



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
SEPTEMBER 27, 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, September 27, 2001.

AGENDA

Closed Session

4:00 p.m. Property disposition

Regular Meeting

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

III COMMUNICATIONS FROM COUNCIL AND STAFF

IV WORK SESSION NOTES AND MINUTES OF MEETING OF AUGUST 30, 2001

V CONSENT AGENDA PUBLIC HEARING

Ordinance approving an amendment to The Knoll at Silver Lake Condominiums Record of Survey Plat to expand the private ownership area of Unit 2

VI CONSENT AGENDA

Ordinance approving an amendment to The Knoll at Silver Lake Condominiums Record of Survey Plat to expand the private ownership area of Unit 2

VII PUBLIC HEARING

Ordinance amending Title 14, Chapter 6 of the Municipal Code of Park City, Utah regarding news rack installation and enforcement dates

VIII NEW BUSINESS

1. Ordinance amending Title 14, Chapter 6 of the Municipal Code of Park City, Utah regarding news rack installation and enforcement dates
2. Resolution providing for the holding of a special bond election in Park City, Summit County, Utah, at the same time as the municipal general election, for the purpose of submitting to the qualified electors thereof the question of the issuance and sale of General Obligation Bonds of the City in an amount not to exceed \$4,000,000 to construct an ice rink facility and make park improvements; declaring official intent with respect to certain expenditures; and providing for related matters
3. Resolution providing for the holding of a special bond election in Park City, Summit County, Utah at the same time as the municipal general election, for the purpose of submitting to the qualified electors thereof the question of the issuance and sale of General Obligation Bonds of the City in an amount not to exceed \$2,000,000 to make improvements to the Park City Racquet Club; declaring official intent with respect to certain expenditures; and providing for related matters
4. Resolution to appoint the Parks, Recreation and Beautification Advisory Board to formulate policy recommendations to the City Council concerning the expenditure of bond proceeds and general parameters for the management of such bonds, should voters approve General Obligation Bond(s) for recreation improvements and facilities at the general municipal election held on November 6, 2001 in Park City, Utah

IX ADJOURNMENT

Posted: 09/24/01
See parkcity2002.org



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
SEPTEMBER 27, 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, September 27, 2001. Members in attendance were Brad Olch, Candace Erickson, Roger Harlan, Fred Jones, and Jeff Mann. Peg Bodell was excused. Staff present were Toby Ross, City Manager, Tom Bakaly, Assistant City Manager; Mark Harrington, City Attorney; Ray Milliner, Planner; Gary Hill, Project Coordinator; and Dean Schulman, Parks and Recreation Board Chairman

II PUBLIC INPUT

The Mayor invited the public to comment on any matter not scheduled on the agenda.

1. Olympic transit and parking service in the Aerie Subdivision - Joan Jacobson, resident of Aerie Drive, urged Council to consider her proposal including two issues: (1) A parking permit and residential access pass issued to all Aerie Subdivision residents similar to the plan for lower Deer Valley. This is based on the fact that the neighborhood has become a view site and accesses to the subdivision have been used for parking at other events and could pose an emergency access problem during the Games. (2) Bus or van service to Aerie neighborhoods similar to the level of service in other areas of town. The roads in the Aerie are difficult to navigate on foot and the route to the transit center is difficult.

2. Prospector Square parking - Tom Bakaly referred to his memo in this week's manager's report and rather than installing no parking signs prohibiting overnight parking in the commercial area, he recommends that this be comprehensively considered during the budget review as a new program next spring. Jim Totara, business owner, felt that the spring is too late, and felt that no parking signs may solve the problem. The section of Sidewinder proposed for signs is exclusively the commercial area. Ms. Erickson discussed a possibility of using vacant property in Prospector to provide additional parking. There was discussion about overflow parking from residential areas and Tom Bakaly added that the property owners association was approached about making underutilized parking available to the public, and the members were not interested in the proposal. Roger Harlan suggested that Evergreen, who manages the affordable housing units, be encouraged to re-evaluate its parking policy. Parking on both sides of Sidewinder creates a safety problem especially in the winter. Mr. Totara insisted that the no parking signs may work well, and the problem may be alleviated. He strongly urged Council to try this option for its effectiveness. The City Manager suggested time limited parking rather than no overnight parking. Ms. Erickson believed that this issue should be addressed and Mr. Bakaly continued that it could be studied this winter so there is sufficient information for the budget review. Candace Erickson felt that the signs

should be pursued as it seems to be the least expensive alternative and the signs could be used in other areas of town if this application is ineffective. Tom Bakaly felt it would be beneficial to discuss this in an upcoming work session.

III COMMUNICATIONS FROM COUNCIL AND STAFF

There was discussion about scheduling special meetings on October 9 and November 13, 2001 to canvass the Primary and General Election results, respectively. Bob Johnston introduced the Council to Linda Tilson, the City's new Library Director; from Phoenix Arizona.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF AUGUST 30, 2001

Hearing no omissions or corrections, the Mayor requested a motion to approve. Jeff Mann disclosed that he will be abstaining from voting as he was not in attendance. Candace Erickson, "I so move". Roger Harlan seconded. Motion carried.

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

V CONSENT AGENDA PUBLIC HEARING

Ordinance approving an amendment to The Knoll at Silver Lake Condominiums Record of Survey Plat to expand the private ownership area of Unit 2 - Ray Milliner stated that the Planning Commission has rendered a positive recommendation to Council, based on the findings of fact, conclusions of law, and conditions of approval outlined in the staff report. Hearing no questions or comments from the City Council or the audience, the Mayor closed the public hearing.

VI CONSENT AGENDA

The Mayor requested a motion to approve. Roger Harlan, "I so move". Fred Jones seconded. Motion carried.

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

Ordinance approving an amendment to The Knoll at Silver Lake Condominiums Record of Survey Plat to expand the private ownership area of Unit 2 - See staff report.

VII PUBLIC HEARING

Ordinance amending Title 14, Chapter 6 of the Municipal Code of Park City, Utah regarding news rack installation and enforcement dates - Gary Hill explained that the installation deadline provided for in the current Ordinance is September 30, 2001 and staff is requesting that Council push the deadline back to October 15, 2001. Mr. Hill noted that the October 8 date appearing in the draft should read October 15. The Mayor invited the Council and the public to comment. Hearing no input, the public hearing was closed.

VIII NEW BUSINESS

1. Ordinance amending Title 14, Chapter 6 of the Municipal Code of Park City, Utah regarding news rack installation and enforcement dates - See staff report and public hearing comments. The Mayor requested a motion to approve. Fred Jones, "I so move". Jeff Mann seconded. Motion carried.

2. Resolution providing for the holding of a special bond election in Park City, Summit County, Utah, at the same time as the municipal general election, for the purpose of submitting to the qualified electors thereof the question of the issuance and sale of General Obligation Bonds of the City in an amount not to exceed \$4,000,000 to construct an ice rink facility and make park improvements; declaring official intent with respect to certain expenditures; and providing for related matters - Tom Bakaly explained that this \$4 bond issue specifically deals with an ice facility and park improvements, which is endorsed by the Parks and Recreation Board. Approval of this resolution results in the initiative being placed on the November 6, 2001 General Municipal Election ballot. Although not scheduled as a public hearing, the Mayor invited the public to address this issue.

In response to a question from Ed Brophy about working with the County on an ice facility, Tom Bakaly noted that Item 4 outlines the City's intent to work with the County on the development of ice and what happens if that doesn't materialize. The Snyderville Basin Special Recreation District will also be asking its voters about support of a joint ice project.

Jim Hier, Planning Commissioner and City Council candidate, stated that he is strongly in favor of the ice rink, but without details on the facility, it may not pass. He encouraged the Council to wait until more information is available for voters so it has a better chance of being supported.

Stanton Jones, owner of the Silver Mountain Sports Club and Spa, felt it is confusing to include both ice and park improvements together and it may be better to separate them. Dean Schulman, Parks and Recreation Board Chairman, responded that the answer to some questions are simply unknown. As of this afternoon, the SBSRD has decided to place its \$11 bond issue on the ballot, of which \$2 million is allocated to ice. The planning of an ice facility will involve selecting a site and protracted negotiations with SBSRD. There is language in the third resolution that protects the City in the event the District's bond issue fails or the City isn't able to reach agreement on the development of a joint ice facility. Ultimately, the City will determine the allocation of funds and at that time will have results of a survey of the community and the recommendations of the Parks and Recreation Board. Fred Jones acknowledged that he has concerns about the timing of placing the issue on the ballot, but understands that SBSRD is very anxious to proceed with ice, and the City needs something to bring to the table to enter into negotiations for a joint facility. He doesn't envision the City pursuing a multi-million dollar ice facility on its own.

Stanton Jones indicated that he agrees with the comments made on the ice facility, but insisted that City Park should be separated out and is confusing to the voters. The Mayor pointed out that this approach offers more flexibility and Candace Erickson explained that the \$4 million represents what tax payers would tolerate, according to the survey and Mr. Jones argued that the total amount may go to ice and not to park projects. The Mayor explained that that will be a decision the future Council will have to make. Mr. Jones insisted that it would be better to separate parks and ice. Tom Bakaly explained that the survey revealed that \$4 million is the threshold and if the projects are separated the amounts have to be identified as well. The Parks and Recreation Board felt that flexibility is important, especially with regard to ice. Ms. Erickson pointed out that this keeps the ballot language simple. Hearing no further comments, the Mayor requested a motion to approve.

Roger Harlan, "I move approval of Item 2". Fred Jones seconded. Motion carried.

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

3. Resolution providing for the holding of a special bond election in Park City, Summit County, Utah at the same time as the municipal general election, for the purpose of submitting to the qualified electors thereof the question of the issuance and sale of General Obligation Bonds of the City in an amount not to exceed \$2,000,000 to make improvements to the Park City Racquet Club; declaring official intent with respect to certain expenditures; and providing for related matters - Tom Bakaly explained that the existing bond at the Racquet Club will mature in 2003. This bond

proposes extending this bond for 15 years, which would not increase the current tax rate. This would generate approximately \$2 million. If the bond does not pass, taxes will decrease.

