

NOV 24 2004

RICHARD GRAHAM  
PUBLIC SERVICES DIRECTOR

**SALT LAKE CITY CORPORATION**  
DEPARTMENT OF PUBLIC SERVICES

ROSS C. "ROCKY" ANDERSON  
MAYOR

DATE: November 4, 2004

TO: <sup>RTM</sup> ROCKY FLUHART,  
CHIEF ADMINISTRATIVE OFFICER


SUBJECT: Creation of 2004 Sidewalk Replacement Special Improvement District, Job No. 102112 and the Quayle Avenue Reconstruction Special Improvement District Job No. 102113, and authorize the award of the construction contract.


FUNDING: Monies are provided from the Salt Lake City Capital Improvement budget, Public Utility Department, and property owner assessments through the Special Improvement District.

BACKGROUND AND DISCUSSION: The 2004 Concrete Replacement Special Improvement District, Job No. 102112 involves the replacement of deteriorated concrete sidewalks, sidewalk access ramps, driveways, curb, gutter, and drainage facilities. The District is bounded 1100 to 1500 East and Sunnyside Drive to 1300 South and 1300 East from 1300 to 2100 South. The Quayle Avenue Reconstruction Special Improvement District, Job No. 102113 is from 900 West to Pearl Street (1000 West).

Construction of the projects is scheduled to start in the Spring of 2005 with completion by the Fall.

Attached is an information sheet, site map and summary of protests for the Special Improvement Districts.

CONTACT PERSON: John Naser, P.E., 535-6240 

SUBMITTED BY: Rick Graham, Director  
Public Service Department 

cc: Vault

## INFORMATION SHEET

2004 CONCRETE REPLACEMENT SPECIALT IMPROVEMENT DISTRICT  
JOB No. 102112

QUAYLE AVENUE RECONSTRUCTION SPECIAL IMPROVEMENT DISTRICT  
JOB No. 102113

### DISTRICT OF IMPROVEMENTS:

The 2004 Concrete Replacement Special Improvement District No. 102112 involves the installation of concrete sidewalks, sidewalk access ramps, driveways, curb, gutter, and drainage facilities. The District is bounded 100 to 1500 East and Sunnyside Drive to 1300 South and 1300 East form 1300 to 2100 South. Quayle Avenue reconstruction is from 900 West to Pearl Street (1000 West).

### AVAILABILITY OF FUNDS:

Monies are provided from the Salt Lake City Capital Improvement Budget, Public Utility Department and property owner assessments through the Special Improvement District.

