

River Heights City

** REVISED **

COUNCIL MEETING AGENDA

Tuesday, July 31, 2018

Notice is hereby given that the River Heights City Council will hold its regular council meeting beginning at 5:30 p.m. in the River Heights City Office Building at 520 S 500 E.

Opening Remarks (Clausen) and Pledge of Allegiance (Wilson)

Adoption of Previous Minutes and Agenda

Reports and Approval of Payments (Mayor, Council, Staff)

Public Comment

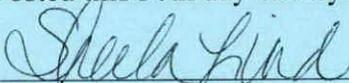
Finalize Thunell Sewer Back-up Reimbursement

Discuss a City Policy for Future "No Fault" Sewer and Water Problems

Awarding of a Bid for the 700 South Sidewalk Project

Adjourn

Posted this 30th day of July 2018



Sheila Lind, Recorder

Attachments for this meeting and drafts of previous meeting minutes can be found on the State's Public Notice Website (pnn.utah.gov)

In compliance with the American Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Sheila Lind, (435) 770-2061 at least 24 hours before the meeting.

River Heights City

Council Meeting

July 31, 2018

Present: Mayor Todd Rasmussen
Council members: Doug Clausen
Robert "K" Scott
Elaine Thatcher
Dixie Wilson
Blake Wright

Recorder Sheila Lind
Public Works Director Clayton Nelson
Finance Director Clifford Grover
Treasurer Wendy Wilker

Others Present: James and Gayle Brackner, Cindy Schaub, Monica Thunell

The following motions were made during the meeting:

Motion #1

Councilmember Clausen moved to "adopt the minutes of the council meeting of July 10, 2018 and the evening's agenda." Councilmember Scott seconded the motion, which passed with Clausen, Scott, Thatcher and Wilson in favor. No one opposed. Wright was absent.

Motion #2

Councilmember Clausen moved to "pay the bills as listed." Councilmember Thatcher seconded the motion, which passed with Clausen, Scott, Thatcher, Wilson and Wright in favor. No one opposed.

Motion #3

Councilmember Clausen moved to "award the 700 South Sidewalk Bid to Landmark in the amount of \$166,972.51 and to budget an additional 10% for contingency." Councilmember Scott seconded the motion which carried with Clausen, Scott, Thatcher, Wilson and Wright in favor. No one opposed.

Proceedings of the Meeting:

The River Heights City Council met at 5:30 p.m. in the Ervin R. Crosbie Council Chambers in the River Heights City Building on Tuesday, July 31, 2018 for their regular council meeting.

47 Opening Remarks and Pledge of Allegiance: Councilmember Clausen opened the meeting with
48 a thought and Councilmember Wilson led the group in the Pledge of Allegiance.

49 Adoption of Previous Minutes and Agenda: Minutes for the July 10, 2018 meeting were
50 reviewed.

51 **Councilmember Clausen moved to “adopt the minutes of the council meeting of July 10,
52 2018 and the evening’s agenda.” Councilmember Scott seconded the motion, which passed with
53 Clausen, Scott, Thatcher and Wilson in favor. No one opposed. Wright was absent.**

54 Reports and Approval of Payments (Mayor, Council, Staff):

55
56 Public Works Director Nelson was absent.

57
58 Finance Director Grover

- 59 • Mr. Grover reviewed the Financial Summary, pointing out that not much has been spent since
60 it’s only been the first month of the new fiscal year.

61
62 Treasurer Wilker

- 63 • Ms. Wilker presented and answered questions regarding the list of bills to be paid.
- 64 • FD Grover informed they are getting a lot of last minute invoices before council meeting. They
65 would like to have them all turned in by Monday so they have time to process them before
66 Tuesday evening. Mayor Rasmussen agreed and asked the Council and others to make sure to
67 review the bills in their boxes well before the meeting.

