

**SALT LAKE COUNTY, UTAH**

RESOLUTION NO. \_\_\_\_\_, 2020

**A RESOLUTION OF THE COUNTY COUNCIL OF SALT LAKE COUNTY  
APPROVING AND AUTHORIZING EXECUTION OF AN AMENDMENT  
TO THE INTERLOCAL COOPERATION AGREEMENT BETWEEN  
SALT LAKE COUNTY AND RIVERTON CITY FOR A CONTRIBUTION  
OF TRCC FUNDS TO FUND IMPROVEMENTS TO CITY'S FISH POND**

**RECITALS**

A. Salt Lake County (the “County”) and Riverton City (the “City”) are “public agencies” as defined by the Utah Interlocal Cooperation Act, Utah Code Ann. §§ 11-13-101 et seq. (the “Cooperation Act”), and, as such, are authorized by the Cooperation Act to enter into this Agreement 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.

B. 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”). The TRCC Act provides that TRCC Funds may be used, among other things, for the development, operation, and maintenance of publicly owned or operated recreation, cultural, or convention facilities.

C. In 2018, the City requested TRCC Funds from the County to help it fund the project described in its TRCC Application. More specifically, the City requested TRCC Funds to fund improvements to the City’s fish pond (the “Project”). The County Council appropriated TRCC Funds for this purpose in the 2019 Salt Lake County Budget.

D. The City and the County now desire to amend the Interlocal Cooperation Agreement as attached hereto **ATTACHMENT A** (the “Interlocal Agreement”) to extend the City’s deadline to expend the TRCC Funds provided to the City under the Agreement from October 31, 2019 to December 31, 2020, to extend the deadline to request an extension of time request reimbursement to November 16, 2020, to extend the deadline to spend matching funds to December 31, 2020, and to add an additional reporting requirement of December 31, 2020.

E. The County Council believes that its contribution and assistance under the Agreement will contribute to the prosperity, moral well-being, peace and comfort of Salt Lake County residents.

**RESOLUTION**

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the County Council of Salt Lake County:

1. That the First Amendment to the Interlocal Agreement between Salt Lake County and Riverton City is approved, in substantially the form attached hereto as **ATTACHMENT A**, and that the Salt Lake County Mayor is authorized to execute the same.
2. That the Interlocal Agreement will become effective as stated in the Interlocal Agreement.

**APPROVED AND ADOPTED** in Salt Lake City, Salt Lake County, Utah, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Max Burdick, Chairperson

ATTEST:

\_\_\_\_\_  
Sherrie Swensen  
Salt Lake County Clerk

Voting:

Council Member Bradley	_____
Council Member Bradshaw	_____
Council Member Burdick	_____
Council Member DeBry	_____
Council Member Ghorbani	_____
Council Member Granato	_____
Council Member Jensen	_____
Council Member Newton	_____
Council Member Snelgrove	_____

APPROVED AS TO FORM:

*Dianna R. Orcutt*  
\_\_\_\_\_  
Deputy District Attorney

**ATTACHMENT A**  
First Amendment to the Interlocal Cooperation Agreement  
between Salt Lake County and Riverton City

**AMENDMENT NO. 1**  
*to the*  
**INTERLOCAL COOPERATION AGREEMENT**  
*between*  
**SALT LAKE COUNTY**  
**for its Department of Community Services and**  
**RIVERTON CITY**

**THIS AMENDMENT NO. 1** (“Amendment”) is made and entered into by and between **SALT LAKE COUNTY**, a body corporate and politic of the State of Utah, for and on behalf of its Department of Community Services (“County”) and **RIVERTON CITY**, a municipal corporation of the State of Utah (“City”). County and City may each be referred to herein as a “Party” and collectively as the “Parties.”

**RECITALS**

A. The County and the City entered into an agreement in 2019 (the “Agreement”), which Agreement is identified as Salt Lake County Contract No. 0000002228, to fund improvements to the City’s fish pond.

B. The Parties desire to extend the City’s deadline to expend the TRCC Funds provided to the City under the Agreement from October 31, 2019 to December 31, 2020, to extend the deadline to request an extension of time to request reimbursement to November 16, 2020, to extend the City’s deadline to spend matching funds to December 31, 2020, and to add an additional reporting requirement of December 31, 2020.

