PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH,
JANUARY 5, 2012

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, January 5, 2012.

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

Work Session

3:30 p.m.	Council questions/comments	
3:40 p.m.	Fourth quarter goal update	P. 7 - 19
4:00 p.m.	Request from Mayor to speak at conference in China	P. 20 - 29
4:20 p.m.	Business retention and recruitment criteria	P. 30 - 33
4:50 p.m.	Strategic planning and the budget process	P. 34 - 44
5:50 p.m.	Break	

Regular Meeting
6:00 p.m. Swearing-in Ceremony: Oath of Office administered by The Honorable Keith Kelly, Third District Court Judge to The Honorable Andy Beerman, Dick Peek and Liza Simpson

I ROLL CALL

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

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

IV WORK SESSION NOTES AND MINUTES OF MEETING OF DECEMBER 8, 2011 AND DECEMBER 15, 2011 P. 45 - 58

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

1. Consideration of a Resolution establishing a regular meeting date, time, and location for meetings of the City Council of Park City, Utah for 2012 P. 64

2. Consideration of a three year contract renewable annually in a form approved by the City Attorney's office with Municipal Bond Consulting, Inc. for financial advisory services in an amount up to $12,000 P. 70 - 73

3. Consideration of the First Amendment to the Professional Services Agreement, in a form approved by the City Attorney, with MWH Americas, Inc., to provide Construction Management Services for the Quinn's Junction Water Treatment Plant in an amount of $68,750 and extending the agreement for 63 full-time equivalent days P. 74 – 60

4. Consideration of a Professional Services Agreement with Stanley Consultants for engineering design services for the 2012 reconstruction of Empire Avenue in the amount of $191,048, in a form approved by the City Attorney P. 81 - 84

VI RESIGNATIONS AND APPOINTMENTS

1. Consideration of the appointment of Mayor Pro Tem and Alternate Mayor Pro Tem
P. 62 - 63

2. Consideration of the appointment of two Council members to the Employee Transfer and Discharge Appeals Board and a member as the Alternate P. 85 - 86

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

1. Consideration of a Resolution naming the tennis courts at the PC MARC as the "Candy Erickson Tennis Center" P. 87 - 88

2. Consideration of an Ordinance approving the Ontario Canyon Subdivision located at 44 Chambers Street, Park City, Utah P. 89 - 102
   (a) Public hearing
   (b) Action

VIII OLD BUSINESS *(Continued items)* P. 103 - 135

1. Consideration of an Ordinance approving a plat amendment for Lots 1 and 2 of Morning Star Estates, Park City, Utah
   (a) Public hearing
   (b) Action

2. Consideration of an access easement across the Water Tank Parcel for the benefit of Lot 2 of the First Amended Morning Star Estates, Lots 1 and 2 and Water Tank Parcel, Park City, Utah

IX ADDITIONAL DISCUSSION – AGENDA ITEMS

X ADJOURNMENT

Redevelopment Agency, Municipal Building Authority, and Water Service District Meetings will convene to adopt resolutions setting regular meeting dates, time and location.

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.

PC MARC GRAND OPENING
JANUARY 6, 2012

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will attend the PC MARC Grand Opening, 1200 Little Kate Road, Park City, Utah on Friday, January 6, 2012 beginning at 4 p.m.

Posted: 01/03/12
See: www.parkcity.org

PARK CITY REDEVELOPMENT AGENCY
SUMMIT COUNTY, UTAH
JANUARY 5, 2012

PARK CITY MUNICIPAL BUILDING AUTHORITY
SUMMIT COUNTY, UTAH
JANUARY 5, 2012

I ROLL CALL

II PUBLIC INPUT

III MINUTES OF MEETING OF JUNE 16, 2011 P. 60

IV CONSENT AGENDA

Resolution establishing a regular meeting date, time, and location for 2012 meetings and appointing officers of the Board of Directors of the Park City Municipal Building Authority P. 66 - 67

V ADJOURNMENT

PARK CITY WATER SERVICE DISTRICT MEETING
SUMMIT COUNTY, UTAH
JANUARY 5, 2012

I ROLL CALL

II PUBLIC INPUT

III MINUTES OF MEETING OF JANUARY 6, 2011 P. 61

IV CONSENT AGENDA

Resolution establishing a regular meeting date, time, and location for 2012 meetings and appointing officers of the Board of Directors of the Park City Water Service District P. 68 - 69

V ADJOURNMENT

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

January 2012

6 *Manager's quarterly meeting*
12 **Cindy gone**
Business Resource Center update
Bonanza Park Plan - work
KAC update on 2012 Arts Festival – work
Library Facility Needs Report – work
Award of design contract for Wyatt Earp Way
Event Policy and Fee resolution amendment – event fees
19 **No meeting – Sundance Film Festival Opener**
26 GIS presentation – (20 min) SL
Full building permit application process
RAB Visioning (45 Min)
Special service contract extraordinary request – PC Performing Arts Foundation
Resolution forming the Park City Heights Special Assessment District

February 2012

2
9 **No meeting**
9-10 *Visioning Session*
16
20 *Presidents Day – City offices closed*
23 **No meeting**

March 2012

1
8
15 Treasure LOI
22 Convention sale licensing and associated fees - March
29

Pending Items:

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

MEMO

Executive Department

To: **City Council**
From: **Tom Bakaly, City Manager**
Subject: **City Council Goals and Targets for Action Update**
1st Quarter (Jan – Mar 2011)
Date: **April 21, 2011**

On April 21, 2011, we have scheduled time in work session for City Council to review Staff progress on City Council Goals and Targets for Action for the 1st Quarter (January through March) 2011.

Staff provides Council with quarterly goals updates as a vehicle for reporting progress related to goals and targets for action that Council identifies at their annual visioning sessions. Staff created this report to provide a link between Council's direction and Staff's progress in accomplishing the specific tasks identified as Council priorities for the year. The Quarterly Goals Report is not a comprehensive list of all programs and activities. Although not listed as Council Goals, Staff added reports on Neighborhood and Business District Needs Assessment in order to keep Council informed about progress on those programs.

In creating the report, Staff assigned "target dates" for each of the actions. These dates are chosen as working dates for each project and not as hard deadlines since many of the actions require coordination with outside agencies. Target dates are also revised based upon council direction, availability of staff and financial resources, regulatory review processes and/or other unplanned pressing matters that arise.

Staff continues to use a system of one-word summaries: **complete** - project is complete; **in progress** - on target for revised or initial date; **pending** - project may not meet time lines depending on action by entities outside the City. All updates are **bold**. Completed items remain in the report through year-end. The comment section includes brief details about projects and explains revisions to target dates. Staff also tentatively adds new action items based upon individual input from Council members, the Mayor and Staff. Those items are in bold and need to be affirmed by Council. At the end of each year, all **completed** items are removed from the report.

In addition to Council's review of the goals, Staff requests that Council review the revised City Council Board appointments for 2011 and confirm the interim appointments on April 21, 2011.

Attachments:

Quarterly Goals Update
City Council Board Appointments for 2011

2011 Park City Council Goals & Targets for Action (October - December 2011)

Goal 1 Preservation of Park City Character

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
1. Old Town Improvements - Jonathan Weidenhamer and Matt Twombly				
Downtown Projects				
HPCA Infrastructure Committee Study (includes streetscape and attractions)	Mar-11	**Jun-11**	**Complete**	**Study completed.**
1. Pocket Park/Historical Wall Renovation	Jun-11	**Jun-12**	**Pending**	Project scope pending policy input - Historic Park City Alliance & Council
●Temporary Landscaping	Jun-11		**Complete**	
●Historic Wall Stabilization and daylight	Nov-11	**Oct-12**	**In Progress**	**Scope and preliminary cost estimates being generated.**
2. Last Phase of Downtown Improvements (streetscape, sidewalks, pedestrian connections, etc.)	Ongoing	**Jun-12**	Ongoing	**Staff currently conducting interviews to hire consultant to prioritize projects with cost estimates and integrate into FY13 budget process.**
3. Town Plaza/Swede Alley	Oct-12		Pending	**Moved into HPCA Project Study.**
2. Affordable Housing - Phyllis Robinson				
1. Affordable Housing Demand Study and Resolution Update	Apr-11	**Apr-12**	**In Progress**	**Awaiting more detailed Census data in order to complete Housing Needs Study before updating resolution.**
2. Monitor Developer Obligations & Compliance	**Oct-11**		**Complete**	Compliance review due **Fall of each year**
3. Historic Preservation - Thomas Eddington				
1. Create a plan for 1450/1460 Park Avenue	Feb-11	**Sep-11**	**Complete**	**Physical assessment completed. Planning worked with Michael Kovacs and this was completed.**
2. Planning Department to work with HPB to clarify their role and Joint Meeting with Council	Feb-11	**Apr-12**	In Progress	At request of City Council, Planning held joint CC/HPB meeting. HPB and Planning working to implement recommendations. **HPB Visioning was held in October and staff is preparing information for a joint meeting in early 2012.**
3 LMC Amendments for Sustainability	Apr-11	**Apr-12**	In Progress	**Planning is working through LMC amendments relative to architecture. The timeline to work with Sustainability in late 3011 was not possible; however, after late-2011 General Plan work, early 2012 LMC amendments should be complete.**
4. Clean up miscellaneous Historic Preservation Issues	Jun-11	**Apr-12**	**Ongoing**	**Completed Historic Preservation issues update and miscellaneous studies complete. Design Guidelines to be updated in Spring 2012.**
5. Assessment of National Historic District - Main Street Designation	Jun-11	**Jun-12**	**In Progress**	**Project scope/contract approved - research and analysis underway. Preservation Solutions finalized document. Planning is recommending that Preservation Solutions move forward with a thorough study.**
4. Senior Issues - Rhoda Stauffer				
InterAgency Working Group & Strategies				
1. Present to Summit County Council	**Sep-11**			**Draft plan presented to City Council in June 2011.**
2. Begin Implementation	**Oct-11**			
5. Park City Heights Joint Venture - Phyllis Robinson				
1. Master Planned Development (MPD) for site	Mar-11	**May-11**	**Complete**	**Sale of land to Ivory closed on November 22, 2011.**

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
6. Lower Park Avenue Property Redevelopment - Jonathan Weidenhamer, Michael Kovacs				
1. Adopt plan for City-owned Land in Lower Park Avenue RDA	Feb-11		**Complete**	**Planworks plan adopted.**
2. Market Analysis and Carrying Capacity Study	Apr-11	**Jun-11**	**Complete**	
3. Identify potential components and tax increment	Apr-11	**Oct-11**	In Progress	Projects identified. Identifying tax increment.
4. RDA Strategic Plan for LPA RDA	**Jan-12**		**Complete**	**Completed a series of 5 joint CC/PC meetings on City's RDA posture. Outcome at PCMR was to pursue extension of LPA RDA and partner with PCMR on a transit/parking project at PCMC base.**
5. Extend Revelopment Agency	Feb-11	**Feb-12**	Pending	**Appoint Council Liaison to TEC Committee**
6. Implementation				
a. City Property & adjacent private property . Finalize project scope, ID budget, move into Construction Drawings.	**Mar-12**		**Pending**	**Community Center, various housing and connectivity goals. Hire design team to facilitate public input process to finalize scope; begin construction drawings. Intend to begin projects in summer 2013.**
b. PCMR	Ongoing	**Feb-12**	Ongoing	**Identifying transit scope for parking lot redevelopment and initial financial pro forma. Conduct housing authority update.**
c. Other private property within RDA	Ongoing		Ongoing	
7. General Plan Update - Thomas Eddington				
1. Work with Sustainability on PC Heights MPD	Mar-11	**Jun-11**	**Complete**	Pre-MPD completed. June 2010 date was for initiating MPD process with Planning Commission. Revised date is anticipated approval date. **Complete - Planning Commission approved.**
2. Data collection, analysis, meetings with Planning Commission and City Council, recommendations and complete plan preparation	Apr-12	**Jul-12**	In Progress	**The Planning Staff has incorporated a neighborhood approach to the Plan and has been actively involved in the Joint CC/PC meetings. With the expedited BOPA Neighborhood Plan, the proposed Genearl Plan timeline would move to July 2012.**
8. Bonanza Park Plan - Michael Kovacs, Jonathan Weidenhamer, Thomas Eddington				
1. General Plan Future Land Use Element - Area Plan for Bonanza Park				
●Planning Commission	Dec-11	**Jan-12**	**In Progress**	**BOPA plan will be complete and ready for PC/CC discussion in January.**
●City Council	Jan-12	**Jan-12**	**In Progress**	**BOPA plan will be complete and ready to PC/CC discussion in January.**
2. Identify transportation corridors as part of General Plan Transportation Element	May-11	**Jul-12**	In Progress	**Transportation Element of General Plan to be created using information in master plan. New deadline established due to BOPA. Grid layout for BOPA draft area plan complete.**
3. Examine abiltiy to create event venue, convention area, and permanent Sundance area	Dec-11	**Dec-12**	In Progress	**City and Chamber to pursue feasibility analysis, using takeholder to identify needs, goals and components.**
4. Examine ability for new anchor tenant	Jul-11	**Dec-12**	In Progress	**Exploring options.**
5. Concept planning and Bonanza park functional priorities - talk to power company	Dec-11	**Dec-12**	In Progress	**BOPA substation to move to Lower Ironhorse area, pending cost impacts (if higher) to be approved by Council. Station will fit at new locattion. Working with RMP to migtigate road/access issues. Anticipate cost disussions in February 2012.**
9. Neighborhoods - Thomas Eddington				
1. Planning Department to work with the Planning Commission to better define Old Town Neighborhoods	Dec-11	**Apr-12**	**In Progress**	**To be included in General Plan**
2. Tie Lower Park Avenue / Bonanza Park Redevelopment concepts into General Plan	Jun-11	**Jul-12**	**In Progress**	**To be included in General Plan**

2011 Park City Council Goals & Targets for Action (October - December 2011)

Goal 2 World Class, Multi-Seasonal/Resort Community

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Status
1. Economic Development - Jonathan Weidenhamer				
1. HPCA Issues				
●Street Dining	**Jan-12**		**Pending**	**2011 went very well. Next target is year-end debrief. Will discuss impact on Arts Fest.**
● Infrastructure Committee recommendations (see Goal #1) Prioritization	Jun-11	**Jun-12**	In Progress	**Presentation of final HPCA infrastructure plan in FY13 budget process.**
2. City-wide market analysis & carrying capacity study	Mar-11	**Oct-11**	**Complete**	
3. Implementation of 2011 Economic Development Plan	**Dec-11**		**Ongoing**	
4. Discussion on City's role in RDA & adoption of RDA Strategic Plan	**Jan-12**		**Complete**	**Completed a series of 5 joint CC/PC meetings on City's RDA Posture. Outcome at PCMR was to pursue extension of LPA RDA and partner with PCMR on a transit/parking project at PCMR base. Outcome of BOPA to be a partner in the redevelopment of BOPA is articulated in BOPA Neighborhood Plan**
2. Public Art - Sharon Bauman				
1. Art in Public Places Implementation	Ongoing		Ongoing	Working on Strategic Plan goals and priorities
2. Marsac Building Public Art - Exterior				
● Installation 2011	Sep-11	**Jan-12**	Pending	**Base plates have been installed; final installation in January, 2012.**
3. Recreation Center Public Art	Oct-11	**Jun-12**	Pending	**PAAB reviewing RFQ process.**
3. Community Amenities and Events: Evaluation, Future Direction - Jonathan Weidenhamer				
1. Event Overhaul Discussion				
●Event Fees, revenues and costs	Feb-11	**Jun-12**	In Progress	**Follow up on gifting and temporary licensing in Spring 2012**
●Criteria to Close Main Street	Feb-11	**Jun-12**	In Progress	" '
●Update Municipal Code	Feb-11	**Jun-12**	In Progress	" '
●Update of administrative processes (applications, etc.)	Feb-11	**Sep-11**	**Complete**	" '
2. Event Overhaul Implementation	Mar-11	**Jun-12**	Ongoing	" '
3. Regional Event Calendar Cooperation	Jun-11	**Sep-11**	**Complete**	**Current shared Google calendar with Snyderville Basin Recreation for 2011 Summer Season. Working towards all City Departments on same calendar.**

2011 Park City Council Goals & Targets for Action (October - December 2011)

Goal 3 Effective Transportation System

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
1. Neighborhood Traffic Management - Matt Cassel				
See Attached Neigbhorhood Traffic Management Summary Report				
2. Regional Transportation - Kent Cashel				
1. Enhance Transit Marketing	Annual		Ongoing	
2. Implement employee vanpool incentive program	Annual		Ongoing	Program implemented. One van operational.
3. Regional/Rural Transporation Issues - COG	Ongoing		Ongoing	**Staff will present prioritized regional project list to COG to aid in determining funding decisions by August 2012.**
4. Iron Horse Expansion				
●Construction Complete	Dec-11		In Progress	**Construction substantially complete. Punch list items complete by January 2012.**
●Landscaping Complete	**Jul-12**		**Pending**	**Awaiting Spring weather.**
3. Transportation Strategic Plan - Kent Cashel				
1. Annual Progress Report to City Council	Annual		Annual	Transportation Annual Report scheduled for delivery to Mayor and Council January 2012.
2. Implement Transportation Plan Strategies	Ongoing		Ongoing	
3. General Plan - Transportation Element	**Mar-12**	**Jul-12**	In Progress	**Pending General Plan Transportation Element Update**
4. Update Strategic Plan to include pedestrian-bicycle and transit modes - Pending General Plan Update	**Jun-12**	**Jul-12**	Pending	**Pending General Plan Transportation Element Update**
4. Public Parking - Kent Cashel				
1. Conduct Main Street Circulation Study	**Nov-11**		In Progress	**HPCA has expressed its interest in completing a circulation study, including exploration of taxi staging area. Staff gathering data on numbers and patterns of Main Street taxis, hotel shuttles and buses.**
2. Taxi Drop-off/Pick-up	Oct-11	**Jun-12**	Pending	**Awaiting completion of circulation study to be conducted winter '11-12**
5. Community Transportation Plan -Matt Cassel, Kent Cashel, Jonathan Weidenhamer, Thomas Eddington				
1. Entry Corridor	Ongoing		Ongoing	
2. Citywide Transportation Plan and Modeling	Mar-11	**Oct-11**	**Complete**	**Complete and adopted.**
3. Park and Ride	Jun-11	**Sep-11**	In Progress	**Park and Ride operations plan is element of Short Range Transit Development Plan.**
4. Tie to General Plan	Mar-12	**Jul-12**	In Progress	Pending General Plan Transportation Element Update

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
6. Highway 248 - Kent Cashel				
1. Engineering design of Richardson Flat Road Intersection	Mar-11	**Jun-11**	**Complete**	
2. Complete Envirionmental Work for Corridor	Aug-11	**Jun-12**	In Progress	**Working with UDOT to define scope & requirements. Seeking to secure study funding. Funding delayed by lack of congressional appropriations for 2010 and 2011.**
3. **Engineering** Design of Strategic Plan Improvements	Feb-12		Pending	Delayed due to lack of federal environmental study funding. Revised target date dependent on congressional funding action.
4. Secure Funding for Strategic Plan Improvements	Mar-12		Pending	Delayed due to lack of federal environmental study funding. Revised target date dependent on congressional funding action.
5. Complete Environmental Study for Richardson Flat Road Intersection	Jan-11	**Jun-12**	In Progress	**Working cooperatively with UDOT on soils sampling study to determine extent of tainted soils to be handled and protocol for those soils.**
6. Construct Richardson Flat Road Intersection Improvements	**Aug-12**		**In Progress**	**Pursuing required construction permits through UDOT, Army Corps of Engineers and USEPA. Working cooperatively with UDOT on soils sampling study to determine extent of tained soils to be handled and protocol for those soils.**
7. Construct Improvements	Oct-12		Pending	Delayed due to lack of federal environmental study funding. Revised target date dependent on congressional funding action. **Phase 1 island removal complete.**
7. Traffic Study - Kent Cashel				
(tie with economic carrying capacity)				
1. Complete Highway 224 Strategic Plan	Mar-11	**May-12**	In Progress	**Request for Proposal for Engineering firm to assist with plan preparation released. Infuse PCMR transit/parking lot RDA project into overall planning (JW).**

2011 Park City Council Goals & Targets for Action (October - December 2011)

Goal 4 Water and Natural Environment

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
1. Pipeline Preferred Project Agreements - Clint McAffee				
Determine a preferred project with Weber Basin and Bureau of Reclamation				
1. Pipeline Construction - Incremental - **All** Sections in progress	Jul-11		**Complete**	Pipelines complete. Quinn's Segment - complete Lower Silver Creek Segment -complete Promontory segment - complete Rail Trail Water Lines - Complete
2. Quinn's Treatment Plant - Under Construction	Dec-11		In Progress	Scheduled completion in early 2012. **Staff is working with the Sustainability Department on a public notification system that will inform residents that the new source will be introduced to the system in the coming months. The core message will be that residents may notice differences in their water including taste, smell, temperature and hardness. These changes are aesthetic in nature and do not indicate a problem with the water quality. Staff will also organize tours of the facility with Council, HOA's, and the entire public in separate events.**
3. Raw water line crossing of Hwy 248 at Wyatt Earp	**NA**		**Complete**	
2. Judge Water Line - Clint McAffee				
1. NPDES Permit	Early 2012	**TBD**	Pending	**The Utah Division of Water is reviewing the permit application and expects to provide a draft Judge discharge permit for Park City review in mid-January 2012.**
2. Judge delivery system to Quinn's Water Treatment Plant construction	Mar-12		Pending	See EA comments below.
3. Determine Scope and Timing for **water line** Design and Construction (Evalulating alternatives due to antimony level increases)	Aug-12	**Dec-12**	Pending	**Draft EA w/EPA since 2010. The NEPA process has experienced further delays as the EPA continues to give input including looking at the cumulative effects of the water line and Prospector Drain and how these impact the Silver Maple Claims Wetlands. Staff has also experienced delays in this process while coordinating with the mine company and the BLM to gain access to their property for environmental investigations. EPA has given the City other punch list of items that still need to be addressed but staff is waiting until all issues are resolved to reissue the EP. Final design and construction cannot begin until a FONSI has been issued. Original plan was to bid in 2011 and start construction of pipeline in 2011. Schedule drepends on EPA's issuance of FONSI. STAG grant extended to December 2012. The City is also adding an additional alternative alignment from the Judge Tunnel portal to JSSD's WTP via the Ontario Shaft and Drain Tunnel. This process includes an engineering study to estimate the effort and cost to construct this option. This process has also been delayed while the City and JSSD execute a non-binding LOI that includes sharing the cost of the study.**
3. Other Water Solutions - Supply Options/Conservation - Clint McAffee				
1. Summit County, Snyderville Basin Water Reclamation District Cooperation Discussions/Stream Flow Enhancements	Annual		Ongoing	
2. JSSD Water Discussions	Annual		Ongoing	
3. Supply/Demand Update to City Council	Jul-11		**Ongoing**	**Staff will provide updates on this along with solutions to the supply deficits throughout 2012.**

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
4. Regional water supply system - due diligence study	**Summer 2012**		**In Progress**	**Staff is a party of a non-binding due diligence study that will look at solutions to satisfy all of the Basin's water needs into build out. The study will include evaluating each party's assets and needs. Other parties include Weber Basin Water Conservancy District, Mountain Regional Special Service District, Summit Water, Snyderville Basin Water Reclamation District, and Park City.**
4. Water Funding Strategy - Clint McAffee				
1. Pursue future appropriations and authorizations	Annual		Ongoing	
5. Trash and Recycling - Diane Foster/Michael Kovacs/Tyler Poulson				
1. Work with County Solid Waste Team to represent the City's interest in disucssion of future recycling & solid waste solutions	Jul-12		In Progress	**Foster and Poulson participated in a solid waste update meeting with the County in December. Working to schedule a follow-up meeting with County and liaisons. County planning to issue new RFP in January/February timeframe.**
2. Support HPCA Recycling Program Efforts (recycling contract completed)	Ongoing		In Progress	Poulson representing City on HPCA's Solid Waste & Recycling Task Force
3. Discussion on recycling facility relocation	Dec-12		In Progress	**City/County/Recycle Utah relocation planning meeting held as planned in September. Discussions continue with Summit County and Recycle Utah.**
6. Environmental Initiatives - Diane Foster, Tyler Poulson				
1. Environmental Heroes Awards	Ongoing		Ongoing	Awarded periodically. Website has form for public submissions/nominations.
2. Update to Environmental Strategic Plan	Ongoing		Bi-Annual	**Completed August 2010; 2011 mid-year update to Council completed.**
3. Launch internal revolving loan fund and finance CO_2 emissions reduction projects at the City	Ongoing		In Progress	Council approved fund on July 29, 2010. **The initial project will be piloting idle-reduction technology for a small number of Police vehicles. This project is underway with two pilot vehicles that received anti-idling retrofits in late 2011. A third vehicle may be piloted prior to making a decision on wehther to extend the**
4. WAVE Project/Electric Trolley in partnership with USU	**Aug-11**	**Feb-12**	In Progress	**On June 9 Council provided staff feedback to continue to work with USU's Energy Dynamics Lab on this project. Scope may change to include a fleet vehicle, rather than the trolley, for initial phase. Staff will return to Council for direction once project details are more clear.**
5. Solar Feasibility Study for PCMC and Micro-Hydro Power Research	**Aug-11**	**Feb-12**	**In Progress**	**Utilizing grant funding, staff was able to assess the potential for additional solar PV panels on City-owned buildings. Results were presented to City Council during the 2011 mid-year update. PCMC has grant funding to support solar panels on the Public Works building and is currently researching this with the intention to release a RFP if the building checks out. Staff is less formally assessing options for micro-hydro electricity generation in PCMC's water system.**
6. Develop and Implement community CO_2 emission and water consumption reduction program in conjunction with partners - community outreach or rebate program for residential and Green Businesses program for commercial properties	Mar-11	**Mar-12**	In Progress	**The Low Carbon Diet Program community carbon reduction program publicly launched, along with webpage, in June 2011. Staff has helped initiate 5-6 local Low Carbon teams and over 100 workbooks have been distributed. The program continues to build momentum and will run through year-end 2012. A Green Business program will be reassessed once resources free up and/or grant assistance is awarded.**

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
7. Thaynes - Clint McAffee				
1. Data Analysis and Report	**Ongoing**		**Complete**	**Final Report is complete and the City's initial theory that brown water was caused by scale releasing in the distribution system is supported in the report. However, there is not an exact solution to the problem; rather there are many recommendations including: additional sampling and evaluating our flushing practices, optimization of Spiro WTP for metals removal, additional evaluation fo blending Judge water with raw water at Quinn's WTP, and conducting bench and pilot testing to determine feasible treatment options for metals removal and water stability. One of the main recommendations was to avoid changing water sources. With the cooperation of PCMR, staff has succeeded in not switching sources in this area since the spring of 2011; however, this may not be feasible in drier years.**
2. Water Quality Program Development	**Ongoing**	**TBD**	**In Progress**	**The Water Department hired a Water Quality Program Manager under a two-year special employment contract to implement the recommendations listed in action item 1. The Manager's scope will also include Quinn's WTP lab design, piloting treatment options for antimony removal, treatment options for metals removal to conform to the UPDES for surface water, and other project management for work relating to water quality. End goal is to create a defined and robust water quality program that will be integrated into water operations. Estimated time to develop is 1.5-2 years due to extensive scope, sampling, and change in operations once Quinn's WTP comes online.**
3. Public Involvement and Education	**Ongoing**		**In Progress**	**As a part of the Water Quality Program development and in addition to the public notification for the QJWTP, staff is working with Sustainability on improving the Water Deaprtment's public involvement and education plan.**
8. Environmental Regulatory - Joan Card, Jason Christensen, Jim Blankenau and Diane Foster				
1. Define a long-term, economical solution for munipal and community mine waste disposal	Sep-11	**Feb-12**	In Progress	Working with EPA & UPCM/Talisker to define terms of a multi-party agreement to build a second repository.
2. Soil Ordinance Administration	Ongoing		Ongoing	**Five properties were issued Certificates of Compliance this past summer/fall. One property was relandscaped and sampled to evaluate if it was still in compliance after landscaping. Three additional properties were sampled in late fall and will require additional capping in the spring to achieve compliance. Four properties were sampled to assist with evaluating soil disposal options.**
3. Permits for Judge, Spiro and Prospector Drain	Jan-12		In Progress	**Permit applications submitted to Utah Division of Water Quality on schedule on July 27, 2011. Discussions continue.**
4. Further develop relationships with state and federal regulators	Ongoing		Ongoing	
5. Mine hazard mitigation ordinance	**Ongoing**		**Ongoing**	**Reminder letters were sent to property owners within the Mine Hazard Mitigation Area in October. These mailings inform property owners of their obligations under the ordinance and provide the necessary forms to meet the December 1, 2012 deadline. Received several evaluation forms from property owners.**

2011 Park City Council Goals & Targets for Action (October - December 2011)

Goal 5 Recreation, Open Space and Trails

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
1. Ongoing Open Space Acquisition - Diane Foster, Matt Twombly				
1. Flagstaff - Distribution of open space contribution	Ongoing		Ongoing	
2. Red Maple/Air Force	Ongoing		In progress	
3. Other Properties	Ongoing		Ongoing	
2. Open Space Management - Heinrich Deters, Diane Foster, Matt Twombly				
1. Osguthorpe Conservation Easement	Feb-12		Ongoing	**Working with Summit Land Conservancy, Round Valley Bench Auction**
2. Kimball and new Round Valley Conservation Easement	Jul-11	**Oct-12**	In Progress	**County and City staff will discuss with Council the proposed easement on Kimball Junction PRI property, owned jointly by the City and County in early 2012.**
3. Gambel Oak & White Acre Conservation Easement	Jul-11	**Oct-12**	Pending	**Staff will ask Council to have a policy disucssionon easements in early 2012.**
4. Additional easement monitoring on new acquisitions	Ongoing		In Progress	**Staff will ask Council to have a policy discussion on easements in early 2012.**
5. Property Management Matrix	Nov-12		In progress	**Sharepoint database with applicable documentation and information per acquisition and property management (deed restrictions/bond language).**
6. Open space partnership with County	Ongoing		Ongoing	**Staff continues to participate in bi-weekly BOSAC meetings. Summit Land Conservancy has made additional funding request to BOSAC for Osguthorpe.**
3. Trails -Heinrich Deters				
1. Trailhead Parking Phase III - as sites are available	Ongoing		Ongoing	
2. Coordinate new connections by development/TMP CIP	Ongoing		Ongoing	
3. Flagstaff Trails reconstruction	Ongoing		**In progress**	**Talisker has approved trail plan and construction is currently underway on several of the trails. Trail head and maintenance obligations remain as part of the Flagstaff Agreement.**
4. Implement back-country trails maintenance plan and budget	Ongoing		**Complete**	
5. Trails Webpage	Ongoing		Ongoing	
6. Citywide Pedestrian/Street Lighting guidelines consistent with General Plan, Trails Master Plan and WALC	Apr-11	**Oct-11**	Pending	**Coordinating with Transportation Master Plan and General Plan Update. Looking to implement lighting along Deer Valley Drive from Roundabout to Stew Pot as part of the Deer Valley Drive reconstruction project slated for 2012.**
7. Bike Route Plan	Apr-11		**Complete**	**Need to implement through signage/possible striping - funding through TMP and WALC.**
8. Armstrong OS trail connection	Jul-11		**Complete**	
9. April Mountain Trails & Recreation Plan	Nov-11		In Progress	Access road has been improved
10. Evaluate and Improve backcountry trail signage	Ongoing		Ongoing	**Staff is working with Mountain Trails, Resorts and Basin Recreation on community-wide signage and waypoint system**
11. Osguthorpe Summer Trail	**Aug-12**		**Ongoing**	**Planning for trail connection Spring 2012**
12. Trail Event Policy/Fees	**Jan-12**		**In progress**	**Fees/deposits for Trail Events. Part of events overhaul.**
4. Neighborhood Parks - Ken Fisher/Matt Twombly				
1. Begin Master Plan for north and south ends of City Park	In Progress		**Complete**	**Developed master plan and presented to Council Fall 2010**
2. Recommendation on amended Summit County Leash Law Ordinance	Jan-11	**Oct-11**	In Progress	**County combined with "bigger picture" of kennels. County expects discussion with County Council late Sept./early Oct.**
3. Off-leash Dog Park at Library Field - Install signage at field	May-11		**Complete**	
5. High Altitude Training -Jason Glidden				
1. High Altitude Training/Master Planning City property at Quinn's				
●Goal Setting with USSA and UOP	Jul-11	**Dec-11**	**Complete**	**Three meetings were held and a report of the discussions was developed by an outside facilitator.**
●Recreation Facility Capacity Study with Basin Recreation	Dec-11	**Feb-12**	**Complete**	**Updated Facility Capacity Study was completed on December 1 and results were presented to a sub-committee on December 7, 2011.**

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Comments
6. Walkability Implementation Phase I - Matt Twombly, Heinrich Deters				
1. Bonanza Tunnel				
●Tunnel Infrastructure	May-11		**Complete**	
●Tunnel Streetscape & Final Landscaping	Jul-11	**Oct-11**	**Complete**	
2. SR-248 Tunnel				
●School Campus ped/Connectivity Improvements Construction (SR248)Construction	Aug-11	**Aug-12**	Pending	**Study completed. Discussion with School Board planned.**
3. Sidewinder Drive Sidewalk	Oct-11		**Complete**	
4. Comstock Sidewalk	Oct-11		**Complete**	
5. Traffic Calming Improvements				
●Monitor Drive - Island	Oct-11	**Aug-12**	Pending	**Initial measures of striping and installation of driver feedback sign have resulted in significant calming of traffic. Staff will continue to monitor through opening of racquet club and revisit them if deemed necessary.**
●Wyatt Earp - Entry Feature / Island	Oct-11	**Oct-12**	In progress	**RFP submittals received December 14. Design firm contract January 2012.**
7. Walkability Implementation Phase II (Dans to Jans) - Jonathan Weidenhamer, Heinrich Deters				
1. SR 224 Corridor Study	**Jul-12**		**In progress**	**Phase I study underway. Deliverable June 2012**
2. Identify PCMR transit and transportation needs	**Jul-12**			
3. Implementation Plan for WALC projects	**Jul-13**			

2011 Park City Council Goals & Targets for Action (October - December 2011)

Goal 6 Regional Collaboration and Partnerships

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status
1. Transportation - Kent Cashel			
2. Flagstaff-Wasatch County - Tom Bakaly			
1. Work with Wasatch County re SR-224 and public versus private access	Ongoing		Ongoing
3. Recreation - Ken Fisher			
See Goal 5			
4. Health - Pace Erickson			
1. Noxious weed coordination and enforcement on private property	Ongoing		Ongoing
5. Water - Clint McAffee			
See Goal 1	Ongoing		Ongoing
6. Solid Waste - Pace Erickson			
1. Implementation of Solid Waste Alternatives	Ongoing		Pending
7. Mosquito Abatement - Pace Erickson			
1. Continued coordination with Summit County	Ongoing		Ongoing
8. Library - Linda Tillson			
1. Library Reciprocal Borrowing for Summit County Students	Ongoing		Ongoing
9. Inter-Agency Task Force			
1. Continued Participation	Ongoing		Ongoing
10. Open Space Acquisition			
See Goal 5	Ongoing		Ongoing
11. SOS Community Carbon & Water Action Plan - Diane Foster			
1. Engage community, in partnership with Summit County and other groups (non-profit, HMBA, Chamber, School District) in reducing water consumption and carbon emissions	Ongoing		**Ongoing**
12. MIDA - Tom Bakaly, Mark Harrington, Diane Foster			
1. Maintain relationship with MIDA and monitor progress on project	**Ongoing**		**Ongoing**
13. Public Safety - Special Events			
1. Information Sharing	Ongoing		Ongoing
2. Special Event Staffing to Reduce Overtime Costs	Ongoing		Ongoing
3. Police/Sheriff's Spillman records Management Data Merge	Ongoing		**Ongoing**
14. Council of Governments - Kent Cashel			
1. Continued Participation	Ongoing		Ongoing
15. Utah League of Cities and Towns - Michael Kovacs			
1. Continued Participation	Ongoing		Ongoing

2011 Park City Council Goals & Targets for Action (October - December 2011)

Goal 7 Open and Responsive Government to the Community

Target for Action / Actions / Staff Coordinator	Initial Target Date	Revised Target Date	Status	Status
1. Community Vision - Phyllis Robinson				
1. Update Material for Vision Presentations annually following Council Visioning sessions	Annual		Annual	
2. Community Visioning Plan	**Ongoing**		**Ongoing**	**Community Visioning and development of portfolio approach incorporated into joint City Council/Planning Commission meetings.**
3. Utilize Vision Plan and four levers for inclusion in General Plan (with Michael Kovacs and Thomas Eddington)	**Dec-11**	**Apr-12**	**In Progress**	
2. Budget Review & Benchmark - Bret Howser/Michael Kovacs				
1. Budgeting for Outcomes	Feb-11		**Complete**	
2. ICMA Resort Consortium (Michel Kovacs)	Fall 2011	**Dec-12**	In Progress	**CAST and Council presentation on benchmarks complete. National Citizen Survey tie-in with existing 8 mountain towns in CAST possible. Need to lobby other towns to join us on comparisons between mountain towns. Will make pitch again at January CAST meeting in Steamboat.**
3. Customer Service: Evaluation and Action Plan - Craig Sanchez, Phyllis Robinson				
1. Accountability/responsibility training for Staff	Quarterly		Ongoing	
2. Employee Survey & Traning - communication of results	Annual		Annual	
3. Citizen Satisfaction Surveys (P Robinson)	May-11	**Sep-11**	**Complete**	**Findings presented to City Council on December 15, 2011 by National Research Center.**
4. City "Fam" Program	Annual		Ongoing	Next program in November 2011
4. Public Safety - Wade Carpenter				
1. Community Oriented program - Citizens Academy	Ongoing		Ongoing	**Class Three graduated July 2011. Class Four scheduled for Spring 2012**
2. Lexipol Service Evaluation (Comprehensive Police Policy Manual Program based on model policies developed by a national board)	Ongoing		Ongoing	Living document. Updated every six months.
3. Emergency Response Plan Update				
●NIMS Training for new employees	Ongoing		Ongoing	Test Sessions scheduled for new employees.
4. Create problem-solving committees, physical fitness criteria, and take-home vehicle committees	Jul-11	**Oct-11**	**Complete**	**Take Home Vehicle - implemented take-home care policy October 2011: $50/officer living in district boundaries; $100/officer living outside district boundaries. Physical fitness - Baseline testing completed and new goals and requirements set for October 2012.**
5. Communications - Phyllis Robinson, Scott Robertson, Myles Rademan				
1. Leadership 101	Annual		Ongoing	Held Feb 2011
2. Media Seminars	Annual		Ongoing	
3. Sustainability Promotion	Ongoing		Ongoing	
4. Park City University - (rebrand)	Ongoing		Ongoing	
5. Annual Communications Plan & Implementation	Annual		**Ongoing**	2011 Communications Plan presented at Council Visioning. Implementation
6 Community Emergency Preparedness	Ongoing		Ongoing	**Emergency Preparedness newsletter mailed to all households in August 2011.**

City Council Staff Report

Subject: Request for Mayor Williams to speak at conference in China
Author: Diane Foster
Department: Sustainability, Environmental Sustainability Manager
Date: January 5, 2012
Type of Item: Administrative

Summary Recommendations:
Staff recommends Council review this report and vote to approve the Mayor's trip to Beijing to visit with individuals in the tourism industry and to Xian to speak at an environmental conference.

