

RESOLUTION 2020-05

A RESOLUTION OF THE VERNAL CITY COUNCIL AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH NAPLES CITY AND UINTAH COUNTY FOR STORM WATER SYSTEM PRESERVATION AND ENHANCEMENT, ROAD CROSSING AND ROAD SAFETY FUNDING.

WHEREAS, the parties are authorized by the Utah Interlocal Cooperation Act, as set forth in Title 11, Chapter 13, Utah Code Ann. To enter into agreements with other public agencies on the basis of mutual advantage and to more efficiently provide government facilities, services and improvements to the general public; and

WHEREAS, Naples City, Vernal City and Uintah County have been using the Ashley Central Canal for storm water collection and diversion for many years; and

WHEREAS, beginning in 2020 and 2021, Ashley Central Irrigation Co. intends to pipe the complete length of the Central Canal which will severely limit its ability to receive storm water; and

WHEREAS, Ashley Central Irrigation Co. has agreed and committed to allow the parties hereto to continue to utilize the abandoned Ashley Central Canal for storm water collection and conveyance and to construct the piped canal beside the existing canal channel and to convey to the entities rights to use, improve, and maintain the existing canal as a viable channel for storm water management; and

WHEREAS, Uintah County has obtained funding for the three entities involved, Vernal, Naples, and County from NRCS for the flood channel conversion in the amount of \$561,000.00; and

WHEREAS, additional funding sources for the project are: Utah Department of Transportation \$150,000, Vernal City \$25,000 cash, Uintah County \$84,000 cash; and

WHEREAS, by this Agreement, the parties agree to provide the funding towards the project set forth herein and to act in concert and cooperatively and for the best interests of the public health, safety, and welfare to request that the balance of the funding be provided by the Utah Community Impact Board ("CIB") in the amount of \$1,735,000 in a loan and grant; and

NOW THEREFORE, for and in consideration of the mutual promises, obligations, and/or covenants contained herein, and for other good and valuable consideration, receipt, fairness, and sufficiency of which are hereby acknowledged, the parties intending to be legally bound do hereby mutually agree as follows:

SECTION 1. Interlocal Agreement. The Vernal City Council desires to enter into this joint cooperation agreement.

SECTION 2. Approval. The Vernal City Council hereby approves the Interlocal Agreement referred to above and authorizes the Mayor to execute it on behalf of Vernal City.

SECTION 3. Severability. The provisions of this resolution shall be severable and if any

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provision thereof or the application of such provision under any circumstances is held invalid, it shall not affect any other provision of this resolution or the application in a different circumstance.


SECTION 4. Effective Date. This resolution shall become effective immediately upon adoption by the governing or legislative bodies of Uintah County, Vernal City and Naples City and approval as to proper form and compliance with applicable law by the attorneys for each entity; and the filing of this agreement with the keeper of records for each entity that is a party hereto.

PASSED, AND ADOPTED this 20th day of May, 2020.

ATTEST:



Quinn Bennion, City Recorder



Mayor Doug Hammond
