

RESOLUTION NO. 04-2007

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN WEST HAVEN CITY AND VARIOUS OTHER GOVERNMENTAL UNITS APPROVING AN AMENDED AND RESTATED INTERLOCAL AGREEMENT CREATING THE UTAH LOCAL GOVERNMENTS TRUST; PROVIDING FOR INSURANCE AND RELATED SERVICES ON BEHALF OF WEST HAVEN CITY; AUTHORIZING THE MAYOR TO SIGN SUCH AN AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE

SECTION 1. RECITALS

WHEREAS, the City of West Haven (hereinafter “City”) is a municipal corporation duly organized and existing under the laws of the State of Utah; and,

WHEREAS, in conformance with the provisions of UCA §10-3-717, the City Council as the governing body of the City may exercise all administrative powers by resolution; and,

WHEREAS, pursuant to the provisions of the Utah Interlocal Co-operation Act UCA §11-13-1, et seq., Utah Code Ann., 1953, as amended, (the “Act”), any power or powers, privileges or authority exercised or capable of exercise by a public agency of the state (defined as any political subdivision of the state, including municipalities and special districts of various kinds) may be exercised and enjoyed jointly with any other public agency, and that any two or more public agencies may enter into agreements with one another for joint or cooperative action pursuant to the Act; and,

WHEREAS, in conformance with the provisions of UCA §10-3-717, the City Council as the governing body of the City may exercise all administrative powers by resolution; and,

WHEREAS, in conformance with the provisions of UCA §11-13-1, the City is authorized to enter into Interlocal Cooperation Agreements; and,

WHEREAS certain units of local government have agreed to enter into an agreement establishing a policy to provide certain casualty and liability insurance coverage and related services on behalf of the City in a manner that is beneficial to each other (the “Agreement”); and,

WHEREAS, the City Council finds that entering into and supporting the Agreement is in the best interest of the citizens of West Haven City; and,

WHEREAS, the City Council finds that it will be beneficial to the City to enter into a contractual relationship with Weber County for the provision of these mutually beneficial services; and,

WHEREAS, such agreements require the signature of an authorized official of the City; and,

WHEREAS, the Mayor of West Haven is the chief executive officer and representative of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST HAVEN UTAH THAT:

The City Council of West Haven City, State of Utah, hereby authorizes entry into an agreement with Weber County for the provision of mutual aid law enforcement services as set out in that document entitled “**Amended And Restated Interlocal Agreement Creating The Utah Local Governments Trust**” between the City and Weber County (said Agreement attached hereto as “*Attachment A*” and incorporated herein by this reference, and authorizes the Mayor to sign any and all contracts, agreements, or other documents necessary to consummate said agreement; and, authorizes the City Recorder to sign any documents as may be required attesting to the fact that the Mayor has been duly authorized to enter into such arrangements on behalf of the City.

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon its passage.

SECTION 2. REPEALER OF CONFLICTING ENACTMENTS:

All orders and resolutions with respect to the changes herein enacted and adopted which have heretofore been adopted by the City, or parts thereof, which are in conflict with any of the provisions of this Resolution, are, to the extent of such conflict, hereby repealed, except that this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

SECTION 3 - PRIOR RESOLUTIONS:

The body and substance of any and all prior Resolutions, together with their specific provisions, where not otherwise in conflict with this Resolution, are hereby reaffirmed and readopted.

SECTION 4 - SAVINGS CLAUSE:

If any provision of this Resolution shall be held or deemed to be or shall, in fact, be invalid, inoperative or unenforceable for any reason, such reason shall not have the effect of rendering any other provision or provisions hereof invalid, inoperative or unenforceable to any extent whatever, this Resolution and the provisions of this Resolution being deemed to be the separate independent and severable act of the City Council of West Haven City.

SECTION 5. DATE OF EFFECT:

This Resolution shall be effective on the 16th day of May, 2007, and after publication or posting as required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF WEST HAVEN CITY, STATE OF UTAH, on this 16th day of May, 2007.

WEST HAVEN CITY

By: _____
Brian Melaney, Mayor

ATTEST:

Janet Talbot, City Recorder

CERTIFICATION

STATE OF UTAH)
 ss)
COUNTY OF WEBER)

I hereby certify that the foregoing is true and correct copy of said Resolution.

Janet Talbot
City Recorder

Subscribed and sworn to before me this 16th day of May, 2007.

Notary Public