



September 28, 2017

To: Mayor Jackie Biskupski, Salt Lake City
Mayor Kelvyn Cullimore, Cottonwood Heights
Mayor Ben McAdams, Salt Lake County
Councilman Jim Bradley, Salt Lake County
Andy Beerman, Park City
Carlos Braceras, UDOT

From: Mayor Tom Dolan, Sandy City

Re: Cancellation of the October 18, 2017 Central Wasatch Commission Meeting

As Chair of the Central Wasatch Commission, I am postponing our planned October 18, 2017 meeting to give our sub-committee additional time to properly deal with the following issues and prepare formal recommendations to bring to the CWC board:

1. Outline the obligations of the CWC and its commissioners in responding to the impending lawsuit and subsequent GRAMA requests;
2. Prepare a thorough tentative budget in keeping with our statutory requirements and the recent correspondence from the Office of the State Auditor;

We have responded to the Auditor's notice by outlining the statutory leeway afforded to new interlocal entities to pass the budget as soon as is feasible. However, we are short staffed, no longer have consultants with the institutional knowledge to quickly prepare the financial documents and are, in fact, creating a new organization, and that can and should take time if it is to be done right. I feel it is far more important to provide a thorough budget than a quick one.

3. Prepare a formal recommendation for hiring outside legal counsel for the impending lawsuit;

Informally, the four organizing CWC entities have agreed to hire legal counsel for the impending lawsuit. In addition, the attorneys from several other entities named in the lawsuit have expressed an interest in meeting with their clients to discuss the possibility of sharing in the joint legal representation. The prevailing legal opinion is that there needs to be one voice leading the defense in this lawsuit and one attorney who is the go-to person for the board and for the attorneys representing the other agencies.

The need for this was clearly shown with the large GRAMA request recently received. Not having one legal voice left us uncertain as to who was supposed to respond, as well as having multiple legal opinions on the response strategy.

4. Recommend all necessary staffing with job descriptions;

The future success of the CWC will rest on our ability to make proper staffing decisions and hire those able to negotiate the many challenges ahead while effectively communicating with all stakeholders and their competing interests. While the sub-committee has worked through a job description for the executive director, I feel it's equally imperative to consider hiring an internal attorney. Our legal counsel could then solicit opinions from the legal staff of each CWC entities, but offer opinions that are in the best interest of CWC, not any one entity. This eliminates any potential bias out of future legal decisions, affords the CWC the opportunity to make decision as a body based on their legal representation and helps legitimize the existence of the CWC as a standalone entity. Again, I see no benefit in rushing such a vital decision.

5. Fulfill the overdue financial obligations with our consultants and pay all outstanding invoices;
6. Prepare a proposal as to the feasibility and practicality of hiring an outside consultant to formally stand up the CWC organization.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tom Dolan', with a long horizontal flourish extending to the right.

Mayor Tom Dolan