

City of Fontana

8353 Sierra Avenue
Fontana, CA 92335



Regular Agenda

Next Reso. No. FFP 2022-001

Tuesday, September 13, 2022

7:00 PM

Grover W. Taylor Council Chambers

Fire Protection District

Phillip Cothran - President
Jesus "Jesse" Sandoval - Vice President
John Roberts - Commissioner
Peter A. Garcia- Commissioner
Acquanetta Warren - Commissioner
Janet Koehler Brooks - City Treasurer
Germaine McClellan Key - District Secretary

Welcome to the Fontana Fire Protection District Meeting!

Welcome to the City of Fontana Fire Protection District Meeting. A complete agenda packet is located in the binder on the table in the lobby of the Grover W. Taylor Council Chambers 8353 Sierra Avenue Fontana, CA 92335. To address the Council, please fill out a card located at the entrance to the right indicating your desire to speak on either a specific agenda item or under Public Communications and give it to the City Clerk. Your name will be called when it is your turn to speak. In compliance with Americans with Disabilities Act of 1990 (42 USC § 12132), the Grover W. Taylor Council Chambers 8353 Sierra Avenue Fontana, CA 92335 is wheelchair accessible, and a portable microphone is available. Upon request, this agenda will be made available in appropriate alternative forms to persons with disabilities, as required by Section 12132 of the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such a request to the City Clerk's Office at (909) 350-7602 at least 48 hours before the meeting, if possible. Any public record, relating to an open session agenda item, that is distributed within 72 hours prior to the meeting is available for public inspection in the Grover W. Taylor Council Chambers 8353 Sierra Avenue Fontana, CA 92335.

Traduccion en Español disponible a peticion. Favor de notificar al Departamento "City Clerk". Para mayor informacion, favor de marcar el numero (909) 350-7602.

CALL TO ORDER/ROLL CALL:

- A. 7:00 P.M. Call the Meeting to Order**

PUBLIC COMMUNICATIONS:

This is an opportunity for citizens to speak to the members of the meeting for up to 3 minutes on items not on the Agenda, but within the Foundation's jurisdiction. The Foundation is prohibited by law from discussing or taking immediate action on non-agendized items.

- A. Public Communications**

CONSENT CALENDAR:

All matters listed under CONSENT CALENDAR will be enacted by one motion in the form listed below - there will be no separate discussion on these items prior to the time they are voted on, unless a member requests a specific item be removed from the Consent Calendar for discussion.

- A. Approval of Minutes**

[21-1696](#)

Approve the minutes of the July 12, 2022, and July 26, 2022, Regular Fire Protection District meeting.

Attachments: [Fire Protection District - July 12, 2022.pdf](#)
[Fire Protection District - July 26, 2022.pdf](#)

B. Fiscal Year 2022-23 Fire Protection District Gann Spending Limit [21-1685](#)

Adopt **Resolution No. FFP 2022-001**, a Resolution of the Fontana Fire Protection District establishing an Appropriations Limit of \$175,144,957 pursuant to Article XIII (B) of the California Constitution for Fiscal Year 2022-23.

Attachments: [FY 22-23 Resolution GANN Fire](#)
[FY 22-23 Fire - GANN Limit Calculation.pdf](#)

Approve Consent Calendar Items as recommended by staff.

EXECUTIVE DIRECTOR'S COMMUNICATIONS:

A. Executive Director's Communications

ELECTED OFFICIALS COMMUNICATIONS/COMMITTEE REPORTS:

A. Elected Officials Communications/Committee Reports

ADJOURNMENT:

A. Adjournment



City of Fontana

8353 Sierra Avenue
Fontana, CA 92335

Action Report

Fire Protection District

File #: 21-1696

Agenda #: A.

Agenda Date: 9/13/2022

Category: Consent Calendar

FROM:

City Clerk

SUBJECT:

Approval of Minutes

RECOMMENDATION:

Approve the minutes of the July 12, 2022, and July 26, 2022, Regular Fire Protection District meeting.

