



AMENDED CITY COUNCIL AGENDA

PUBLIC NOTICE is hereby given that the City Council of Spanish Fork, Utah, will hold a regular public meeting in the Council Chambers in the City Office Building, **40 South Main Street**, Spanish Fork, Utah, commencing at **6:00 p.m. on August 3, 2010**.

AGENDA ITEMS:

1. CALL TO ORDER, PLEDGE, OPENING CEREMONY, RECOGNITIONS:

- a. Pledge, led by invitation

2. PUBLIC COMMENTS:

Please note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comment will be limited to three minutes per person. A spokesperson who has been asked by a group to summarize their concerns will be allowed five minutes to speak. Comments which cannot be made within these limits should be submitted in writing. The Mayor or Council may restrict the comments beyond these guidelines.

3. COUNCIL COMMENTS:

4. PUBLIC HEARING:

- a. * [Ordinance 15-10 Impact Fee Enactment](#)

5. CONSENT ITEMS:

These items are considered by the City Council to be routine and will be enacted by a single motion. If discussion is desired on any particular consent item, that item may be removed from the consent agenda and considered separately.

- a. * [Minutes of Spanish Fork City Council Meeting – July 20, 2010](#)
- b. * [Sterling Hollow 5 Million Gallon Reservoir, Change Order #1](#)
- c. * [Cold Springs Collection System Reconstruct](#)
- d. * [Cold Springs Collection System and Miscellaneous Water System Engineering Contract Amendment](#)

6. NEW BUSINESS:

- a. Planning Commission Appointment
- b. * [Consideration of a resolution of the City Council of Spanish Fork City, Utah \(the "Issuer"\) authorizing the issuance and sale of approximately \\$5,900,000 aggregate principal amount of Water Revenue Refunding Bonds, Series 2010, authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this resolution, and related matters.](#)
- c. Presentation Utah County Substance Abuse Prevention Presentation – Melissa Bates
- d. * [Ordinance 16-10 Home Occupation in Accessory Buildings](#) – Junior Baker, City Attorney
- e. * [NRCS Grant Agreement](#) – Dale Robinson, P & R Director
- f. North Park & Spanish Fork River Trail Project Updates – Dale Robinson, P & R Director

ADJOURN

* Supporting documentation is available on the City's website www.spanishfork.org

Notice is hereby given that:

- In the event of an absence of a quorum, agenda items will be continued to the next regularly scheduled meeting.
- By motion of the Spanish Fork City Council, pursuant to Title 52, Chapter 4 of the Utah Code, the City Council may vote to hold a closed meeting for any of the purposes identified in that Chapter.
- This agenda is also available on the City's webpage at www.spanishfork.org

SPANISH FORK CITY does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the employment or the provision of services. The public is invited to participate in all Spanish Fork City Council Meetings located at 40 South Main St.

If you need special accommodation to participate in the meeting, please contact the City Manager's Office at 804-4530.

ORDINANCE NO. 15-10

ROLL CALL

VOTING	YES	NO
MAYOR G. WAYNE ANDERSEN <i>(votes only in case of tie)</i>		
ROD DART <i>Council member</i>		
RICHARD M. DAVIS <i>Council member</i>		
STEVE LEIFSON <i>Council member</i>		
JENS P. NIELSON <i>Council member</i>		
KEIR A. SCUBES <i>Council member</i>		

I MOVE this ordinance be adopted: _____

I SECOND the foregoing motion: _____

ORDINANCE 15-10

IMPACT FEE ENACTMENT ORDINANCE

WHEREAS, Spanish Fork City continues to experience extremely rapid growth; and,

WHEREAS, new facilities are necessary to accommodate the growth; and

WHEREAS, it is fair and equitable that the entities responsible for the new facilities pay for the cost thereof; and

WHEREAS, impact fees are an appropriate mechanism to pay for facilities made necessary by rapid growth; and

WHEREAS, Spanish Fork City has prepared a capital facilities plan as part of its

comprehensive general plan; and

WHEREAS, the capital facilities plan has been recently amended in order to remain current with the growth and needs of the city; and

WHEREAS, an analysis has been prepared whereby the needs, costs, and equitable allocation of those costs has been determined and fairly apportioned; and

WHEREAS, the City has an immediate need for parks and recreation facilities to accommodate the new growth; and

WHEREAS, public safety facilities are needed in order to accommodate the growth; and

WHEREAS, electric facility upgrades are necessary to provide electric power to service the new growth; and

WHEREAS, the growth has created the need to widen certain collector and/or arterial streets, add signals, construct arterial streets, and realign certain major intersections; and

WHEREAS, it is fair and equitable that new residents pay their share of the buy-in cost of existing infrastructure, taking into account those factors identified in Utah Code Ann. §11-36-201; and

WHEREAS, all sources of revenue have been analyzed and considered by the City; and

WHEREAS, the City has previously adopted impact fees, which bases and analyses should be reviewed on a regular basis; and

WHEREAS, a written analysis dated July 21, 2010 has been prepared; and

WHEREAS, the written analysis has been available for public inspection for at least 10 days prior to the public hearing; and

WHEREAS, the analysis identifies the impact on improvements needed to the electric

power system, the recreation facilities, the public safety facilities, and streets required by the development activities; and

WHEREAS, the analysis demonstrates how those impacts on the improvements are related to the development activities; and

WHEREAS, the analysis makes a conservative estimate of the proportionate share of the cost of impacts on the system improvements that are reasonably related to the development activity; and

WHEREAS, the analysis recommends that tiered impact fees be imposed in order to be most equitable; and

WHEREAS, the analysis identifies the amount of impact fee that could be imposed and how that fee was calculated; and

WHEREAS, the City has identified and analyzed, through the impact fee analysis, those criteria set forth in Utah Code Ann. §11-36-201(5)(b); and

WHEREAS, the impact fee proposed by this impact fee enactment does not exceed the highest fee justified by the impact fee analysis; and

WHEREAS, a public hearing was held before the Spanish Fork City Council on the 3rd day of August, 2010, wherein public comment was received, not only from concerned citizens, but from developers involved in the current development within the City; and

WHEREAS, the impact fee enactment has been available for public inspection for at least 10 days preceding the public hearing; and

WHEREAS, in order to protect the health, safety, and welfare of the residents of the City, it is necessary to impose an impact fee on new development to pay for the improvements made

necessary to the electric system, public safety facilities, streets, and recreational facilities by that new development;

NOW THEREFORE, be it enacted and ordained by the Spanish Fork City Council as follows:

SECTION I.

1. The recreational facility impact fee is hereby amended for each residential dwelling in the City.

2. The amount of the recreational facility impact fee is \$3,309.00 per multifamily residential dwelling unit.

3. The amount of the recreational facility impact fee for single family detached units is based on the size of the residence and is as follows:

<u>Size in square feet</u>	<u>Impact fee</u>
2499 or less	\$2,245.00
2500 - 2599	\$2,482.00
2600 - 2699	\$2,836.00
2700 - 2799	\$3,073.00
2800 - 2899	\$3,309.00
2900 - 2999	\$3,546.00
3000 - 3099	\$3,900.00
3100 - 3199	\$4,137.00
3200 - 3299	\$4,373.00
3300 - 3399	\$4,609.00
3400 - 3499	\$4,728.00
3500 - 3599	\$4,964.00
3600 - 3699	\$5,200.00
3700 - 3799	\$5,437.00
3800 or more	\$5,555.00

4. The municipal power impact fee is hereby amended for each building in the City based upon the size of service.

5. The amount of the impact fee for electric power is as follows:

Residential Single Phase 120/240V Service Size

<u>Amps</u>	<u>Kilowatts</u>	<u>Impact Fee</u>
100	24	\$1,075.00
125	30	\$1,344.00
150	36	\$1,613.00
200	48	\$2,151.00
225	54	\$2,420.00
400	96	\$4,302.00

General Service Single-Phase 120/240V Service Size

<u>Amps</u>	<u>Kilowatts</u>	<u>Impact Fee</u>
100	24	\$3,352.00
125	30	\$4,190.00
150	36	\$5,028.00
200	48	\$6,704.00
225	54	\$7,542.00
400	96	\$13,409.00

General Service Three Phase 120/208V Service Size

<u>Amps</u>	<u>Kilowatts</u>	<u>Impact Fee</u>
125	45.0	\$ 6,285.00
150	54.0	\$ 7,542.00
200	72.0	\$ 10,056.00
400	143.9	\$ 20,099.00
600	215.9	\$ 30,156.00
800	287.9	\$ 40,213.00
1,000	359.8	\$ 50,256.00
1,200	431.8	\$ 60,313.00
1,600	575.7	\$ 80,412.00
2,000	719.7	\$100,526.00
2,500	899.6	\$125,654.00

General Service Three Phase 277/480V Service Size

<u>Amps</u>	<u>Kilowatts</u>	<u>Impact Fee</u>
125	103.8	\$ 14,498.00

150	124.6	\$ 17,403.00
200	166.1	\$ 23,200.00
400	332.2	\$ 46,401.00
600	498.2	\$ 69,587.00
800	664.3	\$ 92,788.00
1,000	830.4	\$115,989.00
1,200	996.5	\$139,189.00
1,600	1,328.6	\$185,577.00
2,000	1,660.8	\$231,978.00
2,500	2,076.0	\$289,972.00

6. A public safety impact fee is hereby established for each nonresidential building in the City based upon the jobs per square foot of building space.

7. The amount of the impact fee for public safety for nonresidential buildings is \$169.00 per square foot of building space for retail and restaurant uses; \$432.00 per square foot of building space for all other commercial or other nonresidential services; and \$233.00 per square foot of building space for industrial uses.

8. The amount of the public safety impact fee is \$380.00 per multifamily residential dwelling unit.

9. The amount of the public safety impact fee for single family detached residences is based on the size of the residence and is as follows:

<u>Size in square feet</u>	<u>Impact fee</u>
2499 or less	\$258.00
2500 - 2599	\$285.00
2600 - 2699	\$325.00
2700 - 2799	\$353.00
2800 - 2899	\$380.00
2900 - 2999	\$407.00
3000 - 3099	\$448.00
3100 - 3199	\$475.00
3200 - 3299	\$502.00
3300 - 3399	\$529.00
3400 - 3499	\$543.00

3500 - 3599	\$570.00
3600 - 3699	\$597.00
3700 - 3799	\$624.00
3800 or more	\$638.00

10. A road and streets impact fee is hereby established for each nonresidential building in the City.

11. The amount of the roads and streets impact fee for nonresidential buildings is \$2,925.00 for retail and restaurant uses; \$1,287.00 for all other commercial or other nonresidential services; and \$446.00 for industrial uses.

