

RESOLUTION NO. BBFA2019-009

RESOLUTION OF THE BOARD OF DIRECTORS OF THE BIG BEAR FIRE AUTHORITY CALLING A SPECIAL ELECTION AND SUBMITTING TO THE VOTERS OF COMMUNITY FACILITIES DISTRICT NO. 2019-1 (BBFA FIRE PROTECTION AND EMERGENCY SERVICES) A PROPOSITION WITH RESPECT TO THE ANNUAL LEVY OF SPECIAL TAXES WITHIN SAID COMMUNITY FACILITIES DISTRICT TO PAY THE COSTS OF CERTAIN SERVICES TO BE PROVIDED BY THE COMMUNITY FACILITIES DISTRICT AND ESTABLISHING AN APPROPRIATIONS LIMIT FOR SAID COMMUNITY FACILITIES DISTRICT

WHEREAS, pursuant to Section 53325.1 of the California Government Code, the Board of Directors (the "Board") of the Big Bear Fire Authority (the "Authority") has adopted a resolution establishing its Community Facilities District No. 2019-1 (BBFA Fire Protection and Emergency Services), (the "Community Facilities District") and the boundaries thereof; and

WHEREAS, pursuant to Section 53326 of said Code, it is necessary that the Board submit to the voters of the Community Facilities District a proposition (the "Proposition") regarding the annual levy of special taxes on the property within the Community Facilities District to pay the costs of providing the services described in Resolution No. BBFA2019-006, the resolution of intention with respect to the formation of the Community Facilities District ("Resolution No. BBFA2019-006"), and the establishment of an appropriations limit therein;

NOW THEREFORE, the Board of Directors of the Big Bear Fire Authority does hereby resolve as follows:

Section 1. Findings. The Board finds that: (i) the foregoing recitals are correct; (ii) at least 12 persons have been registered to vote within the territory of the Community Facilities District during the 90 days preceding the close of the public hearing on October 1, 2019; (iii) pursuant to Section 53326 of the California Government Code, as a result of the findings set forth in clause (ii) above, the vote in the special election called by this resolution shall be by the registered voters of the Community Facilities District, and each registered voter shall have one vote.

Section 2. Call of Election. The Board hereby calls and schedules a special election for March 3, 2020, on the Proposition with respect to the annual levy of special taxes within the Community Facilities District for paying the cost of the services to be provided within and for the benefit of the Community Facilities District and on the Proposition with respect to establishing an appropriations limit for the Community Facilities District, which election shall be consolidated with the statewide primary election in accordance with Division 10, Part 3 of the California Elections Code.

Section 3. Proposition. The Proposition to be submitted to the voters of the Community Facilities District at such special election shall be as follows:

Proposition A: To avoid closing a fire station, reduce 9-1-1 response times, maintain firefighters/paramedics and rescue equipment, shall special taxes be levied annually on taxable property within Big Bear Fire Authority Community Facilities District No. 2019-1 (BBFA Fire Protection and Emergency Services) at \$0.06/square foot for single-family residences, with low-income senior exemptions, rates for resorts/other property types, and annual increases, as described in the Rate and Method of Apportionment until ended as provided therein, raising approximately \$3,500,000 annually, subject to oversight/audits, and shall an appropriations limit of \$7,000,000 be established?

Section 4. Conduct of Election. Except as otherwise provided in Section 5 hereof, said election shall be consolidated with the statewide primary election and shall be conducted by the County of San Bernardino, pursuant to Division 10, Part 3 of the California Elections Code, insofar as provisions therein may be applicable. Pursuant to Government Code section 53326(a), copies of the Resolution of Formation, a certified map of sufficient scale and clarity to show the boundaries of the Community Facilities District, and a sufficient description of the Community Facilities District to allow the elections official to determine the boundaries of the Community Facilities District, has been provided to the County. The special election shall be conducted as follows:

A. The ballots to be used at the election shall be in the form and content as required by law.

B. Pursuant to the requirements of sections 10002 and 10403 of the California Elections Code, the Board of Supervisors of the County of San Bernardino is hereby requested to consent and agree to the consolidation of special election with the Statewide Primary Election on Tuesday, March 3, 2020, for the purpose of submitting to the voters the questions relating to the levy of the special tax in the Community Facilities District, and to provide certain election services relating thereto.

