

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT
AND RECORD OF ACTION**

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

June 13, 2023

FROM

**DAN MUNSEY, Fire Chief/Fire Warden, San Bernardino County Fire Protection District
BRENDON BIGGS, Chief Flood Control Engineer, Flood Control District**

SUBJECT

Public Hearing to Consider a Change in the Boundaries of Service Zone FP-5 and the Valley Service Zone Due to an Annexation Consistent with Local Agency Formation Commission for San Bernardino County Proposal LAFCO 3258

RECOMMENDATION(S)

1. Acting as the governing body of the San Bernardino County Flood Control District, which is the property owner of the east half of Mountain View Avenue Bridge and the underlying riverbed area (portions of Assessor Parcel Numbers 0292-011-37-000 and 0292-011-42-000) of approximately 6.27 acres along Mountain View Avenue north of San Bernardino Avenue, consent and approve the San Bernardino County Fire Protection District changing the boundaries of Service Zone FP-5 and the Valley Service Zone to include the area owned by the San Bernardino County Flood Control District consistent with Local Agency Formation Commission for San Bernardino County proposal LAFCO 3258.
2. Acting as the governing body of the San Bernardino County Fire Protection District, conduct a public hearing and take the following actions:
 - a. Consider a change in the boundaries of Service Zone FP-5 and the Valley Service Zone to include the property described in Recommendation No. 1 that is owned by the San Bernardino County Flood Control District consistent with Local Agency Formation Commission for San Bernardino County proposal LAFCO 3258, as well as any protests.
 - b. Adopt **Resolution No. 2023-80** that orders changes to the boundaries of Service Zone FP-5 and the Valley Service Zone to include the property described in Recommendation No. 1 that is owned by the San Bernardino County Flood Control District consistent with Local Agency Formation Commission for San Bernardino County proposal LAFCO 3258.

(Presenter: Dan Munsey, Fire Warden/Fire Chief, 387-5779)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

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

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

**Public Hearing to Consider a Change in the Boundaries of Service Zone
FP-5 and the Valley Service Zone Due to an Annexation Consistent with
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June 13, 2023**

FINANCIAL IMPACT

Approval of the recommended actions will not result in the use of Discretionary General Funding (Net County Cost). Unless otherwise exempt under State law, any property annexed into Service Zone FP-5 shall be subject to the FP-5 special tax.

BACKGROUND INFORMATION

Local Agency Formation Commission for San Bernardino (LAFCO) proposal 3258 (LAFCO 3258) was initiated by the Inland Valley Development Agency on March 28, 2022, requesting annexation to the City of San Bernardino, the San Bernardino County Fire Protection District (SBCFPD), its Valley Service Zone and its Service Zone FP-5, and detachment from the City of Redlands. The area proposed for reorganization generally encompasses the east half of Mountain View Avenue Bridge and the underlying riverbed area (portions of Assessor Parcel Numbers 0292-011-37-000 and 0292-011-42-000) of approximately 6.27 acres along Mountain View Avenue north of San Bernardino Avenue (Proposed Territory). The Proposed Territory is owned by the San Bernardino County Flood Control District (District). A legal description of the Proposed Territory is attached to the Resolution as Exhibit A.

On September 13, 2022 (Item No. 24), the Board of Supervisors adopted Resolution No. 2022-189 determining there will be no exchange of property tax revenues as a result of the pending jurisdictional change related to LAFCO 3258.

On December 21, 2022, LAFCO approved LAFCO 3258 subject to certain conditions, including the condition that the Certificate of Completion shall be held in abeyance for six months, subject to SBCFPD Board of Directors action to change the boundaries of Service Zone FP-5 and the Valley Service Zone to include the Proposed Territory.

Any change in the boundaries of Service Zone FP-5, the corresponding FP-5 special tax, or the Valley Service Zone requires separate actions by the Board of Directors following the procedures identified in the Fire Protection District Law of 1987 found in Health and Safety Code section 13950, et seq. In addition, as provided above, the Proposed Territory is owned by the District. Section 207 of the Charter of San Bernardino County includes certain limitations and procedures on any tax increase imposed by the SBCFPD, but expressly states that if the tax is proposed by the property owner, Section 207 does not apply. This item recommends the Board of Supervisors, acting as the governing body of the District, property owner of the parcels in the Proposed Territory, consent and approve SBCFPD's proposed change in boundaries of Service Zone FP-5, the corresponding FP-5 special tax, and the Valley Service Zone to include the Proposed Territory such that Section 207 of San Bernardino County Charter does not apply to the change in boundaries.

On May 23, 2023 (Item No. 97), the Board of Directors initiated proceedings to change the boundaries of Service Zone FP-5 and the Valley Service Zone to include the Proposed Territory consistent with LAFCO 3258 and scheduled a public hearing on today's date to consider the change in boundaries. Pursuant to Health and Safety Code section 13950, subdivision (c), SBCFPD also published notice of the hearing, including the information required by Health and Safety Code section 13950, subdivision (b), pursuant to Section 6061 of the Government Code in one or more newspapers of general circulation in the district, mailed the notice to all owners of property within the proposed zone, and posted the notice in at least three public places within the territory of the proposed zone.

**Public Hearing to Consider a Change in the Boundaries of Service Zone
FP-5 and the Valley Service Zone Due to an Annexation Consistent with
Local Agency Formation Commission for San Bernardino County
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June 13, 2023**

This item will conduct a public hearing to consider a change in the boundaries of Service Zone FP-5 and the Valley Service Zone consistent with LAFCO 3258, consider any protests, and, if desired by the Board of Directors, will adopt a Resolution that orders changes in the boundaries of Service Zone FP-5 and the Valley Service Zone to include the Proposed Territory consistent with LAFCO 3258.

As lead agency under the California Environmental Quality Act (CEQA), LAFCO reviewed LAFCO 3258 under CEQA and determined it was exempt under the Common Sense Exemption as defined in Section 15061(b)(3) of the CEQA Guidelines (Title 14 of the California Code of Regulations).

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Scott Runyan, Principal Assistant County Counsel, and Sophie A. Curtis, Deputy County Counsel, 387-5455) on May 26, 2023; Finance (Tom Forster, Administrative Analyst, 387-4635, and Allegra Pajot, Administrative Analyst, 387-5005) on May 26, 2023; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on May 29, 2023.

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

Record of Action of the Board of Supervisors
San Bernardino County Flood Control District

Hearing Opened
Public Comment: None
Hearing Closed

APPROVED REC. NO. 1

Motion/Second: Joe Baca, Jr./Curt Hagman
AYE: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca Jr.

Hearing Opened
Public Comment: None
Hearing Closed

APPROVED REC. NO. 2

Motion/Second: Joe Baca, Jr./Curt Hagman
AYE: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca Jr.

Lynna Monell, CLERK OF THE BOARD/SECRETARY

BY 
DATED: June 13, 2023



cc: File - SBCFPD - Service Zone FP-5 w/ attachments
JLL 06/14/2023