

Date: December 15, 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 \$68,646.21 to Trails Foundation of Northern Utah for asphalt surface repairs on the Pineview Loop Pathway and construction/maintenance of trails in North Fork Park**

Agenda Date: December 21, 2021

Documents:

- Exhibit A: TFNU request letter and cost estimate for asphalt surface repairs (chip seal and slurry coat) on the Pineview Loop Pathway
- Exhibit B: TFNU request letter and cost estimate for asphalt surface repairs on the Pineview Loop Pathway
- Exhibit C: TFNU request letter and cost estimate for construction/maintenance of trails in North Fork Park
- Exhibit D: 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 **\$68,646.21** for asphalt surface repairs on the Pineview Loop Pathway (PLP) and construction/maintenance of trails in North Fork Park (NFP).

- The asphalt surface repairs on the PLP include chip seal, slurry coat, and general maintenance on various sections of the pathway. The cost for the repairs is **\$25,231.21** (chip seal/slurry coat **\$18,981.21** and general maintenance **\$6,250**).
- The trail construction and maintenance in NFP took place over 16 weeks earlier this year. The project was partially funded through a RAMP grant, included 350 hours of volunteer labor, and was coordinated with Weber County Parks and Recreation. The cost is **\$43,415**.

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 **\$29,672.54**. 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.
- November 2021: **\$42,901.49** donation for asphalt surface repairs and construction of a new section of the Weber River Parkway.



PO Box 972 | Ogden, Utah 84402 | 801-393-2304 | email: tfnu@tfnu.org | www.tfnu.org

EXECUTIVE COMMITTEE

Mike Appleby, *Chair*
 Mike McConvill, *Vice Chair*
 Lisa Hopkins, *Treasurer*
 MJ Munger, *Secretary*
 Ron Thornburg, *Past Chair*
 Therese Grivalja, *At Large*
 Dan Spark, *At Large*
 Richard White, *Advisor*

BOARD OF TRUSTEES

Mark Bunker
 Elizabeth Dewitte
 Korry Green
 Therese Grijalva
 Becky Senekjian
 Jim Skaggs
 Jeff Stuart
 Richard White
 Brian Wilcox

AD HOC MEMBERS

Eric Bauman, *Executive Director, GOAL*
 Mike Caldwell, *Mayor, Ogden City*
 Sandy Crosland, *Founder*
 Geoff Ellis, *Landscape Architect*
 Todd Ferrario, *Weber County Parks & Recreation*
 Gage Froerer, *Weber County Commissioner, WAGOG Rep*
 Jim Harvey, *Weber County Commissioner*
 Brad Mortensen, *President, Weber State University*
 Travis Olsen, *Weber Morgan Health Dept.*
 Pam Kramer, *Div. of Wildlife Resources*
 Jay Lowder, *Public Services Director, Ogden City*
 Scott Lyons, *Box Elder County*
 Zach Maughan, *USFS, Ogden Dist.*
 Sara Toliver, *President & CEO, Visit Ogden*

STAFF

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 Pineview Loop Pathway (PLP) for over 10 years. The Pineview Loop Pathway is now showing the effects of age and use. Some areas needing repair are becoming safety hazards for thousands of users that bike and walk on this trail annually. The PLP is the backbone of the Ogden Valley trail system and needs to be kept in the best conditions to serve not only the residents but the many tourists that visit the area.

TFNU would like to sealcoat a 1.5 miles section of the Pineview Loop Pathway shown in yellow on the attachment. This is the original section of the PLP put in almost 15 years ago. Unfortunately, the path is starting to show its age with cracks and dried out asphalt. To extend the useful life of this section of the PLP, a slurry coat and chip seal are needed. With this work, we hope to extend the life of the path for another 10-15 years

To complete this project, we are asking for \$18,981.21 of Prop. 1 money to fund and complete the repair work.

Trails Foundation of Northern Utah feels this would be an excellent use of the Prop 1 funds awarded and help keep the PLP safe. This would give us a good start to continuing the repairs on the loop.

Again, we thank you for all your support.

Thank you,

A handwritten signature in black ink that reads "Aric W. Manning".

Aric W. Manning
 Executive Director

Andersen Asphalt

801-675-1555
admin@andersenam.com



Prepared For:
TFNU
298 24th St, Ogden,
UT 84401
801-392-2304

Attention:
Alan Wheelwright

Project Address:
Eden Utah

Thank you for the opportunity to provide you with a proposal. Please review the proposal and feel free to call with any questions.