### TOTAL ESTIMATED COSTS:

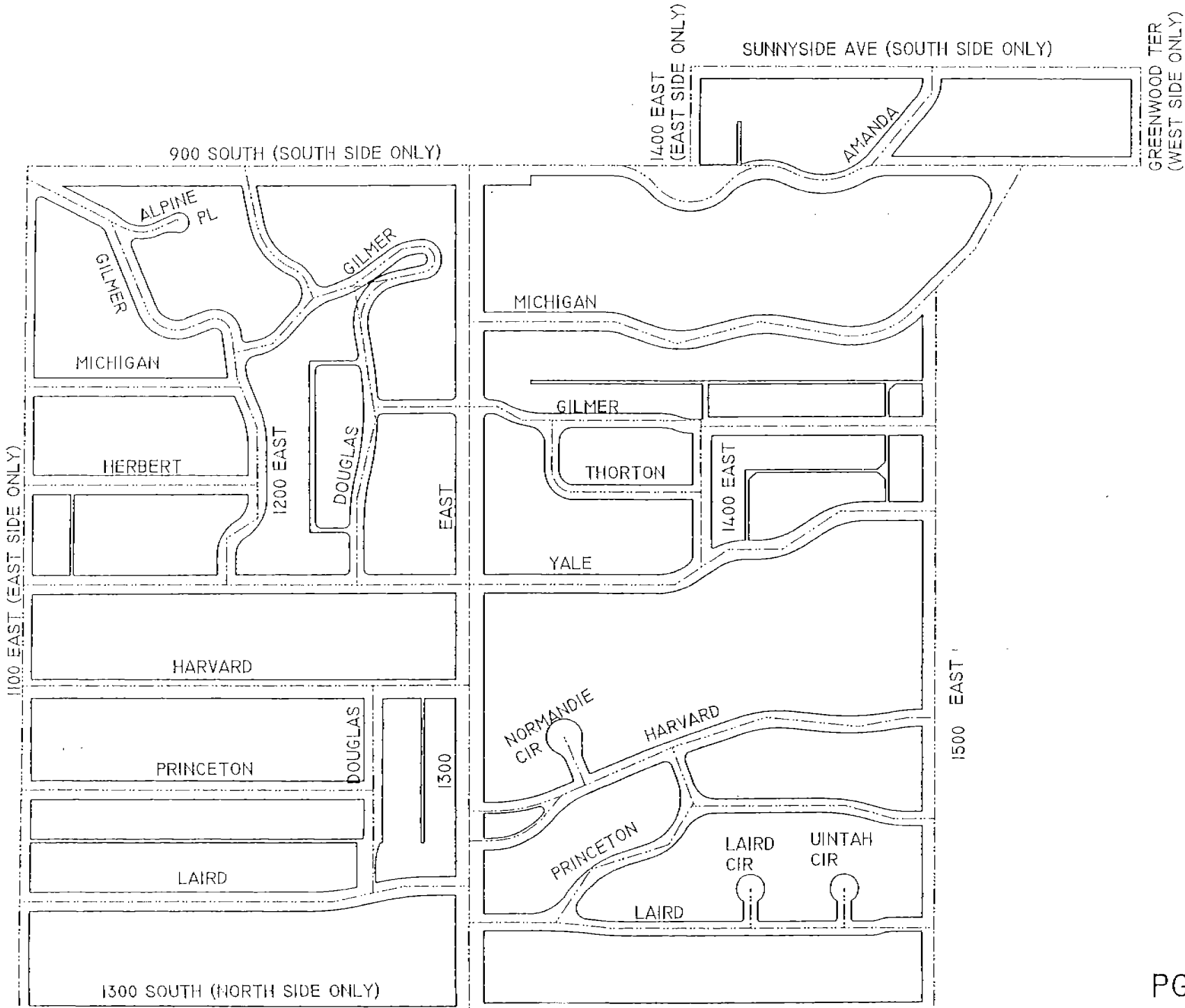
#### **2004 Concrete Replacement Special Improvement District, Job No. 102112**

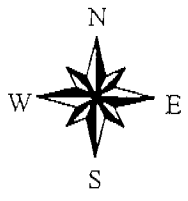
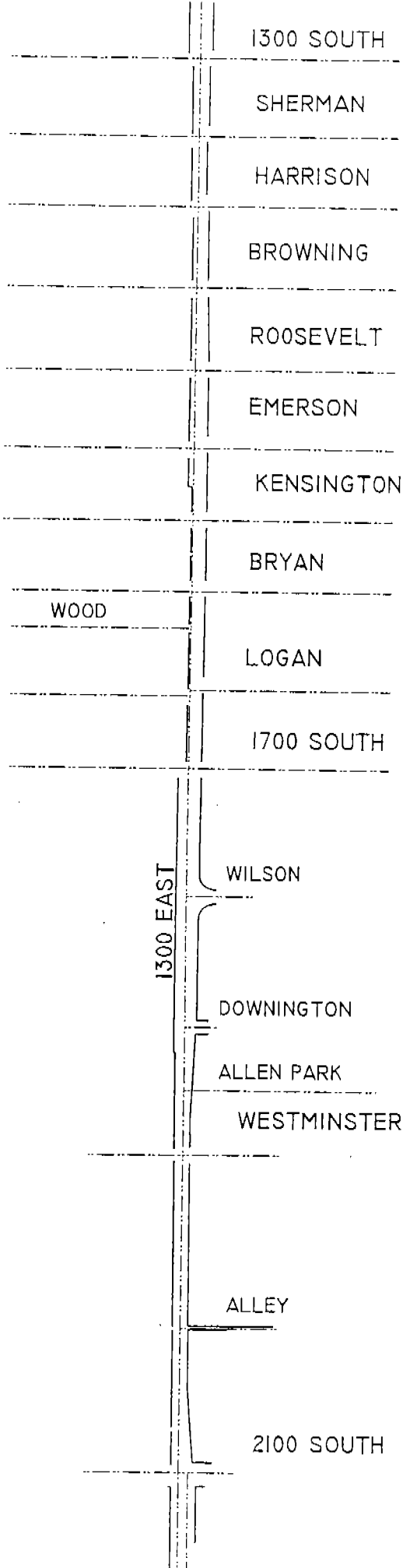
- Property Owners \$ 517,846.00
- Salt Lake City Funds \$ 684,753.00
- Public Utility Department \$ 76,000.00
- Total \$1,278,600.00

