

CLEARFIELD CITY COUNCIL
AGENDA AND SUMMARY REPORT
October 15, 2019 – WORK SESSION
Revised October 14, 2019

Meetings of the City Council of Clearfield City may be conducted via electronic means pursuant to Utah Code Ann. § 52-4-207 as amended. In such circumstances, contact will be established and maintained via electronic means and the meetings will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.

Executive Conference Room
55 South State Street
Third Floor
Clearfield, Utah

6:00 P.M. WORK SESSION

Discussion on Award of Proposal for the Sanitary Sewer Capacity Study

Discussion on a Recreation and Aquatic and Fitness Center Fee Study

Discussion on Award of Bid for the Arts Center Electrical Upgrade

Discussion on a Development Agreement with Lotus Company for Mabey Place
Located in the Vicinity of 442 South State Street

****ADJOURN AS THE CITY COUNCIL****

Dated this 14th day of October, 2019.

/s/Wendy Page, Deputy Recorder

The City of Clearfield, in accordance with the ‘Americans with Disabilities Act’ provides accommodations and auxiliary communicative aids and services for all those citizens needing assistance. Persons requesting these accommodations for City sponsored public meetings, service programs or events should call Nancy Dean at 525-2714, giving her 48-hour notice.



STAFF REPORT

TO: Mayor Shepherd and City Council Members
FROM: Adam Favero, Public Works Director
MEETING DATE: October 15, 2019
SUBJECT: RFP for the Sewer Capacity Study

RECOMMENDED ACTION

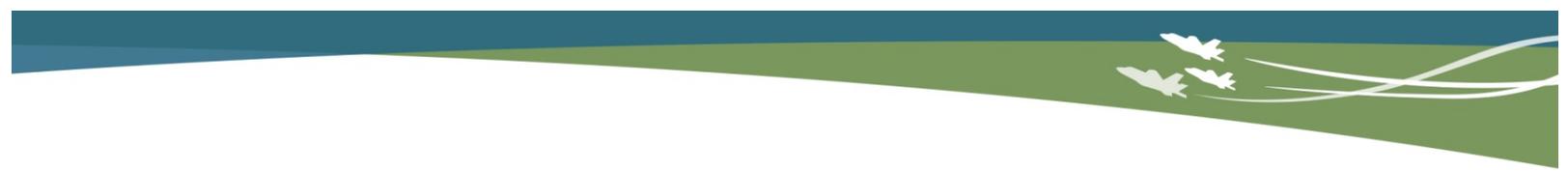
Approve the award of proposal and contract for the Sewer Capacity Study to CRS Engineers for the bid amount of \$31,766 with an additional amount for contingency cost of \$13,234 for a total cost of \$45,000 and authorize the Mayor's signature on all necessary documents.

DESCRIPTION / BACKGROUND

The purpose of the Sewer Capacity Study is to assure the sewer lines servicing 6 different locations throughout the City are meeting current flow volumes and have the ability to meet future demand as it relates to flow volumes, as a result of new development. The budgeted amount for this project was \$85,000. The budget amount was based on discussions with engineering firms and consultants prior to the RFP being posted. Each firm that applied did not come close to this total budgeted amount.

The selection committee for this study was comprised of Adam Favero; Public Works Director, Spencer Brimley; Community Development Director, and Brad Wheeler; Street Superintendent. We received three proposals for this study, by the following firms: CRS, CEC, and JUB Engineering. The committee evaluated each proposal on a set of criteria. Scoring was close amongst the three proposals. The committee discussed each proposal in great detail, weighing out the pros and cons of each applicant. Following this discussion the committee decided to recommend the selection of CRS as the engineering firm for the Sewer Capacity Study.

The committee's main objective was to find the engineering firm who had the greatest understanding, as it related to sewer capacities and analyses. Being financially responsible was another goal the committee shared. While CRS's total project cost was the median of the three firms, the committee is confident their cost for the work to be completed and their qualification would be the right fit for this project. CEC is the City's current contracted engineering firm. Their proposal was the lowest of the three, and although we appreciate the proposals costs being sensitive to City budgets and those limited dollars, we believe CEC will still have a role in this project. The Council may recall that Clearfield City is currently advertising for City Engineer to help with



projects of this very nature. Since the posting just closed and there has not been a selection made, staff believes we will need CEC in the role of City Engineer for this project. Their work with the consultant will allow for technical expertise and a check and balance system for the project.

