

**MINUTES OF THE CENTRAL WASATCH COMMISSION (“CWC”) EXECUTIVE COMMITTEE AND BUDGET/FINANCE/AUDIT COMMITTEE MEETING HELD MONDAY, NOVEMBER 15, 2021, AT 5:00 P.M. VIA ZOOM**

**Present:**  Chair Chris Robinson

Mayor Mike Peterson

Catherine Kanter (on behalf of Mayor Jenny Wilson)

Mayor Jeff Silvestrini

Mayor Harris Sondak

Bobby Sampson (on behalf of Councilor Jim Bradley)

Councilor Marci Houseman

**Staff:** CWC Executive Director Ralph Becker

CWC Deputy Director Blake Perez

Communications Director Lindsey Nielsen

Office Administrator Kaye Mickelson

**Excused:** Mayor Erin Mendenhall

Mayor Jenny Wilson

Councilor Jim Bradley

**Others:** Roger Bourke

Joshua Van Jura

Jenna Malone

Will McCarvill

Patrick Shea

Steve Van Maren

Dave Fields

Onno Wiereniga

Marian Rice

Annalee Munsey

1. **Opening.**
2. **Chair of the Board Christopher F. Robinson will Open the CWC Executive Committee Meeting, Plus Comment on the Electronic Meeting, No Anchor Location, as Noted Above.**

Chair Chris Robinson called the meeting to order via Zoom at approximately 5:00 p.m.

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

‘I, as the Chair of the Board of Commissioners (the “Board”) of the Central Wasatch Commission (“CWC”), hereby determine that conducting Board or Committee meetings at any time during the next 30 days at an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location. Although the overall incidence of COVID-19 cases has diminished over the past several months, the pandemic remains and the recent rise of more infectious variants of the virus merits continued vigilance to avoid another surge in cases which could again threaten to overwhelm Utah’s healthcare system.’

Chair Robinson explained that this was a joint meeting between the Executive Committee and the Budget/Finance/Audit Committee. He asked those present to introduce themselves.

1. **State Appropriation Discussion.**
2. **Staff will Provide an Update on the Implementation of Funded Projects.**
3. **Request for New State Appropriations.**

CWC Deputy Director, Blake Perez reported that the Central Wasatch Commission (“CWC”) received $150,000 worth of State appropriations to spread on three different projects. Approximately $5,000 went to Graffiti Busters and $45,000 went to the bus bypass service. Mr. Perez explained that the bus bypass service involved a partnership with the Sandy City Police Department to provide bus escort service on heavy traffic days, canyon closure days, and weekends. The bus bypass service was in the final stages of receiving permits. He thanked the Sandy City Police Department and the Utah Department of Transportation (“UDOT”) for their work on that project. Mr. Perez explained that they were still trying to determine if there was a way to support Cottonwood Heights to improve flow at the intersection of Fort Union and Wasatch Boulevards. The last portion of the State appropriation was $100,000 and it went toward the Visitor Use Study. Those projects were underway and there would be a matrix to share with the CWC Board in Spring 2022.

CWC Executive Director, Ralph Becker reported that the CWC reached out to Lobbyist, Casey Hill, to explore the feasibility of the CWC seeking additional appropriations. Mr. Hill felt it was possible. There had been some discussions about what could be pursued, such as the Visitor Use Study, ongoing appropriations to help with the Environmental Dashboard, or some special projects. Mr. Becker explained that they were at the beginning stages of those discussions. He wanted to know if this was something the Commission was interested in. If there was interest, the CWC would need to work with Mr. Hill and potential sponsors to determine what to pursue.

Chair Robinson did not see any downside in seeking Legislative assistance. Mayor Mike Peterson also believed it would be beneficial. Mr. Becker discussed potential Federal funds. He explained that he had looked at the line items in the Bill that President Biden signed earlier that day. There was an enormous amount of money coming in for transit projects. Some of it was determined by formula, some through competitive grant programs, and some would go directly to the State. If the CWC had any transit-related projects to pursue, those funds could be an option. Mayor Jeff Silvestrini noted that rules and regulations would be drafted by the Federal Government with respect to the grant process. There were still a lot of unknowns. He explained that there would be a significant amount of money available for local governments and local government entities. As a result, it was important that the CWC keep an eye on the forthcoming regulations as there could be application opportunities.

