

BRIGHTON TOWN COUNCIL MEETING AGENDA

Tuesday, July 12th, 2022, at 6:30 pm

NOTICE is hereby given that the Brighton Town Council will meet on Tuesday, July 12th, 2022 for it's regular meeting at 6:30pm, in a hybrid format. In person at Fire Station 108, 6788 S Big Cottonwood Canyon Road, and electronically via Zoom.

TO JOIN THE ZOOM MEETING

<https://us02web.zoom.us/j/82374671266?pwd=NVBwNndlQkhiMXNTM01DQm00aWsxQT09>

Meeting ID: 823 7467 1266

Passcode: 021856

One tap mobile

(669)900-6833

1. CALL TO ORDER AT 6:30 PM.

2. ANNOUNCEMENTS

3. PUBLIC INPUT You can email your comment to townclerk@brighton.utah.gov ahead of time to be read during the public input section. You may also use the raise hand feature to speak at this time. All comments during the meeting shall be held until section 8.

4. MINUTES Approval of Town Council Minutes for June 14th, 2022. Pages 3-12.

5. UPD Cheryl Lenzer

6. UFA Dusty Dern

7. SKI RESORTS

Brighton

Solitude

8. BUSINESS

- a. Transportation Request for Proposal. For discussion and possible action. Pages 13-25.
- b. Restrooms cleaning. For discussion and possible action.
- c. Revisit Short Term Rentals and evaluate the need for density restrictions. For discussion.
- d. Update on Town sign

- e. Status of mailboxes at Silver Fork
- f. Tearing down the old firestation
- g. Ranger at Cardiff. For discussion.
- h. What to do with Capital Improvements Funds. For discussion.
- i. Year end audit. For discussion.
- j. Gate Ordinance. For discussion and possible action. Pages 26-29.
- k. Need for no parking signs on our side of the guard road. For discussion.
- l. Special Event Ordinance revision including Film Permits. For discussion and possible action. P.30-40.
- m. UDOT Traffic camera at Brighton roundabout
- n. Right of way getting transferred from USFS to UDOT
- o. Restriping of Brighton Loop to allow for a bus lane

9. PUBLIC INPUT The chat box will reopen for written public comment. You may also use the raise hand feature to provide verbal input.

10. REPORTS

- a. Mayor's Report
- b. Council Members' Reports
- c. Emergency Management Report
- d. BCCA Report

11. PROPOSALS FOR FUTURE AGENDA ITEMS

- a. Environmental Sustainability Plan. Presented by Erika Kazi. For discussion.
- b. Revisit goals for the Town. For discussion.

12. ADJOURN

BRIGHTON TOWN COUNCIL MEETING MINUTES

Tuesday, June 14th, 2022 at 6:30 pm

ATTENDANCE

Jeff Bossard (Mayor Pro Tempore and Meeting Chair), Carolyn Keigley, Keith Zuspan, Jenna Malone, Polly McLean, Nate Rockwood, Cameron Platt, Kara John, Jane Martain, Barbara Cameron, Wayne Dial, Cheryl Lenzer, Dustin Dern, Chad Smith, Mike Doyle, Amber Broadaway, Ben Kraja, Mark Brinton, Brian Reynolds

ANNOUNCEMENTS

See the calendar on the town website for a list of events.

PUBLIC INPUT

None

MINUTES

Carolyn Keigley moved to approve the minutes and Jeff Bossard seconded the motion. The minutes were approved as submitted for the Town Council meeting on May 10th, 2022.

UPD

Chief Cheryl Lenzer provided a written report:

“We have had a pretty normal month. There were 147 calls for Big Cottonwood Canyon, 72 in the Town of Brighton. The calls ranged from thefts, to traffic issues, to police assists. There has been an uptick seen in dogs in a watershed as the weather turns warmer and the trails open. Nothing very significant to report there.

We are still down in personnel numbers. We have an open allocation still waiting to fill. I understand once the valley precinct fills their allocations, we may fill our open one. Sgt. Twohill and Officer Todd are still out for their medical. I am going in for a minor surgery on the 17th to repair some tears in my meniscus. I have a two week check up on July 6th, and I hope to be cleared to work by then. I will make sure officers are available for the July 4th parade to shut down the traffic and for any other needs that day. Motors have already been scheduled to lead the parade.

The two half marathon races in May and just this past Saturday seemed to go very well for us. We did see larger numbers than before of vehicles travelling up canyon in the morning which made the escorts a challenge.”

Additional comments: the new dispatch number is 801-840-4000 for non-emergency calls.

UFA (reported after the first business item)

Dusty Dern reported that the fire season has started in Arizona, New Mexico, and Southern Utah. We have engines and hand crews in these locations. As those resources return, they'll join the fuels crews on mitigation work. They will be ready for the town's festivities on July 4th. The new hires are out in the field and an additional eight will start at the end of the month. Call volumes are down from the ski

season, but they are getting some calls for search and rescue from hikers already. They'll be adopting the budget next week.

SKI RESORTS

Solitude

Amber Broadway thanked those that attended the Solitude Town Hall meeting. It was recorded and the video can be found on their YouTube channel. The link is on their blog.

The resort opens on Thursday for the summer season. The base area is out of the village. There are projects planned for improvements to allow the moonbeam area to be open as well. They will open moonbeam bathrooms seven days a week from 10-6pm with a sign on the highway to alert travelers. Stone Haus will be open daily. The Inn will be open Thursday-Sunday and St. Bernard's will be open for breakfast. Honeycomb Grill will be open Thursday through Sunday. Moonbeam lodge will have mountain bike lessons and rentals once they're able to open that area. Thursday night movie series will kick off at the end of June with BBQs and root beer floats. Sunday night music in the village will continue this summer. The 4th of July will be a disc golf tournament. They are participating in the Wild Flower Festival with the Town and Brighton Institute. The Homeowner's Summer Fest weekend is in August. They may add some last minute specialty events so look at the website for details. The village store is the only liquor store in the canyon and is open 6 days a week from 10am -6pm. This year, they've moved the minimum wage to \$17.25. New this summer are two 15 passenger vans to reduce cars in the canyon and to help with rising gas prices. There aren't as many weddings as last summer and they will adhere to the 10pm quiet hours. Amber welcomes noise complaints to be brought to her attention so that she can handle them quickly before issues escalate.

Brighton

Mike Doyle reported they will continue with burning projects as needed around the Great Western area. They will notify the town, UPD, and UFA as well as post to their website on those days. The Sunday Flea Market began and will last through September. The first two had poor weather and low visitation but they usually pick up as the summer goes. They've temporarily moved the recycle bins away from the Brighton Sign to get them out of wedding photography. They'll be located by the winter heavy machinery or the power pole. The Milly bathrooms are open 24 hours a day. Snake Creek restaurant construction will begin this summer. The Brighton parade plans are set as well as Brighton Days. They have several weddings this summer and will adhere to 10 o'clock curfew.

PUBLIC HEARINGS

Public Hearing and Resolution to adopt FY 2023 Budget & FY 2022 Adjusted Budget.

Jeff Bossard opened the public hearing. No public comments were made. The public hearing was closed. Nate Rockwood presented. The tentative budget was reviewed thoroughly and adopted last month with minimal changes made for the final budget. Sales tax from March were received and were in line with the tentative budget. The total sales tax rate is divided among the state, county, and town. The 1% Local Option Tax and Transit Tax go to the MSD to pay for the town's expenses. The 1.1% Resort Community Sales Tax and 1% Municipal TRT Tax go directly to the town for expenditures. The state code requires the budget to show: the actuals for the previous fiscal year of July 1st through June 30th; the estimated budget for the current year; the actual final budget; the current year original budget and adjusted budget; and next year's final budget. The only thing changing in the final budget is the MSD Interlocal

Revenue which is calculated based off requested expenditure budget. There was a \$10,000 expenditure increase to account for the cost of the Environmental Impact Plan, which is also reflected as a change in the budget requests. A wage increase will require looking back at the job description and completing an evaluation before changes are made as well as looking at the cost-of-living index before moving the pay scale. The fund balance didn't change. It was recommended to transfer \$200,000 from Unallocated Funds to Infrastructure and Improvement Projects, making the total \$1,700,000. At the end of the year, any money not spent from the operating budget goes into the fund balance. Any money in the CIP not spent is carried forward to the next year. There are state parameters that don't allow moving funds from the capital fund back to the operating fund.

Carolyn Keigley moved and Keith Zuspan seconded to adopt resolution 2022-R-6-1. A Resolution adopting the final budget for the Town of Brighton, State of Utah, for the Fiscal Year 2023 beginning July 1, 2022 and ending June 30, 2023 and the 2022 Amended Budget for the fiscal year beginning July 1, 2021 and ending June 30, 2022 and setting the Property Tax Rate at no increase for the Town of Brighton at a rate of 0.00%.

Carolyn Keigley: yes

Keith Zuspan: yes

Jeff Bossard: yes

Jenna Malone: yes

BUSINESS

Review of the MSD Financial Report

Keith Zuspan explained the report. The entire financial report was included in the packet to show the complexity of operation and the external audit. The MSD is laid out with each town/township as a discrete unit recorded separately and then incorporated as a whole. Their calendar year covers parts of two of our fiscal years. It shows our projected costs, projected incomes, and net position with the MSD. We have a fund balance with the MSD which incorporates the rates of income and expenditures. At the end of 2021 our fund balance was \$115,000 of discretionary money that we are allowed to pull from to make adjustments. Today's intention is to accept the financial reports as provided by the MSD's annual audit. The MSD fund balance operates the same as the town's fund balance. The limit on the balance is 100% of what we collect. It is not stated in the agreements what happens with that money if we were ever to separate from the MSD.

Authorization for the town to purchase an event tent. For discussion and possible approval.

Carolyn Keigley reported we've been using other people's tents for events. Our own tent is needed for the 4th of July and Brighton days to have Jane and Kara and a council member to collect property owner's updated information and to answer questions. Prices range from \$200-\$300. Polly McLean explained that this cost is small enough that it falls under the threshold of the procurement policy so doesn't need to be discussed.

Special Events Ordinance and update from subcommittee

Cameron Platt presented on the work the subcommittee has done. They determined three main concerns surrounding special events that can be improved. 1) If an event closes or restricts the highway 2) noise level 3) there is a need for notice given to the town of events that will impact the town. The

existing ordinance was taken from the county and adjusted for us, but it didn't consider these three goals. Previously, a permit is required for 50 or more people, or for a road closure. The proposed changes would require a permit only for closure or the state road rather than all roads. We would receive notice of events that are not town events but pass through the town. The language for noise violations was changed. Lastly, applications for events will start with the Town Clerk and the notice will be distributed appropriately to the various agencies that are involved with the event such as MSD, UPD, UDOT, UFA, etc. The MSD is already coordinating special events for other entities and can easily take on this process. Once all approvals are given, the Town Clerk will be notified. The criteria that will exempt the need of a permit are if the criteria fall under regular business operations. For instance, the resorts' normal business operations typically draw large crowds, but they have adequate amenities to support that. A permit would be needed for events that are large enough to impact public streets or the health department noise levels. The proposed fee schedule was taken from the MSD and considers staff time to process applications. Parades are still permitted, but the distance was changed to be more applicable. Parameters were made for when an event requires insurance.