AP4 ASPHALT SURFACE TREATMENT

\$18,981.21

Apply 87,471 Square Feet of AP4 Asphalt Surface Treatment

- Apply AP4 Surface Treatment, which is a high performance, high-density, emulsion based asphalt polymer treatment at a rate of 65 wet Mils.
- The pavement sealcoat consists of at least 6% cutting edge polymers for added durability and better resistance to ultraviolet rays, oxidation, water, and chemicals.
- We will thoroughly clean the pavement with wire bristled sweepers, high powered blowers, and high pressured water (if necessary).
- A polymer modified tack coat will be applied if necessary for adhesion and added protection.
- Purchaser is responsible to ensure all vehicles are removed (towing if required) from the affected areas no later than 7:00 a.m.
- Sprinkler systems are to be shut off 24 hours prior to treatment and 24 hours after completion.
- The parking lot may be reopened 24 hours after the completion of work but is subject to weather temperatures and other related conditions.
- We are not responsible for damage to property from vehicular or foot traffic on wet sealcoat.

PREPARED BY: Andersen Asphalt

PROPOSAL TOTAL: \$18,981.21

Notes:

- Additional quantities to be billed at the same rate.
- Power steering turning marks are normal and will fade away over time.
- The sealed surface will remain tender during the hot months of the year.
- Customer is responsible to ensure sprinklers are turned off 24 hrs prior and remain off for 24 hrs after project. Additional costs will be billed if contractor arrives to a wet surface.
- It is the responsibility of the customer to ensure all vehicles or other debris is clear from the maintenance area. All towing costs will be billed to the customer.
- Price based on 1 Mobilization; additional mobilizations will be charged extra.
- Purchaser is responsible to ensure all vehicles are removed (towing if required) from the affected areas no later than 7:00 a.m.
- Sprinkler systems are to be shut off 24 hours prior to treatment and 24 hours after completion.
- We are not responsible for damage to property from vehicular or foot traffic on wet sealcoat.

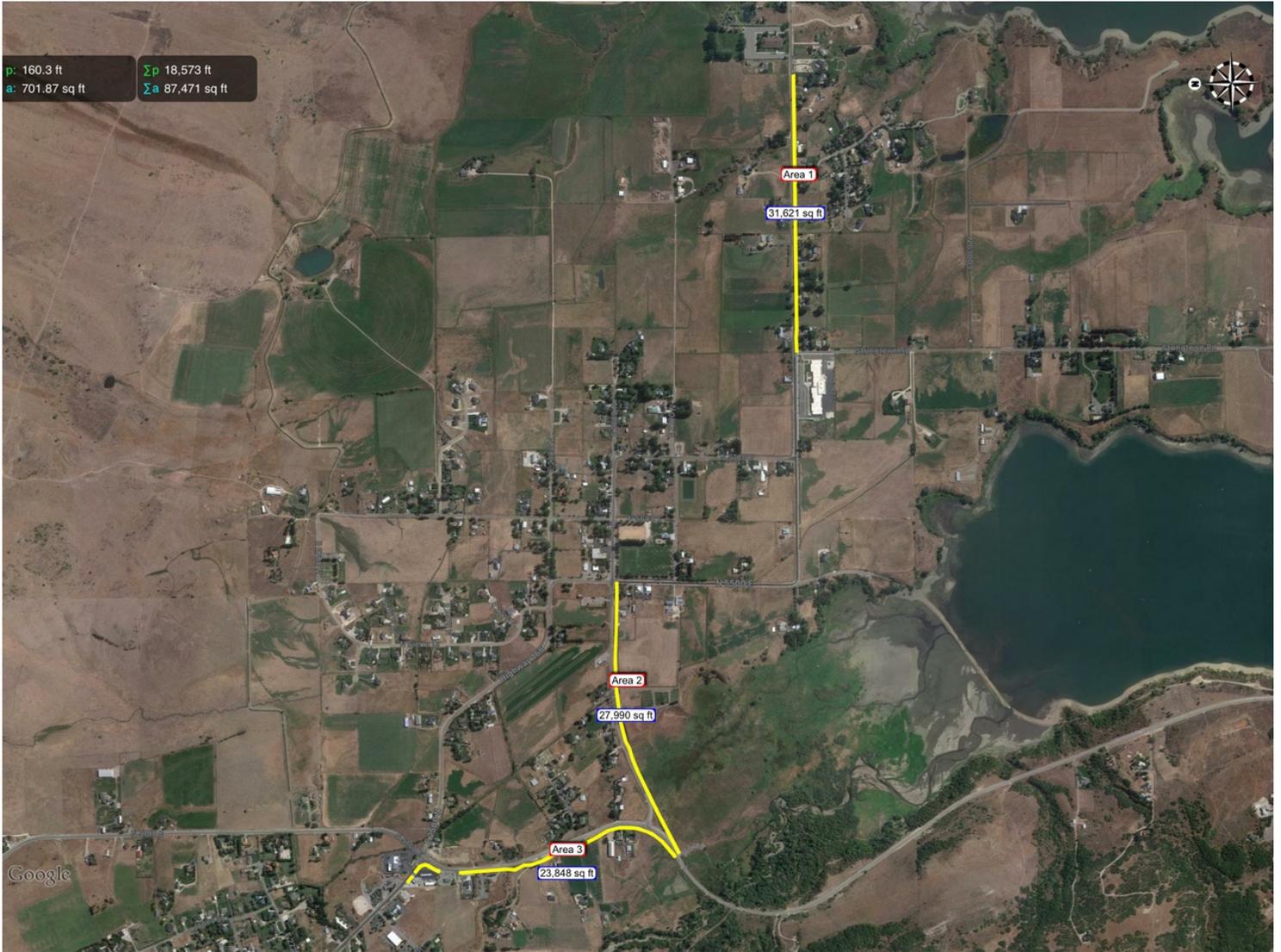
The Unit Rates applicable to the categories of work to be performed pursuant to this Agreement are based on the following material costs and published indexes:

