

COTTONWOOD HEIGHTS

RESOLUTION No. 2019-71

A RESOLUTION APPROVING ENTRY INTO AMENDMENT No. 1 TO AN AMENDED AND RESTATED INTERLOCAL AGREEMENT WITH SALT LAKE COUNTY TRANSFERRING \$2.0 MILLION IN TRANSPORTATION FUNDS

WHEREAS, the Interlocal Cooperation Act, UTAH CODE ANN. §11-13-101 *et. seq.* (the “*Act*”), provides that any two or more public agencies may enter into agreements with one another for joint or cooperative action following the adoption of an appropriate resolution by the governing body of each participating public agency; and

WHEREAS, Salt Lake County (the “*County*”) and the city of Cottonwood Heights (the “*City*”) are public agencies for purposes of the Act; and

WHEREAS, during the 2017 General Session, the Utah Legislature enacted UTAH CODE ANN. 63B-27-102 as part of Senate Bill 277, pursuant to which the state issued general obligation bonds and provided \$47,000,000 of bond proceeds to the County for allocation to eligible transportation projects in the County (“*County Transportation Funds*”); and

WHEREAS, in or about June 2018, the County, desiring to use County Transportation Funds to further regional transportation by financing all or a portion of the costs of transportation projects throughout the County, and the City, desiring to be granted a portion of the County Transportation Funds to defray the cost of the City’s qualifying highway projects, entered into an amended and restated interlocal agreement (the “*Agreement*”) whereunder the County agreed to disburse to City \$2.0 Million of the County Transportation Funds in accordance with UTAH CODE ANN. 63B-27-102 and all other applicable federal, state and local laws, rules and regulations; and

WHEREAS, the City and the County now desire to amend the Agreement to modify the way project funding is allocated as set forth in a proposed amendment agreement (the “*Amendment*”) between the parties;

WHEREAS, the City’s municipal council (the “*Council*”) met in regular session on 19 November 2019 to consider, among other things, approving the City’s entry into the Amendment; and

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

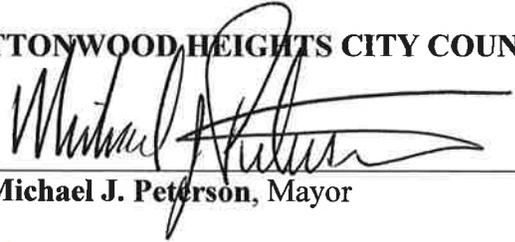
WHEREAS, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the citizens of the City to approve the City’s entry into the Amendment as proposed;

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

This Resolution, assigned no. 2019-71, shall take effect immediately upon passage.

PASSED AND APPROVED this 19th day of November 2019.

COTTONWOOD HEIGHTS CITY COUNCIL

By 
Michael J. Peterson, Mayor

ATTEST:


Paula Melgar, Recorder



VOTING:

Michael J. Peterson	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael L. Shelton	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
J. Scott Bracken	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Tali C. Bruce	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Christine Watson Mikell	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>

DEPOSITED in the office of the City Recorder this 19th day of November 2019.

RECORDED this 22 day of November 2019.

AMENDMENT NO. 1
of the
AMENDED AND RESTATED
INTERLOCAL COOPERATION AGREEMENT
between
SALT LAKE COUNTY
and
THE CITY OF COTTONWOOD HEIGHTS

This Amendment No. 1 between **SALT LAKE COUNTY**, a body corporate and politic of the State of Utah ("County") and **THE CITY OF COTTONWOOD HEIGHTS**, a municipal corporation of the State of Utah ("City"). The County and the City may each be referred to herein as a "Party" and collectively as the "Parties."

RECITALS:

- A. The Parties previously entered into an Agreement for the disbursement of transportation funding for authorized projects in the amount of One Million Nine Hundred Sixty Thousand Dollars and No Cents (\$1,960,000.00) (County Contract No. 0000001696, DA Log No. 17-09752) ("the Agreement");
- B. The Parties amended and restated this Agreement in June 2018 to change the disbursement amount to Two Million Dollars and No Cents (\$2,000,000.00)(the "Amended and Restated Agreement").
- C. The Parties now desire to amend the way the project funding is allocated as set forth in Exhibit A of this Amendment Number 1.