12. The amount of the roads and streets impact fee is \$1,989.00 per multifamily residential dwelling unit.

13. The amount of the roads and streets impact fee for single family detached residences is based on the size of the residence and is as follows:

<u>Size in square feet</u>	<u>Impact fee</u>
2499 or less	\$1,750.00
2500 - 2599	\$1,845.00
2600 - 2699	\$1,965.00
2700 - 2799	\$2,061.00
2800 - 2899	\$2,181.00
2900 - 2999	\$2,277.00
3000 - 3099	\$2,373.00
3100 - 3199	\$2,469.00
3200 - 3299	\$2,565.00
3300 - 3399	\$2,637.00
3400 - 3499	\$2,732.00
3500 - 3599	\$2,804.00
3600 - 3699	\$2,876.00
3700 - 3799	\$2,972.00
3800 or more	\$3,044.00

14. These impact fees are due and payable when the building permit is obtained and shall

be a condition precedent to the issuance of the building permit.

15. All impact fees are in addition to any other fees.

16. The impact fee shall be deposited into an interest bearing ledger account and may be only used for capital improvements to the capital facility system for which the fee was collected. These improvements may include analysis costs, the construction contract price, the cost of acquiring land, improvements, materials, and fixtures, the cost for planning, surveying, and engineering fees for services provided for and directly related to the construction of the system improvements, the debt service charges incurred if the improvements are financed by bonds, notes, or other obligations carrying debt service charges, and for the cost of issuance of any such bonds, notes or other obligations.

17. The impact fees may not be used for operation or maintenance costs for any public facilities within the City.

18. Special exceptions, waivers, or credits may be granted, in the sole discretion of the City Council, upon application in accordance with the Spanish Fork City Municipal Code §15.4.12.050.

19. The impact fees identified herein shall become effective 90 days after adoption.

20. These impact fees are for system improvements and in no wise repeal or rescind the water transfer required upon development, pursuant to Spanish Fork Municipal Code §15.4.16.080, to insure that an adequate supply of water exists.

SECTION II.

This ordinance shall not be part of the Municipal Code.

SECTION III.

This ordinance shall become effective on the 2nd day of November, 2010.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH
FORK, UTAH, this 3rd day of August, 2010.

G. WAYNE ANDERSEN, Mayor

Attest:

KENT R. CLARK, City Recorder

**Tentative Minutes
Spanish Fork City Council Meeting
July 20, 2010**

Elected Officials Present: Mayor G. Wayne Andersen, Councilman Rod Dart, Richard M. Davis, Jens P. Nielson, Keir A. Scoubes. Absent: Steve Leifson.

Staff Present: David Oyler, City Manager; Junior Baker, City Attorney; Seth Perrins, Assistant City Manager; Dave Anderson; Community Development Director; Kent Clark, Recorder/Finance Director; Chris Thompson, Assistant Public Works Director; Dee Rosenbaum, Public Safety Director; Dale Robinson, Park & Recreation Director; Angie Warner, Deputy Recorder.

Citizens Present: Roger Knell, Milan Malkovich, John M. Williams, Glen Bradford, Brandon Anderson, Dallon Anderson, Lana Creer-Harris, Cary Hanks, Trudy Seely, Jerold Seely, Dave Wham, Paul Krauth.

CALL TO ORDER, PLEDGE, RECOGNITION:

Mayor Andersen called the meeting to order at 6:00p.m.

Councilman Rod Dart led in the pledge of allegiance.

Mayor Andersen expressed his thanks to those that participated in the Flag Retirement Ceremony. He explained that at the Flag Ceremony, one of Spanish Fork's police officers was recognized with a special award. Mayor Andersen introduced Glen Bradford to discuss this award.

Glen Bradford explained that Lt. Brandon Anderson was selected by the National American Legion as the Runner-up to the National Legion Officer of year. Glenn explained how the award is judged and that Lt. Anderson was sponsored by the local American Legion. To win this award, Lt. Anderson won the state and regional competitions. Past Commander, John Williams, helped Lt. Anderson through the process. Mr. Williams read the commission on the plaque and the plaque was awarded to Lt. Anderson by Glen Bradford

Mayor Andersen commended all of our police officers and volunteer emergency personnel for their dedication to the community.

Mayor Andersen introduced Miss Santaquin Royalty.

Shelley Judd, Miss Santaquin invited the public to Santaquin Orchard Days. She reviewed some of the events that they have going on.

PUBLIC COMMENTS:

Cary Hanks, from the Chamber of Commerce, reminded the public that the Fiesta Days sidewalk sales start tomorrow. She also explained that there would be a ground breaking for Canyon View Medical Clinic at 1pm on Friday.

Mayor Andersen expressed the council's appreciation to the Chamber of Commerce.

48 Glen Bradford reported on the status of the Veterans Home. Mayor Andersen asked that he
49 come meet with the city and see what we can do to help.

50

51 **COUNCIL COMMENTS:**

52 Councilman Nielson asked that everyone that comes to enjoy the Fiesta Days activities be
53 courteous, patient and have fun.

54

55 Councilman Davis hopes everyone is enjoying the Fiesta Days activities. The rodeo, carnival, car
56 show and vendors start tomorrow. The grand parade will be on Saturday at 9am. Children's day
57 this past Saturday went great as well as the Sunday night in the park. He thanked the committee
58 and volunteers that help with Fiesta Days.

59

60 Mayor Andersen is excited for the rodeo to start tomorrow. There will be around 590 participants
61 in the rodeo this year. Slack will start at 2pm everyday and the top 10 or 12 will be in the
62 performance for that night.

63

64 **CONSENT ITEMS:**

65 a. **Minutes of Spanish Fork City Council Meeting - June 6, 2010**

66 b. **North Park Change Order**

67

68 Councilman Dart made a **Motion** to approve the consent items.

69 Councilman Scoubes **Seconded** and the motion **Passed** all in favor.

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71 **NEW BUSINESS:**

72 **Ordinance 13-10 Allowing for Alternative Energy Interconnection – Junior Baker**

73 Mr. Baker stated that this ordinance will allow the citizens to net meter their own energy that is
74 generated with any form of electric generation. Mr. Baker added that this ordinance does not
75 allow residents to put up a residential wind turbine, it only allows for net metering to occur. An
76 ordinance to allow residential wind turbines would come at a later date.

77

78 Councilman Nielson made a **Motion** to approve the Ordinance 13-10 Allowing for Alternative
79 Energy Interconnection.

80 Councilman Scoubes **Seconded** and the motion **Passed** all in favor with a roll call vote.

81

82 **Amend Chicken Ordinance 14-10 – Junior Baker**

83 Mr. Baker last meeting the city council requested some items be added to this ordinance. It is
84 ready as per requested.

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86 Councilman Dart made a **Motion** to approve the Ordinance 14-10 Amending the Right to Keep
87 Chickens.

88 Councilman Nielson **Seconded** and the motion **Passed** all in favor with a roll call vote.

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90 **Golf Course Pressurized Irrigation Pump Station Carry Over – Richard Heap**

91 This item was taken off the agenda.

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93 **Waste Water Planning Program Nutrient Standards**

94 Paul Krauth with the State of Utah Division of Water Quality gave a powerpoint presentation
95 about a study that water quality has done on nutrients standards.

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Mayor Andersen thanked Mr. Krauth and asked if he would make this presentation to SUVMWA as well.

Amherst Meadows Preliminary Plat, this proposal would result in the reapproval of a plat for a residential subdivision located at 1250 South 2300 East

Mr. Anderson stated that this has been presented three times before for approval. There was some warranty bonds put in place on certain pieces of infrastructures.

Councilman Davis asked if the final plat will come to us in the next couple weeks.

Dave Anderson replied yes.

Councilman Nielson made a **Motion** to approve the Amherst Meadows Preliminary Plat. Councilman Davis **Seconded** and the motion **Passed** all in favor.

Spanish Highlands Ward Preliminary Plat, this proposal would provide for the creation of three lots located at approximately 1250 East 100 South

Dave Anderson stated that the church would like to build a stake center building on lot #1 & and building lot #2 would be dedicated to the City for a detention basin.

Dave Anderson stated that the Development Review Committee and the Planning Commission have reviewed this plat and recommend it be approved.

Councilman Dart made a **Motion** to approve the Spanish Highlands Ward Preliminary Plat. Councilman Scoubes **Seconded** and the motion **Passed** all in favor.

DFCU Preliminary Plat, this plat would rectify an unapproved subdivision and would create one new legal building lot located north of the corner of Kirby Lane and Chappel Drive

Dave Anderson stated that the Development Review Committee and the Planning Commission have reviewed this plat and recommend it be approved.

Councilman Nielson made a **Motion** to approve the DFCU Preliminary Plat and that the applicant provides the easements required.

Councilman Davis **Seconded** and the motion **Passed** all in favor.

ADJOURN:

Councilman Dart made a **Motion** to adjourn to Closed Session.

Councilman Scoubes **Seconded** and the motion **Passed** all in favor at 6:58pm.

ADOPTED:

Angie Warner, Deputy Recorder



Memo

To: Mayor and City Council
From: Richard Heap, City Engineer/Public Works Director
Date: July 28, 2010
Re: Sterling Hollow 5 Million Gallon Reservoir, Change Order #1

Staff Report

This item came to the city council previously without backup related to gas prices. It was also missing clarification on the time frames for the project award. This backup has now been provided and items related to time frames for the project award are understood to be left out of the change order. The contractor will not be compensated for any item relating to the delay of the project commencement.

The city staff and city council were able to verify with Richard Nielson that requests were verbally discussed relating to the large spike in fuel costs at the time of the increase fuel costs. Proper documentation of these costs have now been submitted and represent a legitimate claim from the contractor.

It is also noted that the contractor performed quality work which was completed in a good and timely manner and this would be the only change order on a 3 million dollar project representing less than 1% of the total project cost. With these issues resolved we recommend that the city council award the proposed change order as recommended by Horrocks Engineering, the project engineers for this reservoir.

Attached: Proposed Change Order, Horrocks Engineering Recommendation

RV
To: Brent Ventura, P.E.

From: Richard Heap, P.E.

Date: September 8, 2009

Subject: Sterling Hollow Tank Change Order Review



Memorandum

Following is a brief overview of our review of the Sterling Hollow Tank Change Order Request submitted by Build, Inc. Build, Inc is requesting reimbursement in 4 areas, Winter Productivity, Added Equipment, Fuel Escalation and Extended Home Office Overhead.

