
SALT LAKE CITY COUNCIL MEMORANDUM

DATE: March 28, 2008

TO: City Council Members

FROM: Jan Aramaki

SUBJECT: 2007/08 FY Sidewalk Replacement Special
Assessment Area (SAA) Job No. 102145 and
Lyman Court SAA Job No. 102146

CC: Cindy Gust-Jenson, David Everitt, Lyn Creswell, Rick Graham,
Jennifer Bruno, Dan Mulé, Marina Scott, Max Peterson,
Karen Hale, John Naser, John Coyle, Sylvia Richards, Quin Card,
Joyce Valdez, Boyd Ferguson, Blaine Carlton, Kenneth Taylor,
Cory Young, Karen Carruthers, Garth Limburg, Randy Hillier
and Susan Finlayson

COUNCIL DISTRICTS: 5 and 6

FILE LOCATIONS: Public Services
Replacement SAA 102145; and Lyman Court
SAA 102146

The current protest tabulation from Engineering as of Friday, March 28, 2008 is attached.

On Tuesday, April 1, 2008 for the scheduled protest hearing for 2007/08 FY Sidewalk Replacement Special Assessment Area (SAA) Job No. 102145 and Lyman Court SAA Job No. 102146, another updated tabulation of the protests will be provided to the City Council at that time.

Tabulation of Protests
Special Assessment Area (SAA)

Sidewalk Replacement Special Assessment Area 2007/2008 Job No. 102145
and Lyman Court Special Assessment Area – 1210 South to 1300 South Job No. 102146

SAA Job No. 102145 Sidewalk Replacement Special Assessment Area

28-Mar-08

	Date Received	Property ID	Name	Address in Protest	Est. Assessment
1	5-Mar-08	16-16-156-026-0000	David & James Halliday	1451 E Logan Ave	\$ -
2	6-Mar-08	16-17-276-021-0000	Susan Slewing	1247 E Bryan Ave	\$ 890.60
3	10-Mar-08	16-16-102-013-0000	Wendy Whitney	1335 E Browning Ave	\$ -
4	11-Mar-08	16-17-276-025-0000	Alan & Tina Droegemeier	1273 E Bryan Ave	\$ 137.60
5	18-Mar-08	16-16-109-002-0001	Yvonne Zikes	1467 South 1400 East	\$ 700.80
6	26-Mar-08	16-17-257-008-0000	Mark Barone	1132 E Bryan Ave	\$ 356.24
7	26-Mar-08	16-16-104-006-0000	Beth Sundstrom	1352 E Roosevelt Ave	\$ -
8	27-Mar-08	16-16-107-003-0000	Patrick & Susan Miller	1387 South 1400 East	\$ 1,368.80
9	27-Mar-08	16-09-357-028-0000	Lin & Tiffany Hsu	1453 E Sherman Ave	\$ 1,224.70
10	27-Mar-08	16-17-278-007-0000	Darrell Petersen	1234 E Wood Ave	\$ 1,001.56
11					

TOTAL PROTEST \$ 5,680.30

TOTAL ASSESSABLE VALUE \$ 605,874.41

SAA Job No. 102145 0.938%

SAA Job No. 102146 Lyman Court

28-Mar-08

	Date Received	Property ID	Name	Address in Protest	Est. Assessment
	NO PROTESTS AT THIS TIME				

TOTAL PROTEST \$ -

TOTAL ASSESSABLE VALUE \$ 83,646.20

SAA Job No. 102146 0.000%

SALT LAKE CITY CORPORATION

DEPARTMENT OF PUBLIC SERVICES
DIRECTORS OFFICE

COUNCIL TRANSMITTAL

TO: David Everitt
Chief of Staff

DATE: February 4, 2008

FROM: Rick Graham, Director
Public Services Department

SUBJECT: Notice of Intent for, Sidewalk Replacement and Lyman
Court Special Assessment Areas, Job Numbers 102145 and
102146

STAFF CONTACT: John Naser P.E., Deputy City Engineer - 535-6240

DOCUMENT TYPE: Resolution

RECOMMENDATION: It is recommended the City Council approve a resolution to adopt the Notice of Intent for the subject Special Assessment Area.

BUDGET IMPACT: Monies are provided from the Salt Lake City capital improvement budget and property owner assessments through the Special Assessment Area.

BACKGROUND/DISCUSSION: The Sidewalk Replacement Special Assessment Area 2007/2008 FY, Job No. 102145 involves the replacement of defective concrete sidewalk and at the property owner's option, defective driveways, curbs and gutters. This assessment area is bounded by 1100 East to 1500 East and 1300 South to 1700 South.

The purpose of the Lyman Court Special Assessment Area, Job No. 102146 is to reconstruct the roadway from 1210 South to 1300 South. The work will consist of concrete pavement, sidewalks, storm drainage facilities, driveway approaches and a new water main.

Attached are information sheets, site map, draft of the Notice of Intention and a schedule of hearings and meetings.

