



San Miguel Consolidated Fire Protection District
Regular Meeting of the Board of Directors
2850 Via Orange Way, Spring Valley, CA 91978

AGENDA

Wednesday, February 12, 2025 - 5:30 p.m.

MEETINGS - The Board meets regularly on the 2nd Wednesday of each month at 5:30 p.m. The District reserves the 4th Wednesday of each month for an additional Regular Meeting if needed. Special and Emergency meetings may be scheduled as needed, and cancelled meetings will be noticed by posting on the District website.

AGENDA - Agenda items shall be addressed in the published order unless a member of the Board or a member of the public requests a specific item to be taken out of order, and the Board agrees to do so.

COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (US CODE TITLE 42) - If you need accommodation to participate in the meeting, please call or email and Board Clerk Shayna Rians will coordinate arrangements: (619) 670-0500 or info@sanmiguelfire.org.

PUBLIC COMMENT - The public may attend meetings in person, complete a speaker slip, and bring an item not on the agenda forward; however, the Board will not be able to take any action at this meeting. If appropriate, the item will be referred to the Board and/or Fire Chief to determine if the item will be placed on a future Board agenda. The Board may not discuss items from Board members or Staff, but, if appropriate, will be placed on a future Board agenda. A three (3) minute period shall be allotted to each person addressing the Board to facilitate business proceedings.

MEETING MATERIALS (GOVERNMENT CODE §54957.5 AND AB 2647) - Documents provided to members of a Brown Act body in the 72 hours before a meeting (i.e., after the agenda is typically posted) are available to the public at the same time they are provided to the board members. The agenda and supporting documents are available online at <https://www.sanmiguelfire.gov/board-meetings>.

AB 2449 - The District is conducting in-person Board meetings except as authorized by AB 2449, which allows for deviation from the teleconferencing rules required by the Ralph M. Brown Act and enables Directors to attend remotely under certain circumstances. **The public may participate in this meeting virtually via [Microsoft Teams](#)** Meeting ID: 288 948 844 71 Passcode: w9nb3Bu3

CALL TO ORDER AND ROLL CALL

Board President to approve virtual attendance per AB 2449. Chief Lawler and Directors McKenna and Robles are participating in Fire Service Day on the Hill 2025 in Washington, D.C.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PUBLIC COMMENT

SPECIAL PRESENTATION

Division Chief Riley will present the Employee of the Year Award for 2024

1. CLOSED SESSION

1.1 Closed Session – Liability Claim (GOV §54956.95) – James Greaney

2. CONSENT AGENDA ITEMS

- 2.1 Approval of the Minutes - Regular Meeting of January 8, 2024.
- 2.2 Approval of Director Stipends.

3 ACTION AGENDA ITEMS

- 3.1 Board Committee Selections – The Board President will appoint commission representatives and committee members for Calendar Year 2025.
- 3.2 Resolution 25-03 – The Board of Directors will consider adopting Resolution 25-03 declaring intent to annex property into CFD 2022-1 (Annexation 9, Parcel 484-101-19-00).
- 3.3 Resolution 25-04 – The Board of Directors will consider adopting Resolution 25-04 declaring intent to annex property into CFD 2022-1 (Annexation 10, Parcel 387-141-54-00).
- 3.4 Resolution 25-05 – The Board of Directors will consider adopting Resolution 25-05 authorizing the Liquidation of Surplus Equipment (Vehicle 1031).
- 3.5 Resolution 25-06 – The Board of Directors will consider adopting Resolution 25-06 approving the procurement process for purchasing a new Emergency Staff Vehicle.
- 3.6 Resolution 25-07 – The Board may consider awarding a contract for Station 18’s Pre-Engineered Steel Building (PESB) via Resolution 25-07.
- 3.7 Board Workshop – The Board will discuss and may take action to schedule a Special Board Workshop to discuss Team Building.

4. REPORTS

- 4.1 Committee Reports
- 4.2 Directors’ Reports
- 4.3 Fire Chief Report
- 4.4 Association of San Miguel Chief Officers Communications
- 4.5 Association of San Miguel Firefighters Communications
- 4.6 Non-Safety Professionals Association Communications
- 4.7 Correspondence

5. CLOSED SESSION

5.1 Conference with Labor Negotiator (GOV §54957.6)

Agency Negotiators: Directors McKenna, Muns, Robles, and Attorney Joseph Sanchez

- 5.1.1 Employee Organization: Association of San Miguel Firefighters IAFF Local 1434
- 5.1.2 Employee Organization: Chief Officer’s Association of San Miguel
- 5.1.3 Employee Organization: Non-Safety Professionals Association
- 5.1.4 Unrepresented Employees: Division Chief, Fire Marshal, Administrative Officer/Finance Officer, Fire Services Officer

ACTION PLAN RECAP

NEXT MEETING – Regular Meeting, Wednesday, February 26, 2025, 5:30 p.m., District Headquarters

ADJOURNMENT

CERTIFICATION OF POSTING I certify that on February 7, 2025, a copy of the foregoing agenda was posted on the District’s website and near the meeting place of the Board of Directors of the San Miguel Consolidated Fire Protection District, said time being at least 72 hours in advance of the Board of Directors meeting (Government Code §54954.2). Executed at Spring Valley, California on February 7, 2025

/s/ *Shayna Rians* Shayna Rians, Board Clerk

San Miguel Consolidated Fire Protection District

Regular Meeting of the Board of Directors

MINUTES

Wednesday, January 8, 2025 - 5:30 p.m.

President Raddatz called the meeting to order at 5:30 p.m., noting that Directors McKenna, Muns, and Robles joined at 5:31 p.m.

BOARD MEMBERS PRESENT Directors McKenna, Muns, Nelson, Pierce, Raddatz, Robles, and Woodruff

BOARD MEMBERS ABSENT None

STAFF PRESENT Fire Chief Lawler, Division Chief Riley, Administrative Officer/Finance Officer Harris, Fire Marshal Newman, and Executive Assistant/Board Clerk Rians

Director McKenna led the Pledge of Allegiance

APPROVAL OF AGENDA

The following changes were requested:

- Move SPECIAL PRESENTATIONS before Action Item 1.1
- Table Action Item 5.1 to the next Board Meeting (2/12/2025)
- Discuss Action Item 5.2 after CLOSED SESSION

By Board Consensus, the agenda was approved.

The Agenda for the Regular Meeting of January 8, 2025, was posted at District Headquarters on Friday, January 3, 2025, at 5:00 p.m.

PUBLIC COMMENT

Director Nelson read a portion of the Director's Policy Manual.

2. SPECIAL PRESENTATIONS

2.2 Chief Lawler presented Certificates of Recognition Captain Nick Williams, Mrs. Carmen Heibing, Reserve Firefighter Brandon Kleist, and Fire Explorers Lucca Morena, Conner Setterburg, and Amanuel Basaka.

2.1 The Honorable Daniel G. Lamborn led the Directors in reciting and signing the Oath (Constitution of the State of California, Article XX, Section 3).

1. ACTION AGENDA ITEMS

1.1 Election of Board Officers – The Board will elect Board Officers pursuant to Board Policy Manual Section 201.1. The Officers of the Board are the President, Vice President, and Secretary. This item is pursuant to the cure and correct provisions of Government Code Section 54960.1.

Legal Counsel clarified that due to an unintentional violation of the Brown Act, the Election of Board Officers conducted at the last Board Meeting will be repeated tonight.

Board President - Director Nelson nominated Director Raddatz, Director McKenna nominated Director Robles, and Director Pierce nominated Director Muns. Per Board Policy, with more than one Director nominated, votes were cast via roll call. Directors Nelson, Pierce, Raddatz, and Woodruff voted in favor of Director Raddatz, Directors McKenna, and Robles voted in favor of Director Robles, and Director Muns voted in favor of himself. With 4 votes cast in favor, [Director Raddatz will serve as Board President for Calendar Year 2025.](#)

Vice President - Director Pierce nominated Director Robles, and Director Raddatz nominated Director Pierce. With the roll call vote reflecting Directors McKenna, Muns, Pierce, Robles, and Woodruff in favor of Director Robles and Directors Nelson and Raddatz in favor of Director Pierce, [Director Robles will serve as Vice President for Calendar Year 2025.](#)

Secretary - Director Robles nominated Director Pierce, and Director McKenna nominated Director Muns. With the roll call vote reflecting Directors Muns, Nelson, Pierce, Raddatz, Robles, and Woodruff in favor of Director Pierce, and Director McKenna voting in favor of Director Muns, [Director Pierce will serve as Secretary for Calendar Year 2025.](#)

3 CONSENT AGENDA ITEMS

[Upon a motion by Director Pierce, second by Director Robles, and vote \(unanimously in favor\), the Consent Agenda was approved.](#)

- 3.1 Approval of the Minutes - Regular Meeting of December 11, 2024.
- 3.2 Approval of Director Stipends.
- 3.3 Receive and File Quarterly Investment Report in Accordance with California Government Code.
- 3.4 Review the credit card expenditures of the Fire Chief and Administrative Officer/Finance Officer.
- 3.5 Review Quarterly Employee Reimbursement Report.
- 3.6 Review the Quarterly Information Technology Access Log.
- 3.7 Receive and File the Combined Tax Report submitted by SCI Consulting Group.
- 3.8 Receive and File the Community Facilities District 2022-1 Annual Report Review submitted by NBS.

4 INFORMATIONAL AGENDA ITEMS

- 4.1 Administrative Officer/Finance Officer Harris presented the Quarterly Financial Update to the Board.

5. ACTION AGENDA ITEMS

- 5.1 Board Committee Selections – The Board President will appoint commission representatives and committee members for Calendar Year 2025.
[Tabled to the next meeting \(2/12/2025\)](#)
- 5.3 Resolution 25-02 ~ Real Estate Agreement – The Board may approve a Buyer Representation and Broker Compensation Agreement for real estate services relating to property for permanent Station 19.
[Upon a motion by Director Pierce, second by Director Woodruff, and vote \(unanimously in favor\), Resolution 25-02 was approved.](#)

6. REPORTS

- 6.1 Committee Reports - None
- 6.2 Directors' Reports
Director Nelson thanked Local 1434 for hosting the annual Holiday Party, and Director Raddatz noted he was unable to attend.
- 6.3 Fire Chief Report – See **Attachment A**.
- 6.4 Association of San Miguel Chief Officers Communications
Battalion Chief Christiansen was dispatched on a call and was unable to address the Board.
- 6.5 Association of San Miguel Firefighters Communications
Captain Mike Hays was unable to attend, but communicated with the Board via email.
- 6.6 Non-Safety Professionals Association Communications
Administrative Analyst DeRobertis addressed the Board and shared that a new employee organization was established. Administrative Analyst DeRobertis will serve as the NSPA President, and Executive Assistant/Board Clerk Rians will serve as the Secretary.

6.7 Correspondence

Chief Lawler shared 'thank you' notes and drawings from a local school.

7. CLOSED SESSION

7.1 Closed Session – Public Employee Discipline/Dismissal/Release/Reassignment (GOV §54957)

7.2 Conference with Labor Negotiator (GOV §54957.6)

Agency Negotiators: Directors McKenna, Muns, Robles, and Attorney Joseph Sanchez

7.2.1 Employee Organization: Association of San Miguel Firefighters IAFF Local 1434

7.2.2 Employee Organization: Chief Officer's Association of San Miguel

7.2.3 Employee Organization: Non-Safety Professionals Association

7.2.4 Unrepresented Employees: Division Chief, Fire Marshal, Administrative Officer/Finance Officer, Fire Services Officer

President Raddatz adjourned the meeting to Closed Session from 6:28 to 9:06 p.m., with nothing to report out as the meeting returned to Open Session.

5.2 Resolution 25-01 ~ Allocation of General Fund Reserve – The Board of Directors may accept the recommendation of where to allocate General Fund Revenue into Reserve Funds via Resolution 25-01. Upon a motion by Director Pierce, second by Director McKenna, and vote (Directors McKenna, Muns, Nelson, Pierce, Raddatz and Woodruff in favor, Director Robles abstained), Resolution 25-01 was approved.

ACTION PLAN RECAP

- Board Committee Selections shall take place at the next Board Meeting (2/12/2025)
- Staff to file all reports approved in the CONSENT AGENDA in accordance with Government Code
- AO/FO Harris to transfer FY23/24 General Fund Revenue into Reserve Funds.

*The next Board Meeting will be a Regular Meeting on **February 12, 2025, at 5:30 p.m.**, District Headquarters.*

President Raddatz adjourned the meeting at 9:12 p.m.

Minutes approved at the Regular Meeting of the Board of Directors, San Miguel Consolidated Fire Protection District, on February 12, 2025.

Kim Raddatz, Board President

Attest:

Shayna Rians, Board Clerk



ADMINISTRATIVE REPORT

DATE: February 12, 2025
TO: Board of Directors
FROM: Shayna Rians, Executive Assistant/Board Clerk
SUBJECT: Director Stipends

BACKGROUND

Effective January 1, 2015, a formal payment procedure was established to pay Directors their monthly meeting stipends. To initiate the payment process, a stipend form for board meetings, training, and local meetings/events will be submitted.

