

LOCAL AGENCY FORMATION COMMISSION  
COUNTY OF SAN BERNARDINO

215 North D Street, Suite 204, San Bernardino, CA 92415-0490  
(909) 383-9900 • Fax (909) 383-9901  
E-MAIL: lafco@lafco.sbcounty.gov  
www.sbclafco.org

PROPOSAL NO.: LAFCO 3000

HEARING DATE: March 26, 2008

RESOLUTION NO. 2997

A RESOLUTION OF THE EXECUTIVE OFFICER OF THE LOCAL AGENCY FORMATION  
COMMISSION OF THE COUNTY OF SAN BERNARDINO ORDERING LAFCO 3000 – County Fire  
Reorganization

**WHEREAS**, this action is being taken pursuant to the Cortese-Knox-Hertzberg Local  
Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.); and,

**WHEREAS**, by policy adopted on December 20, 2000, and amended on November 21, 2001, the  
Local Agency Formation Commission of the County of San Bernardino ("the Commission") has  
delegated authority over all protest proceeding functions to the Executive Officer; and,

**WHEREAS**, the full title of LAFCO 3000 is outlined on Exhibit "A" attached hereto and  
incorporated herein; and,

**WHEREAS**, the Commission adopted its Resolution No. 2989 on January 16, 2008, making  
determinations and approving the proposed annexation of territory described in Exhibits "B" through  
"LL-1" attached hereto and by this reference incorporated herein; and,

**WHEREAS**, the terms and conditions for LAFCO 3000, as approved by the Commission, are as  
follows:

**CONDITIONS:**

**Condition No. 1.** The boundaries of this change of organization, as modified, are approved as  
set forth in Exhibits attached to this resolution identified as follows:

Reorganization	"B", "B-1"
Detachments	"C", "C-1", "D", "D-1", "E", "E-1", "F", "F-1", "G", "G-1", "H", "H-1", "I", "I-1", "J", "J-1", "K", "K-1", "L", and "L-1"
Dissolutions	"M", "N", "O", "P", "Q", "R", "S", "T", "U", "V", "X", "Y", "Z"
Dissolutions with Formation Of Service Zone	"AA", "AA-1", "BB", "BB-1", "CC", "CC-1", "DD", "DD-1", "EE" and "EE-1"
Formation of Service Zones	"FF", "FF-1", "GG", "GG-1", "HH", "HH-1", "II", "II-1", "JJ", "JJ-1", "KK", "KK-1", "LL", and "LL-1"

**RESOLUTION NO. 2997**

**Condition No. 2.** The following distinctive short-form designation shall be used throughout this proceeding: LAFCO 3000.

**Condition No. 3.** The effective date of the reorganization (hereafter "Effective Date") shall be July 1, 2008 as authorized by Government Code Sections 56886(p) and 57202.

**Condition No. 4.** As of the date of approval of the subject action by the Local Agency Formation Commission through the Effective Date of this reorganization, pursuant to the provisions of Government Code Section 56885.5(a)(4), the County Board of Supervisors, as the governing body of the affected agencies, shall be prohibited from taking the following actions unless it first finds an emergency situation exists as defined in Government Code Section 54956.5:

**a. No increase in compensation or benefits:**

Providing any increase in compensation or benefits for members of the governing board, its officers, staff or the executive officer of any of the dissolving entities. Exceptions to this prohibition include planned and budgeted merit and range increases as identified in the adopted budget.

**b. Bound by current budget:**

Appropriating, encumbering, expending or otherwise obligating any revenue of the dissolving entities beyond that provided in the current budget at the time of Commission approval.

***YUCCA VALLEY FIRE PROTECTION DISTRICT AND RELATED COUNTY GOVERNED FIRE AGENCY ACTIONS:***

**Condition No. 5.** The Yucca Valley Fire Protection District shall be the successor fire protection district for all of those agencies dissolved, including the Lake Arrowhead Fire Protection District, the Forest Falls Fire Protection District, County Service Area 38 and its improvement zones and County Service Area 70 and its improvement zones not recreated as a service zone of the District, and upon the effective date shall be known as the San Bernardino County Fire Protection District ("Successor District"). Said Successor District shall be subject to the terms and conditions contained herein.

