

RESOLUTION 02-06-2023-B

A RESOLUTION OF THE CITY COUNCIL OF SONORA PROPOSING EXTENDED FIRE SERVICE BY CONTRACT OUTSIDE THE CITY OF SONORA'S CURRENT JURISDICTIONAL BOUNDARIES TO THE CHICKEN RANCH TRIBE OF ME-WUK INDIANS, AS REQUIRED BY THE CALIFORNIA GOVERNMENT CODE, 56133-34.

WHEREAS, California Government Code Section 56133-34 provides a district or city may provide new or extended fire protection and emergency services by contract or agreement only if it first requests and receives written approval by the local agency formation commission in the affected county; and the City Council to pass by resolution a proposal to provide new or extended services by contract or agreement outside its jurisdictional boundary; and

WHEREAS, Government Code Section 56134 provides for an exemption from Local Agency Formation Commission (LAFCO) consideration of an out-of-agency service agreement where the new or extended services to be added does not transfer the responsibility for providing services in more than 25-percent of the area within the jurisdictional boundaries of any public agency affected by the contract agreement, and where it does not change the employment status of more than 25-percent of the employees of any public agency affected by the contract or agreement; and

WHEREAS, the Tribal General Council, Tribal Council and the City of Sonora City Council approved a proposed cooperative fire program fire reimbursement agreement with the Chicken Ranch Tribe of Me-Wuk Indians; and

WHEREAS, the City Council of the City of Sonora does hereby find that:

1. The proposed extended fire services outside of the City of Sonora's current jurisdictional boundaries to the Chicken Ranch Tribe of Me-Wuk Indians meets the exemptions provided in Government Code Section 56134; and
2. The proposed service area is approximately 51 acres of Tribal Trust lands, not governed by LAFCO; and
3. Any agreement for response outside of the Tribal Trust lands would be a separate agreement with all fire agencies in Tuolumne County through an automatic aid agreement, which is not governed by LAFCO;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Sonora as follows:

1. That the City Council does hereby give direction to the Fire Chief and City Administrator to submit an application for exemption to the Executive Officer of the Tuolumne County Local Agency Formation Commission; and

PASSED AND ADOPTED as a Resolution of the City Council of the City of Sonora, California, at a regular meeting of said City Council held on February 06, 2023, by the following votes:

AYES:

NOES:

ABSTAIN:

ABSENT:

Signed and Dated:

Mark Plummer,
Mayor of the City of Sonora

ATTEST:

Tracy Skelly, City Clerk