PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
NOVEMBER 29, 2001

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, November 29, 2001.

AGENDA

Closed Session

4:00 p.m. Property acquisition

Work Session

4:45 p.m. Council questions/comments
5:15 p.m. Review of regular meeting
- Fee resolution
- LMC amendments
- MFL and fee waiver
- Jurisdictional transfer

Other meeting questions/comments

Regular Meeting

6:00 p.m.

I **ROLL CALL**

II **PUBLIC INPUT**

III **COMMUNICATIONS FROM COUNCIL AND STAFF**

Introduction of Laurie Reese, Mrs. Park City

IV **WORK SESSION NOTES AND MINUTES OF MEETING OF NOVEMBER 8, 2001 AND SPECIAL MEETING MINUTES OF NOVEMBER 13, 2001**

V **PUBLIC HEARINGS**

1. Amendment to Land Management Code, Chapter 4, Historic District Commission **(motion to continue to December 20, 2001)**

2. Resolution amending Section 7, parking violations, towing and impound fees to provide for special event parking permits and associated fines and replacing Resolution No. 14-01 in its entirety

3. Master Festival License for Gold Cup event to be held on December 29 and 31, 2001at Park City Mountain Resort and Deer Valley Resort and request for fee waiver

4. Resolution adopting the parks and recreation element of the General Plan

5. Amendments to Land Management Code - Phase 2: Comprehensive and substantive rewrite of Chapter 6, Zoning Administration and Enforcement; Chapter 8, Supplementary Regulations; Chapter 10, Master Planned Developments; Chapter 11, Master Planned Moderate Income Housing Developments; and Chapter 14, Child Care Regulations; additional provisions; to Chapter 1, General Provisions; and Chapter 15, Definitions

VI NEW BUSINESS

1. Resolution amending Section 7, parking violations, towing and impound fees to provide for special event parking permits and associated fines and replacing Resolution No. 14-01 in its entirety

2. Resolution expressing official intent regarding certain capital expenditures to be reimbursed from proceeds of a General Obligation Bond to be issued by the City

3. Master Festival License for Gold Cup event to be held on December 29 and 31, 2001at Park City Mountain Resort and Deer Valley Resort and request for fee waiver

4. Resolution authorizing the Mayor to execute a road transfer agreement between Park City and the Utah Department of Transportation

PARK CITY COUNCIL MEETINGS
SUMMIT COUNTY, UTAH

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will not be holding its regularly scheduled meetings on Thursday, December 6, 13 and 27, 2001 and January 3, 2002. The meeting of December 20, 2001 will be held.

Posted: 11/26/01
See parkcity2002.org

PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
NOVEMBER 29, 2001

Present: **Mayor Brad Olch; Council members Peg Bodell; Candace Erickson; Roger Harlan, Fred Jones, and Jeff Mann**

Toby Ross, City Manager; Mark Harrington, City Attorney; Tom Bakaly, Assistant City Manager; Myles Rademan, Public Affairs Director

1. **Council questions/comments.** Myles Rademan reported on an Olympic legacy to be supported with a portion of proceeds from the Olympic cauldron project. One concept is creating a large cauldron as public art but direction from Council is needed in order to install it by the Games. Its intended location at Olympic Plaza was discussed. Ms. Bodell discussed the design of the plaza and felt that the piece works well on the site and commissioning it is a good solution for our time frame. The Mayor agreed, especially if the $19,000 budget is met. Candace Erickson commented that she would love to see the cauldron on Main Street because more people might enjoy it, but it may draw more people to the Olympic Plaza. The consensus was to move ahead.

Peg Bodell learned at the Chamber Board meeting that the lodging numbers have picked up; the publicity on the snow storms has been helpful. The Parks and Recreation Board is working on the memorandum of understanding with the Snyderville Basing Special Recreation District. Candace Erickson reported that the ULCT policy committee is reviewing the requirement for cities to adopt a municipal plan for moderate income housing. There is a ten day sales tax waiver proposed by the federal government and the potential of taxing entities losing $6.5 billion dollars nationally is of great concern. Fred Jones asked that with the hiatus of commission and board meetings to provide more time to prepare for the Olympics, if progress on the Flagstaff project will be halted. Toby Ross explained that there are some processes that can proceed like plan checks on utilities and engineering plans. This is not normally done until there is a plat approval. The Planning Commission also identified a sub-committee to work with UPCM on its phasing plan and limited marketing of Flagstaff. Ms. Bodell brought up concerns about conducting the public's normal business and the City Manager explained that an expanded administrative approval process has been implemented to accommodate routine applications. Staff is being allocated to Olympic preparations to minimize expenditures, and the level of service may be diminished in preparation of the Games. Hiring additional staff creates a dramatic expense. Mr. Ross continued that the development community was put on notice of commissions' schedules and there are not many projects held up. The Building Department's services will continue for construction, renovations, etc. and there will be limited office hours during the Olympics in the Building and Planning Departments. Preliminary reviews of projects will not be scheduled until after March and the City Manager will report back to the City Council.

Fred Jones stated that he attended a weekly meeting with CTAC, a citizen group working on the budget review and presentation and an Interagency Task Force meeting. Regional cooperation was the focus this session and next week recreation needs, specifically an ice facility, and Wasatch County's level of interest will be considered. This may be an opportune time to comprehensively review facilities, including the golf course and the Racquet Club, especially in light of the failure of the Racquet Club bond. The Parks and Recreation Board should be involved. Roger Harlan reported that he attended the School Board meeting and added that all youth sport registrations will be handled by the Snyderville Basin Special Recreation District. He emphasized the importance of all skaters to wear helmets at the skate park. In light of the last serious head injury there, he strongly felt that helmets should be mandatory and urged the new Council to consider enforcing this measure.

2. Review of regular meeting.

Gold Cup MFL and fee waiver. There was discussion about defining the amount of the fee waiver in consideration of the possibility of needing more security services. Ms. Erickson pointed out that this could be considered a one-time waiver consistent with Council's grant policy. Jeff Mann disclosed that he is involved in volunteer projects for the Ski Team, but will discuss and vote on this matter. Peg Bodell felt it important to recover building inspection costs.

Prepared by Janet M. Scott

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
NOVEMBER 29, 2001

I ROLL CALL

Mayor Brad Olch called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, November 29, 2001. Members in attendance were Brad Olch, Peg Bodell, Candace Erickson, Roger Harlan, Fred Jones, and Jeff Mann. Staff present were Toby Ross, City Manager; Mark Harrington, City Attorney; Rick Lewis, Community Development Director; Kirsten Whetstone, Planner; Pat Putt, Planning and Zoning Administrator; and Tom Bakaly, Assistant City Manager.

II PUBLIC INPUT

The Mayor welcomed a group of high school students observing the meeting.

III COMMUNICATIONS FROM COUNCIL AND STAFF

1. Introduction of Laurie Reese, Mrs. Park City International - Mrs. Reese explained that she graduated from Park City High School and moved here when she was five years old. Now 20 years old, she is married and has a new born. Mrs. Reese continued that her platform for the pageant is addressing school violence which she feels is very important and presented statistics and other information on the subject. It was explained that if Mrs. Reese wins Mrs. Utah International, she will compete for the title of Mrs. International held in Nashville, Tennessee. The Mayor thanked her, wished her well, and presented her with a poster and Olympic pin.

2. Trail lighting project - Ms. Bodell thanked staff for completing the project.

3. Flagstaff Mountain - Pat Putt reported that the Planning Commission appointed a task force to formulate a phasing plan.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF NOVEMBER 8, 2001 AND SPECIAL MEETING MINUTES OF NOVEMBER 13, 2001

It was disclosed that Brad Olch, Roger Harlan and Fred Jones were absent and will be abstaining. Jeff Mann, "I move approval". Candy Erickson seconded. Motion carried.

Peg Bodell	Aye
Candace Erickson	Aye
Roger Harlan	Absention
Fred Jones	Abstention
Jeff Mann	Aye

V PUBLIC HEARINGS

1. Amendment to Land Management Code, Chapter 4, Historic District Commission **(motion to continue to January 17, 2001)** - The Mayor requested a motion to continue. Roger Harlan, "I so move". Fred Jones seconded. Motion carried.

2. Resolution amending Section 7, parking violations, towing and impound fees to provide for special event parking permits and associated fines and replacing Resolution No. 14-01 in its entirety - See staff report. Peg Bodell emphasized that enforcement is critical. The Mayor invited the public and the City Council for further comment or questions. Hearing none, the public hearing was closed.

3. Master Festival License for Gold Cup event to be held on December 29 and 31, 2001at Park City Mountain Resort and Deer Valley Resort and request for fee waiver - See staff report and work session notes. The Mayor invited the City Council and public to comment. Hearing none, the public hearing was closed.

4. Resolution adopting the parks and recreation element of the General Plan - Rick Lewis explained that this element has been reviewed by the Parks, Recreation and Beautification Board and the Planning Commission on three occasions and comes to Council with a positive recommendation. He recognized comments from Council rendered during the week, and requested that these amendments be made before Council adopts a resolution. The Mayor invited the audience and Council for comments. Hearing none, the public hearing was closed.

5. Amendments to Land Management Code - Phase 2: Comprehensive and substantive rewrite of Chapter 6, Zoning Administration and Enforcement; Chapter 8, Supplementary Regulations; Chapter 10, Master Planned Developments; Chapter 11, Master Planned Moderate Income Housing Developments; and Chapter 14, Child Care Regulations; additional provisions; to Chapter 1, General Provisions; and Chapter 15, Definitions - Planner Kirsten Whetstone explained that Chapter 8, Supplementary Regulations, includes telecommunications, child care, temporary structures, etc. Master planned developments and MPDs for affordable housing have been combined into a new Chapter 6. She relayed that the Planning Commission is not supportive of the two column text format as it feels it is not user friendly and staff is formulating a simpler format for hand-outs. Temporary structures, tents and uses have been clarified and all of the sections describing the lot and site requirements, which is included in individual zoning sections. A chapter on group care facilities has been added, the home occupation section has been updated; there is revised criteria for guest houses, and the allowable size of accessory apartments has been increased to 1,000 square feet. Time share requirements have been eliminated from the Code.

2. Resolution expressing official intent regarding certain capital expenditures to be reimbursed from proceeds of a General Obligation Bond to be issued by the City - There was discussion about reimbursement resolutions being valid up to 18 months. The City Manager expressed that approval does not commit the Council to a bond issue. Peg Bodell, "I move approval". Fred Jones seconded. Motion carried unanimously.

