

VALLEY CENTER
FIRE PROTECTION DISTRICT



BOARD OF DIRECTORS' REGULAR MEETING
"with Board Member Telephonic Access"

VCMWD Board Room-with Live Stream to
VCFPD Facebook Page for COVID-19 Prevention

Public Comment Call-in:1-774-220-4000
Conference ID 859-7399

Thursday – April 16, 2020 at 6:00 p.m.

Valley Center Fire Protection District Board of Directors
REGULAR MEETING AGENDA
"with Board Member Telephonic Access"
April 16, 2020 / 6:00 p.m.

Valley Center Municipal Water District Board Room
with Live Stream to VCFPD Facebook Page
For COVID-19 Prevention
29300 Valley Center Rd Valley Center, CA 92082

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. PUBLIC COMMENT – Call in 1-774-220-4000 - Conference ID 859-7399

Any member of the Public may speak on any matter that is not on the Agenda. However, under State law, no decisions or actions can be taken and any such matters will be referred to the next meeting.

5. PROCLAMATIONS AND PRESENTATIONS

None

6. CONSENT CALENDAR

All items listed on the Consent Calendar listed as Consent Items are considered routine and will be enacted in one motion. There will be no separate discussion of these items prior to the Board action on the motion, unless members of the Board, Staff or public request specific items be removed from the Consent Calendar from the Board Agenda for discussion.

- A. Approve Special Board Meeting Minutes on March 19, 2020 and Board Finance Committee Meeting Minutes on April 8, 2020

Standing Item – Review and Approve

- B. Treasurer's Report – March 2020

Standing Item – Review and Approve

- C. Proposal to adopt Resolution NO 2020-16 on Intention to Annex Territory (Old Rd.) to CFD 2008-1 in the form and content attached hereto as Exhibit A.

Review and Approve

7. STAFF REPORTS

- A. Fire Chief's Report
- B. Operations Division Report
- C. Community Risk Reduction Division Report
- D. Valley Center Firefighters Association Report

8. OLD BUSINESS

None

9. NEW BUSINESS

- A. Public Hearing – Public Hearing #2 to Receive Public Comments on Transition From At Large to By-Division Elections Under the California Voting Rights Act.

B. Public Hearings on Petition for Annexation of Territory to CFD 2008-01 and related matters, proposal to adopt Resolution NO. 2020-06 (Woods Valley Ct), Resolution 2020-07 (Ridge Ranch Ct), Resolution 2020-08 (Rim of the Valley), Resolution 2020-09 (Burnt Mountain Rd) and Resolution 2020-10 (Woods Valley Ct 2) in the form and content as attached hereto.

C. Proposal to adopt Resolution 2020-17 Valley Center Fire Protection District Employer-Employee Relations Resolution in the form and content attached hereto.

D. Valley Center Fire Protection District Mercy Ambulance Public Private Partnership Contract Discussion and Action: Related to adding an ambulance to the system and temporarily removing the squad from service.

10. CLOSED SESSION

None

11. ANNOUNCEMENT OF CLOSED SESSION ACTIONS

None

12. BOARD OF DIRECTORS COMMENTS

13. ADJOURNMENT

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 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 request to the Board Secretary at (760) 751-7600, at least 48 hours before the meeting, if possible.

NEXT REGULAR MEETING

May 21, 2020

CONSENT CALENDAR

BOARD OF DIRECTORS' PACKET

VALLEY CENTER FIRE PROTECTION DISTRICT



**Minutes
Of A Special Meeting
Of the Board of Directors of
Valley Center Fire Protection District
March 19, 2020 / 6:00 p.m.**

Valley Center Municipal Water District Board Room
with Live Stream to VCFPD Facebook Page
For COVID-19 Prevention
29300 Valley Center Rd
Valley Center, CA 92082

1. Call to Order at 6:00 p.m.
2. Roll Call:
 - Phil Bell-Present
 - Steve Hutchison-Absent
 - Jim Wold-Present
 - Charlotte Seaborne-Present
 - Mike O'Connor-Present
3. Pledge of Allegiance – led by Chief Napier
4. Public Comment – in person or by call in
None
5. Proclamations and Presentations
None
6. Consent Calendar – Upon motion made and seconded, and a roll call vote, the consent calendar, containing the minutes from the February 20, 2020 Regular Board meeting, the February 2020 Treasurer's Report, Resolution 2020-03 for Continuing the Fire Mitigation Fee Program, Resolution 2020-06 on Intention to Annex Territory (Woods Valley Ct), Resolution 2020-07 on Intention to Annex Territory (Ridge Ranch Ct), Resolution 2020-08 on Intention to Annex Territory (Rim of the Valley), Resolution 2020-09 on Intention to Annex Territory (Burnt Mountain) and Resolution 2020-10 on Intention to Annex Territory (Woods Valley Ct 2) was unanimously approved by the Board members present.
7. Staff Reports
 - A. Valley Center Paramedic Services EOA: Mercy Medical Report by Chief Napier. Mercy was awarded the USA North Inland contract for ambulance service.
 - B. Fire Chief's Report – Chief Napier presented the month's activities, with an update on the COVID-19 pandemic.
 - C. Operations Division Report – was also presented by Chief Napier.
 - D. Community Risk Reduction Division Report was included in the Board Packet.
 - E. Valley Center Firefighters Association Report – No activity update was given.

8. Old Business

Attorney Fred Pfister updated the Board on the land acquisition contract. We have all the signatures needed from the sellers, agreement will be finalized and the one year planned escrow will open on March 18th.

9. New Business

A. Public Hearing #1 of 4 to Receive Public Comments on Transition From At Large to By-Division Elections Under the California Voting Rights Act. Director Bell opened the Public Hearing and with no public comment, closed the Public Hearing.

B. The Board held a public hearing on annexation petitions into CFD 2008-1. After the hearing, upon motion duly made and seconded, the Board unanimously adopted Resolution NO. 2020-04 (Wizard Way) and Resolution NO 2020-05 (Pauma Heights).

C. The Board held a discussion regarding endorsement of local service groups. President Bell suggested that the Board write down ideas to set parameters to be consistent. He said that the Board should take a close look at the Board's Policies and Procedures and create a policy that will set the guidelines the Board needs for consistency with endorsements.

D. The vote to change the April meeting date was cancelled, the April Meeting will be held on the regular meeting date, April 16th.

10. Closed Session

None

11. Announcement of Closed Session Actions

None

12. Board of Directors Comments

Director O'Connor asked the Chief to tell the guys to stay strong, appreciates all they are doing.

Director Seaborne expressed her thanks for the meeting option that worked so well.

Director Wold- Thank you and congratulations to Chief Funderburk on his retirement.

Director Bell thanked Justin and the Roadrunner for filming for Facebook Live.

13. Adjournment – 6:40 p.m.

Jim Wold, Secretary

NEXT REGULAR MEETING:
April 16, 2020

RESOLUTION NO. 2020-03

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE VALLEY CENTER FIRE PROTECTION DISTRICT
CONTINUING A FIRE MITIGATION FEE PROGRAM**

WHEREAS the Valley Center Fire Protection District is anticipating that new development will occur within the District which will cause the need for the expansion of existing fire protection facilities; and

WHEREAS, the County of San Diego is empowered to collect mitigation fees from applicants for new development for the purposes of the expansion of fire protection and firefighting facilities and equipment; and

WHEREAS, the Valley Center Fire Protection District has the need to participate in San Diego County's fire mitigation fee program; and

WHEREAS, the County of San Diego has established fee ceilings for types of construction by Chapter 3 of Division 10 of Title 8, commencing with Section 810.301, of the San Diego County Code;

The Board of Directors of the Valley Center Fire Protection District does hereby find that:

- a) The Valley Center Fire Protection District does not have existing facilities which could be used to provide an adequate level of service to new development within the District boundaries; and
- b) The Valley Center Fire Protection District does not have sufficient funds available to construct additional facilities from fund balances, capital facility funds, property tax sources, or any other appropriate source; and
- c) The lack of fire protection facilities and equipment to serve new development would create a situation perilous to the public health and safety if fire mitigation fees are not levied within the District; and
- d) The annexation fees charged by the Valley Center Fire Protection District do not include a payment toward the costs of capital facility and equipment expansion as a component of the fee;

NOW, THEREFORE, the Board of Directors of the Valley Center Fire Protection District does resolve as follows:

- 1) The Valley Center Fire Protection District requests the County of San Diego to collect 100 percent (100%) of the ceiling amount of the fire mitigation fee on the District's behalf from applicants for building permits. This percent of the ceiling fee is equal to or less than the capital facility expansion needs caused by new development.
- 2) The fee amounts do not exceed the ceiling for fire mitigation fees established by the San Diego County Board of Supervisors.
- 3) Mitigation fees paid under this program will be used to expand the availability of capital facilities and equipment to serve new development.
- 4) The District shall place all funds received by the County under this program, and all interest subsequently accrued by the District on these funds, in a separate budget accounting category to be known as the San Diego County Fire Mitigation Fee.
- 5) The District shall expend funds from said San Diego County Fire Mitigation Fee budget accounting category only for the purposes of providing capital facilities and equipment to serve new development.
- 6) The District shall submit a Fire Mitigation Fee Annual Report no later than October 31st of each year, to the Director of Planning and Development Services specifying the amount of funds collected and the expenditures by category, and a report on the actions which the District intends to take to address new facility needs.
- 7) The District shall make its records available to the public on request which justify the basis for the fee amount.
- 8) The District shall hold San Diego County harmless for any errors made by the County in collecting and/or transmitting these fees to the District.
- 9) The District agrees to a review of revenues and expenditures each fiscal year by a committee established by the County Board of Supervisors.

Introduced, approved and adopted this 19th day of March, 2020, by the following roll call vote:

AYES:
NOES:
ABSENT:

Jim Wold, Secretary

Phil Bell, President

Resolution 2020-06

CFD 2008-1 – Annexation

Property APN: 189-094-29-00

Property Address: 13833 Woods Valley Ct.

Acreage: .99



**RESOLUTION NO. 2020-06
A RESOLUTION OF INTENTION
OF THE BOARD OF DIRECTORS OF THE VALLEY CENTER FIRE PROTECTION DISTRICT
TO ANNEX TERRITORY TO COMMUNITY FACILITIES DISTRICT NO. 2008-1
AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN**

WHEREAS, under the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"), Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing at section 53311 of the California Government Code, the Board of Directors (the "Board") of the Valley Center Fire Protection District (the "District") has conducted proceedings to establish Community Facilities District No. 2008-1 (the "CFD"), and

WHEREAS, the Board is the legislative body for the CFD and is empowered with the authority to annex territory to the CFD and now desires to undertake proceedings to annex territory to the CFD, and

WHEREAS, a petition requesting institution proceedings to annex territory to Community Facilities District No. 2008-1 District has been received from landowners owning not less than 10% of the proposed land to be annexed to the CFD, and

WHEREAS, the petition dated February 26, 2020 has been found to meet the requirements of Government Code section 53319, and

WHEREAS, this Board, having received indications of interest from the owner of the areas of land proposed to be annexed to the CFD, now desires to proceed with the annexation to the CFD in order to finance the balance of the costs of certain public services and facilities necessary or incident to development in the CSD.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Valley Center Fire Protection District as follows:

1. This Board hereby finds and determines that public convenience and necessity require that territory be added to the CFD be formed, and that the Board is authorized to conduct proceedings for the annexation of territory to the CFD pursuant to the Act.
2. The name of the existing CFD is "Community Facilities District No. 2008-1."
3. The territory included in the existing CFD is as shown on the map thereof filed in Book 42 of Maps of Assessment and Community Facilities Districts at Page 27 in the office of the County Recorder, County of San Diego, State of California to which map reference is hereby made for further particulars. The territory now proposed to be annexed to the CFD is as shown on Annexation Map No. 2 to the CFD on file with the Clerk of the Board, the boundaries of which territory are hereby preliminarily approved and which map is incorporated in full herein by reference. The Clerk of the Board is hereby directed to record, or cause to be recorded, said map showing the territory to be annexed to the CFD in the office of the County Recorder of the County of San Diego within fifteen days of the date of adoption of this Resolution.

4. The types of services financed by the CFD and pursuant to the Act consist of those services (the "Services") described in Exhibit A to Resolution 2008-09, adopted by the Board on May 29, 2008 (the "Resolution of Formation"). It is presently intended that the Services will be shared, without preference or priority, by the existing territory in the CFD and the territory proposed to be annexed to the CFD.
5. Except to the extent that the funds are otherwise available to the CFD to pay for the Services, a special tax sufficient to pay the costs thereof is intended to be levied annually within the CFD and collected in the same manner and at the same time as ordinary *ad valorem* property taxes. The proposed rate and method of apportionment of the special tax among the parcels of real property within the CFD, as now in existence and following the annexation proposed herein, in sufficient detail to allow each landowner within the territory proposed to be annexed to the CFD to estimate the maximum amount such owner will have to pay are described in detail in Exhibit A attached to the Resolution of Formation, which by this reference is incorporated herein.
6. The Board shall hold a public hearing (the "Hearing") on the annexation of territory to the CFD and the proposed Rate and Method of Apportionment at 6 p.m., or as soon thereafter as practicable, on April 14, 2020, at the Valley Center Municipal Water District, at 25300 Valley Center Road, Valley Center, California. At the hearing, the Board will consider and finally determine whether the public interest, convenience and necessity require the annexation of territory to the CFD. Should the Board determine to annex territory to the CFD, a special election will be held to authorize the levy of the special tax in accordance with the procedures contained in Government Code section 53326. If held, the proposed voting procedure at the election is expected to be a landowner vote with each landowner of record as of the close of the Hearing having one vote for each acre of land or portion thereof owned within the territory to be annexed to the CFD. Ballots for the special election may be distributed by mail or by personal service. At the time and place set forth above for the Hearing, any interested person, including all persons owning lands or registered to vote within the proposed CFD, may appear and be heard.
7. The District may accept advances of funds or work-in-kind from any source, including, but not limited to, private persons or private entities, for any authorized purpose, including, but not limited to, paying any cost incurred by the District in the annexation of territory to the CFD. The District may enter into an agreement with the person or entity advancing the funds or work-in-kind, to repay all or a portion of the funds advanced, or to reimburse the person or entity for the value, or cost, whichever is less, of the work-in-kind, as determined by this Board, with or without interest.
8. The District Secretary is hereby directed to cause notice of the public hearing to be given by publication one time in a newspaper published in the area of the CFD. The publication shall be completed at least seven days before the date of the public hearing in Section 6. The Secretary shall also cause notice of the hearing to be given to each property owner within the CFD by first class mail, postage prepaid. To each such owner's addresses as it appears on the most recent tax records of the District or as otherwise known to the Secretary to be correct. Such mailed notice shall be completed not less than fifteen days before the date of the public hearing. Each of the notices shall be substantially in the form specified in section 53322 of the Act, with the form summarizing the provisions hereof hereby specifically approved.
9. Except as may otherwise be provided by law or by the rate and method of apportionment of the special tax for the CFD, all lands owned by any public entity, including the United States, the State of California and/or the District, or any departments or political subdivisions thereof, shall be omitted from the levy of the Special Tax to be made to cover the costs and expenses of the Services and the CFD. In the event that a portion of the property within the CFD shall become for

any reason exempt, wholly or in part, from the levy of the special tax, this Board will, on behalf of the CFD, increase the levy to the extent necessary upon the remaining property within the CFD that is not exempt in order to yield the required revenues to pay for the Services and other annual expenses of the CFD, if any, subject to the provisions of the rate and method of apportionment of the special tax.

