

**MINUTES OF THE CENTRAL WASATCH COMMISSION (“CWC”) EXECUTIVE COMMITTEE MEETING HELD MONDAY, SEPTEMBER 20, 2021 AT 3:30 P.M. VIA ZOOM**

**Present:**  Chair Chris Robinson, Mayor Jenny Wilson, Mayor Dan Knopp, Councilor Marci Houseman

**Staff:** CWC Deputy Director Blake Perez, Communications Director Lindsey Nielsen, Office Administrator Kaye Mickelson

**Others:** Laura Briefer, Catherine Kanter, Tim Tingey, Chris Cawley, Onno Wieringa, Joshua Van Jura, Pat Shea, Carl Fisher, Helen Peters, Mike Marker, Kenneth Larson, Steve Van Maren

**Excused:** CWC Executive Director Ralph Becker, Mayor Erin Mendenhall, Mayor Mike Peterson

**Opening**

1. **Chair Christopher F. Robinson will Open the CWC Executive Committee Meeting Plus Commenting on the Electronic Meeting, No Anchor Location.**

Chair Chris Robinson called the meeting to order via Zoom at approximately 3:30 p.m.

The Legislature, pursuant to Section 52-4-207(4), required the Committee to make a determination, which was as follows:

‘Notice is hereby given that the Central Wasatch Commission will hold an Executive Committee Meeting at approximately 3:30 p.m., or soon thereafter, on Monday, September 20, 2021. In view of the current COVID-19 pandemic, this committee meeting will occur electronically, without a physical anchor location, as authorized by Utah Code Ann. 52-4-207(4). The public may remotely hear the open portions of the meeting through live broadcast at the following link. Once registered, attendees will receive an email with a personal meeting access link.’

**Board Retreat Agenda Discussion**

1. **Chair of the Board Christopher F. Robinson will Lead a Discussion Around the Draft CWC Board Retreat Agenda, Included in the Packet.**

Chair Robinson reported that the Central Wasatch Commission (“CWC”) Board Retreat is scheduled to take place on November 5, 2021. Mayor Knopp and Councilor Houseman had been working on the CWC Board Retreat Draft Agenda. It was shared with the Executive Committee. Mayor Knopp discussed the Draft Agenda. He stated that the decision was made not to talk about the Utah Department of Transportation (“UDOT”) Little Cottonwood Canyon Draft Environmental Impact Statement (“EIS”) at the Retreat. The Retreat was to begin with a 15-minute video followed by discussions. He felt it was important to talk about the idea of consensus.

Chair Robinson believed it was important to look at the bigger picture. For instance, how the CWC is doing and how member jurisdictions feel about the CWC work in general. A consensus might be a subset of those discussions. Chair Robinson shared potential questions to consider including:

* Should the CWC continue to act in the same manner?
* What can the CWC do to improve?
* Is the CWC implementing the Mountain Accord as intended?

He felt those broader discussion questions would ensure that the Commission was on the right track. Mayor Wilson commented that when she first joined the CWC, there was a strong focus on the Federal Legislation. There were several reasons the focus had shifted towards transportation solutions. For example, the deadlines associated with the UDOT Little Cottonwood Canyon EIS. She felt it might be beneficial to examine where the CWC focus is currently. Mayor Wilson agreed with Chair Robinson that reaching a consensus might be a subset of those broader discussion pieces. If the CWC decides not to continue with consensus-based decision making, weighted voting may be an approach to consider. However, it could be complicated to implement.

Chair Robinson explained that the details could be discussed during the actual CWC Board Retreat. The intent of the current Executive Committee agenda item was to make decisions related to the CWC Board Retreat Draft Agenda. He did not feel that a significant amount of time should be dedicated to discussions about consensus. Mayor Knopp explained that there had been a significant focus on Little Cottonwood Canyon due to the UDOT Little Cottonwood Canyon Draft EIS. He did not believe the CWC had been overly effective during that process as there was not a consensus on a preferred transportation alternative. Chair Robinson believed the CWC had done as well as could be expected with the transportation work. The final September 3, 2021, comments on the UDOT Little Cottonwood Canyon Draft EIS expressed that individual member jurisdictions were free to exercise their opinions beyond the CWC comments but as a group, certain areas had been agreed upon.

Chair Robinson felt that that there should be a conversation about consensus, but it could be part of the broader discussions. He did not feel that the governance piece should overwhelm the Retreat. In addition, it was important to come up with an action plan about what the CWC would accomplish in the next year. Mayor Knopp believed that the first two bullet points on the CWC Board Retreat Draft Agenda, What Work Are We Going to Do and Mountain Accord Action Items, would take up most of the time during the morning portion of the retreat. He felt during that time, transportation in Big Cottonwood Canyon and Millcreek Canyon could be discussed. Chair Robinson suggested that 15 to 20 minutes at the beginning of the Retreat could be spent discussing issues related to governance.

Laura Briefer made note of the two bullet points mentioned by Mayor Knopp. She felt the Retreat was a good opportunity for the CWC to focus on the Mountain Accord and see how well they were implementing the main goals of transportation, economy, recreation and environment. Mayor Knopp agreed that it would be beneficial to determine whether they had made progress in those areas.

