

COTTONWOOD HEIGHTS

RESOLUTION No. 2018-68

A RESOLUTION APPROVING AN AMENDMENT TO AN INTERLOCAL AGREEMENT WITH SALT LAKE COUNTY FOR TRCC FUNDING (MOUNTVIEW PARK)

WHEREAS, Salt Lake County (the “*County*”) receives funds (“*TRCC Funds*”) pursuant to the Tourism, Recreation, Cultural, Convention, and Airport Facilities Tax Act, UTAH CODE ANN. §§ 59-12-601 *et seq.* (the “*TRCC Act*”); and

WHEREAS, the TRCC Act provides that TRCC Funds may be used, among other things, for the development, operation, and maintenance of publicly owned or operated cultural facilities; and

WHEREAS, the city of Cottonwood Heights (the “*City*”) heretofore applied to County for a grant of TRCC Funds to (a) expand the restrooms at Mountview Park (the “*Park*”) to accommodate heavy summer use and make the restrooms usable during the winter when the tubing/sledding hill is a large attraction, and (b) install shade structures on one end of the splash pad and over the playground north of the splash pad; and

WHEREAS, the County appropriated TRCC Funds for such purpose as part of its 2018 budget; and

WHEREAS, the City and the County are “public agencies” for purposes of the Utah Interlocal Cooperation Act, UTAH CODE ANN. §§ 11-13-101 *et seq.* (the “*Cooperation Act*”), and are authorized by the Cooperation Act to act jointly and cooperatively on the basis of mutual advantage in order to provide facilities in a manner that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities; and

WHEREAS, the Cooperation Act also authorizes a public agency to share its tax and other revenues with other public agencies; and

WHEREAS, for that purpose, effective on or about 10 April 2018, the County and the City entered into an interlocal cooperation agreement (the “*Agreement*”) for the purpose of effecting the grant of \$105,000 in TRCC Funds to the City for use in upgrading the Park’s restrooms and splash pad, on the terms and conditions specified in the Agreement; and

WHEREAS, because that project was not completed during the 2018 building season, the County has proposed to extend the City’s deadline to expend such TRCC Funds for eight additional months (from 31 December 2018 to 1 September 2019) on the terms and conditions specified in the amendment agreement (the “*Amendment*”) that is attached as an exhibit to this Resolution; and

WHEREAS, the City’s city council (the “*Council*”) met in regular session on 13 November to consider, among other things, approving the City’s entry into the Amendment; and

WHEREAS, the Council has reviewed the form of the Amendment and, after careful consideration, 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 Cottonwood Heights that the Amendment is hereby 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. 2018-68, shall take effect immediately upon passage.

PASSED AND APPROVED this 13th day of November 2018.

ATTEST:

COTTONWOOD HEIGHTS CITY COUNCIL

By: 
Paula Melgar, Recorder



By: 
Michael J. Peterson, Mayor

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 type="checkbox"/>	Nay	<input type="checkbox"/> EXCUSE
Christine Watson Mikell	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>

DEPOSITED in the office of the City Recorder this 13th day of November 2018.

RECORDED this 13 day of November 2018.