

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

April 18, 2017

REVISED

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

**SUBJECT: RESOLUTION FOR REORGANIZATION OF THE HESPERIA FIRE
PROTECTION DISTRICT WITH SAN BERNARDINO COUNTY FIRE
PROTECTION DISTRICT**

RECOMMENDATION(S)

Acting as the governing body of the San Bernardino County Fire Protection District, adopt a **Resolution No. 2017-75** requesting the Local Agency Formation Commission to commence proceedings for reorganization to annex the Hesperia Fire Protection District into the San Bernardino County Fire Protection District.

(Presenter: Mark A. Hartwig, Fire Chief/Fire Warden, 387-5779)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS AND OBJECTIVES

Implement the Countywide Vision.

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

Pursue County Goals and Objectives by Working with Other Agencies.

FINANCIAL IMPACT

Approval of this resolution requests the Local Agency Formation Commission (LAFCO) to conduct the necessary proceedings for sphere of influence expansion and reorganization to include annexation of the territory of the Hesperia Fire Protection District (HFPD) into San Bernardino County Fire Protection District (SBCFPD) and transfer of the HFPD fire protection, emergency medical response and ambulance responsibility. This change will not result in the use of additional Discretionary General Funding (Net County Cost).

As part of the LAFCO proceedings, an agreement will be developed to transfer the HFPD's ad valorem property tax to SBCFPD for fire protection services as required by the Revenue and Taxation code.

BACKGROUND INFORMATION

On November 1, 2016, the Board of Directors of the Hesperia Fire Protection District adopted a resolution to initiate the process for annexation of HFPD to SBCFPD. The resolution included a request for sphere of influence amendment for SBCFPD, as well as requesting LAFCO to take proceedings for the reorganization to include annexation of territory into SBCFPD, and its North Desert Regional Service Zone. SBCFPD is required to adopt a substantially similar resolution

RECEIVED
MAY 17 2017
LAFCO
San Bernardino County

cc: w/resolution
SBCFPD-Hartwig
LAFCO-Rollings-McDonald
CAO-Forster
File - SDD/San Bernardino Fire
Protection District w/Reso
jr 5/9/17

ITEM 66

Record of Action of the Board of Directors

APPROVED (CONSENT CALENDAR)

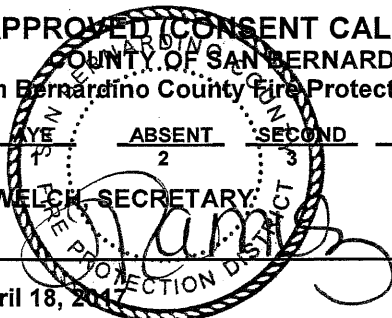
COUNTY OF SAN BERNARDINO
San Bernardino County Fire Protection District

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|--------|------------|---------------|---------------|-------------|------------|
| MOTION | <u>AYE</u> | <u>ABSENT</u> | <u>SECOND</u> | <u>MOVE</u> | <u>AYE</u> |
| | 75 | 2 | 3 | 4 | 5 |

LAURA H. WELCH, SECRETARY:

BY _____

DATED: April 18, 2017



**RESOLUTION FOR REORGANIZATION OF THE HESPERIA FIRE
PROTECTION DISTRICT WITH SAN BERNARDINO COUNTY FIRE
PROTECTION DISTRICT
APRIL 18, 2017
PAGE 2 OF 2**

requesting LAFCO to commence proceedings for the sphere of influence and reorganization; the recommended resolution will serve as the formal request for LAFCO to engage in the necessary proceedings.

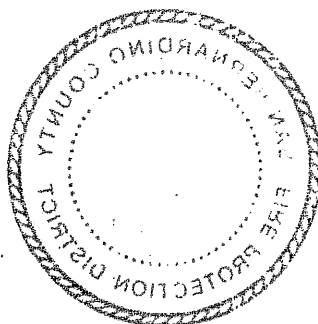
The reorganization of SBCFPD and annexation of the HFPD into SBCFPD would result in the complete assumption of fire, rescue, EMS and ambulance services by SBCFPD for the HFPD service area (generally the City of Hesperia). Following completion of the reorganization and annexation proceedings and execution of the property tax reallocation agreement, the HFPD will have no further funding obligations for fire suppression, emergency medical services or ambulance service. The HFPD will retain the funding obligation for HFPD's retirement obligations to CALPers.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Carol Greene, Supervising Deputy County Counsel, 387-5455) on March 27, 2017; LAFCO (Kathleen Rollings-McDonald, Executive Officer, 383-9900) on April 3, 2017; Finance (Tom Forster, Administrative Analyst, 387-4635) on April 3, 2017; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on April 3, 2017.



