

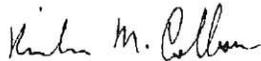
AMERICAN FORK CITY COUNCIL
OCTOBER 20, 2015
SPECIAL SESSION AGENDA

Notice is hereby given that the American Fork City Council will meet in a Special Session on Tuesday, October 20, 2015, in the American Fork City Offices, 51 East Main Street, commencing at 3:30 p.m. The agenda shall be as follows:

SPECIAL SESSION

1. Ratification of the release of the Improvements Construction Guarantee in the amount of \$51,438.28 and issuance of a Notice of Acceptance for Marina Cove Storage (Adams Boat Storage) at 30 East 1500 South. *(Requested by Dale Goodman)*
2. Consideration and action on entering into an Executive Session to discuss the professional character and competence of an individual. *(Requested by Mayor Hadfield)*
3. Adjournment.

Dated this 15 day of October 2015



Richard M. Colborn
City Recorder



**REQUEST FOR COUNCIL ACTION
CITY OF AMERICAN FORK
OCTOBER 20, 2015**

Department Public Works

Director Approval Dale Goodman

AGENDA ITEM Ratification of the release the Improvements Construction Guarantee in the amount of \$51,438.28 and issuance of a Notice of Acceptance for Marina Cove Storage (Adams Boat Storage) at 30 East 1500 South.

SUMMARY RECOMMENDATION

The City Engineer has been directed that the improvements are in a condition meeting City standards and an Improvements Construction Guarantee (ICG) release is appropriate.

BACKGROUND

Pursuant to the terms of Sections 17.9.100 and 17.9.304 of the City Development Code, the City Council may authorize the release of the ICG and issue a "Notice of Acceptance" of the project improvements. Following the issuance of the Notice of Acceptance, the City accepts ownership of the project improvements. The project will then enter the one (1) year Durability Testing Period as specified in section 17.9.400 of the City Development Code.

In issuing a Notice of Acceptance, the City Council finds that:

- The condition of the improvements are found to be satisfactory.
- All liens have been released, all outstanding fees paid, costs of administration paid, and reimbursement payments to prior developers (if any) have been made.
- The project clean-up is found to be satisfactory.

The City may request a current title report or other such measures or reports as deemed appropriate by the City as a means of determining the existence of any unreported liens or other claims upon the project. All financial information (if any) provided by the developer is attached. The Council may request additional information as deemed necessary.

BUDGET IMPACT

Following the release of the ICG, there is a one (1) year Durability Testing Period wherein ten percent (10%) of the total ICG is held to ensure the durability of the constructed improvements. Note this project was taken over and completed by a new developer. The performance guarantee provider originally held \$290,965.00 and sent a cash guarantee to the City in the amount of \$106,602.15. The City Engineer has been instructed to only require a durability retainer of \$10,660.22 instead of the original retainer calculation of \$29,096.50.

SUGGESTED MOTION

Move to accept the improvements and authorize the Mayor to execute the Notice of Acceptance for Marina Cove Storage (Adams Boat Storage). Authorize the City Engineer to issue documents and/or payments to release the secondary Improvement Construction Guarantee (ICG).

Commence the Durability Testing Period by retaining ten percent (10%) of the secondary ICG. Find that the project improvements are in a condition meeting City ordinances, standards, and specifications and are in conformance with the approved project construction plans.

SUPPORTING DOCUMENTS

Marina Cove Notice-of-Acceptance-ICG-Release-Auth-City-Council 10-13-2015 (PDF)

Marina Cove Notice of Completion and Release Request 10-13-2015 SIGNED (PDF)

(Modified 10-15-15 by Dick to fit the Special Session)



**NOTICE OF ACCEPTANCE
AND
IMPROVEMENTS CONSTRUCTION GUARANTEE
RETAINER RELEASE AUTHORIZATION**

The City Council of American Fork City, a Municipal Corporation and Body Politic in the State of Utah, hereby authorizes the release of the Improvements Construction Guarantee for Marina Cove Storage (Adams Boat Storage) pursuant to the terms of Sections 17.9.100 and 17.9.304 of the City Development Code. The City council accepts the improvements completed with the finding that said improvements are in a condition meeting City ordinances, standards, and specifications, are in conformance with the approved project construction plans, and all conditions for release as detailed in section 17.9.304 of the City Code have been satisfied.

The City Council hereby authorizes the City Engineer to issue a letter to the financial guarantee institution authorizing release of the Improvements Construction Guarantee, or to issue an authorized City check as appropriate for the type of guarantee provided. Upon issuance of this Notice of Acceptance, the Durability Testing Period shall commence as detailed in section 17.9.400 of the City Development Code. An amount totaling ten percent (10%) of the Improvements Construction Guarantee funds less \$18,436.28 will be held as the Durability Retainer pursuant to the City Performance Guarantee ordinance.

Amount Released: \$51,438.28

PASSED THIS _____ DAY OF _____, 2015.

James H. Hadfield, Mayor

ATTEST:

Richard M. Colborn, City Recorder



**NOTICE OF COMPLETION AND
REQUEST FOR RELEASE**

Projects and/or subdivisions completed within the corporate limits of American Fork City

Mayor James H. Hadfield
51 East Main
American Fork, UT 84003

Re: Marina Cove Storage (Adams Boat Storage)

Dear Mayor Hadfield,

As the project and/or subdivision construction has now been completed in full, I request that the Improvement Construction Guarantee be released in full up to one hundred percent (100%) of the initial construction costs plus an additional \$18,436.28. Following the release of the Improvement Construction Guarantee, I understand that the one (1) year Durability Testing Period will commence wherein ten percent (10%) of the total Improvements Construction Guarantee less the \$18,436.28 will be held to ensure the durability of the constructed improvements per City Ordinance Section 17.9.

I, Ryan Walz, the owner, developer, and authorized representative of Marina Cove Storage (Adams Boat Storage), do hereby request the release of the Improvement Construction Guarantee for this project plus an additional \$18,436.28. I certify that all liens have been released, all outstanding fees, costs of administration, and reimbursement payments to prior developers (if any) have been made, and the project clean-up is complete.

Project: Marina Cove Storage
Address: 30 East 1500 South
Requested ICG Amount: \$51,438.28


Owner/Developer

10/07/15
Date