PARK CITY
1884

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
NOVEMBER 13, 1997

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, November 13, 1997.

AGENDA

Closed Session - Work Session Room - Main Level

2:00 p.m. Litigation
Personnel Matter

Work Session - Work Session Room - Main Level

4:00 p.m. Council questions and comments
4:30 p.m. Business license ordinance amendment
5:00 p.m. Grant requests
5:10 p.m. Review of regular meeting
Ampco parking management contract
Other meeting questions/comments

Regular Meeting - City Council Chambers - Lower Level

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

III COMMUNICATIONS FROM COUNCIL AND STAFF

IV PUBLIC HEARING

1. Ordinance approving the 364 Main Street lot line adjustment, amending the Park City Survey to combine Lot 15 of Block 22 and Lots 16 and 17 of Block 69 at 364 Main Street, Park City, Utah

2. Ordinance approving the Egyptian Theater lot line adjustment to combine Lots 7 and 8 of Block 22 and Lots 8 and 9 of Block 69 of the Park City Survey at 328 Main Street, Park City, Utah

V CONSENT AGENDA

1. Ordinance approving the 364 Main Street lot line adjustment, amending the Park City Survey to combine Lot 15 of Block 22 and Lots 16 and 17 of Block 69 at 364 Main Street, Park City, Utah

2. Ordinance approving the Egyptian Theater lot line adjustment to combine Lots 7 and 8 of Block 22 and Lots 8 and 9 of Block 69 of the Park City Survey at 328 Main Street, Park City, Utah

VI NEW BUSINESS

Consideration of parking management contract with Ampco Management Parking Systems, Inc.

VIII ADJOURNMENT

Posted: 11/10/97

PARK CITY
1884

PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
NOVEMBER 13, 1997

Present: Mayor Brad Olch; Council members Hugh Daniels, Roger Harlan; Chuck Klingenstein; Shauna Kerr; and Paul Sincock

Toby Ross, City Manager; Myles Rademan, Public Affairs Director; Pat Putt, Planning and Zoning Administrator; Tom Bakaly, Finance Manager; Mark Harrington, Assistant City Attorney

Dennis Grey, lodging community; Jim Madsen, Deer Valley Resort; Frank Normile; Sandra Morrison, Friends of the Animals; Meechie White, National Ability Center; George Hull, Parks and Recreation Board; and Jeff Nethery, Ampco Parking

1. **Council questions and comments.** Roger Harlan urged the City Council to attend a fund-raiser for the Friends of the Library this weekend on American Saddler Drive. The Friends are supplying books on a rotating basis to the Senior Citizens Center. He reported that the light at Bonanza Drive and Kearns Blvd. has been malfunctioning and staff was directed to follow-up with UDOT. He referred to an article in *Fortune Magazine* about cities recognizing the benefits in bike paths and felt that this subject should be a part of the January retreat. Paul Sincock added that Aspen Mayor John Bennett at the Tourism Symposium discussed an international resort community group wrestling with the problems of parking and circulation. The next meeting will be in Chamonix, France in the spring and it would be beneficial to send a representative; he suggested that Shauna Kerr and Joannie Calder of the Chamber attend. Mr. Sincock also felt that Mr. Bennett's comments on public process and utilizing citizen task forces and referendums should be explored.

In response to a question from Chuck Klingenstein, Myles Rademan explained that the Board of Realtors have taken over the *"Slow Down Park City Campaign"*. There was discussion about funding for publicity. The Mayor stated that he heard complaints about speeding during the campaign and felt it worthwhile to look into hiring police officers strictly for traffic control. Chuck Klingenstein thanked staff for the housing affordability update and reported that Mountainlands Community Housing Trust is establishing itself with Wasatch and Summit Counties and there should be an update in the near future. The City Manager added that at the next interagency meeting, there will be a focus on housing. Mr. Klingenstein continued that he would like public process discussed at the retreat and explained the High Sierra Business Council's and Vail's environmental efforts. He informed Council of the Rocky Mountain Land Use Institute annual conference on March 12 and 13 in Denver.

Shauna Kerr stated that she received a call from the Historical Society about its lease and reported on the Olympic meeting with the Salt Lake Council where it was decided to form a group called the Venue Cities Group (VCG), to work together on common interests. She added that she attended a dinner with the Health South Corporation who is building a surgical center in Park City. The wildflower seeding project was again scheduled for Saturday. Ms. Kerr stated that there is a rumor that the City is paying to send six people to Nagano and believes this should be cleared up. The Mayor and Hugh Daniels disclosed that they are going but have personally covered their expenses. The Mayor stated that the only two employees contemplated are Myles Rademan and Frank Bell and emphasized that if anyone should go to the Olympics, it should be Ms. Kerr. Ms. Kerr questioned if we would learn anything from visiting Japan. She doubted if they would share information on their challenges and the language and cultural barriers make interaction more difficult. The Mayor countered that there is benefit in observing what has been built, including housing, transportation, and venues and to actually see how the games are conducted. It was pointed out that the City has credentials for admittance to events. Ms. Kerr pointed out that the elk herd is back at the barn.

Hugh Daniels explained that the City may have to purchase a new Ten O'Clock Whistle as the old one can't be repaired. He stated that he was contacted by the Historical Society about its lease. Ms. Kerr reported that she received a call from a citizen who stated that after her visit to Europe and her experience with parking meters there, felt that meters would work well here. Myles Rademan discussed the town meeting in Deer Valley on December 29 which will piggy-back on a Bald Eagle Home Owners meeting. Bob Stephens suggested January 26 and 27 for the Council retreat.

The Mayor requested an overview of the Planning Commission meeting. Pat Putt noted that the Planning Commission and the Parks and Recreation Board jointly met regarding projects accessing Sullivan Road. A southern portion of Sullivan is platted as Eastern Avenue and the northern end is fee simple City-owned property. Three pending projects as well as the resolution regarding access to Sullivan were before the Planning Commission. He reported that the resolution was adopted and forwarded to the City Council for consideration on December 4. The resolution states that the City would consider additional limited access from Sullivan Road for projects if certain criteria can be met, including historic preservation, HDC design review, enhanced pedestrian and landscaping improvements along both Sullivan Road and Park Avenue, increased open space, front yard setback requirements off Sullivan Road, and decreased densities. Mr. Putt explained that the area is located in the RM zone and single family, duplexes, and tri-plexes are permitted in the zone. Once there are three units on a parcel, a 60% open space requirement is triggered. The 1420 Park Avenue subdivision project containing three lots for six units was renegotiated with access off of Park Avenue rather than Sullivan Road. Density was also decreased and the Planning Commission decided that tri-plexes would be acceptable. Even though there are more units, they can result in smaller buildings because of the set-back and 60% open space requirements. The Mayor asked about the impact of additional cars. Pat Putt explained that in theory, there could be underground parking, but there is concern that the underground parking may be built at a garden level, making decks and front porches difficult to install. Mr. Putt explained that the next project is located at 1266 and 1274 Park Avenue. This is a plat amendment, combining 12 to 14 platted lots on Eastern Avenue which is equivalent to .5 acre and the property has two historic structures which front on Park Avenue. It is proposed to maintain those as historic homes, and build a duplex and another single family home to the rear, with two access points off of Sullivan Road. The Planning Commission made a positive recommendation on this plan. He continued that the final application is a subdivision at 1312 Park Avenue where there are four metes and bounds parcels proposed for three lots with seven units, including one existing historic house, and two new tri-plexes adjacent to Park Avenue. The Planning Commission supported the restoration of the house and a possible pedestrian connection through the property between Park Avenue and City Park, but action was continued as the Commission felt density should be reduced by at least one unit and there should be better articulation of the buildings.

2. **Business license ordinance amendment.** Tom Bakaly stated that next week a public hearing and action are scheduled as notices to business license holders need to go out on December 1. Mr. Bakaly discussed averages of increases and decreases for business categories outlined in the staff report. He explained that up until this year, cities have been allowed to impose a business license tax. The legislature changed this so that cities can only charge a fee that equal the cost of administering licenses, regulating businesses, and enhanced levels of service. He pointed out that business license revenues have been allocated to the transportation system which is the enhanced level of service and the Rosenthal study illustrates that relationship. The current way of calculating business license fees is outdated and this proposed system will simplify categories and eliminate inconsistencies in calculations. This is an opportunity to clean up the old system and there will be a new computer system for licenses. Shauna Kerr emphasized that the City doesn't have a choice but to go to the new formula; the categories appear to be legally supportable, and believes that this meets the intent of the legislation. In response to a question from Roger Harlan, Mr. Bakaly explained that the administrative or regulatory fee covers the consultant's study and a portion of the new financial system.

Tom Bakaly reported that Council will receive a fee schedule next week on how the resorts are charged; it is believed that there is a valid connection between hourly uphill capacity and the bus system. Mr. Sincock agreed with Ms. Kerr that the new categories are easier to understand, however, the various units of measure for "other" needs to be determined. Mr. Bakaly stated that "other" is where there are some anomalies because it is a miscellaneous category. Hugh Daniels added that the City doesn't have much of a choice as this is a mandate from the legislature and is not entirely convinced that four categories covers everything, but a reasonable number makes sense. The key ones of course are the ski areas, restaurants, and lodging and the ski areas get hit the hardest because they have the highest bus ridership. He continued that this is revenue neutral but Council has not visited business license fees in the last ten years, and he would like to review this perhaps as part of the budget, every few years to make sure that administrative costs are covered so that increases are incremental. Mr. Daniels stated that he doesn't want an appeals process but would prefer setting the fees with input from the business community. Mr. Sincock suggested that there be an administrative appeals process. The City Manager interjected that he feels Mr. Daniel's concern is if a restaurant makes a credible argument, then there are suddenly two restaurant rates and Mr. Daniels added that the City needs to be careful because there could be numerous categories created again. Mr. Sincock addressed businesses with few employees but many contracted employees and Hugh Daniels added that because of the free bus system, the business community is a better place and there is a shared benefit. Ms. Kerr felt there should be an appeals process while the business license ordinance is being changed as the process may point out glaring errors and may refine the legislation. Mr. Harlan suggested that appeals be limited to the first year of implementation. Mr. Klingenstein agreed with Mr. Daniels' comments, but added that if there is an appeals process that it have very clearly defined criteria for qualifying an appeal. The City Manager clarified that a business would have to clearly prove that it doesn't benefit from the bus system and also that it is not in a particular category. Mr. Klingenstein believes that the City is headed in the right direction, but the appeals process bothers him. Mark Harrington stated that staff has not really explored the appeals element, and there should be options are there are many implications with an appeals process. He explained that the legislative act will have a first phase presumption of validity if it is tested. But if there is an appeals specific standard of review, it will be an additional administrative adjudicative process that is not otherwise integrated into the system and the implications have not been totally explored. Mr. Harrington added that the beneficial effect could be an exhaustion of remedies and a negative would be taking on the legislative realm. Council agreed that appeals can not be based on the structure of the fee schedule but how it is applied. The Mayor invited the public to comment.

Dennis Grey, lodging business owner, stated that the lodging community strongly supports the bus system and the business license fees should be fair. He discussed the problem of not all rental units being licensed and collection difficulties. Mr. Grey suggested that the Lodging Association be given the list of licensed units, as it would do good job of policing various rentals. He stated that he will be approaching his board on Monday with this proposal and urged Council to adopt a fair ordinance and that enforcement be consistent. There was discussion about counting pillows.

Jim Madsen, Deer Valley Resort, stated that this will be adopted next week and the business community has not had an opportunity to review the study. There is not an opportunity for good feedback as it will just be conjecture, as the time frame is too short. He added that there should be an appeals process if there isn't enough lead time. The uphill capacity unit of measure is different for Park City Mountain Resort, as Deer Valley limits skiers and will be penalized. He added that Deer Valley does not use the bus system like Park City. Tom Bakaly noted that he met with Mr. Madsen yesterday but another consideration is the shuttle run from Snow Park to Silver Lake when the Carpenter Lift is down, increasing the level of bus service at no additional cost to Deer Valley. Mr. Bakaly added that he will be meeting with many businesses next week about this concept.

Frank Normile asked the unit of measure for transportation companies. Tom Bakaly stated that it is in "other" and it probably should be pulled out and put in a transportation or resort category.

3. **Grant requests.** Tom Bakaly explained that there are two grant requests; one from the National Ability Center and one from the Friends of the Animals. Currently, there is about $70,000 in the grant contingency fund. The Friends of the Animals is requesting a $4,500 matching grant with the County for a low cost spay and neuter clinic. Mr. Bakaly explained that every time an animal is released from the shelter, the Friends are charged $10. Sandra Morrison stated that up to this point in the year, they have paid the County some $4,000 for rescuing animals. The Friends will request that the fee be waived and applied to the matching grant. Chuck Klingenstein felt this could be a one-time experiment and Paul Sincock added that it is seed capital that may promote a break service for the Friends. Mr. Sincock questioned the underlying reason why the County is charging to release animals. Ms. Morrison expressed concern about the County waiving the fee as they have been discussing this for some time. Hugh Daniels suggested using the City grant as a wedge and if it doesn't work, to approach Council again. In response to a question from Shauna Kerr, Ms. Morrison is not aware of any other rescue organizations charged for releasing animals. There was consensus among the Council to support the request.

Because the Council was behind in its review of work session items, the Mayor asked if it has any questions regarding the request from the National Abilities Center. Mr. Daniels asked the number of Park City residents served by NAC. Meechie White estimated a total of 387 lessons, the bulk being skiing and horse back riding. Direct costs per lesson is about $35. About 225 peer partners which are kids from the local schools are trained volunteers who learn leadership skills which has a positive impact. Destination visitors take about 434 lessons. The Council unanimously supported NAC's request.

Mr. Bakaly noted that there were questions about the skateboard park funding that the advisory committee approved last year in the amount of $10,000. This was carried over and not distributed until the City Council approved the plan on the skateboard park. George Hull, Chairman of the Parks and Recreation Board, noted that it is suggested that the money be used for a preliminary plan for a facility. Roger Harlan believed there should be guidelines for the consultant so the City is protected. Mr. Hull countered that the advisory committee should have some authority so it doesn't have to keep coming back to Council and the project can get underway. Council concurred.

4. **Review of regular meeting:**

Ampco parking management contract. Mark Harrington explained that last year was a first attempt in increasing enforcement and there were many unknowns. There were some problems, as Council is well aware of, and this contract reflects a rewritten scope of services. There are six primary areas in the contract. The operations plan was not something in the contract last year and this has been specified, but there is some flexibility for things like special events. He added that a standard of service and a penalty system have been incorporated to ensure the program's success. There is provision for City Council evaluation of the program after the season where there would be staff and public input, and an opportunity for Ampco to respond. This does not change any of the breach or termination provisions in the contract. With regard to appeals, there will be an independent adjudication officer. The enforcement officers will be provided with additional measures of communication with police officers creating a better police presence in the area. Mr. Harrington added that the escalation of payment on fines will not occur until 30 days after the notice better accommodating out-of-state visitors. Jeff Nethery of Ampco explained the collection of fines on rental cars. There will be added paid parking responsibilities, including cash collection, recording and accounting procedures. In response to a question from Paul Sincock, Mr. Harrington answered that parking ticket fines cannot be liened on a driver's license. Mark Harrington clarified that staff is recommending a "soft" approach the first year, and in the future the Council may consider raising the collection rate.

Tom Bakaly continued that currently the fine is $10 for any parking infraction, but it is recommended to increase the fine to $15 for a meter violation, $25 for any other violation, and $150 for parking in a handicap zone. This will take effect January 1 and Mark Harrington interjected that on November 15, the City will be taking over the appeals process. Jeff Nethery noted that the new fine schedule needs to be established soon to provide enough time to order new tickets. Mr. Bakaly clarified that after three notices have been sent to violators during a 120 day period, tickets would be capped at $62 and turned over to a collection agency. The collection agency, which is Data Ticket, would collect 50%. It is recommended to approve a contract not to exceed $200,554; currently $235,000 is budgeted. Mr. Bakaly emphasized that the contract provides the City with better reporting capabilities so the program can be better monitored.