It was determined that more considerations are to be made before the ordinance is ready for adoption. Weddings were not mentioned specifically and those cause issues at private residences when they are commercial, have amplified sound, and when parking can't be contained. They weren't included specifically because there can be circumstances where a family residential wedding may not trigger the need for a permit if it is under 50 people, within the noise restrictions, and doesn't impact the roadway. It was also clarified that weddings aren't permitted at short term rentals and commercial weddings aren't permitted in residential zones.

Additionally, the council could consider a policy decision to require the resorts to submit a list of events and dates at the beginning of each season. Some of their events are outside of typical ski resort operating expectations. It could help to know when there will be crowds during the review process of other event applications. Resort events are on Forest Service land and may be out of the town's jurisdiction for approval. It was decided that legal council will review the resorts business licenses to determine the scope of events that are within their existing master plans. The council will review the details that were settled on in the version of the ordinance that was finished after the version in the packet. The US Forest Service permit requirements and UDOT requirements will also be reviewed to determine they are sufficient so that entities don't have to get an additional town permit. All events will need to be noticed to the town even if a town permit is not required.

Weddings in the Cardiff area.

Ben Kraja from the US Forest Service is the Winter Sports Program Manager and Special Uses Program Manager. Weddings in the Salt Lake Ranger District do not require permits for weddings. Parties can reserve a group site or campground or picnic area on any grounds that are hardened. Group events are not permitted on any other areas such as the Cardiff Meadow. Despite that, it is common to see weddings, engagement photos and large groups in the Cardiff area that often leave glitter and other remnants. Jenna saw a wedding of about 70 people with chairs and amplified music. UPD does not have a cause for enforcement in this case. In future, calling Tucker Woods, the Forest Service Enforcement Officer is the best way to report these events. Carolyn requested stationing a ranger in that area to help educate and prevent these events. Ben will be able to assist with setting this up and the town could contribute funds. There is a permit requirement for groups of 75 or more people for non-commercial gatherings.

He discussed the general requirements for when a special event permit is required. He will share the process document they use for recreation or race events. If there is commercial activity, they require a permit and require operating plans and certificate of insurance. The open season for submittal is Mar. 1-31st. They review the permits to make sure they don't interfere with the trails work or other projects they have planned. The resorts have 40-year term permits for the ski areas. They submit an annual summer operating plan and winter operating plan. Ski resort can absorb recreation permits or races under their permit and in doing so, they take on the liability insurance. If they don't want to take on the liability, then they apply for a separate event permit. They submit summer events by the end of May. They are currently reviewing these plans. It includes any major event that uses FS land such as races or improvement projects. They don't ask about weddings or routine events, but they review the revenues earned on all events. The town can ask for this information to be shared.

Drought and wildfire conditions that could result in a fire ban.

Jenna Malone would like to see this on the agenda every year before the fire season. Last year, we had a special meeting to put a ban into effect because the need arose between council meetings. The town ban followed the Forest Service decision that escalated their fire hazard level. Having criteria for placing a ban ahead of time may expedite the decision making. We can't automatically initiate a ban based on decisions of the Forest Service, but we can use their criteria to determine our threshold. Chief Dern explained that the US Forest Service and state have different thresholds for fire risk levels of fire restrictions. Typically, the state will implement a ban before the Forest Service but there are varying criteria that they consider. Additionally, the Forest Service will allow recreational fires in campgrounds longer than on other Forest Service land because of approved pits and maintained vegetation in campgrounds. Higher elevations typically have later hazard seasons. We can also follow what counties are doing but they often follow what the state is doing. Currently, there is a moderate hazard in the town but it's still in level green with the late spring and early summer storms. Dustin Dern will provide UFA educational material for safe fires, approved fire pits, and fuel space to Barbara and Kara to be included in the newsletter this month.

Reappointment of Town Attorney

Carolyn Keigley moved and Jenna Malone seconded the adoption of resolution 2022-R-6-2. A Resolution Approving The Renewal Of A Civil Legal Service Contract For A Town Attorney Between The Town Of Brighton And Polly Samuels Mclean.

Cameron Platt was added as an addendum to the previous contract. The rates have increased slightly to match other towns. The council members were appreciative of the work and guidance Polly and Cameron have given especially for a new town. Polly expressed enjoyment in working with the town and looks forward to continuing the partnership.

PUBLIC INPUT

Chad Smith asked about the impacts of special events on private roads such as a block party in Silver Lake Estates. It was clarified that the requirements only pertain to public access roads. If you close a road residential road there would need to be a signature from all residents that would be impacted by a road closure. It would also be necessary to let the fire department and canyon patrol know of the dates and times for public safety purposes.

CHAT BOX COMMENTS

00:13:53 Keith Zuspan: 801-840-4000
00:14:27 Amber L Broadaway: Can you please share that phone number via email with all participants?! Thanks
00:15:05 Keith Zuspan: 801-840-4000
00:50:43 Jane Martain: We can,t hear the discussion.
00:52:34 Jane Martain: Thank you.
01:34:02 Keith Zuspan: 2022-R-6-2 A Resolution Approving The Renewal Of A Civil Legal Service Contract For A Town Attorney Between The Town Of Brighton And Polly Samuels Mclean
01:49:54 Ben Kraja, USFS: Tucker Wood - US Forest Service Law Enforcement Officer - 801 733 2668
01:50:13 Jenna Malone:Thanks for all the info, Ben!
01:51:08 Ben Kraja, USFS: Thanks for the invite, Jenna. I am excited to work with the town!
02:03:36 Keith Zuspan: Taylor Litwin
02:03:58 Keith Zuspan: 518-210-1319
02:04:19 Keith Zuspan: cottonwoods canyons.org

REPORTS

Mayor's Report

Jeff Bossard as mayor pro tem reported as a participant in the June 4th Trails Day at Brighton Resort hosted by the Cottonwood Canyons Foundation and CWC. There were about 45 people that participated. The remaining snow resulted in more trash pick up than trail work. Jeff had an insightful conversation with a senator last week discussing the miscommunication about the funding we believed was awarded for the transportation study. We were given a priority in the committee but when it got to the executive committee it got eliminated. The Mosquito Abatement board had a situation of hackers obtaining the emails and phone numbers of board members and fraudulently requesting gift cards to be purchased and sent to the scammers. Those in public positions should be very conscious of scams going on.

Council Members' Reports

Carolyn Keigley reported on the numerous UPD and SLVLEA meetings. Referring to the hot spot map we can see the heaviest ticket and call area is at Cardiff/Donut Falls. The town takes up 32.3% of all canyon patrol canyon calls on the east and west side of the valley. A reminder that the upcoming finance workshop is July 14th. She explained that if we need to speak with Wayne, Cheryl, or Mike we need to contact them during business hours because they are not dispatchers. Lee Arnold always had us call him 24/7 but it's an unrealistic policy.

Last Wednesday the construction traffic lights weren't adjusted for the 400 participants in the Solitude trail race. RMP gave us a hotline number, but it was a voicemail, and it took an hour to get a response. The number for Canyon Patrol in Carolyn's cell phone was old number. To streamline communication, Carolyn created an email group to include Wayne, Cheryl, the resorts, and Kara. When there are events

that may clog the highway, these entities need to notify in advance, canyon patrol and the RMP mitigation manager.

For those interested in participating in the 4th of July parade, they should arrive by 9:30 to get a parking place. The parade starts at 10:30. The road will close at 10:15. The parade route is around the loop twice. Participants will be greeted at the Brighton store and they will direct traffic and parade participants. The participants will be lined up at the chapel parking area with the first lane will be the fire engines, second is cars, then bikes, and last walkers and wagons. Please no candy throws from vehicles because of kids running into the road.

Taylor Litwin will come this Saturday to Forest Glenn for weed pulls and wildflower planting. She is offering this to all communities.

Lastly, Carolyn provided a letter she received:

The 911 National Day of Service initiative constitutes a unique opportunity to bring our communities together in a united cause. Please consider the following:

Objective: Co-create service opportunities for the September 11th National Day of Service, coordinated by civic, community, charitable and faith organizations broadly incorporating members of the entire community to which we belong, independent of their affiliations. In Utah, it should be noted that the day of service will be held Saturday, September 10th.

Goal: Complete one or more service projects that benefit our communities through the cooperation of multiple organizations. Thus, creating and strengthening bonds of friendship and community.

I would like to invite the Town of Brighton to join in this worthy goal. I am facilitating the creation of a committee of faith, civic and community leaders to put this idea into action. Once a group is formed your representative will be invited to attend a planning meeting at the Cottonwood Heights City Hall in the near future (exact date TBD).

Warm regards,
Steve Haslam
President, Cottonwood Heights Utah Wasatch Stake
The Church of Jesus Christ of Latter-day Saints

This takes place annually and they are trying to get someone involved who represents the various agencies. It could be a community member or a town council member who heads the project.

Jenna Malone reported that in addition to meeting posts, she's been tracking and posting twitter alerts from the UDOT Cottonwood Canyons about the RMP project. There was also a post for the CWC's Environmental Dashboard.

Polly and Jenna are working to get a meeting this summer with SLCPU for watershed permitted dogs to be walked on leash in certain areas without getting citations but while still respecting the watershed. She attended the Association of Municipal Councils meeting. Phil Dean is the Senior Policy Fellow at the Ken Gardner Policy Institute. He's a Utah economist that discussed the state of the labor shortage. One

thing contributing is the large number of baby boomers that retired in record numbers during the pandemic. Labor is no longer cheap or readily available and is likely a permanent structural change. Corporate profits are at an all-time high and the supply of jobs is outweighing the demand. There are 88,000 open jobs in Utah and only 33,000 Utahns are currently filing unemployment. His recommendation was to focus on retaining skilled labor which provided Jenna with a desire to increase our staff wages. Another speaker from an international banking consortium that specializes in bonds discussed when to consider bonds instead of cash to pay for capital projects.

Keith Zuspan reported the county released the final report from the digital infrastructure survey we participated in last month. Each township has one page in the 40 page report. It's a high level review. Kayla from the MSD is collecting information for us regarding the working group we were advised to create. It would be helpful for them to create a template for the project because the other entities are doing the same thing. We can apply for individual grants and the planning department has people who can help with that. A plan will be developed in the next few weeks with steps for us to take. It's unknown how we can take grant money and provide it to commercial enterprises. The other towns operate differently. Kearns didn't participate in the study and White City is already in progress of getting fiber to homes.

Regarding the downed road sign in Forest Glen and Mount Haven, Kevin Smeltzer from the MSD is working to replace them. The No Parking signs needing replacement were directed to UDOT since those were on their road.

Two more individuals were interviewed for the Financial Director job at the MSD. Another new staff member was just hired and has started.

Wasatch Front Waste and Recycling District has set up the new containers at Cardiff Fork. At the compactor there was a mattress, desk, bookshelves and other bulky items. Keith has been checking on the site and removing these items to maintain the area. The town is responsible for the upkeep of the compactor building. When Dan returns, they will discuss hiring a contractor to maintain the dumpster area. Perhaps it could be the same person to maintain bathrooms.