RESOLUTION NO. 2017-75

RESOLUTION OF APPLICATION BY THE BOARD OF DIRECTORS OF THE SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT REQUESTING THE LOCAL AGENCY FORMATION COMMISSION TO INITIATE PROCEEDINGS FOR A SPHERE OF INFLUENCE AMENDMENT AND FOR REORGANIZATION TO INCLUDE ANNEXATION OF THE HESPERIA FIRE PROTECTION DISTRICT TO THE SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT AND DIVESTITURE OF THE FIRE PROTECTION, EMERGENCY MEDICAL RESPONSE AND AMBULANCE SERVICES OF THE HESPERIA FIRE PROTECTION DISTRICT

On Tuesday, April 18, 2017, on motion of Director Hagman, duly seconded by Director Ramos and carried, the following resolution is adopted by the Board of Directors of San Bernardino County Fire Protection District.

WHEREAS, The Mayor and Common Council of the City of Hesperia adopted Resolution No. 2016-19, requesting the Local Agency Formation Commission (LAFCO) to initiate proceedings for:

1. A sphere of influence amendment for the San Bernardino County Fire Protection District (SBCFPD); and,
2. A reorganization proposal to include, but not be limited to, the annexation of the Hesperia Fire Protection District to SBCFPD, and its North Desert Regional Service Zone; and,

WHEREAS, the territory proposed for reorganization is legally inhabited and a description of the boundaries of the territory proposed to be reorganized is set forth in the District's application attached hereto, and by this reference incorporated herein; and,

WHEREAS, the proposed reorganization will not conflict with any existing sphere of influence as the proposed change includes an amendment to SBCFPD's sphere of influence to accommodate the proposed reorganization; and,

WHEREAS, it is desired that the proposed reorganization be subject to the following terms and conditions:

- A. SBCFPD shall assume all rights, duties, responsibilities, personal property, contracts, equipment, assets, liabilities, obligations, functions, executory provisions related to fire protection, emergency medical services and ambulance, except as otherwise outlined in Conditions of Approval by LAFCO; and
- B. The Plan for Service to be provided with the District's application outlines the general approach and parameters for delivering fire and emergency medical services to serve the Hesperia FPD. SBCFPD will assume all responsibility for providing sustainable service to the residents and businesses of the District as a condition of the annexation and for providing the personnel, facilities, equipment and oversight necessary for providing sustainable service on an ongoing basis.
- C. As a function of the reorganization, a condition of approval shall be included to discuss the repayment of the Hesperia Fire Protection District unfunded retirement liability, related to District Fire personnel; and,
- D. As a function of the reorganization, the HFPD shall annex to the SBCFPD North Desert Regional Service Zone for the purpose of fire protection, emergency medical operations, and ambulance services; and,

- E. All previously authorized charges, fees, assessments, and/or taxes currently in effect, now levied or collected by the Hesperia FPD related to fire protection, including a community facilities district shall be transferred and continue to be levied and collected by the SBCFPD; and,
- F. The standard terms and conditions imposed by the LAFCO upon all proposals or such additional conditions as may be deemed appropriate or necessary by LAFCO in its consideration; and,

WHEREAS, the reasons for this sphere of influence amendment and proposed reorganization are to provide effective, safe and financially sustainable fire protection, emergency medical, and ambulance services to the Hesperia Fire Protection District and 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, SBCFPD recognizes the Hesperia Fire Protection District's Resolution No. HFPD 2016-19.

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 commence 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 San Bernardino County Fire Protection District, County of San Bernardino, State of California, by the following vote:

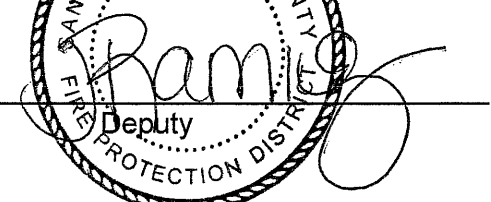
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|---------|------------|--|
| AYES: | DIRECTORS: | Robert A. Lovingood, James Ramos, Curt Hagman, Josie Gonzales |
| NOES: | DIRECTORS: | None |
| ABSENT: | DIRECTORS: | Janice Rutherford |

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 Tuesday, April 18, 2017. #66 jr

LAURA H. WELCH
Secretary

By  Deputy

