

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

July 14, 2020

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 94-01 (City of Hesperia) for Fire Protection Services

RECOMMENDATION(S)

CONTINUED FROM TUESDAY, JUNE 23, 2020 ITEM NO. 135

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

1. Adopt resolution declaring the Board of Directors' intention to annex Assessor Parcel Number (APN) 3064-401-07-0000 and APN 3064-401-08-0000 into Community Facilities District 94-01 (City of Hesperia) to help fund the cost of providing fire protection services.
2. Adopt resolution calling for a special mailed ballot election of the property owner of APN 3064-401-07-0000 and APN 3064-401-08-0000, in accordance with Government Code section 53339.7, regarding the proposed annexation of these parcels into Community Facilities District 94-01 (City of Hesperia).
3. Adopt resolution:
 - a. Declaring the results of the special mailed ballot election and ordering the annexation of APN 3064-401-07-0000 and APN 3064-401-08-0000 into Community Facilities District 94-01 (City of Hesperia), making these parcels subject to the annual special tax for fire protection 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). The developer, ~~Heady Design, Inc.~~ Pipeline Petroleum Banning, LLC (Developer), is paying for all costs related to this annexation. The parcels annexed into Community Facilities District (CFD) 94-01 (City of Hesperia) are subject to a special tax in accordance with the rate and methods of apportionment of special tax previously approved for CFD 94-01. The special tax will be assessed and collected through the annual property tax roll, with the revenue being used to help fund fire protection services. Beginning in 2020-21, the projected amount of revenue from the special tax on APN 3064-401-07-0000 and APN 3064-401-08-0000 will be \$2,264,506.

BACKGROUND INFORMATION

In 1994, CFD 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 94-01 is used to fund these expenses.

On August 21, 2018 (Item No. 66), the Board of Directors (Board) of the San Bernardino County Fire Protection District (SBCFPD) approved the annexation of the Hesperia Fire Protection District into SBCFPD. As part of the recommendations in this 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 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 protection for CFD 94-01, which is the area that APN 3064-401-07-0000 and APN 3064-401-08-0000 falls within. Administration of CFD 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. ~~The area of CFD 94-01 is shown in Attachment 1.~~

Board approval of the recommended actions will annex APN 3064-401-07-0000 and APN 3064-401-08-0000 into CFD 94-01 and subject these parcels to the special tax of CFD 94-01 for the cost of providing fire protection services. The parcels contain 2.366.44 net acres and will be developed into a commercial property.

The Developer is the sole owner of the parcels and has requested that the properties be annexed into CFD 94-01. The Developer has executed a waiver and consent form that requests annexation and waives various time periods and mailed ballot voting/election related requirements in order to expedite approval of this annexation.

Approval of this item aligns with the goal of providing for the safety, health and social service needs of county residents by ensuring a source of funding for use in providing fire protection services in the area of CFD 94-01.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by Auditor-Controller/Treasurer/Tax Collector (Evelyn Medina, Property Tax Manager, 382-3105) on June 10, 2020; County Counsel (Scott Runyan, Deputy County Counsel, 387-5455) on June 9, 2020; Finance (Tom Forster, Administrative Analyst, 387-4635) on June 9, 2020; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on June 10, 2020.