Topic/Description:
City Council has established a policy of administrative approval of Council and Mayor travel outside of the United States. Mayor Williams has been invited to speak at an environmental conference in Xian, China in April 2012.

Background:
The City of Park City has a long relationship with China. For twenty years, Park City High School has had a exchange program with the top scholastic high school in Beijing. During his career as Mayor, his first official duty involving a Chinese dignitary was in 2002 when the Mayor of Beijing visited with our Mayor during the 2002 Winter Olympics. In 2008 Mayor Williams joined Park City High School students for their exchange trip to Beijing. The Mayor was invited by the Chinese Friendship Association, a branch of the Chinese federal government, who fully funded the non-travel portions of that trip.

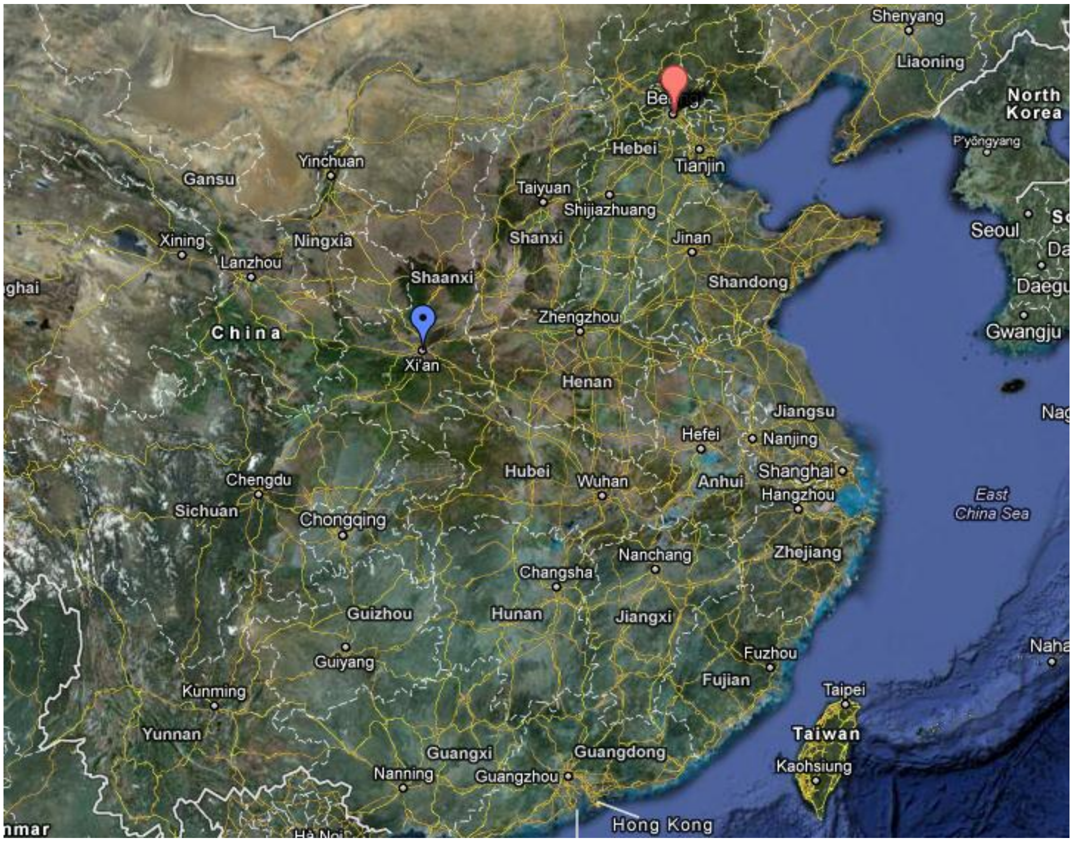
With a population of over 19 million, the City of Beijing more populous than the countries of Chile and Switzerland, as well as the countries of Norway, Sweden and Denmark combined. While the conference is in Xian, it is expected that the Mayor will visit our sister high school and perhaps make other visits in Beijing.

Park City's connection to China
From the Chinese immigrants that worked alongside other multinationals in Park City's silver mines to the Mandarin courses taught in Park City High School, Park City's connection to China has a long history. Park City High School's exchange program with Beijing's top high school has been in existence for more than ten years. And while Park City is so small in population that it would not qualify as a city in China, Park City's reputation as an Olympic venue and a world-class ski and summer resort vacation destination has placed it on the international map. The Mayor's presentation at and participation in the five day conference is in alignment with Park City's historic relationship with China and the City's environmental goals. Additionally, the trip has the potential to contribute to the City's goal of economic vitality.

Analysis:

Overall

The two locations discussed in this staff report are shown on the map below: Beijing (red) and Xian (blue).



The trip is consistent with Park City's Council-adopted Environmental Sustainability Strategic Plan, which can be found in Exhibit B:

Objective3.3: Play an active role in environmental community education and outreach; and *GOAL 5. Continue to review and investigate best practices that have the potential of substantially improving the environment.* It is staff's opinion that the trip to Beijing and the conference in Xian are consistent with the strategic plan.

Conference in Xian, China

Mayor Williams has been invited to speak at the first BIT First Annual World Congress on Biodivesity to be held at the Qujiang International Conference and Exhibition Center in Xian, China. The four-day conference runs from April 25 to April 28, 2012. Xian is located approximately 700 miles southeast of Beijing. The Mayor has been asked to speak on with a distinguished group of scientists and NGO heads on the topic of Mountain Biodiversity and, specifically, will speak about carbon reduction, climate adaptation and economic adaptation in mountain resort communities. The Mayor is the only Mayor that has been asked to speak at the conference. His fellow presenters on a variety of mountain biodiversity topics include government official, scientists and heads of NGOs from Russia, Peru, Germany, Austria, Argentina and Switzerland.

The conference organizers describe this conference as follows:

> Biodiversity is the measure or degree of ecosystems determines species on earth. Therefore, the effective conservation of biodiversity is essential for human survival and the maintenance of ecosystem processes. BioD-2012 is be a dedicated event for sustainable biological diversity and eco-economy by bringing together scientists, industrial leaders and decision makers from all over the world in a great range of subjects under several technical sessions, expositions, lectures, tech tours and training programs. The congress will also expected to provide opportunity for scientists to exchange their latest findings and developments in a wide range of multidisciplinary topics that are related to natural resources management, sustainable development, and biodiversity conservation issues. Meanwhile it is also hoped to explore and contribute idea and innovations to research and identify future environmental issues.

While the conference presenters include a wide range of scientists, industry leaders and decision makers from across the globe, a few of the noted speakers include:

- Dr. Frederick Dubee, Senior Advisor, Global Compact, Executive Office of the Secretary-General, United Nations, USA
- Dr. Roger A. Sedjo, Senior Fellow and Director, Center for Forest Economics and Policy, Resources for the Future, USA
- Professor Stephen Blackmore, Regius Keeper and Queen’s Botanist, The Royal Botanic Garden Edinburgh, UK
- Dr. Ernesto Brovelli, Senior Manager, The Coca-Cola Company, USA

In addition to these high-profile presenters, the Mayor will have an opportunity to reconnect with Olman Serrano, the United Nations Secretariat for the Mountain Partnership. Park City is one of only three mountain cities invited to join the United Nations Mountain Partnership. The other members represent fifty countries and a number of NGOs. The Partnership’s mission is to improve the lives of mountain people and protect fragile mountain environments. The Partnership has a particular focus on environmental threats to mountain communities caused by climate change. Park City Council voted to join the partnership in 2010. The Mayor first met the Secretariat when the Mayor was one of the keynote speakers at the Mountain Partnership’s annual conference held at Utah State University in 2010, a conference that was attended by four current ambassadors to the United States, one former Ambassador and three United Nations Secretariats. The Mayor will also have an opportunity to connect with other members of the Mountain Partnership while at the conference.

As a conference participant, the Mayor will have the opportunity to participate in sessions focused on

- mitigating the impact of climate change,
- creating a low-carbon city,

- balancing the economy and environment,
- numerous sessions on climate adaptation,
- sustainable water management practices, and
- managing impacts of outdoor recreation on mountain environments.

Visit with ski tourism companies and Park City's sister high school in Beijing
While the focus of the Mayor's trip is the environmental conference, the Mayor would visit one or two ski tour companies in Beijing during his visit. While Park City's Chamber Bureau has begun to make inroads into this market, a visit from a foreign dignitary such as our Mayor, may help give Park City's ski resorts an advantage over other US ski resort communities in this burgeoning market.

The China Ski Association estimated the number of skiers in China at 5 million in 2005, up from just 200,000 in 2000. Fueled by China's economic growth, the association predicts 20 million skiers by 2014. In contrast, the United States skiing population is estimated at approximately 12 million and has remained stalled at that range for at least the past ten years.

Because Council has not yet approved this trip, staff has not yet made arrangements for meetings with tour operators in Beijing. However, the Chamber Bureau has provided the following list of people with whom they already have a relationship. The Chamber Bureau's Director has offered assistance in contacting these individuals:

First Name	Last Name	Title	Company
Suzanne	Wu	Director	U.S. Travel Association
Alina	Xiana	Communication Director	U.S. Travel Association
Jing	Wei	Tourism Specialist	U.S. Commercial Service
Sandeep	Bahl	General Manager	Delta Air Lines
Judy	Zhou	Editor in Chief	Travel News Weekly
Gao	Yuejuan	Assistant Director	DEEP Magazine
Bob	Wang	Director	China Swan International Tours
Tom	Wang	Assistant General Manager	Shanghai Shihuta Intl Travel Service
Skylar	Jiang	North America Deputy General Manager	China CYTS Outbound Travel Service
Julia	Schu	Sales Manager	American Tours International

Cost
The conference organizers have offered to provide $500 off the $1,900 five-day conference registration, lodging and meal free.

Exhibit A contains the City's policy on travel reimbursement. The policy does not contain a per diem rate, rather relies on the traveler to "find the most cost-effective and reasonable means of travel and lodging associated with necessary expenses for work-related travel." However, so that Council may understand the possible expenses that might be incurred, the following is provided *for comparison purposes only*: current US

Department of State has established a per diem rate for Beijing for lodging, food and incidentals is $370 per day.

	conference only-7 days	Xian & Beijing- 11 days
Conference Registration, Hotel & Meals	$1,900	$1,900
Speaker Discount	($500)	($500)
Estimated daily costs (non-conference days) – $370 per day	$1,110	$2,590
Flight to Xian only (conference only) -	$1,400	
Flight to Xian and Beijing (conference & tourism trip)		$1,500
Total	**$3,910**	**$5,490**

The Council travel budget has approximately $4,000 in available funds. If these funds are expended, there will be no more travel funds available to Council for this fiscal year, unless funds were transferred from another line item or from operating contingency funds. The environmental regulatory travel budget can cover the additional cost associated with the Beijing and Xian segments of the trip, as the environmental regulatory team has been able to make fewer than the number of anticipated trips to Denver in FY2012.

Should Council authorize this trip, staff will research the State of Utah airline contract to see if lower priced flights are available through that contract.

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

Alternatives:

A. **Approve:** The Mayor will present at the conference in Xian, meet with tourism-related individuals in Beijing.
B. **Deny:** The Mayor will not travel to China.
C. **Modify:** Council may choose to request modification of the itinerary. For example, Council could decide to modify the trip to exclude the Beijing portion of the trip.
D. **Continue the Item:** This will be the same as denying the request. The Mayor has already received an extension on confirmation so that all members of the City Council would have an opportunity to vote on this item.
E. **Do Nothing:** This would be the same as denial

Significant Impacts: The fundamental question for Council is a weighing of the cost of the trip against the public relations value and knowledge value of the trip to Park City.

Recommendation:
Staff recommends Council review this report and vote to approve the Mayor's trip to Beijing to visit with individuals in the tourism industry and to Xian to speak at an environmental conference.

Exhibit A:

FINANCIAL PRACTICES, STANDARDS & GUIDELINES No. 1.1 Page 1 of 3 Revision Date: August 7, 2008

Subject: Expense Reimbursement/Travel for all City employees, Mayor and City Council

Objective: The intent of this standard is to clarify the process for expense reimbursement and travel authorization and to describe the types of expenses that would normally be covered. The reimbursements made according to this standard meet the legal requirements set by the IRS for an “accountable plan” and are excluded from income of the employee being reimbursed. The philosophy is to seek pre-approval for foreseeable expenses and to plan economically in order to save the City’s and the taxpayers’ money. It is the responsibility of the employee, to find the most cost-effective and reasonable means of travel and lodging associated with necessary expenses for work-related travel. The use of the State of Utah Contract for airline and car rental reservations is strongly encouraged but not required.

Authority: Employees are required to discuss anticipated expenses and/or travel arrangements with their department head/manager prior to the expense being incurred. The Mayor and City Council will discuss and approve anticipated expenses and/or travel arrangements prior to the expense being incurred. The City Manager will discuss and obtain approval from the Mayor of anticipated expenses and/or travel arrangements. Department heads/managers are required to discuss anticipated travel arrangements with their team members. Employees are encouraged to pay any travel expenses in advance by preparing a purchase order and submitting a PCMC check to the vendor either through the mail or upon arrival at the destination. For employees that do not have access to a City issued credit card or purchasing card and do not want to charge business related expenses on their personal credit card, the Finance Manager’s City credit card may be available on a case by case basis. The employee should contact the Finance Manager prior to incurring the expense to check on the credit card availability. A cash advance of $25 per day for each day away from home can be requested no more than thirty (30) days prior to travel to pay for meals, gratuities, cab fare, etc. It is the employee’s responsibility to keep all detailed receipts needed to justify advanced or reimbursed expenses. The department head retains the discretion to question and deny reimbursement for inappropriate or unreasonable expenses. The employee must be prepared to justify the business need in writing. Employees should return unused cash advances, complete an itemized reimbursement form and attach all receipts preferably within one week of return from travel but within sixty (60) days of incurring the expense in order to comply with IRS regulations. Expenses that are more than sixty (60) days old will not be reimbursed.

Original detailed receipts must be submitted for reimbursement. Meals ordered through hotel room service or charged to the lodging bill must be documented by a detailed receipt. Credit card receipts and statements are not sufficient. If an original, detailed receipt is not submitted with the expense report, the expense will not be reimbursed. The signature of a department head/manager will be required on all reimbursement forms. Department heads/managers are required to obtain the signature of a team member. The signature of the Mayor will be required on all reimbursement forms submitted by the Mayor and City Council.

The signature of the Mayor or Council designee will be required on all reimbursement forms submitted by the City Manager. All reimbursement forms must be approved and signed by the Finance Manager or Accounting Manager.

2

Practice: The City will typically cover the following business-related expenses:

Transportation

Employees are encouraged to select the least costly, yet most practical means of travel. Air travel or mileage reimbursement for driving will be determined by such things as:

- availability of a City vehicle,
- distance of travel (airfare may be more economical than vehicle mileage reimbursement), and time restrictions.

Airfare must be in the moderate price range with the following exceptions:

- time restrictions,
- only first class seating is available to meet agenda requirements,
- urgency of travel,
- length of trip (over 4 hours) if the employee opts to pay the difference in price for better seating,
- medical reasons, and
- other special circumstances with pre-approval by the department head/manager.

There may be occasions (mainly weekend travel) when hotel layover is more convenient than purchasing a high-rate air ticket. Air travel may be postponed, within reason, until discount air rates can be obtained, as long as net savings are achieved.

Mileage reimbursement is available to an employee when dropping off or picking up packages or attending meetings for City business. If this is in addition to traveling to or from work the employee will be reimbursed for that portion of mileage that was out of the way of the regular route. Mileage reimbursement shall be at the authorized IRS rate. Mileage reimbursement requests must be submitted within sixty (60) days of incurring the mileage and include the date, purpose, destination and mileage for each individual trip. Mileage reimbursement requests without this detail will not be reimbursed.

Lodging

An employee should normally make arrangements to stay at the hotel where the conference or training is being held. If other lodging arrangements are necessary, the reservations should be made at a moderately priced hotel. Overnight travel to Provo, Ogden, Salt Lake City, or anywhere within 50 miles of Park City, must be approved in advance by the department head/manager. Employees of the same sex, traveling together, should make arrangements to share a room.

An employee should advise the hotel that government rates are necessary. If the accommodations are within the State of Utah, advise the hotel that the room should be tax exempt.

Other

The following miscellaneous expenses will also be considered for reimbursement:

- Airport parking for air travel,
- Long-term parking through a travel agency,
- Round trip mileage from home to the airport,

3

- Meals when the employee is away from home overnight and meals/refreshments for business related meetings.
- Car rental when business activities are not being held in or close to lodging (requires pre-approval by a department head/manager), and
- Reasonable phone calls home.

Payment for recreational activities such as golf, tennis, skiing, movies, etc. will be the responsibility of the employee. However, if the activity is job-related, it can be reimbursed if the employee has prior approval by a department head/manager. Payment for alcohol purchases will be reimbursed if approved by the department head/manager and department head/manager shall be solely accountable for ramifications (real or perceived) of such approval. Employees may not make any other purchase of goods or services in excess of $100.00 from their personal funds and then seek reimbursement from the City.

Travel time for any out-of-area or overnight travel shall be compensated time for the employee(s) for the actual hours of travel required for the least expensive mode of travel, but not to exceed seven (7) hours each way. Exceptions must be approved by the City Manager.

Moving & Relocation Expenses

Employee incurs and pays for their moving expenses. It is the employee’s responsibility to keep all moving expense receipts and reimbursement check stubs for submitting with their personal income tax (if applicable). Depending upon the employment agreement with the new employee, the employee will receive one lump-sum amount from the City. It is at the employee’s discretion as to how this moving allowance is to be spent. The City does not pay for moving expenses directly to vendors/moving companies, hotels, airlines, etc.

Administrative policy adopted by Tom Bakaly, City Manager, on August 7, 2008.

Exhibit B: Environmental Strategic Plan

Resolution No. __-09

RESOLUTION DECLARING PARK CITY'S VISION, GOALS, POLICIES AND ACTION PLAN IN PROMOTION OF ENVIRONMENTAL INITIATIVES FOR PARK CITY MUNICIPAL AND THE COMMUNITY

WHEREAS, Park City recognizes that a healthy natural environment is critical to well-being of our society.

WHEREAS, Park City aims to provide long-term environmental health for the Park City region through efficient use of resources, protection of the quality and diversity of the local environment upon which the community depends.

WHEREAS, Park City will continually improve the efficient use of all energy resources in order to ensure a future with a secure and sustainable energy supply.

WHEREAS, Park City encourage environmental stewardship and protection of Park City's natural environment through sharing of information and collaboration with the community, community groups, as well as local, state and federal agencies.

WHEREAS, Park City desires to incorporate environmental considerations as an integral part in assessing growth management options, land use plans, transportation strategies and development proposals, and overall sustainable community design.

WHEREAS, Park City will continue to review and investigate best practices that have the potential of substantially improving the environment.

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

GOAL 1. Preserve and enhance the ecological systems and diversity of the City and, in turn, the Region		
ID	Action #	Description
Objective	1.0	Reduce Municipal carbon & greenhouse gas emissions.
Objective	1.1	Reduce Municipal water consumption.
Objective	1.2	Reduce Park City's *community* CO2 emissions.
Objective	1.3	Reduce Park City's *community* water consumption.
Objective	1.4	Minimize liability and proactively address potential environmental issues
Objective	1.5	Complete environmental regulatory commitments
GOAL 2. Encourage the efficient use of all resources in order to ensure a future with a secure and sustainable energy supply		
Objective	2.0	Develop General Municipal Building Efficiency Measures
Objective	2.1	Develop Internal Municipal Policies that encourage conservation
Objective	2.2	Increase Park City's community-wide recycling rates.
Objective	2.3	Increase utilization and visibility of renewable energy in Park City
Objective	2.4	Explore city-supported environmental sustainability programs for residents

GOAL 3. Encouraging environmental stewardship and protection of Park City's natural environment through sharing of environmental information with the community and active, meaningful community participation		
Objective	3.0	Support local organizations that educate the public, schools, other jurisdictions, professional associations, business and industry about reducing global warming pollution
Objective	3.1	Support discussions for transit options between Park City and surrounding areas
Objective	3.2	Strengthen the State Residential Energy Code through strongly advocating for state and national policies that conserve energy, reduce carbon emissions and conserve water
Objective	3.3	Play an active role in environmental community education and outreach
Objective	3.4	Stay current on environmental initiatives, concepts & best practices
Objective	3.5	Encourage greater community participation in the creation of renewable energy projects in Park City
GOAL 4. Incorporate environmental considerations as an integral part in assessing growth management options, land use plans, transportation plans and development proposals.		
Objective	4.0	Reduce community-wide energy consumption & reduce community-wide energy costs
Objective	4.1	Increase utilization of alternative transportation
Objective	4.2	Maintain air quality at current levels
Objective	4.3	Improve visibility of night sky
Objective	4.4	Pursue a regulatory role to increase energy efficiency in new construction as well as remodels
GOAL 5. Continue to review and investigate best practices that have the potential of substantially improving the environment		
Objective	5.0	Ensure the Environmental Sustainability Plan keeps pace with technology, nation-wide trends and the community's collective interests

SECTION 3. EFFECTIVE DATE. This resolution shall become effective upon adoption.

PASSED AND ADOPTED this 22nd day of January 2009.

PARK CITY MUNICIPAL CORPORATION

____
Mayor Dana Williams

Attest:

____
Janet M. Scott, City Recorder

Approved as to form:

____
Mark D. Harrington, City Attorney

City Council
Staff Report

Subject: Business Retention & Recruitment Criteria
Author: Bret Howser, Budget Officer
Department: Economy
Date: January 5, 2012
Type of Item: Information/Discussion

Summary Recommendations:
Council should provide direction regarding the proposed criteria for assessing business for business retention and recruitment efforts.

Topic/Description:

- Business Retention & Recruitment Criteria

Background:
Council has adopted an Economic Development Strategic Plan which lays out the goals and strategies for the City's economic development initiatives. This was first set in 2003 and updated in 2010 with a re-prioritization of the vision, goals, strategies, and programs.

Council's vision for economic development is enveloped in the following statement:

> *To provide long-term economic health for the greater Park City region through a proper balance of tourism initiatives and sustainable community desires for those that live in and visit the area. As a guiding principle, all economic development initiatives will consistently strive to sustain a vibrant multi-seasonal destination resort community.*

Council has identified "Assist in business attraction/retention of both resort-based and year round businesses" as a top priority project and "Assist Park City businesses on retention and development initiatives" as a high priority project. While there are various efforts currently underway to effectuate this goal, there is not a single set of criteria or uniform process in place to identify the specific businesses or types of businesses that the City is targeting in these efforts.

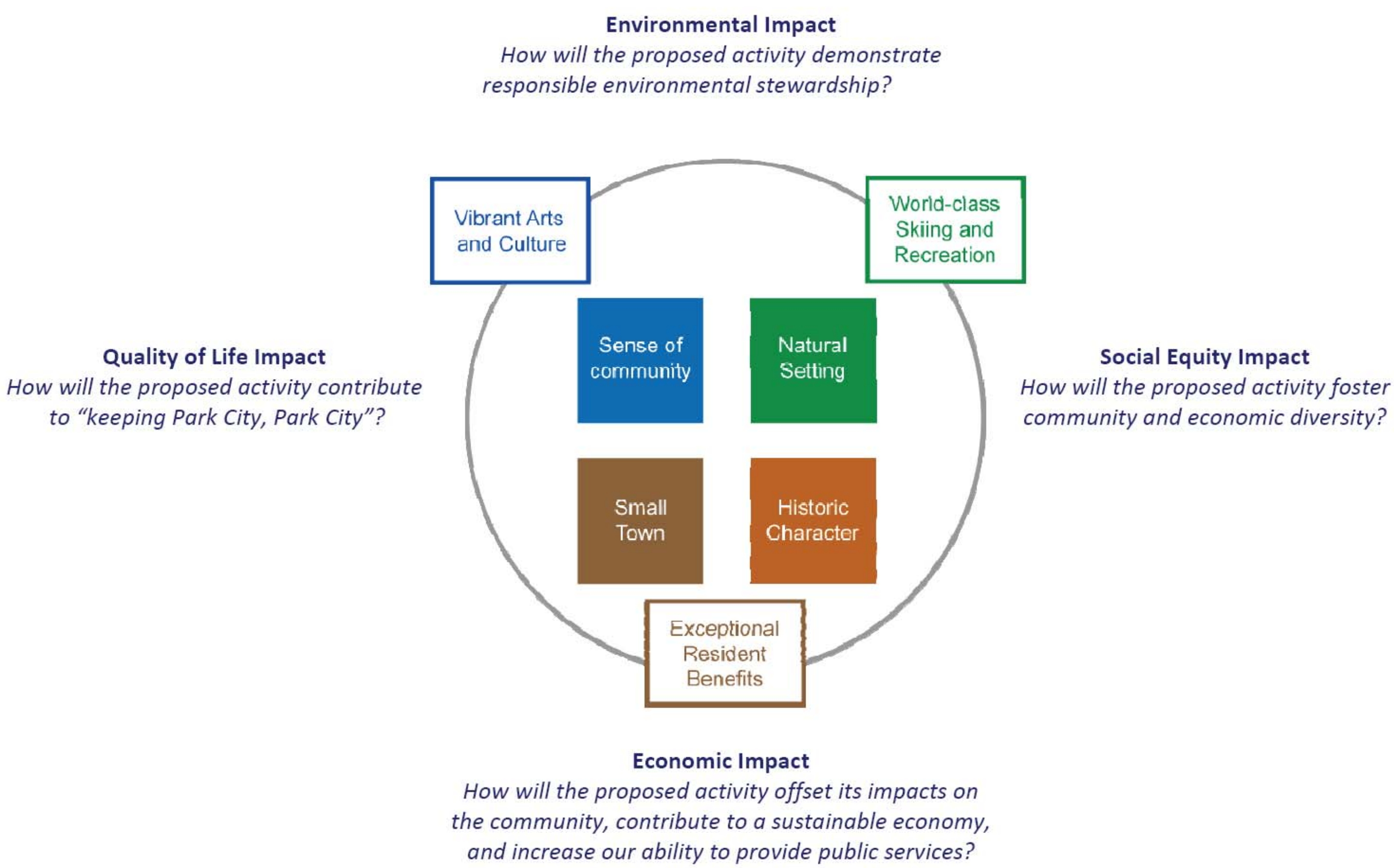
As staff begins to refine our business retention and attraction efforts, and in the event that the use of incentives becomes more common, it is critical to ensure that these efforts and incentives are being used exclusively for businesses that are in line with the community's and Council's vision.

The pending neighborhood plan for Bonanza Park (BOPA) is another impetus for seeking clarity in this area. The BOPA neighborhood plan will include manifold potential incentives which could be used to facilitate the type of redevelopment that the community would like to see there. For example, one of the guiding principles of the BOPA plan is "Maintain the area as a commercial district with special emphasis on fostering economic growth within the local resident population and existing businesses." This will involve methods, and perhaps incentives, for business attraction. The question is: How do we identify those businesses which foster economic growth within the local resident population which we intend to attract or perhaps even incentivize?

Analysis:

<u>Business Retention & Recruitment Criteria</u>

Staff has assembled a list of criteria in an effort to answer this question. The criteria set are based primarily on the outputs of the Community Vision exercise that was conducted in 2009. From the Community Vision, a framework was derived to help Council and staff to evaluate decisions (see graphic below). Staff believes that this same framework serves as an excellent lens for reviewing the businesses that we want to attract and retain. This criteria set has also been checked against the guiding principles in the BOPA neighborhood plan to ensure that it also allows for consistency with goals that are specific to a distinct geographic area.



1) **Quality of Life**: How will the business contribute to "keeping Park City, Park City"?
    a. General Plan/Neighborhood Plan fit

   b. Traffic Impact
   c. Housing Impact
   d. Etc.
2) **Environmental**: How will the business demonstrate responsible environmental stewardship?
   a. Low Carbon Footprint
   b. Greenspace
   c. Etc.
3) **Social Equity**: How will the business foster community and economic diversity?
   a. Local Ownership
   b. Local Employment
   c. Competition with Existing Business
   d. Etc.
4) **Economic:** How will the business offset its impacts on the community, contribute to a sustainable economy, and increase our ability to provide public services?
   a. Key Industry Clusters (Location Quotients)
   b. Regional Need (Reilly's Law)
   c. Jobs Created
   d. Tax Based Enhancement
   e. Impact on Park City Brand (Chain vs. Local, Size of chain, etc.)
   f. Etc.

Consistent with the Community Vision framework, there is not a set scoring methodology or quantitative formula for deciding which businesses satisfy these criteria. These four areas form a network of considerations that must be taken into account when analyzing how a new or existing business will affect Park City's system.

For this reason, staff proposes using a small team to evaluate each business that we might target in our business retention and recruitment efforts. The team would consist of the Assistant City Manager, the Public & Community Affairs Manager, the Environmental Sustainability Manager, the Economic Development Manager, and the Planning Director (or designee for any of those). This team would consider all the above criteria, separately and as a whole, produce a qualitative recommendation for individual businesses which we may target as part of our business retention and recruitment efforts.

<u>Retail Chains</u>
During the joint Council and Planning Commission meetings on redevelopment, much conversation was had regarding retail chains and their desirability. As has been noted in the past, while retail chains are not a large part of the Park City brand, they do exist in Park City in varying forms. Examples span from Roots and Marmot to Rite Aid and Burger King.

During these discussions, Council seemed generally unfavorable toward chains, with an understanding that smaller and less visible chains may be part of the makeup of commercial districts such as BOPA. If staff's understanding of this direction is correct, then staff will evaluate business proposals, within the context of the framework outlined above, giving preference to non-chain businesses or smaller, less visible chains.

Issues for Discussion:

1) Are the outlined criteria acceptable for Council? Should staff consider further elements in the framework?
2) Should staff focus on non-chain or smaller, less visible chains when considering businesses that may qualify for assistance within the City's business retention and recruitment efforts?