#### **Quayle Avenue Reconstruction Special Improvement District, Job No. 102113**

- Property Owners \$102,095.00
- Salt Lake City Funds \$119,442.00
- Public Utility Funds \$ 40,769.00
- Total \$262,306.00

# 2003/2004 SID SIDEWALK REPLACEMENT AREA





**2003/2004  
SID SIDEWALK  
REPLACEMENT  
AREA**

**1300 EAST ONLY  
(BOTH SIDES)  
1300 SOUTH to  
2100 SOUTH**

### Summary of Protests

2004 Sidewalk Replacement Special Improvement District No. 102112  
and  
Quayle Avenue Reconstruction Special Improvement District No. 102113

#### I. 2004 Sidewalk Replacment SID Area No. 102112

	Date	Property ID	Property Owner	Address in Protest	Est. Assessment
1	31-Oct-04	16-09-354-055	Colin L Reid	1480 E Laird Ave	\$ 405.00
2	27-Oct-04	16-08-433-012	Dennis Greenlee	1302 Yale Ave	\$ 1,113.75
3	28-Oct-04	16-09-353-060	Robert E Jahnke*	1490 E Princeton Ave	\$ 303.75
4	20-Oct-04	16-09-354-028	Irwin & Jaqueline Walkof	1335 E 1300 S	\$ 405.00
5	21-Oct-04	16-09-328-002	Elizabeth Jackson	1505 Yale Ave	\$ 607.50
6	29-Oct-04	16-09-153-007	L. Ward Wagstaff	1382 E 900 S	\$ 1,620.00
7	1-Nov-04	16-08-476-024	Candace Wagner	1224 E Princeton Ave	\$ 518.40
8	28-Oct-04	16-08-430-012	Lisa Nielsen	1166 E Harvard Ave.	\$ 1,023.60
9	28-Oct-04	16-09-303-007	Mildred Smith	1364 Thornton Ave	\$ -
10	24-Oct-04	16-17-233-003	Alicia Dressed & Julie Christenson	1433 S. 1300 E.	\$ 607.50
11	13-Oct-04	16-08-403-045	Vanessa Walsh	1121 S 1100 E	\$ 945.60
12	8-Oct-04	16-17-278-028	Glenn & Enid Cox	1283 Logan Ave	\$ 1,852.50
*Mr. Jahnke also protested before the City Council					
			TOTAL PROTEST VALUE		\$ 9,402.60
			TOTAL ASSESSABLE VALUE		\$ 517,847.00
			2004 SIDEWALK REPLACEMENT PROTEST		1.816%

#### II. Quayle Avenue Reconstruction SID Area No. 102113

	Date	Property ID	Property Owner	Address in Protest	Est. Assessment
1	28-Oct-04	15-14-406-004	Kathy (Short) Dea	961 Quayle Ave	\$ 5,650.00
			TOTAL PROTEST VALUE		\$ 5,650.00
			TOTAL ASSESSABLE VALUE		\$ 102,095.00
			QUAYLE AVENUE RECONSTRUCTION		5.534%

#### III. Total Special Improvement District Protest Rate

			TOTAL PROTEST VALUE		\$ 15,052.60
			TOTAL ASSESSABLE VALUE		\$ 619,942.00
			TOTAL IMPROVEMENT DISTRICT		2.428%

Salt Lake City, Utah

December 7, 2004

A regular meeting of the City Council of Salt Lake City, Salt Lake County, Utah, was held on Tuesday, December 7, 2004, at the hour of 7:00 p.m. at the offices of the City Council at 451 South State Street, Salt Lake City, Utah, at which meeting there were present and answering to roll call the following members who constituted a quorum:

