



Date: November 4, 2020
To: Weber County Board of County Commissioners
From: Sean Wilkinson, AICP *SW*
Director, Community Development Department
Subject: **Request for approval of a \$9,600 donation of impact Fees to Trails Foundation of Northern Utah for a concept report and basic engineering on the Eden to Liberty trail connection (Snowcrest to Liberty Park)**
Agenda Date: November 10, 2020
Documents: Exhibit A: Weber Pathways Request
Exhibit B: Project Cost Estimate
Exhibit C: Memorandum of Understanding

Summary:

Trails Foundation of Northern Utah (TFNU) is requesting an impact fee donation of \$9,600 for a concept report and basic engineering on the Eden to Liberty trail connection. The project consists of hiring an engineering firm to provide a concept report and basic design services for a new section of trail (approximately two miles long) connecting Snowcrest Jr. High and Liberty Park. The requested donation will come from the Upper Valley Trails Impact Fee account and the project is part of the approved impact fee trails plan.

On June 18, 2019, the County Commission approved a memorandum of understanding (MOU) with TFNU (under its former business name, Weber Pathways) for all future impact fee donations. This MOU eliminates the need for a separate agreement with each donation request. TFNU will apply to the County for future impact fee donations and reference this MOU as the basis for compliance and approval.

Recommendation:

Approve the donation of \$9,600 from the Upper Valley Trails Impact Fee account for a concept report and basic engineering on the Eden to Liberty trail connection (Snowcrest to Liberty Park).

Fiscal Impact:

Weber County will spend \$9,600 from the Upper Valley Trails Impact Fee account. There are sufficient funds in the account to cover this expense¹.

¹ The Upper Valley Trails impact fee fund balance was approximately \$593,000 at the end of October 2020.



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Aric W Manning, *Executive Director*

Commissioners-

The Pineview Loop Pathways (PLP) is an asphalt pathway that is currently 7 miles long and connects Huntsville to Eden. The Ogden Valley Master Plan envisions a pathway connecting all the communities in Ogden Valley and providing safe non-motorized alternatives to visitors and residents.

Trails Foundation of Northern Utah would like to hire PEC to provide basic engineering and cost estimates on the next section from Eden to Liberty along SR-162. When complete, this section, of approximately 2 miles long, would stay within the right-of-way. The pathway will allow for a safe route to school for many Snowcrest Junior High students and increase the number of people using alternative transportation in the Valley

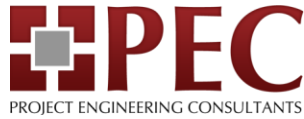
To begin this project, we are asking for \$9,600.00 of Impact Fees money to fund the basic engineering. A breakdown of costs will be submitted with this letter as well as a map.

Trails Foundation of Northern Utah feels this would be an excellent use of the Impact Fees and help look for a new section and safer transportation for not only school children but residents and visitors in the valley.

Again, we thank you for all your support.

Thank you,

Aric W. Manning
Executive Director



October 7, 2020

Trails Foundation Northern Utah
Attn. Alan Wheelwright
298 24th Street, Ste 325
Ogden, UT 84401
awheelwright@gmail.com

RE: Eden Trail- Snowcrest Jr High to Liberty Park-Concept Report

Dear Alan;

Project Engineering Consultants, Ltd. (PEC) is pleased to submit a scope and fee to prepare a Concept Report for a new trail in Eden, Utah that extends from 2775 North (Snowcrest Jr. High) to 4100 North (Liberty Park), approximately 3 miles. The new trail concept will have various alternatives evaluated to determine best alignment for a proposed trail.

SCOPE OF WORK

1. Concept Report

PEC will a concept report that contains the following:

1. Purpose and Need for the project
2. Safety deficiencies and traffic data for the project area
3. Alternatives Analysis of potential alignments
4. Discussion regarding trail connectivity
5. Proposed alignment with project elements (stream crossings, intersection conflict resolutions, typical cross section, etc).

