

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

January 10, 2023

FROM

DAN MUNSEY, Fire Chief/Fire Warden, San Bernardino County Fire Protection District

SUBJECT

Public Hearing to Consider Annexation No. 204 into Community Facilities District No. 94-01 (City of Hesperia) for Fire Suppression Services

RECOMMENDATION(S)

CONTINUED FROM TUESDAY, DECEMBER 13, 2022, ITEM NO. 92

Acting as the governing body of the San Bernardino County Fire Protection District, conduct a public hearing and take the following actions regarding Annexation No. 204:

1. Consider testimony of all interested persons and taxpayers for or against the proposed annexation of Assessor Parcel Number 0405-961-07-0000 into Community Facilities District No. 94-01 (City of Hesperia), as well as any protests received from both registered voters, if any, residing within Community Facilities District No. 94-01 or the territory proposed for annexation and persons owning real property within Community Facilities District No. 94-01 or the territory proposed for annexation.
2. Adopt **Resolution No. 2023-03** calling for a special mailed ballot election of the property owners of Assessor Parcel Number 0405-961-07-0000, in accordance with Government Code section 53339.7, regarding the proposed annexation of this parcel into Community Facilities District No. 94-01.
3. Adopt **Resolution No. 2023-04** that:
 - a. Declares the results of the special mailed ballot election and orders the annexation of Assessor Parcel Number 0405-961-07-0000 into Community Facilities District No. 94-01, making this parcel subject to the annual special tax for fire suppression services.
 - b. Directs the Secretary of the Board of Directors to cause the recordation of the Annexation No. 204 boundary map with the San Bernardino County Recorder.
 - c. Directs the Secretary of the Board of Directors to cause the preparation and recordation of the notice of special tax lien with the San Bernardino County Recorder within 15 days.

(Presenter: Bertral Washington, Deputy Fire Chief of Administration, 387-5779)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

Ensure Development of a Well-Planned, Balanced, and Sustainable County.

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

FINANCIAL IMPACT

Approval of the recommended actions will not result in the use of additional Discretionary General Funding (Net County Cost). The Co-owners of Assessor Parcel Number (APN) 0405-961-07-0000 (Co-owners) are paying for all costs related to the annexation of this parcel.

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Facilities District No. 94-01 (City of Hesperia) for Fire Suppression
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The parcel annexed into Community Facilities District (CFD) No. 94-01 (City of Hesperia) through Annexation No. 204 is subject to a special tax in accordance with the rate and methods of apportionment of special tax previously approved for CFD No. 94-01. Upon annexation, and once the City of Hesperia has confirmed the issuance of building permits, the special tax will be assessed and collected through the property tax roll. The projected annual revenue from the special tax on the aforementioned parcel is \$152 and will be used to help fund fire suppression services provided by the San Bernardino County Fire Protection District (SBCFPD).

BACKGROUND INFORMATION

CFD No. 94-01 was established by the Hesperia Fire Protection District in 1994 to fund expenses associated with providing fire suppression services for the City of Hesperia. An annual levy of special taxes assessed on parcels within CFD No. 94-01 is used to fund these expenses.

On August 21, 2018 (Item No. 66), the SBCFPD Board of Directors (Board) approved annexation of the Hesperia Fire Protection District into SBCFPD. As part of the recommendations in that item, the Board approved a contract between the City of Hesperia, the Hesperia Fire Protection District, and SBCFPD that directed the transfer of authority for CFD No. 94-01 to SBCFPD and the requirement for implementation of the terms of Hesperia Fire Protection District. Through this agreement, the North Desert Service Zone of SBCFPD provides fire suppression services for CFD No. 94-01. Administration of CFD No. 94-01 transferred from the City of Hesperia to SBCFPD by the issuance of the Certificate of Completion for Local Agency Formation Commission for San Bernardino County (LAFCO) No. 3218 effective November 1, 2018.

As part of a development project, the City of Hesperia conditioned the Co-owners to annex APN 0405-961-07-0000 into CFD No. 94-01. Pursuant to Government Code section 53339.2, on October 25, 2022 (Item No. 94), the Board adopted a Resolution of Intention that declared the Board's intention to annex this parcel into CFD No. 94-01 for the purpose of subjecting this parcel to the special tax of CFD No. 94-01 for the costs of providing fire suppression services. The parcel contains 1.048 net acres and is intended to be developed into a single-family residential property. The Resolution of Intention also sets a public hearing date of December 13, 2022, on the Board's Discussion Calendar, to consider the proposed annexation in accordance with Government Code section 53339.5 et seq.

On November 18, 2022, it was brought to SBCFPD's attention that there was a change in ownership for APN 0405-961-07-0000. As a result, new forms were required from the Co-owners. The new forms (a petition, as well as a waiver and consent form) have since been filed by the new Co-owners. These forms request that the property be annexed into CFD No. 94-01 and that various time periods and mailed ballot voting/election related requirements be waived to expedite approval of this annexation. The Co-owners are the sole owners of the parcel. Approval of the recommended actions will annex APN 0405-961-07-0000 into CFD No. 94-01.

PROCUREMENT

Not applicable.

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REVIEW BY OTHERS

This item has been reviewed by Auditor-Controller/Treasurer/Tax Collector (Linda Santillano, Property Tax Division Chief, 382-3189) on December 15, 2022; County Counsel (Scott Runyan, Principal Assistant County Counsel, 387-5455) on November 17, 2022; Finance (Tom Forster, Administrative Analyst, 387-4635) on November 18, 2022; and County Finance and Administration (Diana Atkeson, Deputy Executive Officer, 387-5423) on November 21, 2022.

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

Hearing Opened
Public Comment: None
Hearing Closed

APPROVED RECOMMENDATIONS NO. 1 & 2

Motion/Second: Curt Hagman/Jesse Armendarez

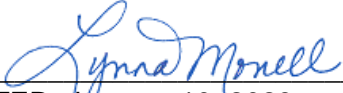
AYE: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca Jr.

APPROVED RECOMMENDATION NO. 3

Moved: Curt Hagman Seconded: Joe Baca, Jr.

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

Lynna Monell, SECRETARY

BY 
DATED: January 10, 2023



cc: SBCFPD - Vargas w/ map & notice of special tax lien for
recording
File - SBCFPD w/ attachments
JLL 01/17/2023