Phil Thompson, resident, urged Council to consider if the improvements are needed and if they are economically viable. The improvements should potentially increase revenues generated at the Racquet Club. He raised concerns about the Racquet Club competing with private businesses as opposed to providing a core level of service. The improvements at City Park are a good idea and commented that recreation proposals should be carefully examined so that they don't duplicate private services. The City should determine what its level of recreation services should be.

Scott Calgary, counsel for resident John Ruger, read his Letter to the Editor of the Park Record. He encouraged Council to direct staff to prepare a financial record of the Racquet Club to be published in the Park Record so everyone has the opportunity to see how it is doing financially, or whether tax payers want to subsidize the facility for \$2 million. Extending the life of the existing bond with the tax payer paying the same rate, is still a tax increase. The tax payer should receive a decrease when the existing \$1.4 million bond is fully paid off. None of these facts have been presented in the paper. Rather than issuing a bond, the City could increase membership fees, increase user fees, and reduce operating costs.

Phil Thompson, reiterated his comments about competing with private businesses and commended the City Council on the skate park. He hope that recreation opportunities for the kids in Park City will be enhanced.

Stanton Jones stated that he views the Racquet Club in direct competition with his club and referred to the previous owners' lawsuit with the City on this issue. The owners of the Mountain Spa took a big risk in investing in the club and are still not *out of the woods*. Because of his experience in the last year and a half, he has become an expert at remodeling and management of sports clubs and is *jealous* that \$2 million is being dropped in his competition's lap. He feels this places the Silver Mountain Spa at a disadvantage, which is not an appropriate role for government. He discussed his financial practices and his problem with the bond is the amount. He reiterated his concern about focusing on city park improvements, which were strongly supported in the survey. This is a matter of *needs and wants* and \$1 million would satisfy all of the needs of the Racquet Club. He requested that the City Council listen to the people and direct half of the bond to city park and be fiscally responsible by not issuing a \$2 million bond for the Racquet Club.

Tom Bakaly explained that he presented several scenarios for the structure of the bonds to the Parks and Receptions Board, but its priority is improving facilities that we already own. Two million would be tied to the Racquet Club with the nexus that current bonds expire in 2003, but the full amount does not have to be issued. Park improvements are not tied to this bond issuance. Dean Schulman explained that the \$2 million figure was calculated from specific renovation costs

including the pool, roof, insulation in the tennis court, etc. With regard to a level playing ground for private enterprise, he emphasized that the Racquet Club preceded private enterprise. The City has a duty to husband a facility that the community voted many years ago to create and maintain and surveys indicate strong public support. With regard to comments about the Racquet Club paying its own way, our fees are probably the highest in the inter-mountain west and at the same time the City Council has decided that programs like youth sports are indeed a public service and are consciously subsidized. The City is not trying to put a business at a disadvantage, but is focused on maintaining a facility that the community has willingly supported in the past. When the Board returns to Council with a project list, the Council has the option to approve, disapprove, or issue bonds up to the level approved by voters. There is no requirement that \$2 be issued; likewise, if the SBSRD bond were to fail and Council were to determine that an ice initiative on our own is inappropriate, there would be no obligation to issue \$4 million in bonds to improve City Park. Mr. Schulman continued that he is fully confident that that conclusion would be drawn. There was again general discussion about the wording of the bond language and Tom Bakaly pointed out that information on the bond needs to get out to voters. Mr. Schulman added that the responses on the citizen survey provided a clear idea of what residents want and the recommendation to Council is crafted on that information. Jeff Mann stated that he feels the Racquet Club language should remain as recommended, and the public will have adequate opportunities to comment on the proposed improvements to the Racquet Club should the bond pass. The Mayor added that not everyone in town can afford the rates at private facilities and the City offers a broad range of recreation services to the public; he supports the language as proposed. Roger Harlan agreed and added that he favors keeping the bond language simple as drafted. With no further comments, the Mayor requested a motion to approve.

Fred Jones, "I so move". Roger Harlan seconded. Motion carried.

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

4. Resolution to appoint the Parks, Recreation and Beautification Advisory Board to advise the City Council on community priorities for improvements to the Racquet Club, the construction of an ice facility and park improvements, and to recommend general parameters for the management, regional cooperation and expenditure of bond proceeds should voters approve a general obligation bond for improvements to the Racquet Club and/or a general obligation bond for ice facility construction and park improvements - Dean Schulman pointed out that this resolution clarifies the Board's latitude in making its recommendations by returning to the community for public input on enhanced recreation opportunities. This resolution also indicates the City's intent

to partner with SBSRD on development of ice. Hearing no further comments, the Mayor requested a motion to approve. Jeff Mann, "I move approval". Roger Harlan seconded. Motion carried.

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

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 4 p.m. Members in attendance were Mayor Brad Olch, Candace Erickson, Roger Harlan, Fred Jones, and Jeff Mann. Peg Bodell was excused. Staff present were Toby Ross, City Manager; Mark Harrington, City Attorney; and Tom Daley, Deputy City Attorney. Roger Harlan "I move to close the meeting to discuss property disposition". Candace Erickson seconded. Motion carried.

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

The meeting opened at approximately 6 p.m.

* * * * *

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, City Recorder

PARK CITY

1884

CITY COUNCIL STAFF REPORT

DATE: September 27, 2001
DEPARTMENT: Planning Department
TITLE: The Knoll at Silverlake Unit 2
TYPE OF ITEM: Amendment to Record of Survey Plat

SUMMARY RECOMMENDATIONS Staff recommends that the City Council conduct a public hearing, consider public input, and approve the proposed amendment to the record of survey plat according to the Findings of Fact, Conclusions of Law and Conditions of Approval contained in this report.

A. DESCRIPTION

Applicant: Richard Arendsee (Kevin McDonough, Representative)
Location: 7895 Royal Street East
Zoning: RD-MPD
Adjacent Land Uses: Residential/Commercial
Project Planner: Ray Milliner

B. Background

The applicant proposes to amend the condominium record of survey plat to allow an expansion of approximately 642 square feet of existing limited common area be enclosed and converted to private living space. The proposal will allow for the unit to increase from 4,498 square feet to 5,140 square feet. Staff has received a consent letter from each of the other three unit owners in the complex. At the September 26, 2001 meeting, the Planning Commission forwarded a positive recommendation to the City Council.

C. Analysis

Staff has no outstanding issues with this proposal. No further parking is required as no additional bedrooms are created and the additional square footage does not otherwise create a demand for new parking. The amendment results in a minor change in the amount of open space, however the project still meets the required 60%, and the setbacks are maintained. No other units within the building will be extended to the same vertical plane thereby maintaining the building facade variation.

D. Department Review

This project has been reviewed by the Building, Engineering, and Legal Departments. There are no outstanding issues. At such time as a final plat is required, the City Engineer and City Attorney will review the plat as to form and compliance with the Land Management Code prior to recording it.

E. Notice

The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also placed in the Park Record. No public input has been received by the time of this report.

F. Recommendation

Staff recommends that the City Council conduct a public hearing, consider public input, and approve the proposed amendment to the record of survey plat according to the Findings of Fact, Conclusions of Law and Conditions of Approval below:

Findings of Fact:

1. The condominium unit known as Unit 2 of the Knoll at Silverlake Condominiums is located at 7895 Royal Street East which is zoned RD-MPD.
2. The proposed amended record of survey adds private living space and changes limited common and common area to private ownership.
3. A vote exceeding 66.66% for approval of the amendment was received by the members of the Homeowners association; record of this vote has been received by the Planning Department.
4. The additions will not encroach into the required setbacks for the project.
5. The additions will not leave the project below the required 60% open space for an MPD.
6. The number of bedrooms does not increase.
7. No additional parking is required as a result of this floor area expansion.

Conclusions of Law:

1. There is good cause for this Amended Record of Survey.
2. The Amended Record of Survey is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. Neither the public nor any person will be materially injured by the proposed Amended Record of Survey.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the Amended Record of Survey and declaration of condominiums for compliance with State law, the Land Management Code, and the conditions of approval, prior to recording the plat.
2. The applicant will record the Amended Record of Survey and the declaration of condominiums at the County within one year from the date of City Council approval. If recordation has not occurred at that time, this approval and the plat will be void.
3. All other conditions of approval of the Knoll at Silverlake Condominiums project apply.

EXHIBITS

Exhibit A - Proposed Ordinance

Exhibit B - Proposed Amended Record of Survey

Exhibit C - Proposed Floor Plans

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby adopts the following Conclusions of Law:

1. There is good cause for this Amended Record of Survey.
2. The Amended Record of Survey is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. Neither the public nor any person will be materially injured by the proposed Amended Record of Survey.

SECTION 3. CONDITIONS OF APPROVAL. The proposed subdivision plat attached as Exhibit B is hereby adopted with the following Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the Amended Record of Survey and declaration of condominiums for compliance with State law, the Land Management Code, and the conditions of approval, prior to recording the plat.
2. The applicant will record the Amended Record of Survey and the declaration of condominiums at the County within one year from the date of City Council approval. If recordation has not occurred at that time, this approval and the plat will be void.
3. All other conditions of approval of the Knoll at Silverlake Condominiums project apply.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 27th day of September, 2001.