2. Engineer’s Cost Estimate

PEC will create an Engineer’s Cost Estimate for construction activities based on the concept report using the UDOT template for Concept Reports.

Summary of Fees for Planning Activities

Task	Description	Fee
1.	Concept Report (72 hours)	\$ 8,640.00
2.	Engineer’s Cost Estimate (8 hours)	\$960.00
Total		\$9,600.00

Proposal Clarifications

The following represent clarifications to the PEC proposal:

- Concept Report is based on UDOT format and standards
- Trail design is based on AASHTO standards

Proposal Exclusions

The following items are either not specifically identified in the Scope of Services section or are to be excluded from PEC's Scope of Services:

- a. Agency Fees and Permits (Impact Fees, Application, and Review Fees, etc.)
- b. Legal Documents, Title Reports, and Filing Fees
- c. Property or Right-of-Way acquisition
- d. Gaps/Overlaps and/or Boundary Resolutions
- e. Dry Utility Design
- f. Off-site improvements including Drainage, Roadway, Grading, Utilities, etc.
- g. Traffic Impact Study (TIS) and Report
- h. Geotechnical Study
- i. Structural Engineering
- j. Extraordinary Requirements Placed on the Project by Governing Agencies
- k. Construction Staking
- l. Construction Administration/ Construction Management (CA/CM), Material Testing, and Special Inspections

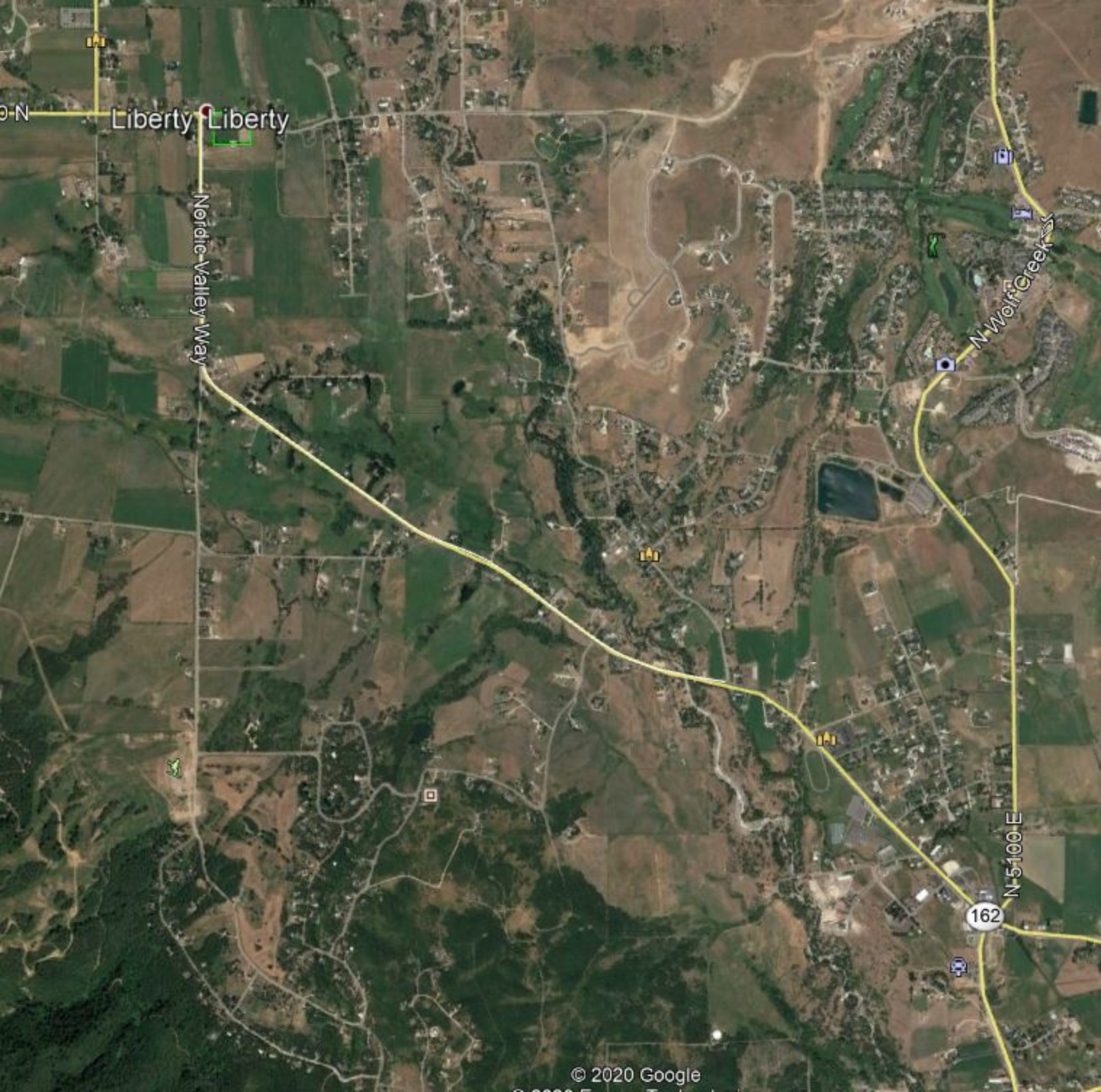
The project budget for the scope as outlined above is a lump sum of **\$9,600.00**. If additional meetings, analysis, design, or work that is outside this scope become necessary, at the client's written direction the work will be performed on a time and expenses basis based on our current fee schedule. This includes additional negotiations and all other procedures not specifically outlined within this scope as requested by the client.