Winter Productivity:

Requesting: \$108,714.23 for additional labor costs incurred due to inclement weather conditions from 11/23/07 to 1/04/08 (26 working days)

Findings: The preconstruction meeting was held on 8/30/07. Build, Inc. did not begin work until 10/22/07 (35 working days later)

Recommendations: \$0 recommended. This cost increase could have been avoided if Build, Inc. had mobilized and begun work soon after the preconstruction meeting.

Other considerations: Length of mobilization is not known. If Build, Inc. can supply evidence that mobilization required longer than 9 days, some charges may be eligible for reimbursement. In the original request, Build appears to have tried to recover overhead, profit and office G&A costs. These items would need to be specifically justified since no actual home office work was evident during this time.

Added Equipment Cost:

Requesting: \$19,291.24 for additional equipment costs incurred due to inclement weather conditions from 11/23/07 to 1/04/08 (26 working days)

Findings: The preconstruction meeting was held on 8/30/07. Build, Inc. did not begin work until 10/22/07 (35 working days later)

Recommendations: \$0 recommended. This cost increase could have been avoided if Build, Inc. had mobilized and begun work soon after the preconstruction meeting.

Other considerations: Length of mobilization is not known. If Build, Inc. can supply evidence that mobilization required longer than 9 days, some charges may be eligible for reimbursement. In the original request, Build appears to have tried to recover overhead, profit and office G&A costs. These items would need to be specifically justified since no actual home office work was evident during this time.

Fuel Escalation:

Requesting: \$44,983.21 for escalated fuel costs during the entire project.

Findings: Fuel costs did increase during the project. The contractor has records of the actual cost of fuel during the project. No paperwork was submitted showing estimated fuel cost although they are referenced in the request. However, the price differences used appear reasonable for the time period. Also, Build included overhead, profit and home office G&A in the fuel request.

Recommendations: \$34,508.56 recommended reimbursement. This cost increase was inevitable for the contractor.

Other considerations: This change order should have been requested on a monthly basis as the charges were incurred.

Extended Home Office Overhead:

Requesting: \$24,569.87 for extending the contract period

Findings: The contract period has extended far beyond the original end date of the contract. Build has claimed in the change order that inclement weather has extended the contract approximately 12 days. However, this item includes compensation for contract extensions of 72 days. Further, the contract remains incomplete.

Recommendations: \$0 recommended reimbursement. It seems that this cost should be based upon the same inclement weather days as the rest of the request, in which case, it is not justifiable for the same reasons.

Other considerations: During this time period, there was no evidence of home office involvement in the project. Correspondence requested from the City and Construction manager was not return or entertained. Very few pay requests were submitted and only the original submittals were required that were required in the original bid documents. Build has not submitted any evidence of actual costs incurred nor how the costs are attributable to Spanish Fork City.

Summary:

We have found evidence that the Contractor incurred unavoidable costs in fuel escalation. These costs could reasonably be considered to be \$34,500. Other requested reimbursement could have been avoided if the Build, Inc. had begun the project promptly after the preconstruction meeting. However, there is a possibility that Build could show further evidence that might justify several days of delay that caused a small amount of addition costs due to inclement weather.

DOCUMENT 00990

CONTRACT CHANGE ORDER

Project: STERLING HOLLOW TANK
 Location: COVERED BRIDGE/SR-6
 Change Order No.: ONE (1)

Date 6/23/10

To: CHRIS THOMPSON

You are hereby requested to comply with the following changes from the contract plans and specifications:

Item No.	Description of Changes, Quantities, Units, Unit Prices, Change in Completion Schedule, etc.	Decrease In Contract Price	Increase In Contract Price
<u>C01</u>	<u>FUEL COST ESCALATION DURING JOB</u>		<u>+\$34,500</u>
<u>C02</u>	<u>DELETE ROADWAY ASPHALT</u>	<u>-\$11,000</u>	
	Change in contract price due to this Change Order:		
	Total Decrease	<u>-\$11,000</u>	
	Total Increase		<u>+\$34,500</u>
	Difference between Col. 3 & 4		
	Net (increase) (decrease)		<u>\$23,500</u>

The sum of \$ 23,500 is hereby added to deducted from, the total contract price and the total adjusted contract price to date thereby is \$ 2,919,500.

The time provided for completion in the contract is unchanged, increased decreased by ___ calendar days. This Document shall become an amendment to the contract & all provisions of the contract will apply hereto.

Accepted by: [Signature] Date 6/25/10
 Contractor
 Recommended by: [Signature] Date 6/23/10
 Resident Engineer
 Approved by: _____ Date _____
 Owner

No Liquidated damage Apply to this change order! RS



Memo

To: Mayor & City Council
From: Richard Heap, City Engineer/Public Works Director
Date: July 28, 2010
Re: Cold Springs Collection System Reconstruct

Staff Report

This past year we have had 3 major breaks on our Cold Springs water transmission line coming down the canyon. These leaks have disrupted the integrity of our Cold Springs collection system. This system was constructed in 1952, was due to be replaced and an adequate amount of money has been budgeted to do so.

This spring is a critical part of our water system which we need to get back in service as soon as feasibly possible. We just received our final clearance from the Army Corp of Engineers to commence the work and we have the attached bid from the contractor, Whitaker Construction, who is finishing up their work in this area for the Central Utah Project (CUP). They have left their dewatering operations in place from the CUP project so they can use them to complete this project. They are also the ones who replaced our transmission line to and through this area to accommodate the new CUP pipeline and they are very familiar with the existing conditions and operations of our spring equipment.

We recommend that you award this bid so that construction can commence on the spring collection system as soon as possible. We will have the contractor add to his costs a payment and performance bond as we typically do on construction projects. We do not feel there is enough time to create full plan and bid documents and commence a formal bidding process. Without this source we do not have sufficient redundancy in our water system if problems arose with another source.

Attached: Whitaker Construction Bid



whitaker
 construction co.
 44 S 1050 W Brigham City, UT 84302 PO Box 430
 Phone # (435) 723-2921 Fax# (435) 723-5808

Estimated Totals
 Spring Collection Line Replacement
 Cold Springs Pond, Spanish Fork City, UT

Customer: Spanish Fork City
 Contact: Chris Thompson
 Phone: (801) 804-4500

Labor	Cost	Hour Quantity	Total
Foreman	\$56.02	210.47	\$11,790.53
Loader	\$41.98	208.97	\$8,772.56
Compactor	\$42.34	135.73	\$5,746.81
Pipelayer	\$33.16	172.16	\$5,708.83
Laborer	\$25.81	184.93	\$4,773.04
Truck Driver	\$36.28	40.33	\$1,463.17
Project Mgr	\$49.15	50	\$2,457.50
Superintendent	\$74.04	90	\$6,663.60
			\$47,376.04

EM Type	Cost	Hour Quantity	Total
Volvo 210 Trackhoe	\$62.50	140.13	\$8,758.13
Volvo 290 Trackhoe	\$82.50	34.00	\$2,805.00
Volvo 360 Trackhoe	\$97.00	160.37	\$15,555.89
JD Backhoe 310	\$37.00	15.70	\$580.90
Volvo 110 Loader	\$71.50	144.23	\$10,312.45
Volvo 90 Loader	\$55.00	33.07	\$1,818.85
Grader	\$72.00	14.05	\$1,011.60
Roller Ingersoll 70	\$30.00	10.00	\$300.00
Service Truck	\$15.50	350.47	\$5,432.29
Water Truck	\$29.00	20.33	\$589.57
Transport Truck	\$90.00	20.00	\$1,800.00
Generator	\$178.00/day	84.00	\$14,952.00
Pumps (3", 4", & 6")	\$90.86/day	12.00	\$1,090.32
Pumps (6" Godwin)	\$318.50/day	12.00	\$3,822.00
Trench Box	\$30/day	24.00	\$720.00
Gravel Bedding Box	\$10/day	13.03	\$130.30
Road Plates	\$27.04/day	24.00	\$648.96
Hand Tools	\$5.00	157.87	\$789.35
			\$71,117.60

Trucking	Cost	Qty	Total
Subcontracted (Hrs)	\$90.00	234.00	\$21,060.00

Misc	Cost	Qty	Total
Dewatering Tube Rental (EA)	\$75.00	13.00	\$975.00
Disposal Fee (Load)	\$75.00	39.00	\$2,925.00
			\$3,900.00

General Material List	Cost	Qty	Total
10 oz Nonwoven Geotextile (SY)	\$1.45	2887.50	\$4,186.88
30" Ring & Cover (EA)	\$301.86	2.00	\$603.72
60" MH section (VF)	\$90.56	6.00	\$543.36
60"x3' Base (EA)	\$724.44	2.00	\$1,448.88
60"x3' Cone (EA)	\$307.89	2.00	\$615.78
24" PVC boot (EA)	\$120.74	4.00	\$482.96
Conseal Roll (EA)	\$14.49	4.00	\$57.96
Steps (EA)	\$6.03	18.00	\$108.54
PVC Liner (SY)	\$8.15	4022.50	\$32,783.38
Imported Clay (CY)	\$10.84	2482.50	\$26,910.30
1" Rock (Ton)	\$10.92	2652.50	\$28,965.30
Silt Fence (LF)	\$0.60	400.00	\$240.00
24" C905 Pipe (LF)	\$52.35	900.00	\$47,115.00
			\$144,062.05

Labor	\$47,376.04
Equipment	\$71,117.60
Trucking	\$21,060.00
Misc	\$3,900.00
Materials	\$144,062.05
Grand Total	\$287,515.68



Memo

To: Mayor and City Council
From: Richard Heap, City Engineer/Public Works Director
Date: July 28, 2010
Re: Cold Springs Collection System and Miscellaneous Water System
Engineering Contract Amendment

Staff Report

The city has contracted with Hansen, Allen and Luce Inc. for several projects up the canyon related to Cold Springs and the Central Utah Project (CUP), much of which has been reimbursed through the CUP project. We have also contracted with them to complete our Water Conservation Plan update, our Source Protection Plan update and an evaluation of the sanding problem at our 2550 East Canyon Road well.

This amendment proposes to extend our contract with Hansen, Allen and Luce to include the construction management of the Cold Springs collection system reconstruct. They have worked on the permitting process with both the Army Corp of Engineers and the State Department of Water Quality and will also complete these processes as part of this contract amendment.

We have made several updates to the 2550 East Canyon Rd well which have solved the sanding problem. We now would like to have Hansen, Allen and Luce optimize a pump design for the well according to the changes made. The cost for this would be \$9,300.

In preparation for impact fee review we have budgeted to update our Water and Pressurized Irrigation masterplans. We hired Hansen, Allen and Luce to evaluate our current masterplan and prepare an RFP for the necessary work in their analysis for it's update. This analysis would be much better with a calibrated water model in EPAnet, the free water modeling software available to all public water entities and engineering firms through the EPA. The cost to complete this model would be \$12,500 but would provide a much better evaluation of our existing system. It may also provide a way for city staff to complete the water masterplan update in house.