Paul Sincock felt that $350 per month was excessive for health insurance. Jeff Nethery explained that full medical benefits for a family is more expensive than single coverage, but needs to be budgeted. Most employees have single coverage which is substantially lower. Mr. Sincock pointed out that Ampco's management fee is only $18,000 on a $200,000 contract. Mr. Nethery stated that that was their fee last year and they are not increasing it. The cost of City staff dedicated to this program was discussed.

See regular meeting minutes.

Prepared by Janet M. Scott

PARK CITY
1884

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
NOVEMBER 13, 1997

I ROLL CALL

Mayor Brad Olch call the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, November 13, 1997. Members in attendance were Brad Olch, Hugh Daniels, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincock. Staff present were Toby Ross, City Manager; Jan Scott, City Recorder; Mark Harrington, Assistant City Attorney; Hope Bleecker, Transportation Director; Jodi Hoffman, City Attorney; and Brian Anderson, Parking Operations Manager.

II PUBLIC INPUT

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

Frank Normile commented that the notice for the Council meeting appeared in the paper yesterday. He is aware that state code allows one day notice, but suggested that a longer time frame be required so that more people would attend the meetings. The Mayor stated that it is difficult to determine the agenda at times but appreciated his input. Paul Sincock asked if upcoming items are published in the paper. City Recorder Jan Scott responded that public hearings are noticed usually two weeks in advance and it is difficult to accurately predict the business of an upcoming meeting because often items are added the Thursday before the next meeting. Ms. Kerr concurred and agreed with Mr. Normile that it is a good goal for Council to work toward. Mr. Sincock added that the packets contain a master docket and Hugh Daniels explained that a couple of years ago, Council decided to alternate work sessions and regular meetings, hoping this would provide additional notice. He added that it simply didn't work in accommodating pending business. The Mayor emphasized that public process continues to be a goal of the Council.

With no further comments, the public input session was closed.

III COMMUNICATIONS FROM COUNCIL AND STAFF

Roger Harlan thanked staff for their support in his preparation in his campaign efforts and pledged to work harder than he did in his previous four years on behalf of the community. He stated that it is an honor to be elected by the citizenry to City Council. Shauna Kerr added that last week she forgot to thank the media who put in extra time in covering the election and regular business. She invited staff and the public to participate in the wildflower seeding project.

Chuck Klingenstein continued that the Glenwood Cemetery extends it thanks to Council for its donation toward the headstone rehabilitation project, which will continue in the spring.

IV PUBLIC HEARING

1. Ordinance approving the 364 Main Street lot line adjustment, amending the Park City Survey to combine Lot 15 of Block 22 and Lots 16 and 17 of Block 69 at 364 Main Street, Park City, Utah - The Mayor asked if the Council or the public have any comments or questions on this issue. Hearing no comments, he closed the public hearing and requested a motion to continue. Paul Sincock, "I move to continue Item 1 under Public Hearing and the Consent Agenda to a date uncertain". Roger Harlan seconded. Motion unanimously carried.

2. Ordinance approving the Egyptian Theater lot line adjustment to combine Lots 7 and 8 of Block 22 and Lots 8 and 9 of Block 69 of the Park City Survey at 328 Main Street, Park City, Utah - See staff report. The Mayor invited the Council and the public to comment. Hearing no comments, the public hearing was closed. See Consent Agenda.

V CONSENT AGENDA

The Mayor asked for a motion to continue Item 1 to a date uncertain. Chuck Klingenstein, "I so move". Roger Harlan seconded. Motion unanimously carried. Chuck Klingenstein, "I move approval of Item 2 of the Consent Agenda". Shauna Kerr seconded. Motion unanimously carried.

1. Ordinance approving the 364 Main Street lot line adjustment, amending the Park City Survey to combine Lot 15 of Block 22 and Lots 16 and 17 of Block 69 at 364 Main Street, Park City, Utah - See public hearing and staff report.

2. Ordinance approving the Egyptian Theater lot line adjustment to combine Lots 7 and 8 of Block 22 and Lots 8 and 9 of Block 69 of the Park City Survey at 328 Main Street, Park City, Utah - See public hearing and staff report.

VI NEW BUSINESS

Consideration of parking management contract with Ampco Management Parking Systems, Inc. - Mark Harrington, Assistant City Attorney, stated that this was discussed in work session, and he will be happy to answer questions. Chuck Klingenstein stated that he is concerned about the impacts of paid parking on adjacent neighborhoods and asked if the proposed enforcement will be enough so that residents can reasonably find parking in their neighborhoods. Hope Bleecker explained there is new technology budgeted that allows for swifter patrol of the neighborhoods. She explained the hand-held devices which provides comprehensive information on permit holders. The time spent in the neighborhoods will be the same but the tickets can be written quicker and there will be four separate areas patrolled. She stated that there will be one additional officer, totaling four. There is also flexibility in the contract in the event that added enforcement and staff are not sufficient. There was discussion about enforcement officers equipped with cell phones and Ms. Bleecker explained that 645-PARK will be manned during business hours and switched over after hours. Parking enforcement will occur from 11 a.m. to 8 p.m., however in the residential areas there will be additional times of enforcement, 8 a.m. to 10 p.m. to prevent encroachment from day skiers.

In response to Mr. Klingenstein's concerns, Jeff Nethery from Ampco stated that they have significantly increased the amount of labor. Although only one person has been added, that person works a greater number of months and this plan more than doubles the enforcement hours from about 4,600 hours to 9,100 hours this year. The 9,100 number is very sufficient to allow Ampco to cite every vehicle that is in violation of the ordinance, however, Mr. Nethery emphasized that citing a vehicle on a residential street doesn't necessarily move the car and free up the space. Towing cars was discussed, and Mr. Nethery indicated that that is the reason for suggesting the cell phones for ticketing officers. It was explained to Roger Harlan that in order to park in certain areas of Old Town, vehicles must have a permit. Hope Bleecker further clarified that the code stipulation will create four zones and in the past, Old Town has been one large zone which will not work for paid parking. Mr. Sincock suggested expanding the one month "first time ticket free" policy to a longer period, perhaps the season, because of visitors not familiar with the program. The City Manager responded that the reason this has not been suggested is that Ampco estimates that 75% of the tickets issued are first-time tickets, which would run the risk of losing 75% of the projected revenue if run for the entire season. Thirty days would acclimate locals and there probably is no way to acclimate tourists; Hugh Daniels felt the lodging community may be helpful in getting tourists familiar with the paid parking program.

The Mayor emphasized that double parked delivery trucks should be consistently ticketed. Shauna Kerr agreed and stated that that is her number one priority. The Mayor referred to the escalating fee of $20 and didn't feel it was enough. Tom Bakaly explained that staff is not recommending the escalating fine system the first year of implementation. Ms. Kerr felt that there needs to be a repeat offender provision and Hugh Daniels agreed, but not in the first year. He added that the City needs more information on the issue. Ms. Kerr noted that merchants have told her that a $10 ticket is the price of doing business, and an increase to $15 does not seem substantially different. The Mayor felt it important to identify repeat local violators as and they should be notified that this is not acceptable. Jeff Nethery discussed the tracking system for infractions which would show previous citations. Mr. Sincock could support the escalating factor with a 12 month window. Hope Bleecker emphasized that the proposal does not provide for an escalating fine system, and the tracking system has the ability of tracking beyond 12 months. Tom Bakaly added that this information could be available in a monthly report. Jodi Hoffman understood that the merchant parking in front of his business for ten hours, could collect five parking tickets in a day. Mr. Nethery noted that the merchant would receive one ticket per day. Ms. Kerr stated that this is a concern of hers as the merchant may view $15 a day as a reasonable rate to park in front of his store. Jeff Nethery continued that it is just as easy for them to issue multiple tickets. Mark Harrington interjected that this doesn't have to be addressed in the contract but it does in the ordinance.

Roger Harlan asked why enforcement is limited to 8 p.m. and Hope Bleecker stated that the peak influx continues at 6 p.m. and drops off steadily after the 8 p.m. hour. Enforcement and paid parking schedules are targeted at peak influx which occurs at noon. Paul Sincock added that Aspen merchants are requesting extended enforcement from 6 p.m. to 10 p.m. It was explained that violations for handicap parking is set by the state, and there will be a provision in the parking code allowing Ampco to ticket at that rate. Brian Anderson added that there will be signage at handicap parking stalls that it will alert people of the $150 fine.

Hugh Daniels stated that he wants to make sure that there are good written policies and a program about cash handling that meet acceptable accounting principles. He requested a good reporting plan as well so that Council can make educated decisions. In response to a question from Hugh Daniels, Tom Bakaly explained that equipment is being amortized and there will be a replacement fund. Hugh Daniels continued that he is pleased that the contract is under the budgeted amount and next year there will be an RFP process. Noticing Ampco of making corrections was discussed, and Jeff Nethery believed that anything having to do with staffing or labor-related could be corrected within 24 hours. Some other things may be more statistically based, and may take some time to measure. In response to a request from the Mayor, Mark Harrington stated that he will try to cite examples in the contract. Ownership information was discussed. In response to a question from Roger Harlan, Mr. Nethery stated that the officers are bonded. Brian Anderson explained that there is a receipt produced which details coins, credit card information, and tokens and there will be a clear audit trail. Mark Harrington felt that the contract covers insurance adequately but will add language about officers being bonded.

Frank Normile complained that he lives at 14th Street and Woodside where he has never seen enforcement occur. In response to a question from Mr. Normile, Hope Bleecker explained that in conjunction with permit stickers, there will be one guest pass allowed to a holder. Mr. Normile asked what happens if he has more than one guest. Brian Anderson stated that the department could individually evaluate each situation. Ms. Bleecker stated that there are two permit stickers allowed a household, and a maximum of five if there is a demonstrated need. If there are complaints and/or suspicions, the situation will be investigated. Paul Sincock felt that five is too much and Toby Ross reminded Council that this issue will be before the Council next week and it is not really a part of the Ampco contract.

With no further comments, the Mayor requested a motion. Paul Sincock, "I move renewal of the parking enforcement contract with Ampco System Parking for a period beginning November 15, 1997 and ending on October 31, 1998, and to approve a change order to Ampco's original contract scope to include paid parking services in an amount not to exceed $200,554, and also incorporate the changes and the requests of the Council to staff during this hearing". Chuck Klingenstein seconded. Motion unanimously carried.

VII ADJOURNMENT

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

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MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 2 p.m. Members in attendance were Mayor Brad Olch, Hugh Daniels, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincock. Staff present were Toby Ross, City Manager; Mark Harrington, Assistant City Attorney; Jodi Hoffman, City Attorney. Shauna Kerr, "I move to close the meeting to discuss litigation and a personnel matter". Chuck Klingenstein seconded. Motion unanimously carried.

The meeting opened at approximately 4:20 p.m.

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

Prepared by Janet M. Scott

PARK CITY SUMMIT COUNTY UTAH CORPORATE Seal

Janet M. Scott

Janet M. Scott, City Recorder

STATE OF UTAH)
ss.
COUNTY OF SUMMIT)

CERTIFICATE OF CLOSED SESSION
CITY COUNCIL OF PARK CITY, UTAH

As presiding officer of the City Council of Park City, Utah, I hereby certify that the closed session meeting held by the City Council on November 13, 1997, was held pursuant to Section 52-4-5(1)(a)(I) to discuss the character, professional competence, or physical or mental health of an individual.

DATED this 31 day of December, 1997.

Mayor Bradley A. Olch

Subscribed and sworn before me this 31 day of December, 1997.

Janet M. Scott, Notary Public

NOTARY PUBLIC
JANET M. SCOTT
Park City, Utah
My Commission Expires
March 11, 2000
STATE OF UTAH

PARK CITY
1884

COUNCIL AGENDA REPORT

DATE: November 13, 1997
DEPARTMENT: Administrative Services
AUTHOR: Tom Bakaly, Finance Manager
TITLE: Amendments to the Business License Ordinance and Fee Schedule
TYPE OF ITEM: Informational - This item is for information purposes only

SUMMARY RECOMMENDATIONS: This report is for informational purposes only. No formal City Council action is requested. However, staff is requesting some general direction from City Council. Staff intends to conduct a public hearing on this issue and return to City Council with a formal recommendation on November 20, 1997.

DESCRIPTION:

A. Topic: Proposed amendments to the Business License Ordinance and Fee Schedule

B. Background:

History of City Business Licenses: The Park City Municipal Corporation started charging a business license fee during the early 1980's. The creation of the fee as a revenue source coincided with the start-up of the City's transit system. The business license and nightly rental fees have been dedicated to the transit system and the Transportation Fund (an enterprise fund). The Transportation Fund is also funded by resort City sales tax and transit sales tax revenues. There has not been a significant or all-encompassing change in the business license ordinance since 1982. Business license fees have not significantly increased in roughly 10 years.

New Business License Computer system: The City's current business license system is approximately 10 years old. The business license module is the last component of the City's financial computer system that needs to be converted to the new finance software. The City is in the final stages of that conversion process. Business license notifications or bills for calendar year 1998 must go out by December 1, 1997 in compliance with City code. The business license bills for the upcoming year will be processed using the new system.

Changes in State Law and Impact to the City: As part of the 1997 legislative session, the State of Utah changed the powers of cities and towns to charge business license fees by adopting HB 98 (Local Taxing Authority) and SB 96 (Authority over Certain Rental Rates). Prior to the change in law, cities had the general authority to charge a business license fee for both regulatory and revenue purposes. The new law, effective January 1, 1998, allows only regulatory business license fees unless the fees fall under one of six "revenue" exceptions. The exception that is most relevant to the City is the one that states that revenues may be raised from a business license by "imposing a business license fee on businesses in order to provide an **'enhanced level'** of municipal services in an amount that is reasonably related to the services provided." A transit system that is free to the users is an enhanced level of service for City businesses. Therefore, Park City must show a connection between business license fees and the transit system.

C. Analysis:

Business License Fee Analysis: Staff decided to take a comprehensive look at the business license system and rate structure for the following reasons: 1) It had been years since the business license fee system had been reviewed and checked for accuracy; 2) The computer system conversion requires in-depth review to ensure accuracy; and 3) The changes in the State law require a connection between enhanced service levels and business license fee. Staff contracted with a consultant to assist with this study, particularly as it pertained to the State law changes. The consultant has been helpful in the past with impact fee studies that are similar to this study.

New Business License Fees and Ordinance: Based on the study described above, staff has developed the following concepts for the new business license fee system and ordinance:

1) Revenue neutral: Assuming 1997 units of measure, the new fees should on a whole be revenue neutral. This means that if we simply used the old business license fee data from last year, approximately $500,000 would still be collected. This also means that if additional businesses were added or if there were increases in units of measure (uphill capacity), then revenues would increase. We are not recommending freezing the fee, nor are we recommending that it be increased to cover the full cost of the transit system. Holding variables constant, our goal was to receive the same revenues in 1998 as we would have under the old system.

2) Simplify rates: The business license system has roughly 1,200 customers and hundreds of business licence codes (types). Each business type has different units of measure and rates. Based upon the consultant's enhanced service level analysis, staff recommends creating the following four categories for the new system: 1) Ski areas; 2) Lodging/Nightly rental; 3) Restaurant/Retail; and 4) Office/Other. Liquor licenses are not a part of this discussion.

3) Category shifts in fees: While total revenue remains about the same, there are shifts among business categories. The "Summary Business License Change" table below shows the average shift in percentage among categories. Due to the consultant's analysis of enhanced level of service, ski resorts, lodging, restaurants and retail on average increased. Office and other businesses on average went down due to the enhanced service analysis. However, the consultant's analysis does show that a free bus system benefits all businesses to some extent.

