

CENTRAL WASATCH COMMISSION

RESOLUTION No. 2025-01

A RESOLUTION APPROVING ENTRY INTO THE SIXTH AMENDMENT TO AN INTERLOCAL COOPERATION AGREEMENT WITH THE UNIVERSITY OF UTAH FOR THE ENVIRONMENTAL DASHBOARD

WHEREAS, UTAH CODE ANN. § 11-13-101, *et seq.* (the “*Interlocal Cooperation Act*”) provides that any two or more public agencies may enter into agreements with one another for joint or cooperative action following the adoption of an appropriate resolution by the governing body of each participating public agency; and

WHEREAS, the Central Wasatch Commission (“CWC”) and the University of Utah (“*University*”) are public agencies for purposes of the Interlocal Cooperation Act; and

WHEREAS, effective 1 July 2019 CWC and University (for its DIGIT Lab and its Ehleringer Group) entered into an “Interlocal Cooperation Agreement (Environmental Dashboard)” (the “*Agreement*”) whereunder University agreed to further develop CWC’s so-called “Environmental Dashboard” environmental monitoring and adaptive management plan (the “*Environmental Dashboard*”) as described in the Agreement; and

WHEREAS, the Agreement subsequently was amended by the (a) “First Amendment to Interlocal Cooperation Agreement (Environmental Dashboard)” dated on or about 9 March 2020 between the Parties (the “*First Amendment*”), which amended the Agreement to adopt a revised proposal detailing the “Phase 2 Work” under the Agreement and associated costs needed to bring the Environmental Dashboard to fruition, (b) “Second Amendment to Interlocal Cooperation Agreement (Environmental Dashboard)” dated on or about 1 March 2021 between the Parties (the “*Second Amendment*”), which amended the Agreement, as previously amended, to adopt a revised schedule for University’s completion of its Phase 2 Work under the Agreement, as amended, and the timetable for the associated payments by the CWC to University for that work, in order to bring the Environmental Dashboard to fruition, (c) “Third Amendment to Interlocal Cooperation Agreement (Environmental Dashboard)” dated on or about 1 November 2021 which amended the Agreement, as previously amended, to again adopt a revised scope, completion schedule and fee schedule for such work in order to bring the Environmental Dashboard to fruition, (d) “Fourth Amendment to Interlocal Cooperation Agreement (Environmental Dashboard)” dated on or about 2 May 2022 which amended the Agreement, as previously amended, to again adopt a revised scope, completion schedule and fee schedule for such work in order to bring the Environmental Dashboard to fruition, and (e) “Fifth Amendment to Interlocal Cooperation Agreement (Environmental Dashboard)” dated on or about 9 January 2023 which amended the Agreement, as previously amended, to again adopt a revised scope, completion schedule and fee schedule for such work in order to bring the Environmental Dashboard to fruition; and

WHEREAS, CWC and University now desire to further amend the Agreement, as previously amended, by expanding the so-called “Human Element” of the Environmental Dashboard (the “*Human Element*”) as described in the “Proposal for Expanding the Human Element of the Environmental Dashboard” dated 9 December 2024 from University to CWC, all as provided in the “Sixth Amendment to Interlocal Cooperation Agreement (Environmental Dashboard)” (the “*Sixth Amendment*”) that they cooperatively have negotiated and drafted; and

WHEREAS, the CWC's Board of Commissioners (the "*Board*") met in regular session on 6 January 2025 to consider, among other things, approving the CWC's entry into the Sixth Amendment; and

WHEREAS, the Board has reviewed the form of the Sixth Amendment, a copy of which is attached hereto; and

WHEREAS, the CWC's attorney also has approved the form of the Sixth Amendment as required by UTAH CODE ANN. §11-13-202.5(3); and

WHEREAS, after careful consideration, the Board has determined that it is in the best interests of the CWC and its constituents to approve the CWC's entry into the Sixth Amendment as proposed in order to make efficient use of the CWC's resources;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Central Wasatch Commission that the attached Sixth Amendment is hereby approved, and that the CWC's chair and secretary are authorized and directed to execute and deliver the Sixth Amendment on behalf of the CWC.

This Resolution, assigned no. 2025-01, shall take effect immediately upon passage.

ATTEST:

CENTRAL WASATCH COMMISSION

By: _____
Christopher F. Robinson, Secretary

By: _____
Jeff Silvestrini, Chair of the Board

VOTING OF THE BOARD:

Roger Bourke	Yea ___ Nay ___
Bill Ciraco	Yea ___ Nay ___
Dan Knopp	Yea ___ Nay ___
Erin Mendenhall	Yea ___ Nay ___
Christopher Robinson	Yea ___ Nay ___
Jeff Silvestrini	Yea ___ Nay ___
Michael Weichers	Yea ___ Nay ___
Monica Zoltanski	Yea ___ Nay ___

DEPOSITED in the office of the Secretary this 6th day of January 2025.

FILED AND RECORDED this 6th day of January 2025.

