

Anna West

From: Anna West
Sent: Friday, April 17, 2015 2:21 PM
To: 'alicia.strathman@[REDACTED]'
Subject: FW: GRAMA Record Request dated 4/10/2015

Alicia,

Our finance department answered your questions as annotated in the email thread below in **red**.

I would like to remind you that the GRAMA Record Request process is to obtain copies of currently existing "Records." It is highly unusual for us to go through a question and answer scenario to finalize a GRAMA Record Request.

Respectfully,

Anna West

Anna M West | City Recorder | City of South Jordan
1600 W. Towne Center Drive | South Jordan, UT 84095
O: 801.254.3742 | F: 801.254.3393

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From: Alicia Strathman [[mailto:alicia.strathman@\[REDACTED\]](mailto:alicia.strathman@[REDACTED])]
Sent: Thursday, April 16, 2015 2:28 PM
To: Anna West
Subject: FW: GRAMA Record Request dated 4/10/2015
Importance: High

Good Afternoon Ms. West,

I am in receipt of your email with the attached records responsive to our recent Public Records Request. Thank you for the records provided, I do appreciate it. I do have some things I need clarified if you do not mind on the records you provided.

Construction Escrow & Performance Bonds:

- Can you clarify that *each* of these reports are **active cash/cash-convertible deposits** that would be refundable to the depositor upon project completion and the passing of all required inspections and maintenance periods?
 1. **Yes, all are active cash deposits that can be refunded. They haven't been refunded because all required inspections/maintenance periods have not been met.**

- Are the names listed on **each** of the reports in the column titled '**Received From**' the depositor and/or the person what these funds would be released back to?
 1. Yes, they are the person or entity that paid the initial deposit. The only "caveat" would be if there has been an ownership change or bankruptcy and the refund would need to go back to another entity. This usually gets addressed when the initial request is made and after completion of all required inspections/holding periods/etc.
- If we were to locate some of our current clients on **each** of these report, who would be our point of contact to request the release of the funds directly back to our client? Please provide department, name, phone, and fax for the point of contact.
 1. Please contact Corinne Cowdell, Engineering Assistant, (Department: Development Services) at (801) 254-3742 (Fax 801-253-5235)
- Can you confirm the departments that are inclusive on **each** of these reports (i.e. Building, Planning & Zoning, Engineering, Community Development, Public Works etc.)?
 1. The departments listed on the report are building and engineering.
- Would there be other departments that may have some cash deposits as well?
 1. The City also requires deposits on building rentals. We currently, however, do not have ANY deposits that are available for release (i.e., they are being held for upcoming rentals). In addition, they are de Minimis amounts (less than \$50).
- Does the City have any other cash deposits (i.e. performance deposits, good faith deposits, maintenance deposits, improvement bonds, landscape or sod/seed bonds, grading & excavation deposits, street openings, sidewalk and driveway bonds, pool bonds, {to name a few})?
 1. All cash deposits were given to you in the GRAMA report process. This includes both performance deposits, improvement bonds, landscaping bonds, and curb cut bonds.

Checks:

- Can you clarify this listing has not been escheated to the state as unclaimed property?
 1. These checks have not been escheated to unclaimed property.
- How long are these checks re-issuable for before they are escheated or no longer re-issuable?
 1. A period of one year. 3 months before sending to unclaimed property we will send out a final letter to the last known address to attempt to re-issue the check.
- If we were to locate some of our current clients on this report, who would be our point of contact to request the reissuance of the check directly back to our client? Please provide department, name, phone and fax for the point of contact.
 1. Finance – Shehan Jaro, Accountant, (801) 254-3742 (Phone) (801) 253-5250 (Fax)

If you would please advise, I would greatly appreciate it. I look forward to your forthcoming response and I hope you have a great day!

Thank you kindly,

Alicia Strathman

Alicia Strathman
Asset Management Consultants



From: Anna West [<mailto:AWest@sjc.utah.gov>]
Sent: Thursday, April 16, 2015 2:31 PM
To: Ayla Harper
Subject: GRAMA Record Request dated 4/10/2015
Importance: High

Hello Ms. Harper,

Attached is my response letter and two excel files pertaining to a GRAMA Record Request we received from you on 4/10/2015. Please reply back to this email letting me know that you received the attached documents:

- 4-16-15 Asset Management – Reply letter
- Asset Management Request – Stale dated checks (excel file)
- Construction & Performance Bond Accounts (excel file)

