

COTTONWOOD HEIGHTS

RESOLUTION NO. 2013-54

A RESOLUTION APPROVING ENTRY INTO AMENDMENT NO. 1 TO AN INTERLOCAL AGREEMENT WITH SALT LAKE COUNTY FOR PUBLIC WORKS-RELATED MATERIALS AND SERVICES

WHEREAS, the Interlocal Cooperation Act, *Utah Code Ann.* §11-13-101 *et seq.*, 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, on 22 October 2013, pursuant to its Resolution No. 2013-46, the city council (the “*Council*”) of the city of Cottonwood Heights (“*City*”) approved City’s entry into an interlocal agreement (the “*Agreement*”) with Salt Lake County (“*County*”) whereunder County would provide to City certain public works-related materials and services upon City’s request; and

WHEREAS, City and County subsequently proposed an amendment (the “*Amendment*”) to the Agreement whereby, *inter alia*, County also would provide fabrication and maintenance of street and regulatory signs, and maintenance of school zone signs and lights, at City’s request; and

WHEREAS, the city council (the “*Council*”) of the city of Cottonwood Heights (“*City*”) met in regular session on 17 December 2013 to consider, among other things, approving City’s entry into the Amendment; and

WHEREAS, the Council has reviewed the form of the Amendment, a photocopy of which is annexed hereto; and

WHEREAS, City’s city attorney has approved the form of the Amendment as required by *Utah Code Ann.* §11-13-202.5(3); and

WHEREAS, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of City’s residents to approve City’s entry into the Amendment as proposed in order to make efficient use of City’s resources;

NOW, THEREFORE, BE IT RESOLVED by the city council of Cottonwood Heights that the attached Amendment with County is hereby approved, and that City’s mayor and recorder are authorized and directed to execute and deliver the Amendment on City’s behalf.

This Resolution, assigned no. 2013-54, shall take effect immediately upon passage.

PASSED AND APPROVED this 17th day of December 2013.

COTTONWOOD HEIGHTS CITY COUNCIL

ATTEST:

By: _____
Kory Solorio, Recorder

By _____
Kelvyn H. Cullimore, Jr., Mayor

VOTING:

Kelvyn H. Cullimore, Jr.	Yea	___	Nay	___
Michael L. Shelton	Yea	___	Nay	___
J. Scott Bracken	Yea	___	Nay	___
Michael J. Peterson	Yea	___	Nay	___
Tee W. Tyler	Yea	___	Nay	___

DEPOSITED in the office of the City Recorder this 17th day of December 2013.

RECORDED this ___ day of December 2013.

610543.1

COTTONWOOD HEIGHTS

RESOLUTION NO. 2013-53

A RESOLUTION APPROVING AN AMENDMENT TO A PREVIOUSLY ADOPTED AMENDED AND RESTATED INTERLOCAL AGREEMENT FOR THE VALLEY EMERGENCY COMMUNICATIONS CENTER (VECC)

WHEREAS, UTAH CODE ANN. §11-13-101, *et seq.* (the “*Interlocal Cooperation 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, in June 1988, an interlocal agreement (the “*Original Agreement*”) between certain public agencies created the Salt Lake Valley Emergency Communications Center (“*VECC*”); and

WHEREAS, the city of Cottonwood Heights (the “*City*”) was incorporated on 14 January 2005 and became a member of VECC in November 2006; and

WHEREAS, in approximately September 2013, VECC’s Board of Trustees formulated a proposed amendment and restatement (the “*Restatement*”) of the Original Agreement and submitted the same to VECC’s members for approval; and

WHEREAS, the city council (the “*Council*”) of the City approved and adopted the Restatement on 8 October 2013 pursuant to its Resolution No. 2013-44; and

WHEREAS, VECC’s Board of Trustees subsequently formulated a proposed amendment (the “*Amendment*”) to the Restatement and submitted the same to VECC’s members for approval; and

WHEREAS, the city council (the “*Council*”) of the City met in regular session on 17 December 2013 to consider, among other things, approving the City’s entry into the Amendment; and

WHEREAS, the Council has reviewed the form of the Amendment, which amends paragraph 9(d) of the Restatement by adding the verbiage that is shown below in **underlined bolded type**:

*(d) Decisions, Quorum. A Quorum shall be required for the transaction of all business of the Board of Trustees, and shall consist of a majority of the total number of Member representatives, and that majority must represent a majority of the weighted voting rights represented on the Board of Trustees. Most decisions shall require a vote of a majority of the total weighted votes present. Any vote to approve a budget increase over the last approved budget by more than 2% **or any vote to approve an expenditure of money in excess of \$500,000** shall require a*

supermajority vote of 2/3 of all the Member representatives and 2/3 of all the weighted votes. Supermajority voting may also be required if expressly elsewhere so provided by this Agreement, applicable law, the Bylaws, or the rules or policies of the Board of Trustees; provided that a bylaw, policy or rule providing for supermajority voting on a matter must be approved by the same supermajority vote.

WHEREAS, the city attorney of the City has approved the form of the Amendment as required by *Utah Code Ann.* §11-13-202.5(3); and

WHEREAS, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the City's residents to approve the City's entry into the Amendment as proposed;

NOW, THEREFORE, BE IT RESOLVED by the city council of the Cottonwood Heights that the attached Amendment is hereby approved, and that the City's mayor and recorder are authorized and directed to execute and deliver the Amendment on behalf of the City.

This Resolution, assigned no. 2013-53, shall take effect immediately upon passage.

PASSED AND APPROVED this 17th day of December 2013.

COTTONWOOD HEIGHTS CITY COUNCIL

ATTEST:

By _____
Kelvyn H. Cullimore, Jr., Mayor

By: _____
Kory Solorio, Recorder

VOTING:

Kelvyn H. Cullimore, Jr.	Yea	___	Nay	___
Michael L. Shelton	Yea	___	Nay	___
J. Scott Bracken	Yea	___	Nay	___
Michael J. Peterson	Yea	___	Nay	___
Tee W. Tyler	Yea	___	Nay	___

DEPOSITED in the office of the City Recorder this 17th day of December 2013.

RECORDED this ___ day of December 2013.

610529.1