PARK CITY MUNICIPAL CORPORATION

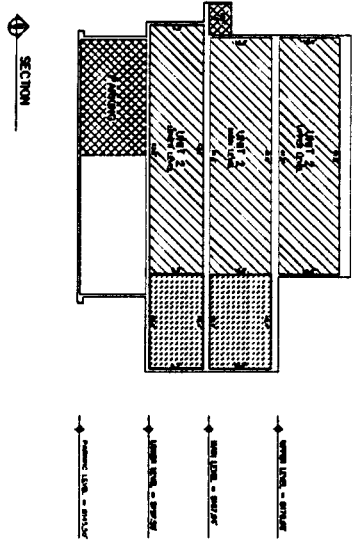
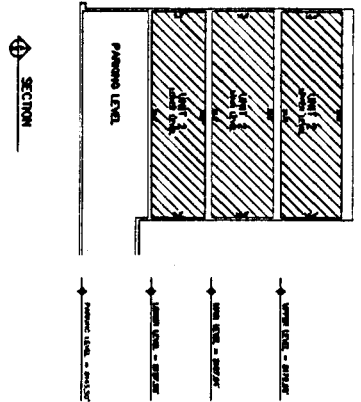
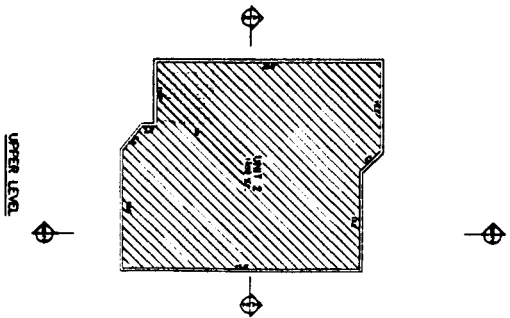
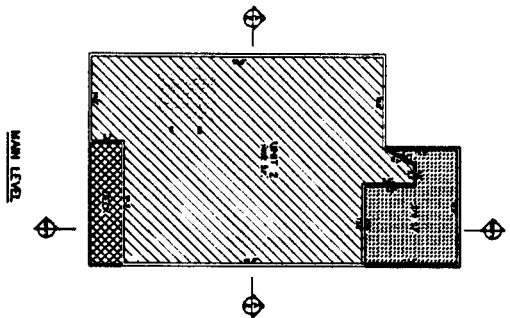
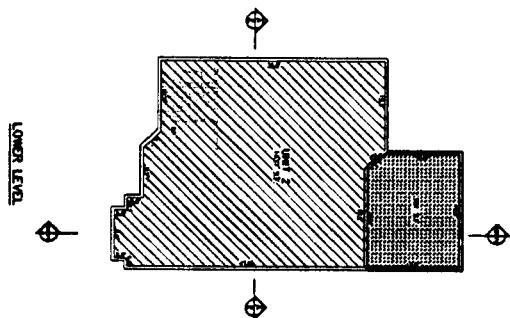
Mayor Bradley A. Olch

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney



RECEIVED
MAY 11 2001
PLANNING DEPT.
CITY OF SILVER LAKE

- LEGEND**
- UNIT (PRIVATE OWNERSHIP)
 - LIMITED COMMON AREAS AND FACILITIES
 - ALLOCATED TO DESIGNATED UNIT
 - COMMON AREAS AND FACILITIES
 - CONVERTIBLE SPACE
 - S.F. SQUARE FEET

THE KNOLL AT SILVER LAKE PHASE 1

- NOTES**
1. ALL DIMENSIONS SHOWN ARE TO FINISHED SURFACES.
 2. ALL STRUCTURAL ELEMENTS ARE REMAINED AS COMMON AREAS.
 3. REFER TO EXISTING RECORDS FOR COMPLETE DESCRIPTION OF CONSTRUCTION.
 4. THE DIMENSIONS OF THE FLOOR SPACE AND SQUARE FOOTAGE SHOWN ON THIS MAP ARE BASED ON THE EXISTING RECORDS. THE DIMENSIONS OF THE FLOOR SPACE AND SQUARE FOOTAGE SHOWN ON THIS MAP ARE BASED ON THE EXISTING RECORDS. THE DIMENSIONS OF THE FLOOR SPACE AND SQUARE FOOTAGE SHOWN ON THIS MAP ARE BASED ON THE EXISTING RECORDS.

DATE: 10/1/01 FILE: 10/1/01
 STATE OF UTAH, COUNTY OF SALT LAKE, AND CITY OF SALT LAKE
 AT THE REQUEST OF: [] BOOK: [] PAGE: []
 FILE: [] RECORD: []



Ordinance No. 01-

AN ORDINANCE APPROVING AN AMENDMENT TO THE KNOLL AT SILVERLAKE CONDOMINIUMS RECORD OF SURVEY PLAT TO EXPAND THE PRIVATE OWNERSHIP AREA OF UNIT 2

WHEREAS, the owner, of Unit 2 of the property known as The Knoll at Silverlake Condominiums, has petitioned the City Council for approval of a record of survey plat; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

WHEREAS, on September 26, 2001 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, the proposed plat amendment allows the property owner to expand the private ownership area of unit 2; and

WHEREAS, it is in the best interest of Park City, Utah to approve the plat amendment.

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

SECTION 1. FINDINGS OF FACT. The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The condominium unit known as Unit 2 of the Knoll at Silverlake Condominiums is located at 7895 Royal Street East which is zoned RD-MPD.
2. The proposed amended record of survey adds private living space and changes limited common and common area to private ownership.
3. A vote exceeding 66.66% for approval of the amendment was received by the members of the Homeowners association; record of this vote has been received by the Planning Department.
4. The additions will not encroach into the required setbacks for the project.
5. The additions will not leave the project below the required 60% open space for an MPD.
6. The number of bedrooms does not increase.
7. No additional parking is required as a result of this floor area expansion.



DATE: September 27, 2001
DEPARTMENT: Office of Capital Management and Budget
AUTHOR: Gary Hill
TITLE: News Rack Installation - Extension of Installation and Enforcement Deadlines
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Staff recommends that Council amend Title 14, Chapter 6 of the Park City Municipal Code regulating News Racks in the Historic District by extending the installation and enforcement deadline to October 15, 2001.

DESCRIPTION:

A. Topic: Ordinance amending Title 14, Chapter 6 - News Racks

B. Background: On March 29, 2001, City Council adopted an ordinance regulating the placement of News Racks within Park City's Historic District. This ordinance added Chapter 6, News Racks, to Title 14 of the Municipal Code. The new chapter regulates items such as the allocation, location, and design of the News Racks to be used. In addition, the new ordinance requires that each distributor receiving a permit to sell a newspaper or periodical within the newly created Special Distribution Area purchase and provide their own News Racks. It was then determined that upon delivery, the City would install all of the News Racks before September 30, 2001, the date specified by the adopted ordinance. All other News Racks were to be removed from the Special Distribution Area by this date as well.

Although explicit instructions regarding the delivery and construction of News Racks were provided to each successful applicant, various unforeseen complications have resulted in a delay in receiving all of the Racks. Some were delivered with advertisements or painted in a color that was not in compliance with the adopted ordinance. This required some of the News Racks to be repainted and redelivered. These and other similar problems delayed delivery of all of the Racks. Because the allocation process and the manner in which the News Racks must be installed requires certain Racks to be in specific locations, all News Racks must be present to install any of them.

C. Analysis: Throughout the process of creating and implementing the News Rack ordinance, staff has worked closely with local vendors to ensure that their ability to distribute newspapers

and periodicals is reasonably accommodated. Coordination and cooperation with distributors as well as with Park City residents has been a guiding principle in all stages. The delays in receiving all of the News Racks have pushed back staff's schedule for installation. The compressed schedule not only makes it very difficult for staff to install the News Racks before the deadline, but also makes it nearly impossible for vendors to remove their old Racks before September 30, as required by the ordinance. Staff feels that by deferring the installation date until October 15, all necessary installation and removal can take place without creating any problems for vendors or the public.

D. Department Review:

Office of Capital Management and Budget
Legal Department
City Manager's Office

ALTERNATIVES:

A. Approve the Request: Council would adopt the ordinance to amend Title 14, Chapter 6 of the Municipal Code and extend the News Rack installation deadline to October 15, 2001.

B. Deny the Request: Council could instruct staff to install the News Racks on or before the date (September 30th) already set forth in the Municipal Code. This would require the City to expend additional staff resources and place a burden on vendors to remove their old racks to avoid impoundment.

C. Continue the Item: If Council decides to continue the item, the deadlines for installation and removal will have passed before the next scheduled meeting of the City Council.

SIGNIFICANT IMPACTS:

Fiscal: There are no fiscal impacts to the recommended alternative.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION: If the deadline is not extended, additional resources will need to be allocated in the form of staff time and budgeted funds. As the City's construction season draws to an end, it might be difficult to reassign individuals to install the new Racks and oversee the removal of the old News Racks by this weekend.

RECOMMENDATION: Staff recommends that Council amend Title 14, Chapter 6 of the Park City Municipal Code regulating News Racks in the Historic District by extending the installation deadline to October 15, 2001. This will allow staff the necessary time to coordinate with vendors regarding installation and removal of News Racks within the Historic District without violating the Municipal Code or creating any additional burdens on distributors, the City, or the public.

EXHIBITS:

A - Draft Ordinance



Ordinance No. 01-

AN ORDINANCE AMENDING, TITLE 14, CHAPTER 6, SECTIONS 3 AND 9 OF THE MUNICIPAL CODE, REGULATING NEWS RACK INSTALLATION AND ENFORCEMENT DATES WITHIN PARK CITY'S HISTORIC DISTRICT

WHEREAS, Park City has an interest in promoting pedestrian safety and reducing visual clutter within Park City's Historic District, and

WHEREAS, Park City wishes to protect the right to distribute information protected by the United States Constitution and the Constitution of Utah, and

WHEREAS, the City Council has determined to protect these interests through the installation and use of uniform News Racks within the Historic District, and

WHEREAS, Park City seeks to cooperate with distributors with regards to News Rack installation, and

WHEREAS, the original date by which the uniform News Racks were to be installed and in use, September 30, 2001, does not provide enough time for distributors to deliver their News Racks to Park City for installation,

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

SECTION 1. FINDINGS: The Council finds that:

1. In recognition of diverse interests including pedestrian safety, protection of Park City's Historic District, and cooperation with distributors of newspapers and periodicals, the deadline by which News Racks must be installed should be extended to October 8, 2001.
2. Extending the deadline by which News Racks are installed does not adversely affect the public safety interest or the right to distribute information.

