

MILITARY INSTALLATION DEVELOPMENT AUTHORITY

RESOLUTION 2024-20

A RESOLUTION OF THE MILITARY INSTALLATION DEVELOPMENT AUTHORITY (“MIDA”) BOARD APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH CLEARFIELD CITY FOR THE FALCON HILL 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, pursuant to Resolution 2013-04, Clearfield City and MIDA entered into an interlocal cooperation agreement dated as of July 1, 2013 (which expired on June 30, 2016) for the provision of certain municipal services in the Falcon Hill Project Area (“Project Area”); and

WHEREAS, pursuant to Resolution 2016-16, Clearfield City and MIDA entered into a revised interlocal cooperation agreement, effective July 1, 2016, also for the provision of certain municipal services in the Project Area; and

WHEREAS, pursuant to Resolution 2020-28, Clearfield City and MIDA approved amendments to the revised interlocal agreement, which amendments clarified the provision of those certain municipal services in the Project Area; and

WHEREAS, Clearfield City and MIDA now find it expedient to continue their relationship by entering into a new interlocal cooperation agreement, which interlocal cooperation agreement and its accompanying exhibits rescinds and replaces all existing interlocal agreements between the parties; clarifies the boundaries of the applicable service area located within MIDA’s Project Area; and allows for Clearfield City to provide certain municipal services to MIDA in the Project Area on an as needed basis for agreed upon rates;

WHEREAS, pursuant to Chapter 13, Title 11 Utah Code Annotated 1953, as amended (“Interlocal Cooperation Act”) the Agreement must be approved by the MIDA Board; this Resolution must set forth the effective date of the Interlocal Cooperation Agreement; and, a duly executed copy of the Interlocal Cooperation Agreement must be filed with the MIDA staff who keep the records;

WHEREAS, as required by the Interlocal Act, the Interlocal Cooperation Agreement was submitted to 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 the previously approved interlocal agreements with Clearfield City for the provision of municipal services in the Falcon Hill Project Area are rescinded; that the attached Interlocal Cooperation Agreement with Clearfield City is hereby approved in the substantial form attached, and the Executive Director, or the Director’s designee, is authorized to execute the same on its behalf; the effective date of the Interlocal Cooperation Agreement shall be the same date as its execution; and, a copy of the Interlocal Cooperation Agreement, executed by both parties, shall be filed in the office of the record keeper for MIDA.

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

Military Installation Development Authority

A handwritten signature in blue ink, appearing to read "J. Stuart Adams", is positioned above a horizontal line.

J. Stuart Adams
Chair

Attest:

A handwritten signature in blue ink, appearing to be a stylized "ST", is positioned above a horizontal line.

Records Officer