68 **Councilmember Clausen moved to “pay the bills as listed.” Councilmember Thatcher
69 seconded the motion, which passed with Clausen, Scott, Thatcher, Wilson and Wright in favor.
70 No one opposed.**

71
72 Councilmember Thatcher

- 73 • Ms. Thatcher reported on Apple Days preparations. There is an eagle scout who will be in
74 charge of the games. She asked for nominations for citizens of the year. Gaylen and Elaine
75 Ashcroft will ride in the parade as the pioneering citizens. Councilmember Wilson will give
76 her a list of homes she feels deserve the beautification award. James Brackner suggested more
77 than one home be nominated because there are many nice yards. They have discussed the
78 Lions Club, Milton Andersen and Rodger Pond for Citizen of the Year. She will order plaques
79 for the recipients. She has reserved a stage with a tent over it. Icon will be contacted about
80 donating a treadmill. The youth council is going to solicit donations. She suggested gift
81 baskets to those who receive awards. Mayor Rasmussen suggested doing something besides a
82 drawing or raffle. He would rather see people bring food for the Food Pantry. Ms. Thatcher
83 will see how much has been done towards the donations so far. She pointed out that the last few
84 years there hasn’t been much to engage adults who don’t have children at Apple Days. She has
85 thought about exhibits or contests. They will probably do things the same this year and then
86 make changes next year.

87
88 Councilmember Scott

- 89 • Mr. Scott won’t be in town for Apple Days.

90
91 Councilmember Clausen didn’t have anything.

92

94 Councilmember Wilson

- She informed she's read the information Councilmember Clausen handed out at the last meeting about how other cities handle sewer back-ups, and found it informative.

96 Councilmember Wright

- Planning Commission will hold a public hearing tonight to hear comment on code changes. If they approve them, they will be on the Council's next agenda for adoption.
- Mayor Rasmussen said he has asked Commissioner Schaub to discuss with the Commission changing the City Code to better define how residents should install and maintain all park strips for which they're responsible.

103 Recorder Lind didn't have anything.

105 Mayor Rasmussen

- Youth council will have a kids movie night the Monday before school starts. They will probably have another one after school starts for teens and adults.
- He discussed the Utah Festival Opera Company's use of the Old Church. An official notice was sent to them July 13, 2017, stating they were out of compliance on some things. To date, they are still in breach of their contract. He asked for the Council's advice on telling them to vacate the building and put them on a 60 day notice. He pointed out the roof isn't finished, there are a number of cars parked, they have not painted or fixed windows. Behind the building looks terrible.

117 James Brackner explained the City can take action at this point. The Opera Company did more roofing, after receiving the City's letter, but nothing more has been done after that. Mayor Rasmussen plans to send a letter again letting them know they are still not in compliant and ask for their intentions in moving forward. He stated they are occupying a building in River Heights and the City is not making them follow the same rules as other members of the community. He said it is also a safety issue inside. Councilmember Clausen suggested a deadline for when these things should be done. Councilmember Wright said they have been in violation of their conditional use permit for the last 15 years. He suggested the Council should come up with a plan for the building. The plan should include a timeframe and budget. With a plan in place, the City could send them a letter, at the appropriate time, stating the date when their lease will expire, and the City will take over the building. Mayor Rasmussen asked for further discussion to be on an upcoming agenda. He'd like the council members to go on a field trip before their next discussion. Councilmember Wilson said she would like the building torn down. Councilmember Thatcher would like to see what it would take to preserve it.

130 PWD Nelson arrived at 6:15 pm.

131 Public Comment: There was none.

132 Finalize Thunell Sewer Back-up Reimbursement: Councilmember Clausen reported the City received a document from Travelers Insurance which showed the amount they would cover if they were going to pay. The total was \$29,639.29. He and PWD Nelson met with Monica Thunell on Friday. He asked if she was willing to take this amount. Ms. Thunell said her husband was out of town for the week so, they haven't been able to discuss it. They will look over it after Saturday. She understood the City's payout would include a check to cover Alpine Cleaning's bill. She feels their numbers are higher for clean up and restoration than Travelers would have covered. FD Grover noted

139 the City has already paid Roto Rooter. These charges will be factored into the \$29,000. Ms. Thunell
140 would prefer the City to pay Alpine and pay the Thunells the \$29,000. Treasurer Wilker clarified that
141 she dealt with Travelers from the start of the issue. Councilmember Clausen said the \$29,000 is the
142 total that Travelers would have paid if they were going to pay out on the claim.

143 Councilmember Clausen has tried to compare the line items between Travelers and Alpine and
144 it doesn't work.

145 Monica Thunell suggested waiting until the next council meeting before agreeing on a number.

146 Councilmember Clausen reminded the City will get \$5,000 no-fault insurance from the Trust.
147 Mayor Rasmussen suggested sending the Alpine clean up bill to Jenna at Travelers so they can readjust
148 their amount.