3. Master Festival License for Gold Cup event to be held on December 29 and 31, 2001at Park City Mountain Resort and Deer Valley Resort and request for fee waiver - See staff report, work session notes and public hearing. Ms. Bodell stated that she feels there are options available in the community for funding other than the City and is not in favor of the fee waiver. Brad Olch, "I move that we approve the fee waiver for the Gold Cup Events on the 29th and 31st of December". Roger Harlan seconded. The Mayor stated that this is a one-time event, this is a good test event for the Olympics and is appropriate to support. Mr. Harlan asked if the City Council is capping the waiver at $1,685. Jeff Mann suggested that the motion be amended to cap the fee waiver at $2,000 and the Mayor agreed to the amended motion as did Mr. Harlan. Ms. Erickson reiterated that the US Ski and Snowboard Team is a non-profit and this is a one-time event. Motion carried.

Peg Bodell	Nay
Candace Erickson	Aye
Roger Harlan	Aye
Fred Jones	Aye
Jeff Mann	Aye

4. Resolution authorizing the Mayor to execute a road transfer agreement between Park City and the Utah Department of Transportation - Tom Bakaly referred to the staff report. About a year and a half ago, the Council approved a resolution relating to SR224, which was revised by the Utah Department of Transportation Commission, and the City did not execute that transfer agreement. He recommended that the resolution be adopted to transfer a portion of SR224, from The Yarrow to Guardsman Pass, from UDOT to the City. There is provision in UDOT sharing in the cost of repairing the retaining wall on Deer Valley Drive up to an amount of $500,000 and a clause for purchasing a snow plow. The Commission is scheduled to adopt this resolution on December 14 and he recommended that the transfer agreement be executed after this action. The Mayor requested a motion to approve. Roger Harlan, "I so move". Fred Jones seconded. Motion carried unanimously.

VII ADJOURNMENT

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

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MEMORANDUM OF CLOSED SESSION

Pat Putt added that the Master Planned Development section applies to the review of more complex projects and the Planning Commission spent a lot of time to make sure that it is crafted to provide appropriate tools to analyze these applications. Chapter 10 has also been updated so that it is consistent with changes in state code and our General Plan. Affordable housing incentives are also included here. There is a citizen participation plan requirement for introducing MPDs which was informally used for Flagstaff Mountain and more recently for an affordable housing project. This type of process has been an expressed need by the public and will provide an opportunity for various interests to respond to a plan before an application is submitted. When the Planning Commission reviews an application, there usually is already a lot of time and money invested in the plan which results in the applicant wanting that plan approved. This is not a public hearing but a public forum that allows preliminary input and staff feels this will be a very positive change to the LMC. The citizen participation requirement provides that the Planning Commission make a finding that the proposal is consistent with the General Plan. If not, the General Plan would have to be amended or the plan would have to be modified to comply. He emphasized that a finding made stating compliance with the General Plan is not an approval of a master planned development, which is judged on other criteria. The unit equivalent formula and support uses have been clarified. The open space requirement for affordable housing has been reduced from 50% to 40% as an incentive to bring more projects forward. Certain zoning districts can qualify for density bonuses, open space reductions including the historic residential zoned parcels that are not part of the Park City Survey, the RD, RDM, GC and LI. Mountainlands Community Housing Trust questioned the exclusion of the RC zone and Mr. Putt believes this was an oversight and that it makes sense to include this zone to promote affordable housing. Ms. Whetstone added that child care regulations have been revised for consistency with state provisions.

She continued that a number of public hearing were held before the Planning Commission in June, September and November at which time a positive recommendation was rendered to Council. The Mayor asked if the reduction in open space will realistically promote more affordable housing. Mr. Putt suggested coming back to Council with the information regarding the Commission's rationale and Ms. Whetstone explained that the reduction was contingent on the applicant providing additional amenities, like a bus stop or playground.

The Mayor invited the audience and the Council to comment. Hearing no further input, the public hearing was closed.

VI NEW BUSINESS

1. Resolution amending Section 7, parking violations, towing and impound fees to provide for special event parking permits and associated fines and replacing Resolution No. 14-01 in its entirety - See staff report and public hearing. The Mayor requested a motion to approve. Roger Harlan, "I so move". Candace Erickson seconded. Mr. Harlan interjected that he agreed with Ms. Bodell's comments on the importance of enforcement. Motion unanimously carried.

The City Council met in closed session at approximately 4 p.m. Members in attendance were Mayor Brad Olch, Peg Bodell, Candace Erickson, Roger Harlan, Fred Jones, and Jeff Mann. Staff present were Toby Ross, City Manager; Mark Harrington, City Attorney; and Tom Bakaly, Assistant City Manager. Fred Jones, "I move to close the meeting to discuss property acquisition". Peg Bodell seconded. Motion carried unanimously.

The meeting opened at approximately 4:45 p.m.

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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

Janet M. Scott

Janet M. Scott, City Recorder

DATE:	**November 29, 2001**
DEPARTMENT:	**Community Development - Rick Lewis, Director**
TITLE:	**Parks and Recreation Element - Phase II General Plan**
TYPE OF ITEM:	**Discussion and Adoption**

SUMMARY RECOMMENDATIONS: Conduct the public hearing on the Parks and Recreation Element, amend the element if necessary, and consider adopting the element by resolution.

A. Description

Parks and Recreation Element of Phase II of the General Plan.

B. Background

Drafts of the element were reviewed by the Parks Recreation and Beautification Board on June 20, 2001 and by the Planning Commission on July 25 and September 26. Recommended modifications were incorporated into the Element which was approved on October 10, 2001.

C. Analysis

This revised draft has incorporated the changes suggested by the Planning Commission.

D. Impacts

General plan elements set the policy direction goals for the City. As drafted, some of the policies outlined in the document would have financial impacts to the City. The policies may require staff review and/or additional funds to contract for services to implement the program. Some action plan items would require code amendments and/or new ordinances. All such items would require review, public input, and approval by the Commission and/or City Council prior to any implementation.

E. Department Review

The Community Development Department, Office of Capital Management and Budget, the City Attorney's Office, the Leisure Services Department and the Parks, Recreation and Beautification Board have all had the opportunity to review and comment on the previous drafts of this element.

RECOMMENDATION:

Conduct the public hearing on the element, consider any public comments received, discuss any amendments deemed necessary and consider adoption of the attached resolution.

Exhibits

Exhibit A - Draft Element of Parks & Recreation Element dated October 10, 2001- Copies available in the Planning Department

Resolution No. _____

RESOLUTION ADOPTING THE PARKS AND RECREATION ELEMENT OF THE GENERAL PLAN FOR PARK CITY, UTAH

WHEREAS, the Comprehensive Plan was adopted by City Council in 1985; and

WHEREAS, the Utah State Municipal Land Use Development and Management Act specifies that municipalities prepare and adopt a comprehensive, long-range general plan to accomplish the purposes of the Act; and

WHEREAS, the City Council recognized the inadequacy of the 1985 Comprehensive Plan and the need to adopt an effective planning tool to address the many planning challenges which have been prompted by the dramatic changes in the community since the original Comprehensive Plan was adopted; and

WHEREAS, the City Council has identified the updating of the General Plan as a high priority and an integral component in the long range planning of the community; and

WHEREAS, Phase 1 of the revised General Plan was adopted on March 20, 1997; and

WHEREAS, the various revised elements of the General Plan have been reviewed and updated annually since March 20, 1997; and

WHEREAS, the Parks, Recreation and Beautification Board discussed the Parks and Recreation Element on June 20, 2001, the Planning Commission held a work session on the Parks and Recreation Element of Phase II of the General Plan on July 25, 2001, and held public hearings on September 26, and October 10, 2001, and the City Council held a public hearing on the Element on November 29, 2001; and

WHEREAS, diversity and availability of recreational activities are vital to the quality of life for our residents and visitors; and

WHEREAS, the Planning Commission has recommended that the City Council adopt the Parks and Recreation Element of the General Plan; and

WHEREAS, the City Council considered public input, recommendations from its staff, consultants, and the Planning Commission and deems it in the best interest to proceed with the adoption of the Parks and Recreation Element.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Park City, Utah that the Parks and Recreation Element of the General Plan is hereby adopted and becomes effective upon the adoption of this Resolution.

PASSED AND ADOPTED THIS ___ day of November, 2001.

PARK CITY MUNICIPAL CORPORATION

____
Mayor Bradley A. Olch

Attest:

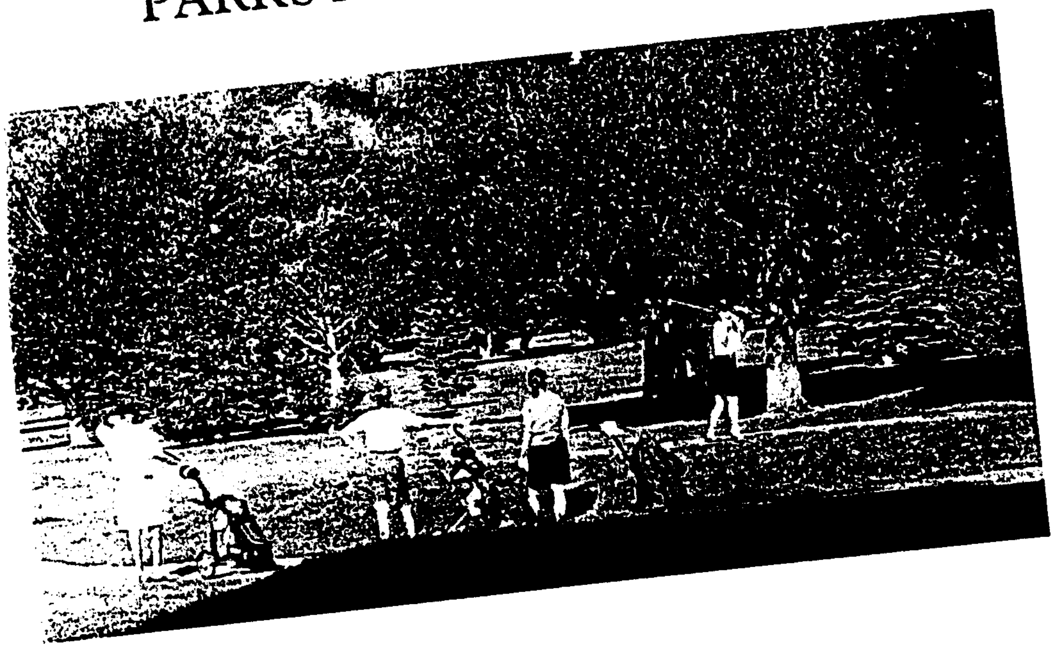
____
Janet M. Scott, City Recorder

Approved as to form:

____
Mark D. Harrington, City Attorney

· City Council Review November 29, 2001

PARKS AND RECREATION



A GENERAL PLAN ELEMENT
Of
PARK CITY, UTAH

UNDER SEPARATE COVER

"Recognizing the Virtues of Family, Professional and Community Involvement among Married Women"

Mrs. Utah International

Dear **Mayor Brad Olch,** October 8, 2001

I'm writing to request your assistance. Several weeks ago, **Laurie Reese** entered the preliminary to **Mrs. Utah International** competition. She filled out an application, along with several other area women, and sent her entry to the Judging committee for the **2002 Mrs. Utah International Pageant**. Shortly thereafter, the Mrs. Utah International Office sent word that **Laurie Reese** had been selected as **Mrs. Park City International**. She qualifies to compete for the title of Mrs. Utah International in June 2002. Because there is no local pageant held I was wondering if, as an Elected Official, you would be so kind as to do a formal presentation, at a City Council meeting, of **Mrs. Reese's** banner and to introduce her to the city. I will invite the media and announce her title to your community.

