

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

September 15, 2015

**FROM: MARK A. HARTWIG, Fire Chief/Fire Warden
San Bernardino County Fire Protection District**

**SUBJECT: RESOLUTION FOR REORGANIZATION OF THE FIRE DEPARTMENT OF THE
TWENTYNINE PALMS WATER DISTRICT WITH SAN BERNARDINO COUNTY
FIRE PROTECTION DISTRICT**

RECOMMENDATION(S)

Acting as the governing body of the San Bernardino County Fire Protection District (SBCFPD), adopt **Resolution No. 2015-182** requesting the Local Agency Formation Commission to commence proceedings for reorganization of the Fire Department of the Twentynine Palms Water District for annexation to SBCFPD.

(Presenter: James Johnstone, Deputy Chief, 387-5779)

BOARD OF SUPERVISORS COUNTY GOALS AND OBJECTIVES

Pursue County Goals and Objectives by Working with Other Agencies.

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

FINANCIAL IMPACT

Approval of this request for the Local Agency Formation Commission (LAFCO) to conduct the necessary proceedings for reorganization of the Fire Department of the Twentynine Palms Water District (TPWD) into SBCFPD will not result in the use of additional Discretionary General Funding (Net County Cost).

As a part of the LAFCO proceedings, an agreement will be developed to transfer a percentage of the TPWD ad valorem property tax to SBCFPD for fire protection services as required by the Revenue and Taxation Code. In addition, the territory of the annexation is proposed to be included in Service Zone FP-5 of SBCFPD subject to its existing parcel tax to ensure financial support for the agreed upon service level for the area.

BACKGROUND INFORMATION

On August 26, 2015, the Board of Directors of TPWD adopted a resolution requesting LAFCO to take proceedings for a sphere of influence amendment and reorganization of the Fire Department of TPWD. The reorganization proposal includes, but is not limited to, the divestiture of the fire protection functions of TPWD, as well as annexation of the subject territory into SBCFPD, its South Desert Regional Service Zone and Service Zone FP-5. On August 19, 2015, the City Council of the City of Twentynine Palms adopted a resolution in support of TPWD's action.

RECEIVED
SEP 22 2015

LAFCO
San Bernardino County

cc: w/resolution
SBCFPD-Hartwig
SBCFPD-Johnstone
LAFCO-Rollins-McDonald
CAO-Forster
File - SDD/SBCFPD w/attach
jr
9/16/15

ITEM 79

Record of Action of the Board of Directors
APPROVED (CONSENT CALENDAR)
COUNTY OF SAN BERNARDINO
San Bernardino County Fire Protection District

MOTION	<u>MOVE</u>	<u>AYE</u>	<u>AYE</u>	<u>SECOND</u>	<u>AYE</u>
		2	3	4	5

LAURA H. WELCH, SECRETARY

BY _____

DATED: September 15, 2015

**RESOLUTION FOR REORGANIZATION OF THE FIRE DEPARTMENT OF
THE TWENTYNINE PALMS WATER DISTRICT WITH SAN BERNARDINO
COUNTY FIRE PROTECTION DISTRICT
SEPTEMBER 15, 2015
PAGE 2 OF 2**

SBCFPD is required to adopt a substantially similar resolution requesting LAFCO to commence proceedings for this reorganization; the recommended resolution will serve as the formal request for LAFCO to engage in the necessary proceedings.

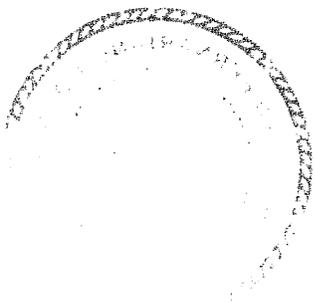
The proposed reorganization will permit the subject agencies to streamline fire protection services to the subject territory, primarily within the City of Twentynine Palms. The reorganization of SBCFPD and annexation of TPWD into SBCFPD would result in the complete assumption of fire protection services by SBCFPD for the TPWD. Following completion of the reorganization and annexation proceedings, and execution of the property tax reallocation agreement, the TPWD will have no further funding obligations for fire suppression or emergency services within the territory.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Carol Greene, Deputy County Counsel, 387-5455) on August 24, 2015; LAFCO (Kathleen Rollings-McDonald, Executive Officer, 383-9900) on August 24, 2015; Finance (Tom Forster, Administrative Analyst, 387-4635), on August 27, 2015; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on August 31, 2015.