Any adjustments to the original scope of work shall be committed and paid by purchaser as though a written change order were approved and signed by both parties.

Purchaser: _____ Title: _____

Printed Name: _____ Date: _____





Weber Trails.png

**EXECUTIVE COMMITTEE**

Mike Appleby, *Chair*
 Mike McConvill, *Vice Chair*
 Lisa Hopkins, *Treasurer*
 MJ Munger, *Secretary*
 Ron Thornburg, *Past Chair*
 Therese Grivalja, *At Large*
 Dan Spark, *At Large*
 Richard White, *Advisor*

BOARD OF TRUSTEES

Mark Bunker
 Elizabeth Dewitte
 Korry Green
 Therese Grijalva
 Becky Senekjian
 Jim Skaggs
 Jeff Stuart
 Richard White
 Brian Wilcox

AD HOC MEMBERS

Eric Bauman, *Executive Director, GOAL*
 Mike Caldwell, *Mayor, Ogden City*
 Sandy Crosland, *Founder*
 Geoff Ellis, *Landscape Architect*
 Todd Ferrario, *Weber County Parks & Recreation*
 Gage Froerer, *Weber County Commissioner, WAGOG Rep*
 Jim Harvey, *Weber County Commissioner*
 Brad Mortensen, *President, Weber State University*
 Travis Olsen, *Weber Morgan Health Dept.*
 Pam Kramer, *Div. of Wildlife Resources*
 Jay Lowder, *Public Services Director, Ogden City*
 Scott Lyons, *Box Elder County*
 Zach Maughan, *USFS, Ogden Dist.*
 Sara Toliver, *President & CEO, Visit Ogden*

STAFF

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 Pineview Loop Pathway (PLP) for over 10 years. The Pineview Loop Pathway is now showing the effects of age and use. Some areas needing repair are becoming safety hazards for thousands of users that bike and walk on this trail annually. The PLP is the backbone of the Ogden Valley trail system and needs to be kept in the best conditions to serve not only the residents but the many tourists that visit the area.

Trails Foundation of Northern Utah would like to hire Post Asphalt to repair 5 sections of asphalt on the Pineview Loop Pathway totaling 1,250 sq/ft. Some of these sections have become quite dangerous for pedestrians with broken and deteriorating asphalt.

To complete this project, we are asking for \$6,250.00 of Prop. 1 money to fund and complete the repair work. A breakdown of costs will be submitted with this letter as well as a few photos and map.

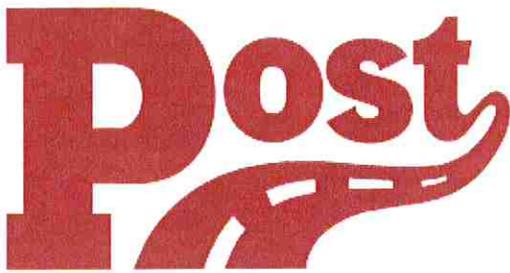
Trails Foundation of Northern Utah feels this would be an excellent use of the Prop 1 funds awarded and help keep the PLP safe. This would give us a good start to continuing the repairs on the loop.

Again, we thank you for all your support.

