

MILITARY INSTALLATION DEVELOPMENT AUTHORITY

RESOLUTION 2024-14

A RESOLUTION OF THE MILITARY INSTALLATION DEVELOPMENT AUTHORITY (“MIDA”) APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH TOOEELE CITY (“CITY”) FOR THE MIDA UTAH NATIONAL GUARD PROJECT AREA

WHEREAS, pursuant to Chapter 1, Title 63H Utah Code annotated 1953, as amended (“MIDA Act”), MIDA is an “independent, nonprofit, separate body corporate and politic, with perpetual succession and statewide jurisdiction, whose purpose is to facilitate the development of land within a project area or on military land associated with a project area”; and

WHEREAS, MIDA, working with the Utah Army National Guard and with Tooele City, intends to create the Utah National Guard Project Area pursuant to the MIDA Act (the “Project Area”); and

WHEREAS, certain land located within Tooele City, including both military land and land owned by Tooele City, will be part of the Project Area and will be used to construct improvements and infrastructure in support of the military and military personnel and the MIDA Board hereby finds that this Agreement will support the Project Area and the military mission of MIDA and the terms of the MIDA Act, and

WHEREAS, pursuant to the MIDA Act and the Interlocal Cooperation Act (Chapter 13, Title 11 Utah Code annotated 1953), MIDA desires to share certain revenues with the City in connection with the development of the Project Area and the City’s agreement consent to the creation of the Project Area and to provide municipal services and permitting and inspection services to the Project Area all as set forth in this Agreement; and

WHEREAS, the City, in this Agreement, consents to the boundary of the Project Area which falls within the boundaries of the City; and

WHEREAS, the Project Area which is the subject of this Agreement contains certain property within both the boundaries of the Project Area and the City, which consists of both property owned by the City and property not owned by the City, as shown in Exhibit B (the “**Tooele City Property**”), and

WHEREAS, pursuant to the MIDA Act, MIDA, at §63H-1-201(3)(i), has “exclusive police power within a project area to the same extent as though the authority were a municipality, including the collection of regulatory fees,” and neither MIDA nor any land included in a project area is subject to “Title 10, Chapter 9, Municipal Land Use, Development and Management Act” nor are they subject to “ordinances or regulations of a City or municipality including those relating to land use, health, business license, or franchise,” and

WHEREAS, as part of the MIDA Act, at §63H-1-201(3)(q), MIDA may contract with a political subdivision of the state for the provision of municipal services within a project area, and

pursuant to this Agreement, MIDA and the City contract for the provision of certain municipal services and permitting and inspection services in the Project Area pursuant to the terms and conditions of this Agreement; and

WHEREAS, pursuant to the MIDA Act and the Interlocal Cooperation Act, MIDA and the County have drafted an Interlocal Agreement (the “Agreement”) between them to set forth the relationship between the two parties, a copy of which is attached to this Resolution; and

WHEREAS, the Tooele City Council approved the Agreement on August 7, 2024; and

WHEREAS, the City, in the Agreement, consented to the boundary of the Sundance Project Area that includes property within the City, including the land owned by City; and

WHEREAS, a duly executed copy of the Agreement must be filed with the County Clerk; and

WHEREAS, the Agreement was submitted to an attorney authorized to represent the City and an Attorney authorized to represent MIDA for review as to proper form and compliance with applicable law;

NOW, THEREFORE, BE IT RESOLVED by the MIDA Board that:

1. The Agreement titled “Interlocal Cooperation Agreement Between MIDA and Tooele City Corporation,” dated and effective as of August 22, 2024, is hereby approved and the Executive Director is authorized to finalize the Agreement with the County and make such final minor amendments as are necessary and execute the same on its behalf.
2. A copy of the Agreement, executed by both Parties, shall be filed in the Tooele County Records Officer’s office.

PASSED AND ADOPTED by the MIDA Board this 22nd day of August 2024.

Military Installation Development Authority



J. Stuart Adams
Chair

Attest:



Records Officer