RESOLUTION NO. 2022- 147

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT REQUESTING THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY TO INITIATE PROCEEDINGS FOR A SPHERE OF INFLUENCE AMENDMENT AND FOR REORGANIZATION TO INCLUDE ANNEXATION OF THE CITY OF ADELANTO INTO THE SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT FOR FIRE PROTECTION, RESCUE, AND EMERGENCY MEDICAL SERVICES

On Tuesday, June 28, 2022, on motion of Director Rutherford, duly seconded by Director Cook and carried, the following resolution is adopted by the Board of Directors of the San Bernardino County Fire Protection District.

WHEREAS, the Mayor and City Council of the City of Adelanto adopted Resolution No. 21-23, requesting the Local Agency Formation Commission for San Bernardino County (LAFCO) initiate proceedings for various actions, including:

1. A sphere of influence amendment (expansion) 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 City of Adelanto (City) into SBCFPD to assume responsibility for fire protection, rescue, and emergency medical services; and,

WHEREAS, the territory proposed for reorganization is legally inhabited and a description of the boundaries of the territory proposed to be reorganized will be set forth in the City's application that will be submitted to LAFCO; 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, rescue, and emergency medical services, except as otherwise outlined in the conditions of approval issued by LAFCO; and

B. The Plan for Service is being prepared and will outline the general approach and parameters for delivering fire protection, rescue, and emergency medical services to serve the City. SBCFPD will assume all responsibility for providing sustainable service to the residents and businesses of the City 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. All previously authorized charges, fees, assessments, and/or taxes currently in effect, now levied or collected by the City related to fire protection, rescue, and emergency medical services, shall continue to be levied and collected by the SBCFPD; and,

D. The standard terms and conditions imposed by 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, rescue, and emergency medical services to the City and permit the subject agencies to streamline fire protection, rescue, and emergency medical services to the subject territory so as to provide orderly growth and development within the subject territory; and to ensure that the proposed reorganization does not interfere with other agencies authorization or ability to provide municipal services within the subject territory, and

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

WHEREAS, SBCFPD recognizes the City of Adelanto's Resolution No. 21-23;

WHEREAS, this Resolution specifically does not address the boundaries of Service Zone FP-5, including the FP-5 special tax, and the North Desert Service Zone as they relate to the City.

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

Section 1. The above recitals are incorporated into the resolution and 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 for San Bernardino County is hereby requested to initiate 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, including Government Code section 56654.

Section 2. The San Bernardino County Fire Protection District acknowledges and agrees to LAFCO's requirement of imposing legal indemnification as outlined in LAFCO's Policy and Procedure Manual - Section II Accounting and Financial Policies, Chapter 2 Financial Policies for Application Processing, Policy 3. This Policy 3 currently provides, in part, that the applicant and/or the real party in interest shall agree to defend, indemnify, and hold harmless LAFCO, its agents, officers, attorneys, and employees from any claim, action, proceeding brought against any of them.

PASSED AND ADOPTED by the Board of Directors of the San Bernardino County Fire Protection District, by the following vote:

AYES: DIRECTORS: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Joe Baca, Jr.

NOES: DIRECTORS: None

ABSENT: DIRECTORS: Curt Hagman

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

I, **LYNNA MONELL,** Secretary of 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, June 28, 2022.

LYNNA MONELL
Secretary of the Board of Directors

By _____
Deputy

SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT