

MIDVALE CITY, UTAH

RESOLUTION NO. 2017-R-24

**A RESOLUTION OF THE CITY COUNCIL OF MIDVALE CITY, UTAH,
ADOPTING THE THIRD AMENDMENT TO THE COOPERATIVE
AGREEMENT BY PUBLIC AGENCIES TO CREATE A NEW ENTITY,
TO CONSOLIDATE LAW ENFORCEMENT SERVICE, AND PROVIDE
RULES OF GOVERNANCE**

WHEREAS, Midvale City entered the cooperative agreement in 2011 with the entities that had created the Unified Police Department (UPD) for providing law enforcement services; and

WHEREAS, when the initial member agencies formed the UPD they understood that other municipalities and governmental entities may want to join in the future; and

WHEREAS, Millcreek City and the Townships of Kearns, Magna, Copperton, White City and Emigration Canyon desire to join the UPD as a full member under the terms and conditions of the UPD Formation Interlocal Agreement; and

WHEREAS, the UPD Governing Board in their April 2017 Board Meeting approved the Third Amendment of the Cooperative Agreement to include the city and townships requesting membership; and

WHEREAS, the interlocal agreement requires each member agency also approve any amendment to the agreement.

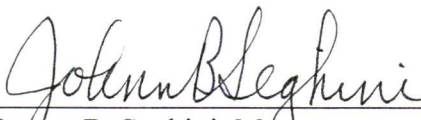
THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MIDVALE, UTAH:

SECTION 1

That the Midvale City Council has determined that it would be in the best interests of the City to approve the Third Amendment to the Cooperative Agreement and authorize the Mayor to the agreement on behalf of the City.

SECTION 2: Effective Date: This Resolution shall become effective upon passage.

**APPROVED BY THE CITY COUNCIL OF THE MIDVALE CITY, UTAH, ON THIS 20th
DAY OF JUNE, 2017.**



JoAnn B. Seghini, Mayor

Attest:

Vote by the City Council:

Stephen Brown

Aye ☒

Nay ☐

Paul Glover

☒

☐

Paul Hunt

☒

☐

Quinn Sperry


☒

☐

Wayne Sharp

☒

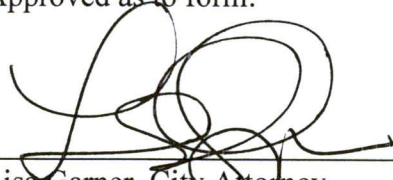
☐



Rori L. Andreason, MMC
City Recorder



Approved as to form:



Lisa Garner, City Attorney

**Third Amendment to the
Cooperative Agreement by Public Agencies
To Create a New Entity, to Consolidate Law Enforcement Service,
and Provide Rules of Governance**

THIS AMENDMENT is made and entered into this _____ day of April, 2017, by and between **SALT LAKE COUNTY**, a body corporate and politic (the "*County*"), **CITY OF HOLLADAY**, a municipal corporation and political subdivision of the State of Utah ("*Holladay*"), **RIVERTON CITY**, a municipal corporation and political subdivision of the State of Utah ("*Riverton*"), **HERRIMAN CITY**, a municipal corporation and political subdivision of the State of Utah ("*Herriman*"), and **MIDVALE CITY**, a municipal corporation and political subdivision of the State of Utah ("*Midvale*"), **MILLCREEK CITY**, a municipal corporation and political subdivision of the State of Utah ("*Millcreek*"), the **TOWNSHIP OF KEARNS**, a municipal corporation and political subdivision of the State of Utah ("*Kearns*"), the **TOWNSHIP OF MAGNA**, a municipal corporation and political subdivision of the State of Utah ("*Magna*"), the **TOWNSHIP OF COPPERTON**, a municipal corporation and political subdivision of the State of Utah ("*Copperton*"), the **TOWNSHIP OF WHITE CITY**, a municipal corporation and political subdivision of the State of Utah ("*White City*"), **TOWNSHIP OF EMIGRATION CANYON**, a municipal corporation and political subdivision of the State of Utah ("*Emigration Canyon*"), and the **SALT LAKE VALLEY LAW ENFORCEMENT SERVICE AREA**, a service area and political subdivision of the State of Utah ("*SLVLESA*"). In this Amendment, Holladay, Riverton, Herriman, Midvale and Millcreek are collectively referred to as the "*Cities*" or individually as the "*City*," the Townships of Kearns, Magna, Copperton, White City and Emigration Canyon are collectively referred to as Townships or individually referred to as Township and the County, SLVLESA and all of the above cities and townships collectively referred to as the "*Members*."