Hansen, Allen and Luce has provided good quality consulting on all these varied projects helping us meet several important deadlines. The money for each of these projects is programmed in the current city budget. We recommend that the council approve this contract amendment.

Attached: Proposed Contract Amendment

AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES

This addendum made on July _____, 2010, modifies the Agreement made on February 18, 2010, between Spanish Fork City, (CITY) with its principal offices in Spanish Fork, Utah, and Hansen, Allen & Luce, Inc. (ENGINEER), with offices at 6771 South 900 East, Midvale, Utah 84047. The terms and conditions of the February 18, 2010, Agreement shall apply to this Amendment, except to the extent expressly modified by this Amendment.

1. Scope of Services. The scope of services (hereinafter "Services") for this addendum includes the following items:
 - a. Lower Cold Springs Bid Documents including: Administration, site visits, meetings with City personnel, design, construction drawing preparation, preparation of bidding documents and specifications, coordination with DDW, and assist with bidding.
 - b. Lower Cold Springs Services During Construction including: construction administration, construction observation, preparation of record drawings, DDW operating permit, and construction closeout.
 - c. Canyon Elementary and Canyon Road Wells DDW Approval including: administration and management, site visit and meeting with DDW, providing info to DDW, record drawings and design of backflow preventer, DDW operating permit preparation, coordination with DDW.
 - d. Drinking Water System Model including: administration, preparation of pipes in the model from GIS pipe layer, working with City personnel to add valves, pumps, tanks and system control settings, geocoding the billing database, preparing demands and diurnal curves, calibration, model finalization and cleanup, and training City personnel on using the model.
2. Estimated Time Schedule. ENGINEER proposes to complete the above work by October 30, 2010.
3. Charges for services. Charges for the above services will be based on hourly fees and other direct costs as identified in the ENGINEER's rate schedule currently in effect. The fee for services performed under this addendum will increase the contract amount by an amount not to exceed \$51,300.
4. Notices, Signatures and Authorized Representatives. The following signatories of this Agreement are the Authorized Representatives of CITY and ENGINEER for the execution of this Amendment. Any information or notices required or permitted under this Amendment shall be deemed to have been sufficiently given if in writing and delivered either personally or by mail to the undersigned representative.

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed by their duly Authorized Representatives, DATED the day and year first written above, as follows:

CITY

ENGINEER

G. Wayne Andersen, Mayor

Richard M. Noble, Principal

ATTEST:

ATTEST:

Kimberly Robinson, Recorder

Steven C. Jones, Associate

CLIENT: SPANISH FORK CITY
 PROJECT: WATER PROJECTS ADDENDUM 2

Task Number	Task Activity	Hours							Total Hours	Labor Cost	Expense Cost	Total HAL Cost with Contingency & Rate Inc.
		Principal in Charge \$156/hr	Managing Prof. \$131/hr	Senior Prof. \$119.5/hr	Prof. II \$101.5/hr	Prof. Intern. \$81.5/hr	Field Tech \$72.0/hr	CAD \$72.0/hr				
1 LOWER COLD SPRINGS BID DOCUMENTS												
a	Administration and management	4		4	8				16	\$ 1,914.00	\$ 97.50	\$ 2,112.08
b	Site visits to the spring and meetings with City (3 Mtgs)	4		10					14	\$ 1,819.00	\$ 130.00	\$ 2,046.45
c	Design & Preparation of 90% Construction Drawings		2	20			16		38	\$ 3,804.00	\$ 240.00	\$ 4,246.20
d	Preparation of Final Construction Drawings		1	6			8		15	\$ 1,424.00	\$ 120.00	\$ 1,621.20
e	Preparation of Bid Doc's & Specifications	2	2	20					24	\$ 2,964.00	\$ 400.00	\$ 3,532.20
f	Coordination and Approval from DDW			10					10	\$ 1,195.00	\$ 0.00	\$ 1,254.75
g	Assist with Bidding Project (Precon Mtg & Contractor ?'s)	1		8					9	\$ 1,112.00	\$ 0.00	\$ 1,167.60
h	Quality Control (QC)		1						1	\$ 131.00	\$ 0.00	\$ 137.55
i	Quality Assurance (QA)	2							2	\$ 312.00	\$ 0.00	\$ 327.60
SUBTOTAL HOURS/UNITS:		13	6	78	8	0	0	24	129			
SUBTOTAL:		\$ 2,028.00	\$ 786.00	\$ 9,321.00	\$ 812.00	\$ 0.00	\$ 0.00	\$ 1,728.00		\$ 14,675.00	\$ 987.50	\$ 16,445.63
2 LOWER COLD SPRINGS SDC												
a	Construction Administration - 4 Week Construction	4	4	16	4				28	\$ 3,466.00	\$ 97.50	\$ 3,741.68
b	Construction Observation - 1/2 time over 2 weeks		4	12			40		56	\$ 4,838.00	\$ 728.00	\$ 5,844.30
c	Record Drawings and DDW Operating Permit	2		8				8	18	\$ 1,844.00	\$ 235.00	\$ 2,182.95
d	Construction Closeout	2		4	4				10	\$ 1,196.00	\$ 65.00	\$ 1,324.05
SUBTOTAL HOURS/UNITS:		8	8	40	8	0	40	8	112			
SUBTOTAL:		\$ 1,248.00	\$ 1,048.00	\$ 4,780.00	\$ 812.00	\$ 0.00	\$ 2,880.00	\$ 576.00		\$ 11,344.00	\$ 1,125.50	\$ 13,092.98
3 CANYON ELEMENTARY AND ROAD WELLS DDW APPROVAL												
a	Administration and management	2		4	4				10	\$ 1,196.00	\$ 0.00	\$ 1,255.80
b	Site Visit to Well Site and Mtg with DDW			6					6	\$ 717.00	\$ 97.50	\$ 855.23
c	Provide Info to DDW for Culinary Water Well			8	4				12	\$ 1,362.00	\$ 0.00	\$ 1,430.10
d	Record Drawings & Design for Backflow at Wells	1		16			8		25	\$ 2,644.00	\$ 285.00	\$ 3,075.45
e	DDW Operating Permit Prep			10					10	\$ 1,195.00	\$ 0.00	\$ 1,254.75
f	Meetings and Coord with DDW	2		8					10	\$ 1,268.00	\$ 65.00	\$ 1,399.65
SUBTOTAL HOURS/UNITS:		5	0	52	8	0	0	8	73			
SUBTOTAL:		\$ 780.00	\$ 0.00	\$ 6,214.00	\$ 812.00	\$ 0.00	\$ 0.00	\$ 576.00		\$ 8,382.00	\$ 447.50	\$ 9,270.98
4 DRINKING WATER SYSTEM MODEL												
a	Administration and management	2			4				6	\$ 718.00	\$ 65.00	\$ 822.15
b	Prepare pipes in model from GIS pipe layer				12	10			22	\$ 2,033.00	\$ 165.00	\$ 2,307.90
c	Work with City Personnel to add valves, pumps, tanks and controls				16				16	\$ 1,624.00	\$ 185.00	\$ 1,899.45
d	Geocode billing records				8	12			20	\$ 1,790.00	\$ 150.00	\$ 2,037.00
e	Demand and diurnal curve preparation				12	8			20	\$ 1,870.00	\$ 150.00	\$ 2,121.00
f	Calibration				16	2			18	\$ 1,787.00	\$ 155.00	\$ 2,039.10
g	Model finalization				4				4	\$ 406.00	\$ 0.00	\$ 426.30
h	Model training				4				4	\$ 406.00	\$ 0.00	\$ 426.30
i	Quality Control (QC)				2				2	\$ 203.00	\$ 0.00	\$ 213.15
j	Quality Assurance (QA)	1							1	\$ 156.00	\$ 65.00	\$ 232.05
SUBTOTAL HOURS/UNITS:		3	0	0	78	32	0	0	113			
SUBTOTAL:		\$ 468.00	\$ 0.00	\$ 0.00	\$ 7,917.00	\$ 2,608.00	\$ 0.00	\$ 0.00		\$ 10,993.00	\$ 935.00	\$ 12,524.40

TASK	Labor Costs	Direct Costs	Subtotal w/Contingency
LOWER COLD SPRINGS BID DOCUMENTS	\$ 14,675.00	\$ 987.50	\$ 16,445.63
LOWER COLD SPRINGS SDC	\$ 11,344.00	\$ 1,125.50	\$ 13,092.98
CANYON ELEMENTARY AND ROAD WELLS DDW APPROVAL	\$ 8,382.00	\$ 447.50	\$ 9,270.98
DRINKING WATER SYSTEM MODEL	\$ 10,993.00	\$ 935.00	\$ 12,524.40
TOTAL:	\$ 45,394.00	\$ 3,495.50	\$ 51,333.98

Prepared by TBT/SCJ Review by RMN 7/1/2010



SUMMARY OF HANSEN, ALLEN & LUCE WATER PROJECTS BUDGET

	TASK	PERCENT COMPLETE	TOTAL BILLED	ORIGINAL BUDGET	ADDENDUM 1	ADDENDUM 2	TOTAL BUDGET
1	Lower Cold Springs Redevelopment	62	\$29,299.52	\$19,300.00	\$10,000.00	\$29,500.00	\$58,800.00
2	Upper Cold Springs Evaluation	0	\$0.00	\$2,300.00	\$0.00	\$0.00	\$2,300.00
3	Lower Cold Springs Air-Vac Valve Design	100	\$1,553.13	\$1,600.00	\$0.00	\$0.00	\$1,600.00
4	Water Conservation Plan Update	100	\$2,783.50	\$2,800.00	\$0.00	\$0.00	\$2,800.00
5	Drinking Water Source Protection Plan Updates	99	\$17,919.35	\$14,600.00	\$0.00	\$0.00	\$14,600.00
6	Canyon Road Well Evaluation	40	\$2,621.63	\$3,400.00	\$0.00	\$9,300.00	\$12,700.00
7	Drinking Water Master Plan Evaluation	30	\$2,674.10	\$2,700.00	\$0.00	\$12,500.00	\$15,200.00
8	Pressurized Irrigation Master Plan Evaluation	55	\$1,601.00	\$2,900.00	\$0.00	\$0.00	\$2,900.00
	TOTAL	60	\$58,452.23	\$49,600.00	\$10,000.00	\$51,300.00	\$110,900.00

Spanish Fork, Utah

August 3, 2010

The City Council of Spanish Fork City, Utah, met in regular public session at its regular meeting place in Spanish Fork, Utah at 6:00 p.m. on Tuesday, August 3, 2010, with the following members of the Council being present:

G. Wayne Andersen	Mayor
Rod Dart	Councilmember
Richard M. Davis	Councilmember
Jens P. Nielson	Councilmember
Steve Leifson	Councilmember
Keir Scoubes	Councilmember

Also present:

David A. Oyler	City Manager
Kent R. Clark	Finance Director/City Recorder
S. Junior Baker	City Attorney
Angie Warner	Deputy Recorder

Absent:

After the meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, the City Recorder presented to the Council a Certificate of Compliance With Open Meeting Law with respect to this August 3, 2010 meeting, a copy of which is attached hereto as Exhibit A.