The Mrs. International Pageant recognizes married women for their accomplishments in family, profession and community stewardship, emphasizing the virtues of elegance, confidence and intelligence. **Laurie Reese** is honored to represent **Park City** and intends to do her best to use this title to promote her City, the people who live there and to assist your community with its civic and non-profit oriented projects throughout her reign. Laurie is the wife of Mr. Ty Reese; they have been married for about a 1 ½ years and have their first child due on October 23, 2001. Laurie believes that all women (especially the young women) of America deserve to have a role model of wholesome womanhood. She believes that a role model is someone who has the best intentions in all her actions. A role model is on her best behavior when she is in the public eye, and strives to be the same way even when she is not.

The Mrs. Utah International Pageant gives women a vehicle to promote causes that are most important to them such as: children's and women's issues, community involvement, disabilities, schools, commitment to marriage and family values. Contestants and volunteers associated with the Mrs. Utah International Organization have donated countless hours in support of National and Local causes such as: Children's Miracle Network, KISN Cares for Kids, organizations that provide support for victims of domestic abuse, and many others. We would love to include your favorite Charity in our endeavors. The Mrs. Utah International Pageant also gives the women an opportunity to promote their own City/County throughout the state of Utah and the United States. The Mrs. Utah International Pageant showcases the achievements and accomplishments of women whose lives reflect traditional family values. Totally "non-exploitive", the Pageant celebrates strong, committed, married love relationships and the joys family life brings.

I am anxious to hear your response. Please let me know when we would be able to schedule this presentation. If you have any other questions about the pageant or **Mrs. Laurie Reese's** title, please feel free to call me at (801)254-4616.

Thank you for your time and consideration.
Most Sincerely,

Stacey Taylor

Stacey Taylor
Executive Director
Mrs. Utah International Pageant

Mrs. Utah International® P.O. Box 459 Riverton, UT 84065 Tel (801)254-4616 Fax (801)254-8547
E-Mail staceyt@ix.netcom.com Web Site www.mrsutah.com

DATE: November 29th, 2001
DEPARTMENT: Public Works
AUTHOR: Kent Cashel, Transportation Director
TITLE: Amendment to Fee Resolution
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATION: Staff and the City's Event Coordination Committee (ECC) recommend that City Council adopt an amended fee resolution. This amendment will allow for the sale of special event parking permits and the imposition of a special event parking fine during the 2002 Winter Olympic Games.

DESCRIPTION

A. **Topic** Amendment to Fee Resolution.

B. **Background** The closure of Main Street and support activities including sponsor transportation and parking services for the Main Street Olympic celebration will drastically reduce the amount of public parking available in the Main Street core (from February 6th through the 24th).

The amount of available parking from February 6th through the 24th will be inadequate to accommodate all business, employee and residential parking needs in the Main Street core. The parking spaces that will taken out of service are all in the paid parking program and the removal of these spaces will reduce parking revenues by approximately $45,000. This reduction in revenues will be accompanied by an increase in expenses created by the expanded hours of operation and need for additional enforcement in the residential areas surrounding the Main Street area.

Reducing the amount of available parking in the Main Street core will impact businesses, residents, employees and the City's Paid Parking program. Staff and the City's Event Coordination Committee (ECC) have worked together to develop a plan to allocate the remaining parking spaces in a manner that will minimize the impact to all affected groups and offset the reduced revenues and increased expenses.

C. **Analysis** To minimize the impact to businesses and residents, Staff and the ECC have dedicated sufficient parking spaces in the lots accessed from Marsac Avenue (North & South Marsac lots, 4th level of China Bridge and the Sandridge lots) to provide one free transferable parking permit for each licensed Main Street business owner and resident located south of Heber Avenue. While one space will not address the parking needs of all the business owners and residents, it will provide a reasonable level of vehicular access for these groups.

Staff and the ECC recommend that permits for the remainder of the spaces in the Main Street core (2^{nd} and 3^{rd} level of China Bridge and Gateway lots) be sold. These "Premium" permits would be made available to Main Street merchants first and then sold on a first come first served basis to the general public. Staff and the ECC recommend that each licensed Main Street business be sold one of these "Premium" permits for $350 (or approximately $18 per day). This fee was set based upon estimated market value and to recover foregone parking revenues and offset increased costs. To sell permits at this price requires an amendment to the City's current Fee Resolution.

In addition to the above "Premium" permit Staff and the ECC recommend a $150 permit be made available for sale. These permits would allow holders to park in the Mahwinney lot (lot just west of Skateboard Park), as well as some spaces in the South City Park and Library lots. These spaces would allow Main Street businesses and employees a lower cost parking option. To sell permits at this fee will also require an amendment to the City's current Fee Resolution.

The Citizens Advisory Committee on Parking has informally requested that Main Street businesses located north of Heber be included in the Special Event Permit Program. Accomodating this request would reduce the number of permits available for sale and the revenue generated as each Main Street business located North of Heber would receive one free permit in the Mahwinney lot. The Committee recommended that the permit fees for all remaining spaces be increased to offset these lost revenues. The Special Event Permit Fee of up to $50 per day included in 7.1 of the attached Fee Resolution will provide Staff with the flexibility necessary to accommodate this request.

Given the shortage and cost of parking during the Olympic time-frame staff believes there is a need for a potent disincentive to illegal parking. Staff is requesting that Council approve a Special Event Parking Fine in the amount of $150. This fee will only be issued in permit areas that are clearly signed that the $150 fine applies. Staff believes this Special Event Parking Fine, in conjunction with enhanced signage, will reduce illegal parking and the need for additional enforcement personnel in the permit areas. To implement this Special Event Parking Fine will require an amendment to the City's current Fee Resolution.

In preparing for this report Staff discovered that section 7.4 of the City's current Fee Schedule had not been amended to reflect the $75 annual fee currently being charged for employee parking permits. Staff has included this change in the amended Fee Schedule.

D. **Department Review** This report has been reviewed by The City Manager, City Attorney's Office and Public Safety.

ALTERNATIVES

A. **Approve The Recommendation:** Council could adopt the amendment to the Current Fee resolution. This is Staff's recommendation.

B. **Modify the Recommendation:** Council could modify the recommended amendment to the City's current Fee Resolution.

B. **Deny The Recommendation:** Council could deny amendment of the Current Fee resolution. This would require Staff and the ECC to develop a new plan for the allocation of Main Street parking resources during the Olympic celebration. Given the shortage of time to develop and implement alternative plans staff does not recommend this alternative.

C. **Defer the item to a later date**: This alternative would have the same impact as Alternative B.

D. **Do Nothing:** This alternative would have the same impact as Alternative B.

<u>SIGNIFICANT IMPACTS</u>: Due to time constraints Staff has not had the opportunity to formally present this recommendation to the Citizens Advisory Committee on Parking. Staff plans to meet with the Committee and will verbally update Council on the Committee's input at the November 29th City Council meeting. It is important to note that this recommended program has been presented at all of the City's Olympic Public Information meetings and has been also been presented to the Historic Main Street Business Alliance earlier this summer.

<u>CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION</u> The permit fees included in the recommended Fee Resolution amendment have been developed to allocate scarce parking resources, recoup foregone revenues and offset increased expenses. If Council should choose to reduce or eliminate permit fees, foregone revenues and increased expenses will need to be funded with Transportation Fund balance.

If Council should choose to deny the $150 Special Event Parking Fine, parking enforcement of the special permit areas will have to be increased. This increased enforcement will result in increased expenses.

<u>RECOMMENDATION:</u> Staff recommends that City Council adopt the amended Fee Resolution (amended sections highlighted in attached Fee Resolution). This amendment will allow for the sale of special event parking permits and the imposition of a special event parking fine during the 2002 Winter Olympic Games.

Attached:
Fee Resolution
Exhibit A, Park City Fee Schedule

PARK CITY 1884

Resolution __________

RESOLUTION AMENDING SECTION 7, PARKING VIOLATIONS, TOWING AND IMPOUND FEES OF RESOLUTION NO. 14-01 AND REPLACING RESOLUTION NO. 14-01 IN ITS ENTIRETY

WHEREAS, it is necessary to update the fee schedule to reflect the changing costs of performing services and providing public benefits; and

WHEREAS, the City provides special event parking services; and

WHEREAS, the City Council determines that it is in the public's best interest to recover all or a portion of the costs of providing special event parking services;

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

14-01 is hereby replaced in its entirety and the fees outlined in Exhibit A are hereby adopted.

SECTION 2. EFFECTIVE DATE. This Resolution shall take effect upon adoption.

PASSED AND ADOPTED this 29th day of November, 2001.