Summary Business License Change Table

Category	New System Revenue	% Increase (Decrease) Old vs New System	Unit of Measure
Office Other	93,713	(23%)	Various
Ski Resorts	169,831	10%	Uphill Capacity
Restaurant/Retail	146,309	5%	Square Foot
Overnight Lodging	92,740	7%	Bedroom
Total	502,593		

For example, a business in the nightly rental category would have its business license calculated as follows:

Old Qty	Old Price	Old Total	New Qty	New Price	Admin/Reg	New Total
100	15	$1,500	100	15.66	31.30	$1,597

This example represents about a 6.5% increase for this business. It is important to note that individual licenses for a particular business may have gone up or down within each category. What you see in the "Summary Business License Change" table is an average. It is important to note that some categories contribute more than others to business license revenue. Staff is still working on some individual licenses that had large shifts (up and down) as a result of a closer alignment with enhanced service levels from the bus system or computer system conversion issues. Staff will have those issues finalized prior to the public hearing on November 20, 1997. The City's consultant will also be available at that time to help answer any questions concerning the methodology of their study.

D. Department and Community Review:

Revisions to the Business License Ordinance and fee structure has been reviewed by the City Manager's Office, the Administrative Services Division and the Legal Department of the City. Staff has meetings scheduled later this week to discuss this issue with the Chamber of Commerce and the ski resorts. As of the writing of this report, staff intends to set up meetings with representatives from other groups that could be impacted by the new business license format.

REQUESTED DIRECTION:

As staff proceeds with possible changes to the business license ordinance and business license fee structure, staff is requesting general City Council direction on the following topics:

1) Is City Council comfortable with the new approach to business licenses?

2) Is the City Council generally comfortable with the simplified fee structure?

3) Is the City Council interested in an appeals process for businesses that wish to demonstrate why their new license amount is not justified?

PARK CITY
1884

COUNCIL AGENDA REPORT

DATE: November 13, 1997
DEPARTMENT: Administrative Services
AUTHOR: Tom Bakaly, Finance Manager
TITLE: Additional Grant Requests
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: The City Council should approve the following recommendations of the Grants Subcommittee concerning the disbursement of grant funds from the grant contingency fund:

1) Approve a one-time "match" grant award of $4,500 to the Friends of the Animals for a low cost spay and neuter clinic.

2) Approve a one-time grant award of $3,860 to the National Ability Center (NAC) in the form of a refund of fees paid for NAC's building permit.

DESCRIPTION:

A. Topic: Grant Disbursement

B. Background:

In May of 1996, the City Council adopted a new policy that governs the disbursement of grant funds. This policy is included within the Policies and Objectives section of the recommended 1997-98 Budget. In addition to establishing criteria for determining grant recipients, the policy also established categories in which organizations receiving grants were placed. Each category then gets a portion of the total funds appropriated for grants. The total amount of funds available for grants is a percentage (2.25%) of the General Fund budget for each year.

In anticipation that new organizations not assigned to established categories may request grant funds, the City Council designated one of the categories as the grant contingency fund. This "reserve" is for organizations, programs or endeavors that arise throughout the year. Currently, two organizations have requested additional grant funds. These organizations would fall into the contingency category per City policy.

In May of 1997, as part of the FY 1997-98 budget process, City Council formed a Grants Subcommittee to review the additional grant requests and make a recommendation to the City Council. The Grants Subcommittee consists of Council member Daniels, Council member Harlan, and a City staff representative (Tom Bakaly).

C. Analysis:

Friends of the Animals: In early August of 1997, the Friends of the Animals requested a $9,000 grant to help with the production of their 1998 "Bark City" calendar. The production of the calendar was for fundraising purposes. The Grants Subcommittee met to review the detailed proposal from Friends of the Animals. While the Subcommittee thought the fundraising idea was a good one, the subcommittee did not feel that a grant purely for fundraising purposes would be appropriate. The Grants Subcommittee asked the Friends of the Animals if there was another project they had that was a little less "speculative." The Subcommittee asked the Friends of the Animals to address how many Park City residents would be served by such a program. The Subcommittee also asked the Friends of the Animals to address financial support from Summit County.

Attached is a proposal for a low cost spay and neuter clinic. The request was once again for $9,000. The Friends of the Animals recently informed staff that there was a mobile spay and neuter clinic that they would like to contract with on a trial basis using the grant funds. The Friends of the Animals provided the information that was requested along with their most recent financial statements. In the course of reading the proposal and the financial statements, it was discovered that the Friends of the Animals pays Summit County $10 per animal that they rescue from the County shelter. This amounts to approximately $3,000 per year.

While the Subcommittee thought that $9,000 for the spay and neuter clinic was too much, they decided that a dollar-for-dollar matching grant of not to exceed $4,500 from the City would be appropriate. For every dollar contributed by Summit County, the City would match one dollar up to $4,500 for the spay and neuter clinic. The Subcommittee also agreed that a waiver of the rescue fee would qualify as the County's portion of the match requirement. Therefore, if the County only waived the rescue fee, and the annual amount paid by the Friends of the Animals equaled $3,000 for calendar year 1997, then the City would give the Friends of the Animals a grant of $3,000.

Grants Subcommittee Recommendation: Award a one-time matching grant as described above in the amount of $4,500. The Grants Subcommittee would like further direction from City Council about the award of grants in the future for "operational" purposes.

National Ability Center: The National Ability Center has requested a grant award of $3,860 in the form of a refund of fees paid for NAC's building permit. For its building, the National Ability Center paid $3,860 in permit fees. The Subcommittee felt that this was a valid request. If approved, the grant would be paid directly to the National Ability Center. This would keep a clean "audit trail" of building permit fees

Grants Subcommittee Recommendation: Authorize a one-time grant award of $3,860 to the National Ability Center (NAC) in the form of a refund of fees paid for NAC's building permit.

The Grants Subcommittee would like further direction from City Council about the award of grants in the future for fee waivers.

D. Department Review:

These requests have been reviewed by the Finance Division of the Administrative Services Department, the City Manager and the Grants Subcommittee that was appointed by City Council.

ALTERNATIVES:

1) Approve the recommendations from the subcommittee: This action would allow for the release of grant funds to the organizations described above.

2) City Council could ask the Grants Subcommittee to work with the organizations to identify a different grant request. In the case of the Friends of the Animals request, City Council could award a non-matching grant in a different amount or increase the City's match amount.

3) Continue the Item: If the Friends of the Animals request is granted, they would proceed to Summit County and inform them that they had a matching grant from the City. This may or may not improve their chance of receiving funds from the County. The County budget process is on a calendar year and is currently underway. If the City approves the grant, and the County agrees to waive the fee, the match amount will be based upon experience from calendar year 1997. Continuing the item may impact the Friends of the Animals' ability to "leverage" the City's grant for County funding, and thus nullify the City's grant award.

4) Do Nothing: Same as Continuing the item.

SIGNIFICANT IMPACTS:

Implements the City's grants policy which to date has worked well. Funds for the recommended action are in the grants budget. Currently, there is approximately $70,000 available in the grant contingency fund. Approval of these two requests per the recommendation from the Grants Subcommittee would bring that total down to roughly $61,640.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

The City Council would need to provide further direction to the Grants Subcommittee and perhaps make modifications to the Grants policy.

RECOMMENDATION:

Approve a one-time matching grant award for $4,500 to the Friends of the Animals, and a one-time grant award of $3,860 to the National Ability Center (NAC) in the form of a refund of fees paid for NAC's building permit.

SUMMIT COUNTY
Friends of Animals
POST OFFICE BOX 682155 · PARK CITY · UTAH 84068-2155 · (810)649-5441

August 15, 1997

Tom Bakaly
Finance Director
Park City Municipal Corporation

Dear Tom,

I am writing in response to your three questions.

1. Number of Residents Served:

Friends of Animals has been serving all of Park City's residents since 1990. 75% of our members and more than half the phone calls we receive each day are from city residents. The busiest phone day of the week is Wednesday, when "Pet of the Week" is printed in the Park Record. Park City residents support the cause of animal rescue to the extent that our total budget is derived from residents donations, memberships and local fundraising activities. Without Park City we could and would not exist.

2. Financial Support from Summit County

This dedication to rescuing domestic pets is not shared by the rest of the County. County residents come from a rural background where dogs and cats are tools. Abandoning their unwanted litters at the shelter is a common occurrence with county residents. Animal Control is just that, controlling unwanted and abandoned animals by euthanasia. The Summit County Commissioners have reflected this attitude. No funds are available to Animal Control for veterinary care of animals housed at the County Animal Shelter (FOA pays these bills). The epitome of the Commissioners attitude was demonstrated with the dismissal of Connie Turkington, the previous Animal Control director, for allowing a mascot kitten at the shelter. Hence we have never asked Summit County for financial support and are currently still discussing the possible waiver of the $10.00 per animal fee that we must pay to rescue any animal from the County Animal Shelter (even those that would otherwise be destroyed). With the recent change in County Commissioners, our organization's relationship with Summit County Government is improving. We look forward to more support from them in the future.

3. Other Projects in need of funding

Friends of Animals major goal is to create a Low Cost Spay & Neuter Clinic. A clinic where residents and others could have their pets sterilized without undue financial hardship. The rapid rate with which cats and dogs can reproduce has led to the their overpopulation and subsequent overcrowding and destruction at animal shelters throughout the country. Park City and Summit County are no exception. Unless we are prepared to see the euthanasia rates at the County Animal Shelter increase dramatically every year, we must stem this problem at its source. San Francisco offers free spay and neutering to their residents and even pays owners $5 per procedure. The program has been a huge success and euthanasia rates have dropped dramatically. The commitment by Friends of Animals to build a clinic is strong, but the project is still in its infancy.

Any financial help the Park City Council could offer would be gratefully appreciated. We are ready to begin design work on the our "Bark City" calendar at the beginning of September . This project will continue to generate funds for Friends of Animals for years to come and we are hoping you will award $9,000.00 from your Grant Contingency as seed money toward this project.

Please feel free to contact me, I would be happy to answer any other questions you may have or make any presentations about our proposed project or Friends of Animals.

Sincerely,

Sandra Morrison

Sandra Morrison
Vice President

Hm: 649-0526
Wk: 649-8009

NATIONAL ABILITY CENTER

NATIONAL
ABILITY
CENTER

P.O. BOX 682799
PARK CITY, UTAH
84068-2799
VOICE/TDD (435) 649-3991
FAX (435) 658-3992
e mail nac@xmission.com

OCT 6

October 15, 1997

City Council
c/o Tom Bakaly
Park City Municipal Corporation
P.O. Box 1480
Park City, UT 84060

Dear Council Members:

I am writing on behalf of the National Ability Center to request your support regarding the relocation of NAC's administrative offices. NAC is requesting a one-time donation of $3,860 as a refund of fees paid for NAC's building permit. Your support would allow us to put this money back into our winter program budget, helping us to keep program expenses to a minimum, ensuring our activities remain affordable for our participants. NAC maintains a scholarship fund that benefits children with disabilities from low-income families. No one is ever denied participation in our programs due to the inability to pay. We are striving to keep this policy one that we can afford!

As you are aware, the NAC is a nonprofit, tax-exempt organization dedicated to the development of lifetime skills for persons with disabilities and their families by providing affordable, quality sports and recreational experiences. The benefits of these experiences build self-esteem and confidence, enhancing active participation in all facets of community life.

The NAC continues to be recognized as offering one of the country's most comprehensive sports and recreational programs for individuals with disabilities. In fact, the NAC offers the largest alpine program for children and adults with disabilities in Utah, providing more than 2500 lessons this past winter! The majority of our lessons are held at the Park City Ski Area, although this past winter NAC began two satellite programs at Deer Valley Resort and Brighton Ski Resort. Plans are underway to begin a third satellite program at Brianhead this coming winter.

Our move is nearly complete. It's been a lot of work, but we're very pleased with the building and our new location. I sincerely appreciate the city's help in securing the building permit and allowing us to relocate so quickly. If you have any questions, please give me a call.

Best Regards,

Meeche White

Meeche White
Executive Director

PARK CITY

1884

CITY COUNCIL STAFF REPORT

Date:	**November 13, 1997**
Department:	**Community Development Department**
Title:	**364 Main Street Plat Amendment to the Park City Survey, Lot 15 Block 22 and Lots 16 & 17, Block 69**
Type of Item:	**Legislative**

Summary Recommendations: Adopt the attached Ordinance approving a plat amendment as conditioned to combine Lot 15 of Block 22 and Lots 16 & 17 of Block 69 of the Park City Survey.

Description:

A. Topic:

Applicant:	Aaron Hofmann
Location:	364 Main Street
Proposal:	Replat lot 15 of Block 22 and lots 16 & 17 of Block 69.
Zoning:	Historic Commercial Business (HCB)
Adjacent Land Uses:	Commercial/Public Right-of-Way
Project Planner:	Kevin LoPiccolo
Date of Application:	June 9, 1997

B. Background

On October 22, 1997, the Planning Commission voted to forward to City Council a positive recommendation to approve the final plat amendment to combine 3 lots at 364 Main Street. The property at 364 Main Street consists of Lot 15 of Block 22, and

Lot 16 of Block 69 of the Park City Survey. The applicant's property is located on the east side of Main Street between Fourth Street and the Trouts building, and backs up to Swede Alley. Lot 15 is the former site of the outdoor patio for the Barking Frog Restaurant. The City Council approved a Plat Amendment for this parcel in January 1997. This request separated lot 16 (Barking Frog restaurant, now Chimayos) from lot 15 (outdoor patio) and combined lots 15 of Block 22 with lot 16 of Block 69 into one lot of record. Lot 15 of Block 22 is currently under construction and was approved as an addition to the Barking Frog restaurant by the Historic District Commission in 1995. The building under construction is entirely on a separate lot of record and is not connected in any way to Chimayos.

C. Analysis

The proposed plat amendment is a request to replat Lot 15 of Block 22 and Lots 16 & 17 of Block 69 into one lot of record. The proposed plat amendment will result in one L-shaped lot of approximately 4,560 square feet in area.

Compliance:
Land Management Code: The proposed plat amendment is consistent with all requisite Land Management Code requirements.

Parking: The applicant's property located next to Swede Alley (Lot 16 and 17 of Block 69) is subject to a 1986 restrictive parking covenant that requires the property owner to maintain the lot for parking purposes unless an in-lieu fee is paid to Park City. The applicant has agreed to add a plat note acknowledging the parking covenant. The City Attorney's office is currently reviewing the agreement to clarify future parking requirements for the parcel.

Sidewalk: The Community Development Department is requesting that the applicant install a sidewalk from Fourth Street south to 350 Main Street Seafood and Oyster Company along Swede Alley. A sidewalk will allow people to avoid walking in Swede Alley as the only path of pedestrian travel. Since the property owner owns several lots along Swede Alley, this will be the optimum time to install the sidewalk, with anticipated construction between Fourth Street and 350 Main Street.

D. Department Review

The City's Staff Review Team and City Attorney's Office have reviewed this request.

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Public Input

All owners within the affected plat were noticed on November 3, 1997. No comments have been received at the time of this staff report, and there was not any input from the public at the Planning Commission meeting on October 22, 1997.

Alternatives

A. Approve the proposed plat amendment creating one 4,560 square foot lot.

B. Deny the plat amendment and retain the original form of the parcels.

C. Continue the item and request further evaluation from the staff.

Significant Impacts

Approval of the plat amendment will allow the combination of three lots into one lot of record. Ultimately, the creation of one lot will allow an addition to the 364 Main Street building that is currently under construction. Since Lots 16 & 17 of Block 69 have a parking covenant that requires the property owner to maintain these two lots for parking, any building addition on Lot 16 & 17 would require changes to the 1986 parking covenant or payment in-lieu of parking or provisions of on-site parking. Currently the property owner is working with the City Attorney's Office to determine what options are available with regards to the parking covenant and proposed addition.

Since no water or natural gas is available in Swede Alley to facilitate the separate development of Lots 16 & 17 in Block 69, the City Engineer supports the plat amendment so water and gas for these lots can come from Main Street. Because the parcel will now be at the corner of Swede Alley and Fourth Street, a triangular setback is required of the future building, if any, to provide a clear view for the intersecting streets.

