



# NEWS



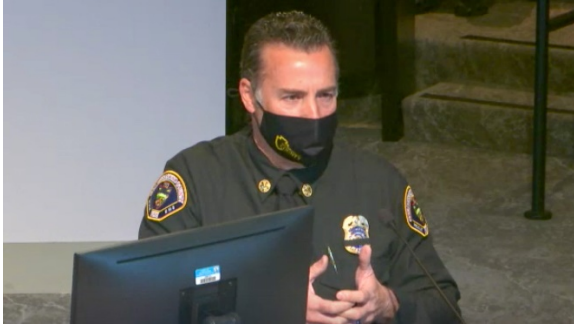
## News Headlines 03/26-28/2022

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# Judge to hear arguments in San Bernardino County lawsuit over fire tax repeal initiative

By Martin Estacio, VICTORVILLE DAILY PRESS

Posted: March 28, 2022



**San Bernardino County Fire** Chief Dan Munsey speaks at a county supervisors' meeting on Tuesday, Jan. 11, 2022. Courtesy of San Bernardino County

A judge will hold a court hearing Tuesday to address a lawsuit filed by the **San Bernardino County Fire** Protection District, which is seeking to stop an initiative — that if successful, would repeal a district tax — from appearing on the upcoming primary ballot.

The district filed the lawsuit last month against the county's Registrar of Voters and the initiative's proponents to have the measure removed before the June 7, 2022 election.

The proponents want to throw out a tax that was levied in 2018 after a fire protection zone, FP-5, was expanded to take in 19,073 square miles of unincorporated land and some cities.

With the expansion, an annual fee of \$157.26 was assessed on all parcels with the ability to increase the fee up to 3% a year. The current fee stands at \$161.98 after county supervisors approved an increase recommended by the fire district last year.

The district argues the initiative is illegal and shouldn't be placed on the ballot as it doesn't include enough information about the tax for voters to make a reasonable decision.

District officials also say the backers of the initiative "intentionally misrepresented and/or intentionally made false statements concerning the contents, purport or effect" in a petition when they were gathering signatures last year to have the initiative qualify for the upcoming election, according to the lawsuit.

The proponents argue their proposed measure satisfies the full text requirement and doesn't include intentionally false statements. Tom Murphy, president of the Red Brennan Group, a nonprofit funding the repeal effort, said the lawsuit was "typical of San Bernardino County."

"Using high-priced legal counsel, paid off with tax-payer funding, the county twists the law and uses it to cudgel their own citizens," he said in a March 24 statement. The county did not respond to a request for a comment last week.

The latest initiative is the second such measure attempting to repeal the FP-5 tax. In November 2020, Measure U failed to pass after roughly 52% of voters voted against it.

A lawsuit, filed by the Red Brennan Group, to stop the fee was also unsuccessful after a judge disagreed with the group's assertion that the tax was unconstitutional.

Opponents of the tax believe the FP-5 fee should have been approved by a two-thirds vote required by the California Constitution when a local government imposes, extends, or increases any special tax. Before county supervisors approved the zone's expansion and its tax in October 2018, they instituted a protest process and sent out mailers to affected landowners.

The process required an election to determine the fate of FP-5 if 25% of landowners had mailed the forms back saying they opposed the expansion.

If more than 50% protested, the proposed expansion would have been withdrawn entirely. Instead, only about 3% of landowners responded, according to a tally at the supervisors' meeting that year.

San Bernardino Superior Court Judge Donald Alvarez cited earlier court decisions, however, that ruled language in the constitution requiring a two-thirds vote on general or special taxes didn't address those imposed in annexations. The fire district has said the tax is necessary to shore up a budget deficit and continue funding existing emergency services that aren't being covered by property taxes.

In January, County Fire Chief Dan Munsey said the FP-5 tax revenues amounted to \$42.7 million, or 18% of the department's operating budget.

Without the tax, "somewhere between 15 to 17 fire stations would need to be closed districtwide," or over 25% of all stations, he said. Additionally, the number of first responders could be reduced by up to one third.

The district asserts in the lawsuit none of the information regarding the impact if the tax is repealed is included in the petition circulated last year for signatures.

They believe the proponents also violated a full text requirement by leaving out "accurate information about, among other things, the amount of the tax, who pays the tax, who benefits from the tax ... and other important and required information that average reasonable potential signers would need to know before making an informed decision as to whether or not to sign the Initiative Petition and which way to vote on the measure."

Instead, the district contends the petition includes misleading and false statements to sway voters "based on a false construct — that the FP-5 tax is illegal" even though the Red Brennan Group lost its lawsuit.

The attorneys for the proponents, meanwhile, say the initiative isn't subject to a full text requirement and even if it is, the petition complies with the doctrine.

They also argue the petition contains no intentionally false statements and their clients "have a First Amendment right to express their honest opinion of what the California constitution requires, provided that they do not intentionally misrepresent objectively verifiable truths."