Sixth Amendment to Interlocal Cooperation Agreement (Environmental Dashboard)

THIS SIXTH AMENDMENT TO INTERLOCAL AGREEMENT (this “*Sixth Amendment*”) is made effective 6 January 2025 by and between the **CENTRAL WASATCH COMMISSION**, an interlocal entity of the state of Utah whose address is 311 South State Street, Ste. 330, Salt Lake City, Utah 84111 (“*CWC*”), and the **UNIVERSITY OF UTAH**, an institution of higher education and a body corporate and politic of the state of Utah whose address is c/o Office of Sponsored Projects, 1471 East Federal Way, Salt Lake City, UT 84102-1821 (“*University*”). In this Amendment, CWC and University are each a “*Party*” and collectively are “*Parties*.”

RECITALS:

A. Effective 1 July 2019, the Parties entered into an “Interlocal Cooperation Agreement (Environmental Dashboard)” (the “*Agreement*”) whereunder University agreed to further develop CWC’s so-called “Environmental Dashboard” environmental monitoring and adaptive management plan (the “*Environmental Dashboard*”) as described in the Agreement and the Proposal for the Phase 1 Work attached to the Agreement.

B. The Agreement subsequently was amended by the (a) “First Amendment to Interlocal Cooperation Agreement (Environmental Dashboard)” dated on or about 9 March 2020 between the Parties (the “*First Amendment*”), which amended the Agreement to adopt a revised proposal detailing the “Phase 2 Work” under the Agreement and associated costs needed to bring the Environmental Dashboard to fruition, (b) “Second Amendment to Interlocal Cooperation Agreement (Environmental Dashboard)” dated on or about 1 March 2021 between the Parties (the “*Second Amendment*”), which amended the Agreement, as previously amended, to adopt a revised schedule for University’s completion of its Phase 2 Work under the Agreement, as amended, and the timetable for the associated payments by the CWC to University for that work, in order to bring the Environmental Dashboard to fruition, (c) “Third Amendment to Interlocal Cooperation Agreement (Environmental Dashboard)” dated on or about 1 November 2021 which amended the Agreement, as previously amended, to again adopt a revised scope, completion schedule and fee schedule for such work in order to bring the Environmental Dashboard to fruition, and (d) “Fourth Amendment to Interlocal Cooperation Agreement (Environmental Dashboard)” dated on or about 2 May 2022 which amended the Agreement, as previously amended, to again adopt a revised scope, completion schedule and fee schedule for such work in order to bring the Environmental Dashboard to fruition, and (e) “Fifth Amendment to Interlocal Cooperation Agreement (Environmental Dashboard)” dated on or about 9 January 2023 which amended the Agreement, as previously amended, to again adopt a revised scope, completion schedule and fee schedule for such work in order to bring the Environmental Dashboard to fruition.

C. CWC and University now desire to further amend the Agreement, as previously amended, to expand the so-called “Human Element” of the Environmental Dashboard (the “*Human Element*”) as described in the “Proposal for Expanding the Human Element of the Environmental Dashboard” dated 9 December 2024 from University to CWC, a copy of which is attached hereto as an exhibit (the “*Exhibit*”).

D. Consequently, the Parties now desire to further amend the Agreement, as previously amended, to adopt a revised scope of work for University, a revised schedule for completion of

such work, and a revised fee schedule for that work.

A G R E E M E N T:

NOW THEREFORE, in consideration of the premises, the mutual covenants and undertakings of the parties hereto, and for other good and valuable consideration, the receipt and legal sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

Section 1. **Defined Terms.** Unless otherwise defined in this Amendment, all capitalized “terms of art” in this Amendment shall have the same meanings and definitions as in the Agreement.

Section 2. **Additions to Scope of Work.** The scope of Work to be performed by University under the Agreement, as previously amended, is hereby amended and augmented to include the additional items of Work that are described on the attached Exhibit, the terms and conditions of which are incorporated herein by this reference.

Section 4. **Changes to Project and Payment Schedule.** The revised schedule for University’s completion of the Work under the Agreement, and for CWC’s payments for such Work, shall be as shown on the Exhibit.

Section 5. **Total Due.** CWC’s payment obligation under the Agreement is hereby increased by \$44,767.80 as detailed on the Exhibit.

Section 6. **No Other Modifications.** Except as specifically amended in this Amendment, the terms of the Agreement, as previously amended, shall remain unmodified and in full force and effect between the parties.

DATED effective the date first-above written.