Consequence Of Not Taking The Recommended Action

Denial of this application would preclude the applicant from constructing an addition to the 364 Main Street building that is currently under construction other than the property which formerly was on Lot 16 of Block 69. Under the current lot configuration, the construction of a building on Lot 16 may not be feasible, therefore the lot combination of three lots allows the property owner greater flexibility and allows the addition to 364 Main Street.

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Recommendation

The Community Development Department recommends approval of the proposed plat amendment subject to the following Findings of Fact, Conclusion of Law, and Conditions of Approval:

Findings of Fact

1. The project is located in the HCB zoning district.

2. The proposed plat amendment is required to allow a building addition to 364 Main Street. Currently the rear lots along Swede Alley is used for parking.

3 The applicant's property is subject to a restrictive parking covenant dated February 28, 1986, recorded at the Summit County Recorder's Office in Book 375, Page 384, which requires the property owner to maintain said portion of the property for the parking purposes. The applicant has agreed to add a plat note acknowledging this restrictive parking covenant.

4. The property owner is applying for a plat amendment to combine three lots into a single lot of record. The amendment will combine the property into one 4,560 square foot lot.

5. The newly created parcel abuts a busy city street. No sidewalk or pedestrian access ways currently exist.

6. A triangular setback is required of the future building, if any, at the corner of Swede Alley and Fourth Street to provide a clear view of intersecting streets.

7. The applicant stipulates to all conditions of approval.

Conclusions of Law

1. There is good cause for the amendment.

2. Neither the public nor any person will be materially injured by the proposed plat revision.

3. The proposal is consistent with both the Park City Land Management Code Chapter 7 and Chapter 15 and State subdivision requirements.

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Conditions of Approval

1. The City Attorney and City Engineer's review and approval of the final form and content of the amended plat is a condition precedent to recording the plat.

2. The owner agrees as to construct a sidewalk to City standards along Swede Alley from Fourth Street south to 350 Main Street prior to Certificate of Occupancy of any building addition constructed on the newly created lot .

3. A note shall be added to the plat acknowledging the restrictive parking covenant, dated February 28, 1986, recorded at the Summit County Recorder's Office in Book 375, Page 384.

4. A triangular setback will be required for the future building, if any, Swede Alley and Fourth Street to provide a clear view of intersecting streets.

5. All Standard Project Conditions shall apply.

6. The final plat shall be recorded at Summit County within one year from the date of City Council approval. If recordation has not occurred within the one year time, this approval and the plat shall be considered void.

Exhibits:

Exhibit A - Ordinance
Exhibit B - Existing Plat
Exhibit C - Vicinity Map

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Ordinance No. 97-

AN ORDINANCE APPROVING THE 364 MAIN STREET LOT LINE ADJUSTMENT, AMENDING THE PARK CITY SURVEY TO COMBINE LOT 15 OF BLOCK 22 AND LOTS 16 & 17 OF BLOCK 69 AT 364 MAIN STREET, PARK CITY, UTAH

WHEREAS, the owner, Aaron Hofmann, of the property known as 364 Main Street of Lot 15 of Block 22 and Lots 16 & 17 of Block 69 of the Park City Survey, has petitioned the City Council for approval of an amendment to the amended Park City Survey; and

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

WHEREAS, on October 22, 1997 the Planning Commission held a public hearing to receive public input on the proposed final plat amendment and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, a financial guarantee for all public improvements is necessary to ensure completion of these improvements and to protect the public from liability and physical harm if these improvements are not completed by the developer or owner.

WHEREAS, the proposed plat amendment combines Lot 15 of Block 22 and Lots 16 & 17 of Block 69 into one parcel;

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 project is located in the HCB zoning district.

2. The proposed plat amendment is required to allow a building addition to 364 Main Street. Currently the rear lots along Swede Alley is used for parking.

3 The applicant's property is subject to a restrictive parking covenant dated February 28, 1986, recorded at the Summit County Recorder's Office in Book 375, Page 384, which requires the property owner to maintain said portion of the property for the parking purposes. The applicant has agreed to add a plat note acknowledging this restrictive parking covenant.

4. The property owner is applying for a plat amendment to combine three lots into a single lot of record. The amendment will combine the property into one 4,560 square foot lot.

5. The newly created parcel abuts a busy city street. No sidewalk or pedestrian access ways currently exist.

6. A triangular setback is required of the future building, if any, at the corner of Swede Alley and Fourth Street to provide a clear view of intersecting streets.

7. The applicant stipulates to all conditions of approval.

Conclusions of Law

1. There is good cause for the amendment.

2. Neither the public nor any person will be materially injured by the proposed plat revision.

3. The proposal is consistent with both the Park City Land Management Code Chapter 7 and Chapter 15 and State subdivision requirements.

Conditions of Approval

1. The City Attorney and City Engineer's review and approval of the final form and content of the amended plat is a condition precedent to recording the plat.

2. The owner agrees as to construct a sidewalk to City standards along Swede Alley from Fourth Street south to 350 Main Street prior to Certificate of Occupancy of any building constructed on the newly created lot .

3. A note shall be added to the plat acknowledging the restrictive parking covenant, dated February 28, 1986, recorded at the Summit County Recorder's Office in Book 375, Page 384.

4. A triangular setback will be required for the future building, if any, Swede Alley and Fourth Street to provide a clear view of intersecting streets.

5. All Standard Project Conditions shall apply.

6. The final plat shall be recorded at Summit County within one year from the date of City Council approval. If recordation has not occurred within the one year time, this approval and the plat shall be considered void.

<u>SECTION 4. EFFECTIVE DATE</u>. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 13 th day of November, 1997.

PARK CITY MUNICIPAL CORPORATION

____

Mayor Bradley A. Olch

Attest:

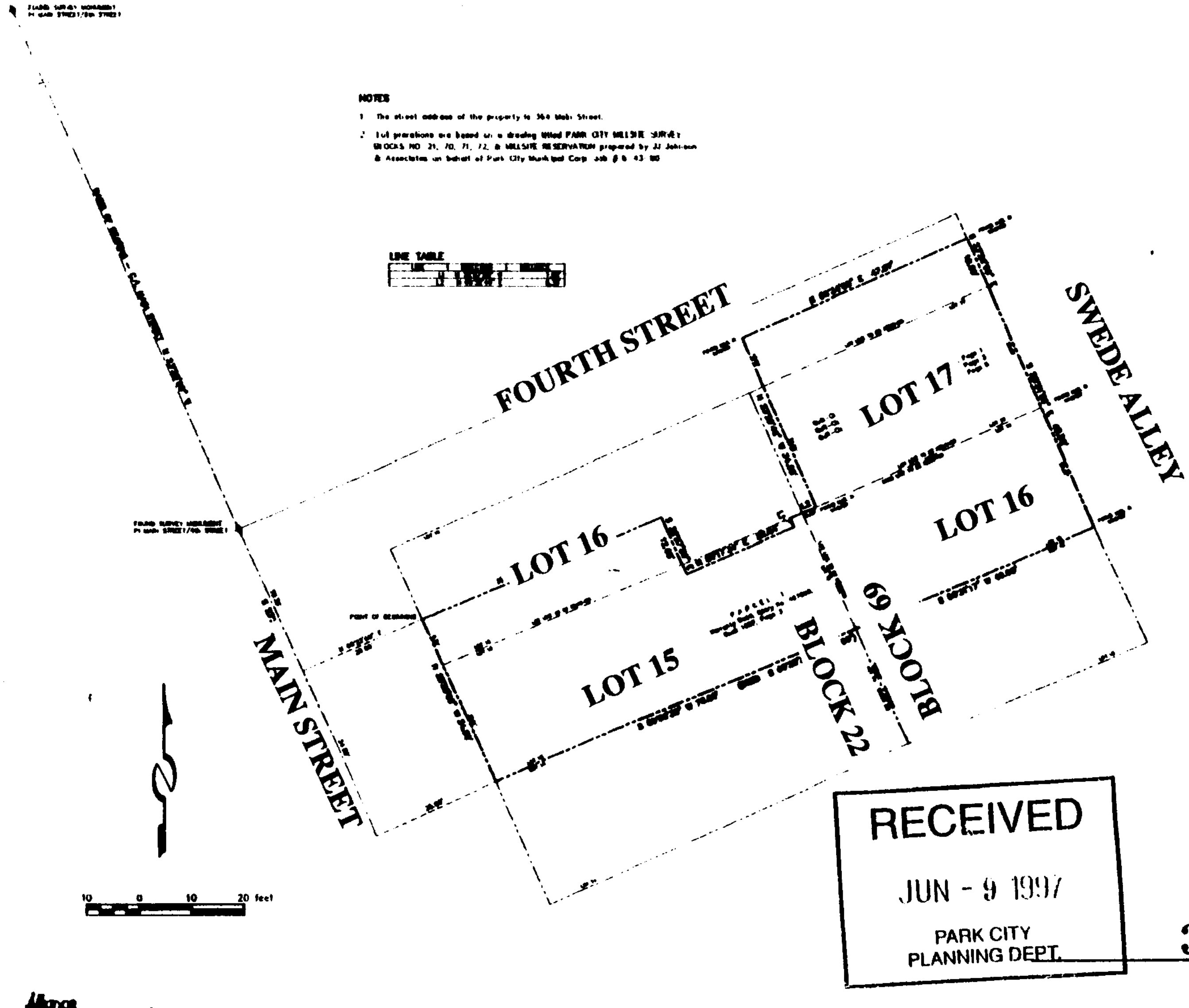
____

Janet M. Scott, City Recorder

Approved as to form:

____

Mark D. Harrington, Deputy City Attorney



SURVEYORS CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 163031, as prescribed by the laws of the State of Utah, and that this Lot Line Adjustment Plat was prepared under my direction in accordance with the requirements of the Park City Municipal Corporation. I further certify that this plat is an accurate representation of the property.

John Demkowicz Date

364 MAIN BOUNDARY DESCRIPTION

Beginning at a point along the east right-of-way line of Main Street North 23° 38' 00" West 9.70 feet from the northwest corner of Lot 15, Block 22, Park City Survey, and running thence North 66° 24' 30" East 40.97 feet; thence South 22° 57' 50" East 12.03 feet; thence North 66° 17' 34" East 22.64 feet; thence North 22° 57' 50" West 1.92 feet; thence North 66° 32' 40" East 9.36 feet; thence North 23°28' 40" West 34.06 feet; thence North 66° 34' 00" East 47.07 feet; thence South 23° 28' 00" East 10.00 feet to the northeast corner of Lot 17, Block 69, Millsite Reservation; thence along the east line of Lot 17 and 16, Block 69, South 23° 31' 00" East 40.00 feet; thence along the South line of Lot 16, Block 69, South 66° 31' 17" West 49.00 feet; thence along the South line of Lot 15, Block 22, South 66° 36' 30" West 76.00 feet; thence along the West line of Lot 15 and 16, Block 22 and along the East right-of-way line of Main Street North 23° 38' 00" West 34.00 feet to the point of beginning.

DEED DESCRIPTION

PARCEL 1:

Beginning at a point North 23° 38' 00" West 9.70 feet from the northwest corner of Lot 15, Block 22, Park City, and running thence North 66° 24' 30" East, a distance of 40.97 feet; thence South 22° 57' 50" East, a distance of 12.03 feet; thence North 66° 17'34" East, a distance of 22.64 feet; thence North 22° 57' 50" West, a distance of 1.92 feet; thence North 66° 32' 40" East, a distance of 52.66 feet; thence 23° 31' 00", a distance of 25.03 feet; thence South 66° 36' 30" West, a distance of 124.00 feet; thence North 23° 38' 00" West, a distance of 34.00 feet to the true point of beginning.

PARCEL 2:

Beginning at a point which is the southeast corner of Lot 17, Block 69, Millsite Reservation to Park City, according to the plat thereof in Summit County, Utah, and running thence South 66° 32' 39" West 47.08 feet, along the southerly lot line of Lot 17, Block 69, Millsite Reservation to Park City; thence North 23° 28' 40" West 34.07 feet; thence North 66° 34' 00" East 47.07 feet; thence South 23° 28' 00" East 10.00 feet to a point which is the northeast corner of Lot 17, Block 69, Millsite Reservation to Park City; thence South 23°31' 00" East 24.05 feet, along the easterly lot line of Lot 17, Block 69, Millsite Reservation to Park City, to the point of beginning.

OWNERS DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENT that Aaron A. Hoffman, the undersigned owner of the herein described tract of land to be known hereafter as 364 MAIN STREET, certifies that he has caused this Lot Line Adjustment Plat to be prepared. Aaron A. Hoffman hereby consents to the recordation of this Lot Line Adjustment Plat. Also, the owner, or his/her representative, hereby irrevocably offers for dedication to the City of Park City all the streets, land for local government uses, easements, parks and required utilities and easements shown on the plat and construction drawings in accordance with an irrevocable offer of dedication.

IN WITNESS WHEREOF, the undersigned set his hand this ____ day of ____ 1997

Aaron A. Hoffman

ACKNOWLEDGMENT

State of ________)
ss
County of ________)

On this ____ day of ________ 1997 personally appeared before me, the undersigned Notary Public in and for said state and county, Aaron A. Hoffman being duly sworn, acknowledged to me that he is the owner of the herein described tract of land and he signed the above Owners Dedication and Consent to Record freely and voluntarily.

Notary Public

Commission expires ________

LOT LINE ADJUSTMENT PLAT

364 MAIN STREET

LOCATED IN SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

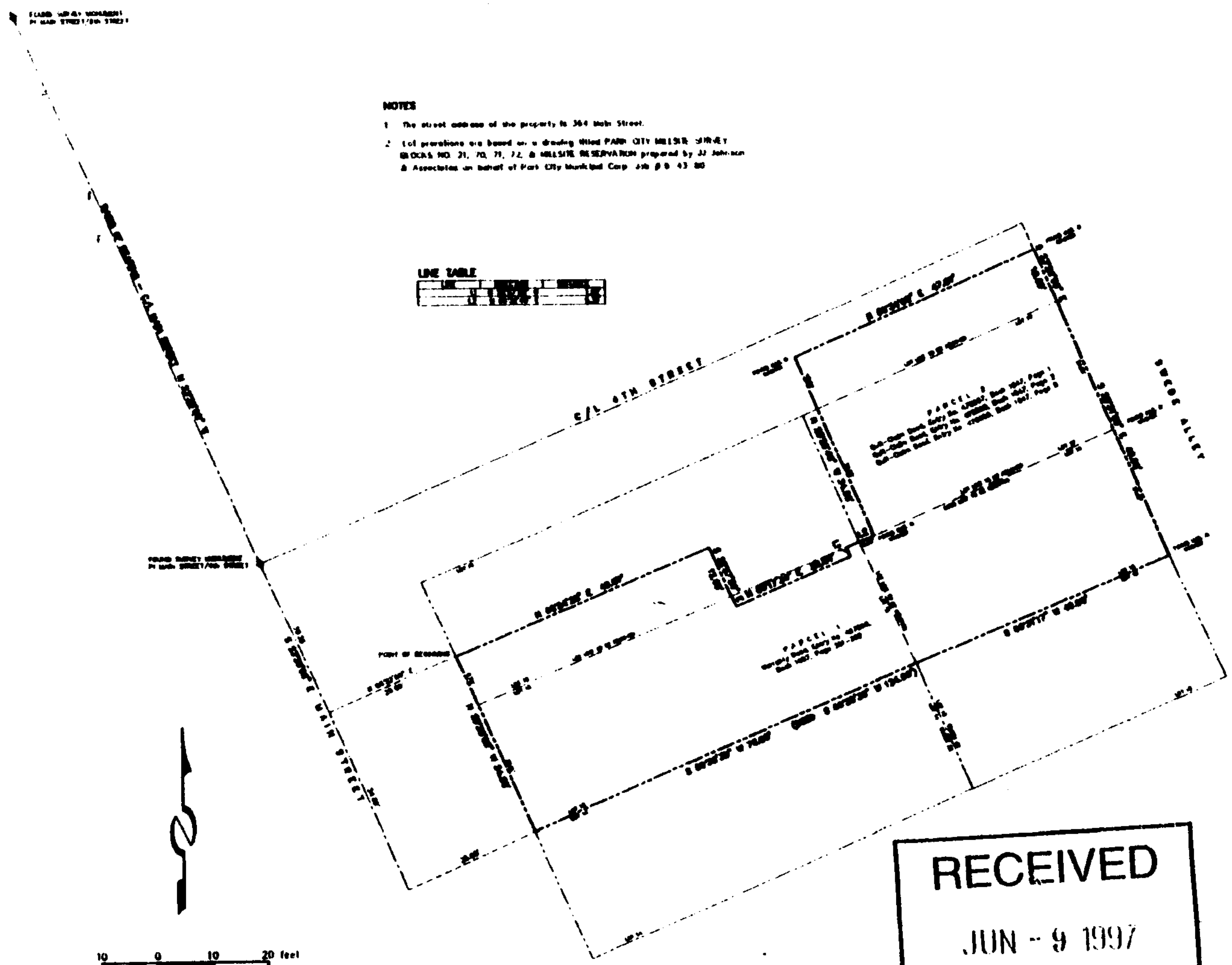
JOB NO. 01 04 97 FILE: \PCS\P\P 010497

PAGE 1 OF

ALLIANCE ENGINEERING INC.	SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT	PLANNING COMMISSION	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
P.O. BOX 2664 323 MAIN STREET PARK CITY, UTAH 84060 (801) 649 9467	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS ____ DAY OF ____, 1997 A.D. BY ____ S.B.S.I.D.	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF ____, 1997 A.D. BY ____ CHAIRMAN	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF ____ 1997 A.D. BY ____ PARK CITY ENGINEER	APPROVED AS TO FORM THIS ____ DAY OF ____, 1997 A.D. BY ____ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF ____, 1997 A.D. BY ____ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF ____ 1997 A.D. BY ____ MAYOR	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF DATE TIME BOOK PAGE FEE RECORDER