149 Discuss a City Policy for Future "No Fault" Sewer and Water Problems: Councilmember
150 Clausen discussed his proposed notification to residents stating the City will no longer pay out on no-
151 fault sewer and water damage. Councilmember Wilson suggested sending the notice in the mail, rather
152 than on doorsteps. PWD Nelson suggested on the door with "Important Notice" on the top. Mr.
153 Clausen liked the idea of mailing it to each house, with a notice in the next newsletter that it would be
154 forthcoming. He noted the most the City would pay is \$5,000. He asked that everyone review his
155 proposed letter and discuss it again in two weeks. Councilmember Thatcher suggested having the city
156 attorney review it before sending it out.

157 Councilmember Clausen also suggested having the Planning Commission develop an ordinance
158 about no fault water and sewer claims. With permission from the mayor, he would like to write a letter
159 to the Trust asking them why they don't allow cities to buy a higher coverage on no fault water and
160 sewer incidences. Other states allow this.

161 Mayor Rasmussen said if there is ever a problem in the future, the City's official policy will be
162 to, not in the slightest, offer anything monetary or acceptance of blame.

163 Awarding of a Bid for the 700 South Sidewalk Project: PWD Nelson informed the bid opening
164 was Friday. Engineer Rasmussen has recommended awarding the project to Landmark, in the amount
165 of \$166,972.51. Mr. Nelson said they discussed that Landmark often has a number of change orders.
166 He suggested adding a certain percentage to the total amount budgeted to cover some of the items
167 which may come up, that were missed on the project description. This won't affect Landmark's bid
168 amount.

169 **Councilmember Clausen moved to "award the 700 South Sidewalk Bid to Landmark in**
170 **the amount of \$166,972.51 and to budget an additional 10% for contingency." Councilmember**
171 **Scott seconded the motion which carried with Clausen, Scott, Thatcher, Wilson and Wright in**
172 **favor. No one opposed.**

173 The meeting adjourned at 6:57 p.m.

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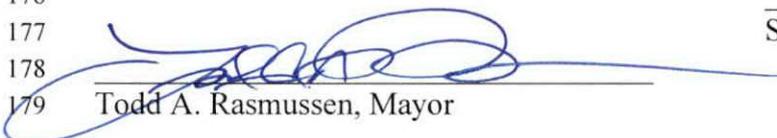
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Todd A. Rasmussen, Mayor


Sheila Lind, Recorder

River Heights City Bills To Be Paid

7/31/2018

	Payee	Description	Admin.	P&Z	Parks/Rec	Pub. Safety	Com. Aff.	Roads	Water	Sewer	Total
	JULY										
1	Cache Valley Fire Protection	Fire Extinguisher Annual Inspect 2018	\$96.00								\$96.00
2	City of Logan	Sanitation, 911, Sewer	\$12,618.60			\$2,007.00				\$12,572.28	\$27,197.88
3	Coats & Coats, LLC	Sewer Camera with Crawler								\$1,200.00	\$1,200.00
4	Comcast	Business Internet	\$21.97						\$21.96	\$21.96	\$65.89
5	Denny's	Office Supplies	\$155.43								\$155.43
6	Dominion Energy	Gas	\$9.94		\$10.42			\$3.33	\$58.37	\$3.33	\$85.39
7	Holbrook Asphalt, Co.	City Crack & Seal						\$42,966.37			\$42,966.37
8	Hydro Specialties	Water repairs from March reissue/lost							\$51.40		\$51.40
9	Roto Rooter	Soccer Toilet			\$100.00						\$100.00
10	Staker Parson	Road repair due to water leaks							\$843.86		\$843.86
11	Sunrise Environmental Scientific	Cleaners			\$83.10			\$83.10	\$83.09	\$83.09	\$332.38
12	Thomas Petroleum	Fuel for city vehicles			\$40.05			\$40.06	\$40.06	\$40.06	\$160.23
13											
14											
15	JUNE										
16	Bear River Health Department	Water Coliform Testing							\$40.00		\$40.00
17	Blue Stake of Utah	E-mails						\$38.08	\$38.08	\$39.23	\$115.39
18	Cache Valley Publishing	Paper Ad Public Hearing	\$38.37								\$38.37
19	Daines & Jenkins	Legal Fees	\$510.00								\$510.00
20	Forsgren Associates	Central Milling Office, 700 South, Genera	\$125.00	\$468.75				\$7,057.50			\$7,651.25
21	Logan City	Water Consumption							\$1,575.03		\$1,575.03
22	Max Hadfield	Park Rental Deposit Refund			\$50.00						\$50.00
23	N. N. Sadler	Sidewalk Repair 280 Temple and 600 East						\$3,627.39			\$3,627.39
24	The Clean Spot	Cleaning Supplies			\$166.22						\$166.22
25	Thurcon	Dump Truck Asphalt - Water Leaks							\$3,932.50		\$3,932.50
26											
27	Visa Paid on 07/20/2018		\$377.18								
28	DRI Crash Plan	Monthly Cloud (2 Months)	\$19.98								\$19.98
29	Adobe	Monthly Fee	\$15.98								\$15.98
30	Modern Display	Float Decorations					\$59.62				\$59.62
31	Google	Gmail Accts Monthly	\$50.00								\$50.00
32	Nextiva	Phone & Fax	\$43.86						\$43.87	\$43.87	\$131.60
33	PayPal	Annual Member Dues UMCA Recorder	\$100.00								\$100.00
34											
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44											
Page 1 SubTotals			\$13,805.13	\$468.75	\$449.79	\$2,007.00	\$59.62	\$53,815.83	\$6,728.22	\$14,003.82	\$91,338.16

