

REQUEST FOR COUNCIL ACTION

Requestor: Lisa Elgin	Meeting Date Requested: 9/9/2020
Department: Development Services	Date Final Action Required : 9/9/2020
Meeting Type : □Work Session □Public Hearing □Busi	ness Item
Action Requested : □Provide Information □Request Feedb	pack $oxtimes$ Decision $oxtimes$ Other
Time Requested: Total Time: (Presentation Time: Council Discuss	sion:)
Signatures: Lisa Elgin Submitter: Lisa Elgin (Sep 3, 2020 10:04 MDT) Reviewed as to Form: Duncan Murray (Sep 3, 2020 10:40 MDT) Council Office:	Dept. Head: Larry Gardner (Sep 3, 2020 10:28 MDT) Executive: Korban Lee (Sep 3, 2020 13:11 MDT)

AGENDA SUBJECT

Amendment 1 to Interlocal Cooperation Agreement Between Salt Lake County and Sandy City, South Jordan, West Jordan City, West Valley City, and Taylorsville City relating to the Home Investment Partnership Program for Federal Fiscal Years 2021 Through 2023.

Consideration of Resolution No. 20-63 authorizing the Mayor to execute Amendment 1 to the Interlocal Cooperation Agreement.

PURPOSE FOR COUNCIL TIME

Amendment 1 is a housekeeping item only. The amendment is to correct a date so that all instances of the ending date for the program are the same.

SUMMARY

In the original Interlocal Cooperation Agreement one instance of the end date was typed incorrectly indicating an end date of fiscal year 2024. The Amendment corrects this mistake by making Paragraph 4 consistent with the rest of the Agreement having an end date for the Agreement as the end of federal fiscal year 2023.

TIME SENSITIVITY / URGENCY

The Interlocal Agreement is due back to HUD by September 15, 2020 for review.

BUDGET IMPACT

Approving Resolution No. 20-63 will have no budget impact on the City of West Jordan

STAFF RECOMMENDATION

Staff recommends approval of Resolution 20-63 authorizing the Mayor to execute Amendment 1 to Interlocal Cooperation Agreement Between Salt Lake County and Sandy City, South Jordan, West Jordan City, West Valley City, and Taylorsville City Relating to the Home Investment Partnership Program for Federal Fiscal Years 2021 Through 2023.

PACKET ATTACHMENT(S)

- 1. Resolution No. 20-63
- 2. Interlocal Cooperation Agreement Between Salt Lake County and Sandy City, South Jordan, West Jordan City, West Valley City, and Taylorsville City relating to the Home Investment Partnership Program for Federal Fiscal Years 2021 Through 2023.
- 3. Amendment 1 To Interlocal Cooperation Agreement Between Salt Lake County and Sandy City, South Jordan, West Jordan City, West Valley City, and Taylorsville City Relating to the Home Investment Partnership Program for Federal Fiscal Years 2021 Through 2023.

OTHER INFORMATION

Recommendations

THE CITY OF WEST JORDAN, UTAH

A Municipal Corporation

RESOLUTION NO. 20-63

A RESOLUTION AUTHORIZING THE MAYOR'S EXECUTION OF AMENDMENT 1 TO INTERLOCAL COOPERATION AGREEMENT BETWEEN SALT LAKE COUNTY AND SANDY CITY, SOUTH JORDAN, WEST JORDAN CITY, WEST VALLEY CITY, AND TAYLORSVILLE CITY RELATING TO THE HOME INVESTMENT PARTNERSHIP PROGRAM FOR FEDERAL FISCAL YEARS 2021 THROUGH 2023

Whereas, on June 24, 2020 City Council approved Resolution No. 20-42 authorizing the Mayor to execute the Interlocal Cooperation Agreement Between Salt Lake County and Sandy City, South Jordan, West Jordan City, West Valley City, and Taylorsville City Relating to the Home Investment Partnership Program for Federal Fiscal Years 2021 Through 2023; and

Whereas, the Mayor signed the Interlocal Cooperation Agreement Between Salt Lake County and Sandy City, South Jordan, West Jordan City, West Valley City, and Taylorsville City Relating to the Home Investment Partnership Program for Federal Fiscal Years 2021 Through 2023 on June 26, 2020; and

Whereas, a grammatical mistake was found which would alter the end date of the Agreement; and

Whereas, Salt Lake County has requested the date to be corrected by changing the year in Paragraph 4 from 2024 to 2023 and adding the sentence, "The period of performance for this Agreement shall be from October 1, 2020 through September 30, 2023."; and

NOW, THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF WEST JORDAN, UTAH, THAT:

- Section 1. The Mayor is authorized to execute Amendment 1 to Interlocal Cooperation Agreement Between Salt Lake County and Sandy City, South Jordan, West Jordan City, West Valley City, and Taylorsville City Relating to the Home Investment Partnership Program for Federal Fiscal Years 2021 Through 2023.
- Section 2. This Resolution shall take effect immediately.