C. The election services which the Authority requests the Registrar of Voters, or such other official as may be appropriate, to perform and which such officer is hereby authorized and directed to perform, if said Board of Supervisors consents, include: the preparation, printing and mailing of sample ballots and polling place cards; the establishment or appointment of precincts, polling places, and election officers, the preparation, printing, mailing and furnishing of vote-by-mail ballots, making such publications as are required by law in connection therewith; the furnishing of ballots, voting booths and other necessary supplies or materials for polling places; the canvassing of the returns of the election and the furnishing of the results of such canvassing to the Secretary of the Authority; and the performance of such other election services as may be requested by the Secretary.

D. The Secretary of the Authority is authorized, instructed and directed to procure and furnish, or cause to be procured and furnished through the County of San Bernardino, any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

E. The polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, except as provided in Section 14401 of the Elections Code of the State of California.

F. In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections in the County.

G. Notice of the time and place of holding the election is given and the Authority Secretary is authorized, instructed and directed to give further or additional notice of the election, in time, form, and manner as required by law.

H. All ballots shall be tallied at a central counting place and not at the precincts. Said central counting place shall be at a County center as designated by the Registrar of Voters.

I. The San Bernardino County Registrar of Voters is hereby authorized to canvass the returns of said election.

The Secretary of the Authority shall receive the canvass from the County as it pertains to the election on the Measures, and shall certify the results to the Board, as required by law.

Section 5. Arguments and Impartial Analysis.

A. The Board of the Authority authorizes (i) the Board or any member(s) of the Board, (ii) any individual voter eligible to vote on the above measure, (iii) a bona fide association of such citizens or (iv) any combination of voters and associations, to file a written argument in favor of or against the Proposition set forth in Section 3 of this Resolution, and may change the argument until and including December 13, 2019, after which no arguments for or against the Proposition may be submitted to the election official. Arguments in favor of or against the Proposition shall each not exceed 300 words in length. Each argument shall be filed with the election official, signed, and include the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument.

B. The election official shall comply with all provisions of law establishing priority of arguments for printing and distribution to the voters, and shall take all necessary actions to cause the selected arguments to be printed and distributed to the voters.

C. Pursuant to Section 9313 of the Elections Code, the Board directs the election official to transmit a copy of the Proposition to County Counsel for the County of San Bernardino. County Counsel shall prepare an impartial analysis of the Proposition, not to exceed 500 words in length, showing the effect of the Proposition on the existing law and the operation of the Proposition. County Counsel shall transmit such impartial analysis to the election official, who shall cause the analysis to be published in the voter information guide along with the Proposition as provided by law. The Impartial Analysis shall be filed by the deadline set for

filing of primary arguments as set forth in subsection (A) above. The impartial analysis shall include a statement indicating whether the Proposition was placed on the ballot by a petition signed by the requisite number of voters or by Board.

D. That the provisions of this Section 5 herein shall apply only to the election to be held on March 3, 2020, and shall then be repealed.

Section 6. Rebuttals.

A. Pursuant to section 9317 of the Elections Code of the State of California, when the election official has selected the arguments for and against the Proposition which will be printed and distributed to the voters, the election official shall send copies of the argument in favor of the measures to the authors of the argument against, and copies of the argument against to the authors of the argument in favor. The authors or persons designated by them may prepare and submit rebuttal arguments not exceeding 250 words. The rebuttal arguments shall be filed with the election official not later than December 23, 2019. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

B. The provisions of this Section 6 herein shall apply only to the election to be held on March 3, 2020, and shall then be repealed.

Section 7. The Board of Directors may amend the dates set forth in Sections 5 and 6 above only by Resolution of the Board and published notice.

Section 8. Public Examination. Pursuant to California Elections Code section 9316, the Proposition will be available for public examination for no fewer than ten (10) calendar days prior to being submitted for printing in the voter information guide. The election official shall post notice in the election official's office of the specific dates that the examination period will run.

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss
CITY OF BIG BEAR LAKE)

I, Dawn Marschinke, Secretary of the Big Bear Fire Authority Board, do hereby certify that the whole number of members of the said Board is ten; that the foregoing resolution, being Resolution No. BBFA2019-009 was duly passed and adopted by the said Board, approved and signed by the Chair of said Board, and attested by the Secretary of said Board, all at a meeting of the said Board held on the 1st day of October, 2019, and that the same was so passed and adopted by the following vote:

AYES: Jackowski, Oxandaboure, Putz, Russo, Walsh, Ziegler, Caretto, Herrick,
and Green
NOES: None
ABSENT: Jahn
ABSTAIN: None

Witness my hand and the official seal of said Authority this 1st day of October, 2019.



