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The Board of Directors of the San Bernardino County Fire Protection District  
ordains as follows:

WHEREAS, on October 26, 2021, the Initiative Petition/Measure was filed with the San Bernardino County Registrar of Voters; and

WHEREAS, pursuant to Elections Code section 9310, the Board of Directors shall either adopt the Initiative Petition/Measure by ordinance, without alteration, or submit the ordinance, without alteration, to the voters pursuant to Elections Code section 1405; and

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT DOES ORDAIN AS FOLLOWS:

SECTION 1. That, pursuant to Elections Code section 9310, the Initiative Petition/Measure attached hereto, marked Exhibit “A” hereof, and incorporated herein by this reference as if fully set forth, is hereby adopted in its entirety.

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 The provisions of this ordinance hereby adopted shall not be repealed or amended except by a vote of the electorate of San Bernardino County Fire Protection District in accordance with the requirements of Elections Code section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

CURT HAGMAN, Chairman  
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 CHAIRMAN 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 \_\_\_\_\_, 2022, 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 \_\_\_\_\_, 2022.

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: \_\_\_\_\_  
26  
27  
28

**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, the County formed a “Fire Protection District” (hereafter, “Fire District”) and annexed the original FP-5, its boundaries, purpose and tax into said Fire District.
- (3) Thereafter, despite significant protest, the County added additional areas to FP-5 expanding the parcel tax burden without a vote of the people living in those add-on areas. In 2018, despite extraordinary protest, the County annexed “...all unincorporated territory...” along with additional incorporated areas into FP-5, imposing the parcel tax without the vote of the people residing in those areas.
- (4) Even though the Constitution of California prohibits taxation without a two-thirds voter approval, in 2020, the Fire District Board of Directors, without voter approval, imposed a tax on every parcel in FP-5 set at \$157.26 for the year 2020-2021.
- (5) The County’s sidestep of the provisions of the California Constitution has victimized property owners whose parcels have been annexed and who are now required to pay an ever increasing (up to 3% per year) annual parcel tax they didn’t vote on. Further, without a prohibition in place, additional victims and their properties will potentially be added to FP-5 and its tax without their vote of approval.

**(b) Purposes:**

- (1) Article XIII C, Section 3 of the Constitution of California provided, in part, “Notwithstanding any other provision of this Constitution...the initiative power shall not be prohibited or otherwise limited in matters of reducing or repealing any local tax, assessment, fee or charge.”
- (2) The purpose of this measure is to repeal the special tax associated with Fire Protection Service Zone FP-5 in its entirety. This is 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 FP-5 SPECIAL TAX:** The special tax for Service Zone FP-5, authorized in 2006 in the amount of \$117 per parcel, per year with an annual 3% cost of living increase, and set yearly by the Board of Directors of the San Bernardino County Fire Protection District via resolution, is hereby repealed.