

# **VALLEY CENTER FIRE PROTECTION DISTRICT**



## **BOARD OF DIRECTORS' SPECIAL MEETING VCMWD Board Room**

**Zoom Meeting ID: 859 712 4912  
Pass Code: 185394  
with Live Stream to  
VCFPD Facebook Page for COVID-19 Prevention**

**6:00 p.m.  
Thursday – January 6, 2022**

**Valley Center Fire Protection District Board of Directors**

**SPECIAL MEETING AGENDA**

**January 6, 2022 / 6:00 P.M.**

**This Meeting will be cast on Zoom**

**Join Zoom Meeting**

**<https://us02web.zoom.us/j/8597124912?pwd=Rm9KR0dSZWYyMml0ZGtvcGJsU29VZz09>**

**Meeting ID: 859 712 4912**

**Passcode: 185394**

**One tap mobile**

**+16699009128,,8597124912#,,,,,0#,,185394# US (San Jose)**

**Dial by your location**

**+1 669 900 9128 US (San Jose)**

**Access Number: 859 712 4912**

**Pass Code: 185394**

**For COVID-19 Prevention**

**with Live Stream to VCFPD Facebook Page**

**Valley Center Municipal Water District Board Room**

**29300 Valley Center Rd Valley Center, CA 92082**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. PLEDGE OF ALLEGIANCE**

**4. PROPOSAL TO ADOPT RESOLUTION NO. 2022-01**

Consideration to Approve Resolution NO. 2022-01 to Implement Teleconferencing Requirements During a Proclaimed State of Emergency Under Government Code Section 54953.

**5. PUBLIC COMMENT**

*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. Public comment will be via Zoom.*

**6. OLD BUSINESS**

A. District Based Elections / Public Comment - Maps

**7. NEW BUSINESS**

A. Proposal to adopt Resolution NO 2022-02 (Miller Rd) on Intention to Annex Territory to CFD 2008-1.

**8. BOARD OF DIRECTORS COMMENTS**

**9. 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: January 20, 2022**



## VALLEY CENTER FIRE PROTECTION DISTRICT

28234 Lilac Road, Valley Center, CA 92082  
(760) 751-7600 Fax (760) 749-3892  
Website: [vcfpd.org](http://vcfpd.org)



### VALLEY CENTER FIRE PROTECTION DISTRICT RESOLUTION 2022-01

#### RESOLUTION TO IMPLEMENT TELECONFERENCING REQUIREMENTS DURING A PROCLAIMED STATE OF EMERGENCY UNDER GOVERNMENT CODE SECTION 54953.

**WHEREAS**, the Ralph M. Brown Act requires that all meetings of a legislative body of a local agency be open and public and that any person may attend and participate in such meetings;

**WHEREAS**, the Brown Act allows for legislative bodies to hold meetings by teleconference, but imposes specific requirements for doing so;

**WHEREAS**, on March 17, 2020, in order to address the need for public meetings during the present public health emergency, Governor Newsom issued Executive Order No. N-29-20, suspending the Act's teleconferencing requirements; and

**WHEREAS**, on June 11, 2021, Governor Newsom issued Executive Order No. N-8-21, continuing the suspension of the Brown Act's teleconferencing requirements through September 30, 2021; and

**WHEREAS**, these Executive Orders allowed legislative bodies to meet virtually as long as certain notice and accessibility requirements were met; and

**WHEREAS**, the State Legislature amended the Brown Act through Assembly Bill No. 361 (AB 361) on September 16, 2021; and

**WHEREAS**, AB 361 amended the Brown Act so that a local agency may use teleconferencing without complying with the regular teleconferencing requirements of the Act, where the legislative body holds a meeting during a proclaimed state of emergency and makes certain findings; and

**WHEREAS**, Government Code section 54953 requires that the legislative body make additional findings every 30 days in order to continue such teleconferencing.