Next Steps:
Staff will incorporate Council direction into the criteria set, and return on January 12 with Business Resource Center update. This update will include information regarding the Park City Innovation Center (a proposed business incubator) which is a potential target for the City's business recruitment efforts. Staff will use this as a test case for application of the criteria set forth here, and return to Council with the evaluation results.

Ultimately, Council will consider policy questions regarding the application of business recruitment and retention tools (possibly including financial incentives) which could be used to assist businesses selected using the above criteria.

Department Review:
Budget, Debt & Grants, Sustainability, Planning, City Manager, Legal

Significant Impacts:
This item is for discussion. There is no Council action required.

Consequences of not taking the recommended action:
This item is for discussion. There is no Council action required.

Recommendation:
Council should provide direction regarding the proposed criteria for assessing business for business retention and recruitment efforts.

City Council
Staff Report

Subject: Strategic Planning & the Budget Process
Author: Bret Howser, Budget Officer
Department: Budget, Debt & Grants
Date: January 5, 2012
Type of Item: Information/Discussion

Summary Recommendations:
Council should provide direction regarding consolidated strategic planning efforts in preparation for the upcoming Visioning session, including affirming staff's proposed design for Biennial Strategic Plans and Budgeting for Outcomes Bids.

Topic/Description:
Strategic Planning & the Budget Process

Background:
During work session on October 13, the Budget Department presented a timeline illustrating a proposed process for the FY 2013 and FY 2014 budget biennium. Council directed staff to proceed with the proposed new budget process, which incorporates aspects of the Budgeting for Outcomes (BFO) process, collaborative budgeting, and performance measurement and benchmarking.

Staff began the new budget process in early November by reconvening the Budget Technical Team to look at long term revenue projections. In order to meet the Council's clearly communicated expectation to get involved early, the new budget process continued with two Council discussions in November and December regarding initial policy and strategic direction for each of the City's BFO Outcome Areas.

During work session on December 8, Council directed staff to forgo a third discussion on initial policy and strategic direction, and to return on January 5th with a more broad discussion of the Budgeting for Outcomes process and its tie to the City's strategic initiatives.

Analysis:

<u>The Link between Strategic Planning & Budgeting</u>
What does government do? According to the Utah League of Cities & Towns (ULCT), "The first and foremost purpose of local government is to provide services to people as a group that they cannot efficiently provide for themselves." The community elects representatives who are charged with articulating and effectuating those service demands.

How does government do this? In a variety of ways, of course, but one element is universal: they spend money. The community, either directly or via its representatives, says, “We want such and such,” and they pool together their resources (typically through some kind of tax) to get it. When the list of things the collectivity wants begins to get complicated, a financial plan – or budget – is required to do this effectively.

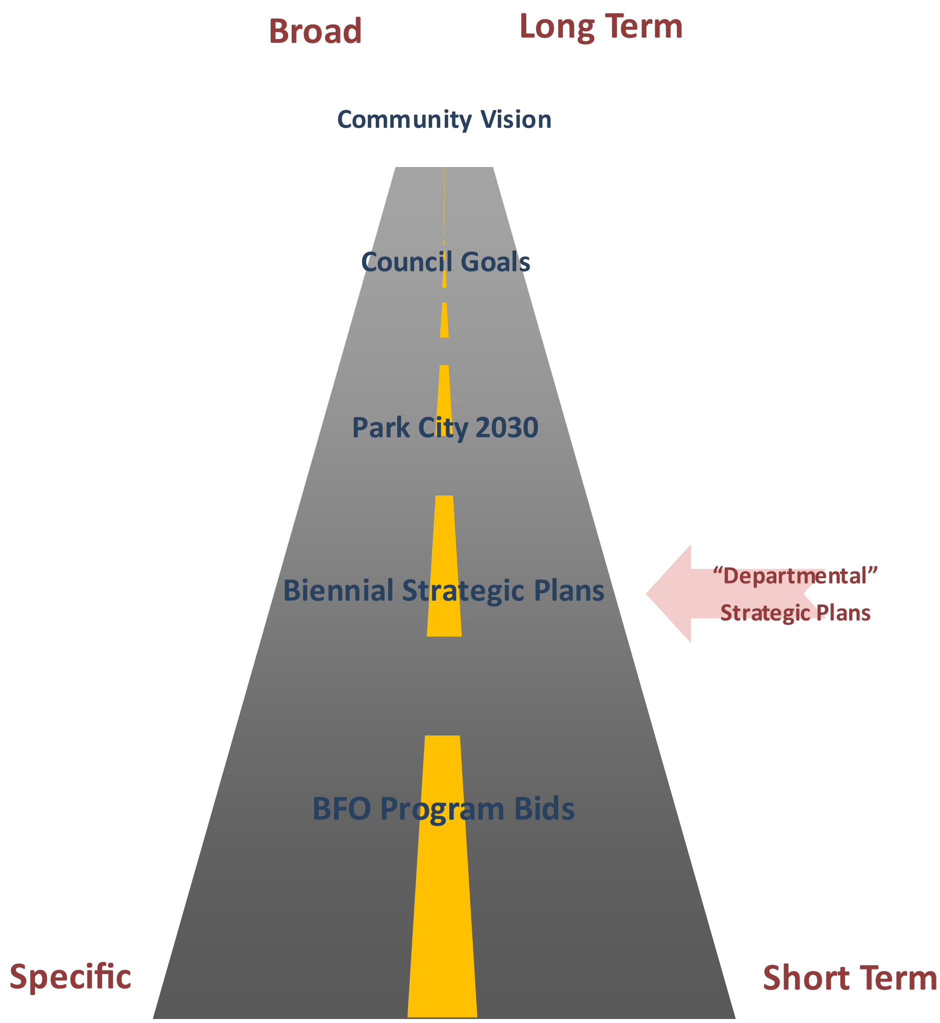
Strategic planning is the process of taking the broad ideas of the community and breaking them down into digestible strategies based upon prioritization that you can actually put a price tag on. This link between what government wants to do and how it does it is the gray area between policy and implementation.

Many (perhaps most) municipalities set some sort of broad vision, goals, or policies, and then attempt to apply that vision through incremental budget changes. The vision is supposed to guide policy decisions within a cohesive framework, as opposed to on an ad hoc basis which may be swayed by the emotions of the day or a vocal minority present at meetings. Realistically however, as applied to budgets of many millions of dollars that are described in hundreds of pages, it is nearly impossible to apply such broad policies to the budget process without either getting lost in the magnitude of [and ignoring] the large stuff or inefficiently swerving off track and crashing into the implementation wall on the small stuff. This truism is uniformly acknowledged anecdotally over and over again in any city council chamber via the statement “we spend hours debating a couple hundred dollars in grants, and nothing on multi-million dollar capital projects.” Indeed, there often seems to be little more than an ethereal “in theory” link between the community’s goals and the spending plan. Because of this, it is understandably difficult for city councils to feel comfortable that limited resources are being spent in a manner which most effectively achieves their vision.

The Budgeting for Outcomes (BFO) format which was proposed to Council in October is a variation of the process put forth as a best practice by Government Finance Officers Association (GFOA). BFO is a type of “Priority-Based Budget” process, which is the academic name for any budget process that seeks to align spending decisions more closely with goals, objectives, and strategies. That is what we are trying to achieve.

The graphic on the following page provides an illustration of how we intend to make this happen.

1) Park City residents and stakeholders articulate an overarching vision for the community.
2) From this vision, Council develops and refines a set of long-term goals, which it reviews each year.
3) Then a long-range strategic plan (tentatively dubbed Park City 2030) is developed to provide a sort of prioritized road map for achieving the Council’s goals and the Community Vision.
4) Each biennium, elements of the long-term strategic plan are proposed to be put into action as part of a set of biennial strategic plans.
5) Finally, departments put together program bids based on the biennial strategic plans. These make up the budget that Council adopts each year.



Many of the elements described here already exist. A Community Vision was completed two years ago which gives a remarkably clear understanding of what our community expects from their government in general. City Council has refined this into a set of broad but clearly stated goals (which, when Public Safety is added, we refer to as Outcome Areas). And last year we began constructing budgets by programs which could be associated with Outcome Areas.

However, it has become clear that we lack a certain level of specificity. When Council is approached with a list of programs within an Outcome Area, the information is too broad for decision-making purposes. When Council is approached with a book containing a program by program overview, it is too detailed for effective decision-making. Staff believes that strategic plans offer a balance of broad and specific information, and serve as a better platform upon which to construct a budget and make budgeting decisions, as well as a tool by which to prioritize "wants v needs."

<u>Biennial Strategic Plans</u>

The short-term strategic plan is intended to be a document that defines the specific objectives related to each of the City's eight Outcome Areas. It's a highly graphical way to communicate strategic direction within a policy area, and a tool to discuss possible policy directions during Visioning. It is *not* a replacement for existing "departmental" strategic plans (like the Ice Arena Strategic Plan, Economic Development Strategic Plan, etc.) or other long-term policy documents such as the General Plan. It may summarize aspects of these plans which pertain to action items for the upcoming biennium, but it does not supplant them.

A team of staff has developed a format for short-term strategic plans based on best practices. A mock document for the Recreation, Open Space & Trails outcome area is attached to give Council an idea of the content. Staff seeks direction regarding the makeup of this document. Of particular concern is whether the document will contain the appropriate level of detail to facilitate decision-making.

If Council gives direction to proceed with the attached template, staff will begin to develop a draft Biennial Strategic Plan for each Outcome Area. Council will be presented with these eight documents for Visioning, and these will be the focal point of strategic and policy discussion at Visioning. Staff will then take direction from Council and finalize these short-term strategic plans.

<u>BFO Bid Template</u>
Last fiscal year the BFO Bid Template was created by staff and submitted to and approved by Council on November 11, 2010. While the Bid Template provided a good framework for the "kickoff" of BFO, some Council members have asked that the Bid Template change to include a manager recommendation, less boxes, a cost savings description, and an analysis of funding a program at a lower level. It is expected that the number of programs will stay roughly the same. The length of the Bid Template should stay around one page for most of the programs as well.

An example of the proposed new template is attached. Changes are described below.

The scope is changing dramatically by not including a reduced or enhanced level of service. In this section, Council has made it clear that they want the department managers to make a recommendation as to what level of service should be provided for each program. Thus, every program will include a current level of service and a proposed level of service—these could be one and the same. The table detailing different levels of service has been done away with as well. In its place will be a more textual description regarding the level of service. Each program will also include the current cost or budget for each program along with a proposed amount for the next two fiscal years (FY13 and FY14). The proposed budget for FY13 and FY14 will be the total dollar amount for each program rather than an increase or decrease to the current budget. Again, these are meant to be bids, not incremental budget options. This section will also include a total FTE count per program.
A new section of the Bid Template is "Qualification for Meeting Criteria in Outcome Area." This section allows the department manager to explain and defend why their program meets Council's goals. This justification should be rooted in the strategic direction outlined in the Biennial Strategic Plan. Next there is a cost savings section that

allows the department manager to explain how they will be able to find savings or innovate within their program's budget. Then the next section will explain the consequences of not funding a particular program at the current budget or by cutting it completely. This will be used largely by the Results Team to determine whether programs that score low will receive less funding. Finally, the performance measure section has changed from a table of boxes to a textual format of describing current performance measures. This will help the Results Team and Council to know how effective the programs are.

Again, staff is looking for confirmation that this template will generally satisfy Council's needs when it comes to informing the decision-making process. The Biennial Strategic Plans will provide executive summary level information regarding the approach for achieving Council goals and the community vision. The Program Bids will give more specific detail for those who want to dig deeper. Naturally, there will always be some programs or other budget items which will require in-depth discussion during the budget hearings. This level of depth will be addressed in the budget document and in staff reports.

Next Steps

January: Staff will draft Biennial Strategic Plans

Jan-Feb: Departments will draft BFO bids in line with Biennial Strategic Plans

February: Council Visioning – Staff will present draft Biennial Strategic Plans to Council

March & April: Results Team will use Biennial Strategic Plans to guide BFO bid purchasing recommendations

May-June: Staff will present finalized Biennial Strategic Plans with recommended program budgets and BFO purchasing decisions

Department Review:

Budget, Debt & Grants, Sustainability, City Manager, Legal

Alternatives:

A. **Approve:** This item is for discussion. There is no Council action required.
B. **Deny:**
C. **Modify:**
D. **Continue the Item:**
E. **Do Nothing:**

Significant Impacts:

This item is for discussion. There is no Council action required.

Consequences of not taking the recommended action:

This item is for discussion. There is no Council action required.

Recommendation:
Council should provide direction regarding consolidated strategic planning efforts in preparation for the upcoming Visioning session, including affirming staff's proposed design for Biennial Strategic Plans and Budgeting for Outcomes Bids.

Attachments:
A – Mock Biennial Strategic Plan
B –Budgeting for Outcomes Bid Template

Recreation, Open Space & Trails

We want preservation of the natural environment while enjoying quality and affordable recreation that supports a healthy and active lifestyle for current and future generations.

Park City Municipal Corporation recognizes the paramount importance of the City's natural environment and recreational opportunities to resident quality of life, the visitor experience, the local economy, and essentially all aspects of the community that is Park City.

The City owns and operates several recreation facilities, including a recently renovated X square foot Municipal Recreation & Athletic Center, a (enter modifier) Ice Facility and Fields Complex, and an 18-hole Golf Course. Additionally the City owns and maintains X hundred acres of Parks and Open Space as well as X miles of urban and backcountry trails.

The City strives to provide the highest quality recreation programs for both youth and adult residents, and to give our guests the a first-class mountain town experience.

Community Vision

*The goal of Recreation, Open Space & Trails ties together various aspects of the Community Vision. Clearly, the preservation of open space is a key strategy for maintaining the **natural setting** that sets Park City apart. The availability of recreational facilities and programs help to bring the people together and preserve the **Sense of Community** and **Small Town** charm that is vital to our success. Also, the high quality of services, parks and trails are a big part of the **Exceptional Resident Benefits** enjoyed by the permanent population and are an integral part of the **World Class Skiing & Recreation** enjoyed by our visitors and second homeowners.*

Desired Outcomes

The Community and the City Council have identified the following desired outcomes related to this Outcome Area:

- Desired Outcome #1
- Desired Outcome #2
- Desired Outcome #3
- Desired Outcome #4
- Desired Outcome #5
- Desired Outcome #6
- Desired Outcome #7

Key Strategies

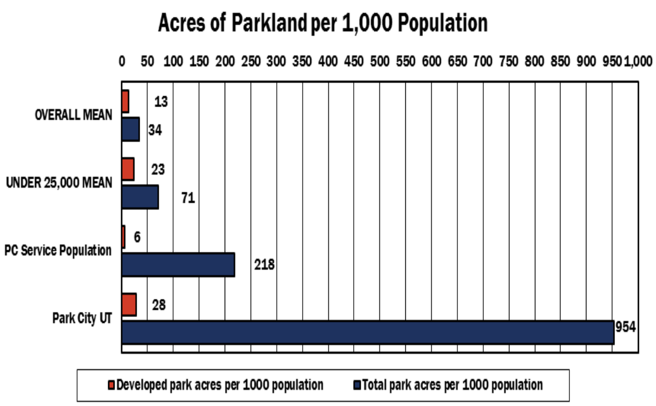
The following strategies have been identified as critical for achieving the Desired Outcomes:

- Open Space
  - ⇒ Acquisition, Maintenance &Preservation
- Trails
  - ⇒ Accessibility & Connectivity
  - ⇒ Amenities, Lighting & Safety
  - ⇒ Diversity/Quantity
- Recreation
  - ⇒ Golf, Ice, Fitness, Tennis, Aquatics, Cross Country Skiing
  - ⇒ Programs/Leagues
  - ⇒ Events/Tournaments
- Recreation
  - ⇒ Cemetery
  - ⇒ Playgrounds
  - ⇒ Neighborhood Parks
  - ⇒ Citywide/Regional Parks
  - ⇒ Athletic Fields
  - ⇒ Specialty Parks

The State of Recreation, Open Space & Trails

Park City enjoys some of the finest recreation opportunities, parks, trails system, and most expansive open space in the State. Surveys and benchmarked measures show that residents and guests alike are satisfied with related municipal services and that the City's programs and services, park space, facilities, etc. are comparable to or superior to other resort communities. The quality of service in Park City is generally high, with a small handful of areas of need identified.

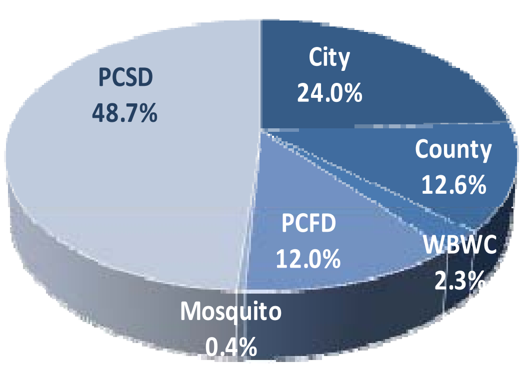
Core Indicators



Key Survey Data

Parks and Recreation Services Benchmarks				
	Park City average rating	Rank	Number of Jurisdictions for Comparison	Comparison to benchmark
City parks	87	4	247	Much above
Recreation programs or classes	81	3	259	Much above
Recreation centers or facilities	77	7	210	Much above

Random Pie Chart



Recent Successes

Awards Received

- Best Darned Ice Arena This side of Mississippi
- Best Group Costume at Halloween Party
- Coolest Baby Name (Harley)

Savings/Efficiencies Gained

- Consolidated Front Desk Operations
- Converted to New Pro Shop Software
- Combined Canine Yoga Classes with Feline Anger Management Course

Current Challenges

- Wet paint fumes at the PC-MARC
- Inability to play golf in the snow
- Financing Golf Cart Fleet Replacement
- Establishing new operating procedures at the MARC
- Satisfying demand for prime ice time
- Other challenges
- Other challenges
- Other challenges
- Other challenges
- Other challenges

Where Do We Go From Here?

Industry Trends

- Solar Golf Carts
- Zero-Gravity Pilates
- On-site dental care at Ice Arena
- Other Industry Trends

Potential Level of Service Changes

- Increased LOS at MARC
- Expand hours of ops at Ice Arena
- Increase Golf Pro Shop Inventory
- Other LOS Change

New Opportunities

- Increased Programming at MARC
- Second Ice Sheet
- Second Golf Course
- Aquatics Center
- Expanded Fields Complex
- Purchase Open Space at ???
- Build Trail at ???
- Other New Programs
- Other Capital Investement

Action Plan

2013-2014 Biennium

Operating Plan

- Enhance Levels of Service for this service, and reprioritize on that program
- Combine staff in these departments in order to enhance delivery of this service
- Introduce such and such a new program
- Expand hours of operation of this facility to 24 hours!

Capital Plan

- Purchase these new vehicles for that purpose
- Set aside this much money for the eventual investment in particular equipment
- Complete investment in this other capital asset

Other Targets for Action

- Discuss other identified Council Targets for Action that weren't incorporated in the first two bullets

Long Term Action Plan

- Bullet Point Discussion of Long Term Plan
- More bullets
- More bullets
- Etc.
- Etc.

Related Documents of Note:

- Ice Arena Strategic Plan
- Quinn's Junction Sports Complex Fields Use Plan
- Trails Master Plan
- Recreation Needs Assessment
- Other Documents ???

Points for Council Discussion

- **Position Paper #1**
  Summary

- **Position Paper #2**
  Summary

- **Position Paper #3**
  Summary

- **Position Paper #4**
  Summary

Recommended Actions

- **Recommendation #1: Explanation**
- **Recommendation #2: Explanation**
- **Recommendation #3: Explanation**
- **Recommendation #4: Explanation**

Program: **Adult Recreation Programs** **Department:** **City Recreation**

Description: This area includes a very wide range of services that are offered both in the recreation center as well as at off-site locations such as playing fields. Some of the items included are group fitness classes, fitness, aquatics, leagues (softball, basketball, volleyball, kickball, football, soccer) and classes.

Council Goal: **Recreation, Open Space & Trails**

Key Factor(s): **Recreation**
Parks

Section 1: Scope

Current LOS: Group Fitness is currently programmed at 53 class/wk and includes a certified instructor and reimbursement for training. Aquatics program includes a lap pool that's open April to October as well a coached workout. Fitness has a variety of equipment and preventative maintenance. There are 8 leagues that include individual and team awards. There are Dog Obedience and Enrichment classes.

Proposed LOS: With a completion of the new Municipal Athletic & Recreation Center (MARC) many services will need an upgrade or expanded services: Group Fitness needs to have expanded classes, this will include increased training and reimbursement. The Aquatics Pool will now be open year round with additional coached workouts. We need to increase staffing, preventative maintenance, and equipment replacement for Fitness. We need to expand league games as well as increase awards and tracking of league statistics. There is a need for an additional session of Dog Obedience and an increase of enrichment classes in health and well-being.

Section 2: Proposed Amount/FTEs

Expenditures	Current FY12	Proposed FY13	Proposed FY14
Personnel	$283,108	$311,419	$311,419
Materials	$72,856	$80,142	$88,156
Equipment Replacement	$9,859	$11,338	$13,038
Subtotal	**$365,823**	**$402,898**	**$412,613**
Revenues			
Recreation Fees	$322,721	$338,857	$355,800
Net Total	**$43,102**	**$64,041**	**$56,813**
FTEs			
FTR	2.17	2.39	2.39
PTNB	4.78	5.26	5.78
Total	**6.95**	**7.65**	**8.17**

Section 3: Qualifications for Meeting Criteria in Outcome Area

Recreation has been identified by Council as a high priority through Council's goals (Outcomes Area) and the strategic plan. The community has also expressed their desire for recreational adult programs, classes, and leagues through surveys and their strong support for constructing a new recreation facility. Proposed enhancement of programs, classes, and leagues is based of community survey results.

Section 4: Cost Savings/Innovation/Collaboration

Cost Savings: The Recreation Dept was able to save $10k annually in printing costs by not putting out the Play Magazine in paper format. It is now available exclusively on-line.
Collaboration: Since Snyderville Basin now has a Dodge ball league, we are able to consolidate our leagues to form one big Dodge ball League. This will produce a $5,000 annual cost savings in dodge ball replacement, awards, and arm bands.

Section 5: Consequences of Funding Proposal at Lower Level

The consequences of lowering the funding for this program include fewer classes, less qualified instructors, and no reimbursement for Group Fitness. In Aquatics we would have to reduce lifeguards, there would be no coached workouts, and we would shorten the season. In Fitness there would be less variety, no preventative maintenance, and reduced equipment replacement. There would also be fewer league games and officials, and we would eliminate awards. There would be fewer classes of Dog Obedience and enrichment.

Section 6: Performance Measures

The percentage of participants that rate the program or service as very good or excellent is 90%. We would hope that the proposed level we could increase this to 95%. The percentage of people that recommend the program to others right now is 90%. We would hope to increase this to 95% with the new proposed level of funding.

PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
DECEMBER 8, 2011

Present: **Mayor Dana Williams; Council members Alex Butwinski; Joe Kernan; Cindy Matsumoto; Dick Peek; and Liza Simpson**

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Michael Kovacs, Assistant City Manager; Kent Cashel, Transportation Manager; Linda Tillson, Library Director; Jasmina Juric, Librarian; Rhoda Stauffer, Housing Analyst; ReNae Rezac, Analyst II; Jed Briggs, Budget Analyst

1. Council questions/comments. Cindy Matsumoto commented on the breakfast meeting with the School District and Summit County. Alex Butwinski congratulated KPCW on a successful community meeting this week where affordable housing was raised and a program for mentoring small or struggling business. Liza Simpson attended the breakfast meeting and reported on business associated with the Summit County Health Department. She also shared information from the Recreation Advisory Board meeting and Lodging Association meeting.

The Mayor spoke about a hand-cyclist event, *Sea to Shining Sea,* which is spearheaded by Paul Brenner, former ambassador to Iraq. This cross-county event is intended to raise awareness on the plight of injured soldiers and Park City will be one of the stops on the tour in June. He reported that the Occupy Park City permit has been renewed for another month. Mayor Williams commented on a Council of Governments meeting and a discussion of the disposition of funds for street improvements held in a COG fund. Summit County is interested in installing two round-abouts at Redstone. Kent Cashel explained that $10 from license plate registration is placed in a fund which can only be used for right-of-way acquisition and initially it had to be on a state highway. The City received a reserve of about $700,000 and the money has not been spent. He believes there needs to be a process for prioritizing projects because of the danger of allocating money on a first come first serve basis. City and County staff will be working together to formulate a process. Mayor Williams continued that the County is implementing a TDR program which was discussed with all of the cities. Cities are concerned that annexation boundaries be protected. He spoke about a visit from Chinese students this week.

Linda Tillson and Jasmina Juric presented members with their own Read Poster and thanked City leaders for participating in the program.

2. Senior strategic plan. ReNae Rezac stated that the Summit County Council approved the strategic plan on November 30, 2011 and staff is requesting approval of the plan. The four goals, presented in June and identified through the 2009 survey and a seniors working group, have been formed to develop strategies and a time line for accomplishing goals. The first five goals include information dissemination, program participation, an aging-in-place program, housing, and transportation.

Rhoda Stauffer relayed that since June, strategies, a time frame and assignments have been added. In the first six to twelve months, information dissemination will be the focus with a number of key meetings scheduled to cover the other goal areas. The last unmentioned goal is hiring a full-time staff person, knowing that the City or the County do not have funding for a new employee. The City and County are committing existing employees' time and the County may hire some contract help. It was clarified that the City owns the senior center building and land.

Ms. Simpson brought up the amount of available existing housing and Ms. Stauffer explained that affordable housing for seniors should have certain amenities. Alex Butwinski found it helpful to include the timeline and the Mayor felt this is a great beginning.

3. Pre-visioning budget workshop. Jed Briggs explained that this is the second pre-visioning session of three to gain an understanding of Council's direction on levels of service for BFO programs. Staff is providing a variety of information to determine what programs should be enhanced or reduced to better prepare for the budget process. On November 17, Council looked at preservation of Park City character, world-class multi-seasonal resort community, and open and responsive government. Effective transportation, regional collaboration of partnerships, and public safety are the topics for this afternoon.

Mr. Butwinski felt he needed more information, specifically the National Citizen Survey results which will be discussed next week. He pointed out that ease of car travel was addressed in the survey which is in conflict with reducing the number of cars in town. Mr. Kernan felt that the subcategories in the Public Works Department are too detailed for Council members and suggested creating 12 broad categories throughout the City with high level data, cost impacts, and recommendations. He would have to devote a lot of time to study or meet with staff on the subcategories to determine if the levels of service should be changed. Information like costs over time is helpful as are managers' narratives. Mayor Williams agreed that he felt he did not know enough about some operations to fairly evaluate them.

Alex Butwinski discussed the BFO process and pointed out that there will be about 150 bid sheets. Tom Bakaly explained that departments are being asked to cost off expenses but not to prepare the bids yet because there needs to be more philosophical discussion with Council about programs. He emphasized that the BFO process is a tool to cut services and the process began two years ago to reduce costs. It may be that the Council needs to revisit the purpose of the BFO approach. The goal of all of the sheets is to provide members with enough information to reduce services now and avoid problems in three to five years. Staff is trying to be proactive in identifying service levels and future costs and he again urged members to revisit the overall goal. He felt it important to ask *what is it we do, how much does it cost, and how does it compare to others*? The next question is what the public thinks about the service levels provided by the City, which are ranked pretty high. He asked if Council is committed to reducing costs in the future or maintaining service levels.

The Mayor noted the difficulty in predicting the consequences and/or costs of reducing some service levels. Mr. Butwinski stated that he doesn't look at BFO as an exercise to solely cut costs because it can be used to determine what we want to do, what it costs, and whether we want to continue doing it. When service levels are raised it is hard to lower them and this gives Council an opportunity to look at services and not to over-promise and/or under-deliver. Joe Kernan suggested capping service levels and if a service exceeds costs by 2% or so, it is examined and a cut has to be made somewhere. Mr. Kernan felt that 150 bids may be too many for the first round of review. Alex Butwinski suggested that staff provide recommendations and the Mayor agreed that it makes sense since staff has expertise in these matters. Liza Simpson did not view the process as looking only for ways to cut. Mr. Bakaly interjected that that is what BFO was created to do. Ms. Simpson stated that she found it helpful in prioritizing and thought the intent was a way for members to provide initial feedback.

Tom Bakaly stated that the City is in a better position than it was two years ago, but an adjustment will have to be made in three to five years and it may be good to make some modifications now. He pointed out that Old Town improvements are not funded because of the reluctance to allocate future sales tax revenue and there are funding issues that need to be addressed. *Park City is in the position it is now because of doing hard things when we didn't have to.*

Cindy Matsumoto relayed that she didn't want service levels to decrease and cutting down on services like biking affects tourism and our economy. Alex Butwinski pointed out, however, that there are some programs or services that are maxed out at their development levels and more money may not necessarily be needed.

Tom Bakaly stated that it sounds as if members are not interested in reducing service levels and that discussion needs to take place. Joe Kernan believed that managers should be asked what they would recommend to reduce and at what levels. His interests are in maintaining public works and public safety levels. Mr. Butwinski discussed the value of the expertise of managers. The City Manager suggested not having another session next week so that costs can be refined and returning on January 5. The Mayor agreed with Mr. Kernan's comments about simplifying the categories and being accountable to the citizenry.

Liza Simpson believed that members understood going into the process that they weren't following anyone else's model and a fair amount of time would be involved in tweaking the process. She felt that a cafeteria approach to BFO is appropriate. Quality of roads and amount spent per mile was discussed at length. Rather than thinking in terms of cuts, Alex Butwinski encouraged considering reductions as savings. Tom

Bakaly advised that in the interim, staff will work on a template to present the information and managers will take a more active role in recommending areas that could be modified. He pointed out Park City's very high public safety ratings which attracts people here and offers an economic benefit to the community.

Mr. Bakaly pointed out that members have already received the budget staff report for December 15, but there won't be a work session on this until January 5. Departments will work on updating their costs, designing the format and next week, the focus will be on reviewing the results of the National Citizens Survey.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH,
DECEMBER 8, 2011

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at a special time at approximately 5 p.m. at the Marsac Municipal Building on Thursday, December 8, 2011. Members in attendance were Dana Williams, Alex Butwinski, Joe Kernan, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager; and Mark Harrington, City Attorney.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

None.

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

1. Occupy Park City- Tyler Galovich, Kamas resident and Occupy Park City leader, questioned why more activism doesn't occur in Park City. There is situation with corporations in our country who have the right to represent themselves as individuals and there are situations created from this corporate personhood which are hurting the environment and economy. The rest of the world is asking us as Americans to start talking about this and to better the situation. He spoke about cities willing to address Washington against corporate personhood. He hoped to begin discussions with Park City who could become the role model for Utah and will be at City Council meetings every Thursday.

2. KPCW Forum – Resident Charlie thanked the City for participating.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF NOVEMBER 17, 2011

Alex Butwinski, "I move to approve the work session notes and minutes of the meeting of November 17, 2011, as corrected". Joe Kernan seconded. Motion unanimously carried.

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

1. Consideration of an Ordinance approving a plat amendment for Lot 2 of Morning Star Estates, Park City, Utah – The Mayor opened the public hearing; there were no comments. Cindy Matsumoto, "I move that we continue New Business Item No. 1 to December 15, 2011". Dick Peek seconded. Motion unanimously carried.

2. Consideration of a Resolution adopting a Senior Strategic Plan for Park City, Utah – See work session discussion. The Mayor opened the public hearing; there was no input and the public hearing was closed. Liza Simpson, "I move we approve a Resolution adopting a Senior Strategic Plan for Park City". Alex Butwinski seconded. Motion unanimously carried.

VII ADDITIONAL DISCUSSION – AGENDA ITEMS

None.

VIII ADJOURNMENT

With no further business, the regular meeting of the City Council was adjourned and a joint work session with the Planning Commission convened at 5:30 p.m.

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 2 p.m. Members in attendance were Mayor Dana Williams, Alex Butwinski, Joe Kernan, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Thomas Eddington, Planning Manager; Diane Foster Sustainability Manager; Joan Card, Environmental Regulatory Manager; Jason Christensen, Environmental Regulatory Council, Jim Blankenau, Environmental Regulatory Analyst; Andy Beerman, Council-elect; Tom Daley, Deputy City Attorney; and Mark Harrington, City Attorney. Alex Butwinski, "I move to close the meeting to discuss litigation and property". Dick Peek seconded. Motion carried unanimously. The meeting opened at approximately 3:15 p.m. Liza Simpson, "I move to open the meeting". Alex Butwinski seconded. Motion unanimously carried.

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

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
DECEMBER 15, 2011

Present: **Mayor Dana Williams; Council members Alex Butwinski; Joe Kernan; Cindy Matsumoto; and Liza Simpson**

Tom Bakaly, City Manager; Mark Harrington, City Attorney; and Phyllis Robinson, Public Affairs Manager

Dr. Tom Miller, President of the National Research Center

Absent: **Council member Dick Peek**

1. Council questions/comments. Cindy Matsumoto acknowledged that this is Joe Kernan's last meeting, and relayed that it has been a pleasure working with him. Mayor Williams discussed serving on the Mosquito Abatement Board. He distributed correspondence from the Mountain Partnership and discussed meeting with a number of water districts over the week on developing a true regional water system. He and Heinrich Deters had dinner with Paul Bremmer, former US ambassador to Iraq, who is involved in organizing a hand-cyclist event for injured soldiers which will pass through Park City in June. The Mayor discussed efforts to form a Latino Advisory Council. He thanked Joe Kernan for his eight years of service on the City Council and complimented him on serving the community extremely well. Mr. Kernan was influential in changing policy because of his participation which has made a difference.

2. Presentation of National Citizen Participation Survey. Phyllis Robinson introduced Dr. Tom Miller who works with communities across the country and also the International City Management Association. Dr. Miller commented about how Park City reminds him of his home in Boulder however Park City's ratings on the Citizens Survey are much better. Because they do these surveys across the country and don't presume to know the communities, they always team with a local partner or staff member and Phyllis Robinson has been extremely helpful. Sometimes citizen surveys reconfirm ideas elected officials already have, quantify the local government's performance, and measure outcomes. Through this window, the City hears from people it normally doesn't hear from and many respondents have never been to a public hearing. Survey results provide a different perspective. Hearing from consumers is useful and information from the survey is already being used by Park City. Dr. Miller again mentioned his partnership with ICMA and also the National League of Cities. The Citizen Survey has been conducted in over 250 jurisdictions around the country and information is quantitatively integrated for benchmarking purposes. He noted that survey results are used for budgeting, strategic planning, and performance tracking. Park City sampled 1,200 households by mail selected at random where there was a 30% response rate. Typically, the response rate is between 25% and 40% and the margin of error is about 5%. The data is weighed so that the demographic profile of the sample mimics the 2010 Census. He presented information through a PowerPoint presentation.