The following resolution was then introduced in writing, 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 City Recorder in the official records of Spanish Fork City, Utah. The resolution is as follows:

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN \$_____ AGGREGATE PRINCIPAL AMOUNT OF WATER REVENUE REFUNDING BONDS, SERIES 2010, OF SPANISH FORK CITY, UTAH; AUTHORIZING THE EXECUTION BY THE ISSUER OF A THIRD SUPPLEMENTAL INDENTURE OF TRUST, AN ESCROW DEPOSIT AGREEMENT, AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AUTHORIZING AND APPROVING A PRELIMINARY OFFICIAL STATEMENT, AN OFFICIAL STATEMENT, AND A BOND PURCHASE AGREEMENT, AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS.

WHEREAS, pursuant to the provisions of the Utah Refunding Bond Act, Title 11, Chapter 27, Utah Code Annotated 1953, as amended (the "Act"), the City Council (the "Council") of Spanish Fork City, Utah, (the "Issuer"), has authority to issue bonds to achieve a debt service savings; and

WHEREAS, in order to (i) refund certain of the Issuer's outstanding Water Revenue Bonds, Series 2002 (the "Refunded Bonds") and (ii) to pay all costs of issuance, the Issuer desires to issue its Water Revenue Refunding Bonds, Series 2010 in the aggregate principal amount of not more than \$_____ (the "Series 2010 Bonds") pursuant to this Resolution, a General Indenture of Trust dated as of October 1, 1998, as heretofore supplemented (the "General Indenture"), between the Issuer and Zions First National Bank, as trustee (the "Trustee") (the "General Indenture"), and the Third Supplemental Indenture of Trust dated as of August 1, 2010 (the "Third Supplemental Indenture" and together with the General Indenture, the "Indenture"), between the Issuer and the Trustee, in substantially the form presented to the meeting at which this Resolution was adopted and which is attached hereto as Exhibit B; and

WHEREAS, by Resolution adopted April 20, 2010 (the "Parameters Resolution"), the Council declared its intent to issue the Series 2010 Bonds, approved the preparation and use of offering material with respect to the Series 2010 Bonds, and provided for the publication of a "Notice of Bonds to be Issued"; and

WHEREAS, there has been presented to the Council at this meeting a form of a Bond Purchase Agreement (the "Bond Purchase Agreement") to be entered into among the Issuer and Stifel, Nicolaus & Company, Incorporated, the underwriter for the Series 2010 Bonds (the "Underwriter"), and a form of Preliminary Official Statement relating to the Series 2010 Bonds (the "Preliminary Official Statement"), the Third Supplemental Indenture, and a Escrow Deposit Agreement (the "Escrow Agreement") to be entered into by the Issuer and Zions First National Bank as escrow agent to provide for the refunding of the Refunded Bonds; and

WHEREAS, the Council desires to ratify the use and distribution of the Preliminary Official Statement and to approve a final Official Statement relating to the Series 2010 Bonds (the “Official Statement”) and other documents relating thereto;

WHEREAS, in order to allow the Underwriter, (with the consultation and approval of the Issuer’s Financial Advisor, Zions Bank Public Finance) flexibility setting the pricing date to optimize the potential savings of the Issuer, the Council desires to grant to the [Mayor, the City Manager and/or the Finance Director] of the Issuer the authority to approve the interest rates, principal amounts, terms, maturities, redemption features, and purchase price at which the Series 2010 Bonds shall be sold and any changes with respect thereto from those terms which were before the Council at the time of adoption of this Resolution; provided such terms do not exceed the parameters set forth in this Resolution;

WHEREAS, the Series 2010 Bonds shall be payable solely from the Net Revenues (as defined in the Indenture) and other moneys pledged therefor in the Indenture, and shall not constitute or give rise to a general obligation or liability of the Issuer or constitute a charge against its general credit or taxing powers;

NOW, THEREFORE, it is hereby resolved by the City Council of Spanish Fork City, Utah, as follows:

Section 1. All terms defined in the foregoing recitals hereto shall have the same meanings when used herein.

Section 2. All action heretofore taken (not inconsistent with the provisions of this resolution) by the Council and the officers of the Issuer directed toward the issuance and sale of the Series 2010 Bonds are hereby ratified, approved and confirmed.

Section 3. For the purpose of providing funds to be used for (i) refunding all or a portion of the outstanding Refunded Bonds, (ii) funding any required deposit to a debt service reserve fund and (iii) paying costs of issuance of the Series 2010 Bonds, the Issuer hereby authorizes the issuance of the Series 2010 Bonds which shall be designated “Spanish Fork City, Utah Water Revenue Refunding Bonds, Series 2010” in the aggregate principal amount of not to exceed \$_____. The Series 2010 Bonds shall mature on such date or dates, be subject to redemption and bear interest at the rates, as shall be approved by the Mayor, City Manager, and/or Finance Director, all within the parameters set forth on Exhibit C attached hereto and incorporated herein by reference. The issuance of the Series 2010 Bonds shall be subject to the final approval of Bond Counsel and to the approval of the attorney for the Issuer.

Section 4. The Series 2010 Bonds shall be sold to the Underwriter with an Underwriter’s discount of not to exceed _____% of the face amount of the Series 2010 Bonds. The Bond Purchase Agreement in substantially the form presented to this meeting and attached hereto as Exhibit D is hereby authorized, approved and confirmed. The Mayor, City Manager, and/or Finance Director are hereby authorized to execute and deliver the Bond Purchase Agreement in substantially the same form and with

substantially the same content as the form of the Bond Purchase Agreement presented at this meeting for and on behalf of the Board with final terms as may be established for the Series 2010 Bonds within the parameters set forth herein and with such alterations, changes or additions as may be necessary or as may be authorized by Section 14 hereof. The Mayor, City Manager, and/or Finance Director are hereby authorized to specify and agree as to the final principal amounts, terms, discounts, maturities, interest rates, redemption features and purchase price with respect to the Series 2010 Bonds for and on behalf of the Issuer and any changes thereto from those terms which were before the Council at the time of adoption of this Resolution, provided such terms are within the parameters set by this Resolution, with such approval to be conclusively established by the execution of the Bond Purchase Agreement and the Third Supplemental Indenture.

Section 5. The appropriate officials of the Issuer are authorized to make any alterations, changes or additions to the Third Supplemental Indenture, the Escrow Agreement, the Series 2010 Bonds, the Bond Purchase Agreement, the Preliminary Official Statement, the Official Statement or any other document herein authorized and approved which may be necessary to correct errors or omissions therein, to complete the same, to remove ambiguities therefrom, to conform the same to other provisions of said instruments, to the provisions of this Resolution or any resolution adopted by the Council or the provisions of the laws of the State of Utah or the United States.

Section 6. The form of Third Supplemental Indenture attached hereto as Exhibit B is in all respects hereby authorized and approved, and the Mayor and City Recorder are hereby authorized and directed to execute and deliver the same on behalf of the Issuer.

Section 7. The form of the Escrow Agreement attached hereto as Exhibit E is in all respect hereby authorized and approved and the Mayor and City Recorder are hereby authorized and directed to execute and deliver the same on behalf of the Issuer.

Section 8. The form, terms and provisions of the Series 2010 Bonds and the provisions for the signatures, authentication, payment, registration, transfer, exchange, redemption and number shall be as set forth in the Indenture. The Mayor and City Recorder are hereby authorized and directed to execute and seal the Series 2010 Bonds and to deliver said Bonds to the Trustee for authentication. The signatures of the Mayor and the City Recorder may be by facsimile or manual execution.

Section 9. The appropriate officials of the Issuer are hereby authorized and directed to execute and deliver to the Trustee the written order of the Issuer for authentication and delivery of the Series 2010 Bonds in accordance with the provisions of the Indenture.

Section 10. The Issuer hereby ratifies and reaffirms the utilization of the Preliminary Official Statement in the form attached hereto as Exhibit F in the marketing of the Series 2010 Bonds and hereby approves the Official Statement in the form attached hereto as Exhibit G. The Mayor is hereby authorized to execute the Official Statement evidencing its approval by the Issuer.

Section 11. Upon their issuance, the Series 2010 Bonds will constitute special limited obligations of the Issuer payable solely from and to the extent of the sources set forth in the Series 2010 Bonds and the Indenture. No provision of this Resolution, the Indenture, the Escrow Agreement, the Series 2010 Bonds, or any other instrument, shall be construed as creating a general obligation of the Issuer, or of creating a general obligation of the State of Utah or any political subdivision thereof, or as incurring or creating a charge upon the general credit of the Issuer or its taxing powers.

Section 12. The appropriate officials of the Issuer, and each of them, are hereby authorized and directed to execute and deliver for and on behalf of the Issuer any or all additional certificates, documents and other papers and to perform all other acts they may deem necessary or appropriate in order to implement and carry out the matters authorized in this Resolution and the documents authorized and approved herein.

Section 13. After the Series 2010 Bonds are delivered by the Trustee to the Underwriter, and upon receipt of payment therefor, this Resolution shall be and remain irrevocable until the principal of, premium, if any, and interest on the Series 2010 Bonds are deemed to have been duly discharged in accordance with the terms and provisions of the Indenture.

Section 14. The forms of Third Supplemental Indenture, the Escrow Agreement, and Bond Purchase Agreement authorized and approved hereby are authorized and approved with such additions, modifications, deletions and changes thereto as may be deemed necessary or appropriate and approved by the Mayor, whose execution thereof on behalf of the Issuer shall conclusively establish such necessity, appropriateness and approval with respect to all such additions, modifications, deletions and changes incorporated therein.

Section 15. The Issuer hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Undertaking, a copy of which is attached to the Official Statement. In the event the Issuer fails to comply with the Continuing Disclosure Undertaking, any Bondholder may take the remedial actions set forth therein.

Section 16. In accordance with the provisions of Section 11-14-316 of the Local Government Bonding Act, Utah Code Annotated 1953, as amended, the City Recorder has caused a "Notice of Bonds to be Issued" to be published one time in the Spanish Fork Press, a newspaper having general circulation in the Issuer, and has caused a copy of the Parameters Resolution to be kept on file in the office of the City Recorder for public examination during regular business hours at least thirty (30) days from and after the date of publication thereof. Such notice is hereby reaffirmed and approved.