Jill Remington Love	Chair
Dale Lambert	Vice Chair
Nancy Saxton	Councilmember
Van Blair Turner	Councilmember
David L. Buhler	Councilmember
Carlton Christensen	Councilmember
Eric Jergensen	Councilmember

Also present:

Ross C. Anderson	Mayor
Edwin P. Rutan II	City Attorney
	Deputy City Recorder

Absent:

Thereupon the following proceedings, among others, were duly had and taken:

Pursuant to published notice concerning the intent of the City to create the "Salt Lake City, Utah 2004 Sidewalk Replacement and Quayle Avenue Reconstruction Special Improvement District" (the "District"), a public hearing was held on November 2, 2004, at which interested persons were heard concerning comments or protests relating to the District. Written protests from some owners of property to be assessed were received in the office of the City Recorder prior to the public hearing.

The total number of lots, the owners of which submitted written protests, equals approximately two and one-half percent (2.5%) of the total number of lots to be assessed within the District, as calculated and as reported by the City Engineer. The Written Protests are attached hereto as Exhibit B. Minutes of the comments received from property owners at the November 2, 2004, public protest hearing are attached hereto as Exhibit C.

After consideration of the protests and comments and after reviewing the proposed assessments for the Required Improvements and estimated Optional Improvements of the Area 102112 and the improvements for Area 102113 within the District, it is the finding of the City Council that the public interest will best be served by creating the District in the format as described in Resolution 57 of 2004 adopted by the City Council on September 21, 2004.

After due consideration of the following resolution by the City Council, Councilmember \_\_\_\_\_ moved and Councilmember \_\_\_\_\_ seconded its adoption. The resolution was adopted by the following vote:

AYE:

NAY:

RESOLUTION NO. \_\_\_\_ OF 2004

A RESOLUTION TO CREATE SALT LAKE CITY, UTAH 2004 SIDEWALK REPLACEMENT AND QUAYLE AVENUE RECONSTRUCTION SPECIAL IMPROVEMENT DISTRICT (THE "DISTRICT"), GENERALLY AS DESCRIBED IN THE NOTICE OF INTENTION CONCERNING THE DISTRICT; AUTHORIZING THE CITY OFFICIALS TO PROCEED WITH CONSTRUCT IMPROVEMENTS AS SET FORTH IN THE NOTICE OF INTENTION; AND RELATED MATTERS.

BE IT RESOLVED BY THE City Council (the "Council") of Salt Lake City, Utah, as follows:

Section 1. The Council has determined it will be in the best interest of Salt Lake City (the "City") to install concrete sidewalks, sidewalk access ramps, driveways, curb, gutter, roadway pavement, and drainage facilities (collectively, the "Improvements"); and to complete the whole in a proper and workmanlike manner according to plans on file in the Office of the City Engineer in Salt Lake City, Utah, generally described in the Notice of Intention (the "Notice of Intention") adopted by the Council on September 21, 2004, with respect to the creation of the Salt Lake City, Utah 2004 Sidewalk Replacement and Quayle Avenue Reconstruction Special Improvement District (the "District").

Section 2. The Improvements Costs are hereby authorized and the District is hereby created to acquire and construct the Improvements and to levy assessments to pay Improvement Costs..

Section 3. The legal description and tax identification numbers of the included properties are more fully set forth in Exhibit A attached hereto.

The District shall include all property within the following boundaries:

The proposed District shall include two different areas of the City the first being the 2004 Sidewalk Replacement Area No. 102112 ("Area 102112") which is the general area bounded between the south side of Sunnyside Avenue to the north side of 1300 South and the east side of 1100 East to west side of 1500 East and Greenwood Terrace. Also included in this Area 102112 are all properties fronting on each side of 1300 East Street from 1300 South to 2100 South. The second area of the District is the Quayle Avenue Reconstruction Area No. 102113 ("Area 102113") which includes all properties fronting each side of Quayle Avenue from 900 West to Pearl Street (1000 West). The properties to be improved and assessed front or abut the following sections of street:

Area 102112 (2004 Sidewalk Replacement)

<u>Streets</u>	<u>Sections to be Improved</u>	<u>Side</u>
900 South	1100 East to 1500 East	South side only

