

RESOLUTION 85-135

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DELTA, UTAH CONFIRMING AND RATIFYING THE ENTRY OF DELTA CITY INTO THE MILLARD COUNTY FIRE SERVICE DISTRICT AND AND RATIFYING AND CONFIRMING AN INTERLOCAL COOPERATION ACT AGREEMENT BETWEEN DELTA CITY AND MILLARD COUNTY PROVIDING FOR FIRE PROTECTION SERVICES.

RECITALS

The City Council of the City of Delta, Utah, referred to herein as the "City Council" hereby recites the following as the basis for adopting this resolution:

A. On August 14, 1985, Delta City adopted Resolution 85-134 providing for inclusion of Delta City within the proposed Millard County Fire Service District provided that certain conditions precedent were met and approving an agreement entitled "Interlocal Cooperation Act Agreement - Millard County Fire Services Agreement."

B. Resolution 85-134, as approved on August 14, 1985, provided that any agreement entered into between entered into between Delta City and Millard County as a condition of Delta City being included within the proposed Millard County Fire Service District must be substantially similar to the agreement approved by Resolution 85-134.

C. Millard County and Delta City have, through their respective officials, met and negotiated some modifications to the agreement as approved under Resolution 85-134 and voted to approve said modifications as substantially conforming to the agreement approved under Resolution 85-134 in the council meeting held August 26, 1985.

D. The City Council of the City of Delta has determined that the actions taken in the August 26, 1985 City Council meeting should be ratified, the authorization given to include Delta City within the Millard County Fire Service District ratified and acknowledgement given that the condition calling for entering into an agreement conforming to the agreement approved by Resolution 85-134 have been met.

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

1. Agreement Ratified. The document, a copy of which is attached hereto as Exhibit "A", entitled "Interlocal Cooperation Act Agreement - Millard County Fire Services Agreement" by and between Millard and Delta City is hereby

approved and the City Council further finds that said agreement substantially conforms to the agreement approved by the City Council under Resolution 85-134 adopted by the City Council on August 14, 1985.

2. Fire District Participation. The City Council further finds that the condition providing for entering into such an agreement as set out in Resolution 85-134 has been satisfied and hereby confirms the authorization given in said resolution for Delta City to be included within the boundaries of the Millard County Fire Service District as proposed by the Board of County Commissioners of Millard County in their Resolution 85-07-09; provided, however, that the further conditions set out in said agreement should be met as required thereby.

3. Effective Date. This resolution shall become effective upon adoption.

4. Severability. In the event that any provision of this resolution less than the entire resolution is held invalid by a court of competent jurisdiction, this resolution shall be deemed severable and such finding of invalidity shall not affect the remaining portions of this resolution.

5. Repeal of Conflicting Resolutions. To the extent that any resolutions or policies of the City of Delta conflict with the provisions of this resolution, they are hereby amended to be in accordance with the provisions hereof.

PASSED AND APPROVED THIS 9th day of September, 1985.


GRANT S NIELSON, Mayor

Attest:


DOROTHY JEFFERY,
City Recorder