Approved by the City Council of West Jordan, Utah, this 9th day of September 2020.

	By:
ATTEST:	Christopher McConnehey Council Chair
Cindy M. Quick, MMC City Recorder	

Voting by the City Council	"YES"	"NO"
Council Member Kelvin Green		
Council Member Zach Jacob		
Council Member Chad Lamb		
Council Chair Christopher McConnehey		
Council Member David Pack		
Council Member Kayleen Whitelock		
Council Member Melissa Worthen		

INTERLOCAL COOPERATION AGREEMENT

BETWEEN

SALT LAKE COUNTY

AND

SANDY CITY, SOUTH JORDAN, WEST JORDAN CITY, WEST VALLEY CITY, AND TAYLORSVILLE CITY RELATING TO THE HOME INVESTMENT PARTNERSHIP PROGRAM FOR FEDERAL FISCAL YEARS 2021 THROUGH 2023

This Agreement is made and entered into and shall be effective as of October 1, 2020 by and between Salt Lake County ("County") a body corporate and politic of the State of Utah, and Sandy City, South Jordan, West Jordan City, West Valley City and Taylorsville City (the "Cities"), municipal corporations of the State of Utah located within Salt Lake County.

RECITALS

WHEREAS, the HOME Program is authorized by the HOME Investment Partnerships Act, which is Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended (42 U.S.C. 12701 et seq.) (the "Act"), and which permits and provides for the participation of the United States Government in a wide range of local housing activities and programs authorized under Title II of the Act (the "HOME Program") and administered by the U.S. Department of Housing and Urban Development ("HUD");

WHEREAS, Section 216(2) of the Act provides that a consortium of geographically contiguous units of general local government can be considered to be a unit of general local

government for the purpose of the HOME Program;

WHEREAS, in accordance with Section 217(b)(3) of the Act, approved consortia of units of local governments are considered jurisdictions eligible to receive allocations of HOME funds by formula;

WHEREAS, the parties are governmental entities and are therefore authorized by the Utah Interlocal Cooperation Act, Section 11-13-1, et seq., Utah Code Annotated, (2013) to enter into agreements with each other to perform any governmental service, activity and undertaking which each governmental entity is authorized by law to perform;

WHEREAS, the Cities and County have determined that it will be mutually beneficial and in the public interest to enter into an interlocal cooperation agreement to form a consortium in order to receive HOME funds and to participate in the HOME Program;

NOW THEREFORE, in consideration of the mutual promises contained herein, the County and Cities agree as follows:

- The parties agree to cooperate to undertake or to assist in undertaking housing assistance activities pursuant to the HOME Program and agree, collectively and individually, to affirmatively further fair housing.
- 2. The parties authorize the County to act in a representative capacity for all members of the consortium for the purposes of the HOME Program. As the lead entity, the County may add new members to the consortium.
- 3. The parties agree that the County, as the lead entity, shall assume overall responsibility for ensuring the consortium's HOME Investment Partnership Program is carried out in compliance with the requirements of the program, including requirements concerning a

Consolidated Plan as set forth in HUD regulations in 24 CFR Parts 91 and 92 and the requirements of 24 CFR 92.350.

- 4. This Agreement shall begin as of the above-mentioned date and shall continue for federal fiscal years 2021 through 2024 consistent with the Salt Lake County Urban County qualification. The parties further agree that:
- (a) this Consortium Agreement will, at a minimum, remain in effect until the HOME funds from each of the federal fiscal years of the qualification period are expended for eligible activities;
- (b) no Consortium Member may withdraw from the Agreement while the Agreement remains in effect; and,
- (c) this Agreement shall be governed by the requirements of the then current Consortium Qualification notice.
- 5. This Agreement has attached to it six separate signature pages for each of the parties to this Agreement, which shall be executed separately and attached to this Agreement after execution by the named party and together with each other signature page and with this Agreement shall constitute the full Agreement of all the parties.
- 6. No separate entity is created by this Agreement; however, to the extent that any administration of this Agreement becomes necessary, the County Mayor or designee and the Cities mayors or designees, shall constitute a joint board for such purpose.
- 7. Any other real or personal property acquired by the parties jointly under this Agreement, and paid for by them, shall be divided as the parties' representatives shall agree, or, if no agreement is reached, then it shall be divided according to their respective payment for the

property, or if it cannot be practically divided, then the property shall be sold and the proceeds divided according to the parties' proportionate share of the purchase of the item of property. If property is purchased at one party's sole expense in connection with this Agreement, then the property so purchased shall be and remain the property of the party which purchased it.

