

**GREATER SALT LAKE MUNICIPAL SERVICES DISTRICT
RESOLUTION ADOPTING AND APPROVING AN INTERLOCAL COOPERATION
AGREEMENT WITH THE CITY OF KEARNS TO OBLIGATE THE USE OF AMERICAN
RESCUE PLAN ACT, (“ARPA”) CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY
FUND (“SLFRF”) FUNDS TO DESIGN, MOBILIZE, AND CONSTRUCT CERTAIN ROAD
AND SIDEWALK PROJECTS**

RESOLUTION NO. 2024-11-01

WHEREAS, the Greater Salt Lake Municipal Services District (“MSD”) and the City of Kearns (“Kearns”) are public agencies as defined in Title 11, Chapter 13 of the Utah Code (the “Interlocal Cooperation Act”);

WHEREAS, Section 11-13-202 of the Interlocal Cooperation Act provides that any two or more public agencies may enter into an agreement with one another for joint or cooperative action;

WHEREAS, Kearns and the MSD wish to enter into an Interlocal Agreement (“Agreement”) to obligate the use of ARPA’s SLFRF Funds (“Funds”) that Kearns received to fund government services in an amount equal to the revenue loss experienced by Kearns due to the COVID-19 public health emergency;

WHEREAS, Kearns established its revenue loss through its election of a standard allowance on April 15, 2022, pursuant to the Department of the Treasury’s 2022 Final Rule, 31 CFR Part 3;

WHEREAS, on April 15, 2022, Kearns received \$4,299,678.00 in funding from the American Rescue Plan Act (“ARPA”) Coronavirus State and Local Fiscal Recovery Fund (“SLFRF”) (collectively, the “Funds”), of which \$2,631,284.85 now remains;

WHEREAS, the Funds are not fully expended and may be allocated for government services in the amount equal to revenue loss experienced by Kearns due to the COVID-19 public health emergency;

WHEREAS, the Funds therefore may be used to pay for government services that include road building, road maintenance, and road infrastructure;

WHEREAS, Kearns desires to obligate a portion of the Funds to the MSD, or MSD contractors and subcontractors, through the Agreement that is attached hereto as Attachment A to construct certain infrastructure, street lighting, and soundwall projects in the City of Kearns at 6200 South or Heath Area Overlay, 4015 West Bridge, 4015 West Twilight, NW Avenue Safety, Lodestone Avenue Traffic Calming, and South Kearns Elementary & Sams Boulevard and other Traffic Calming (hereafter “the Projects”);

WHEREAS, Kearns desires to obligate a portion of the Funds to develop a Kearns Community Center/City Hall through a separate agreement with a third party contractor and/or subcontractor and to authorize the MSD to use the Funds to pay for the services the selected contractor and/or subcontractor will provide;

WHEREAS, the MSD is willing to perform the work to complete the design, mobilization, and construction of the Projects through the use of the obligated Funds on or before December 31, 2026; and

WHEREAS, Kearns has identified \$2,631,284.85 to be used for the Projects in its 2025 Capital Project Request List, and will obligate the Funds through this Agreement with the MSD.

NOW, THEREFORE, be it resolved and enacted by the Board of Trustees of the Greater Salt Lake Municipal Services District as follows:

1. That the Interlocal Agreement with the City of Kearns referenced in the foregoing recitals, which is attached hereto as Attachment A, be and is adopted and approved and that Marla Howard, General Manager of the MSD, be and is authorized and instructed to execute and deliver the Agreement on behalf of the MSD and is authorized and to take such actions or modifications as may reasonably be necessary to execute the Agreement and to implement this Resolution.

2. That the keeper of the records of the MSD is authorized and instructed to keep an executed copy of the Interlocal Agreement as part of the MSD's records.

3. That this Resolution has been placed on the agenda of an official meeting and this action has been taken by the Board of Trustees of the MSD during that meeting in compliance with the Utah Open and Public Meetings Act.

4. That this Resolution shall take effect immediately upon its passage, but the effective date of the Agreement shall be the date as determined by application of the Interlocal Cooperation Act, namely upon the completion of the following: (a) the approval of the Agreement by each party as provided in Utah Code Ann. § 11-13-202.5(1) and (2), (b) the submission of the Agreement to an attorney for each party who is authorized to represent said party for review as to proper form and compliance with applicable law, and (c) the filing of a signed original or copy of the Agreement with the keeper of records of each party.

Adopted and approved by the Board of Trustees of the Greater Salt Lake Municipal Services District on the 13th day of November, 2024.

Keith Zuspan, Chair

ATTEST:

Stewart Okobia, Clerk

ATTACHMENT A
INTERLOCAL COOPERATION AGREEMENT