CWC:

ATTEST:

CENTRAL WASATCH COMMISSION

By: _____
Christopher F. Robinson, Secretary

By: _____
Jeff Silvestrini, Chair

APPROVED IN ACCORDANCE WITH UTAH CODE ANN. § 11-13-202.5:

Wm. Shane Topham

Wm. Shane Topham,
CWC Attorney

UNIVERSITY:

ATTEST:

UNIVERSITY OF UTAH

_____, _____

_____, _____

APPROVED IN ACCORDANCE WITH UTAH CODE ANN. § 11-13-202.5:

By: _____
_____, University's Attorney

Exhibit to Sixth Amendment to
Interlocal Cooperation Agreement
(Environmental Dashboard)

*(Attach “Proposal for Expanding the Human Element
of the Environmental Dashboard” dated December 9, 2024)*

Proposal for Expanding the Human Element of the Environmental Dashboard Central Wasatch Commission

Prepared by:
Dr. Phoebe B. McNeally
University of Utah
December 9, 2024

The DIGIT Lab at the University of Utah proposes to support the expansion of the Human Element of the Environmental Dashboard in two phases. The first phase consisting of identifying and outlining the Human Element's framework and indicators. This will also include identifying and prioritizing data collection needs required to build out the Human Element (Phase 2). It is well understood that the availability of existing data to support the Human Element is extremely limited and that data collection will be an integral component in the implementation of Phase 1 which will occur in Phase 2. Phase 1 is necessary in order to determine the complete scope of the human element and level of data collection effort required.

Currently, the Human Element on the Dashboard consists of the Central Wasatch Commission's Visitor-Use Study conducted by Utah State University 2021-2023. This study explored outdoor recreation use and its associated impacts quantified through hourly trail use data. The DIGIT Lab proposes to expand the Human Element by including the recreation ecology of the Central Wasatch. More specifically, assess the impacts of recreation on the natural resources (i.e. geology & soil, vegetation, wildlife, water and air quality) and the pattern and trends of these impacts (i.e. how and where people are going). The DIGIT Lab will team with Professor Kirk Nichols of the University of Utah's Department of Parks, Recreation & Tourism to perform Phase 1.

In order to objectively present recreation ecology, the DIGIT Lab team proposes to lead a short series of charrettes with technical experts to determine the appropriate framework and indicators for recreation ecology and its sub categories. The outcomes of these charrettes will be summarized, evaluated, and a final indicators recommendation list presented to the technical experts and the steering committee for approval.

Once the framework and indicators are finalized, another charrette will be held with the technical experts to assess the required data needs. This discussion will include reviewing known existing data sources and identifying all new data collection needs. In addition to compiling a desired data set list, new data collection needs will be prioritized to assist with Phase 2 implementation.

The following tasks are included in Phase 1:

Phase 1

1.0 Framework and indicator finalization

1. Framework technical charrettes - review current Human Element with technical experts and expand to include recreation ecology

- a. Minimum of two sessions (impacts to resources, impact patterns and trends))
 - i. Preparation required prior to each session
 - ii. In-person group sessions (2 hours each)
 - iii. Summarization following each session
 2. Framework and indicator finalization – final determinations
 - a. Compile feedback and outline potential final determinations
 - b. Present potential final determinations to technical experts
 - c. Revise framework and indicators based on technical experts’ review
 - d. Produce final list of indicators and associated details in a final indicator workbook
- 2.0 Data Set Needs and Prioritization
1. Data technical charrettes – review existing data, outline and prioritize new data collection needs
 - a. Minimum of two different sessions (impacts to resources, impact patterns and trends))
 - i. Preparation required prior to each session
 - ii. In-person group sessions (1.5 hours each)
 - iii. Summarization following each session
 2. Data collection finalization
 - a. Review feedback and create comprehensive data needs list
 - b. Prioritize data needs list
 - c. Review data list prioritization with technical experts
 - d. Compile projected data collection costs per data set with assistance from technical experts
- 3.0 CWC Coordination
1. Facilitate storyboarding workshop with the Stakeholders Council and public reviewing the current Environmental Dashboard’s look, feel, and usability in February 2025
 2. Prepare five monthly progress reports (March, April, May, June, July) to CWC staff
 3. Hold monthly 1-hour meetings with CWC staff (March, April, May, June, July)

On the completion of Phase 1, the project team will finalize the list of tasks needed to bring the expand Human Element to fruition within the Environmental Dashboard and will submit a second Phase 2 proposal which will generally consist of highest priority data collection needs and associated analyses.

Schedule for Phase 1 (Assuming a February 1, 2025 start date):

1. Preparation for technical charrettes (review of Human Element, identifying and engaging technical experts) completed by ***March 15, 2025***
2. Scheduling and hosting of initial round of technical charrettes completed by ***April 30, 2025***
3. Summarization of technical charrettes and final list of recommended indicators completed by ***June 15, 2025***
4. Summarization of technical data charrettes and final list of prioritized data collection needs completed by ***August 1, 2025***

Deliverables:

The following is a list of the deliverables for Phase 1:

1. Summary report of the technical charrettes
2. List of final indicators for the Human Element
3. List of existing data sets and future required data sets
4. List of priority data collection needs with associated costs to build out the recreation ecology phase of the Human Element

Costs:

The costs associated with performing these **Phase 1** tasks are outlined in the table below.

Task	Team Hours	Cost
1.1 Framework technical charrettes	97	\$9894
1.2 Framework and indicator finalization	64	\$6528
2.1 Data technical charrettes	39	\$3978
2.2 Data collection finalization	174	\$17,748
3.0 Coordination	25	\$2550
Total Direct Cost		\$40698
Indirect Cost (10%)		\$4069.8
Total Cost		\$44,767.8