Please let me know if questions,

Anna M West

Anna M West | City Recorder | City of South Jordan
1600 W. Towne Center Drive | South Jordan, UT 84095
O: 801.254.3742 | F: 801.254.3393

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Anna West

From: Kyle Maurer
Sent: Monday, April 13, 2015 1:02 PM
To: Anna West
Cc: Leah Hardy; Sunil Naidu
Subject: Asset Management GRAMA Request (Alicia Strathan)
Attachments: Asset Management Request-Stale Dated Checks.xlsx; Construction & Performance Bond Accounts.xlsx

Anna,

I have attached 2 spreadsheets – one contains the outstanding building deposits & performance bonds. The other spreadsheet contains outstanding checks greater than 180 days old.

We do not have ready access to name, address, city, state, ZIP of the bond & deposit spreadsheet (in other words, we would have to do some research with the building department to get the addresses).

Leah spent less than 15 minutes with the bond spreadsheet (the work was just cleanup and removing paid out bonds). I spent less than 5 minutes running the outstanding check report.

Kyle Maurer | Controller/City Treasurer | City of South Jordan

1600 W. Towne Center Drive | South Jordan, UT 84095

O: 801.253.5203 Ext. 1395 | F: 801.253.5250

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Anna West

To: Suzanne McArthur; Sunil Naidu; Kyle Maurer; Corinne Cowdell
Cc: Cindy Valdez; Paul Cunningham
Subject: GRAMA Record Request - Alicia Strathman - Asset Management
Attachments: 04-10-2015 AssetManagement (Alicia Strathman).pdf

The attached GRAMA Request was received today from Alicia Strathman at Asset Management. She is asking for a long list of items, most are finance and escrow account related – please read the entire request and bring any applicable records to me no later than 4/22/2015.

Thanks so much for your assistance,

Anna West

Anna M West | City Recorder | City of South Jordan
1600 W. Towne Center Drive | South Jordan, UT 84095
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PH: 801.254.3742 EMAIL: info@sjc.utah.gov FAX: 801.254.3393

April 16, 2015

Ayla Harper
Asset Management Consultants



Re: GRAMA Record Request Dated 4/10/2015

I am responding to your GRAMA Record Request received on 4/10/2015. I have two electronic Excel records from our Finance Department entitled:

- Stale Dated Checks
- Construction & Performance Bond Accounts

These are all records on file that pertain to your GRAMA Record Request

Sincerely,

Anna M. West, CMC
City Recorder

CITY OF SOUTH JORDAN
GRAMA Record Request
Fax: 801-254-3393



The following form should be completely filled out and returned to the City Recorder's office. The City is allowed 10 business days in which to respond to your request. Presently, South Jordan City Charges .25¢ per page. The City may assess other fees for records compiled in a form other than that maintained. Research or Services Fee may be charged as provided by Utah Code 63G-2-203.

Requestor's Name: Alicia Strathman-Asset Management
Address: [REDACTED] City: Nokesville
State: VA Zip: 20181 Daytime Phone: [REDACTED] Fax: [REDACTED]

In accordance with the Governmental Records Access Management Act, I am seeking the following record(s) **specifically described as:**

Please see attached

which I believe are collected, filed and/or used by the City of South Jordan, 1600 W. Towne Center Drive, South Jordan, Utah 84095 (801) 254-3742.

I would like to view/inspect the record(s).
 I would like to receive a copy of the record(s) described above. I understand that the City charges a fee for copies of records and the copies will be provided subject to fees being paid. I authorize cost of up to \$ 10--. If costs are greater than the amount I have specified, I further understand that the office will contact me and will not respond to a request for copies if I have not authorized adequate costs.

Alicia Strathman
Signature

4/10/2015
Date

=====

CITY'S RESPONSE TO RECORD REQUEST - FOR OFFICE USE ONLY

APPROVED - Requestor notified on April 16 + 17, 20 15
 DENIED - Written denial sent on _____, 20 ____
 Requestor notified that this office does not maintain record; and, if known, was also notified of name and address of agency that does maintain record on _____, 20 ____
 Extension of time for extraordinary circumstances. Required notice sent _____, 20 ____

COPY FEES: \$ 0. If waived, approved by: _____

all records were emailed: alicia.strathman@[REDACTED]



ASSET MANAGEMENT

Consultants

Attn: Ms. Anna West
Dept: City Recorder
Municipality: South Jordan
Phone No: (801)254-3742
Fax No: (801)254-3393

Date: 4/10/2015

Subject: Request for Public Records

Dear Ms. West:

We are an auditing firm located in the Washington D. C. area. AMC is attorney-in-fact for most of the major oil companies, numerous fast food chains, eighty-five percent of the national builder-developers, and many of the national retail department stores, as well as many telecommunications and cable companies. We also serve as contractors for several national financial institutions, including the FDIC. Pursuant to the state public records law, please consider this to be AMC's request for the public records described below.