1. **Mountain Accord Situational Assessment Request for Proposal**
2. **Staff will Provide the Request for Proposal (“RFP”) Mountain Accord Situational Assessment to the Executive Committee for Review and Approval.**
3. **The RFP will be Presented to the Commission for Approval at the December Board Meeting.**

Chair Robinson believed that all Committee Members had seen the request for proposal (“RFP”) that CWC Staff prepared for the situational assessment. The introduction of the RFP sought consulting services for a situational assessment on the Mountain Accord Charter of 2015. Chair Robinson noted that he initially thought the assessment would be related more to the CWC. However, after thinking back to the four items that were outlined during the CWC Board Retreat, he became more comfortable with the proposal. Chair Robinson stated that the four items included:

* Refinement and recertification of the Mountain Accord;
* Recommitment to the Mountain Accord, as amended;
* Review of the CWC organizational structure; and
* Ensure that the right managerial structure was in place.

Chair Robinson reported that the intention was to present the RFP to the full CWC Board at the December 6, 2021, CWC Board Meeting. He added that CWC Staff had written a short summary of the Mountain Accord, which had been distributed to CWC Board Members for review.

Mayor Peterson noted that he had been involved in the Mountain Accord process and attended many of the meetings. He hoped that the intention was not to go through the process all over again, but to redefine, recommit, and reaffirm. Most of what was in the Mountain Accord was still applicable. Chair Robinson stated that a lot of money and time had been spent on the Mountain Accord. The intention now was to identify elements that may be outdated or in need of an update. He reported that the RFP included a proposed $15,000 to $20,000 contract amount. That amount of money would not cover an overly extensive process.

Mayor Harris Sondak noted that the Mountain Accord was signed by several individuals and entities who did not participate in the CWC and may not want to sign the Mountain Accord again. He stated that it may be difficult to get previous signatories to recommit. Chair Robinson wondered if it would be beneficial to review the signatories to determine if some were not represented directly on the Commission. They could reach out about possible engagement. He added that the CWC needs to implement the Mountain Accord and having State input could make that easier to do. Chair Robinson noted that Patrick Shea left a comment in the Zoom chatbox. He suggested the RFP state that no applicant may have worked with or for any member of CWC Staff, Commissioners, or Stakeholders Council Members. Chair Robinson wondered if the CWC would welcome applicants who had consulted on the Mountain Accord. Mayor Silvestrini felt that any connections to the Mountain Accord or the CWC should be disclosed in the proposal.

Mr. Becker reported that there had been discussions about having a session with the Stakeholders Council, either via Zoom or an online survey, as well as having some form of public input. Given the desired timeframe for the situational assessment, it would likely be an intense and relatively short process that was inclusive and transparent. Chair Robinson felt that early outreach to State Leadership would be beneficial. It was important to let others know that the CWC was embarking on refining and recommitting to the Mountain Accord.

Councilor Marci Houseman reported that she read through the RFP and the summary document prior to the meeting. She referenced the intended outcomes listed in the summary document. She felt those were areas where the CWC had made progress and the organization was aligned to accomplish those goals. Councilor Houseman wondered how much time, energy, and money would be spent trying to solve something that may not actually be a problem. She did not think the CWC was that far out of alignment with the Mountain Accord. The organization was doing great things and continued to make progress toward the intended outcomes.