River Heights City
 Financial Summary
 July 31, 2018

	Cash Balance By Fund		Net Change	% of Total
	06/30/18	07/31/18		
General Fund	203,180.42	196,742.68	(6,437.74)	11.81%
Capital Projects Fund	178,199.61	178,199.61	-	10.70%
Water Fund	416,207.27	430,980.87	14,773.60	25.88%
Sewer Fund	850,401.68	859,407.03	9,005.35	51.61%
Total Cash Balance	1,647,988.98	1,665,330.19	17,341.21	100.00%

		YTD Actual	Annual Budget	Unexpended Budget	% Of Budget Incurred
General Fund					
Revenue		11,896.43	757,030.00	745,133.57	1.57%
Expenditures					
	Administrative	4,863.92	162,050.00	157,186.08	3.00%
	Office	488.49	17,120.00	16,631.51	2.85%
	Community Affairs	59.62	18,400.00	18,340.38	0.32%
	Planning & Zoning	-	8,470.00	8,470.00	0.00%
	Public Safety	-	86,400.00	86,400.00	0.00%
	Roads	9,359.81	104,000.00	94,640.19	9.00%
	Parks & Recreation	4,352.53	90,800.00	86,447.47	4.79%
	Sanitation	48.07	150,000.00	149,951.93	0.03%
	Transfer To CP Fund	-	120,000.00	120,000.00	0.00%
Total Expenditures		19,172.44	757,240.00	738,067.56	2.53%
Net Revenue Over Expenditures		(7,276.01)	(210.00)	7,066.01	

Capital Projects Fund					
Revenue		-	400.00	400.00	
Transfer From General Fund			120,000.00	120,000.00	
Expenditures					
	Administrative		130,000.00	130,000.00	
	Parks & Recreation		152,750.00	152,750.00	
	Roads		757,750.00	757,750.00	
Total Expenditures		-	1,040,500.00	1,040,500.00	
Net Revenue Over Expenditures		-	(920,100.00)	(920,100.00)	

Water Fund					
Revenue		270.71	346,130.00	345,859.29	0.08%
Expenditures		10,117.05	272,250.00	262,132.95	3.72%
Net Revenue Over Expenditures		(9,846.34)	73,880.00	83,726.34	

Sewer Fund					
Revenue		(96.57)	249,500.00	249,596.57	-0.04%
Expenditures		9,003.88	310,250.00	301,246.12	2.90%
Net Revenue Over Expenditures		(9,100.45)	(60,750.00)	(51,649.55)	

River Heights City Ordinance

CHAPTER 14. NO-FAULT UTILITIES CLAIMS

8-14-1. Short title.

8-14-2. Purpose.

8-14-3. Definitions.

8-14-4. Administration and establishment of regulations.

8-14-5. Reimbursement-Application-Time limitations.

8-14-6. Application-Investigation and recommendation.

8-14-7. Criteria for payment.

8-14-8. Maximum payments.

8-14-9. Payment does not imply liability.

8-14-10. Annual budget expenditures.

8-14-11. Claims from other governmental agencies.

8-14-1. Short title.