Emergency Management Report

Jane Martain reported that she's waiting for Dan to get back to town to see where the progress is with improving Verizon service. Jane and Kara will be stationed at the 4th of July town tent. She asked for requests for anything that should be handed out. She asked if UPD does addresses finding drills in the community. A citizen was concerned about the time it takes to arrive at an incident. Wayne Dial clarified that officers can be stationed anywhere in the canyon, and it may take them 30 to 40 minutes depending on where they are in relation to the incident at the time of the report. It's unlike the quick response time in the valley. The only way to quicken the response time would be to hire additional officers. Jane will discuss the details of this concern at a later time.

Jane Martain provided a written report:

"On Saturday, June 11th at 8:00 a.m. I sent out an email and a text message to all Team Leaders and Team Members and asked them to send it to all contacts on their assigned neighborhood lists.

The Town of Brighton is conducting a DRILL to test our Neighborhood Team Communication System **today**. We want to make sure we can reach you in an emergency situation.

We need you to respond as soon as possible. Send the word "**SAFE**" to this email/text message before **5:00 p.m. MST today**.

These team leaders and members then reported back to me how many contacts they made out of the number of messages sent. 39 Teams participated out of 52 Teams in our canyon which is 75%.

We received 291 responses out of 454 tried contacts by text or emails. That was a 64% return.

I will let Jim Woodward, our Emergency Management Planner for the county know that we conducted this drill and how it went.

I will be discussing the drill with the BEOP Team Meeting to be held on Thursday, July 28th at 6:00 p.m. via Zoom and will be making suggestions for updating some of our contact information. The OneCallNow system will be used if there is a major emergency need to reach everyone in the Town at once. This was just a drill to help Teams check on their contact information."

BCCA Report

Barbara Cameron acknowledged Keith for his efforts maintaining the dumpster areas.

BCCA has an internet committee working with Erick Hutchings from the County Mayor's Office.

Members include Paul Kuhn (Pinetree), Scotty John (Silver Fork), Bart Reuling (Cardiff) and Barbara Cameron (Silver Fork). Internet provider, SenaWave, has plans to serve Forest Glen, Silver Fork, and Pinetree, but the Cardiff, Mt Haven, Mill D areas may need help financing better internet connections.

Grants are available and the MSD might be able to help. If Keith would like help from the community to procure better internet connections, he could contact the BCCA Internet Committee.

Renate Plant came from Wasatch Front Waste and Recycling District. She provided informational links. If you're interested in a free waste container from SL waste and recycling, reserve as soon as possible.

www.wasatchfrontwaste.org or call: 385-468-6325.

Reminder: There are delays driving in the canyon M-F as Rocky Mountain is burying electrical lines. You can expect up to a 15 minute delay, sometimes even on weekends.

Summertime means lots of Special Events and Festivals

The Brighton Flea Market is in full swing on Sundays from 10am-5pm.

Solitude opens for the summer season this weekend. New Restaurants Menus, Disc Golf, Geology Hikes, Yoga, Sunday music concerts. The sunrise lift opens Thursday-Sunday from 10AM-6PM for hiking or biking.

June 30- Growing Oyster mushrooms 5:30-7:00PM at Solitude Village. Go to the Solitude website to register.

Weed Pulls and Wildflower Planting with Cottonwood Canyons Foundation

Thursday June 16 at Solitude, Tuesday, June 21st and June 28 at Brighton.

July 4th- Breakfast and Parade, will be at the Brighton Circle. Breakfast is 8-10 AM at Millie's and the parade starts at 10:30. Shout outs to Kim and Mike Doyle for their support, Kara and Jane for hosting the Town of Brighton tent. The starting point for the parade is the church parking lot where UPD motorcycles will lead out followed by the UFA's shiny red trucks.

July 9- Brighton Days Wildflower Festival at Brighton. Exhibitors include Hogle Zoo, Natural History Museum, Discover Gateway... over 20 exhibitors plus the huge Cottonwood Canyons Foundation Wildflower Festival going on at the same time.

July 10- The Wildflower Festival will move to Solitude where Brighton Institute will provide craft booth, music, and Plein Aire painters.

PROPOSALS FOR FUTURE AGENDA ITEMS

- a. Revisit goals for the Town
- b. Revisit Short Term Rentals and evaluate the need for density restrictions
- c. Update on Town sign
- d. Status of mailboxes at Silver Fork
- e. Tearing down the old firestation
- f. Ranger at Cardiff
- g. What to do with Capital Improvements Funds
- h. Gate Ordinance
- i. Need for no parking signs on our side of the guard road
- j. Special Event Ordinance revision

ADJOURN

Adjourned at 8:59pm.

Submitted by Kara John, Town Clerk

INTRODUCTION

The Big Cottonwood Canyon Mobility Action Plan (BCCMAP) will develop a strategy to guide local transportation investments over time by leveraging technology, foundational documents, enhanced transit options to expand sustainable transportation choices and develop a robust mobility system that supports positive environmental, social, and economic outcomes for the region. The BCCMAP will identify key projects, policies, and process improvements to catalyze the vision for a regional, multi-modal, year-round mobility system serving all users of Big Cottonwood Canyon and facilitate the integration of new and emerging technologies, transportation demand management strategies, and enhanced transit options for Big Cottonwood Canyon.

The project will create a playbook containing a prioritized list of near-, mid-, and long-term recommendations accompanied by tangible and actionable strategies with potential funding sources and determination of the level of NEPA analysis that will leave regional partners well-positioned to pursue funding opportunities and transition immediately into the implementation of the final, Central Wasatch Commission board-approved BCCMAP recommendations. Recommendations should not be limited to projects and programs but should also include potential policy reform or development, as well as process improvements or expediting, which may require additional document review and possible staff interviews.

Overarching community engagement and outreach assistance will be needed throughout the process to ensure the BCCMAP has a broad basis of support and reflects the local context. All tasks will culminate into the final BCCMAP product. However, the CWC and stakeholders envision three primary components of the MAP development, including: 1) a general mobility assessment to holistically evaluate the existing and planned mobility network, identify gaps and synthesize existing plans and programs to ensure consistency between goals and priorities; 2) development of tailored mobility hubs siting criteria followed by a site selection and programming process; and 3) transit investments that improve frequency, year-round service, serves all canyon users, and protects critical resources. The CWC and stakeholders are also interested in identifying early action items with the potential for more immediate implementation.

The BCCMAP is funded by a consortium of partners including the Central Wasatch Commission, Town of Brighton, Cottonwood Heights, and other partners. The total amount payable to the selected Consultant shall not exceed \$205,000, with a performance period starting at contract execution and ending no later than January 9th, 2023.

A. PROPOSAL

- a. Respondents must submit one (1) electronic copy (PDF) of their Proposal via email or mail to the CWC Project Manager (listed below) prior to the submittal deadline of 12:00AM (MST), Tuesday, August 23rd, 2022. Proposals shall be submitted in a sealed package clearly marked Big Cottonwood Canyon Mobility Action Plan and addressed as follows: ATTN: Blake Perez Central Wasatch Commission 41 N. Rio Grande Salt Lake City UT 84101. Proposals should fully address all requests for information and documentation laid out in the "Proposal Submittal Requirements" in Appendix A. Proposals received prior to the submittal deadline may be withdrawn or modified by written request of the Respondent but must still comply with the submittal deadline to be considered. Proposals received after the submittal deadline specified above will be

considered nonresponsive and rejected. Unsigned proposals or proposals signed by an individual not authorized to contractually bind the Respondent firm will be considered nonresponsive and rejected. Proposals will be evaluated as detailed in Section 1D below, and according to Attachment 1 - Proposal Evaluation Criteria (FORTHCOMING). It shall be the sole responsibility of the Respondent to monitor the posting of written responses or amendments. The CWC reserves the unilateral right to amend, cancel or reissue this RFP at any time, at its sole discretion.

b. B. TENTATIVE PROCUREMENT SCHEDULE

- i. Release Request for Proposals Tuesday, August 2nd 2022
- ii. Letter of Intent Tuesday, August 9th, 2022
- iii. Proposal Due Date 11:59 PM Tuesday, August 23rd, 2022
- iv. Shortlist Notifications and Potential Interviews August 30th, 2022
- v. Notifications of Results Week of September 6th, 2022
- vi. Negotiations/Pre-Award Audit September 6th, 2022
- vii. Award of Contract September 6th, 2022

C. PROPOSAL EVALUATION & SELECTION PROCESS Upon receipt of all proposals, the CWC Project Manager will conduct an initial compliance screening of proposals. Fully compliant proposals will be forwarded for review by the selection committee. The committee will evaluate, score and rank all written proposals using the Proposal Evaluation Criteria outline in Appendix B (FORTHCOMING). The selection committee will receive presentations and may interview the shortlisted firms and may adjust their scoresheet according to each firm's performance. The firm with the highest ranking will be recommended by the selection committee to the CWC Transportation Committee. The CWC will then negotiate a contract with the highest ranked firm. If there are unresolved issues and negotiations are unsuccessful with the top ranked firm, negotiations with that firm may be formally terminated and the CWC may attempt to negotiate an agreement with the next highest ranked firm. Final award of the Consultant's contract will be subject to the approval of the CWC Board at the next available meeting.

SECTION 2: BACKGROUND

The Big Cottonwood Canyon Mobility Action Plan is from the Central Wasatch Commission Transportation Committee direction to develop a strategy that addresses immediate and long-term mobility needs that would examine how best to leverage new and emerging mobility models, technologies, policies, and enhancing local transit options for Big Cottonwood Canyon. The CWC Transportation Committee first presented a BCCMAP concept in June 2022 with the intention of further refining its scope and purpose, then acquiring funding to develop and implement the plan. The CWC along with Town of Brighton, Cottonwood Heights, Brighton Ski Resort, Solitude Ski Resort, and Sandy City provided funding for the development of the BCCMAP.

The plan development process will include extensive stakeholder outreach, identify Mobility Hub locations through conceptual design, identification and prioritization of key projects (near-, mid- and long-term) to integrate new mobility and technology, enhance public transit options and frequency, dynamic transportation demand management strategies and position and identify top-ranked projects for funding/implementation. An overarching goal of the BCCMAP is to fast track transit improvements, develop a flexible and scalable parking management program, partnerships and projects that will increase safe active and multi-modal trips, directly supporting improved community health outcomes,

reduced vehicle miles traveled, and progress toward local, regional and State climate goals. Specifically, the BCCMAP will help inventory Big Cottonwood Canyon's existing mobility system, synthesize existing plans and studies, and conduct innovative outreach to develop tailored, data-driven recommendations on when and where to implement key planning, infrastructure, and policy changes that will be effective in offering residents and visitors more sustainable and desirable transportation choices. This will require analyzing the existing transportation network, defining various stakeholders' roles across modes and services, and conducting analyses to make recommendations on how regional partners should potentially invest resources and funding to better support a mobility system that works for residents and visitors to Big Cottonwood Canyon. Importantly, the BCCMAP will help policy makers develop strategies alongside an evolving transportation system, pressures from urban growth, and increased visitation. The BCCMAP will help evaluate previous plans, projects, policies, and processes to ensure a clear and unified approach for implementation by prioritizing projects that support the regions broader goals.