900 South	1300 East to Greenwood Terrace	North side only
1300 South	1100 East to 1500 East	North side only
1100 East	900 South to 1300 South	East side only
1200 East	900 South to Gilmer Street	Both
1400 East	Gilmer to Princeton	Both
1400 East	800 South to 900 South	Both
1500 East	900 South to 1300 South	Both
1300 East	900 South to 2100 South	Both
Douglas Street	900 South to Laird Ave.	Both
Michigan Ave.	1300 East to 1500 East	Both
Alpine Circle	1100 East to 1200 East	Both
Gilmer Drive	1100 East to 1500 East	Both
Thornton Ave.	1318 East to 1400 East	Both
Yale Ave.	1100 East to 1500 East	Both
Harvard Ave.	1100 East to 1500 East	Both
Princeton Ave.	1100 East to 1500 East	Both
Laird Ave.	1100 East to 1500 East	Both
Normandie Circle	1335 East to 1377 East	Both
Laird Circle	1400 East to 1430 East	Both
Uintah Circle	1400 East to 1463 East	Both
Sunnyside Ave.	1400 East to Greenwood Terrace	South side only
Amanda Ave.	800 South to 900 South	Both

Area 102113 (Quayle Avenue Reconstruction)

Quayle Avenue	900 West to Pearl Street (1000 West)	Both
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Section 4. As required by law, the City Recorder is hereby authorized and directed to file a copy of the Notice of Intention and this Resolution creating the District, together with a list of properties proposed to be assessed, described by tax identification number and legal description in the Salt Lake County Recorder's office within five (5) days from the date hereof.

ADOPTED AND APPROVED this 7th day of December, 2004.

(SEAL)

By: \_\_\_\_\_  
Chair

ATTEST:

By: \_\_\_\_\_  
Deputy City Recorder

PRESENTATION TO THE MAYOR

The foregoing resolution was presented to the Mayor for his approval or disapproval this \_\_\_\_ day of \_\_\_\_\_, 2004.

By: \_\_\_\_\_  
Chair

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing resolution is hereby approved this \_\_\_\_ day of \_\_\_\_\_, 2004.

By: \_\_\_\_\_  
Mayor

STATE OF UTAH                    )  
  : ss.  
COUNTY OF SALT LAKE    )

I, \_\_\_\_\_, the duly appointed, qualified and acting Deputy City Recorder of Salt Lake City, Salt Lake County, Utah, do hereby certify that the foregoing is a full, true and correct copy of the minutes of a regular meeting of the City Council of Salt Lake City held in the City Council Chambers in Salt Lake City on Tuesday, December 7, 2004, at the hour of 7:00 p.m. as recorded in the regular official book of minutes as kept in my official office, that said proceedings were duly had and taken as therein shown, and that all the members were given due, legal and timely notice of said meeting as therein shown.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of Salt Lake City this 7th day of December, 2004.

(SEAL)

By: \_\_\_\_\_  
Deputy City Recorder

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, \_\_\_\_\_, the undersigned Deputy City Recorder of Salt Lake City, Salt Lake County, Utah (the "Issuer"), do hereby certify, according to the records of the City Council of Salt Lake City in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-6(2), Utah Code Annotated 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time, and place of the December 7, 2004, public meeting held by the City Council as follows:

(a) By causing a Notice, in the form attached hereto as Schedule A, to be posted at the principal offices at the City and County Building, Salt Lake City, Utah on December \_\_\_\_, 2004, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting; and

(b) By causing a copy of such Notice, in the form attached hereto as Schedule A to be delivered to the Deseret Morning News on December \_\_\_\_, 2004, at least twenty-four (24) hours prior to the convening of the meeting.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this 7th day of December, 2004.

(SEAL)

By: \_\_\_\_\_  
Deputy City Recorder

SCHEDULE A  
NOTICE OF MEETING

EXHIBIT A

TAX IDENTIFICATION NUMBERS AND LEGAL  
DESCRIPTIONS OF PROPERTIES TO BE ASSESSED

(A complete list of Tax I.D. numbers and property descriptions is available for inspection  
at the Salt Lake City Recorder's and City Engineer's Office.)