9/15/15 #79

RESOLUTION NO. 2015-182

RESOLUTION OF APPLICATION BY THE BOARD OF DIRECTORS OF SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT REQUESTING THE LOCAL AGENCY FORMATION COMMISSION TO TAKE PROCEEDINGS FOR A SPHERE OF INFLUENCE AMENDMENT AND FOR REORGANIZATION OF THE FIRE DEPARTMENT OF THE TWENTYNINE PALMS WATER DISTRICT WITH THE SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT

On Tuesday September 15, 2015, on motion of Director Lovingood, duly seconded by Director Hagman and carried, the following resolution is adopted by the Board of Directors of San Bernardino County Fire Protection District.

WHEREAS, The Board of Directors of the Twentynine Palms Water District has adopted Resolution No. 15-14, on August 26, 2015 requesting the Local Agency Formation Commission (LAFCO) to take proceedings for:

1. A sphere of influence amendment for the San Bernardino County Fire Protection District; and,
2. A reorganization proposal to include, but not be limited to, the divestiture of the fire protection functions of the Twentynine Palms Water District, the annexation of the territory in which the Twentynine Palms Water District currently provides fire protection services to the San Bernardino County Fire Protection District, its South Desert Service Zone and its Service Zone FP-5; and,

WHEREAS, the proposed reorganization will not conflict with any existing sphere of influence as the proposed change includes an amendment to the Fire Department of the Twentynine Palms Water District and the San Bernardino County Fire Protection District spheres of influence to accommodate the proposed reorganization; and,

WHEREAS, it is desired that the proposed reorganization be subject to the standard terms and conditions imposed by the Local Agency Formation Commission upon all proposals or such additional conditions as may be deemed appropriate or necessary by the Local Agency Formation Commission in its consideration; and,

WHEREAS, the reasons for this sphere of influence amendment and proposed reorganization are to permit the subject agencies to streamline fire protection services to the subject territory so as to provide orderly growth and development within the subject territory; and to permit all agencies authorized to provide the scope of municipal services to extend their boundaries to cover the subject territory in one action; and,

WHEREAS, All legal prerequisites to the adoption of this Resolution have occurred; and,

WHEREAS, The San Bernardino County Fire Protection District recognizes the City of Twentynine Palms City Council Resolution No. 15-14;

NOW THEREFORE, BE IT RESOLVED BY THE SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT BOARD OF DIRECTORS AS FOLLOWS:

- Section 1. This resolution is hereby adopted and approved by the Board of Directors of the San Bernardino County Fire Protection District. The Local Agency Formation Commission of San Bernardino County is hereby requested to take proceedings for the sphere of influence amendment and reorganization of territory as described above, according to the terms and conditions stated

above, and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Section 2. The San Bernardino County Fire Protection District acknowledges and agrees to the Local Agency Formation Commission for San Bernardino County's requirement for imposing legal indemnification as outlined in Section II Financial Accounting, Chapter 2 Financial Policies for Application Processing, Policy 3 -- Indemnification of its Policy and Procedure Manual adopted August 19, 2015.

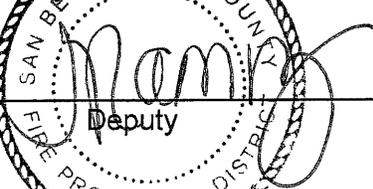
PASSED AND ADOPTED by the Board of Directors of the County of San Bernardino, State of California, by the following vote:

AYES:	DIRECTORS:	Lovingood, Rutherford, Ramos, Hagman, Gonzales
NOES:	DIRECTORS:	None
ABSENT:	DIRECTORS:	None

STATE OF CALIFORNIA)
)
 COUNTY OF SAN BERNARDINO) ss.

I, **LAURA H. WELCH**, Secretary of the Board of Directors of the San Bernardino County Fire Protection District, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by the Board of Directors, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of September 15, 2015. #79 jr

LAURA H. WELCH
 Secretary

By  _____

Deputy