10. The officers, employees and agents of the District are hereby authorized and directed to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this resolution.

PASSED AND ADOPTED by the Board of Directors of the Valley Center Fire Protection District on the 19th day of March, 2020 by the following vote:

Ayes:

Noes:

Absent:

Abstain:

ATTEST:

President, Board of Directors

Secretary, Board of Directors

Resolution 2020-07

CFD 2008-1 – Annexation

Property APN: 189-121-21-00

Property Address: 14195 Ridge Ranch Ct.

Acreeage: 9.65

**RESOLUTION NO. 2020-07
A RESOLUTION OF INTENTION
OF THE BOARD OF DIRECTORS OF THE VALLEY CENTER FIRE PROTECTION DISTRICT
TO ANNEX TERRITORY TO COMMUNITY FACILITIES DISTRICT NO. 2008-1
AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN**

WHEREAS, under the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"), Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing at section 53311 of the California Government Code, the Board of Directors (the "Board") of the Valley Center Fire Protection District (the "District") has conducted proceedings to establish Community Facilities District No. 2008-1 (the "CFD"), and

WHEREAS, the Board is the legislative body for the CFD and is empowered with the authority to annex territory to the CFD and now desires to undertake proceedings to annex territory to the CFD, and

WHEREAS, a petition requesting institution proceedings to annex territory to Community Facilities District No. 2008-1 District has been received from landowners owning not less than 10% of the proposed land to be annexed to the CFD, and

WHEREAS, the petition dated February 27, 2020 has been found to meet the requirements of Government Code section 53319, and

WHEREAS, this Board, having received indications of interest from the owner of the areas of land proposed to be annexed to the CFD, now desires to proceed with the annexation to the CFD in order to finance the balance of the costs of certain public services and facilities necessary or incident to development in the CSD,

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Valley Center Fire Protection District as follows:

1. This Board hereby finds and determines that public convenience and necessity require that territory be added to the CFD be formed and that the Board is authorized to conduct proceedings for the annexation of territory to the CFD pursuant to the Act.
2. The name of the existing CFD is "Community Facilities District No. 2008-1."
3. The territory included in the existing CFD is as shown on the map thereof filed in Book 42 of Maps of Assessment and Community Facilities Districts at Page 27 in the office of the County Recorder, County of San Diego, State of California to which map reference is hereby made for further particulars. The territory now proposed to be annexed to the CFD is as shown on Annexation Map No. 2 to the CFD on file with the Clerk of the Board, the boundaries of which territory are hereby preliminarily approved and which map is incorporated in full herein by reference. The Clerk of the Board is hereby directed to record, or cause to be recorded, said map showing the territory to be annexed to the CFD in the office of the County Recorder of the County of San Diego within fifteen days of the date of adoption of this Resolution.



4. The types of services financed by the CFD and pursuant to the Act consist of those services (the "Services") described in Exhibit A to Resolution 2008-09, adopted by the Board on May 29, 2008 (the "Resolution of Formation"). It is presently intended that the Services will be shared, without preference or priority, by the existing territory in the CFD and the territory proposed to be annexed to the CFD.

5. Except to the extent that the funds are otherwise available to the CFD to pay for the Services, a special tax sufficient to pay the costs thereof is intended to be levied annually within the CFD and collected in the same manner and at the same time as ordinary *ad valorem* property taxes. The proposed rate and method of apportionment of the special tax among the parcels of real property within the CFD, as now in existence and following the annexation proposed herein, in sufficient detail to allow each landowner within the territory proposed to be annexed to the CFD to estimate the maximum amount such owner will have to pay are described in detail in Exhibit A attached to the Resolution of Formation, which by this reference is incorporated herein.

6. The Board shall hold a public hearing (the "Hearing") on the annexation of territory to the CFD and the proposed Rate and Method of Apportionment at 5 p.m., or as soon thereafter as practicable, on April 14, 2020, at the Valley Center Municipal Water District, at 29900 Valley Center Road, Valley Center, California. At the hearing, the Board will consider and finally determine whether the public interest, convenience and necessity require the annexation of territory to the CFD. Should the Board determine to annex territory to the CFD, a special election will be held to authorize the levy of the special tax in accordance with the procedures contained in Government Code section 53326. If held, the proposed voting procedure at the election is expected to be a landowner vote with each landowner of record as of the close of the Hearing having one vote for each acre of land or portion thereof owned within the territory to be annexed to the CFD. Ballots for the special election may be distributed by mail or by personal service. At the time and place set forth above for the Hearing, any interested person, including all persons owning lands or registered to vote within the proposed CFD, may appear and be heard.

7. The District may accept advances of funds or work-in-kind from any source, including, but not limited to, private persons or private entities, for any authorized purpose, including, but not limited to, paying any cost incurred by the District in the annexation of territory to the CFD. The District may enter into an agreement with the person or entity advancing the funds or work-in-kind to repay all or a portion of the funds advanced, or to reimburse the person or entity for the value, or cost, whichever is less, of the work-in-kind, as determined by this Board, with or without interest.

8. The District Secretary is hereby directed to cause notice of the public hearing to be given by publication of the time in a newspaper published in the area of the CFD. The publication shall be completed at least seven days before the date of the public hearing in Section 6. The Secretary shall also cause notice of the hearing to be given to each property owner within the CFD by first class mail, postage prepaid, to each such owner's addresses as it appears on the most recent tax records of the District or as otherwise known to the Secretary to be correct. Such mailed notice shall be completed not less than fifteen days before the date of the public hearing. Each of the notices shall be substantially in the form specified in section 53322 of the Act, with the form summarizing the provisions hereof hereby specifically approved.

9. Except as may otherwise be provided by law or by the rate and method of apportionment of the special tax for the CFD; all lands owned by any public entity, including the United States, the State of California and/or the District, or any departments or political subdivisions thereof, shall be omitted from the levy of the Special Tax to be made to cover the costs and expenses of the Services and the CFD. In the event that a portion of the property within the CFD shall become for

any reason exempt, wholly or in part, from the levy of the special tax, this Board will, on behalf of the CFD, increase the levy to the extent necessary upon the remaining property within the CFD that is not exempt in order to yield the required revenues to pay for the Services and other annual expenses of the CFD, if any, subject to the provisions of the rate and method of apportionment of the special tax.

10. The officers, employees and agents of the District are hereby authorized and directed to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this resolution.

PASSED AND ADOPTED by the Board of Directors of the Valley Center Fire Protection District on the 19th day of March, 2020 by the following vote:

Ayes:

Noes:

Absent:

Abstain:

ATTEST:

President, Board of Directors

Secretary, Board of Directors

Resolution 2020-08

CFD 2008-1 – Annexation

Property APN: 133-301-34-00

Property Address: 15625 Rim of the Valley

Acreage: 5.02

**RESOLUTION NO. 2020-08
A RESOLUTION OF INTENTION
OF THE BOARD OF DIRECTORS OF THE VALLEY CENTER FIRE PROTECTION DISTRICT
TO ANNEX TERRITORY TO COMMUNITY FACILITIES DISTRICT NO. 2008-1
AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN**

WHEREAS, under the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"), Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing at section 53311 of the California Government Code, the Board of Directors (the "Board") of the Valley Center Fire Protection District (the "District") has conducted proceedings to establish Community Facilities District No. 2008-1 (the "CFD"), and

WHEREAS, the Board is the legislative body for the CFD and is empowered with the authority to annex territory to the CFD and now desires to undertake proceedings to annex territory to the CFD, and

WHEREAS, a petition requesting institution proceedings to annex territory to Community Facilities District No. 2008-1 District has been received from landowners owning not less than 10% of the proposed land to be annexed to the CFD, and

WHEREAS, the petition dated March 5, 2020 has been found to meet the requirements of Government Code section 53319, and

WHEREAS, this Board, having received indications of interest from the owner of the areas of land proposed to be annexed to the CFD, now desires to proceed with the annexation to the CFD in order to finance the balance of the costs of certain public services and facilities necessary or incident to development in the CSD.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Valley Center Fire Protection District as follows:

1. This Board hereby finds and determines that public convenience and necessity require that territory be added to the CFD be formed and that the Board is authorized to conduct proceedings for the annexation of territory to the CFD pursuant to the Act.

2. The name of the existing CFD is "Community Facilities District No. 2008-1."

3. The territory included in the existing CFD is as shown on the map thereof filed in Book 42 of Maps of Assessment and Community Facilities Districts at Page 27 in the office of the County Recorder, County of San Diego, State of California to which map reference is hereby made for further particulars. The territory now proposed to be annexed to the CFD is as shown on Annexation Map No. 2 to the CFD on file with the Clerk of the Board, the boundaries of which territory are hereby preliminarily approved and which map is incorporated in full herein by reference. The Clerk of the Board is hereby directed to record, or cause to be recorded, said map showing the territory to be annexed to the CFD in the office of the County Recorder of the County of San Diego within fifteen days of the date of adoption of this Resolution.



4. The types of services financed by the CFD and pursuant to the Act consist of those services (the "Services") described in Exhibit A to Resolution 2008-09, adopted by the Board on May 29, 2008 (the "Resolution of Formation"). It is presently intended that the Services will be shared, without preference or priority, by the existing territory in the CFD and the territory proposed to be annexed to the CFD.
5. Except to the extent that the funds are otherwise available to the CFD to pay for the Services, a special tax sufficient to pay the costs thereof is intended to be levied annually within the CFD and collected in the same manner and at the same time as ordinary *ad valorem* property taxes. The proposed rate and method of apportionment of the special tax among the parcels of real property within the CFD, as now in existence and following the annexation proposed herein, in sufficient detail to allow each landowner within the territory proposed to be annexed to the CFD to estimate the maximum amount such owner will have to pay are described in detail in Exhibit A attached to the Resolution of Formation, which by this reference is incorporated herein.
6. The Board shall hold a public hearing (the "Hearing") on the annexation of territory to the CFD and the proposed Rate and Method of Apportionment at 6 p.m., or as soon thereafter as practicable, on April 14, 2020, at the Valley Center Municipal Water District, at 23800 Valley Center Road, Valley Center, California. At the hearing, the Board will consider and finally determine whether the public interest, convenience and necessity require the annexation of territory to the CFD. Should the Board determine to annex territory to the CFD, a special election will be held to authorize the levy of the special tax in accordance with the procedures contained in Government Code section 53326. If held, the proposed voting procedure at the election is expected to be a landowner vote with each landowner of records of the close of the Hearing having one vote for each acre of land or portion thereof owned within the territory to be annexed to the CFD. Ballots for the special election may be distributed by mail or by personal service. At the time and place set forth above for the Hearing, any interested person, including all persons owning lands or registered to vote within the proposed CFD, may appear and be heard.
7. The District may accept advances of funds or work-in-kind from any source, including, but not limited to, private persons or private entities, for any authorized purpose, including, but not limited to, paying any cost incurred by the District in the annexation of territory to the CFD. The District may enter into an agreement with the person or entity advancing the funds or work-in-kind, to repay all or a portion of the funds advanced, or to reimburse the person or entity for the value, or cost, whichever is less, of the work-in-kind, as determined by this Board, with or without interest.
8. The District Secretary is hereby directed to cause notice of the public hearing to be given by publication one time in a newspaper published in the area of the CFD. The publication shall be completed at least seven days before the date of the public hearing in Section 6. The Secretary shall also cause notice of the hearing to be given to each property owner within the CFD by first class mail, postage prepaid, to each such owner's addresses as it appears on the most recent tax records of the District or as otherwise known to the Secretary to be correct. Such mailed notice shall be completed not less than fifteen days before the date of the public hearing. Each of the notices shall be substantially in the form specified in section 53322 of the Act, with the form summarizing the provisions hereof hereby specifically approved.
9. Except as may otherwise be provided by law or by the rate and method of apportionment of the special tax for the CFD, all lands owned by any public entity, including the United States, the State of California and/or the District, or any departments or political subdivisions thereof, shall be omitted from the levy of the Special Tax to be made to cover the costs and expenses of the Services and the CFD. In the event that a portion of the property within the CFD shall become for

any reason exempt, wholly or in part, from the levy of the special tax, this Board will, on behalf of the CFD, increase the levy to the extent necessary upon the remaining property within the CFD that is not exempt in order to yield the required revenues to pay for the Services and other annual expenses of the CFD, if any, subject to the provisions of the rate and method of apportionment of the special tax.

10. The officers, employees and agents of the District are hereby authorized and directed to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this resolution.

PASSED AND ADOPTED by the Board of Directors of the Valley Center Fire Protection District on the 19th day of March, 2020 by the following vote:

Ayes:
Noes:
Absent:
Abstain:

ATTEST:

President, Board of Directors

Secretary, Board of Directors

Resolution 2020-09

CFD 2008-1 – Annexation

Property APN: 186-062-16-00

Property Address: 27674 Burnt Mountain Rd.