**NOW THEREFORE**, the legislative body of the Valley Center Fire Protection District hereby finds, determines, declares, orders, and resolves as follows:

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

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



1. That the foregoing recitals are true and correct and incorporates them by this reference.
2. The Board of Directors of the Valley Center Fire Protection District (District) finds, by a majority vote, the following:
  - a. That there exists a proclaimed state of emergency;  
AND either:
  - b. The Board of Directors of the Valley Center Fire Protection District is meeting for the purpose of determining one of the following, or more than 30 days have passed since the Board met and determined one of the following and the Board now re-determines one of the following:
    - i. State or local officials have imposed or recommended measures to promote social distancing; OR
    - ii. As a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

OR

- c. This Board of Directors has made the determination set forth in subdivision (b), above within the last 30 days and now makes the following determination:
  - i. The Board of Directors of the Valley Center Fire Protection District has reconsidered the circumstances of the state of emergency; AND
  - ii. Any of the following circumstances exist:
    1. The state of emergency continues to directly impact the ability of the members to meet safely in person.
    2. State or local officials continue to impose or recommend measures to promote social distancing.
3. The District Fire Chief or his designee is authorized to take all steps and perform all actions necessary to execute and implement this Resolution in compliance with Government Code section 54953.
4. That this Resolution shall take effect immediately upon its adoption.

**PASSED AND ADOPTED** by The Board of Directors of the Valley Center Fire Protection District on this 6th day of January, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Signature: \_\_\_\_\_  
Phil Bell, President, Valley Center Fire Protection District

Signature  
Attest: \_\_\_\_\_  
Regina Roberts, Secretary, Valley Center Fire Protection District

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

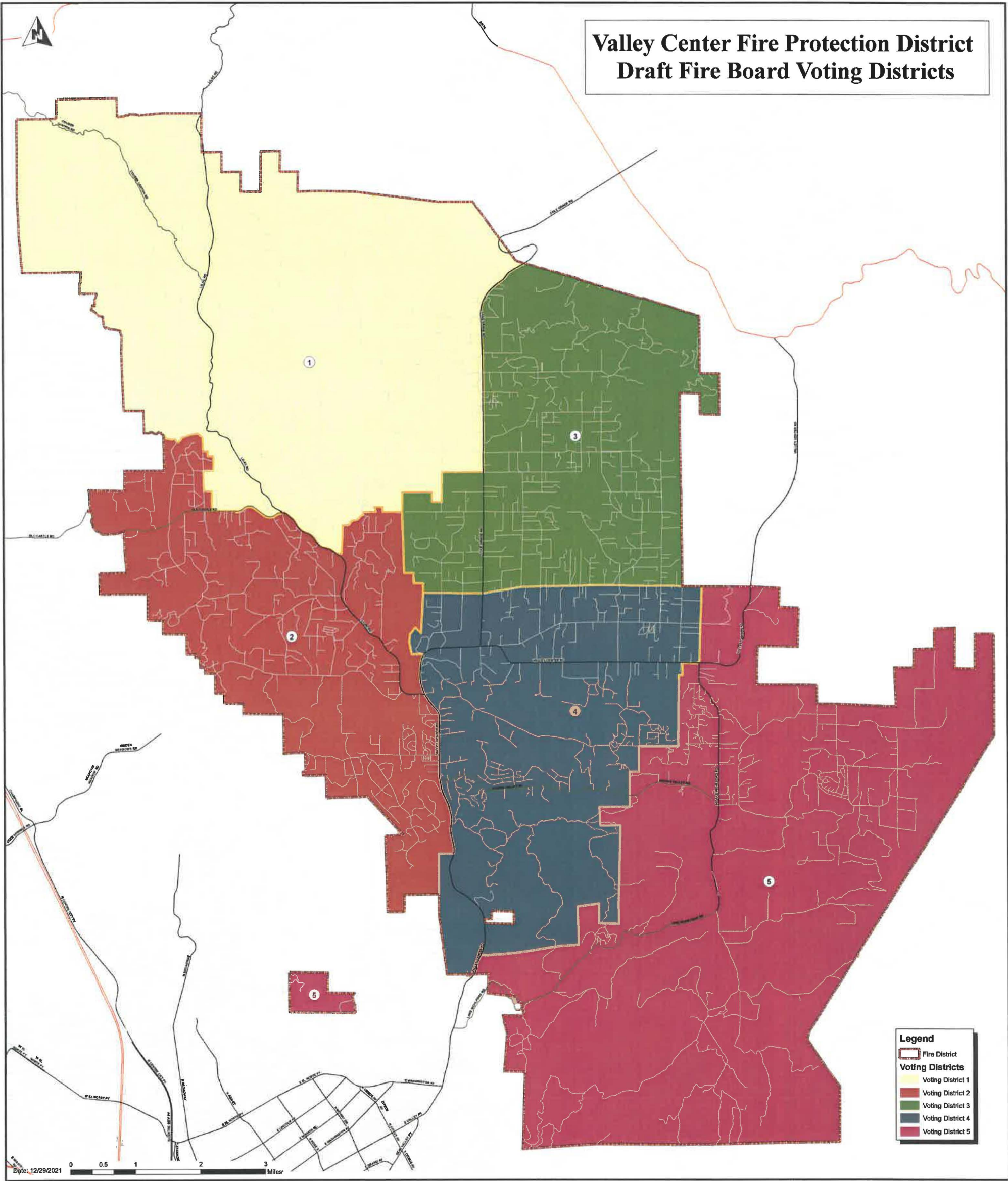
Valley Center Fire Station 2  
28205 N. Lake Wohlford Road  
Valley Center, CA 92082