Thank you,

A handwritten signature in black ink that reads "Aric W. Manning". The signature is fluid and cursive, written over a light blue horizontal line.

Aric W. Manning
 Executive Director



ASPHALT PAVING & CONSTRUCTION

To: Weber Pathways	Contact:
Address: PO Box 972 Ogden, UT 84402	Phone:
	Fax:
Project Name: Weber Pathways Patching 2022	Bid Number:
Project Location: Eden, UT	Bid Date:

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
	Saw Cut Edges Of Patch And Ex-out 3" Of Existing Material; Prepare Grade For Asphalt And Furnish Place And Compact 3" Of 1/2" APWA Asphalt 15% RAP.	1,250.00	SF	\$5.00	\$6,250.00

Total Bid Price: \$6,250.00

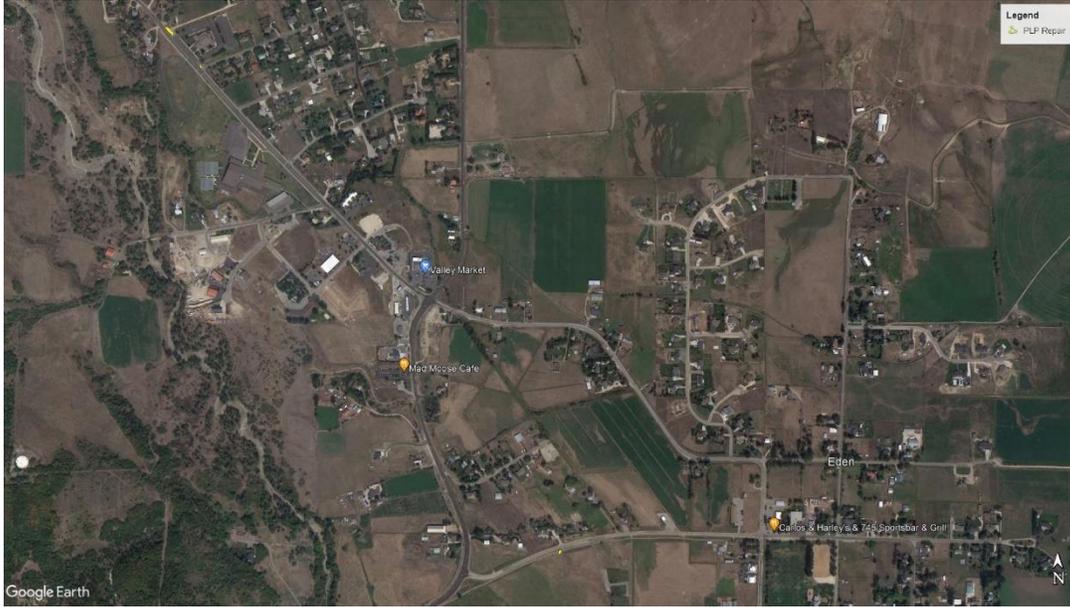
Notes:

- **Prior to work beginning, this estimate must be signed by the customer and returned to Post Asphalt.**
- Post Construction Company will not guarantee drainage on grades with 1% or less slope or on overlays
- Price does not include permits or survey for quoted items
- Price to be billed based on measurements following job completion.
- Price does not include Traffic Control, Saw Cutting, Compaction Testing or Material Testing

Payment Terms:

Payment terms are net (15) days from the date of each original Invoice. If payment is not received within such thirty days, interest shall be charged on the outstanding principal amount at the rate of two percent per month (twenty-four percent annually), until paid in full. Where legal proceedings are instituted for recovery of all balance's due, Post Asphalt Paving & Construction shall be entitled to recover additional costs incurred, including reasonable attorney's fee. Post Asphalt Paving & Construction is hereby authorized to file a preliminary notice describing the aforesaid Customer Address pursuant to UTAH CODE ANN. 38-1a-501,1953 (as amended).

<p>ACCEPTED: The above prices, specifications and conditions are satisfactory and are hereby accepted.</p> <p>Buyer: _____</p> <p>Signature: _____</p> <p>Date of Acceptance: _____</p>	<p>CONFIRMED: Post Construction Company</p> <p>Authorized Signature: _____</p> <p>Estimator: Jeff Post (801) 430-1708 jeff@postasphalt.com</p>
---	---



**EXECUTIVE COMMITTEE**

Mike Appleby, *Chair*
 Mike McConvill, *Vice Chair*
 Lisa Hopkins, *Treasurer*
 MJ Munger, *Secretary*
 Ron Thornburg, *At Large*
 Dan Spark, *At Large*
 Therese Grivalja, *At Large*
 Richard White, *Advisor*