Acreage: 4.34

**RESOLUTION NO. 2020-09
A RESOLUTION OF INTENTION
OF THE BOARD OF DIRECTORS OF THE VALLEY CENTER FIRE PROTECTION DISTRICT
TO ANNEX TERRITORY TO COMMUNITY FACILITIES DISTRICT NO. 2008-1
AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN**

WHEREAS, under the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"), Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing at section 53311 of the California Government Code, the Board of Directors (the "Board") of the Valley Center Fire Protection District (the "District") has conducted proceedings to establish Community Facilities District No. 2008-1 (the "CFD"), and

WHEREAS, the Board is the legislative body for the CFD and is empowered with the authority to annex territory to the CFD and now desires to undertake proceedings to annex territory to the CFD, and

WHEREAS, a petition requesting institution proceedings to annex territory to Community Facilities District No.2008-1 District has been received from landowners owning not less than 10% of the proposed land to be annexed to the CFD, and

WHEREAS, the petition dated March 11, 2020 has been found to meet the requirements of Government Code section 53319, and

WHEREAS, this Board, having received indications of interest from the owner of the areas of land proposed to be annexed to the CFD, now desires to proceed with the annexation to the CFD in order to finance the balance of the costs of certain public services and facilities necessary or incident to development in the CSD.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Valley Center Fire Protection District as follows:

1. This Board hereby finds and determines that public convenience and necessity require that territory be added to the CFD be formed and that the Board is authorized to conduct proceedings for the annexation of territory to the CFD pursuant to the Act.
2. The name of the existing CFD is "Community Facilities District No. 2008-1."
3. The territory included in the existing CFD is as shown on the map thereof filed in Book 42 of Maps of Assessment and Community Facilities Districts at Page 27 in the office of the County Recorder, County of San Diego, State of California to which map reference is hereby made for further particulars. The territory now proposed to be annexed to the CFD is as shown on Annexation Map No.2 to the CFD on file with the Clerk of the Board, the boundaries of which territory are hereby preliminarily approved and which map is incorporated in full herein by reference. The Clerk of the Board is hereby directed to record, or cause to be recorded, said map showing the territory to be annexed to the CFD in the office of the County Recorder of the County of San Diego within fifteen days of the date of adoption of this Resolution.



4. The types of services financed by the CFD and pursuant to the Act consist of those services (the "Services") described in Exhibit A to Resolution 2008-09, adopted by the Board on May 29, 2008 (the "Resolution of Formation"). It is presently intended that the Services will be shared, without preference or priority, by the existing territory in the CFD and the territory proposed to be annexed to the CFD.

5. Except to the extent that the funds are otherwise available to the CFD to pay for the Services, a special tax sufficient to pay the costs thereof is intended to be levied annually within the CFD and collected in the same manner and at the same time as ordinary *ad valorem* property taxes. The proposed rate and method of apportionment of the special tax among the parcels of real property within the CFD, as now in existence and following the annexation proposed herein, in sufficient detail to allow each landowner within the territory proposed to be annexed to the CFD to estimate the maximum amount such owner will have to pay are described in detail in Exhibit A attached to the Resolution of Formation, which by this reference is incorporated herein.

6. The Board shall hold a public hearing (the "Hearing") on the annexation of territory to the CFD and the proposed Rate and Method of Apportionment at 6 p.m., or as soon thereafter as practicable, on April 14, 2020, at the Valley Center Municipal Water District, at 29300 Valley Center Road, Valley Center, California. At the hearing, the Board will consider and finally determine whether the public interest, convenience and necessity require the annexation of territory to the CFD. Should the Board determine to annex territory to the CFD, a special election will be held to authorize the levy of the special tax in accordance with the procedures contained in Government Code section 53326. If held, the proposed voting procedure at the election is expected to be a landowner vote with each landowner of record as of the close of the Hearing having one vote for each acre of land or portion thereof owned within the territory to be annexed to the CFD. Ballots for the special election may be distributed by mail or by personal service. At the time and place set forth above for the Hearing, any interested person, including all persons owning lands or registered to vote within the proposed CFD, may appear and be heard.

7. The District may accept advances of funds or work-in-kind from any source, including, but not limited to, private persons or private entities, for any authorized purpose, including, but not limited to, paying any cost incurred by the District in the annexation of territory to the CFD. The District may enter into an agreement with the person or entity advancing the funds or work-in-kind, to repay all or a portion of the funds advanced, or to reimburse the person or entity for the value, or cost, whichever is less, of the work-in-kind, as determined by this Board, with or without interest.

8. The District Secretary is hereby directed to cause notice of the public hearing to be given by publication one time in a newspaper published in the area of the CFD. The publication shall be completed at least seven days before the date of the public hearing in Section 6. The Secretary shall also cause notice of the hearing to be given to each property owner within the CFD by first class mail, postage prepaid, to each such owner's addresses as it appears on the most recent tax records of the District or as otherwise known to the Secretary to be correct. Such mailed notice shall be completed not less than fifteen days before the date of the public hearing. Each of the notices shall be substantially in the form specified in section 53322 of the Act, with the form summarizing the provisions hereof hereby specifically approved.

9. Except as may otherwise be provided by law or by the rate and method of apportionment of the special tax for the CFD, all lands owned by any public entity, including the United States, the State of California and/or the District, or any departments or political subdivisions thereof, shall be omitted from the levy of the Special Tax to be made to cover the costs and expenses of the Services and the CFD. In the event that a portion of the property within the CFD shall become for

any reason exempt, wholly or in part, from the levy of the special tax, this Board will, on behalf of the CFD, increase the levy to the extent necessary upon the remaining property within the CFD that is not exempt in order to yield the required revenues to pay for the Services and other annual expenses of the CFD, if any, subject to the provisions of the rate and method of apportionment of the special tax.

10. The officers, employees and agents of the District are hereby authorized and directed to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this resolution.

PASSED AND ADOPTED by the Board of Directors of the Valley Center Fire Protection District on the 18th day of March, 2020 by the following vote:

Ayes:
Noes:
Absent:
Abstain:

ATTEST:

President, Board of Directors

Secretary, Board of Directors

Resolution 2020-10
 CFD 2008-1 - Annexation
 Property APN: 189-094-36-00
 Property Address: 13808 Woods Valley Ct.
 Acreage: .9

**RESOLUTION NO. 2020-10
 A RESOLUTION OF INTENTION
 OF THE BOARD OF DIRECTORS OF THE VALLEY CENTER FIRE PROTECTION DISTRICT
 TO ANNEX TERRITORY TO COMMUNITY FACILITIES DISTRICT NO. 2008-1
 AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN**

WHEREAS, under the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"), Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing at section 53311 of the California Government Code, the Board of Directors (the "Board") of the Valley Center Fire Protection District (the "District") has conducted proceedings to establish Community Facilities District No. 2008-1 (the "CFD"), and

WHEREAS, the Board is the legislative body for the CFD and is empowered with the authority to annex territory to the CFD and now desires to undertake proceedings to annex territory to the CFD, and

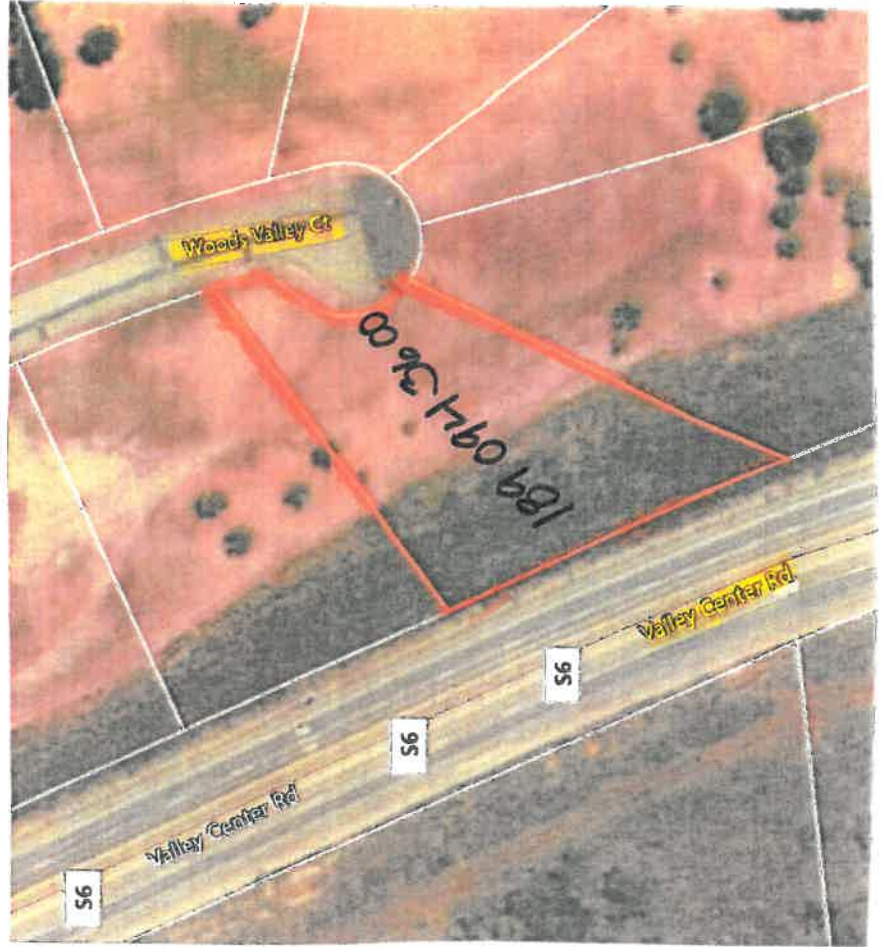
WHEREAS, a petition requesting institution proceedings to annex territory to Community Facilities District No. 2008-1 District has been received from landowners owning not less than 10% of the proposed land to be annexed to the CFD, and

WHEREAS, the petition dated March 13, 2020 has been found to meet the requirements of Government Code section 53319, and

WHEREAS, this Board, having received indications of interest from the owner of the areas of land proposed to be annexed to the CFD, now desires to proceed with the annexation to the CFD in order to finance the balance of the costs of certain public services and facilities necessary or incident to development in the CSD.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Valley Center Fire Protection District as follows:

1. This Board hereby finds and determines that public convenience and necessity require that territory be added to the CFD be formed and that the Board is authorized to conduct proceedings for the annexation of territory to the CFD pursuant to the Act.
2. The name of the existing CFD is "Community Facilities District No. 2008-1."
3. The territory included in the existing CFD is as shown on the map thereof filed in Book 42 of Maps of Assessment and Community Facilities Districts at Page 27 in the office of the County Recorder, County of San Diego, State of California to which map reference is hereby made for further particulars. The territory now proposed to be annexed to the CFD is as shown on Annexation Map No. 2 to the CFD on file with the Clerk of the Board, the boundaries of which territory are hereby preliminarily approved and which map is incorporated in full herein by reference. The Clerk of the Board is hereby directed to record, or cause to be recorded, said map showing the territory to be annexed to the CFD in the office of the County Recorder of the County of San Diego within fifteen days of the date of adoption of this Resolution.



4. The types of services financed by the CFD and pursuant to the Act consist of those services (the "Services") described in Exhibit A to Resolution 2008-09, adopted by the Board on May 29, 2008 (the "Resolution of Formation"). It is presently intended that the Services will be shared, without preference or priority, by the existing territory in the CFD and the territory proposed to be annexed to the CFD.
5. Except to the extent that the funds are otherwise available to the CFD to pay for the Services, a special tax sufficient to pay the costs thereof is intended to be levied annually within the CFD and collected in the same manner and at the same time as ordinary *ad valorem* property taxes. The proposed rate and method of apportionment of the special tax among the parcels of real property within the CFD, as now in existence and following the annexation proposed herein, in sufficient detail to allow each landowner within the territory proposed to be annexed to the CFD to estimate the maximum amount such owner will have to pay are described in detail in Exhibit A attached to the Resolution of Formation, which by this reference is incorporated herein.
6. The Board shall hold a public hearing (the "Hearing") on the annexation of territory to the CFD and the proposed Rate and Method of Apportionment at 6 p.m., or as soon thereafter as practicable, on April 14, 2020, at the Valley Center Municipal Water District, at 29800 Valley Center Road, Valley Center, California. At the hearing, the Board will consider and finally determine whether the public interest, convenience and necessity require the annexation of territory to the CFD. Should the Board determine to annex territory to the CFD, a special election will be held to authorize the levy of the special tax in accordance with the procedures contained in Government Code section 53326. If held, the proposed voting procedure at the election is expected to be a landowner vote with each landowner of record as of the close of the Hearing having one vote for each acre of land or portion thereof owned within the territory to be annexed to the CFD. Ballots for the special election may be distributed by mail or by personal service. At the time and place set forth above for the Hearing, any interested person, including all persons owning lands or registered to vote within the proposed CFD, may appear and be heard.
7. The District may accept advances of funds or work-in-kind from any source, including, but not limited to, private persons or private entities, for any authorized purpose, including, but not limited to, paying any cost incurred by the District in the annexation of territory to the CFD. The District may enter into an agreement with the person or entity advancing the funds or work-in-kind, to repay all or a portion of the funds advanced, or to reimburse the person or entity for the value, or cost, whichever is less, of the work-in-kind, as determined by this Board, with or without interest.
8. The District Secretary is hereby directed to cause notice of the public hearing to be given by publication one time in a newspaper published in the area of the CFD. The publication shall be completed at least seven days before the date of the public hearing in Section 6. The Secretary shall also cause notice of the hearing to be given to each property owner within the CFD by first class mail, postage prepaid, to each such owner's addresses as it appears on the most recent tax records of the District or as otherwise known to the Secretary to be correct. Such mailed notice shall be completed not less than fifteen days before the date of the public hearing. Each of the notices shall be substantially in the form specified in section 53322 of the Act, with the form summarizing the provisions hereof hereby specifically approved.
9. Except as may otherwise be provided by law or by the rate and method of apportionment of the special tax for the CFD, all lands owned by any public entity, including the United States, the State of California and/or the District, or any departments or political subdivisions thereof, shall be omitted from the levy of the Special Tax to be made to cover the costs and expenses of the Services and the CFD. In the event that a portion of the property within the CFD shall become for

any reason exempt, wholly or in part, from the levy of the special tax, this Board will, on behalf of the CFD, increase the levy to the extent necessary upon the remaining property within the CFD that is not exempt in order to yield the required revenues to pay for the Services and other annual expenses of the CFD, if any, subject to the provisions of the rate and method of apportionment of the special tax.

10. The officers, employees and agents of the District are hereby authorized and directed to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this resolution.