Mayor Peterson did not fully agree with the comments shared by Councilor Houseman. At the CWC Board Retreat one year ago, there had been some challenges, because the organization was not progressing as much as CWC Board Members felt it should, primarily in the areas of Federal Legislation and transportation. He felt it was important for there to be a recommitment to the Mountain Accord to make substantial headway in those areas. Mayor Peterson expressed concern that without a recommitment from Salt Lake City, Salt Lake County, and the State, some of those entities would take it upon themselves to lead and the CWC would need to follow. Chair Robinson agreed. He noted that some entities questioned the effectiveness of the CWC. A collective review would allow the Mountain Accord to be reprioritized.

Councilor Houseman felt the situational assessment should affirm what had been accomplished. She suggested that the RFP specify that the goal was to affirm the progress that had been made thus far. If the task was to pick apart what had not been done rather than affirm what had been done, that could further discourage entities from supporting the efforts of the CWC. Chair Robinson appreciated the suggestion and liked the focus on affirmation.

Catherine Kanter informed those present that the Salt Lake County Council may decide to eliminate its annual contribution to the CWC. There would be more information on that the following day, but it was something that may come to fruition. Even if that were to happen, she wanted to preserve an internal canyons-oriented program so that Salt Lake County was not walking away from its responsibility to manage, oversee, and care for the canyons. It would simply be done in a more internal way. However, she hoped that work could be done in parallel and cooperation with the CWC.

Chair Robinson believed that one of the challenges the organization faced was the way that it is funded. Funding was obtained through member contributions, and he was not convinced that was the right long-term model. He noted that there had been many Budget/Finance/Audit Committee Meetings where brainstorming had taken place for other potential models. Regardless of the outcome of the Salt Lake County Council discussions, the CWC had the 2021 contribution from Salt Lake County, which was part of the fiscal year budget that ended on June 30, 2022. That would give the organization at least six months to make sure they were on the right track.

CWC Office Administrator, Kaye Mickelson suggested that the Executive Committee and Budget/Finance/Audit Committee Members focus on the contractor requirements outlined in the RFP. Chair Robinson noted that there would be a series of interviews conducted, potentially through group interviews or a public comment process. The chosen contractor would receive feedback, there would be a summary of suggestions outlining how the charter may be changed and then those findings would be reported back to the CWC. A meeting would be held to discuss how the organization might better align with the charter.

Mayor Silvestrini noted that this would be a significant amount of work and the intention was to have it done expeditiously. He wondered how many people would respond to the RFP for the money proposed. Mayor Peterson wondered where the $15,000 to $20,000 figure came from. Mr. Becker explained that Ms. Mickelson had done some research. Additionally, the CWC had experience from the Mountain Transportation System (“MTS”) facilitator contract. Ms. Mickelson explained that CWC Staff looked at comparable situational assessments and the $15,000 to $20,000 range was appropriate. Chair Robinson pointed out that there may be some respondents interested in the contract that present a different price in their proposal.

Chair Robinson agreed with earlier suggestions about disclosures. He suggested that the RFP provide an opportunity for the applicant respondent to disclose whether they had worked with or for any members of CWC Staff, Commissioners, Stakeholders Council Members, or if they were involved in the Mountain Accord. Ms. Mickelson noted that the disclosure would be simple to add.

1. **Information: Metropolitan Water District of Salt Lake and Sandy.**
2. **A Resolution and Request for Action will be on the December 6, 2021, Board Meeting Agenda Adding the Metropolitan District of Salt Lake and Sandy as an Ex Officio Board Member to Provide Input Pertinent to the CWC Goals or Objectives.**
3. **Metropolitan District of Salt Lake and Sandy will Contribute $15,000 for the 2021/2022 Fiscal Year Budget.**
4. **Ex Officio Commissioner May Participate in Board Discussions but May Not Vote on Any Matters.**

Chair Robinson reported that the next agenda item related to the possible addition of an Ex Officio Board Member for the Metropolitan Water District of Salt Lake and Sandy. Their contribution would be $15,000 and their role would be similar to Ex Officio Member Carlton Christensen from Utah Transit Authority (“UTA”). Metropolitan Water District of Salt Lake and Sandy were already members indirectly, through Salt Lake City and Sandy City, but they had a vested interest in the watershed, particularly Little Cottonwood Canyon. Mr. Becker explained that the CWC Board would consider the Ex Officio appointment at the December 6, 2021, CWC Board Meeting and the Ex Officio Member would formally start in January 2022.

