

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

September 12, 2023

**FROM**

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

**SUBJECT**

Acquisition of Vacant Land in Yucca Valley

**RECOMMENDATION(S)**

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

1. Adopt **Resolution No. 2023-166** finding that the acquisition of certain vacant land, consisting of approximately 3.16 acres located on the southwest corner of Twentynine Palms Highway and Trojan Lane in the Town of Yucca Valley (Assessor's Parcel Number 0587-361-10), is not a project under the California Environmental Quality Act, or, alternatively, that the acquisition is exempt from the California Environmental Quality Act pursuant to Section 15004, subdivision (b)(2)(A) of Title 14 of the California Code of Regulations, and conditioning all future uses and development of the vacant land contingent upon compliance with the California Environmental Quality Act.
2. Authorize the acquisition of certain vacant land, consisting of approximately 3.16 acres located on the southwest corner of Twentynine Palms Highway and Trojan Lane in the Town of Yucca Valley (Assessor's Parcel Number 0587-361-10), from Dana J. Henry, a married man as his sole and separate property, for the purchase price of \$550,000 plus independent consideration payment of \$100 and escrow expenses, title fees, and due diligence costs estimated to be \$25,000, for a total estimated cost of \$575,100, for the San Bernardino County Fire Protection District in accordance with Health and Safety Code section 13861(b) and Government Code section 25350.
3. Approve Purchase and Sale **Agreement No. 23-948** and Joint Escrow Instructions between the San Bernardino County Fire Protection District and Dana J. Henry, a married man as his sole and separate property, to acquire the property referenced in Recommendation No. 2, subject to the conditions identified in the Purchase and Sale Agreement.
4. Authorize the Director of the Real Estate Services Department to execute an acceptance certificate to affix to the grant deed to accept the property referenced in Recommendation No. 2, escrow instructions, and any other documents necessary to complete this transaction, subject to County Counsel review.
5. Direct the Clerk of the Board of Supervisors to file and post the Notice of Exemption in accordance with the California Environmental Quality Act.

(Presenter: Terry W. Thompson, Director, 387-5000)

**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.**

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**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 Discretionary General Funding (Net County Cost). The cost to acquire the approximately 3.16 acres of vacant land located at the southwest corner of Twentynine Palms Highway and Trojan Lane in the Town of Yucca Valley [Assessor's Parcel Number (APN) 0587-361-10] (Property), in fee, is \$550,000 plus escrow expenses, title fees, and due diligence costs estimated to be \$25,000 and \$100 as independent consideration for San Bernardino County Fire Protection District's (SBCFPD) right to terminate the Purchase and Sale Agreement and Joint Escrow Instructions (PSA) on or prior to the expiration of the due diligence period, for a total estimated cost of \$575,100. Sufficient appropriation is available in both the 2023-24 Capital Improvement Program (CIP) (WBSE 10.10.1268) and the SBCFPD South Desert Regional Service Zone budgets for the acquisition of the Property. SBCFPD will not be using any State funding for the acquisition of this Property due to the Property only being a preferred site at the present time. However, SBCFPD intends to use State grant funding for any future replacement of the Yucca Valley Fire Station.

**BACKGROUND INFORMATION**

SBCFPD provides fire, emergency medical response, and rescue services for the Town of Yucca Valley and neighboring communities. The current Yucca Valley Fire Station was built in 1959 as a volunteer station. Due to a substantial increase in population and tourism experienced in the Yucca Valley area, call volume and staffing at the current fire station has outgrown its capacity. In 2015, an internal assessment was conducted and SBCFPD determined that replacement of the Yucca Valley Fire Station was a high priority.

On December 7, 2021 (Item No. 65), the SBCFPD Board of Directors (Board) approved County Contract No. 21-980 Grant Subaward with the California Governor's Office of Emergency Services in the amount of \$12,000,000 for the replacement of the Yucca Valley Fire Station.

SBCFPD staff has identified the Property as a preferred site for the replacement Yucca Valley Fire Station. However, the acquisition of the Property shall not constitute a commitment to the Yucca Valley Fire Station replacement project or other public project as a whole or to any particular features. The recommended Resolution conditions all future uses and/or development of the Property upon compliance with the California Environmental Quality Act (CEQA) which will be conducted for the development of the Property at such time as there is a development proposal for the Property. As a result, the acquisition of the Property is not a project as defined by CEQA because there are no specific development plans in existence for the future use and development of a fire station or other public project at the Property that would allow environmental review to be meaningful at this time, or, alternatively, the acquisition of the Property is exempt from CEQA pursuant to Section 15004, subdivision (b)(2)(A) of the CEQA Guidelines (Title 14 of the California Code of Regulations) because the acquisition is for the Property to be a preferred site for consideration for a potential future use and development, if any, of a fire station, subject to CEQA compliance.

Approval of this item will also authorize the Director of the Real Estate Services Department (RESA) to execute an acceptance certificate, escrow documents, such as amended escrow instructions, property disclosures, notices (such as an election to proceed), contingency waivers, and settlement statements subject to County Counsel review. The Director of RESA will not be authorized to execute any documents that would bind SBCFPD to any actions beyond acquisition of the Property.

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**PROCUREMENT**

SBCFPD may acquire any property within the district and can enter into this PSA pursuant to the rights and powers enumerated in Health and Safety Code section 13861(b). SBCFPD has complied with the notice procedure of Government Code section 25350 and the publication requirements of Government Code section 6063 for the acquisition of the Property.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Agnes Cheng, Deputy County Counsel, and Scott Runyan, Principal Assistant County Counsel, 387-5455) on September 6, 2023; San Bernardino County Fire Protection District (Scott Tuttle, Interim Deputy Chief, 387-5974) on August 15, 2023; Purchasing (Michelle Churchill, Supervising Buyer, 387-2070) on August 18, 2023; Finance (Tom Forster, Administrative Analyst, 387-4635, and Garrett Baker, Administrative Analyst, 387-3077) on August 24, 2023; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on August 24, 2023.

(TJS: 893-0340)

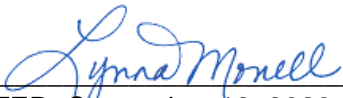
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Record of Action of the Board of Directors  
San Bernardino County Fire Protection District

**APPROVED (CONSENT CALENDAR)**

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

Lynna Monell, SECRETARY

BY   
DATED: September 12, 2023



cc: RESD - Thompson w/ agree, NOE & Rec.  
Contractor c/o RESD w/ agree  
File w/ agree

JLL 09/14/2023