The ordinance codified in this Chapter shall be known as the "No-fault Utilities Claims Ordinance." (~~Ord. 88-34, 01-04-89~~)

8-14-2. Purpose.

It is the purpose of this Chapter to compensate persons for loss sustained as the result of a break or backup in a city-owned and maintained watermain or sewer line, regardless of fault on the part of the City, within the restrictions, limitations, and other provisions of this Chapter. (~~Ord. 2007-08, 04-18-2007~~); (~~Ord. 88-34, 01-04-89~~)

8-14-3. Definitions.

Unless the context specifically indicates otherwise, the following terms and phrases, as used in this Chapter, shall have the meanings hereinafter designated:

(1) "City" means Tooele City Corporation, a political subdivision of the state of Utah.

(2) "City Attorney" means the City Attorney or his/her designee.

(3) "Person or applicant" means any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, or any other legal entity (except the United States Government or any of its agencies, or the state of Utah and any of its political subdivisions) or their legal representatives, agents, or assigns.

(4) "Political subdivision" means any political subdivision of the state of Utah, including state departments and agencies, cities, towns, counties, and school districts. (~~Ord. 2007-08, 04-18-2007~~); (~~Ord. 88-34, 01-04-89~~)

8-14-4. Administration and establishment of regulations.

The Mayor may establish regulations sufficient to provide for the handling of such claims and disbursement of those funds which are set aside for payment of claims under this Chapter. (~~Ord. 2007-08, 04-18-2007~~); (~~Ord. 88-34, 01-04-89~~)

8-14-5. Reimbursement - Claims -Time limitations.

All claims for reimbursement under this Chapter must comply with the Governmental Immunity Act of Utah, Utah Code Annotated §63-30d-101 *et seq.*, as amended, and be submitted to the City Recorder within thirty (30) days after the incident giving rise to the loss occurs. (~~Ord. 2007-08, 04-18-2007~~); (~~Ord. 88-34, 01-04-89~~)

8-14-6. Claims - Investigation and recommendation.

Claims received by the City Recorder shall be referred to the Department of Public Works for investigation and recommendation. The Department's report shall be forwarded to the City Attorney for determination under the criteria of this Chapter. All payments authorized by the City Attorney shall be made by the Director of the Department of Public Works. (~~Ord. 2007-08, 04-18-2007~~); (~~Ord. 88-34, 01-04-89~~)

8-14-7. Criteria for payment.

(1) The determination as to whether to make payment of a claim submitted pursuant to this Chapter shall be based on the following criteria:

(a) Whether an eligible claimant suffered an otherwise uninsured property loss, caused by breach or backup of a City-owned water main or sewer line, under circumstances where the claimant acted responsibly to avoid the loss; and,

(b) If so, whether the extent of the loss has been adequately substantiated.

(2) The following shall result in the denial of a claim:

(a) Claim not timely submitted;

(b) Loss fully covered by private insurance;

(c) Claimant ineligible under the terms of this Chapter;

(d) Loss caused by an irresponsible act of the claimant, claimant's agent, or member of claimant's business or household; or

(e) Loss or eligibility unsubstantiated.

(3) The following shall result in reduction of payment:

(a) Loss partially covered by private insurance;

(b) Loss exceeds funding limits of this Chapter;

(c) Verification of loss inadequate or incomplete; or

(d) Claimant did not cause the problem but failed to act responsibly to minimize the loss. (~~Ord. 2007-08, 04-18-2007~~); (~~Ord. 88-34, 01-04-89~~)

8-14-8. Maximum payments.

(1) Payments under this Chapter shall not exceed \$10,000 per claim. 5,000 per claim.

(2) For budgeting purposes, payments under this Chapter shall not exceed \$100,000 per fiscal year. However, the City Council may, in its sole discretion and without amendment to this Section, budget additional funds in any given fiscal year by Resolution. (~~Ord. 2007-~~)

Ordinance

mayor
mayor
City of River Heights

Ordinance

~~08, 04-18-2007); (Ord. 88-34, 01-04-89)~~

8-14-9. Payment does not imply liability- Release required.

(1) Any payment of a claim made under this Chapter shall not be construed as an admission of, nor does it imply, any negligence or responsibility on the part of the City. Any payment made under this Chapter is strictly voluntary on the part of the City.

(2) This Chapter shall not in any way supersede, change, or abrogate the Government Immunity Act of Utah, and its application to the City, or establish in any person a right to sue the City under this Chapter.