Mayor Peterson noted that there had been discussions about this previously and it seemed that the majority of the Commission felt it was appropriate. He believed the appointment made sense. Mayor Silvestrini thought that the Metropolitan Water District of Salt Lake and Sandy would be a good Ex Officio addition to the CWC. They were a Stakeholder with a significant interest in the watershed. However, he felt it was important that there be an opportunity for public comment before the CWC Board voted on the appointment. Chair Robinson agreed.

There was discussion regarding Ex Officio Members versus contributing Staff Members. Chair Robinson clarified that the CWC currently had one Ex Officio Member. The Metropolitan Water District of Salt Lake and Sandy would be the second if approved. The CWC Board had treated Laura Briefer and Ms. Kanter as quasi–Ex Officio Members. He wondered whether there was a need to formalize those roles. Mr. Becker noted that Ms. Briefer felt that the addition of the Metropolitan Water District of Salt Lake and Sandy as an Ex Officio Member would strengthen the consideration of watershed issues. He added that the contribution the Metropolitan Water District of Salt Lake and Sandy would make was specifically to benefit the Visitor Use Study. They would make an ongoing annual contribution.

Chair Robinson wondered whether there was a need to formalize the positions of contributing Staff Members. Mr. Becker explained that Ex Officio status was for non-elected officials and jurisdictions that may be appropriate for membership because of their interest in the mountains. Metropolitan Water District of Salt Lake and Sandy and UTA met those criteria because they were not elected officials and had an interest in the watershed. Ms. Kanter noted that though she and Ms. Briefer participated regularly during the CWC Board Meetings, they did not vote and did not attend Closed Session Meetings. She felt it was appropriate to distinguish the contributing Staff Member roles from the roles of the officially appointed Ex Officio Members.

Chair Robinson stated that the item would be added to the agenda for the December 6, 2021, CWC Board Meeting. There would be a public comment period and Commissioner comment period before a decision was made to ensure that everyone was comfortable with the addition.

1. **Information: Scheduling Board Meetings for 2022.**
2. **A Resolution and Request for Action will be on the December 6, 2021, Board Meeting Agenda for 2022 Board and Stakeholders Council Meeting Location and Dates.** 
   1. **2022 CWC Board Meetings: Millcreek City Hall Chambers (or virtual) will Take Place on the First Monday of Each Month: 3:30 p.m. to 5:30 p.m.**
      * + **January 10, 2022 (second Monday)**
        + **February 7, 2022**
        + **March 7, 2022**
        + **April 4, 2022**
        + **May 2, 2022**
        + **June 6, 2022**
        + **Staff Proposes Cancelling the July Meeting Due to Summer Holidays**
        + **August 1, 2022**
        + **September 12, 2022 (second Monday)**
        + **October 3, 2022**
        + **November 7, 2022**
        + **December 5, 2022**

Chair Robinson reported that the 2022 CWC Board Meeting schedule would be proposed during the December 6, 2021, CWC Board Meeting. The general rule was that the CWC Board would meet from 3:30 p.m. to 5:30 p.m. on the first Monday of the month, with exceptions for holidays.

1. **Adjourn Committee Meeting.**
2. **Chair of the Board Christopher F. Robinson will close the CWC Executive Committee Meeting.**

**MOTION:** Mayor Peterson moved to adjourn. Councilor Houseman seconded the motion. The motion passed with the unanimous consent of the Committee.

The Central Wasatch Commission Meeting adjourned at 6:06 p.m.

***I hereby certify that the foregoing represents a true, accurate, and complete record of the Central Wasatch Commission Executive Committee and Budget/Finance/Audit Committee Meeting held Monday, November 15, 2021.***

Teri Forbes

Teri Forbes

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Minutes Secretary

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