SECTION 2. AMENDMENT TO TITLE 14, CHAPTER 6 OF THE MUNICIPAL CODE. Title 14, Chapter 6 is hereby amended by modifying Sections 3 and 9as follows:

PARK CITY MUNICIPAL CODE - TITLE 14 TREES/LANDSCAPING; STREETS,
SIDEWALKS AND STAIRS; STREET CUTS; SNOW REMOVAL; STREET
ADDRESS SYSTEM; NEWS RACKS

CHAPTER 6 - NEWS RACKS

14- 6- 3. NEWS RACKS PROHIBITED.

~~As of September 30, 2001~~ After October 15, 2001, no News Racks other than City permitted News Racks, shall be installed, placed or located in the Special Distribution Area, unless within a Fully Enclosed Building. News Racks installed, placed or located in violation of this Section shall be impounded per the regulations set forth in Section 14-6-13(D).

14- 6- 9. INSTALLATION OF NEWS RACKS.

Following the initial News Rack allocation process, the Community Development Department will delivery notice via first class mail to all News Rack permit holders detailing the process of installation of the News Racks on the City provided pedestals. The installation date will be between September 1, 2001 and ~~September 30~~ October 15, 2001.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be effective upon adoption.

PASSED AND ADOPTED this 27th day of September, 2001.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney



DATE: September 27, 2001
DEPARTMENT: Office of Capital Management & Budget and Leisure Services
AUTHOR: Tom Bakaly and Bob Johnston
TITLE: Recreation Bond Initiative Resolutions
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: The City Council should adopt the attached resolutions that separately do the following:

- 1) Resolution 1: Submits to the voters the question of the issuance of General Obligation Bonds of the City in the amount not to exceed \$2 million to make improvements to the Park City Racquet Club.
 - 2) Resolution 2: Submits to the voters the question of the issuance of General Obligation Bonds of the City in the amount not to exceed \$4 million to construct an ice facility and make park improvements.
 - 3) Resolution 3: Establishes the Parks, Recreation and Beautification Board as the entity that will make policy recommendations to City Council concerning the expenditure of bond proceeds and sets broad parameters for how the bond proceeds from both ballot initiatives will be managed.
-

DESCRIPTION:

A. Topic: Recreation Capital Projects and Bonds

B. Background: As part of the budget process, Staff presented several recreation project funding options to Council consistent with what was recommended by the recently completed Wickstrom Recreation Fund Analysis. Council then asked the Parks, Recreation and Beautification Board (PRBB) to discuss this issue and attempt to identify Racquet Club improvement projects that may be included in a single debt bond issuance. On September 19, 2001 the PRBB formally recommended that Council place two bond initiatives on the November ballot. Please see the attachment which summarizes the recommendations. Also included as an attachment is the staff report from the September 19th PRBB meeting and the September 20th City Council work session that lists the identified capital projects for the Racquet Club, ice facilities and parks. The September 20th report is fairly comprehensive and provides helpful information.

C. Analysis: Through planning efforts over the years, the PRBB has identified the projects included in the bond initiatives. The Recreation Master Plan, adopted in 2000 governs the overall priorities of the Racquet Club, the ice facilities and parks. Staff has recently conducted more detailed study of the Racquet Club and those projects are listed in the attachment. There was a preliminary ice feasibility study done in 1999 that has assisted with ice facility planning. The City Park Master Plan, adopted in 1999 outlines many of the priorities for improvements to City Park. The PRBB will need to conduct more planning for other park improvements.

In July of 2001, City Council concurred with Staff's recommendation to conduct a survey to gauge voter support for recreation improvements. The survey has been completed and is attached. It is important to note that this was a voter opinion survey, not a needs assessment. A recreation needs assessment survey was done several years ago and assisted in developing the master plans and setting priorities. In short the, survey showed strong support for the following specific improvements to the Racquet Club: a new leisure pool, a remodeled locker room, an expanded fitness center, an expanded youth center, gymnasium improvements, a climbing wall, and a new roof for the facility.

During public comment at the regular City Council agenda on September 20th, a resident asked City Council if a covered lap pool could be included in the bond. Staff stated that they would refer this issue to the Chair of the PRBB and report back on September 27th. The bond language for the Racquet Club is broad enough that a covered lap pool could be constructed if the bonds passed. However, there are other higher priority projects tentatively identified for the Racquet Club that would spend the \$2 million. Staff is not certain what it would cost to permanently cover the lap pool, but it could be as much as an additional \$1 million. Enclosing the lap pool has never been considered as an option. While it may be more comfortable for the swimmers, the additional operational costs would be too large a burden for the Racquet Club to bare. The current strategy of operating a seasonal outdoor pool is the most cost affective. The Ecker Hill pool is a very nice indoor facility and is available to everyone.

Due to the voter survey results and the extensive planning efforts that have been undertaken, Staff and the Chair of the PRBB do not recommend increasing the amount of either bond initiative due to this request. Staff and the Chair of the PRBB also do not recommend amending the ice facility and park language to allow for more general recreation facility requests. In short improvements to the lap pool would not be precluded if the bond passed, but are not currently planned. Through the public input process, if the bonds pass, the PRBB could recommend that a portion of the \$2 million be spent on the lap pool.

The attached survey also showed support for \$4 million in additional ice and park improvements. There are many uncertainties about how ice will be developed. The hope is that the City and the Snyderville Basin Special Recreation District (SBSRD) will jointly develop a quality ice facility. If for some reason that does not occur, the City could attempt to build its own rink or spend all of the proceeds on park improvements. Prior to November 6, 2001, the campaign for the bonds will need to clearly explain how funds will be distributed. If the bonds pass, the PRBB and the City Council will need to carefully gauge public opinion regarding the expenditure of the bond proceeds.

As was shown with the Open Space bonds, it is important to clearly state general intentions prior to the election. The third resolution generally states the guidelines that the City will follow if the bond initiatives pass.

D. Department Review: The City Manager, City Attorney, Leisure Services Department, the Chair of the PRBB and the Office of Capital Management & Budget have reviewed this report.

E. Significant Impacts: If passed, both initiatives would provide a funding source for needed recreation capital improvements. If the Racquet Club initiative passed, the current tax rate paid by property owners would not increase. It would be extended for 15 years and generate \$2 million for improvements. If the Racquet Club bond initiative is not placed on the ballot or does not pass, Council will likely need to re-prioritize the Capital Improvement Budget in order to fund necessary health and safety improvements to the recreation pool. If the Ice Facility and Parks bond initiative passed, the annual property taxes on an average primary resident home would increase by \$24 per year and would increase \$44 per \$350,000 for a second home or commercial property.

ALTERNATIVES:

A. Approve the Request: Approving the request would place two ballot initiatives on the November ballot relating to: 1) Racquet Club improvements and; 2) Ice facility construction & park improvements. Approving the third resolution would set broad parameters for how the bond proceeds would be managed. This is Staff's recommendation and the recommendation of the Parks, Recreation and Beautification Board.

B. Amend & Approve the Request: Council could amend the resolution language and proceed with placing the bond initiatives on the ballot.

C. Deny the Request: If Council denies the request, bonds will not be placed on the November ballot. Staff and the PRBB would likely return to the City Council during the budget process for health and safety related capital improvements related to the recreation pool.

D. Continue the Item: Since there is not a City Council meeting on October 4th, continuing the item would be the same as denying the request.

E. Do Nothing: This would be the same action as continuing or denying the request.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

The consequence of not taking the recommended reaction would either mean that the resolution language would need to be amended or the bonds initiatives would not be placed on the agenda.

RECOMMENDATION: The City Council should adopt the attached resolutions that separately do the following:

- 1) Resolution 1: Submits to the voters the question of the issuance of General Obligation Bonds of the City in the amount not to exceed \$2 million to make improvements to the Park City Racquet Club.
- 2) Resolution 2: Submits to the voters the question of the issuance of General Obligation Bonds of the City in the amount not to exceed \$4 million to construct an ice rink and make park improvements.
- 3) Resolution 3: Establishes the Parks, Recreation and Beautification Board as the entity that will make policy recommendations to City Council concerning the expenditure of bond proceeds and sets broad parameters for how the bond proceeds from both ballot initiatives will be managed.

Last week's staff report enclosed under separate cover for your reference.

RESOLUTION NO. _____-01

A RESOLUTION providing for the holding of a special bond election in Park City, Summit County, Utah, at the same time as the municipal general election, for the purpose of submitting to the qualified electors thereof the question of the issuance and sale of General Obligation Bonds of the City in an amount not to exceed \$4,000,000 to construct an ice facility and make park improvements; declaring official intent with respect to certain expenditures; and providing for related matters.

WHEREAS, Park City, Summit County, Utah (the "*City*") desires to raise money for the purpose of paying the costs of constructing an ice facility and making park improvements (the "*Facilities*"), and the City does not have on hand sufficient funds for this purpose; and

WHEREAS, the City is authorized pursuant to the Utah Municipal Bond Act, Chapter 14 of Title 11 of the Utah Code Annotated 1953, as amended (the "*Utah Code*"), to call an election to submit to the qualified electors of the City the question as to whether the City should issue its general obligation bonds for the purposes set forth above; and

WHEREAS, the City desires to hold a special bond election at the same time as the municipal general election to submit to the qualified electors of the City the question of the issuance of such bonds for said purposes;

NOW, THEREFORE, Be It Resolved by the City Council of Park City, Summit County, Utah, as follows:

Section 1. In the judgment of the City Council of the City, it is advisable that a special bond election be called and held in the City to submit to the qualified electors of the City the question of whether general obligation bonds of the City, in an amount not to exceed

\$4,000,000, shall be issued and sold for the purpose of paying the costs of constructing an ice facility and making park improvements.

