

RESOLUTION NO. 2023-04

RESOLUTION DECLARING ELECTION RESULTS AND ORDERING ANNEXATION

COMMUNITY FACILITIES DISTRICT NO. 94-01 (Hesperia)

ANNEXATION NO. 204

On Tuesday, January 10, 2023, 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 this date, 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, at the conclusion of the public hearing, this Board adopted its Resolution Calling Special Mailed Ballot Election pursuant to section 53339.7 of the Government Code; 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 Owners Waiver and Consent Forms and Ballots; 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 completed ballots have been returned to the Secretary from the sole landowners-voters 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

WHEREAS, this Board has received, reviewed and hereby accepts the Secretary's Certificate and wishes by this resolution to declare the results of the special mailed ballot election.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Bernardino County Fire Protection District as follows:

1. This Board finds and determines that the foregoing recitals are true and correct.
2. This Board finds and determines and declares that the ballot measure submitted to the qualified electors of CFD No. 94-01 has been passed and approved by the qualified electors in accordance with section 53339.8 of the Government Code, and the Subject Property is hereby declared annexed to CFD No. 94-01 and made subject to the special tax of CFD No. 94-01 in accordance with the rate and method of apportionment of special tax previously approved for CFD No. 94-01.