Section 17. It is hereby declared that all parts of this Resolution are severable, and if any section, clause or provision of this Resolution shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, clause or provision shall not affect the remaining sections, clauses or provisions of this Resolution.

Section 18. All resolutions, orders and regulations or parts thereof heretofore adopted or passed which are in conflict herewith are, to the extent of such conflict, hereby repealed. This repealer shall not be construed so as to revive any resolution, order, regulation or part thereof heretofore repealed.

Section 19. This Resolution shall take effect immediately upon its approval and adoption.

APPROVED AND ADOPTED this 3rd day of August, 2010.

Mayor

ATTEST:

City Recorder

(SEAL)

(Other business not pertinent to the foregoing appears in the minutes of the meeting.)

Upon the conclusion of all business on the Agenda, the meeting was adjourned.

Mayor

ATTEST:

City Recorder

(SEAL)

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH
OPEN MEETING LAW

I, Kent Clark, the undersigned City Recorder of Spanish Fork City, 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 August 3, 2010, public meeting held by the City as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the City's principal offices on _____, 2010, 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;

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to Spanish Fork Press on _____, 2010, at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of such Notice in the form attached hereto as Schedule 1, to be published on the Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the Notice of 2010 Annual Meeting Schedule for the City Council of Spanish Fork City, Utah (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 (a) posted in December, 2009 at the principal office of the City Council, (b) provided to at least one newspaper of general circulation within the City in December, 2009 and (c) published on the Utah Public Notice Website (<http://pmn.utah.gov>) during the current calendar year.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this 3rd day of August, 2010.

City Recorder

(SEAL)

SCHEDULE 1

NOTICE OF MEETING

SCHEDULE 2

ANNUAL MEETING SCHEDULE

EXHIBITS

EXHIBIT B – Form of Third Supplemental Indenture

EXHIBIT C – Parameters of the Series 2010 Bonds [Please see next page]

EXHIBIT D – Form of Bond Purchase Agreement

EXHIBIT E– Form of Escrow Deposit Agreement

EXHIBIT F – Form of Preliminary Official Statement

EXHIBIT G – Form of Official Statement

EXHIBIT C

PARAMETERS OF THE SERIES 2010 BONDS

Principal amount not to exceed	\$6,000,000
Interest rates not to exceed	5%
Discount from par not to exceed	2%
Final Maturity not to exceed	Seven (7) years from date of issuance

Series 2010 Bonds debt service in every fiscal year shall not exceed the corresponding debt service on the Refunded Bonds.

Net Present Value savings shall not be less than 3% net of all costs of issuance.

ORDINANCE NO. 16-10

ROLL CALL

VOTING	YES	NO
G. WAYNE ANDERSEN <i>Mayor</i> <i>(votes only in case of tie)</i>		
ROD DART <i>Council member</i>		
RICHARD M. DAVIS <i>Council member</i>		
STEVE LEIFSON <i>Council member</i>		
JENS P. NIELSON <i>Council member</i>		
KEIR A. SCUBES <i>Council member</i>		

I MOVE this ordinance be adopted: Council member _____

I SECOND the foregoing motion: Council member _____

ORDINANCE No. 16-10

AN ORDINANCE AMENDING THE HOME OCCUPATION REQUIREMENTS TO ALLOW HOME OCCUPATIONS IN ACCESSORY BUILDINGS

WHEREAS, Spanish Fork City allows certain types of businesses to be conducted from residences, upon compliance with rules and regulations established by ordinance, and upon obtaining a home occupation business license; and

WHEREAS, the current ordinance limits home occupations to the dwelling; and

WHEREAS, allowing home occupations in accessory buildings in residential zones is appropriate if the residential character of the neighborhood is maintained; and

WHEREAS, conditions to the use of accessory buildings as home occupations will assure the residential character of the neighborhoods is maintained;

NOW THEREFORE, be it ordained and enacted by the Spanish Fork City Council as follows:

I.

Spanish Fork City Municipal Code §5.40.010 is hereby amended as follows:

5.40.010. Authorized.

Home occupations are allowed in all of the residential zones of the City, either in the residence or an accessory building, upon strict compliance with the requirements and conditions of this chapter.

II.

Spanish Fork City Municipal Code §5.40.040(A) is hereby amended as follows:

5.40.040 Conditions.

A. The following conditions must be met in order to obtain and keep a home occupation business license:

1. The home occupation must clearly be incidental to or secondary to the residential use of the lot. If housed in an accessory building, the building must meet the stricter of the conditions of this chapter or the conditions and requirements for accessory buildings found in Spanish Fork Municipal Code §15.3.24.090(A).
2. The business must be conducted only by a resident or residents who reside on the site.

3. The business may occupy no more than 300 square feet if located in an accessory building, or the lesser of 300 square feet or 15% of the floor space of the residence if located in the residence. An exception exists for swim lesson home occupations if the swimming pool meets residential pool standards and is constructed primarily for the personal use of the occupants of the residence.

4. [no change]

5. [no change]

6. [no change]

7. [no change]

8. [no change]

9. [no change]

10. [no change]

11. The business shall comply with all safety codes, including fire, building, plumbing, electrical, or others which may be applicable. Swim lesson home occupations shall obtain approval from the Utah County Health Department for the proposed activity. Documentation from the Health Department is required prior to the issuance of a swim lesson home occupation business license.

12. [no change]

13. [no change]

14. [no change]

15. Adequate parking must be maintained for the home occupation. The area utilized and/or designated as required parking may not be used in connection with a home occupation. Excess parking, as determined by the Community Development Director, by patrons in front of neighboring residences is grounds to revoke the home occupation business license.

III.

This Ordinance shall become effective 20 days after passage and publication.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK, UTAH, this 3rd day of August, 2010.

G. WAYNE ANDERSEN, Mayor

Attest:

Kent R. Clark, City Recorder

**69-8D43-6-02
MODIFICATION 004
To Grant Agreement
Between
SPANISH FORK CITY (Recipient)
Located in the State of Utah
And the
UNITED STATES DEPARTMENT OF AGRICULTURE
NATURAL RESOURCES CONSERVATION SERVICE (NRCS)**

AUTHORITY:

The citation for program authority and appropriation of funds for the 2010 funding follows:

- 1 Soil and Water Conservation Act of 1036, as amended, Public Law 74-46, 16 U.S.C. 590 a-f. (CFDA 10.902)
- 2 H.R. Public Law 111-80 Omnibus Appropriations Act of 2010

All other program and appropriation citations shall remain unchanged.

PURPOSE:

The purpose for this Modification 004 is to add 2010 fiscal year funding for the purpose of installing a minimum ¾-mile long by 10' wide Interpretive Trail and associated Fencing and One 12-foot long Bridge across the Spanish Fork River.

A timeline adjustment will be accepted by NRCS allowing completion of the NEPA Study Documents by May 31, 2010.

The expiration date for this agreement shall be changed to December 31, 2010.

BENEFITS TO EACH PARTICIPANT:

This project benefits both NRCS and the Recipient by providing environmental improvement, education, aesthetic and recreational opportunities for local residents. The Spanish Fork River Wetlands will serve to protect the aquatic and wildlife corridor along the river while providing recreational enjoyment in a natural setting.

JUSTIFICATION:

Justification for this request is found in Attachment 004-A (Request a Modification to the Plan of Work for the Spanish Fork River Parkway).

ATTACHMENTS:

The following Attachments are made a part of the agreement by this reference:

Attachment 004-A	Request a Modification to the Plan of Work for the Spanish Fork River Parkway
Attachment 004-B	Revised Plan of Work (2010)
Attachment 004-C	Revised Budget, SF424, SF424A, SF424D

PERIOD OF AWARD:

The Grant Agreement Expiration date shall change from August 31, 2010 to December 31, 2010.

I MODIFICATION TO GRANT:

It is mutually agreed by the parties to this agreement that Modification 004 to the Grant Agreement incorporates the following work items and changes to the agreement:

- 1 Revise project expiration date from August 31, 2010 to December 31, 2010.
- 2 2010 Federal Funding from the Utah Conservation Initiative Earmark in the amount of Two Hundred Eighty-Five Thousand and No/100 U.S. Dollars (\$285,000.00) for the purpose of funding an "*Interpretative Trail and Bridge Construction 2010*" in the Plan of Work (POW) Attachment 004-B.
- 3 The Recipient shall match 2010 funding with no less than a 25% of the cost to add 2010 project items. The Recipient funding shall consist of cash or in-kind funding not less than Ninety-Five Thousand and No/100 U. S. Dollars (\$95,000.00).
- 4 2010 funding shall install a minimum ¾-mile long by 10' wide Interpretive Trail and associated Fencing and One 12-foot long Bridge across the Spanish Fork River as described in Attachment 004-B.

Both the Recipient and NRCS hereby agree that, due to the addition of 2010 funding, the total cost of this project shall be One Million Seven Hundred Ninety-Five Thousand Three Hundred Thirty-Three and No/100 U.

S. Dollars (\$1,795,333.00). The total project amount was determined as follows.

2006 NRCS	\$450,000.00	
2006 Recipient	<u>\$218,000.00</u>	
2006 Project Funding (Sub-total)		\$ 668,000.00
2008 NRCS	\$285,000.00	
2008 Recipient	<u>\$ 95,000.00</u>	
2008 Project Funding (Sub total)		<u>\$ 380,000.00</u>
2009 NRCS	\$275,500.00	
2009 Recipient	<u>\$ 91,833.00</u>	
2009 Project Funding (Subtotal)		<u>\$ 367,333.00</u>
2010 NRCS	\$285,000.00	
2010 Recipient	<u>\$ 95,000.00</u>	
2010 Project Funding (Subtotal)		<u>\$ 380,000.00</u>
Current Total Project funding (after 2010 Modification 004)		\$1,795,333.00

As a result of the new funding and associated construction an extension is hereby granted changing the completion date for completion of NEPA Study Documents (2006 Funds) from 2-28-2010 to 5-31-2010. This allows the time to complete the State Stream Alteration and Army Corp of Engineers permitting process.

The expiration date of this agreement is changed from August 31, 2010 to December 31, 2010.

II RECIPIENT:

- 1 Has requested a modification to the Agreement in a letter found in Attachment 004-A.
- 2 Shall participate in the costs of the project through providing, cash or in-kind contributions, in a total project amount not less than Four Hundred Ninety-Nine Thousand Eight Hundred Thirty-Three and No/100 U. S. Dollars (\$499,833.00) an amount that represents a combined 2006, 2008, 2009 and 2010 project funding.
- 3 Shall complete the project in accordance with the Revised POW found in Attachment 004-B Revised POW and the Revised Budget found in Attachment 004-C Revised Budget.