PEC looks forward to participating in this project. Please call us if you have any questions or comments concerning this proposed scope of work.

Respectfully,
Project Engineering Consultants, Ltd.



Lars Anderson, PLA
Principal & COO



0-N

Liberty Liberty

North Valley Way

North Creek St

162
N 5100 E

Exhibit C

MEMORANDUM OF UNDERSTANDING
BETWEEN
WEBER PATHWAYS
AND
WEBER COUNTY

386
6/18/2019

1. **PURPOSE:** To guarantee that Weber Pathways will use Weber County's donated impact fees in accordance with the approved Weber County Trails Impact Fee Facilities Plan and applicable County and State laws, ordinances, and policies. The County Commission finds that this donation will contribute to the safety, health, comfort, and convenience of county residents.
2. **SCOPE:** This Memorandum of Understanding (MOU) for the donation and use of impact fees is made between Weber Pathways and Weber County.
3. **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 impact fees to Weber Pathways for the purpose of planning and building pathways and trails in unincorporated Weber County.
 - C. To receive donations of impact fees, Weber Pathways must apply to the County, specifying which projects the impact fees will be used for. If Weber Pathways wants to use donated impact fees for projects not included in the original application, it must file a new application seeking authorization to use the funds for other projects. Projects must be included in Weber County's Trails Impact Fee Facilities Plan.
 - D. Weber Pathways will only use Weber County's impact fee donations for 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 impact fees and will provide updates to Weber County upon request.
 - G. Weber Pathways will defend, indemnify, and hold harmless County, its officers, agents, and employees from and against any claims or suits that arise as a result of impact fee donations, including improper use of impact fees.
4. **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.
5. **MODIFICATION:** Modification of this agreement requires written notification and approval by both parties 30 days in advance.

- 6. **GOVERNING LAW:** The laws of the State of Utah shall govern the validity, construction, enforcement, and interpretation of this agreement.
- 7. **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.
- 8. **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 Scott K. Jenkins
Scott K. Jenkins, Chair

Commissioner Jenkins voted
 Commissioner Froerer voted
 Commissioner Harvey voted

ATTEST:

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

Date:

June 18, 2019

WEBER PATHWAYS

By Mark Benigni
Mark Benigni, Executive Director

Subscribed and sworn to before me this 13 day of June, 2019.

Ronna Tidwell
Notary Public