PUBLIC PROCESS: Informal information meetings are scheduled for March 25 and March 26, 2008 at the Forest Dale Golf Course, and a protest hearing is scheduled before the City Council on April 1, 2008.

rec - 1/30/08

INFORMATION SHEET
SIDEWALK REPLACEMENT
SPECIAL ASSESSMENT AREA, 2007/2008 FY
JOB NO. 102145

DESCRIPTION OF IMPROVEMENTS:

The Area will be created and improvements will be constructed within the boundaries of Salt Lake City, Utah. The general area bounded between the south side of 1300 South to the north side of 1700 South and the east side of 1100 East and to west side of 1500 East.

TOTAL ESTIMATED COSTS

- | | |
|-------------------------------------|----------------|
| • Property Owner's Portion of Costs | \$ 871,609.00 |
| • City's Portion of Costs | \$ 784,976.00 |
| • Total Estimated Project Cost | \$1,656,585.00 |

SCHEDULE

Construction of the project is scheduled to start in the spring of 2008 with completion by the fall of 2008. The construction will be phased so disruption and inconvenience to property owners and pedestrians will be minimal.

INFORMATION SHEET
Lyman Court (#102146)
Reconstruction Special Assessment Area

DESCRIPTION OF IMPROVEMENTS:

The improvements for Lyman Court (#102146) involve the complete reconstruction of the roadway and include concrete pavement, gutters, sidewalk, water facilities and driveway approaches.

All other necessary improvements shall be constructed according to plans, profiles and specifications on file in the office of the City Engineer.

AVAILABILITY OF FUNDS:

The project will be funded from the Salt Lake City Capital Improvement budget, Public Utilities Department budgets and property owner assessments through the Special Improvement District.

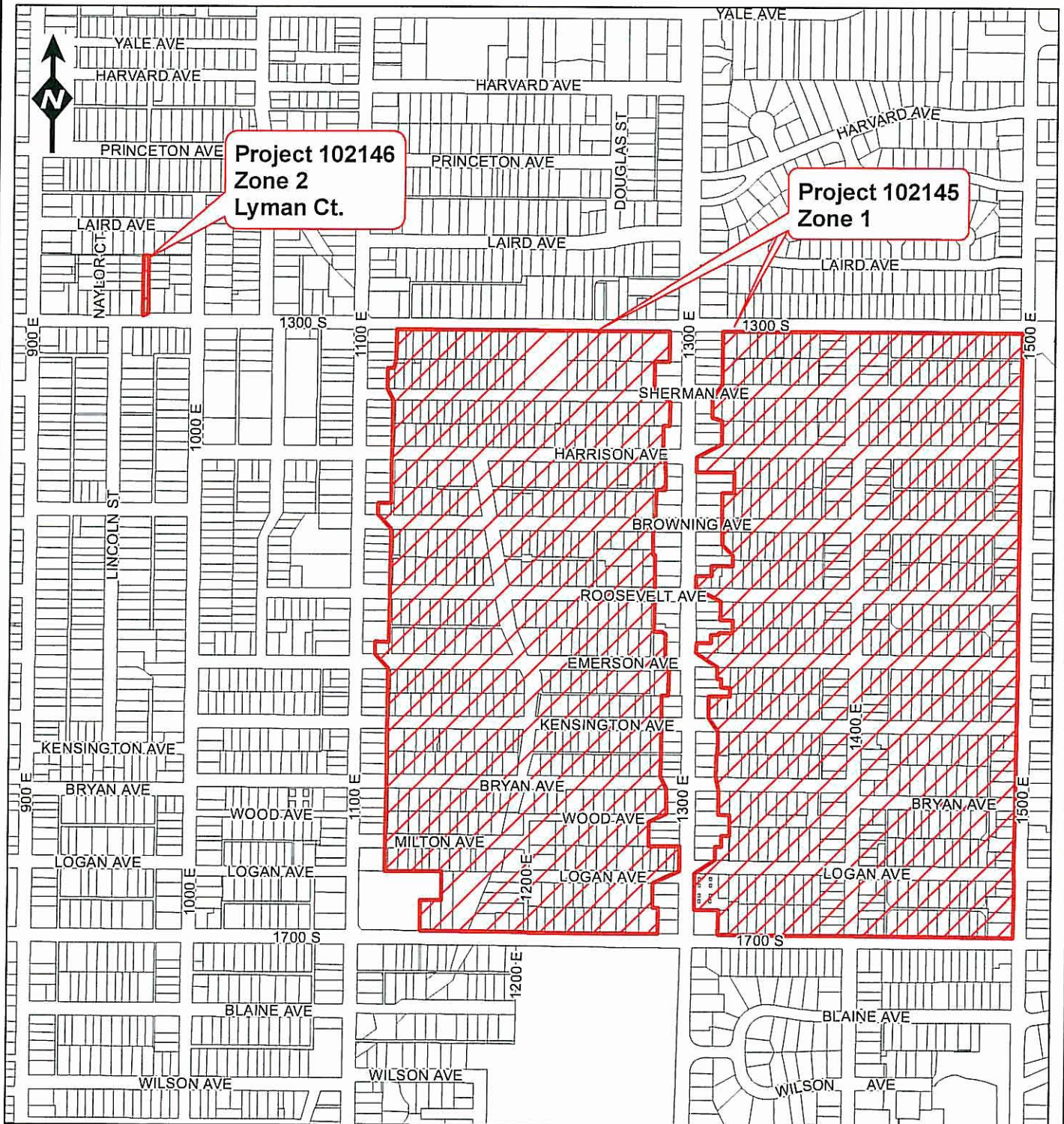
TOTAL ESTIMATED COSTS:

Lyman Court (#102146)	
• Property Owners (Rate \$ 197/LF)	\$ 83,725
• Salt Lake City Funds	\$ 82,585
• Public Utility Department	<u>\$ 25,000</u>
• Total	\$ 191,310

ESTIMATED CONSTRUCTION SCHEUDLE

• Awarded Contract	May, 2008
• Start Construction	June, 2008
• Complete Construction	September, 2008

Project Location Map for Jobs: 102145 Sidewalk Replacement 102146 Lyman Ct. Special Assessment Area



 Project Border

0 250 500 1,000 Feet

Salt Lake City, Utah

February 12, 2008

A regular meeting of the City Council of Salt Lake City, Utah, was held on Tuesday, February 12, 2008, 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
Carlton Christensen	Vice Chair
Søren Dahl Simonsen	Councilmember
K. Eric Jergensen	Councilmember
Van Blair Turner	Councilmember
Luke Garrott	Councilmember
JT Martin	Councilmember

Also present:

Ralph Becker	Mayor
Edwin P. Rutan, II	City Attorney
	Deputy City Recorder

Absent:

After the meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, the Deputy City Recorder presented to the Council a Certificate of Compliance With Open Meeting Law with respect to this February 12, 2008, meeting, a copy of which is attached hereto as Exhibit A.

Thereupon, the following resolution was introduced in written form, discussed in full, and pursuant to motion made by Councilmember _____ and seconded by Councilmember _____, adopted by the following vote:

AYE:

NAY:

The resolution was then signed by the Mayor in open meeting and recorded by the Deputy City Recorder in the official records of Salt Lake City, Utah. The resolution is as follows:

RESOLUTION NO

A RESOLUTION TO (A) FINANCE THE COST OF CERTAIN INFRASTRUCTURE IMPROVEMENTS CONSISTING OF SIDEWALK, PAVEMENT, STORM DRAINAGE AND WATER MAIN IMPROVEMENTS, AND ALL OTHER MISCELLANEOUS WORK NECESSARY TO COMPLETE THE IMPROVEMENTS IN A PROPER AND WORKMANLIKE MANNER; (B) DEFRAY THE COST AND EXPENSES OF IMPROVEMENTS BY ASSESSMENTS TO BE LEVIED AGAINST THE PROPERTIES BENEFITED BY SUCH IMPROVEMENTS; AND (C) PROVIDE NOTICE OF INTENTION TO DESIGNATE AN ASSESSMENT AREA TO AUTHORIZE SUCH IMPROVEMENTS AND TO FIX A TIME AND PLACE FOR PROTESTS AGAINST SUCH IMPROVEMENTS OR THE DESIGNATION OF SAID ASSESSMENT AREA; AND RELATED MATTERS.

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

Section 1. The Council hereby determines that it will be in the best interest of the City to finance the costs of certain infrastructure improvements consisting of sidewalk, pavement, storm drainage, and water main improvements, as well as other miscellaneous work necessary to complete the improvements in a proper and workmanlike manner (collectively, the "Improvements") according to plans on file in the office of the City Engineer in Salt Lake City, Utah. To finance the Improvements, the Council hereby determines that, pursuant to the Assessment Area Act, Title 11, Chapter 42, Utah Code Annotated 1953, as amended (the "Act"), it will be in the best interest of the City to designate an assessment area as provided herein.

Section 2. The proposed assessment area shall be known as the "Salt Lake City, Utah Sidewalk Replacement #102145 and Lyman Court #102146 Special Assessment Area" (the "Assessment Area"). The Assessment Area shall have two zones hereinafter described and herein referred to as Zone I and Zone II. A description of the proposed Assessment Area is more particularly described in the Notice of Intention to Designate Assessment Area hereinafter set forth.

Section 3. The cost and expenses of the proposed Improvements shall be paid by assessments to be levied against the property to be improved or that may be directly or indirectly benefited by any of such Improvements. The assessments levied in Zone I shall be paid in not more than five (5) principal installments with interest on the unpaid balance until due and paid, and the assessments to be levied in Zone II shall be paid in not more than ten (10) principal installments with interest on the unpaid balance until due and paid.