PASSED AND ADOPTED by the Board of Directors of the Valley Center Fire Protection District on the 19th day of March, 2020 by the following vote:

Ayes:
Noes:
Absent:

ATTEST:

President, Board of Directors

Secretary, Board of Directors

Resolution 2020-04

CFD 2008-1 – Public Hearing

Property APN: 188-350-03-00

Property Address: 16043 Wizard Way

Acreage: 5.54



VALLEY CENTER FIRE PROTECTION DISTRICT

Administrative Office & Fire Prevention Bureau
28234 Lilac Road
Valley Center, CA 92082
Tel: 760-751-7600 Fax: 760-749-3892

RESOLUTION NO. 2020-04

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE VALLEY CENTER FIRE PROTECTION DISTRICT**

WHEREAS, the annexation of described territory to the Community Facilities District 2008-01 (the "CFD") was submitted to a vote by the landowners of the real property located within the jurisdictional boundaries of the CFD on February 19, 2019; and

WHEREAS, six (6) votes (1 vote per acre) were cast by a proper mail ballot in favor of the levy of special taxes within the described territory of the CFD; and

WHEREAS, a sufficient number of votes were cast in favor of levying special taxes within the CFD;

NOW, THEREFORE, BE IT RESOLVED that:

The results of the election as sufficient to levy special taxes within the CFD are hereby certified.

PASSED, APPROVED, AND ADOPTED by the Board of Directors of the Valley Center Fire Protection District, at a regularly scheduled Board Meeting thereof, this 13th day March, 2020 by a unanimous vote.

Jeremy Abrams
Secretary

Fire Station #72
28234 Lilac Road
Valley Center, CA 92082

Fire Station #73
28205 N. Lake Wehford Road
Valley Center, CA 92082

Resolution 2020-05

CFD 2008-1 – Public Hearing

Property APN: 133-301-28-00

Property Address: 31327 Pauma Heights Rd

Acreage: 3.84



VALLEY CENTER FIRE PROTECTION DISTRICT
Administrative Office & Fire Prevention Bureau
28234 Lilac Road
Valley Center, CA 92082
Tel: 760-751-7600 Fax: 760-749-3892

RESOLUTION NO. 2020-05
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE VALLEY CENTER FIRE PROTECTION DISTRICT

WHEREAS the annexation of described territory to the Community Facilities District 2008-01 (the "CFD") was submitted to a vote by the landowners of the real property located within the jurisdictional boundaries of the CFD on February 7, 2020; and

WHEREAS, four (4) votes (1 vote per acre) were cast by a proper mail ballot in favor of the levy of special taxes within the described territory of the CFD; and

WHEREAS, a sufficient number of votes were cast in favor of levying special taxes within the CFD;

NOW, THEREFORE, BE IT RESOLVED that:

The results of the election as sufficient to levy special taxes within the CFD are hereby certified.

PASSED, APPROVED, AND ADOPTED by the Board of Directors of the Valley Center Fire Protection District, at a regularly scheduled Board Meeting thereof, this 19th day March, 2020 by a unanimous vote.

Jim Wold
Secretary

Fire Station #72
28234 Lilac Road
Valley Center, CA 92082

Fire Station #73
28205 N. Lake Wohlford Road
Valley Center, CA 92082

**Valley Center Fire Protection District Board of Directors
FINANCE COMMITTEE MEETING MINUTES
April 8, 2020 / 2:00 p.m.**

Fire Station 1 – 28234 Lilac Rd. Valley Center, CA 92082

Various Telephone and Teleconference options:

audio-only dial-in number for phone access: 1-774-220-4000 ID:859-7399

meet.google.com/owg-wiui-kfk

Phone:+1 469-305-2058 PIN: 503 620 543#

1. Call to order at 2:08 pm PST

2. Roll Call:

Director Seaborne: Present

Director O'Connor: Present

Non-Board Members Present:

Chief Napier

FM Davidson

Captain Scott Duncan

Captain Jon Blumeyer

Amy Mayerchik

3. Pledge of Allegiance - led by Fire Marshal Davidson

4. Public Comment - None

5. New Business

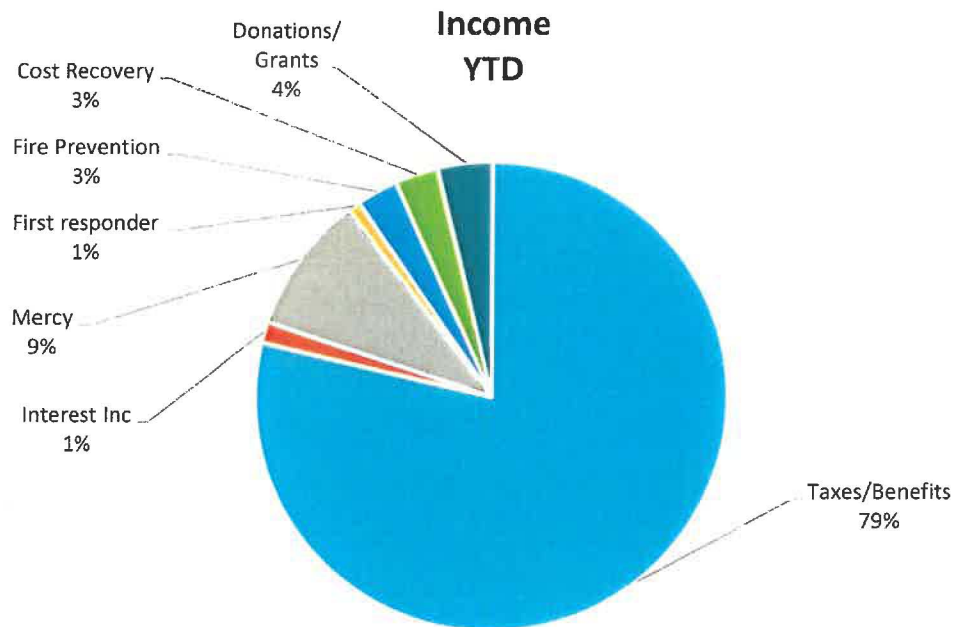
A. Chief Napier presented the first draft of the FY2020-2021 budget line by line.

Director O'Connor indicated his belief that the Fire Foundation funds should be spent as quickly as possible. There was discussion around the redistribution of the funds from the open division chief position. Director Seaborne indicated her belief that redistribution of the funds was a difficult task due to the limited nature of revenue and asked that Chief Napier provide a report on how those funds were distributed. Chief Napier discussed the current pay scales for engineers and firefighters. There was a question about health benefits from Director O'Connor, and Captains Duncan and Blumeyer agreed to poll the crews to determine again how they feel about health benefits. At the end of the meeting, Chief Napier asked if there were any additional questions and both board members had none.

6. Adjournment - 3:45 PM

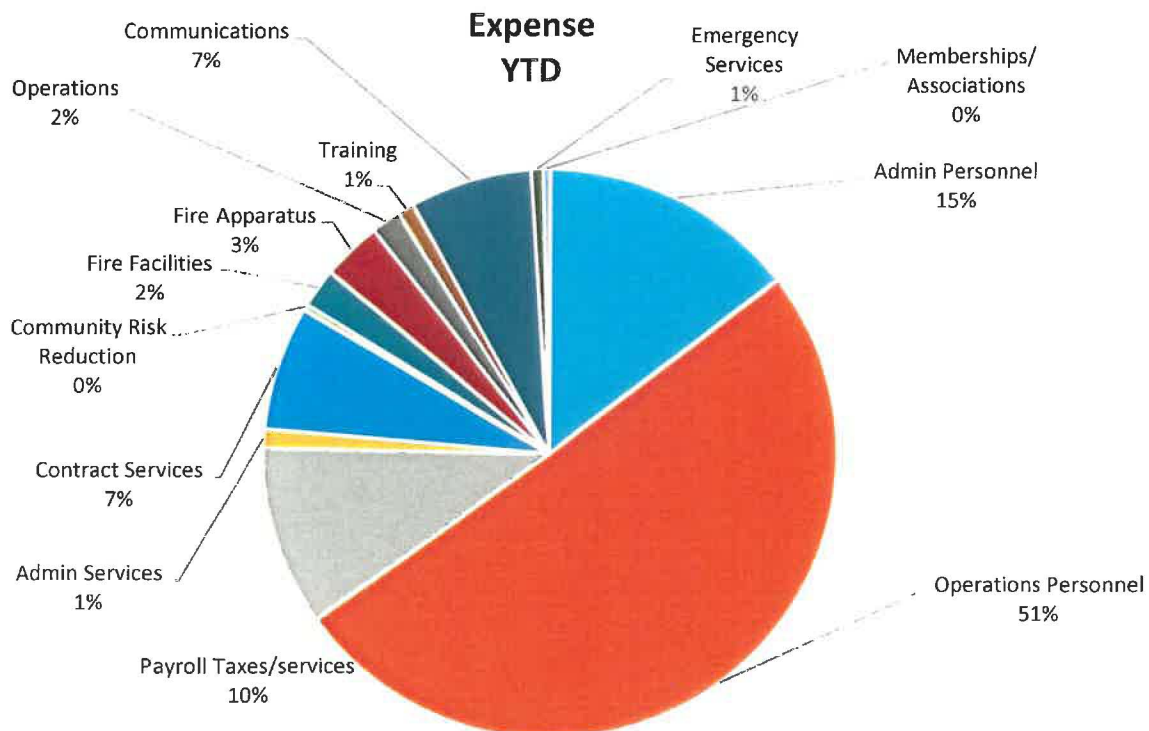
VCFPD
Fiscal Recap
as of March 31, 2020

			Total Received	Total Budget	Variance	Percent
		Mar 20	Jul '19 - Jun '20	Jul '19 - Jun '20		
Income						
4000	Taxes/Benefits		1,474,911.24	2,584,520.11	-1,109,608.87	57%
4040	Interest Inc		26,912.77	23,000.00	3,912.77	117%
4050	Mercy	18,844.33	177,129.23	268,132.00	-91,002.77	66%
4060	First responder		15,260.00	14,500.00	760.00	105%
4070	Fire Prevention	1,890.00	53,132.00	63,000.00	-9,868.00	84%
4080	Cost Recovery	20,774.72	55,615.52	62,150.00	-6,534.48	89%
4090	Donations/Grants/other		70,095.00	42,114.00	27,981.00	166%
Total Income -		41,509.05	1,873,055.76	3,057,416.11	-1,184,360.35	61%



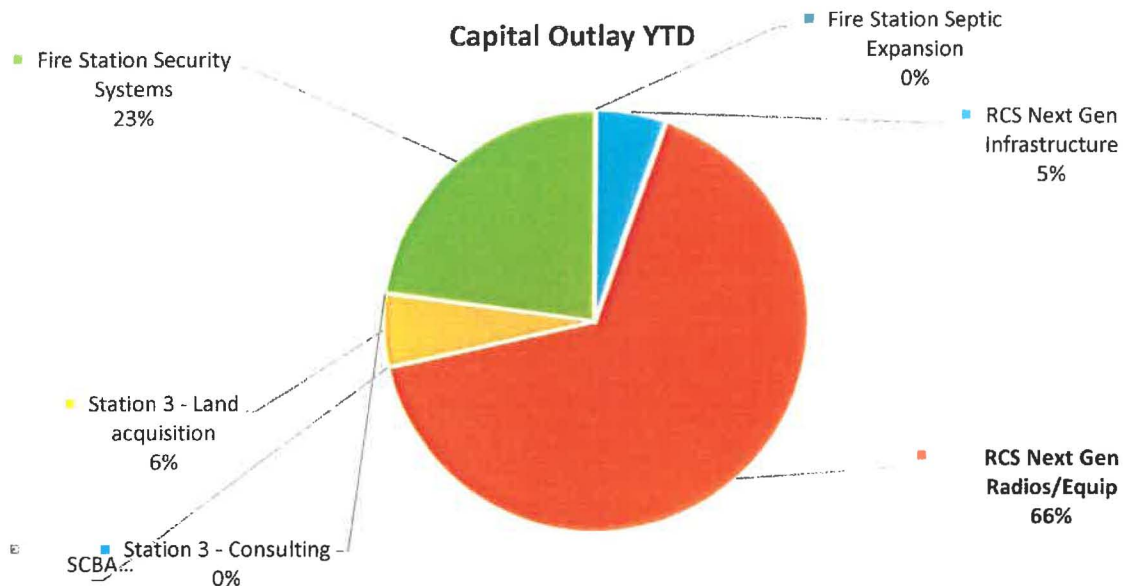
VCFPD
Fiscal Recap
as of March 31, 2020

Expense			Total Expenses	Total Budget	Variance	Percent
		Mar 20	Jul '19 - Jun '20	Jul '19 - Jun '20		Spent
5000	Admin Personnel	37,241.56	335,947	451,224	-115,277	74%
5010	Operations Personnel	125,346.25	1,168,865	1,581,330	-412,465	74%
5020	Payroll Taxes/services	26,223.40	235,717	280,000	-44,283	84%
5100	Admin Services	14.38	24,509	48,000	-23,491	51%
5110	Contract Services	9,945.02	163,125	211,262	-48,137	77%
5120	Community Risk Reduction	107.73	7,247	15,118	-7,871	48%
5130	Fire Facilities	4,754.14	51,601	88,280	-36,679	58%
5140	Fire Apparatus	5,547.23	77,561	91,800	-14,239	84%
5150	Operations	1,916.16	38,298	48,350	-10,052	79%
5160	Training	3,066.91	21,664	36,650	-14,986	59%
5170	Communications	37,919.65	161,439	172,428	-10,989	94%
5180	Emergency Services	7,148.03	15,357	15,500	-143	99%
5190	Memberships/Assoc	15.00	8,936	11,012	-2,076	81%
Total Expense		259,245.46	2,310,265	3,050,953	-740,688	76%
Net Income		-217,736.41	-437,210			



VCFPD
Fiscal Recap
as of March 31, 2020

Other Expenses - Capital Outlay			Total Expenses	Total Budget	Variance	Percent
		Mar 20	Jul '19 - Jun '20	Jul '19 - Jun '20		Spent
85500	Engines/Equip - #7		0		0.00	0%
85501	Command Vehicle #16		0		0.00	0%
85502	Investigator Vehicle #17		0		0.00	0%
85600	RCS Next Gen Infrastructure	882.00	7,938	11,000.00	-3,062.00	72%
85601	RCS Next Gen Radios/Equip		98,714	98,714.00	0.22	100%
85700	SCBA		0	106,000.00	-106,000.00	0%
85800	Station 3 - Land acquisition	1,672.10	8,429	90,000.00	-81,570.51	9%
85801	Station 3 - Consulting		0	90,000.00	-90,000.00	0%
85900	Fire Station Security Systems		34,101	45,000.00	-10,899.19	76%
85910	Fire Station Septic Expansion		0	0.00	0.00	#DIV/0!
85930	Fire Station LED Conversion			3,000.00	-3,000.00	0%
Total Capital Outlay:		2,554.10	149,182.52	443,714.00	-294,531.48	



BANK BALANCES:		Mar-20
Cash Reserves:	\$	159,756.54
Petty Cash	\$	226.85
CB&T Foundation	\$	1,650.00
CB&T Explorer Funds	\$	4,216.25
Payroll Account	\$	182,431.75
General Fund	\$	1,115,550.92
Mitigation Fund	\$	690,074.78
CFD 08-01	\$	148,123.17
Total Cash In Bank:	\$	2,302,030.26

Resolution 2020-16

CFD 2008-1 – Annexation

Property APN: 186-230-18-00

Property Address – 13661 Old Rd.