DISCUSSION

Meetings attended during the month of January 2025 include:

Meeting	Date	Attending Directors
Negotiations Committee	1/3/2025	McKenna, Muns, and Robles
Negotiations Committee	1/7/2025	McKenna, Muns, and Robles
Regular Board Meeting	1/8/2025	McKenna, Muns, Nelson, Pierce, Raddatz, Robles, and Woodruff
*Heartland Training Facility	1/9/2025	Pierce
Heartland Communications	1/23/2025	Muns

**Stipend paid by Commission*

RECOMMENDATION

Approve the attached stipend forms for meetings that took place during the month of January 2025.

San Miguel Consolidated Fire Protection District Director Stipends (Short Form)

MEETINGS ATTENDED IN **JANUARY 2025**, FOR APPROVAL AT THE BOARD MEETING ON **2/12/2025**

DATE	MEETING ATTENDED	STIPEND	
1/8/2025	Regular Board Meeting	\$173.25	Division 1 - Jeff Nelson <input type="checkbox"/> Elects to not receive stipend _____ Director Signature Total Amount Due \$173.25
1/8/2025	Regular Board Meeting	\$173.25	Division 2 - Kim Raddatz <input type="checkbox"/> Elects to not receive stipend _____ Director Signature Total Amount Due \$173.25
1/3/2025	Negotiations Committee Meeting	\$100.00	Division 3 - Harry Muns <input checked="" type="checkbox"/> Elects to not receive stipend _____ Director Signature Total Amount Due \$0.00
1/7/2025	Negotiations Committee Meeting	\$100.00	
1/8/2025	Regular Board Meeting	\$173.25	
1/23/2025	Heartland Communications	\$100.00	
1/8/2025	Regular Board Meeting	\$173.25	Division 4 - Christopher Pierce <input type="checkbox"/> Elects to not receive stipend _____ Director Signature Total Amount Due \$173.25
1/9/2025	Heartland Training (paid by Commission)	\$0.00	
1/3/2025	Negotiations Committee Meeting	\$100.00	Division 5 - Theresa McKenna <input checked="" type="checkbox"/> Elects to not receive stipend _____ Director Signature Total Amount Due \$0.00
1/7/2025	Negotiations Committee Meeting	\$100.00	
1/8/2025	Regular Board Meeting	\$173.25	
1/3/2025	Negotiations Committee Meeting	\$100.00	Division 6 - Jesse A. Robles <input type="checkbox"/> Elects to not receive stipend _____ Director Signature Total Amount Due \$373.25
1/7/2025	Negotiations Committee Meeting	\$100.00	
1/8/2025	Regular Board Meeting	\$173.25	
1/8/2025	Regular Board Meeting	\$173.25	Division 7 - Edward Woodruff <input type="checkbox"/> Elects to not receive stipend _____ Director Signature Total Amount Due \$173.25

ATTEST

Shayna Rians, Board Clerk

Date



FIRE PREVENTION REPORT

DATE: February 12, 2025
TO: Board of Directors
FROM: Jon Newman, Fire Marshal
SUBJECT: Intent to Annex Territory to Community Facilities District 2022-1 and Adopting Map of the Area Proposed to be Annexed Thereto through Resolution 25-03 (Annexation 9)

BACKGROUND

The Mello-Roos Community Facilities Act of 1982 (Government Code Section 53311 and following) (“Act”) contains the statutory framework pursuant to which the San Miguel Consolidated Fire Protection District (“District”) or any other local agency may form a Community Facilities District (“CFD”) for the purpose of financing the provision of certain authorized public services or maintenance. A CFD may finance services or maintenance through the levy of special taxes within the geographic boundaries of the CFD.

The District previously adopted its Local Goals and Policies relating to the formation of CFDs. On July 14, 2021, the District adopted its Policy 9.7, requiring new development to offset the negative fiscal impacts of such development on the District, including through forming or annexing into an existing CFD. The District retained NBS Government Finance Group (“NBS”) as its special tax consultant to study the negative fiscal impact of new development on the provision of services by the District. NBS prepared a Fiscal Impact Analysis setting forth their results, which has been reviewed by the Board in prior meetings.

On September 14, 2022, the District received their first petition for a CFD and on October 12, 2022, approved Ordinance 2022-2 Levying Special Taxes Within San Miguel Consolidated Fire Protection District.

DISCUSSION

The District has received a petition from MANN FAMILY TRUST 03-13-04 (the “Owner”), relating to Parcel 484-101-19-00 located off of Oro Street. The Owner is the owner of Assessor Parcel Numbers 484-101-19-00 (“Property”), requesting the annexation into the Community Facilities District 2022-1 (“CFD 2022-1”), encompassing the Property, to finance the following public services:

- a) Fire protection and suppression services, and ambulance and paramedic services; and
- b) The administrative and incidental expenses to be incurred by the District, which include the direct and indirect expenses incurred in carrying out its duties with respect to CFD 2022-1 (including, but not limited to, the levy and collection of the special taxes), including the fees and expenses of attorneys, any fees of the County of San Diego related to CFD 2022-1 or the collection of special taxes, an allocable share of the salaries of the District staff directly related thereto, and a proportionate amount of the District’s general administrative overhead related thereto, any amounts paid by the District from its general fund with respect to CFD 2022-1 or the services authorized to be financed by CFD 2022-1, and expenses incurred by the District in undertaking action to pursue payment of special taxes which are delinquent, and all other costs and expenses of the District related to CFD 2022-1.

A public hearing on the annexation of territory into CFD 2022-1 shall be held at 5:30 p.m. on March 26, 2025, or as soon thereafter as the Board may consider the matter, in the Board Room, located at 2850 Via Orange Way, Spring Valley, CA 91978.

This project will be a commercial and office property.

FISCAL IMPACT

None, as the costs for the formation of CFD 2022-1 are paid through a deposit provided by the Developer and ongoing administrative costs are paid for through the levy of special taxes within CFD 2022-1.

ATTACHMENTS

- Attachment A – Resolution 25-03
 - Exhibit A – Description of Services
 - Exhibit B – Legal Description of Property
 - Exhibit C – Rate and Method of Apportion of Special Taxes for San Miguel Consolidated Fire Protection District Community Facilities District 2022-1 with Annexation Map
 - Attachment 1 – Maximum Special Tax Rates
- Attachment B – Boundary Map
- Attachment C – Property Owner Petition to the Board

RECOMMENDATION

Approve Resolution 25-03.

Resolution 25-03

**Resolution Of Intention Of The Board of Directors of the
San Miguel Consolidated Fire Protection District
Declaring Intention to Annex Territory to Community Facilities District 2022-1
and Adopting A Map of the Area Proposed to be Annexed Thereto
(Annexation 9, APN 484-101-19-00)**

WHEREAS, the Board of Directors (the “Board”) of the San Miguel Consolidated Fire Protection District (the “District”) has established the San Miguel Consolidated Fire Protection District Community Facilities District 2022-1 (“CFD 2022-1”) for the purpose of levying special taxes on parcels of taxable property therein for the purpose of providing certain services which are necessary to meet increased demands placed upon the District as a result of the development of said real property; and

WHEREAS, the territory which is included in CFD 2022-1 is described on the map of CFD 2022-1 recorded in Book 50 of Maps of Assessment and Community Facilities Districts, page(s) 41 in the office of the County Recorder for the County of San Diego, State of California; and

WHEREAS, the Board has received a written petition from MANN FAMILY TRUST 03-13-04, the owner of certain real property within the District requesting that such property be annexed to CFD 2022-1 in order that they may be developed and receive the benefit of services, which will be financed by the annual levy of special taxes on said property for the purpose set forth in Exhibit “A” (the “Services”); and agreeing to the annual levy of special taxes on said property sufficient to pay the costs of such Services and costs incidental thereto; and

WHEREAS, the Board is authorized by Article 3.5 (commencing with Section 53339) of Chapter 2.5 of Part 1 of Division 2 of Title 5 of the California Government Code, commonly known as the “Mello-Roos Community Facilities Act of 1982,” (the “Act”) to annex territory to CFD 2022-1 by complying with the procedures set forth in said Article 3.5.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Miguel Consolidated Fire Protection District, California, as follows:

Section 1.

Recitals. The above recitals are true and correct and are hereby incorporated into this resolution.

Section 2.

Name of District. The name of the existing community facilities district is the San Miguel Consolidated Fire Protection District Community Facilities District 2022-1.

Section 3.

Intention. The Board declares its intention to conduct proceedings pursuant to said Article 3.5 of the Act for territory proposed for annexation designated "Annexation 9" to CFD 2022-1 as described in Exhibit "B" attached hereto. The Board determines that the public convenience and necessity require that such territory be annexed to CFD 2022-1.

Section 4.

Description of Territory Proposed To Be Annexed; Annexation Map. Annexation 9 to be annexed to CFD 2022-1 is described in Exhibit "B" attached hereto and by this reference made a part hereof. Such territory is also shown and described on the map thereof entitled "Annexation Map 9 of Community Facilities District 2022-1, San Miguel Consolidated Fire Protection District, San Diego County, State of California" which is on file with the Board Clerk (the "Annexation Map").

Section 5.

Types of Services; Incidental Expenses. Services authorized to be financed by CFD 2022-1 are set forth in Exhibit "A." The District shall also finance costs associated with the determination of the amount of and the levy and collection of special taxes which are levied to provide such Services and costs otherwise incurred in order to carry out the authorized purposes of CFD 2022-1.

Section 6.

Special Taxes. Except where funds are otherwise available, special taxes sufficient to pay the costs of the Services provided for in Section 5 above and the annual administrative expenses of the District and CFD 2022-1 in determining, apportioning, levying and collecting such special taxes, shall be annually levied within CFD 2022-1. Pursuant to Section 53340 of the California Government Code, the special taxes shall be collected in the same manner as ordinary ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure, sale, and lien priority in case of delinquency as is provided for ad valorem taxes. However, under no circumstances shall the special tax levied against any parcel subject to the levy of the special tax pursuant to the rates and method of apportionment be increased as a consequence of delinquency or default by the owner of any other parcel or parcels within CFD 2022-1 by more than ten percent (10%). The rate and method of apportionment of said special taxes shall be as set forth in Exhibit "C" attached hereto and by this reference made a part hereof.

Section 7.

Adoption of Annexation Map. Pursuant to Section 3110.5 of the Streets and Highways Code, the Board adopts the Annexation Map as the map of the area proposed to be annexed to CFD 2022-1. Pursuant to Section 3111 of said Code, the Board Clerk shall file the original of the Annexation Map in his or her office and shall file a copy of the Annexation Map with the County Recorder of the County of San Diego no later than 15 days prior to the date of the hearing specified in Section 10 hereof.

Section 8.

Exempt Properties. Pursuant to Section 53340 of the California Government Code, properties of entities of the state, federal, and local governments shall be exempt from the levy of special taxes of CFD 2022-1.

Section 9.

Necessity. The Board finds that the Services described in Section 5 hereof are necessary to meet increased demands placed upon the District as a result of development occurring within the boundaries of the proposed annexation of territory to CFD 2022-1.

Section 10.

Hearing on Annexation of Territory. A public hearing on the annexation of territory into CFD 2022-1 shall be held at 5:30 pm on March 26, 2025, or as soon thereafter as the Board may consider the matter, in the Board Chambers, located at 2850 Via Orange Way, Spring Valley, CA 91978.

Section 11.

Notice. The Board Clerk shall publish a notice of the time and place of said hearing as required by Section 53322 of the California Government Code, and shall also give notice of the time and place of said hearing by first-class mail to each registered voter and to each landowner within the proposed community facilities district as prescribed by Section 53322.4 of said Code. Said notice shall be published at least seven (7) days and mailed at least fifteen (15) days before the date of the hearing, and shall contain the information required by said Section 53322.

Section 12.

