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SECTION 2. The provisions of this ordinance hereby adopted shall not be repealed or amended except by a vote of the electorate of San Bernardino County Fire Protection District in accordance with the requirements of Elections Code section 9323.

SECTION 3. This ordinance shall take effect immediately as provided in Government Code section 25123(a).

DAWN ROWE, Chair
Board of Directors of the San Bernardino
County Fire Protection District

SIGNED AND CERTIFIED THAT A COPY
OF THIS DOCUMENT HAS BEEN DELIVERED
TO THE CHAIR OF THE BOARD

LYNNA MONELL, Secretary of the
Board of Directors

1 STATE OF CALIFORNIA)
2) ss.
3 COUNTY OF SAN BERNARDINO)

4 I, LYNNA MONELL, Secretary of the Board of Directors of the San Bernardino
5 County Fire Protection District, hereby certify that at a regular meeting of the Board of
6 Directors of said District, held on the _____ day of _____, 2023, at which meeting
7 were present Directors: _____

8 and the Secretary, the foregoing ordinance was passed and adopted by the following
9 vote, to wit:

10 AYES: DIRECTORS:

11 NOES: DIRECTORS:

12 ABSENT: DIRECTORS:

13 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal
14 of the Board of Directors this _____ day of _____, 2023.

15 LYNNA MONELL,
16 Secretary

17 By _____
18 Deputy

19 Approved as to Form:

20 TOM BUNTON
21 County Counsel

22 By: _____
23 JOLENA E. GRIDER
24 Deputy County Counsel

25 Date: _____
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FULL TEXT OF PROPOSED MEASURE TO IMPLEMENT THE INITIATIVE TO REPEAL THE SPECIAL TAX ASSOCIATED WITH FIRE PROTECTION SERVICE ZONE FIVE (FP-5)

The people of the San Bernardino County Fire Protection District do ordain as follows:

SECTION 1. (a) Findings:

- (1) In 2006, the San Bernardino County Board of Supervisors, acting as “governing body” proposed, and just 1,022 voters in the community of Helendale approved, the creation of County Service Area 70, Improvement Zone FP-5 (hereafter FP-5). This imposed a yearly special tax of \$117.00 per parcel with an annual inflationary increase up to 3%, to finance fire and emergency services within the FP-5 boundaries.
- (2) In 2008, FP-5 was reorganized as San Bernardino County Fire Protection District Service Zone FP-5 and its boundaries were expanded.
- (3) In 2022, the special tax rate was set by the Board of Directors of San Bernardino County Fire Protection District at \$166.84 per parcel for 2022-2023.
- (4) Unless the special tax is repealed, the Board of Directors of San Bernardino County Fire Protection District can continue to increase the special tax by up to 3% every year. Meanwhile, government agencies can continue adding territory to the District, thus imposing the tax on new parcels without voter approval.

(b) Purposes:

- (1) Article XIII C, Section 3 of the Constitution of California provides “Notwithstanding any other provision of this Constitution, including, but not limited to, Sections 8 and 9 of Article II, the initiative power shall not be prohibited or otherwise limited in matters of reducing or repealing any local tax, assessment, fee or charge. The power of initiative to affect local taxes, assessments, fees and charges shall be applicable to all local governments and neither the Legislature nor any local government charter shall impose a signature requirement higher than that applicable to statewide statutory initiatives.”
- (2) The purpose of this measure is to repeal the special tax on parcels in Service Zone FP-5, in accordance with the express power of voters granted by Article XIII C, Section 3 of the Constitution of California.
- (3) Adoption of this initiative measure is essential to the preservation of the quality of life, property values, and health, safety, and general welfare interests of the residents and property owners within the San Bernardino County Fire Protection District.

SECTION 2. REPEAL SERVICE ZONE FP-5 SPECIAL TAX: The special tax for Service Zone FP-5, originally authorized in 2006 in the amount of \$117 per parcel, per year with an annual 3% cost of living increase, and most recently set by the Board of Directors with Resolution No. 2022-171 at \$166.84 per parcel for Fiscal Year 2022-23, is hereby repealed.

SECTION 3. EFFECTIVE DATE: The initiative shall go into effect on the first day of the fiscal year following the election at which the measure is adopted by voters.

SECTION 4. SEVERABILITY CLAUSE: If any provision of this measure of application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of the measure that can be given effect in the absence of the invalid provision or application. To this end, the provisions of this measure are severable.