JUB's total cost on for the study was the highest of the group at \$46,155, but staff did not feel the pricing for their proposal was consistent with the amount of work included in the proposal JUB did not add enough value to their proposal to justify the addition cost.

The RFP provided a basic scope of work for this project. The scope of work in the RFP is a good starting point, but may need to be expanded as the study moves forward. For this reason, staff has asked for a contingency amount that may be a little higher than usual.

CORRESPONDING POLICY PRIORITY (IES)

Provide Quality Municipal Services with well-planned facilities and infrastructure

Improving Clearfield's Image, Livability and Economy

It is vital to our community that the city's infrastructure is properly managed to sustain current demand while providing sufficient capacities for the future of Clearfield.

FISCAL IMPACT

- 525201 631006 \$85,000 budgeted.

ALTERNATIVES

N/A

SCHEDULE / TIME CONSTRAINTS

Following approval the project would commence in the fall of 2019. This would allow CRS to start the capacity study before winter weather conditions. Starting at this time will also be important to allow time to design the new sewer line for 350 South, which would be necessary as a result of the pending Mabey Place redevelopment effort.

LIST OF ATTACHMENTS

- Sewer Capacity Study Consultant Tabulation Scores-Spreadsheet

Sewer Capacity Study Consultants
Selection Committee
Scoring Tabulation Sheet

	Adam Favero	Spencer Brimley	Brad Wheeler
CRS	46	40	42
CEC	43	38	42
JUB	39	40	43



STAFF REPORT

TO: Mayor Shepherd and City Council Members
FROM: Eric Howes, Community Services Director
MEETING DATE: October 15, 2019
SUBJECT: Recreation and Aquatic & Fitness Center Fee Study

RECOMMENDED ACTION

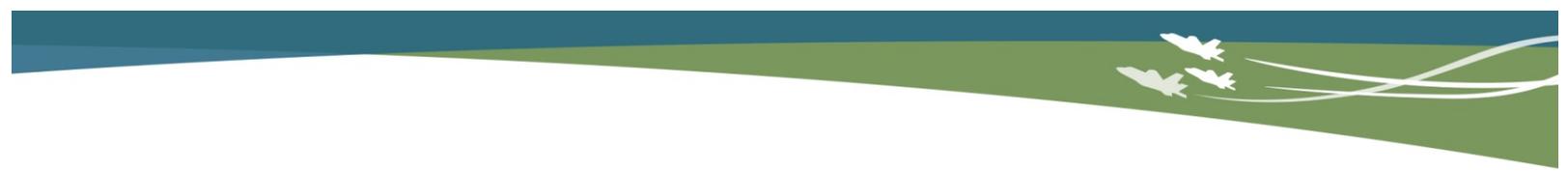
Authorize staff to engage the services of a professional consulting firm to conduct a fee study for all fees for service charged in the Community Services Department, including the Aquatic & Fitness Center and the Recreation and Arts Divisions.

DESCRIPTION / BACKGROUND

Many of the fees for services provided by the Community Services Department have been in place since the Aquatic and Fitness Center was opened in 2005. The intent of this proposed study is to complete a thorough evaluation of the actual costs for services provided within the department and to utilize that information and the existing Cost Recovery Model as the basis for necessary fee changes.

Revenues for the Aquatic and Fitness Center have been in a pattern of decline for the past couple of years. Some of that decline could possibly be attributed to additional fitness centers that have come to the area in recent years. However, a failure to adjust fees as needed and the widespread application of discounted membership fees has also contributed to the decline. While the mission of the Community Services Department is not necessarily to achieve 100% cost recovery it is critically important to the long-term viability of the services that we offer, that we are aware of, and meet, cost recovery goals.

The revenue projections for the current fiscal year are based upon the implementation of new fees with the intent of adopting the recommended fees as soon as a comprehensive study could be completed. It is proposed that funding for the study come from fund balance as a one-time expenditure. Staff has contacted several firms experienced in this type of analysis and would be able to start work within the next 30 days if approved.



IMPACT

a. FISCAL

\$22,500 - \$25,000

b. OPERATIONS / SERVICE DELIVERY

The goal is to ensure that fees for services provided are sufficient to meet the City's cost recovery goals for services.

ALTERNATIVES

It is possible that staff could complete this analysis and make the necessary recommendations. The challenge is that there is a tremendous amount of data that will need to be reviewed and having an outside firm that specializes in this type of work would be substantially faster and would provide an unbiased recommendations based upon hard data.

