

## RESOLUTION NO. R-02-2025

### **A RESOLUTION OF THE REDEVELOPMENT AGENCY OF EAGLE MOUNTAIN CITY, UTAH, APPROVING AN AMENDED INTERLOCAL COOPERATION AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY AND UNIFIED FIRE SERVICE AREA FOR THE COLLECTION AND REMITTANCE OF INCREMENTAL PROPERTY TAXES COLLECTED FROM PROPERTY WITHIN THE TRIPLE TAIL COMMUNITY REINVESTMENT AREA**

#### *PREAMBLE*

WHEREAS, pursuant to the provisions of the Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code Annotated 1953, as amended (the "Interlocal Act"), and the provisions of the Community Reinvestment Agency Act, Title 17C, Utah Code Annotated 1953, as amended (the "Act"), public agencies, including political subdivisions of the State of Utah as therein defined, are authorized to enter into mutually advantageous agreements for joint and cooperative actions, including the sharing of tax and other revenues; and

WHEREAS, the Redevelopment Agency of Eagle Mountain City (the "Agency") and Unified Fire Service Area (the "Taxing Entity") are "public agencies" for purposes of the Act; and

WHEREAS, after careful analysis and consideration of relevant information, the Agency desires to amend the Interlocal Agreements with the Taxing Entity whereby the Taxing Entity would remit to the Agency a portion of the property tax increment generated within the Triple Tail Community Reinvestment Project Area, (the "Project Area") which would otherwise flow to the Taxing Entity, for the purpose of encouraging development activities through the payment for certain public infrastructure and other uses that directly benefit the Project Area; and

WHEREAS, Section 11-13-202.5 of the Interlocal Cooperation Act requires that certain interlocal agreements be approved by resolution of the legislative body of a public agency.


NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE REDEVELOPMENT AGENCY OF EAGLE MOUNTAIN CITY as follows:

1. The Amended Interlocal Cooperation Agreement between the Agency and the Taxing Entity, substantially in the form attached hereto as Exhibit A (the "Interlocal Agreement"), is approved in final form, and shall be executed for and on behalf of the Agency by the Chair of the Agency Board.
2. Pursuant to Section 11-13-202.5 of the Interlocal Act, the Amended Interlocal Agreement has been submitted to legal counsel of the Agency for review and approval as to form and legality.

3. Pursuant to Section 11-13-209 of the Interlocal Act, duly executed original counterparts of the Amended Interlocal Agreement shall be filed immediately with the Agency Secretary, the keeper of records of the Agency.
4. As provided in Utah Code Ann. § 17C-5-205(3), the Amended Interlocal Agreement shall be effective on the day on which the Agency publishes notice of the Agreement pursuant to Utah Code Ann. § 11-13-219 of the Interlocal Act.
5. This Resolution shall take effect upon adoption.

APPROVED AND ADOPTED by the governing board of the Redevelopment Agency of Eagle Mountain City, this 4th day of February, 2025.

EAGLE MOUNTAIN CITY, UTAH

  
Tom Westmoreland, Chair

ATTEST:

  
Evan Berrett, Executive Director



## CERTIFICATION

The above Resolution was adopted by the Redevelopment Agency of Eagle Mountain City, Utah, on the 4th day of February, 2025.

Those voting yes:

☒ Donna Burnham

☒ Melissa Clark

☒ Jared Gray

☐ Rich Wood

☒ Brett Wright

Those voting no:

☐ Donna Burnham

☐ Melissa Clark

☐ Jared Gray

☐ Rich Wood

☐ Brett Wright

Those excused:

☐ Donna Burnham

☐ Melissa Clark

☐ Jared Gray

☒ Rich Wood

☐ Brett Wright

Those abstaining:

☐ Donna Burnham

☐ Melissa Clark

☐ Jared Gray

☐ Rich Wood

☐ Brett Wright



A handwritten signature in blue ink, appearing to read "Evan Berrett".

Evan Berrett, Executive Director

## Exhibit A

### Interlocal Agreement

## AMENDMENT NO. 1

### INTERLOCAL COOPERATION AGREEMENT

THIS FIRST AMENDMENT TO THE INTERLOCAL COOPERATION AGREEMENT (the "Amendment No. 1") is made and entered into this 7 day of February, 2025, between the **EAGLE MOUNTAIN REDEVELOPMENT AGENCY**, a community reinvestment agency and political subdivision of the State of Utah (the "Agency"), and **UNIFIED FIRE SERVICE AREA**, a political subdivision of the State of Utah (the "Fire District") in contemplation of the following facts and circumstances. Agency and Fire District may be referred to herein as the "Parties".

- A. **WHEREAS**, Effective 3 December 2024, the Agency and Fire District entered into an Interlocal Cooperation Agreement (the "Agreement") for the Triple Tail Community Reinvestment Area (the "Project Area"); and
- B. **WHEREAS**, the Agency noted an error in the not to exceed total of Tax Increment attributable to the Fire District that is paid to the Agency under the Agreement; and
- C. **WHEREAS**, the Parties desire to amend the Agreement to include the correct not to exceed total of Tax Increment attributable to the Fire District that is paid to the Agency under the Agreement.

NOW, THEREFORE, for the mutual promises set forth herein and other good and valuable consideration, including the mutual covenants contained in this Amendment No. 1, the Parties covenant and agree as follows:

1. Amendment to Section 6. Section 6 is amended to the following:

**Total Payment to Agency** - The Fire District shall authorize the County to remit to the Agency, beginning with property tax receipts during each Incremental Period for each Phase, 55% of the annual Tax Increment generated from the real, personal, and centrally assessed property tax within the Project Area attributable to the Fire District's tax levy; provided however, that the total amount of such Tax Increment generated and properly attributable to the Fire District's tax levy that is paid to the Agency under this Agreement shall not exceed a total of \$209,244,856 within the Project Area.

2. This Amendment No. 1 shall take effect immediately upon the approval of this Amendment No. 1 by both Parties as provided in Utah Code §11-13-202.5.

3. All remaining provisions of the Agreement, not specifically altered by this Amendment No. 1, shall continue in full force and effect under this Amendment No.1.

[SIGNATURE PAGE TO FOLLOW]

**IN WITNESS WHEREOF**, the parties have executed this Agreement on the day specified above.

City: UNIFIED FIRE SERVICE AREA

Attest:

By: \_\_\_\_\_

Its: Board Chair or Vice Chair

\_\_\_\_\_  
Secretary

Approved as to form:

\_\_\_\_\_  
Attorney for Fire District

Agency: EAGLE MOUNTAIN REDEVELOPMENT AGENCY

Attest:

By: Tom Daniel

Its: Chair

Jean L. Olsen  
Secretary

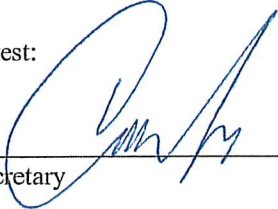
Approved as to form:

[Signature]  
Attorney for Agency



IN WITNESS WHEREOF, the parties have executed this Agreement on the day specified above.


City: UNIFIED FIRE SERVICE AREA

Attest:   
Secretary

By: Catherine Harris  
Catherine Harris (Feb 18, 2025 12:13 MST)

Its: Board Chair or Vice Chair

Approved as to form:

  
Attorney for Fire District

Agency: EAGLE MOUNTAIN REDEVELOPMENT AGENCY

Attest:

By: \_\_\_\_\_

Its: Chair

\_\_\_\_\_  
Secretary

Approved as to form:

\_\_\_\_\_  
Attorney for Agency