and excused. Staff present was Diane Foster, Executive Director; Clint McAffee, Water Manager; Tom Daley, Deputy City Attorney, Mark Harrington, City Attorney.

II CLOSED SESSION - MEMORANDUM OF CLOSED SESSION

The Water Service District met in closed session at approximately 5:10 p.m. Members in attendance were Chairman Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Diane Foster, Executive Director; Mark Harrington, City Attorney; Clint McAffee, Water Manager; Tom Daley, Deputy City Attorney. Alex Butwinski, "I move to close the meeting to discuss property ". Andy Beerman seconded. Motion carried. The meeting opened at approximately 6 p.m. Liza Simpson, "I move to open the meeting". Dick Peek, seconded. Motion carried.

Andy Beerman	Aye
Alex Butwinski	Aye
Cindy Matsumoto	Absent
Dick Peek	Aye
Liza Simpson	Aye

PARK CITY COUNCIL AND PARK CITY WATER SERVICE DISTRICT
SUMMIT COUNTY, UTAH
JUNE 24, 2012

I ROLL CALL

Chairman Dana Williams called the special meeting of the Park City Council and Water Service District to order at approximately 5 p.m. at the Marsac Municipal Building on Monday, June 24, 2013. Members in attendance were Dana Williams, Andy Beerman, Alex Butwinski, Dick Peek, and Liza Simpson. Cindy Matsumoto was absent and excused. Staff present was Diane Foster, Executive Director; Clint McAffee, Water Manager; Tom Daley, Deputy City Attorney; Mark Harrington, City Attorney.

II PUBLIC INPUT

None

III NEW BUSINESS

1. Consideration of Conditions to Closing the Master Agreement for the Western Summit County Project, a water project to be managed by the Weber Basin Water Conservancy District for the benefit of Park City Municipal Corporation, Mountain Regional Water Special Service District, Summit County, Summit Water Distribution Company and the Snyderville Basin Water Reclamation District. The Chairman opened the public hearing and with no input closed the hearing and requested a motion. Alex Butwinski, “I move to approve the Master Agreement for the Western Summit County Project as presented” Liza Simpson seconded. Motion carried.

Andy Beerman	Aye
Alex Butwinski	Aye
Cindy Matsumoto	Absent
Dick Peek	Aye
Liza Simpson	Aye

III ADJOURNMENT

With no further business, the special meeting of the Park City Council and the Water Service District was adjourned. 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 Jody L. Morrison, Assistant City Recorder

Resolution No. WSD 1-14

A RESOLUTION ESTABLISHING A REGULAR MEETING DATE, TIME, AND LOCATION FOR 2014 MEETINGS AND APPOINTING OFFICERS OF THE ADMINISTRATIVE CONTROL BOARD OF THE PARK CITY WATER SERVICE DISTRICT

BE IT RESOLVED by the Water Service District of Park City:

SECTION 1. REGULAR MEETING DATE. The regular meetings of the Water Service District shall be held on Thursdays at 6 p.m. or immediately following the adjournment or preceding the convening of other meetings that may be scheduled at 6 p.m. Meetings shall be held at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah, except when there is no pending business or the regular meeting date falls on a holiday.

SECTION 2. NOTICE OF PUBLIC MEETINGS. Notice shall be given, including the agenda, date, time, and place of the meeting. The agenda will be posted at least twenty-four (24) hours prior to each regular meeting, and delivered to the local news media. The agenda for special or emergency meetings shall be noticed in the best manner practicable. Board members may meet socially at an announced location after the meeting, but City business will not be conducted.

SECTION 3. WORK SESSIONS. Work sessions are open informational meetings, where new items are introduced or regular meeting agenda items are discussed for clarification prior to action. Typically, no formal action is scheduled or taken during a work session, but formal actions may be made to conduct the City's business, if it is deemed to be in the best interest of the public.

SECTION 4. CLOSED MEETINGS. Every meeting and work session is open to the public, unless closed pursuant to Sections 52-4-204 and 52-4-205 of the Utah Code. A closed meeting may be held if a quorum is present and upon the affirmative vote of two-thirds of the members of the public body present at an open meeting for which notice is given pursuant to Section 52-4-202. No closed meeting is allowed except for purposes expressly allowed under Section 52-4-205; provided no ordinance, resolution, rule, regulation, contract, or appointment shall be approved at a closed meeting. A record of closed meetings shall be created and maintained in accordance with Section 52-4-206 of the Utah Code, as amended.

SECTION 5. SPECIFIC MEETING DATES. The meeting schedule for the Water Service District in 2014 is as follows:

January 9, 23
February 6, 13, 27
March 6, 20, 27
April 3, 17, 24
May 8, 15, 29
June 5, 19, 26
July 10, 17. 31
August 7, 21
September 4, 18, 25
October 2, 9, 16, 23
November 6, 13, 20
December 4, 11, 18

SECTION 6. APPOINTMENT OF OFFICERS. The officers of the Administrative Control Board of the Park City Water Service District shall be as follows: The elected Mayor shall be the Chairman; the Mayor Pro Tempore shall be the Vice-Chairman; the Alternate Mayor Pro Tempore shall be the Alternate Vice-Chairman; the City Manager shall be the Executive Director; the City Recorder shall be the Secretary; and the Deputy City Recorder shall be the Deputy Secretary.

PASSED AND ADOPTED this 9th day of January, 2014.

PARK CITY MUNICIPAL CORPORTATION

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Chairman Jack Thomas

ATTEST:

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Marci S. Heil, Secretary

Approved as to form:

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Mark D. Harrington, City Attorney