Dr. Miller referred to a high rating for ease of bus travel which is rarely seen anywhere and discussed good ratings for streets and signals. However, Park City had a weak rating for affordable housing and 40% of the population is spending more than 30% of their income on housing. The overall appearance of Park City is very positive and the quality of new development is roughly what is seen in other cities. Planning, code enforcement and animal control rated higher than in comparison areas. Dr. Miller stated that economic sustainability is very positive even though employment opportunities were scored excellent to good by 43% of the respondents which is well above the average. Renters rated employment opportunities higher than owners as there might be some jobs that are more appealing to renters.

Public safety numbers are very high and the scores between day and night are miniscule. About 10% of residents relayed that they had been victimized by a crime which is below the average. Public safety and EMS services are rated high as well as environmental sustainability. Dr. Miller relayed that utility services are rated very high except for water which was low and stood out from other scores. Opportunities for recreation was the highest rating that the National Research Center has seen among 239 jurisdictions. Cultural events, education and library ratings are high and the public school ratings were above benchmark. Seventy percent gave excellent or good ratings to the availability of affordable quality health care. Park City was rated well for raising children but the availability of affordable child care scored low. Discussion ensued on services the City does not deliver but influence what people think of Park City. Dr. Miller relayed that a high percentage of people felt there are volunteer and community opportunities and Park City rated very well for value of services for taxes paid. The feeling about the overall direction the City is taking varies depending on the demographics. About 50% to 70% of residents had some contact with local government over the past year and interactions with City employees were rated positively.

He explained that the service ratings most highly linked to the overall rating of a local government's performance are identified as key drivers and for Park City they are police and recreation services. This is another way of finding what services people feel are important. When asked about emergency preparedness, most responded that they were somewhat prepared but most were not. The survey asked citizens their willingness to pay for reduction of density on Treasure and 72% were willing to pay something to remove the entire density and $175 per year was the median amount. There was less support for reducing some of the density rather than all of it at 51% and the median payment was about $1 per year.

Dr. Miller stated that overall City services received higher ratings by newcomers as did the overall direction of Park City compared to residents who have lived here 20 or more years. The Mayor commented that it could be that long-time residents get used to a high level of service. Dr. Miller felt that there could be folks that have been here a long time and have seen changes that may not be what they are looking for. He addressed the low child care score but 50% did not answer the question.

The conclusions of the National Research Center included strong public trust, alternate transportation, cleanliness of the community, preservation of open space, and sustainability scores. Police and recreation services are identified as key drivers. Joe Kernan noted that the City Council has made a conscious investment in the Police Department which doesn't make everyone happy. With regard to perceptions and reality, Mayor Williams referred to concerns about growth in the community while the 2010 Census reflects only growing by about 20 people a year. Joe Kernan believes that the survey information helps elected officials to ask questions.

Alex Butwinski stated that it is hard to believe that anyone would feel unsafe on Main Street during the day. Dr. Miller explained that older people tend to feel more unsafe than younger people. Crime statistics are readily available but victimization rates come from surveys and Park City has a lower rate than experienced in other places. The Mayor felt that the survey results provide some direction although members are aware of the challenges of affordable housing and water. He likes the consistency of the findings of the survey with the Community Visioning done a year and a half ago. Dr. Miller commented that the concern about growth is common in attractive communities. Liza Simpson pointed out the growth in special events; the town is a lot busier which may contribute to the perception that it is due to population growth.

Mr. Butwinski noted that the survey revealed that well over 50% are registered voters and voted in the last election which he questioned. He felt that there may be reluctance on some of the questions to be truthful. Dr. Miller acknowledged that some questions prompt socially desirable answers and added that wealthier communities give themselves higher ratings. Mayor Williams expressed that the survey results were fascinating to read. Liza Simpson stated that this makes her very proud of City staff. Alex Butwinski felt it may have been helpful to include more than four ski towns.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH,
DECEMBER 15, 2011

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, December 15, 2011. Members in attendance were Dana Williams, Alex Butwinski, Joe Kernan, Cindy Matsumoto, and Liza Simpson. Dick Peek was absent and excused. Staff present was Tom Bakaly, City Manager; Wade Carpenter, Chief of Police; Tyler Poulson, Sustainability and Environmental Coordinator; Scott Robertson, IT Manager; and Mark Harrington, City Attorney.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Swearing in of Police Officers Corey Allinson and Jesse Bates – Police Chief Wade Carpenter introduced the officers and the Mayor administered the oaths of office.

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

Occupy Park City – Tyler Galovich, Kamas resident and Occupy Park City organizer, discussed an organization called *Move to Amend* and distributed information about it. The rights protected by the Constitution of the United States are for natural persons and artificial entities such as corporations, etc. established by the laws of any state should have no rights under the Constitution and are subject to regulation by the people. He read portions of the amendment from the pamphlet also addressing campaign contributions. He believed this will be a long process and he spoke about the militarization of America. Rather than making copies of this information for Council members, Liza Simpson encouraged Mr. Galovich to send information to their City email addresses.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF DECEMBER 1, 2011

Alex Butwinski, "I move we approve the work session notes ad minutes of the meeting of December 1, 2011". Cindy Matsumoto seconded. Motion carried.

Alex Butwinski	Aye
Joe Kernan	Aye
Cindy Matsumoto	Aye
Dick Peek	Absent
Liza Simpson	Aye

V CONSENT AGENDA *(Items that have previously been discussed or are perceived as routine and may be approved by one motion. Listed items do not*

imply a predisposition for approval and may be removed by motion and discussed and acted upon under "Additional Discussion – Agenda Items")

Alex Butwinski, "I move that we remove Consent Agenda Item No. 3". Joe Kernan seconded. Motion carried. Joe Kernan, "I move to approve all of the items on the Consent Agenda except Item No. 3". The Mayor confirmed the amount of two premium payments under Item No. 6 as final numbers were not available at the time the meeting packet was distributed. Liza Simpson seconded. Motion carried.

Alex Butwinski	Aye
Joe Kernan	Aye
Cindy Matsumoto	Aye
Dick Peek	Absent
Liza Simpson	Aye

1. Consideration of acceptance of Comprehensive Annual Financial Report for 2011 – Approved.

2. Consideration of a change order to the 3rd Street Stairs Construction Agreement with Northridge Construction, Inc., for additional work in an amount of $48,802, in a form approved by the City Attorney – Approved.

3. Consideration of a Memorandum of Understanding for the Destination Tourism and Community Events Partnership, in a form approved by the City Attorney – In response to a question from Alex Butwinski, Bill Malone, Director of the Chamber/Bureau, clarified that the job description in the staff report is Bob Kollar's current position and a new position is not being created. Joe Kernan, "I move approval of the Memorandum of Understanding for the Destination Tourism and Community Events Partnership". Cindy Matsumoto seconded. Motion carried.

Alex Butwinski	Aye
Joe Kernan	Aye
Cindy Matsumoto	Aye
Dick Peek	Absent
Liza Simpson	Aye

4. Consideration of Contract Amendment No. 2 with Applied Geotechnical Engineering Consultants (AGEC) for design and construction management services for the Royal Street Emergency Repairs in a form approved by the City Attorney for an amount of $3,237, in a form approved by the City Attorney – Approved.

5. Consideration of final payment to Granite Construction Company for the Royal Street Emergency Repairs for an amount of $384,315, in a form approved by the City Attorney – Approved.

6. Consideration of authorization of the following Insurance premium payments for the 2012 City insurance placement covering a one-year period January 1, 2012 through January 1, 2013: $118,724 Premium payment to States Self-Insurers Risk Retention Group, Inc.; $4,104 premium payment to States Self-Insurers Risk Retention Group, Inc. for Potable Water Treatment Operations insurance supplements; $127,676 premium payment to Workers Compensation Fund; $85,453 premium payment to Affiliated FM for property, boiler and machinery insurance; and $1,630 premium payment to Hartford for property insurance for 1255 Iron Horse Drive – Approved.

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

1. Consideration of a Resolution for Building Department fee waivers on new Renewable Energy Projects in 2012 – Tyler Poulson explained that the waivers apply to solar photovoltaic, solar thermal and small scale wind projects. Three applications were received in 2011 for renewable energy systems and the total fee waiver value was roughly $1,700. The City Council asked that this be bought back on an annual basis for consideration. The Mayor invited public input; there was none. Alex Butwinski, "I move we approve a Resolution for Building Department fee waivers on new renewable energy projects in 2012". Liza Simpson seconded. Motion carried.

Alex Butwinski	Aye
Joe Kernan	Aye
Cindy Matsumoto	Aye
Dick Peek	Absent
Liza Simpson	Aye

2. Consideration of a Resolution accepting the designation of specified areas within Park City Municipal Corporation limits to be Utah Recycling Market Development Zones – Tyler Poulson explained that the recycling market development zones were created in the mid-1990s at the state level. They allow companies involved with recycling activities to take advantage of special tax credits as long as they are located within a zone. He spoke about the potential of the Legislature discontinuing the program but if localities renew their zones before the year ends, their status will remain valid through the year 2015. In a response to a question from Alex Butwinski, Mr. Poulson explained that it is up to the municipality to determine what level of support it is going to extend and there is no base line commitment. Joe Kernan abstained from discussion or voting because he is the owner of a recycling company in the City. The Mayor invited public comment; there was none. Liza Simpson, "I move we approve a Resolution accepting the designation of specified areas within Park City Municipal Corporation limits to be Utah Recycling Market Development Zones". Alex Butwinski seconded. Motion carried.

Alex Butwinski	Aye
Joe Kernan	Abstention
Cindy Matsumoto	Aye

Dick Peek	Absent
Liza Simpson	Aye

VII OLD BUSINESS *(Continued items)*

1. Consideration of an Ordinance approving a plat amendment for Lot 2 of Morning Star Estates, Park City, Utah – The Mayor opened the public hearing; there was no input. Cindy Matsumoto, "I move that we continue Old Business Item No. 1 to January 5". Liza Simpson seconded. Motion carried.

Alex Butwinski	Aye
Joe Kernan	Aye
Cindy Matsumoto	Aye
Dick Peek	Absent
Liza Simpson	Aye

2. Consideration of a Resolution adopting retention and classification schedules for certain records maintained by Park City Municipal Corporation pursuant to the Utah Governmental Records Access and Management Act and replacing Resolution No. 33-08 in its entirety – Scott Robertson explained that this item has been continued a couple of times and all of the changes directed by the City Council are included in the draft Resolution. The Historic District Grant Log is a new category and meeting recordings for City Council, Planning Commission, Board of Adjustment and Historic Preservation Board will be kept permanently. Mr. Robertson stated that rather than being selective on what to keep, Historic District Design Review files will be maintained permanently. The Mayor opened the public hearing; there were no comments from the audience. Joe Kernan, "I move we approve the Resolution adopting retention and classification schedules for certain records maintained by Park City Municipal Corporation pursuant to the Utah Governmental Records Access and Management Act and replacing Resolution No. 33-08 in its entirety". Alex Butwinski seconded. Motion carried.

Alex Butwinski	Aye
Joe Kernan	Aye
Cindy Matsumoto	Aye
Dick Peek	Absent
Liza Simpson	Aye

VIII ADDITIONAL DISCUSSION – AGENDA ITEMS

IX ADJOURNMENT

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

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 3:30 p.m. Members in attendance were Mayor Dana Williams, Alex Butwinski, Joe Kernan, Cindy Matsumoto, and Liza Simpson. Council member Dick Peek was absent and excused. Staff present was Tom Bakaly, City Manager; Diane Foster, Sustainability Manager; Thomas Eddington, Planning Manager; Tom Daley, Deputy City Attorney; Heinrich Deters, Trails Coordinator; Andy Beerman, Council-elect; Michael Kovacs, Assistant City Manager; Jonathan Weidenhamer, Economic Development Manager; and Mark Harrington, City Attorney. Alex Butwinski, "I move to close the meeting to discuss property and litigation". Joe Kernan seconded. Motion carried unanimously. The meeting opened at approximately 4:40 p.m. Alex Butwinski, "I move to open the meeting". Liza Simpson seconded. Motion carried.

Alex Butwinski	Aye
Joe Kernan	Aye
Cindy Matsumoto	Aye
Dick Peek	Absent
Liza Simpson	Aye

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

Prepared by Janet M. Scott, City Recorder

PARK CITY REDEVELOPMENT AGENCY
SUMMIT COUNTY, UTAH
JUNE 16, 2011

I ROLL CALL

Chairman Dana Williams called the regular meeting of the Redevelopment Agency to order at approximately 6:20 p.m. at the Marsac Municipal Building on Thursday, June 16, 2011. Members in attendance were Dana Williams, Alex Butwinski, Joe Kernan, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, Executive Director; Mark Harrington, City Attorney; and Budget Officer Bret Howser.

II PUBLIC INPUT

Liza Simpson corrected the roll call for January 6, 2010, noting that Candace Erickson was present not Dick Peek.

III MINUTES OF MEETING OF JANUARY 6, 2011

Cindy Matsumoto, "I move we approve minutes of the January 6, 2011 Redevelopment Agency meeting as corrected". Joe Kernan seconded. Motion carried with an abstention by Dick Peek.

Alex Butwinski	Aye
Joe Kernan	Aye
Cindy Matsumoto	Aye
Dick Peek	Abstention
Liza Simpson	Aye

IV NEW BUSINESS

1. Consideration of a Resolution adopting the Fiscal Year 2011 Revised Budget and the Fiscal Year 2011 Budget for the Park City Redevelopment Agency - Chairman Williams opened the public hearing. There was no input and he closed the hearing.

Cindy Matsumoto, "I move we approve a Resolution adopting the Fiscal Year 2011 Revised Budget and the Fiscal Year 2011 Budget for the Park City Redevelopment Agency". Liza Simpson seconded. Motion carried unanimously.

V ADJOURNMENT

With no further business, the regular meeting of the Redevelopment Agency was adjourn4ed.

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 Sharon Bauman, Secretary

PARK CITY MUNICIPAL BUILDING AUTHORITY
SUMMIT COUNTY, UTAH
JUNE 16, 2011

I ROLL CALL

Mayor Dana Williams called the regular meeting of the Park City Municipal Building Authority to order at approximately 6:25 p.m. at the Marsac Municipal Building on Thursday, June 16, 2011. Members in attendance were Dana Williams, Alex Butwinski, Joe Kernan, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; and Budget Officer Bret Howser;

II PUBLIC INPUT

There was no public input.

III MINUTES OF MEETING OF JANUARY 6, 2011

Liza Simpson, "I move we approve minutes of the meeting of January 6, 2011". Joe Kernan seconded. Motion carried with the abstention of Dick Peek.

Alex Butwinski	Aye
Joe Kernan	Aye
Cindy Matsumoto	Aye
Dick Peek	Abstention
Liza Simpson	Aye

IV NEW BUSINESS

1. Consideration of a Resolution adopting the Fiscal Year 2011 Revised Budget and the Fiscal Year 2011 Budget for the Park City Municipal Building Authority – Mayor Williams opened the public hearing. There was no input and he closed the hearing.

Liza Simpson, "I move we approve a Resolution adopting the Fiscal Year 2011 Revised Budget and the Fiscal Year 2011 Budget for the Park City Municipal Building Authority". Cindy Matsumoto seconded. Motion carried unanimously.

V ADJOURNMENT

With no further business, the regular meeting of the Municipal Building Authority 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 Sharon Bauman, Secretary

PARK CITY WATER SERVICE DISTRICT MEETING
SUMMIT COUNTY, UTAH
JANUARY 6, 2011

I ROLL CALL

Chairman Dana Williams called the regular meeting of the Water Service District to order at approximately 7:15 p.m. at the Marsac Municipal Building on Thursday, January 6, 2011. Members in attendance were Dana Williams, Alex Butwinski, Joe Kernan, Cindy Matsumoto, Candace Erickson, and Liza Simpson. Staff present was Tom Bakaly, Executive Director, and Mark Harrington, City Attorney.

II PUBLIC INPUT

None.

III MINUTES OF MEETING OF FEBRUARY 25, 2010

Candace Erickson, "I move approsval of the minutes of the meeting of February 25,, 2010". Joe Kernan seconded. Motion unanimously carried.

IV CONSENT AGENDA

Resolution establishing a regular meeting date, time, and location for 2011 meetings and appointing officers of the Board of Directors of the Park City Water Service District – Joe Kernan, "I move approval of the Consent Agenda". Alex Butwinski seconded. Motion unanimously carried.

V ADJOURNMENT

With no further business, the regular meeting of 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 Janet M. Scott, City Recorder

City Council
Staff Report

Subject: **Mayor Pro Tem and Alternate Appointments and Resolutions setting forth 2012 meeting dates**
Author: **Janet M. Scott, City Recorder**
Department: **City Manager's Office**
Date: **January 5, 2012**
Type of Item: **Administrative**

Summary Recommendations:
Appointment of Cindy Matsumoto as Mayor Pro Tem and Alex Butwinski or Dick Peek as Alternate Mayor Pro Tem and 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:
Mayor Pro Tem appointments and setting meeting dates are housekeeping matters which occur 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.

Background:
Over the years, there has been an effort to provide all City Council members the opportunity to serve as Mayor pro Tem, and historically the alternate Mayor Pro Tem moves into the Mayor Pro Tem position the next year. Selection criteria include the consideration of the highest number of votes garnered in an election and years of service on the City Council. Typically, these members have been appointed as Mayor Pro Tem and Alternate Mayor Pro Tem for one year terms.

Analysis:
Last year Joe Kernan served as Mayor Pro Tem and Cindy Matsumoto as the Alternate. Applying past methodology would designate Cindy Matsumoto as the Mayor Pro Tem and Alex Butwinski, who has not yet served as Mayor Pro Tem, or Dick Peek, who received the highest number of votes in the last Municipal General Election, as the Alternate Mayor Pro Tem.

It should be emphasized that the manner of appointments is at the sole discretion of the Mayor and City Council and can be modified at any time with the majority vote of the City Council.

Department Review:
City Manager and Legal.

Alternatives:

Approve: Use past methodology and appoint Cindy Matsumoto as Mayor Pro Tem and Alex Butwinski or Dick Peek as the Alternate Mayor Pro Tem. Approve the resolutions adopting meeting dates.

Deny: This is not a realistic option. The Council has the discretion to change the manner of appointing the Mayor Pro Tem and 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 the method of appointments and meeting dates, a continuance may be appropriate.

Recommendation:

Appointment of Cindy Matsumoto as Mayor Pro Tem and Alex Butwinski or Dick Peek as Alternate Mayor Pro Tem and 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. 01-12

A RESOLUTION ESTABLISHING A REGULAR MEETING DATE, TIME, AND LOCATION FOR MEETINGS OF THE CITY COUNCIL OF PARK CITY, UTAH FOR 2012

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 2012 is as follows:

January 5, 12, 19, 26	July 5, 12, 19, 26
February 2, 9, 16, 23	August 2, 9, 16, 23, 30
March 1, 8, 15, 22, 29	September 6, 13, 20, 27
April 5, 12, 19, 26	October 4, 11, 18, 25
May 3, 10, 17, 24, 31	November 1, 8, 15, 22, 29
June 7, 14, 21, 28	December 6, 13, 20, 27

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 5th day of January, 2012.

Resolution No. RDA 1-12

A RESOLUTION ESTABLISHING A REGULAR MEETING DATE, TIME, AND LOCATION FOR 2012 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. During the renovation of the Marsac Municipal Building, meetings will be held at the Park City Library and Education Center, 1255 Park Avenue, Park City, Utah.

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 2012 is as follows:

January 5, 12, 19, 26	July 5, 12, 19, 26
February 2, 9, 16, 23	August 2, 9, 16, 23, 30
March 1, 8, 15, 22, 29	September 6, 13, 20, 27
April 5, 12, 19, 26	October 4, 11, 18, 25
May 3, 10, 17, 24, 31	November 1, 8, 15, 22, 29
June 7, 14, 21, 28	December 6, 13, 20, 27

SECTION 6. APPOINTMENT OF OFFICERS. 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 5th day of January, 2012.

Resolution No. MBA 1-12

A RESOLUTION ESTABLISHING A REGULAR MEETING DATE, TIME, AND LOCATION FOR 2012 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. During the renovation of the Marsac Municipal Building, meetings will be held at the Park City Library and Education Center, 1255 Park Avenue, Park City, Utah.

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 2012 are as follows:

January 5, 12, 19, 26	July 5, 12, 19, 26
February 2, 9, 16, 23	August 2, 9, 16, 23, 30
March 1, 8, 15, 22, 29	September 6, 13, 20, 27
April 5, 12, 19, 26	October 4, 11, 18, 25
May 3, 10, 17, 24, 31	November 1, 8, 15, 22, 29
June 7, 14, 21, 28	December 6, 13, 20, 27

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 5th day of January, 2012.

Resolution No. WSD 1-12

A RESOLUTION ESTABLISHING A REGULAR MEETING DATE, TIME, AND LOCATION FOR 2012 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. During the renovation of the Marsac Municipal Building, meetings will be held at the Park City Library and Education Center, 1255 Park Avenue, Park City, Utah.

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 2012 is as follows:

January 5, 12, 19, 26	July 5, 12, 19, 26
February 2, 9, 16, 23	August 2, 9, 16, 23, 30
March 1, 8, 15, 22, 29	September 6, 13, 20, 27
April 5, 12, 19, 26	October 4, 11, 18, 25
May 3, 10, 17, 24, 31	November 1, 8, 15, 22, 29
June 7, 14, 21, 28	December 6, 13, 20, 27

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 7th day of January, 2012.

City Council Staff Report

Subject: Financial Advisory Services contract award
Author: Troy Johnston, Executive Intern
Department: Executive
Date: December 30, 2011
Type of Item: Administrative – Award of contract

Summary Recommendations:
Authorize the City Manager to enter into a three (3) year contract renewable annually in a form approved by the City Attorney's office with Municipal Bond Consulting, Inc. for financial advisory services in the amount $9,500 for GO bonds up to $10,000,000 and $12,000 for Water Bonds and Sales Tax Revenue bonds up to $ 10,000,000 (Please see Exhibit B - Fee Schedule for more details about compensation).

Topic/Description:
Financial Advisory Services contract award

Background:
The City traditionally contracts for Financial Advisor services to assist with bond issuances and bond ratings. The professionalism of a financial advisor is indispensible to the process as it is unrealistic to have a staff member who is immersed enough in the bond market to provide sufficient expertise. Financial Advisors are also critical for obtaining a high bond rating and finding the best rates when issuing bonds. Potential savings in interest expense due to having a financial advisor are significant, and far outweigh the incremental cost.

Park City Municipal Corporation requested proposals from qualified Financial Advisors for municipal Bond related issues. Candidates' proposal and presentation were evaluated by the Financial Advisory Selection Committee based on established criteria.

The committee collaborated to discuss pros and cons of each candidate. Score sheets were filled out using specific criteria and were summed together to determine the rankings of the three candidates. The committee unanimously decided upon the top candidate.

Financial Advisory Selection Committee Members:
Phyllis Robinson – Community and Public Affairs Manager
Jed Briggs – Budget Analyst
Nate Rockwood – Grants Analyst
Christine Morgan – Accounting Clerk
Troy Johnston – Executive Intern

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

1. Relationship/Trust (Fit) – 25% weight
2. Prior (positive) experience working with the City – Institutional Knowledge – 25% weight
3. Overall Cost (Fee schedule, Bond issuance cost, and any extra "nickel and diming") – 15% weight
4. Ability to create polished presentations – 15% weight

5. Qualifications and relevant experience of assigned personnel (Depth of resources) – 10% weight
6. Excels in multiple areas of bond issuance (Creative "Outside of the box" thinking) – 5% weight
7. Intangibles – 5% weight

There was discussion about the possibility of using one financial advisor for a certain bond type and a different financial advisor for another type of bond. However, after much discussion as a committee and with the input of the City Manager, the decision to stick with one financial advisor would be the best option.

Alternatives:

A. Approve:

Authorize the City Manager to enter into a three (3) year contract renewable annually in a form approved by the City Attorney's office with Municipal Bond Consulting, Inc. for financial advisory services.

B. Deny:

So doing would leave the City without much needed consultation and advice regarding debt and debt issuance. In the event that Council denies this contract, staff would reissue the RFP and select a different provider.

C. Modify:

D. Continue the Item:

E. Do Nothing:

This would have a similar impact as B.

Significant Impacts:

Financial Advisor services are critical to the proper functioning of the City. Costs related to the service generally only materialize if bonds are issued and are paid from the proceeds of the bonds. The financial impact is relatively low (especially considering the exceptionally competitive bids that were received) and the financial benefit is high.

Consequences of not taking the recommended action:

So doing would leave the City without much needed consultation and advice regarding debt and debt issuance. In the event that Council denies this contract, staff would reissue the RFP and select a different provider.

Recommendation:

Authorize staff to enter into a three (3) year contract renewable annually in a form approved by the City Attorney's office with Municipal Bond Consulting, Inc. for financial advisory services in the amount $9,500 for GO bonds up to $10,000,000 and $12,000 for Water Bonds and Sales Tax Revenue bonds up to $ 10,000,000 (Please see Exhibit B - Fee Schedule for more details about compensation).

Exhibits:

Exhibit A – Scope of Services
Exhibit B – Fee Schedule

Scope of Services

The Service Provider agrees to meet the City's requirements and provide the services outlined below. Required services include, but are not limited to the following:

Provide the City with expert financial advice and assistance on financing techniques and options on matters pertaining to the issuance and sale of securities including General Obligation Bonds, Revenue Bonds, and other municipal financing options for the City and its related agencies.

A. To make studies and recommendations on methods and the structuring of financings including payment, security details and bond specifications believed advantageous to the City.

B. Provide sophisticated cash flow bond schedules and sizing analyses for the City.

C. To cooperate with recognized bond counsel, to be selected by the City, in connection with proceedings authorizing the issuance of bonds.

D. To cooperate with an underwriter, to be selected by the City (if desired for any particular bond issuance), in connection with proceedings authorizing the issuance of bonds.

E. Participate in the preparation of official statements for the issuances setting forth financial and other information about the City and the bond issue.

F. Participate in the drafting of documents utilized by the City in their financing.

G. Have representatives present at meetings, when requested or notified, on matters concerning financial techniques and bond issues.

H. Assist the City with selection of underwriters of the bond issue through a competitive selection process.

I. Assist, as directed by the City, with presentations to rating agencies and bond insurance companies concerning the issuance.

J. Perform other functions normally contemplated to be within the scope of duties of a fully qualified financial advisor including advising the City on the public sale and/or private placement of bonds.

COMPENSATION

For services herein outlined and services incidental hereto, the City will pay to the Service Provider a fee based upon the following schedule:

Type of Issuance	Size of Issuance	Fee (per $1000 of issuance)
General Obligation Bond	up to $10 million	$1.10 (floor of $7,000)
	from $10 mil to $15 mil	$0.95
	$15 million or more	$0.90
Water Revenue Bond	up to $10 million	$1.30 (floor of $7,500)
	from $10 mil to $15 mil	$1.20
	$15 million or more	$1.15
Sales Tax Revenue Bond	up to $10 million	$1.30 (floor of $7,500)
	from $10 mil to $15 mil	$1.20
	$15 million or more	$1.15
RDA Increment Bond	up to $10 million	$1.75 (floor of $7,500)
	from $10 mil to $15 mil	$1.70
	$15 million or more	$1.65
Refinancing/Refunding	N/A	same as above (respectively)

The fees above assume a public offering and involvement in, but not authorship of, an official statement. The City and the Service Provider may negotiate a special fee for atypical bond issuances requiring unusual financial advisor duties. The City and the Service Provider will counsel prior to each proposed transaction to discuss the City's desired involvement from the Service Provider and determine an appropriate fee for the transaction.

In addition to the above fee, the Service Provider may charge for costs and expenses incurred in connection with services, such as photocopying, telephone charges, overnight courier and delivery services, publication of legal notices, long distance telephone calls and out-of-state travel, if required, with prior authorization of the City.

In the event that the Service Provider performs preliminary analytical work that is unlikely to lead to a bond issue in the ensuing 12-18 months, the Service Provider may submit a billing for services at an hourly rate of $160.

City Council
Staff Report

Author:	**Roger McClain**
	Water Project Manager
Subject:	**QUINN'S WATER TREATMENT**
	PLANT CONSTRUCTION MANAGEMENT
	CONTRACT AMENDMENT 1
Department:	**Public Works**
Date:	**January 5, 2012**
Type of Item:	**Administrative**

Summary Recommendations:
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 MWH Americas, Inc., to provide Construction Management Services for the Quinn's Junction Water Treatment Plant in an amount of $68,750.40 and extend the agreement for 63 full-time equivalent days.

Description:
- Maximize the availability of Park City's water from the Rockport Importation project
- Maximize existing water rights and leases
- Ensure adequate water supply for projected Park City build out

Topic:
Water Rights, Leases & Agreements; Source

Background:
Last spring, City Council authorized the City Manager to execute the Professional Services Agreement with MWH Americas, Inc., to provide Construction Management Services for the Quinn's Junction Water Treatment Plant in an amount of $375,129.00.

The construction of the Quinn's Water Treatment Plant, which will become a critical component in the City's water supply and distribution system, was bid the spring of 2010 and a Notice to Proceed for construction was issued on June 22, 2010. The Plant startup sequence is scheduled to begin early 2012 and is scheduled to be operational by early spring of 2012.

This Contract includes Construction Management Services which includes services of a Construction Manager (CM). The CM verifies contractor compliance with the construction documents. The CM verifies paperwork between the contractor, owner, and engineer. The CM also verifies contractor pay requests, prepares change orders, and prepares non-compliance notices, among other tasks discussed in detail in the original Scope of Work.

Analysis:
The proposed First Amendment with MWH Americas, Inc. captures the additional cost for Construction Management Services during the treatment plant's extended construction period which has resulted from change orders to the treatment plant construction contract with Alder Construction.

During the construction of the Quinn's Junction Water Treatment Plant several changes received administrative approval by the Water Engineer, under the direction of the Water Manager, in the form of Change Orders 1 through 6. These change orders addressed changes per direction from the City and changes due to unforeseen field conditions. Change Orders 1 through 6 are summarized below and total 3.23% of the original contract amount. Park City Municipal Corporation's Contracting and Purchasing Policy states that accumulated Change Orders which would increase the previously approved contract amount by more than 10% (on contracts over $200,000) require City Council approval.

Change Orders 1 through 6 are summarized below.

Change Order	Date	Amount	Cumulative Percent Change
1	Aug. 22, 2010	$0.00	0.00%
2	Sept. 22, 2010	$27,321	0.20%
3	Sept 22, 2010	$47,687	0.56%
4	Aug. 3, 2011	$134,061	1.57%
5	Oct. 3, 2011	$85,084	2.21%
6	Nov. 3, 2011	$137,143	3.23%

Change Order 1 – Site piping and treatment plant piping modifications. 21.5 calendar day increase to contract.

Change Order 2 – Add Rail Trail Waterline improvements that will be located within the treatment plant site to Alder's contract. 0 calendar days increase to the contract.

Change Order 3 – Asphalt millings and wet well excavation rock removal and disposal. No cost change, but was a time adjustment to an interim milestone. 7 calendar day increase to contract.

Change Order 4 – Waterline trench & site excavation rock removal and retaining wall modifications. 48 calendar day increase to contract.

Change Order 5 – Drywall & framing modifications, SCADA interface vendor work, and landscaping modifications to meet Planning approval conditions. 10 calendar day increase to contract.

Change Order 6 – Process piping modifications, chemical containment room modifications, bolting upgrade, add gutter & downspout heat tracing, and SCADA programming modifications. 17 calendar day increase to contract.

Change Orders 1 through 6 included a total construction contract time extension of 103.5 calendar days. As a result of cost saving measures throughout the construction project, the construction management contract does not need to be extended the full 103.5 days. The Construction Management Amendment No. 1, which reflects 63 full-time equivalent days, allows for MHW to continue providing services during the critical final stages of construction. Exhibit A in the attached Amendment shows the detailed costs of the above items.

Staff feels the negotiated fee in the proposed Amendment is fair for the work that is being performed and consistent with industry standards.

Department Review:
This staff report has been reviewed by Public Works, Legal, and City Manager.

Alternatives:

A. Approve the Request:
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 MWH Americas, Inc., to provide Construction Management Services for the Quinn's Junction Water Treatment Plant in an amount of $68,750.40.

B. Deny the Request:
Council could deny Staff's request. Denying the request could delay the construction of the time-critical project.

C. Continue the Item:
Council could continue the request. Continuing the request would delay the construction of the time-critical project.

D. Do Nothing:
Staff does not recommend this alternative. Doing nothing would also delay the construction of the time-critical project.

Significant Impacts:
The costs associated with this project are approved in the FY2012 CIP budget.

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 MWH Americas, Inc., to provide Construction Management Services for the Quinn's Junction Water Treatment Plant in an amount of $68,750.40 and extend the agreement for 63 full-time equivalent days.

FIRST ADDENDUM TO PARK CITY MUNICIPAL CORPORATION SERVICE PROVIDER/PROFESSIONAL SERVICES AGREEMENT

THIS FIRST ADDENDUM is made and entered into in duplicate this ____ day of ________________, 2012, by and between PARK CITY MUNICIPAL CORPORATION, a Utah municipal corporation and political subdivision of the State of Utah ("City"), and MWH Americas, Inc., a California corporation, having offices located at Salt Lake City, Utah ("Service Provider") to amend the Service Provider Agreement signed and executed by the Parties on May 12, 2010.

WITNESSETH:

WHEREAS, the parties entered into a Professional Services Agreement on May 12, 2010 (hereinafter "Original Agreement"); and

WHEREAS, both parties to the Original Agreement desire to amend the Original Agreement to include additional scope, fees and time to complete additional projects of similar scope to those described in the Scope of Services in the Original Agreement; and

WHEREAS, the parties desire to amend the Original Agreement to provide sufficient time for such performance.

NOW, THEREFORE, in consideration of the mutual promises made herein and other valuable consideration, the parties hereto now amend the Original Agreement as follows:

1. **INCREASE of $68,750.40.** Park City shall pay Service Provider for professional services in an amount not to exceed $443,879.30, which is an increase to the Original Agreement for additional professional services. The amended Scope of Services is attached hereto as Exhibit A.

2. **OTHER TERMS**. This amendment extends the termination date, as identified in Paragraph 2, to March 15, 2012. All other terms and conditions of the Original Agreement shall continue in full force and effect and shall not be affected by this First Addendum.

3. **ENTIRE AGREEMENT**. This First Addendum is a written instrument pursuant to Paragraph 23 of the Original Agreement between the parties and cannot be altered or amended except by written instrument, signed by both parties.

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be executed the day and year first herein above written.