RECITALS:

A. All of the initial Members have been receiving law enforcement services from the Unified Police Department ("*UPD*") pursuant to the Cooperative Agreement by Public Agencies to Create a New Entity, to Consolidate Law Enforcement Service, and Provide Rules of Governance ("*UPD Formation Interlocal Agreement*").

B. The initial Members formed the UPD with the understanding that at a future date other municipalities and governmental entities may want to join the UPD.

C. Millcreek City and the Townships of Kearns, Magna, Copperton, White City and Emigration Canyon desires to join the UPD as a full member under the terms and conditions of the UPD Formation Interlocal Agreement.

D. Millcreek City and The Townships of Kearns, Magna, Copperton, White City and Emigration Canyon have complied with its ordinances in seeking to join the UPD.

E. Millcreek City and the Townships of Kearns, Magna, Copperton, White City and Emigration Canyon are "public agencies" and "instrumentalities" of the State of Utah for

purposes of UTAH CODE ANN. § 11-13-203 and desire to join the UPD and become a signatory to the UPD Formation Interlocal Agreement.

NOW, THEREFORE, in consideration of the promises, the mutual covenants and undertakings of the Members, the receipt and sufficiency of which is hereby acknowledged, and in compliance with and pursuant to the provisions of the Interlocal Cooperation Act, the Members hereby agree as follows:

1. Millcreek City and The Townships of Kearns, Magna, Copperton, White City and Emigration Canyon are admitted as Members. Pursuant to Section 21 of the UPD Formation Interlocal Agreement, upon the signing of this Amendment by Millcreek City and the Townships of Kearns, Magna, Copperton, White City and Emigration Canyon, and acceptance of their requests to join the UPD by the UPD Board, Millcreek City and The Townships of Kearns, Magna, Copperton, White City and Emigration Canyon shall be Members of the UPD subject to all the terms and conditions of the UPD Formation Interlocal Agreement and shall be entitled to a seat on the UPD Board and shall have full voting rights on said Board.

2. **Operational Effective Date.** The Operational Effective Date shall be 12:01 a.m. May 20, 2017. Upon the Operational Effective Date, Millcreek City and the Townships of Kearns, Magna, Copperton, White City and Emigration Canyon shall consolidate, pursuant to the terms and conditions of the UPD Formation Interlocal Agreement.

3. **Notices.** Any notice to Millcreek, Kearns, Magna, Copperton, White City and Emigration Canyon required under the UPD Formation Interlocal Agreement shall be delivered to:

Mayor Silvestrini
MILLCREEK CITY
3932 South 500 East
Millcreek, UT 84107

Steve Perry, Chair
Kearns Metro Township
c/o Office of Township Services
2001 South State Street N3600
Salt Lake City, UT 84114

Dan Peay, Chair
Magna Metro Township
c/o Office of Township Services
2001 South State Street N3600
Salt Lake City, UT 84114

Ron Patrick, Chair
Copperton Township
c/o Office of Township Services

2001 South State Street N3600
Salt Lake City, UT 84114

Paulina Flint, Chair
White City
c/o Office of Township Services
2001 South State Street N3600
Salt Lake City, UT 84114

Rick Raile, Chair
Emigration Canyon
c/o Office of Township Services
2001 South State Street N3600
Salt Lake City, UT 84114

4. **Operation of UPD Formation Interlocal Agreement.** All other terms and conditions of the UPD Formation Interlocal Agreement not amended hereby shall remain in full force and effect.
5. **Peace Officer Merit Commission.** Any reference in the Interlocal to the Deputy Sheriff's Merit Commission in Paragraph 6(3) is hereby amended to read the Peace Officer's Merit Commission for Counties of the First Class, U.C.A. Section 17-30a-1 et seq.
6. **Remittance.** Paragraph 26 is hereby amended to provide that each member shall be billed monthly for services and shall remit their respective payments by the 15th of each month.

IN WITNESS WHEREOF, each of the Cities and Townships, by resolution duly adopted by its city or township council, a certified copy of which is attached hereto, caused this Agreement to be signed by its mayor or chair and attested by its recorder, the County, by resolution duly adopted by its council, a certified copy of which is attached hereto, caused this Agreement to be signed by its mayor or designee and attested by the County Clerk, and SLVLESA, by resolution duly adopted by its Board of Trustees, a certified copy of which is attached hereto, caused this Agreement to be signed by its Chair and attested by its clerk.