Description of Voting Procedures. The voting procedures to be followed in conducting the election on the proposition with respect to the levy of special taxes within the territory proposed to be annexed to CFD 2022-1 shall be as follows:

- a) If at the time of the close of the public or protest hearing (hereinafter referred to as the "protest hearing") at least 12 persons are registered to vote within the territory proposed to be annexed to CFD 2022-1, the election shall be conducted by the Board Clerk, and shall be held on a date selected by the Board in conformance with the provisions of Section 53326 of the California Government Code ("Section 53326") and pursuant to the applicable provisions of law regulating elections of the District, insofar as they may be applicable, and pursuant to Section 53326 the ballots for the election shall be distributed to the qualified electors of the territory proposed to be annexed to CFD 2022-1 by mail with return postage prepaid and the election shall be conducted as a mail ballot election.
- b) If at the time of the close of the protest hearing, and for at least the preceding 90 days, less than 12 persons have been registered to vote within the territory proposed to be annexed to CFD 2022-1, and pursuant to Section 53326, the vote is therefore to be by

the landowners of that territory, with each landowner of record at the close of the protest hearing having one vote for each acre or portion of an acre of land that he or she owns, the election shall be conducted by the Board Clerk as follows:

1. The election shall be held on the earliest date following the conclusion of the protest hearing upon which it can be held pursuant to Section 53326 which may be selected by the Board, or such earlier date as the owners of land within the territory proposed to be annexed to CFD 2022-1 and the Board Clerk agree and concur is acceptable.
2. Pursuant to Section 53326, the election may be held earlier than 90 days following the close of the protest hearing if the qualified electors of the territory proposed to be annexed to CFD 2022-1 waive the time limits for conducting the election set forth in Section 53326 by unanimous written consent and the Secretary of the Board concurs in such earlier election date as shall be consented to by the qualified electors.
3. Pursuant to Section 53326, ballots for the election shall be distributed to the qualified electors by the Board Clerk by mail with return postage prepaid or by personal service.
4. Pursuant to applicable provisions of law regulating elections of the District, which govern the conduct of mail ballot elections, and Division 4 (commencing with Section 4000) of the California Elections Code with respect to elections conducted by mail, the Secretary of the Board shall mail or deliver to each qualified elector an official ballot in a form specified by the Board in the resolution calling the election, and shall also mail or deliver to all such qualified electors a ballot pamphlet and instructions to voter, including a sample ballot identical in form to the official ballot but identified as a sample ballot, a statement pursuant to Section 9401 of the said Code, an impartial analysis by the District's Legal Counsel pursuant to Section 9280 of the said Code with respect to the ballot proposition contained in the official ballot, ballot arguments and rebuttals, if any, pursuant to Sections 9281 to 9287, inclusive, of said Code, a return identification envelope with prepaid postage thereon addressed to the Board Clerk for the return of voted official ballots, and a copy of this resolution; provided, however, that such statement, analysis and arguments may be waived with the unanimous consent of all the landowners of the territory proposed to be annexed to CFD 2022-1 and shall be so stated in the resolution adopted by the Board calling the election.
5. The official ballot to be mailed or delivered by the Board Clerk to each landowner-voter shall have printed or typed thereon the name of the landowner-voter and the number of votes to be voted by the landowner-voter, and shall have appended to it a certification to be signed by the person voting the official ballot which shall certify that the person signing the certification is the person who voted the official

ballot, and if the landowner-voter is other than a natural person, that he or she is an officer of or other person affiliated with the landowner-voter entitled to vote such official ballot, that he or she has been authorized to vote such official ballot on behalf of the landowner-voter, that in voting such official ballot it was his or her intent, as well as the intent of the landowner-voter, to vote all votes to which the landowner-voter is entitled based on its land ownership on the proposition set forth in the official ballot as marked thereon in the voting square opposite such proposition, and further certifying as to the acreage of the landowner-voter's land ownership within the territory proposed to be annexed to CFD 2022-1.

6. The return identification envelope delivered by the Board Clerk to each landowner-voter shall have printed or typed thereon the following: (i) the name of the landowner, (ii) the address of the landowner, (iii) a declaration under penalty of perjury stating that the voter is the landowner or the authorized representative of the landowner entitled to vote the enclosed ballot and is the person whose name appears on the identification envelope, (iv) the printed name and signature of the voter, (v) the address of the voter, (vi) the date of signing and place of execution of said declaration, and (vii) a notice that the envelope contains an official ballot and is to be opened only by the Board Clerk.
7. The information-to-voter form to be mailed or delivered by the Board Clerk to the landowner-voters shall inform them that the official ballots shall be returned to the Board Clerk properly voted as provided thereon and with the certification appended thereto properly completed and signed in the sealed return identification envelope with the certification thereon completed and signed and all other information to be inserted thereon properly inserted by 5:30 p.m. on the date of the election.
8. Upon receipt of the return identification envelopes which are returned prior to the voting deadline on the date of the election, the Board Clerk shall canvass the votes cast in the election, and shall file a statement with the Board at its next regular meeting regarding the results of such canvass and the election. The procedures set forth in this section for conducting the election may be modified as the Board may determine to be necessary or desirable by a resolution subsequently adopted by the Board.

Section 13.

Certification. The Board Clerk shall certify the passage and adoption of this resolution.

Section 14.

Effective Date. This Resolution shall take effect immediately from and after the date of its passage and adoption.

PASSED AND ADOPTED by the Board of the San Miguel Consolidated Fire Protection District this 12th day of February 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST

Shayna Rians, Board Clerk

Kim Raddatz, Board President

EXHIBIT A
DESCRIPTION OF SERVICES

CFD 2022-1 is authorized to finance any of the services set forth in Section 53313 of the Act, including without limitation fire protection and suppression services, and ambulance and paramedic services, and administrative and incidental expenses related thereto as defined in Section 53317(e) of the Act.

The services to be financed by CFD 2022-1 are in addition to those provided in the territory of CFD 2022-1 before the date of creation of CFD 2022-1 and will not supplant services already available within that territory when CFD 2022-1 is created.

The administrative expenses to be funded by CFD 2022-1 include the direct and indirect expenses incurred by District in carrying out its duties with respect to CFD 2022-1 (including, but not limited to, the levy and collection of the special taxes) including the fees and expenses of attorneys, any fees of the County of San Diego related to CFD 2022-1 or the collection of special taxes, an allocable share of the salaries of the District staff directly related thereto and a proportionate amount of the District's general administrative overhead related thereto, any amounts paid by the District from its general fund with respect to CFD 2022-1 or the services authorized to be financed by CFD 2022-1, and expenses incurred by the District in undertaking action to pursue payment of special taxes which are delinquent, and all other costs and expenses of the District related to CFD 2022-1.

The incidental expenses that may be funded by CFD 2022-1 include, in addition to the administrative expenses identified above, the payment or reimbursement to the District of all costs associated with the establishment and administration of CFD 2022-1.

EXHIBIT B
LEGAL DESCRIPTION OF PROPERTY

The Property is identified as San Diego County, Assessor's Parcel Numbers:

- 484-101-19

EXHIBIT C
RATE AND METHOD OF APPORTION OF SPECIAL TAXES
FOR SAN MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT
COMMUNITY FACILITIES DISTRICT 2022-1
TAX ZONE 1

The Special Tax shall be levied in Annexation 9 in accordance with the Rate and Method of Apportionment of Special Tax for San Miguel Consolidated Fire Protection District Community Facilities District 2022-1 pursuant to the rate for Tax Zone 1 set forth in Attachment 1 thereto. The Rate and Method of Apportionment of Special Tax is attached hereto and incorporated herein by this reference.

**RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX
SAN MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT
COMMUNITY FACILITIES DISTRICT 2022-1**

A Special Tax shall be levied and collected in Community Facilities District 2022-1, San Miguel Consolidated Fire Protection District ("CFD 2022-1") each Fiscal Year, in an amount determined by the application of the procedures described below. All Taxable Property (as defined below) in CFD 2022-1, unless exempted by the provisions hereof, shall be taxed for the purposes, to the extent and in the manner herein provided.

I. DEFINITIONS

The terms used herein shall have the following meanings:

"Accessory Dwelling Unit" or "ADU" means a secondary residential unit of limited size, as defined in California Government Code Section 65852.2(j)(1) as that may be amended from time to time, that is accessory to a single-unit dwelling. The ADU may be on the same Assessor's Parcel as the single-unit dwelling or on a separate Assessor's Parcel. Accessory Dwelling Units are considered Units for purposes of the Special Tax.

"Acre" or "Acreage" means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map or in the Assessor's Data for each Assessor's Parcel. In the event the Assessor's Parcel Map or Assessor's Data shows no Acreage, the Acreage for any Assessor's Parcel shall be determined by the CFD Administrator based upon the applicable final map, parcel map, condominium plan, or other recorded County parcel map. If the preceding maps are not available, the Acreage of an Assessor's Parcel may be determined utilizing GIS.

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Division 2 of Title 5 of the Government Act of the State of California.

"Administrative Expenses" means the following actual or reasonably estimated costs directly related to the administration of CFD 2022-1: the costs of computing the Annual Special Tax Requirement and the annual Special Tax and of preparing the annual Special Tax collection schedules; the costs of collecting the Special Tax, including any charges levied by the County Auditor's Office, Tax Collector's Office or Treasurer's Office; the costs of the District or designee in complying with the disclosure requirements of the California Government Code (including the Act), including public inquiries regarding the Special Tax; the costs of the District or designee related to an appeal of the Special Tax; and the costs of commencing and pursuing to completion action arising from any delinquent Special Tax in CFD 2022-1.

"Agricultural Property" means all Assessor's Parcels devoted primarily to agricultural, timber, or livestock uses and being used for the commercial production of agricultural, timber, or livestock products. Typical Assessor's Data use codes include 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 61, 62, 63, 64, 65.

"Annual Services Costs" means the amounts required to fund services authorized to be funded by CFD 2022-1.

"Annual Special Tax Requirement" means that amount with respect to CFD 2022-1 determined by the Board of Directors or designee as required in any Fiscal Year to pay: (1) the Administrative Expenses, (2) the Annual Services Costs, (3) any amount required to establish or replenish any reserve or replacement fund established in connection with CFD 2022-1, and

(4) any reasonably anticipated delinquent Special Tax based on the delinquency rate for any Special Tax levied in the previous Fiscal Year.

“Assessor’s Data” means Units, Building Square Footage, Acreage, or other information contained in the records of the County Assessor for each Assessor’s Parcel.

“Assessor’s Parcel” or **“Parcel”** means a lot or parcel shown in an Assessor’s Parcel Map with an assigned Assessor’s Parcel Number.

“Assessor’s Parcel Map” means an official map of the Assessor of the County designating parcels by Assessor’s Parcel Number.

“Assessor’s Parcel Number” means, with respect to an Assessor’s Parcel, that number assigned to such Assessment’s Parcel by the County Assessor for purposes of identification.

“Assisted Living Property” means all Assessor’s Parcels of Developed Property used as a housing facility for people with disabilities who cannot or who choose not to live alone, according to Assessor’s Data or as otherwise known by the CFD Administrator. Typical Assessor’s Data use codes include 29, 79.

“Backup Special Tax” means the Backup Special Tax applicable to each Assessor’s Parcel of Taxable Property, as determined in accordance with Section III below.

“Building Square Foot(age)” means the structure square footage as shown on the building permit issued or as contained in the Assessor’s Data.

“CFD 2022-1” means the Community Facilities District 2022-1, San Miguel Consolidated Fire Protection District, County of San Diego, State of California.

“CFD Administrator” means an official of the District, or designee or agent or consultant, responsible for administering the Special Tax in accordance with this Rate and Method of Apportionment.

“Board of Directors” means the Board of Directors of the District, acting as the legislative body of CFD 2022-1.

“Commercial Property” means all Assessor’s Parcels of Developed Property with a commercial use, according to Assessor’s Data or as otherwise known by the CFD Administrator. Typical Assessor’s Data use codes include 21, 23, 24, 25, 26, 27, 31, 33, 34, 35, 36, 37, 38, 39, and 22 to the extent the building contains stores.

“County” means the County of San Diego, California.

“Developed Property” means, in any Fiscal Year, all Taxable Property in CFD 2022-1 for which a building permit for new construction was issued by the applicable land use authority prior to June 1 of the preceding Fiscal Year.

“District” means the San Miguel Consolidated Fire Protection District, County of San Diego, California.

“Exempt Property” means all property located within the boundaries of CFD 2022-1 which is

exempt from the Special Tax pursuant to Section V below.

“Fiscal Year” means the period from July 1st of any calendar year through June 30th of the following calendar year.

“GIS” means a geographic information system.

“Industrial Property” means all Assessor’s Parcels of Developed Property with an industrial use, according to Assessor’s Data or as otherwise known by the CFD Administrator. Typical Assessor’s Data use codes include 41, 42, 43, 44, 45, 46, 47, 49.

“Maximum Special Tax” means the maximum Special Tax authorized for levy in any Fiscal Year that may apply to Taxable Property as described in Section III.

“Mixed-Use Property” means all Assessor’s Parcels of Developed Property that have more than one property classifications, allowing for both residential and other use types on each such Assessor’s Parcel. For an Assessor’s Parcel of Mixed-Use Property, the Special Tax shall be calculated and levied for each use type present on the Assessor’s Parcel.

“Mobile Home Property” means all Assessor’s Parcels of Developed Property with a movable or portable dwelling spaces available to be connected to utilities and all Assessor’s Parcels of Developed Property with five or more Units available to be connected to utilities as in a mobile home park. As it relates to Mobile Home Property, Units are the number of mobile home spaces on each Assessor’s Parcel. As it relates to mobile home parks, Units are the number of mobile home spaces on each Assessor’s Parcel. Typical Assessor’s Data use codes include 09 & 32.

“Multi-Family Property” means, in any Fiscal Year, all Assessor’s Parcels of Developed Property with two or more Units that share a single Assessor’s Parcel Number, are offered for rent to the general public, and cannot be purchased by individual homebuyers, according to Assessor’s Data or as otherwise known by the CFD Administrator. Multi-Family Property also means, in any Fiscal Year, all Assessor’s Parcels of Developed Property with one Unit with a single Assessor’s Parcel Number that is a condominium pursuant the definition in Civil Code Section 4125 or a townhome. Typical Assessor’s Data use codes include 12, 13, 14, 15, 16, 17, 18.

