

RESOLUTION NO. 2024-22

RESOLUTION DECLARING ELECTION RESULTS AND ORDERING ANNEXATION

COMMUNITY FACILITIES DISTRICT NO. 94-01 (Hesperia)

ANNEXATION NO. 208

On Tuesday, February 27, 2024, on motion of Director Hagman, duly seconded by Director Baca, Jr., and carried, the following resolution is adopted by the Board of Directors of San Bernardino County Fire Protection District, State of California.

WHEREAS, on February 6, 2024, at the time set for the public hearing in the matter of annexing certain prescribed land (the "Subject Property") to Community Facilities District No. 94-01 (Hesperia) ("CFD No. 94-01") by its Resolution of Intention to Annex Property to Community Facilities District, this Board of Directors (this "Board") conducted the public hearing, and at the close of the public hearing, this Board determined that a majority protest under section 53339.6 of the Government Code was not made at the hearing; and

WHEREAS, after closing the public hearing, the Board adopted Resolution No. 2024-13 calling for a special mailed ballot election of the property owner of the Subject Property, in accordance with Government Code section 53339.7, regarding the proposed annexation of the Subject Property into CFD No. 94-01; and

WHEREAS, the Secretary of the Board opened the property owner's ballot, and determined that while the property owner signed the ballot, the property owner did not complete the ballot by indicating whether the property owner's vote was for or against the annexation; and

WHEREAS, the Board continued the election to the February 27, 2024, Board of Directors meeting, so the property owner had the opportunity to submit a replacement ballot if they so desired; and

WHEREAS, to proceed forward with the special mailed ballot election, on February 27, 2024, the Board adopted a Resolution rescinding Resolution No. 2024-13 and calling for a special mailed ballot election of the property owner of the Subject Property, in accordance with Government Code section 53339.7, regarding the proposed annexation of the Subject Property into CFD No. 94-01; and

WHEREAS, by said resolution calling the election, the two questions of annexing the Subject Property and levying a special tax as previously authorized for property within CFD No. 94-01 were combined into a single ballot measure pursuant to section 53353.5 of the Government Code, as provided in the form of special election ballot attached thereto as Exhibit A; and

WHEREAS, a Certificate of Secretary regarding Receipt of Property Owner Waiver and Consent Form and Ballot and Declaring Election Results, dated this same date (the "Secretary's Certificate") executed by the Secretary of this Board (the "Secretary"), has been filed with this Board, certifying that a completed ballot has been returned to the Secretary from the sole landowner-voter eligible to cast a ballot in said special election, with all votes cast as "Yes" votes in favor of the ballot measure, and further certifying on said basis that the special mailed ballot election was closed; and

STATE OF CALIFORNIA)
) ss.
SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT)

I, **LYNNA MONELL**, Secretary of the Board of Directors of the San Bernardino County Fire Protection District, State of California, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by the Board of Directors, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting February 27, 2024. Item #74 JLL

LYNNA MONELL
Secretary of the Board of Directors

By _____
Deputy