BOARD OF TRUSTEES

Mark Bunker
 Elizabeth Dewitte
 Korry Green
 Becky Senekjian
 Jim Skaggs
 Jeff Stuart
 Brian Wilcox

AD HOC MEMBERS

Eric Bauman, *Executive Director*,
 GOAL
 Mike Caldwell, *Mayor, Ogden City*
 Zach Chatelain, *Owner, Bikers Edge*
 Sandy Crosland, *Founder*
 Geoff Ellis, *Landscape Architect*
 Todd Ferrario, *Weber County Parks
& Recreation*
 Gage Froerer, *Weber County
Commissioner, WAGOG Rep*
 Jim Harvey, *Weber County
Commissioner*
 Brad Mortensen, *Weber State
University, President*
 Pam Kramer, *Div. of Wildlife
Resources*
 Jay Lowder, *Public Services Director,
Ogden City*
 Scott Lyons, *Box Elder County*
 Zach Maughan, *USFS, Ogden Dist.*
 Sara Tolliver, *Visit Ogden, President
& CEO*

STAFF

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

Commissioners-

For 16 weeks this year TFNU has built, fixed and maintained trails at North Fork Park in Eden. With this trail work, TFNU has leveraged over 350 hours of volunteer work finishing the trail and trimming existing trails. Weber County residents are excited to see us working at North Fork and fixing the trails they love. We have had incredible feedback from users about the work we are doing.

With that being said, there is huge spike in trail users and maintenance is needed now more than ever before. We were able to get a lot done but see this as work for the foreseeable future. By maintaining many of these trails it will definitely increase the safety factor and allow people to enjoy the trails without fear of injury. We are proud of the work we have been able to compete with the collaboration of Weber County Parks and Recreation. Working with Todd and Jennifer has added so much value to the work.

For these projects, we are asking for \$43,415 of Prop. 1 money. Breakdown of costs will be submitted with this letter.

We cannot tell you how much we appreciate the Prop 1 funding for the RAMP grant match for this project/program. The impact it has left on the community is truly amazing.

Thank you,

A handwritten signature in black ink that reads "Aric W. Manning".

Aric W. Manning
 Executive Director
 Trails Foundation of Northern Utah

Weber County Trail Maintenance and Construction
 Organization: Trails Foundation of Northern Utah
 Proposal Summary for Prop 1 Funding

	Costs	Quantity	Units	Rate	Amount
	Mini-Excavator rental 18 weeks	16	Weeks	\$600	\$ 9,600.00
	Fuel for Mini-Ex	360	Gallons	3.5	\$ 1,260.00
	Machine Operator	640	Hours	28	\$ 17,920.00
	Trail Lead	580	Hours	25	\$ 14,500.00
	Trail Laborers	880	Hours	18	\$ 15,840.00
	Project Management	180	Hours	32	\$ 5,760.00
	Equipment (Tools, signange, building materials)				\$ 5,400.00
	Insurance				\$ 3,870.00
	Total Project Cost				\$ 74,150.00
	RAMP Funds Received				\$ 20,735.00
	Weber County Parks & Recreation				\$ 10,000.00
	Prop 1 Request				\$ 43,415.00





BEFORE

DURING

ALL DONE

Bridge installation over Cutlers Creek along the Long Loop Trail at North Fork Park

IT'S ABOUT THE TRAILS

July 2021

The complex block features a green background with three vertical photographs. The first photo, labeled "BEFORE", shows a narrow, rocky path over a creek with a person standing on a log. The second photo, labeled "DURING", shows workers in blue shirts and hats constructing a wooden bridge over the creek. The third photo, labeled "ALL DONE", shows a completed wooden bridge with a dog walking across it. Below the photos is a bold title: "Bridge installation over Cutlers Creek along the Long Loop Trail at North Fork Park". At the bottom left is a circular logo with a mountain and a star, containing the text "IT'S ABOUT THE TRAILS". At the bottom center, the date "July 2021" is written.

**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

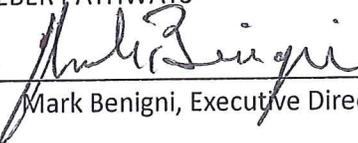
ATTEST:


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

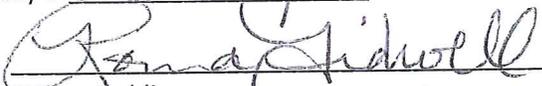
Date:

4 FEB 2020

WEBER PATHWAYS

By 
Mark Benigni, Executive Director

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


Notary Public

