

CONTRACT SUMMARY PAGE (INTERNAL USE)

<b>Contract Number:</b> 0000001760 <b>Version:</b> 2 <b>Desc:</b> ORD FirstClassHighwayProjects
<b>Supplier Name:</b> MILLCREEK CITY
<b>Comments:</b> ORD- Interlocal - First Class Highway Fund; County to transfer \$90,000.00 from the County Transportation Funds to Millcreek City to reimburse the City for certain costs incurred during multiple improvement projects according to Exhibit A, in accordance with allowable uses for County Transportation Funds described in Subsection 72-2-121(4)(g) of the Transportation Code. Term to the earlier of (i) the date the City has been disbursed, in aggregate, the Maximum Reimbursable Amount, (ii) the date the agreement is terminated, or (iii) 06/30/2019.// <b>Amendment #1</b> extend term to (i) the date the City has been disbursed, in aggregate, the Maximum Reimbursable Amount, (ii) the date the agreement is terminated, or (iii) 12/31/2019.
<b>Contract Amount:</b> \$90,000.00
<b>Agency Name:</b> Rgnl Trans, Housng & Econ Dev
<b>Period Performance from</b> 1/25/2018 to 12/31/2019
<b>Procurement Type:</b> EXI Exempt Interlocal <b>Reason Code:</b> AMENDMENT
<b>Buyer:</b> TMarquez

**MILLCREEK, UTAH**  
**RESOLUTION NO. 19-29**

**A RESOLUTION APPROVING AMENDMENT NO. 1 TO INTERLOCAL  
COOPERATIVE AGREEMENT BETWEEN SALT LAKE COUNTY AND MILLCREEK  
WITH RESPECT TO TRANSFER OF COUNTY TRANSPORTATION FUNDS TO  
MILLCREEK FOR HIGHWAY CONSTRUCTION, RECONSTRUCTION, OR  
MAINTENANCE PROJECTS**

**WHEREAS**, the Millcreek Council ("Council") met in regular session on August 26, 2019, to consider, among other things, approving Amendment No. 1 to Interlocal Cooperative Agreement with Salt Lake County ("County") with respect to transfer of County transportation funds to Millcreek for highway construction, reconstruction, or maintenance projects; and

**WHEREAS**, pursuant to Utah Code Ann. § 41-1a-1222 the County imposed a local option highway construction and transportation corridor preservation fee on each motor vehicle registered in the County; and

**WHEREAS**, fifty percent of the revenue generated from the referenced fee is deposited in the County of the First Class Highway Project Fund pursuant to Utah Code Ann. § 72-2-121, together with other deposits therein; and

**WHEREAS**, during the 2013 General Session, the Utah legislature amended Utah Code Ann. § 72-2-121 to provide that a portion of the revenue in the County of the First Class Highway Project Fund be transferred to the legislative of Salt Lake County to be used for certain transportation purposes ("County Transportation Funds"); and

**WHEREAS**, Millcreek and the County entered into an interlocal cooperative agreement ("Original Agreement") to provide for the transfer of County Transportation Funds to Millcreek in accordance with Utah Code Ann. §72-2-121; and

**WHEREAS**, Millcreek and the County desire to amend the Original Agreement a copy of which is attached hereto ("Amended Agreement"); and

**WHEREAS**, the Council finds that it is in the best interests of the inhabitants of Millcreek to amend the Original Agreement; and

**WHEREAS**, the Amended Agreement has been prepared for approval, which sets forth the purpose thereof, the extent of participation of the parties, and the rights and duties and responsibilities of the parties.

**NOW, THEREFORE, BE IT RESOLVED** that the Amended Agreement is approved, and the Mayor and Recorder are hereby authorized and directed to execute and deliver the same.

This Resolution, assigned No. 19-29, shall take effect immediately upon passage and acceptance as provided herein.

**PASSED AND APPROVED** by the Council this 26<sup>th</sup> day of August, 2019.



MILLCREEK

*Jeff Silvestrini*  
\_\_\_\_\_  
Jeff Silvestrini, Mayor

Attest:

*Elyse Greiner*  
\_\_\_\_\_  
Elyse Greiner, City Recorder

Roll Call Vote:

Silvestrini	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Marchant	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Jackson	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Catten	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Uipi	<input checked="" type="radio"/> Yes	<input type="radio"/> No

**AMENDMENT NO. 1**  
**of the**  
**INTERLOCAL COOPERATION AGREEMENT**  
*between*  
**SALT LAKE COUNTY**  
*and*  
**MILLCREEK CITY**

This Amendment No. 1 between **SALT LAKE COUNTY**, a body corporate and politic of the State of Utah ("County") and **MILLCREEK CITY**, a municipal corporation of the State of Utah ("City"). The County and the City may each be referred to herein as a "Party" and collectively as the "Parties."

**RECITALS:**

- A. The Parties previously entered into an Agreement for the transfer of funding to be used for regional transportation under the First Class Highway Projects Fund (County Contract No. 0000001760, DA Log No. 17-10059) ("the Agreement");
- B. The Parties desire to amend the Agreement to extend the term to December 31, 2019 and provide for additional extensions.

**AGREEMENT:**

**NOW THEREFORE**, in consideration of the mutual promises contained in this Agreement and in compliance with and pursuant to the provisions of the Interlocal Cooperation Act, the Parties hereby agree that section 1.1, paragraph (k) is amended as follows:

1. **Reimbursement Term:** The reimbursement term is amended to terminate on the earliest of the following: (i) the date the City has been disbursed, in aggregate, the Maximum Reimbursable Amount, (ii) the date the agreement is terminated by either Party, or (iii) December 31, 2019.
2. All Parts, Paragraphs, Attachments and other provisions of the Agreement and any prior amendments thereof not specifically modified by this amendment shall be the same and remain in full force and effect.

**IN WITNESS WHEREOF**, the Parties execute this Amendment on the dates shown below.

*[Intentionally Left Blank – Signature Page Follows]*

**INTERLOCAL AGREEMENT - SIGNATURE PAGE FOR THE COUNTY**


SALT LAKE COUNTY

By  \_\_\_\_\_

Dated: 9/3/, 2019

*Reviewed by:*

REGIONAL TRANSPORTATION  
AND PLANNING

By  \_\_\_\_\_

Wilf Sommerkorn

Director

Dated: 7-2, 2019

*Approved as to Form and Legality:*

Jason Rose

Digitally signed by Jason  
Rose  
Date: 2019.07.01 10:30:28  
-06'00'

INTERLOCAL AGREEMENT – SIGNATURE PAGE FOR CITY

MILLCREEK CITY

By 

Name: Jeff Silvestrini

Title: Mayor

Dated: August 26, 2019

Attest:




Elyse Greiner, City Recorder

Date signed: 8/26/19

*Approved as to Form and Legality:*

CITY ATTORNEY

By 

Name: John Brews

Dated: Aug 26, 2019