“Office Property” means all Assessor’s Parcels of Developed Property used as offices, including medical, dental offices and office condominiums, according to Assessor’s Data or as otherwise known by the CFD Administrator. Typical Assessor’s Data use codes include 28, 30, and 22 to the extent the building contains offices.

“Property Owner’s Association” means any property owner’s association. As used in this definition, a Property Owner’s Association includes any home-owner’s association, condominium owner’s association, master or sub-association.

“Property Owner’s Association Property” means any property within the boundaries of CFD 2022-1 which is (a) owned by a Property Owner’s Association or (b) designated with specific boundaries and acreage on a final subdivision map as property owner association property.

“Proportionately” means, for Developed Property that the ratio of the Special Tax levy to the Maximum Special Tax is equal for all Assessors’ Parcels of Developed Property within CFD

2022-1.

“Public Property” means any property within the boundaries of CFD 2022-1 owned by, irrevocably offered or dedicated to, or for which an easement for purposes of public or private road right-of-way making the property unusable for any other purpose has been granted to the federal government, the State of California, the County, the District, or any local government or other public agency.

“Single Family Property” means, in any Fiscal Year, all Parcels of Developed Property with one permanent dwelling Unit, according to Assessor’s Data or as otherwise known by the CFD Administrator. Single Family Property does not include any property that is considered Multi-Family Property. Typical Assessor’s Data use codes include 11.

“Special Tax” means the amount levied in each Fiscal Year on each Assessor’s Parcel of Taxable Property to fund the Annual Special Tax Requirement.

“Tax Escalation Factor” means a factor equal to the annual change in the May to May San Diego-Carlsbad CPI-U Index up to a maximum factor of 5% that will be applied annually after Fiscal Year 2021/22 to increase the Maximum Special Tax shown in Section III. Should the specified index cease to be reported, the CFD Administrator will determine a comparable index to use.

“Tax Zone” means a mutually exclusive geographic area within which the Special Tax may be levied pursuant to this Rate and Method of Apportionment. ***All the Taxable Property within CFD 2022-1 at the time of its formation is within Tax Zone 1.*** Additional Tax Zones may be created when property is annexed to CFD 2022-1, and a separate Maximum Special Tax shall be identified for property within each new Tax Zone at the time of such annexation. The Assessor’s Parcels included within a new Tax Zone when such Parcels are annexed to CFD 2022-1 shall be identified by Assessor’s Parcel number in the annexation documents at the time of annexation.

“Taxable Property” means all Parcels within the boundary of CFD 2022-1 that are not Exempt Property, or exempt from the Special Tax pursuant to the Act.

“Undeveloped Property” means all Parcels of Taxable Property that are not Developed Property.

“Unit” means any individual single family detached or attached home, townhome, condominium, apartment, mobile home or other residential dwelling unit, including each separate living area within a half-plex, duplex, triplex, fourplex, or other residential structure. An Accessory Dwelling Unit that shares a Parcel with a Unit of Single Family Property shall not be considered a separate Unit for purposes of calculating the Special Tax.

“Welfare Exempt Property” means all Parcels within the boundaries of CFD 2022-1 that have been granted a welfare exemption pursuant to subdivision (g) of Section 214 of the Revenue and Taxation Code by the County.

II. DETERMINATION OF TAXABLE PARCELS

On or about July 1 of each Fiscal Year, the CFD Administrator shall determine the valid Assessor’s Parcel Numbers for all Taxable Property within CFD 2022-1. If any Assessor’s Parcel Numbers are no longer valid, the CFD Administrator shall determine the new Assessor’s Parcel Number or Numbers in effect for the then-current Fiscal Year. To the extent a Parcel or

Parcels of Taxable Property are subdivided, consolidated or otherwise reconfigured, the Maximum Special Tax shall be assigned to the new Assessor's Parcels pursuant to Section III. The CFD Administrator shall also determine: (i) the Tax Zone within which each Parcel is located; (ii) which Parcels are Developed Property and Undeveloped Property; (iii) the number of Units, Building Square Footage, or Acreage each Parcel contains; (iv) the property type, i.e. Single Family Property, etc; and (iv) the Annual Special Tax Requirement for the Fiscal Year.

III. SPECIAL TAX - METHOD OF APPORTIONMENT

All Taxable Property shall be subject to a Special Tax defined as follows.

The Special Tax shall be levied each Fiscal Year by the CFD Administrator. The Annual Special Tax Requirement shall be apportioned to each Parcel within CFD 2022-1 by the method shown below.

- First. Determine the Annual Special Tax Requirement.
- Second. Levy the Special Tax on each Parcel of Developed Property, Proportionately, up to the Maximum Special Tax described in the table below to satisfy the Annual Special Tax Requirement.

Under no circumstances will the Special Tax on any Assessor's Parcel of Developed Property be increased by more than 10% as a consequence of delinquency or default by the owner of any other Assessor's Parcel within CFD 2022-1.

**TABLE 1
MAXIMUM SPECIAL TAX RATES – TAX ZONE
1 FISCAL YEAR 2021/22***

Property Type	Maximum Special Tax Rate**	Per
Single Family Property	\$0.00	Unit
Multi-Family Property	213.40	Unit
Mobile Home Property	435.60	Unit
Assisted Living Property	213.40	Unit
Commercial Property	171.60	1,000 Feet of Building Square Footage
Office Property	422.40	1,000 Feet of Building Square Footage
Industrial Property	173.80	1,000 Feet of Building Square Footage

**On each July 1, commencing on July 1, 2022, the Maximum Special Tax Rate for each Tax Zone shall be increased by the Tax Escalation Factor.*

***Rates per the Fiscal Impact Analysis dated June 2021 and include the addition of applicable CFD administration costs.*

A different Maximum Special Tax rate may be identified in Tax Zones added to CFD 2022-1 as a result of future annexations.

In some instances, an Assessor's Parcel of Developed Property may be Mixed-Use Property. The Maximum Special Tax levied on an Assessor's Parcel shall be the sum of the Maximum

Special Tax for all Units and Building Square Feet of each property type on that Assessor's Parcel.

IV. FORMULA FOR PREPAYMENT OF SPECIAL TAX OBLIGATIONS

The Special Tax may not be prepaid.

V. EXEMPTIONS

Notwithstanding any other provision of this Rate and Method of Apportionment of Special Tax, no Special Tax shall be levied on Agricultural Property, Property Owner Association Property or Public Property, except as otherwise provided in Sections 53317.3 and 53317.5 of the Act. Welfare Exempt Property shall be exempt from the Special Tax in each Fiscal Year the property qualifies as Welfare Exempt Property.

VI. INTERPRETATION OF RATE AND METHOD OF APPORTIONMENT

The District reserves the right to make minor administrative and technical changes to this document that do not materially affect the rate and method of apportioning the Special Tax. In addition, the interpretation and application of any section of this document shall be at the District's discretion. Interpretations may be made by the Board of Directors by ordinance or resolution for purposes of clarifying any vagueness or ambiguity in this Rate and Method of Apportionment of Special Tax.

VII. MANNER AND DURATION OF SPECIAL TAX

The Special Tax shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided that the District may directly bill the Special Tax, may collect the Special Tax at a different time or in a different manner if needed to meet the financial obligations of CFD 2022-1, and may collect delinquent Special Taxes through foreclosure or other available methods.

A Special Tax shall continue to be levied and collected within CFD 2022-1, as needed to fund the Annual Special Tax Requirement, in perpetuity.

VIII. APPEAL OF SPECIAL TAX LEVY

Any property owner may file a written appeal of the Special Tax with the CFD Administrator claiming that the amount or application of the Special Tax is not correct. The appeal must be filed not later than one calendar year after having paid the Special Tax that is disputed, and the appellant must be current in all payments of the Special Tax. In addition, during the term of the appeal process, all Special Tax levied must be paid on or before the payment date established when the levy was made.

The appeal must specify the reasons why the appellant claims the Special Tax is in error. The CFD Administrator shall review the appeal, meet with the appellant if the CFD Administrator deems necessary, and advise the appellant of its determination.

If the property owner disagrees with the CFD Administrator's decision relative to the appeal, the owner may then file a written appeal with the Board of Directors whose subsequent decision shall be final and binding on all interested parties. If the decision of the CFD Administrator or subsequent decision by the Board of Directors requires the Special Tax to be modified or changed in favor of the property owner, the CFD Administrator shall determine if sufficient Special Tax revenue is available to make a cash refund. If a cash refund cannot be made, then an adjustment shall be made to credit future Special Taxes.

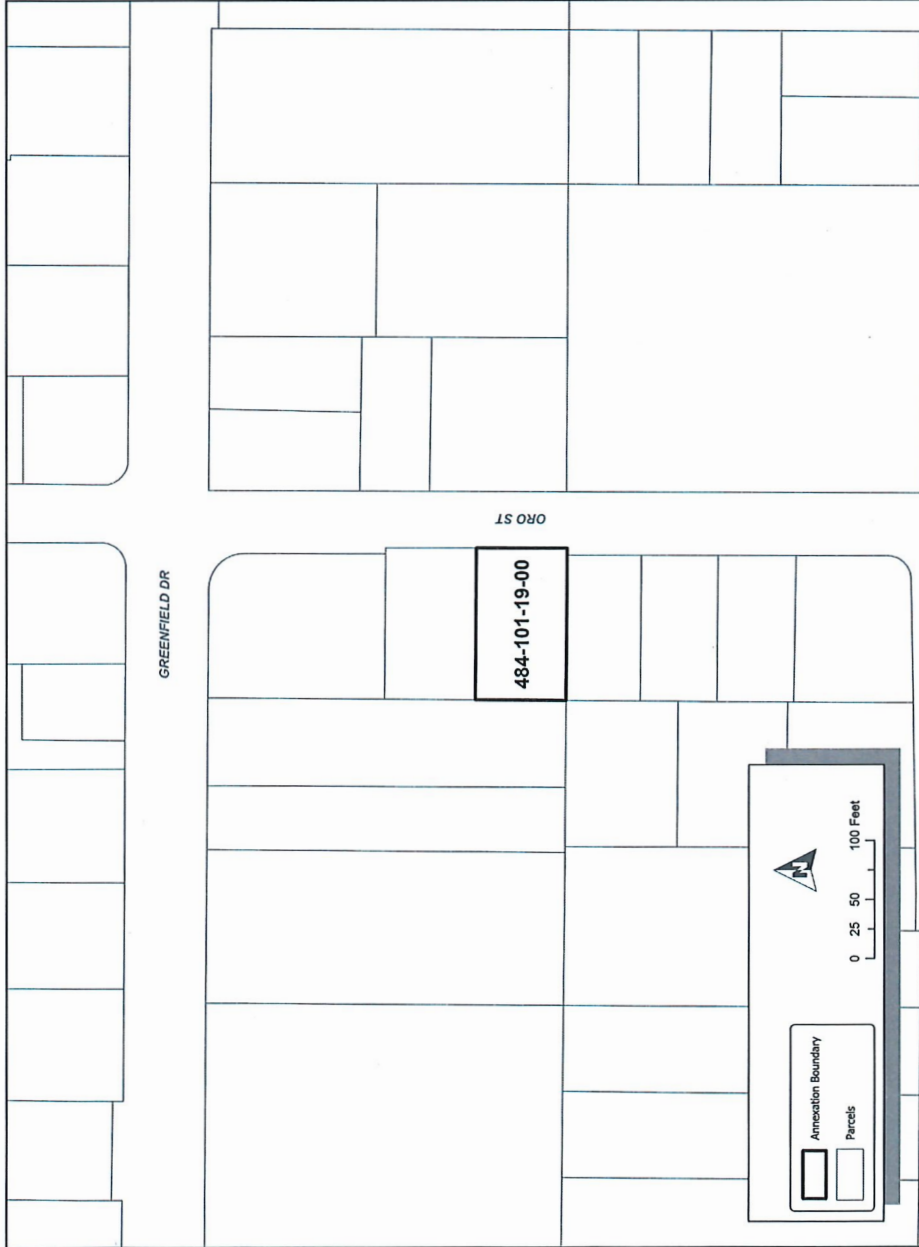
This procedure shall be exclusive and its exhaustion by any property owner shall be a condition precedent to filing any legal action by such owner.

SAN MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT
 COMMUNITY FACILITIES DISTRICT 2022-1
 ATTACHMENT 1
 MAXIMUM SPECIAL TAX RATES

Tax Zone	APNs	Property Type	Special Tax Rate	Per	Base Year
1	484-101-19	Commercial Property	\$195.24	1,000 Feet of Building Square Footage	2024/25
		Office Property	\$480.60	1,000 Feet of Building Square Footage	2024/25

ANNEXATION MAP NO. 9 OF
SAN MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 2022-1
ANNEXATION NO. 9

COUNTY OF SAN DIEGO
STATE OF CALIFORNIA



FILED IN THE OFFICE OF THE BOARD CLERK OF THE SAN MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT THIS
DAY OF _____, 20____.

