

**AMENDMENT 2
TO
INTERLOCAL COOPERATION AGREEMENT
(UTAH PERFORMING ARTS CENTER)**

THIS AMENDMENT TO OWNERSHIP AGREEMENT (“**Amendment**”) dated _____, 2023 (“**Effective Date**”), by and among Salt Lake City Corporation, a Utah municipal corporation (“City”), the Redevelopment Agency of Salt Lake City, a public agency (“RDA”), and Salt Lake County, a body corporate and politic and a political subdivision of the State of Utah (“County”). County, City, and RDA are each referred to individually as a “Member” or a “Party” and, collectively, as the “Members” or the “Parties”.

R E C I T A L S

A. The Parties executed that certain Interlocal Agreement (“**Agreement**”), with an effective date of October 30, 2013, which Agreement is identified as Salt Lake County Contract No. SG13517C, and sets forth certain requirements for the formation of an interlocal entity called Utah Performing Arts Center Agency (“**UPACA**”) which would facilitate the construction and ownership of the George S. and Dolores Doré Eccles Theater, formerly known as the Utah Performing Arts Center (“**Theater**”), beginning on October 30, 2013 and ending on December 31, 2041.

B. When the Agreement was executed, the Parties agreed UPACA will maintain a Capital Reserve Account. The parties now wish to increase the annual contribution to the Capital Reserve Account.

C. Pursuant to Section 15. (f) of the Agreement, the Parties now wish to amend the Agreement to revise the Agreement to more reflect the Parties wishes.

AGREEMENT

THEREFORE, for good and valuable consideration, the Parties agree as follows:

1. The Parties agree 9. (n)(ii). of the Ownership Agreement will be amended to include the following:

Beginning January 1, 2023, in the event that during any prior Fiscal Year, Net Operating Income was not sufficient to fund the full One Million Dollars (\$1,000,000) to the Capital Reserve Account, then the shortfall will be tracked on a cumulative basis and be referred to as the “Capital Reserve Account Operational Funding Deficit”. Up to the amount of any Capital Reserve Account Operational Funding Deficit will be distributed to the Capital Reserve Account for the purpose of reducing or eliminating such deficit.

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.

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, the Members have executed this Interlocal Cooperation Agreement to be effective as of the Effective Date.


SALT LAKE CITY CORPORATION, a Utah municipal corporation

By: _____
Mayor or Designee

ATTEST:

_____, City Recorder

Approved as to legal form:


Katherine Lewis (Jan 17, 2023 14:24 MST)

Katherine Lewis, City Attorney

Salt Lake City, by resolution duly adopted by its City Council, a copy of which is attached hereto, caused this Agreement to be signed by its Mayor and attested by its City Recorder.

IN WITNESS WHEREOF, the Members have executed this Interlocal Cooperation Agreement to be effective as of the Effective Date.


REDEVELOPMENT AGENCY OF
SALT LAKE CITY, a public agency

By: _____
Name: _____
Its: Executive Director

ATTEST:

_____, City Recorder

Approved as to legal form for RDA:


Allison Parks (Jan 11, 2025 16:38 MST)

Allison Parks _____, Senior City Attorney

RDA, by resolution duly adopted by its Board, a copy of which is attached hereto, caused this Agreement to be signed by its Chief Administrative Officer and its Executive Director, and approved as to legal form by its legal counsel.

IN WITNESS WHEREOF, the Members have executed this Interlocal Cooperation Agreement to be effective as of the Effective Date.

SALT LAKE COUNTY, a body corporate and politic of the state of Utah

By: _____

Its: _____

Print Name: _____

Reviewed as to Form and Legality

Craig J.

Wangsgard

 Digitally signed by Craig J. Wangsgard
Date: 2023.01.11 08:13:59 -07'00'

Deputy District Attorney

County, by resolution of its County Council, a copy of which is attached hereto, caused this Agreement to be signed by the Mayor, or her designee.