Dawn Marschinke
Secretary,
Big Bear Fire Authority



Big Bear Fire Authority

**MEETING OF THE BOARD OF DIRECTORS
BIG BEAR FIRE AUTHORITY – 41090 BIG BEAR BLVD., BIG BEAR LAKE
MEETING AGENDA
DECEMBER 3, 2019**

ORDER OF BUSINESS: Regular Session - 5:00 p.m.

BOARD OF DIRECTORS

Chairman Bill Jahn
Vice Chairman John Green
Director David Caretto
Director Rick Herrick
Director Bob Jackowski
Director Karyn Oxandaboure
Director Randall Putz
Director John Russo
Director Larry Walsh
Director Al Ziegler

STAFF

Fire Chief Jeff Willis
Assistant Chief/Fire Marshal Mike Maltby
Senior Finance Officer Kristin Mandolini
Board Secretary Dawn Marschinke
Authority Counsel Jeff Ferre
Authority Counsel Joseph Sanchez

OPEN SESSION

CALL TO ORDER

MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE

ROLL CALL

Please Note: The Chair may, at his or her discretion, take items out of order at the meeting to facilitate the business of the Board and/or for the convenience of the public.

ANNOUNCEMENTS & UPCOMING EVENTS

Friday, December 20, Big Bear Professional Firefighters' Association, Local 935, will host its annual shopping spree for kids at Big Bear Lake Kmart beginning at 7:00 a.m.

The Fire Authority's Administrative Office will be closed on the following dates:

- Tuesday and Wednesday, December 24 and 25, 2019 in observance of Christmas and will re-open at 8:00 a.m. on Thursday, December 26, 2019.
- Tuesday and Wednesday, December 31, 2019 and January 1, 2020 in observance of New Year's, and will reopen on Thursday, January 2, 2020

- Monday, January 20, 2020 in observance of Martin Luther King Jr. day and will reopen on Tuesday, January 21, 2020.

PRESENTATIONS

1. Oath of Office/Pinning
 - Cory Emerson, Firefighter/ParamedicSpeaker: Jeff Willis, Fire Chief
2. Promotional Pinning
 - Brian Lambert, from Engineer to CaptainSpeaker: Jeff Willis, Fire Chief
3. Recognition for outstanding performance in the Wellness/Fitness Program
Speaker: Jeff Willis, Fire Chief

DIRECTORS' GENERAL ANNOUNCEMENTS – Comments shall pertain to items not on the posted agenda and are limited to three minutes per Authority Member.

GENERAL PUBLIC COMMENT – Public comment is permitted only on items not on the posted agenda that are within the subject matter jurisdiction of the Authority. Please note that State law prohibits the Fire Authority from taking any action on items not listed on the agenda. There is a three-minute maximum time limit when addressing the Board during this time period.

CHIEF'S REPORT

Speaker: Fire Chief Jeff Willis

FINANCE OFFICER'S REPORT

Speaker: Senior Finance Officer Kristin Mandolini

FIRE AUTHORITY CONSENT CALENDAR

- FA1. Approval of Demands – Check Issue Date 09/01/19 through 10/31/19 in the amount of \$1,812,252.84**
- FA2. Approval of Meeting Minutes from the October 1, 2019 Regular Meeting of Big Bear Fire Authority**
- FA3. Approval of Meeting Minutes from the October 2, 2019 Fire Code Appeals Board of the Big Bear Fire Authority**

FA4. Receive and File Big Bear Fire Department Monthly Activity Reports for September and October 2019

FA5. Big Bear Fire Authority FY2018-19 Audited Financial Report

Board consideration to accept, receive and file FY2018-19 Audited Financial Report.

FA6. Resolution to Amend Deadlines to File Arguments and Rebuttals Regarding a Proposition to Levy a Special Tax on Community Facilities District No. 2019-1 and Establish an Appropriations Limit

Board consideration to adopt Resolution No. BBFA2019-010 amending the deadlines for arguments and rebuttals to the Proposition and corresponding 10-day public examination periods.

ITEMS REMOVED FROM THE CONSENT CALENDAR

PUBLIC HEARING

Any person may appear and be heard in support or opposition to the proposals at the time of the meeting. If you challenge the action in court, you may be limited to raising only those issues which you or someone else raised at the public meeting described in the notice or in written correspondence delivered to the Fire Authority at or before the public meeting.

None

NEW BUSINESS

BIG BEAR FIRE AUTHORITY DISCUSSION ITEMS

FA7. Temporary Firefighter Recruit Job Description and Classification and Wage Table

Board consideration of approving Temporary Fire Fighter Recruit job description and Classification and Wage Table.