BOARD CLERK
SAN MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT
SAN DIEGO COUNTY, CALIFORNIA

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF ANNEXATION NO. 9 TO SAN
MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT COMMUNITY FACILITIES DISTRICT NO. 2022-1, COUNTY OF SAN
DIEGO, CALIFORNIA, WAS PREPARED BY ME OR UNDER MY SUPERVISION AND THAT I AM A MEMBER OF THE SAN MIGUEL
FIRE PROTECTION DISTRICT, AT A MEETING THEREOF, HELD ON THE _____ DAY OF _____, 20____, BY ITS
RESOLUTION NO. _____.

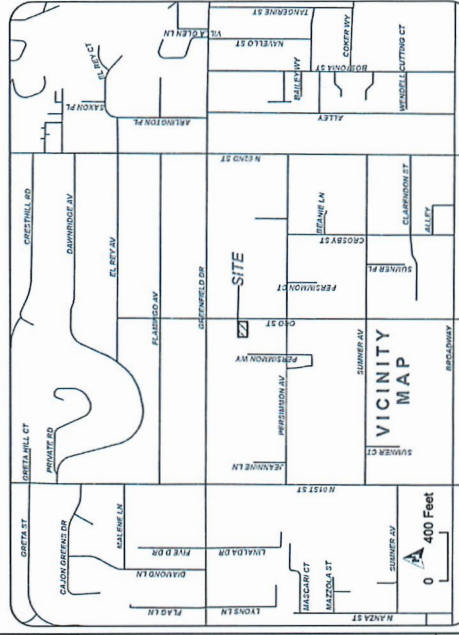
BOARD CLERK
SAN MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT
SAN DIEGO COUNTY, CALIFORNIA

FILED THIS _____ DAY OF _____, 20____, AT THE HOUR OF _____ O'CLOCK _____ M. IN BOOK _____ OF MAPS OF
ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE _____ IN THE OFFICE OF THE COUNTY RECORDER OF
THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AS FILE NO. _____.

JORDAN Z. MARKS
COUNTY RECORDER
COUNTY OF SAN DIEGO, CALIFORNIA

FOR PARTICULARS OF THE LINES AND DIMENSIONS OF ASSESSOR PARCELS, REFERENCE IS MADE TO THE MAPS OF
THE ASSESSOR, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

REFERENCE IS HEREBY MADE TO THAT CERTAIN MAP ENTITLED "MAP OF PROPOSED BOUNDARIES OF SAN MIGUEL
CONSOLIDATED FIRE PROTECTION DISTRICT COMMUNITY FACILITIES DISTRICT NO. 2022-1, COUNTY OF SAN DIEGO,
CALIFORNIA" WAS FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, CALIFORNIA, AS
FILE NO. _____, AND THAT THE WITHIN MAP IS A PART OF SAID MAP AND IS SUBJECT TO SAID MAP AND TO THE
OFFICE OF THE COUNTY RECORDER FOR THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, WHICH THIS
ANNEXATION MAP AFFECTS.



Source: San Diego County GIS
Geographic Coordinate Reference: GCS North American 1983
Projection: NAD 1983 StatePlane California VI FIPS 0406 Feet



PETITION TO THE BOARD OF DIRECTORS OF THE SAN MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT REQUESTING INITIATION OF PROCEEDINGS FOR THE ANNEXATION OF TERRITORY TO COMMUNITY FACILITIES DISTRICT NO. 2022-1, AND CONSENTING TO THE LEVY OF SPECIAL TAXES TO PAY THE ANNUAL COSTS OF SERVICES (ANNEXATION NO. 9 TO CFD 2022-1)

1. MANN FAMILY TRUST 03-13-04, ("Owner"), requests that the Board of Directors of the San Miguel Consolidated Fire Protection District (the "District") initiate proceedings pursuant to Article 3.5 (commencing with Section 53339) of Chapter 2.5 of Part 1 of Division 2 of Title 5 of the California Government Code, commonly known as the "Mello-Roos Community Facilities Act of 1982," (the "Act") for the annexation of the property described in Exhibit "A" attached hereto (the "Property") to "San Miguel Consolidated Fire Protection District Community Facilities District No. 2022-1, County of San Diego, State of California" (the "CFD") for the purpose of providing for the funding, through the levy of special taxes, of the services set forth in Exhibit "B" attached hereto.

2. Owner represents to the Board of Directors that it is the owner of all of the Property.

DATED: 1.30, 2025

MANN FAMILY TRUST 03-13-04

Signature: _____ *TM*

Printed Name: Terry Mann

Title: Owner



FIRE PREVENTION REPORT

DATE: February 12, 2025
TO: Board of Directors
FROM: Jon Newman, Fire Marshal
SUBJECT: Intent to Annex Territory to Community Facilities District 2022-1 and Adopting Map of the Area Proposed to be Annexed Thereto through Resolution 25-04 (Annexation 10)

BACKGROUND

The Mello-Roos Community Facilities Act of 1982 (Government Code Section 53311 and following) (“Act”) contains the statutory framework pursuant to which the San Miguel Consolidated Fire Protection District (“District”) or any other local agency may form a Community Facilities District (“CFD”) for the purpose of financing the provision of certain authorized public services or maintenance. A CFD may finance services or maintenance through the levy of special taxes within the geographic boundaries of the CFD.

The District previously adopted its Local Goals and Policies relating to the formation of CFDs. On July 14, 2021, the District adopted its Policy 9.7, requiring new development to offset the negative fiscal impacts of such development on the District, including through forming or annexing into an existing CFD. The District retained NBS Government Finance Group (“NBS”) as its special tax consultant to study the negative fiscal impact of new development on the provision of services by the District. NBS prepared a Fiscal Impact Analysis setting forth their results, which has been reviewed by the Board in prior meetings.

On September 14, 2022, the District received their first petition for a CFD and on October 12, 2022, approved Ordinance 2022-2 Levying Special Taxes Within San Miguel Consolidated Fire Protection District.

DISCUSSION

The District has received a petition from A N1-MART, LLC (the “Owner”), relating to Parcel 387-141-54-00 located off of E. Bradley Avenue. The Owner is the owner of Assessor Parcel Numbers 387-141-54-00 (“Property”), requesting the annexation into the Community Facilities District 2022-1 (“CFD 2022-1”), encompassing the Property, to finance the following public services:

- a) Fire protection and suppression services, and ambulance and paramedic services; and
- b) The administrative and incidental expenses to be incurred by the District, which include the direct and indirect expenses incurred in carrying out its duties with respect to CFD 2022-1 (including, but not limited to, the levy and collection of the special taxes), including the fees and expenses of attorneys, any fees of the County of San Diego related to CFD 2022-1 or the collection of special taxes, an allocable share of the salaries of the District staff directly related thereto, and a proportionate amount of the District’s general administrative overhead related thereto, any amounts paid by the District from its general fund with respect to CFD 2022-1 or the services authorized to be financed by CFD 2022-1, and expenses incurred by the District in undertaking action to pursue payment of special taxes which are delinquent, and all other costs and expenses of the District related to CFD 2022-1.

A public hearing on the annexation of territory into CFD 2022-1 shall be held at 5:30 p.m. on March 26, 2025, or as soon thereafter as the Board may consider the matter, in the Board Room, located at 2850 Via Orange Way, Spring Valley, CA 91978.

This project will be a commercial property.

FISCAL IMPACT

None, as the costs for the formation of CFD 2022-1 are paid through a deposit provided by the Developer and ongoing administrative costs are paid for through the levy of special taxes within CFD 2022-1.

ATTACHMENTS

- Attachment A – Resolution 25-04
 - Exhibit A – Description of Services
 - Exhibit B – Legal Description of Property
 - Exhibit C – Rate and Method of Apportion of Special Taxes for San Miguel Consolidated Fire Protection District Community Facilities District 2022-1 with Annexation Map
 - Attachment 1 – Maximum Special Tax Rates
- Attachment B – Boundary Map
- Attachment C – Property Owner Petition to the Board

RECOMMENDATION

Approve Resolution 25-04.

Resolution 25-04**Resolution Of Intention Of The Board of Directors of the
San Miguel Consolidated Fire Protection District
Declaring Intention to Annex Territory to Community Facilities District 2022-1
and Adopting A Map of the Area Proposed to be Annexed Thereto
(Annexation 10, APN 387-141-54-00)**

WHEREAS, the Board of Directors (the “Board”) of the San Miguel Consolidated Fire Protection District (the “District”) has established the San Miguel Consolidated Fire Protection District Community Facilities District 2022-1 (“CFD 2022-1”) for the purpose of levying special taxes on parcels of taxable property therein for the purpose of providing certain services which are necessary to meet increased demands placed upon the District as a result of the development of said real property; and

WHEREAS, the territory which is included in CFD 2022-1 is described on the map of CFD 2022-1 recorded in Book 50 of Maps of Assessment and Community Facilities Districts, page(s) 41 in the office of the County Recorder for the County of San Diego, State of California; and

WHEREAS, the Board has received a written petition from A N1-MART, LLC, the owner of certain real property within the District requesting that such property be annexed to CFD 2022-1 in order that they may be developed and receive the benefit of services, which will be financed by the annual levy of special taxes on said property for the purpose set forth in Exhibit “A” (the “Services”); and agreeing to the annual levy of special taxes on said property sufficient to pay the costs of such Services and costs incidental thereto; and

WHEREAS, the Board is authorized by Article 3.5 (commencing with Section 53339) of Chapter 2.5 of Part 1 of Division 2 of Title 5 of the California Government Code, commonly known as the “Mello-Roos Community Facilities Act of 1982,” (the “Act”) to annex territory to CFD 2022-1 by complying with the procedures set forth in said Article 3.5.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Miguel Consolidated Fire Protection District, California, as follows:

Section 1.

Recitals. The above recitals are true and correct and are hereby incorporated into this resolution.

Section 2.

Name of District. The name of the existing community facilities district is the San Miguel Consolidated Fire Protection District Community Facilities District 2022-1.

Section 3.

Intention. The Board declares its intention to conduct proceedings pursuant to said Article 3.5 of the Act for territory proposed for annexation designated "Annexation 10" to CFD 2022-1 as described in Exhibit "B" attached hereto. The Board determines that the public convenience and necessity require that such territory be annexed to CFD 2022-1.

Section 4.

Description of Territory Proposed To Be Annexed; Annexation Map. Annexation 10 to be annexed to CFD 2022-1 is described in Exhibit "B" attached hereto and by this reference made a part hereof. Such territory is also shown and described on the map thereof entitled "Annexation Map 10 of Community Facilities District 2022-1, San Miguel Consolidated Fire Protection District, San Diego County, State of California" which is on file with the Board Clerk (the "Annexation Map").

Section 5.

Types of Services; Incidental Expenses. Services authorized to be financed by CFD 2022-1 are set forth in Exhibit "A." The District shall also finance costs associated with the determination of the amount of and the levy and collection of special taxes which are levied to provide such Services and costs otherwise incurred in order to carry out the authorized purposes of CFD 2022-1.

Section 6.

Special Taxes. Except where funds are otherwise available, special taxes sufficient to pay the costs of the Services provided for in Section 5 above and the annual administrative expenses of the District and CFD 2022-1 in determining, apportioning, levying and collecting such special taxes, shall be annually levied within CFD 2022-1. Pursuant to Section 53340 of the California Government Code, the special taxes shall be collected in the same manner as ordinary ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure, sale, and lien priority in case of delinquency as is provided for ad valorem taxes. However, under no circumstances shall the special tax levied against any parcel subject to the levy of the special tax pursuant to the rates and method of apportionment be increased as a consequence of delinquency or default by the owner of any other parcel or parcels within CFD 2022-1 by more than ten percent (10%). The rate and method of apportionment of said special taxes shall be as set forth in Exhibit "C" attached hereto and by this reference made a part hereof.

Section 7.

Adoption of Annexation Map. Pursuant to Section 3110.5 of the Streets and Highways Code, the Board adopts the Annexation Map as the map of the area proposed to be annexed to CFD 2022-1. Pursuant to Section 3111 of said Code, the Board Clerk shall file the original of the Annexation Map in his or her office and shall file a copy of the Annexation Map with the County Recorder of the County of San Diego no later than 15 days prior to the date of the hearing specified in Section 10 hereof.

Section 8.

Exempt Properties. Pursuant to Section 53340 of the California Government Code, properties of entities of the state, federal, and local governments shall be exempt from the levy of special taxes of CFD 2022-1.

Section 9.

Necessity. The Board finds that the Services described in Section 5 hereof are necessary to meet increased demands placed upon the District as a result of development occurring within the boundaries of the proposed annexation of territory to CFD 2022-1.

Section 10.

Hearing on Annexation of Territory. A public hearing on the annexation of territory into CFD 2022-1 shall be held at 5:30 pm on March 26, 2025, or as soon thereafter as the Board may consider the matter, in the Board Chambers, located at 2850 Via Orange Way, Spring Valley, CA 91978.

Section 11.

Notice. The Board Clerk shall publish a notice of the time and place of said hearing as required by Section 53322 of the California Government Code, and shall also give notice of the time and place of said hearing by first-class mail to each registered voter and to each landowner within the proposed community facilities district as prescribed by Section 53322.4 of said Code. Said notice shall be published at least seven (7) days and mailed at least fifteen (15) days before the date of the hearing, and shall contain the information required by said Section 53322.