Section 2. The question shall be submitted at a special bond election of qualified electors of the City, and such special bond election (the "*Special Bond Election*") is hereby called to be held in the City at the same time as the municipal general election on Tuesday, November 6, 2001. The question shall be submitted in substantially the form set out in the form of ballot label appearing in Section 6 hereof.

Section 3. The Special Bond Election shall be held in the consolidated voting precincts of Summit County, Utah (the "*County*") in which qualified electors of the City reside, at the polling places within the precincts specified in the form of notice of election set out in Section 7 hereof. In accordance with the provisions of Section 11-14-4 of the Utah Code, the election officials who have been otherwise appointed under the provisions of general law to conduct the municipal general election to be held within the City on the same day shall conduct the Special Bond Election.

Section 4. The judges of election in the respective voting precincts, in accordance with Section 20A-5-605 of the Utah Code, are hereby directed to arrive at their respective polling places not later than 6:30 a.m. on the day of the Special Bond Election and then to open the voting devices and examine them to see that they are in proper working order for the conduct of the Special Bond Election and otherwise to fulfill their responsibilities in accordance with Section 20A-5-605 of the Utah Code.

Section 5. At the Special Bond Election the polls shall be opened at the hour of 7:00 a.m. on the day of the Special Bond Election and shall be closed at the hour of 8:00 p.m. on that same day.

Section 6. Voting at the Special Bond Election shall be by electronic voting system, and the City Recorder of the City and the Deputy City Recorder responsible for elections or either of them (collectively, the "*City Recorder*") are hereby authorized and directed to perform and do, and to cause to be performed and done, all things necessary to conduct the Special Bond Election in accordance with the provisions of this Resolution, Title 20A of the Utah Code and Chapter 14 of Title 11 of the Utah Code. The County Clerk of Summit County (the "*County Clerk*") is hereby requested for and on behalf of the City to assist the City Recorder to enable her to perform and do all such things necessary to conduct the Special Bond Election. The necessary ballot boxes, ballots, paraphernalia, equipment and supplies to be used in voting upon the proposition shall be prepared and furnished by the City and the City Recorder to the boards of election, to be furnished by them to the voters. The ballot cards to be used at the Special Bond Election (a) shall be suitable for use in the voting and counting devices in which they are intended to be placed, (b) shall comply in all respects with the requirements of Sections 20A-6-102 and 20A-6-402 of the Utah Code, including, but not limited to, the requirements (i) that each ballot card shall have an attached perforated stub on which shall be printed the words "Official Ballot, (initial) Judge", and (ii) the ballot stubs shall be numbered consecutively, and (c) shall be organized to record the votes relating to the Special Bond Election as well as votes relating to other propositions and offices being voted upon at the municipal general election.

The ballot labels to be used at the Special Bond Election shall comply in all respects with the requirements of Sections 11-14-10, 20A-6-102 and 20A-6-402 of the Utah Code. The ballot labels to be used at the Special Bond Election shall be separate from ballot labels to be used for other propositions and offices being voted upon at the municipal general election, and shall be in substantially the following form:

**OFFICIAL BALLOT LABEL FOR
PARK CITY, SUMMIT COUNTY, UTAH
SPECIAL BOND ELECTION**

November 6, 2001

(Facsimile Signature)

[Deputy] City Recorder, Park City

PROPOSITION

Shall Park City, Utah, be authorized to issue general obligation bonds in an amount not to exceed Four Million Dollars (\$4,000,000) payable and due in no more than 15 years from the date or dates of said bonds to construct an ice facility and make park improvements?

FOR THE ISSUANCE OF BONDS

_____----->

AGAINST THE ISSUANCE OF BONDS

_____----->

To vote in favor of the above bond issue, punch through the ballot card in the numbered space indicated to the right of the words "FOR THE ISSUANCE OF BONDS." To vote against the bond issue, punch through the ballot card in the numbered space indicated to the right of the words "AGAINST THE ISSUANCE OF BONDS."

Section 7. The Special Bond Election shall be called by publishing once a week during at least three (3) consecutive weeks a notice of election, signed by the City Recorder, the first publication to be not less than twenty-one (21) days nor more than thirty-five (35) days before the date set for the Special Bond Election, in *The Park Record*, a newspaper of general circulation printed and published in the City. *The Park Record* is hereby designated pursuant to Section 11-14-21 of the Utah Code as the "official newspaper" of the City for purposes of publication of the "Notice of Special Bond Election" hereinafter set forth and for purposes of any other notices to be published in accordance with the Utah Municipal Bond Act, as amended. The notice shall be in substantially the following form:

NOTICE OF SPECIAL BOND ELECTION

PARK CITY, SUMMIT COUNTY, UTAH

PUBLIC NOTICE IS HEREBY GIVEN that a special bond election will be held in Park City, Summit County, State of Utah (the "City"), at the same time as the municipal general election, on Tuesday, November 6, 2001, at which special bond election there shall be submitted to the qualified, registered voters residing within the City the following question:

Shall Park City, Utah, be authorized to issue general obligation bonds in an amount not to exceed Four Million Dollars (\$4,000,000) payable and due in no more than 15 years from the date or dates of said bonds to construct an ice facility and make park improvements?

The special bond election shall be held at the consolidated voting precincts of Summit County, at the following polling places within such voting precincts, and the election officials to serve at each polling place shall be those who have been otherwise appointed under the provisions of general law to conduct the municipal general election. Voters are advised to vote at the special bond election at the polling place for the consolidated voting precinct in which they reside. The polling places are as follows:

CONSOLIDATED VOTING PRECINCT NO.	REGULAR VOTING PRECINCT NO.	POLLING PLACE LOCATION
1	1 — Deer Valley 2 — Old Town South 32 — Old Town North	Park City Municipal Building 445 Marsac Avenue Park City, Utah 84060
2	3 — Prospector 4 — Thaynes 33 — Sidewinder	Treasure Mountain Middle School 2530 Kearns Boulevard Park City, Utah 84060
3	5 — Park Meadows South 6 — Quarry Mountain 35 — Park Meadows North	McPolin Elementary School 2270 Kearns Boulevard Park City, Utah 84060

The voting at the special bond election shall be by ballots used in connection with an electronic voting system. The ballots will be furnished by the City Recorder's office to the judges of election, to be by them furnished to the qualified electors of the City.

The polls at each polling place shall be opened at the hour of 7:00 a.m. and will be kept open until and will be closed at the hour of 8:00 p.m.

There is to be no special registration of voters for the special bond election and the official register of voters last made or revised shall constitute the register for the special bond election, except that all persons who reside within the City and are registered to vote in the municipal general election to be held on Tuesday, November 6, 2001, shall be considered registered to vote in the special bond election. The County Clerk of Summit County will make registration lists or copies of such lists available at each of the above-described polling places for use by registered voters entitled to use such polling place.

Absentee ballots may be obtained by any person otherwise eligible to vote at the special bond election but who (a) is physically, emotionally, or mentally impaired; (b) will be serving as an election judge or who has election duties in another voting precinct; (c) is detained or incarcerated in a jail or prison as a penalty for committing a misdemeanor; (d) suffers a legal disability; (e) is prevented from voting in a particular location because of religious tenets or other strongly-held personal values; (f) is called for jury duty in state or federal court; or (g) otherwise expects to be absent from the voting precinct in which the eligible voter resides during the hours the polls are open in Summit County on the day of the special bond election, by making application in the manner and within the time provided by law, either by mail or in person, at the office of the City Recorder, located in the Marsac Building, 445 Marsac Avenue, in Park City, Utah 84060.

Any eligible voter who is hospitalized or otherwise confined to a medical or long-term care institution after the deadline for filing an application for an absentee ballot in the manner and within the time provided by law may obtain an absentee ballot by sending another person to obtain the absentee ballot on his or her behalf to the office of the City Recorder, located in the Marsac Building, 445 Marsac Avenue, in Park City, Utah 84060.

NOTICE IS FURTHER GIVEN that on Monday, November 5, 2001, at 4:00 p.m., in the Courtroom at the Summit County Courthouse, 60 North Main, in Coalville, Utah, there will be conducted a test of the automatic tabulating equipment to be used to tabulate the results of the November 6, 2001 special bond election to be held in the City on the issuance and sale of \$4,000,000 bonds of the City. This test is open to public observation in accordance with the provisions of Section 20A-4-104, Utah Code Annotated 1953, as amended.

PUBLIC NOTICE IS FURTHER GIVEN that on Tuesday, November 13, 2001, that being a day not later than ten days after the special bond election, the City Council of Park City will meet in the City Council Chambers located in the Marsac Building, 445 Marsac Avenue, in Park City, Utah, at _____ p.m. and will canvass the returns and declare the results of the special bond election during such meeting.

IN WITNESS WHEREOF, the City Council of Park City, Summit County, State of Utah, has caused this notice to be given this 27th day of September, 2001.

[Deputy] City Recorder
Park City, Summit County, Utah

Section 8. Only qualified, registered voters of the City who are eighteen (18) years of age or older shall be permitted to cast a vote at the Special Bond Election.

Section 9. Any person applying for a ballot at any polling place designated for the conduct of the Special Bond Election, whose qualifications to vote are challenged for cause by any one or more of the election officials or by any other person at the time the ballot is applied for, shall receive a ballot and be permitted to vote if (a) such person is shown on the registration lists as a registered voter of the City and (b) such person takes an oath in the form in which such oath is set forth in Section 10 hereof, sworn to before one of the election officials, that he or she is a qualified elector of the City.

In the case of any such challenge or challenges, the election officials at each polling place shall keep a list showing the name of each person challenged, the grounds for such challenge and whether or not such person was permitted to vote. Such lists shall be made in duplicate by the election officials at each polling place, and after the polls shall have been closed a duplicate list shall be returned to the City Council by the election officials, so that such duplicate list will be available to the City Council when it canvasses the election results.

