

COTTONWOOD HEIGHTS

RESOLUTION No. 2019-44

A RESOLUTION APPROVING ENTRY INTO AN INTERLOCAL AGREEMENT WITH CANYONS SCHOOL DISTRICT FOR USE OF SCHOOL BUSES FOR THE 2019 BIG COTTONWOOD MARATHON AND HALF

WHEREAS, the Interlocal Cooperation Act, 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, Canyons School District (“*District*”) and the city of Cottonwood Heights (“*City*”) are public agencies for purposes of the Interlocal Cooperation Act; and

WHEREAS, in order to, *inter alia*, promote public health and the benefits of physical exercise, City is co-sponsoring the "Big Cottonwood Marathon & Half" (the “*Event*”) on Saturday, 14 September 2019, consisting of two road races commencing at 6:45 a.m. at Guardsman Pass and the Spruces Campground, respectively, in Big Cottonwood Canyon (the “*Canyon*”) and ending at a location in City's boundaries; and

WHEREAS, to avoid public safety concerns arising from hundreds of small, private vehicles transporting the Event's runners up the Canyon during pre-dawn hours on September 14th, the Event promoter, Brooksee, LLC (“*Brooksee*”) and City desire for such transportation to occur via buses so that smaller, private vehicles can be prohibited from accessing the Canyon before and during the Event; and

WHEREAS, District owns and operates a fleet of school buses for its weekday operations which are not typically used on weekends; and

WHEREAS, in a cooperative response to City's request, District is willing to provide 30 of its buses and qualified drivers to transport runners up the Canyon on September 14th prior to the Event, on the terms and conditions specified in a proposed interlocal agreement (the “*Agreement*”) between City and District; and

WHEREAS, the City’s municipal council (the “*Council*”) met in regular session on 6 August 2019 to consider, among other things, approving the City’s entry into the Agreement; and

WHEREAS, the Council has reviewed the form of the Agreement, a photocopy of which is annexed hereto; and

WHEREAS, the city attorney of the City has approved the form of the Agreement as required by *Utah Code Ann.* §11-13-202.5(3); and

WHEREAS, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the citizens of the City to approve the City's entry into the Agreement as proposed;

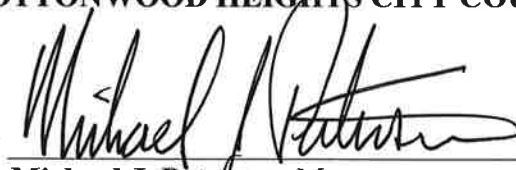
NOW, THEREFORE, BE IT RESOLVED by the city council of the city of Cottonwood Heights that the attached Agreement be, and hereby is, approved, and that the City's mayor and recorder are authorized and directed to execute and deliver the Agreement on behalf of the City.

This Resolution, assigned no. 2019-44, shall take effect immediately upon passage.

PASSED AND APPROVED this 6th day of August 2019.

COTTONWOOD HEIGHTS CITY COUNCIL

By



Michael J. Peterson, Mayor

ATTEST:



Paula Melgar, Recorder



VOTING:

Michael J. Peterson

Yea ☒ Nay ☐

Michael L. Shelton

Yea ☐ Nay ☒ *absent*

J. Scott Bracken

Yea ☒ Nay ☐

Tali C. Bruce

Yea ☒ Nay ☐

Christine Watson Mikell

Yea ☒ Nay ☐ *absent*

DEPOSITED in the office of the City Recorder this 6th day of August 2019.

RECORDED this 6 day of August 2019.