

RESOLUTION NO. 2020- 95

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT SETTING THE SPECIAL TAX RATE FOR SERVICE ZONE FP-5 FOR FISCAL YEAR 2020-21

On Tuesday, June 9, 2020, on motion of Director Gonzales, duly seconded by Director Lovingood and carried, the following resolution is adopted by the Board of Directors of San Bernardino County Fire Protection District.

SECTION 1. The Board of Directors of the San Bernardino County Fire Protection District hereby finds and determines:

- a) That on August 1, 2006, the electors of Service Zone FP-5 (formerly known as County Service Area 70, Improvement Zone FP-5) (Helendale/Silver Lakes) duly authorized a special tax levy for financing fire protection services.
- b) That the original amount of such tax was \$117 per parcel, per year with an annual 3% cost of living increase for Service Zone FP-5.
- c) Between August 1, 2006 and October 16, 2018, Service Zone FP-5 was expanded to include Needles, Twentynine Palms, San Bernardino, Upland and San Antonio Heights.
- d) In 2019, the trial court in *San Antonio Heights Association v. LAFCO*, San Bernardino County Superior Court Case No. CIVDS 1712771 ruled that while the annexation of the Upland into San Bernardino County Fire Protection District was valid, the annexation of Upland and the unincorporated area of San Antonio Heights into FP-5 was not. This judgment covered the special taxes levied in Fiscal Years 2017-18 and 2018-19.
- e) That on October 16, 2018, the Board of Directors adopted a resolution that expanded the boundaries of Service Zone FP-5, including, but not limited to, Upland and San Antonio Heights.
- f) That the current area of Service Zone FP-5 is described in Attachment A to this resolution. Attachment A is incorporated into this resolution by reference.

SECTION 2. The Board of Directors of the San Bernardino County Fire Protection District, therefore, hereby resolves and orders:

- a) That the special tax for Service Zone FP-5 for Fiscal Year 2020-21 shall be set at \$157.26 per parcel.
- b) That following the adoption of this resolution, the Secretary of the Board of Directors shall cause a copy of same to be published once in a newspaper of general circulation within Service Zone FP-5.
- c) That the Auditor-Controller/Treasurer/Tax Collector is directed to place the special tax for Service Zone FP-5 on the 2020-21 tax roll.

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

AYES: DIRECTORS: Robert A. Lovingood, Janice Rutherford, Dawn Rowe
Curt Hagman, Josie Gonzales

NOES: DIRECTORS: None

ABSENT: DIRECTORS: None

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

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 9, 2020. #60 jrh

Lynna Monell
Secretary

By _____
Deputy