COUNCIL GOALS:

- Create and maintain a dynamic team by promoting stability and predictability by providing consistent policy direction.
- Create and maintain a dynamic team by communicating Goals and Objectives to all commissions and employees.

DISCUSSION:

The Fire Protection District will consider approval of the minutes of the July 12, 2022, and July 26, 2022, Regular Fire Protection District Meeting. The draft minutes are attached to this report for District review and approval.

FISCAL IMPACT:

None.

MOTION:

Approve staff recommendation.

City of Fontana

8353 Sierra Avenue
Fontana, CA 92335



Minutes

Tuesday, July 12, 2022

7:00 PM

Grover W. Taylor Council Chambers

Fire Protection District

Phillip Cothran - President
Jesus "Jesse" Sandoval - Vice President
John Roberts - Commissioner
Peter A. Garcia- Commissioner
Acquanetta Warren - Commissioner
Janet Koehler Brooks - City Treasurer
Germaine McClellan Key - District Secretary

CALL TO ORDER/ROLL CALL:

A. 7:00 P.M. Call the Meeting to Order

The Regular meeting of the Fontana Fire Protection District was held on Tuesday, July 12, 2022, in the Grover W. Taylor Council Chambers, 8353 Sierra Avenue, Fontana, CA, 92335. President Cothran called the meeting to order at 7:04 p.m.

ROLL CALL:

Present: President Cothran, Vice-President Sandoval, Commissioners Garcia, Roberts, and Warren

Absent: None

District Secretary McClellan Key and City Treasurer Koehler-Brooks was also in attendance.

PUBLIC COMMUNICATIONS:

A. Public Communications

There were no public communications received.

CONSENT CALENDAR:

ACTION: Motion was made by President Cothran, seconded by Commissioner Roberts, and passed unanimously by a vote of 5-0 to approve the Consent Calendar Items 'A-B'. The motion was carried by the following vote: **AYES:** Warren, Garcia, Cothran, Roberts, and Sandoval; **NOES:** None; **ABSTAIN:** None

A. Approval of Minutes [21-1527](#)

Approve the minutes of the June 14, 2022, Regular Fire Protection District Meeting.

B. Amendment No. 7 to San Bernardino County Fire Protection District Agreement 18-354 for Fire Protection and Emergency Medical Services for Fiscal Year 2022-23 [21-1531](#)

Approve Amendment No. 7 to San Bernardino County Fire Protection District Agreement 18-354 for Fire Protection and Emergency Medical Services for Fiscal Year 2022-23 in the amount of \$39,973,150.

EXECUTIVE DIRECTOR'S COMMUNICATIONS:

A. Executive Director's Communications

There were no Executive Director's Communications received.

ELECTED OFFICIALS COMMUNICATIONS/COMMITTEE REPORTS:

A. Elected Officials Communications/Committee Reports

There were no Elected Officials Communications / Committee Reports received.

ADJOURNMENT:

A. Adjournment

President Cothran adjourned the meeting at 9:46 p.m.

Ashton R. Arocho, MMC
Deputy City Clerk

THE FOREGOING MINUTES WERE ADOPTED AND APPROVED BY THE FONTANA
FIRE PROTECTION DISTRICT ON SEPTEMBER 13, 2022.

Germaine McClellan Key
District Secretary

City of Fontana

8353 Sierra Avenue
Fontana, CA 92335



Minutes

Tuesday, July 26, 2022

7:00 PM

Grover W. Taylor Council Chambers

Fire Protection District

Phillip Cothran - President
Jesus "Jesse" Sandoval - Vice President
John Roberts - Commissioner
Peter A. Garcia- Commissioner
Acquanetta Warren - Commissioner
Janet Koehler Brooks - City Treasurer
Germaine McClellan Key - District Secretary

CALL TO ORDER/ROLL CALL:

A. 7:00 P.M. Call the Meeting to Order

The Regular meeting of the Fontana Fire Protection District was held on Tuesday, July 26, 2022, in the Grover W. Taylor Council Chambers, 8353 Sierra Avenue, Fontana, CA 92335. President Cothran called the meeting to order at 7:03 p.m.