(3) Any payment of a claim made under this Chapter and accepted by the claimant shall constitute a full and complete release of any and all claims against the City, its officers, employees, and agents for any damage or loss arising from the incident.

(4) Any payment of a claim made under this Chapter shall be expressly conditioned upon the City first receiving a written release of liability, signed and notarized by the claimant, in a form acceptable to the City Attorney. (~~Ord. 2007-08, 04-18-2007); (Ord. 88-34, 01-04-89)~~)

City of River Heights

8-14-10. Annual budget expenditures.

The ~~Department of Public Works~~ is authorized to provide for and include within its budget a fund from which payment of claims may be made pursuant to this Chapter. (~~Ord. 2007-08, 04-18-2007); (Ord. 88-34, 01-04-89)~~)

8-14-11. Claims from other governmental agencies.

Notwithstanding any other provisions of this Chapter, no claim shall be accepted from the United States or any of its departments or agencies, or from the state of Utah or any of its political subdivisions. (~~Ord. 2007-08, 04-18-2007); (Ord. 88-34, 01-04-89)~~)

Ordinance

**SEWER BACK-UP
CLAIMS AGAINST TOOELE CITY
(NO-FAULT CLAIMS)**

River Heights City

Generally, claims against Tooele City Corporation are governed by Utah's Government Immunity Act.

However, ~~Tooele City~~ ^{River Heights City} has an ordinance specifically designed to help persons who have suffered loss from a water or sewer main line break or backup—regardless of fault.

WHAT TO DO

River Heights City's

In order to make a claim under ~~Tooele City's~~ No-Fault Ordinance, you must do the following:

1. You must submit the claim to Tooele City Recorder.
2. You must submit the claim within thirty (30) days after the incident occurred.
3. You must submit the claim in writing, give a full statement of the facts, and state the damages incurred. Attach any additional documents you would like.

Attached is a form which follows the criteria needed to make a no-fault claim to Tooele City.

REASONS FOR NON-PAYMENT

River Heights City

Even if you make a no-fault claim with ~~Tooele City~~, your claim may be denied or reduced for the following reasons:

1. The claim was not timely submitted.
2. The claim is fully or partially covered by private insurance.
3. The loss was caused by an irresponsible act of the claimant, the claimant's agent, or a member of the claimant's household, or the claimant did not cause the problem but failed to act responsibly to minimize the loss.
4. The loss is unsubstantiated, or verification of the loss is incomplete.
5. The loss exceeds the no-fault claim maximum of \$10,000— 5,000
6. The claimant is otherwise ineligible under the No-fault Utilities Claims Ordinance.

MISC.

~~The Tooele City Attorney's Office represents Tooele City Corporation, and therefore cannot provide you with legal advice or assistance in filing your claim.~~

Included is a copy of Title 8 Chapter 14 in its entirety for your reference.

said Ordinance

Thank you,
Tooele City Attorney's Office

NO-FAULT UTILITY CLAIM

(In accordance with ~~Toele City Code Chapter 8-14~~)

River Heights City

River Heights City Ordinance

TO: ~~TOOELE CITY~~ RECORDER

DATE SUBMITTED:

Name of Claimant: _____

Address: _____

(Must be dated by City Recorder's Office)

Phone (Home/Work/Cell): _____

Date of Incident: _____

Description of Incident (please be specific; attach additional explanations and/or documents if needed):

Do you have Home Insurance? Yes No.
Have you contacted your insurance about this incident? Yes. No.
If so, will your insurance company cover the loss from this incident? Yes. No. Partially.
If your insurance company will not cover your loss, please state the reasons why:

Name of insurance company, contact, and agent: _____

Phone number of company, contact, and agent: _____

Description and Verification of Loss (please be specific; include estimates, receipts, appraisals, photos, videos, etc. to substantiate your loss; attach additional documentation as necessary):

River Heights City

PLEASE READ: I understand, by signing below, that my no-fault claim to ~~Toele City Corporation~~ may be denied or reduced for the following reasons: (1) The claim was not timely submitted; (2) The claim is fully or partially covered by private insurance; (3) The loss was caused by an irresponsible act of the claimant, or the claimant failed to act responsibly to minimize the loss; (4) The loss is unsubstantiated, or verification of the loss is incomplete; (5) The loss exceeds the no-fault claim maximum of \$10,000; (6) the claimant is otherwise ineligible under the terms of the No-fault Utilities Claims Ordinance.

