

# COTTONWOOD HEIGHTS

## RESOLUTION No. 2019-19

### A RESOLUTION APPROVING ENTRY INTO AN INTERLOCAL AGREEMENT WITH SALT LAKE COUNTY TRANSFERRING \$1.5 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 2018 General Session, the Utah Legislature passed SB136, which amended UTAH CODE ANN. 59-12-2219 to provide for implementation of a .25% increase in the County Sales Tax under the Revenue and Taxation Code, UTAH CODE ANN. 58-12-101 *et seq.*, to be used by the County for allocation to eligible transportation projects in the County (“*County Transportation Funds*”); and

**WHEREAS**, the County desires to use County Transportation Funds to further regional transportation by financing all or a portion of the costs of transportation projects throughout the County in accordance with UTAH CODE ANN. 59-12-2219(11)(a)(ii) and all other applicable federal, state and local laws, rules and regulations; and

**WHEREAS**, the City desires to be granted a portion of the County Transportation Funds to defray the cost of the City’s qualifying transportation projects; and

**WHEREAS**, the City and the County desire to enter into an interlocal agreement (the “*Agreement*”) providing for the transfer of up to \$1.5 Million of County Transportation Funds to the City to reimburse the City for certain costs that are incurred by the City for survey to finalize the Bonneville Shoreline Trail (the “*BST*”) alignment, conceptual design of the BST, determination of public access points/connectivity of the BST to regional amenities and adjoining jurisdictions and, where feasible, construction activities for the BST and trailheads, all as consistent with the allowable uses for County Transportation Funds;

**WHEREAS**, the City’s municipal council (the “*Council*”) met in regular session on 2 April 2019 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**, 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 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 the City's mayor and recorder are authorized and directed to execute and deliver the Agreement on behalf of the City.

This Resolution, assigned no. 2019-19, shall take effect immediately upon passage.

**PASSED AND APPROVED** this 2<sup>nd</sup> day of April 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	<input checked="" type="checkbox"/>	Yea	<input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Tali C. Bruce	<input checked="" type="checkbox"/>	Yea	<input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Christine Watson Mikell	Yea	<input type="checkbox"/>	Nay	<input type="checkbox"/> <i>excused</i>

**DEPOSITED** in the office of the City Recorder this 2<sup>nd</sup> day of April 2019.

**RECORDED** this 2<sup>nd</sup> day of April 2019.