- 4 Coordinate closely with NRCS Engineering staff in the performance of this project. All approvals and any reviews shall apply to the affected POW items regardless of funding year.
- 5 Coordinate closely with NRCS Technical staff in the performance of this project. All resource requirements shall apply to the affected POW items regardless of funding year.
- 6 Understands and agrees that reimbursement shall be based upon the successful completion of the Work.

III NRCS:

- 1 Shall, upon full execution of this Modification 004, provide no more than Two Hundred Eighty-Five Thousand and No/100 U. S. Dollars (\$285,000.00) for the purpose of installing a minimum ¾-mile long by 10' wide Interpretive Trail and associated Fencing and One 12-foot long Bridge across the Spanish Fork River. The total of Federal funding for all funding years of 2006, 2008, 2009 and 2010 shall not exceed One Million Two Hundred Ninety-Five Thousand Five Hundred and No/100 U. S. Dollars (\$1,295,500.00) for this project.
- 2 Shall reimburse Recipient in accordance with the terms of the Grant Agreement and its Modifications 001, 002, 003 and 004.
- 3 Shall perform an engineering functional-review on drawings for the purpose of installing a minimum ¾-mile long by 10' wide Interpretive Trail and associated Fencing and One 12-foot long Bridge across the Spanish Fork River.

All other terms and conditions as described in the Grant Agreement and Modifications 001, 002, and 003, and Modification 004, shall remain the same.

The United States Department of Agriculture, Natural Resources Conservation Service, and Spanish Fork City execute this agreement as of the date of final signature by USDA/NRCS. The signatories below represent that each is duly authorized to bind their respective organization to this agreement.

Spanish Fork City

**United States Department of Agriculture
Natural Resources Conservation Service**

Wayne Anderson
Mayor

Date

Sylvia A. Gillen
State Conservationist

Date

**Attachment 004- A
LETTER OF REQUEST FOR MODIFICATION 004**



June 1, 2010

Kerry Goodrich, ASTC-FO Area 1
USDA-Natural Resources Conservation Service
2871 South Commerce Way
Ogden, UT 84401

Amendments to Plan of Work
Spanish Fork River Parkway, June 23, 2008
Contract Number 69-8D43-6-02

This letter is to request a modification to the plan of work for the Spanish Fork River Parkway Project. Spanish Fork City requests that the following changes be made to our grant agreement #69-8D43-6-02. The request includes adding three additional items to the Grant Program Function or Activity list because of additional funding. They will be titled "Interpretive Trail and Bridge Construction (2010 Funds)," "Engineering, Construction and Project Management (City Match 2010 Funds)" and "Land and Easement Acquisition (City Match 2010)." It will allow us to show the required city matches, as well as allow us to construct one 12 foot bridge across the river and approximately three quarters of a mile of 10 foot trail and fencing along the trail. The funding year is included in parenthesis to more easily track expenditures by the year funds were provided. The new items will facilitate the extension of the projected completion date and include all expenses for trail and bridge construction through December 31, 2010. All funds, including the 2006 funds, will be spent by December 31, 2010. We would also like to change the completion date for NEPA Study Documents (2006 Funds) from 2-28-2010 to 5-31-2010 to allow us enough time to get the state stream alteration permit, Army Corp of Engineers review and Air Quality Permit. These are all completed but we were unable to meet all the requirements of these permits until 4-15-10. We now need to finish submittal of the NEPA documents.

The following time line changes are proposed in this modification:

PHASE	Original Date	New Date
1. River Bank Stability Analysis (2006 Funds)	6-30-2008	n/a
2. Interpretive Trail and Bridge Construction (2006 Funds)	8-31-2010	n/a
3. Complete FEMA CI.OMR Study to be Delivered to FEMA (2006 Funds)	12-17-2008	n/a
4. NEPA Study Documents (2006 Funds)	2-28-2010	5-31-2010
5. Trail Design (2006 Funds)	7-14-2009	n/a
6. Easement Acquisition (2006 Funds)	8-31-2010	n/a
7. Interpretive Trail and Bridge Construction (2008 Funds)	8-31-2010	n/a
8. Engineering, Construction and Project Management (City Match)	8-31-2010	n/a
9. Land and Easement Acquisition (City Match)	8-31-2010	n/a
10. Interpretive Trail and Bridge Construction (2009 Funds)	8-31-2010	n/a
11. Interpretive Trail and Bridge Construction (2010 Funds)	n/a	12-31-2010
12. Engineering, Construction and Project Management (City Match 2010)	n/a	12-31-2010
13. Land and Easement Acquisition (City Match 2010)	n/a	12-31-2010

Spanish Fork City will be adjusting budget amounts for the following phases:

PHASE	Original NRCS	2010 NRCS	Original City	2010 City
1. River Bank Stability Analysis (2006 Funds)	\$30,000	\$30,000		
2. Interpretive Trail and Bridge Construction (2006 Funds)	\$157,900	\$157,900		
3. Complete FEMA CLOMR Study to be Delivered to FEMA (2006 Funds)	\$115,000	\$115,000		
4. NEPA Study Documents (2006 Funds)	\$60,000	\$60,000		
5. Trail Design (2006 Funds)	\$37,100	\$37,100		
6. Easement Acquisition (2006 Funds)	\$50,000	\$50,000		
7. Interpretive Trail and Bridge Construction (2008 Funds)	\$285,000	\$285,000		
8. Engineering, Construction and Project Management (City Match)			\$130,000	\$130,000
9. Land and Easement Acquisition (City Match)			\$274,833	\$274,833
10. Interpretive Trail and Bridge Construction (2009 Funds)	\$275,500	\$275,500		
11. Interpretive Trail and Bridge Construction (2010 Funds)	n/a	\$285,000		
12. Engineering, Construction and Project Management (City Match 2010)			n/a	\$15,000
13. Land and Easement Acquisition (City Match 2010)			n/a	\$80,000

Attachment 004-B

MODIFICATION 004 PLAN OF WORK

Amendment #4 to Plan of Work, Grant Agreement #69-8D43-6-02
Amendment Requested on September 1, 2009
Spanish Fork City River Parkway
Spanish Fork City

Spanish Fork City requests that the following changes be made to our grant agreement #69-8D43-6-02. The request includes adding two additional items to the Grant Program Function or Activity list because of additional funding. They will be titled "Interpretive Trail and Bridge Construction (2010 Funds)," "Engineering, Construction and Project Management (City Match 2010 Funds)" and "Land and Easement Acquisition (City Match 2010)." It will allow us to show the required city matches, as well as allow us to construct one 12 foot bridge across the river and approximately three quarters of a mile of 10 foot trail and fencing along the trail. The funding year is included in parenthesis to more easily track expenditures by the year funds were provided. The new items will facilitate the extension of the projected completion date and include all expenses for trail and bridge construction through December 31, 2010. All funds, including the 2006 funds, will be spent by December 31, 2010. We would also like to change the completion date for NEPA Study Documents (2006 Funds) from 2-28-2010 to 5-31-2010 to allow us enough time to get the state stream alteration permit, Army Corp of Engineers review and Air Quality Permit. These are all completed but we were unable to meet all the requirements of these permits until 4-15-10. We now need to finish submittal of the NEPA documents.

The following time line changes are proposed in this modification:

PHIASE	Original Date	New Date
1. River Bank Stability Analysis (2006 Funds)	6-30-2008	n/a
2. Interpretive Trail and Bridge Construction (2006 Funds)	8-31-2010	n/a
3. Complete FEMA CLOMR Study to be Delivered to FEMA (2006 Funds)	12-17-2008	n/a
4. NEPA Study Documents (2006 Funds)	2-28-2010	5-31-2010
5. Trail Design (2006 Funds)	7-14-2009	n/a
6. Easement Acquisition (2006 Funds)	8-31-2010	n/a
7. Interpretive Trail and Bridge Construction (2008 Funds)	8-31-2010	n/a
8. Engineering, Construction and Project Management (City Match)	8-31-2010	n/a
9. Land and Easement Acquisition (City Match)	8-31-2010	n/a
10. Interpretive Trail and Bridge Construction (2009 Funds)	8-31-2010	n/a
11. Interpretive Trail and Bridge Construction (2010 Funds)	n/a	12-31-2010
12. Engineering, Construction and Project Management (City Match 2010)	n/a	12-31-2010
13. Land and Easement Acquisition (City Match 2010)	n/a	12-31-2010

Spanish Fork City will be adjusting budget amounts for the following phases:

PHASE	Original NRCS	2010 NRCS	Original City	2010 City
1. River Bank Stability Analysis (2006 Funds)	\$30,000	\$30,000		
2. Interpretive Trail and Bridge Construction (2006 Funds)	\$157,900	\$157,900		
3. Complete FEMA CLOMR Study to be Delivered to FEMA (2006 Funds)	\$115,000	\$115,000		
4. NEPA Study Documents (2006 Funds)	\$60,000	\$60,000		
5. Trail Design (2006 Funds)	\$37,100	\$37,100		
6. Easement Acquisition (2006 Funds)	\$50,000	\$50,000		
7. Interpretive Trail and Bridge Construction (2008 Funds)	\$285,000	\$285,000		
8. Engineering, Construction and Project Management (City Match)			\$130,000	\$130,000
9. Land and Easement Acquisition (City Match)			\$274,833	\$274,833
10. Interpretive Trail and Bridge Construction (2009 Funds)	\$275,500	\$275,500		
11. Interpretive Trail and Bridge Construction (2010 Funds)	n/a	\$285,000		
12. Engineering, Construction and Project Management (City Match 2010)			n/a	\$15,000
13. Land and Easement Acquisition (City Match 2010)			n/a	\$80,000