**Condition No. 6.** The Successor District shall function under and carry out all authorized duties and responsibilities assigned to a county fire protection district as outlined in its principal act within California Health and Safety Code Sections 13000 et seq. and other applicable laws. Those functions and services are authorized and defined as follows:

	<b>FUNCTION</b>	<b>SERVICES</b>
<b>San Bernardino County</b>	Fire	Structural, watershed, prevention, inspection, suppression, weed abatement, hazardous materials services, rescue, first aid, paramedic, ambulance, transportation, emergency response, and disaster

**RESOLUTION NO. 2997**

preparedness planning

**Condition No. 7.** Until duly revised by the Successor District, and unless otherwise expressly provided herein or legally required, all ordinances, resolutions, rules and regulations, policies, procedures, and practices existing on the effective date of this reorganization shall govern the activities and affairs of the Successor District. The Board of Directors of the Successor District shall expeditiously review and ratify the ordinances, resolutions, policies, procedures and practices adopted hereby, making such revisions as it shall deem appropriate;

**Condition No. 8.** The multi-purpose entities identified on [Exhibit "MM"](#) shall have the function/services of fire protection, ambulance and/or disaster preparedness removed upon the effective date of this reorganization. Pursuant to the provisions of Government Code Section 56824.12, the functions and services for these agencies thereafter shall be considered those identified on [Exhibit "MM"](#).

In addition, the County Board of Supervisors, as governing body for the above-described County Service Areas and their affected Improvement Zones; County Service Area 53 Improvement Zone B, County Service Area 56 Improvement Zone F-1, County Service Area 70 Improvement Zones HL (Havasu Lake), M (Wonder Valley) and W (Hinkley), shall, prior to the issuance of the Certificate of Completion, take the actions described in Government Code Section 25210.39 et seq. to eliminate the function and services of fire protection, ambulance, and/or disaster preparedness from the listing of miscellaneous extended powers authorized these districts.

**Condition No. 9.** Upon the Effective Date of this reorganization through dissolution, the legal existence of the Lake Arrowhead Fire Protection District, Forest Falls Fire Protection District, County Service Area 38 and its respective improvement zones shall cease, except as otherwise required by law and this resolution. All property tax revenues attributable to the dissolving entities, prior to calculations required by Section 96.1 of the Revenue and Taxation Code, including delinquent taxes, and any and all other collections or assets of the District to be dissolved, shall accrue and be transferred to the Successor District and/or its respective Service Zones pursuant to the provisions of Government Code Section 56810. The Successor District for each entity, identified below, shall succeed to all rights, duties, responsibilities, properties (both real and personal), contracts, equipment, assets, liabilities, obligations, functions, executory provisions, entitlements, permits and approvals of dissolving entities. Said contracts may have been taken in the name of the dissolving entity, CSA 70 or sometimes identified or known as County Fire, County Fire Department or San Bernardino County Consolidated Fire District:

**DISSOLVING ENTITY**

Lake Arrowhead FPD  
Forest Falls FPD  
County Service Area 38

**CSA 38 Improvement Zones:**

- B (Angelus Oaks)
- D (Victorville)
- E (Summit Valley)
- H (Colton)
- I (Needles)
- J (Big River)
- K (Spring Valley Lake)
- O (Baldwin Lake)
- Q (Helendale)

**SUCCESSOR SERVICE ZONE**

Mountain Service Zone  
Mountain Service Zone  
Apportioned based upon its location to:  
Valley, Mountain, North Desert or South Desert  
Service Zones

- Mountain Service Zone
- North Desert Service Zone
- North Desert Service Zone
- Valley Service Zone
- South Desert Service Zone
- South Desert Service Zone
- North Desert Service Zone
- Mountain Service Zone
- North Desert Service Zone

**RESOLUTION NO. 2997**

**Condition No. 10.** Upon the Effective Date of this reorganization through dissolution and formation, the legal existence of County Service Area 70 Improvement Zones FP-1, and FP-5 and County Service Area 38 Improvement Zones N, M, and L shall cease, except as otherwise required by law and this resolution, with the successor agency for each entity identified below to be formed as a part of this reorganization process. Each Successor Service Zone shall succeed to all rights, duties, responsibilities, properties (both real and personal), contracts, equipment, assets, liabilities, obligations, functions, executory provisions, entitlements, permits and approvals of the predecessor entities. Said contracts may have been taken in the name of the dissolving entity, CSA 70 or sometimes identified or known as County Fire, County Fire Department or San Bernardino County Consolidated Fire District:

