

SALT LAKE COUNTY, UTAH

RESOLUTION NO. _____, 2018

A RESOLUTION OF THE COUNTY COUNCIL OF SALT LAKE COUNTY APPROVING AND AUTHORIZING EXECUTION OF AMENDMENT NO. 2 TO THE INTERLOCAL COOPERATION AGREEMENT BETWEEN SALT LAKE COUNTY AND COTTONWOOD HEIGHTS COMMUNITY DEVELOPMENT AND RENEWAL AGENCY AND DATED NOVEMBER 8, 2011 RELATING TO THE COUNTY'S CONTRIBUTION OF TAX INCREMENT WITH RESPECT TO THE CANYON CENTRE COMMUNITY DEVELOPMENT PROJECT AREA

W I T N E S S E T H

A. Salt Lake County (the "County") and the Cottonwood Heights Community Development and Renewal Agency ("Agency") are "public agencies" as defined by the Utah Interlocal Cooperation Act, Utah Code Ann. §§ 11-13-101 *et seq.* (the "Interlocal Act"), and, as such, are authorized by the Interlocal Act to enter into this Agreement to act jointly and cooperatively in a manner that will enable them to make the most efficient use of their resources and powers. Additionally, Section 11-13-215 of the Interlocal Act also authorizes a taxing entity to share its tax and other revenues with other public agencies.

B. The County is a county existing pursuant to Article XI, Section 1 of the Utah Constitution. The Agency is a community reinvestment agency (formerly known as, among other things, a redevelopment agency or community development and renewal agency) created and existing under the Limited Purpose Local Government Entities – Community Reinvestment Agency Act, Utah Code Ann. §§ 17C-1-101 *et seq.*, (the "Act") or under previous law. The Agency is authorized under the Act to conduct urban renewal, economic development, community development, and community reinvestment activities within City of Cottonwood Heights, Utah.

C. The Act authorizes funding of community development project areas and plans—such as the Project Area and the Proposed Amended Project Area Plan—with property tax increment pursuant to interlocal cooperation agreements with various taxing entities that levy property taxes in a project area. Specifically, Section 17C-4-201 of the Act authorizes a taxing entity to "consent to the agency receiving the taxing entity's tax increment . . . for the purpose of providing money to carry out a proposed or adopted community development project area plan."

D. The Agency established the Canyon Centre Community Development Project Area (the "Project Area") in 2011. The County and the Agency entered into an Interlocal Cooperation Agreement dated November 8, 2011 (the "CDA Interlocal Agreement") wherein the County consented that the Agency receive certain tax increment from the Project Area attributable to the County's tax levy in accordance with the terms of the CDA Interlocal

Agreement in order to carry out the Canyon Centre Community Development Project Area Plan.

E. WHEREAS, on March 31, 2018, the Parties amended the Agreement to make updates to the Project Area Budget and Project Area Plan; and

F. The Parties now desire to amend the terms of the CDA Interlocal Agreement as set forth in Amendment No. 2 to the CDA Interlocal Agreement attached hereto as **ATTACHMENT A** (the “Amendment”)

R E S O L U T I O N

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

1. That the Amendment to the CDA Interlocal Agreement between Salt Lake County and Cottonwood Heights Community Development and Renewal Agency is approved, in substantially the form attached hereto as **ATTACHMENT A**, and that the Salt Lake County Mayor is authorized to execute the same; and
2. That the Amendment will become effective as stated in the Amendment.

[The balance of this page was intentionally left blank – Signature page follows]

APPROVED AND ADOPTED in Salt Lake City, Salt Lake County, Utah, this _____
day of _____, 2018.

Aimee Winder-Newton, Chairperson

ATTEST:

Sherrie Swensen
Salt Lake County Clerk

Voting:

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

APPROVED AS TO FORM:

/s/ Dianne R. Orcutt
Deputy District Attorney

ATTACHMENT A

Amendment 2 to Interlocal Agreement between Salt Lake County and Cottonwood Heights
Community Development and Renewal Agency