**Attachment 004-C
REVISED BUDGET
STANDARD FORMS 424**

**APPLICATION FOR
 FEDERAL ASSISTANCE**

Version 7/03

1. TYPE OF SUBMISSION: Application <input checked="" type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		Pre-application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction	2. DATE SUBMITTED 3/3/2010	Applicant Identifier
			3. DATE RECEIVED BY STATE	State Application Identifier
			4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier 69-8D43-6-02
5. APPLICANT INFORMATION				
Legal Name: Spanish Fork City Corporation		Organizational Unit: Department:		
Organizational DUNS: 073105488		Division:		
Address: Street: 40 South Main Street		Name and telephone number of person to be contacted on matters involving this application (give area code) Prefix: First Name: Chris		
City: Spanish Fork		Middle Name M.		
County: Utah		Last Name Thompson		
State: Utah	Zip Code 84660	Suffix:		
Country: USA		Email: cthompson@spanishfork.org		
6. EMPLOYER IDENTIFICATION NUMBER (EIN): 87-6000284		Phone Number (give area code) (801) 804-4556	Fax Number (give area code) (801) 804-4556	
8. TYPE OF APPLICATION: <input type="checkbox"/> New <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) Other (specify) <input type="checkbox"/> <input type="checkbox"/>		7. TYPE OF APPLICANT: (See back of form for Application Types) C Other (specify)		
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: TITLE (Name of Program): 10-902		9. NAME OF FEDERAL AGENCY: USDA-NRCS		
12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.): Utah County, Utah		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: Spanish Fork River Enhancement, Wetland Creation and Trail Project		
13. PROPOSED PROJECT Start Date: August 7, 2006		Ending Date: December 31, 2010	14. CONGRESSIONAL DISTRICTS OF: a. Applicant (Utah) Three b. Project (Utah) Three	
15. ESTIMATED FUNDING:		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?		
a. Federal	\$	1,295,500	a. Yes. <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE:	
b. Applicant	\$	499,833	b. No. <input checked="" type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372	
c. State	\$		<input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW	
d. Local	\$		17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?	
e. Other	\$		<input type="checkbox"/> Yes If "Yes" attach an explanation. <input checked="" type="checkbox"/> No	
f. Program Income	\$			
g. TOTAL	\$	1,795,333		
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.				
a. Authorized Representative				
Prefix	First Name G.		Middle Name Wayne	
Last Name Andersen		Suffix		
b. Title Mayor		c. Telephone Number (give area code) (801-804-4530)		
d. Signature of Authorized Representative		e. Date Signed 3/3/2010		

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 Prescribed by OMB Circular A-102

Reset Form

Termination Date: 12/31/2010

BUDGET INFORMATION - Non-Construction Programs

OMB Approval No. 0348-0044

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		Total (g)
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	
1. Total Page 1		\$	\$	\$ 302,900.00	\$	\$ 302,900.00
2. Total Page 2				147,100.00		147,100.00
3. Total Page 3				285,000.00	499,833.00	784,833.00
4. Total Page 4				560,500.00		560,500.00
5. Totals		\$ 0.00	\$ 0.00	\$ 1,295,500.00	\$ 499,833.00	\$ 1,795,333.00

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY					Total (5)
	(1) Total Page 1	(2) Total Page 2	(3) Total Page 3-4	Total Page 3-4		
a. Personnel	\$	\$	\$ 163,250.00	\$	\$	\$ 163,250.00
b. Fringe Benefits						0.00
c. Travel						0.00
d. Equipment						0.00
e. Supplies						0.00
f. Contractual	145,000.00	147,100.00				292,100.00
g. Construction	157,900.00		285,000.00		560,500.00	1,003,400.00
h. Other			336,583.00			336,583.00
i. Total Direct Charges (sum of 6a-6h)	302,900.00	147,100.00	784,833.00		560,500.00	1,795,333.00
j. Indirect Charges						0.00
k. TOTALS (sum of 6i and 6j)	\$ 302,900.00	\$ 147,100.00	\$ 784,833.00	\$ 560,500.00	\$	\$ 1,795,333.00
7. Program Income	\$	\$	\$	\$	\$	0.00

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Prescribed by OMB Circular A-102

Termination Date: 12/31/2010

BUDGET INFORMATION - Non-Construction Programs

OMB Approval No. 0348-0044

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		Total (g)
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	
1. Riverbank Stability	CFDA 10.902	\$	\$	\$ 30,000.00	\$	\$ 30,000.00
2. Inter. Trail - 2006	CFDA 10.902			157,900.00		157,900.00
3. FEMA-CLOMR	CFDA 10.902			115,000.00		115,000.00
4.						0.00
5. Totals		\$	\$	\$ 302,900.00	\$	\$ 302,900.00

SECTION B - BUDGET CATEGORIES

Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY					Total (5)
	(1) Riverbank Stability	(2) Inter. Trail-2006	(3) FEMA-CLOMR	FEMA-CLOMR		
a. Personnel	\$	\$	\$	\$	\$	0.00
b. Fringe Benefits						0.00
c. Travel						0.00
d. Equipment						0.00
e. Supplies						0.00
f. Contractual	30,000.00			115,000.00		145,000.00
g. Construction		157,900.00				157,900.00
h. Other						0.00
i. Total Direct Charges (sum of 6a-6h)	30,000.00	157,900.00		115,000.00	0.00	302,900.00
j. Indirect Charges						0.00
k. TOTALS (sum of 6i and 6j)	\$ 30,000.00	\$ 157,900.00	\$	\$ 115,000.00	\$ 0.00	\$ 302,900.00
7. Program Income	\$	\$	\$	\$	\$	0.00

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Termination Date: 12/31/2010

BUDGET INFORMATION - Non-Construction Programs

OMB Approval No. 0348-0044

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		Total (g)
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	
1. NEPA Study	CFDA 10.902	\$	\$	\$ 60,000.00	\$	\$ 60,000.00
2. Trail Design	CFDA 10.902			\$ 37,100.00		\$ 37,100.00
3. Ease. Acq. - 2006	CFDA 10.902			\$ 50,000.00		\$ 50,000.00
4.						0.00
5. Totals		\$ 0.00	\$ 0.00	\$ 147,100.00	\$ 0.00	\$ 147,100.00

SECTION B - BUDGET CATEGORIES

Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1) NEPA Study	(2) Trail Design	(3) Ease. Acq.-2006	Ease. Acq.-2006	
a. Personnel	\$	\$	\$	\$	\$ 0.00
b. Fringe Benefits					0.00
c. Travel					0.00
d. Equipment					0.00
e. Supplies					0.00
f. Contractual	60,000.00	37,100.00	50,000.00		147,100.00
g. Construction					0.00
h. Other					0.00
i. Total Direct Charges (sum of 6a-6h)	60,000.00	37,100.00	50,000.00	0.00	147,100.00
j. Indirect Charges					0.00
k. TOTALS (sum of 6i and 6j)	\$ 60,000.00	\$ 37,100.00	\$ 50,000.00	\$ 0.00	\$ 147,100.00
7. Program Income	\$	\$	\$	\$	\$ 0.00

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 Prescribed by OMB Circular A-102

BUDGET INFORMATION - Non-Construction Programs

OMB Approval No. 0348-0044

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		Total (g)
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	
1. Inter Trail - 2008	CFDA 10.902	\$	\$	\$ 285,000.00	\$	\$ 285,000.00
2. Eng Const & Proj.	CFDA 10.902				\$ 163,250.00	\$ 163,250.00
3. Land & Ease Acq	CFDA 10.902				\$ 336,583.00	\$ 336,583.00
4.						0.00
5. Totals		\$ 0.00	\$ 0.00	\$ 285,000.00	\$ 499,833.00	\$ 784,833.00

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY						Total (5)	
	(1) Inter Trail - 2008	(2) Eng Const & Proj.	(3) Land & Ease Acq	Land & Ease Acq				
a. Personnel	\$	\$ 163,250.00	\$			\$	\$ 163,250.00	
b. Fringe Benefits							0.00	
c. Travel							0.00	
d. Equipment							0.00	
e. Supplies							0.00	
f. Contractual							0.00	
g. Construction		\$ 285,000.00					\$ 285,000.00	
h. Other				\$ 336,583.00			\$ 336,583.00	
i. Total Direct Charges (sum of 6a-6h)		\$ 285,000.00		\$ 336,583.00		\$ 0.00	\$ 784,833.00	
j. Indirect Charges							0.00	
k. TOTALS (sum of 6i and 6j)	\$	\$ 285,000.00	\$	\$ 163,250.00	\$	\$ 336,583.00	\$	\$ 784,833.00
7. Program Income	\$		\$		\$		\$	\$ 0.00

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Termination Date: 12/31/2010

BUDGET INFORMATION - Non-Construction Programs

OMB Approval No. 0348-0044

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		Total (g)	
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)		
1. Inter. Trail - 2009	CFDA 10.902	\$	\$	\$ 275,500.00	\$	\$ 275,500.00	
2. Inter. Trail - 2010	CFDA 10.902			285,000.00		285,000.00	
3.						0.00	
4.						0.00	
5. Totals		\$ 0.00	\$ 0.00	\$ 560,500.00	\$ 0.00	\$ 560,500.00	
SECTION B - BUDGET CATEGORIES							
6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY						Total (5)
	(1) Inter. Trail - 2009	(2) Inter. Trail - 2010	(3)				
a. Personnel		\$	\$	\$	\$	\$ 0.00	
b. Fringe Benefits						0.00	
c. Travel						0.00	
d. Equipment						0.00	
e. Supplies						0.00	
f. Contractual						0.00	
g. Construction		275,500.00	285,000.00			560,500.00	
h. Other						0.00	
i. Total Direct Charges (sum of 6a-6h)		275,500.00	285,000.00	0.00	0.00	560,500.00	
j. Indirect Charges						0.00	
k. TOTALS (sum of 6i and 6j)		\$ 275,500.00	\$ 285,000.00	\$ 0.00	\$ 0.00	\$ 560,500.00	
7. Program Income		\$	\$	\$	\$	\$ 0.00	

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SECTION C - NON-FEDERAL RESOURCES						
(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS		
8. Spanish Fork City	\$ 443,293.00	\$	\$ 56,540.00	\$	499,833.00	
9.					0.00	
10.					0.00	
11.					0.00	
12. TOTAL (sum of lines 8-11)	\$ 443,293.00	\$ 0.00	\$ 56,540.00	\$	499,833.00	
SECTION D - FORECASTED CASH NEEDS						
	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	
13. Federal	\$ 1,018,509.59	\$	\$ 350,000.00	\$ 668,509.59	\$	0.00
14. Non-Federal	388,945.28	0.00	92,350.00	296,595.28		
15. TOTAL (sum of lines 13 and 14)	\$ 1,407,454.87	\$ 0.00	\$ 442,350.00	\$ 965,104.87	\$	0.00
SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT						
(a) Grant Program	FUTURE FUNDING PERIODS (Years)					
	(b) First	(c) Second	(d) Third	(e) Fourth		
16. Spanish Fork City	\$ 1,018,509.59	\$ 902,956.00	\$	\$	\$	
17.						
18.						
19.						
20. TOTAL (sum of lines 16-19)	\$ 1,018,509.59	\$ 902,956.00	\$ 0.00	\$	0.00	
SECTION F - OTHER BUDGET INFORMATION						
21. Direct Charges:	22. Indirect Charges:					
23. Remarks:						

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