

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

June 28, 2022

**FROM**

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

**SUBJECT**

Resolution for Reorganization of the City of Adelanto Fire Services with San Bernardino County Fire Protection District

**RECOMMENDATION(S)**

Acting as the governing body of the San Bernardino County Fire Protection District, adopt a **Resolution No. 2022-147** requesting the Local Agency Formation Commission for San Bernardino County to initiate proceedings for the sphere of influence amendment (expansion) and reorganization to annex the City of Adelanto into the San Bernardino County Fire Protection District to assume responsibility for fire protection, rescue, and emergency medical services, as well as acknowledging and agreeing to the Local Agency Formation Commission for San Bernardino County requirement of imposing legal indemnification on the San Bernardino County Fire Protection District as outlined in the Local Agency Formation Commission for San Bernardino County Policy and Procedure Manual - Section II Accounting and Financial Policies, Chapter 2 Financial Policies for Application Processing, Policy 3.  
(Presenter: Dan Munsey, Fire Chief/Fire Warden, 387-5779)

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

**Implement the Countywide Vision.**

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

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

**FINANCIAL IMPACT**

Approval of this resolution requesting the Local Agency Formation Commission for San Bernardino County (LAFCO) to initiate the necessary proceedings for annexation of the territory of the City of Adelanto (City) into the San Bernardino County Fire Protection District (SBCFPD) to assume responsibility for fire protection, rescue, and emergency medical services, and termination of the City's responsibility will not result in the use of additional Discretionary General Funding (Net County Cost).

As part of the LAFCO proceedings, a resolution approving any changes in the ad valorem property tax distribution, which is the result of the proposed reorganization, must be accepted by both San Bernardino County and the City before the proposal can be considered by LAFCO. An agreement addressing the transfer of a percentage of the City's ad valorem property tax to SBCFPD for the provision of fire protection, rescue, and emergency medical services will be presented to the County Board of Supervisors for approval at a later date.

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The City indicates that it does not receive sufficient ad valorem property taxes to transfer to the SBCFPD to cover the net cost of fire protection, rescue, and emergency medical services. In order for SBCFPD to receive sufficient funding to cover the cost, the City has proposed the following:

- A revenue sharing agreement addressing the transfer of all or a portion of the City's Vehicle License Fee (VLF) revenue to the SBCFPD.
- The expansion of Service Zone FP-5. Any change in the boundaries of Service Zone FP-5 and the corresponding FP-5 special tax to include the City of Adelanto would require separate actions by SBCFPD's Board of Directors (Board) following the procedures identified in the Fire Protection District Law of 1987 found in Health and Safety Code section 13950, et seq.
- The Board will also need to act to expand the North Desert Service Zone to include the reorganization area.

**BACKGROUND INFORMATION**

The City has contracted with the SBCFPD for fire protection, rescue, and emergency medical services since 1999. On May 12, 2021, the Mayor and City Council of the City of Adelanto adopted a resolution to initiate the process for annexation of the City into SBCFPD. The resolution included a request for a sphere of influence amendment for SBCFPD, as well as requesting LAFCO to initiate the necessary proceedings for the reorganization to include annexation of the City's territory into SBCFPD. SBCFPD is required to adopt a substantially similar resolution requesting LAFCO to initiate proceedings for the sphere of influence amendment and reorganization. The recommended SBCFPD Board resolution, together with the City's resolution, will serve as the formal request for LAFCO to engage in the necessary proceedings.

If LAFCO ultimately approves the reorganization, SBCFPD would assume all responsibility for the provision of fire protection, rescue, and emergency medical services to the City. Following completion of the reorganization and annexation proceedings and execution of the property tax transfer and agreement on alternate funding mechanism to cover the cost of providing service, the City will have no further funding obligations for fire protection, rescue, or emergency medical services within the City.

The resolution acknowledges and agrees to the LAFCO requirement of imposing legal indemnification on SBCFPD as outlined in LAFCO's Policy and Procedure Manual - Section II Accounting and Financial Policies, Chapter 2 Financial Policies for Application Processing, Policy 3. This Policy 3 currently provides, in part, that the applicant and/or the real party in interest shall agree to defend, indemnify, and hold harmless LAFCO, its agents, officers, attorneys, and employees from any claim, action, proceeding brought against any of them.

SBCFPD staff will return to the Board for approval of any LAFCO documents that require Board approval. SBCFPD staff will also return to the Board with any future recommendations regarding the boundaries of Service Zone FP-5, including the FP-5 special tax, and the North Desert Service Zone as they relate to the City.

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**PROCUREMENT**

N/A

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Scott Runyan, Principal Assistant County Counsel, 387-5455) on June 1, 2022; LAFCO (Samuel Martinez, Executive Officer, 388-0480) on May 6, 2022; Finance (Tom Forster, Administrative Analyst, 387-4635) on June 6, 2022; and County Finance and Administration (Diana Atkeson, Deputy Executive Officer, 387-5423) on June 9, 2022.

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

**APPROVED (CONSENT CALENDAR)**

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

Lynna Monell, SECRETARY

BY  \_\_\_\_\_  
DATED: June 28, 2022



cc:     w/Resolution  
       File – SDD/SBCFPD w/attach  
CCM    07/25/2022