County Service Area 38 Improvement Zone L (Highland Paramedic)	Service Zone PM-2
County Service Area 38 Improvement Zone M (Yucaipa Paramedic)	Service Zone PM-3
County Service Area 70 Improvement Zone FP-1 (Windy Acres)	Service Zone FP-2
County Service Area 38 Improvement Zone N (El Mirage)	Service Zone FP-3
County Service Area 70 Improvement Zone FP-5 (Helendale)	Service Zone FP-5

**Condition No. 11.** Upon the Effective Date of this reorganization through dissolution and formation, the legal existence of County Service Area 70 Improvement Zone PM-1 (Lake Arrowhead Paramedics) shall cease, except as otherwise required by law and this resolution and the formation of Service Zone PM-1 shall include the territory of the predecessor agency except for those parcels currently within the boundaries of the Crest Forest Fire Protection District. The successor agency shall succeed to all rights, duties, responsibilities, properties (both real and personal), contracts, equipment, assets, liabilities, obligations, functions, executory provisions, entitlements, permits and approvals related to the territory to be formed into Service Zone PM-1.

The territory of County Service Area 70 Improvement Zone PM-1 within the current boundaries of the Crest Forest Fire Protection District shall continue to pay the existing special tax for paramedic purposes and said tax shall transfer and inure to the Crest Forest Fire Protection District for the provision of paramedic services. Monies due, but uncollected, liabilities, obligations, responsibilities and continuing property tax distribution, if any, shall become those of the Crest Forest Fire Protection District. All previously authorized special taxes, fees, and charges currently authorized for CSA 70 Improvement Zone PM-1 shall be earmarked by the Crest Forest Fire Protection District for the exclusive purpose of providing paramedic services within the territory.

**Condition No. 12.** Upon the Effective Date of this reorganization through transfer of responsibility for fire protection and emergency response from County Service Area 30 (Red Mountain) and County Service Area 70 Improvement Zone M (Wonder Valley), such services shall cease, except as otherwise required by law and this resolution with the successor agency for each entity identified below to be formed as a part of this reorganization process. Each Successor Service Zone shall succeed to all rights, duties, responsibilities, properties (both real and personal), contract, equipment, assets, liabilities, obligations, functions, executory provisions, entitlements, permits and approvals of the predecessor entities. Said contracts may have been taken in the name of the dissolving entity, CSA 70 or sometimes identified or known as County Fire, County Fire Department or San Bernardino County Consolidated Fire District:

County Service Area 30

Service Zone FP-1

## RESOLUTION NO. 2997

County Service Area 70 Improvement  
Zone M

Service Zone FP-4

**Condition No. 13.** As of the Effective Date of this reorganization, all full-time employees of County Service Area 70 (also sometimes identified or known as County Fire, County Fire Department or San Bernardino County Consolidated Fire District) or the dissolving entities of the Forest Falls Fire Protection District, Lake Arrowhead Fire Protection District, or County Service Area 38 and its improvement zones shall become full-time employees of the Successor District, San Bernardino County Fire Protection District. Current rates of pay, accrued vacation and sick leave, vacation and sick leave accrual rates, employee rights, seniority rights, insurance, retirement benefits, and all other benefits and programs now provided employees pursuant to existing contracts shall continue at a level not less than that currently enjoyed for the duration of the contract period.

As of the Effective Date of this reorganization, contracts for all contract employees, temporary or limited term employees with ongoing contracts, shall be transferred to the San Bernardino County Fire Protection District for the duration of the contract period.

All obligations of the predecessor agency, County Service Area 70, (also sometimes identified or known as County Fire, County Fire Department or San Bernardino County Consolidated Fire District) to the San Bernardino County Employees Retirement Association (SBCERA) shall continue through the San Bernardino County Fire Protection District, including but not limited to costs associated with contract benefits, payment of retirement bonds for unfunded retirement liabilities, and administrative costs.

**Condition No. 14.** The successor agency shall function under Division 2.5 of the Health and Safety Code for the provision of emergency medical services and shall provide ambulance services only as authorized by the local Emergency Medical Services Agency (Inland Counties Emergency Medical Agency) and its governing board.

