

**REPORT/RECOMMENDATION TO THE BOARD OF DIRECTORS
OF THE SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT
AND RECORD OF ACTION**

June 22, 2021

FROM

DAN MUNSEY, Fire Chief/Fire Warden, San Bernardino County Fire Protection District

SUBJECT

Public Hearing to Consider Annexation No. 197 into Community Facilities District No. 94-01 (City of Hesperia) for Fire Suppression Services

RECOMMENDATION(S)

Acting as the governing body of the San Bernardino County Fire Protection District, conduct a public hearing to:

1. Consider testimony of all interested persons and taxpayers for or against the proposed annexation of Assessor Parcel Numbers 3064-401-09-0000, 3064-401-10-0000, and 3064-401-11-0000 into Community Facilities District (CFD) No. 94-01 (City of Hesperia) as well as any protests received from both registered voters, if any, residing within CFD No. 94-01 or the territory proposed for annexation and persons owning real property within CFD No. 94-01 or the territory proposed for annexation.
2. Adopt **Resolution No. 2021-116** calling for a special mailed ballot election of the property owner of Assessor Parcel Numbers 3064-401-09-0000, 3064-401-10-0000, and 3064-401-11-0000, in accordance with Government Code section 53339.7, regarding the proposed annexation of these parcels into CFD No. 94-01.
3. Adopt **Resolution No. 2021-117**:
 - a. Declaring the results of the special mailed ballot election and ordering the annexation of Assessor Parcel Numbers 3064-401-09-0000, 3064-401-10-0000, and 3064-401-11-0000 into CFD No. 94-01, making these parcels subject to the annual special tax for fire suppression services.
 - b. Directing the Secretary of the Board of Directors to cause the recordation of the Annexation No. 197 boundary map with the San Bernardino County Recorder.
 - c. Directing the Secretary of the Board of Directors to cause the preparation and recordation of the notice of special tax lien with the San Bernardino County Recorder within 15 days.

(Presenter: Dan Munsey, Fire Chief/Fire Warden, 387-6134)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

Ensure Development of a Well-Planned, Balanced, and Sustainable County.

Provide for the Safety, Health, and Social Service Needs of County Residents.

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost) as Pipeline Petroleum Banning, LLC for Assessor Parcel Numbers (APNs) 3064-

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401-09-0000 and 3064-401-11-0000, and Plaza Street Fund 167, LLC for APN 3064-401-10-0000 (Developers) are paying for all costs related to this annexation.

The parcels annexed into CFD No. 94-01 (City of Hesperia) through Annexation No. 197 are subject to a special tax in accordance with the rate and methods of apportionment of special tax previously approved for CFD No. 94-01. Beginning in 2021-22, the annual amount of revenue projected from the special tax on these parcels is approximately \$2,500. The special tax will be assessed and collected through the annual property tax roll, with the revenue being used to help fund fire suppression services provided by the San Bernardino County Fire Protection District (SBCFPD).

BACKGROUND INFORMATION

In 1994, CFD No. 94-01 was established by the Hesperia Fire Protection District to fund expenses associated with providing fire suppression and emergency medical services for the City of Hesperia. An annual levy of special taxes assessed on parcels within CFD No. 94-01 is used to fund these expenses.

On August 21, 2018 (Item No. 66), the SBCFPD Board of Directors (Board) approved annexation of the Hesperia Fire Protection District into SBCFPD. As part of the recommendations in that item, the Board approved a contract between the City of Hesperia, the Hesperia Fire Protection District, and SBCFPD that directed the transfer of authority for CFD No. 94-01 to SBCFPD and the requirement for implementation of the terms of Hesperia Fire Protection District. Through this agreement, the North Desert Service Zone of SBCFPD provides the fire suppression for CFD No. 94-01. Administration of CFD No. 94-01 transferred from the City of Hesperia to SBCFPD by the issuance of the Certificate of Completion for LAFCO No. 3218 effective November 1, 2018.

As part of a development project, the City of Hesperia conditioned the Developers to annex the following parcels into CFD No. 94-01: APNs 3064-401-09-0000, 3064-401-10-0000, and 3064-401-11-0000. Pursuant to Government Code section 53339.2, on May 18, 2021 (Item No. 95), the Board adopted a Resolution of Intention that declared the Board's intention to annex APNs 3064-401-09-0000, 3064-401-10-0000, and 3064-401-11-0000 into CFD No. 94-01 for the purpose of subjecting these parcels to the special tax of CFD No. 94-01 for the costs of providing fire suppression services. The parcels contain 6.91 net acres and will be developed into a commercial property. The Resolution of Intention also scheduled a public hearing for June 22, 2021, on the Board's Discussion Calendar, to consider the proposed annexation in accordance with Government Code section 53339.5 et seq.

The Developers are the sole owners of the parcels and have requested that the properties be annexed into CFD No. 94-01. The Developers have each executed a petition, as well as a waiver and consent form that request annexation and waive various time periods and mailed ballot voting/election related requirements in order to expedite approval of this annexation.

Approval of the recommended actions will annex APNs 3064-401-09-0000, APN 3064-401-10-0000, and APN 3064-401-11-0000 into CFD No. 94-01.

PROCUREMENT

N/A

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REVIEW BY OTHERS

This item has been reviewed by Auditor-Controller/Treasurer/Tax Collector (Evelyn Medina, Property Tax Manager, 382-3105) on May 28, 2021; County Counsel (Scott Runyan, Supervising Deputy County Counsel, 387-5455) on May 25, 2021; Finance (Tom Forster, Administrative Analyst, 387-4635) on May 28, 2021; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on June 6, 2021.

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Record of Action of the Board of Directors
San Bernardino County Fire Protection District

Hearing Opened
Public Comment: None
Hearing Closed

APPROVED REC. NO. 1 & 2

Motion/Second: Janice Rutherford/Dawn Rowe

AYE: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Curt Hagman, Joe Baca Jr.

APPROVED REC. NO. 3

Moved: Joe Baca, Jr. Seconded: Col. Paul Cook (Ret.)

Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, SECRETARY

BY 
DATED: June 22, 2021



cc: SBCFPD – Vargas w/ map & notice of special tax lien to record
File - SDD/SBCFPD w/ attachments

JLL 06/30/2021