ROLL CALL:

Present: President Cothran, Vice-President Sandoval, Commissioners Garcia, Roberts, and Warren.

Absent: None

District Secretary McClellan Key and City Treasurer Koehler-Brooks were also in attendance.

PUBLIC COMMUNICATIONS:

A. Public Communications

There were no public communications received.

CONSENT CALENDAR:

ACTION: Motion was made by Commissioner Garcia, seconded by President Cothran, to approve the Consent Calendar Items 'A-B' and passed by a unanimous vote of 5-0 as follows: **AYES:** Warren, Garcia, Cothran, Roberts, and Sandoval; **NOES:** None; **ABSTAIN:** None

A. Approval of Minutes [21-1600](#)

Approve the minutes of the June 14, 2022, Regular Fire Protection District Meeting.

B. Fiscal Year 2021/22 Fourth Quarter Budget Status Report [21-1594](#)

Approve the recommended Fourth Quarter Budget adjustments

EXECUTIVE DIRECTOR'S COMMUNICATIONS:

A. Executive Director's Communications

There were no executive director communications received.

ELECTED OFFICIALS COMMUNICATIONS/COMMITTEE REPORTS:

A. Elected Officials Communications/Committee Reports

There were no elected Official communications / committee reports received.

ADJOURNMENT:

A. Adjournment

President Cothran adjourned the meeting at 9:05 p.m.

Ashton R. Arocho, MMC
Deputy City Clerk

THE FOREGOING MINUTES WERE APPROVED AND ADOPTED BY THE FONTANA
FIRE PROTECTION DISTRICT ON SEPTEMBER 13, 2022.

Germaine McClellan Key
District Secretary



City of Fontana

8353 Sierra Avenue
Fontana, CA 92335

Action Report

Fire Protection District

File #: 21-1685

Agenda #: B.

Agenda Date: 9/13/2022

Category: Consent Calendar

FROM:

Management Services

SUBJECT:

Fiscal Year 2022-23 Fire Protection District Gann Spending Limit

RECOMMENDATION:

Adopt **Resolution No. FFP 2022-001**, a Resolution of the Fontana Fire Protection District establishing an Appropriations Limit of \$175,144,957 pursuant to Article XIII (B) of the California Constitution for Fiscal Year 2022-23.

COUNCIL GOALS:

- Operate in a businesslike manner by ensuring that the public debate is based on accurate information.
- Operate in a businesslike manner by correcting problems immediately.
- Practice sound fiscal management by producing timely and accurate financial information.
- Practice sound fiscal management by living within our means while investing in the future.
- Practice sound fiscal management by producing transparent information in a timely matter.

DISCUSSION:

In November of 1979, voters approved Proposition 4, an initiative that added Article XIII (B) to the California Constitution. The constitutional amendment, also known as the Gann Initiative, placed limits on the annual growth in appropriations or expenditures made by local government agencies for tax funded services in an effort to control government spending. Article XIII (B) required that the annual growth in appropriation not exceed the annual growth in population and inflation. California Government Code 61113 et seq. was then put in place requiring local government agencies to annually review and adopt a resolution establishing its annual appropriation limit. The growth calculation is driven by both the percent change in California per capita income and the population change in unincorporated San Bernardino County, both of which are provided by the California Department of Finance.

The limit restricts appropriations from tax revenues by State and local governments. Under its provisions, no local agency can appropriate proceeds of taxes in excess of its "appropriation limit". Excess funds may be carried over into the next year. However, any excess funds remaining after the second year must be returned to taxpayers by reducing tax rates or fees.

Using the population and per capita personal income data provided by the California Department of Finance, the City's appropriation limit for Fiscal Year 2022-23 is \$175,144,957. Appropriations subject to the limitations in the 2022-23 Operating Budget total \$51,158,200 or 71% less than the computed allowable limit.