SCHEDULE / TIME CONSTRAINTS

With current revenue projections based upon fee increases, it is in the best interests of the City to implement new fees as soon as possible in an effort to meet those budgeted goals.

LIST OF ATTACHMENTS

N/A



STAFF REPORT

TO: Mayor Shepherd and City Council Members
FROM: Curtis Dickson
MEETING DATE: October 15, 2019
SUBJECT: Arts Center Electrical Upgrade

I. RECOMMENDED ACTION

Discussion about the bid for the Arts Center Electrical Upgrade

DESCRIPTION / BACKGROUND

The City solicited bids to upgrade the electrical service at the Community Arts Center. There was only one bid for the project and it came in at \$112,258.00. The budgeted amount based on engineering estimates is \$85,000.

II. IMPACT

a. FISCAL

The FY 2019 budget has \$85,000 budgeted for the Community Arts Center electrical upgrade. Depending on the Council's decision, up to \$40,000 would need to be added to the budget to cover the entire scope of the project including engineering, project work, and contingency.

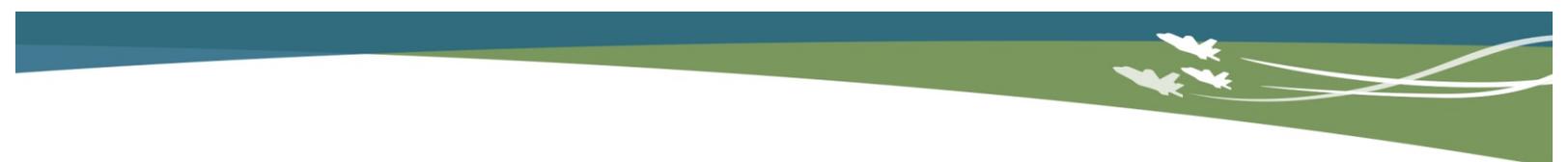
b. OPERATIONS / SERVICE DELIVERY

The electrical upgrade is the next phase to the renovation of the Clearfield Community Arts Center. This piece of the renovation would combine the two power services coming into the building into one service, update the main power panels and add additional power capacity to the building as its operations continues to expand.

III. ALTERNATIVES

Alternatives for the project are the following:

- Reject the current bid and add additional money for the project to the FY2020 budget.
- Amend the budget, adding an additional \$40,000 to the project to cover the current project scope, engineering and contingency funds.

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- Reduce the scope by \$19,478.00 as proposed by the bidder (See attachment) to reduce the project cost to \$95,510 and amend the project budget \$20,000 to cover the project scope, engineering and contingency costs.

IV. SCHEDULE / TIME CONSTRAINTS

The schedule/time constraints for this project are the following:

- In order to minimize the impact to all of the programs and activities located at the Arts Center, the window of time to complete this project is November 25 to December 31. This is when programs and activities are at a minimum and staff would not need to reschedule and or cancel any activities at the Arts Center.
- There are some items the contractor would need to order by November 1, 2019 in order to have the materials here to complete the project on time.

If council decides to not amend the budget for the additional funds, the project will need to wait until the fall of 2020 in order to not disrupt the programming of the Arts Center. Additionally, it would delay the renovation of the first and second floors of the Arts Center as they are currently laid out in the Facilities Capital Replacement Plan.

LIST OF ATTACHMENTS

Clearfield Community Arts Revised Price

Northern Utah Electric Inc

263 East 550 South Kaysville Utah 84037
Off 801-547-0404 Cell 801-807-8185 Fax 801-547-0454
Korey.hansen@gmail.com

October 9, 2019

Revised Price Proposal **Revised**

Clearfield City Community Arts Bldg

To: Clearfield City

Attention Todd Freeman

In an effort to bring the price down, and while looking at the entire scope, many of the items have to be completed to finish the 3- phase conversion for the building. One item that can stand alone and be completed later is the upgrading of the panels out in the building space. Panels 1P2, 1P3, 1P4, 2P1, 2P2, & 2P3 can be replaced later. We would still leave the breakers feeding the panels as 3- phase breakers and we would terminate the old panel feeders onto these breakers with the third phase not being used. This work could be done later on, without causing any problems.

- Delete the removal and replacement of the 6- panels mentioned above, with new wires, conduits and labor.