Ultimately, the BCCMAP will be used as an implementation tool by providing a catalogue of well-defined and prioritized mobility projects and initiatives for the Central Wasatch Commission to leverage when seeking funding. In addition to cataloging each project and identifying funding, an explanation of what level, if any, NEPA would need to be conducted. The resulting project list and recommendations should lead to direct implementation and/or the development of key plans, projects, pilots or policy reforms, beginning with the top prioritized action items. The resulting BCCMAP will enable policy makers to jump start changes to make the mobility system more sustainable and meeting the needs of today while building to meet future needs.

CONCURRENT PROJECTS, CONSIDERATIONS, AND PLANS

The BCCMAP was originally intended to more closely examine the public transportation system operating in and adjacent to Big Cottonwood Canyon and identify innovative approaches to streamline existing services, identify cost savings, and enhance the transit user experience. In addition to this work, there is the ongoing Little Cottonwood Canyon Environmental Impact Statement that will have an impact on the BCCMAP. Each of the ski resorts in Big Cottonwood Canyon are implementing varying parking management programs. The USFS is currently underway with identifying and improving several dispersed recreation sites through Great American Outdoors Act funding. Salt Lake City Department of Public Utilities is currently updating its Watershed Masterplan. The Mountain Accord is the guiding document for the CWC and will be considered during this project.

SECTION 3: SCOPE OF WORK

Professional services are solicited from qualified Consultants to supplement CWC staff and develop multiple components of the BCCMAP, as described in the following sections. Please note, as indicated throughout the scope, the Consultant will lead on most tasks, while CWC staff will mostly support, provide reference, and direction on others. The selected Consultant team should be prepared to work closely with the CWC Project Manager to clearly define roles and responsibilities during the contracting phase, to be included in the detailed work plan.

The Central Wasatch Commission encourages, but does not require, submittals from firms/teams with experience in the following:

- Multi-modal transportation planning, including active transportation, transit, shared and micro mobility, mobility hubs, curb management, parking management, data analytics and intelligent transportation systems;
- Innovate community outreach, marketing and engagement, including infographics, concept rendering, mapping, stakeholder and community events
- History of working with NEPA process
- Collaborative working history with state DOT's, United States Forest Service, public utilities, environmental interests, and public and private interests
- New and emerging transportation trends and technologies to inform a long-range strategy
- Evaluating institutional processes/policies for alignment with broader regional goals/values

Respondents are encouraged to suggest scope modifications in their proposals that may strengthen the project or better use limited funds. The final scope of work will be negotiated with the selected Consultant during the contracting phase.

1) PROJECT INITIATION & ADMINISTRATION

- Project Kick-off Meeting** The Central Wasatch Commission and Consultant will hold a meeting to review the selected proposal, finalize the project scope and schedule, and discuss project team expectations. Input from this meeting will inform the Detailed Work Plan. The Consultant will prepare an agenda, lead the meeting, and provide a copy of meeting notes to the Central Wasatch Commission summarizing any actions or next steps, role assignments, and deadlines discussed in the meeting.
- Monthly Invoicing & Reporting** The Consultant will submit monthly invoices to each funding partner at the agreed upon percentages outlined in the attached professional services agreement and progress reports to funding partners in accordance with State of Utah requirements and using appropriate invoice and reporting templates, including necessary documentation of all expenses and activities, and including subconsultant work. All expenses will be accurately categorized by Task and Subtask, as agreed upon in the final executed agreement, and will include updates on progress made toward each respective deliverable. Monthly reports should be submitted at the same time as invoices, including a summary of work completed to-date, work completed during the invoice period, and any events or milestones expected in the next month. Any challenges or delays should be discussed, and proposed solutions should be noted.
- General Project Administration** The Consultant shall be responsible for managing its team and any subcontractors, and all related work products and deliverables, communicating and coordinating all project components with the Project Manager, and ensuring that project progress abides by the agreed upon scope and timeline. Consultant should work with the Central Wasatch Commission to determine a finite number of Commission and Stakeholders Council meetings they will attend.
- Detailed Work Plan** The Consultant will work closely with the CWC Project Manager to produce a detailed work plan that will include target dates for events, milestones, and deliverables. The plan should mention any risks or unknown variables that could cause

delays in the schedule. The detailed work plan will be approved by the CWC Transportation Committee.

- e. **Vision, Goals, & Guiding Values Development** The Consultant will assist the Central Wasatch Commission in developing, refining, and communicating the final Vision, Goals, and Guiding Values of the BCCMAP, which will be shaped by stakeholder input and foundational documents. The Consultant will provide a technical memo describing the vision, goals, and guiding values of the BCCMAP and how they were arrived at. Consultant will also include a summary of how the BCCMAP principals relate to and reinforce the CWC MTS Pillars, Mountain Accord, and other state transportation, social, and environmental goals. This will be included as a section in the final BCCMAP document as an introductory chapter.
 - f. **Performance Measurement Framework** The Consultant will work closely with the CWC Project Manager to develop and refine key performance indicators and metrics at the beginning of the BCCMAP development to monitor progress over time. The final framework should present a list of KPIs along with a plan for the CWC to continue monitoring performance toward implementation of the plan moving forward.
- 2) OUTREACH & ENGAGEMENT
- a. **Community Outreach Framework (Memo)** The Consultant will assist the Central Wasatch Commission in the development of a Community Outreach Framework outlining the selected approach to stakeholder engagement throughout the project. The framework will detail key outreach events, timelines, social and traditional media strategies, and language/translation needs, among other elements. The Central Wasatch Commission is looking for highly innovative and effective ways to integrate community input into the BCCMAP process. The Consultant will assist the CWC in identifying alternative ways to solicit meaningful input from community members and relevant stakeholders at key milestones in the process. Consultant shall prepare a Community Outreach Framework Memo compiling best practices and recommendations tailored for BCCMAP development and implementation. Community Outreach methods should be considered as a component of BCCMAP goals and performance evaluation. The Consultant will lead, with assistance from CWC staff, in the development, refinement, production, and distribution of various materials to be used for ongoing stakeholder outreach, which may include flyers, brochures, infographics, brand development, story maps. The Consultant will be responsible for providing materials needed to implement the Community Outreach Framework and other tasks listed herein.
 - b. **Project Webpage & Social Media Toolkits** The Central Wasatch Commission's website will serve as the project's website and will provide a single location for the project description, announcements, updates, contact information, meeting results, project deliverables, and links to outreach elements. CWC's social media and stakeholder partners will supplement the webpage by providing updates to the community and link users to the project website on the CWC page. The CWC will host the project webpage on the CWC's webpage, but will work with the Consultant to develop, refine, and post content. The Consultant will be primarily responsible for assisting the CWC in the curation of content, including engaging graphics and a social media toolkit that can be

used by the CWC throughout the life of the project. The Consultant will also assist in the development of project branding and infographics/graphics development.

- c. **Stakeholders Council Workshop** The Consultant will lead a community workshop(s) with the CWC's Stakeholders Council to solicit feedback and communicate interim findings and outcomes from the BCCMAP development process. Consultant will assist the CWC in the coordination and production the workshop and related materials, and in recording stakeholder feedback. These workshops will focus bringing together members of the Stakeholders Council to present information at key milestones for feedback or as information. Consultant must clearly define the quantity of workshops, or distribution of work proposed.
 - d. **CWC Transportation Committee** The CWC Transportation Committee is comprised of several local mayors and ex-officio members from the public transit agency and public utilities. Other stakeholders, including funding partners, join and participate in those meetings. The CWC Transportation Committee will provide ongoing review and feedback at key project milestones. The CWC Project Manager will coordinate and administer meetings to provide information to, and solicit guidance and input from, the group. The Consultant will be asked to assist the CWC to determine the most effective approach to engaging with the CWC Transportation Committee and to facilitate meeting to ensure meaningful input is used to shape BCCMAP recommendations. Consultant may be asked to make presentations to the group and recording feedback.
 - e. **Stakeholder and Board Workshops** The Consultants will conduct workshops with the Stakeholder Council, the CWC Transportation Committee, and the full CWC board at key stages of the Big Cottonwood Canyon Mobility Action Plan Development with a primary focusing on soliciting feedback and approval for the Vision, Goals, & Guiding Values, and ultimately the final recommendations of the Big Cottonwood Canyon Mobility Action Plan. Additional input will be collected to inform the Mobility Hubs Analysis and BCCMAP recommendations. Assistance will be required from the Consultant to prepare presentation and workshop materials, prepare meeting agendas and minutes and follow-up on action items. Precise roles and responsibilities related to this task will be negotiated with the select contractor and defined in the detailed work plan.
 - f. **Outreach Summary (Memo)** The Consultant will provide a document summarizing all outreach efforts conducted which contribute to the final BCCMAP development. Interim summaries of major outreach events will be provided throughout the BCCMAP development process, and a comprehensive summary will be prepared for inclusion as a section in the Draft and Final BCCMAP document. This deliverable will ensure that all outreach and engagement efforts are adequately communicated in the final plan.
- 3) MOBILITY NETWORK ANALYSIS
- a. **Relevant Document and Plan Consistency Review** -The Consultant will conduct a review of all appropriate documents to establish a foundational knowledge of the region's current transportation network, including related plans, projects, programs, and policies that may relate the development of the BCCMAP. This will primarily include plans that relate directly to transportation and land-use policy but may have extensions to other plans and policies. In addition, the Consultant will work with the CWC staff to consider existing management plans, roadway design, evaluation and implementation practices.

The CWC Pillars document should also be referenced. The Mountain Accord will also be reviewed and referred to as a supporting guidepost for the BCCMAP. The Consultant will propose an approach to assist the CWC in assessing consistency across relevant jurisdictional plans and policies, define the relationship of the BCCMAP to other plans, and identify any additional steps that may be needed to consider prioritizing goals and objectives across documents. The selected Consultant will ultimately work with the CWC to narrow the scope of review, to be reflected in the Detailed Work Plan, based upon the Kick-off Meeting and early stakeholder feedback on plan goals.

- b. **Data Collection** The Consultant will work with the CWC to collect relevant existing data and identify, prioritize and collect a select set of additional data. Existing data that is currently available includes traffic volumes, transportation system movements, safety and collision data, 5-Year American Communities Survey (ACS) data, Bike/Ped Level of Stress, and community feedback received through related outreach effort. Transit ridership data is expected to be included in data collection. The purchase of data from third-party entities may be considered by Respondents in their proposals in this section. The Consultant will also work with the CWC to identify data needs and gaps related to all aspects of the BCCMAP development. The Consultant will assist the CWC in prioritizing and collecting remaining data necessary to conduct BCCMAP analyses and make project recommendations and may also identify non-vital data collection efforts that should be included as action items resulting from the BCCMAP. Any data collection not feasible to conduct during the BCCMAP process may be identified as a recommendation of the BCCMAP for the CWC to complete at a later time.
- c. **Existing Mobility Conditions & Gaps Analysis** The Consultant will develop an inventory of existing and potential transportation choices and supportive infrastructure. Much of this task will require synthesizing existing data from across multiple sources to develop a comprehensive understanding of the mobility network including transit services and parking utilization. Data from preceding subtasks and from outreach conducted in Task 3 should be leveraged to identify key barriers deterring multi-modal transportation in Big Cottonwood Canyon, including safety, infrastructure, lack of choice, parking challenges, or others. In addition, the Consultant will note gaps observed regarding processes, plans, projects or policies presenting opportunities to better integrate multi-modalism and leverage technology to improve circulation. A key function of this task will be to compile gaps and barriers identified across multiple modes, plans, and jurisdictions and develop a ranking exercise that will result in a final list of prioritized barriers to be addressed by the BCCMAP. Building on this, the Consultant will also produce a report documenting findings. The primary function of this report is to establish the current conditions and relationships between adopted plan, policies, and projects with the BCCMAP moving forward. It should evaluate both available modes and supportive infrastructure (or lack thereof). From the institutional perspective, staff level interviews may be required to fully document internal processes or policies that may become subject to recommendations for enhancement through the BCCMAP process. This task will provide the basis for later analyses and recommendations. This report will form the basis for developing various solutions and recommendations to improve mobility.