Section 4. Written protests against the proposed Improvements or against the designation of the Assessment Area must be presented and filed in the Office of the City

Recorder on or before Tuesday, April 1, 2008, at the hour of 5:00 p.m. Thereafter at 7:00 p.m. on Tuesday, April 1, 2008, at the Salt Lake City Council office, 451 South State Street, Salt Lake City, Utah, any such protests shall be heard and considered by the Council. The City Recorder is hereby directed to give notice of intention to designate the Assessment Area, to make the proposed Improvements, to assess the costs thereof, and of the time within which protests against the proposed Improvements, the proposed assessments, or the designation of the Assessment Area may be filed and the date when such protests will be heard and considered by publishing a Notice of Intention to Designate Assessment Area in the Deseret Morning News, a newspaper of general circulation in the City, said notice to be published four times, once during each week for four consecutive weeks, the last publication to be not less than five (5) nor more than twenty (20) days prior to the time fixed in the notice as the last day for the filing of protests. In addition, the City Recorder shall mail a copy of such notice by United States Mail, postage prepaid, to each owner of land to be assessed within the proposed Assessment Area at the last known address of such owner, using for such purpose the names and addresses of said owners appearing on the last completed real property assessment rolls of Salt Lake County, and, in addition, a copy of such notice shall be mailed, postage prepaid, addressed to "Owner" at the street number of each piece of improved property to be affected by the assessment, said notices to be so mailed not later than ten (10) days after the first publication of the Notice of Intention to Designate Assessment Area. If a street number has not been so assigned, then the post office box, rural route number, or any other mailing address of the improved property shall be used for the mailing of the Notice. Said Notice shall be in substantially the following form:

NOTICE OF INTENTION TO DESIGNATE ASSESSMENT AREA

PUBLIC NOTICE IS HEREBY GIVEN that on Tuesday, February 12, 2008, the City Council (the "Council") of Salt Lake City, Utah (the "City"), adopted a resolution declaring its proposal to designate an assessment area to be known as the "Salt Lake City, Utah Sidewalk Replacement #102145 and Lyman Court #102146 Special Assessment Area" (the "Assessment Area"). It is the proposal of the Council to provide improvements to property within the proposed Assessment Area and to finance the cost of said improvements (the "Improvements") within the Assessment Area and to levy an assessment as provided in Title 11, Chapter 42, Utah Code Annotated 1953, as amended, (the "Act") on the property lying within the Assessment Area for the benefit of which such assessment is to be expended in the making of such Improvements.

DESCRIPTION OF ASSESSMENT AREA AND LOCATION OF IMPROVEMENTS

The proposed Assessment Area will be designated and Improvements will be constructed within the boundaries of Salt Lake City, Utah. The Assessment Area will include two different zones. Zone I includes all property bounded on the north side by 1300 South Street, on the south side by 1700 South Street, on the west side by 1100 East Street and on the east side by 1500 East Street, excluding, however, all properties which abut on 1100 East Street and 1300 East Street (referred to herein as "Zone I"). Zone II includes all property abutting Lyman Court from 1210 South Street to 1300 South Street (referred to herein as "Zone II"). The properties to be improved and assessed abut the following sections of street:

Zone I

1300 South	1100 East to 1500 East	South side only
Sherman Ave.	1100 East to 1500 East	Both sides
Harrison Ave.	1100 East to 1500 East	Both sides
Browning Ave.	1100 East to 1500 East	Both sides
Roosevelt Ave.	1100 East to 1500 East	Both sides
Emerson Ave.	1100 East to 1500 East	Both sides
Kensington Ave.	1100 East to 1500 East	Both sides
Bryan Ave.	1100 East to 1500 East	Both sides
Wood Ave.	1200 East to 1300 East	South side only
Milton Ave.	1100 East to 1200 East	Both sides
Logan Ave.	1100 East to 1500 East	Both sides
1700 South	1100 East to 1500 East	North side only
1200 East	Wood Ave. to 1700 South	Both sides
1400 East	1300 South to 1700 South	Both sides
1500 East	1300 South to 1700 South	West side only

Zone II

<u>Street</u>	<u>Section to be Improved</u>	<u>Side</u>
Lyman Court	1210 South to 1300 South	Both sides

PROPOSED IMPROVEMENTS

The proposed Improvements to be constructed within Zone I consist of the removal and reconstruction of concrete sidewalk that has been determined to be defective by the office of the City Engineer along the sections of streets listed above. The proposed improvements to be constructed within Zone II consist of the reconstruction of the roadway, and includes concrete pavement, sidewalk, storm drainage facilities, driveway approaches, and water main. The above described improvements within Zone I and Zone II are collectively referred to as the "Required Improvements." In addition, certain Optional Improvements may be constructed by the City within Zone I at the written request of the property owner and include sidewalks, driveway aprons, curb and gutter, asphalt tie-ins, appurtenances, and other miscellaneous work necessary to complete the above improvements (the "Optional Improvements"). All other necessary items of work shall be done to complete the Required and Optional Improvements according to plans, profiles, and specifications on file in the office of the City Engineer, and together with the Required Improvements and Optional Improvements are collectively referred to as the "Improvements."

NONCONFORMING IMPROVEMENTS

When work is to be done, all nonconforming improvements such as lawns, shrubs, hedges, sprinkling systems, rock gardens, driveways, curb, gutters, culverts, walks, fences, etc., that have been built or installed by abutting property owners within the area to be improved, must be removed by the property owners at their expense prior to the commencement of the construction of the Required and Optional Improvements. If these improvements are not removed by the property owners, they will be removed by the contractor and disposed of as directed by the City Engineer.

