

Date: November 18, 2021

To: Weber County Board of County Commissioners

From: Sean Wilkinson, AICP *SW*
Director, Community Development Department

Subject: **Request for approval of a donation of "Prop 1 Funds" in the amount of \$42,901.49 to Trails Foundation of Northern Utah for asphalt surface repairs and construction of a new section of the Weber River Parkway**

Agenda Date: November 30, 2021

Documents:

- Exhibit A: TFNU request letter and cost estimate for asphalt surface repairs on the Weber River Parkway
- Exhibit B: TFNU request letter and cost estimate for construction of a new section of the Weber River Parkway
- Exhibit C: Memorandum of Understanding (Approved February 4, 2020)

Summary:

Trails Foundation of Northern Utah (TFNU) is requesting a donation of "Prop 1 funds" in the amount of **\$42,901.49** for asphalt surface repairs and construction of a new section of the Weber River Parkway.

- The asphalt surface repairs are on the pathway section near the Uintah Business Park. The cost for the repairs is **\$2,049.49**.
- The new half-mile section of the Weber River Parkway runs from Cottonwood Drive past the Riverside RV Park and terminates on property owned by TFNU. It is 10 feet wide and constructed of road base. The cost for this project is **\$40,852**.

The requested donation will come from the County option sales and use tax for highways and public transit, also known as "Prop 1 funds." Weber County is authorized to use Prop 1 funds for specific transportation-related purposes described in state law, including "the development, construction, maintenance, or operation of" certain thoroughfares and trails.

On February 4, 2020, the County Commission approved a memorandum of understanding (MOU) with TFNU (under its former business name, Weber Pathways) for all future Prop 1 Fund donations. This MOU eliminates the need for a separate agreement with each donation request. TFNU will apply to the County for future Prop 1 Fund donations and reference this MOU as the basis for compliance and approval.

Weber County allocated \$200,000 of the 2021 Prop 1 fund budget for pathway maintenance. This request will leave the remaining balance at **\$98,318.75**. The following donations have already been approved:

- July 2021: **\$27,480** donation for sign adaptors, asphalt repair, and a concept report for a future trail from Liberty Park to North Fork Park
- October 2021: **\$31,299.76** donation for asphalt and crack seal repairs and a right-of-way impact analysis for a future trail from Liberty Park to North Fork Park.

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Ogden

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Aric W. Manning, *Executive Director*
Kelli Barkema, *Marketing &*
Communications
Greg Romney, *Accounting*

Commissioners-

Trails Foundation of Northern Utah (TFNU) has worked on building and developing the Weber River Parkway from Riverdale to Uintah. Some areas are needing repair and treatment.

The Weber River Parkway is a trail for our communities and visitors. TFNU has identified a section that desperately needs surface treatment. This area is located near the Uintah Business Park.

To complete this project, we are asking for \$2,049.49 of Prop. 1 money to fund and complete the surface treatment. An invoice will be submitted with this letter.

Trails Foundation of Northern Utah feels this would be an excellent use of the Prop 1 funds awarded and help keep the pathway usable and sustainable.

Again, we thank you for all your support.