The reorganization shall not decrease or otherwise change the geographic size, scope or boundaries of the territory over which the County and its designated local emergency medical services agency, the Inland Counties Emergency Medical Services Agency (ICEMA), are authorized to grant and enforce exclusive operating areas ("EOAs") pursuant to Section 1797.224 of the Health and Safety Code, nor shall the reorganization reduce the geographic size, scope or boundaries of any existing EOAs as currently operated. Similarly, the reorganization shall not increase the geographic size, scope or boundaries of the territory as currently operated, over which the successor agency has authority under Section 1797.201 of the Health and Safety Code to operate ambulance services, or the authority of the County or ICEMA to grant and enforce them.

In addition to the foregoing, as a condition of and concurrently with the LAFCO approval, the SBCFPD, as the successor agency, shall enter into an agreement with the County and/or ICEMA, as appropriate, granting such agencies authority over the creation and enforcement of future EOAs within the boundaries of the successor agency.

**Condition No. 15.** The Successor District shall accept all system facilities transferred from the predecessor entities in "as is" condition, without any payment or repair obligation from the assets of affected entities [Government Code Section 56886(h)]. All incidental liabilities, such as accounts payables, contract obligations and customer deposits, shall be transferred to the appropriate Service Zone of the Successor District. All assets including, but not limited to, cash reserves, buildings and other real property, rolling stock, tools, and office furniture, fixtures and equipment, all lands, buildings, real and personal property, and appurtenances held by the detaching or dissolving entities shall be transferred to the appropriate Service Zone or the Successor District as of the Effective Date of this reorganization. [Government Code Section 56886(h)].

**Condition No. 16.** The existing rates, fees, taxes, assessments and charges of the predecessor entities in effect upon the effective date of this reorganization shall be continued and assumed by the

**RESOLUTION NO. 2997**

Successor District and/or its Service Zones in the same manner as provided in the original authorization pursuant to Government Code Section 56886(t).

**Condition No. 17.** Upon the Effective Date of this reorganization, the appropriation limit base year amounts for the Successor District and its Service Zones shall be the amounts identified as follows based upon calculations for Fiscal Year 2007-08:

San Bernardino County Fire Protection District (Formerly Yucca Valley FPD and CSA 70)	\$76,771,336
Valley Service Zone of SBCFPD	\$41,770,028
Mountain Service Zone of SBCFPD	\$18,279,043
North Desert Service Zone of SBCFPD	\$23,160,243
South Desert Service Zone of SBCFPD	\$17,024,477
Service Zone FP-1 (Red Mountain)	\$ 1,048,121
Service Zone FP-2 (Windy Acres)	\$ 473,153
Service Zone FP-3 (El Mirage)	\$ 1,148,169
Service Zone FP-4 (Wonder Valley)	\$ 406,584
Service Zone FP-5 (Helendale)	\$ 953,516
Service Zone PM-1 (Lake Arrowhead Paramedic)	\$ 1,094,631
Service Zone PM-2 (Highland Paramedic)	\$ 2,689,857
Service Zone PM-3 (Yucaipa Paramedic)	\$ 55,035

The governing body of the Successor District and each of the respective Service Zones shall be required to annually adjust the appropriation limit pursuant to the procedures contained within Article XIII B of the California Constitution.

**Condition No. 18.** Prior to issuance of the Certificate of Completion for this reorganization, the County Board of Supervisors, as the governing body for County Service Area 20, County Service Area 29, County Service Area 30, County Service Area 53 Improvement Zone B, County Service Area 56, County Service Area 56 Improvement Zone F-1, County Service Area 70 and its Improvement Zone W, County Service Area 79 and County Service Area 82 and any affected improvement zones thereof, shall commence and complete a property tax transfer process, as outlined in Section 99.02 of the Revenue and Taxation Code, to transfer the fire related ad valorem property tax revenues. For County Service Area 70 the revenues are to be transferred to the parent district, the San Bernardino County Fire Protection District, and for the other agencies the revenues shall be transferred to the appropriate fire suppression service zone as shown on [Exhibit "NN"](#) attached.

**Condition No. 19.** Upon the Effective Date of this Reorganization, the Auditor/Controller-Recorder is directed to apportion the ad valorem property tax revenues attributable to County Service Area 38 to the San Bernardino County Fire Protection District individual Service Zones based upon the location of the Tax Rate Areas in which said revenues were generated.