BASIS FOR ASSESSMENT

All residential property ("Residential Property") abutting the street sections to be improved within Zones I and II will be assessed fifty percent (50%) of the construction costs of the Improvements, plus administrative costs, funding of reserves and other expenses described hereafter. The City will pay the remaining portion of the construction and administrative costs. All commercial property ("Commercial Property") abutting the street sections to be improved within Zone I will be assessed the total costs of the Improvements, including administrative costs, funding of reserves, and other expenses described hereafter. The estimated rates shown in **SCHEDULES A, B, AND C** below take into account the fifty percent (50%) Residential Property discount, where applicable. Benefited properties will be assessed by square footage (SF), or by lineal front footage (LF), as described herein.

ESTIMATED COST OF IMPROVEMENTS

The City Engineer's total estimated cost of the Improvements, including estimated Optional Improvements within Zone I, is \$1,656,585, of which it is anticipated the City will pay approximately \$784,976 (the "City's Zone I Portion"). The remainder

of approximately \$871,609 shall be paid by special assessments levied against the benefited properties in Zone I.

The City Engineer's total estimated cost of Improvements within Zone II is \$191,310, of which it is anticipated the City will pay approximately \$107,585 (the "City's Zone II Portion"). The remainder of approximately \$83,725 shall be paid by special assessments levied against the properties in Zone II. Approximately \$25,000 of the City's Zone II Portion will be paid by the Public Utilities Department from water and storm drainage budgets.

The special assessment amounts are to be levied against the properties abutting the streets that are affected or specifically benefited by such Improvements. The actual commitment of the City to pay its portion of the costs of Improvements is subject to the availability of funds and compliance with budget approval. No assessable costs will be incurred unless and until the City has completed the budgeting process as to its estimated portion of the costs of the proposed Improvements and has determined the availability of funds.

The property owners' estimated assessments include the construction cost to complete the item of work, engineering expenses, allowance for the interest on interim warrants, if any, issued to finance construction of the Improvements, plus ten percent (10%) of the total contract price of said Improvements to cover administrative costs, a possible underwriter's discount on the sale of assessment bonds, and legal and other costs in connection with the issuance of assessment bonds.

The estimated cost of Improvements to be assessed against the benefited properties within Zone I and the method of assessment are as follows:

Zone I

SCHEDULE A - REQUIRED IMPROVEMENTS

(Does not include corner lot exemptions)

Rate No.	Improvements	Quantity	Method of Assessment	Cost/Unit	Estimated Cost
A1	Required 4" Residential Sidewalk	64,990	SF	\$7.30	\$474,427
A2	Required 6" Residential Sidewalk	13,067	SF	8.60	112,376
A3	Required 4" Commercial Sidewalk	279	SF	14.60	4,073
A4	Required 8" Commercial Sidewalk	805	SF	19.97	16,076
Estimated Abutters' Costs of Required Improvements					\$606,952

SCHEDULE B - OPTIONAL IMPROVEMENTS, NOT ELIGIBLE FOR PROTEST

(Does not include corner lot exemptions)

Rate No.	Improvements	Quantity	Method of Assessment	Cost/Unit	Estimated Cost
B1	Optional 4" Residential Sidewalk	100	SF	\$ 14.60	\$1,460
B2	Optional 6" Residential Sidewalk	100	SF	17.21	1,721
B3	Optional 8" Commercial Sidewalk	100	SF	19.97	1,997
B4	Optional 6" Open Driveway Approach	8,000	SF	9.06	72,480
B5	Optional 6" Flare Driveway Approach	2,500	SF	9.23	23,075
B6	Optional 8" Open Driveway Approach	500	SF	19.47	9,735
B7	Optional 8" Flare Driveway Approach	500	SF	19.80	9,990
B8	Optional Piped Driveway Approach w/Curb	300	LF	76.28	22,884
B9	Optional Residential Curb & Gutter	2,000	LF	28.11	56,220
B10	Optional Commercial Curb & Gutter	500	LF	56.21	28,105
B11	Optional Topsoil w/Re-grading	1,000	SF	.76	760
B12	Optional Sod w/Sprinklers	1,000	SF	2.94	2,940
B13	Optional Asphalt Tie-In, 4" Thick	4,000	SF	5.31	21,240
B14	Optional Asphalt Tie-In, 6" Thick	1,000	SF	12.05	12,050
Property Owners' Estimated Costs of Optional Improvements					\$264,657

Estimated Assessment for Required and Optional Improvements

\$ 871,609

City's Portion of Costs

784,976

TOTAL ESTIMATED COSTS IN ZONE I

\$1,656,585

The estimated cost of Improvements to be assessed against the benefited properties within Zone II and the method of assessment are as follows:

Zone II

SCHEDULE C - REQUIRED IMPROVEMENTS

(Does not include corner lot exemptions)

Rate No.	Improvements	Quantity	Method of Assessment	Cost/Unit	Estimated Cost to Abutters
C1	Pavement, waterline, sidewalk	425	LF	\$197.00	\$83,725

Estimated Assessment for Required Improvements
City's Portion of Costs

\$ 83,725
107,585

TOTAL ESTIMATED COSTS IN ZONE II

\$191,310

The proposed assessments will be equal and uniform based on benefits received. The adjustment for the City's Zone I Portion and Zone II Portion has been taken into account in the Schedules above so that the Estimated Assessment per square foot and lineal foot represents the net estimated cost to be assessed to the property owners.