Speaker: Fire Chief Jeff Willis

FA8. Second Amendment to Employment Agreement with Fire Chief

Board consideration of approving the second amendment to the Fire Chief Agreement.

Speaker: Jamie Lapham, Business Manager – Human Resources

FA9. Fire Authority Board Reorganization Selection of the Chair and Vice Chair

Board nominations and selection of Chair and Vice Chair, who will serve for a period of one year.

Speaker: Chairman Bill Jahn

COMMITTEE REPORTS

None

DIRECTORS' CLOSING COMMENTS

ADJOURN

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted in accordance with the applicable legal requirements. Dated this 25th day of November 2019.

Dawn E. Marschinke

Dawn Marschinke, Board Secretary

The Big Bear Fire Authority wishes to make all its public meetings accessible to the public. If you need special assistance to participate in this meeting, please contact Board Secretary Dawn Marschinke at 909/866-7566. Notification 48 hours prior to the meeting will enable the Fire Authority to make reasonable arrangements to ensure accessibility to this meeting.




BIG BEAR FIRE AUTHORITY AGENDA REPORT

Item No. FA6

MEETING DATE: December 3, 2019

TO: Chairman and Members of the Big Bear Fire Authority

FROM: Jeff Willis, Fire Chief 

SUBJECT: **RESOLUTION BBFA2019-010 TO AMEND DEADLINES TO FILE ARGUMENTS AND REBUTTALS REGARDING A PROPOSITION TO LEVY A SPECIAL TAX ON COMMUNITY FACILITIES DISTRICT NO. 2019-1 AND ESTABLISH AN APPROPRIATIONS LIMIT**

PURPOSE:

The purpose of this agenda item is to adopt a resolution to amend deadlines to file written arguments and rebuttals for or against a proposition appearing on the voter ballot for Community Facilities District No. 2019-1 (the “CFD”) in the March 3, 2020 special election. The proposition, if passed, will establish an annual special tax and appropriations limit to pay for the costs of fire protection and emergency services to the CFD.

DISCUSSION:

On October 1, 2019, the Board of the Directors of the Big Bear Fire Authority (the “Board”) adopted Resolution No. BFA2019-009 scheduling a special election for March 3, 2020 and submitting to voters of the CFD a proposition to levy a special tax within the CFD to pay the costs of fire protection and emergency services provided to the CFD community. The resolution set deadlines to file arguments for or against the Proposition for December 13, 2019, and rebuttals for December 23, 2019.

When Resolution No. BFA2019-009 was adopted, the Board did not have the official dates from the County of San Bernardino for the submission of arguments and rebuttals. Therefore, as a precaution, Section 7 of the resolution authorized the Board to amend the dates by resolution and published notice should the County’s timeline differ from the resolution dates. The County has since provided its official dates, which differ from those in the resolution.

To coincide with the County’s dates, this Resolution amends Sections 5 and 6 of Resolution No. BFA2019-009, resulting in the below changes to the Proposition’s timeline for submission to voters:

Current Timeline of Events

- **December 13, 2019** – Last day to submit arguments for or against the ballot measure on the levy of the special tax and establishment of an appropriations limit for the CFD;
- **December 13, 2019** – Last day for County Counsel to transmit impartial analysis;
- **December 14 through December 23, 2019** – Public examination period for ballot measure material, including ballot measure text, arguments for and against the ballot measure, and the impartial analysis;
- **December 23, 2019** – Last day to submit rebuttals to arguments for and against the ballot measure;
- **December 24, 2019, through January 2, 2020** – Public examination period for rebuttals;

New Timeline of Events

- **December 16, 2019 by Noon** – Deadline to submit arguments for or against the ballot measure on the levy of the special tax and establishment of an appropriations limit for the CFD;
- **December 16, 2019 by 5:00 p.m.**– Deadline for County Counsel to transmit impartial analysis;
- **December 16 through December 26, 2019 by Noon** – Public examination period for ballot measure material, including ballot measure text, arguments for and against the ballot measure, and the impartial analysis;
- **December 20, 2019 by 5:00 p.m.** – Deadline to submit rebuttals to arguments for and against the ballot measure;
- **December 20, 2019, through December 30, 2020 by 5:00 p.m.** – Public examination period for rebuttals;

FISCAL IMPACT

There is no fiscal impact.

RECOMMENDATION:

It is recommended that the Board adopt Resolution No. BBFA2019-010 amending the deadlines for arguments and rebuttals to the Proposition and corresponding 10-day public examination periods.