**Condition No. 20.** Any and all reserve funds that exist upon the effective date of this proposed reorganization shall be transferred in the following manner:

Lake Arrowhead FPD	Mountain Service Zone	
Forest Falls FPD	Mountain Service Zone	
County Service Area 38	Apportioned based upon its location:	
	Valley Service Zone	43%
	Mountain Service Zone	4%
	North Desert Service Zone	47%
	South Desert Service Zone	6%
CSA 38 Improvement Zones: B (Angelus Oaks)	Mountain Service Zone	

**RESOLUTION NO. 2997**

D (Victorville)	North Desert Service Zone
E (Summit Valley)	North Desert Service Zone
H (Colton)	Valley Service Zone
I (Needles)	South Desert Service Zone
J (Big River)	South Desert Service Zone
K (Spring Valley Lake)	North Desert Service Zone
O (Baldwin Lake)	Mountain Service Zone
Q (Helendale)	North Desert Service Zone
County Service Area 70 Improvement Zone PM-1 (Lake Arrowhead Paramedics)	Service Zone PM-1
County Service Area 38 Improvement Zone L(Highland Paramedic)	Service Zone PM-2
County Service Area 38 Improvement Zone M (Yucaipa Paramedic)	Service Zone PM-3
County Service Area 70 Improvement Zone FP-1(Windy Acres)	Service Zone FP-2
County Service Area 38 Improvement Zone N (El Mirage)	Service Zone FP-3
County Service Area 70 Improvement Zone FP-5 (Helendale)	Service Zone FP-5
County Service Area 30	Service Zone FP-1
County Service Area 70 Improvement Zone M	Service Zone FP-4

Upon the effective date of this reorganization the following distribution shall be made for the detachment areas from the Central Valley Fire Protection District to the Successor Valley Service Zone, 22% of reserves (General).

The following reserve funds shall be transferred to the San Bernardino County Fire Protection District: Termination Benefits Reserves, CSA 70 Administration Reserve, Hazmat/HHW Reserve, Battalion Chiefs Reserve, Ambulance Billing Reserve and CSA 70 Lease Receipts Reserves.

**Condition No. 21.** Through its consideration of LAFCO 3070, the fire functions, contracts, equipment, assets and liabilities currently a part of County Service Area 56 Improvement Zone F-1 are to be transferred to the Successor District, the San Bernardino County Fire Protection District. If LAFCO 3000 is not completed upon the effective date of LAFCO 3070, the fire functions, including property tax revenues associated with CSA 56 and CSA 56 Improvement Zone F-1 shall be transferred temporarily to County Service Area 70 (fire administration) to allow for continued operation and protection of identified revenues. That transfer shall take place as follows:

1. Fire protection revenues currently a part of the property tax allocation for County Service Area 56 Improvement Zone F-1, determined to be \$191,749 for Fiscal Year 06-07 shall be transferred to the San Bernardino County Fire Protection District as a function of LAFCO 3000. The effective date for LAFCO 3000 is July 1, 2008; therefore, the fire functions, including property tax revenues, associated with CSA 56 Improvement Zone F-1 shall be transferred temporarily to County Service Area 70 to allow for continued operation and protection of identified revenues until the effective date of this reorganization.
2. Fire protection revenues currently a part of the property tax allocation of County Service Area 56, determined to be \$626,426 for Fiscal Year 2006-07, shall be distributed to the San Bernardino County Fire Protection District as a function of the review of LAFCO 3000. The effective date for LAFCO 3000 is July 1, 2008; therefore, the fire functions, including property tax revenues, associated with CSA 56 within the reorganization shall be transferred temporarily to County Service Area 70 to allow

RESOLUTION NO. 2997

for continued operation and protection of identified revenues until the effective date of this reorganization.

**Condition No. 22.** Upon the Effective Date of this reorganization, the facilities identified on Exhibit "OO" shall be transferred to the San Bernardino County Fire Protection District for use in providing fire protection services. Prior to issuance of the Certificate of Completion, the County Board of Supervisors, as the governing body of the Successor Agency, shall take the actions necessary to provide for lease arrangements for facilities retained in the ownership of multi-function agencies and provide a copy to the Local Agency Formation Commission.

**Condition No. 23.** Upon the effective date of this reorganization, any funds currently deposited for the benefit of the dissolving entities which have been impressed with a public trust, use or purpose shall be transferred to the Successor District or its respective Service Zone as the successor agency and the successor agency shall separately maintain such funds in accordance with the provisions of Government Code Section 57462.