The City Engineer has prepared a "Certificate of Project Engineer" that, among other things, identifies the costs of the proposed Improvements. Said Certificate is on file in the office of the City Engineer who will make such information available to all interested parties.

LEVY OF ASSESSMENTS

The proposed assessment rates shall be paid by a special assessment against the property abutting the streets to be improved or upon property that may be affected or specifically benefited by the Improvements. The rates will be equal and uniform based on benefits received, but under the Salt Lake City Code, the City's portion varies depending on factors such as the use to which the abutting property is put by the owners.

It is the intention of the City to levy assessments as provided by the laws of the State of Utah on all parcels and lots of real property within the Assessment Area benefiting from the Improvements. The purpose of the assessments and levy is to pay for the costs of the Improvements. The method of assessment shall be by lineal feet or square feet as set forth herein.

Assessments may be paid by property owners included in Zone I in five (5) approximately equal annual installments and assessments may be paid by property owners included in Zone II in ten (10) approximately equal annual installments. In order to fund the first semiannual interest payment on assessment bonds of the Assessment Area, the first payment date of an assessment installment may be less than one year from the date of adoption of the assessment ordinance. Thereafter, assessment installments will fall due on the anniversary date of the first installment payment. Interest will accrue

on the unpaid balance at a rate or rates to be fixed by the City Treasurer. The whole or any part of the assessment may be paid without interest within twenty-five (25) days after the ordinance levying the assessment becomes effective. The assessments shall be levied according to the benefits to be derived by each property owner within the Assessment Area. Other payment provisions and enforcement remedies shall be in accordance with Title 11, Chapter 42, Utah Code Annotated 1953, as amended.

EXCLUSION OF PROPERTY FROM ASSESSMENT

Properties subject to assessment within Zone I may be excluded from assessment if the property owner and the City execute a "Defective Concrete Agreement." The exclusion must be approved by the City Engineer. In the agreement the property owner must identify the manner in which the defective concrete will be replaced and the time within which all replacements will be completed. Failure to complete the repairs on time will make the agreement null and void. The property will be added back to the Assessment Area or future assessment areas and will be assessed for the costs of the Improvements. Any work contemplated by the owner must comply with City standard plans and specifications and require a no fee Permit to Work in the Public Way. No exclusions will be granted once the City executes a contract with a contractor to do the work in the Assessment Area.

TIME FOR FILING PROTESTS

Any person who is the owner of record of property to be assessed in the Assessment Area described in this Notice of Intention to Designate Assessment Area shall have the right to file, in writing, a protest against the creation of Salt Lake City, Utah Sidewalk Replacement #102145 and Lyman Court #102146 Special Assessment Area, or to make any other objections relating thereto. Protests shall describe or otherwise identify the property owned by the person or persons making the protest. Protests may be filed in writing with the City Recorder of Salt Lake City, Utah, either in person during regular business hours Monday through Friday, or by mail on or before the date of the hearing at 5:00 p.m. on April 1, 2008, at the offices of the City Recorder located in Room 415, City and County Building, 451 South State Street, P.O. Box 145515, Salt Lake City, Utah 84114-5515. No protest will be considered for purposes of designating the Assessment Area if it is received in the City Recorder's office later than this protest filing deadline. Thereafter, at 7:00 p.m. on April 1, 2008, the City Council will hold a public meeting in the City Council Chambers to consider all protests so filed and hear all objections relating to the proposed Assessment Area.

Protests shall not have any effect on the determination of the existence of defective concrete under the Salt Lake City Code and the responsibility imposed by said Ordinance for replacement of such defective concrete.

CALCULATION OF PROTEST RATE

The protest rate for each Zone shall be determined by totaling the number of square feet or front footage, as applicable, with respect to Required Improvements of all properties, the owner of which has filed a written protest, and dividing it by the total

number of square feet or front footage, as applicable, within the applicable Zone in the Assessment Area.

After the written protest rate has been determined, the City Council, at its discretion, may delete areas from the Assessment Area and create a modified Assessment Area.

The City Council will rescind its intention to designate the Assessment Area if the total protests represent more than fifty percent (50%) of the total square footage or front footage, as applicable, of Required Improvements within the Assessment Area or modified Assessment Area, as applicable.

DEFERRAL OF ASSESSMENT

Assessments shall be in accordance to the benefits and improvements received; however, when the owner of a residence abutting the required improvements has a combined family income at or below the very low income level guidelines established by the Department of Housing and Urban Development in its "Income Limits for Housing and Community Developments, Section 8 Program for Salt Lake City and Ogden, Utah SMSA," as amended from time to time, the property may be eligible for a low income deferment. Such owner must file an application therefore with the City in order for the payments required to be deferred.

To be eligible for a low income deferment, the property must be residential and owner occupied. New applications for deferment of annual installments will be accepted throughout the entire life of the Assessment Area from prior to the Board of Equalization meetings through the expiration date. The property owners will be required to submit documentation of their income to the City for an evaluation for a deferment. Initially, completed applications will be reviewed by the SID Coordinator in the City Treasurer's Office.