Section 10. The oath referred to in Section 9 hereof shall be in substantially the following form:

ELECTOR'S OATH

STATE OF UTAH)
)
COUNTY OF SUMMIT)

The undersigned, having been first duly sworn upon oath, deposes and says under the pains and penalties of perjury, as follows:

That I am a citizen of the United States; that I am 18 years of age or older; that I am now and have been a resident of the State of Utah for not less than 30 days; that I am a resident of Summit County and of the consolidated voting precinct of Park City, Utah in which I am offering to vote; that I am a duly registered voter of Summit County and I am a qualified voter of and reside within the confines of Park City, Utah; and that I have not previously voted at the special bond election being held on November 6, 2001, in Park City, Utah.

Signature of Elector

Address of Elector

I, the undersigned, Judge of Election, hereby certify that the person whose signature appears above, signed the foregoing statement on November 6, 2001, immediately after I administered to him or her an oath in the following words:

“You do solemnly swear (or affirm) that you have read the oath to which you are about to subscribe your signature and that the facts recited therein are true and correct, so help you God (or under the pains and penalties of perjury).”

Judge of Election

Each of the election officials appointed to conduct the Special Bond Election is expressly authorized to administer such oath in accordance with the provisions of Section 11-14-6 of the Utah Code.

Section 11. Pursuant to the provisions of Part 3, Chapter 3, Title 20A of the Utah Code, any qualified elector of the City who resides within the confines of the City, who has complied with the law in regard to registration and who is an absent elector may vote at the Special Bond Election by making application in the manner and time provided by law for an absentee ballot, either in person or by mail, or by proxy in the case of a hospitalized voter, at the office of the City Recorder, located in the Marsac Building, 445 Marsac Avenue, in Park City, Utah 84060. Absentee ballots of hospitalized voters must be received at the office of the City Recorder before the closing of the polls on the day of the Special Bond Election in order to be counted. All other absentee ballots must be received at the office of the City Recorder before the closing of the polls on the day of the Special Bond Election or clearly postmarked before November 6, 2001, the day on which the Special Bond Election will be held, and received in the office of the City Recorder before 12:00 Noon on Tuesday, November 13, 2001, the day of the official canvass following the Special Bond Election, in order to be counted. Whenever possible, valid absentee ballots shall be delivered or mailed to the appropriate consolidated voting precinct judges of election by the City Recorder in order that they may be processed at such voting precinct on the day of the Special Bond Election. If the City Recorder is unable to determine the consolidated voting precinct to which a valid absentee ballot should be sent, or if valid absentee ballots are received too late for delivery on the day of the Special Bond Election to the judges of

election, the City Recorder shall retain them in a safe place and shall deliver the absentee ballots to the place of the official canvass of the Special Bond Election by 12:00 Noon on the day of the official canvass following the Special Bond Election if such absentee ballots were received at the office of the City Recorder before the closing of the polls on the day of the Special Bond Election or were clearly postmarked before the day of the Special Bond Election and received in the office of the City Recorder before 12:00 Noon on the day of the official canvass following the Special Bond Election.

The City Recorder is hereby requested, authorized and directed to prepare the necessary absentee ballots, applications and envelopes as required by law for voting by absent electors and hospitalized voters and to take such actions with respect to the counting thereof as permitted by Part 3, Chapter 3, Title 20A of the Utah Code.

Section 12. Immediately after the polls are closed and the last qualified voter has voted, the judges appointed to conduct the Special Bond Election shall place (a) all voted ballots in a ballot container for delivery to the counting center designated by the County Clerk, (b) all unused ballots in a container and sealed for return to the County Clerk and (c) the voting devices in their containers and sealed for return to the County Clerk. The judges of election shall also prepare in duplicate a report of the number of voters who have voted at the respective polling places, the original copy of which report shall be placed in the ballot container for delivery to the counting center and a duplicate copy of which shall be returned to the City Council prior to the date set to canvass the returns of the Special Bond Election. In accordance with Section 11-14-11 of the Utah Code, the City Recorder is hereby requested to make returns to the City Council

of the votes cast at the Special Bond Election in order to enable the City Council to meet and canvass the returns of the Special Bond Election and to declare the results thereof.

Section 13. In accordance with the provisions of Section 20A-4-104 of the Utah Code, the City Recorder shall direct under the observation of the public, the counting of the votes cast on the foregoing proposition by automatic tabulating equipment at the counting center. The return printed by the automatic tabulating equipment when absentee ballots cast at the Special Bond Election have been added thereto and when certified by the City Council, shall constitute the official return of each voting precinct.

Section 14. The City Council shall meet as a Board of Canvassers within ten (10) days after the date of the Special Bond Election on Tuesday, November 13, 2001, at or about the hour of _____ p.m., in the City Council Chambers, located in the Marsac Building, 445 Marsac Avenue, in Park City, Utah, and if the majority of the votes cast at the Special Bond Election are in favor of such proposition submitted, then the City Council shall cause an entry of that fact to be made upon its minutes, and thereupon the City shall be authorized and directed to issue such bonds.

Section 15. Immediately after the adoption of this Resolution and at least 30 days before the election, the City Recorder shall furnish a certified copy hereof to the County Clerk. The County Clerk shall, in accordance with the provisions of Section 11-14-7 of the Utah Code, consider all persons registered to vote in the municipal general election to be held on the day of the Special Bond Election, as registered to vote in the Special Bond Election. The County Clerk shall make registration lists or copies of such lists available at each polling place herein

established for the conduct of the Special Bond Election for use by registered electors entitled to use such voting place.

Section 16. Prior to the start of the counting of the ballots, the automatic tabulating equipment shall be tested to ascertain that it will accurately count the votes cast at the Special Bond Election. Such test shall be conducted in accordance with the provisions of Section 20A-4-104 of the Utah Code. Public notice of the time and place of the test shall be given at least forty-eight (48) hours before the test by publication one time in *The Park Record* of a notice in substantially the form set forth in the form of notice of election set out in Section 7 hereof.

Section 17. This Resolution is a declaration of official intent under Treas. Reg. Section 1.150-2. In satisfaction of the requirements thereof:

(a) The City Council is planning to raise money to construct and improve the Facilities, respectively.

(b) Expenditures relating the Facilities (y) have been paid within sixty days prior to the passage of this Resolution or (z) will be paid on or after the passage of this Resolution (the "*Expenditures*").

(c) The City Council reasonably expects to reimburse the Expenditures with proceeds of general obligation bonds to be issued by the City.

(d) The maximum principal amount of such bonds expected to be issued for the Expenditures is an amount not to exceed \$4,000,000.

Section 18. All acts and resolutions in conflict with this Resolution or any part thereof are hereby repealed.

Section 19. Immediately after its adoption, this Resolution shall be signed by the Mayor and the City Recorder, shall be recorded in a book kept for that purpose and shall take immediate effect.

ADOPTED AND APPROVED this 27th day of September, 2001.

Mayor
Park City, Summit County, Utah

[SEAL]

ATTEST:

City Recorder
Park City,
Summit County, Utah

RESOLUTION NO. _____-01

A RESOLUTION providing for the holding of a special bond election in Park City, Summit County, Utah, at the same time as the municipal general election, for the purpose of submitting to the qualified electors thereof the question of the issuance and sale of General Obligation Bonds of the City in an amount not to exceed \$2,000,000 to make improvements to the Park City Racquet Club; declaring official intent with respect to certain expenditures; and providing for related matters.

WHEREAS, Park City, Summit County, Utah (the "*City*") desires to raise money for the purpose of paying the costs of improving the Park City Racquet Club (the "*Facility*"), and the City does not have on hand sufficient funds for this purpose; and

WHEREAS, the City is authorized pursuant to the Utah Municipal Bond Act, Chapter 14 of Title 11 of the Utah Code Annotated 1953, as amended (the "*Utah Code*"), to call an election to submit to the qualified electors of the City the question as to whether the City should issue its general obligation bonds for the purposes set forth above; and

WHEREAS, the City desires to hold a special bond election at the same time as the municipal general election to submit to the qualified electors of the City the question of the issuance of such bonds for said purposes;

NOW, THEREFORE, Be It Resolved by the City Council of Park City, Summit County, Utah, as follows:

Section 1. In the judgment of the City Council of the City, it is advisable that a special bond election be called and held in the City to submit to the qualified electors of the City the question of whether general obligation bonds of the City, in an amount not to exceed

\$2,000,000, shall be issued and sold for the purpose of paying the costs of improving the Park City Racquet Club.

Section 2. The question shall be submitted at a special bond election of qualified electors of the City, and such special bond election (the "*Special Bond Election*") is hereby called to be held in the City at the same time as the municipal general election on Tuesday, November 6, 2001. The question shall be submitted in substantially the form set out in the form of ballot label appearing in Section 6 hereof.

Section 3. The Special Bond Election shall be held in the consolidated voting precincts of Summit County, Utah (the "*County*") in which qualified electors of the City reside, at the polling places within the precincts specified in the form of notice of election set out in Section 7 hereof. In accordance with the provisions of Section 11-14-4 of the Utah Code, the election officials who have been otherwise appointed under the provisions of general law to conduct the municipal general election to be held within the City on the same day shall conduct the Special Bond Election.

Section 4. The judges of election in the respective voting precincts, in accordance with Section 20A-5-605 of the Utah Code, are hereby directed to arrive at their respective polling places not later than 6:30 a.m. on the day of the Special Bond Election and then to open the voting devices and examine them to see that they are in proper working order for the conduct of the Special Bond Election and otherwise to fulfill their responsibilities in accordance with Section 20A-5-605 of the Utah Code.

Section 5. At the Special Bond Election the polls shall be opened at the hour of 7:00 a.m. on the day of the Special Bond Election and shall be closed at the hour of 8:00 p.m. on that same day.