4) MOBILITY HUBS ASSESSMENT & RECOMMENDATIONS

- a. **Review Best Practices & Siting Criteria** The Consultant will conduct a comprehensive literature review of best practices related to Mobility Hubs and including a review of hub siting criteria utilized by other agencies and any other emerging and relevant practices. To the extent available, any academic or professional research or data collection conducted to elaborate on the proven impacts of Mobility Hubs on travel behavior or toward regional goals should be included.
- b. **Big Cottonwood Canyon Mobility Hub Siting Criteria & Design Standards** The Consultant will work with the CWC to develop standard criteria to identify the optimal locations and composition of a network of Mobility Hubs throughout the region and Big Cottonwood Canyon. This will include developing a tailored working definition of a Mobility Hub. The number of potential Mobility Hub locations will be determined through the application of siting criteria. In addition to geographic location, design standards & guidelines for modal programming should be developed based on the relationship to land use and existing mobility network. In addition to the siting criteria and design standards, a final deliverable from this task should include a highly accessible infographic that identifies travel catchment areas with standard distances and travel times by modes, as well as recommended mode choices by land use designation (i.e. – overall look/feel may resemble a traditional rural-to-urban transect graphic).
- c. **Mobility Hubs Analysis & Recommendations (Memo)** The Consultant will utilize the adopted siting criteria and data collected in preceding tasks to conduct a Mobility Hubs Analysis to determine optimal locations along with multi-modal programming and design recommendations for each. Findings will include a detailed narrative for each proposed location along with an inventory of proposed mobility choices. Recommended Hub locations will be prioritized for implementation based upon community and stakeholder feedback, and information gathered through the Best Practices review.
- d. **Conceptual Renderings** The Consultant will produce renderings for the top prioritized Mobility Hubs. Renderings shall be provided in both a high-quality electronic format. The Consultant will work with the CWC to refine the renderings to meet the stakeholders standards. Providing visual examples to the community at outreach events, on the project webpage, and on social media will help build support for multi-modal infrastructure in Big Cottonwood Canyon and will be leveraged when the CWC pursues resources to implement Mobility Hubs at a later time.
- e. **Mobility Hub Implementation Strategy** The purpose of this task is to produce a document to guide the implementation of the Big Cottonwood Canyon Mobility Hubs. The Consultant will develop an implementation strategy that provides guidance on varying levels of coordination necessary to convene multiple modes, including private and public partnerships. It should also provide preliminary scoping, cost estimates and narrative language for potential mobility hub locations that will facilitate future grant applications. A brief section of potential financing and resources available to develop multi-modal mobility hubs should also be included. In addition, the Consultant will include an action agenda indicating supplementary steps the CWC should take to support the development and implementation of Mobility Hubs throughout Big

Cottonwood Canyon. The deliverable from this task will be included as a section in the Final Mobility Action Plan.

5) DRAFT & FINAL MOBILITY ACTION PLAN

- a. **Mobility Action Plan Outline** The Consultant will work with the CWC to develop an outline early in the plan development to establish the overall structure of the BCCMAP, which will include an Executive Summary. The outline should clearly delineate how the mobility system, its component pieces (modes, infrastructure, policy, etc.), and the interrelationships between them will be addressed. In addition to multiple mode choices (i.e. – car, bus, bike, rideshare, autonomous vehicle, etc.), the outline will consider how supportive and enabling infrastructure, technologies, policies will be integrated into the final BCCMAP document. Lastly, the Consultant will develop an approach to ensuring that residents of all ages, incomes and abilities are considered throughout the plan. The CWC will approve the final outline.
- b. **BCCMAP Implementation Strategy** The Consultant will include a final BCCMAP Implementation guide that compiles key outcomes and deliverable. This document will provide a comprehensive strategy for the CWC to develop a smart, multi-modal, year-round transportation network. This task should address funding and resource considerations, any anticipated barriers to implementation, and level of NEPA analysis. Within the Implementation Plan, the Consultant will also include a Performance Monitoring Plan to track implementation, anticipated milestones, and metrics of success, as defined in Task 1 processes.
- c. **Draft & Final Big Cottonwood Canyon Mobility Action Plan** The Consultant will compile, refine, and finalize a Draft Big Cottonwood Canyon Mobility Action Plan building upon all preceding work and deliverables described herein. The Consultants will present the Draft Big Cottonwood Canyon Mobility Action Plan to relevant Committees and Board for feedback. The BCCMAP will bring together the key deliverables from the preceding tasks to develop a single cohesive document that illustrates Big Cottonwood Canyon existing mobility system, its trajectory for transit and mobility investments, and a detailed Action Agenda that communicates stakeholders priorities and next steps to achieving the vision and goals of the BCCMAP.
- d. **Big Cottonwood Canyon Mobility Action Plan (BCCMAP)** The primary deliverable from the BCCMAP process should be a comprehensive action plan detailing recommended projects and pilots, plans, policy reform, policy creation, and/or process improvements that will assist regional partners in further developing and refining a regional transportation system that meets the needs of today and tomorrow. The recommendations should be tied to a phasing plan, with a greater level of implementation guidance placed upon near- to mid-term recommendations. The CWC is also interested in identifying and advancing work on any early action items that may be recommended by the Consultant, subject to appropriate review and approval. Ultimately, the BCCMAP will provide a detailed blueprint to guide transportation planning team efforts to ensure that energy is focused on projects and efforts that will achieve the greatest progress. In addition, the Consultant will develop an Executive Summary that provides a highly accessible and visual document for general distribution to the community. The Consultant, in addition to materials produced in preceding tasks,

will work with the CWC to include in the Final BCCMAP document an assortment of engaging photographs, infographics, charts, tables, maps, and/or other visual communication tools to effectively communicate the benefits of a smart, multi-modal, year-round mobility network, including translated materials. The Consultant will integrate all comments and make necessary changes requested by the CWC Project Manager and any additional relevant reviewers the Project Manager identifies, within reason, to gain approval of the final plan. The final BCCMAP will be submitted in PDF format.

- e. **Final MAP Adoption, Presentations & Contract Close-out** The Consultant will present the Final Big Cottonwood Canyon Mobility Action Plan to the CWC Transportation Committee and CWC Board for adoption. The Consultant should plan to be present for both meetings to assist in answering question regarding consultant prepared deliverables or materials. The Consultant will provide all project files and materials to the CWC. In coordination with the CWC and funding partners, the Consultant will provide all necessary documentation, invoicing and reporting for contract close-out.
- 6) Big Cottonwood Canyon Mobility Action Plan (BCCMAP)
- a. APPENDIX A– PROPOSAL SUBMITTAL REQUIREMENTS
 - b. I. INTRODUCTION The CWC shall not be responsible for and/or shall not pay any costs associated with the preparation, proposal, or presentation of any proposal, or costs incurred by the responding firms during the interview and negotiations phase of the solicitation process. Respondent proposals must include the following information, as detailed below (1a through 1i).
 - c. No page limit or formatting requirements will be imposed, however Respondents demonstrating effective written and visual communication of proposal concepts in a concise manner may be evaluated more favorably. Proposals must be complete and accurate; omissions, inaccuracies or misstatements may be cause for rejection.
 - d. Proposals shall be submitted to the CWC Project Manager listed in the RFP document no later than the specified submittal deadline. Firms shall respond to the written RFP and include all requested exhibits, attachments, or amendments. A responding firm’s failure to submit a proposal as required before the deadline shall cause the proposal to be disqualified. Responding firms assume the risk of the method of dispatch chosen. The CWC assumes no responsibility for delays caused by any delivery service. Postmarking by the due date shall not substitute for actual receipt of the proposal by the CWC. Late proposals shall not be accepted, nor shall additional time be granted to any responding firm.
 - i. 1. Introductory Letter
 - ii. 2. Background, Qualifications & Experience
 - iii. 3. References
 - iv. 4. Litigation
 - v. 6. Methodology & Approach
 - vi. 7. Proposed Work Plan & Schedule
 - vii. 8. Cost Proposal
 - viii. 9. Supportive Information
 - ix. 10. Conflict of Interest Statement

- x. 11. Local Benefit Statement
- xi. 12. Insurance Requirements

1. Introductory Letter. The letter shall be submitted on the proposing firm's letterhead and must include:

- a. Full legal name, general address and phone number of proposing firm.
- b. Name, title, mailing address, phone number, e-mail address and summary of qualifications for proposed Consultant Project Manager.
- c. Contact information for any/all representative(s) that should be included in correspondence regarding this RFP (if different from the Consultant Project Manager).
- d. List all subconsultant firms (if any) proposed to complete any portion of the scope.
- e. Statement demonstrating firm's understanding of the CWC's goals and requested services associated with this RFP and brief description of firm's submitted response, highlighting any aspects of the proposal or team that make them uniquely qualified to complete said work.
- f. Brief statement of why the Respondent firm is interested in working on this specific project.
- g. Statement that "submitted proposal shall remain valid for at least ninety (90) business days from proposal submittal deadline and thereafter in accordance with any resulting contract".
- h. Statement that Consultant has reviewed the CWC's standard Contract for Services agreement (Attachment C) and, if selected, is willing to execute said agreement without any modifications or amendments OR explicitly indicating that exceptions to the CWC's standard contract will be requested and referring reviewers to Section 4 of your proposal ("Proposed Contract Expectations). The CWC will not consider any changes to the agreement once the selection process has been completed.
- i. Signature of a representative authorized to enter firm into a binding contract with the CWC, if selected. An unsigned proposal, or one signed by an individual not authorized to bind the prospective firm, will be rejected.