Acreage: .99



**RESOLUTION NO. 2020-16
A RESOLUTION OF INTENTION
OF THE BOARD OF DIRECTORS OF THE VALLEY CENTER FIRE PROTECTION DISTRICT
TO ANNEX TERRITORY TO COMMUNITY FACILITIES DISTRICT NO. 2008-1
AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN**

WHEREAS, under the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"), Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing at section 53311 of the California Government Code, the Board of Directors (the "Board") of the Valley Center Fire Protection District (the "District") has conducted proceedings to establish Community Facilities District No. 2008-1 (the "CFD"), and

WHEREAS, the Board is the legislative body for the CFD and is empowered with the authority to annex territory to the CFD and now desires to undertake proceedings to annex territory to the CFD, and

WHEREAS, a petition requesting institution proceedings to annex territory to Community Facilities District No.2008-1 District has been received from landowners owning not less that 10% of the proposed land to be annexed to the CFD, and

WHEREAS, the petition dated March 31, 2020 has been found to meet the requirements of Government Code section 53319, and

WHEREAS, this Board, having received indications of interest from the owner of the areas of land proposed to be annexed to the CFD, now desires to proceed with the annexation to the CFD in order to finance the balance of the costs of certain public services and facilities necessary or incident to development in the CSD.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Valley Center Fire Protection District as follows:

1. This Board hereby finds and determines that public convenience and necessity require that territory be added to the CFD be formed and that the Board is authorized to conduct proceedings for the annexation of territory to the CFD pursuant to the Act.
2. The name of the existing CFD is "Community Facilities District No. 2008-1."
3. The territory included in the existing CFD is as shown on the map thereof filed in Book 42 of Maps of Assessment and Community Facilities Districts at Page 27 in the office of the County Recorder, County of San Diego, State of California to which map reference is hereby made for further particulars. The territory now proposed to be annexed to the CFD is as shown on Annexation Map No.2 to the CFD on file with the Clerk of the Board, the boundaries of which territory are hereby preliminarily approved and which map is incorporated in full herein by reference. The Clerk of the Board is hereby directed to record, or cause to be recorded, said map showing the territory to be annexed to the CFD in the office of the County Recorder of the County of San Diego within fifteen days of the date of adoption of this Resolution.

4. The types of services financed by the CFD and pursuant to the Act consist of those services (the "Services") described in Exhibit A to Resolution 2008-09, adopted by the Board on May 29, 2008 (the "Resolution of Formation"). It is presently intended that the Services will be shared, without preference or priority, by the existing territory in the CFD and the territory proposed to be annexed to the CFD.

5. Except to the extent that the funds are otherwise available to the CFD to pay for the Services, a special tax sufficient to pay the costs thereof is intended to be levied annually within the CFD and collected in the same manner and at the same time as ordinary *ad valorem* property taxes. The proposed rate and method of apportionment of the special tax among the parcels of real property within the CFD, as now in existence and following the annexation proposed herein, in sufficient detail to allow each landowner within the territory proposed to be annexed to the CFD to estimate the maximum amount such owner will have to pay are described in detail in Exhibit A attached to the Resolution of Formation, which by this reference is incorporated herein.

6. The Board shall hold a public hearing (the "Hearing") on the annexation of territory to the CFD and the proposed Rate and Method of Apportionment at 6 p.m., or as soon thereafter as practicable, on May 21, 2020, at the Valley Center Municipal Water District, at 29300 Valley Center Road, Valley Center, California. At the hearing, the Board will consider and finally determine whether the public interest, convenience and necessity require the annexation of territory to the CFD. Should the Board determine to annex territory to the CFD, a special election will be held to authorize the levy of the special tax in accordance with the procedures contained in Government Code section 53326. If held, the proposed voting procedure at the election is expected to be a landowner vote with each landowner of record as of the close of the Hearing having one vote for each acre of land or portion thereof owned within the territory to be annexed to the CFD. Ballots for the special election may be distributed by mail or by personal service. At the time and place set forth above for the Hearing, any interested person, including all persons owning lands or registered to vote within the proposed CFD, may appear and be heard.

7. The District may accept advances of funds or work-in-kind from any source, including, but not limited to, private persons or private entities, for any authorized purpose, including, but not limited to, paying any cost incurred by the District in the annexation of territory to the CFD. The District may enter into an agreement with the person or entity advancing the funds or work-in-kind, to repay all or a portion of the funds advanced, or to reimburse the person or entity for the value, or cost, whichever is less, of the work-in-kind, as determined by this Board, with or without interest.

8. The District Secretary is hereby directed to cause notice of the public hearing to be given by publication one time in a newspaper published in the area of the CFD. The publication shall be completed at least seven days before the date of the public hearing in Section 6. The Secretary shall also cause notice of the hearing to be given to each property owner within the CFD by first class mail, postage prepaid, to each such owner's addresses as it appears on the most recent tax records of the District or as otherwise known to the Secretary to be correct. Such mailed notice shall be completed not less than fifteen days before the date of the public hearing. Each of the notices shall be substantially in the form specified in section 53322 of the Act, with the form summarizing the provisions hereof hereby specifically approved.

9. Except as may otherwise be provided by law or by the rate and method of apportionment of the special tax for the CFD, all lands owned by any public entity, including the United States, the State of California and/or the District, or any departments or political subdivisions thereof, shall be omitted from the levy of the Special Tax to be made to cover the costs and expenses of the Services and the CFD. In the event that a portion of the property within the CFD shall become for

any reason exempt, wholly or in part, from the levy of the special tax, this Board will, on behalf of the CFD, increase the levy to the extent necessary upon the remaining property within the CFD that is not exempt in order to yield the required revenues to pay for the Services and other annual expenses of the CFD, if any, subject to the provisions of the rate and method of apportionment of the special tax.

10. The officers, employees and agents of the District are hereby authorized and directed to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this resolution.

PASSED AND ADOPTED by the Board of Directors of the Valley Center Fire Protection District on the 16th day of April, 2020 by the following vote:

Ayes:

Noes:

Absent:

Abstain:

ATTEST:

President, Board of Directors

Secretary, Board of Directors

STAFF REPORTS

BOARD OF DIRECTORS' PACKET
VALLEY CENTER FIRE PROTECTION DISTRICT



VALLEY CENTER FIRE PROTECTION DISTRICT

Administrative Office & Fire Prevention Bureau

28234 Lilac Road

Valley Center, CA 92082

Tel: 760-751-7600 Fax: 760-749-3892 Website: vcfpd.org

April 16, 2020

Fire Chief's Report Valley Center Fire Protection District Board

1. The Valley Center Fire Department has very limited contact with community and has cancelled all community events under the direction of Federal, State and County Mandates. Call Volume continues to trend down in percentage.
2. Internal and External Firefighter-Paramedic Exam Completed: Two openings to fill on April 20, 2020
3. Internal and External Engineer's exam completed: Interviews are in the near future with no vacancies at this time.
4. Internal and External Captain's exam in process: Interviews are in the near future with no vacancies at this time.
5. Plymovent installation nearly complete.
6. ALS Program: Ongoing Educational Communication with County HHSA regarding the Corona Virus. Mercy Ambulance Awarded North Inland USA Contract: M72 in service at Valley Center Fire Station 1. M70 to be placed into service at Cal Fire Station 70 soon.
7. Operational Area Update: County Regional Wildland Drill preparation.
8. Local and Regional Training: All Regional Training has been moved to Computer Based or Webinar Based Training. Local Training is limited to at Station training for Probationary employees and new Driver Operators.
9. Cal Fire Valley Center Battalion: Station 71 is open with 1, Type 3 Engine 3/0 staffed.
10. Law Enforcement / Fire Interagency Operations: Sharing Information on COVID-19 and taking care of each other on scene
11. Land Acquisition: In Escrow and moving toward Phase 1 and Phase 2 testing
12. CVRA Districting Study is still in process with SANDAG, County Registrar and Lynx Technologies: Second Public Comment Period April 16, 2020. Draft Map will be Posted for Public View on May 7, 2020

Fire Station #1
28234 Lilac Road
Valley Center, CA 92082

Fire Station #2
28205 N. Lake Wohlford Road
Valley Center, CA 92082

VCFPD OPERATIONAL REPORT: March 2020

Monthly Incident Data:

[illegible]

Firefighters in the program: 31

- Firefighter Driver Operators: 2
- Firefighter Paramedics: 9
- Firefighter EMTs: 22
- Fire Explorers: 10

Apparatus and Equipment:

- **Station 1:** E-161 – In Service E-169 – In Service Reserve
M72 – In Service
- C-1601 In Service
- C-1602 In Service
- C-1603 In Service-Reserve Command Vehicle
- P-1650 In Service
- P-1651 In Service
- **Station 2:** E-162 – In Service E-168 – In Service Reserve
RS-162 – In Service OES WT62: In Service

Special Training and Future Events:

- Planning Group Evacuation Sub-Committee Meeting: Adjourned : TBD
- Valley Center Fire Safe Council: Next Chipping Day: Delayed Until June or July
- July 4th: Western Days Chili Cook-off, Parade and Rodeo
- August, 2020: Wildland Symposium at Community Center and Fire Station 1
- 3 - Valley Center Firefighter-EMT's enrolling in the next Paramedic Academy: Cancelled until Further Notice
- 3 - Valley Center Firefighter-Paramedic Interns waiting to complete Delayed Clinical and Field.

Legislative / Political Updates:

None

Grants/Awards:

- SHSGP: 2019 Grant Application: \$ 10,000 Structure PPE: Approved
- SHSGP: 2020 Grant Application: \$ 14,150 Structure PPE
- UASI: 2020 Grant Application \$ 4200 for Succession Training: Approved
- 2019 Valley Center Greater Fire Safe Council: Roadside Mowing, Community Chipping, Community CPR and AED Classes
- County Neighborhood Reinvestment Grant Application: \$68,000. Plymovent is Installed and testing at Fire Station 2. 80% installed at Fire Station 1
- CAL OES Grant Applications processed for COVID-19 Related Expenses.

Significant Incidents/Station Activities:

- Structure Fire: 31504 Valley Center Road: Chimney/Structure Fire
- Structure Fire: 14900 Oakvale Road: Singlewide Mobile Home: Total Loss
- Rescue Vehicle Traffic Collision: 28245 Hell Creek Road: Motorcycle T/C
- Rescue Vehicle Traffic Collision: Couser Canyon Road: Vehicle vs Fence Post
- Rescue Vehicle Traffic Collision: Fatal Accident: Valley Center Road / Rincon Grade

Trauma Intervention Program (TIP):

- 1 TIP response for the month of March to Valley Center. TIP will not respond to the scene until COVID-19 Mandates have been lifted. They do have a protocol to respond by phone (TeleTIP).

Josef G. Napier
Fire Chief, Valley Center Fire Protection District,



Community Risk Reduction Division Fire Marshal's Report

March 2020

Significant Events since last report:

- Chimney Chase Fire - VC road
- Trailer Fire in Oakvale
- Work still ongoing for Park Circle/Orchard Run
- Bear Peak - 6 finals, at least 3 occupied.
- Miller Plaza
- Pallet Yard has found a new home, planning to vacate in April.

Operations with the CRR Division:

- Weed Abatement/DSI:
 - All public facing work is on hold due to COVID concerns.
 - Spending some time planning and perfecting software model
 - FireSafe Council working on grant for enterprise version of GIS tools
- Plan reviews completed:
 - 5 Residential (New + Additions).
 - 1 Fire Sprinklers
 - 0 Commercial plan review
- Inspections:
 - 2 Overhead/Hydro
 - 2 code enforcement
 - 0 Smoke detector installation
 - 9 Fire Final
 - 0 Knox/Opticom opened, 0 closed.
 - Pulsepoint: 7609 followers 2880 with CPR alerts enabled
- Volunteers
 - Volunteer program is suspended until the COVID crisis health orders are lifted
 - Volunteers are working remotely on a video outreach program.

NEW BUSINESS

BOARD OF DIRECTORS' PACKET
VALLEY CENTER FIRE PROTECTION DISTRICT

Resolution 2020-11

CFD 2008-1 – Public Hearing

Property APN: 189-094-29-00

Property Address – 13833 Woods Valley Ct

Acreage: .99





VALLEY CENTER FIRE PROTECTION DISTRICT

Administrative Office & Fire Prevention Bureau

28234 Lilac Road

Valley Center, CA 92082

Tel: 760-751-7600

Fax: 760-749-3892

RESOLUTION NO. 2020-11

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE VALLEY CENTER FIRE PROTECTION DISTRICT

WHEREAS, the annexation of described territory to the Community Facilities District 2008-01 (the "CFD") was submitted to a vote by the landowners of the real property located within the jurisdictional boundaries of the CFD on March 19, 2020; and

WHEREAS, one (1) vote (1 vote per acre) was cast by a proper mail ballot in favor of the levy of special taxes within the described territory of the CFD; and

WHEREAS, a sufficient-number of votes were cast in favor of levying special taxes within the CFD;

NOW, THEREFORE, BE IT RESOLVED that:
The results of the election as sufficient to levy special taxes within the CFD are hereby certified.

PASSED, APPROVED, AND ADOPTED by the Board of Directors of the Valley Center Fire Protection District, at a regularly scheduled Board Meeting thereof, this 16th day April, 2020 by a unanimous vote.

