

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

May 20, 2025

FROM

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

SUBJECT

Public Hearing to Consider Annexation No. 209 into Community Facilities District No. 94-01 (City of Hesperia) for Fire Suppression Services

RECOMMENDATION(S)

CONTINUED FROM TUESDAY, APRIL 29, 2025, ITEM NO. 90 - THIS ITEM IS CLOSED TO FURTHER PUBLIC COMMENT.

Acting as the governing body of the San Bernardino County Fire Protection District, take the following actions regarding Annexation No. 209:

1. Adopt **Resolution No. 2025-99** rescinding Resolution No. 2025-84 and calling for a special mailed ballot election of the property owner of Assessor's Parcel Number 3064-471-04-0000, in accordance with Government Code section 53339.7, regarding the proposed annexation of this parcel into Community Facilities District No. 94-01 (City of Hesperia).
2. Adopt **Resolution No. 2025-100** that:
 - a. Declares the results of the special mailed ballot election and orders the annexation of Assessor's Parcel Number 3064-471-04-0000 into Community Facilities District No. 94-01, making this parcel subject to the annual special tax for fire suppression services.
 - b. Directs the Secretary of the Board of Directors to cause the recordation of the Annexation No. 209 boundary map with the San Bernardino County Recorder.
 - c. Directs 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, 387-5779)

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 the recommended actions will not result in the use of Discretionary General Funding (Net County Cost). Honggie Kim and Jung Hee Kim (Owners) are paying for all costs related to the annexation of Assessor's Parcel Number (APN) 3064-471-04-0000.

The parcel annexed into Community Facilities District (CFD) No. 94-01 (City of Hesperia) through Annexation No. 209 is subject to a special tax in accordance with the rate and methods of apportionment of special tax previously approved for CFD No. 94-01. Upon annexation, and once the City of Hesperia has confirmed the issuance of building permits, the special tax will be assessed and collected through the property tax roll. The projected annual revenue from the

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special tax on the aforementioned parcel is \$814 and will be used to help fund fire suppression services provided by the San Bernardino County Fire Protection District (SBCFPD).

BACKGROUND INFORMATION

CFD No. 94-01 was established by the Hesperia Fire Protection District in 1994 to fund expenses associated with providing fire suppression 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 mandated the implementation of the Hesperia Fire Protection District's terms for future developments. Through this contract, the North Desert Service Zone of SBCFPD provides fire suppression services 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 Local Agency Formation Commission for San Bernardino County (LAFCO) No. 3218, effective November 1, 2018.

As part of a development project, the City of Hesperia conditioned the Owners to annex APN 3064-471-04-0000 into CFD 94-01. Pursuant to Government Code section 53339.2, on March 25, 2025 (Item No. 69), the Board adopted a Resolution of Intention that declared the Board's intent to annex this parcel into CFD No. 94-01 for the purpose of subjecting this parcel to the special tax of CFD No. 94-01 for the costs of providing fire suppression services. The parcel contains 3.52 net acres and will be developed into a commercial property. The Resolution of Intention also set a public hearing date of April 29, 2025, on the Board's Discussion Calendar, to consider the proposed annexation in accordance with Government Code section 53339.5 et seq.

On April 29, 2025 (Item No. 90), the Board conducted a public hearing to consider the testimony of all interested persons and taxpayers for or against the proposed annexation of the Parcel into CFD 94-01, as well as any protests received from registered voters, if any, residing within CFD 94-01 or the territory proposed for annexation and persons owning real property within CFD 94-01 or the territory proposed for annexation.

No testimony, other than from SBCFPD staff, was provided and no protests regarding the proposed annexation were received. After closing the public hearing, the Board adopted Resolution No. 2025-84 calling for a special mailed ballot election of the Owners of the Parcel, in accordance with Government Code section 53339.7, regarding the proposed annexation of this Parcel into CFD No. 94-01.

The Secretary of the Board opened the Owners' ballots, and determined that while the Owners signed the ballot, one of the Owners did not complete the ballot by indicating whether the Owner's vote was for or against the annexation. The Board continued the election to the May 20, 2025, Board meeting, so the Owners had the opportunity to submit replacement ballots if they so desired. To ensure the record is clear, this item recommends that the Board adopt a Resolution rescinding Resolution No. 2025-84 and calling for a special mailed ballot election of the property owner of the Parcel on May 20, 2025, in accordance with Government Code

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section 53339.7, regarding the proposed annexation of this Parcel into CFD No. 94-01, as well as adopt a Resolution declaring the election results and, if the election passes, ordering the Secretary of the Board to take certain actions.

The Owners are the sole owners of the parcel and have requested that the property be annexed into CFD No. 94-01. The Owners have executed the required documents that waive various time periods and special election related requirements in order to expedite approval of this annexation.

Approval of the recommended actions will annex the Parcel into CFD No. 94-01.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by Auditor-Controller/Treasurer/Tax Collector (Franciliza Zyss, Chief Deputy, 382-3189) on May 5, 2025; County Counsel (Rick Luczak, Deputy County Counsel, 387-5455) on May 2, 2025; Finance (Ivan Ramirez, Administrative Analyst, 387-4020, Administrative Analyst, 387-4020) on May 5, 2025; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on May 5, 2025.

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

APPROVED REC. NO. 1

Motion/Second: Joe Baca, Jr./Curt Hagman

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

ABSENT: Jesse Armendarez

APPROVED REC. NO. 2

Moved: Curt Hagman Seconded: Joe Baca, Jr.

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

Absent: Jesse Armendarez

Lynna Monell, SECRETARY

BY 
DATED: May 20, 2025



cc: SBCFPD - Vargas w/ map & notice of special tax lien for
recording

File - SBCFPD w/ attachments

JLL 05/21/2025