RESOLUTION NO. BBFA2019-010

RESOLUTION OF THE BOARD OF DIRECTORS OF THE BIG BEAR FIRE AUTHORITY AMENDING DEADLINES TO FILE WRITTEN ARGUMENTS AND REBUTTALS TO A PROPOSITION REGARDING THE ANNUAL LEVY OF SPECIAL TAXES WITHIN COMMUNITY FACILITIES DISTRICT NO. 2019-1 (BBFA FIRE PROTECTION AND EMERGENCY SERVICES) TO PAY THE COSTS OF CERTAIN SERVICES TO BE PROVIDED BY THE COMMUNITY FACILITIES DISTRICT AND ESTABLISHING AN APPROPRIATIONS LIMIT FOR SAID COMMUNITY FACILITIES DISTRICT

WHEREAS, pursuant to Section 53325.1 of the California Government Code, the Board of Directors (the “Board”) of the Big Bear Fire Authority (the “Authority”) has adopted a resolution establishing its Community Facilities District No. 2019-1 (BBFA Fire Protection and Emergency Services), (the “Community Facilities District”) and the boundaries thereof;

WHEREAS, pursuant to Section 53326 of said Code, the Board previously submitted to the voters of the Community Facilities District a proposition (the “Proposition”) regarding the annual levy of special taxes on the property within the Community Facilities District to pay the costs of providing the services described in Resolution No. BBFA2019-006, the resolution of intention with respect to the formation of the Community Facilities District (“Resolution No. BBFA2019-006”), and the establishment of an appropriations limit therein;

WHEREAS, in accordance with Section 53326 of the California Government Code and Division 10, Part 3 of the California Elections Code, the Board adopted a resolution to schedule a special election for Tuesday, March 3, 2020 on which date the Proposition will be submitted to voters (“Resolution No. BBFA2019-009”);

WHEREAS, Section 5 and Section 6 of Resolution No. BBFA2019-009, respectively, established deadlines to file written arguments in favor or against the Proposition, including any changes to such arguments, up and until December 13, 2019, and to file written rebuttal arguments not later than December 23, 2019;

WHEREAS, pursuant to Section 7 of Resolution No. BBFA2019-009, the Board of Directors may amend the deadlines established by Sections 5 and 6 only by resolution of the Board and published notice;

WHEREAS, the Authority has requested that the election be consolidated with statewide primary elections conducted by the County, and must now amend the dates set forth in Section 5 and Section 6 of Resolution No. BBFA2019-009 to conform with such dates provided by the County.

NOW THEREFORE, the Board of Directors of the Big Bear Fire Authority does hereby resolve as follows:

Section 1. Findings. The Board finds that: (i) the foregoing recitals are correct; and (ii) unless otherwise stated in this Resolution, all other provisions, and portions thereof, of Resolution No. BBFA2019-009 remain in full force and effect.

Section 2. Amendment to Arguments Deadline. The December 13, 2019 deadline provided in Section 5 of Resolution No. BBFA2019-009 to file written arguments with the election official shall be changed to December 16, 2019 by 12:00 p.m.

Section 3. Amendment to Rebuttal Deadline. The December 23, 2019 deadline provided in Section 6 of Resolution No. BBFA2019-009 to file written rebuttals with the election official shall be changed to December 20, 2019 by 5:00 p.m.

Section 4. Notice. The Board of Directors directs staff to publish notice of such changes in a newspaper of general circulation, or, insofar as such notice has already been published, the Board hereby ratifies the publication of such notice.

Section 5. Effective Date. This Resolution shall become effective upon its adoption.

PASSED, APPROVED, AND ADOPTED this 3rd day of December, 2019.

AYES:
NOES:
ABSENT:
ABSTAIN

Date

Bill Jahn
Chairman, Board of Directors
Big Bear Fire Authority

ATTEST:

Dawn Marschinke
Secretary, Big Bear Fire Authority

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss
CITY OF BIG BEAR LAKE)

I, Dawn Marschinke, Secretary of the Big Bear Fire Authority Board, do hereby certify that the whole number of members of the said Board is ten; that the foregoing resolution, being Resolution No. BBFA2019-010 was duly passed and adopted by the said Board, approved and signed by the Chair of said Board, and attested by the Secretary of said Board, all at a meeting of the said Board held on the 3rd day of December, 2019, and that the same was so passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Witness my hand and the official seal of said Authority this 3rd day of December, 2019.

Dawn Marschinke
Secretary,
Big Bear Fire Authority