COTTONWOOD HEIGHTS

RESOLUTION NO. 2020-28

A RESOLUTION APPROVING ENTRY INTO AN INTERLOCAL AGREEMENT WITH SALT LAKE COUNTY FOR PARTICIPATION AS CO-PERMITTEES UNDER UPDES PERMIT NO. UTS000001

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, the city of Cottonwood Heights ("*City*") and Salt Lake County ("*County*") are public agencies for purposes of the Interlocal Cooperation Act; and

WHEREAS, the Environmental Protection Agency has published its "Final Rule" setting forth the National Pollutant Discharge Elimination System permit application rules and regulations for stormwater discharges to municipal separate storm sewer systems; and

WHEREAS, the state of Utah, through its Department of Environmental Quality, Division of Water Quality, has authority to issue pollutant discharge elimination system permits with the state of Utah pursuant to the rules and regulations of the Utah Pollutant Discharge Elimination System ("*UPDES*"); and

WHEREAS, such rules and regulations provide that where more than one public entity owns or operates a municipal separate storm sewer system within a geographic area (including adjacent or interconnected municipal separate storm sewer systems), such operators may be co-applicants to the same application and permit renewal; and

WHEREAS, the state of Utah has issued a UPDES permit, Permit No. UTS000001 (the "*Permit*"), which expires at midnight on 25 February 2025, to the "Jordan Valley Municipalities," including County, City and other participating municipalities, as co-permittees; and

WHEREAS, County has proposed that City join with the County as co-permittees under the Permit, and has submitted to the City a proposed interlocal cooperation agreement (the "*Agreement*") for that purpose; and

WHEREAS, City's governing body (the "*Council*") met in regular session on 16 June 2020 to consider, among other things, approving City's entry into the Agreement; and

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

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

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

This Resolution, assigned no. 2020-28, shall take effect immediately upon passage.

PASSED AND APPROVED this 16th day of June 2020.

COTTONWOOD HEIGHTS CITY COUNCIL

By _____
Michael J. Peterson, Mayor

ATTEST:

_____
Paula Melgar, Recorder

COTTONWOOD HEIGHTS, UTAH 2005 CORPORATE SEAL

VOTING:

Michael J. Peterson	Yea ✓	Nay ___
Douglas Petersen	Yea ✓	Nay ___
J. Scott Bracken	Yea ✓	Nay ___
Tali C. Bruce	Yea ✓	Nay ___
Christine Watson Mikell	Yea absent	Nay ___

DEPOSITED in the office of the City Recorder this 16th day of June 2020.

RECORDED this 16 day of June 2020.