

Attachment A: Resolution No. 2023-09RDA

**REDEVELOPMENT AGENCY OF MIDVALE CITY, UTAH
RESOLUTION NO. 2023-09RDA**

**A RESOLUTION APPROVING AND ADOPTING FIRST AMENDMENT TO THE MAIN
STREET COMMUNITY DEVELOPMENT TAX INCREMENT INTERLOCAL
COOPERATION AGREEMENT BETWEEN SALT LAKE COUNTY AND THE
REDEVELOPMENT AGENCY OF MIDVALE CITY**

WHEREAS, the Redevelopment Agency of Midvale City (the “Agency”) was created by the Midvale City Council to transact the business and exercise the powers provided for in the Utah Redevelopment Agencies Act; and

WHEREAS, the Agency created the Main Street Community Development Area (the “CDA”) in 2015 to revitalize and improve the Main Street area; and

WHEREAS, on November 15, 2015, Midvale City (the “City”) adopted the Main Street Community Development Area’s Project Area Plan through Ordinance No. 2015-O-14 pursuant to UCA § 17C-4-105, and fulfilled all public hearing and noticing requirements associated with adopting a community development area plan outlined in UCA § 17C-4-401 and 17C-4-107; and

WHEREAS, the Redevelopment Agency of Midvale City (“Agency”) revised and adopted a Main Street Community Development Area Budget through Resolution No. 2020-12RDA pursuant to UCA § 17C-4-204 and which Budget illustrates that SLCo will receive a net fiscal benefit and enjoy significant economic and social impacts, and

WHEREAS, the Salt Lake County Council (“SLCo”) voted on February 1, 2022, and entered into an Interlocal Cooperation Agreement (“ILA”) with the Agency pursuant to UCA § 17C-4-201; and

WHEREAS, the Agency and SLCo wish to consider resolutions, in which the Agency and SLCo would approve certain amendments to the ILA pursuant to UCA § 17C-4-201(7)(a), which amendments would not induce any substantive changes to the Agreement but would improve the clarity and enforceability of the ILA and which are found in Exhibit A, Amendment No 1 to the Interlocal Cooperation Agreement between Salt Lake County and the Redevelopment Agency of Midvale City; and

WHEREAS, the meeting in which this Resolution was considered by the Agency and in which SLCo’s related Resolution will be considered are both conducted in open and public meetings pursuant to UCA § 17C-4-202; and

This Resolution shall become effective once approved by the Agency’s Board of Directors.

NOW, THEREFORE, BE IT RESOLVED BY THE REDEVELOPMENT AGENCY OF MIDVALE CITY AS FOLLOWS:

1. The Redevelopment Agency of Midvale City Board of Directors hereby agrees to adopt the amendments to the Main Street Community Development Tax Increment Interlocal Agreement Between the Agency and SLCo expressed in **Exhibit A**: “Amendment No 1 to the Interlocal Cooperation Agreement Between Salt Lake County and the Redevelopment Agency of Midvale City.”

2. Pursuant to UCA § 17C-4-201(7)(a), SLCo and Agency may amend the Agreement from time to time.

3. The Agency will be responsible for all noticing and filing requirements, including publishing notice in the newspaper (UCA § 17C-4-202(2)) and filing a copy of the Agreement with each required party and entity pursuant to UCA § 17C-4-203(1).

4. The amendments to the Agreement will not be in effect until they have been adopted by SLCo, adopted by the Agency's Board of Directors, and noticed by the Agency according to UCA § 17C-4-202(3) and UCA § 17C-4-203(1).


PASSED AND ADOPTED BY THE REDEVELOPMENT AGENCY OF MIDVALE CITY, STATE OF UTAH BOARD OF DIRECTORS ON THIS 20th DAY OF JUNE, 2023.