2. Background, Qualifications & Experience. Please provide a brief history and background of your firm, including the number of years the firm has been in business, your firm's size, and the nature and scope of the firm's experience. Please also include your firm's mission statement and a statement of your firm's work philosophy. Provide a written narrative describing your firm's ability and specific approach to providing the scope of services requested in this RFP. If specific tasks will be subcontracted, please clearly state this. Submit abbreviated resumes featuring experience and qualifications for all staff, including subcontractors, proposed to deliver the RFP scope of services. Indicate location of the office(s) from which the contract is proposed to be managed, and majority of key personnel assigned to the contract will be located. Please indicate the expected level of involvement with this project for each person listed, clearly identifying key personnel that will be directly and frequently coordinating with the CWC Project Manager. Key personnel are regarded as those who will contribute the most time toward completion of the project and will be responsible for ensuring the quality and timeliness of all project deliverables. Any changes in key personnel after the award of contract must be approved by the CWC. An organizational chart is recommended for inclusion. A written description of your firm's knowledge

areas and relevant experience should also be included. Specifically, please cite the extent to which your team has experience in the following:

- Multimodal transportation planning, especially related to transit service, mobility hubs
- Depth of knowledge of current transportation, management, and related technology trends
- Working relationship with United States Forest Service, State DOT's, public utilities, and various stakeholders
- Transit operations, analysis and planning
- Innovative community outreach and engagement
- Institutional policy and/or process evaluation and improvement
- Social equity and/or accessibility analyses

3. References. Describe in detail a maximum of five (5) (limit of one project per page) public sector or similar projects maintained in the last five (5) years that demonstrate your firm's experience executing tasks similar in nature to those listed in Section 3 of this RFP. This section should describe work which is comparable in both scope and complexity to the project and which the Respondent team has undertaken in the last five (5) years. A discussion of the challenges faced, and solutions developed by the team is highly recommended. The section should also include the following information for each referenced project:

- Name of project, project cost, and date Respondent services were provided
 - Names of Respondent's project manager and key team personnel
 - Scope of the Respondent team's assignment on the project
 - Contact information for each client and any other consultant teams that participated on the project
- Please also include a list, if any, of all current contractual relationships with the CWC and all those completed within the previous five-(5) year period. Firms with prior experience working with the CWC will not necessarily score better; firm's with a demonstrated experience to execute similar work products will be scored according to references, regardless of the jurisdiction where work was completed.

4. Litigation. Please indicate if the proposing firm was involved with any litigation in connection with prior projects. If yes, briefly describe the nature of the litigation and the result.

5. Methodology & Approach. Please take this opportunity to discuss your firm's unique approach to complete the proposed scope of work, including any specific techniques, skills, experience or expertise that will be used to produce a high-quality deliverable. Proposals that clearly describe how their contribution to the BCCMAP's development will result in tangible, implementable action rather than a static planning document will be evaluated more favorably than those that do not. In addition to a general approach description, please also answer the following questions (a through e) regarding your proposal:

a. Why is your firm/team interested in partnering with the CWC to complete this specific project?

- b. What makes your firm/team uniquely qualified relative to other prospective proposers?
- c. Is your firm/team proposing any deviations or different approaches to the Scope of Work? Please clearly explain any proposed changes that your firm/team believes would strengthen the project process and/or deliverables.
- d. Please include a statement describing your firm/team's approach to community engagement.
- e. Please briefly describe your firm's philosophy regarding the relationship between social equity and transportation/mobility.
7. Proposed Work Plan & Schedule. Please include a proposed work plan and schedule. The final work plan and schedule must be approved by the CWC Project Manager. As noted in Section 3 of this RFP, Respondents are encouraged to identify any proposed modifications, additions or deviations from the original scope of work, so long as the scope intent and outcomes remain substantially the same. Modifications to the Work Schedule are permissible, such that the deliverables associated with each task or subtask will be completed no later than the dates indicated. Under no circumstances shall the cost of proposed services exceed \$205,000, as indicated in Section 1 of the RFP.
8. Cost Proposal. The proposal must include a cost proposal for each component service of the scope, broken down by task/subtask. It is the CWC's intent to negotiate a fixed fee "not to exceed" contract for mutually agreed upon services. The selected firm will bill monthly for the contracted services based on a schedule of values of tasks performed, or on a time and materials basis, for extra work not to exceed the negotiated fee for each specific unit of work. Consultants will bill each funding partner the agreed upon percentage of the total project.
9. Supportive Information. Please include any additional information not reflected in the preceding section, but which your firm deems relevant to the CWC's evaluation of proposals. Please do not include full-length documents or examples of previous work. If included, a list of links/URLs to digital copies are preferred.
10. Conflict of Interest Statement. The prospective Respondent shall disclose any financial, business or other relationship with the CWC that may have an impact upon the outcome of this contract. The prospective Respondent shall also list current clients who may have a financial interest in the outcome of this contract or any CWC construction project that may follow.
11. Insurance Coverage. The successful responding firm will be required to provide proof of insurance as set forth in Attachment 1 - Standard Contract for Services prior to commencing work. Failure to provide evidence of such insurance coverage is a material breach and grounds for termination of contract negotiations. Any insurance required shall be in form and substance acceptable to the CWC.

To: Mayor and Town Council

From: Polly McLean and Cameron Platt, Legal Counsel

Date: July 12, 2022

Re: Staff Report Regarding Vehicle Gate Ordinance

Please see attached proposed ordinance regarding vehicle gates. There are a few changes from when it was presented in April including making gates the exception instead of the rule and making gates seasonal if that is all that is needed for health and safety. It is possible that the Council might want to have certain firm criteria such as at least 3 non-resident vehicles got stuck over a 5 year period. The feedback from the April meeting was that while gates might be necessary, the Council did not want the Town to be overrun with gates.

Some high level questions to consider are:

- 1) Is there a need in certain circumstances, to have gates at all?
- 2) Should gates be allowed on private driveways? If so, under what circumstances? (length of driveway, grade, etc?)
- 3) Are there certain areas or private roads that are not appropriate for gates?
- 4) Does the gated road need to abut the Highway or is there a need elsewhere?
- 5) Does it matter how many people use the access?

Below are the minutes from the April meeting regarding gates:

Ordinance for gates within the town Polly McLean presented on the topic. She and Cameron Platt pulled information from several directions to draft this. Jim Nakamura recommended this to be in the purview of the Town Council rather than the Planning Commission. The places left in the town that could have gates are limited, but still worth putting clear criteria for the administrative process that would include engineering review to ensure that the roads are right of ways and that placement is adequate for turnaround room in front of the gate. Jim stated that UDOT won't participate in decisions on any gates on private roads off the highway loop. A prescriptive easement is part of the reason this ordinance is being considered because adding a gate will affect everyone within the subdivision. A recent example: someone wanted to put a gate in the town right of way on a public street, which is not permitted under our current engineering policies. There is a concern of cars getting stuck down steep one-way roads where they don't need to be. Carolyn Keigley suggested that we make the language more specific about the prescriptive easement situations. Potentially, the language could include that a vehicle control gate is not in any right of way, prescriptive easement, and maintains all setbacks in the zone. The gated communities are Forest Glenn, Silver Lake Estates, Cardiff, the Forest Service property of Mill D North, River Run, and Mount Haven. These areas have one way in and out in common, which is the biggest

difference from the Silver Fork and Pine Tree areas. The single entrance factor can cause it's own problem of no through way if the gate breaks. The existing gates were not required to be permitted, but are grandfathered in. The mayor's concern is people wanting gates all over trying to keep people out. Alternatively, we can prohibit all gates moving forward. With the alternate considerations, this item was continued to a date uncertain.

ORDINANCE #2022- O - ____

ORDINANCE ADOPTING 14-01-01 “VEHICLE CONTROL GATES”

WHEREAS, Utah Code §10-8-8, grants municipalities authority to “lay out, establish, open, alter, widen, narrow, extend, grade, pave, or otherwise improve streets, alleys, avenues, boulevards, [and] sidewalks;”

WHEREAS, the Town of Brighton (“Brighton”) contains streets and roads that are both public and private;

WHEREAS, the intersection of some public and private roads, and the unique weather and geography of Brighton, has caused vehicles to slide off the roads, to be unable to safely travel the roads, or to block the roads;

WHEREAS, the Brighton Town Council (“Council”) finds that under certain circumstances, vehicle control gates will contribute to keeping roads safe for passage and reduce slide offs or congestion;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF BRIGHTON TOWN COUNCIL OF, UTAH, THAT:

SECTION I: Title 14, Chapter 01 Section 01 is hereby adopted as set forth below:

14.01.01 Vehicle Control Gates

No vehicle control gates are allowed unless the Town Council finds the following criteria are met:

1. The street is not a public street, on a prescriptive easement, and is not listed in the Canyon Roads Operations Plan.
2. The Applicants demonstrated an extreme need for a Vehicle control Gate to effectively control an ongoing health, safety, and welfare situation or in unique circumstances, to mitigate traffic, parking congestion, steep road grades or vehicles repeatedly getting stuck or blocking a road after entering into a private road.
3. The Vehicle Control Gate is located outside of any Right-of-Way and maintains all Setbacks of the zone.
4. The Vehicle Control Gate does not impact existing utility easements.
5. The Vehicle Control Gate is designed to permit unimpeded pedestrian, and bicycle access through the neighborhood and to existing public trails and walkways. A minimum gap of four feet (4’) shall be allowed for these non-vehicular Uses.

6. The Vehicle Control Gate is designed to be minimal in height, scale, and mass to accomplish the goal of preventing unauthorized vehicle traffic, parking, and/or other impacts on the neighborhood.
7. The method of Access for emergency, service, and delivery vehicles shall meet all requirements of the Planning, Engineering, and Building Departments and the Fire Marshall prior to issuance of a Building Permit for the gate construction.
8. Any signs associated with the gate and/or walls are subject to the Town Code and require a separate sign permit. See 19.82. Signs *et seq.*
9. A Vehicle Control Gate management plan shall be submitted for both Town Engineer and Town Council approval. The plan is to address times and situations when the gate will be closed. Applicants shall agree to leave the gate open at all times, except as specified in the approved management plan. The Vehicle Control Gate management plan must contain a deadhead, cul-de-sac, or circular turnaround with sufficient room for regular traffic and emergency response vehicles to turn around before the gate. The plan will include consideration of the season when the gate can be closed due to health, safety and welfare issues.
10. All existing gates are allowed to continue their use.

Section II: Effective Date. This Ordinance shall be effective upon publication.

PASSED AND APPROVED by the Town of Brighton Town Council, Utah, this ___th day of _____ in the year 2022.

TOWN OF BRIGHTON

Dan Knopp, Mayor

ATTEST:

Kara John, Town Clerk

14.56 SPECIAL EVENTS

14.56.010 Purpose

14.56.020 Application Of Provisions

14.56.030 Definitions

14.56.040 Permit Required

14.56.050 Exemptions From Permit Requirement

14.56.060 Permits ~~Section~~Information

14.56.070 Permit — Application Procedures

14.56.080 Permit — Application Processing

14.56.090 Permit — Fees

14.56.100 Permit — Approval And Denial

14.56.110 Protest Zones

14.56.120 Permit — Liability Insurance And Indemnification

14.56.130 Appeal Procedures

14.56.140 Violation — Penalty

14.56.010 Purpose

The purpose of this chapter is to establish permit requirements for ~~special event~~Special Events ~~on town streets~~that impact the public's right to safely and conveniently use public roads, sidewalks, transportation systems, other town property, and ~~on~~United States quiet enjoyment of private property within the town ~~property~~.

The permit requirements and other regulations in this chapter are designed to balance the ~~public's first amendment~~public's right to exercise free speech on town streets and sidewalks and on town property with the public's right to safely and conveniently use ~~town~~streets and sidewalks and other town property ~~within the town boundary~~.