PARK CITY MUNICIPAL CORPORATION
445 Marsac Avenue
Post Office Box 1480
Park City UT 84060-1480

____
Thomas B. Bakaly, City Manager

Attest:

____
Janet M. Scott, City Recorder

Approved as to form:

____
City Attorney's Office

SERVICES PROVIDER
MWH Americas
Address: 10619 South Jordan Gateway
Suite 100
South Jordan, UT 84095

Tax ID#: ________________________

____
Signature

____
Printed name

____
Title

Corporate Acknowledgment

STATE OF UTAH)
) ss.
COUNTY OF __________________)

On this ____ day of ___________________, 2012, personally appeared before me _________________________, whose identity is personally known to me/or proved to me on the basis of satisfactory evidence and who by me duly sworn/affirmed), did say that he/she is the _________________________ (title) of ________________________, Inc. by Authority of its Bylaws/Resolution of the Board of Directors, and acknowledged to me that said Corporation executed the same.

____
Notary Public

EXHIBIT A

MWH is currently providing construction management services for the construction of the Quinn's Junction Water Treatment Plant (QJWTP). Due to various unforeseen conditions, the construction period for the QJWTP has exceeded the estimated construction period. Some of the unforeseen conditions include unidentified rock excavation, unexpected changes to the design, etc.

The purpose of this addendum is to extend the contract period for MWH's services. This addendum also increases the contract amount by $68,750.40, allowing for MWH to continue providing the construction management services during the critical final stages of construction. The attached table provides a breakdown of the cost change.

Attachment "A"
Amendment 1 - Basis of Fees (Compensation)
Construction Management Services
Quinn's Junction Water Treatment Plant Project
Park City Municipal Corporation
December 20, 2011

Description	Rate	Unit	Number of Units	Subtotal Costs
Construction Manager (Duncan)	$120	Hour	504	$60,480.00
Senior Administrator	$78	Hour	9	$702.00
Associated Project Costs (APC)	$8.90	Hour	513	$4,565.70
Mileage/Travel Expenses	$0.55	Mile	4,914	$2,702.70
Other Direct Costs	$300	Lump Sum	1	$300.00
Total Project Costs Amendment 1				**$68,750.40**

City Council Staff Report

Subject: Professional Services Contract for Empire Avenue Reconstruction
Author: Matthew Cassel, P.E., City Engineer
Department: Engineering
Date: January 5, 2012
Type of Item: Administrative

Summary Recommendations:
The Council should authorize the City Manager to sign the standard Service Provider/Professional Services Agreement with Stanley Consultants for engineering design services related to the 2012 reconstruction of Empire Avenue in the amount of $191,047.85.

Topic/Description:
This contract with Stanley Consultants will provide for the necessary design work on this Old Town Street. Stanley Consultants was selected to provide pre-design, design, bidding services, construction engineering management and post construction services for the Empire Avenue Re-construction project. Their total fee for these five elements is $294,784.37.

Approved funding for this project is as follows:
Capital Project cp0155 contains $242,511, which is the remaining funds approved for OTIS Phase II(a) projects. These funds will be used to pay for the pre-design, design and bidding services of this project. Funds are currently unavailable to cover Stanley Consultant's construction engineering management and post construction fees. When funds are identified, a modification to this contract to add the construction engineering management service will be brought back to Council for approval.

Water funds will be used for the waterline design and construction portion of this project. Snyderville Basin Water Reclamation District (SBWRD) and Questar Gas will finance the design and construction of their own facilities.

Background:
City Council adopted the Old Town Improvement Study (OTIS) in 2002. This was actually the second study, as the City has been steadily improving infrastructure in Old Town since an earlier study in 1992 made similar recommendations. Street projects which have been accomplished since 1992 include most of Swede Alley, King Road, Ontario Avenue, Marsac Avenue, Woodside Avenue south of 12th Street, Upper Park Avenue, Prospect Street, Upper Norfolk and lower Woodside/Norfolk, Hillside Avenue and Sandridge Drive.

In May 2011, the OTIS study was updated with current estimates of construction costs and with a reprioritization of projects. Empire Avenue rose to the top of the list mostly because of the deteriorating and highly problematic water line in Empire Avenue. Proposed improvements include road removal and replacement, upgrade of existing water main, installation of hydrants, installation of new water services and/or meters as required, evaluation for the potential of curb and gutter and sidewalk along this road section, landscaping and coordination with dry utility companies for upgrade or replacement of their facilities. Sewer improvements or relocation will also occur from Silver King Drive to Manor Way. Traffic signs and regulatory signage will also be installed. Bidding will occur in mid-April in an effort to issue a Notice to Proceed to the contractor by mid-May.

To keep residents along Empire Avenue informed and provide them with a venue to voice their issues and concerns, three public involvement meetings are scheduled to be held during the course of the project. The first public meeting will be held during the preliminary design phase of the project and will capture their initial concerns that staff will need to address. The second public meeting will be held as the design nears completion and will be used to show the residents the nearly complete design and again provide for their input. The third public meeting will be held just before construction starts which will let the residents know construction will be starting and give them a chance to meet the contractor.

Critical elements of this project include providing resident access during roadway construction, determination whether sidewalks will be installed, achieving no net parking loss and protecting the numerous historic homes and structures along the roadway. The request for qualifications from consultants required them to submit a work plan that shows how they will address these critical issues.

.

Analysis:

A review committee consisting of Mike Kobe (Water), Troy Dayley (Public Works), Bryan Atwood (SBWRD), Sayre Brennan (Engineering), Heinrich Deters (Sustainability) and Matt Cassel (Engineering) evaluated seven submitted SOQ/Proposals from engineering firms as listed below:

<u>FIRM</u>

Horrocks Engineering
NV5 Engineering
PEC Engineering
Sargent Engineering
Stanley Consultants
URS
Ward Engineering

In addition to price (which by City policy does not need to be the determining factor), the review committee evaluated each firm according to a list of criteria including experience on similar projects, strength of individuals committed to the project, relevance of the work plan, communication and public involvement skills, and strength of submitted SOQ addressing Park City concerns. Stanley Consultants was the top ranking firm and determined to be the best choice for providing professional design services to the City on this project. The final scope of services and fee were negotiated from $36,450.43 down to $294,784.37 with Stanley Consultants.

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

Alternatives:

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

B. Deny the Request:
This would make it difficult to complete the design in time for the 2012 construction season.

C. Continue the Item:
If the Council needs more information the item can be continued.

D. Do Nothing:
This option would make it difficult to complete the design in a timely manner.

Significant Impacts:
The engineering design will have no significant impacts, whereas the actual construction of Empire Avenue will heavily impact the adjacent residents. The funds for the engineering contract have been appropriated. Budget for the 2012 construction have yet to be appropriated, but will be considered by Council during the FY2013 budget process.

Consequences of not taking the recommended action:
Empire Avenue is a local street where the utilities are in need of replacement. Not taking the recommended action will not allow staff to design and constructed the upgrades for this road in Old Town.

Recommendation:
The Council should authorize the City Manager to sign the attached Service Provider/Professional Services Agreement with Stanley Consultants for engineering design services related to the 2012 reconstruction of Empire Avenue in the amount of $191,047.85.

Exhibit A – Stanley Fee and Scope

Stanley Consultants, Inc. Empire Avenue Basic Fee

Client: Park City Municipal Corporation

Project : Empire Avenue Reconstruction

Total Fee:
$294,784.37

Prepared: 12/20/11

Activity - Task Description	CLIENT LIAISON	TECHNICAL ADVISOR	PROJECT MANAGER	LAND SURVEYOR	OFFICE SURVEY	ROADWAY ENGINEER	ROADWAY DESIGNER	STORMWATER ENGINEER	STORMWATER DESIGNER	CAD	RESIDENT ENGINEER	CONSTRUCTION OBSERVER	DESIGN/FIELD ENGINEER	SR. FIELD ENG	CONSTRUCTION OFFIC SUPPORT	LAB MANAGER	TESTER/RUNNER	LAB TECH	PI Manager	PI Support	Utility Office	Utility CAD	Landscape Engineer	Utility Engineer	Utility Coordinator	Geotech Engineer	Utility Location	TOTAL HOURS	Loaded
	$215	$191	$124	$153	$101	$124	$86	$124	$64	$86	$153	$86	$71	$124	$79	$86	$64	$101	$115	$75	$68	$91	$102	$97	$130	$89	$120		
Task 1.0 - Preliminary Design																													
Kick-Off Meeting/Design Charrette	0	0	6	0	0	6	0	6	0	8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	26	$2,930.20
Collect and Review Existing Studies/Data	0	0	4	0	16	4	8	4	8	8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	52	$4,998.00
Storm Drain Analysis	0	0	4	0	0	0	0	16	40	12	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	72	$6,072.08
Conceptual Design	0	4	16	0	0	32	60	0	0	40	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	152	$15,362.48
Utility Coordination and Meetings	0	0	16	0	0	0	0	8	0	0	0	0	0	0	0	0	0	0	0	0	8	8	0	8	4	0	28	80	$8,915.04
QC/QA Review	0	4	16	2	0	8	8	4	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	46	$5,500.88
Coordinate with water line design	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	8	0	0	8	$1,040.00
Public Involvement	0	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	50	50	0	0	0	0	0	0	0	104	$9,997.84
Meetings	0	0	24	0	0	20	0	16	0	8	0	0	24	0	0	0	0	0	0	0	0	0	0	0	0	0	0	92	$9,861.04
Task 1 Subtotal Hours	0	8	90	2	16	70	76	54	52	76	0	0	24	0	0	0	0	0	50	50	8	8	0	8	12	0	28	632	**$64,677.56**
Task 2.0 - Design																													
Comments Incorporation	0	2	16	0	0	16	16	8	16	24	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	98	$9,829.40
Roadway Plan and Profile Sheets (5 plans, 5 profiles, 5 Removal, Title,	0	0	8	0	0	40	80	4	0	40	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	172	$16,820.72
Storm Drain Plan/Profile Sheets (7 sheets)	0	0	2	0	0	0	0	16	40	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	58	$4,788.28
Details (7 sheets)	0	0	16	0	0	40	60	8	24	60	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	208	$19,843.04
Typical Sections (1 sheet)	0	0	4	0	0	8	12	0	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	28	$2,873.36
Specifications and Measurement and Payment	0	0	4	0	0	8	32	4	8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	56	$5,260.64
Estimate and Bid Schedule	0	0	2	0	0	8	8	2	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	24	$2,438.24
Construction Dwgs, Specs and Cost Estimate	0	2	40	0	0	40	24	0	0	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	206	$21,032.76
Utility Coordination and Meetings	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	16	4	0	0	20	$2,072.00
Geotech Investigations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	35	0	35	$3,099.95
Landscaping	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5	10	0	0	0	0	15	$1,475.00
QC/QA Review	0	8	12	0	0	16	16	8	4	16	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	80	$9,023.84
Coordinate with water line design	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	8	0	0	8	$1,040.00
Public Involvement	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	50	50	0	0	0	0	0	0	0	100	$9,500.00
Meetings	0	0	28	0	0	20	0	16	0	8	0	0	24	0	0	0	0	0	0	0	0	0	0	0	0	0	0	96	$10,358.88
Task 2 Subtotal Hours	0	12	132	0	0	196	248	66	96	252	0	0	24	0	0	0	0	0	50	50	0	5	10	16	12	35	0	1204	**$119,456.11**
Task 3.0 - Bidding Support Activities																													
Address Comments	0	0	4	0	0	4	0	2	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	14	$1,589.56
Bid Documents and Coordination	0	0	6	0	0	6	4	4	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	22	$2,508.80
Bid Process Support	0	1	6	0	0	6	4	0	0	2	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	23	$2,815.82
Task 3 Subtotal Hours	0	1	16	0	0	16	8	6	0	8	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	59	**$6,914.18**
Task 4.0 - Construction Management																													
Pre-Construction Meeting	0	0	4	0	0	0	0	0	0	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	8	$1,111.60
Pre-Construction Public Open House	0	0	4	0	0	0	0	0	0	0	4	0	0	0	0	0	0	0	20	20	0	0	0	0	0	0	0	48	$1,111.60
Construction Adminstration	0	0	0	0	0	0	0	0	0	0	2	0	240	0	96	0	0	0	0	0	0	0	0	0	0	0	0	338	$24,908.80
On-Site Public Involvement and Coordination	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	30	30	0	0	0	0	0	0	0	60	$0.00
Construction Observation and Coordination	0	0	0	0	0	0	0	0	0	0	0	480	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	480	$41,395.20
Inspection and Testing Coordination	0	0	0	0	0	0	0	0	0	0	0	0	0	20	0	0	0	0	0	0	0	0	0	0	0	0	0	20	$2,489.20
Testing	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	$0.00
Task 4 Subtotal Hours	0	0	8	0	0	0	0	0	0	0	10	480	240	20	96	0	0	0	50	50	0	0	0	0	0	0	0	954	**$71,016.40**
Task 5.0 - Post Construction																													
Record Drawings	0	0	16	0	0	0	0	8	0	40	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	66	$6,609.12
Task 5 Subtotal Hours	0	0	16	0	0	0	0	8	0	40	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	66	**$6,609.12**
Total Hours	**0**	**21**	**262**	**2**	**16**	**282**	**332**	**134**	**148**	**376**	**14**	**482**	**288**	**20**	**96**	**0**	**0**	**0**	**150**	**150**	**8**	**13**	**10**	**24**	**24**	**35**	**28**	**2849**	**$278,173.37**
Total Loaded Labor	$0.00	$4,013.10	$32,608.52	$306.88	$1,615.04	$35,097.72	$28,631.68	$16,677.64	$9,427.60	$32,426.24	$2,148.16	$41,567.68	$20,442.24	$2,489.20	$7,566.72	$0.00	$0.00	$0.00	$17,250.00	$11,250.00	$544.00	$1,183.00	$1,020.00	$2,328.00	$3,120.00	$3,099.95	$3,360.00		**$278,173.37**
	0.00%	1.44%	11.72%	0.11%	0.58%	12.62%	10.29%	6.00%	3.39%	11.66%	0.77%	14.94%	7.35%	0.89%	2.72%	0.00%	0.00%	0.00%	6.20%	4.04%	0.20%	0.43%	0.37%	0.84%	1.12%	1.11%	1.21%	0.00%	**100.00%**

** These hourly rates apply to additional work

	$0.00
EXPENSES	$16,611.00
LABOR =	$278,173.37
TOTAL FEE	**$294,784.37**

City Council Staff Report

Subject: Council Appointments to the Employee Transfer & Discharge Appeal Board
Author: Dani Lo Feudo
Department: Human Resources
Date: January 5, 2012
Type of Item: Administrative

Summary Recommendations:
In accordance with Utah State and Municipal Codes, three Council member appointments are needed for a one-year term to serve on the Employee Transfer & Discharge Appeal Board. Two appointments are needed to serve as representatives and one in an alternate position. There are no ETDAB appeals filed or hearings scheduled at this time.

Topic/Description:
The Employee Transfer Discharge and Appeal Board (ETDAB) consists of two appointed council members and three elected full-time-regular employees. The employee representatives are elected by the body of current employees. An alternate is also chosen from both the City Council and employee groups.

Background:
In November of 1999 the City Council approved amendments to the ETDAB according to Section 2-6-2 within Title 2, Chapter 6 of the Municipal Code in conjunction with Park City Municipal Policies and Procedures and as set forth in Utah Code Annotated 10-3-1106, as amended. This statute prohibits the discharge or transfer of a full time regular employee to a position with less remuneration because of the employee's politics or religious belief, or incident to, or through changes, either in the elective officers, governing body, or heads of departments. The statute also provides that any employee who is discharged or transferred from one position to another, for any reason, shall have the right to appeal the discharge or transfer the ETDAB. There was one hearing in 2009 and there were two hearings in 2010. There were no new hearings in 2011.

Analysis:
The ordinance approving the amendments to the ETDAB was passed by the City Council in November of 1999. By ordinance, the appointment of council members must be made during the first regular council meeting of each year. The 2011 ETDAB board consisted of two Council members, Liza Simpson and Cindy Matsumoto with Joe Kernan as an alternate, and four full-time-regular City employees. Staff elected to serve in 2012 includes Karen Ovard (Finance Department), Mary Ford (Police Department), Denise Carey (Golf Pro Shop Department) and Craig Sanchez (Golf Pro Shop Department) as an alternate. The ETDAB meets when a formal appeal challenging a transfer or discharge is filed by an eligible City employee.

Department Review:
Human Resources, Legal

Alternatives:

A. Approve:
Council is being asked to appoint two members and an alternate as required by applicable codes.

B. Deny:
As the recommendation follows steps necessary to comply with applicable codes, denial is not recommended.

C. Modify:
No modification is recommended.

D. Continue the Item:
As the appointment timeline is established by code, no continuance is recommended.

E. Do Nothing:
As the recommendation follows that set by code, “do nothing” is not recommended.

Significant Impacts:
There are no significant impacts. This action coincides with the council liaison appointments to other boards and committees regularly occurring in January of each year.

Consequences of not taking the recommended action:
Failure to make the required appointments could leave the City out of compliance with the Municipal Code, Utah State Code as well as City policies and procedures. However, current members would continue to serve until replaced.

Recommendation:
The City Council should appoint two members and an alternate to serve on the Employee Transfer and Discharge Appeal Board for one year to remain in compliance with Park City and Utah State Code.

City Council
Staff Report

Subject:	**Resolution naming the tennis courts at the PC MARC As the Candy Erickson Tennis Center**
Author:	**Janet M. Scott, City Recorder**
Department:	**City Manager**
Date:	**January 5, 2012**
Type of Item:	**Administrative**

Summary Recommendations:
Adopt a Resolution naming the tennis courts at the PC MARC as the Candy Erickson Tennis Center.

Background:
The Mayor and City Council have determined it appropriate to name the tennis facility at the new PC MARC after Candy recognizing her commitment to the community and demonstrated passion for recreation programs and projects since her election to the City Council in 1999 to 2011.

This practice has been consistently embraced by the Council and the community and was most recently done in 2010 when the skate park was named after Roger Harlan. Staff recommends approval on January 5 in preparation of the grand opening on Friday, January 6, 2012.

Department Review:
City Manager’s Office.

Recommendation:
Adopt a Resolution naming the tennis courts at the PC MARC as the Candy Erickson Tennis Center.

RESOLUTION NAMING THE TENNIS COURTS AT THE PC MARC AS THE "CANDY ERICKSON TENNIS CENTER"

WHEREAS, Candace Johnson Erickson was born in Rahway, New Jersey on July 4, 1955 and passed away on March 24, 2011 leaving an emptiness in our hearts but a legacy of reminders of her life and love of Park City; and

WHEREAS, Candy set out for the West after high school and never looked back. She attended the University of Colorado at Boulder, studied marketing and took those skills to Sun Valley, Idaho where she became the marketing director of The Elkhorn Resort but she was equally as proud of her time as hostess at The Pioneer Café there; and

WHEREAS, Candy moved to Park City in 1983, where she worked in the lodging business before becoming the marketing director for Mrs. Fields Cookies, then *Ski The Rockies*. She worked as advertising director for *Ski Magazine* for years; and

WHEREAS, in 1987 she married Bruce Erickson and his son Justin, and in 1989, Brian arrived. That same year, she became the voice of the Park City Mountain Resort with the morning snow reports on KPCW. Two years later, she began her long-running career as a top sales associate with Cole Sport; and

WHEREAS, in January 2000, she began her most impactful chapter of her life when she was sworn to the office of the City Council of Park City, easily winning elections in 1999, 2003 and 2007, and proving to be one of Park City's most popular elected officials, garnering the support from a wide range of citizens; and

WHEREAS, Candy supported causes such as work force housing and was deeply rooted with the resort industry and the business community. She was a longtime member of the Women's Business Network, the Friends of the Farm and the Park City Historical Society; and

WHEREAS, she served as a liaison to the Park City Chamber/Bureau, Utah League of Cities and Towns, Envision Utah, and the Summit County Health Board. Candy was an avid skier and bicyclist and one of her favorite positions was serving as Council liaison to the Recreation Advisory Board since its formation in 2003 until 2010; and

WHEREAS, in 2009, Candy received one of the community's most cherished awards, the Linda Singer-Berrett Professional Citizen of the Year, awarded by the Park City Rotary Club and the Leadership Award from Park City's Leadership Program; and

WHEREAS, Candy was passionate about supporting recreation programs and projects and some of her notable accomplishments during her tenure on the City Council included the construction of the Park City Skate Park, the Park City Ice Arena and Sports Complex, the creation of the Quinn's Junction dog park, renovation of the City Park Building, installation of five neighborhood parks, expansion of the trails system, and finally the completion of the PC MARC;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council find it appropriate to name the tennis courts at the PC MARC as the "Candy Erickson Tennis Center" in remembrance of Candy Erickson's love of life, family and community.

PASSED AND ADOPTED this 5th day of January, 2012.

PARK CITY MUNICIPAL CORPORATION

Mayor Dana Williams

Attest:

Janet M. Scott, City Recorder

City Commission
Staff Report

PLANNING DEPARTMENT

Application #:	**PL-11-01387**
Subject:	**Ontario Canyon Subdivision**
Author:	**Francisco Astorga, Planner**
Date:	**January 5, 2012**
Type of Item:	**Administrative – Subdivision Plat**

Summary Recommendations
Staff recommends the City Council hold a public hearing and consider approving the Ontario Canyon Subdivision Plat based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Description

Applicant:	Joan Baron
Location:	44 Chambers Street
Zoning:	Historic Residential (HR-1) District
Adjacent Land Uses:	Residential
Reason for Review:	Subdivision plats require Planning Commission review and City Council action

Proposal
The property owner requests to subdivide two (2) metes and bounds parcels into two (2) lots of record.

Purpose
The purpose of the Historic Residential (HR-1) District is to:

A. preserve present land Uses and character of the Historic residential Areas of Park City,
B. encourage the preservation of Historic Structures,
C. encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods,
D. encourage single family Development on combinations of 25' x 75' Historic Lots,
E. define Development parameters that are consistent with the General Plan policies for the Historic core, and
F. establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment.

Background
On November 2, 2011 the City received a completed application for the Ontario Canyon Subdivision plat. The property is located at 44 Chambers Avenue in the Historic

Residential (HR-1) District. The proposed subdivision reconfigures two (2) metes and bounds parcels into two (2) lots of record.

Currently the site contains a historic single family dwelling located towards the north of the property. The site is currently listed as a Landmark Site on Park City's Historic Site Inventory. The historic structure is known as the George Murray House, built circa 1885. It is currently listed on the National Register of Historic Places. The structure is approximately 1,346 square feet in floor area. The footprint of the structure is approximately 750 square feet. The current metes and bounds parcels are approximately 0.20 acres (8,712 square feet) in area.

Proposed Lot 1, located towards the north, will be 4,389 square feet in area. The historic structure would remain on this lot. The historic structure will meet building footprint, minimum lot size, and all setbacks. Proposed Lot 2, located toward the south, will be 4,292 square feet in size. This lot would remain vacant until the property owner decides to build on it.

In 2005, the Planning Commission and City Council reviewed this same subdivision plat request. The City Council approved Ordinance No. 05-10 approving this exact request. However, the applicant did not record the subdivision within a year's time and the approval was voided.

On December 14, 2011 the Planning Commission reviewed the requested subdivision plat. The Planning Commission forwarded a positive recommendation to the City Council.

Analysis

The proposed subdivision plat creates two (2) lots of 4,389 square feet and 4,292 square feet. The minimum lot area for a single family dwelling is 1,875 square feet. The minimum lot area for a duplex is 3,750 square feet. A duplex is a Conditional Use that requires Planning Commission review and approval. The minimum lot width is twenty-five feet (25'). The proposed width of lot 1 is fifty-nine feet (59'). The proposed width of lot 2 is fifty-five feet (55'). The proposed lots will meet the lot and site requirements of the HR-1 District.

Requirement	Permitted
Building Footprint	Lot 1: 1,714.9 s. f. (based on lot area), maximum, existing 750 s. f. Lot 2: 1,686.7 s. f. (based on lot area), maximum
Front/rear yard setbacks	12 feet minimum, 25 feet total
Side yard setbacks	5 feet minimum, (10 feet total)
Height	27 feet above existing grade, maximum.
Number of stories	A structure may have a maximum of three (3) stories.

Final grade	Final grade must be within four (4) vertical feet of existing grade around the periphery of the structure.
Vertical articulation	A ten foot (10') minimum horizontal step in the downhill façade is required for a for third story
Roof Pitch	Roof pitch must be between 7:12 and 12:12 for primary roofs. Non-primary roofs may be less than 7:12.
Parking	Lot 1: None required for historic structures Lot 2: 2 per dwelling unit

The front and rear setbacks for the historic structure are consistent with the requirements of the HR-1 District. The existing historic structure is ten feet (10') from the side property line to the north and has an existing deck encroaching into the setback. The proposed lot line is seventeen feet (17') from the southern corner of the building meeting the side setback requirement. However, Land Management Code (LMC) § 15-2.2-4 indicates that Historic structures that don't comply with the building setbacks are valid complying structures.

Staff finds good cause for this Subdivision Plat in that the purposes of the HR-1 District are met and a lot of record is created for the historic structure. The Subdivision Plat is consistent with the Park City LMC, the General Plan, and applicable State law regarding Subdivision Plats.

Process

Any improvements on the lots will require a Historic District Design Review, which are reviewed administratively by the Planning Department. Staff review of a Building Permit is not publicly noticed nor subject to review by the Planning Commission unless appealed. 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. According to Snyderville Basin Water Reclamation District (SBWRD) one or more private sewer laterals serving homes at 57 and 59 Prospect Avenue may cross these lots. Re-routing these laterals around new construction on these lots may be required. SBWRD indicated that they will place a note on the plat to indicate such. No further issues were brought up at that time.

Notice

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

Public Input

Positive public input has been received. See exhibit E.

Alternatives

- The City Council may approve the Ontario Canyon Subdivision as conditioned or amended; or
- The City Council may deny the Ontario Canyon Subdivision and direct staff to make Findings for this decision; or
- The City Council may continue the discussion on Ontario Canyon Subdivision.
- 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 property would remain as is and no construction could take place over property lines.

Recommendation

Staff recommends the City Council hold a public hearing and consider approving the Ontario Canyon Subdivision Plat 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 – Record of Survey
Exhibit C – Aerial Photograph
Exhibit D – County Plat Map
Exhibit E – Public comment

Exhibit A: Draft Ordinance with Proposed Plat

Ordinance No. 11-

AN ORDINANCE APPROVING THE ONTARIO CANYON SUBDIVISION LOCATED AT 44 CHAMBERS STREET, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 44 Chambers Street has petitioned the City Council for approval of the plat amendment; and

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

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

WHEREAS, the Planning Commission held a public hearing on December 14, 2011, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on December 14, 2011, forwarded a recommendation to the City Council; and,

WHEREAS, on January 05, 2012, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Ontario Canyon Subdivision.

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

SECTION 1. APPROVAL. The Ontario Canyon Subdivision as shown in Attachment A 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 44 Chambers Street.
2. The property is located in the Historic Residential (HR-1) District.
3. The property is two (2) metes and bounds parcels with an existing house on the northern parcel consisting of approximately 1,346 square feet in floor area.
4. The footprint of the structure is approximately 750 square feet.
5. The current metes and bounds parcels are approximately 0.20 acres (8,712 square feet) in area.
6. The proposed subdivision plat creates two (2) lots of 4,389 square feet and 4,292 square feet respectively.
7. The minimum lot area for a single family dwelling is 1,875 square feet.
8. The minimum lot area for a duplex 3,750 square feet.

9. A duplex is a conditional use that requires Planning Commission review and approval.
10. The proposed width of lot 1 is fifty-nine feet (59’).
11. The proposed width of lot 2 is fifty-five feet (55’).
12. The minimum width of a lot is twenty-five feet (25’).
13. The proposed lots will meet the lot and site requirements of the HR-1 District.
14. Water and sewer service is desirable for newly subdivided lots.
15. Currently the site contains a historic single family dwelling located towards the north of the property.
16. The site is currently listed as a Landmark on Park City’s Historic Site Inventory.
17. The front and rear yard setbacks of the historic structure are consistent with the zone requirements.
18. The side yard setbacks of the historic structure are consistent with the zone requirements.
19. There are no other violations or non-compliances found on the site.
20. No remnant parcels of land are created with this subdivision.
21. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law:
1. There is good cause for this Subdivision Plat.
2. The Subdivision Plat is consistent with the Park City Land Management Code, The General Plan, and applicable State law regarding Subdivision Plats.
3. Neither the public nor any person will be materially injured by the proposed Subdivision Plat.
4. Approval of the Subdivision 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 request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. A 10 foot wide public snow storage easement along the frontage will be required,
4. Modified 3D sprinklers are required for new or modified structures.
5. The existing sewer lateral for 57 and 59 Prospect Street shall be maintained in service across the property until 57 and 59 Prospect Street utilize the sewer lateral stubs provided to them in Prospect Avenue. Rerouting these laterals around new construction on these lots may be required.

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

PASSED AND ADOPTED this 05th day of January, 2012.

PARK CITY MUNICIPAL CORPORATION

____

Dana Williams, MAYOR

ATTEST:

____

Jan Scott, City Recorder

APPROVED AS TO FORM:

____

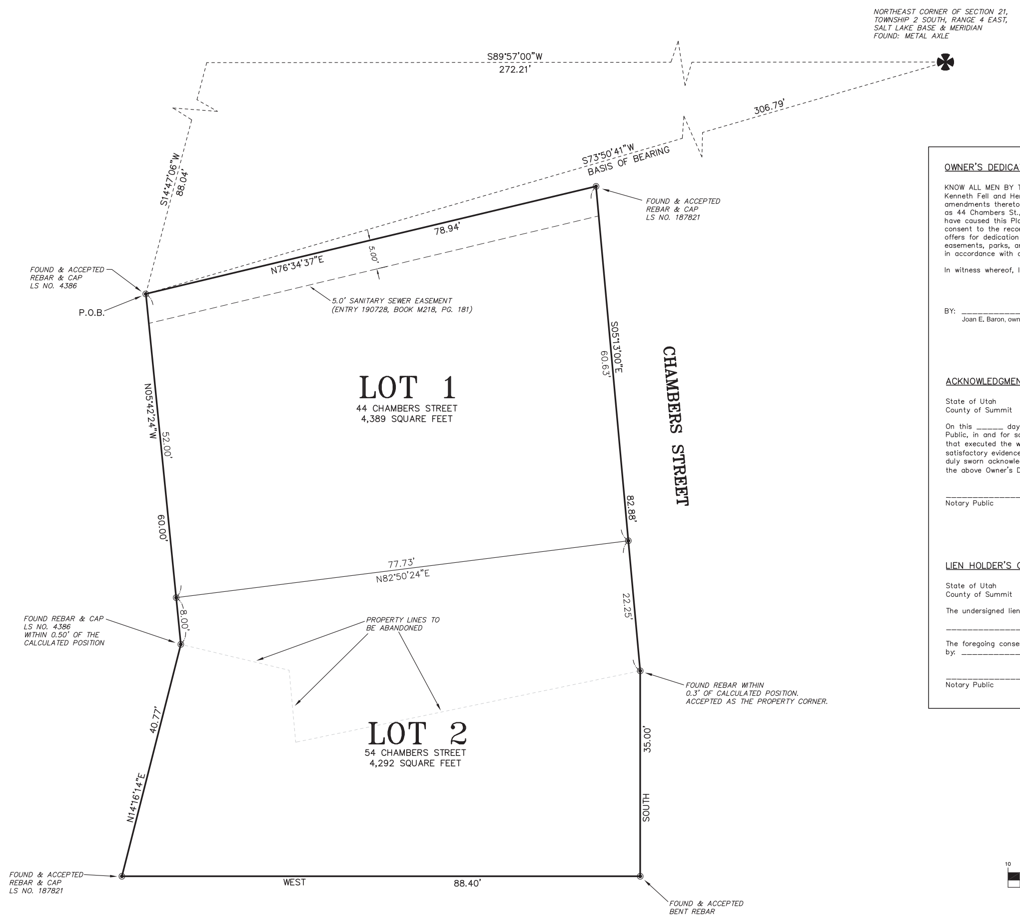
Mark Harrington, City Attorney

Attachment A – Proposed Plat

Attachment A – Proposed Plat

ONTARIO CANYON SUBDIVISION

LYING WITHIN SECTION 21
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
SUMMIT COUNTY, UTAH



OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENT THAT, Joan E. Baron, as to an undivided one half interest and Kenneth Fell and Hermine Fell, Trustees under the Fell Living Trust dated March 21, 2005, and any amendments thereto, as to an undivided one half interest of the herein described tract of land known as 44 Chambers St., to be known hereafter as ONTARIO CANYON SUBDIVISION, do hereby certify that I have caused this Plat to be prepared, and we, Joan E. Baron, Kenneth Fell and Hermine Fell, hereby consent to the recordation of this Plat. ALSO, the owner, or his representatives, hereby irrevocably offers for dedication to the City of Park City all the streets, land for local government uses, easements, parks, and required utilities and easements shown on the plat and construction drawings in accordance with an irrevocable of dedication.

In witness whereof, I have hereunto set my hand this _____ day of ____________, 201_.

BY: ________________
Joan E. Baron, owner

ACKNOWLEDGMENT

State of Utah
County of Summit

On this _____ day of ____________, 201_, personally appeared before me, the undersigned Notary Public, in and for said County of Summit, in said State of Utah, ___________________, the person that executed the within instrument and known to me to be (or proved to me on the basis of satisfactory evidence) the persons who executed the within instrument on behalf of said person, being duly sworn acknowledged to me that he is the owner of the herein described tract of land and he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

______________________________ My Commission Expires: _________________
Notary Public

LIEN HOLDER'S CONSENT TO RECORD

State of Utah
County of Summit

The undersigned lien holder hereby consents to the recordation of this plat.

________________________ BY: ________________

The foregoing consent to record was acknowledged before me this _____ day of _________, 201_, by: ________________

______________________________ My Commission Expires: _________________
Notary Public

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENT THAT, Joan E. Baron, as to an undivided one half interest and Kenneth Fell and Hermine Fell, Trustees under the Fell Living Trust dated March 21, 2005, and any amendments thereto, as to an undivided one half interest of the herein described tract of land known as 44 Chambers St., to be known hereafter as ONTARIO CANYON SUBDIVISION, do hereby certify that I have caused this Plat to be prepared, and we, Joan E. Baron, Kenneth Fell and Hermine Fell, hereby consent to the recordation of this Plat. ALSO, the owner, or his representatives, hereby irrevocably offers for dedication to the City of Park City all the streets, land for local government uses, easements, parks, and required utilities and easements shown on the plat and construction drawings in accordance with an irrevocable of dedication.

In witness whereof, I have hereunto set my hand this _____ day of ____________, 201_.