EXHIBIT B - PROPOSED PLAT AMENDMENT

24



NOTES

1. The street address of the property is 364 Main Street.
2. Lot provisions are based on a drawing titled PARK CITY MILLSITE SURVEY BLOCKS NO. 21, 70, 71, 72, & MILLSITE RESERVATION prepared by JJ Johnson & Associates on behalf of Park City Municipal Corp. Job # 0 43 80

SURVEYORS CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold certificate No. 163031 as prescribed by the laws of the State of Utah, and that the Lot Line Adjustment Plat was prepared under my direction in accordance with the requirements of the Park City Municipal Corporation. I further certify that this plat is an accurate representation of the property.

John Demkowicz ______ Date ______

364 MAIN BOUNDARY DESCRIPTION

Beginning at a point along the east right-of-way line of Main Street North 23° 38' 00" West [illegible] feet from the northwest corner of Lot 15, Block 22, Park City Survey, and running thence North 66° 24' 38" East 40.07 feet; thence South 22° 57' 50" East 12.03 feet; thence North 66° 17' 34" East 22.64 feet; thence North 22° 57' 50" West 1.82 feet; thence North 66° 32' 40" East 5.3[illegible] feet; thence North 23°28' 40" West 34.00 feet; thence North 66° 34' 00" East 47.07 feet; thence South 23° 28' 00" East 10.00 feet to the northeast corner of Lot 17, Block 69, Millsite Reservation; thence along the east line of Lot 17 and 16, Block 69, South 23° 31' 00" East 40.00 feet; thence along the South line of Lot 16, Block 69, South 66° 31' 17" West 60.00 feet; thence along the South line of Lot 15, Block 22, South 66° 38' 30" West 75.00 feet; thence along the West line of Lot 15 and 16, Block 22 and along the East right-of-way line of Main Street North 23° 38' 00" West 34.80 feet to the point of beginning.

DEED DESCRIPTION

PARCEL 1:

Beginning at a point North 23° 38' 00" West 9.70 feet from the northwest corner of Lot 15, Block 22, Park City, and running thence North 66° 24' 38" East, a distance of 40.07 feet; thence South 22° 57' 50" East, a distance of 12.03 feet; thence North 66° 17'34" East, a distance of 22.64 feet; thence North 22° 57' 50" West, a distance of 1.82 feet; thence North 66° 32' 40" East, a distance of 52.66 feet; thence 23° 31' 00", a distance of 35.03 feet; thence South 66° 38' 30" West, a distance of 124.80 feet; thence North 23 38' 00" West, a distance of 34.80 feet to the true point of beginning.

PARCEL 2:

Beginning at a point which is the southeast corner of Lot 17, Block 69, Millsite Reservation to Park City, according to the plat thereof in Summit County, Utah; and running thence South 66° 17' 30" West 47.08 feet, along the southerly lot line of Lot 17, Block 69, Millsite Reservation to Park City; thence North 23° 28' 40" West 34.07 feet; thence North 66° 34' 00" East 47.07 feet; thence South 23° 28' 00" East 10.00 feet to a point which is the northeast corner of Lot 17, Block 69, Millsite Reservation to Park City; thence South 23°31' 00" East 24.05 feet, along the easterly lot line of Lot 17, Block 69, Millsite Reservation to Park City, to the point of beginning.

OWNERS DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENT that Aaron A. Hoffman, the undersigned owner of the herein described tract of land to be known hereafter as 364 MAIN STREET, certifies that he has caused this Lot Line Adjustment Plat to be prepared. Aaron A. Hoffman hereby consents to the recordation of this Lot Line Adjustment Plat. Also, the owner, or his/her representative, hereby irrevocably offers for dedication to the City of Park City all the streets, land for local government uses, easements, parks, and required utilities and easements shown on the plat and construction drawings in accordance with an irrevocable offer of dedication.

IN WITNESS WHEREOF, the undersigned set his hand this ______ day of ______ 1997.

______
Aaron A. Hoffman

ACKNOWLEDGMENT

State of ______)
) ss
County of ______)

On this ______ day of ______, 1997, personally appeared before me, the undersigned Notary Public in and for said state and county, Aaron A. Hoffman being duly sworn, acknowledged to me that he is the owner of the herein described tract of land and he signed the above Owners Dedication and Consent to Record freely and voluntarily.

______
Notary Public

Commission expires: ______

RECEIVED
JUN - 9 1997
PARK CITY
PLANNING DEPT.

LOT LINE ADJUSTMENT PLAT

364 MAIN STREET

LOCATED IN SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

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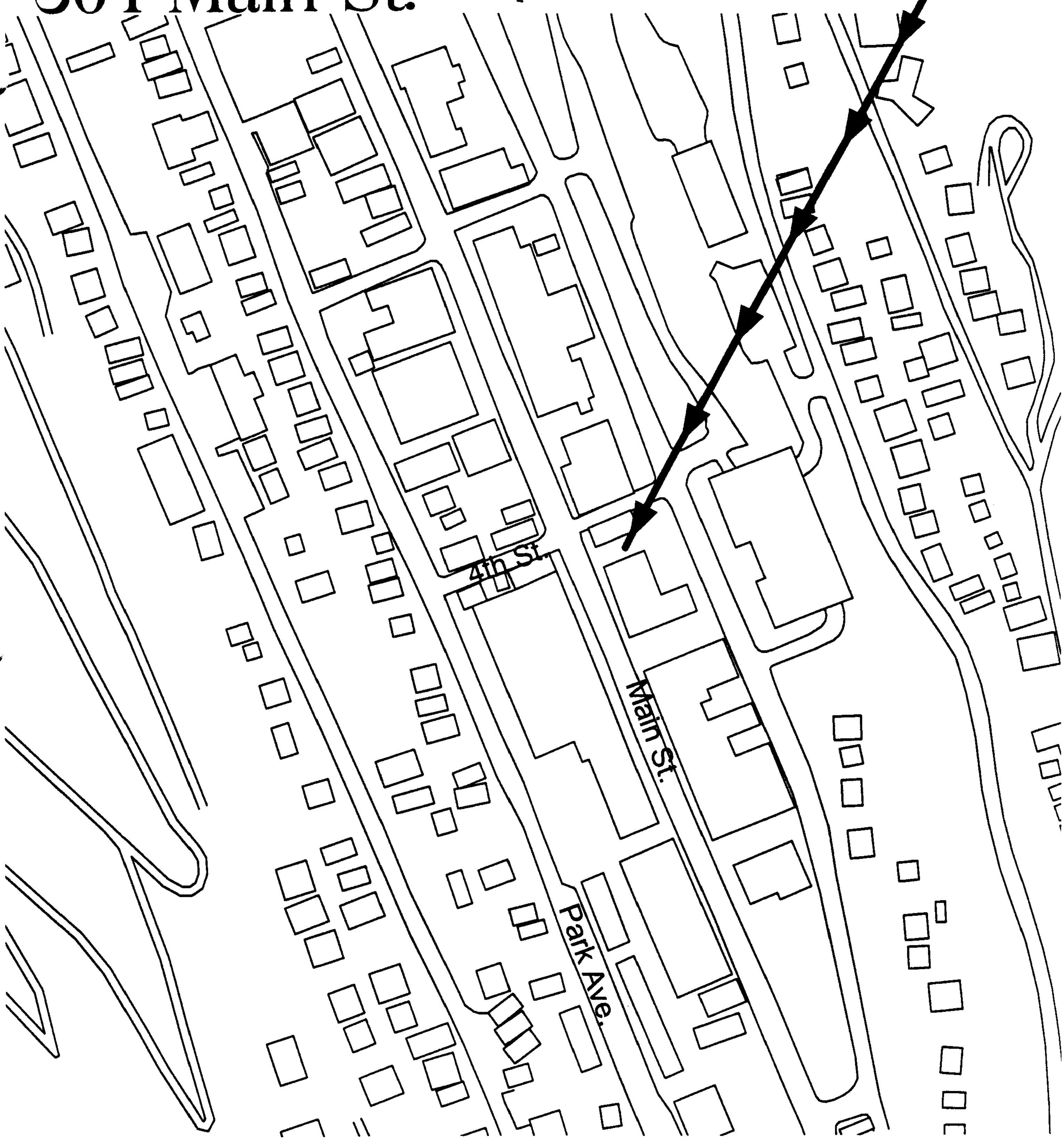
JOB NO. 01 06 97 FILE \PCS\P\P 010497

PAGE 1 OF

ALLIANCE ENGINEERING INC.	SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT	PLANNING COMMISSION	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
P.O. BOX 2664 323 MAIN STREET PARK CITY, UTAH 84060 (801) 649 9467	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS ______ DAY OF ______, 1997 A.D. BY ______ S.B.S.I.D.	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ______ DAY OF ______, 1997 A.D. BY ______ CHAIRMAN	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ______ DAY OF ______ 1997 A.D. BY ______ PARK CITY ENGINEER	APPROVED AS TO FORM THIS ______ DAY OF ______ 1997 A.D. BY ______ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ______ DAY OF ______ 1997 A.D. BY ______ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ______ DAY OF ______, 1997 A.D. BY ______ MAYOR	STATE OF UTAH COUNTY OF SUMMIT AND FILE AT THE REQUEST OF DATE TIME BOOK PAGE FEE RECORDER

364 Main St.



PARK CITY
1884

Vicinity Map

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EXHIBIT C - VICINITY MAP

CITY COUNCIL STAFF REPORT

Date: November 13, 1997
Department: Community Development Department
Title: 328 Main Street Plat Amendment to the Park City Survey, Lot 7 & 8, Block 22 and Lots 8 & 9, Block 69
Type of Item: Legislative

Summary Recommendations: Adopt the attached Ordinance approving a plat amendment as conditioned to combine Lots 7 & 8, of Block 22 and Lots 8 & 9 of Block 69 of the Park City Survey.

Description:

A. Topic:

Applicant:	JoAnn Krajeski/The Save Our Stage Foundation
Location:	328 Main Street
Proposal:	Replat Lots 7 and 8 of Block 22 and Lots 8 & 9 of Block 69.
Zoning:	Historic Commercial Business
Adjacent Land Uses:	Commercial/Public Right-of-Way
Date of Application:	June 27, 1997
Project Planner:	Kevin LoPiccolo

B. <u>Background</u>

On September 24, 1997, the Planning Commission voted to forward to City Council a positive recommendation to approve the final plat amendment to combine 4 lots at 328 Main Street. The project consists of Lots 7 and 8, of Block 22, and Lots 8 and 9 of Block 69 of the Park City Survey. The site is the location of the Egyptian Theater at 328 Main Street. The Save Our Stage Foundation has received approval from the Historic District Commission for a facade clean up and repaint of the historic Egyptian Theater. Due to the scope of work proposed, a plat amendment was required as part of the approval in order for the historic structure to comply with the lot parcel boundaries that cross lot lines.

The purpose of the plat amendment is to combine Lots 7 & 8, of Block 22 and Lots 8 & 9 of Block 69 into one parcel of record. The Uniform Building Code does not permit any structure to cross property lines. This request will remedy the existing condition and allow the subject property at 328 Main Street to comply with the Uniform Building Code, and resolve the issue of having the structure at 328 Main Street crossing property lines.

C. Analysis

Staff has evaluated the overall project against the Land Management Code, Section 7.2, Historic Commercial Business District (HCB) and determined the proposed lot combination complies as presented with all requisite City codes. The plat amendment will combine four lots into one lot of record. Not approving the lot combination would continue the current configuration of having an existing historic structure cross lot lines.

D. Department Review

The City's Staff Review Team have reviewed this request and found the proposal to be in conformance with requisite codes. The City Attorney's Office will review the final Plat Amendment.

Public Input

All owners within the affected plat were noticed on November 3, 1997. No comments have been received at the time of this staff report. There was no public input given at the September 24, 1997 Planning Commission meeting.

Alternatives

A. Approve the proposed subdivision plat amendment combining four lots into one lot of record.

B. Deny the subdivision plat amendment and retain the original form of the property.

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C. Continue the item and request further evaluation from the staff.

Significant Impacts

Approval of the plat amendment will allow a combination of four lots into one lot of record at the historic 328 Main Street Egyptian Theater.

Consequence Of Not Taking The Recommended Action

If the plat amendment is not approved as proposed, the existing historic structure will remain in its current non-conforming configuration, and would preclude the applicant from compliance with the Uniform Building Code.

Recommendation

The Community Development Department recommends approval of the Ordinance, attached as Exhibit "A" that will combine 4 lots into one lot of record for property at 328 Main Street, based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. There is an existing structure on the four lots.

2. The plat amendment is necessary to combine four lots into one lot of record.

3. The property is in the HCB District.

4. The applicant stipulates to all conditions of approval

Conclusions of Law

1. There is good cause for the amendment.

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

3. The proposal is consistent with both the Park City Land Management Code Chapter 7 and Chapter 15 and State subdivision requirements.

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Conditions of Approval

1. The City Attorney and City Engineer's review and approval of the final form and content of the amended plat is a condition precedent to recording the plat.

2. All Standard Project Conditions shall apply.

3. The final plat shall be recorded at the County within one year from the date of City Council approval. If recordation has not occurred within the one year time, this approval and the plat shall be considered void.

4. Dedication of a sidewalk easement between the Main Street building frontage and the Main Street right-of-way is a condition precedent to recording the plat.

Exhibits

Exhibit A - Ordinance
Exhibit B - Proposed Plat Amendment
Exhibit C - Vicinity Map

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Ordinance No. 97-

AN ORDINANCE APPROVING THE EGYPTIAN THEATER LOT LINE ADJUSTMENT TO COMBINE LOTS 7 & 8 OF BLOCK 22 AND LOTS 8 & 9 OF BLOCK 69 OF THE PARK CITY SURVEY AT 328 MAIN STREET, PARK CITY, UTAH

WHEREAS, the owner, JoAnn Krajeski/The Save Our Stage Foundation, of the property known as 328 Main Street of Lots 7 & 8 of Block 22, and Lots 8 & 9 of Block 69 of the Park City Survey, has petitioned the City Council for approval of an amendment to the amended Park City Survey; 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 24, 1997 the Planning Commission held a public hearing to receive public input on the proposed final plat amendment and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, the proposed plat amendment combines Lots 7 & 8 of Block 22 and Lots 8 & 9 of Block 69 one parcel of record;

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.