PARK CITY MUNICIPAL CORPORATION

____

Mayor Bradley A. Olch

Attest:

____

Janet M. Scott, City Recorder

Approved as to form:

____

Mark D. Harrington, City

EXHIBIT A

7.2 Fines for mobility disabled space violations are as follows:

$150 from the date of violation until thirty (30) days following the violation, escalating to:

$157 after 30 days;
$177 after 60 days;
$187 after 90 days; and
$197 after 120 days

7.3 Fines for Special Event Parking Permit Violations are as follows:

$150 from the date of violation until thirty (30) days following the violation, escalating to:

$157 after 30 days;
$177 after 60 days;
$187 after 90 days; and
$197 after 120 days

~~7.3~~7.4 Fines for all other parking violations are as follows:

$25 from the date of violation until thirty (30) days following the violation, escalating to:

$32 after 30 days;
$52 after 60 days;
$62 after 90 days; and
$72 after 120 days

~~7.4~~ 7.5 A parking permit for the first through the third level of the China Bridge Parking Structure and the Gateway Garage will be ~~$30~~ $75 annually, $50 if purchased after April 1st of each calendar year. ~~valid from January 1 to April 15.~~

7.6 The City Manager may implement a Special Event Parking Permit AND; Special Event Parking Fines for events held under a Master Festival License. The fee for these Special Event Parking Permits will not exceed $50 per day.

~~7.5~~ 7.7 An administrative fee of $20 will be charged per vehicle for towing. In addition to the administrative fee there is a fee, negotiated with private providers, for a basic tow, or state impound, or accident tow and which may vary annually. These towing charges are outlined in the Park City Police Department Towing Rate Scale. Vehicles stored in the City lot will be charged $3 per day. Vehicles stored in private lots are subject to market pricing, negotiated with the Park City Police Department, and outlined in the Park City Police Department Towing Rate Schedule.

PARK CITY
1884

CITY COUNCIL REPORT

DATE: November 29, 2001
DEPARTMENT: Facilities and Special Events
AUTHOR: Alison Butz AB
TITLE: USSA Gold Cup
TYPE OF ITEM: Master Festival License Application

SUMMARY RECOMMENDATIONS: Review the Master Festival License application, conduct a public hearing, provide Staff with direction on the fee waiver and consider approving the license for the USSA Gold Cup, as conditioned, on December 29 and December 31, 2001, at Park City Mountain Resort and Deer Valley Resort.

A. TOPIC

Review of the Master Festival License Application, submitted by USSA for the Gold Cup on December 29, 2001 at Park City Mountain Resort and on December 31, 2001, at Deer Valley Resort.

B. BACKGROUND

The Master Festival License application submitted by USSA requests approval for the Gold Cup to be held at both Deer Valley Resort and Park City Mountain Resort. The U.S. Ski Team Gold Cup is a wild card process which allows U.S. athletes the opportunity to secure a position on the Olympic Team. Three events will be taking place in Park City. All these events are free to the public and will give us our last chance to see these athletes compete in Park City before the Olympics.

Park City Mountain Resort will hold the Men's GS races from 10:00am - noon. The woman's GS races were held in Colorado on November 15th through 18th. In the evening there will be a hospitality event where the public is invited to meet ski team athletes at the Legacy Lodge which is open to the public.

On December 31, 2001 Deer Valley Resort will be hosting the men's and women's mogul competition from noon until 1:30pm. Starting at 7:00pm the aerial competition will be held under the lights and will conclude at 8:30pm with a fireworks display. The Chamber of Commerce is organizing the fireworks display which will require review by the Building Department.

As part of this application, USSA has requested the Council review their request for a fee waiver. The Municipal Code allows the Council to waive all or a portion of fees based upon certain criteria. Staff will return at a future date with Findings for the fee waiver based on Council's direction.

C. ANALYSIS

The City Council, per the Municipal Code, reviews all new applications for Master Festival Licenses and shall either approve, approve with conditions or deny the applications. The Gold Cup event is being reviewed as a Master Festival due to the size of anticipated crowds and use of off-site parking facilities.

Parking and Transportation

All event attendees will be directed to park at the Highway 40, Olympic parking lot. Shuttles, provided by Lewis Brothers Stages, will transport attendees to and from the venues throughout the times of the events. Use of the shuttle parking lots will diminish the use of the resorts' parking lots which will be occupied for the preparation of the Olympics. Spectators will be directed to the shuttle lots with text on the overhead electronic board on I-80 just before Kimball Jct. and a generator operated electronic sign located at the junction to steer people over to US 40 lot.

The shuttle drop off at Park City Mountain Resort will be along Lowell Avenue along the First Time Lift Parking Lot. Due to the shuttle drop off and Park City Transit routes for the City's buses, Lowell Avenue will signed one-way with the traffic traveling south.

At Deer Valley, the Park City buses will be given a designated shuttle stop and the Lewis Brothers Stages will be dropping off attendees at the front of the Snow Park Lodge.

Security

USSA is anticipating a crowd size of 2,000 to attend the Men's GS competition, with anticipated crowd for the evening event at 1,000. The events at Deer Valley are expected to draw 2,000 during the day and 5,000 for the evening event and fireworks display. With the expected crowd size the applicant has contracted Contemporary Security to provide crowd control for the events. The security company will meet with the park City Police Department prior to the event. With the presence of additional security, the Police Department anticipates on having 2 - 4 officers at each event.

Temporary Structures

While a majority of the structures needed for this event are being constructed by SLOC for use during the Olympics, the event will still require tent permits, trailer permits, camera stand permits and bleacher permits. The bleachers constructed at Deer Valley Resort will be used during the Gold Cup event. However, the construction of the bleachers at PCMR will not be complete by the Gold Cup. USSA has requested the use of the City bleachers and proposes to place them at the base of the race run. The construction area at PCMR will be fenced during the Gold Cup competition to prevent the spectators from going into the area.

Fee Waiver Request

Section 4-8-9 of the Municipal Code provides applicants for Master Festival and Special Event

Licenses with criteria to request a waiver for all or a portion of associated fees. The Section further states that fee waiver requests for all new applications be reviewed and approved or denied by the City Council. Eligibility for a full or partial fee waiver shall be determined pursuant to the following criteria, none of which shall be individually controlling. USSA has requested a full waiver of all fees associated with the Gold Cup event. Please see text in italics for USSA's response to the criteria.

A. For-profit or non-profit status of the Applicant;
The U.S. Ski & Snowboard Association is a non-profit organization which is the national governing body recognized by the U.S. Olympic committee to develop and prepare U.S. Ski and Snowboard Team athletes for national and international competition, including the Olympic games.

B. Whether the event will charge admission fees;
The Gold Cup events will not charge admission to spectators in order to provide a chance for the general public to see Olympic caliber competition.

C. Whether the event is youth-oriented;
The Gold Cup events will be taking place during the Utah school's Christmas break. Although the schools will not be brining bus loads of children to the event, USSA is promoting the races as a family oriented event.

D. The duration of the event;
The three competitions along with the hospitality event will run on December 29th and December 31st. All races should last no longer than two (2) hours, while the hospitality event at the Legacy Lodge, on the evening of December 29th, shall last three (3) hours.

E. Whether and to what extent the City is likely to receive positive tax benefits by virtue of the event;
The event will be advertised in Park City and also in the Slat Lake City area. All events will begin or conclude around lunch or dinner, giving the spectators an opportunity to enjoy lunch or dinner in Park City. The event is also being promoted by the Chamber of Commerce to their out-of-town visitors.

F. The degree of City services involved and whether City costs are likely to be recovered by other revenue opportunities arising from the event;
The event is expecting a total of 12,000 people to the Park City area between December 29th and December 31st. ABC's Wide World of Sports will carry four hours of Gold Cup, along with two hours broadcast on ESPN.

G. The season of occurrence; and
The event will take place during the winter.

H. Demonstration of hardship by the Applicant.
Again, USSA is a non-profit organization whose task is to develop and prepare U.S. Ski and Snowboard Team athletes for national and international competition, including the Olympic games. USSA provides this by producing events in Park City such as the Gold Cup and America's Opening.

Staff asks that the Council discuss the criteria for the fee waiver request and direct Staff to return with findings for the waiver amount at a following meeting. Staff will return with findings for the fee waiver at the December 5th City Council meeting.

ALTERNATIVES

A. Approve the Master Festival License, as conditioned by staff, allowing the Gold Cup events on December 29 and 31, 2001, at Park City Mountain Resort and Deer Valley Resort and provide direction to Staff on request for a fee waiver.

B. Modify the parameters of the event and approve the Master Festival License, allowing the Gold Cup event on December 29 and 31, 2001, at Park City Mountain Resort and Deer Valley Resort provide direction to Staff on request for a fee waiver.

C. Deny the Master Festival License, thereby preventing the Gold Cup events on December 29 and 31, 2001, at Park City Mountain Resort and Deer Valley Resort.

D. The City Council may continue the hearing for more information and discussion.

RECOMMENDATION:

Staff recommends approval of the Master Festival License to allow Gold Cup events on December 29 and 31, 2001, at Park City Mountain Resort and Deer Valley, based on the following:

Findings of Fact:

1. The Gold Cup Events will be held at Park City Mountain Resort on December 29, 2001, at Park City Mountain Resort. On December 31, 2001, the events will be held at Deer Valley Resort. The events include ski races, hospitality event and fireworks. The Highway 40 Olympic parking lot will be used for spectator parking and the transportation will be provided by Lewis Brothers Stages.
2. Each event will require the shuttling of spectators from the Highway 40 Olympic parking lot. By shuttling the spectators in from a remote lot outside of the City the impacts from the events should be less than if the spectators parked at the venues. The shuttle services will be provided by Lewis Brothers Stages. At the Park City Mountain Resort, Lowell Avenue will be signed one-way with traffic traveling south. This will alleviate congestion from both the shuttle buses and City's buses in the area. At Deer Valley Resort a shuttle stop for the City's buses will be signed and will prevent conjestion at the base of the resort. The conduct of the Gold Cup will not substantially interrupt or prevent the safe and orderly movement of public transportation or other vehicular and pedestrian traffic in the area of its Venue.
3. The applicant is working with a private security company to provide security for the venue. The security team will meet with the Park City Police Department to review procedures. The presence of the private security will reduce the number of Police Officers needed to monitor the event. The Gold Cup events will not require the diversion of so great a number of police, fire, or other essential public employees from their normal duties as to prevent reasonable police, fire, or other public services protection to the remainder of the City.
4. The traffic surrounding the resort area will be monitored and Lowell avenue will be one-way going south between Silver King and Shadow Ridge Drive. Additional shuttle parking lots will be used to reduce the number of on street parking surrounding the venue. The concentration of persons, vehicles, or animals will not unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles on the streets or with the provision of other public health or safety services.
5. One other Master Festival License has been approved for December 31, 2001. The event consists of a fireworks display for a private party in Aspen Springs. The Aspen Springs event will not begin until midnight, while the Deer Valley event is expected to end at

8:30pm. The Aspen Springs event anticipates a crowd of 70 and is in a different area of town from Deer Valley. The Gold Cup events will not substantially interfere with any other Special Event or Master Festival for which a license has already been granted or with the provision of City services in support of other such events or governmental functions.