**OLD BUSINESS**

**BOARD OF DIRECTORS' PACKET**

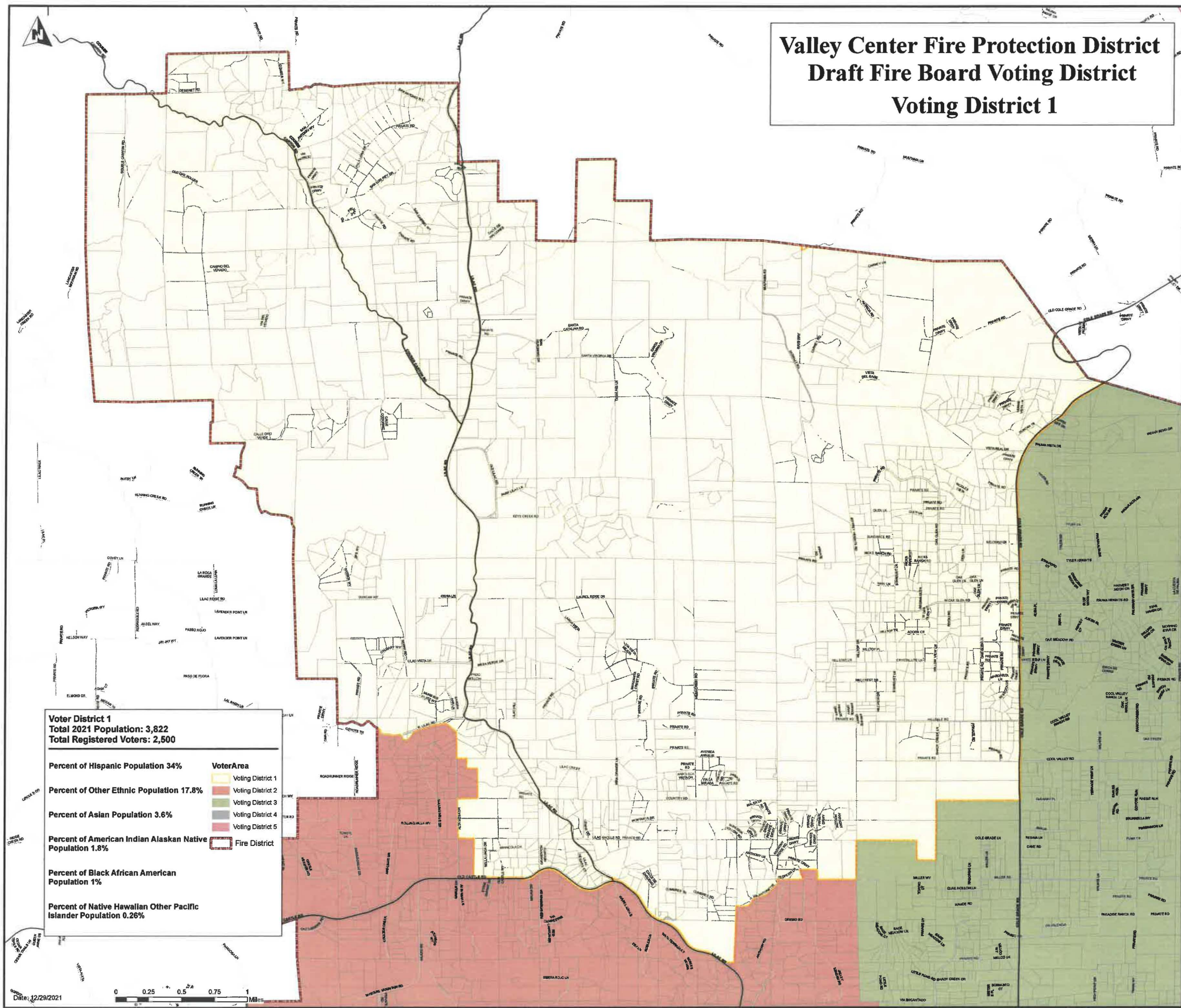
**VALLEY CENTER FIRE PROTECTION DISTRICT**

# Valley Center Fire Protection District Draft Fire Board Voting Districts



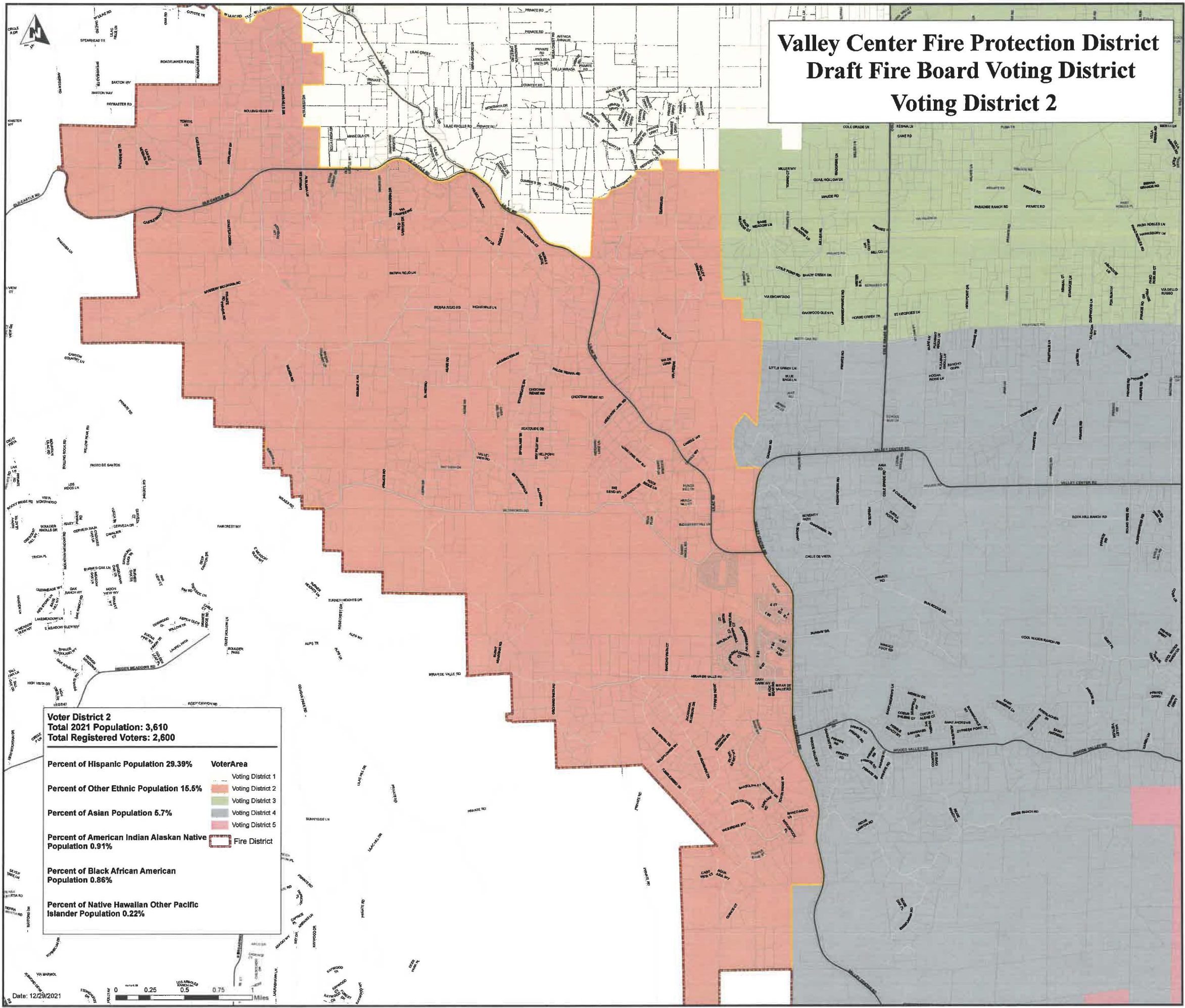