1. There is an existing structure on the four lots.
2. The plat amendment is necessary to combine four lots into one lot of record.
3. The property is in the HCB District.
4. The applicant stipulates to all conditions of approval

Conclusions of Law

1. There is good cause for the amendment.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.

3. The proposal is consistent with both the Park City Land Management Code Chapter 7 and Chapter 15 and State subdivision requirements.

Conditions of Approval

1. The City Attorney and City Engineer's review and approval of the final form and content of the amended plat is a condition precedent to recording the plat.

2. All Standard Project Conditions shall apply.

3. The final plat shall be recorded at the County within one year from the date of City Council approval. If recordation has not occurred within the one year time, this approval and the plat shall be considered void.

4. Dedication of a sidewalk easement between the Main Street building frontage and the Main Street right-of-way is a condition precedent to recording the plat.

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

PASSED AND ADOPTED this 13 th day of November, 1997.

PARK CITY MUNICIPAL CORPORATION

____

Mayor Bradley A. Olch

Attest:

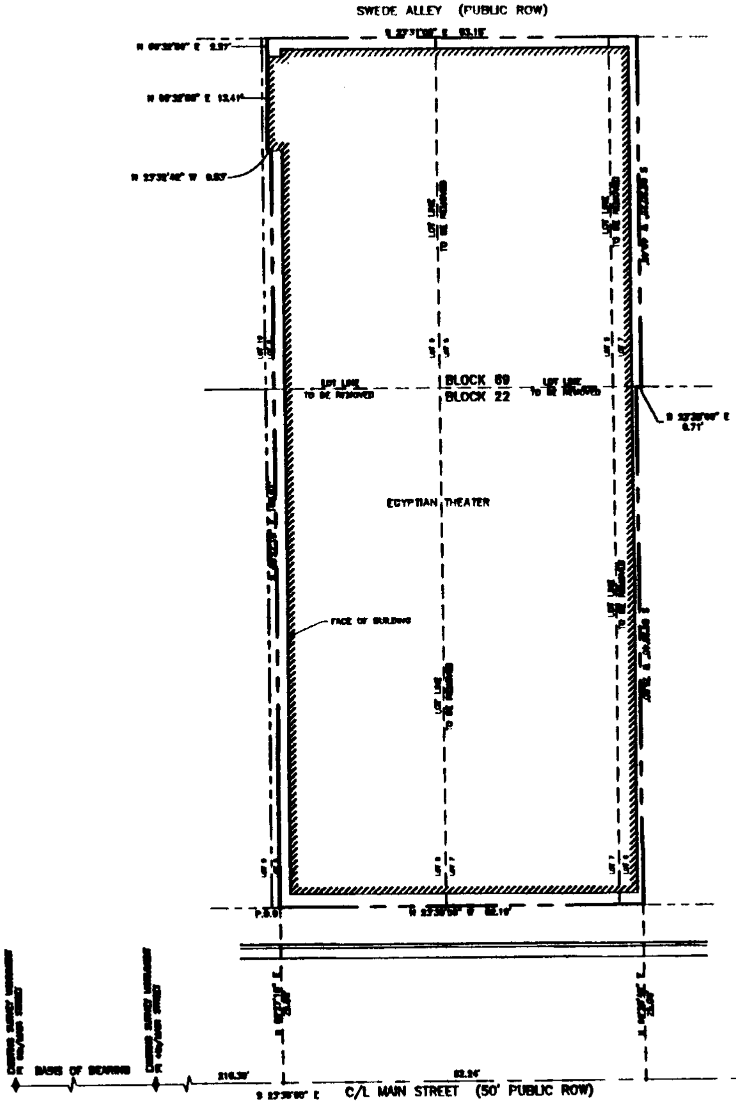
____

Janet M. Scott, City Recorder

Approved as to form:

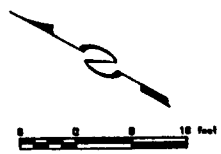
____

Mark D. Harrington, Deputy City Attorney



NOTES:

1. The street adress of the property is 328 Main Street.
2. Lot provisions are based on a drawing titled PARK CITY SURVEY BLOCKS NO. 71, 75, 71, 72, & HILLSITE RESERVATION prepared by JJ Johnson & Associates on behalf of Park City Municipal Corp. Job # [illegible]
3. Boundary survey was performed under recorded survey [illegible] in the office of the Summit County Surveyor.



SURVEYORS CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. [illegible], as prescribed by the laws of the State of Utah, and that this Lot Line Adjustment Plat was prepared under my direction in accordance with the requirements of the Park City Municipal Corporation. I further certify that this plat is an accurate representation of the property.

John Demkowicz ______ Date ______

THE EGYPTIAN THEATER BOUNDARY

Beginning at a point on the East Right-of-Way Line of Main Street, South 23° 30' 00" East 1.15 feet from the Northwest corner of Lot 8, Block 22, Park City Survey and running thence along the northerly ... of the existing building (Egyptian Theater) North 66° 27' 18" East 108.91 feet; thence along the westerly edge of the existing building North 23° 33' 42" West 0.93 feet; thence along the northerly edge of the existing building North 66° 32' 00" East 13.41 feet; thence North 66° 32' 00" East 2.57 feet; thence along the East line of Lots 6, 8, and 7, Block 69, Millsite Reservation South 23° 31' 00" East 53.18 feet; thence South 66° 30' 30" West 40.40 feet; thence along the West line of Lot 7, Block 69 North 23° 30' 00" West 0.71 feet; thence South 66° 30' 40" West 79.80 feet; thence along the West Line of Lots 6, 7, and 8, Block 22 North 23° 30' 00" West 82.19 feet to the point of beginning.

OWNERS DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENT that The Save Our Stage Foundation, the undersigned owner of the herein described tract of land to be known hereafter as The Egyptian Theater, certifies that it has caused this Lot Line Adjustment Plat to be prepared. The Save Our Stage Foundation hereby consents to the recordation of this Lot Line Adjustment Plat. Also, the owner, or his/her representative, hereby irrevocably offers for dedication to the City of Park City all the streets, land for local government uses, easements, parks, and required utilities and easements shown on the plat and construction drawings in accordance with an irrevocable offer of dedication.

IN WITNESS WHEREOF, the undersigned set his hand this ______ day of ______ 1997.

______
By [illegible]
President, The Save Our Stage Foundation
A Utah Non-profit Organization (501)C3

ACKNOWLEDGMENT

State of ______ }
County of ______ } ss.

On this ______ day of ______ 1997, personally appeared before me, the undersigned Notary Public in and for said state and county, [illegible] after being duly sworn, acknowledged to me that she is the president of The Save Our Stage Foundation, the owner of the herein described tract of land and that she signed the above Owners Dedication and Consent to Record on behalf of The Save Our Stage Foundation.

______
Notary Public

Commission expires ______

LOT LINE ADJUSTMENT PLAT

THE EGYPTIAN THEATER

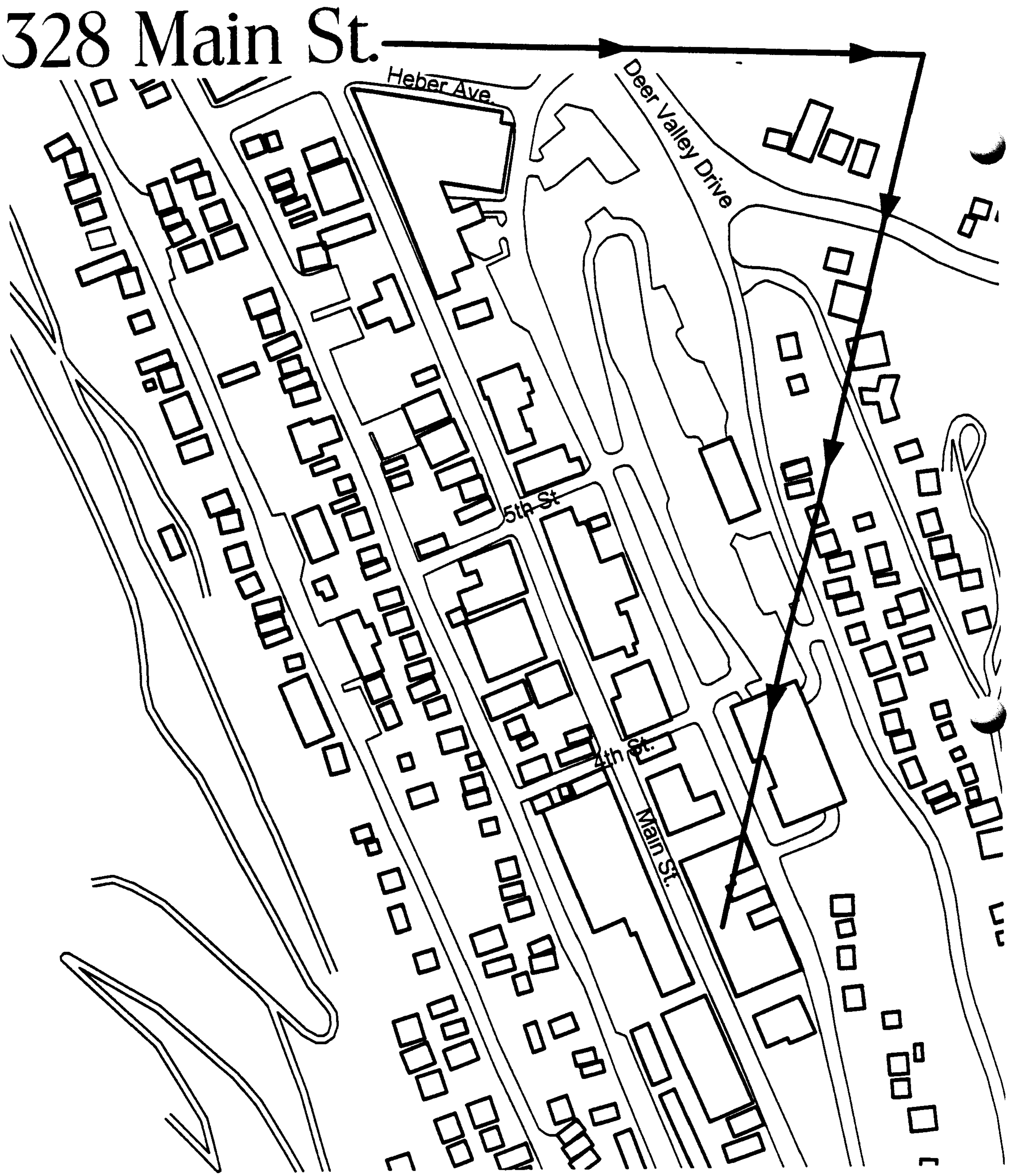
LOCATED IN SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

PAGE 1 OF 1

JOB NO: 11-6-97 FILE: Y:\PCS\[illegible] ALLIANCE ENGINEERING INC. P.O. BOX [illegible] 323 MAIN STREET PARK CITY, UTAH 84060 (801) 649-9467	SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS ______ DAY OF ______, 1997 A.D. BY ______ S.B.S.I.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ______ DAY OF ______, 1997 A.D. BY ______ CHAIRMAN	ENGINEERS CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ______ DAY OF ______, 1997 A.D. BY ______ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS ______ DAY OF ______, 1997 A.D. BY ______ PARK CITY ATTORNEY	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ______ DAY OF ______, 1997 A.D. BY ______ PARK CITY RECORDER	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ______ DAY OF ______, 1997 A.D. BY ______ MAYOR	RECORDED STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF ______ DATE ______ TIME ______ BOOK ______ PAGE ______ ______ FEE ______ RECORDER

RECEIVED
[illegible] 1997
PARK CITY
PLANNING DEPT.

EXHIBIT B- PROPOSED PLAT AMENDMENT



VICINITY MAP

PARK CITY 1884

EXHIBIT C - LOCATION MAP

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PARK CITY
1884

DATE: November 13, 1997
DEPARTMENT: Legal and Administrative Services
AUTHOR: Mark Harrington, Deputy City Attorney; Tom Bakaly, Finance Manager; and Toby Ross, City Manager
TITLE: Ampco Systems Parking Contract Renewal and Change Order
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Renew the parking enforcement contract with Ampco System Parking (Ampco) for a period beginning on November 15, 1997 and ending on October 31, 1998, and approve a change order to Ampco's original contract scope to include paid parking services in an amount not to exceed $200,554. Please note that the current fine structure and collections procedure will be in place until January 1, 1998.

DESCRIPTION:

A. Topic: Renewal of parking enforcement contract with Ampco and approval of a change order adding paid parking services to the contract scope of services.

B. Background:

In November of 1996, Park City Municipal Corporation entered into a one-year contract (with the option to extend up to another two years) with Ampco System Parking for enhanced parking enforcement services. Prior to that time, the Police Department performed parking enforcement. As the first component of its three-part plan to address parking and traffic issues, the City Council emphasized the importance of parking enforcement by authorizing the Transportation Department to assume administrative responsibility and privatization of parking enforcement. The City selected Ampco to provide this new and enhanced level of service following a Request for Proposals (RFP).

It is now time to consider renewing Ampco's contract for parking enforcement services. The City also intends to finalize the implementation plan for pay parking on November 20, 1997. Staff recommends adding services related to paid parking to the scope of Ampco's parking contract through a change order. Staff requests that the change order be approved now. If Council action on November 20th changes the scope of services for paid parking, the contract would be modified.

Staff determined that it was in the City's best interests to conduct a detailed review of the Ampco contract administration for last year. Deloitte and Touche, our accountants, performed part of the review. Their review illustrated that Ampco performed the basic services outlined in the contract. Some areas of improvement were noted and after one year of experience the staff recommends changes to the contract that will enhance the services provided by Ampco and more completely meet our needs.

C. Analysis:

The analysis section highlights the areas of the attached Scope of Services that staff believes are significant. This section also includes relevant information, options and recommendations related to parking enforcement and paid parking. While not all of these items are specifically included in the contract with Ampco, staff intends to recommend these ideas in conjunction with the overall implementation plan for parking enforcement and paid parking that will be presented first to the Mayor's Task Force on parking and to the City Council on November 20th.

Parking Enforcement, Collections and Adjudication

Operations Plan: The recommended term of this contract is one year. The attached Scope of Services specifically shows the schedule of each officer and paid parking employee. The operations plan assumes year-around, rather than simply seasonal parking enforcement. Consistent enforcement of parking regulations has been requested by the Police Department and by citizens at parking hearings. However, parking enforcement is increased significantly during peak periods to handle the additional vehicles and enforcement of paid parking during those months. One officer (Officer 3) is dedicated full time for 6 months to residential areas. This entails four 2-hour sweeps of residential areas per day. The scope specifically describes the exact dates and varying levels of parking enforcement. The operations plan has been reviewed and approved by the Public Works Department subject to possible modifications by the City Council on November 20th.

Interaction with Park City Police Department: Some have suggested that an enhanced police "presence" in the Main Street area could be achieved by having police officers writing parking tickets. The parking enforcement function was shifted from the Police Department to the Transportation Department to provide more consistent and cost-effective parking enforcement. The Police Chief believes that police resources can be productively assigned to other priorities throughout the city including the Main Street area. Recent crime statistics in the Main Street area do not seem to warrant an additional presence on Main Street. This is something that staff is prepared to discuss further with City Council.

Staff recommends that writing parking tickets should not be a routine duty of Park City police officers. Naturally, if a police officer notices a parking violation in the normal course of their duties, they can write a citation. Normally the police would write parking citations only for illegal parking (red zones and handicapped) and not for time violations.