Marcus Stevenson
Chief Administrative Officer


Matt Dahl
Executive Director

ATTEST:


Rori L. Andreason, MMC
Secretary

Voting by the Board

"Aye"

"Nay"

Bryant Brown	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Paul Glover	<u>ABSENT</u>	<input type="checkbox"/>
Quinn Sperry	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Heidi Robinson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dustin Gettel	<input checked="" type="checkbox"/>	<input type="checkbox"/>



CONTRACT APPROVAL COVER SHEET

CONTRACT NO: 2023-52
(RECORDER ONLY)

Contract Title: Amendment No.1 Midvale Main Street CDA Project

Approval Signature Required:

Contract Analyst:

DocuSigned by:

Susan Stengel

Date: 7/11/2023

D0C23A41D234492

DocuSigned by:

Garrett Wikoy

Date: 7/11/2023

A3B4004A13734D1

DocuSigned by:

Adam Olsen

Date: 7/11/2023

DE0B006CFD25450

DocuSigned by:

Matt Dahl

Date: 7/12/2023

886E05BB3C005476

Requesting Department: RDA

City Contact Name: Cody Hill

Project/Contract Name: Amendment No.1 Midvale Main Street CDA Project

Budget Amount: _____

Bid Information:

Bid Type: _____

Bid Exception: _____

(i.e. Sole Source, Professional Services, etc.)

Bid/Exception Date: _____

Council Approval Date: 6-20-23

Resolution No.

2023-09 RDA

Party/Vendor Information:

Name: Salt Lake County

Contact: _____

Telephone: _____

Email: _____

Contract Purpose: Amendment No.1 Midvale Main Street CDA Project

Begin Date: 02/01/2022

Termination Date: _____

Renewal Option: _____

Other Documents

Required: _____

Due Date: _____

OTHER SIGNIFICANT TERMS AND ANNUAL OBLIGATIONS (Insurance Certificate, Payments, etc.): _____

RECORDER ONLY

DATE RECEIVED:

July 18, 2023

DATE SCANNED TO ONBASE:

7-18-23

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Recorder Agreements

CONTRACT APPROVAL COVER SHEET
Page 2

APPROVAL:

I certify that I have read and understand the terms of this draft agreement and have met all procurement requirements. I certify that I have appropriate authority to submit this draft agreement on behalf of my department. I further certify that the draft agreement is complete and includes all exhibits, attachments, and pages.

Signed: _____ Date: _____
Name: _____
Title: _____

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WHEREAS, on November 15, 2015, Midvale City (the "City") adopted the Main Street Community Development Area's Project Area Plan through Ordinance No. 2015-O-14 pursuant to UCA § 17C-4-105, and fulfilled all public hearing and noticing requirements associated with adopting a community development area plan outlined in UCA § 17C-4-401 and 17C-4-107; and

WHEREAS, the Redevelopment Agency of Midvale City ("Agency") revised and adopted a Main Street Community Development Area Budget through Resolution No. 2020-12RDA pursuant to UCA § 17C-4-204 and which Budget illustrates that SLCo will receive a net fiscal benefit and enjoy significant economic and social impacts; and

WHEREAS, the Salt Lake County Council ("SLCo") voted on February 1, 2022, and entered into an Interlocal Cooperation Agreement ("ILA") with the Agency pursuant to UCA § 17C-4-201; and

WHEREAS, the Agency and SLCo wish to consider resolutions, in which the Agency and SLCo would approve certain amendments to the ILA pursuant to UCA § 17C-4-201(7)(a), which amendments would not induce any substantive changes to the Agreement but would improve the clarity and enforceability of the ILA and which are found in Exhibit A, Amendment No 1 to the Interlocal Cooperation Agreement between Salt Lake County and the Redevelopment Agency of Midvale City; and

WHEREAS, the meeting in which this Resolution was considered by the Agency and in which SLCo's related Resolution will be considered are both conducted in open and public meetings pursuant to UCA § 17C-4-202; and

This Resolution shall become effective once approved by the Agency's Board of Directors.

NOW, THEREFORE, BE IT RESOLVED BY THE REDEVELOPMENT AGENCY OF MIDVALE CITY AS FOLLOWS:

1. The Redevelopment Agency of Midvale City Board of Directors hereby agrees to adopt the amendments to the Main Street Community Development Tax Increment Interlocal Agreement Between the Agency and SLCo expressed in **Exhibit A: "Amendment No 1 to the Interlocal Cooperation Agreement Between Salt Lake County and the Redevelopment Agency of Midvale City."**

2. Pursuant to UCA § 17C-4-201(7)(a), SLCo and Agency may amend the Agreement from time to time.

3. The Agency will be responsible for all noticing and filing requirements, including publishing notice in the newspaper (UCA § 17C-4-202(2)) and filing a copy of the Agreement with each required party and entity pursuant to UCA § 17C-4-203(1).