6. The organizer is providing sanitation, security, shuttle transportation, and adequate insurance for the event.
7. With the security provisions proposed the Gold Cup events will not create an imminent possibility of violent disorderly conduct likely to endanger public safety or cause significant property damage.
8. The applicant has been working with City Staff and applicable departments to address all event concerns. The Applicant demonstrates an inability or unwillingness to conduct the event pursuant to the terms and conditions of this Chapter or has failed to conduct a previously authorized event in accordance with the law or the terms of a license, or both.
9. The applicant has been working with the Park City Fire District and the Summit County Health Department to obtain all applicable licenses.

Conclusions of Law:

1. The application is consistent with the requirements of the Park City Municipal Code, Title 4, Chapter 8.

Conditions of Approval:

1. All plans for tents, stages and other temporary structures shall be submitted to the Building Department for review and permitting by December 14, 2001.
2. The applicant shall work with their security team to address all Park City Police Department issues that are discussed at the December 6, 2001 meeting.
3. The applicant shall comply with all Summit County Health Department requirements for sanitation and food vendors.
4. The Applicant will work with Staff in order to ensure that any safety, health, or sanitation equipment, and services or facilities reasonably necessary to ensure that the event will be conducted with due regard for safety are provided and paid for by the Applicant.
5. The Applicant shall provide to the Special Events Manager proof of liability insurance as may be required by the Special Events Manager or the City Attorney's Office, and shall further name Park City Municipal Corporation as an additional insured if necessary.

Exhibits

Exhibit A - Site Plan

Exhibit B - Fee Estimate

Estimated Fees

PARK CITY 1884

Special Events Department
P.O. Box 1480
Park City, UT 84060
(435)615-5151
Fax: (435) 615-4911

ESTIMATED SERVICE FOR:	**DATE OF EVENT:**
USSA Gold Cup	**December 29 and 31, 2001**

DATE	SERVICE DESCRIPTION		Total
	Police Department		
	$20.00/hour with a minimum of 4 hours		
	2 officers/4 hours @ PCMR Day	8 hours	
	4 officers/4 hours @ PCMR Evening	16 hours	
	2 officers/4 hours @ DV Day	8 hours	
	4 officers/ 4 hours @ DV Evening	16 hours	**$960.00**
	Building Department		
	Stage		**$15.00**
	Fireworks		**$30.00**
	Bleachers @ PCMR, not including rental fee		**$15.00**
	Tent 80' x 40' @ $.20 per square foot		**$640.00**
	Fire-eaters, evaluation of safety		**$15.00**
	Trailers @ $.20 per square foot		**TBD**
	Electrical		**$10.00**
	Transportation		
	No request for Park City Transportation Services		
	Streets Department		
	Barricades will be ordered by the venues		

TOTAL $1685.00

This total does not include the fee for the rental of the Parks Department bleachers. The total will be increased once the square footage of the trailers is known. Any additional items to be reviewed would increase the total amount.