The upcoming hearing is scheduled 10 a.m. Tuesday at the San Bernardino Justice Center in Judge David Cohn's courtroom.

<https://www.vvdailynews.com/story/news/2022/03/27/judge-hear-arguments-county-lawsuit-over-fire-tax-repeal-initiative/7186265001/>

## Man killed in head-on traffic collision along Ranchoero Road in Hesperia

By Staff Writer, VVNG.COM

Posted: March 26, 2022



*UPDATE 3/27 — The San Bernardino County Coroner's office identified the deceased driver as, Bengamin Garcia, age 41, resident of Hesperia.*

HESPERIA, Calif. (VVNG.com) — A violent head-on traffic collision left one person dead and two others injured.

It happened at about 12:44 am, on Saturday, March 26, 2022, along the 14100 block of Ranchoero Road, in between Topaz Avenue and Tropicana Rose Avenue. The crash involved a Nissan SUV and a Chevy pickup truck, both vehicles sustained extensive front-end damage.

**San Bernardino County Fire** responded to the scene and reported they had a total of two delayed patients and a third person trapped and requiring extrication. Moments later, the male trapped inside of the truck was pronounced deceased. A second occupant from the truck was transported by ambulance to an area hospital.

The driver of the SUV was transported by ambulance to the Hesperia Airport and subsequently airlifted by Mercy 22 to Loma Linda University Medical Center. Ranchoero Road was closed between Topaz Avenue and Maple Avenue in both directions while the Sheriff's Major Accident Investigation Team (MAIT) processed the scene.

The official cause of the accident is under investigation by the Hesperia Sheriff's Station. This is a developing story and additional information will be updated as it becomes available.

<https://www.vvng.com/man-killed-in-head-on-traffic-collision-along-ranchoero-road-in-hesperia/>

## Travel trailer burns in vegetation along the I-15 freeway in Oak Hills

By Staff Writer, VVNG.COM

Posted: March 26, 2022



(Hugo C. Valdez, VVNG.com)

OAK HILLS, Calif. (VVNG.com) — A travel trailer burning in heavy vegetation along the I-15 freeway in Oak Hills prompted a response from firefighters on Saturday afternoon.

At about 2:10 pm, on March 26, 2022, **San Bernardino County Fire** responded to reports of a vegetation fire. Crews responding to the scene reported black smoke visible. Upon arrival, a Battalion Chief relayed information that the fire was a result of a travel trailer surrounded by brush.

A column of black smoke was visible from the I-15 freeway for approximately 15 minutes before the smoke turned white and the fire was extinguished.

No injuries were reported and the cause of the fire is under investigation.

<https://www.vvng.com/travel-trailer-burns-in-vegetation-along-the-i-15-freeway-in-oak-hills%EF%BF%BC/>

## Small Brush Fire In Hesperia Near The 15 Freeway Saturday Afternoon

By Staff Writer, PAIN IN THE PASS

Posted: March 26, 2022



HESPERIA, CA. (Pain In The Pass) >> Firefighters quickly control a small brush fire that broke out in next to southbound Interstate 15 Saturday afternoon. This fire was reported at about 2:10pm Saturday, March 26, 2022. Location of the fire was on Caliente Road and El Centro Rd is near Interstate 15. **San Bernardino County Fire** Department and Cal Fire firefighters were quickly on scene. The winds were gusting about 15-25 mph.

Firefighters will remain in the area for mop-up operations though the afternoon to make sure no hot spots flare up. The freeway was never affected. There was a homeless encampment in the area where the flames started. The cause of the fire is under investigation.

<https://paininthepass.info/2022/03/26/small-brush-fire-in-hesperia-near-the-15-freeway-saturday-afternoon/>

## One Dead In Rollover Crash On I-15 Halloran Springs Road Near Baker

By Staff Writer, PAIN IN THE PASS

Posted: March 26, 2022



HALLORAN SPRINGS, CA. (Pain In The Pass) >> One person died after a two vehicle collision that caused the vehicle to flipped into the center divider near Halloran Spring Road exit early Saturday morning, according to California Highway Patrol officers.

The crash occurred at approximately 3:30am on northbound Interstate 15 near Halloran Spring Road exit Saturday March 26, 2022. California Highway Patrol and the **San Bernardino County Fire** Department responded to a traffic collision involving two vehicles. From what the CHP traffic log stated a Dodge Charger and a SUV collided, sending both off the freeway into the center divider. This caused the SUV to roll-over multiple times.

Despite life-saving rescue measures, firefighter officials said the driver of the SUV was pronounced deceased at the scene. The driver of the Dodge was not injured in the collision.

The incident will be under investigation by the California Highway Patrol Barstow Office. CHP says additional information will be updated as it becomes available. Please check back for updates on this incident.

<https://paininthepass.info/2022/03/26/one-dead-in-rollover-crash-on-i-15-halloran-springs-road-near-baker/>