

MILLCREEK, UTAH
RESOLUTION NO. 16-

**A RESOLUTION OF THE MILLCREEK COUNCIL APPROVING AN
INTERLOCAL COOPERATIVE AGREEMENT WITH
SALT LAKE COUNTY FOR PROSECUTION SERVICES**

WHEREAS, the Millcreek Council elect (“*Council*”) met in a special session on December __, 2016, to consider, among other things, approving an Interlocal Cooperative Agreement with Salt Lake County providing for prosecution services; and

WHEREAS, Utah Code Ann. § 10-2a-218 provides that upon canvass of the final election of city officers and until the future city becomes legally incorporated, the offices of the future city may perform certain functions, including but not limited to limited to negotiating and making service contracts; and

WHEREAS, on November 22, 2016, the canvass of the final election of the city officers for the City was held and thereby the Council is authorized by Utah Code Ann. §10-2a-218 to negotiate and make service contracts; and

WHEREAS, the Council has determined that inherit in the authority granted to city officers under Utah Code Ann. §10-2a-218 is authority to enter into interlocal cooperative agreements for services; and

WHEREAS, the Utah Local Cooperative Act (UTAH CODE ANN. § 11-13-101, *et seq.*) (the “*Act*”) provides that two or more entities are authorized to enter into agreements with each other for joint or cooperative action; and

WHEREAS, Salt Lake County (“*County*”) and Millcreek are public agencies, as contemplated in the Act, and the services contemplated are joint and cooperative actions, as contemplated in the Act; and

WHEREAS, the Council has determined that it is in the best interest of the inhabitants of Millcreek to enter into an Interlocal Cooperative Agreement with the County to provide for prosecution services; and

WHEREAS, an agreement has been presented to the Council for review and approval, a copy of which is attached hereto (“*Agreement*”); and

WHEREAS, the Agreement sets forth the purpose thereof, the extent of participation of the parties, and the rights, duties, and responsibilities of the parties.

NOW, THEREFORE, BE IT RESOLVED that the attached Agreement is approved, and that the Mayor elect and Acting Recorder are hereby authorized and directed to execute and deliver the same.

This Resolution, assigned No. 16-__, shall take effect immediately on passage.

PASSED AND APPROVED by the Millcreek Council elect this ____ day of December, 2016.

MILLCREEK COUNCIL

By: _____
Jeff Silvestrini, Mayor elect

ATTEST:

_____, Acting Recorder