EXHIBIT B  
WRITTEN PROTESTS

EXHIBIT C

PUBLIC HEARING MINUTES

Salt Lake City, Utah

December 7, 2004

A regular meeting of the City Council of Salt Lake City, Salt Lake County, Utah, was held on December 7, 2004, at the hour of 7:00 p.m., at the regular meeting place of the City Council at which meeting there were present and answering roll call the following members who constituted a quorum:

Jill Remington Love	Chair
Dale Lambert	Vice Chair
Carlton Christensen	Councilmember
Nancy Saxton	Councilmember
Van Blair Turner	Councilmember
K. Eric Jergensen	Councilmember
David L. Buhler	Councilmember

Also present:

Rocky Anderson	Mayor
Edwin P. Rutan, II	City Attorney
	Deputy City Recorder

Absent:

Thereupon the following proceedings, among others, were duly had and taken.

A Notice to Contractors calling for bids for construction of improvements contemplated to be made in the District was published in the Deseret Morning News, a newspaper having general circulation in the City, at least one time at least fifteen (15) days prior to the date specified in such notice for the receipt of bids. An affidavit of publication is on file or will be obtained by the City Recorder.

At a public meeting conducted in Room 315 of the City and County Building, 451 South State Street, Salt Lake City, Utah, by staff members of the City Recorder's and City Engineer's Offices on \_\_\_\_\_, 2004, at \_\_\_\_\_ p.m., bids were opened for the construction of improvements contemplated to be made in Salt Lake City, Utah 2004 Sidewalk Replacement and Quayle Avenue Reconstruction Special Improvement District" (the "District"). The City Engineer's Office has tabulated the bid results for consideration by the City Council.

Upon the reopening of the bids in open session of this council meeting, the City Council examined and declared the bids to be as tabulated as set out in Exhibit A which

is attached to these proceedings. The City Council determined that: (i) \_\_\_\_\_ was the apparent low bidder for the construction of improvements as specified in the engineering plans for the improvements set out in the Notice of Intention. Thereupon, the following resolution was introduced in writing and Councilmember \_\_\_\_\_ moved to adopt the resolution:

RESOLUTION NO. \_\_\_\_-2004

A RESOLUTION CONDITIONALLY ACCEPTING BIDS FOR PURCHASING OF MATERIALS AND CONSTRUCTION WORK AND, SUBJECT TO APPROVAL OF THE CITY ENGINEER, AUTHORIZING EXECUTION OF A CONTRACT FOR CONSTRUCTION CONTRACT WITH THE APPARENT RESPONSIVE BIDDER FOR CONSTRUCTION OF IMPROVEMENTS OF SALT LAKE CITY, UTAH 2004 SIDEWALK REPLACEMENT AND QUAYLE AVENUE RECONSTRUCTION SPECIAL IMPROVEMENT DISTRICT (THE "DISTRICT"); PROVIDING FOR CONSTRUCTION OF IMPROVEMENTS CONSISTING OF THE INSTALLATION OF CONCRETE SIDEWALKS, SIDEWALK ACCESS RAMPS, DRIVEWAYS, ROADWAY PAVEMENT, CURB, GUTTER AND DRAINAGE FACILITIES AND ALL OTHER MISCELLANEOUS WORK NECESSARY TO COMPLETE THE IMPROVEMENTS IN A PROPER WORKMANLIKE MANNER; ALL OTHER MISCELLANEOUS WORK NECESSARY TO COMPLETE THE IMPROVEMENTS; FOR ISSUANCE OF INTERIM WARRANTS AND FOR THE ADDITION OF THE INTEREST THEREON TO ASSESSABLE COSTS AND RELATED MATTERS.

BE IT RESOLVED by the City Council of Salt Lake City, Salt Lake County, Utah, the bid of \$ \_\_\_\_\_, a bidder who submitted the apparent lowest and best bid for the construction of the improvements in the District is hereby conditionally accepted. This award of the construction contract is expressly subject to verification by the City Engineer of the accuracy of the bid amounts, the qualification of the lowest bidder to do business in Utah, a determination that the lowest bidder is a licensed contractor and consideration of any other factors the City Engineer may deem to be appropriate in evaluating the lowest bid and bidder. The exact amount to be paid under a construction contract memorializing the bid, acceptance, plans and specifications for the improvements, (the "Contract") shall be determined by computation of the work done based upon the unit prices as set forth in the winning bid.