Section 6. Voting at the Special Bond Election shall be by electronic voting system, and the City Recorder of the City and the Deputy City Recorder responsible for elections or either of them (collectively, the "*City Recorder*") are hereby authorized and directed to perform and do, and to cause to be performed and done, all things necessary to conduct the Special Bond Election in accordance with the provisions of this Resolution, Title 20A of the Utah Code and Chapter 14 of Title 11 of the Utah Code. The County Clerk of Summit County (the "*County Clerk*") is hereby requested for and on behalf of the City to assist the City Recorder to enable her to perform and do all such things necessary to conduct the Special Bond Election. The necessary ballot boxes, ballots, paraphernalia, equipment and supplies to be used in voting upon the proposition shall be prepared and furnished by the City and the City Recorder to the boards of election, to be furnished by them to the voters. The ballot cards to be used at the Special Bond Election (a) shall be suitable for use in the voting and counting devices in which they are intended to be placed, (b) shall comply in all respects with the requirements of Sections 20A-6-102 and 20A-6-402 of the Utah Code, including, but not limited to, the requirements (i) that each ballot card shall have an attached perforated stub on which shall be printed the words "Official Ballot, (initial) Judge", and (ii) the ballot stubs shall be numbered consecutively, and (c) shall be organized to record the votes relating to the Special Bond Election as well as votes relating to other propositions and offices being voted upon at the municipal general election.

The ballot labels to be used at the Special Bond Election shall comply in all respects with the requirements of Sections 11-14-10, 20A-6-102 and 20A-6-402 of the Utah Code. The ballot labels to be used at the Special Bond Election shall be separate from ballot labels to be used for other propositions and offices being voted upon at the municipal general election, and shall be in substantially the following form:

**OFFICIAL BALLOT LABEL FOR
PARK CITY, SUMMIT COUNTY, UTAH
SPECIAL BOND ELECTION**

November 6, 2001

(Facsimile Signature)

[Deputy] City Recorder, Park City

PROPOSITION

Shall Park City, Utah, be authorized to issue general obligation bonds in an amount not to exceed Two Million Dollars (\$2,000,000) payable and due in no more than 15 years from the date or dates of said bonds to make improvements to the Park City Racquet Club?

FOR THE ISSUANCE OF BONDS

_____----->

AGAINST THE ISSUANCE OF BONDS

_____----->

To vote in favor of the above bond issue, punch through the ballot card in the numbered space indicated to the right of the words "FOR THE ISSUANCE OF BONDS." To vote against the bond issue, punch through the ballot card in the numbered space indicated to the right of the words "AGAINST THE ISSUANCE OF BONDS."

Section 7. The Special Bond Election shall be called by publishing once a week during at least three (3) consecutive weeks a notice of election, signed by the City Recorder, the first publication to be not less than twenty-one (21) days nor more than thirty-five (35) days before the date set for the Special Bond Election, in *The Park Record*, a newspaper of general circulation printed and published in the City. *The Park Record* is hereby designated pursuant to Section 11-14-21 of the Utah Code as the "official newspaper" of the City for purposes of publication of the "Notice of Special Bond Election" hereinafter set forth and for purposes of any other notices to be published in accordance with the Utah Municipal Bond Act, as amended. The notice shall be in substantially the following form:

NOTICE OF SPECIAL BOND ELECTION

PARK CITY, SUMMIT COUNTY, UTAH

PUBLIC NOTICE IS HEREBY GIVEN that a special bond election will be held in Park City, Summit County, State of Utah (the "City"), at the same time as the municipal general election, on Tuesday, November 6, 2001, at which special bond election there shall be submitted to the qualified, registered voters residing within the City the following question:

Shall Park City, Utah, be authorized to issue general obligation bonds in an amount not to exceed Two Million Dollars (\$2,000,000) payable and due in no more than 15 years from the date or dates of said bonds to make improvements to the Park City Racquet Club?

The special bond election shall be held at the consolidated voting precincts of Summit County, at the following polling places within such voting precincts, and the election officials to serve at each polling place shall be those who have been otherwise appointed under the provisions of general law to conduct the municipal general election. Voters are advised to vote at the special bond election at the polling place for the consolidated voting precinct in which they reside. The polling places are as follows:

CONSOLIDATED VOTING PRECINCT NO.	REGULAR VOTING PRECINCT NO.	POLLING PLACE LOCATION
1	1 — Deer Valley 2 — Old Town South 32 — Old Town North	Park City Municipal Building 445 Marsac Avenue Park City, Utah 84060
2	3 — Prospector 4 — Thaynes 33 — Sidewinder	Treasure Mountain Middle School 2530 Kearns Boulevard Park City, Utah 84060
3	5 — Park Meadows South 6 — Quarry Mountain 35 — Park Meadows North	McPolin Elementary School 2270 Kearns Boulevard Park City, Utah 84060

The voting at the special bond election shall be by ballots used in connection with an electronic voting system. The ballots will be furnished by the City Recorder's office to the judges of election, to be by them furnished to the qualified electors of the City.

The polls at each polling place shall be opened at the hour of 7:00 a.m. and will be kept open until and will be closed at the hour of 8:00 p.m.

There is to be no special registration of voters for the special bond election and the official register of voters last made or revised shall constitute the register for the special bond election, except that all persons who reside within the City and are registered to vote in the municipal general election to be held on Tuesday, November 6, 2001, shall be considered registered to vote in the special bond election. The County Clerk of Summit County will make registration lists or copies of such lists available at each of the above-described polling places for use by registered voters entitled to use such polling place.

Absentee ballots may be obtained by any person otherwise eligible to vote at the special bond election but who (a) is physically, emotionally, or mentally impaired; (b) will be serving as an election judge or who has election duties in another voting precinct; (c) is detained or incarcerated in a jail or prison as a penalty for committing a misdemeanor; (d) suffers a legal disability; (e) is prevented from voting in a particular location because of religious tenets or other strongly-held personal values; (f) is called for jury duty in state or federal court; or (g) otherwise expects to be absent from the voting precinct in which the eligible voter resides during the hours the polls are open in Summit County on the day of the special bond election, by making application in the manner and within the time provided by law, either by mail or in person, at the office of the City Recorder, located in the Marsac Building, 445 Marsac Avenue, in Park City, Utah 84060.

Any eligible voter who is hospitalized or otherwise confined to a medical or long-term care institution after the deadline for filing an application for an absentee ballot in the manner and within the time provided by law may obtain an absentee ballot by sending another person to obtain the absentee ballot on his or her behalf to the office of the City Recorder, located in the Marsac Building, 445 Marsac Avenue, in Park City, Utah 84060.

NOTICE IS FURTHER GIVEN that on Monday, November 5, 2001, at 4:00 p.m., in the Courtroom at the Summit County Courthouse, 60 North Main, in Coalville, Utah, there will be conducted a test of the automatic tabulating equipment to be used to tabulate the results of the November 6, 2001 special bond election to be held in the City on the issuance and sale of \$2,000,000 bonds of the City. This test is open to public observation in accordance with the provisions of Section 20A-4-104, Utah Code Annotated 1953, as amended.

PUBLIC NOTICE IS FURTHER GIVEN that on Tuesday, November 13, 2001, that being a day not later than ten days after the special bond election, the City Council of Park City will meet in the City Council Chambers located in the Marsac Building, 445 Marsac Avenue, in Park City, Utah, at _____ p.m. and will canvass the returns and declare the results of the special bond election during such meeting.

IN WITNESS WHEREOF, the City Council of Park City, Summit County, State of Utah, has caused this notice to be given this 27th day of September, 2001.

[Deputy] City Recorder
Park City, Summit County, Utah

Section 8. Only qualified, registered voters of the City who are eighteen (18) years of age or older shall be permitted to cast a vote at the Special Bond Election.

Section 9. Any person applying for a ballot at any polling place designated for the conduct of the Special Bond Election, whose qualifications to vote are challenged for cause by any one or more of the election officials or by any other person at the time the ballot is applied for, shall receive a ballot and be permitted to vote if (a) such person is shown on the registration lists as a registered voter of the City and (b) such person takes an oath in the form in which such oath is set forth in Section 10 hereof, sworn to before one of the election officials, that he or she is a qualified elector of the City.

In the case of any such challenge or challenges, the election officials at each polling place shall keep a list showing the name of each person challenged, the grounds for such challenge and whether or not such person was permitted to vote. Such lists shall be made in duplicate by the election officials at each polling place, and after the polls shall have been closed a duplicate list shall be returned to the City Council by the election officials, so that such duplicate list will be available to the City Council when it canvasses the election results.

Section 10. The oath referred to in Section 9 hereof shall be in substantially the following form:

ELECTOR'S OATH

STATE OF UTAH)
)
COUNTY OF SUMMIT)

The undersigned, having been first duly sworn upon oath, deposes and says under the pains and penalties of perjury, as follows:

That I am a citizen of the United States; that I am 18 years of age or older; that I am now and have been a resident of the State of Utah for not less than 30 days; that I am a resident of Summit County and of the consolidated voting precinct of Park City, Utah in which I am offering to vote; that I am a duly registered voter of Summit County and I am a qualified voter of and reside within the confines of Park City, Utah; and that I have not previously voted at the special bond election being held on November 6, 2001, in Park City, Utah.

Signature of Elector

Address of Elector

I, the undersigned, Judge of Election, hereby certify that the person whose signature appears above, signed the foregoing statement on November 6, 2001, immediately after I administered to him or her an oath in the following words:

“You do solemnly swear (or affirm) that you have read the oath to which you are about to subscribe your signature and that the facts recited therein are true and correct, so help you God (or under the pains and penalties of perjury).”

Judge of Election

Each of the election officials appointed to conduct the Special Bond Election is expressly authorized to administer such oath in accordance with the provisions of Section 11-14-6 of the Utah Code.

