

# CENTRAL WASATCH COMMISSION

## RESOLUTION No. 2021-03

### A RESOLUTION APPROVING ENTRY INTO THE SECOND AMENDMENT TO AN INTERLOCAL COOPERATION AGREEMENT WITH THE UNIVERSITY OF UTAH FOR THE ENVIRONMENTAL DASHBOARD

**WHEREAS**, UTAH CODE ANN. § 11-13-101, *et seq.* (the “*Interlocal Cooperation Act*”) provides that any two or more public agencies may enter into agreements with one another for joint or cooperative action following the adoption of an appropriate resolution by the governing body of each participating public agency; and

**WHEREAS**, the Central Wasatch Commission (the “*CWC*”) and the University of Utah (“*University*”) are public agencies for purposes of the Interlocal Cooperation Act; and

**WHEREAS**, effective 1 July 2019 the CWC and University entered into an “Interlocal Cooperation Agreement (Environmental Dashboard)” (the “*Agreement*”) whereunder University agreed to further develop the CWC’s so-called “Environmental Dashboard” environmental monitoring and adaptive management plan (the “*Environmental Dashboard*”)” as described in the Agreement and the proposal for the “Phase I Work” attached to the Agreement; and

**WHEREAS**, the Agreement subsequently was amended by the “First Amendment to Interlocal Cooperation Agreement (Environmental Dashboard)” dated on or about 9 March 2020 between the Parties (the “*First Amendment*”), which amended the Agreement to adopt a revised proposal detailing the “Phase 2 Work” under the Agreement and associated costs needed to bring the Environmental Dashboard to fruition; and

**WHEREAS**, the CWC and the University now desire to further amend the Agreement in order to adopt a revised schedule for University’s completion of its Phase 2 Work under the Agreement, as amended, and the timetable for the associated payments by the CWC to University for that work, all as provided in a “Second Amendment to Interlocal Cooperation Agreement (Environmental Dashboard)” (the “*Second Amendment*”) that they cooperatively have negotiated and drafted; and

**WHEREAS**, the CWC’s Board of Commissioners (the “*Board*”) met in regular session on 1 March 2021 to consider, among other things, approving the CWC’s entry into the Second Amendment; and

**WHEREAS**, the Board has reviewed the form of the Second Amendment, a photocopy of which is annexed hereto; and

**WHEREAS**, the CWC’s attorney also has approved the form of the Second Amendment as required by UTAH CODE ANN. §11-13-202.5(3); and

**WHEREAS**, after careful consideration, the Board has determined that it is in the best interests of the CWC and its constituents to approve the CWC’s entry into the Second Amendment as proposed in order to make efficient use of the CWC’s resources;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Central Wasatch Commission that the attached Second Amendment is hereby approved, and that the CWC's chair and secretary are authorized and directed to execute and deliver the Second Amendment on behalf of the CWC.

This Resolution, assigned no. 2021-03, shall take effect immediately upon passage.

**PASSED AND APPROVED** this 1<sup>st</sup> day of March 2021.

**ATTEST:**

**CENTRAL WASATCH COMMISSION**

By: \_\_\_\_\_  
**Michael J. Peterson**, Secretary

By: \_\_\_\_\_  
**Christopher F. Robinson**, Chair of the Board

**VOTING OF THE BOARD:**

Jim Bradley	Yea ___ Nay ___
Max Doilney	Yea ___ Nay ___
Marci Houseman	Yea ___ Nay ___
Dan Knopp	Yea ___ Nay ___
Erin Mendenhall	Yea ___ Nay ___
Michael J. Peterson	Yea ___ Nay ___
Christopher Robinson	Yea ___ Nay ___
Jeff Silvestrini	Yea ___ Nay ___
Harris Sondak	Yea ___ Nay ___
Jennifer Wilson	Yea ___ Nay ___

**DEPOSITED** in the office of the Secretary this 1<sup>st</sup> day of March 2021.

**FILED AND RECORDED** this \_\_\_ day of March 2021.