14.56.020 Application Of Provisions

This chapter imposes regulatory requirements on certain activities which ~~are held on town~~impact public streets and ~~and, roadways,~~ sidewalks and ~~on~~ town property, and which are defined a "~~special event~~Special Event." The requirements imposed by this chapter do not alter, supersede or nullify any requirements contained in other statutes, ordinances or regulations which may also regulate these same activities. These requirements shall be applied in a content-neutral manner and without discrimination as to age, disability, marital status, race, religion, sex, sexual orientation, national origin, political affiliation or other unlawful discriminatory classification.

14.56.030 Definitions

For the purpose of this chapter, the following words shall have the following meanings:

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“Athletic ~~E~~event" means an organized competitive or recreational event, including all commercial events, in which a group of fifty or more people collectively engages in a sport or form of physical exercise, including but not limited to running, jogging, walking, bicycling or skating, on any town street or sidewalk or upon town property.

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“Block ~~P~~party" means an outdoor public party put on by residents of a neighborhood that requires closing down ~~town~~streets, sidewalks or town property.

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"~~Town Street~~" means a public or private road or highway (as defined in Section 14.04.120 of this title) within the town, ~~not designated as a state highway, and not including a highway located within an incorporated city or town.~~

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"Entertainment ~~event~~Event" means an organized event, including all commercial events, involving the preplanned participation of more than fifty people, having as its primary purpose the entertainment, celebration, or amusement of a group of people, including but not limited to parades, carnivals, fairs, concerts, weddings, receptions, block parties; sub \sub; movie or television film eventsFilming Activities, or neighborhood gatherings, ~~on any town street or sidewalk in or upon town property.~~“

“Filming Activities” means the staging, shooting, filming, videotaping, photographing, or other similar processes.

"Nonpublic Fforum" means town property that is not designated or traditionally considered a place for public expression or speech. Examples of non-public forums include town offices and employee office space, backstage at a theater, or any other town property that is not designated or traditionally used for public expression or speech.

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"~~Political event~~Political Event" means an organized event involving the preplanned participation of more than fifty people, not including an athletic or ~~entertainment event~~Entertainment Event, having as its primary purpose the exercise of expressive activities of a political nature, including but not limited to speechmaking, picketing, protesting, marching, demonstrating or debating public issues, ~~on any town street or sidewalk or upon town property.~~

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"Protest Zzone" means an area set aside on town property specifically designated for persons to exercise free speech rights.

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"Public Fforum" means town roads, sidewalks, rights-of-way and town property that has by tradition been used by the public for assembly and expression, or town property that has not traditionally been open for public assembly and debate but that the town has opened for use by the public as a place for assembly and expression.

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"Sidewalk" means that area between the curb line and the fence line on either side of a town street and not including a highway located within an incorporated city or town:“

"Special Eevent" means any Athletic Event, Entertainment Event, Political Event, or other organized event whether held for profit, nonprofit or charitable purposes with more than 50 participants.

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"Spontaneous Eevent" means an event that is occasioned by news or affairs coming into public knowledge less than forty-eight hours prior to the event and is conducted at a public forum.

“Wedding” means a marriage ceremony, including the associated celebrations, receptions and anniversaries.

14.56.040 Permit Required

- A. It is unlawful for any person, corporation, partnership, association or other entity, public or private, to organize and hold a ~~special event~~Special Event without first obtaining a ~~special event~~Special Event permit and paying the fees as required in this chapter.

B. It is unlawful for any person, corporation, partnership, association or other entity, public or private, to impede access to, or cause the closure of, any street, roadway, or sidewalk in association with a ~~special event~~Special Event without first obtaining a ~~special event~~Special Event permit and paying the fees as required in this chapter. Liability under this chapter shall only apply to organizers and shall not extend to participants of a non-permitted event.

B-C. All permits issued pursuant to this chapter are nontransferable and expire on the date specified.

14.56.050 Exemptions From Permit Requirement

This chapter shall not apply to:

- A. Gatherings, demonstrations, or protests of fifty people or less who gather at a public forum to exercise their constitutionally protected rights under the First Amendment of the United States Constitution.
- B. A person, organizer or promoter using a town facility for ~~special event~~Special Events pursuant to a contract with the town. Such contracts shall be in standard form and used in accordance with the regular and normal business purposes of the town facility. Any person, organizer, or promoter using town facilities by contract shall abide by any limitations or requirements set by the municipality in which the town facility is located.
- C. Any meeting or event that is subject to the Utah Open Meetings Act.
- D. A spontaneous event held at a public forum. This chapter does apply to an event held at a nonpublic forum. Organizers of spontaneous events are encouraged to give as much advanced notice as reasonably possible to permit the town to provide services necessary to promote, protect, and assure the safety and convenience of the people in their use of town streets and sidewalks and of town property. Nothing in this subsection shall preclude the town from enforcing other laws, ordinances, or regulations adopted to provide for the health, safety, and welfare of the town and its citizens.

E. Events are exempt from this chapter so long as the event complies with all of the following:

1. The event will not involve more than 50 attendees; and
2. The event does not affect the public's right to safely and conveniently use public roads, sidewalks, transportation systems, and other town property; and
3. The event does not violate town or health department noise regulations; and
4. The organizer has obtained all other required approvals or permits with law enforcement, emergency medical service, the health department, and any County, State, or Federal agency with a regulatory interest in the event. Event organizers shall provide the town with a copy of all such approvals or permits as soon as reasonably possible.

14.56.060 Permits Section Information

- A. ~~The town~~Town staff shall be responsible for coordinating and overseeing the issuance of ~~special event~~Special Event permits, with the assistance of the local law enforcement, the health department, the engineering division, and any other town agency, division, or department with an interest in a ~~special event~~Special Events permit application.
- B. The ~~permits section~~town shall prepare and distribute checklists and informational materials for use by the public and others regarding the ~~special event~~Special Event permit process. These materials shall be designed to give adequate information regarding ~~special event~~Special Event permits, explain the permitting process, list those town agencies and offices involved in that process, and explain the circumstances in which each agency has a role in issuing a permit.
- C. The ~~permits section~~town shall assist members of the public with information to apply for and receive

~~special event~~ Special Event permits and shall be able to direct persons to those town agencies or employees who have a role in issuing a permit.

14.56.070 Permit - Application Procedures

- A. All applications for ~~special event~~ Special Event permits in the town shall be made on a ~~special event~~ Special Event permit application form and shall include the following information:
1. Type and description of event;
 2. Name of the sponsoring entity, contact person, mailing address, email address and direct telephone numbers for the contact person;
 3. Name of the promoting entity, contact person, address and direct telephone number/s;
 - ~~4. If the event requires a street closure or restriction, list the~~ proposed date/s, together with beginning and ending times and road closure times, ~~if any~~;
 - ~~5.4. Proposed location, including locations,~~ barricade plan (organizer must provide traffic cones/barricades), traffic detour plan, parking, and route map;
 - ~~6.5. Estimated numbers of event staff, security staff, participants and spectators;~~
 - ~~7.6. Admission fee, donation, or other consideration to be charged or requested;~~
 - ~~8.7. Signature of applicant; and~~
 - ~~8. If the event is a block-party, the applicant must collect and submit with the application form a list of signatures consenting to the street closure from all neighbors whose vehicular access to their property is affected by the street closure traffic detour and parking plan that will accommodate affected residents and emergency access.~~
 9. The organizer must obtain all other required approvals or permits with law enforcement, emergency medical service, the health department, and any County, State, or Federal agency with a regulatory interest in the event. Event organizers shall provide the town with a copy of all such approvals or permits as soon as reasonably possible.
- B. Special Event permit application forms may be obtained from the ~~permits section. Other town agencies, such as parks and recreation, library services, aging services, or other agencies that operate facilities in the town shall assist applicants and review applications for events involving their respective facilities.town.~~
- C. Applicants are ~~encouraged~~ required to submit application forms to the ~~permits section~~ Town Clerk at least ~~thirty-sixty~~ calendar days before the event is scheduled to take place, ~~but no later than twenty-one calendar days prior to the event~~, in order to allow sufficient time to process the application and to allow timely appeal in the event the application is denied. Applications submitted less than ~~twenty-onesixty~~ calendar days prior to the scheduled event may be denied unless the applicant demonstrates ~~to the director of the department of public works~~ that compliance with the ~~twenty-onesixty~~ day deadline was impractical or impossible due to the nature of the event. The town shall review applications filed less than ~~twenty-onesixty~~ days before the event. ~~The town shall~~ and may approve late applications if:
1. All other requirements have been met,
 2. The town has the ability to evaluate the application in the time provided by the applicant,
 3. The town has sufficient time to prepare for the event to ensure the safety and general welfare of participants and town citizens, and
 4. The application is not for an event (a) requiring restricting a length of public road ~~greater than~~

~~or equal to one mile~~; or (b) involving a group of more than ~~two hundred~~fifty people.

- D. Special ~~E~~vents that cross ~~or through the town, or that~~ involve multiple governmental jurisdictions, are subject to formal authorization from all relevant governing bodies. Applicants' approved authorization from all relevant governing bodies must be submitted with, or updated in, the organizer's Special Event Application.

14.56.080 Permit - Application Processing

- A. Upon receipt of a ~~special event~~Special Event permit application, the ~~permits section~~town shall circulate copies of the application to the following agencies for the purpose of obtaining their approval or denial of the proposed ~~special event~~Special Event:
1. ~~Salt Lake Valley~~ Health Department;
 2. Unified Police Department and other ~~local~~relevant law enforcement agencies;
 3. Unified Fire Authority and other relevant emergency medical services agencies;
 4. Utah Department of Transportation;
 5. Utah Transit Authority;
 6. United States Forest Service
 - 3-7. Town of Brighton public works department, engineering division, if the ~~special event~~Special Event requires the closure of streets or sidewalks; and
 - 4-8. Any other town, county, or state agency ~~or local fire authority~~ that ~~is to~~will provide a service in connection with the ~~special event~~Special Event.
- B. In reviewing an application, the agencies involved shall consider the following:
1. The impact of the ~~special event~~Special Event on the traffic, parking, security, health and safety of the public;
 2. A determination by the agency of appropriate and reasonable requirements for the mitigation of traffic, parking, security, health and safety concerns, and an evaluation of the measures proposed by the applicant to satisfy those requirements;
 - 2-3. Assessment of sound levels generated from the event and its impact on neighboring properties and other town occupants;
 - 3-4. The demonstrated ability of the applicant to comply with the requirements necessary to protect the safety, health and welfare of the public;
 - 4-5. The location and duration of the ~~special event~~Special Event and the town's ability to accommodate the event with the necessary resources; and
 - 5-6. Other previously approved ~~special event~~Special Events that could cause scheduling conflicts during the same period and cause overextension of the town's resources.
- C. The agencies involved in reviewing an application may impose additional requirements or conditions necessary to protect the public interest by ensuring traffic management, parking, security of property, or the health and safety of the public.
- ~~D. Upon receipt of an application for a special event~~Special Event ~~(a) requiring a length of road of at least one mile; and (b) involving a group of more than two hundred people, the permits section shall by letter notify each affected community council chairman of the proposed special event~~Special Event ~~and~~