Section 12.

Description of Voting Procedures. The voting procedures to be followed in conducting the election on the proposition with respect to the levy of special taxes within the territory proposed to be annexed to CFD 2022-1 shall be as follows:

- a) If at the time of the close of the public or protest hearing (hereinafter referred to as the "protest hearing") at least 12 persons are registered to vote within the territory proposed to be annexed to CFD 2022-1, the election shall be conducted by the Board Clerk, and shall be held on a date selected by the Board in conformance with the provisions of Section 53326 of the California Government Code ("Section 53326") and pursuant to the applicable provisions of law regulating elections of the District, insofar as they may be applicable, and pursuant to Section 53326 the ballots for the election shall be distributed to the qualified electors of the territory proposed to be annexed to CFD 2022-1 by mail with return postage prepaid and the election shall be conducted as a mail ballot election.
- b) If at the time of the close of the protest hearing, and for at least the preceding 90 days, less than 12 persons have been registered to vote within the territory proposed to be annexed to CFD 2022-1, and pursuant to Section 53326, the vote is therefore to be by

the landowners of that territory, with each landowner of record at the close of the protest hearing having one vote for each acre or portion of an acre of land that he or she owns, the election shall be conducted by the Board Clerk as follows:

1. The election shall be held on the earliest date following the conclusion of the protest hearing upon which it can be held pursuant to Section 53326 which may be selected by the Board, or such earlier date as the owners of land within the territory proposed to be annexed to CFD 2022-1 and the Board Clerk agree and concur is acceptable.
2. Pursuant to Section 53326, the election may be held earlier than 90 days following the close of the protest hearing if the qualified electors of the territory proposed to be annexed to CFD 2022-1 waive the time limits for conducting the election set forth in Section 53326 by unanimous written consent and the Secretary of the Board concurs in such earlier election date as shall be consented to by the qualified electors.
3. Pursuant to Section 53326, ballots for the election shall be distributed to the qualified electors by the Board Clerk by mail with return postage prepaid or by personal service.
4. Pursuant to applicable provisions of law regulating elections of the District, which govern the conduct of mail ballot elections, and Division 4 (commencing with Section 4000) of the California Elections Code with respect to elections conducted by mail, the Secretary of the Board shall mail or deliver to each qualified elector an official ballot in a form specified by the Board in the resolution calling the election, and shall also mail or deliver to all such qualified electors a ballot pamphlet and instructions to voter, including a sample ballot identical in form to the official ballot but identified as a sample ballot, a statement pursuant to Section 9401 of the said Code, an impartial analysis by the District's Legal Counsel pursuant to Section 9280 of the said Code with respect to the ballot proposition contained in the official ballot, ballot arguments and rebuttals, if any, pursuant to Sections 9281 to 9287, inclusive, of said Code, a return identification envelope with prepaid postage thereon addressed to the Board Clerk for the return of voted official ballots, and a copy of this resolution; provided, however, that such statement, analysis and arguments may be waived with the unanimous consent of all the landowners of the territory proposed to be annexed to CFD 2022-1 and shall be so stated in the resolution adopted by the Board calling the election.
5. The official ballot to be mailed or delivered by the Board Clerk to each landowner-voter shall have printed or typed thereon the name of the landowner-voter and the number of votes to be voted by the landowner-voter, and shall have appended to it a certification to be signed by the person voting the official ballot which shall certify that the person signing the certification is the person who voted the official

ballot, and if the landowner-voter is other than a natural person, that he or she is an officer of or other person affiliated with the landowner-voter entitled to vote such official ballot, that he or she has been authorized to vote such official ballot on behalf of the landowner-voter, that in voting such official ballot it was his or her intent, as well as the intent of the landowner-voter, to vote all votes to which the landowner-voter is entitled based on its land ownership on the proposition set forth in the official ballot as marked thereon in the voting square opposite such proposition, and further certifying as to the acreage of the landowner-voter's land ownership within the territory proposed to be annexed to CFD 2022-1.

6. The return identification envelope delivered by the Board Clerk to each landowner-voter shall have printed or typed thereon the following: (i) the name of the landowner, (ii) the address of the landowner, (iii) a declaration under penalty of perjury stating that the voter is the landowner or the authorized representative of the landowner entitled to vote the enclosed ballot and is the person whose name appears on the identification envelope, (iv) the printed name and signature of the voter, (v) the address of the voter, (vi) the date of signing and place of execution of said declaration, and (vii) a notice that the envelope contains an official ballot and is to be opened only by the Board Clerk.
7. The information-to-voter form to be mailed or delivered by the Board Clerk to the landowner-voters shall inform them that the official ballots shall be returned to the Board Clerk properly voted as provided thereon and with the certification appended thereto properly completed and signed in the sealed return identification envelope with the certification thereon completed and signed and all other information to be inserted thereon properly inserted by 5:30 p.m. on the date of the election.
8. Upon receipt of the return identification envelopes which are returned prior to the voting deadline on the date of the election, the Board Clerk shall canvass the votes cast in the election, and shall file a statement with the Board at its next regular meeting regarding the results of such canvass and the election. The procedures set forth in this section for conducting the election may be modified as the Board may determine to be necessary or desirable by a resolution subsequently adopted by the Board.

Section 13.

Certification. The Board Clerk shall certify the passage and adoption of this resolution.

Section 14.

Effective Date. This Resolution shall take effect immediately from and after the date of its passage and adoption.

PASSED AND ADOPTED by the Board of the San Miguel Consolidated Fire Protection District this 12th day of February 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST

Shayna Rians, Board Clerk

Kim Raddatz, Board President

EXHIBIT A
DESCRIPTION OF SERVICES

CFD 2022-1 is authorized to finance any of the services set forth in Section 53313 of the Act, including without limitation fire protection and suppression services, and ambulance and paramedic services, and administrative and incidental expenses related thereto as defined in Section 53317(e) of the Act.

The services to be financed by CFD 2022-1 are in addition to those provided in the territory of CFD 2022-1 before the date of creation of CFD 2022-1 and will not supplant services already available within that territory when CFD 2022-1 is created.

The administrative expenses to be funded by CFD 2022-1 include the direct and indirect expenses incurred by District in carrying out its duties with respect to CFD 2022-1 (including, but not limited to, the levy and collection of the special taxes) including the fees and expenses of attorneys, any fees of the County of San Diego related to CFD 2022-1 or the collection of special taxes, an allocable share of the salaries of the District staff directly related thereto and a proportionate amount of the District's general administrative overhead related thereto, any amounts paid by the District from its general fund with respect to CFD 2022-1 or the services authorized to be financed by CFD 2022-1, and expenses incurred by the District in undertaking action to pursue payment of special taxes which are delinquent, and all other costs and expenses of the District related to CFD 2022-1.

The incidental expenses that may be funded by CFD 2022-1 include, in addition to the administrative expenses identified above, the payment or reimbursement to the District of all costs associated with the establishment and administration of CFD 2022-1.

EXHIBIT B
LEGAL DESCRIPTION OF PROPERTY

The Property is identified as San Diego County, Assessor's Parcel Numbers:

- 387-141-54

EXHIBIT C
RATE AND METHOD OF APPORTION OF SPECIAL TAXES
FOR SAN MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT
COMMUNITY FACILITIES DISTRICT 2022-1
TAX ZONE 1

The Special Tax shall be levied in Annexation 10 in accordance with the Rate and Method of Apportionment of Special Tax for San Miguel Consolidated Fire Protection District Community Facilities District 2022-1 pursuant to the rate for Tax Zone 1 set forth in Attachment 1 thereto. The Rate and Method of Apportionment of Special Tax is attached hereto and incorporated herein by this reference.

**RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX
SAN MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT
COMMUNITY FACILITIES DISTRICT 2022-1**

A Special Tax shall be levied and collected in Community Facilities District 2022-1, San Miguel Consolidated Fire Protection District ("CFD 2022-1") each Fiscal Year, in an amount determined by the application of the procedures described below. All Taxable Property (as defined below) in CFD 2022-1, unless exempted by the provisions hereof, shall be taxed for the purposes, to the extent and in the manner herein provided.

I. DEFINITIONS

The terms used herein shall have the following meanings:

"Accessory Dwelling Unit" or "ADU" means a secondary residential unit of limited size, as defined in California Government Code Section 65852.2(j)(1) as that may be amended from time to time, that is accessory to a single-unit dwelling. The ADU may be on the same Assessor's Parcel as the single-unit dwelling or on a separate Assessor's Parcel. Accessory Dwelling Units are considered Units for purposes of the Special Tax.

"Acre" or "Acreage" means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map or in the Assessor's Data for each Assessor's Parcel. In the event the Assessor's Parcel Map or Assessor's Data shows no Acreage, the Acreage for any Assessor's Parcel shall be determined by the CFD Administrator based upon the applicable final map, parcel map, condominium plan, or other recorded County parcel map. If the preceding maps are not available, the Acreage of an Assessor's Parcel may be determined utilizing GIS.

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Division 2 of Title 5 of the Government Act of the State of California.

"Administrative Expenses" means the following actual or reasonably estimated costs directly related to the administration of CFD 2022-1: the costs of computing the Annual Special Tax Requirement and the annual Special Tax and of preparing the annual Special Tax collection schedules; the costs of collecting the Special Tax, including any charges levied by the County Auditor's Office, Tax Collector's Office or Treasurer's Office; the costs of the District or designee in complying with the disclosure requirements of the California Government Code (including the Act), including public inquiries regarding the Special Tax; the costs of the District or designee related to an appeal of the Special Tax; and the costs of commencing and pursuing to completion action arising from any delinquent Special Tax in CFD 2022-1.

"Agricultural Property" means all Assessor's Parcels devoted primarily to agricultural, timber, or livestock uses and being used for the commercial production of agricultural, timber, or livestock products. Typical Assessor's Data use codes include 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 61, 62, 63, 64, 65.

"Annual Services Costs" means the amounts required to fund services authorized to be funded by CFD 2022-1.

"Annual Special Tax Requirement" means that amount with respect to CFD 2022-1 determined by the Board of Directors or designee as required in any Fiscal Year to pay: (1) the Administrative Expenses, (2) the Annual Services Costs, (3) any amount required to establish or replenish any reserve or replacement fund established in connection with CFD 2022-1, and

(4) any reasonably anticipated delinquent Special Tax based on the delinquency rate for any Special Tax levied in the previous Fiscal Year.

“Assessor’s Data” means Units, Building Square Footage, Acreage, or other information contained in the records of the County Assessor for each Assessor’s Parcel.

“Assessor’s Parcel” or **“Parcel”** means a lot or parcel shown in an Assessor’s Parcel Map with an assigned Assessor’s Parcel Number.

“Assessor’s Parcel Map” means an official map of the Assessor of the County designating parcels by Assessor’s Parcel Number.

“Assessor’s Parcel Number” means, with respect to an Assessor’s Parcel, that number assigned to such Assessment’s Parcel by the County Assessor for purposes of identification.

“Assisted Living Property” means all Assessor’s Parcels of Developed Property used as a housing facility for people with disabilities who cannot or who choose not to live alone, according to Assessor’s Data or as otherwise known by the CFD Administrator. Typical Assessor’s Data use codes include 29, 79.

“Backup Special Tax” means the Backup Special Tax applicable to each Assessor’s Parcel of Taxable Property, as determined in accordance with Section III below.

“Building Square Foot(age)” means the structure square footage as shown on the building permit issued or as contained in the Assessor’s Data.

“CFD 2022-1” means the Community Facilities District 2022-1, San Miguel Consolidated Fire Protection District, County of San Diego, State of California.

“CFD Administrator” means an official of the District, or designee or agent or consultant, responsible for administering the Special Tax in accordance with this Rate and Method of Apportionment.

“Board of Directors” means the Board of Directors of the District, acting as the legislative body of CFD 2022-1.

“Commercial Property” means all Assessor’s Parcels of Developed Property with a commercial use, according to Assessor’s Data or as otherwise known by the CFD Administrator. Typical Assessor’s Data use codes include 21, 23, 24, 25, 26, 27, 31, 33, 34, 35, 36, 37, 38, 39, and 22 to the extent the building contains stores.

“County” means the County of San Diego, California.

“Developed Property” means, in any Fiscal Year, all Taxable Property in CFD 2022-1 for which a building permit for new construction was issued by the applicable land use authority prior to June 1 of the preceding Fiscal Year.

“District” means the San Miguel Consolidated Fire Protection District, County of San Diego, California.

“Exempt Property” means all property located within the boundaries of CFD 2022-1 which is

exempt from the Special Tax pursuant to Section V below.

“Fiscal Year” means the period from July 1st of any calendar year through June 30th of the following calendar year.

“GIS” means a geographic information system.

“Industrial Property” means all Assessor’s Parcels of Developed Property with an industrial use, according to Assessor’s Data or as otherwise known by the CFD Administrator. Typical Assessor’s Data use codes include 41, 42, 43, 44, 45, 46, 47, 49.

