



## Legislation Text

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**File #:** 20-117, **Version:** 1

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### **Agenda Item Title:**

Council Member Houseman recommending adoption of Resolution 20-11C admitting the Town of Brighton to the Central Wasatch Commission, and amending the CWC interlocal agreement relative to "appointed" and "ex officio" commissioners.

### **Presenter:**

Council Member Houseman

### **Description/Background:**

Sandy City has been a part of the Central Wasatch Commission (CWC) since 2017. The interlocal agreement creating the CWC requires approval of the legislative body of each member jurisdiction to approve new CWC member entities. Resolution 20-11C approves the Town of Brighton as a new CWC member.

CWC Attorney Shane Topham has provided the following background on the changes to the ILA:

*The reason for the proposed amendment to the CWC ILA is because the original ILA created two classes of "Commissioners" (i.e., members of the CWC's governing body): "Member Commissioners" (each of whom is appointed by a CWC Member to represent that Member's interests on the CWC Board), and two "Appointed Commissioners" (one of whom is required by the CWC ILA to represent the interests of the "Wasatch Back," and the other of whom is required by the CWC ILA to represent the interests of UDOT). When the CWC was organized, Carlos Braceras (UDOT's Executive Director) agreed to sit on the CWC Board as an Appointed Commissioner representing the interests of UDOT, and Mayor Andy Beerman of Park City agreed to sit on the CWC Board as an Appointed Commissioner representing the interests of the Wasatch Back.*

*Several months after the CWC was organized, Park City decided to seek CWC membership in its own right. Discussions at the time led to (a) an agreement between Summit County and Park City wherein they agreed that so long as Park City was a CWC Member in its own right, the "Wasatch Back" Appointed Commissioner seat would be filled by an elected official of Summit County; and (b) admission of Park City (along with Millcreek and Alta) as a CWC Member in its own right. That was how things remained until late last year, when Mr. Braceras resigned from the CWC Board, stating that he was uncomfortable being the only non-elected official sitting on the CWC Board. Since then, no one has filled the "UDOT Appointed Commissioner" slot on the CWC Board, and, despite several requests, the state has not assigned anyone to replace Mr. Braceras on the CWC Board.*

*Consequently, after much discussion, the proposed ILA amendment was prepared to (a) omit the Appointed Commissioner positions on the CWC Board, (b) approve Summit County as a CWC Member in its own right, and (c) create the new position of non-voting, Ex Officio Board Member to provide a method of involving outside entities with specific desired expertise in Board discussions, thereby providing a way for entities led by non-elected individuals (such as UDOT, UTA, Metro Water, WFRC, etc.) to nonetheless be able to participate in discussions concerning issues in their particular bailiwicks on a non-voting basis as invited by the CWC Board, which hopefully will provide access to their thoughts and expertise but will avoid the issues that Mr. Braceras found to be an uncomfortable fit for an appointed officer. The number of Ex Officio positions is limited both in number of available slots and time of service to make sure that their involvement is somewhat strategic*

*rather than completely open ended.*

*The ILA amendment was unanimously approved by the CWC Board at its April 6<sup>th</sup> meeting, and now is subject to unanimous approval by all of the members through action of their respective governing bodies.*

**Recommended Action and/or Suggested Motion:**

Motion to adopt Resolution 20-11C.