

Date: June 16, 2020

To: Weber County Board of County Commissioners

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

Subject: **Request for approval of a \$22,000 donation of "Prop 1 Funds" to Trails Foundation of Northern Utah for maintenance of the Pineview Loop Trail**

Agenda Date: June 23, 2020

Documents: Exhibit A: Trails Foundation of Northern Utah Request Letter
Exhibit B: Project Cost Proposal
Exhibit C: Project Photos
Exhibit D: Memorandum of Understanding

Summary:

Trails Foundation of Northern Utah (TFNU) is requesting a donation of \$22,000 for maintenance of the Pineview Loop Trail. The project consists of repairing three sections of the trail (Carver's Cove, Carlos and Harley's, and east of Spring Creek). The repairs include removing existing asphalt, removing tree roots, providing additional fill material with compaction, and repaving. TFNU has already received a RAMP grant for approximately half of the project cost. 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.

Recommendation:

Approve the donation of \$22,000 from the Prop 1 Fund for maintenance of the Pineview Loop Trail.

Fiscal Impact:

Weber County allocated \$200,000 of the 2020 Prop 1 Fund budget for pathway maintenance. This request will leave the remaining balance at \$140,000. The following donations have already been approved:

- January 2020 - \$24,000 to repair the Pelican Beach embankment wall (Pineview Loop Trail).
- May 2020 - \$14,000 to repair trails in North Fork Park.

Exhibit A



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

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STAFF

Aric W Manning, *Executive Director*
Julia Heavirland, *Project Manager*

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.

The PLP is a vital piece of trail for our communities and visitors. As Sara Tolliver of Visit Ogden put it "Our trail systems provide amazing quality of life opportunities as well as great economic impact to the community and serve as marketing engines to drive the message of wonderful outdoor recreation opportunities to other potential travelers."

TFNU has already acquired multiple bids and was awarded a RAMP grant for this project. However, with the current pandemic, donations and grants are down so finding the matching funds is a challenge.

To complete this project, we are asking for \$22,000 of Prop. 1 money to fund and complete the repair work. A breakdown of costs will be submitted with this letter as well as photos of a few problem areas.

Trails Foundation of Northern Utah feels this would be an excellent use of the Prop 1 funds awarded.

Again, we thank you for all your support.

Thank you,

A handwritten signature in black ink that reads "Aric W. Manning". The signature is written in a cursive style with a large, sweeping flourish at the end.

Aric W. Manning
Executive Director

Exhibit B

Pineview Loop Trail Maintenance

Organization: Weber Pathways

Proposal Summary

Contributions	hours	rate	Amount
WP grants			7,033.00
Individual donations			9,350.00
In-kind volunteer project management	160.00	20.00	3,200.00
WP staff project management	80.00	25.00	2,000.00
Weber Pathways contribution Total			<u>21,583.00</u>

Project expenses	Amount
Burton area	
Pulverize Existing Asphalt 6" into existing road base & add	
1 2" of new road base, prepare grade for asphalt	
2 Furnish Place & Compact 3" of 1/2" APWA Asphalt	
Carlos area	
3 Saw cut ends of asphalt, TBD	
4 Furnish Place & Compact 3" of 1/2" APWA Asphalt	
Carvers area	
Saw cut ends of asphalt, remove asphalt & roots under trail,	
furnish grade & compact 2" of roadbase with existing road	
5 base (8'wide)	
6 Furnish Place & Compact 3" of 1/2" APWA Asphalt	
7 Remove trees 4' away from trail	
Total Construction costs (Post Paving)	<u>37,965.92</u>

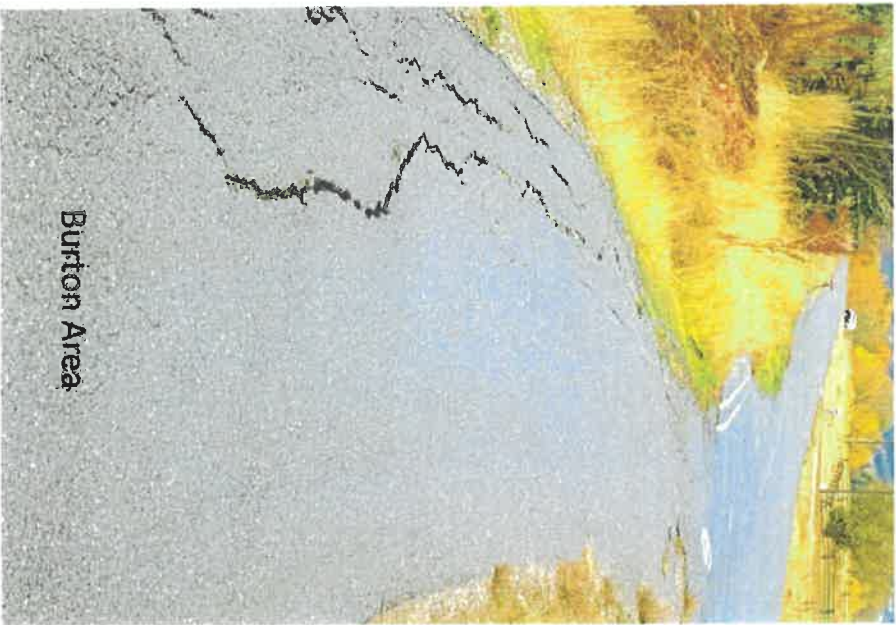
	hours	rate	Amount
in-kind volunteer project management	160.00	20.00	3,200.00
Total Project Expenses			<u>43,165.92</u>

RAMP Request 21,583.00

Exhibit C



- Tree roots undermining the trail –
- Require complete removal of pavement (both),
 - Removal of roots (Carver) or
 - More road base to lift the trail above roots to avoid killing the trees (Carlos)
 - Re-paving (both)



- Pathway slumps (Burton Area) -
- Require pavement removal
- Additional fill and compaction
- Re-paving

Exhibit D

**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

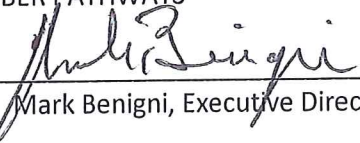
ATTEST:


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