**Condition No. 24.** Upon the effective date of this reorganization, the County Board of Supervisors as the governing body of the San Bernardino County Fire Protection District, Valley Service Zone, shall maintain the existing service level at Station No. 76 within the Bloomington Community.

*CENTRAL VALLEY FIRE PROTECTION DISTRICT ACTIONS:*

**Condition No. 25.** Upon the Effective Date of this reorganization, through detachment of the ten separate areas of the Central Valley Fire Protection District and their annexation to the Yucca Valley Fire Protection District (to become known as the San Bernardino County Fire Protection District), the remainder Central Valley Fire Protection District shall become known as the Fontana Fire Protection District, defined as the successor district, and the Fontana Fire Protection District shall be established as a subsidiary district of the City of Fontana, subject to the terms and conditions contained herein. Prior to issuance of the Certificate of Completion, the City of Fontana and the County of San Bernardino shall provide to the Executive Officer of the Local Agency Formation Commission a copy of the contract for providing service to the Fontana Fire Protection District for the transition year, Fiscal Year 2008-09.

The Fontana Fire Protection District shall continue to function under and carry out all authorized duties and responsibilities assigned to a county fire protection district as outlined in its principal act within California Health and Safety Code Sections 13000 et seq. and other applicable laws. Those functions and services are authorized and defined as follows:

	<b>FUNCTION</b>	<b>SERVICES</b>
<b>Fontana</b>	Fire	Structural, watershed, prevention, inspection, suppression, weed abatement, hazardous materials services, rescue, first aid, paramedic, emergency response, and disaster preparedness planning

**Condition No. 26.** Upon the Effective Date of this reorganization the Fontana Fire Protection District shall succeed to all rights, duties, responsibilities, properties (both real and personal), contracts, equipments, assets, liabilities, obligations, functions, executory provisions, entitlements, permits and approvals of the predecessor district except for those areas detached from the District. All property tax revenues attributable to the residual Central Valley Fire Protection District, prior to calculations required by Section 96.1 of the Revenue and Taxation Code, including delinquent taxes, and any and all other

RESOLUTION NO. 2997

collections or assets of the District, shall accrue and be transferred to the Successor District pursuant to the provisions of Government Code Section 56810. Upon the Effective Date of this reorganization the facilities identified on [Exhibit "PP"](#) shall be retained by the Fontana Fire Protection District.

**Condition No. 27.** The existing rates, fees, taxes, assessments and charges in effect upon the effective date of this reorganization through the predecessor entity, the Central Valley Fire Protection District, shall be continued and assumed by the Fontana Fire Protection District, in the same manner as provided in the original authorization pursuant to Government Code Section 56886(t).

**Condition No. 28.** Upon the Effective Date of this reorganization, service levels for Stations Nos. 72 and 73 cannot be reduced by the governing body of the Fontana Fire Protection District unless and until the service levels of all other stations within the Fontana Fire Protection District are commensurately reduced.

**Condition No. 29.** Upon the Effective Date of this reorganization, the Fontana FPD shall be required to construct Station No. 80 within three years of the effective date of this reorganization. The construction cost for Station No. 80 is to be funded by revenue sources through the Fontana Fire Protection District, and the Fontana Fire Protection District shall staff and man Station No. 80 within the San Sevaire Redevelopment Area. The County of San Bernardino, through its San Sevaire Redevelopment Agency, shall transfer ownership of Assessor Parcel No. 0238-031-29 purchased for construction of Central Valley Fire Protection District Station No. 80 to the successor Fontana Fire Protection District.

**Condition No. 30.** Upon the effective date of this reorganization, the administration of County Community Facilities District 2002-2 shall transfer to the Fontana Fire Protection District. The County of San Bernardino, through its Land Use Services Department, shall continue to implement Conditions of Approval upon new development within the San Sevaire Redevelopment Area to annex to CFD 2002-2 for funding of fire protection services and to pay the annual special tax outlined in the formation documents of Community Facilities District No. 2002-2 for operation and maintenance funding for fire service within this area pursuant to Government Code Section 56886(t). [Exhibit "QQ"](#) provides a map of the area in which new development projects shall be required to annex to CFD 2002-2 to provide funding for operation and maintenance.