EXHIBIT A- ESTIMATED FEES

GE 2, PARKING, ENTRY CORRIDOR

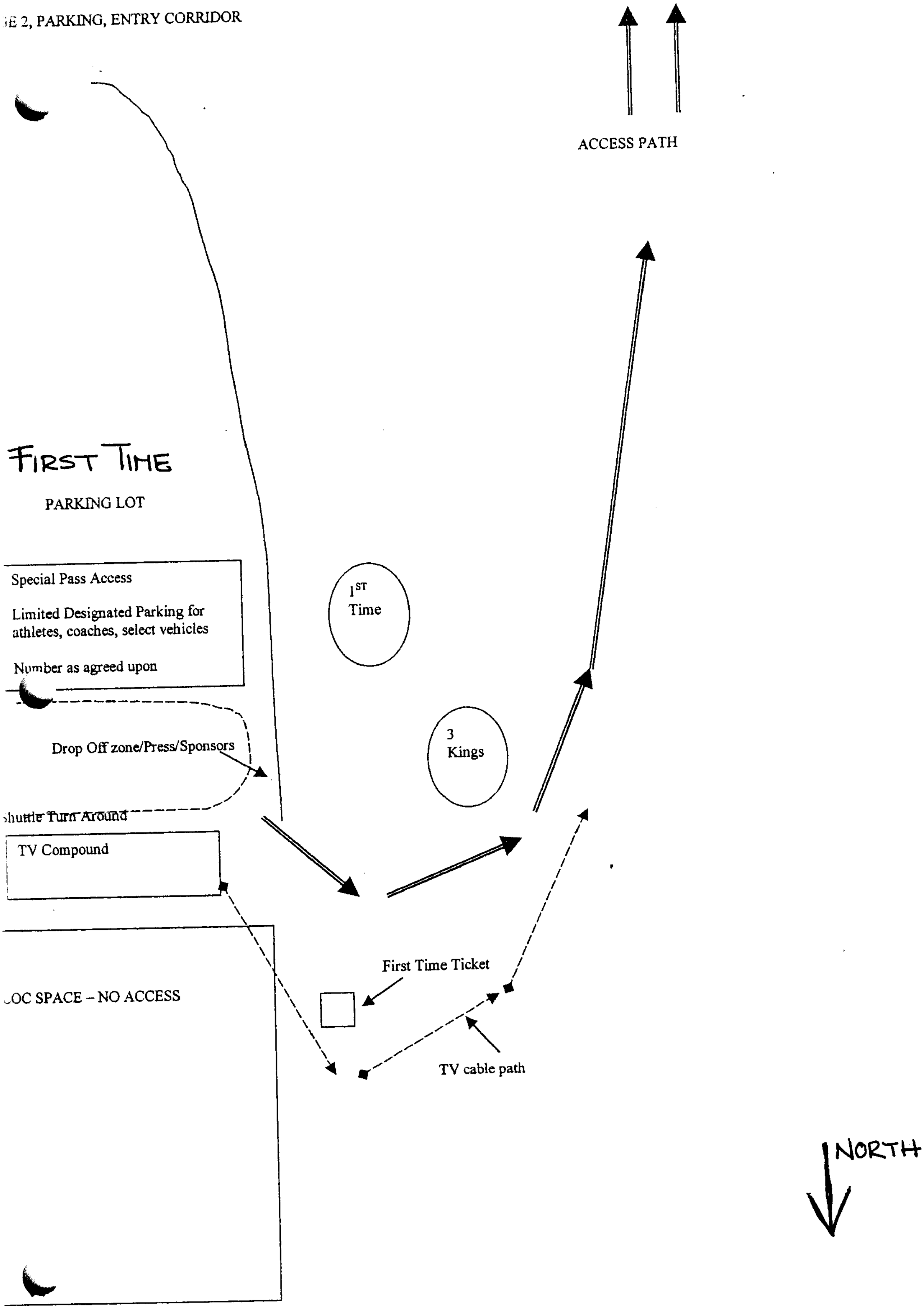


EXHIBIT B - PCMR SITE PLAN

9/15/01

GOLD CUP - December 29, 2001

FINISH LAYOUT – PARK CITY MOUNTAIN RESORT

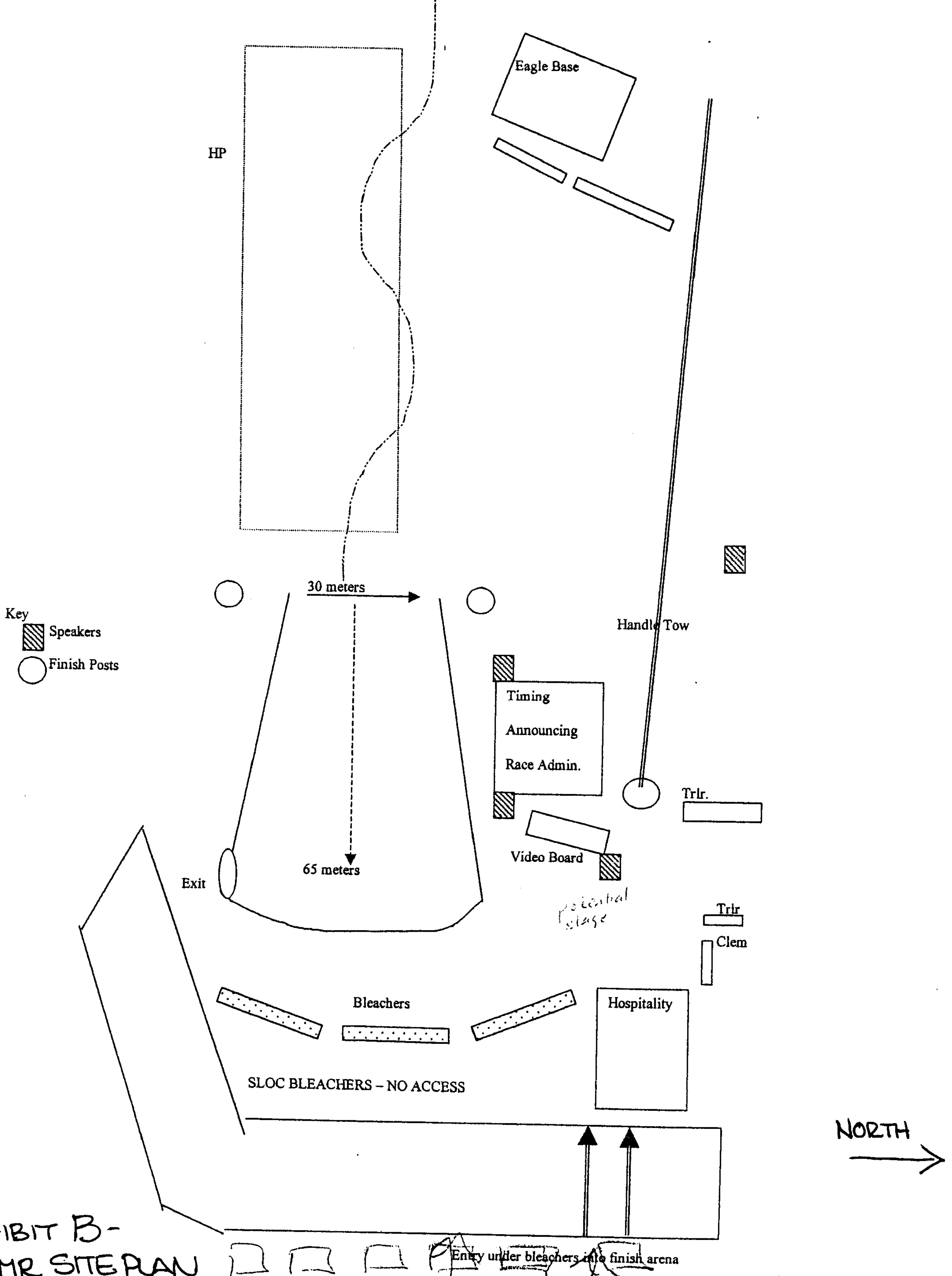
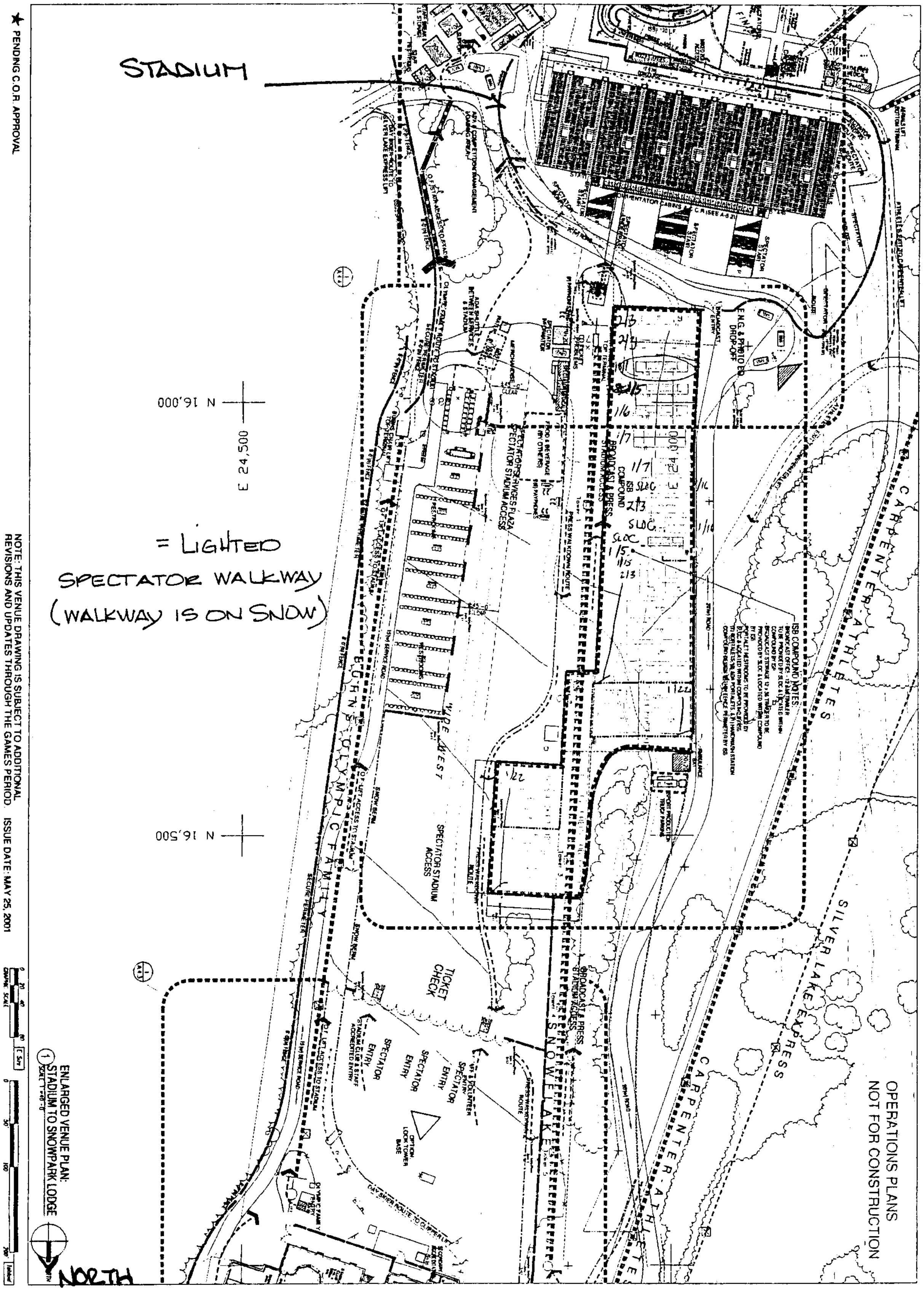


EXHIBIT B -
PCMR SITE PLAN

28

9/15/01



VENUE MANAGEMENT PLAN
ALPINE & FREESTYLE AREA AT DEER VALLEY
DEER VALLEY RESORT
Slalom . Moguls . Aerials
Park City . Utah

SALT LAKE ORGANIZING COMMITTEE FOR THE OLYMPIC WINTER GAMES OF 2002
299 South Main Street . Suite 1300
Salt Lake City . Utah . 84111
801 . 212 . 2002

SALT LAKE 2002

DRAWING: ENLARGED VENUE PLAN · STADIUM TO SNOWPARK LODGE
DATE: MAY 25, 2001
SHEET NO. A-3.2

EXHIBIT B - DEER VALLEY SITE PLAN

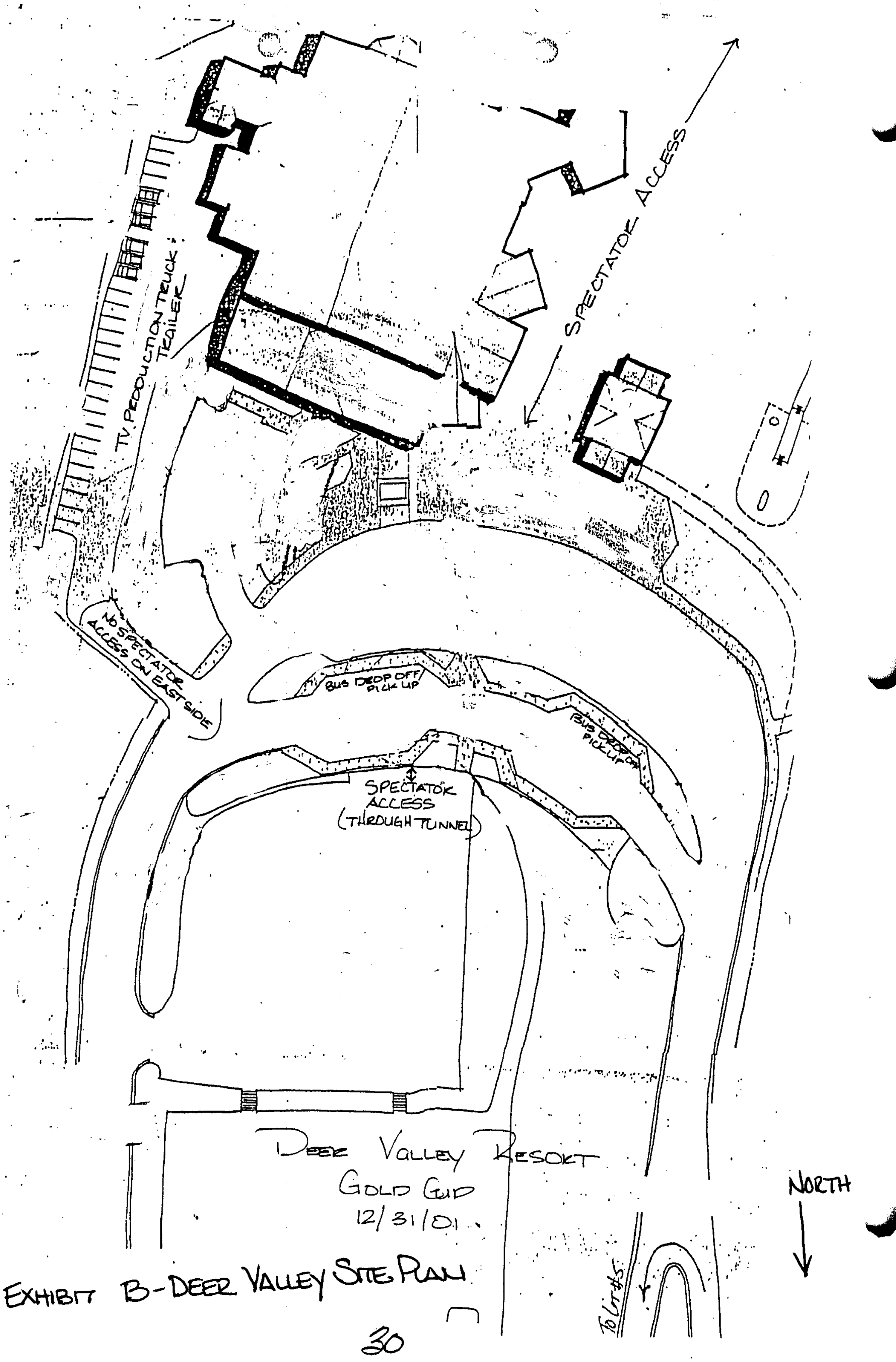


EXHIBIT B-DEER VALLEY SITE PLAN

DATE: November 29, 2001
DEPARTMENT: Planning Department
AUTHOR: Kirsten Whetstone, AICP
TITLE: LMC Re-write- Phase II
TYPE OF ITEM: Comprehensive and Substantive Rewrite of the Land Management Code- Phase II

SUMMARY RECOMMENDATIONS Conduct a public hearing, consider input, and review the proposed revisions to the Land Management Code phase II for Chapter 6 (Planning and Zoning Administration), Chapter 8 (Supplemental Regulations), Chapter 14 (Child Care Regulations), Chapter 10 (Master Planned Developments), and Chapter 11 (Master Planned Developments for Affordable Housing Projects). Additional revisions are recommended to previously amended Chapter 1 (General Provisions) and Chapter 15 (Definitions). Please continue the hearing on Chapter 4 (Historic Preservation) to the December 20, 2001 Council meeting.