Total Price of this deduct \$ -19,748.00

[This would bring the revised price of the project down to **\$ 95,510.00**]

Respectfully Submitted

Korey Hansen

Northern Utah Electric Inc



STAFF REPORT

TO: Mayor Shepherd and City Council Members
FROM: Summer Palmer, Assistant City Manager
MEETING DATE: Tuesday, October 15, 2019
SUBJECT: Lotus Acquisitions Development Agreement for Mabey Place

RECOMMENDED ACTION

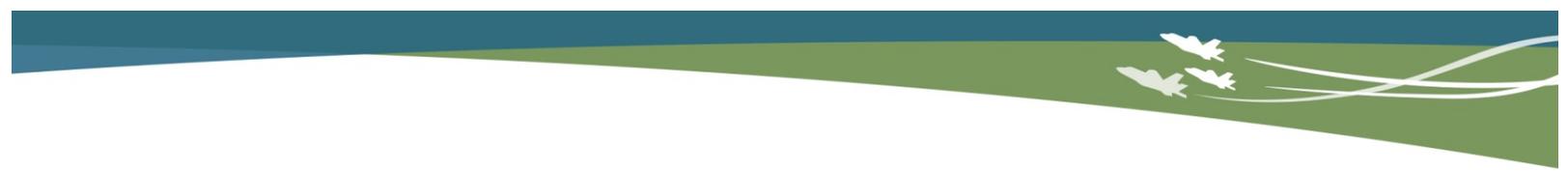
Staff is working with Lotus to finalize the Development Agreement for the first three phases of the Mabey Place Development and the accompanying MOU-2 for future development. There are some details to be finalized and we expect a draft will be ready for your consideration on October 22, 2019.

DESCRIPTION / BACKGROUND

Lotus and Clearfield have been working together for over a year, under a MOU, to formulate a plan for the redevelopment of Clearfield's downtown area, including the City owned property (formerly the Clearfield Mobile Home Park) and the Lotus owned Minaya property.

There are a number of additional properties that have been identified as key pieces of the future development, however, those properties are not yet under the control of the City, nor the developer. Desirous to move forward with the development of the property owned by the City/CDRA, we have drafted a development agreement. The following are key points addressed in this agreement:

- This agreement only contracts for the phases of the development that will occur on the CMPH property and the Minaya property.
- Future acquisitions and the continued creation of the downtown area known as Mabey Place through our continued partnership with Lotus will be addressed in the accompanying MOU-2 which will supersede the previous MOU (with Addendum).
 - The MOU-2 outlines our agreement to continue to work together to fulfill the vision of Mabey Place by creating a new CRA to capture additional tax increment and obtain the power of eminent domain, purchase additional properties and redevelop the area consistent with the proposed/current concept plan.
- The City will defer its portion of the impact fees but will recapture the fees with interest over time.

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- The City will continue to work with UTA to exchange a portion of property for the 30 feet of property necessary for the development.
 - The developer intends to utilize Low Income Housing Tax Credits (“LIHTC”) to assist in the financing of the developments infrastructure and therefore 50% of the apartments will qualify as workforce housing and subject to LIHTC regulation.
 - The City will convey the CMHP property (not including the property used for the streets and park) to the developer for the first three phases, over the span of five years, for a total price of \$2,973,425.00.
 - The developer will conform to all FBC zoning standards unless otherwise outlined in the development agreement.

CORRESPONDING POLICY PRIORITY (IES)

Improving Clearfield’s Image, Livability and Economy

FINANCIAL IMPACT

As discussed in our September 17th work session, while there is a significant financial impact associated with the development agreement, the decision is more fundamental and should focus on vision and desire to build a downtown instead of the details of the financial transaction. That said, Lotus will be paying fair market value for the CMHP property. The amount, over time, will not fully pay back the bond used to purchase the property as the property was purchased for more than market value in order to gain control of it for downtown redevelopment purposes. The City has a number of options, however, to pay back the remaining balance, e.g. fund balance, bond restructuring, truth in taxation, etc.

ALTERNATIVES

The terms of this agreement have been negotiated at length and staff believes we have addressed all the concerns discussed here to for. Further negotiations may jeopardize the viability of the project. However, we certainly can discuss any sticking point you may have prior to the draft being finalized.

TIMING

Lotus needs to make application for the LIHTC credits quickly to meet the current construction schedule. For that reason we are anticipating this agreement to be presented to you on the October 22nd Work Session and subsequent Policy Session. Should you need more time to review the documents or if you have questions not yet answered, we can call a special session (both Work and Policy sessions) on October 29th.