“Maximum Special Tax” means the maximum Special Tax authorized for levy in any Fiscal Year that may apply to Taxable Property as described in Section III.

“Mixed-Use Property” means all Assessor’s Parcels of Developed Property that have more than one property classifications, allowing for both residential and other use types on each such Assessor’s Parcel. For an Assessor’s Parcel of Mixed-Use Property, the Special Tax shall be calculated and levied for each use type present on the Assessor’s Parcel.

“Mobile Home Property” means all Assessor’s Parcels of Developed Property with a movable or portable dwelling spaces available to be connected to utilities and all Assessor’s Parcels of Developed Property with five or more Units available to be connected to utilities as in a mobile home park. As it relates to Mobile Home Property, Units are the number of mobile home spaces on each Assessor’s Parcel. As it relates to mobile home parks, Units are the number of mobile home spaces on each Assessor’s Parcel. Typical Assessor’s Data use codes include 09 & 32.

“Multi-Family Property” means, in any Fiscal Year, all Assessor’s Parcels of Developed Property with two or more Units that share a single Assessor’s Parcel Number, are offered for rent to the general public, and cannot be purchased by individual homebuyers, according to Assessor’s Data or as otherwise known by the CFD Administrator. Multi-Family Property also means, in any Fiscal Year, all Assessor’s Parcels of Developed Property with one Unit with a single Assessor’s Parcel Number that is a condominium pursuant the definition in Civil Code Section 4125 or a townhome. Typical Assessor’s Data use codes include 12, 13, 14, 15, 16, 17, 18.

“Office Property” means all Assessor’s Parcels of Developed Property used as offices, including medical, dental offices and office condominiums, according to Assessor’s Data or as otherwise known by the CFD Administrator. Typical Assessor’s Data use codes include 28, 30, and 22 to the extent the building contains offices.

“Property Owner’s Association” means any property owner’s association. As used in this definition, a Property Owner’s Association includes any home-owner’s association, condominium owner’s association, master or sub-association.

“Property Owner’s Association Property” means any property within the boundaries of CFD 2022-1 which is (a) owned by a Property Owner’s Association or (b) designated with specific boundaries and acreage on a final subdivision map as property owner association property.

“Proportionately” means, for Developed Property that the ratio of the Special Tax levy to the Maximum Special Tax is equal for all Assessors’ Parcels of Developed Property within CFD

2022-1.

“Public Property” means any property within the boundaries of CFD 2022-1 owned by, irrevocably offered or dedicated to, or for which an easement for purposes of public or private road right-of-way making the property unusable for any other purpose has been granted to the federal government, the State of California, the County, the District, or any local government or other public agency.

“Single Family Property” means, in any Fiscal Year, all Parcels of Developed Property with one permanent dwelling Unit, according to Assessor’s Data or as otherwise known by the CFD Administrator. Single Family Property does not include any property that is considered Multi-Family Property. Typical Assessor’s Data use codes include 11.

“Special Tax” means the amount levied in each Fiscal Year on each Assessor’s Parcel of Taxable Property to fund the Annual Special Tax Requirement.

“Tax Escalation Factor” means a factor equal to the annual change in the May to May San Diego-Carlsbad CPI-U Index up to a maximum factor of 5% that will be applied annually after Fiscal Year 2021/22 to increase the Maximum Special Tax shown in Section III. Should the specified index cease to be reported, the CFD Administrator will determine a comparable index to use.

“Tax Zone” means a mutually exclusive geographic area within which the Special Tax may be levied pursuant to this Rate and Method of Apportionment. ***All the Taxable Property within CFD 2022-1 at the time of its formation is within Tax Zone 1.*** Additional Tax Zones may be created when property is annexed to CFD 2022-1, and a separate Maximum Special Tax shall be identified for property within each new Tax Zone at the time of such annexation. The Assessor’s Parcels included within a new Tax Zone when such Parcels are annexed to CFD 2022-1 shall be identified by Assessor’s Parcel number in the annexation documents at the time of annexation.

“Taxable Property” means all Parcels within the boundary of CFD 2022-1 that are not Exempt Property, or exempt from the Special Tax pursuant to the Act.

“Undeveloped Property” means all Parcels of Taxable Property that are not Developed Property.

“Unit” means any individual single family detached or attached home, townhome, condominium, apartment, mobile home or other residential dwelling unit, including each separate living area within a half-plex, duplex, triplex, fourplex, or other residential structure. An Accessory Dwelling Unit that shares a Parcel with a Unit of Single Family Property shall not be considered a separate Unit for purposes of calculating the Special Tax.

“Welfare Exempt Property” means all Parcels within the boundaries of CFD 2022-1 that have been granted a welfare exemption pursuant to subdivision (g) of Section 214 of the Revenue and Taxation Code by the County.

II. DETERMINATION OF TAXABLE PARCELS

On or about July 1 of each Fiscal Year, the CFD Administrator shall determine the valid Assessor’s Parcel Numbers for all Taxable Property within CFD 2022-1. If any Assessor’s Parcel Numbers are no longer valid, the CFD Administrator shall determine the new Assessor’s Parcel Number or Numbers in effect for the then-current Fiscal Year. To the extent a Parcel or

Parcels of Taxable Property are subdivided, consolidated or otherwise reconfigured, the Maximum Special Tax shall be assigned to the new Assessor's Parcels pursuant to Section III. The CFD Administrator shall also determine: (i) the Tax Zone within which each Parcel is located; (ii) which Parcels are Developed Property and Undeveloped Property; (iii) the number of Units, Building Square Footage, or Acreage each Parcel contains; (iv) the property type, i.e. Single Family Property, etc; and (iv) the Annual Special Tax Requirement for the Fiscal Year.

III. SPECIAL TAX - METHOD OF APPORTIONMENT

All Taxable Property shall be subject to a Special Tax defined as follows.

The Special Tax shall be levied each Fiscal Year by the CFD Administrator. The Annual Special Tax Requirement shall be apportioned to each Parcel within CFD 2022-1 by the method shown below.

- First. Determine the Annual Special Tax Requirement.
- Second. Levy the Special Tax on each Parcel of Developed Property, Proportionately, up to the Maximum Special Tax described in the table below to satisfy the Annual Special Tax Requirement.

Under no circumstances will the Special Tax on any Assessor's Parcel of Developed Property be increased by more than 10% as a consequence of delinquency or default by the owner of any other Assessor's Parcel within CFD 2022-1.

**TABLE 1
MAXIMUM SPECIAL TAX RATES – TAX ZONE
1 FISCAL YEAR 2021/22***

Property Type	Maximum Special Tax Rate**	Per
Single Family Property	\$0.00	Unit
Multi-Family Property	213.40	Unit
Mobile Home Property	435.60	Unit
Assisted Living Property	213.40	Unit
Commercial Property	171.60	1,000 Feet of Building Square Footage
Office Property	422.40	1,000 Feet of Building Square Footage
Industrial Property	173.80	1,000 Feet of Building Square Footage

**On each July 1, commencing on July 1, 2022, the Maximum Special Tax Rate for each Tax Zone shall be increased by the Tax Escalation Factor.*

***Rates per the Fiscal Impact Analysis dated June 2021 and include the addition of applicable CFD administration costs.*

A different Maximum Special Tax rate may be identified in Tax Zones added to CFD 2022-1 as a result of future annexations.

In some instances, an Assessor's Parcel of Developed Property may be Mixed-Use Property. The Maximum Special Tax levied on an Assessor's Parcel shall be the sum of the Maximum

Special Tax for all Units and Building Square Feet of each property type on that Assessor's Parcel.

IV. FORMULA FOR PREPAYMENT OF SPECIAL TAX OBLIGATIONS

The Special Tax may not be prepaid.

V. EXEMPTIONS

Notwithstanding any other provision of this Rate and Method of Apportionment of Special Tax, no Special Tax shall be levied on Agricultural Property, Property Owner Association Property or Public Property, except as otherwise provided in Sections 53317.3 and 53317.5 of the Act. Welfare Exempt Property shall be exempt from the Special Tax in each Fiscal Year the property qualifies as Welfare Exempt Property.

VI. INTERPRETATION OF RATE AND METHOD OF APPORTIONMENT

The District reserves the right to make minor administrative and technical changes to this document that do not materially affect the rate and method of apportioning the Special Tax. In addition, the interpretation and application of any section of this document shall be at the District's discretion. Interpretations may be made by the Board of Directors by ordinance or resolution for purposes of clarifying any vagueness or ambiguity in this Rate and Method of Apportionment of Special Tax.

VII. MANNER AND DURATION OF SPECIAL TAX

The Special Tax shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided that the District may directly bill the Special Tax, may collect the Special Tax at a different time or in a different manner if needed to meet the financial obligations of CFD 2022-1, and may collect delinquent Special Taxes through foreclosure or other available methods.

A Special Tax shall continue to be levied and collected within CFD 2022-1, as needed to fund the Annual Special Tax Requirement, in perpetuity.

VIII. APPEAL OF SPECIAL TAX LEVY

Any property owner may file a written appeal of the Special Tax with the CFD Administrator claiming that the amount or application of the Special Tax is not correct. The appeal must be filed not later than one calendar year after having paid the Special Tax that is disputed, and the appellant must be current in all payments of the Special Tax. In addition, during the term of the appeal process, all Special Tax levied must be paid on or before the payment date established when the levy was made.

The appeal must specify the reasons why the appellant claims the Special Tax is in error. The CFD Administrator shall review the appeal, meet with the appellant if the CFD Administrator deems necessary, and advise the appellant of its determination.

If the property owner disagrees with the CFD Administrator's decision relative to the appeal, the owner may then file a written appeal with the Board of Directors whose subsequent decision shall be final and binding on all interested parties. If the decision of the CFD Administrator or subsequent decision by the Board of Directors requires the Special Tax to be modified or changed in favor of the property owner, the CFD Administrator shall determine if sufficient Special Tax revenue is available to make a cash refund. If a cash refund cannot be made, then an adjustment shall be made to credit future Special Taxes.

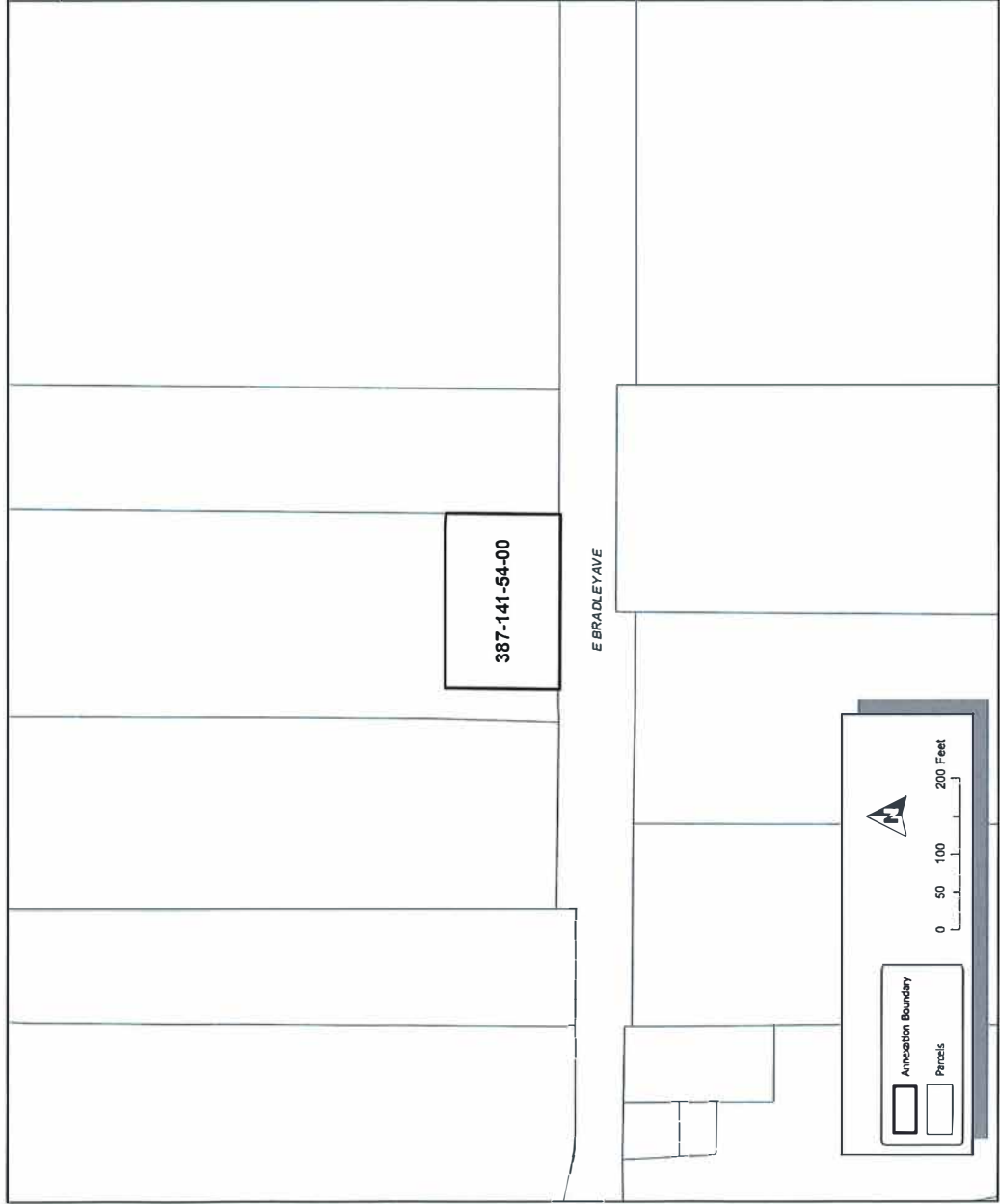
This procedure shall be exclusive and its exhaustion by any property owner shall be a condition precedent to filing any legal action by such owner.