ATTEST:

SALT LAKE COUNTY

Clerk
Date signed: _____

By: _____
BEN MCADAMS, Mayor
Date signed: _____

ATTEST:

Clerk

Date signed: _____

**SALT LAKE VALLEY LAW
ENFORCEMENT SERVICE AREA**

By: _____
JIM BRADLEY, Chair

Date signed: _____

ATTEST:

Stephanie Carlson, City Recorder

Date signed: _____

CITY OF HOLLADAY

By: _____
ROBERT M. DAHLE, Mayor

Date signed: _____

ATTEST:

Virginia Loader, City Recorder

Date signed: _____

RIVERTON CITY

By: _____
WILLIAM APPLEGARTH, Mayor

Date signed: _____

ATTEST:

Jackie Nostrom, City Recorder

Date signed: _____

HERRIMAN CITY

By: _____
CARMEN FREEMAN, Mayor

Date signed: _____

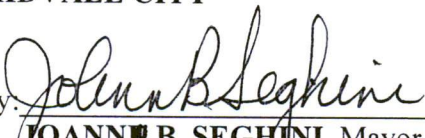
ATTEST:



Rori Andreason, City Recorder

Date signed: June 26, 2017

MIDVALE CITY

By: 

JOANNE B. SEGhini, Mayor

Date signed: June 26, 2017



ATTEST:

Leslie Van Frank, City Recorder
Date signed: _____

APPROVED AS TO FORM:

Paul Ashton, Counsel
Date signed: _____

APPROVED AS TO FORM:

Paul Ashton, Counsel
Date signed: _____

APPROVED AS TO FORM:

David Hartvigsen, Counsel
Date signed: _____

APPROVED AS TO FORM:

Paul Ashton, Counsel
Date signed: _____

MILLCREEK CITY

By: _____
JEFF SILVESTRINI, Mayor
Date signed: _____

TOWNSHIP OF KEARNS

By: _____
STEVE PERRY, Chair
Date signed: _____

TOWNSHIP OF MAGNA

By: _____
DAN PEAY, Chair
Date signed: _____

TOWNSHIP OF COPPERTON

By: _____
RON PATRICK, Chair
Date signed: _____

TOWNSHIP OF WHITE CITY

By: _____
PAULINA FLINT, Chair
Date signed: _____

APPROVED AS TO FORM:

TOWNSHIP OF EMIGRATION
CANYON

David Church, Counsel
Date signed: _____

By: _____
RICK RAILE, Chair
Date signed: _____

ATTEST:

UNIFIED POLICE DEPARTMENT

Hillary Davis, Clerk
Date signed: _____

By: _____
JIM WINDER, Chief Executive Officer
Date signed: _____

APPROVED IN ACCORDANCE WITH *UTAH CODE ANN. § 11-13-202.5*

SALT LAKE DISTRICT ATTORNEY
SIMARJIT S. GILL (for the County)

By _____
Deputy District Attorney
Date Signed: _____

SALT LAKE VALLEY
LAW ENFORCEMENT SERVICE AREA

By: _____
KARL HENDRICKSON, Legal Counsel
Date signed: _____

HOLLADAY CITY ATTORNEY

By: _____
TODD GODFREY, City Attorney
Date Signed: _____

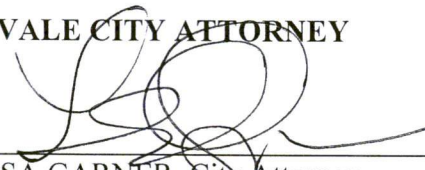
RIVERTON CITY ATTORNEY

By: _____
RYAN B. CARTER, City Attorney
Date Signed: _____

HERRIMAN CITY ATTORNEY

By: _____
JOHN N. BREMS, City Attorney
Date Signed: _____

MIDVALE CITY ATTORNEY

By:  _____
LISA GARNER, City Attorney
Date Signed: _____

MILLCREEK CITY ATTORNEY

By: _____
JOHN N. BREMS, City Attorney
Date Signed: _____

UNIFIED POLICE DEPARTMENT

By: _____
HARRY H. SOUVALL, Chief Legal Counsel
Date Signed: _____