Jim Wold
Secretary

Fire Station #72
28234 Lilac Road
Valley Center, CA 92082

Fire Station #73
28205 N. Lake Wohlford Road
Valley Center, CA 92082

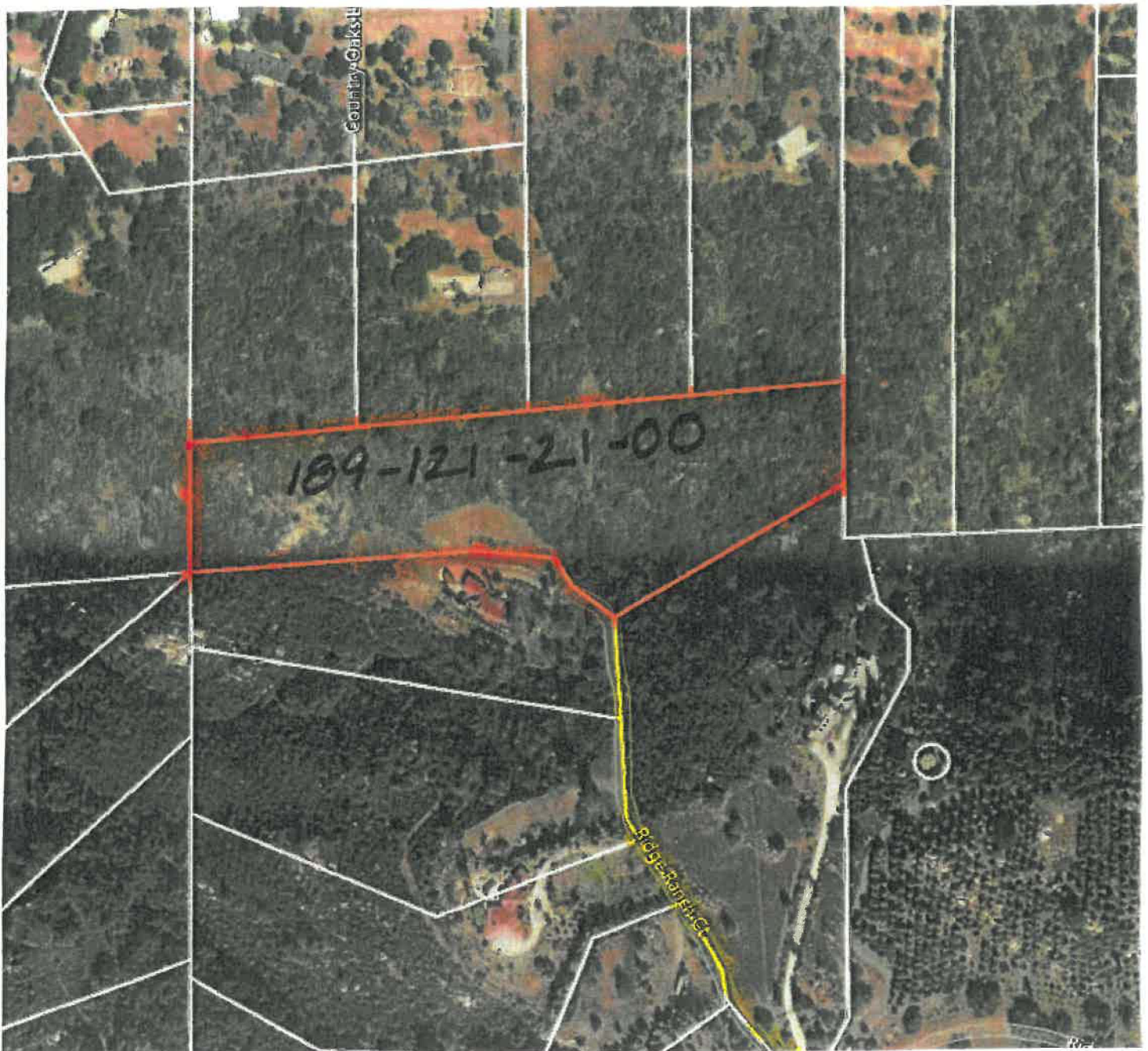
Resolution 2020-12

CFD 2008-1 – Public Hearing

Property APN: 189-121-21-00

Property Address – 14195 Ridge Ranch Ct

Acreage: 9.65





VALLEY CENTER FIRE PROTECTION DISTRICT

Administrative Office & Fire Prevention Bureau

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Tel: 760-751-7600

Fax: 760-749-3892

RESOLUTION NO. 2020-12

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE VALLEY CENTER FIRE PROTECTION DISTRICT

WHEREAS, the annexation of described territory to the Community Facilities District 2008-01 (the "CFD") was submitted to a vote by the landowners of the real property located within the jurisdictional boundaries of the CFD on March 19, 2020; and

WHEREAS, ten (10) votes (1 vote per acre) were cast by a proper mail ballot in favor of the levy of special taxes within the described territory of the CFD; and

WHEREAS, a sufficient-number of votes were cast in favor of levying special taxes within the CFD;

NOW, THEREFORE, BE IT RESOLVED that:
The results of the election as sufficient to levy special taxes within the CFD are hereby certified.

PASSED, APPROVED, AND ADOPTED by the Board of Directors of the Valley Center Fire Protection District, at a regularly scheduled Board Meeting thereof, this 16th day April, 2020 by a unanimous vote.

Jim Wold
Secretary

Fire Station #72
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Valley Center, CA 92082

Fire Station #73
28205 N. Lake Wohlford Road
Valley Center, CA 92082

Resolution 2020-13

CFD 2008-1 – Public Hearing

Property APN: 133-301-34-00

Property Address – 15625 Rim of the Valley

Acreage: 5.02





VALLEY CENTER FIRE PROTECTION DISTRICT

Administrative Office & Fire Prevention Bureau

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Fax: 760-749-3892

RESOLUTION NO. 2020-13

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE VALLEY CENTER FIRE PROTECTION DISTRICT

WHEREAS, the annexation of described territory to the Community Facilities District 2008-01 (the "CFD") was submitted to a vote by the landowners of the real property located within the jurisdictional boundaries of the CFD on March 19, 2020; and

WHEREAS, six (6) votes (1 vote per acre) were cast by a proper mail ballot in favor of the levy of special taxes within the described territory of the CFD; and

WHEREAS, a sufficient-number of votes were cast in favor of levying special taxes within the CFD;

NOW, THEREFORE, BE IT RESOLVED that:
The results of the election as sufficient to levy special taxes within the CFD are hereby certified.

PASSED, APPROVED, AND ADOPTED by the Board of Directors of the Valley Center Fire Protection District, at a regularly scheduled Board Meeting thereof, this 16th day April, 2020 by a unanimous vote.

Jim Wold
Secretary

Fire Station #72
28234 Lilac Road
Valley Center, CA 92082

Fire Station #73
28205 N. Lake Wohlford Road
Valley Center, CA 92082

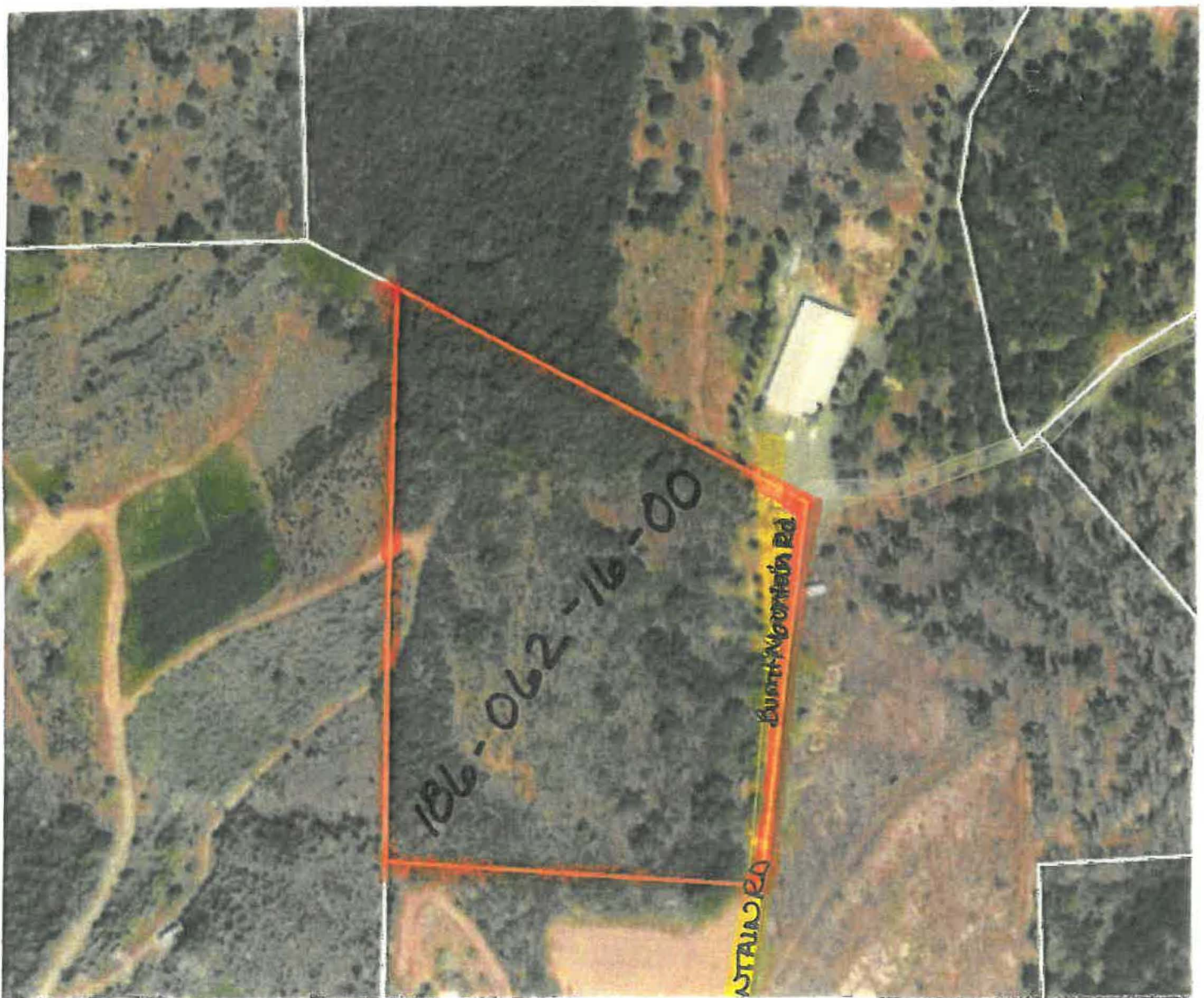
Resolution 2020-14

CFD 2008-1 – Public Hearing

Property APN: 186-062-16-00

Property Address – 27674 Burnt Mountain Rd.

Acreage: 4.34





VALLEY CENTER FIRE PROTECTION DISTRICT

Administrative Office & Fire Prevention Bureau

28234 Lilac Road

Valley Center, CA 92082

Tel: 760-751-7600

Fax: 760-749-3892

RESOLUTION NO. 2020-14

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE VALLEY CENTER FIRE PROTECTION DISTRICT

WHEREAS, the annexation of described territory to the Community Facilities District 2008-01 (the "CFD") was submitted to a vote by the landowners of the real property located within the jurisdictional boundaries of the CFD on March 19, 2020; and

WHEREAS, five (5) votes (1 vote per acre) were cast by a proper mail ballot in favor of the levy of special taxes within the described territory of the CFD; and

WHEREAS, a sufficient-number of votes were cast in favor of levying special taxes within the CFD;

NOW, THEREFORE, BE IT RESOLVED that:
The results of the election as sufficient to levy special taxes within the CFD are hereby certified.

PASSED, APPROVED, AND ADOPTED by the Board of Directors of the Valley Center Fire Protection District, at a regularly scheduled Board Meeting thereof, this 16th day April, 2020 by a unanimous vote.

Jim Wold
Secretary

Fire Station #72
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Valley Center, CA 92082

Fire Station #73
28205 N. Lake Wohlford Road
Valley Center, CA 92082

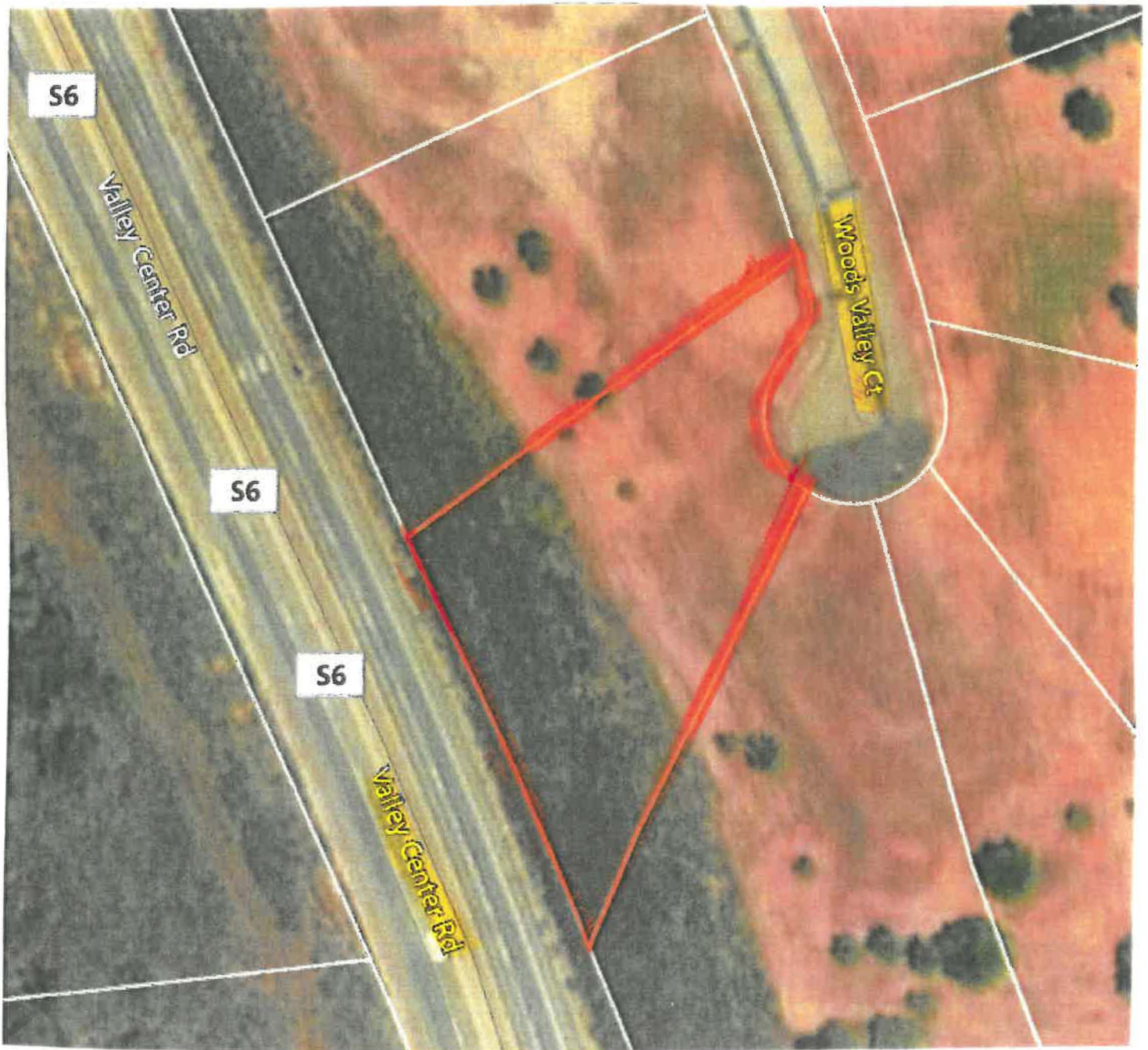
Resolution 2020-15

CFD 2008-1 – Public Hearing

Property APN: 189-094-36-00

Property Address – 13808 Woods Valley Ct

Acreage: .9





VALLEY CENTER FIRE PROTECTION DISTRICT

Administrative Office & Fire Prevention Bureau

28234 Lilac Road

Valley Center, CA 92082

Tel: 760-751-7600

Fax: 760-749-3892

RESOLUTION NO. 2020-15

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE VALLEY CENTER FIRE PROTECTION DISTRICT

WHEREAS, the annexation of described territory to the Community Facilities District 2008-01 (the "CFD") was submitted to a vote by the landowners of the real property located within the jurisdictional boundaries of the CFD on March 19, 2020; and

WHEREAS, one (1) vote (1 vote per acre) was cast by a proper mail ballot in favor of the levy of special taxes within the described territory of the CFD; and

WHEREAS, a sufficient-number of votes were cast in favor of levying special taxes within the CFD;

NOW, THEREFORE, BE IT RESOLVED that:
The results of the election as sufficient to levy special taxes within the CFD are hereby certified.