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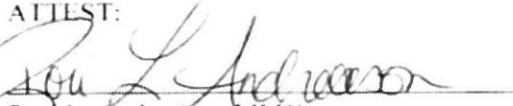
PASSED AND ADOPTED BY THE REDEVELOPMENT AGENCY OF MIDVALE CITY, STATE OF UTAH BOARD OF DIRECTORS ON THIS 20th DAY OF JUNE, 2023.




Marcus Stevenson
Chief Administrative Officer


Matt Dahl
Executive Director

ATTEST:


Rori L. Andreason, MMC
Secretary

Voting by the Board

"Aye"

"Nay"


Bryant Brown
Paul Glover
Quinn Sperry
Heidi Robinson
Dustin Gettel






















Exhibit A

County Contract No. _____
DA No. 21-18685

**AMENDMENT NO 1 TO THE
INTERLOCAL COOPERATION AGREEMENT
BETWEEN SALT LAKE COUNTY AND
THE REDEVELOPMENT AGENCY OF MIDVALE CITY**

Midvale Main Street CDA Project

THIS AMENDMENT NO. 1 (the "Amendment") is made to above-named Interlocal Cooperation Agreement (the "Agreement") between **SALT LAKE COUNTY**, a body corporate and politic of the State of Utah (the "County"), and **THE REDEVELOPMENT AGENCY OF MIDVALE CITY**, a public entity (the "Agency"). The County and the Agency may each be referred to herein as a "Party" and collectively as the "Parties."

RECITALS

WHEREAS, the Parties entered into the Agreement whereby the County, as a taxing entity, consented to the Agency receiving certain Tax Increment to be created by development activities in the Project Area, to assist in development as set forth in the Project Area Plan; and

WHEREAS, the Parties now desire to amend the Agreement to specify the applicable Base Tax Year and the commencement of the County's Contribution payments.

AMENDMENT

NOW, THEREFORE, for good and valuable consideration, the Parties hereby amend the Agreement as follows:

1. Section 1(a) of the Agreement is hereby deleted in its entirety and replaced with the following:

(a) Payment Period. The initial payment of the County's Contribution will be made to the Agency from taxes collected during 2024 and will be paid to the Agency the following year. Such a payment shall be made annually thereafter until either of the following occurs: a) a total of twenty (20) annual payments have been made; or b) the total cumulative amount of the Agency's Share, defined below, reaches \$2,264,812 (the "Contribution Cap"). The period during which payments are made to the Agency under this section is referred to herein as the "Tax Increment Payment Period."

2. Section 2 of the Agreement is hereby deleted in its entirety.

3. Section 3 of the Agreement is hereby deleted in its entirety and replaced with the following:

3. Base Year and Base Taxable Value. For purposes of calculating the annual Tax Increment, the "Base Tax Year" shall be 2022. "Base Taxable Value" equals the assessed taxable value of all Property within the Project Area for 2022.

4. The document attached to the Agreement as Exhibit B is deleted in its entirety. The Agency affirms that the documents attached to the Agreement as Exhibits A and C remain true

and accurate representations of the Project Area Plan and the Project Budget, respectively, as of the date of this Amendment.

5. All remaining provisions of the Agreement, not specifically altered by this Amendment, shall continue in full force and effect under this Amendment.

6. The date this Amendment is signed by the last Party to sign it (as indicated by the date stated under that Party's signature) will be deemed the date of this Amendment.

[SIGNATURE PAGES TO FOLLOW]

AMENDMENT NO. 1 – SIGNATURE PAGE FOR THE AGENCY

THE REDEVELOPMENT AGENCY OF MIDVALE CITY



DocuSigned by:
By Marcus Stevenson
C946B48D6B064ED
Name: Marcus Stevenson
Title: Mayor
Dated: 7/17/2023 . 20

Attest:

Approved as to Form and Legality:

AGENCY ATTORNEY

DocuSigned by:
By Garrett Wilcox
A3B40D4A13734D1
Name: Garrett Wilcox
Dated: 7/11/2023 . 20

DocuSigned by:
Rori Anderson
AF4B4C6D7EB947F
Rori Anderson
City Recorder
7/17/2023

AMENDMENT NO. 1 - SIGNATURE PAGE FOR THE COUNTY

SALT LAKE COUNTY

By _____
Mayor Jennifer Wilson or Designee

Dated: _____, 20____

Approved by:

Salt Lake County Office of Regional Development

By _____

Name: _____

Title: _____

Dated: _____, 20____

Reviewed as to Form:

By _____
Deputy District Attorney