AGREEMENT:

NOW THEREFORE, in consideration of the mutual promises contained in this Agreement and in compliance with and pursuant to the provisions of the Interlocal Cooperation Act, the Amended and Restated Agreement described in the recitals above is amended as follows:

- 1. Exhibit A of the Amended and Restated Agreement is amended and replaced by Exhibit A of this Amendment Number 1 attached hereto and incorporated by reference to reflect the reallocation of transportation funding within the City.
- 2. All Parts, Paragraphs, Attachments and other provisions of the Amended and Restated Agreement and any prior amendments thereof not specifically modified by this amendment shall be the same and remain in full force and effect.

IN WITNESS WHEREOF, the Parties execute this Amendment on the dates shown below.

[Intentionally Left Blank – Signature Page Follows]

INTERLOCAL AGREEMENT - SIGNATURE PAGE FOR THE COUNTY

SALT LAKE COUNTY

By  _____

Dated: 10 / 28 / 2019

Reviewed by:

REGIONAL TRANSPORTATION
AND PLANNING

By  _____

Ryan Perry
Division Director

Dated: 10 / 24 / 2019

Approved as to Form and Legality:

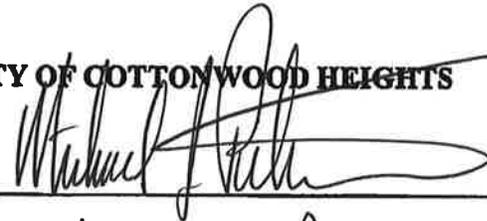
Jason S.
Rose

Digitally signed by
Jason S. Rose
Date: 2019.10.15
11:05:49 -06'00'

INTERLOCAL AGREEMENT – SIGNATURE PAGE FOR CITY

CITY OF COTTONWOOD HEIGHTS

By



Name: MICHAEL J. PETERSEN

Title: MAYOR

Dated: 11/19, 20 19

Attest:



PAULA MELGAN, City Recorder

Date signed: 11/19/2019



Approved as to Form and Legality:

CITY ATTORNEY

By



Name: Wm. Susan Tompkins

Dated: 11/19, 20 19

EXHIBIT A
SB 277 Funding – City of Cottonwood Heights

ATTACHMENT A

**Amendment 1 to the Amended and Restated Interlocal Cooperation
Agreement between Salt Lake County and the City of Cottonwood Heights**

SB 277 Funding - Cottonwood Heights

Project Name	Revision #1 6/1/2017	Revision #2 (April 2019)	Project Description
Fort Union Blvd Paving Project	\$ 540,000.00	\$ 540,000.00	Paving Project on Fort Union Blvd from 1300 East to 3000 East
Highland Drive Paving Project	\$ 650,000.00	\$ 622,963.55	Paving Project on Highland Drive from Bengal Blvd to Creek Road
2700 East Paving Project	\$ 450,000.00	\$ 478,615.69	Paving Project on 2700 East from Fort Union Boulevard to Bengal Blvd.
Fort Union / Highland Drive Project F-LC35 (202)	\$ 100,204.21	\$ 229,000.00	Highland Drive and Fort Union Blvd Intersection Project and I/215 WB Access Project on Highland Drive
Bengal Blvd Roundabout	\$ 192,795.79	\$ 23,370.20	Pre Engineering & Environmental Clearance Documents for Roundabout Project on Bengal Blvd and 2300/2325 East
2300 East Bike Lanes Project	\$ 67,000.00	\$ -	(removed)
Park Centre Drive Project	\$ -	\$ 106,050.56	Paving Project on Park Centre Drive from Fort Union Boulevard to 1300 East
	\$ 2,000,000	\$ 2,000,000.00	