Thank you



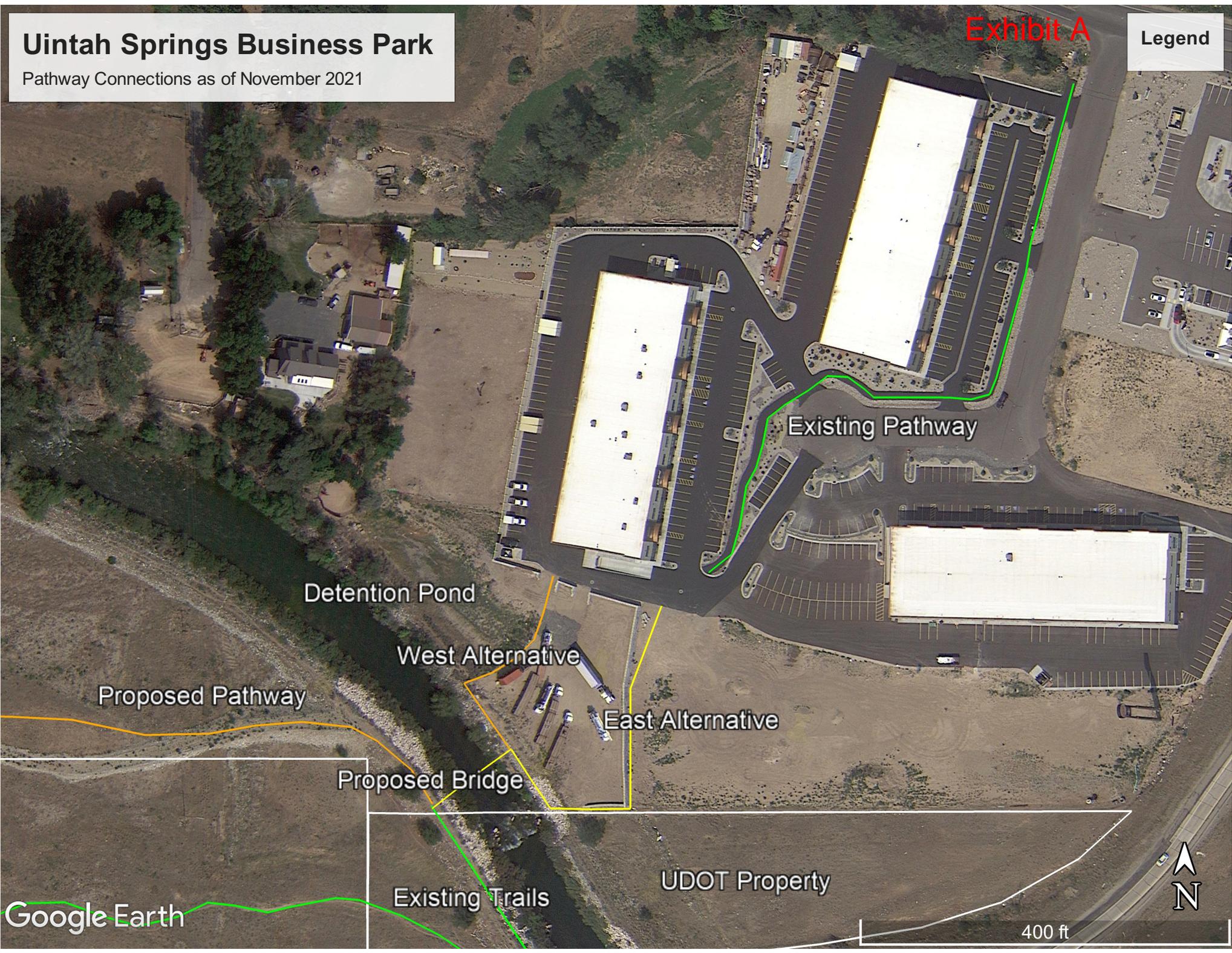
Aric W. Manning
Executive Director

Uintah Springs Business Park

Pathway Connections as of November 2021

Exhibit A

Legend



Existing Pathway

Detention Pond

West Alternative

Proposed Pathway

East Alternative

Proposed Bridge

Existing Trails

UDOT Property

Google Earth

400 ft





Andersen Asphalt LLC

555 E 5300 S 5A
South Ogden, Utah 84405
Ph: 801-675-1555
admin@andersenam.com
www.andersenam.com

INVOICE

Exhibit A

BILL TO:

Northern Utah Trail Foundation
Northern Utah Trail Foundation

JOB SITE

Northern Utah Trail Foundation
Northern Utah Trail Foundation

INVOICE NO.

2524

DATE

06/23/2021

Terms

Net 15

ACTIVITY	QTY	RATE	AMOUNT
AP4 Surface Treatment Thoroughly clean pavement Apply OSP to prime existing oil spots - SS1H APTack if necessary Apply 2 coats of AP4 Sealcoat at min of 24-26 sq ft/gallon	6,869	0.298368	2,049.49

TOTAL DUE

2,049.49

THANK YOU

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Commissioners-

Trails Foundation of Northern Utah (TFNU) has worked on building and developing the Weber River Parkway from Riverdale to Uintah. We are excited that we have been able to complete a new section that will stretch on a piece of TFNU/Weber Pathways owned property and connect the new Riverside RV Park.

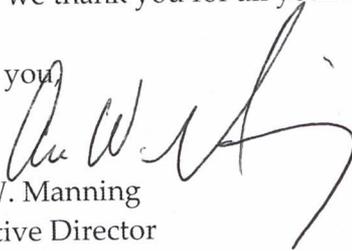
The Weber River Parkway is a trail for our communities and visitors. TFNU has completed a section that is 10' wide road base and grubbed vegetation.

For this project, we are asking for \$40,852 of Prop. 1 money to fund the completed work. An invoice and map will be submitted with this letter.

Trails Foundation of Northern Utah feels this would be an excellent use of the Prop 1 funds awarded to continue to connect the trail and get us closer to the Uintah Business Park from Riverdale.

Again, we thank you for all your support.