Section 11. Pursuant to the provisions of Part 3, Chapter 3, Title 20A of the Utah Code, any qualified elector of the City who resides within the confines of the City, who has complied with the law in regard to registration and who is an absent elector may vote at the Special Bond Election by making application in the manner and time provided by law for an absentee ballot, either in person or by mail, or by proxy in the case of a hospitalized voter, at the office of the City Recorder, located in the Marsac Building, 445 Marsac Avenue, in Park City, Utah 84060. Absentee ballots of hospitalized voters must be received at the office of the City Recorder before the closing of the polls on the day of the Special Bond Election in order to be counted. All other absentee ballots must be received at the office of the City Recorder before the closing of the polls on the day of the Special Bond Election or clearly postmarked before November 6, 2001, the day on which the Special Bond Election will be held, and received in the office of the City Recorder before 12:00 Noon on Tuesday, November 13, 2001, the day of the official canvass following the Special Bond Election, in order to be counted. Whenever possible, valid absentee ballots shall be delivered or mailed to the appropriate consolidated voting precinct judges of election by the City Recorder in order that they may be processed at such voting precinct on the day of the Special Bond Election. If the City Recorder is unable to determine the consolidated voting precinct to which a valid absentee ballot should be sent, or if valid absentee ballots are received too late for delivery on the day of the Special Bond Election to the judges of

election, the City Recorder shall retain them in a safe place and shall deliver the absentee ballots to the place of the official canvass of the Special Bond Election by 12:00 Noon on the day of the official canvass following the Special Bond Election if such absentee ballots were received at the office of the City Recorder before the closing of the polls on the day of the Special Bond Election or were clearly postmarked before the day of the Special Bond Election and received in the office of the City Recorder before 12:00 Noon on the day of the official canvass following the Special Bond Election.

The City Recorder is hereby requested, authorized and directed to prepare the necessary absentee ballots, applications and envelopes as required by law for voting by absent electors and hospitalized voters and to take such actions with respect to the counting thereof as permitted by Part 3, Chapter 3, Title 20A of the Utah Code.

Section 12. Immediately after the polls are closed and the last qualified voter has voted, the judges appointed to conduct the Special Bond Election shall place (a) all voted ballots in a ballot container for delivery to the counting center designated by the County Clerk, (b) all unused ballots in a container and sealed for return to the County Clerk and (c) the voting devices in their containers and sealed for return to the County Clerk. The judges of election shall also prepare in duplicate a report of the number of voters who have voted at the respective polling places, the original copy of which report shall be placed in the ballot container for delivery to the counting center and a duplicate copy of which shall be returned to the City Council prior to the date set to canvass the returns of the Special Bond Election. In accordance with Section 11-14-11 of the Utah Code, the City Recorder is hereby requested to make returns to the City Council

of the votes cast at the Special Bond Election in order to enable the City Council to meet and canvass the returns of the Special Bond Election and to declare the results thereof.

Section 13. In accordance with the provisions of Section 20A-4-104 of the Utah Code, the City Recorder shall direct under the observation of the public, the counting of the votes cast on the foregoing proposition by automatic tabulating equipment at the counting center. The return printed by the automatic tabulating equipment when absentee ballots cast at the Special Bond Election have been added thereto and when certified by the City Council, shall constitute the official return of each voting precinct.

Section 14. The City Council shall meet as a Board of Canvassers within ten (10) days after the date of the Special Bond Election on Tuesday, November 13, 2001, at or about the hour of _____ p.m., in the City Council Chambers, located in the Marsac Building, 445 Marsac Avenue, in Park City, Utah, and if the majority of the votes cast at the Special Bond Election are in favor of such proposition submitted, then the City Council shall cause an entry of that fact to be made upon its minutes, and thereupon the City shall be authorized and directed to issue such bonds.

Section 15. Immediately after the adoption of this Resolution and at least 30 days before the election, the City Recorder shall furnish a certified copy hereof to the County Clerk. The County Clerk shall, in accordance with the provisions of Section 11-14-7 of the Utah Code, consider all persons registered to vote in the municipal general election to be held on the day of the Special Bond Election, as registered to vote in the Special Bond Election. The County Clerk shall make registration lists or copies of such lists available at each polling place herein

established for the conduct of the Special Bond Election for use by registered electors entitled to use such voting place.

Section 16. Prior to the start of the counting of the ballots, the automatic tabulating equipment shall be tested to ascertain that it will accurately count the votes cast at the Special Bond Election. Such test shall be conducted in accordance with the provisions of Section 20A-4-104 of the Utah Code. Public notice of the time and place of the test shall be given at least forty-eight (48) hours before the test by publication one time in *The Park Record* of a notice in substantially the form set forth in the form of notice of election set out in Section 7 hereof.

Section 17. This Resolution is a declaration of official intent under Treas. Reg. Section 1.150-2. In satisfaction of the requirements thereof:

- (a) The City Council is planning to raise money to improve the Facility.
- (b) Expenditures relating the Facility (y) have been paid within sixty days prior to the passage of this Resolution or (z) will be paid on or after the passage of this Resolution (the "*Expenditures*").
- (c) The City Council reasonably expects to reimburse the Expenditures with proceeds of general obligation bonds to be issued by the City.
- (d) The maximum principal amount of such bonds expected to be issued for the Expenditures is an amount not to exceed \$2,000,000.

Section 18. All acts and resolutions in conflict with this Resolution or any part thereof are hereby repealed.

Section 19. Immediately after its adoption, this Resolution shall be signed by the Mayor and the City Recorder, shall be recorded in a book kept for that purpose and shall take immediate effect.

ADOPTED AND APPROVED this 27th day of September, 2001.

Mayor
Park City, Summit County, Utah

[SEAL]

ATTEST:

City Recorder
Park City,
Summit County, Utah



Resolution No. -01

RESOLUTION TO APPOINT THE PARKS RECREATION AND BEAUTIFICATION BOARD TO ADVISE THE CITY COUNCIL ON COMMUNITY PRIORITIES FOR IMPROVEMENTS TO THE RACQUET CLUB, THE CONSTRUCTION OF AN ICE FACILITY AND PARK IMPROVEMENTS, AND TO RECOMMEND GENERAL PARAMETERS FOR THE MANAGEMENT, REGIONAL COOPERATION AND EXPENDITURE OF BOND PROCEEDS SHOULD VOTERS APPROVE A GENERAL OBLIGATION BOND FOR IMPROVEMENTS TO THE RACQUET CLUB AND/OR A GENERAL OBLIGATION BOND FOR ICE FACILITY CONSTRUCTION AND PARK IMPROVEMENTS

WHEREAS, like many mountain resort communities, Park City has a commitment to recreational opportunities for its residents and visitors ; and

WHEREAS, through community visioning, preference polls, and the adoption of the 2000 Recreation Master Plan and 1999 City Park Master Plan, it is clear that the community values additional recreation facilities for a variety of reasons, including enhanced recreation opportunities, recreational use and contribution to our quality of life and livelihood as a gateway to destination resorts; and

WHEREAS, current recreational facilities are in need of repair and new recreational facilities are needed for new types of recreational activities; and

WHEREAS, General Obligation Bonds are a cost-effective form of government financing because they pledge the full faith and credit of the City to repay the bonds, in exchange for the lowest tax-exempt rate of interest available to the City. By pledging the full faith and credit of the City, the City would commit to repay the bonds with property tax revenue and to raise property taxes to the extent necessary to repay the bondholders; and

WHEREAS, this November, the Park City Council will offer the community an opportunity to vote for two General Obligation Bonds initiatives: One bond initiative in an amount not to exceed \$2 million to fund improvements to the Racquet Club and a second bond initiative in an amount not to exceed \$4 million to fund an ice facility and make park improvements; and

WHEREAS, the 1993 General Obligation Bonds for the Racquet Club are due to be retired in 2003 and new bonds in the amount of \$2 million for repairs and enhancements to the Racquet Club could be issued without increasing existing property tax rates; and

WHEREAS, based on 2001 projections of City-wide assessed valuation, current

interest rates, and on the current 45% tax exemption for primary residential property, bonds for the \$4 million in ice facility and park improvements would likely cost a primary resident approximately \$24 for an average home of \$350,000 of assessed market value. For second homes and commercial properties, the bonds would likely cost approximately \$44 per \$350,000 of assessed market value; and

WHEREAS, as the concept of a General Obligation Bond for recreation facility improvements has been discussed in the past few weeks, it is clear that the community would like immediate assurances that the proper recreation improvements will be made; and

WHEREAS, to meet those concerns, the Council hereby commits to invite broad-based community advice regarding the recreation facility improvements to be made with bond proceeds; and

WHEREAS, the Council is also committed to regional cooperation and partnerships with other entities to maximize community investment;

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

SECTION 1. PARKS, RECREATION AND BEAUTIFICATION BOARD.

The Council hereby appoints the Parks Recreation and Beautification Board to provide policy advice to the City Council regarding the distribution of bond proceeds. The Parks, Recreation and Beautification Board will hold public hearings and receive public input prior to making policy recommendations to the City Council. All recommendations are advisory and subject to final approval by the City Council.

SECTION 2. PROPOSED \$2 MILLION IN RACQUET CLUB BONDS.

Existing 1993 recreation bond property tax rates would not be increased and will be applied directly toward repaying the \$2 million of new Racquet Club bonds if approved by the voters.

SECTION 3. PROPOSED \$4 MILLION IN ICE FACILITY AND PARK IMPROVEMENT BONDS.

The \$4 million in bond proceeds will be divided between ice facility and park improvements if approved by the voters.

SECTION 4. COOPERATION WITH THE SNYDERVILLE BASIN SPECIAL RECREATION DISTRICT ON THE DEVELOPMENT OF AN ICE FACILITY.

The City will make all best efforts to create a multi-jurisdictional task force and work with the Snyderville Basin Recreation District to develop an ice facility in the greater Park City area.

SECTION 5. EFFECTIVE DATE. This Resolution shall become effective upon adoption.

PASSED AND ADOPTED this 27th day of September, 2001.

PARK CITY MUNICIPAL CORPORATION

Bradley A. Olch, Mayor

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark Harrington, City Attorney