PASSED, APPROVED, AND ADOPTED by the Board of Directors of the Valley Center Fire Protection District, at a regularly scheduled Board Meeting thereof, this 16th day April, 2020 by a unanimous vote.

Jim Wold
Secretary

Fire Station #72
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Valley Center, CA 92082

Fire Station #73
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Valley Center, CA 92082

RESOLUTION NO. 2020-17

VALLEY CENTER FIRE PROTECTION DISTRICT EMPLOYER-EMPLOYEE RELATIONS RESOLUTION

Article I -- General Provisions

Sec. 1.01 Statement of Purpose:

This Resolution implements Chapter 10, Division 4, Title 1 of the Government Code of the State of California (Sections 3500 *et seq.*) captioned "Meyers-Milias-Brown Act" ["MMBA"] (Local Public Employee Organizations)," by providing orderly procedures for the administration of employer-employee relations between the District and its employee organization, Valley Center Firefighter's Association, IAFF Local 5187. Nothing contained herein, however, shall be deemed to supersede the provisions of state law, the District charters, ordinances, resolutions and rules which establish and regulate the civil service system, or which provide for other methods of administering employer-employee relations. This Resolution is intended, instead, to strengthen civil service and other methods of administering employer-employee relations through the establishment of uniform and orderly methods of communications between employees, the employee organization and the District.

It is the purpose of this Resolution to provide procedures for meeting and conferring in good faith with the Recognized Employee Organization, Valley Center Firefighter's Association, IAFF Local 5187 regarding matters that directly and significantly affect and primarily involve the wages, hours and other terms and conditions of employment of employees in appropriate units and that are not preempted by federal or state law, or the District Charter. The District shall not be required to meet and confer over the merit, necessity or organization of any service or activity provided by law or executive order.

Nothing contained in this Resolution shall be construed to restrict any legal or inherent exclusive District rights with respect to matters of general legislative or managerial policy. Unless specifically in conflict with any Memorandum of Understanding, the District retains all management rights, which include, but are not limited to: The sole and exclusive right to determine the District's mission, including that of its constituent departments, commissions, and boards; the sole and exclusive right to direct the affairs of, manage, and maintain the efficiency of the District, to set standards of service; and to control the organization and operation of the District. The District also has the sole and exclusive right to take any actions which the District deems desirable to conduct its affairs, including, but not limited to, determining the procedures and standards of selection for employment, directing its work force (including scheduling and assigning work and overtime), hiring, firing, discharges, promotions, demotions, transfers, taking disciplinary action, determining the methods, means and personnel by which District operations are to be conducted, relieving employees from duty because of budgetary considerations, lack of work, or other lawful reasons, subcontracting, maintaining discipline and efficiency of employees, determining the content of job classifications, taking all necessary actions to carry out its mission in emergencies, and exercising complete control and discretion over its organization and the technology of performing its work consistent with the provisions of this Resolution and the MMBA. The foregoing is meant to be descriptive of the District rights, and not exhaustive,

Sec. 1.02. Definitions:

As used in this Resolution, the following terms shall have the meanings indicated:

- a. "Appropriate unit" means a unit of employee classes or positions, established pursuant to Article II of this Resolution.
- b. "District" means the Valley Center Fire Protection District, and, where appropriate herein, refers to the Fire Protection District Board of Directors or any duly authorized District representative as herein defined.
- c. "Confidential Employee" means an employee who, in the course of his or her duties, has access to confidential information relating to the District's administration of employer-employee relations.
- d. "Consult/Consultation in Good Faith" means to meet and discuss issues with all affected recognized employee organizations, in good faith, for the purpose of presenting and obtaining views or advising of proposed actions in an effort to reach a consensus; and, as distinguished from meeting and conferring in good faith regarding matters within the required scope of representation (as defined in California Government Code section 3504), does not involve an endeavor to reach a binding agreement, nor is it subject to the impasse resolution procedures set forth in Article IV of this Resolution.
- e. "Day or Shift" means one calendar day unless expressly stated otherwise.
- f. "Employee Relations Officer" means the Fire Chief or his/her duly authorized representative.
- g. "Exclusively Recognized Employee Organization" means an employee organization which has been formally acknowledged by the District as the sole employee organization representing the employees in an appropriate representation unit determined pursuant to Article II of this Resolution, having the exclusive right to meet and confer in good faith concerning matters within the scope of representation pertaining to unit employees, and thereby assuming the corresponding obligation of fairly representing such employees. Such recognition status may only be challenged by another employee organization as set forth in Article II section 8.
- h. "Impasse" means that the representatives of the District and a Recognized Employee Organization have reached a point in their meeting and conferring in good faith where their differences on matters to be included in a Memorandum of Understanding, and/or concerning matters over which they are required to meet and confer, remain so substantial and prolonged that further meeting and conferring would be futile.
- i. "Management Employee" means Division Chief, an employee having responsibility for formulating, administering or managing the implementation of District policies, procedures and programs.
- j. "Proof of Employee Support" means (1) an authorization card recently signed and personally dated by an employee, provided that the card has not been subsequently revoked in writing by the employee (2) a verified authorization petition or petitions recently signed and personally dated by an employee, or (3) employee dues deduction authorizations, using the payroll register for the period immediately prior to the date a petition is filed hereunder, except that dues deduction authorizations for more than one employee organization for the account of any one employee shall not be considered as proof of employee support for any employee organization. The only authorization which shall be considered as proof of employee support hereunder shall be the authorization last signed by an employee. The words "recently signed" shall mean within ninety (90) days prior to the filing of such proof of support.

k. "Supervisory Employee" means Fire Captain, any employee having authority, in the interest of the District, recommend to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or responsibly to direct them, or to adjust their grievances, or effectively to recommend such action if, in connection with the foregoing, the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

l. Terms not defined herein shall have the meanings as set forth in the MMBA.

Article II -- Representation Proceedings

Sec. 2.01. Filing of Recognition Petition by Employee Organization:

An employee organization which seeks to be formally acknowledged as the Exclusively Recognized Employee Organization representing the employees in an appropriate unit shall file a petition with The Fire Chief containing the following information and documentation:

- a. Name and address of the employee organization.
- b. Names and titles of its officers, and mailing addresses.
- c. Names and telephone numbers of employee organization representatives who are authorized to speak on behalf of the organization in any communication with the District.
- d. A statement that the employee organization has, as one of its primary purposes, the responsibility of representing employees in their employment relations with the District.
- e. A statement whether the employee organization is a chapter of, or affiliated directly or indirectly in any manner, with a local, regional, state, national or international organization, and, if so, the name and address of each such other organization.
- f. Certified copies of the employee organization's constitution and bylaws.
- g. A designation of those persons, not exceeding two in number, and their addresses, and/or email addresses, to whom notice sent by regular United States mail and/or email will be deemed sufficient notice on the employee organization for any purpose.
- h. A statement that the employee organization has no restriction on membership based on race, color, religion, creed, sex, national origin, age, marital status, sexual orientation, mental or physical disability, medical condition, military or veteran status, gender identity or expression, genetic information, or any other legally-protected classification.
- i. The job classifications or position titles of employees in the unit claimed to be appropriate and the approximate number of member employees therein.
- j. A statement that the employee organization has in its possession proof of employee support as herein defined to establish that a majority of the employees in the unit claimed to be appropriate have designated the employee organization to represent them in their employment relations with the District. Such written proof shall be submitted for confirmation to The Fire Chief or to a mutually agreed upon disinterested third party.

k. A request that The Fire Chief formally acknowledge the petitioner as the Exclusively Recognized Employee Organization representing the employees in the unit claimed to be appropriate for the purpose of meeting and conferring in good faith.
The Petition, including the proof of employee support and all accompanying documentation, shall be declared to be true, correct and complete, under penalty of perjury, by the duly authorized officer(s) of the employee organization executing it.

Sec. 2.02. District Response to Recognition Petition:

Upon receipt of the Petition, The Fire Chief shall determine whether:

- a. There has been compliance with the requirements for the filing of a Recognition Petition as set forth in section 2.01 hereof, and
- b. The proposed representation unit is an appropriate unit in accordance with Sec. 2.07 of this Article II.

If an affirmative determination is made by The Fire Chief on the foregoing two matters, he/she shall so inform the petitioning employee organization, shall give written notice of such request for recognition to the employees in the unit and shall take no action on said request for thirty (30) days thereafter.
If either of the foregoing matters are not affirmatively determined, The Fire Chief shall offer to consult thereon with such petitioning employee organization and, if such determination thereafter remains unchanged, shall inform that organization of the reasons therefore in writing.

The petitioning employee organization may appeal such determination in accordance with Sec. 2.09 of this Resolution.

Sec. 2.03. Open Period for Filing Challenging Petition:

Within thirty (30) days of the date written notice was given to affected employees that a valid recognition petition for an appropriate unit has been filed, any other employee organization may file a competing request to be formally acknowledged as the exclusively recognized employee organization of the employees in the same or in an overlapping unit (one which corresponds with respect to some, but not all the classifications or positions set forth in the recognition petition being challenged), by filing a petition evidencing proof of employee support in the unit claimed to be appropriate of at least thirty percent (30%) and otherwise in the same form and manner as set forth in Sec. 2.01 of this Article II. If such challenging petition seeks establishment of an overlapping unit, The Fire Chief shall call for a hearing on such overlapping petitions for the purpose of ascertaining the more appropriate unit, at which time the petitioning employee organizations shall be heard. Thereafter, The Fire Chief shall determine the appropriate unit or units in accordance with the standards in Sec. 2.07 of this Article II and shall provide written notice of his/her determination.

If the petitioning employee organizations do not agree with the decision rendered by The Fire Chief, the petitioning employee organizations shall have fifteen (15) days from the date of when the notice of such unit determination is communicated to them by The Fire Chief to amend their petitions to conform to such determination or to appeal such determination pursuant to Sec. 2.09 of this Article II.

Sec. 2.04. Granting Recognition Without an Election:

If the Petition is in order, and the proof of support shows that a majority of the employees in the unit deemed to be appropriate have designated the petitioning employee organization to represent them, and if no other employee organization filed a challenging petition, the petitioning employee organization and The Fire Chief shall request the California State Mediation and Conciliation Service, or another agreed-upon neutral third party, to review the count, form, accuracy and propriety of the proof of support. If the neutral third party makes an affirmative determination, The Fire Chief shall formally acknowledge the petitioning employee organization as the Exclusive Recognized Employee Organization for the designated unit.

Sec. 2.05. Election Procedure:

Where recognition is not granted pursuant to Sec. 2.04 of this Resolution, then, upon determination of an appropriate unit in accordance with Sec. 2.02 and 2.07 of this Article II, The Fire Chief shall arrange for a secret ballot election to be conducted by a party agreed to by The Fire Chief and the concerned employee organization(s), in accordance with such party's rules and procedures subject to the provisions of this Resolution. All employee organizations who have duly submitted petitions which have been determined to be in conformance with this Article II shall be included on the ballot. The choice of "no organization" shall also be included on the ballot thereby allowing employees the choice of representing themselves individually in their employment relations with the District.

Employees entitled to vote in such election shall be those persons employed in regular permanent positions within the designated appropriate unit who were employed during the pay period immediately prior to the date which ended at least fifteen (15) days before the date the election commences, including those who did not work during such period because of illness, vacation or other authorized leaves of absence, and who are employed by the District in the same unit on the date of the election.

An employee organization shall be formally acknowledged as the Exclusively Recognized Employee Organization for the designated appropriate unit following an election or run-off election if it received a numerical majority of all valid votes cast in the election. In an election involving three or more choices, where none of the choices receives a majority of the valid votes cast, a run-off election shall be conducted between the two choices receiving the largest number of valid votes cast. The rules governing an initial election shall also apply to a run-off election.

There shall be no more than one valid election under this Resolution pursuant to any petition in a 12-month period affecting the same unit.

In the event that the parties are unable to agree on a third party to conduct an election, the election shall be conducted by the California State Mediation and Conciliation Service ("CSMCS") or another agreed-upon third party. In the event that the parties are unable to agree on a third party to conduct the election, then the County Clerk's office shall conduct the election. If the parties cannot agree as to the time, place, and manner of the election, then the election supervisor shall be authorized to unilaterally determine such issues and carry out the election accordingly. In the event that CSMCS declines to conduct the election, for any reason, the parties agree that the election shall be conducted by the San Diego County Clerk's Office in accordance with that office's established election rules and procedures.

