



Date: December 7, 2022
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 \$55,894 to Trails Foundation of Northern Utah for construction and maintenance of trails in North Fork Park**

Agenda Date: December 13, 2022

Documents: Exhibit A: TFNU request letter
Exhibit B: Project cost summary
Exhibit C: Memorandum of Understanding (approved February 4, 2020)
Exhibit D: Project photos

Summary:

Trails Foundation of Northern Utah (TFNU) is requesting a donation of "Prop 1 funds" in the amount of \$55,894 for construction and maintenance of trails in North Fork Park. The project took place over 18 weeks earlier this year. In collaboration with Weber County Parks and Recreation, a new trail was constructed to alleviate pressure on the existing trails and several other trails were repaired and improved. The total project cost was \$88,809. In addition to this donation request, the project received \$27,915 from Weber County RAMP and \$5,000 from Weber County Parks and Recreation. The total project cost was \$88,809.

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.

This is Weber County's fourth Prop 1 trail project donation in 2022. Previous Donations include:

1. \$10,560 for a concept report on the Pineview Loop Pathway extension from North Arm Trailhead to the Pineview Spillway (May 17, 2022).
2. \$71,944.75 for construction of a new section of the Weber River Parkway (June 7, 2022).
3. \$28,992 for asphalt repair on the Pineview Loop Pathway (August 2, 2022).



Exhibit A

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

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Aric W. Manning, *Executive Director*
Kelli Barkema, *Marketing &*
Communications Coordinator
Greg Romney, *Accounting & Office*
Coordinator
Alan Wheelwright, *Trail Crew Lead*

Commissioners-

For 18 weeks this year TFNU has built, repaired, and maintained trails at North Fork Park in Eden. With this trail work, TFNU has leveraged over 380 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.

We are very excited how the new trail, Spork, turned out. It is a brand-new 4+ mile bike trail that was put in to help alleviate pressure off of the other trails.

We still see a big increase in trail users, so maintenance is critical. 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 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 \$55,894 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". The signature is fluid and cursive.

Aric W. Manning
Executive Director
Trails Foundation of Northern Utah

Exhibit B

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	18	Weeks	\$600	\$ 10,800.00
Fuel for Mini-Ex	440	Gallons	3.5	\$ 1,540.00
Machine Operator	680	Hours	29	\$ 19,720.00
Trail Lead	580	Hours	27	\$ 15,660.00
Trail Laborers	880	Hours	19	\$ 16,720.00
Project Management	210	Hours	65	\$ 13,650.00
Equipment (Tools, signange, building/bridge materials)				\$ 7,200.00
Insurance				\$ 3,519.00
Total Project Cost				\$ 88,809.00
2022 RAMP Funds Received				\$ 27,915.00
Weber County Parks & Recreation funding				\$ 5,000.00
<u>Prop 1 Request to Weber County</u>				\$ 55,894.00

Exhibit C

**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

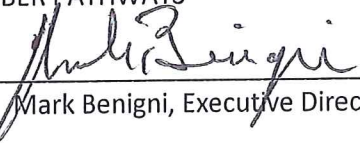
ATTEST:


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

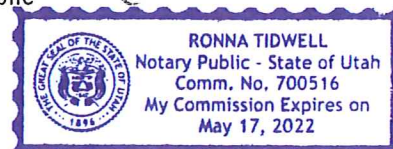


Exhibit D