BY: ________________ BY: ________________
Kenneth Fell, Trustee Hermine Fell, Trustee

ACKNOWLEDGMENT

State of Utah
County of Summit

On this _____ day of ____________, 201_, personally appeared before me, the undersigned Notary Public, in and for said County of Summit, in said State of Utah, ___________________, the person that executed the within instrument and known to me to be (or proved to me on the basis of satisfactory evidence) the persons who executed the within instrument on behalf of said person, being duly sworn acknowledged to me that he is the owner of the herein described tract of land and he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

______________________________ My Commission Expires: _________________
Notary Public

LIEN HOLDER'S CONSENT TO RECORD

State of Utah
County of Summit

The undersigned lien holder hereby consents to the recordation of this plat.

________________________ BY: ________________

The foregoing consent to record was acknowledged before me this _____ day of _________, 201_, by: ________________

______________________________ My Commission Expires: _________________
Notary Public

NORTH

GRAPHIC SCALE

10 0 5 10 20 40

(IN FEET)
1 inch = 10 ft.

LEGEND

SECTION CORNER

SET REBAR & CAP LS# 6449384 (UNLESS OTHERWISE NOTED)

AS SURVEYED LEGAL DESCRIPTION OF SUBDIVISION BOUNDARY

Commencing at the northeast corner of Section 21, Township 2 South, Range 4 East, Salt Lake Base & Meridian, a found metal axle; thence S.73°50'41"W., a distance of 306.79 feet to a found rebar and cap stamped LS 4386, said point being the POINT OF BEGINNING, (basis of bearing being S.73°50'41"W. between said section corner and said rebar & cap); thence N.76°34'37"E., a distance of 78.94 feet; thence S.05°13'00"E., a distance of 82.88 feet; thence South, a distance of 35.00 feet; thence West, a distance of 88.40 feet; thence N.14°16'14"E., a distance of 40.77 feet; thence N.05°42'24"W., a distance of 60.00 feet to the POINT OF BEGINNING.

Containing 8,680.51 square feet or 0.1993 acres, more or less.

DEED DESCRIPTION (ENTRY NO. 395337)

Beginning at a point South 89°57 West 272.21 feet and South 14°47'06" West 88.04 feet from the northeast corner of Section 21, Township 2 South, Range 4 East, Salt Lake Base & Meridian; thence South 5°42'24" East 60.00 feet; thence South 76°33'50" East 19.00 feet; thence South 5°13 East 12.31 feet; thence North 78°18' East 60.00 feet; thence North 5°13' West 82.88 feet; thence South 76°34'37" West 78.94 feet to the point of beginning.

DEED DESCRIPTION (ENTRY NO. 395340)

BEGINNING at a point S89°57'00" West along Section Line 210.36 feet and South 149.39 feet from the Northeast Corner of Section 21, Township 2 South, Range 4 East, Salt Lake Base & Meridian. Said point being the Southeast Corner of that certain parcel "D" described in a Quit–Claim Deed recorded 12–9–80 as Entry No. 173708 in Book M173, Page 835 of the Official Records; and running thence South 35.00 feet to the Northwest corner of that certain parcel described in a Warranty Deed recorded October 28, 1988 as Entry No. 299398 in Book 498, Page 699–700 of the Official Records; thence along the North line of said parcel West 75.00 feet to the Northwest corner of said parcel; thence West 13.40 feet to a point on a East line of that certain parcel described in a Warranty Deed recorded September 28, 1976 as entry 133700 in book M84, Page 554 of the official Records; thence along the East line of said parcel N 14°02'00" East 14.21 to the Northeast Corner of said parcel and the Southeast corner of that certain parcel described in a Quit–Claim deed recorded February 3, 1975 as entry No. 127333 in book M68 page 200 of the Official Records; thence along the East line of said parcel N 14°02'00" E 26.48 feet more or less to Northeast corner of said parcel and the Westerly corner of said parcel "D" thence along the Southerly line of said parcel "D" S 76°33'50" E 19.00 feet more or less thence along the Westerly line of said parcel "D" S 5°13'00" E 12.31 feet; thence along the South line of said parcel "D" N 78°18'00" E 60.00 feet to the point of beginning.

SURVEYOR'S CERTIFICATE

I, CHRISTOPHER PENTES, OF PARK CITY, UTAH, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, HOLDING LICENSE NO. 6449384. I FURTHER CERTIFY I HAVE PERFORMED A SURVEY ON THE HEREON DESCRIBED PROPERTY AND THAT TO THE BEST OF MY KNOWLEDGE IT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED.

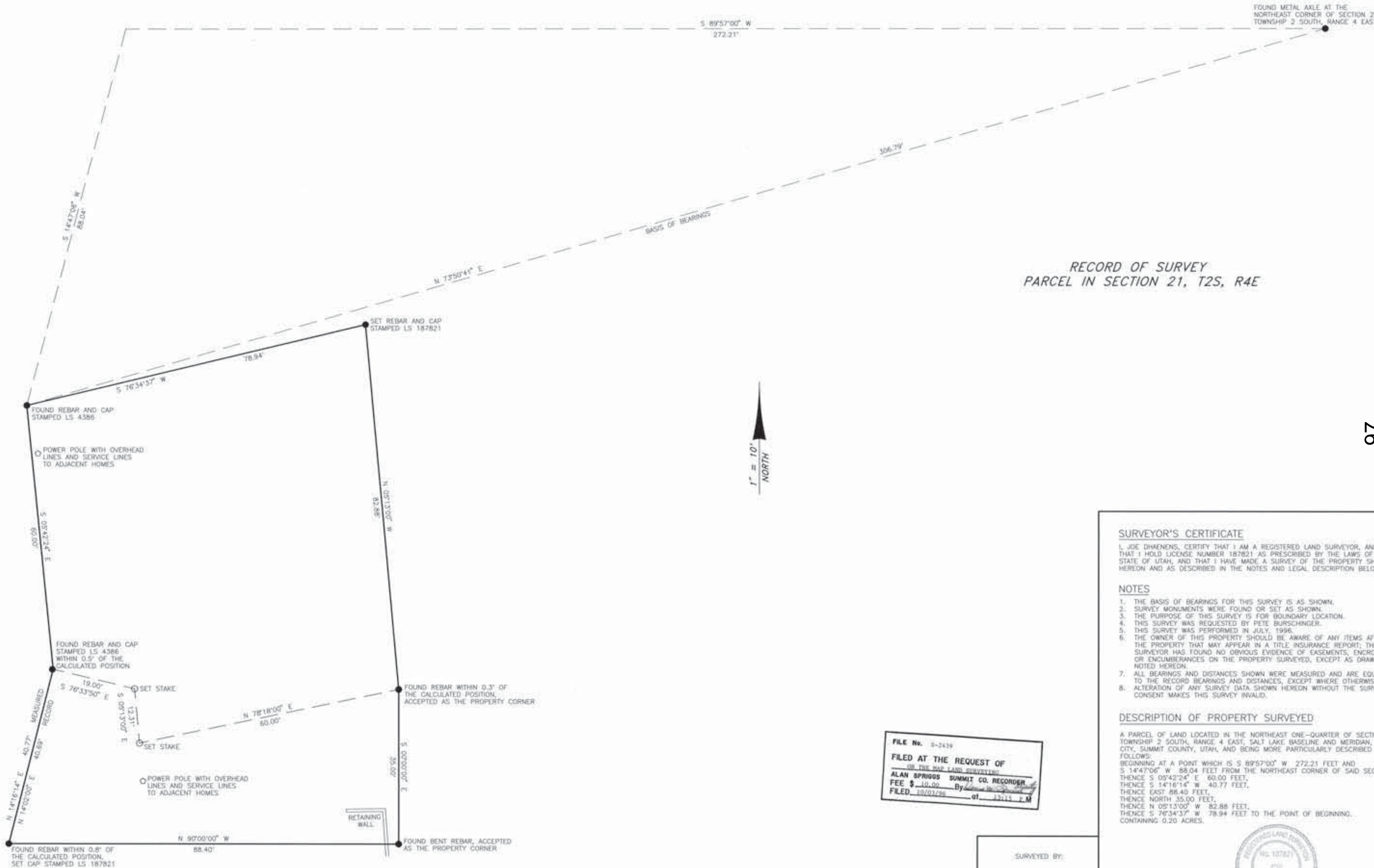
______________________ ______________
CHRISTOPHER PENTES DATE

PLAT NOTES:

1. THE PURPOSE OF THIS PLAT AMENDMENT IS TO CREATE TWO BUILDABLE LOTS
2. ALL NOTES AND COVENANTS OF PARK CITY SURVEY PLAT REMAIN IN EFFECT ON THIS PLAT AMENDMENT.
3. PLAT BASED ON SURVEY S–2439 ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.

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

PARK CITY PLANNING COMMISSION	CERTIFICATE OF ATTEST	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS ____ DAY OF ________, 201_, A.D. CHAIRMAN	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ___ DAY OF ___________, 201_ A.D. BY ______________ PARK CITY RECORDER	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ______ DAY OF ___________, 201_ A.D. BY ______________ S.B.W.R.D.	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF __________, 201_ A.D. BY ______________ PARK CITY ENGINEER	APPROVED AS TO FORM THIS ____ DAY OF __________, 201_ A.D. BY ______________ PARK CITY ATTORNEY	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF ___________, 201_ A.D. BY ______________ MAYOR	STATE OF UTAH, COUNTY OF SUMMIT AND FILED AT THE REQUEST OF ______________ DATE _______ TIME _____ BOOK _____ PAGE _____ _______ ______________ FEE RECORDER



RECORD OF SURVEY
PARCEL IN SECTION 21, T2S, R4E

FILE No. S-2439
FILED AT THE REQUEST OF
ON THE MAP LAND SURVEYING
ALAN SPRIGGS SUMMIT CO. RECORDER
FEE $ 10.00 By [signature]
FILED 10/03/96 at 13:15 P M

SURVEYED BY:

ON THE MAP
LAND SURVEYING

P.O. BOX 3864
PARK CITY, UT 84060
647-9826

SURVEYOR'S CERTIFICATE

I, JOE DHAENENS, CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD LICENSE NUMBER 187821 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND THAT I HAVE MADE A SURVEY OF THE PROPERTY SHOWN HEREON AND AS DESCRIBED IN THE NOTES AND LEGAL DESCRIPTION BELOW.

NOTES

1. THE BASIS OF BEARINGS FOR THIS SURVEY IS AS SHOWN.
2. SURVEY MONUMENTS WERE FOUND OR SET AS SHOWN.
3. THE PURPOSE OF THIS SURVEY IS FOR BOUNDARY LOCATION.
4. THIS SURVEY WAS REQUESTED BY PETE BURSCHINGER.
5. THIS SURVEY WAS PERFORMED IN JULY, 1996.
6. THE OWNER OF THIS PROPERTY SHOULD BE AWARE OF ANY ITEMS AFFECTING THE PROPERTY THAT MAY APPEAR IN A TITLE INSURANCE REPORT; THE SURVEYOR HAS FOUND NO OBVIOUS EVIDENCE OF EASEMENTS, ENCROACHMENTS, OR ENCUMBERANCES ON THE PROPERTY SURVEYED, EXCEPT AS DRAWN OR NOTED HEREON.
7. ALL BEARINGS AND DISTANCES SHOWN WERE MEASURED AND ARE EQUIVALENT TO THE RECORD BEARINGS AND DISTANCES, EXCEPT WHERE OTHERWISE SHOWN.
8. ALTERATION OF ANY SURVEY DATA SHOWN HEREON WITHOUT THE SURVEYOR'S CONSENT MAKES THIS SURVEY INVALID.

DESCRIPTION OF PROPERTY SURVEYED

A PARCEL OF LAND LOCATED IN THE NORTHEAST ONE-QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASELINE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT WHICH IS S 89°57'00" W 272.21 FEET AND S 14°47'06" W 88.04 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 21,
THENCE S 05°42'24" E 60.00 FEET,
THENCE S 14°16'14" W 40.77 FEET,
THENCE EAST 88.40 FEET,
THENCE NORTH 35.00 FEET,
THENCE N 05°13'00" W 82.88 FEET,
THENCE S 76°34'37" W 78.94 FEET TO THE POINT OF BEGINNING.
CONTAINING 0.20 ACRES.

REGISTERED LAND SURVEYOR No. 187821 JOE DHAENENS STATE OF UTAH

Joe Dhaenens
JOE DHAENENS

8-01-96
DATE

S-2439

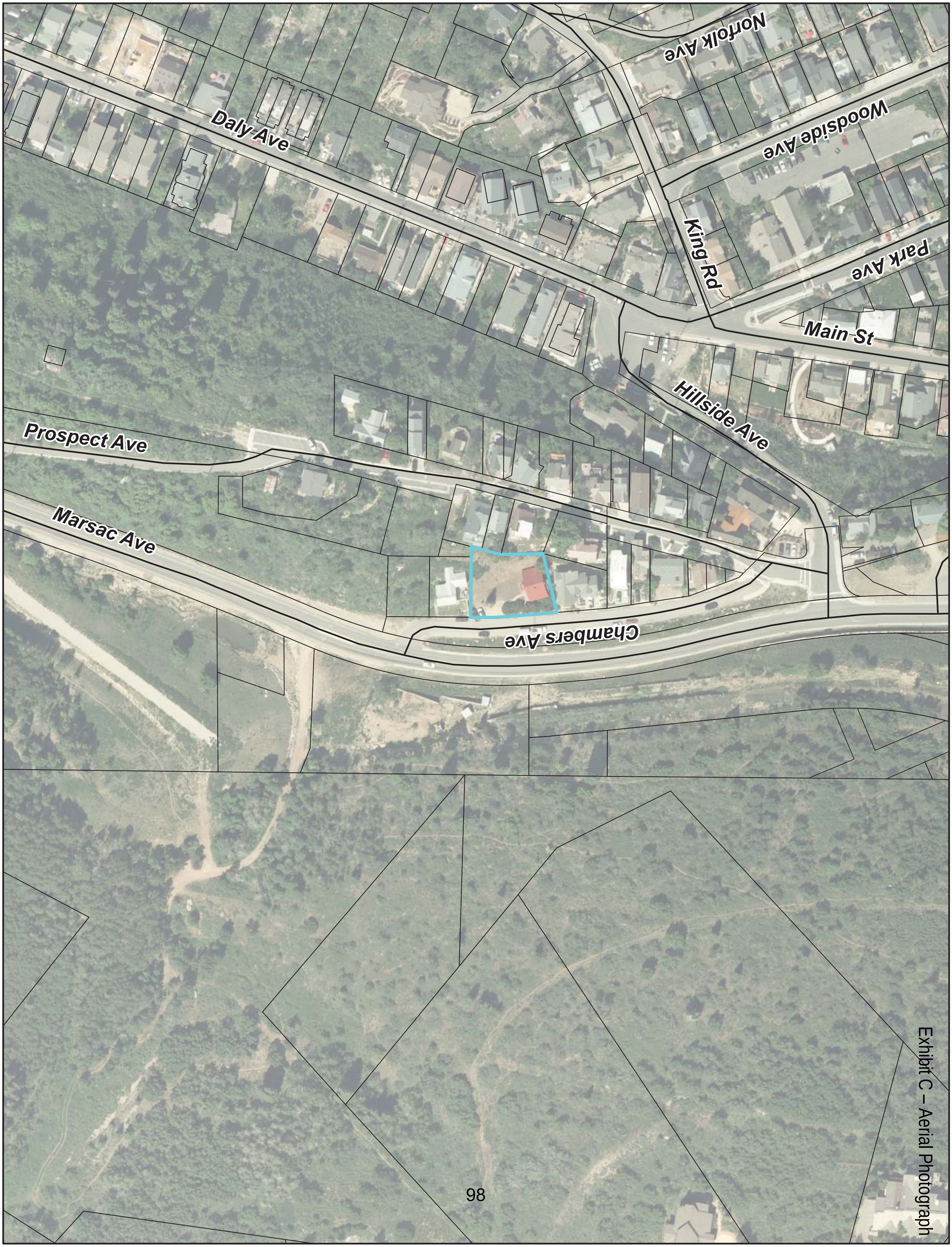
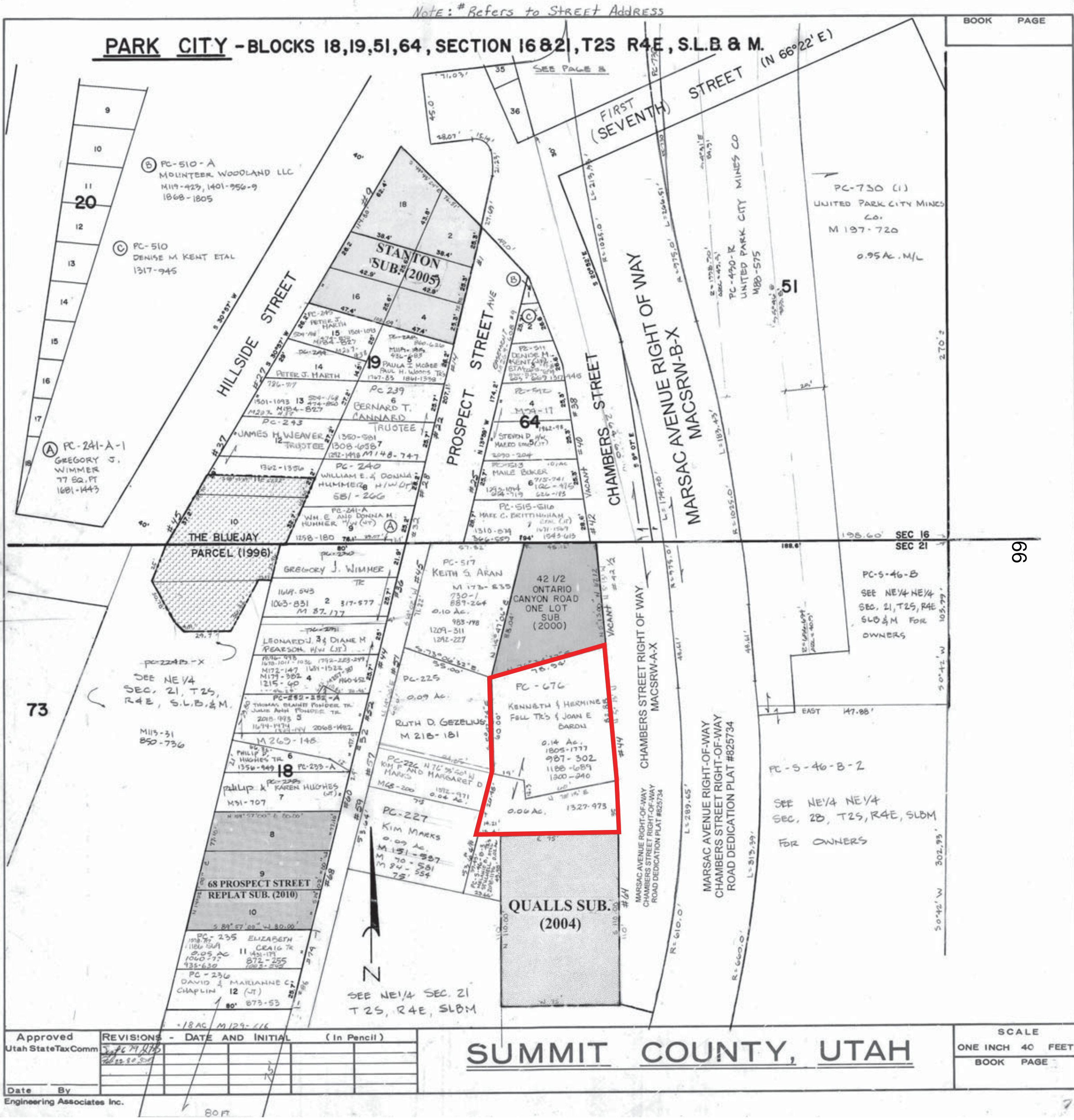


Exhibit C – Aerial Photograph

Exhibit D – County Plat Map



Francisco Astorga

From: Linda McReynolds <linda@lindamcreynolds.com> on behalf of Linda McReynolds <linda.mcreynolds@sothebysrealty.com>
Sent: Monday, December 12, 2011 2:51 PM
To: Francisco Astorga
Cc: Baron Joan
Subject: Joan Baron parcel 44 Charmbers

Dear Francisco:

I plan to attend the Planning Commission meeting this Wednesday; however, since I am picking up relatives at the airport late afternoon I worry I may be delayed. In case I am unable to attend, I would like to go on record supporting this subdivision re plat.

This subdivision fully meets the criteria as outlined in the Land Management Code. Further, it supports the City's efforts to avoid mega-mansions by dividing one very large .02 acre lot into two more manageable although still large by Old Town standards lots of 55 feet and 59 feet in width. It is a win-win for both the City and the applicant.

I have known Joan Baron for 15 years since she purchased this wonderful parcel and historic home. She's been very supportive of the Historic District and Park City throughout her ownership. In fact, she flew here from her home in Arizona recently to present a City-sponsored discussion about community gardens which is one of her areas of expertise.

I can't foresee any reason this re plat will not be approved, but still wanted to make sure my support was known.

Thank you, Francisco, for all your hard work!

Best,
Linda McReynolds

Linda McReynolds
Branch Broker Deer Valley Office
Summit Sotheby's International Realty
435-640-6234 cellular
435-615-7141 fax
linda.mcreynolds@sothebysrealty.com

>   From: Joan Baron & Kenneth Fell
>   property owners of 44 Chambers Avenue, Park City
>
>   To: Ken Marks
>   property owner of homes at 57 & 59 Prospect Ave, Park City
>
>
>   1. The existing sewer laterals serving the existing homes at 57 & 59
Prospect
> Ave are located across Lot 2 of the proposed Ontario Canyon Subdivision (also
> known as 44 Chambers st) The exact location of the laterals is now known and
no
> easement for the laterals currently exists across the property.
>
>   2. A private lateral easement will be provided along the south side of Lot
2
> of the proposed Ontario Canyon Subdivision for the potential relocation of the
> two sewer laterals serving the existing homes at 57 & 59 Prospect Ave.
>
>   3. The two existing sewer laterals serving the existing homes at 57 &59
> Prospect Ave will likely require relocation into the private lateral easement
> along the south side of Lot 2 when construction on lot 2 occurs. This
> relocation will be accomplished according to the requirements and standards of
> the Snyderville Basin Water Reclamation District including inspection and
> approval by the District. The cost for the relocation of the two existing
sewer
> laterals will be shared by Kim Marks and Joan Baron/Kenneth Fell with a cost
> sharing percentage of 50% and 50% respectively.
>
>   4. Reconstruction of the two homes at 57 & 59 Prospect Ave is likely in the
> future. At the time of reconstruction, the laterals from these two homes
shall
> be redirected to connect to lateral sewer stubouts in Prospect Ave that were
> provided as part of the 2006 Prospect Ave Reconstruction Project. The cost of
> this redirection will be the total responsibility of the owner(s) of 57 & 59
> Prospect Ave. If this redirection of the laterals occurs prior to the
> construction on Lot 2 of the proposed Ontario Canyon Subdivision, relocation
of
> the existing laterals crossing Lot 2 will not be necessary.
>
>   Ken: Kenneth Fell and I apppreciate your expediting this agreement with
your
> signature by return email so we can proceed with completing our subdivision
> application.
>
>   We agree to this proposal dated January 31, 2007 the undersigned Kenneth
Fell
> and Joan Baron, owners of Lot 2 (aka 44 Chambers St)
>
>   Joan Baron 602-616-0223 mailing address; 8325 E Monte Vista Rd
Scottsdale,
> AZ 85257
>
>   Kenneth Fell 480-946-5252 mailing address: use above
>
>
>
>
>

To: Franciso Astorga
Park City Planner
Re: 44 Chambers Platt Amendment

Francisco

As the owner of the two historic homes at 57 and 59 Prospect I appreciate getting the notice of the Plat Amendment at 44 Chambers Street.

Your report is correct in identifying the location of the laterals that run from my homes to Chambers St. I'm not completely certain if there are 1 or 2 lines since at some point in time my lines were destroyed when the lot at 44 was excavated and replace by the previous owners of that property. Prior to this excavation this lot was a cut off road that ran from Prospect to what was then Hwy. 224.

I would request that an easement be granted on the newly created lot to accommodate these (this) lateral.

I do not oppose the re-plat and would just like to protect the lines that service these two historic homes.

Thank you for entering this in the record

Kim Marks
Owner 57&59 Prospect.

City Council
Staff Report

Subject:	**First Amended Morning Star Estates, Lots 1 and 2 and Water Tank Parcel and Easement across City Property to Benefit Lot 2**
Author:	**Mathew W. Evans, Senior Planner**
Date:	**January 5, 2012**
Project Number	**PL-11-01341**
Type of Item:	**Administrative – (1) Plat Amendment and (2) Grant of an Access Easement**

PARK CITY
1884
PLANNING DEPARTMENT

Summary Recommendations

Staff recommends the City Council hold a public hearing for the proposed First Amended Morning Star Estates, Lots 1 and 2 and Water Tank Parcel Plat Amendment, consider any public input and consider approving the plat amendment based on findings of fact, conclusions of law and conditions of approval as stated in the attached ordinance. Staff also recommends City Council consider granting an access easement in a form approved by the City Attorney for the benefit of Lot 2 of the First Amended Morning Star Estates, Lots 1 and 2 and Water Tank Parcel so that the Owners of that Lot may have access to Parcel A which is bisected by City Property.

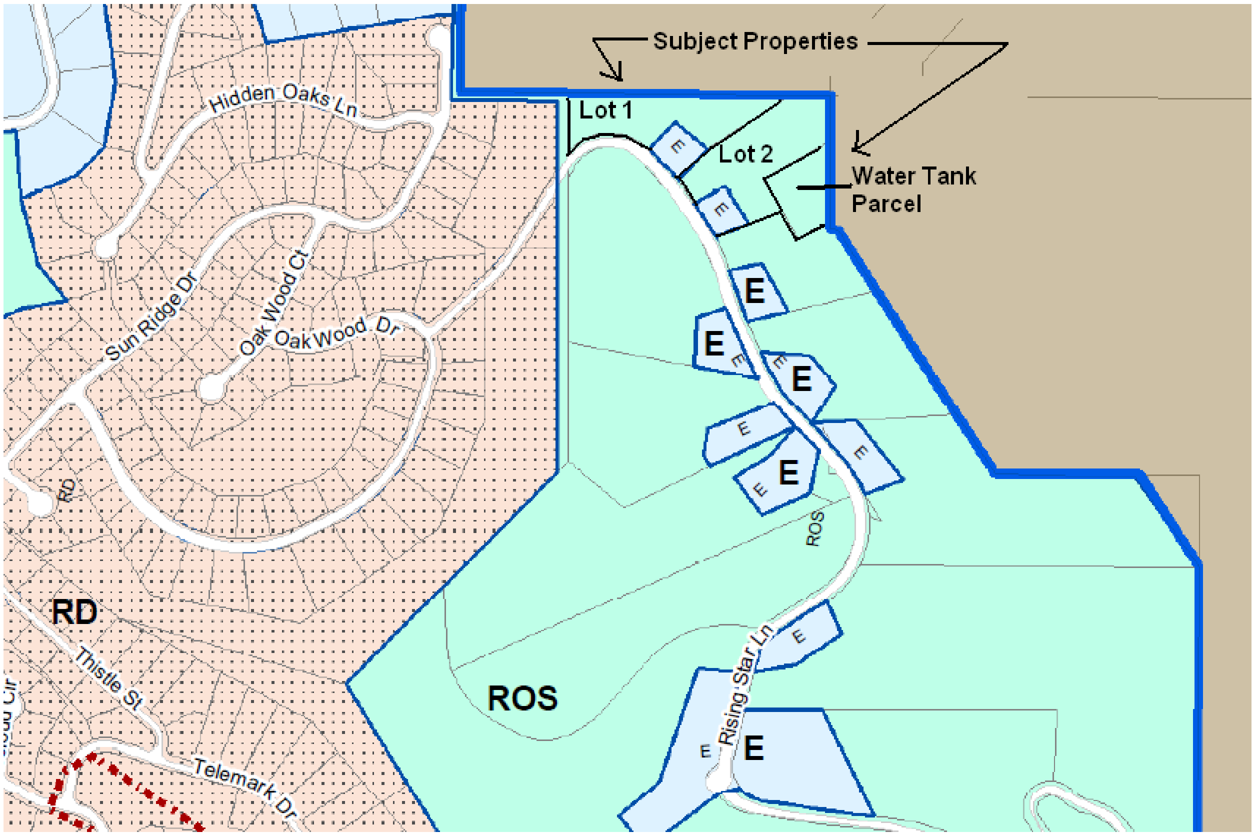
Topic

Applicant:	Robert Dillon on behalf of John and Donna Cummings
Location:	3701 and 3715 Rising Star Lane
Zoning:	Estate (E) and Recreation Open Space (ROS)
Adjacent Land Uses:	Residential and Open Space.

Background

On September 2, 2011, the City received a completed application for the Morning Star Estates Lot 2 Plat Amendment. The property is located at 3715 Rising Star Lane in the Estate (E) and the Recreation Open Space (ROS) zoning districts.

On November 9, 2011, the Planning Commission held a public hearing to receive input on the Morning Star Estates, Lot 2 Plat Amendment, and made minor changes to the findings of fact within the proposed ordinance and as reflected herein. Although at the time, staff was attempting to reach the owners of Lot 1, Tom and Jeanne Rueger, and therefore they had not joined in the plat amendment request, the possibility of them doing so was discussed by the Planning Commission and the Commission indicated they would continue their positive recommendation with that addition.



Lot 1 of the Morning Star Estates subdivision is a developed lot with a single family house located on it. Lot 2 consists of a vacant building lot within the recorded development. The Morning Star property was officially annexed into Park City on June 18, 1992. On March 31, 1993, the Morning Star Estates Subdivision was recorded. The original subdivision, which was processed as a Master Plan Development (MPD), consisted of 12 lots on 178.36 acres, and four (4) "exception" parcels and one (1) Water Tank parcel. The Water Tank Parcel houses the 600,000 gallon Oaks water tank an appurtenances. The subdivision was also recorded with 16 "General Notes", some of which are requirements related to the development to lots within the Morning Star Subdivision. The building envelopes for each parcel zoned "Estate" (E), and the non-buildable areas are zoned "Recreation Open Space" (ROS) as originally approved by the MPD. These zones are reflected on the City's official zoning map.

Lot 1 of the Morning Star Estates subdivision, as recorded, is a 2.94 acre parcel of property and is located directly adjacent to Lot 2.

Lot 2 of the Morning Star Estates subdivision, as recorded, is a 3.264 acre parcel of property. The recorded plat shows water utility and access easements to the City's Oaks water tank, as well as a general note showing an "Easement Area" in a triangular shape inside of the recorded lot. The recorded plat does not show the location of an existing water discharge detention pond or any reference to the pond, which existed prior to the recording of the plat.

In August 2011, Robert Rodman from Coalition Title met with City Staff to discuss an issue that they were just made aware of with regards to Lot 2 Morning Star Estates. Coalition Title was acting as representative of the owners, John and Donna Cummings. Coalition's research showed that Park City owned a portion of the property uphill from the easement area which was not reflected on the plat. This portion of the lot contains a water catch basin (detention basin) for the adjacent water tank. Immediately uphill from the property owned by Park City is an area zoned Restricted Open Space, which still is owned by the Cummings. The quitclaim deed for the City property pre-dates the recording of the Morning Star Estates plat. The recorded plat does not show that Park City owns that portion of the land, only the "Water Tank Parcel" adjacent to Lot 2.

The owners became aware of this situation through their efforts to sell the property. A potential buyer's real estate agent was performing a routine title search on the property when the discovery was made. The owners of Lot 2 then notified Coalition Title, who verified it through their own research.

A small piece of City's property (123 square feet) contiguous to the catch basin also extends into Lot 1 of the Morning State Estates. This ownership is not reflected on the recorded plat.

This plat amendment is being proposed in order to correct the error in the recorded subdivision plat. The amended plat correctly reflects the City's ownership of the parcel which had been represented as part of the recorded Lots 1 and 2, and to adjoin it with the Water Tank Parcel. The City Owned Property is being used for a detention basin for the Oaks Water Tank.

However, due to the City's ownership of the parcel, the Cummings property is no longer contiguous. Therefore, the amended plat re-plats Lot 2 to the area around the building pad, reflects the City's parcel, and shows the "upper parcel" as Parcel "A". Staff also recommended that a note be placed on the plat indicating that Parcel "A" is adjoined with Lot 2 by ownership and is not separately developable. The development rights on Parcel "A" are limited to accessory uses allowed in the ROS zone as well as any restrictions in the CC&Rs. For example, it cannot be used as a separate parcel to construct an additional home. Its uses are limited to those that are accessory to the future development of a single-family dwelling on Lot 2 as permitted within the ROS zone. Due to the City Property bisecting the existing Lot 2, without an easement, the owners of Lot 2 lack the ability to access Parcel A.

Proposal:

The application is proposing to amend the Morning Star Estates Subdivision as follows:

1. Remove a small section of property (approx.123 square feet) owned by Park City Municipal Corporation from Lot 1 to reflect ownership accurately and join that section with the Water Tank Parcel.
2. Remove a section of property owned by Park City Municipal Corporation that bisects the recorded Lot 2 and join that section with the Water Tank Parcel
3. Create an amended Lot 2, which includes the buildable parcel with street frontage,

and “Parcel A”, a remnant non-buildable parcel that must be sold with Lot 2.

4. Combine the original “Water Tank Parcel” that is adjacent to Lot 2 with the portion of property owned by the City which is now a part of Lots 1 and 2, and is used as an overflow detention basin for the water tank.
5. Designate an easement on the City parcel for the owners of Lot 2 to access Parcel A.

Analysis

Staff finds good cause for this plat amendment. The original subdivision was recorded without the acknowledgement or reflection of Park City’s ownership of the property next to the water tank. The original application simply showed easements on the plat to account for the city’s access to the water tank, easements for the water line and the overflow detention basin. The amendment is necessary to correctly reflect the ownership and property description of Lots 1 and 2, Morning Star Estates Subdivision.

The proposed amendment does not change any of the current conditions related to the properties. The ‘Lot 2” property is a vacant parcel of property with entitlements for one single-family dwelling unit. The amended plat does not change recorded easements or the building envelope as shown on the original plat, and no portion of the lot within the “Estate” zone designation will change.

The overall sizes of Lot 1 and 2 do change with the proposal. Once the City owned property is removed from the ownership of Lots 1 and 2, the lot size for Lot 1 will drop from 2.94 acres to 2.93acres in total and Lot 2 will drop from 3.26 acres to 2.87 acres in total. Lot 2 is proposed to have a size of 2.3 acres, and Parcel “A” will have a lot size of .51 acres (1/2 acre). Although the minimum lot size in the “Estate” zone designation is 3 acres, the overall development was approved as a MPD which allows clustering and small lots so long as the overall density does not change. Lots within the Morning Star Estates as recorded, currently range in size from 2.9 to 61.2 acres. Lot 1 is currently the smallest at 2.9 acres.