If, once the alternate election monitor is appointed, the parties cannot agree as to the time, place, and manner of the election, the parties shall authorize the election monitor to unilaterally determine such issues and carry out the election accordingly.

Costs of conducting elections shall be borne in equal shares by the District and by each employee organization appearing on the ballot.

Sec. 2.06 Procedure for Decertification of Exclusively Recognized Employee Organization:

A Decertification Petition alleging that the incumbent Exclusively Recognized Employee Organization no longer represents a majority of the employees in an established appropriate unit may be filed with The Fire Chief only during the month of March of any year following the first full year of recognition or during the thirty (30) day period commencing one hundred twenty (120) days prior to the termination date of a Memorandum of Understanding then having been in effect less than three (3) years, whichever occurs later. A Decertification Petition may be filed by two or more employees or their representative, or an employee organization, and shall contain the following information and documentation declared by the duly authorized signatory under penalty of perjury to be true, correct and complete:

- a. The name, address and telephone number of the petitioner and a designated representative authorized to receive notices or requests for further information.
- b. The name of the established appropriate unit and of the incumbent Exclusively Recognized Employee Organization sought to be decertified as a representative of that unit.
- c. An allegation that the incumbent Exclusively Recognized Employee Organization no longer represents a majority of the employees in the appropriate unit, and any other relevant and material facts relating thereto.
- d. Proof of employee support that at least thirty (30) percent of the employees in the established appropriate unit no longer desire to be represented by the incumbent Exclusively Recognized Employee Organization. Such proof shall be submitted for confirmation to The Fire Chief or to a mutually agreed upon disinterested third party within the time limits specified in the first paragraph of this Section.

An employee organization may, in satisfaction of the Decertification Petition requirements set forth in this Resolution, file a Petition under this Section in the form of a Recognition Petition that evidences proof of employee support of at least thirty percent (30%) percent, that includes the allegation and information required under this Section 2,06, and otherwise conforms to the requirements of Section 2.01 of this Article.

The Fire Chief shall initially determine whether the Petition has been filed in compliance with the applicable provisions of this Article II. If his/her determination is in the negative, he/she shall offer to consult thereon with the representative(s) of such petitioning employees or employee organization and, if such determination thereafter remains unchanged, shall return such Petition to the employees or employee organization with a statement of the reasons therefore in writing. The petitioning employees or employee organization may appeal such determination in accordance with Sec. 2,11 of this Article II. If the determination of The Fire Chief is in the affirmative, or if his negative determination is reversed on appeal, he/she shall give written notice of such Decertification or Recognition Petition to the incumbent Exclusively Recognized Employee Organization and to unit employees. Upon request, The Fire Chief shall provide a copy of the petition with names and all other identifying information redacted.

The Fire Chief shall thereupon arrange for a secret ballot election to be held on or about thirty (30) days after such notice to determine the wishes of unit employees as to the question of decertification and, if a Recognition Petition was duly filed hereunder, the question of representation. Such election shall be conducted in conformance with Sec. 2.05 of this Article II.

During the "open period" specified in the first paragraph of this Sec. 2.06, The Fire Chief may on his/her own motion, when he/she has reason to believe that a majority of unit employees no longer wish to be represented by the incumbent Exclusively Recognized Employee Organization, give notice to that organization and all unit employees that he/she will arrange for an election to determine that issue. In such event any other employee organization may within fifteen (15) days of such notice file a Recognition Petition in accordance with this Sec. 8, which The Fire Chief shall act on in accordance with this Sec. 2.06.

If, pursuant to this Sec. 2.06, a different employee organization is formally acknowledged as the Exclusively Recognized Employee Organization, such organization shall be bound by all the terms and conditions of any Memorandum of Understanding then in effect for its remaining term.

Sec. 2.07. Policy and Standards for Determination of Appropriate Units:

The Fire Chief shall maintain a list of all current bargaining units in the District and shall have the management discretion to form and define reasonable bargaining unit, based on the procedures specified in this Resolution. The policy objectives in determining the appropriateness of units shall be the effect of a proposed unit on (1) the efficient operations of the District and its compatibility with the primary responsibility of the District and its employees to effectively and economically serve the public, and (2) providing employees with effective representation based on recognized community of interest considerations. These policy objectives require that the appropriate unit shall be the broadest feasible grouping of positions that share an identifiable community of interest.

In considering whether classifications share an identifiable community of interest, the following factors shall be considered:

- a. Similarity of the work performed, required qualifications, levels of responsibility, and the general working conditions.
- b. History of representation in the District; except that no unit shall be deemed inappropriate solely on the basis of the extent to which employees in the proposed unit have organized.
- c. Consistency with the organizational patterns and structure of the District.
- d. Effect of differing legally mandated impasse resolution procedures.
- e. Number of employees and classifications, and the effect on the administration of employer-employee relations created by the fragmentation of classifications and proliferation of units.
- f. Effect on the classification structure and impact on the stability of the employer-employee relationship of dividing a single or related classifications among two or more bargaining units.

Notwithstanding the foregoing provisions of this Section, managerial, supervisory and confidential responsibilities, as defined in Sec. 1.02 of this Resolution, are determining factors in establishing appropriate units hereunder, and therefore managerial, supervisory and confidential employees may only be included in a

unit consisting solely of managerial, supervisory or confidential employees respectively. Managerial, supervisory and confidential employees may not represent any employee organization which represents other employees.

Peace Officers have the right to be represented in separate units composed solely of such peace officers.

Also under the MMBA, professional employees have the right to be represented separately from non-professional employees.

The Fire Chief shall, after notice to and consultation with affected employee organizations, allocate new classifications or positions, delete eliminated classifications or positions, and retain, reallocate or delete classifications or positions from units in accordance with the provisions of this Section. The decision of The Fire Chief shall be final.

Sec. 2.08. Procedure for Modification of Established Appropriate Units:

Requests by employee organizations for modifications of established appropriate units may be considered by The Fire Chief only during the period specified in Sec. 8 of this Article II. Such requests shall be submitted in the form of a Recognition Petition and, in addition to the requirements set forth in Sec. 2.01 of this Article II, shall contain a complete statement of all relevant facts and citations in support of the proposed modified unit in terms of the policies and standards set forth in Sec. 2.07 of this Resolution. The Fire Chief shall process such petitions as other Recognition Petitions under this Article II.

When new classifications are adopted, existing classifications abolished, or when a classification is no longer compatible with the existing bargaining unit under the factors of Sec. 2.07 of this Article II, The Fire Chief may, by his or her own motion, at any time propose that an established unit be modified. The Fire Chief shall give written notice of the proposed modification(s) to any affected employee organization and shall hold a meeting concerning the proposed modification(s), at which time all affected employee organizations shall be heard.

Thereafter The Fire Chief shall determine the composition of the appropriate unit or units in accordance with Sec. 2.07 of this Article II, and shall give written notice of such determination to the affected employee organizations. The Fire Chief's determination may be appealed as provided in Section 2.10 of this Article II. If a unit is modified pursuant to the motion of The Fire Chief hereunder, employee organizations may thereafter file Recognition Petitions seeking to become the Exclusively Recognized Employee Organization for such new appropriate unit or units pursuant to Sec. 2.01 of this Article II.

Sec. 2.09. Procedure for Processing Severance Requests:

An employee organization may file a request to become the exclusively recognized employee organization of a unit alleged to be appropriate that consists of a group of employees who are already a part of a larger established unit represented by another exclusively recognized employee organization. The timing, form and processing of such request shall be as specified in Sec. 2.08 of Article II for modification requests.

Sec. 2.10. Appeals:

An employee organization aggrieved by a determination of The Fire Chief that a Recognition Petition (Sec. 2.01), Challenging Petition (Sec. 2.03), Decertification Petition (Sec. 2.06), Determination of an Appropriate Unit (Sec. 2.07), Unit Modification Petition (Sec. 2.08) or Severance Request (Sec. 2.09) has not been filed in

compliance with the applicable provisions of this Article II, may, within ten (10) days of notice of The Fire Chief's determination, appeal such determination to the District Council for final decision.

Appeals to the District Council shall be filed in writing with the District Clerk, and a copy thereof served on The Fire Chief. The District Council shall commence to consider the matter within thirty (30) days of the filing of the appeal. The District Council may, in its discretion, refer the dispute to a non-binding third party hearing process.

Any decision of the District Council on the use of such procedure, and/or any decision of the District Council determining the substance of the dispute shall be final and binding.

Sec. 2.12 Abandonment of Unit or Good Faith Doubt of Majority Representative

In the event a bargaining unit appears to have been abandoned by its Exclusively Recognized Employee Organization, or in the event that The Fire Chief has a good faith doubt that the Exclusively Recognized Employee Organization represents a majority of the members of the unit, The Fire Chief shall serve notice to the affected employee organization(s) stating the evidence leading him or her to the belief of abandonment or doubt of majority representational status. Such affected employee organization shall have twenty (20) days to present written evidence and argument to the contrary.

If, after the twenty-day period expires, The Fire Chief still believes the unit has been abandoned or still has a good faith doubt of majority representation, The Fire Chief shall thereupon arrange for a secret ballot election to be held on or about fifteen (15) days after notice thereof to determine the wishes of unit members. The question before the electorate shall be, "Do you wish to continue to be represented by (name of association or union) in your formal bargaining relationship with the County?" If the answer by a majority of valid votes cast is in the affirmative, there shall be no change in representational status. If the answer by a majority of valid votes cast is in the negative, then the organization's representational status as bargaining representative for the unit in question shall be terminated.

Details of such election shall be handled in accordance with applicable provisions of Section 2.04 of Article II of this Resolution.

Article III -- Administration

Sec. 3.01. Submission of Current Information by Recognized Employee Organizations:

All changes in the information filed with the District by an Exclusively Recognized Employee Organization under items (a) through (h) of its Recognition Petition under Sec. 2,01 of this Resolution shall be submitted in writing to The Fire Chief within fourteen (14) days of such change.

Exclusively Recognized Employee Organizations that are party to an agency shop provision shall provide annually to The Fire Chief and to unit members within 60 days after the end of its fiscal year the financial report required under Government Code Section 3502.5 (f) of the MMBA.

Sec. 3.02. Employee Organization Activities -- Use of District Resources:

Access to District work locations and the use of District paid time, facilities, equipment and other resources by employee organizations and those representing them shall be authorized only to the extent provided for in Memoranda of Understanding and/or administrative procedures, shall be limited to lawful activities consistent

with the provisions of this Resolution that pertain directly to the employer-employee relationship and not such internal employee organization business as soliciting membership, campaigning for office, and organization meetings and elections, and shall not interfere with the efficiency, safety and security of District operations.

Sec. 3.03. Administrative Rules and Procedures:

The District Manager is hereby authorized to establish such rules and procedures as appropriate to implement and administer the provisions of this Resolution after consultation with affected employee organizations.

Article IV -- Impasse Procedures

Sec. 4.01. Initiation of Impasse Procedures:

If the meet and confer process has reached impasse as defined in Article 1, Section 1.02 of this Resolution, either party may initiate the impasse procedures by filing with the other party a written request for an impasse meeting, together with a statement of its position on all issues. An impasse meeting shall then be scheduled promptly by The Fire Chief. The purpose of such meeting shall be:

- a. To identify and specify in writing the issue or issues that remain in dispute.
- b. To review the position of the parties in a final effort to reach agreement on a Memorandum of Understanding; and
- c. If the impasse is not resolved, to discuss arrangements for the utilization of the impasse procedures provided herein.

Sec. 4.02. Impasse Procedures:

Impasse procedures are as follows:

- a. If the parties agree to submit the impasse to mediation, and agree on the selection of a mediator, the impasse shall be submitted to mediation. All mediation proceedings shall be private. The mediator shall make no public recommendation, nor take any public position at any time concerning the issues.
- b. Otherwise, the parties can utilize any other impasse procedures provided in accordance with the MMBA.
- c. After any applicable impasse procedures have been exhausted, the District Council may hold a public hearing regarding the impasse, and take such action regarding the impasse as it in its discretion deems appropriate as in the public interest, including implementation of the District's last, best and final offer. Any legislative action by the District Council on the impasse shall be final and binding.

Sec. 4.03. Costs of Impasse Procedures:

The cost for the services of a mediator and any other mutually incurred costs of any impasse procedures, shall be borne equally by the District and Exclusively Recognized Employee Organization. Separately incurred services or costs shall be borne solely by the party incurring the cost.

Article V -- Miscellaneous Provisions

Sec. 5.01. Construction:

This Resolution shall be administered and construed as follows:

- (a) Nothing in this Resolution shall be construed to deny to any person, employee, organization, the District, or any authorized officer, body or other representative of the District, the rights, powers and authority granted by federal or state law (or District Charter provisions).
- (b) This Resolution shall be interpreted so as to carry out its purpose as set forth in Article I.
- (c) Nothing in this Resolution shall be construed as making the provisions of California Labor Code Section 923 applicable to District employees or employee organizations, or of giving employees or employee organizations the right to participate in, support, cooperate or encourage, directly or indirectly, any strike, sickout or other total or partial stoppage or slowdown of work. In consideration of and as a condition of initial and continued employment by the District, employees recognize that any such actions by them are in violation of their conditions of employment, except as expressly otherwise provided by legally preemptive state or contrary local law. In the event employees engage in such actions, they shall subject themselves to discipline up to and including termination, and may be replaced, to the extent such actions are not prohibited by preemptive law; and employee organizations may thereby forfeit all rights accorded them under this Resolution and other District law for a period of up to one (1) year from commencement of such activity.
- (d) Nothing in this Resolution shall be construed as a waiver of any rights unless expressly and specifically stated.

Section 5.02. Suspension of Recognition

Recognition of an employee organization may be suspended by the Board for:

- (a) Repeated or continued failure or refusal to comply with the provisions of this Resolution.
- (b) Intentional furnishing of false information to the District.
- (c) Violation of any law, contract provisions, court decision or court orders.

Reasonable notice and opportunity to correct violations shall be given prior to suspension under this Section.

Sec. 5.03. Severability:

If any provision of this Resolution, or the application of such provision to any persons or circumstances, shall be held invalid, the remainder of this Resolution, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

Sec. 5.04. Certifying Signatures:

INTRODUCED, APPROVED AND ADOPTED this 16th day of April 2020.

AYES:

NOES:

ABSENT:

Phil Bell, President

Joe Napier, Fire Chief

Jim Wold, Secretary

DRAFT