

RESOLUTION R2023-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, AUTHORIZING THE FIRE CHIEF TO EXECUTE ON BEHALF OF THE CITY A JOINT POWERS AGREEMENT FOR FIRE SERVICES WITH NAPA COUNTY AND AMERICAN CANYON FIRE PROTECTION DISTRICT

WHEREAS, pursuant to the Joint Exercise of Powers Act (Government Code section 6500 et seq.), two or more public agencies may by agreement jointly exercise any power common to each of the agencies; and

WHEREAS, Government Code section 6502 provides that by such agreement, the parties may jointly exercise their common powers within their own or each other's geographic jurisdictions; and

WHEREAS, Government Code section 6504 provides that to implement the common purpose the parties to such agreement may designate one of the parties, in lieu of an independent agency, to receive from the other parties and disburse payments or advances of public funds, personnel, equipment, or property; and

WHEREAS, the Parties to this Agreement recognize the benefits of fire resource sharing and collaboration for the purposes of enhancing fire protection and emergency response services ("Fire Services") to the jurisdictions that are parties to this Agreement; and

WHEREAS, on occasion, the Parties do not have sufficient staffing, equipment, and/or other resources to perform, support, or enhance their services in their respective boundaries and service areas, and seek the assistance of other local agencies to meet those needs; and

WHEREAS, the Parties desire to enter into an agreement for the provision of shared and cooperative Fire Services and functions under the terms and provisions provided herein; and

WHEREAS, Fire Services may be provided on a case by case basis, and upon agreement between the respective fire chiefs. Any proposed agreement outside the definition of "Fire Services" contained herein, or that may result in a significant ongoing impact to city resources or operations would be handled by separate agreement; and

WHEREAS, nothing contained in the proposed JPA is intended to alter or replace language specific to existing Mutual Aid, Automatic Aid, Assistance by Hire ("ABH"), or other agreements between participating agencies. The proposed JPA is intended to facilitate resource sharing outside of the specific purposes and parameters of those agreements; and

ATTACHMENT 1

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meetings of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

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

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct, and establish the factual basis for the City Council's adoption of this Resolution.
2. The City Council hereby authorizes the Fire Chief to execute on behalf of the City a Joint Powers Agreement with Napa County and American Canyon Fire Protection District for Fire Services, attached hereto as Exhibit "A" and incorporated herein by reference.
3. The City Council hereby authorizes the Fire Chief to approve requests made under this Joint Powers Agreement ("JPA") to provide City of Napa resources for Fire Services, to the extent the Fire Chief determines that the requests do not unduly burden City resources or the City's ability to perform services within the City of Napa. The Fire Chief may not authorize any request that results in a significant or ongoing impact to City resources or operations, without further Council approval.
4. This Resolution shall take effect immediately upon its adoption.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa at a public meeting of said City Council held on the 16th day of May, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____

Tiffany Carranza
City Clerk

Approved as to form:

Michael W. Barrett
City Attorney