NOW, THEREFORE, in consideration of the foregoing, the City and the County hereby agree as follows:

1. Amendment to Paragraph 1. Section 1A of the Agreement, entitled “Contribution of TRCC Funds”, is hereby amended and restated in its entirety as follows:

Contribution of TRCC Funds. The County agrees to reimburse up to one hundred thousand (\$100,000.00) dollars to the Recipient from its TRCC Funds— all on the terms and subject to the conditions of this Agreement.

2. Amendment to Paragraph 2. Sections 2C, 2E, and 2F of the Agreement, entitled “Match Requirement,” “Deadline to Request Reimbursement of TRCC Funds,” and “Reporting Requirements” are hereby amended and restated in their entirety as follows:

Match Requirement. If the City’s TRCC Application attached hereto as **EXHIBIT A** indicates that the City will make a matching contribution toward the purpose for which

TRCC Funds will be used by the City under this Agreement, the City shall make the matching contribution so indicated in the amount specified in the City's TRCC Application. If the City fails to make and expend such a matching contribution prior to December 31, 2020, the County may require repayment of TRCC Funds from the City for noncompliance with this provision.

Deadline to Request Reimbursement of TRCC Funds. City will make all requests for reimbursement under this Agreement no later than **December 31, 2020**. If City anticipates being unable to use the TRCC Funds before the December 31, 2020 deadline, City may make a request for an extension of time, no later than November 16, 2020. Requests for extension of time must be made in writing and directed to the County Community Services Department. The County shall, in its sole and absolute discretion, determine whether to grant the Recipient's request for extension.

Reporting Requirements. The City shall submit to the County one copy of the Disbursement of Funds Report, attached hereto as **EXHIBIT C**, detailing how the TRCC Funds were expended, no later than December 31, 2019, and a second, updated Disbursement of Funds Report, no later than December 31, 2020.

3. Effective Date. This Amendment will become effective immediately upon execution of this Amendment by a duly authorized official of each of the Parties.

4. All Other Terms Remain in Effect. Except as specifically modified and amended by the terms of this Amendment, the terms and provisions of the Agreement shall continue in full force and effect. In the event of any conflict or inconsistency between the provisions of the Agreement and this Amendment, the provisions of this Amendment shall control and govern. If this Amendment is executed more recently than the expiration of the period of performance stated in the underlying Agreement or a prior amendment, then this Amendment shall relate back to and be effective from the last day of the previous period of performance.

5. Counterparts. This Amendment may be executed in several counterparts and all so executed shall constitute one agreement binding on all the Parties, notwithstanding that each of the Parties are not signatory to the original or the same counterpart. Further, executed copies of this Amendment delivered by facsimile or email shall be deemed an original signed copy of this Amendment.

Each Party hereby signs this First Amendment on the date written by each Party on the signature pages attached hereto.

*[The balance of this page was left blank intentionally – Signature pages follow]*

**AMENDMENT NO. 1 -- SIGNATURE PAGE FOR COUNTY**

**SALT LAKE COUNTY:**

By \_\_\_\_\_  
Mayor or Designee

Dated: \_\_\_\_\_, 20\_\_

*Approved by:*

DEPARTMENT OF COMMUNITY SERVICES

By \_\_\_\_\_  
Holly Yocom  
Department Director

Dated: \_\_\_\_\_, \_\_\_\_\_

*Approved as to Form and Legality:*

SALT LAKE COUNTY DISTRICT ATTORNEY

By Dianna R. Orcutt  
Deputy District Attorney

*[Signatures continue on next page.]*

AMENDMENT NO. 1 -- SIGNATURE PAGE FOR CITY

RIVERTON CITY

By 

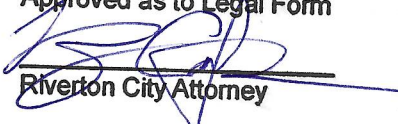
Name: Trent Staags

Title: Mayor

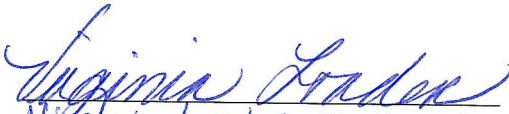
Dated: August 25, 2020

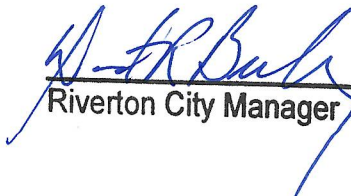


Approved as to Legal Form

  
Riverton City Attorney

Attest:

  
Virginia Loader, City Recorder  
Date signed: 8-25-20

  
Riverton City Manager