Thank you,



Aric W. Manning
Executive Director

New Pathway by Riverside RV Park

November 2021

Legend

Exhibit B

Cottonwood Drive

6600 S.

RV Park

I-84

TFNU Property

Google Earth

1000 ft





INVOICE



1595 West 3300 South • Ogden, Utah 84401
 Phone: 801-393-7360 Fax: 801-393-8241
 www.kappcompanies.com



INVOICE NO. 5680

Exhibit B

BILL TO Trails Found of Northern Utah
 PO Box 972
 Ogden, UT 84402

JOB RIVERSIDE RV PARK

CUSTOMER	PURCHASE ORDER NO.	BILL THRU	TERMS	INVOICE DATE	PAGE
TRAIFOU			Net 30	10/29/21	1

ITEM NO.	QUANTITY	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
Complet Riverside RV Park Trail Extension per Proposal dated 04-13-2021				
	1	LS Grubbing of Vegetation for Trail Area	18,097.00	18,097.00
	11,100	SF Place *' Roadbase for Trail 10ft Wide at Existing Ground Level	2.05	22,755.00

SALE AMOUNT	40,852.00
TOTAL	\$40,852.00

**MEMORANDUM OF UNDERSTANDING
BETWEEN
WEBER PATHWAYS
AND
WEBER COUNTY**

1. **BACKGROUND:** Weber County receives sales tax funds collected under Section 59-12-2219 of the Utah Code, which is known as the “county option sales and use tax for highways and public transit.” The funds are sometimes referred to as “Prop 1 funds,” because the ballot proposition that resulted in the enactment of the tax in Weber County was known as Proposition 1. Therefore, this Memorandum of Understanding (MOU) will use the term “Prop 1 funds” to describe the funds. The County is authorized to use Prop 1 funds for specific transportation-related purposes described in state law, including “the development, construction, maintenance, or operation of” certain thoroughfares and trails. Weber Pathways has asked to use Prop 1 funds for specific trail projects and desires to have future access to the funds for other trail projects.
2. **PURPOSE:** The purpose of this MOU is to guarantee that Weber Pathways, dba Trails Foundation of Northern Utah (TFNU), will use Prop 1 funds in accordance with applicable County and State laws, ordinances, and policies, without requiring a separate contract for each donation of funds. The County Commission finds that these donations will contribute to the safety, health, comfort, and convenience of county residents.
3. **SCOPE:** This MOU for the donation and use of Prop 1 funds is made between Weber Pathways and Weber County.
4. **UNDERSTANDING, AGREEMENTS, AND SUPPORT REQUIREMENTS:**
 - A. Weber Pathways is a nonprofit 501(c)(3) organization with a mission to “plan, promote, construct, and protect a network of public pathways, trails, and related open spaces for non-motorized users throughout the greater Weber County area.”
 - B. Weber County intends to donate Prop 1 funds to Weber Pathways for the purpose of planning and building eligible pathways and trails in unincorporated Weber County.
 - C. To receive donations of Prop 1 funds, Weber Pathways must apply to the County, specifying which projects the Prop 1 funds will be used for. If Weber Pathways wants to use donated Prop 1 funds for projects not included in the original application, it must file a new application seeking authorization to use the funds for other projects.
 - D. Weber Pathways will only use Weber County’s Prop 1 fund donations for corridor preservation, engineering, environmental review, surveying, permitting, construction, project management, and any other project-specific tasks necessary to complete approved projects.
 - E. Weber Pathways will comply with all applicable County and State laws, ordinances, and policies.
 - F. Weber Pathways will account for the expenditure of Prop 1 funds and will provide updates to Weber County upon request.

- G. Weber Pathways will indemnify and hold harmless the County, its officers, agents, and employees from and against any claims or suits that arise as a result of Prop 1 fund donations, including improper use of Prop 1 funds.
- 5. **EFFECTIVE DATE:** This MOU is effective upon signature by both parties and will remain in effect until modified, replaced, or terminated by agreement of the parties.
- 6. **MODIFICATION:** Modification of this agreement requires written notification and approval by both parties 30 days in advance.
- 7. **GOVERNING LAW:** The laws of the State of Utah shall govern the validity, construction, enforcement, and interpretation of this agreement.
- 8. **ENTIRE AGREEMENT:** This agreement constitutes the entire agreement between the parties hereto with respect to the subject matter hereof, and no other statement, whether written or oral, shall be deemed a part of this agreement unless specifically incorporated herein by reference.
- 9. **SIGNATURES:** In witness whereof the undersigned have affixed their respective signatures hereto on the dates indicated below.

BOARD OF COUNTY COMMISSIONERS
OF WEBER COUNTY

By 
Gage Froerer, Chair

Commissioner Froerer voted

Commissioner Jenkins voted

Commissioner Harvey voted

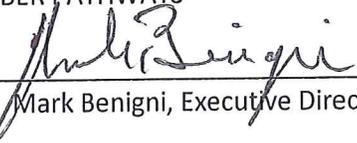
ATTEST:


for Ricky D. Hatch, CPA
Weber County Clerk/Auditor

Date:

4 FEB 2020

WEBER PATHWAYS

By 
Mark Benigni, Executive Director

Subscribed and sworn to before me this 17 day of January, 2020.


Notary Public