The norm in the construction business is to deposit sureties (whether they be work deposits, performance bonds, payment guarantees, or similar securities) with municipal agents when site and development plans are filed, and a record of each deposit (and, where applicable, subsequent reductions and/or refunds of same) usually is prepared by the municipality recipient. Consequently, although the municipality's chief financial officer eventually receives at least a general accounting of all of the sureties deposited with every municipality agency, any municipality agency that accepts such construction sureties (e.g., Engineering, Public Works) is likely to have a more detailed "intra-agency" financial accounting, which often is in the form of an Excel spreadsheet that can be retrieved and passed along as an email attachment.

AMC requests any financial spreadsheet, ledger or other record of the active cash and cash-convertible sureties and escrow accounts maintained by local agencies for financial instruments posted or deposited with them by companies and persons to ensure completion of private-sector residential and commercial construction projects in your area. Please show only open accounts for the cash and cash-convertible sureties, stale-dated checks, deposits, and other securities that have not been refunded to the payee. Such sureties could have been taken in any or all of the forms of performance and payment guarantees described on the following page, and are often recorded in ledger or spreadsheet format within the agency that initially accepts same from developers and builders. I do not seek records of non-negotiable third-party sureties (e.g., letters of credit, bonds), the release of which will not restore money to AMC's clients' accounts.

That being the case, you will probably find it helpful to distribute this request to the local departments and agencies that typically require or record surety deposits, such as Finance, Comptroller, Auditor, Public Works, Transportation (or Highway), Engineering, Community Development, Economic Development, Planning and Zoning, Parks and Recreation, and Arborist. The surety deposits typically are maintained within accounts, records and ledgers





ASSET MANAGEMENT

Consultants

that local departments and agencies might refer to as Escrows, Trusts, Security Deposits, Cash Bonds, and Performance and Maintenance Bonds.

What follows is a list of some performance guarantees, escrows, sureties, and deposits that typically may be required in your area, but this listing might not describe all of the types of securities your jurisdiction might require and hold:

- | | | | |
|--------------------|---------------------------|--------------------|--------------|
| 1. Subdivision | 7. Maintenance | 13. Demolition | 19. Trees |
| 2. Sidewalk/Curb | 8. Temporary Trailer | 14. Earth Moving | 20. Seeding |
| 3. Landscaping | 9. Grading/Paving | 15. Street Opening | 21. Erosion |
| 4. Conservation | 10. Traffic/Street Lights | 16. Right of Way | 22. Tap Fees |
| 5. Monuments | 11. Signs/Temporary Signs | 17. Storm Sewer | 23. Hydrant |
| 6. Winter Handling | 12. Wetlands Conservation | 18. Impact Fees | 24. Driveway |

The records AMC seeks should contain such specific identifiers as:

- | | |
|-------------------------------|-------------------------------|
| 1. Deposit Date and Amount | 7. Depositor Name and Address |
| 2. Purpose of Deposit | 8. Project Number and Address |
| 3. Project Block & Lot Number | 9. Project Parcel Map Number |
| 4. Project Tract Number | 10. Project Permit Number |
| 5. Escrow Account Number | 11. Bond Number |
| 6. Bond Account Number | 12. Check/Warrant Number |

AMC also seeks a record of all outstanding municipal checks, warrants and vouchers (the pre-escrow checks list), over 180 days old that have not yet been cashed or otherwise negotiated, or have become stale dated. AMC does not seek records of uncashed or stale dated payroll checks, child support checks, or any other checks not made payable to municipal vendors.

1. Uncashed/Stale Dated Check Number, Amount, Date, and Names of Payor and Payee

Please advise me by telephone, fax or email of your estimate of any costs associated with your fulfillment of our records request prior to your incurring same. If you have questions regarding this request, please do not hesitate to contact me at your convenience.

Sincerely,

Ayla Harper

Ms. Ayla Harper
Asset Management Consultants

Toll-free: [REDACTED]

Email: [Ayla.Harper@\[REDACTED\]](mailto:Ayla.Harper@[REDACTED])

[REDACTED]