Chair Robinson suggested moving the leadership and governance items to the top of the CWC Board Retreat Draft Agenda. This would ensure that housekeeping matters were taken care of right away. The Executive Committee Members looked at the afternoon portion of the Draft Agenda. Mayor Knopp reported that the afternoon would include Stakeholders Council discussions. Stakeholders Council Co-Chairs, Will McCarvill and Barbara Cameron, wanted to speak to Commissioners, get some direction and discuss some of the challenges that faced the Stakeholders Council.

Councilor Houseman commented that the afternoon portion of the agenda would be more in depth and focus on what the CWC specifically wants to accomplish by the end of the year. She discussed the gallery walk that was to take place in the afternoon. The intention was to define outcomes by answering the following questions:

* What is the purpose of each CWC committee or subcommittee?
* How does that purpose connect to the Mountain Accord?
* What does success look like within these committees?

For the gallery walk exercise, each committee would have their own table talk conversations about what success looked like. For instance, if the committee accomplished X, the committee would be successful. This exercise would allow each committee to determine what X was. Each committee or group would have time to discuss this and write down their answers. The piece of paper would be passed to the next committee and that committee would then provide feedback. Councilor Houseman explained that the feedback could be positive or additional suggestions could be added. Each piece of paper would be passed around the room until all of the committees had provided feedback on all of the other committees. After that, each committee would read the feedback and revisit their original answer. Councilor Houseman believed this exercise would highlight some of the areas that each committee should focus on in the year ahead.

There was discussion regarding the morning and afternoon portions of the CWC Board Retreat Draft Agenda. Councilor Houseman noted that the afternoon had a fairly tight schedule but it was important to make sure there was a lunch break. The initial discussions could take place in the morning and then the gallery walk exercise could take place immediately after the lunch break. That would be a good follow-up to the governance discussion, the Mountain Accord review and the broader discussions about CWC work. Councilor Houseman added that there needed to be a clear strategy about how to tackle conversations and decision making moving forward. She was concerned that there were skeptics who would say the CWC had not made any recommendations related to transportation. While the CWC shared some solid documents, a clear-cut recommendation had not been made. She worried that some people may wonder what the purpose and value of the CWC was.

Chair Robinson suggested that the Stakeholders Council discussions be moved to the morning portion of the CWC Board Retreat Draft Agenda. It could be one of the first items on the Retreat agenda and followed by the governance discussions. Chair Robinson noted that governance seemed to be an important topic with respect to whether the CWC had perceived value to critics. He believed that the CWC had done well as it related to the UDOT Little Cottonwood Canyon Draft EIS discussions and recommendations. Mayor Wilson pointed out that she was on the Council when the CWC was formed and there was never a mandate that stated the CWC would come to a consensus on a Mountain Transportation System (“MTS”). The point was to embrace the tenants of the Mountain Accord, honor them, and engage with Stakeholders and Committee Members. She felt they had done that. Additionally, she did not believe that failure to reach a consensus agreement on a transportation alternative defined the success or failure of the CWC.

The Executive Committee further discussed the issue of consensus-based decision making. If certain Commissioners felt there needed to be a majority/minority vote system, Chair Robinson thought that should be discussed. However, he did not believe that system would make the CWC any more effective than it already was. Being a consensus-based organization allowed the CWC to bring people with different ideas, values and opinions together to find common ground. Councilor Houseman explained that she had to fight for Sandy City to fund their contribution towards the CWC. Some members of the City Council questioned support and that was a concern the Commission needed to discuss. As a result, it made sense to revisit the governance process. Chair Robinson agreed that governance would need to be addressed along with the Mountain Accord. Mayor Knopp pointed out that one of the main elements of the Mountain Accord was transportation. He did not believe that the CWC was looking broadly enough at transportation. They had been focused on Little Cottonwood Canyon, but had not looked significantly at Big Cottonwood Canyon or Millcreek Canyon.

Mayor Wilson believed there needed to be a fundamental conversation about the value that each of the CWC member jurisdictions receive. She also agreed with earlier comments that it would have been extremely difficult to reach a consensus on transportation. CWC Staff worked hard and Commissioners met tirelessly, but the reality was that everyone saw things a little bit differently as it related to transportation solutions. Mayor Wilson believed that it could be beneficial to talk about governance at the CWC Board Retreat as long as there was a productive way to have the conversation.

Chair Robinson overviewed the updated CWC Board Retreat Draft Agenda. It would start with the Stakeholders Council discussions and the remainder of the morning would be dedicated to those broader discussion items. CWC Staff would refine the agenda to include governance, the Mountain Accord review and leadership discussions. Then there would be a lunch break followed by the gallery walk and a more serious discussion about what the CWC wanted to accomplish in the future.