The deferred agreements will be reviewed on a semi-annual basis to verify property ownership and the current economic status of the owner. If property ownership has changed, the new owner will be notified that the deferment agreement must be satisfied within 30 days or the deferment status will be void and all delinquent interest and charges will be imposed.

DISABILITY INFORMATION

If assistance is needed to attend the public meetings, please contact the City Council office 24 hours in advance.

In compliance with ADA (Americans with Disabilities Act) the following information is provided:

FAX No.	(801) 535-6093
TDD No.	(801) 535-6021
Attention	Engineering Division (801) 535-7961

ADOPTED BY THE CITY COUNCIL OF SALT LAKE CITY, UTAH

By: _____
Deputy City Recorder

Published in the Deseret Morning News on February 19, February 25, March 3,
and March 10, 2008.

Section 5. The City Engineer has prepared a "Certificate of Project Engineer," attached hereto as Exhibit B, that, among other things, identifies the costs of the proposed Improvements. The findings and determinations set forth in this resolution are based, in part, upon said Certificate of Project Engineer.

Section 6. The Council reasonably expects, and hereby confirms its prior expressions of intent, to reimburse the City from proceeds of the Bonds for capital expenditures paid by the City (whether or not such expenditures are paid from proceeds of interim warrants) with respect to the Improvements.

Section 7. This declaration is intended to be a declaration of official intent under Treasury Regulation § 1.103-18(1).

Section 8. The maximum principal amount of debt expected to be issued for reimbursement purposes is \$955,500. This amount will be reduced by cash payments received by the City from property owners who elect to pay their assessment in full during the cash prepayment period immediately following the effective date of the assessment ordinance.

Section 9. This declaration of official intent is consistent with the City's budgetary and financial circumstances. No funds from sources other than assessment bonds are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the City or by any member of the same controlled group pursuant to their budget or financial policies with respect to the expenditures to be reimbursed.

Section 10. The City Engineer is hereby authorized to prepare notices to call for bids for the furnishing of materials and the acquisition and installation of the Improvements, and the City Recorder is hereby authorized to publish such notices calling for bids at least one time in the Deseret Morning News, a newspaper of general circulation in the City, at least fifteen (15) days before the date specified in the notice for the receipt of bids.

After the conduct of other business not pertinent to the above, the meeting was, on motion duly made and seconded, adjourned.

PASSED AND APPROVED by the City Council of the City, this February 12, 2008.

(SEAL)

By: _____
Chair

ATTEST:

By: _____
Deputy City Recorder

PRESENTATION TO THE MAYOR

The foregoing ordinance was presented to the Mayor for his approval or disapproval this February __, 2008.

(SEAL)

By: _____
Chair

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this February __, 2008.

By: _____
Ralph Becker, 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 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 Tuesday, February 12, 2008, insofar as the same relates to or concerns Salt Lake City, Utah Sidewalk Replacement #102145 and Lyman Court #102146 Special Assessment Area as the same appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of Salt Lake City this February __, 2008.

(SEAL)

By: _____
Deputy City Recorder

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

AFFIDAVIT OF MAILING
NOTICE OF INTENTION

I, _____, the duly chosen, qualified, and acting Deputy City Recorder of Salt Lake City, Utah, do hereby certify that the attached Notice of Proposed Assessment Area Designation was approved and adopted in the proceedings of the City Council on February 12, 2008.

I further certify that on _____, 2008 (a date not later than ten (10) days after the first publication of the Notice of Intention to Designate Assessment Area), I mailed a true copy of the Notice of Intention to Designate Assessment Area to designate Salt Lake City, Utah Sidewalk Replacement #102145 and Lyman Court #102146 Special Assessment Area (the "Assessment Area") by United States Mail, postage prepaid to each owner of land to be assessed within the proposed Assessment Area at the last known address of such owner, using for such purpose the names and addresses appearing on the last completed real property assessment rolls of Salt Lake City. In addition, I mailed a copy of such notice, postage prepaid, addressed to "Owner" at the street number of each piece of improved property affected by the assessment.

I further certify that a certified copy of said Notice of Intention to Designate Assessment Area together with profiles of the Improvements and a map of the proposed Area, was on file in my office for inspection by any interested parties.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of Salt Lake City, Utah this _____, 2008.

(SEAL)

By: _____
Deputy City Recorder

PROOF OF PUBLICATION

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, _____, the undersigned Deputy City Recorder of Salt Lake City, Salt Lake County, Utah (the "City"), do hereby certify, according to the records of the City in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, 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 February 12, 2008, public meeting held by the City as follows:

(a) By causing a Notice, in the form attached hereto as Schedule A, to be posted at the City's offices at 451 South State Street, Salt Lake City, Utah, on _____, 2008, 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 _____, 2008, at least twenty-four (24) hours prior to the convening of the meeting.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this _____, 2008.