Signed: _____ Dated: _____

Notary Public
Residing in ~~Toele County, Utah~~
River Heights, UT

Notification to Residents

Regarding Water and Sewer Backup

Situations

The purpose of this notification is to inform River Heights City Residents about water and sewer backup situations. It outlines what to do when the event happens and explains liability/responsibility situations.

A. The homeowner is responsible for water and sewer lines from on their premises (edges of pavement or sidewalk to their home).

B. The City will not pay for damages caused by water or sewer backups unless caused by a direct act or

negligence. This is referred to as a "No Fault" situation, as governed by State Code.

The City may pass an Ordinance

which will allow for payment of \$5,000 per year per household for these "No Fault" circumstances.

C. Most homeowners insurance companies offer an extra cost rider to cover these

situations. It is relatively inexpensive but most homeowners do not know how much monetary amount is covered. A water or sewer backup can cause law suits.

30,000 or more. It is your (homeowners) responsibility to buy this rider. We recommend you buy and keep this extra for "no fault" coverage in force.

D. Guidelines for good sewer health

1. Do Not ~~etc~~ dump fats, Oils ^(cooking oils) or Grease into your sewer. They cool and solidify causing problems which can lead to backups. These need to go in the garbage.

2. Paper towels, disposable diapers (both paper and cloth) and feminine products also cause problems and do not deteriorate like bathroom tissue does.

3. Please use common sense and avoid dumping these and other problem causing substances.

E. If you experience a backup problem call the City first. Number ⁷¹³⁻⁴¹¹⁻⁷¹¹¹ River Heights emergency number. Do not call a plumber etc. first. We will investigate the mains and inform you of our findings. Against laterals are the homeowner's responsibility and they will have to correct these problems on their own (not using City employees or equipment).

FORSGREN

Associates Inc.

July 30, 2018

Todd Rasmussen
Mayor
River Heights City
520 South 500 East
River Heights, UT 84321

**RE: 700 South Sidewalk Project – 100 East to 600 East
Recommendation for Award**

Dear Mayor Rasmussen and Council:

Following the bid opening on Friday, July 27th for the subject project, we have reviewed the bids and generated the enclosed Bid Tabulation. The bid totals were confirmed as read out loud at the bid opening with no changes in amount to any of the three bids that were received. The bid results are summarized herein.

- | | |
|---------------------------|--------------|
| • DWA Construction Inc. | \$224,362.53 |
| • Cook Building | \$169,559.25 |
| • Landmark Companies Inc. | \$166,972.51 |

Based on the bid results and a review of references and services provided, I recommend that River Heights City award the bid to Landmark Companies Inc. as bid for the amount of \$166,972.51.

Please contact me with questions you may have regarding the summary of bids and associated recommendations.