The Water Department has reviewed the location of the proposed easement. Such an easement will not hamper City activities around the Water Tank or the associated detention pond. The easement will merely give access on the City parcel for the owners of Lot 2 to access Parcel A.

Process

The approval of this application by the City Council constitutes Final Action that may be appealed to District Court within 30 days.

Department Review

This project has gone through an interdepartmental review including City Manager, Water Department and Legal. All of the issues raised by the Development Review Committee (DRC) have been addressed, and the original proposal was altered to reflect the changes requested by the DRC.

Notice
The property was posted and notice was mailed to property owners within 300 in accordance with the requirements in the LMC. Legal notice was also put in the Park Record.

Public Input
No public input has been received by the time of this report; public input may be taken at the regularly scheduled Planning Commission public hearing.

Alternatives
Council should make two motions. One regarding the plat amendment and the other regarding the easement request.

A. Approve the Requests: Staff and the Planning Commission both recommend approving the proposed First Amended Morning Star Estates, Lots 1 and 2 and Water Tank Parcel Plat Amendment and easement.
B. Deny the Requests: This action would require Staff to prepare addition findings of fact, and would prevent the owners of Lot 2 from gaining access to land owned by them. The error reflected in the subdivision plat showing City Property as part of Lots 1 and 2 will continue and the applicants will face challenges in selling their property.
C. Continue the Item: If the Council needs more information, the items can be continued to a date certain.
D. Take no Action: This option would be the same as denying the requests

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

Consequences of not taking the Suggested Recommendation
The error reflected in the subdivision plat showing City Property as part of Lots 1 and 2 will continue and the applicants will face challenges in selling their property. Furthermore, the Owners of Lot 2 would not have clearly defined access to their property and the City may face legal action in order for them to gain access.

Recommendation
Staff recommends the City Council hold a public hearing for the proposed First Amended Morning Star Estates, Lots 1 and 2 and Water Tank Parcel Plat Amendment, consider any public input and consider approving the plat amendment based on findings of fact, conclusions of law and conditions of approval as stated in the attached ordinance.

Staff also recommends City Council consider granting an access easement in a form approved by the City Attorney for the benefit of Lot 2 of the First Amended Morning Star Estates, Lots 1 and 2 and Water Tank Parcel so that the Owners of that Lot may have access to Parcel A which is bisected by City Property.

Exhibits
Ordinance
Exhibit A – Existing Plat
Exhibit B – Original 1992 Staff Report for the Morning Star Estates Development
Exhibit C – Minutes from Planning Commission
Exhibit D – Access Easement

Ordinance No. 12-

AN ORDINANCE APPROVING THE FIRST AMENDED MORNING STAR ESTATES LOTS 1 AND 2 AND WATER TANK PARCEL PLAT AMENDMENT LOCATED AT 3701 AND 3715 RISING STAR LANE, PARK CITY, UTAH.

WHEREAS, the owners of property located at 3715 Rising Star Lane have petitioned the City Council for approval of the First Amended Morning Star Estates, Lots 1 and 2 and Water Tank Parcel Plat Amendment; and

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

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

WHEREAS, the Planning Commission held a public hearing on November 9, 2011, to receive input on the Morning Star Estates Lot 2 Plat Amendment;

WHEREAS, on November 9, 2011, the Planning Commission voted unanimously to forward a positive recommendation to the City Council;

WHEREAS; the City Council, held a public hearing on January 5, 2012; and,

WHEREAS, it is in the best interest of Park City, Utah to approve the First Amended Morning Star Estates, Lots 1 and 2 and Water Tank Parcel Plat Amendment.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Morning Star Estates Lots 1 and 2 Plat Amendment as shown in Exhibit A 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 3701 and 3715 Rising Star Lane within the Estate (E) and Recreation Open Space (ROS) zoning districts.
2. There are no proposed changes to the building envelope of Lot 2 as recorded on the original plat or any other physical changes proposed to the lot.
3. The applicants are requesting to remove a parcel of property owned by Park City and used as an overflow detention basin as part of the adjacent water tank property and that is incorrectly shown as a part of the recorded Lots 1 and 2, Morning Star Estates recorded plat.
4. The applicant proposes no changes to the current easements recorded on the property which are necessary for the City to gain access to the water tank and overflow detention basin.

5. The applicant is entitled to construct one single-family dwelling on the proposed Lot 2 as amended, within the recorded building envelope.
6. Parcel A is a non-buildable (for primary structures) parcel permanently associated with Lot 2.
7. Lot 1 of the Morning Star Estates Subdivision currently contains approximately 123 square feet of property by Park City Municipal Corporation.
8. Lot 2 of the Morning Star Estates Subdivision contains a .39 acre portion of property owned by Park City Municipal Corporation that dissects the recorded lot.
9. The original "Water Tank Parcel" that is adjacent to Lot 2 is contiguous with the portion of property owned by the City.
10. The property owned by the City which is now a part of Lots 1 and 2 is used as an overflow detention basin for the water tank.
11. The City is granting an easement on the City parcel for the owners of Lot 2 to access Parcel A. The easement will merely give access on the City parcel for the owners of Lot 2 to access Parcel A.
12. The location of the proposed easement will not hamper City activities around the Water Tank or the associated detention pond.

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

<u>Conditions of Approval:</u>
1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within 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. Future development is subject to the notes on the original plat associated with Lot 2, and as noted on the amended plat to read "All conditions of approval of the original plat, Morning Star Estates, recorded March 31, 1993, as Entry No. 376621 will remain in full force and effect."
4. Parcel A is not separately buildable or developable, and shall remain a part of the ownership of Lot 2 in perpetuity.
5. The City will grant an easement on the City parcel for the owners of Lot 2 to access Parcel A.

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

PASSED AND ADOPTED this 5th day of January, 2012.

PARK CITY MUNICIPAL CORPORATION

____
Dana Williams, MAYOR

ATTEST:

____
Jan Scott, City Recorder

APPROVED AS TO FORM:

____
Mark Harrington, City Attorney

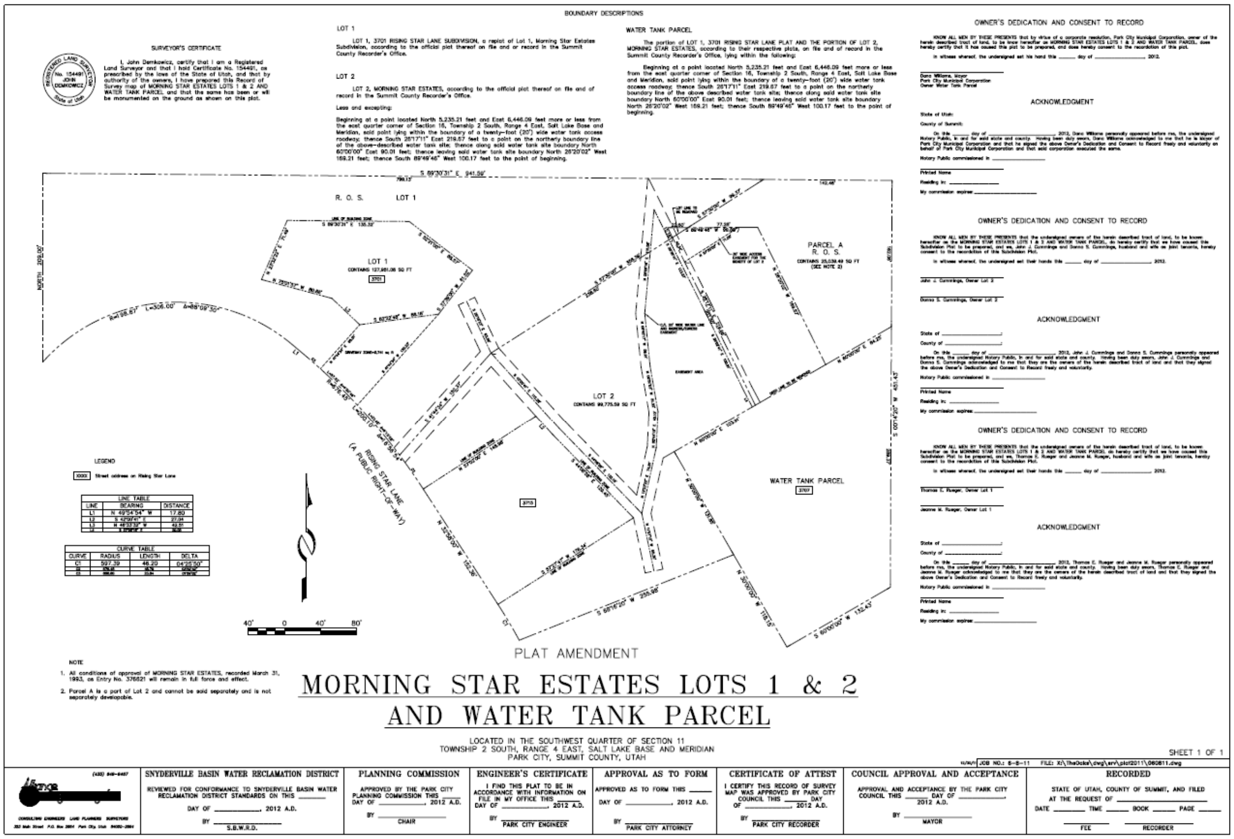
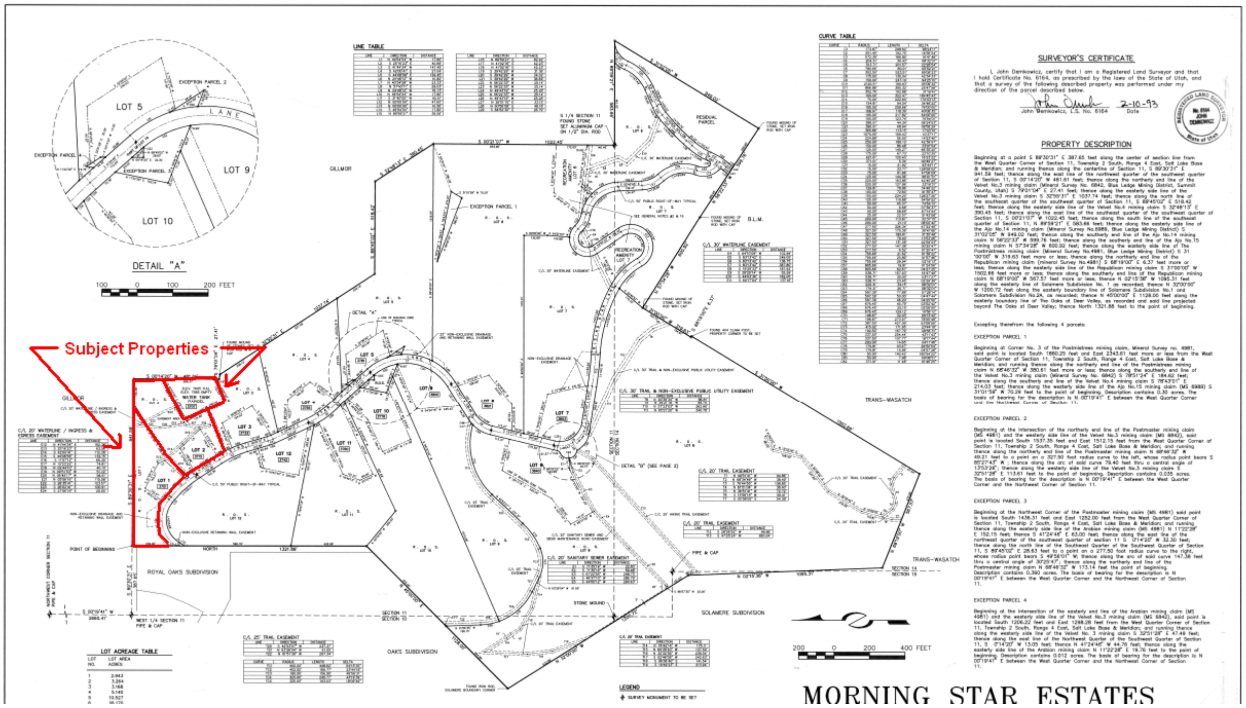

BOUNDARY DESCRIPTIONS
SURVEYOR'S CERTIFICATE
REGISTERED LAND SURVEYOR No. 154491 JOHN DEMKOWICZ State of Utah
I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491, as prescribed by the laws of the State of Utah, and that by authority of the owners, I have prepared this Record of Survey map of MORNING STAR ESTATES LOTS 1 & 2 AND WATER TANK PARCEL and that the same has been or will be monumented on the ground as shown on this plat.
LOT 1
LOT 1, 3701 RISING STAR LANE SUBDIVISION, a replat of Lot 1, Morning Star Estates Subdivision, according to the official plat thereof on file and or record in the Summit County Recorder's Office.
LOT 2
LOT 2, MORNING STAR ESTATES, according to the official plat thereof on file and of record in the Summit County Recorder's Office.
Less and excepting:
Beginning at a point located North 5,235.21 feet and East 6,446.09 feet more or less from the east quarter corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point lying within the boundary of a twenty-foot (20') wide water tank access roadway; thence South 26°17'11" East 219.67 feet to a point on the northerly boundary line of the above-described water tank site; thence along said water tank site boundary North 60°00'00" East 90.01 feet; thence leaving said water tank site boundary North 26°20'02" West 169.21 feet; thence South 89°49'46" West 100.17 feet to the point of beginning.
WATER TANK PARCEL
The portion of LOT 1, 3701 RISING STAR LANE PLAT AND THE PORTION OF LOT 2, MORNING STAR ESTATES, according to their respective plats, on file and of record in the Summit County Recorder's Office, lying within the following:
Beginning at a point located North 5,235.21 feet and East 6,446.09 feet more or less from the east quarter corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point lying within the boundary of a twenty-foot (20') wide water tank access roadway; thence South 26°17'11" East 219.67 feet to a point on the northerly boundary line of the above described water tank site; thence along said water tank site boundary North 60°00'00" East 90.01 feet; thence leaving said water tank site boundary North 26°20'02" West 169.21 feet; thence South 89°49'46" West 100.17 feet to the point of beginning.
OWNER'S DEDICATION AND CONSENT TO RECORD
ACKNOWLEDGMENT
OWNER'S DEDICATION AND CONSENT TO RECORD
ACKNOWLEDGMENT
OWNER'S DEDICATION AND CONSENT TO RECORD
ACKNOWLEDGMENT
S 89°30'31" E 941.59'
R. O. S.
LOT 1
LOT 2
PARCEL A
R. O. S.
CONTAINS 23,038.48 SQ FT
(SEE NOTE 2)
WATER TANK PARCEL
RISING STAR LANE (A PUBLIC RIGHT-OF-WAY)
LEGEND
LINE TABLE
CURVE TABLE
PLAT AMENDMENT
NOTE
1. All conditions of approval of MORNING STAR ESTATES, recorded March 31, 1993, as Entry No. 376821 will remain in full force and effect.
2. Parcel A is a part of Lot 2 and cannot be sold separately and is not separately developable.
MORNING STAR ESTATES LOTS 1 & 2
AND WATER TANK PARCEL
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 11
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH
SHEET 1 OF 1
SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ______ DAY OF __________, 2012 A.D.
BY __________ S.B.W.R.D.
PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF __________, 2012 A.D.
BY __________ CHAIR
ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ______ DAY OF __________, 2012 A.D.
BY __________ PARK CITY ENGINEER
APPROVAL AS TO FORM
APPROVED AS TO FORM THIS ______ DAY OF __________, 2012 A.D.
BY __________ PARK CITY ATTORNEY
CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ______ DAY OF __________, 2012 A.D.
BY __________ PARK CITY RECORDER
COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ______ DAY OF __________, 2012 A.D.
BY __________ MAYOR
RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF __________
DATE ______ TIME ______ BOOK ______ PAGE ______
FEE RECORDER

EXHIBIT B


Subject Properties
SURVEYOR'S CERTIFICATE
PROPERTY DESCRIPTION
DETAIL "A"
LOT 5
LOT 9
LOT 10
ROYAL OAKS SUBDIVISION
SOLAMERE SUBDIVISION
TRANS-WASATCH
B.L.M.
GILLMOR
LOT ACREAGE TABLE
MORNING STAR ESTATES

SURVEYOR'S CERTIFICATE

REGISTERED LAND SURVEYOR No. 154491 JOHN DEMKOWICZ State of Utah

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491, as prescribed by the laws of the State of Utah, and that by authority of the owners, I have prepared this Record of Survey map of MORNING STAR ESTATES LOTS 1 & 2 AND WATER TANK PARCEL and that the same has been or will be monumented on the ground as shown on this plat.

BOUNDARY DESCRIPTIONS

LOT 1

LOT 1, 3701 RISING STAR LANE SUBDIVISION, a replat of Lot 1, Morning Star Estates Subdivision, according to the official plat thereof on file and or record in the Summit County Recorder's Office.

LOT 2

LOT 2, MORNING STAR ESTATES, according to the official plat thereof on file and of record in the Summit County Recorder's Office.

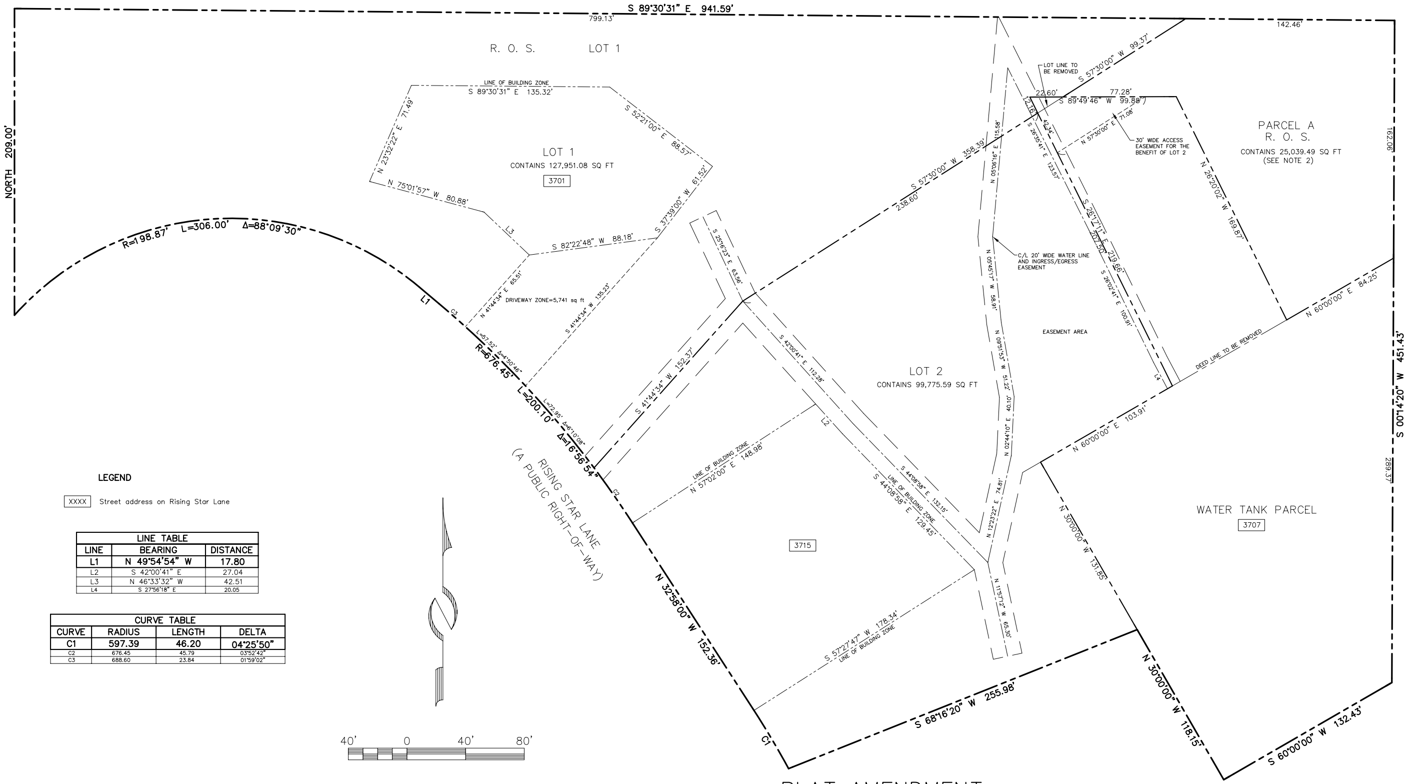
Less and excepting:

Beginning at a point located North 5,235.21 feet and East 6,446.09 feet more or less from the east quarter corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point lying within the boundary of a twenty-foot (20') wide water tank access roadway; thence South 26°17'11" East 219.67 feet to a point on the northerly boundary line of the above-described water tank site; thence along said water tank site boundary North 60°00'00" East 90.01 feet; thence leaving said water tank site boundary North 26°20'02" West 169.21 feet; thence South 89°49'46" West 100.17 feet to the point of beginning.

WATER TANK PARCEL

The portion of LOT 1, 3701 RISING STAR LANE PLAT AND THE PORTION OF LOT 2, MORNING STAR ESTATES, according to their respective plats, on file and of record in the Summit County Recorder's Office, lying within the following:

Beginning at a point located North 5,235.21 feet and East 6,446.09 feet more or less from the east quarter corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point lying within the boundary of a twenty-foot (20') wide water tank access roadway; thence South 26°17'11" East 219.67 feet to a point on the northerly boundary line of the above described water tank site; thence along said water tank site boundary North 60°00'00" East 90.01 feet; thence leaving said water tank site boundary North 26°20'02" West 169.21 feet; thence South 89°49'46" West 100.17 feet to the point of beginning.



LEGEND

XXXX Street address on Rising Star Lane

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 49°54'54" W	17.80
L2	S 42°00'41" E	27.04
L3	N 46°33'32" W	42.51
L4	S 27°56'18" E	20.05

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	597.39	46.20	04°25'50"
C2	676.45	45.79	03°52'42"
C3	688.60	23.84	01°59'02"

NOTE

1. All conditions of approval of MORNING STAR ESTATES, recorded March 31, 1993, as Entry No. 376621 will remain in full force and effect.
2. Parcel A is a part of Lot 2 and cannot be sold separately and is not separately developable.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that by virtue of a corporate resolution, Park City Municipal Corporation, owner of the herein described tract of land, to be know hereafter as MORNING STAR ESTATES LOTS 1 & 2 AND WATER TANK PARCEL, does hereby certify that it has caused this plat to be prepared, and does hereby consent to the recordation of this plat.

In witness whereof, the undersigned set his hand this ______ day of ________________, 2012.

____
Dana Williams, Mayor
Park City Municipal Corporation
Owner Water Tank Parcel

ACKNOWLEDGMENT

State of Utah:

County of Summit:

On this ______ day of ______________________, 2012, Dana Williams 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 Mayor of Park City Municipal Corporation and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily on behalf of Park City Municipal Corporation and that said corporation executed the same.

Notary Public commissioned in _________________

____
Printed Name

Residing in: ________________

My commission expires: ____________________

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that the undersigned owners of the herein described tract of land, to be known hereafter as the MORNING STAR ESTATES LOTS 1 & 2 AND WATER TANK PARCEL, do hereby certify that we have caused this Subdivision Plat to be prepared, and we, John J. Cummings and Donna S. Cummings, husband and wife as joint tenants, hereby consent to the recordation of this Subdivision Plat.

In witness whereof, the undersigned set their hands this ______ day of ________________, 2012.

____
John J. Cummings, Owner Lot 2

____
Donna S. Cummings, Owner Lot 2

ACKNOWLEDGMENT

State of ____________________:

County of ____________________:

On this ______ day of ______________________, 2012, John J. Cummings and Donna S. Cummings personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, John J. Cummings and Donna S. Cummings acknowledged to me that they are the owners of the herein described tract of land and that they signed the above Owner's Dedication and Consent to Record freely and voluntarily.

Notary Public commissioned in _________________

____
Printed Name

Residing in: ________________

My commission expires: ____________________

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that the undersigned owners of the herein described tract of land, to be known hereafter as the MORNING STAR ESTATES LOTS 1 & 2 AND WATER TANK PARCEL do hereby certify that we have caused this Subdivision Plat to be prepared, and we, Thomas E. Rueger and Jeanne M. Rueger, husband and wife, hereby consent to the recordation of this Subdivision Plat.

In witness whereof, the undersigned set their hands this ______ day of ________________, 2012.

____
Thomas E. Rueger, Owner Lot 1

____
Jeanne M. Rueger, Owner Lot 1

ACKNOWLEDGMENT

State of ____________________:

County of ____________________:

On this ______ day of ______________________, 2012, Thomas E. Rueger and Jeanne M. Rueger personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Thomas E. Rueger and Jeanne M. Rueger acknowledged to me that they are the owners of the herein described tract of land and that they signed the above Owner's Dedication and Consent to Record freely and voluntarily.

Notary Public commissioned in _________________

____
Printed Name

Residing in: ________________

My commission expires: ____________________

PLAT AMENDMENT

MORNING STAR ESTATES LOTS 1 & 2 AND WATER TANK PARCEL

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 11
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

SHEET 1 OF 1

12/30/11 JOB NO.: 6-8-11 FILE: X:\TheOaks\dwg\srv\plat2011\060811.dwg

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

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	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 __________, 2012 A.D. BY ________________ S.B.W.R.D.	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF __________, 2012 A.D. BY ________________ CHAIR	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ______ DAY OF __________, 2012 A.D. BY ________________ PARK CITY ENGINEER	APPROVED AS TO FORM THIS _____ DAY OF __________, 2012 A.D. BY ________________ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF __________, 2012 A.D. BY ________________ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF __________, 2012 A.D. BY ________________ MAYOR	STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF ____________________ DATE _______ TIME _____ BOOK _____ PAGE _____ __________ FEE ______________ RECORDER

PARK CITY PLANNING DEPARTMENT
STAFF REPORT

TO: Planning Commission
FROM: Planning Staff SM
DATE: March 25, 1992
RE: Morning Star Estates - Request for Preliminary and Final Plat Approval of 12 Lot Single Family Subdivision

I. PROJECT STATISTICS:

Applicant:	Hank Rothwell for Blue Ledge Corporation & Steve Deckert for Alliance Engineering
Project Address:	East of Solamere & The Oaks
Request:	Preliminary and Final Plat
Zoning:	RD-MPD, E, and ROS
Parcel Size:	177 acres+
Adjacent Land Uses:	SF, open space
Date of Application:	April 8, 1992
Date of Staff Report:	June 18, 1992
Staff Planner:	Suzanne McIntyre
Staff Recommendation:	**APPROVE** with conditions

II. BACKGROUND INFORMATION:

The Planning Commission approved the annexation and sketch plat of 177+ acres to the east of the City limits on March 25, 1992. For review, the parcel is adjacent to the Oaks and Solamere subdivisions on the east side of the hill behind the Oaks, and north of the Telemark Park parcel. The northern boundary of the parcel is in the approximate location of the Solamere water tank.

The parcel consists of varied terrain and includes steep slopes, benches, and knolls. The vegetation includes varieties of oak and grasses interspersed with pockets of aspens and conifers. The soils are stable in most areas and suitable for development.

The parcel is of interest due to its varied terrain, proximity to existing development, and visibility. It is frequently used by hikers and cyclists. The hillsides include habitats for many animal species including deer, porcupines, and the occasional moose.

III. PROJECT DESCRIPTION:

Subdivision Layout. The applicant is requesting preliminary and final plat approval of 12 large single family lots. The lots range in size from 3 acres to 61.1 acres, averaging 12 acres. The proposal is for large estate-type lots with designated limits of disturbance. The proposed maximum house size is 25,000 square feet on lot 8; 15,000 on lots 6 and 7; and 10,000 on the remaining lots.

Areas outside the limits of disturbance on each are designated ROS, although not dedicated to the City. The balance of the developed area is zoned RD-MPD consistent with the lower Deer Valley area, except that one additional 3 acre parcel is zoned Estate and left undeveloped and unsubdivided as there are no services and it is not contiguous to any of the lots.

Restrictions will be placed on the ROS areas to prohibit grazing, perimeter fencing and construction of ancillary uses such as tennis courts, gazebos, and swimming pools.

Sewer Access/Trail Location. Sewer service will be provided by a gravity system which exits the parcel on the west and which proceeds to Queen Esther Drive through an easement in Solamere. The sewer easement will be shared by a 12' wide trail surfaced with compacted roadbase. It has been designed in a location acceptable to the Solamere HOA.

Water Rights. This issue was negotiated as part of the annexation. The applicant has paid for excess storage in the Solamere tank. The tank capacity was set so that the minimum fire flow requirements for this area could be met.

Fire Sprinkling Requirement. Due to the location of this area in relation to the response-time radius and the limited secondary access, the dwellings will be required to have 13-D fire sprinkler systems, as modified by Park City Fire Marshal's requirements.

Snow Drift Zone and Snow Storage Issues. This area tends to have significant snow drifting problems making snow plowing expensive. Adequate areas for snow storage should be provided along the road. These issues must be resolved to the satisfaction of the Public Works Director prior to Final Plat recordation. As with all new MPDs, the project will not receive City snowplow services until 50% of the project is completed.

Open Space, Parks Dedication, & Trails Plan. The large areas of open space will include trail easements. The open space areas will not be dedicated public open space but will be zoned ROS. The Parks Development Fees of $1035 per subdivided lot will be required.

Water Tank Access and Tank Site Dedication on Lot 1. Due to the location of the Solamere water tank on Lot 1, the tank site must be dedicated to PCMC and an easement must be dedicated for the access road.

Water Pressure Zones and Maximum Building Heights. Prior to Final Plat recordation maximum building elevations must be specified for Lots 1-4 & 12 due to limited water pressure.

Access Issues - Secondary Access, Road Widths. Primary access is from the Oaks on the newly designated Rising Star Drive. Secondary access will be provided on a seasonal basis south and east to the frontage road paralleling US 40. A 4'-wide trail will provide pedestrian access and a firebreak around the knoll above and behind the Oaks. The short term maintenance of the unimproved road to the Highway 40 frontage road shall be the responsibility of the developer. The City may take over the responsibility once the road has been improved which will depend largely upon the improvements to the Gilmor and Telemark Park properties.

Maximum Irrigated Areas. Maximum areas of irrigated landscape disturbance and maximum building footprints (houses, barns, and guest house/caretakers quarters) have been set in the attached exhibit. Due to Park City's water system capabilities and the need for limitations on irrigation the irrigated areas are limited to 10,000 square feet on all parcels. The applicant has agreed to this limitation.

Wildlife Impacts. Concerns have been raised about the impacts of development in this relatively undisturbed area. There is no doubt that construction and development will affect the natural ecosystems. In an attempt to reduce the impacts somewhat, all construction is limited and restricted to a definable area, and perimeter fencing is not permitted.

Employee Housing Requirement. The Annexation Policy Declaration required provision of moderately priced employee housing with annexations. The guideline is 10% of the total number of lots or 1.2 units in this instance. The developer has included small accessory units on Lots 6-8 and 10 which will be used as long-term rentals for caretakers. These units may not be used for nightly or short-term rentals.

Members of the Planning Commission stated the need for a "guaranteed" employee housing commitment in the event that none of the individual property owners choose to build the caretaker's quarters. The payments of fees equal to 1 unit, set by the City Council at $49,000, has been required in the event an accessory unit has not been constructed within five years.

Members of the Planning Commission also stated their interest in reviewing the Rent Control Covenant which was drafted by Blue Ledge and reviewed by the City Attorney. A copy is attached.

IV. **PUBLIC INPUT STATEMENT:** The property has been noticed and legal notice sent and as of June 18, 1992 no input has been received.

V. **STAFF RECOMMENDATION:** The Planning Staff has reviewed this application for Preliminary and Final Plat approval of a 12-lot single family subdivision and recommends the Planning Commission **APPROVE** the application with the conditions that:

1. The subdivision shall comply with the City's Standard Conditions of Approval;

2. Prior to Final Plat recordation the project shall be reviewed and approved by the Public Works Director for snow removal and storage conditions. The project shall not receive City snow plow services until 50% of the project is built and Certificates of Occupancy issued. Building permits for construction shall not be issued until Rising Star Drive is paved.

3. Prior to Final Plat recordation a final trails plan shall be approved by the Community Development Director.

4. A note shall be placed on the Final Plat indicating requirements for the following items:
   - 13-D Fire Sprinklers
   - Grazing is not permitted in the ROS Zones
   - Size limitations consistent with the attached table limiting houses, barns, irrigated area, employee housing units, & building footprints

5. Prior to Final Plat recordation CC&Rs and Architectural Standards shall be reviewed and approved by the Planning Staff.

6. Prior to Final Plat recordation the City Engineer shall review and approve the design for the trail/fire break to be constructed around the knoll in the western area of the site. The Final Plat shall show a 25' wide easement in this location.

7. The Final Plat shall show a public utilities easement on Lot 1 for the road to the water tank. Removal of Blue Ledge's remaining pile of rocks from the tank site is required. The tank site shall have been conveyed to Park City prior to plat recordation.

8. The requirement for secondary access shall be provided for by the extension of Rising Star Drive, a public street, which shall be improved to Lot 7. Beyond Lot 7 the road shall be graded and its maintenance shall be the responsibility of the developer until such time as the road is improved and by City Council action at their sole discretion the City assumes responsibility for its maintenance.

9. Prior to Final Plat recordation maximum building elevations must be specified for Lots 1-4 & 12 due to limited water pressure.

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MUNICIPAL CORP

MORNING STAR ESTATES

Lot #	Maximum House Size-Mainhouse	Maximum Detached Caretaker's House Size	Maximum Area of Footprint Mainhouse (B)	Maximum Area of Footprint Caretaker's House (B)	Additional Maximum Area of Irrigated Landscape Disturbance	Front Yard Set Back	Maximum Barn Footprint if Located Near Mainhouse
1.	10,000	-0-	10,000	-0-	10,000	40	-0-
2.	10,000	-0-	10,000	-0-	10,000	25	-0-
3.	10,000	-0-	10,000	-0-	10,000	25	-0-
4.	10,000	-0-	10,000	-0-	10,000	30	-0-
5.	10,000	-0-	10,000	-0-	10,000	30	-0-
6.	15,000	1,500	20,000 (C)	900	10,000	40	720
7.	15,000	1,500	20,000 (C)	900	10,000	25	720
8.	25,000	1,500	30,000 (C)	900	10,000	50	720
9.	10,000	-0-	10,000	-0-	10,000	25	-0-
10.	10,000	1,500	10,000	900	10,000	180	-0-
11.	10,000	-0-	10,000	-0-	10,000	250	-0-
12.	10,000	-0-	10,000	-0-	10,000	25	-0-

Notes:

A) All quantities are in square feet.

B) Quantities do not include main driveways. Quantities do not include other internal circulation within the lots, those internal drives are limited to a ten foot width of hard surface or paving.