(SEAL)

By: _____
Deputy City Recorder

SCHEDULE A
NOTICE OF MEETING

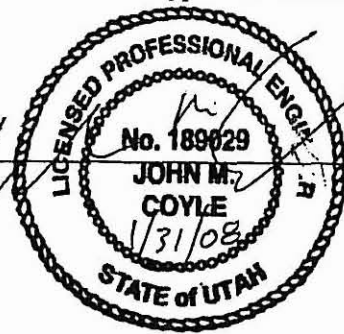
EXHIBIT B

CERTIFICATE OF PROJECT ENGINEER

The undersigned project engineer for the Salt Lake City, Utah Sidewalk Replacement #102145 and Lyman Court #102146 Special Assessment Area (the "Assessment Area"), hereby certifies as follows:

1. I am an engineer engaged by Salt Lake City, Utah, to perform the necessary engineering services for and to supervise the construction or installation of the improvements proposed to be acquired, constructed, and/or installed within the Area.
2. The estimated costs of the proposed improvements to be acquired, constructed, and/or installed within the Area are set forth in the attachment hereto. Said estimated costs are based on preliminary engineering estimates for the type and location of said proposed improvements as of the date hereof.

By: _____



DATE: _____

1/31/08

**CALENDAR OF EVENTS
SALT LAKE CITY
SPECIAL ASSESSMENT AREA**

Sidewalk Replacement Special Assessment Area (SAA) 2007/2008, Job Number 102145

Lyman Court Special Assessment Area (SAA), Job Number 102146

Construction Phase

Date	Event	Responsibility
14-Jan-08	Description of improvements and areas to be improved furnished by City Engineer to Ballard Spahr ("Bond Counsel").	Engineering
25-Jan-08	Bond counsel transmits draft of Notice of Intention to City.	Bond Counsel
29-Jan-08	Legal documents transmitted from Bond Counsel to Salt Lake City (the "City"). RE: Notice of Intention.	Engineering & Bond Counsel
5-Feb-08	The Notice of Intention paperwork is due to the Council office.	Engineering
12-Feb-08	Council briefing from Engineering	Engineering
12-Feb-08	Council adopts Notice of Intention to create the Area and authorizes advertisement for bids and sets protest hearing date for April 1, 2008.	Council
19-Feb-08	First publication of Notice of Intention.	Recorders Office
25-Feb-08	Second Publication of Notice of Intention.	Recorders Office
25-Feb-08	Mailing (within 10 days from the first publication) of the Notice of Intention to (1) each property within the Special Assessment Area and (2) each street address, post office box, rural route or other mailing address to "Owner".	Engineering
3-Mar-08	Third publication of Notice of Intention.	Recorders Office
10-Mar-08	Fourth publication of Notice of Intention.	Recorders Office
21-Mar-08	Publication of the Notice to Contractors calling for bids.	Engineering
31-Mar-08	Legal documents prepared by Bond Counsel RE: Bid Opening Summary.	Engineering & Bond Counsel
To be	Informal information meeting. (This may be	

determined	scheduled earlier; it is not a statutory requirement.)	
Date	Event	Responsibility
1-Apr-08	Deadline for filing written protests.	
1-Apr-08	Protest Hearing.	Council
1-Apr-08	The protest and creation paperwork is due to the Council office.	Engineering
2-Apr-08	Tabulation of protests and creation of SAA furnished to Ballard Spahr.	Engineering
7-Apr-08	Protests and creation of the SAA transmitted from Ballard Spahr to the City.	Engineering
9-Apr-08	Bids opened, tabulated and reported.	Engineering
15-Apr-08	Mayor accepts dedication of the street.	Engineering
17-Apr-08	Bond counsel transmits draft of resolution designating the SAA .	Bond Counsel
17-Apr-08	Bond counsel transmits draft of resolution awarding the construction contract.	Bond Counsel
21-Apr-08	Legal documents transmitted from Bond Counsel to City for the adoption of the resolution designating the SAA.	Engineering
21-Apr-08	Legal documents transmitted from Bond Counsel to City for the award of the construction contract and approval of interim financing.	Engineering
22-Apr-08	Council transmittal letter, protests and resolution to Public Services for approval.	Engineering
22-Apr-08	Council transmittal letter and the award of the construction contract to Public Services for approval.	Engineering
29-Apr-08	The resolution paperwork is due to the Council office.	Engineering
29-Apr-08	The award paperwork is due to the Council office.	Engineering
6-May-08	Council adopts the resolution designating the SAA.	Council
6-May-08	Council award of the construction contract and approval of interim financing.	Council

6-May-08	File a copy of the Notice of Intention and the	Recorder's Office
	resolution designating the SAA and proposed	
	Assessment List with the County Recorder.	

INFORMATION SHEET
SIDEWALK REPLACEMENT
SPECIAL ASSESSMENT AREA, 2007/2008 FY
JOB NO. 102145

DESCRIPTION OF IMPROVEMENTS:

The Area will be created and improvements will be constructed within the boundaries of Salt Lake City, Utah. The general area bounded between the south side of 1300 South to the north side of 1700 South and the east side of 1100 East and to west side of 1500 East.

TOTAL ESTIMATED COSTS

- | | |
|-------------------------------------|----------------|
| • Property Owner's Portion of Costs | \$ 871,609.00 |
| • City's Portion of Costs | \$ 784,976.00 |
| • Total Estimated Project Cost | \$1,656,585.00 |

SCHEDULE

Construction of the project is scheduled to start in the spring of 2008 with completion by the fall of 2008. The construction will be phased so disruption and inconvenience to property owners and pedestrians will be minimal.