Respectfully,



Craig L. Rasmussen, S.E.
Division Manager

Bid Tabulation

Project: 700 South Sidewalk Project

Date: July 27, 2018

Client: River Heights

ITEM NO.	ITEM	BID QUANTITY	UNIT	DWA		Cook Buildings		Landmark Companies	
				Unit Price	Cost	Unit Price	Cost	Unit Price	Cost
Construction Phase									
1	Mobilization	LS	1	\$ 17,107.00	\$ 17,107.00	\$ 14,500.00	\$ 14,500.00	\$ 13,980.00	\$ 13,980.00
2	Clear and Grub	LS	1	\$ 55,566.00	\$ 55,566.00	\$ 5,960.00	\$ 5,960.00	\$ 16,000.00	\$ 16,000.00
3	Prepare and Implement Traffic Control Plan	LS	1	\$ 6,268.00	\$ 6,268.00	\$ 2,500.00	\$ 2,500.00	\$ 5,566.00	\$ 5,566.00
4	Remove and Dispose of Existing Concrete Sidewalk	SF	884	\$ 2.25	\$ 1,989.00	\$ 4.00	\$ 3,536.00	\$ 5.31	\$ 4,694.04
5	Remove and Dispose of Existing Asphalt	SY	408	\$ 20.25	\$ 8,262.00	\$ 25.00	\$ 10,200.00	\$ 3.15	\$ 1,285.20
6	Remove and Dispose of Existing Small Tree/Woody Vegetation	LS	1	\$ 2,530.00	\$ 2,530.00	\$ 2,950.00	\$ 2,950.00	\$ 7,500.00	\$ 7,500.00
7	Remove and Dispose of Existing Large Tree	EA	4	\$ 1,325.50	\$ 5,302.00	\$ 950.00	\$ 3,800.00	\$ 1,000.00	\$ 4,000.00
8	Remove and Dispose of Existing Concrete Driveway	SF	181	\$ 3.51	\$ 635.31	\$ 4.75	\$ 859.75	\$ 4.25	\$ 769.25
9	Remove and Relocate Existing Street Signs	EA	1	\$ 374.00	\$ 374.00	\$ 500.00	\$ 500.00	\$ 400.00	\$ 400.00
10	Construct Mailbox Frame	EA	7	\$ 496.14	\$ 3,472.98	\$ 210.00	\$ 1,470.00	\$ 510.00	\$ 3,570.00
11	Remove and Relocate Existing Mailbox	EA	5	\$ 189.95	\$ 949.75	\$ 150.00	\$ 750.00	\$ 75.00	\$ 375.00
12	Sawcut Concrete	LF	103	\$ 10.36	\$ 1,067.08	\$ 13.75	\$ 1,416.25	\$ 4.15	\$ 427.45
13	Sawcut Asphalt	LF	749	\$ 2.88	\$ 2,157.12	\$ 10.50	\$ 7,864.50	\$ 1.25	\$ 936.25
14	Construct 15" Equivalent Elliptical CMP	LF	15	\$ 51.87	\$ 778.05	\$ 85.00	\$ 1,275.00	\$ 35.54	\$ 533.10
15	Construct 4" Thick Concrete Sidewalk	SF	9357	\$ 5.32	\$ 49,779.24	\$ 5.00	\$ 46,785.00	\$ 6.26	\$ 58,574.82
16	Construct 4" Thick Concrete Driveway	SF	508	\$ 8.30	\$ 4,216.40	\$ 40.50	\$ 20,574.00	\$ 7.80	\$ 3,962.40
17	Construct ADA Accessible Sidewalk Ramp Assembly	EA	7	\$ 603.86	\$ 4,227.02	\$ 350.00	\$ 2,450.00	\$ 676.00	\$ 4,732.00
18	Construct Untreated Base Course Between Road and Sidewalk	SY	125	\$ 14.88	\$ 1,860.00	\$ 24.50	\$ 3,062.50	\$ 6.65	\$ 831.25
19	Construct 3" Thick Hot Mix Asphalt (HMA)	SY	235	\$ 73.66	\$ 17,310.10	\$ 38.50	\$ 9,047.50	\$ 48.00	\$ 11,280.00
20	Furnish and Place Turf Grass Sod	SF	1075	\$ 3.76	\$ 4,042.00	\$ 1.75	\$ 1,881.25	\$ 5.50	\$ 5,912.50
21	Replace WM Lid with Traffic Lid. Install Grade Ring and Raise to Grade	EA	16	\$ 430.13	\$ 6,882.08	\$ 250.00	\$ 4,000.00	\$ 259.00	\$ 4,144.00
22	Remove and Relocate Light Pole	EA	1	\$ 6,325.00	\$ 6,325.00	\$ 5,950.00	\$ 5,950.00	\$ 1,200.00	\$ 1,200.00
23	Construct Storm Water Sump	EA	2	\$ 3,920.00	\$ 7,840.00	\$ 1,995.00	\$ 3,990.00	\$ 3,062.00	\$ 6,124.00
24	Remove and Dispose of Abandoned Power Pole	EA	1	\$ 345.00	\$ 345.00	\$ 450.00	\$ 450.00	\$ 250.00	\$ 250.00
25	Remove and Dispose of Concrete Ditch Wall	LF	15	\$ 19.20	\$ 288.00	\$ 78.00	\$ 1,170.00	\$ 5.25	\$ 78.75
26	Construct Asphalt Swale	LF	100	\$ 63.52	\$ 6,352.00	\$ 36.00	\$ 3,600.00	\$ 42.00	\$ 4,200.00
27	Construct 6' Chain Link Fence	LF	145	\$ 20.48	\$ 2,969.60	\$ 20.50	\$ 2,972.50	\$ 17.72	\$ 2,569.40
28	Construct Cobble	LF	390	\$ 14.02	\$ 5,467.80	\$ 15.50	\$ 6,045.00	\$ 7.89	\$ 3,077.10
TOTAL					\$ 224,362.53		\$ 169,559.25		\$ 166,972.51