

**CITY OF STAR**

**RESOLUTION NO. 2023-007**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STAR:**

- **Making certain Findings;**
- **Approving and authorizing the Mayor and the City Clerk to execute on behalf of the City Council that certain agreement with the Star Fire Protection District entitled “*City of Star and Star Fire Protection District Second Amended and Reformed Intergovernmental Agreement and Joint Powers Agreement for the Collection and Expenditure of Development Impact Fees for Fire District Systems Improvements*”;**
- **Directing the City Clerk; and**
- **Setting an Effective Date.**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Star:

**Section 1: Findings**

It is hereby found by the City Council that:

- 1.1** As provided in Idaho Code § 31-1417, the Star Fire Protection District (“Fire District”) Board of Commissioners has the discretionary authority to manage and conduct the business and affairs of the Fire District and to make and execute all necessary contracts and to adopt such rules and regulations as may be necessary to carry out their duties and responsibilities; and
- 1.2** Considerable growth within the City of Star (“City”) continues to have impact upon the Fire District’s ability to service that new growth with the same level of service in reliance upon existing District income sources; and
- 1.3** The Fire District has negotiated with the City Council of the City to use the City’s ordinance authority to impose a development impact fee for the Fire District’s Systems Improvements; and
- 1.4** As a necessary part of the process of establishing a Fire District development impact fees in addition to the approval of an Ordinance by the City Council, pursuant to Idaho Code § 67-8204A, the Fire District has negotiated the following intergovernmental agreement with the City: *City of Star and Star Fire Protection District Second Amended and Reformed Intergovernmental Agreement and Joint Powers Agreement for the Collection and Expenditure of Development Impact Fees for Fire District Systems Improvements* (the

“Amended Intergovernmental Agreement”); and

**1.5** Section 2 “Recitals” of the Amended Intergovernmental Agreement sets forth the authority, intentions, purposes, considerations and reasons for the City and the Fire District for to enter into the Amended Intergovernmental Agreement, and such Recitals are therefore by this reference incorporated herein as if set forth at length.

**Section 2: Action authorizing the Mayor and City Clerk to execute the Intergovernmental Agreement**

**2.1** That the Mayor and City Clerk of this City are hereby authorized, as the agents of this City, to execute the Amended Intergovernmental Agreement, a true and correct copy of which is attached hereto and marked **Exhibit A** and by this reference incorporated herein, and thereby fully bind the City to its terms and conditions upon the same being approved and executed by the Fire District Board of Commissioners.

**Section 3: Direction to City Clerk**

**3.1** The City Clerk is hereby directed to retain this resolution in the official records of the City Council and to provide a certified copy of this resolution to the Secretary of the Fire District and provide a copy to the City attorney.

**Section 4: Effective Date**

**4.1** This Resolution shall be in full force and effect after its passage and approval.

**ADOPTED** by the City Council of the City of Star

**APPROVED:**

Dated: \_\_\_\_\_, 2023

Signed: \_\_\_\_\_  
Trevor A. Chadwick, Mayor

**ATTEST:**

*I certify that the above Resolution was duly adopted by the City Council of the City of Star on \_\_\_\_\_, 2023 by the following vote:*

*Ayes:* \_\_\_\_\_

*Noes:* \_\_\_\_\_

*Absent:* \_\_\_\_\_

By \_\_\_\_\_  
Jacob Qualls, City Clerk

**EXHIBIT A**