The Performance period is from October 1, 2020 to September 30, 2023

IN WITNESS WHEREOF, the Parties have caused this Agreement to be duly authorized and executed by each on the dates specified on each signature page.

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SALT LAKE COUNTY COUNCIL RESOLUTION

RESOLUTIONNO. 5752

DATE June 4,2020

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL APPROVING AND AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT WITH SANDY CITY, SOUTH JORDAN CITY, WEST JORDAN CITY, WEST VALLEY CITY, AND TAYLORSVILLE CITY RELATING TO THE CONDUCT OF THE HOME INVESTMENT PARTNERSHIP PROGRAM FOR THE FEDERAL FISCAL YEARS 2021THROUGH 2023.

The Legislative Body of Salt Lake County resolves as follows:

WHEREAS, the Salt Lake County Council does hereby determine that it is in the public interest and welfare of the residents of the County that the County engage in a cooperative effort with West Valley City, South Jordan City, West Jordan City, Sandy City, and Taylorsville City for the conduct of the HOME Investment Partnership Program (HOME) in the County under and pursuant to the Cranston-Gonzalez National Affordable Housing Act of 1990;

WHEREAS, an Interlocal Cooperation Agreement (Agreement) has been prepared for approval and execution by and between the County and West Valley City, South Jordan City, West Jordan City, Sandy City, and Taylorsville City pursuant to which the HOME program will be undertaken and administered. That Agreement states the purposes thereof, and the extent of the required participation of the parties and the rights, duties, responsibilities, and obligations of the parties in the conduct and administration of the HOME program as specified therein; and

WHEREAS, under the Utah Interlocal Cooperation Act, Utah Code Annotated, 11-13-101 et seq., (2019) any two or more public agencies, as defined therein, may enter into agreements with one another for joint or cooperative action and may also contract with each other to perform any governmental service activity or undertaking which each public agency

entering into the contract is authorized by law to perform.

NOW, THEREFORE, BE IT RESOLVED by the Salt Lake County Council that the aforementioned Interlocal Cooperation Agreement between Salt Lake County and West Valley City, South Jordan City, West Jordan City, Sandy City, and Taylorsville City relating to the HOME Investment Partnership Program effective as of October 1, 2020 is hereby accepted and approved by the Council and the Mayor is hereby authorized to execute the same on behalf of Salt Lake County.

APPROVED and ADOPTED this q day of June, 2020.

SALT LAKE COUNTY COUNCIL

By: Richard holone

ATTEST:

Salt Lake County Clerk

Approved as to Form:

By: Megan Smith

Megan L. Smith,

Deputy District Attorney

Council Member Bradley voting Are"
Council Member Bradshaw voting Are"
Council Member Burdick voting Ares

Council Member DeBry voting "Aye"

Council Member Ghorbani voting "Aye"

Council Member Granato voting "Are"

Council Member Jensen voting "Are"

Council Member Snelgrove voting 'Aye"

Council Member Winder Newton voting " "

SIGNATURE PAGE FOR SALT LAKE COUNTY TO

INTERLOCAL COOPERATION AGREEMENT HOME INVESTMENT PARTNERSHIP PROGRAM FOR FEDERAL FISCAL YEARS 2021-2023

Mayor or Designee

Administrative Approval:

Approved as to Form and Legality: Salt Lake County District Attorney

Megan L. Smith, Deputy District Attorney

SIGNATURE PAGE FOR WEST VALLEY CITY

TO

INTERLOCAL COOPERATION AGREEMENT HOME INVESTMENT PARTNERSHIP PROGRAM FOR FEDERAL FISCAL YEARS 2021-2023

By: Km Bigs Mayor or Designee

Approved as to Form and Legality:

D- .. Brandon Hill

Name: Brandon Hill

Title: Deputy City Attorney

Date: 5/18/2020

SIGNATURE PAGE FOR SOUTH JORDAN TO

INTERLOCAL COOPERATION AGREEMENT HOME INVESTMENT PARTNERSHIP PROGRAM FOR FEDERAL FISCAL YEARS 2021-2023

By: Mayor or Designee

Approved as to Form and Legality:

By: Ryan W. Loose
Title: City Attorney
Date: 4/13/2020

SIGNATURE PAGE FOR WEST JORDAN CITY TO

INTERLOCAL COOPERATION AGREEMENT HOME INVESTMENT PARTNERSHIP PROGRAM FOR FEDERAL FISCAL YEARS 2021-2023

Mayor or Designee

.... Mid

Cindy M. Quick City Recorder

Date: ____June 26, 2020

Approved as to Form and Legality:

Name: Jared Tingey

Title: City of West Jordan Attorney

Date: June 26, 2020

SIGNATURE PAGE FOR TAYLORSVILLE CITY

TO

INTERLOCAL COOPERATION AGREEMENT HOME INVESTMENT PARTNERSHIP PROGRAM FOR FEDERAL FISCAL YEARS 2021-2023

ATTEST:

Jamie Brooks City Recorder

Mayor or Designee

Approved as to Form and Legality:

Title:

Name: //

SIGNATURE PAGE FOR SANDY CITY

TO

INTERLOCAL COOPERATION AGREEMENT HOME INVESTMENT PARTNERSHIP PROGRAM FOR FEDERAL FISCAL YEARS 2021-2023



By: Mayor of Designee

ATTEST:

Wesly D----

Approved as to Form and Legality:

DocuSigned by:

Darien Alcorn

Name: Darten Afcorn

Title: Senior Civil Attorney

Date: 5/29/2020







Jeffrey William Hall
Chief Deputy
Justice Division

Blake Nakamura
Chief Deputy
Justice Division

Ralph Chamness Chief Deputy Civil Division

Lisa Ashman Administrative Operations

June 1, 2020

Statement of Legal Counsel For Salt Lake County, Utah

I have reviewed the foregoing Agreement and based on that review it is my opinion that the terms, conditions, and other provisions thereof are fully authorized under state and local law, specifically, the Utah Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code Annotated (2020) (the "Act"). Further, the Agreement provides full legal authority, pursuant to the Act, for the County, acting pursuant to its general powers to provide services, exercise powers, and perform functions reasonably related to the safety, health, morals, and welfare of its inhabitants, as provided by Article XI, Section 1 of the Constitution of Utah; and Title 17, Chapter 50, Utah Code Annotated (2020), to undertake or assist in undertaking housing assistance activities for the HOME Investment Partnership Program in cooperation with Sandy City, South Jordan City, West Jordan City, West Valley City and Taylorsville City, acting pursuant to their general powers to provide services, exercise powers, and perform functions reasonably related to the safety, health, morals, and welfare of their inhabitants, as provided by Article XI, Section 5 of the Constitution of Utah, and Title 10, Chapters 1 through 18, Utah Code Annotated (2020).

Salt Lake County Deputy District Attorney

By: Megan Smith
Megan L. Smith

STATE OF UTAH SALT LAKE COUNTY CONSORTIUM

State of Utah hereby certifies that Salt Lake County Consortium will direct its activities to the alleviation of housing problems within the State of Utah in Salt Lake County

Authorized Official

Date

AMENDMENT 1 TO INTERLOCAL COOPERATION AGREEMENT BETWEEN SALT LAKE COUNTY AND

SANDY CITY, SOUTH JORDAN, WEST JORDAN CITY, WEST VALLEY CITY, AND TAYLORSVILLE CITY RELATING TO THE HOME INVESTMENT PARTNERSHIP PROGRAM FOR FEDERAL FISCAL YEARS 2021 THROUGH 2023

THIS AMENDMENT ONE ("Amendment") is entered into and shall be effective as of the

_____ day of ______, 2020, by and between Salt Lake County, (the "County"), and Sandy City, South

Jordan, West Jordan City, West Valley City and Taylorsville City (the "Cities"), municipal corporations of
the State of Utah located within Salt Lake County. County and the Cities may be referred to as the

"Parties."

RECITALS

- A. The parties entered into the above stated agreement effective as of October 1, 2020 (the "Agreement"), which Agreement is identified as Salt Lake County Contract No. 0000002515 and has a contract expiration date of September 30, 2023; and
- B. It has been determined by the Parties that certain provisions should be modified as hereinafter provided.
 - 1. Paragraph 4. is amended as follows:

- 4. This Agreement shall begin as of the above-mentioned date and shall continue for federal fiscal years 2021 through 2023 [2024] consistent with the Salt Lake County Urban County qualification.