C) Quantities include area of disturbance for barns allowed on these lots only. Lots 6 and 7 have separate remote barn alternative locations shown on the plat. If these remote locations are used instead of a location near the Mainhouse the barns shall be limited to 400 square feet in size.

29

When recorded, return to

Park City Housing Authority
P.O. Box 1480
Park City, Utah 84060

RENT CONTROL COVENANT

THIS COVENANT IS MADE this ___ day of _______, 1992 by and between BLUE LEDGE CORPORATION ("Owner") and the PARK CITY HOUSING AUTHORITY ("PCHA") and PARK CITY MUNICIPAL CORPORATION ("Park City") to set forth the terms and conditions under which Park City will permit the construction of accessory dwelling units on Lots owned by Owner, which will be subject to the rent control regulations by PCHA. The parties agree as follows:

1. Property. The property affected by this covenant is located in Park City, Summit County, Utah, and is more particularly described as follows:

Lots 6, 7, 8, and 10 of Morning Star Estates Subdivision, as shown on the official plat thereof.

2. Accessory Dwelling Allowed. Park City agrees to permit the Owner(s) of the Property the option to construct one accessory dwelling on each of the Lots listed above. The accessory dwelling is not to be larger than 1,500 square feet in area, and shall in all other respects conform to the declaration of covenants, conditions and restrictions on the Morning Star Estate Subdivision. The accessory dwelling may be included as an apartment in the primary dwelling. The location of the accessory dwelling will be identified, and the accessory dwelling designated, at the time the building permit for it is issued.

3. Use of Accessory Dwelling. The use of the accessory dwelling is intended to be limited to providing housing for an employee of Owner to provide maintenance, security, and similar services to Owner under circumstances where the use of the accessory dwelling is a material part of the compensation of the employee. The accessory dwelling may not, under any circumstances, be used for transient lodging purposes, nightly rental uses as defined by Park City ordinances, or any commercial or business purpose.

4. Rental of Accessory Dwelling. In the event that the use described in the preceding paragraph is not being made of

the accessory dwelling, and Owner desires to rent the accessory dwelling to third parties under circumstances where the tenant is not an employee of the Owner, the parties agree to restrict rental rates and terms as follows:

a. Term. Rental terms will be on a basis typical of primary residential housing, and in no event will be shorter than a 30 day, or month-to-month tenancy.

b. Rent. Rental rate will be restricted by PCHA. The maximum rental rate for the accessory dwelling will be determined annually by the average "per bedroom" rental rate at Parkside Apartments, Fireside Condominiums, and Holiday Village Apartments. The "per bedroom" rental will be computed by taking the average rental for a two bedroom apartment in each of the apartment complexes listed, and dividing by two. The maximum rental rate allowable on the accessory dwellings will be the average of the "per bedroom" rate in the listed apartment complexes, multiplied by the actual number of bedrooms in the accessory dwelling. The determination of the applicable rental rates in the named apartment complexes will be made by PCHA based on actual rental information provided by the owners of those complexes, information obtained from rental agencies and the Park City Board of Realtors.

c. Adjustments. From time to time, the list of apartment complexes used to determine the maximum rent of the accessory dwelling may be amended by mutual agreement. In the event of the destruction of any of the named complexes, it is intended that a substantially similar complex be named to replace it. It is the intention of the parties that the mix of units used as the base for determining rental reflect the general mix of low cost housing of similar age available in Park City. The mix should always include some units that are under Federal Housing Administration rent controls (if feasible), and some units that are free market condominiums owned or rented as primary residences but constructed with assistance or participation from PCHA and Park City in the form of fee waivers or other concessions. If owner-occupied condominiums are considered, the "per bedroom rental" would be determined by taking the purchase price (as determined from multiple listing information) and assuming that rental rates would attempt to recover the full purchase price in 10 years. The "per bedroom" rental rate will be calculated on a basis that excludes taxes, insurance, utility charges and common area maintenance fees if paid by the tenant in addition to rent.

5. Maximum Rental. The maximum rental for the accessory dwelling will be the product of the "per bedroom" rate computed above, multiplied by the number of bedrooms in the accessory dwelling. Tenants in the accessory dwelling can be charged for, or responsible for direct payment of utility

services for the accessory dwelling in addition to the maximum rent.

6. Term of Covenant. This covenant shall have a term of 25 years from the date of recording. This covenant is intended to run with the land, and bind the successors and assigns of the Owner.

7. Remedies. This covenant may be enforced by Park City or the PCHA. In any action for enforcement, the prevailing party is entitled to recover its costs of enforcement, including reasonable attorneys fees, from the other party. Any rent charged in excess of the maximum is recoverable as damages, payable to PCHA.

8. Not Applicable to Main Dwelling. This covenant is only applicable to the accessory dwelling on the Lot, and shall not apply to the primary dwelling. If there is only one dwelling on the Lot, it is presumed to be the primary dwelling. If there are two dwellings on the Lot, and neither was designated as the accessory dwelling at the time the building permit was issued, the accessory dwelling is presumed to be the smaller of the two.

This agreement shall become effective upon recording with the Summit County Recorder.

PARK CITY MUNICIPAL CORP.

By:________________________
Bradley A. Olch, Mayor

Attest:

____
Anita Sheldon, City Recorder

PARK CITY HOUSING AUTHORITY

By:________________________
Bradley A. Olch, Chairman

Attest:

____
Anita Sheldon, Secretary

OWNER:

SURVEYOR'S CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 6184, as prescribed by the laws of the State of Utah, and that a survey of the following described property was performed under my direction of the parcel described below.

John Demkowicz, L.S. No. 6184 Date

PROPERTY DESCRIPTION

Beginning at a point S 89°30'31" E 387.85 feet along the center of section line from the West Quarter Corner of Section 11, Township 2 South, Range 4 East, Salt Lake Base & Meridian; and running thence along the centerline of section 11, S 89°30'31" E 841.59 feet; thence along the east line of the northwest quarter of the southwest quarter of section 11, S 00°14'20" W 481.61 feet; thence along the northerly end line of the Velvet No.3 mining claim (Mineral Survey No. 6842, Blue Ledge Mining District, Summit County, Utah) S 79°01'04" E 27.41 feet; thence along the easterly side line of the Velvet No.3 mining claim S 32°55'31" E 1037.74 feet; thence along the north line of the southeast quarter of the southwest quarter of section 11, S 89°45'02" E 518.42 feet; thence along the easterly side line of the Velvet No.4 mining claim S 37°48'13" E 390.45 feet; thence along the east line of the southeast quarter of the southwest quarter of section 11, S 00°21'07" W 1022.45 feet; thence along the south line of the southeast quarter of section 11, N 89°59'21" E 583.66 feet; thence along the easterly side line of the Ajo No.14 mining claim (Mineral Survey No 6989, Blue Ledge Mining District) S 31°02'05" W 949.02 feet; thence along the southerly end line of the Ajo No.14 mining claim N 58°22'33" W 599.76 feet; thence along the southerly end line of the Ajo No.15 mining claim N 57°34'28" W 800.92 feet; thence along the easterly side line of The Postmistress mining claim (Mineral Survey No.4981, Blue Ledge Mining District) S 31°00'00" W 319.83 feet more or less; thence along the northerly end line of the Republican mining claim (mineral Survey No.4981) S 68°19'00" E 8.37 feet more or less; thence along the easterly side line of the Republican mining claim S 31°00'00" W 1502.66 feet more or less; thence along the southerly end line of the Republican mining claim N 68°19'00" W 567.57 feet more or less; thence N 02°15'38" W 1095.31 feet along the easterly line of Solamere Subdivision No. 1 as recorded; thence N 32°00'00" W 1200.72 feet along the easterly boundary line of Solamere Subdivision No.1 and Solamere Subdivision No.2A, as recorded; thence N 45°00'00" E 1128.00 feet along the easterly boundary line of The Oaks at Deer Valley, as recorded and said line projected beyond The Oaks at Deer Valley; Thence North 1321.88 feet to the point of beginning.

Description contains 178.36 acres.

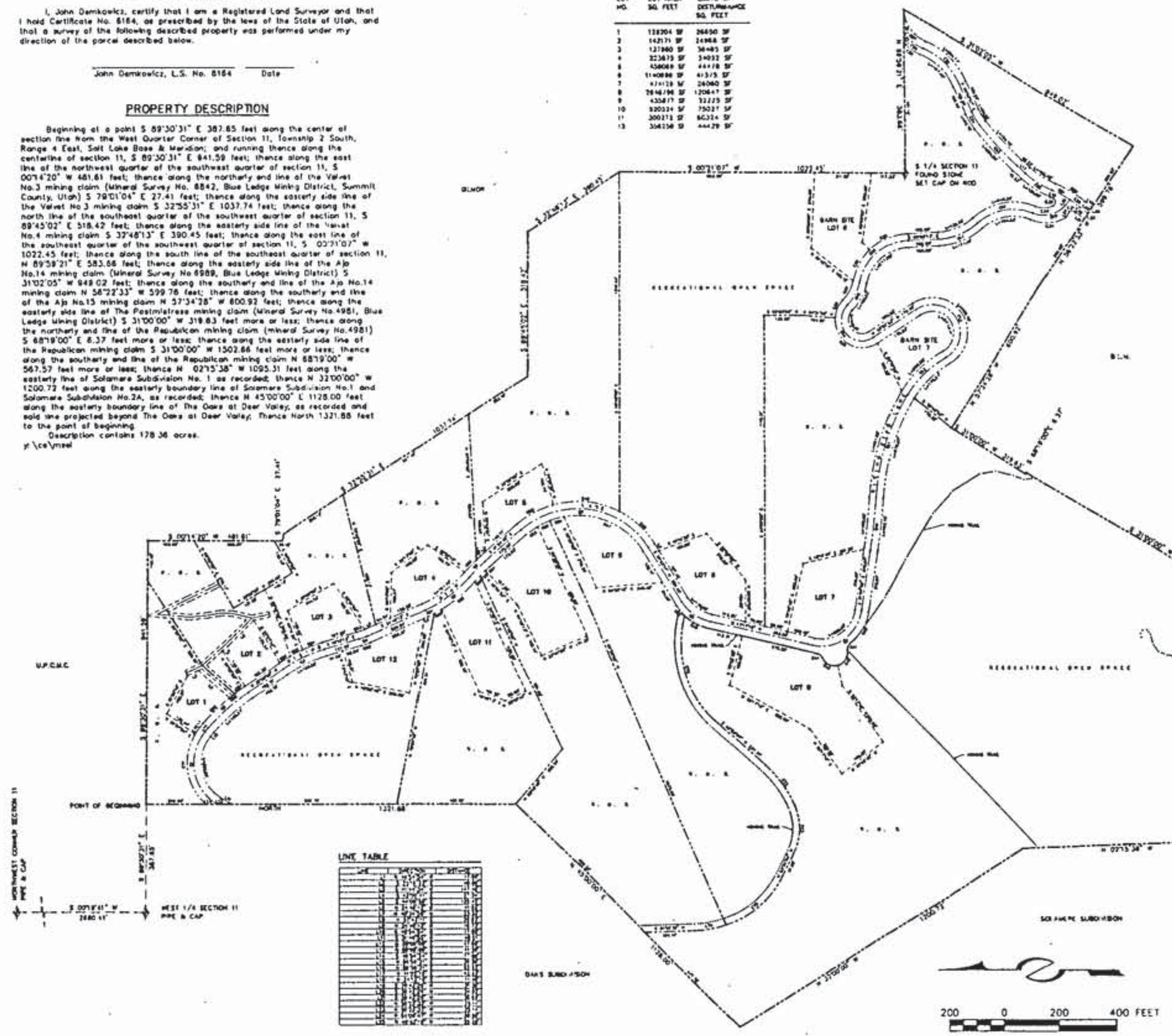
y:\ce\msel

LOT SQUARE FOOTAGE TABLE

LOT NO.	LOT AREA SQ. FEET	LIMITS OF DISTURBANCE SQ. FEET
1	128304 SF	26650 SF
2	142171 SF	24968 SF
3	127860 SF	36485 SF
4	323675 SF	34032 SF
5	458068 SF	44478 SF
6	5140898 SF	41375 SF
7	474128 SF	26060 SF
8	2646796 SF	120647 SF
9	435817 SF	32225 SF
10	920534 SF	75027 SF
11	300273 SF	60324 SF
13	304258 SF	44429 SF

CURVE TABLE

[illegible]



LINE TABLE

[illegible]

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENT: That the undersigned is the owner of the herein described tract of land, having caused the same to be subdivided into lots, public right-of-ways, together with easements as set forth on this Record of Survey Plat to be known hereafter as, RISING STAR ESTATES does hereby dedicate for the perpetual use of the public use all parcels of land shown on this plat as intended for public use and further consent to the recordation of this Record of Survey Plat in accordance with Utah Law. ALSO, the owner hereby dedicates to Park City Municipal Corporation, Snyderville Basin Sewer Improvement District, Park City Fire Protection District, and Summit County a non-exclusive easement over the utility easements shown on this plat for the purpose of providing access for utility installation, maintenance, use and eventual replacement.

IN WITNESS WHEREOF, the undersigned set his hand this ______ day of ______________, 1992.

BLUE LEDGE CORPORATION
A Utah Corporation

Hank Rothwell
Its President

ACKNOWLEDGEMENT

STATE OF UTAH)
:ss
COUNTY OF SUMMIT)

On the ______ day of ______________ 1992, Hank Rothwell, appeared before me and acknowledged that he is the President of blue Ledge Corporation, A Utah Corporation, and that he executed the same on behalf of the Corporation with proper authority.

Notary Public

Residing at : ______________
Commission Expires:

4R5

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PARK CITY
PLANNING DEPT.

MORNING STAR ESTATES

A SUBDIVISION LOCATED IN SECTIONS 11 AND SECTION 14, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

200 0 200 400 FEET

PAGE 1 OF 1

ALLIANCE ENGINEERING INC.	PLANNING COMMISSION	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
P.O. BOX 2664 323 MAIN STREET PARK CITY, UTAH 84060 (801) 649-9467	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF ____________, 1992 A.D. BY ____________ CHAIRMAN	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF ____________, 1992 A.D. BY ____________ PARK CITY ENGINEER	APPROVED AS TO FORM THIS ____ DAY OF ____________, 1992 A.D. BY ____________ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF ____________, 1992 A.D. BY ____________ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF ____________, 1992 A.D. BY ____________ MAYOR	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF ____________ DATE ______ TIME ______ BOOK ______ PAGE ______ FEE ______ RECORDER ______

JOB NO. 25-6-91 Y:\CE\P1

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES EXCEPRT
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
NOVEMBER 9, 2011

COMMISSIONERS IN ATTENDANCE:

Chair Charlie Wintzer, Brooke Hontz, Julia Pettit, Mick Savage, Adam Strachan, Jack Thomas, Nann Worel

EX OFFICIO:

Planning Director, Thomas Eddington; Francisco Astorga, Planner; Matt Evans, Planner; Polly Samuels McLean, Assistant City Attorney

===

REGULAR MEETING

ROLL CALL

Chair Wintzer called the meeting to order at 5:30 p.m. and noted that all of the Commissioners were present.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

1. <u>3715 Morning Star Estates – Plat Amendment</u>
(Application #PL-11-01341)

Planner Matt Evans reviewed the application to amend Lot 2 of the Morning Star Estates Subdivision. The 12 lot subdivision on 178 acres was recorded in 1993. The applicant, who is the owner of Lot 2, which is a 3.2 acre parcel, was requesting to amend the subdivision to fix a problem that was discovered in August 2011 when it became evident that approximately 17,426 square feet of Lot 2 was owned by Park City.

Planner Evans explained that when the subdivision was recorded, a water tank parcel was platted within the subdivision. However, another piece of property the City owned was not platted and it was shown as an easement area on Lot 2. That error was not discovered by the title company. Planner Evans stated that the owners of Lot 2 became aware of this issue through their efforts to sell the property, and were asking to amend the subdivision to remove the City owned property.

Planner Evans noted that the request would create two parcels, and Lot 2 would become a three acre parcel, consisting of the main lot and a remnant parcel above the City owned parcel next to the water tank. Planner Evans reported that Morning Star Estates was a master planned development that can allow smaller lots. The building envelopes were zoned Estate and the remaining parcels were all zoned Residential Open Space. Planner Evans remarked that the Estate parcel building envelope would remain unchanged and the plat amendment would not change any easements. Planner Evans clarified that the only change would be to remove the City's ownership out of the recorded plat; however, it would create a remnant Parcel, which was shown as Parcel A, and it would be a non-buildable parcel per the Restrictive Covenants of the Morning Star Estates subdivision.

Planner Evans reported that the City has agreed to grant an easement through the City owned property to enable the owners of Lot 2 to access Parcel A.

Commissioner Pettit asked where the easement would be located. Planner Evans presented a slide that identified the easements in purple. He pointed out the easement that the City would grant to the owner of Lot 2. Planner Evans stated that with the amended plat, the City-owned parcel becomes the same parcel as the water tank parcel. That was the major change with the proposed plat amendment.

The Staff found good cause for the plat amendment. The proposal would not change current conditions related to the property. The property is vacant with entitlements for a single family dwelling. The amended plat would not change the recorded easements or the building envelope. No portion of the lot within the Estate zone changes and the building parameters stay the same. Planner Evans reiterated that Lot 2 would change in size from 3.26 to 2.87 acres in total size. The application had gone through a complete inter-departmental review and all issues raised by the Development Review Committee have been addressed.

Planner Evans noted that all property owners within 300 feet had been notified and the property was posted. He received a few phone calls from people primarily asking for clarification on the application.

Planner Evans identified another piece of property within Lot 1 that is also owned by the City. The City has been in contact with the title company who did the title work in hopes of contacting the owners of Lot 1. Assistant City Attorney McLean had spoken with the title company, but she had not yet heard back. Therefore, there was a chance that the portion in Lot 1 could also be included as part of this plat amendment in an effort to clean up all the property lines. That option was not presented to the Planning Commission this evening because the City currently did not have authority from the owner of Lot 1. Ms. McLean stated that the property is 123 square feet and she only mentioned it to find out if the Planning Commission could foresee any issues.

Commissioner Hontz clarified that the City was granting the easement shown in red to the owners of Lot 2. She could not understand why the owner would need to access the remnant lot because it is unbuildable and is zoned ROS. Assistant City Attorney replied that the easement would be an access easement to allow the owners to access their property. Under the zone they could possibly build a small gazebo or install a bench. Planner Evans pointed out that if the owners wanted to build something allowed by the zone, they would still need approval from the HOA.

Chair Wintzer understood that the dashed purple line was the road to the water tank. He asked if the road could be extended over to the parcel or whether it would remain pedestrian access. He was told that currently there is not a road and it is too steep to extend one. Chair Wintzer preferred that it remain a pedestrian easement and not for motorized vehicles. Assistant City Attorney clarified that whatever easement is granted would need to be approved by the City Council for the City as the owner. Chair Wintzer could recommend that the City Council consider a pedestrian easement. Commissioner Hontz wanted the easement specified in the plat notes because it was not clear on the plat.

The Staff recommended that the Planning Commission conduct a public hearing and forward a positive recommendation to the City Council based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Commissioner Pettit noted that Proposal #4 in the Staff report talks about designating an easement on the City parcel for the owner to access Parcel A, but that was not tied into the findings of fact or conditions of approval. Assistant City Attorney McLean acknowledged that it was an oversight and agreed that it should be a Finding of Fact. Commissioner Hontz suggested that they revise Finding of Fact #4 because it was inaccurate as written regarding changes to the easement.

Chair Wintzer opened the public hearing.

There was no comment.

Chair Wintzer closed the public hearing.

Due to the changes in the Findings of Fact and the pending outcome with the owner of Lot 1, Commissioner Strachan asked if this item should be continued. Assistant City Attorney McLean remarked that the owner of Lot 2 initially tried to sell the property, and now they were working out a settlement for the title insurance because of this issue. They cannot finalize the settlement until this issue is resolved. It was a matter of timing and the owner was anxious to move forward. Ms. McLean was not concerned about revising the findings from a legal perspective, but noted that the Planning Commission had the discretion to continue the item if they wished.

Commissioner Savage asked for the purpose of suggesting a continuance. Commissioner Strachan replied that it would allow time for the adjacent landowner to respond. If this plat amendment is disputed, their action this evening would be worthless. Ms. McLean clarified that the only issue with the owner of Lot 1 was that the City owns 123 feet of his property. Her only reason for mentioning Lot 1 was to see if the Planning Commission had concerns. Otherwise, if the owner was in agreement, the change would be made to reflect the 123 square feet as City property without coming back to the Planning Commission. Lot 1 would be re-described to be what it is now, with the exception of the 123 square feet. Nothing else would change.

Commissioner Strachan was comfortable with either a continuance or a vote this evening.

Commissioner Pettit asked if the City parcel had a specific designation. Ms. McLean replied that it is a metes and bounds parcel. She believed it would be referred to as the water tank parcel. Commissioner Pettit drafted Finding of Fact #7, "The plat amendment includes the designation of an easement on the water tank parcel for the owners of Lot 2 to access Parcel A". It was suggested that the finding specify a non-vehicular easement.

Commissioner Savage stated that assuming the water tank parcel was not an issue and it was one contiguous piece of property, he wanted to know what rights the owner would have in Parcel A and the area designated ROS. He did not believe the Planning Commission should diminish those rights. Planner Evans stated that according to the ROS zone, in theory the owner could have an accessory structure under 650 square feet. Anything larger would require a conditional use permit. However, Restrictive Covenants for the development prohibits certain things beyond the zone. Commissioner Savage pointed out that unless vehicular access is prohibited by the CC&Rs, it would not be prohibited by the zone. He questioned why the Planning Commission would want to limit it to pedestrian access.

Commissioner Hontz was bothered by the fact that the original intent of the MPD approval was for that space to remain open space. Unless they wanted to open the MPD, she was not willing to allow anything in that area. Commissioner Pettit noted that the owner would still be limited by the CC&Rs and the MPD without this plat amendment. She agreed with Commissioner Savage that they should be careful not to take away any current rights. Commissioner Hontz concurred, but pointed out that the original notes already indicate that the parcel is not developable. Commissioner Pettit clarified that it was not a question of developing, but rather a question of allowing access from one property to another.

Assistant City McLean stated that legally it was a two-part issue. The owner could not do anything on the access easement or on their property that is not permissible under the Covenants, the Notes and the ROS zone. The second part is that ultimately the owner of that parcel, which is the City, would be granting the easement under a separate process. The City Council would grant the easement as the official owner and not as part of this plat amendment.

Commissioner Hontz stated that General Notes #6 of the existing approval states, "The recreation open space zone line shown on all lots indicates a non-disturbance zone, which expressly prohibits the construction of pools, tennis courts, gazebos, or any other structures or facilities". She wanted language on the plat to say that all Conditions of Approval of the original plat and General Notes remain in full force.

Assistant City Attorney McLean stated that when an item is approved with certain conditions of approval, she makes sure they end up as a note on the plat. Ms. McLean assured the Planning Commission that Conditions 3 and 4 would be reflected on the plat.

Commissioner Pettit understood from Ms. McLean that the actual easement itself was a separate process. Therefore, the additional finding she previously proposed would note that the plat amendment that came before the Planning Commission included an easement.

Commissioner Savage was unclear about the process. In his opinion, the easement would need to be granted in conjunction with the plat amendment so the plat as amended would not create a land locked parcel. Assistant City Attorney McLean pointed out that the existing plat was incorrect because the City owns that piece of property. The plat amendment only reflects the actual ownership lot lines. If they add a finding stating that there will be an easement across the City property, it acknowledges that the easement is part of the process, but the actual easement would be granted by the City Council.

Commissioner Pettit thought the easement should also be addressed in the conditions of approval; otherwise the plat would be incorrect if for some reason the easement was not granted. Chair Wintzer pointed out that the Planning Commission would be making a recommendation to the City Council. If the City Council decides otherwise, the plat would not be approved.

MOTION: Commissioner Pettit made a motion to forward a POSITIVE recommendation to the City Council on the 3715 Rising Star Lane plat amendment in accordance with the Findings of Fact, Conclusions of Law, and Conditions of Approval, including the amendment to the Findings of Fact #7 to read, "The plat amendment includes the designation of an easement on the water tank parcel for the owners of Lot 2 to access Parcel A". Commissioner Thomas seconded the motion.

VOTE: The motion passed unanimously.

<u>Findings of Fact – 3715 Rising Star Lane</u>

1. The property is located at 3715 Rising Start Lane within the Estate (E) and Residential Open Space (ROS) zoning districts.

2. There are no proposed changes to the building envelope as recorded on the original plat or any other physical changes proposed to the lot.

3. The applicants are requesting to remove a parcel of property owned by Park City and used as an overflow detention basin as part of the adjacent water tank property and that is incorrectly shown as a part of the recorded Lot 2, Morning Star Estates recorded plat.

4. The applicant proposes no changes to the current easements recorded on the property which are necessary for the City to gain access to the water tank and overflow detention basin.

5. The applicant is entitled to construct one single-family dwelling on the proposed Lot 2 as amended, within the recorded building envelope.

6. Parcel A is a non-buildable (for primary structures) parcel permanently associated with Lot 2.

7. The plat amendment includes the designation of an easement on the water tank parcel for the owners of Lot 2 to access Parcel A.

<u>Conclusions of Law – 3715 Rising Star Lane</u>

1. There is good cause for this plat amendment.

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

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

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

Conditions of Approval – 3715 Rising Star Lane

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. Future development is subject to the notes on the original plat associated with Lot 2, and as noted on the amended plat to read, "All conditions of approval of the original plat, Morning Star Estates, recorded March 31, 1993, as Entry No. 376621 will remain in full force and effect".

4. Parcel A is not separately buildable or developable, and shall remain a part of the ownership of Lot 2 in perpetuity.

WHEN RECORDED, MAIL TO:
Robert C. Dillon, Esq.
Jones Waldo Holbrook & McDonough
1441 West Ute Blvd., Suite 330
Park City, UT 84098

For Identification Only: Tax ID No. MSTE-2

Space Above for Recorder's Use Only

GRANT OF EASEMENT FOR ACCESS

FOR TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, **Park City Municipal Corporation** (hereinafter PCMC, the "Grantor"), HEREBY CONVEYS UNTO **John J. Cummings and Donna S. Cummings**, and the heirs, successors and assigns in interest (collectively, the "Grantee"),

A PERPETUAL, NON-EXCLUSIVE EASEMENT thirty (30) feet in width (the " Easement ") on the surface of Grantor's property (the "Servient Tenement") for the purpose of allowing pedestrian and vehicular ingress and egress to and from the east and west portions of Lot 2, Morningstar Estates Subdivision, (the " Dominant Tenement"). The Servient Tenement is more particularly depicted in Exhibit A attached hereto. The Dominant Tenement is more particularly described in Exhibit B hereto. The "Easement" area is more particularly described in Exhibit C hereto.

Grantee agrees that Grantee shall not build or construct, or permit to be built or constructed, any building or other improvement over or across the Easement or change the contour of the land therein without the written approval of PCMC. Grantee understands and agrees that its uses of the Easement shall not interfere with PCMC's operation and use of its water infrastructure.

Each party shall have the full power and authority to enforce compliance with this Agreement in any manner provided for in law or in equity, including without limitation, the right to bring an action for damages, to enjoin the violation, or specifically enforce the provisions of this Agreement, and if that party prevails in such action, it shall recover as part of its costs all reasonable attorney's fees, court costs and expert witness fees. Notwithstanding anything within this Agreement to the contrary, the parties may terminate this Agreement only by a written notice of termination executed by the parties, and recorded in the office of the Summit County Recorder.

Subject to the preceding paragraph, Grantee agrees to indemnify and hold PCMC harmless for all claims, costs and damages incurred by PMCC and arising out of Grantees's use of the Easement.

IN WITNESS WHEREOF, Grantor has executed this Grant of Easement for Access this day of __________, 2011.

GRANTOR:
PARK CITY MUNICIPAL CORPORATION

By:_________________________
Its:_________________________

STATE OF ___________)
:ss
COUNTY OF ___________)

On this ____ day of _______________, 2011, personally appeared before me ______________________, as _______________ of Park City Municipal Corporation, who being acknowledged that he executed the foregoing instrument.

____
Notary Public
Residing at:______________________________
My Commission Expires:____________________

EXHIBIT "A"
To
GRANT OF EASEMENT FOR ACCESS

Servient Tenement

Beginning at a point located North 5,235.21 feet and East 6,446.09 feet more or less from the East Quarter Corner of Section 16, Township 2 South, Range 4 East, S.L.B. & M., said point lying within the boundary of a twenty-foot (20') wide water tank access roadway; thence South 26° 17' 11" East 219.67 feet to a point on the Northerly boundary line of the above-described water tank site; thence along said water tank site boundary North 60° 00' 00" East 90.01 feet; thence leaving said water tank site boundary North 26° 20' 02" West 169.21 feet; thence South 89° 49' 46" West 100.17 feet to the point of beginning.

Contains 0.400 acres, more or less.

The basis of bearing for the above-described tract of land is South 00° 31' 11" West between the East Quarter Corner and the Southeast Corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base & Meridian.

EXHIBIT "B"
To
GRANT OF EASEMENT FOR ACCESS

Dominant Tenement

A portion of Lot 2, Morning Star Estates Subdivision, according to the official plat recorded as Entry No. 376621, including any amendments thereto that may be recorded in the future, in the office of the Summit County Recorder, State of Utah.

Excepting therefrom a portion beginning at a point located North 5,235.21 feet and East 6,446.09 feet more or less from the East Quarter Corner of Section 16, Township 2 South, Range 4 East, S.L.B. & M., said point lying within the boundary of a twenty-foot (20') wide water tank access roadway; thence South 26° 17' 11" East 219.67 feet to a point on the Northerly boundary line of the above-described water tank site; thence along said water tank site boundary North 60° 00' 00" East 90.01 feet; thence leaving said water tank site boundary North 26° 20' 02" West 169.21 feet; thence South 89° 49' 46" West 100.17 feet to the point of beginning.

The basis of bearing for the above-described excepted tract of land is South 00° 31' 11" West between the East Quarter Corner and the Southeast Corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base & Meridian.

EXHIBIT "C"
To
GRANT OF EASEMENT FOR ACCESS

Easement Area

An access easement located in the northeast quarter of the northwest quarter of the southwest quarter of Section 11, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said easement being more particularly described as follows:

Beginning at a point that is North 89°30'31" West 142.46 feet and South 57°30'00" West 99.37 feet from the northeast corner of Lot 2, Morning Star Estates, according to the official plat thereof on file and of record in the office of the recorder, Summit County, Utah, said point also being South 89°30'31" East 1102.97 feet and South 54.11 feet from the West Quarter corner of Section 11, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence North 89°49'46" East 56.10 feet; thence South 57°30'00" West 71.08 feet; thence North 26°17'11" West 30.18 feet; thence North 57°30'00" East 20.42 feet to the point of beginning.

Description contains 1,372 square feet

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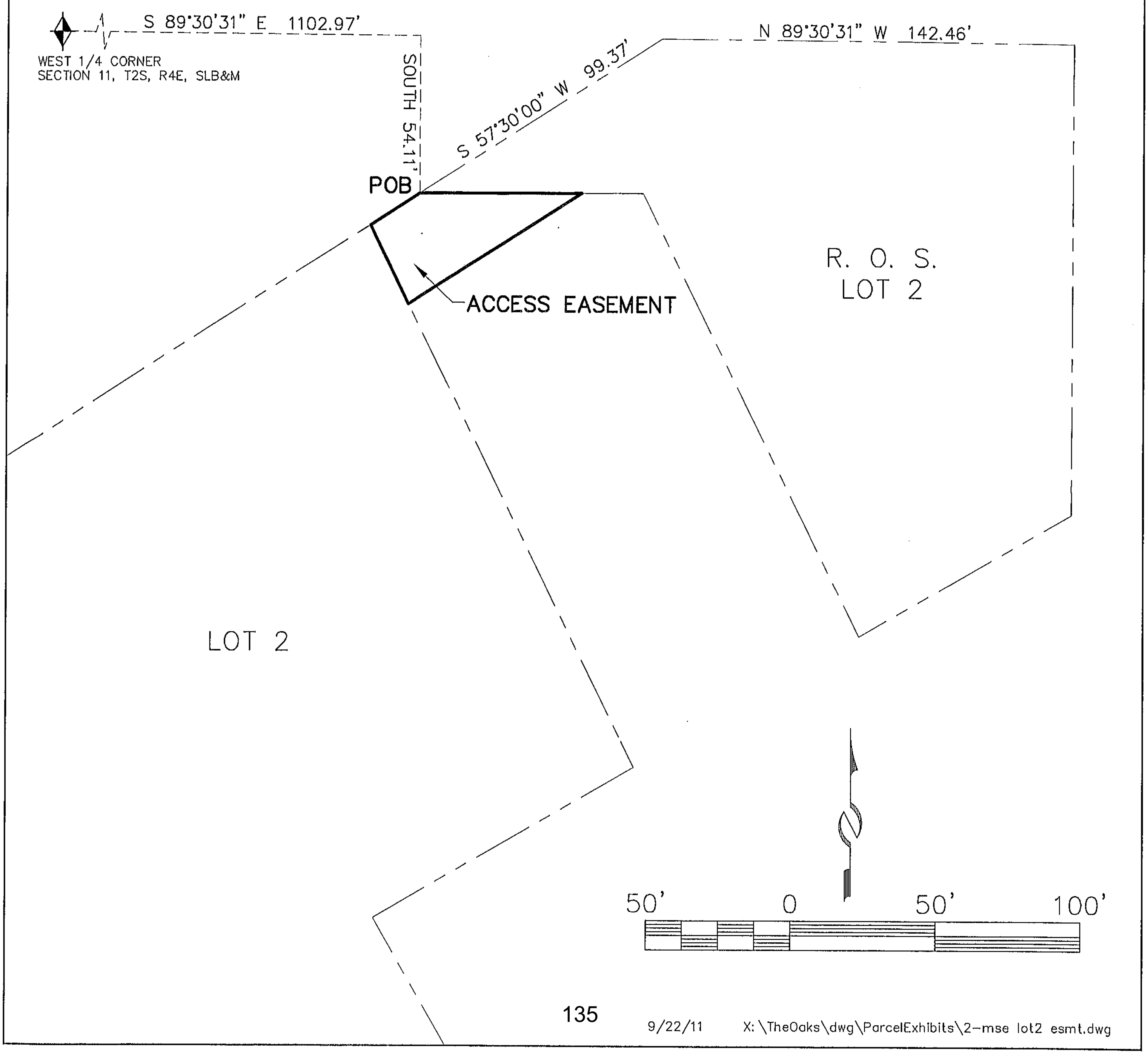
ACCESS EASEMENT FOR MORNING STAR ESTATES, LOT 2 (PROPOSED)



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