BACKGROUND

On June 13 and September 22, 2001 the Planning Commission conducted public hearings on the draft revisions to the Land Management Code Chapters 6, 8, 10, 11, and 14. The Commission discussed the proposed revisions, continued the public hearing to give Staff time to make additional changes based on the discussion. On November 14th the Commission held a public hearing on revisions to new Chapter 1 (General Provisions) incorporating the section from Chapter 8 regarding completion of site improvement work prior to the approval of plats or issuance of certificates of occupancy, and updating Chapter 15 (Definitions), in addition to the above mentioned Chapters. On November 14, 2001 the Planning Commission voted to forward to the City Council a positive recommendation on these proposed changes.

Revisions to Chapters 6, 8, and 14 are primarily administrative in nature and consist of editing for accuracy and consistency with other sections. Sections were added to Chapter 8 to address regulations for Lock Out units, Guest Houses, and Group Care facilities. Much of Chapter 8 has been deleted as the language was added to the individual zoning districts. Chapters 8 and 14 have been combined to form a new Chapter 4- Supplemental Regulations. Substantive changes to these chapters are outlined below.

Chapters 10 and 11 have been combined to form a new Chapter 6 consisting of all of the Master Planned Development Regulations, including those specific to MPD's for affordable housing projects. Old Chapter 6, Planning and Zoning administration, has been revised and re-numbered to Chapter 13. Sections of Old Chapter 6 have been removed as they are currently included within the Municipal Code. The following is a summary of the revisions recommended by the Planning Commission.

Chapter 6- Planning and Zoning Administration (now Section 15- Chapter 14- Planning and Zoning Administration)

Changes to Chapter 6 are primarily administrative in nature. The Chapter has been reformatted and edited for consistency with the rest of the LMC and state code.

Chapters 10 and 11- Master Planned Developments and MPD for Affordable Housing Projects (now Section 15- Chapter 6- Master Planned Developments)

This Chapter has been reformatted, re-organized, and re-written to better reflect the goals and objectives of the City's General Plan as well as the purpose statements of this Chapter. There are three major changes, including addition of a Citizen Participation Plan requirement for Large Scale Master Planned Developments, clarification of open space definitions and requirements, and clarification of the Unit Equivalent formula and definition. The Commission held public hearings on this Chapter on January 24, February 28, June 13, and September 22, 2001 and discussed these changes in detail. The Planning Commission's and the public's comments are incorporated into the current draft. The Chapter has been revised to be consistent with the current Affordable Housing resolutions. Chapter 11- Master Planned Developments for Affordable Housing, has been incorporated into this new MPD chapter. No substantive changes have been made to the affordable housing section, with the exception of allowing a reduction in the amount of open space on a specific development site, if comparable amenities are provided instead.

Chapters 8 and 14- Supplemental Regulations and Child Care Regulations (now Section 15- Chapter 4- Supplemental Regulations)

Chapter 4 now contains all supplemental regulations, including Child Care and Group Care regulations as old Chapter 14 was combined with old Chapter 8. This Chapter includes regulations for Home Occupation Businesses; Secondary Living Quarters; Guest Houses; Accessory Apartments; Child Care and Group Care Facilities; Timeshare Projects and Conversions; Satellite Antennas and Telecommunication Facilities; Outdoor Display of Art; Setbacks for Unusual Lots; and Passenger Tramways. The Section on Fences, Walls, and Berms has been left in this chapter until this language is moved into the Architectural Design Chapter.

New sections have been added regulating Lock Out Units, Guest Houses, Condominium Conversion, and Group Care Facilities. A comprehensive review of the State Administrative Code regulating Child Care has been conducted by staff, with revisions recommended to the Child Care section to be consistent with the State Code.

The sections regulating Substandard Lots; Reduced Site Requirements; Exceptions for Side, Front, and Rear Yard Setbacks; Exceptions to Height Provisions; CUP Review of Outdoor Speakers, Public Utilities, and Clear View of Intersecting Streets were removed and added to the individual zoning district sections of Chapter 7 during Phase I.

Completion of Site Work Requirements will be added to Section 15- Chapter 1- General Provisions as part of this LMC Phase II re-write. Information on Sale of Timeshare Units has been deleted as this is regulated by State Codes. Sections on Frontage Protection and Sensitive Lands requirements were moved to the Zoning District chapter as separate overlay districts, during Phase I. No changes have been made to the current Telecommunications Facilities Regulations, as recently amended to include temporary facilities. A section on temporary structures, tents, and uses was added consistent with current City review policies and requirements.

RECOMMENDATION Staff recommends the Council conduct a public hearing, discuss any outstanding issues, recommend any revisions, and continue the public hearing and possible action to the December 20, 2001 meeting. Continue the public hearing on Chapter 4 (Historic Preservation) to the December 20, 2001 meeting for possible action.

EXHIBITS

A. LMC Phase II revisions to old Chapters 6, 8, 10, 11, and 14 and revisions to new Chapters 1 and 15 (Council packets only)

Additional copies are available at the Planning Department.

DATE: November 29, 2001
DEPARTMENT: Executive
AUTHOR: Toby Ross/Michelle Bridge
TITLE: Reimbursement Resolution- Round Valley Open Space Purchase
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATION: Adopt a reimbursement resolution allowing the City to be reimbursed for up to $1.4 million of expenditures relating to the acquisition of open space in Round Valley.

DESCRIPTION

A. Topic:
Reimbursement Resolution

B. Background:
On November 15, 2001, the City Council authorized staff to prepare purchase agreements subject to a form approved by attorney, to acquire an additional 424 acres of open space in Round Valley for the price of $7.75 million dollars.

Only about $6.5 million remains from a $10 million open space bond passed in 1998 leaving an additional $1.25 million to be paid. The Reimbursement Resolution would allow the City to use a future open space bond issue to pay this $1.25 million plus any transaction costs (even if the city had already made payments on the seller financing). The Reimbursement Resolution does not authorize an open space bond or require that such a bond be used for this purpose.

C. Analysis:
The City will examine various ways to fund the remaining $1.25 million for the Round Valley purchase. Adopting a Reimbursement Resolution will leave options open to pass a General Obligation bond in the future to pay back the CIP fund for the acquisition. The reimbursement would not exceed $1.4 million which will allow flexibility for any transaction or bond issuance costs. The passage of this Reimbursement Resolution would allow (not require) reimbursement of no more than $1.4 million from a bond issued within 18 months of the passage of this resolution.

D. Department Review: City Manager's Office, OCM & B, Legal

ALTERNATIVES

A. The City may adopt a Reimbursement Resolution to allow the option to repay up to $1.4 million to the CIP fund from a bond issue within the next 18 months, if the council so chooses.

B. The City may choose to not pass a resolution and there will be not be the possibility of reimbursing the CIP fund from a future bond issue.

C. The Council may continue this item. To permit reimbursement, the Council would have to adopt a resolution before the property closes which is expected by the end of the year.

SIGNIFICANT IMPACTS

This resolution will allow the City the opportunity to reimburse up $1.4 million used to acquire open space in Round Valley from a possible future bond issue.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION

Failure to pass the resolution will prevent reimbursement from a future bond issue.

RECOMMENDATION

Adopt a reimbursement resolution allowing the City to be reimbursed for up to $1.4 million of expenditures relating the to acquisition of additional open space in Round Valley.

Resolution -01

RESOLUTION EXPRESSING OFFICIAL INTENT REGARDING CERTAIN CAPITAL EXPENDITURES TO BE REIMBURSED FROM PROCEEDS OF A GENERAL OBLIGATION BOND TO BE ISSUED BY THE CITY.

WHEREAS, Park City, Summit County, Utah (the "City") desires to acquire and forever preserve undeveloped park and recreational land and amenities (the "Project"); and

WHEREAS, the City deems it necessary and advisable that it take such action as may be required under applicable provisions of law to authorize and issue bonds (the "Bonds") to finance the costs of the Project; and

WHEREAS, all or a portion of the expenditures relating to the project (the "Expenditures") (i) have been paid from the City's Capital Improvement Project Fund (the "Fund") within the sixty days propr to the passage of this Resolution or (II) will be paid from the Fund on or after the passage of this Resolution; and

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

SECTION 1. The City reasonably expects to reimburse the Expenditures with proceeds of the Bonds.

SECTION 2. The maximum principal amount of the Bonds expected to be used for the Project is $1,400,000.

SECTION 3. All actions of the officers, agents and employees of the City that are in conformity with the purposes and intent of this Resolution, whether taken before or after the adoption hereof, are hereby ratified, confirmed and adopted.

SECTION 4. This Resolution shall be in full force and effect immediately upon its adoption.

PASSED AND ADOPTED this 29th day of November, 2001.

PARK CITY MUNICIPAL CORPORATION

____

Mayor Bradley A. Olch

Attest:

____

Janet M. Scott, City Recorder

DATE: November 29, 2001
DEPARTMENT: Executive/OCM&B
AUTHORS: Tom Bakaly, Assistant City Manager
TITLE: Highway 224 Jurisdictional Transfer
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: City Council should adopt the attached resolution that authorizes the Mayor to execute a road transfer agreement (attached) between Park City and the Utah Department of Transportation.

DESCRIPTION:

A. Topic: Consideration of a resolution that transfers jurisdiction of a portion of State Route 224 (SR224) from the Utah Department of Transportation (UDOT) to Park City.

B. Background: In February of 2000, City Council formally approved a road transfer agreement for a portion of SR 224 with the Utah Department of Transportation (UDOT). SR 224 is currently a State road under the jurisdiction and control of UDOT. The agreement was never actually executed because UDOT changed its position regarding the retaining wall after Council adopted the agreement.

The impetus of the road transfer discussion at that time was the City's request for funding assistance from UDOT for the roundabout. The City and UDOT never executed the road transfer agreement and UDOT did not contribute any funds to the roundabout project. The Salt Lake Olympic Organizing Committee did partner with the City for the final $3 million in funding for the roundabout and transit center.

C. Analysis: When discussing the road transfer issue, it is best to consider it in 3 sections:

Section 1	North Section - Hwy 248 (Yarrow) to Roundabout
Section 2	Middle Section - Roundabout to Winter access gate
Section 3	Unimproved Section - Winter Access Gate to Wasatch boundary (Top of hill)

Questions/Answers: When considering the road transfer proposal staff has asked UDOT the following questions and received these answers:

- ❑ *What would happen if UDOT abandoned Deer Valley Drive and Marsac Avenue?*
  UDOT's position is that the road would be owned by adjacent property owners and the City would be responsible for maintenance if the City could establish any remaining public rights in the road.