# Valley Center Fire Protection District Draft Fire Board Voting District Voting District 1





# Valley Center Fire Protection District Draft Fire Board Voting District Voting District 2





# Valley Center Fire Protection District Draft Fire Board Voting District Voting District 3

**Voter District 3**  
Total 2021 Population: 4,172  
Total Registered Voters: 2,966

Percent of Hispanic Population 35.95%

Percent of Other Ethnic Population 22.6%

Percent of American Indian Alaskan Native Population 7.86%

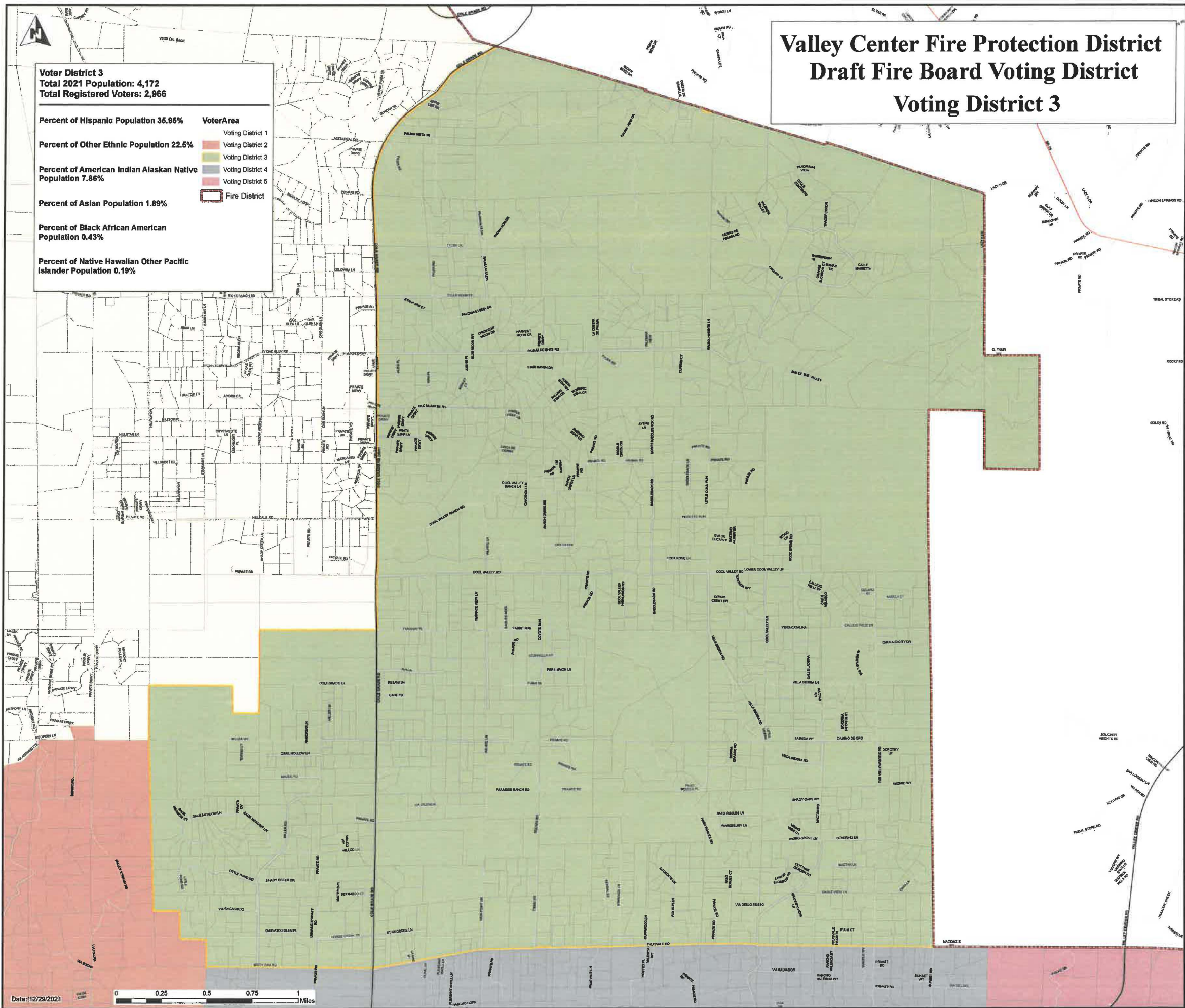
Percent of Asian Population 1.89%

