

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

**May 18, 2021**

**FROM**

**DAN MUNSEY, Fire Chief/Fire Warden, San Bernardino County Fire Protection District  
TERRY W. THOMPSON, Director, Real Estate Services Department**

**SUBJECT**

Purchase and Sale Agreement with the Hesperia Housing Authority for the Acquisition of Property for the San Bernardino County Fire Protection District in the City of Hesperia

**RECOMMENDATION(S)**

Acting as the governing body of the San Bernardino County Fire Protection District:

1. Approve Appraisal No. 19-15, prepared by Smothers Appraisal, dated October 25, 2018, a copy of which is on file with the Real Estate Services Department.
2. Approve the acquisition of approximately 4.55 acres of property [Assessor Parcel Number (APN) 0410-182-10] owned by the Hesperia Housing Authority and located at the northwest corner of Olive Street and H Avenue in the City of Hesperia for the future construction of a fire station in accordance with Health and Safety Code section 13861(b) and Government Code section 25350.
3. Approve the Purchase and Sale Agreement and Joint Escrow Instructions **County Contract No. 21-391** between San Bernardino County Fire Protection District and the Hesperia Housing Authority.
4. Confirm a finding of exemption and direct the Clerk of the Board to post a Notice of Exemption as required under the California Environmental Quality Act.
5. Authorize the Director of the Real Estate Services Department to execute any other documents necessary to complete this transaction.

(Presenter: Terry W. Thompson, Director, 387-5252)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Improve County Government Operations.**

**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.**

**Pursue County Goals and Objectives by Working with Other Agencies.**

**FINANCIAL IMPACT**

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost) since all costs relative to this item will be funded by the San Bernardino County Fire Protection District (SBCFPD). The cost to acquire the approximate 4.55 acre parcel of vacant land located on the northwest corner of Olive Street and H Avenue in the City of Hesperia (APN 0410-182-10) (Property) in fee simple is \$288,000, plus escrow and title fees estimated to be

**Purchase and Sale Agreement with the Hesperia Housing Authority for  
the Acquisition of Property for the San Bernardino County Fire  
Protection District in the City of Hesperia  
May 18, 2021**

\$2,000. SBCFPD will pay a \$100 deposit directly to the Hesperia Housing Authority (HHA) for the right to purchase the Property, which amount will be applied to the purchase price, and to terminate the Agreement prior to the expiration of the due diligence period, if deemed necessary.

Using sophisticated deployment software, SBCFPD has identified the Property as being the best location for future replacement of Station 302 in Hesperia. The current facility is in need of replacing because it is inadequate for SBCFPD's existing and future needs. Although this item seeks approval for the land acquisition, SBCFPD will not proceed with design and construction until full funding for the new fire station is secured. Sufficient appropriation is available in the 2020-21 Capital Improvement Program (CIP) budget (WBSE 10.10.0865) for the Property's acquisition.

**BACKGROUND INFORMATION**

The recommended actions will authorize the acquisition of an approximately 4.55 acre parcel of land (APN 0410-182-10) owned by HHA and located at the northwest corner of Olive Street and H Avenue in the City of Hesperia for the future construction of a fire station.

On August 21, 2018 (Item No. 66), the Board of Supervisors (Board) approved the annexation of the Hesperia Fire Protection District (Hesperia Fire) by SBCFPD and its North Desert Service Zone. This annexation included the acquisition of Hesperia Fire's assets, including but not limited to, Station 302 located at 17288 Olive Street in the City of Hesperia.

Subsequently, SBCFPD determined Station 302 is not a suitable location for its existing and future use. The station, situated on 0.73 acres, is too small and was never intended to house the current number of occupants. It is also inadequately housing one Engine Company and two ambulance crews. SBCFPD identified a larger 4.55 acre vacant property located directly across the street from Station 302 on the northwest corner of Olive Street and H Avenue in Hesperia (APN 0410-182-10) as an ideal location to construct a new fire station to replace Station 302. This property is currently owned by HHA.

In November 2018, SBCFPD approached the Real Estate Services Department (RESO) to pursue acquisition of the Property. HHA solicited and had an appraisal prepared by Smothers Appraisal, dated October 25, 2018, which determined the value of the property to be \$288,000. RESO reviewed the appraisal and concurred with the value established. Shortly thereafter, some uncertainty surrounding the funding source for the project arose, causing SBCFPD to pause the acquisition. The uncertainty has since been resolved and SBCFPD is now ready to proceed. The acquisition of this proposed site will allow for the future construction of a larger fire station to eventually replace Station 302.

Additionally, approval of this item will authorize the Director of RESO to execute escrow documents, such as amended escrow instructions, property disclosures, notices (such as an election to proceed), contingency waivers, and settlement statements. The Director of RESO will not be authorized to execute any documents that would bind SBCFPD to any actions not contemplated by, or arising from, the transaction, which is the subject of these recommendations.

**Purchase and Sale Agreement with the Hesperia Housing Authority for  
the Acquisition of Property for the San Bernardino County Fire  
Protection District in the City of Hesperia  
May 18, 2021**

The acquisition and future use of this Property as a fire station was reviewed pursuant to the California Environmental Quality Act (CEQA) and determined to be categorically exempt from further environmental review in accordance with Section 15332(b) of the CEQA Guidelines (the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses). The Notice of Exemption will be posted by the Clerk of the Board.

**PROCUREMENT**

SBCFPD can purchase this Property pursuant to Health and Safety Code section 13867(b) and Government Code section 25350. SBCFPD has complied with the publication requirements of Government Code section 6063.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Scott Runyan, Supervising Deputy County Counsel, and Robert Messinger, Chief Assistant County Counsel, 387-5455) on April 23, 2021; San Bernardino County Fire Protection District (Dave Corbin, Assistant Chief – Division 5/6, 760-947-8023) on April 22, 2021; Purchasing (Bruce Cole, Supervising Buyer, 387-2148) on April 22, 2021; Finance (Tom Forster, Administrative Analyst, 387-4635 and Carl Lofton, Administrative Analyst, 387-5404) on May 3, 2021; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on May 3, 2021.

**Purchase and Sale Agreement with the Hesperia Housing Authority for  
the Acquisition of Property for the San Bernardino County Fire  
Protection District in the City of Hesperia  
May 18, 2021**

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

**APPROVED (CONSENT CALENDAR)**

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

Lynna Monell, SECRETARY

BY   
DATED: May 18, 2021



cc: SBCFPD - Thompson w/agree  
Contractor - C/O SBCFPD w/agree  
File - w/agree w/map  
CCM 05/27/2021