 The period of performance for this Agreement shall be from October 1, 2020 through September 30, 2023. The parties further agree that:
- 2. All other provisions of the Agreement not specifically modified by this amendment shall be the same and remain in full force and effect.

IN WITNESS WHEREOF, the Parties have caused this Amendment to be duly authorized and executed by each on the dates specified on each signature page.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

SIGNATURE PAGE FOR SALT LAKE COUNTY

TO

AMENDMENT 1

TO THE

	By:Mayor or Designee
	Administrative Approval:
	By:
	Division Director
Approved as to Form and Legality: Salt Lake County District Attorney	
By:	
Megan L. Smith, Deputy District Attorney	

SIGNATURE PAGE FOR SANDY CITY

TO

AMENDMENT 1

TO THE

	By:		
		Mayor or Designee	
Approved as to Form and Legality:			
By:			
Name:			
Title:			
Date:			

SIGNATURE PAGE FOR SOUTH JORDAN

TO

AMENDMENT 1

TO THE

		By:	Mayor or Designee
			Mayor of Designee
Approved as to Form and Legality:			
By:			
Name:			
Title:	-		
Date:	_		

SIGNATURE PAGE FOR WEST JORDAN CITY

TO

AMENDMENT 1

TO THE

	Ву:	Mayor or Designee	-
Approved as to Form and Legality:			
Dv			
By: Name:			
Title:			
Date:			

SIGNATURE PAGE FOR WEST VALLEY CITY TO

AMENDMENT 1

TO THE

		Ву:	
			Mayor or Designee
Approved as to Form and Legality:			
By:			
Name:			
Title:	-		
Date:			

SIGNATURE PAGE FOR TAYLORSVILLE CITY

TO

AMENDMENT 1

TO THE

	By:	
	By:Mayor or Designee	
Approved as to Form and Legality:		
By:		
Name:		
Title:		
Date:		

SALT LAKE COUNTY COUNCIL RESOLUTION

RESOLUTIONNO.

DATE

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL APPROVING AND AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT WITH SANDY CITY, SOUTH JORDAN CITY, WEST JORDAN CITY, WEST VALLEY CITY, AND TAYLORSVILLE CITY RELATING TO THE CONDUCT OF THE HOME INVESTMENT PARTNERSHIP PROGRAM FOR THE FEDERAL FISCAL YEARS 2021THROUGH 2023.

The Legislative Body of Salt Lake County resolves as follows:

WHEREAS, the Salt Lake County Council does hereby determine that it is in the public interest and welfare of the residents of the County that the County engage in a cooperative effort with West Valley City, South Jordan City, West Jordan City, Sandy City, and Taylorsville City for the conduct of the HOME Investment Partnership Program (HOME) in the County under and pursuant to the Cranston-Gonzalez National Affordable Housing Act of 1990;

WHEREAS, an Interlocal Cooperation Agreement (Agreement) has been prepared for approval and execution by and between the County and West Valley City, South Jordan City, West Jordan City, Sandy City, and Taylorsville City pursuant to which the HOME program will be undertaken and administered. That Agreement states the purposes thereof, and the extent of the required participation of the parties and the rights, duties, responsibilities, and obligations of the parties in the conduct and administration of the HOME program as specified therein; and

WHEREAS, under the Utah Interlocal Cooperation Act, Utah Code Annotated, 11-13-101 *et seq.*, (2019) any two or more public agencies, as defined therein, may enter into agreements with one another for joint or cooperative action and may also contract with each other to perform any governmental service activity or undertaking which each public agency

entering into the contract is authorized by law to perform.

NOW, THEREFORE, BE IT RESOLVED by the Salt Lake County Council that the aforementioned Interlocal Cooperation Agreement between Salt Lake County and West Valley City, South Jordan City, West Jordan City, Sandy City, and Taylorsville City relating to the HOME Investment Partnership Program effective as of October 1, 2020 is hereby accepted and approved by the Council and the Mayor is hereby authorized to execute the same on behalf of Salt Lake County. APPROVED and ADOPTED this _____ day of ______, 2020. SALT LAKE COUNTY COUNCIL By: Max Burdick, Chair ATTEST: By: Sherrie Swensen, Salt Lake County Clerk Council Member Bradley voting ____ Council Member Bradshaw voting Council Member Burdick voting ____ Council Member DeBry voting ____ Council Member Ghorbani voting Council Member Granato voting ____ Council Member Jensen voting ____ Council Member Snelgrove voting

Council Member Winder Newton voting