Percent of Black African American Population 0.43%

Percent of Native Hawaiian Other Pacific Islander Population 0.19%

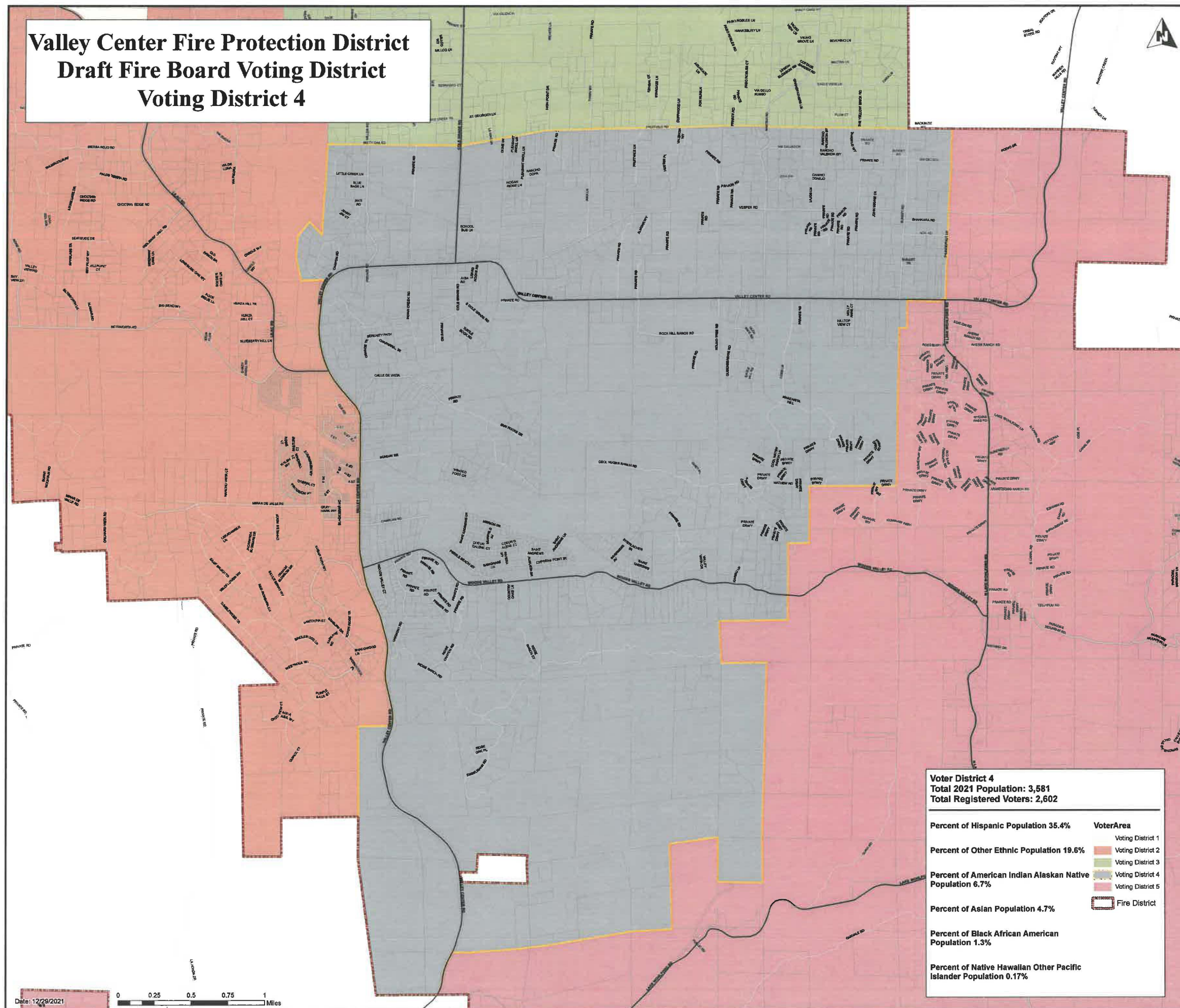
## VoterArea

- Voting District 1
- Voting District 2
- Voting District 3
- Voting District 4
- Voting District 5
- Fire District