If the City Engineer approves the lowest bid and bidder for the Contract, the Mayor is hereby authorized to execute the Contract between Salt Lake City and the successful bidder, which Contract may include work in addition to the improvements to be constructed within said District. If the City Engineer does not approve the lowest bid and bidder, the bid shall again be referred to the City Council for further consideration at a subsequent meeting.

Payment of progress draws under the Contract may be by interim warrants which the City intends to purchase. The issuance of interim warrants is hereby authorized. When the City Engineer has certified that the construction of the Improvements has been completed, the final interim warrant shall be for 100% of the unpaid balance then due under the construction contract. Prior to the completion of construction, the aggregate amount of the interim warrant shall not exceed 90% of the value of completed work.

Interest charges on the interim warrants shall be equal to the average yield earned by the City on its pooled money balance investments as calculated by the City Treasurer's Office. Interest accrued on the interim warrants shall be added as an assessable cost to other construction costs of the District.

The resolution was seconded by Councilmember \_\_\_\_\_ and was adopted by vote of the City Council as follows:

AYE:

NAY:

Thereupon the motion was approved by the City Council and made a matter of record by the City Recorder.

ADOPTED And APPROVED this 7th day of December, 2004.

(SEAL)

By: \_\_\_\_\_  
Chair

ATTEST:

By: \_\_\_\_\_  
Deputy City Recorder

After the transaction of other business not pertinent to the foregoing matter, the meeting was on motion duly made, seconded and carried, adjourned.

(SEAL)

By: \_\_\_\_\_  
Chair

ATTEST:

By: \_\_\_\_\_  
Deputy City Recorder

PRESENTATION TO THE MAYOR

The foregoing resolution was presented to the Mayor for his approval or disapproval on this \_\_\_\_ day of \_\_\_\_\_, 2004.

By: \_\_\_\_\_  
Chair

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing resolution is hereby approved this \_\_\_\_ day of \_\_\_\_\_, 2004.

By: \_\_\_\_\_  
Mayor

STATE OF UTAH                    )  
  : ss.  
COUNTY OF SALT LAKE    )

I, \_\_\_\_\_, the duly appointed, qualified and acting Deputy City Recorder of Salt Lake City, Utah, do hereby certify that the above and foregoing is a full, true and correct copy of the record of proceedings had by the City Council of Salt Lake City, Utah, at its meeting held on December 7, 2004, insofar as the same relates to the awarding of the construction contract for Salt Lake City, Utah 2004 Sidewalk Replacement and Quayle Avenue Reconstruction Special Improvement District” (the “District”), as the same appears of record in my office:

(a) that I personally attended said meeting, and that the proceedings were in fact held as in said minutes specified;

(b) that due, legal and timely notice of said meeting was served upon all members as required by law and the rules and ordinances of said City; and

(c) that the above resolution was deposited in my office on December 7, 2004, has been recorded by me, and is a part of the permanent records of Salt Lake City, Utah.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and affixed the seal of said City this 7th day of December, 2004.

(SEAL)

By: \_\_\_\_\_  
Deputy City Recorder

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, \_\_\_\_\_, the undersigned Deputy City Recorder of Salt Lake City, Salt Lake County, Utah, do hereby certify, according to the records of the City Council in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-6(2), Utah Code Annotated 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the December 7, 2004, public meeting held by the City Council as follows:

(a) By causing a Notice in the form attached hereto as Schedule 1, to be posted at the offices of the Salt Lake City Council on December 2, 2004, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting; and

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to the Salt Lake Tribune and the Deseret Morning News on December 2, 2004, at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the Notice of 2004 Annual Meeting Schedule for the City Council (attached hereto as Schedule 2) was given specifying the date, time and place of the regular meetings of the City Council to be held during the year, by causing said Notice to be posted on December 2, 2003, at the principal office of the City Council and by causing a copy of said Notice to be provided to at least one newspaper of general circulation within the City on January 1, 2004.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this 7th day of December, 2004.

(SEAL)

By: \_\_\_\_\_  
Deputy City Recorder

SCHEDULE 1

NOTICE OF MEETING

SCHEDULE 2

NOTICE OF ANNUAL MEETING SCHEDULE

EXHIBIT A

Tabulation of Bids

Name of Bidder

Amount of Bid

[A list naming the bidders and showing the bids which were submitted is available for inspection in the office of the Salt Lake City Engineer.]