FISCAL IMPACT:

There is no fiscal impact to the Fire District since the appropriations subject to limitation in the 2022-23 budget are less than the computed allowable limit. Article XIII (B) limitation is not a restricting factor for the Fire Protection District, but will be monitored annually and budget adjustments recommended if they are required in future years.

MOTION:

Approve staff recommendation.

RESOLUTION NO. FFD 2022 -

**A RESOLUTION OF THE FONTANA FIRE PROTECTION DISTRICT
ESTABLISHING AN APPROPRIATIONS LIMIT OF \$175,144,957 PURSUANT
TO ARTICLE XIII (B) OF THE CALIFORNIA CONSTITUTION FOR FISCAL
YEAR 2022/2023**

WHEREAS, Article XIII (B) of the California Constitution provides that the total annual appropriations subject to limitation of the State and of each local government entity for the prior year is to be adjusted for changes in either the growth in the California Per Capita Income or the growth in the non-resident assessed valuation due to new construction and the changes in population within either its own jurisdiction or county in which the public entity is located, and

WHEREAS, pursuant to said Article XIII (B) of the California Constitution, the Fontana Fire Protection District deems it to be in the best interest of the Fontana Fire Protection District to establish an appropriations limit for Fiscal Year 2022/2023, and

WHEREAS, the Fontana Fire Protection District has determined that said appropriations limit for Fiscal Year 2022/2023 be established in the amount of \$175,144,957, calculated using the growth factor in the California Per Capita Income and change in population within the City of Fontana.

NOW, THEREFORE, be it resolved, determined, and ordered by the Fontana Fire Protection District that said appropriations limit herein established may be changed as deemed necessary by resolution of the City Council.

APPROVED AND ADOPTED this 13th day of September, 2022.

READ AND APPROVED AS TO LEGAL FORM:

General Counsel

RESOLUTION NO. FFD 2022 -

I, Germaine Key, City Clerk of the City of Fontana, and Ex-Officio Clerk of the Fontana Fire Protection District do hereby certify that the foregoing resolution is the actual resolution duly and regularly adopted by the Fontana Fire Protection District at a regular meeting on the 13th day of September, 2022, by the following vote to-wit:

AYES:

NOES:

ABSENT:

Clerk of the Fontana Fire Protection District

President of the Fontana Fire Protection District

ATTEST:

Clerk of the Fontana Fire Protection District

Fire Protection District

Constitutional Spending Limit

The voters of California, during a special election in 1979, approved Article XIII(B) of the California State Constitution which provides that the Fire District's annual appropriations be subject to certain state limitations. This appropriations limit is often referred to as the GANN Limit.

In 1980 the State Legislature added Section 9710 to the Government Code providing that the governing body of each local jurisdiction must establish, by resolution, an appropriations limit for the following year. The appropriations limit for any fiscal year is equal to the previous year's limit adjusted for population changes and the changes in the US Consumer Price Index (or California per capital personal income, if smaller). The necessary statistical information is provided each year by the California Department of Finance.

The Fire District's limitation is calculated each year and established by a resolution of the City Council as part of the annual Operating Budget process.

Using the population and per capita personal income data provided by the California Department of Finance, the Fire District's appropriation limit for Fiscal Year 2022-23 is \$175,144,957. Appropriations subject to the limitation in the 2022-23 Operating Budget total \$51,158,200, which is \$123,986,757 or 71% less than the computed allowable limit.

The Article XIII(B) limitation is not a restricting factor for the Fire Protection District but will be monitored annually and budget adjustments recommended if they are required in future years.

Appropriations Limit

2021-22 Appropriations Limit	\$160,624,502
2022-23 Adjustment Factors:	
Population (1.39%)	1.0139
Per capita income change (7.55%)	1.0755
Total adjustment	1.0904
2022-23 Appropriations Limit	<u>\$175,144,957</u>

Appropriations Subject to Limit

Proceeds of taxes	
Less: qualified capital outlay	
Appropriations subject to limit	<u>\$51,158,200</u>
Percentage of Appropriations Limit used	29%

Five-Year History of Appropriations Limit

