

**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 – September 30, 2021**

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

**SPECIAL MEETING AGENDA**

**September 30, 2021 / 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. 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.*

**5. NEW BUSINESS**

- A. Discussion And Proposal To Adopt Resolution 2021-43 Proclaiming A Local Emergency, Ratifying The Proclamation Of A State Of Emergency By Executive Order N-25-20 On March 4, 2020, And Authorizing Remote Video Teleconference Meetings Of The Legislative Bodies Of The Valley Center Fire Protection District For The Period, September, 30, 2021 To October 29, 2021 Pursuant To Brown Act Provisions.

**6. BOARD OF DIRECTORS COMMENTS**

**7. 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: October 21, 2021**

**NEW BUSINESS**

**BOARD OF DIRECTORS' PACKET**  
**VALLEY CENTER FIRE PROTECTION DISTRICT**

RESOLUTION NO. 2021-43

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE VALLEY CENTER FIRE PROTECTION DISTRICT PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY EXECUTIVE ORDER N-25-20 ON MARCH 4, 2020, AND AUTHORIZING REMOTE VIDEO TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF THE VALLEY CENTER FIRE PROTECTION DISTRICT FOR THE PERIOD, SEPTEMBER 30, 2021 TO OCTOBER 29, 2021 PURSUANT TO BROWN ACT PROVISIONS.

WHEREAS, the Valley Center Fire Protection District is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of the Valley Center Fire Protection District's Board of Directors are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the Valley Center Fire Protection District's Board of Directors conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote video teleconferencing participation in meetings by members of the Valley Center Fire Protection District's Board of Directors without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District's boundaries, caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that the Valley Center Fire Protection District's Board of Directors have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, such conditions now exist in the District, specifically, a State of Emergency to exist in California as a result of the threat of COVID-19 and despite sustained efforts, the virus remains a threat, and further efforts to control the spread of the virus to reduce and minimize the risk of infection are needed and;

WHEREAS, the Valley Center Fire Protection District's Board of Directors may, as they deem necessary in the interest of public health, issue guidance limiting or recommending limitations upon attendance at public assemblies, conferences, or other mass events, which could cause the cancellation of such gatherings through no fault or responsibility of the parties involved, thereby constituting a force majeure and;

WHEREAS, the Valley Center Fire Protection District's Board of Directors does hereby find that to reduce and minimize the risk of infection due to the COVID -19 virus, the Valley Center Fire Protection District Board of Directors has deemed it necessary in the interest of public health, to hold virtual District

board meetings in accordance with state and local guidance limiting attendance at public assemblies, has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of District services, personnel, equipment and facilities of the District, and desires to proclaim a local emergency and ratify the proclamation of state of emergency N-25-20 by the Governor of the State of California; and

WHEREAS, as a consequence of the local emergency, the Valley Center Fire Protection District's Board of Directors does hereby find that the Valley Center Fire Protection District shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, notwithstanding any other provision of state or local law, including the Bagley-Keene Act or the Brown Act, the Valley Center Fire Protection District's Board of Directors is authorized to hold public meetings via video teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to attend and to address the Valley Center Fire Protection District's Board of Directors, during the period the District imposes or recommends measures to promote 6-foot social distancing, mask wearing or face covering for non-COVID-19 vaccinated members of the public or staff, including but not limited to limitations on public meetings. All requirements in both the Bagley-Keene Act and the Brown Act expressly or impliedly requiring the physical presence of members, the clerk or other personnel of the body, or of the public as a condition of participation in or quorum for a public meeting are hereby waived. In particular, any otherwise-applicable requirements that;

(i) The Valley Center Fire Protection District will notice the video teleconference location from which at least one District board member and member of staff will be participating in a public meeting;

(ii) the video teleconference location be accessible to the public;

(iii) members of the public may address the body at the video teleconference conference location remotely or on site;

(iv) Valley Center Fire Protection District post agendas at the video teleconference location and at the Fire Facilities;

(v) at least one member of the Valley Center Fire Protection District's Board of Directors and one staff member will be physically present at the location specified in the notice of the meeting; and

(vi) during the video teleconference meetings, a least a quorum of the members of Valley Center Fire Protection District's Board of Directors participates from locations within the boundaries of the territory over which the local body exercises jurisdiction is hereby suspended, on the conditions that:

(vii) Valley Center Fire Protection District must give advance notice of each public meeting, according to the timeframe otherwise prescribed by the Bagley-Keene Act or the Brown Act, and using the means otherwise prescribed by the Bagley-Keene Act or the Brown Act, as applicable; and

(viii) consistent with the notice requirement in paragraph (vii) Valley Center Fire Protection District must notice at least one publicly accessible location from which members of the public shall have the right to observe and offer public comment at the public meeting or remotely, consistent with the public's rights of access and public comment otherwise provided for by the Bagley-Keene Act and the Brown Act, as



applicable (including, but not limited to, the requirement that such rights of access and public comment be made available in a manner consistent with the Americans with Disabilities Act). In addition to the mandatory conditions set forth above, Valley Center Fire Protection District's Board of Directors are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the provisions of the Bagley-Keene Act and the Brown Act, and other applicable local laws regulating the conduct of public meetings, in order to maximize transparency and provide the public access to their meetings.

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE VALLEY CENTER FIRE PROTECTION DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1. Recitals.** The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

**Section 2. Proclamation of Local Emergency.** The Board hereby proclaims that a local emergency now exists throughout the District, and the Valley Center Fire Protection District's Board of Directors will hold video teleconference board meetings and In-person public board meetings in a board room that will accommodate a maximum number of people in the room to achieve 6-foot social distancing and the wearing of masks or face coverings for non-Covid-19 vaccinated members of the public or staff.

**Section 3. Ratification of Governor's Proclamation of a State of Emergency.** The Valley Center Fire Protection District's Board of Directors hereby ratifies the Governor of the State of California's Proclamation of State of Emergency N-25-20, effective as of its issuance date of 30 September, 2021.

**Section 4. Remote Teleconference Meetings.** The Fire Chief and the Valley Center Fire Protection District Board of Directors are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

**Section 5. Effective Date of Resolution.** This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) 30 October, 2021, or such time the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of the Valley Center Fire Protection District may continue to video teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

**PASSED AND ADOPTED** by the Board of Directors of the Valley Center Fire Protection District, this 30<sup>th</sup> day of September 2021, 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