# Valley Center Fire Protection District Draft Fire Board Voting District Voting District 4



**Voter District 4**  
Total 2021 Population: 3,581  
Total Registered Voters: 2,602

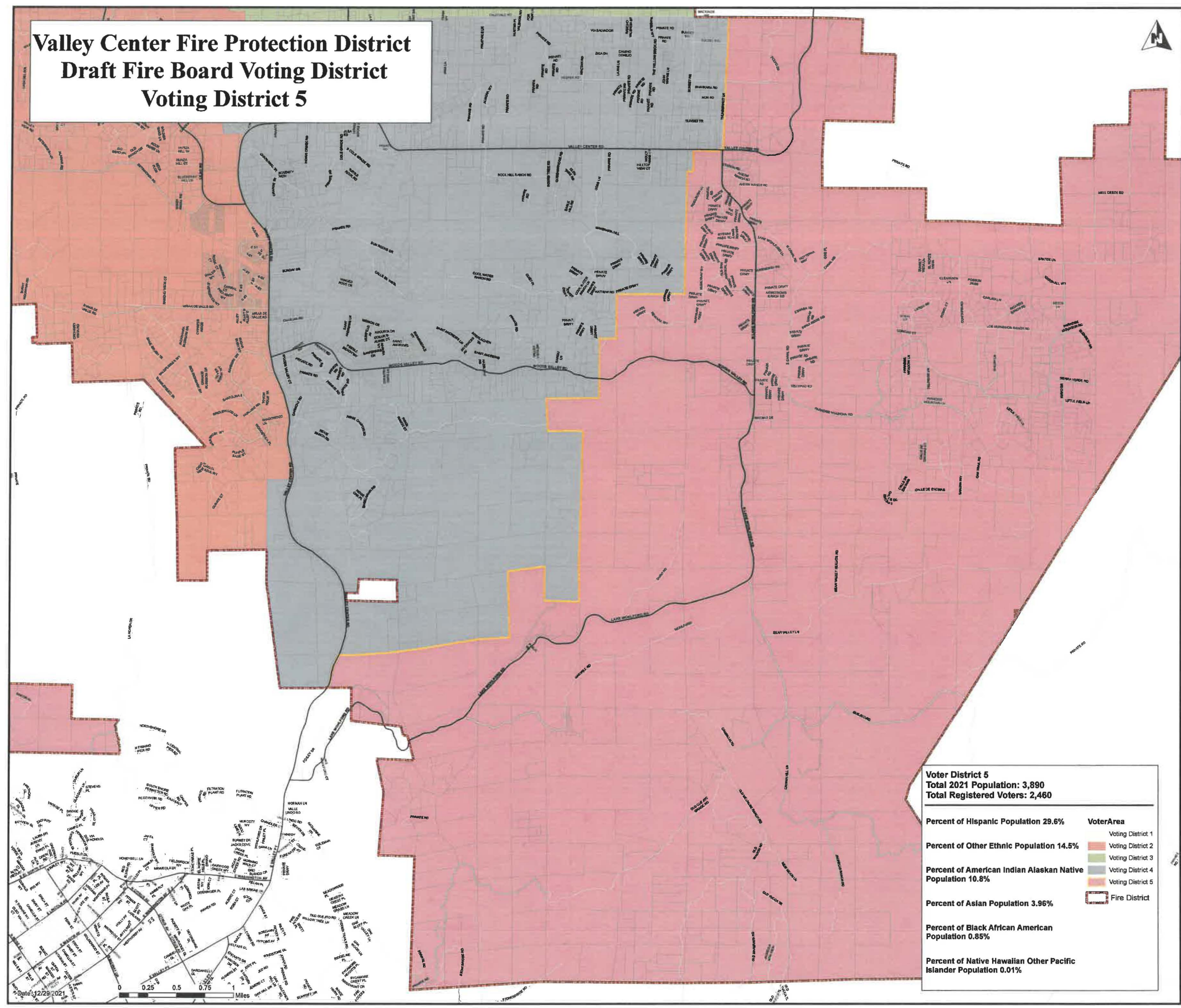
**Percent of Hispanic Population 35.4%**  
**Percent of Other Ethnic Population 19.6%**  
**Percent of American Indian Alaskan Native Population 6.7%**  
**Percent of Asian Population 4.7%**  
**Percent of Black African American Population 1.3%**  
**Percent of Native Hawaiian Other Pacific Islander Population 0.17%**

**VoterArea**

- Voting District 1
- Voting District 2
- Voting District 3
- Voting District 4
- Voting District 5
- Fire District



# Valley Center Fire Protection District Draft Fire Board Voting District Voting District 5



**Voter District 5**  
Total 2021 Population: 3,890  
Total Registered Voters: 2,460

<b>Percent of Hispanic Population 29.6%</b>	<b>VoterArea</b>
<b>Percent of Other Ethnic Population 14.5%</b>	Voting District 1
<b>Percent of American Indian Alaskan Native Population 10.8%</b>	Voting District 2
<b>Percent of Asian Population 3.96%</b>	Voting District 3
<b>Percent of Black African American Population 0.85%</b>	Voting District 4
<b>Percent of Native Hawaiian Other Pacific Islander Population 0.01%</b>	Voting District 5
	Fire District

**NEW BUSINESS**

**BOARD OF DIRECTORS' PACKET**

**VALLEY CENTER FIRE PROTECTION DISTRICT**



RESOLUTION 2022-02

CFD 2008-1 – ANNEXATION

MILLER RD

188-170-12-00



**RESOLUTION NO. 2022-02**  
**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 December 16, 2021 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 February 3, 2022, 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 6<sup>th</sup> day of January, 2022 by the following vote:

Ayes:

Noes:

Absent:

Abstain:

ATTEST:

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President, Board of Directors

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Secretary, Board of Directors