**Budget/Finance Committee Meeting Discussion**

1. **Chair of the Board Christopher F. Robinson will Provide Information About the Upcoming Budget/Finance/Audit Committee Meeting and Timeline. Reference Staff Memo Included in Packet.**

CWC Deputy Director, Blake Perez reported that a Budget/Finance/Audit Committee Meeting would take place on September 22, 2021. There was a Staff Memo included in the packet regarding next steps. Mr. Perez explained that there would be an audit at the October meeting and the Auditor would present any findings of note at the next Budget/Finance/Audit Committee. There was no Management Letter that year. Mr. Perez added that the State had done a review of the auditor and there were no findings. The CWC was coming to the end of the first quarter and they were starting to prepare for a budget amendment at the November meeting.

**Environmental Dashboard Template Page Demo**

1. **As the Executive Committee Provides Oversight for the Environmental Dashboard, Lindsey Nielsen will Provide a Brief Presentation on the Environmental Dashboard and the Test Template Environmental Dashboard Pages Built to Date. Reference Presentation Slides Included in Packet.**

* **A similar presentation will be made for the full Commission in October.**

Communications Director, Lindsey Nielsen reported that she intended to share a quick update related to the Environmental Dashboard. However, in the interest of time, she could wait to present.

**CWNCRA Legislation Discussion**

1. **Chair Robinson will Provide an Introduction for the Previous Legislative and Land Tenure Committee Meeting. Co-Chair Wilson will Continue with the Discussion. Reference Legislative and Land Tenure Committee Materials and Minutes Included in the Packet.**

* **The Executive Committee will consider an action item of the October 4th Board Meeting Agenda around the latest draft of the CWNCRA.**

Chair Robinson reported that the MTS Pillars Document and the September 3, 2021 comments on the UDOT Little Cottonwood Canyon Draft EIS both stated that UDOT should look at adding in lands protections via a Federal Bill. He noted that Federal Legislation was important to the CWC. While some would argue that the CWC did not have enough consensus to get a bill passed, his argument was that a lot of time had been spent on the bill over the years and it was important to have it ready. Chair Robinson wanted to see the Central Wasatch National Conservation Recreation Area Act (“CWNCRA”) in a refined form so it was ready in case there was an opportunity to act. He was not suggesting that the CWC try to garner support for the bill, but he felt it should be finalized.

Mayor Wilson thought that the Legislative/Land Tenure Committee should have another conversation about progress. She had spoken to Representative John Curtis, who previously sent a document to CWC Executive Director, Ralph Becker and Chair Robinson. That document was referenced in a few different conversations and Representative Curtis indicated that he had a list of things that he would like to see accomplished. Mayor Wilson believed he was concerned about conflict and there being enough support. She was in favor of the bill being cleaned up and refined. In addition, she felt it was important to reach out to the delegation to let them know when the draft bill was completed. If the draft bill was ready to go, whenever there was a window of opportunity, the CWC would be able to make a move. Mayor Wilson did not feel that an official CWC resolution of support for the draft bill was needed at the current time.

Chair Robinson did not believe there needed to be a formal resolution, but he felt that having the draft bill ready would be consistent with the recommendations shared in the MTS Pillars Document and the September 3, 2021 comments. At some point, UDOT was going to make a final decision about a transportation solution. It was important for the CWC to react and possibly provide solutions, such as the CWNCRA. Chair Robinson was in favor of there being another Legislative/Land Tenure Committee Meeting, but also felt the CWNCRA should be a topic of discussion at the CWC Board Retreat. He believed the draft bill needed to be ready within the next 12 months. Mayor Wilson felt that she and Chair Robinson were on the same page and that the bill should be cleaned up so it was ready to move forward when appropriate.

Chair Robinson believed it had been a productive meeting and was appreciative of all those present. He thanked Mayor Knopp and Councilor Houseman for their hard work on the CWC Board Retreat Draft Agenda. Mr. Perez asked for clear direction as it related to next steps for the Legislation. Previously, the Legislative/Land Tenure Committee had decided to bring the item forward to the full CWC Board. Chair Robinson noted that there could be another Legislative/Land Tenure Committee Meeting ahead of the CWC Board Retreat to discuss the direction further.

Mayor Wilson believed that after the last meeting there was an agreement to move forward with the Legislation. Mr. Perez noted that the Legislative/Land Tenure Meeting Minutes stated that the intention was to bring the Legislation to the CWC Board for discussion and possible action. He wondered whether the Executive Committee Members wanted CWC Staff to bring forward the latest version of the draft bill, discuss the edits and share comments during the October 2021 CWC Board Meeting. There could be a discussion at that time. Mayor Wilson was comfortable with that, but not with a resolution made by the CWC Board. Mr. Perez thanked the Committee for the direction. The item would be added to the October 2021 CWC Board Meeting agenda for discussion.

**Adjourn.**

1. **Chair of the Board Christopher F. Robinson will Close the CWC Executive Committee Meeting.**

**MOTION:** Mayor Wilson moved to adjourn. Chair Robinson seconded the motion. The motion passed with the unanimous consent of the Committee.

The Central Wasatch Commission Meeting adjourned at approximately 4:30 p.m.

***I hereby certify that the foregoing represents a true, accurate, and complete record of the Central Wasatch Commission Executive Committee Meeting held Monday, September 20, 2021.***

Teri Forbes

Teri Forbes

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Minutes Secretary

Minutes Approved: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_