Close interaction between the Police Department and Ampco will be integral to the success of the program. Ampco staff will be instructed to notify City staff of any unusual activity that may warrant attention by the police whether or not it is related to parking. Ampco discovered that radio communication with the Police Department was difficult last year. For this contract, cellular phones will be used. Ampco will be required to be in close communication with the Police Department, especially in situations where a vehicle must be towed. In towing circumstances, Ampco will be required to immediately notify the Police Department. The Police Department will be responsible for issuing the citation and coordinating all aspects involving towing. This issue is discussed further in the "alternatives" section of this report.

Ampco as a City Agent: There has been some discussions at parking hearings that Ampco is not "official" enough to effectively enforce parking. Ampco employees will be required to wear uniforms that signify that they are directly connected with Park City Municipal Corporation. They will officially be an independent contractor, but it will be very clear from their uniforms and vehicles that they are acting as an agent of the City. Ampco employees will be instructed to provide general information to the public such as directions to transit services or major destinations as well as information on the operation of the parking program and equipment. Orientation to Park City locations, programs and events will be included in the staff training and they will receive periodic updates on events and issues.

Ticket and Fine Structure: Working with Ampco, the actual ticket form will be modified to clearly state on the front of the ticket that the citation is for a parking violation. Staff recommends that fines for tickets be divided into the following categories: 1) Meter Violations = \$15.00; 2) Illegal Parking = \$25.00; and 3) Illegal parking in a handicap space = \$150. Ampco will be expected to issue citations for cars that are "double parked" and for parking violations in handicap spaces. The Municipal Code and fee resolution will require minor modification.

Delinquency/Fine Escalation: An attachment to the Scope of Services compares the old fine schedule to the new one proposed in the contract and serves as a good reference point. Some important changes are recommended. First, after 20 days the violation is sent to the independent collection agency that contracts with Ampco. The collection company will commence only with a license plate search at that time. The State license search is necessary to notice the individual who received the ticket. After 30 days, a flat \$5 collection charge and a \$2 fee for the license search are added to the violation. Staff proposes a flat fee of \$5 per ticket to cover the cost of up to three notifications. Neither Ampco nor the collection agency receives any share of the parking revenue at this point. Also, except for \$7 in charges to cover notification and collection costs, the ticket has still not escalated.

Thirty days after the first notice is sent, \$20 is added to the violation and a second notice is sent. The "trigger date" of this \$20 escalation is 30 days from *when the first notice is mailed*, not 60 days from the ticket issuance date. The ticket then continues to escalate as specified in the attachment to a maximum amount of \$62 (meter violation). 30 days after the three notices have gone out and roughly 120 days have lapsed, the entire ticket is turned over to the collection agency. The collection agency would then be entitled to 50% of what it could collect after the 30 days after the third notice has been sent out. The ticket does not continue to escalate after it is sent to collections. It should also be noted that in instances when an individual only pays the initial fine amount when they should have included penalties or service charges, the owed service charge and or penalty will be sent to collections and the normal escalation procedures will still be in place for the remaining unpaid balance. All of these items are a significant improvement.

Appeals and Adjudication: Staff recommends that appeals and adjudication be handled by the City and/or an independent contractor of the City other than Ampco. The time frame to file for an appeal will be expanded to 40 days to coincide with the noticing schedule described above. Appeals language and criteria similar to what is included in the Ampco contract scope will be stated on the back of the ticket. The precise strategy for adjudication has not been determined but is expected to include a system to address both written and telephone appeals and to provide the opportunity for a hearing. The cost of this service is not included in the proposed Ampco contract.

First time free policy: Included in the Scope of Services is a "first time free policy." This means that during the first 30 days of the program only, the first ticket received by a vehicle license number for overtime parking, would include a voucher to cover the basic cost of the ticket. The violator would return the voucher rather than a check to "pay" for the ticket. The voucher would not cover the cost of an illegal parking citation or any fines for late payment and would apply only to the particular citation. The Council has previously discussed this idea during public meetings on parking. The hand-held ticketing device and related computer system allow the enforcement officer to determine whether or not a particular vehicle has been ticketed before. Ampco has expressed concern that the policy could introduce an element of confusion and increase the number of appeals. Ampco estimates that roughly 75% of the tickets that the City issues are to "first time" offenders. Staff needs further direction from the City Council on this concept. The Council has at least four options:

1. Authorize the program as proposed.
2. Liberalize the appeal criteria for the first 30 days to include an "I didn't understand" criterion.
3. Issue first ticket warnings for 30 days.
4. Commence pay parking without any special treatment for first time citations.

The City would forgo $10,000 to $20,000 in fine revenue with alternatives 1 and 3 and somewhat less with alternative 2. Staff doesn't expect significant decline in parking fee revenue, but that is possible if the program is widely known. Staff did not specifically account for this policy when projecting parking revenues but the revenues were conservatively developed to recognize the difficulties of the first year of implementation.

Escalation for repeat "offenders". There has been discussion about an escalating initial fine schedule for multiple offenders. This means that instead of an initial fine of $15 for a meter violation, a person receiving a number of tickets in a defined time period would start with an initial fine of $20. Staff needs further direction from City Council on this issue. Staff's inclination is that this may be a program to explore if we determine from the first year of operation that repeat offenders are a serious problem.

Paid Parking Services

Meter enforcement: The Ampco Scope of Services states that Officer 4 will be responsible for meter enforcement, maintenance and collection, and describes their duties.

Drop off/cash handling: Each meter has a cylinder containing the currency, tokens, etc. that cannot be opened by Ampco. At a specified time, the Ampco officer removes the cylinders and brings them to the Public Works office. An empty replacement cylinder will be placed back in the meter. Two City employees will count the money, and make the deposit into the bank. Before their shift each day, Officer 4 will pick up the empty cylinders from Public Works. In addition, Ampco will be responsible for generating a daily report from each meter that gives the total amount of transactions by payment type (cash, credit card, token). This report will be used to reconcile cash as part of the deposit process. The Finance Division will be working closely with the Public Works Department to develop detailed cash handling procedures. Special arrangements will be required for weekend cash handling.

Staffing and Administration

Staffing Plan: The last page of the Scope of Services details all of the positions and hours that Ampco has budgeted for the contract. The supervisor or "lead" position is only budgeted at 3/4 time for the year, but will be available full time during paid parking months. This person is the primary point of contact for the City with Ampco. This person will be located in the new Public Works building when not in the field. Depending upon operational decisions made by the City, Ampco will be prepared to offer a "menu selection" of services that they could provide as additional change orders to the contract.

On the City staff side, there will be a Parking Manager who is in charge of all aspects of the parking plan including operations oversight (Ampco), coordination with the Police Department, supervision of the appeals process and cash handling and monitoring of reports. A clerical position will be in charge of cash handling and general office support to the Parking Manager and the Transportation Manager. The City will enter into a separate contract for an appeals hearing officer. The Human Resources Division will be working with Public Works to address weekend and night staffing and scheduling issues.

Monitoring: A key component for the success of the contract will be active monitoring of the reports received from Ampco. Staff has requested detailed reports that are listed under the performance standards section of the contract scope. Penalties for non-performance are also addressed in this section. Also the performance of Ampco will be reviewed by City Council in a public hearing format after the Winter season.

Cost and Revenues

Ampco Contract: The budgeted total annual cost of the Ampco contract, per the attached scope of services is $200,554. Please note that $235,000 was budgeted in the FY 1997-98 budget (p.226). Staff intends to use a portion of the difference in the two figures above to cover the cost of an appeals hearing officer.

City Costs: Also included in the FY 1997-98 Operating Budget are funds totaling is $87,336 for the Parking Manager position and the Customer Service/Cash Handling position.

Revenues: Total revenues budgeted for both parking enforcement and paid parking for FY 1997-

98 is $551,437. Of that total, approximately $415,000 is budgeted for paid parking and $136,437 is budgeted for parking enforcement revenue. As is the City's practice, revenues have been budgeted conservatively. This is especially the case with a new program when all of the details of the parking plan have not been finalized. City Council decisions that will obviously affect revenues will be: 1) The "First time free" citation policy; 2) Discounts; 3) Incentives for using Park and Ride and; 4) General fee decisions. Staff will closely track parking expenditures and revenues. Staff will then use that information to update the current fiscal year budget and next year's budget during the budget review process this spring. The net operating revenue picture is illustrated below.

Estimated Operating Costs and Revenues for the 1998 Parking Program Revenue

Parking Fee Revenue	$415,000
Parking Enforcement Revenue	$136,500
Total Revenue	$551,500
Expenses	
Ampco Contract	$200,600
Appeals Officer	$ 10,000
Dedicated Parking Staff	$ 87,300
Supervisory Staff	$ 25,000
Indirect Parking Expenses	$ 24,000
Total Expenses	$346,900
Projected Net Operating Revenue	$204,600

The difference between total estimated revenues and expenses is approximately $204,600. This money will be used to offset the annualized cost of the meters and hang clocks, a vehicle, and other program start up costs such as marketing. The money for the purchase of the capital equipment actually comes from the CIP and not directly from the net operating revenue. If there are any excess revenues they would remain in the parking account for future parking related programs.

D. Department Review:

The staff report and Ampco Scope of Services have been reviewed by representatives from the Legal Department, Administrative Services Department, City Manager's Office, Public Safety Department and Public Works Department. All agree with the recommended action.

ALTERNATIVES:

1) Extend Contract and Approve Change Order. The Council could authorize extending Ampco's contract for one year and approving a change order for paid parking services for one year. This action would incorporate a revised Scope of Services, defined performance standards and clear provisions for termination. This is staff's recommendation.

2) Make Parking Enforcement a Staff Function. The Council could direct that City staff take over parking enforcement. To implement this strategy for the winter season would be extremely difficult and more costly than contracting for the service. Before issuing the RFP for parking enforcement services a year ago, Public Works staff analyzed the costs and benefits of contracting for this service or performing this function in-house. The analysis at the time showed that it was more cost-effective to contract for the services. Nothing in our experience with the service last year or the proposed contract for this year has changed staff's opinion. The Council may wish to internalize the operation for other benefits. If that were the case, the Council should delegate broad authority to staff to implement the program or delay implementation of Pay Parking. Staff would anticipate exploring "Employee Leasing" similar to the recent contract authorized by the Council for bus drivers and snow removal. Park City always has the opportunity to internalize the program at the end of the contract period.

3) Negotiate with Other Private Providers of Parking Enforcement Services. Diamond Parking was the next low bidder after Ampco in the previous RFP process. Council members may remember that Diamond parking handled the City's valet parking during the first year of operation. Staff has recently been in contact with Diamond parking to determine if they would be a viable alternative to Ampco. Diamond states that they could be operational with the City's deadline, informal cost quotes from Diamond indicate that they would cost significantly more than Ampco. Other providers may also be interested, however, there is insufficient time to undertake a formal RFP process prior to winter operations.

4) Continue the Item. The contract with Ampco is scheduled to end on November 15, 1997. If the item were continued for one week, staff would most likely be able to work with Ampco to extend their contract. Delaying action for more than a week would significantly affect staffs ability to implement Pay Parking this winter. If the Council continues the item, the members should indicate what additional information is requested.

SIGNIFICANT IMPACTS:

The significant impacts of this contract have been discussed in detail within the analysis section of this report. This contract extension and proposed change order will cost the City approximately $200,554. The contract cost is included within the FY 1997-98 budget and will be offset by parking enforcement and paid parking revenues.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

Each alternative to the recommended action could affect staff's ability to implement the parking enforcement and paid parking program this year. Internalizing parking enforcement and seeking another private provider would likely cost more than the proposed action. Delays in action can jeopardize the already tight time schedule for implementing pay parking. If the Council wishes to go another direction, staff strongly recommends that action be taken on November 13. Continuing action for one week for minor revisions or clarifications does not represent a serious problem.

RECOMMENDATION:

The City Council should approve the following recommendations:

1) Renew the parking enforcement contract with Ampco System Parking (Ampco) for a one year period beginning on November 15, 1997, and ending on October 31, 1998.

2) Approve a change order to Ampco's original contract scope to include paid parking services and a revised Scope of Services including both enforcement and paid parking attached hereto Attachment A.

Please note that the Ampco scope of service for both parking enforcement and paid parking is attached to this report. The total cost of the contract and change-order will not exceed $200,554.

PARK CITY MUNICIPAL CORPORATION SERVICE PROVIDER/PROFESSIONAL SERVICES AGREEMENT

PROJECT: PARK CITY PARKING ENFORCEMENT

CHANGE ORDER - NOV. 15, 1997

PARK CITY MUNICIPAL CORPORATION (the "City"), and **AMPCO SYSTEM PARKING** (the "Service Provider"), hereby agree to renew the term of the Agreement dated November 15, 1996 for one year from November 15, 1997 to October 31, 1998. The City and Service Provider further agree to replace the Scope of Services of the Agreement with a new Scope of Services attached hereto as "Exhibit A". The total cost of the renewed term shall not exceed $200,553.14. No option to renew is included herein but the City will inform the Service Provider in writing of its intent to seek Requests For Proposals or its decision to perform the services herein in-house by October 1, 1998.

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

PARK CITY MUNICIPAL CORPORATION

____
BY: ___________________________
TITLE: _________________________

Approved as to form:

____
MARK D. HARRINGTON
DEPUTY CITY ATTORNEY

Attest:

____
JAN SCOTT
CITY RECORDER

SERVICE PROVIDER

____
Signature

____
Printed name

____
Title

CORPORATE ACKNOWLEDGMENT

STATE OF ________)
: ss.
COUNTY OF ________)

On this ___ day of ______________, 199_, personally appeared before me __________ _____________, who being duly sworn, did say that he/she is the __________________ of Ampco Parking System, and acknowledged to me that the preceding Agreement was signed on behalf of said company, by their authority and he/she acknowledged that the company did execute the same for its stated purpose.

____
NOTARY PUBLIC

SCOPE OF SERVICES - EXHIBIT A

PARK CITY PARKING ENFORCEMENT AND PAID PARKING PROGRAM

Main Street, Gateway and Park Avenue

Main Street, Gateway and Park Avenue patrols will be made every 1.5 hours, on average, unless otherwise specified by the Park City Parking Manager ("Parking Manager"). This will be accomplished by assigning one enforcement officer to make six (6) patrols per day according to the attached schedule for ""Officer 1". This officer will also be responsible for meter, parking and disabled violations on Heber between Park and Main, as well as 7th and 9th streets off of lower Main. Patrols would begin at the top of Main and Swede Alley, continue to the bus turn around at the bottom of Main, then west to Park Avenue, north to Heber, east to Main and south on Main to Swede Alley intersection at the top of Main. The officer shall patrol 7th Street as vehicles are visible from lower Main. 24 hour and 72 hour ordinances will be monitored and enforces by chalking tires and checking to see if vehicles have moved overnight. 72 hour violations will be documented (not ticketed) and reported to Park City Police.

Swede Alley, Brew Pub and China Bridge Garage

Swede Alley, Brew Pub and China Bridge Garage will be assigned to the second enforcement officer, ("Officer 2" on the attached schedule). The route will also average 1.5 hours to complete, resulting in 6 patrols per day, unless otherwise specified by the Parking Manager. This officer will also be responsible for meter, parking and disabled violations. Patrols will begin in the Brew Pub lot, continue north to the China Bridge garage levels, and north to the surface and street parking in Swede Alley and conclude at the bus zone on Heber and Swede. In Zones 2 and 3 as identified by the Paid Parking Plan adopted by the City ("Parking Plan"), 24 hour and 72 hour ordinances will also be monitored and enforced by chalking tires and checking to see if vehicles have moved overnight. 72 hour violations will be documented (not ticketed) and reported to Park City Police.

