

# COTTONWOOD HEIGHTS

## RESOLUTION No. 2018-72

### A RESOLUTION APPROVING ENTRY INTO AN INTERLOCAL AGREEMENT WITH CANYONS SCHOOL DISTRICT FOR CONSTRUCTION, USE AND MAINTENANCE OF A STORM WATER RETENTION POND ON THE BRIGHTON HIGH SCHOOL CAMPUS

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

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

**WHEREAS**, because storm water flowing off a public road abutting a playing field on District’s Brighton High School campus (the “*Campus*”) could damage that field, District has agreed to cause a retention pond and associated storm water improvements to be constructed on the Campus according to City’s specifications and City has agreed to reimburse District’s actual out-of-pocket costs to perform such work and to perpetually maintain those storm water improvements, all as provided in a proposed interlocal agreement between the parties (the “*Agreement*”); and

**WHEREAS**, the City’s municipal council (the “*Council*”) met in regular session on 27 November 2018 to consider, among other things, approving the City’s entry into the Agreement; and

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

**WHEREAS**, City’s city attorney has approved the form of the Agreement as required by UTAH CODE ANN. §11-13-202.5(3); and


**WHEREAS**, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of City’s residents 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 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. 2018-72, shall take effect immediately upon passage.

**PASSED AND APPROVED** this 27<sup>th</sup> day of November 2018.

**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 type="checkbox"/>	Nay <input checked="" type="checkbox"/> <i>excused</i>

**DEPOSITED** in the office of the City Recorder this 27<sup>th</sup> day of November 2018.

**RECORDED** this 27 day of November 2018.