- ❑ *What would happen if UDOT abandoned the unimproved section (3)?*
  UDOT replied that they would abandon that road as well. The Mining

Company would then own Section 3.

On September 28, 2001 UDOT staff and the Mayor tentatively informed the Transportation Commission that the City would consider the following deal points:

- The City will accept jurisdictional transfer of sections 1 & 2 (quit claim deeds)
- The City will receive $500,000 from UDOT when the retaining wall needs repair
- The City would like the ability to utilize UDOT signal and plow equipment contracts
- UDOT would maintain the road for the 2001-02 Winter.

D. Department Review: This report and the entire UDOT jurisdictional transfer issue have been coordinated with Tom Bakaly of OCM&B, the Legal Department, Public Works, the Community Development Department and the City Manager's Office.

ALTERNATIVES:

A. Approve the Jurisdictional Transfer: The City would take over jurisdictional responsibility for SR224 from the Yarrow Hotel to roughly the Horse stables on SR224.

B. Reject the Jurisdictional Transfer: The City Council could decide not to execute the jurisdictional transfer agreement at this time. This would likely result in UDOT abandoning the road to the City at some point in the future. In that instance, the City would not receive the benefits currently included in the road transfer agreement. The City would have the added inconvenience of addressing all of the private property interests in the abandoned portion of 224 along Park Ave, Deer Valley Drive and Marsac Avenue.

C. Continue the Item: Council could direct staff to continue discussions on a road transfer agreement with UDOT. The Transportation Commission meets monthly.

D. Do Nothing: Council could direct staff to contact UDOT and inform them that no action will be taken at this time. The effect would be similar to continuing the item.

SIGNIFICANT IMPACTS: Public Works would assume a large financial burden for maintaining the new City portion of the highway. Annualized maintenance, equipment and operational costs to the City would be roughly $120,000. If a vehicle is not donated by UDOT, the City would need to incur the one-time cost of acquiring a large snow plow that could cost as much as $80,000. The annualized cost figure described above includes the annual equipment cost. The costs would be partially offset by $15,000 in additional Class C (gas tax) revenues due to the increased road miles attributed to the City. The costs of maintaining the road are not budgeted and the General Fund budget for FY 2002-03 and would need to reflect this additional cost.

Another impact is that the City will be in control of road decisions along Park Avenue, Deer Valley Drive and Marsac Avenue. It is likely that within the next few months residents of those roads will approach the City and ask for changes in road operations. Staff recommends that the City carefully consider those new requests in the overall context of the budget process in the Spring of 2002 as suggested in the City's budget policies.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION: It is still likely that the section of SR224 in question will be eventually transferred to Park City, possibly on terms that are much less negotiable and/or favorable for the City. The Transportation Commission is expecting a response from the City prior to their meeting on December 14, 2001.

RECOMMENDATION: City Council should adopt the attached resolution that authorizes the Mayor to execute a road transfer agreement between Park City and UDOT.

Resolution No. -01

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A ROAD TRANSFER AGREEMENT BETWEEN PARK CITY AND THE UTAH DEPARTMENT OF TRANSPORTATION.

WHEREAS, Sections 72-4-102, 72-4-103, 72-4-104 of the Utah Code Annotated 1953, as amended authorize the Transportation Commission to approve deletions from the state highway system between general sessions of the state Legislature; and

WHEREAS, the Utah Department of Transportation (UDOT) has prepared a plan indicating the portions of roadways residing within the limits of and/or affecting the roadways of the City; and

WHEREAS, UDOT has determined that SR224 no longer meets the requirements of the State System of Highways, but SR224 should still serve as a seasonal, public road, and

WHEREAS, Park City is interested in assuming jurisdiction of the road only under certain defined circumstances, including compensation for maintenance set forth in the attached document known as "Road Transfer Agreement"; and

WHEREAS, the Road Transfer Agreement depicts all conditions and parameters pertinent to the transfer of a portion of SR224;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council as follows:

SECTION 1. AUTHORIZATION TO EXECUTE. The Mayor is hereby authorized to execute the Road Transfer Agreement with UDOT in a form approved by the City Attorney.

SECTION 2. EFFECTIVE DATE. This Resolution shall take effect upon adoption

PASSED AND ADOPTED this 29th day of November, 2001.

PARK CITY MUNICIPAL CORPORATION

____

Mayor Bradley A. Olch

Attest:

____

JURISDICTIONAL ROAD TRANSFER AGREEMENT

THIS AGREEMENT, made and entered into this _______ day of _______, 2001, by and between the **UTAH DEPARTMENT OF TRANSPORTATION**, hereinafter referred to as **"UDOT"** and **PARK CITY MUNICIPAL CORPORATION**, a Municipal Corporation in the State of Utah, hereinafter referred to as the **"City"**, (collectively hereinafter referred to as the "Parties hereto"),

WITNESSETH:

WHEREAS, Sections 72-4-102, 72-4-103, 72-4-104 of the Utah Code Annotated 1953, as amended, authorizes the Utah State Transportation Commission to act by Resolution to submit for legislative approval deletions from the state highway system; and

WHEREAS, UDOT presently has jurisdiction over that portion of State Road described as beginning at the Seasonal Gate on SR-224, Reference Point 11+0.94 (5.275 miles), thence more or less northerly and continuously along said SR-224 ending at a point 220 feet, more or less, south of the center of the intersection with SR-248 (Kearns Boulevard), Reference Point 14+1.29 (8.625 miles), at the point of curvature on the south leg of said intersection, situated in:

SW1/4 Sec 9, T2S, R4E, SLB&M
Sec 16, T2S, R4E, SLB&M
Sec 21, T2S, R4E, SLB&M
NE1/4 Sec 28, T2S, R4E, SLB&M,

Park City, Summit County, Utah, and as depicted on a highway reference map, a copy of which is marked EXHIBIT A, attached hereto and thereby made a part hereof; and

WHEREAS, **UDOT** has determined that in accordance with Section 72-4-102.5 of Utah Code Annotated, the above described portion of SR-224 no longer meets the qualifying requirements of the State Highway System, and

WHEREAS, in accordance with Section 72-4-103 of Utah Code Annotated, **UDOT** may relinquish to the municipality in which it is situated that portion of a state highway deleted from the state highway system by the Commission and the Legislature; and

WHEREAS, the Parties hereto are agreeable to **UDOT** transferring jurisdiction of the above described portion of SR-224 to the **City** providing that said transfer shall be in accordance with the terms and conditions contained herein.

NOW THEREFORE, it is agreed by and between the Parties hereto as follows:

(1). **UDOT** shall by Utah State Transportation Commission Resolution, approve the jurisdictional transfer to the **City** that portion of SR-224 described herein.

(2). **UDOT** will transfer all property, rights and responsibilities **UDOT** currently holds for the above described portion of SR-224 on April 1, 2002. **UDOT** will, at no cost to the **City**, maintain above said portion of SR-224 prior to April 1, 2002, including snow removal, signage, signals and pavement markings.

(3). When mutually agreed by both Parties hereto that structural repairs are required on the existing retaining wall located along the east side of SR-224 from Reference Point 14 + 0.01 (7.349 miles) to Reference Point 14 + 0.28 (7.621 miles), **UDOT** shall reimburse the **City** for fifty percent (50%) of the actual auditable costs up to a maximum reimbursement of $500,000.00 for structural repairs to said retaining wall. Itemized billings for **UDOT** reimbursement for the retaining wall work and a copy of this Agreement shall be directed to the UDOT Region Two Director.

(4). The transferred portion of SR-224 includes two traffic signal systems located at the following intersections:

SR-224 and Bonanza Drive
SR-224 (Park Avenue) at Deer Valley Drive

If requested by the **City** and at the **City's** expense, **UDOT** will maintain above said traffic signal systems using such standard response times, personnel, equipment and practices as **UDOT** provides for maintenance of its own traffic signals. **UDOT** will, at **UDOT's** expense, inspect and repair as necessary said traffic signals prior to April 1, 2002. After April 1, 2002, **UDOT** will invoice the **City** by itemized billing for actual costs incurred for said traffic maintenance services.

(5). The **City** agrees to allow **UDOT** to keep both above said signals linked to **UDOT's** Traffic Operation Center. In the event **UDOT** desires to link signals in Park City, **UDOT** agrees to pay all costs associated with linking signals. The **City** must request a signal operating permit from **UDOT** before manually overriding **UDOT's** signal at the intersection of SR-224/Park Avenue and SR-248/Kearns Boulevard.

(6). If requested by the **City, UDOT** will provide roadway striping for the transferred portion of SR-224 by **UDOT** or contract forces and invoice the **City** for actual costs. All work will be performed according to current **UDOT** standards and procedures.

(7). **UDOT** will allow the **City** to purchase surplus snow removal equipment and vehicles according to State surplus equipment policy and approved by the UDOT Equipment Operations Manager.

(8). **UDOT** agrees that this Agreement shall not affect the **City's** enjoyment of its priority status for Enhancement Grant requests.

(9). This Agreement may be modified with the mutual written consent of the Parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed by their duly authorized officers as of the day and year first above written.

ATTEST:

____

____

Title ______________________________
Date: ______________________________

PARK CITY MUNICIPAL CORP.,
A Municipal Corporation in the State of Utah
By ______________________________

____

Title ______________________________
Date: ______________________________

(IMPRESS SEAL)

Approved as to Form:

____
City Attorney

************************************* ***************************************

APPROVED: **UTAH DEPARTMENT OF TRANSPORTATION**

By ______________________________
Region Director

Date: ______________________________

By ______________________________
UDOT Comptroller Office
Contract Administrator

Date: ______________________________

As evidenced by the signature below, the Attorney General's Office has reviewed this Jurisdictional Road Transfer Agreement pursuant to Utah Code Ann., Section 11-13-9 and authorizes and approves it.

UTAH ATTORNEY GENERAL
MARK L. SHURTLEFF

____
J.D. REYNOLDS
Assistant Attorney General

Date: ______________________________


End SR-224 Transfer
R.P. 14+1.29
Begin SR-224 Transfer
R.P. 11+0.94
224
COUNTY
COUNTY
SUMMIT
WASATCH

EXHIBIT A