Residential areas, Sandridge lot, Miner's Hospital and Resort Center

The residential zones as defined by the Parking Plan and other outlying areas as defined by the Park City Parking Manager will be assigned to the third enforcement officer ("Officer 3" on the attached schedule). This route will average approximately 2 hours to complete, but may vary depending upon the areas specified by the Parking Manager for patrol. The officer will be responsible for meter, parking and disabled violations and shall continuously patrol the assigned areas, and will not patrol any other area unless specifically directed by the Parking Manager. A minimum of four patrols per day shall be completed. In Zones 2 and 3 of the Parking Plan and in residential zones, 24 hour and 72 hour ordinances will also be monitored and enforced by chalking tires and checking to see if vehicles have moved overnight. 72 hour violations will be documented (not ticketed) and reported to Park City Police.

Short-term Parking Stalls

"Officer 4" on the attached schedule will be responsible for continuous enforcement of all short term parking zones including the 30 minute/loading zones and 10 minute parking areas as identified in the Parking Plan, and disabled parking violations. This officer shall complete a minimum of 12 patrols per day, unless otherwise specified by the Parking Manager. Additionally, this officer shall service the parking meters in all zones as necessary and assist the Ampco Supervisor with parking meter collection and replacement cylinders at a time specified by the Parking Manager. This officer shall be responsible for maintenance logs for all meters. The Officer shall use the existing Chevrolet S-10 in making the rounds and meter service and deposits.

Enforcement Schedule; Staffing Summary

Enforcement shall occur 7 days per week, 11 am to 8 pm, excepting holidays or other special events as specified by the Parking Manager. AMPCO shall provide 4 full-time officers and 4 part-time officers. AMPCO shall stagger shifts so that all employees share in weekend duties throughout the winter season. Reductions in staffing will occur when paid parking is not in operation. These periods are as follows: November 15, 1997- December 31, 1997; April 16, 1998- June 30, 1998; and September 1, 1998- October 31, 1998. During these dates, Officer 3 will be eliminated and Officer 4 will be reduced to part-time. When Paid Parking is not in effect, the officers shall enforce the timed parking regulations as adopted by the City within their assigned patrol areas, or as otherwise directed by the Parking Manager. The Parking Manager may adjust the timing and area of patrol responsibilities as necessary.

Additional Vehicle for Patrol

The City shall provide Officer 3 with an all-wheel Jeep or similar vehicle for patrol use only, unless otherwise directed by the Parking Manager. The City shall provide gas and service for the vehicle. AMPCO shall indemnify the City for any accident, damage or injury attributed to AMPCO's use of the vehicle.

Appeals

Appeals will be handled by an appeals hearing officer or board provided by the City. The tickets used shall clearly identify the appeal procedure and grounds in a form approved by the City Attorney. Grounds for appeal beginning 1/1/98 will be:

a) equipment malfunction, as verified by maintenance records
b) inadequate signage
c) enforcement officer error
d) negligent act of a third party

e) incomplete or inaccurate citation;
f) weather or other act of god

"I never received a citation" is not a valid reason for appeal unless:

a) the original citation was not properly issued; or
b) the citation was incomplete; or
c) the citation cannot be located in the ticket database.

Until 1/1/98, all appeals received by AMPCO pursuant to the old tickets shall be immediately forwarded to the Parking Manager.

Tickets

Existing tickets shall be used until 1/1/98. The City's new Paid Parking program and penalty schedule will be effective 1/1/98.

Beginning 1/1/98, the officers shall use hand-held, automated ticket dispensers (4 units to be purchased and owned by the City) which can also down-load issued ticket information daily into the main database at Public Works. Tickets used must be approved as to form by the City Attorney. All officers shall clearly and neatly print out necessary information for each violation. The officers shall securely attach the citation to the windshield of the vehicle in between the wiper blade, or other manner approved by the Parking Manager. The tickets will indicate the penalty amount for each infraction cited, the code provision violated, the payment and appeal procedures, and escalation of penalty for delayed payment. The tickets shall also identify a phone number for information. AMPCO shall update the ticket database daily. All hardware and software will be property of the City upon payment of corresponding monthly invoice.

Uniforms

All officers shall wear uniforms while on patrol that are approved by the City. The uniforms shall clearly indicate "Park City Parking Enforcement" and the City logo. Any modification or exceptions must be approved by the Parking Manager in writing.

Communication

Cell-phones shall be provided to each officer by the City and AMPCO shall provide pagers. AMPCO shall coordinate officer training with the Parking Manager regarding a communication plan. The plan shall address calls for police assistance for towing and emergency situations (no towing shall be initiated by an AMPCO officer- Park City Police shall issue the citations and call/request the tow truck.) AMPCO shall provide the Public Works dispatch with the officer pager numbers. Officers shall promptly respond to pages.

Payments

All payments shall go to the City. No officer or AMPCO employee shall accept any payment of any manner, except for daily meter cylinder collection.

30 - Day First Time Free Policy

The City wishes to provide residents and visitors with a 31-day period during which the civil penalty for the parking infraction would be waived for the first violation. This waiver shall not apply to illegal parking in handicapped areas. During the first 31 days of paid parking (January 1-31,1998), the officers will include a waiver voucher provided by the City with the citation/ticket left on the vehicle ticketed. AMPCO shall use a hand-held automated ticket device capable of determining the number of citations issued to a license plate. The ticket will only be waived if the owner timely submits the waiver voucher.

Collection of Delinquent Tickets

After 20 days of issuance, each unpaid ticket shall be uploaded to Data Ticket, who is the processing agent for collections. Data Ticket will immediately request the registered owner's name and mailing address from the applicable State Tax Commission or Department of Motor Vehicles. Data Ticket will mail notice of the ticket balance and appeal information within 48 hours of receipt of the owner information, or 30 days of ticket issuance, whichever is later. The ticket balance shall include the initial citation amount, a $5.00 collection fee and a $2.00 search fee which is charged by the state of Utah. (See Penalty Schedule attached). Data Ticket shall bill AMPCO for the collection and search fees, and AMPCO shall invoice the City. Data Ticket shall provide copies of the dated notices to AMPCO, who shall maintain a record for each ticket. Data Ticket shall send another notice at 30 days and 60 days after the issuance of the first notice (not the ticket) if the ticket remains uncollected. AMPCO shall be responsible for communicating the payment status to Data Ticket. After 90 days from the first notice, Data Ticket shall take additional collection measures as necessary and shall receive 50% of any ticket collected after that time. All notices shall properly reflect the Penalty Schedule attached hereto.

Penalty Schedule

See attached. This schedule shall control unless the City provides AMPCO with a new one.

Performance Standards

AMPCO's performance standards shall be the following:

1) ticket accuracy over 95%;

2) staffing and enforcement levels as defined herein;
3) upload of unpaid tickets to occur daily;
4) requiring processing agent to send first notices within 30 days of ticket issuance or within 48 hours of receipt of owner information;
5) revenue collection of 75% of all tickets;
6) voided (successful appeal) rate attributed to AMPCO of less than 5%;
7) minimum of 32 hours of on-street training and 8 hours of parking code and customer service training plus participation in the City orientation program for all personnel;
8) representation at all Main Street Merchant, Hotel Association and City Council meeting;
9) proper response to all questions and complaints within 24 hours;
10) ticket database uploaded daily for new tickets, payments, appeals and voids;
11) detailed monthly reporting of the status of all tickets and all operating expenses;
12) timely adjustments to problems and special events, as requested by the Parking Manager;
13) increased on-site communication with the Parking Manager and Police;
14) officers and supervisor meet customer service standards expected of other city positions, exhibit friendly resort-city demeanor and willing to assist the public in matters not directly related to job performance (giving directions, etc.); and
15) less than 2% meter malfunction attributed to AMPCO maintenance.

If at any time during the term of the contract the City believes AMPCO is not meeting the above standards, the City shall provide notice to AMPCO and request correction within a reasonable amount of time.

City Evaluation

The City shall schedule an evaluation and report to City Council at the completion of the winter season (April 15). The City shall evaluate the performance of AMPCO in relation to the performance standards above and AMPCO and the public shall have an opportunity to respond. The Scope of Service may be adjusted accordingly. If the City has found that AMPCO has not substantially complied with the performance standards (after being properly noticed of the substandard performance) and there are no mitigating factors explaining the substandard performance, AMPCO's remaining management fee may be adjusted accordingly in proportion to the violation.

Park City Parking Enforcement

Fine Schedule

	Current	Effective 1-1-98		
	All Tickets	Meter Viol	Parking Viol	Disabled
Initial Fine	$10	$15	$25	$150
After 20 days	$20	$15	$25	$150
		(Unpaids uploaded to processing agent)		
After 30 days	$30	$15	$25	$150
First notice	$32	$22	$32	$157
		($2.00 search fee, $5.00 collection fee added)		
30 days after first notice (second notice)	$42	$42	$52	$177
30 days after second notice (third notice)	$52	$52	$62	$187
30 days after third notice (Collections 50%)	$62	$62	$72	$197
Maximum Fine	$100	$62	$72	$197

Job Description - Park City Parking Enforcement and Management

Ampco Supervisor
Gareth Jones

Primary Duties:

- Recruit, hire and train enforcement staff
- Establish enforcement routes and schedules
- Respond to concerns and complaints from the public
- Prepare bi-monthly time cards for payroll processing
- Track tickets issued by area and type
- Prepare Daily Cash Report for each day's business
- Order supply items such as tickets, uniforms, chalk, meter supplies and office supplies
- Monitor performance of the enforcement staff
- Consult with Public Works on appeals and enforcement complaints
- Prepare monthly reports of all paid tickets, voided tickets, appealed tickets and unpaid tickets
- Prepare monthly reports for all operating expenses relative to the parking enforcement and paid parking program
- Sell, log and distribute employee permits
- Help Officer 3 transport meter cylinders to holding location specified by the Parking Manager
- Report maintenance issues to Public Works
- Complete preventative maintenance for meters
- Attend all Main Street Merchant meetings, public hearings related to parking and all staff meetings as required
- Investigate all issues of inadequate or improper signage
- Report all enforcement complaints to Public Works
- Input/Download all tickets into ticket database
- Post all payments when notified by Finance Department or when received by Public Works
- Export aged, unpaid tickets to collections daily for all tickets over 20 days old
- Export paid and void logs to collections daily
- Receive and post all record modifications from collections
- Cover for absent or tardy enforcement officers
- Cover vacations of enforcement officers

Park City - Parking Enforcement and Management Program

November 15, 1997 - October 31, 1998

Labor Costs

			Hours/Yr	Rate	Annual Cost	P/R Burden	Uniforms	Benefits	Total Annual Costs
Supervisor	Gareth Jones		1800	$14.43	$25,966.53	$8,374.21	$0.00	$2,700.00	$37,040.74
Officer 1	11.5mos	11a-8p	2000	$8.25	$16,500.00	$5,321.25	$250.00	$4,200.00	$26,271.25
Officer 2	11.5mos	11a-8p	2000	$8.25	$16,500.00	$5,321.25	$250.00	$4,200.00	$26,271.25
Officer 3	6mos	10a-8p	1071	$8.25	$8,835.75	$2,849.53	$250.00	$2,100.00	$14,035.28
Officer 4	11.5mos	10a-7p	1480	$8.25	$12,210.00	$3,937.73	$250.00	$2,100.00	$18,497.73
Parttime 1	11.5mos	Weekends	808	$8.50	$6,868.00	$2,214.93	$250.00	$0.00	$9,332.93
Parttime 2	11.5mos	Weekends	808	$8.50	$6,868.00	$2,214.93	$250.00	$0.00	$9,332.93
Parttime 3	6mos	Weekends	428	$8.50	$3,638.00	$1,173.26	$250.00	$0.00	$5,061.26
Parttime 4	11.5mos	Weekends	596	$8.50	$5,066.00	$1,633.79	$250.00	$0.00	$6,949.79
52 Totals			10991		$102,452.28	$33,040.86	$2,000.00	$15,300.00	$152,793.14

Other costs

Vehicle(s)		$0.00
Tickets		$4,000.00
Hand-helds	**$18k over 1 yr**	$18,000.00
Supplies		$3,600.00
Gas / Oil		$0.00
Pagers		$360.00
Holiday Pay and Overtime		$3,800.00
Ampco Management Fee		$18,000.00
		$200,553.14

Park City Parking Enforcement Schedule

Officer 1

Area(s): Main Street, upper level of Gateway, Park Ave, 7th and 9th

Shift: 11a - 8p 2 - 1/2 hour breaks 8 hours total per day

Schedule	Check #
11a - 12p	1
12p - 1:30p	2
1:30p - 2p	1/2 hour lunch
2p - 3:30p	3
3:30p - 5p	4
5p - 5:30p	1/2 hour dinner
5:30p - 7p	5
7p - 8p	6

Officer 2

Area(s): Swede Alley, Brew Pub and China Bridge Garage

Shift: 11a - 8p 2 - 1/2 hour breaks 8 hours total per day

Schedule	Check #
11a - 12p	1
12p - 12:30p	1/2 hour lunch
12:30p - 2p	2
2p - 3:30p	3
3:30p - 4p	1/2 hour dinner
4p - 5:30p	4
5:30p - 7p	5
7p - 8p	6

Officer 3

Area(s): Residential areas, Sandridge lot, Miner's Hospital and Resort Center

Shift: 10a - 8p 1 hour lunch 9 hours total per day

Schedule	Check #
10a - 12p	1
12p - 1p	1 hour lunch
1p - 3p	2
3p - 5p	3
5p - 7p	4

Officer 4

Area(s):	30 minute stalls. 10 minute stalls, meter maintenance and deposits		
Shift:	10a - 7p	2 - 1/2 hour breaks	8 hours total per day

Schedule	Check #	
10a - 10:30a		Meter revenue deposits w/ Supervisor
10:30a - 11a	1	30 min and 10 min stalls
11a - 11:30a	2	30 min and 10 min stalls
11:30a - 12p	3	30 min and 10 min stalls
12:30p - 1p	4	30 min and 10 min stalls
1p - 1:30p		1/2 hour lunch
1:30p - 2p	5	30 min and 10 min stalls
2p - 2:30p	6	30 min and 10 min stalls
2:30p - 3p	7	30 min and 10 min stalls
3p - 3:30p	8	30 min and 10 min stalls
3:30p - 4p		Meter maintenance
4p - 4:30p		1/2 hour lunch
4:30p - 5p	9	30 min and 10 min stalls
5p - 5:30p	10	30 min and 10 min stalls
5:30p - 6p	11	30 min and 10 min stalls
6p - 6:30p	12	30 min and 10 min stalls
6:30p - 7p		Meter maintenance

Supervisor

Area(s):	Office, all personnel and parking zones		
Shift:	9a - 12p	Split shift	3 hours total per day
	2p - 6:15p		4.25
		Total	7.25

See attached job description

Hours Per Mo

Park City - Parking Enforcement and Management Program

November 15, 1997 - October 31, 1998

Labor Hours by Month

			Nov-97	Dec-97	Jan-98	Feb-98	Mar-98	Apr-98	May-98	Jun-98	Jul-98	Aug-98	Sep-98	Oct-98	Annual
Supervisor	Gareth Jones		150	150	150	150	150	150	150	150	150	150	150	150	1800
Officer 1	11.5mos	11a-8p	80	184	176	160	176	176	168	176	184	168	176	176	2000
Officer 2	11.5mos	11a-8p	80	184	176	160	176	176	168	176	184	168	176	176	2000
Officer 3	6mos	10a-8p	0	0	198	180	198	99	0	0	207	189	0	0	1071
Officer 4	11.5mos	10a-7p	44	92	176	160	176	132	84	88	184	168	88	88	1480
Parttime 1	11.5mos	Weekend	48	64	72	64	72	64	80	64	64	80	64	72	808
Parttime 2	11.5mos	Weekend	48	64	72	64	72	64	80	64	64	80	64	72	808
Parttime 3	6mos	Weekend	0	0	81	72	81	32	0	0	72	90	0	0	428
Parttime 4	11.5mos	Weekend	24	32	72	64	72	48	40	32	64	80	32	36	596
Totals			474	770	1173	1074	1173	941	770	750	1173	1173	750	770	10991

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