~~include the following information:~~

- ~~1. Type and description of event;~~
- ~~2. Name of the sponsoring entity; and~~
- ~~3. Proposed date, together with beginning and ending times and road closure times, if any.~~

14.56.090 Permit - Fees

- A. Each initial application for a ~~special event~~Special Event permit shall be accompanied by a nonrefundable fee, set by the council, to defray the administrative costs of processing the application. The Special Event application fee amount is listed in the town's fee schedule. The town may waive, at its discretion, all or a portion of the fee for events that benefit the town and/or residents.
- B. In order to promote, protect and assure the safety and convenience of the people in their use of ~~town~~ streets, sidewalks and town property, local law enforcement shall coordinate the use of professional peace officers if the ~~special event~~Special Event requires traffic control, and an additional fee shall be charged by the local law enforcement to cover the costs incurred. The local law enforcement shall specify the fee required upon its approval of the ~~special event~~Special Event permit application, based upon the number of officers and amount of support equipment required by such factors as: The date and time of the event; the route location and length; the anticipated traffic and weather conditions; the anticipated number of participants and spectators; the nature, composition, format and configuration of the event; and the estimated time for the event. The fee charged for traffic control or additional police protection shall be paid prior to the issuing of the ~~special event~~Special Event permit.
- C. Additional fees may be charged by ~~the Salt Lake Valley health department, or town agencies~~ for special services, equipment or facilities ~~provided by these agencies~~. Such additional fees shall be specified at the time the agency approves the ~~special event~~Special Event permit application and shall be paid directly to the agency prior to the issuing of the ~~special event~~Special Event permit.
- C.D. The following ~~special event~~Special Events shall be exempt from the fees set forth in this section:
- ~~1. Political event~~Political Events;
 2. Parades of less than one mile in length;
 - ~~3. School events located on, or directly adjacent to, school property;~~
 3. Events sponsored in whole or in part by the town;
 4. Private non-commercial weddings;
 5. Block parties; and
 6. Revenue-raising events where the revenue flows to the direct benefit of the town ~~government~~.

14.56.100 Permit -Approval And Denial

- A. A ~~special event~~Special Event permit application shall be approved and a permit shall be issued to the applicant by the ~~permits section~~town upon approval by all affected departments and agencies, and compliance with the requirements of this chapter. The ~~permits section~~town shall notify all affected agencies of all ~~special event~~Special Event permits issued pursuant to this chapter.
- B. The ~~permits section~~town or other applicable agency may deny a permit application for a ~~special event~~Special Event if:
1. The proposed ~~special event~~Special Event violates a law, ordinance, policy and procedure, or

regulation related to the time, place or manner of the proposed ~~special-event~~Special Event;

2. The proposed ~~special-event~~Special Event is not consistent with the intended nature and use of the requested town property unless the applicant demonstrates that there is no alternative forum by which the applicant may reach the intended audience with the same intended message.
 3. The proposed ~~special-event~~Special Event is scheduled at a place and time that will disrupt the use of an already approved ~~special-event~~Special Event permit.
 4. The proposed ~~special-event~~Special Event does not provide for adequate adult supervision for minors scheduled to participate.
 5. The proposed location or facility is not adequate to accommodate the proposed ~~special-event~~Special Event, or the nature of the event is such that the town does not have sufficient resources available to ensure the health, safety, and welfare of ~~special-event~~Special Event participants or the general public.
 6. The application for permit contains a material falsehood or misrepresentation.
 7. The applicant is legally incompetent to contract, or to sue and be sued.
 8. The applicant has an unpaid debt to the town or any law enforcement agency or personnel for prior costs incurred during a prior ~~special-event~~Special Event and the applicant has failed to satisfy that debt.
- C. The ~~permits-section~~town or an affected agency may condition the issuance of a ~~special-event~~Special Events permit on the applicant satisfying conditions. For example, the ~~permits-section~~town may require that the applicant provide adequate bathroom facilities, security, or post a bond for clean up or other costs. Any conditions imposed on an applicant should be reasonable and necessary to ensure the health, safety, and welfare of event participants and town citizens.
- D. If the ~~permits-section~~town or other agency denies a permit application for a ~~special-event~~Special Event, it shall:
1. Specify in detail the basis for the denial by citing to the law, ordinance, policy and procedure, or regulation justifying the denial, and describe how the ~~special-event~~Special Event is not consistent with the cited provision; and
 2. Describe how the burden on free speech, if any, brought about by the denial is necessary to facilitate the town's interest in protecting the health, safety and welfare of town inhabitants.
- E. The ~~permits-section~~town, in consultation with other relevant offices or departments, in denying a permit application, may authorize a ~~special-event~~Special Event permit at a date, time, location, or route different from that requested by the applicant. An applicant shall notify the ~~permits-section~~town that it will accept an alternative permit within three days of receiving notice of the alternative permit, but no later than three days prior to the scheduled ~~special-event~~Special Event.
- F. The ~~permits-section~~town, in consultation with other relevant offices or departments, shall have the authority to revoke any permit upon violation of the conditions or standards for issuance. The ~~permits-section~~town may also revoke a permit in the event of a declaration of emergency.
- G. The local law enforcement may disperse a ~~special-event~~Special Event that is being conducted inconsistent with the conditions of a ~~special-event~~Special Event permit, or if the event is in-violation of any federal, state or local law.

14.56.110 Protest Zones

- A. The town is responsible to establish protest zones at town facilities, where appropriate.

1. The need, location and size of protest zones will be established upon consultation and with the approval of the mayor's and ~~district~~town attorney's ~~offices~~.
2. Protest zones will be established with due care to ensure safe entry to, exit from, and appropriate use of town facilities by patrons and the public.
3. Zones shall generally be located on town-owned property. Protest zones will not be placed in the public right-of-way and may not be placed on municipal or private property unless the owners consent to such use.

14.56.120 Permit - Liability Insurance And Indemnification

A. All Special Events and all commercial Special Events must obtain general liability and property damage coverage as specified in this chapter.

A.B. No ~~special event~~Special Event permit shall be issued unless and until the applicant has submitted to the ~~permits section~~town a certificate of insurance, listing ~~the~~ town as an additional insured, on an occurrence policy issued by an insurance company authorized to do business in the state, showing comprehensive general liability and property damage coverage for the event with minimum limits of: One million dollars for injury or death for one person in any one occurrence; two million dollars for injury or death for two or more persons in any one occurrence; and one million dollars for property damage in any one occurrence.

B.C. The following ~~special event~~Special Events shall be exempt from the insurance requirements set forth in this section:

1. ~~Political event~~Political Events;
2. Parade of less than one mile in length;
3. School events located on, or directly adjacent to, school property;
4. Events sponsored in whole by the town; and
5. Block parties.

C.D. In consideration for the issuing of a ~~special event~~Special Event permit and the use of town streets and sidewalks or town property, the applicant agrees to indemnify, ~~save~~hold harmless and defend the town, its officers and employees, against any claim for loss, damage or expense sustained by any person on account of injury, death or property damage occurring by reason of or arising out of the ~~special event~~Special Event.

14.56.130 Appeal Procedures

Any permit applicant desiring to appeal an administrative decision to deny an application for a ~~special event~~Special Event permit, or any decision to impose a condition on the issuance of a permit, may petition the ~~mayor~~Town Clerk within seven calendar days after the date the applicant received notice of the administrative denial or condition. After reviewing the petition appealing the denial and the written denial, the mayor shall, within two business days, issue a written decision. If an applicant submits an application within fourteen calendar days of the event, the town will utilize its best efforts to timely process the application and to resolve the appeal on an expedited basis ~~any appeals filed~~.

14.56.140 Violation - Penalty .

A violation of Section 14.56.040 shall be a class B misdemeanor or may be enforced under the Chapter 12.1 Administrative Code Enforcement. Failure to obtain a permit as required by this chapter may also result in

enforcement action by the town's local law ~~enforcements-office~~enforcement which may stop an event that has been issued a permit and/or may issue citations where event staff or participants violate other state statutes or town ordinances, including but not limited to traffic rules and regulations, disturbing the peace, public nuisance, failure to disperse, trespass, or other health and safety regulations.

STAFF REPORT

To: Town of Brighton Mayor and Town Council

From: Polly McLean, Cameron Platt

Date: July 9, 2022

Re: Special Event Ordinance Updates

During the Town Council meeting on June 14, 2022, the Council asked us to add in language specific to weddings and to examine how the U.S. Forest Service permits events with the resorts. Based on that discussion, the proposed Special Event Ordinance has been modified as listed.

Changes from June 14, 2022, Draft:

- Removed "normal operation of business" language from permit exemptions.
 - After more analysis, this language may be difficult to enforce and unnecessary with other revisions.
 - In its place, added a 50 person threshold to all events to trigger an application.
- Added definition for weddings.
- Added filming events to Entertainment Events.
- Added requirement to submit permit from neighboring agency to town. This accomplishes notice to the Town of events approved by other gov't agencies.
- Updated definition terms as capitalized throughout ordinance.
- Updated Block Party events to only require a traffic/parking plan rather than signatures of all affected residents.

Special Event Permit Requirements

Under the revised ordinance, a permit application is required for any Athletic Event (marathon, bike races), Entertainment Event (weddings and filming), Political Events and any event unless all the following are met:

1. The event involves fewer than 50 attendees;
2. The event does not affect the public's right to safely and conveniently use public roads, sidewalks, transportation systems, and other town property; and
3. The event does not violate town or health department noise regulations; and
4. The organizer has obtained all other required approvals or permits with law enforcement, emergency medical service, the health department, and any County, State, or Federal agency with a regulatory interest in the event. Event organizers shall provide the town with a copy of all such approvals or permits as soon as reasonably possible.

After Town staff review the application, the application will be either forwarded to additional Town departments for review/approval or advise the applicant no permit will be required or deny the permit. Below are examples of events and a cursory review of how the ordinance will apply.

Weddings And Related Events –

- If not a commercial event, fewer than 50 attendees, no traffic parking issues, no amplified noise or noise after 10:00PM then no permit will be required.
- If it is a commercial event, the organizer must either submit an application to the Town or submit an approved permit from the issuing agency. (i.e., USFS permit, UDOT etc.)
- These events must also comply with zoning, business licensing, and other Town and State code.

Marathons & Bike Races

- These events will need to apply to the Town if the event impacts Town streets (such as road closures, slowdowns etc).
- Even if the event does not affect Town streets, the event organizer must provide the Town with a copy of another agency's approved permit.

Resort Events

- If the Resorts have an approved permit from the U.S. Forest Service, they only need to provide a copy of the approved permit to the Town.
- The Resorts must still comply with noise times/levels

Miscellaneous Events

- Events not specifically covered under Athletic Events, Entertainment Events, or Political Events are exempt from applying so long as the event:
 - Has fewer than 50 attendees;
 - Does not impact streets, traffic, parking etc.;
 - Complies with noise ordinances; and
 - Has been issued a permit from another gov't agency and provides a copy of that permit to the Town.

Recommendation

Town staff recommend that the Council amend the Special Event Ordinance as indicated in the redline attachment.