**Condition No. 31.** Upon the Effective Date of this reorganization, the appropriation limit base year amounts for the residual Central Valley Fire Protection District (to become the Fontana Fire Protection District) and Community Facilities District 2002-2, shall be the amount identified as follows based upon calculations for Fiscal Year 2007-08:

Fontana Fire Protection District (formerly the Central Valley Fire Protection District)	\$95,342,989
Community Facilities District 2002-2	\$ 2,606,636

The governing body of the district shall be required to annually adjust this appropriation limit pursuant to the procedures contained within Article XIIB of the California Constitution.

**Condition No. 32.** Until duly revised by the governing body of the Fontana Fire Protection District, and unless otherwise expressly provided herein or legally required, all ordinances, resolutions, rules and regulations, policies, procedures, and practices existing on the effective date of this reorganization shall govern the activities and affairs of the District. The Board of Directors of the

**RESOLUTION NO. 2997**

Subsidiary District, shall expeditiously review and ratify the ordinances, resolutions, policies, procedures and practices adopted hereby, making such revisions as it shall deem appropriate;

**Condition No. 33.** Upon the effective date of this reorganization, any funds currently deposited for the benefit of the residual Central Valley Fire Protection District which have been impressed with a public trust, use or purpose shall be retained by the successor Fontana Fire Protection District and the successor Fontana Fire Protection District shall separately maintain such funds in accordance with the provisions of Government Code Section 57462.

**Condition No. 34.** The County of San Bernardino (on behalf of the San Bernardino County Fire Protection District) and the City of Fontana (on behalf of the Fontana Fire Protection District), applicants for this change of organization, shall indemnify, defend, and hold harmless the Commission from any legal expense, legal action, or judgment arising out of the Commission's approval of this proposal, including any reimbursement of legal fees and costs incurred by the Commission.

**WHEREAS**, the reasons for the reorganization proposal were identified by the County Board of Supervisors as: The San Bernardino County Fire Protection District proposes to combine 27 separate fire districts and five ambulance areas that result in a very complicated budget process, and one that requires excessive accounting and management for each legal entity. This structural reorganization will reduce the number of legal entities managed by the new district, including reduction in audits, budgets, fixed assets and revenue accounting. The reorganized fire protection district and its four regional service zones would better meet the needs of the citizens within its jurisdiction boundaries through regional or countywide approaches for various revenue enhancement programs versus their individual community approach currently in place. In addition, it will also allow an efficient utilization of resources within the newly formed fire district, versus assigned to a community, which will ultimately produce a more effective and streamlined response to the needs of the citizens.

The reasons for the modification of the proposal, as requested by the City of Fontana, were identified as: The City of Fontana requests that the Central Valley Fire Protection District, less those areas outside of the City of Fontana and its Sphere of Influence, be maintained as an independent special district; renamed the Fontana Fire Protection District; and established as a subsidiary District of the City of Fontana with the intent of the District to maintain existing levels of fire and emergency response services and to contract with the San Bernardino County Fire Protection District for the provision of these services; and,

**WHEREAS**, on September 16, 2007, the Commission as a CEQA lead agency considered and adopted a Mitigated Negative Declaration, and directed its Clerk to file the Notice of Determination within five days; and,

**WHEREAS**, a public hearing on this reorganization was called for and held by the Executive Officer of this Commission on March 26, 2008, at the time and place for which notice was given, and at the hearing the Executive Officer heard and received all oral and written protests, objections or evidence which were made, presented or filed;

**NOW, THEREFORE, BE IT RESOLVED**, that the Executive Officer hereby determines and orders as follows:

**RESOLUTION NO. 2997**

**SECTION 1.** No written protests were filed by landowners or registered voters during the protest period;

**SECTION 2.** The regular County assessment roll is utilized by the Yucca Valley Fire Protection District;

**SECTION 3.** The affected territory will not be taxed for existing general bonded indebtedness and/or contractual obligations of the Yucca Valley Fire Protection District;

**SECTION 4.** The Executive Officer, on behalf of the Commission, hereby orders the reorganization outlined on Exhibit "A" and described in Exhibits "B" – "LL-1."

**SECTION 5.** The Executive Officer shall cause to be prepared and filed a Certificate of Completion, as required by Government Code Sections 57176 through 57203, and a Statement of Boundary Change, as required by Government Code Section 57204.

**ADOPTED ON MARCH 26, 2008**



  
\_\_\_\_\_  
**KATHLEEN ROLLINGS-McDONALD**  
Executive Officer