

**CITY COUNCIL
RESOLUTION NO. 2025-****

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHEATLAND
AUTHORIZING THE CITY MANAGER TO SIGN AND FILE AN OUT OF AGENCY
SERVICE AGREEMENT WITH THE YUBA LOCAL AGENCY FORMATION
COMMISSION**

WHEREAS, the Bishop's Pumpkin Farm (Bishop's) located at 1415 Pumpkin Lane, Wheatland, CA 95692, and more particularly described by Yuba County Assessor's Parcel Number 015-180-109 (Property), operates a seasonal pumpkin farm within the Wheatland (City) City Limits; and

WHEREAS, in 2012 the City approved Bishop's application to have the Property rezoned to AG Tourism Planned Development and annexed within the City Limits to connect the Property to the City's water and wastewater service; and

WHEREAS, Bishop's acquired additional land in 2015 and 2020 located outside the City limits but within the City's Sphere of Influence and adjacent to the City limits; and

WHEREAS, Bishop's has approached the City in an effort to expand the AG Tourism operation by initiating the annexation process to connect the acquired lands to the City's water and wastewater service; and

WHEREAS, although the annexation process has not yet been completed and has not been approved by Yuba Local Agency Formation Commission (LAFCo), Bishop's wishes to construct a new food service building, restroom building and amusement ride adjacent to, but outside, the current City limits; and

WHEREAS, Bishop's has requested that the City seek LAFCo approval to provide, and thereafter provide sewer and water service to the new food service building and restroom building prior to their subsequent annexation; and

WHEREAS, the City has considered Bishop's request and has decided that seeking such LAFCo approval is in the best interests of the City; and

WHEREAS, on June 27, 2023, the Wheatland City Council approved a Memorandum of Understanding (MOU) directing staff to apply for LAFCo approval of the Out of Agency Service Agreement (OASA); and

WHEREAS, the City of Wheatland designates the City Manager with the authority to complete and file the OASA with LAFCo on behalf of Bishops.

WHEREAS, the Bishop's OASA is exempt from CEQA review under sections 15301(b) existing facilities and 15303(d) new construction of conversion of small structures; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Wheatland, as follows:

1. The City Manager (the “Authorized Representative”) or designee is hereby authorized and directed to sign and file, for and on behalf of the City, an OASA for the City to provide water and wastewater service to areas of the Bishop’s Pumpkin Farm that currently fall outside the City limits.
2. The Authorized Representative, or his/her designee, is designated to complete and provide the application materials from the City of Wheatland to Yuba LAFCo.
3. The Authorized Representative, or his/her designee, is designated to represent the City in carrying out the City’s responsibilities under the OASA.

CERTIFICATION

I HEREBY CERTIFY, that the foregoing resolution was adopted at a regular meeting of the City Council of the City of Wheatland on this 13th day of May 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Mayor

ATTEST:

Lisa Thomason, City Clerk