SAN MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT
COMMUNITY FACILITIES DISTRICT 2022-1
ATTACHMENT 1
MAXIMUM SPECIAL TAX RATES

Tax Zone	APNs	Property Type	Special Tax Rate	Per	Base Year
1	387-141-54	Commercial Property	\$195.24	1,000 Feet of Building Square Footage	2024/25

ANNEXATION MAP NO. 10 OF
SAN MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 2022-1
ANNEXATION NO. 10

COUNTY OF SAN DIEGO
STATE OF CALIFORNIA



FILED IN THE OFFICE OF THE BOARD CLERK OF THE SAN MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT THIS
DAY OF _____, 20____.

BOARD CLERK
SAN MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT
SAN DIEGO COUNTY, CALIFORNIA

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF ANNEXATION NO. 10 TO SAN
MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT, COMMUNITY FACILITIES DISTRICT NO. 2022-1 OF THE
SAN MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT, AT A MEETING THEREOF, HELD ON THE _____ DAY OF _____, 20____, BY ITS
RESOLUTION NO. _____.

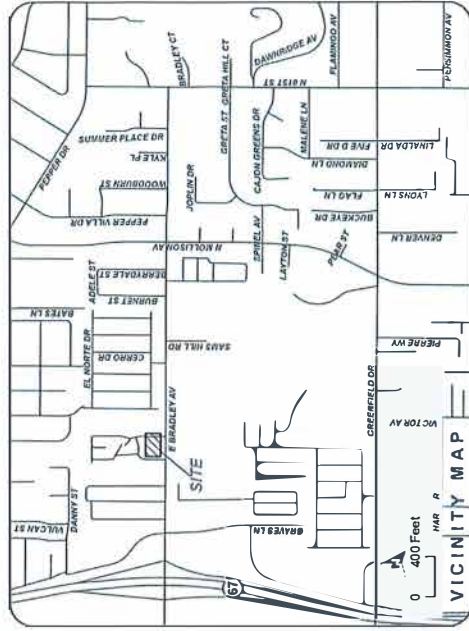
BOARD CLERK
SAN MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT
SAN DIEGO COUNTY, CALIFORNIA

FILED THIS _____ DAY OF _____, 20____, AT THE HOUR OF _____ O'CLOCK _____ M, IN BOOK _____ OF MAPS OF
ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE _____ IN THE OFFICE OF THE COUNTY RECORDER OF
THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AS FILE NO. _____.

JORDAN Z. MARKS
COUNTY RECORDER
COUNTY OF SAN DIEGO, CALIFORNIA

FOR PARTICULARS OF THE LINES AND DIMENSIONS OF ASSESSOR PARCELS, REFERENCE IS MADE TO THE MAPS OF
THE ASSESSOR, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

REFERENCE IS HEREBY MADE TO THAT CERTAIN MAP ENTITLED "MAP OF PROPOSED BOUNDARIES OF SAN MIGUEL
CONSOLIDATED FIRE PROTECTION DISTRICT, COMMUNITY FACILITIES DISTRICT NO. 2022-1 OF THE SAN MIGUEL
CONSOLIDATED FIRE PROTECTION DISTRICT, AT A MEETING THEREOF, HELD ON THE _____ DAY OF _____, 20____, BY ITS
RESOLUTION NO. _____," FILED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, WHICH THIS
ANNEXATION MAP AFFECTS.



NBS
Source: San Diego County GIS
Geographic Coordinate Reference: GCS North American 1983
Projection: NAD 1983 StatePlane California VI FIPS 0406 Feet

PETITION TO THE BOARD OF DIRECTORS OF THE SAN MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT REQUESTING INITIATION OF PROCEEDINGS FOR THE ANNEXATION OF TERRITORY TO COMMUNITY FACILITIES DISTRICT 2022-1, AND CONSENTING TO THE LEVY OF SPECIAL TAXES TO PAY THE ANNUAL COSTS OF SERVICES (ANNEXATION 10 TO CFD 2022-1)

1. A N1-MART, LLC, ("Owner"), requests that the Board of Directors of the San Miguel Consolidated Fire Protection District (the "District") initiate proceedings pursuant to Article 3.5 (commencing with Section 53339) of Chapter 2.5 of Part 1 of Division 2 of Title 5 of the California Government Code, commonly known as the "Mello-Roos Community Facilities Act of 1982," (the "Act") for the annexation of the property described in Exhibit "A" attached hereto (the "Property") to "San Miguel Consolidated Fire Protection District Community Facilities District 2022-1, County of San Diego, State of California" (the "CFD") for the purpose of providing for the funding, through the levy of special taxes, of the services set forth in Exhibit "B" attached hereto.

2. Owner represents to the Board of Directors that it is the owner of all of the Property.

DATED: _____, 2025

A N1-MART, LLC

Signature: _____

Printed Name: _____

Title: _____



OPERATIONS REPORT

DATE: February 12, 2025
TO: Board of Directors
FROM: Rich Durrell, Operations Division Chief
SUBJECT: Surplus Equipment – Vehicle 1031

BACKGROUND

Vehicle 1031 (VIN # 1GNSKFEC4JR241654) is a 2018 Chevy Tahoe currently utilized as a Command Vehicle assigned to Division Chief Riley. After ongoing motor issues, it has been determined that the vehicle requires a new motor. Per our local dealership, the trade-in value is estimated at \$10,000, with the motor replacement cost estimated at \$15,000.

DISCUSSION

Since this vehicle already has over 80,000 miles and the cost to repair it exceeds its current value, it is recommended that it be surplus. Equipment that can be repurposed, such as radios, will be removed and evaluated for future use.



FISCAL IMPACT

Surplus vehicle 1031 for the best-offered price.

ATTACHMENTS

- A. Resolution 25-05

RECOMMENDATION

Approve Resolution 25-05.

Resolution 25-05

**A Resolution of the Board of Directors of the
San Miguel Consolidated Fire Protection District
Authorizing the Liquidation of Surplus Equipment**

WHEREAS, The San Miguel Consolidated Fire Protection District (hereinafter referred to as District) owns and operates motor vehicles that facilitate the provision of services and conduct of business; and

WHEREAS, From time to time, through normal use, some vehicles become obsolete, unreliable, and excessively costly to maintain; and

WHEREAS, District staff has identified the following as being obsolete, unreliable, and/or excessively costly to maintain:

2018 Chevrolet Tahoe (VIN # 1GNSKFEC4JR241654)

NOW, THEREFORE, BE IT RESOLVED, That the Board of Directors finds the vehicles listed above to be no longer needed by the District and, therefore, are deemed surplus; and

BE IT FURTHER RESOLVED That the Board of Directors authorizes staff to liquidate said vehicle in an appropriate manner.

PASSED AND ADOPTED by the Board of Directors of the San Miguel Consolidated Fire Protection District this 12th day of February 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST

Shayna Rians, Board Clerk

Kim Raddatz, Board President



OPERATIONS REPORT

DATE: February 12, 2025
TO: Board of Directors
FROM: Rich Durrell, Operations Division Chief
SUBJECT: Purchase of Emergency Staff Vehicle

BACKGROUND

District command staff (Fire Chief and Two Division Chiefs) each currently utilize Chevrolet Tahoe, model years 2018, 2019, and 2022. One reserve vehicle, a 2017 Ford Police Interceptor with 77,000 miles, replaces the command staff vehicles while in for routine service, unscheduled repairs, and other unplanned out-of-service criteria. These vehicles are utilized by command staff to attend meetings, training sessions, classes, conferences, and symposiums, participate in emergency incident management, and even perform backup duties for the duty battalion chief when needed. Although not often, these vehicles are also utilized to transport dignitaries and elected officials around our District during Government Affairs tours and events.

DISCUSSION

Since its receipt, the 2018 Tahoe has had many motor-related maintenance issues. The most recent diagnosis from our local Chevrolet dealership determined that the vehicle needs a new motor. The estimated cost of replacing the motor is \$15,000. With a good motor, the vehicle's value from Kelly Blue Book ranges from \$21-24,000. This number dramatically surpasses the District's philosophy of exceeding the threshold cost of maintenance and repairs by 30% of the vehicle's residual value. It would not be cost-effective to keep this vehicle. Funds made from the sale of the 2018 Surplus Vehicle will help offset the cost of the 2025 Tahoe.

After conferring with Legal Counsel, we confirmed that District fleet purchases are exempt from the consumer Lemon Law standards, so we do not have recourse through the manufacturer.

District leadership would like to replace the 2018 Chevrolet Tahoe with a 2025 PD specification to ensure continuity with our fleet and maintain the current branding campaign. This unit will come with a basic light package, which will lower the cost of the radio and light package specified for these vehicles through EVS radio installation.

Current Staff Vehicles

IDENTIFIER	VEHICLE	STATUS	MILEAGE
4601	2022 Chevrolet Tahoe		38,000
4602	2021 Chevrolet Tahoe		47,000
4603	2018 Chevrolet Tahoe	Out of service	89,000
1029	2017 Ford Explorer – Pursuit	Reserve	76,000

New Emergency Staff Vehicle

Due to their size and configuration, the Chevrolet Tahoe is a common choice for fire department staff vehicles, both locally and statewide. This vehicle would have emergency response capabilities and

standard 800 MHz and VHF mobile and portable radio systems that can be used to establish or enhance the operations at the Incident Command Post of emergency incidents.

MAKE/MODEL	DEALERSHIP	PRICE <small>(INCLUDES TAX/LICENSE)</small>	WARRANTY
Chevrolet Tahoe	Winner Chevrolet	\$61,452.61	Standard Factory Warranty

FISCAL IMPACT

Not to exceed \$80,000 out of the Vehicle Replacement Fund - \$65,000 for the vehicle, with an additional \$15,000 to outfit with radios and equipment. This purchase is considered off-cycle and was not included in the current fiscal year's budget. As an unplanned expenditure, the acquisition of this emergency staff vehicle will require funding from the Vehicle Replacement Fund, with additional costs necessary for outfitting the vehicle with radios and equipment. Monies received from the surplus vehicle will offset the cost of the newly acquired vehicle. This amount is preliminary and is being discussed as \$15,000. The Vehicle Replacement Reserve Fund's February 1, 2025, balance was \$3,880,192.

ATTACHMENTS

- A. Resolution 25-06

RECOMMENDATION

Approve Resolution 25-06 for the procurement of one (1) Emergency Staff Vehicle and authorize the Fire Chief to execute the purchase.

Resolution 25-06

**A Resolution of the Board of Directors of the
San Miguel Consolidated Fire Protection District
Approving the Expenditure of Funds for Purchase of a Emergency Staff Vehicle
and Granting the Fire Chief Authority to Enter into Procurement Process**

WHEREAS, the District maintains multiple Emergency Staff Vehicles for the Fire Chief and Division Chiefs; and

WHEREAS, the necessity for a new Emergency Staff Vehicle assigned to the EMS/Health & Safety Division Chief has been identified; and

WHEREAS, the cost to purchase and outfit the new Emergency Vehicle will be approximately \$80,000.00; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Miguel Consolidated Fire Protection District hereby approve the expenditure of funds, not to exceed \$80,000.00, for the purchase of a new Emergency Staff Vehicle.

BE IT FURTHER RESOLVED by the Board of Directors of the San Miguel Consolidated Fire Protection District authorizes the Fire Chief or designee to enter into and execute the necessary procurement process.

PASSED AND ADOPTED by the Board of Directors of the San Miguel Consolidated Fire Protection District on this 12th day of February 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST

Shayna Rians, Board Clerk

Kim Raddatz, Board President



STAFF REPORT

DATE: February 12, 2025
TO: Board of Directors
FROM: Tobin Riley, Division Chief
SUBJECT: Station 18 Pre-Engineered Steel Building (PESB) contract award via Resolution 25-07

BACKGROUND

To date, completed stages for the building of Station 18 include the lot merger, public utilities, and underground septic installation. The building pad has been established and verified for compaction, and the next step is the purchase of the structure, a pre-engineered steel building. Request for Proposals (RFP) 2425-04 was posted on the District website, advertised in local publications, and mailed to selected companies on December 26, 2024.

DISCUSSION

Firms were given a bid submittal deadline of January 16, 2025, at 3 p.m. Three bids were received:

Company	Allied Steel Buildings	Engineered Structures of San Diego	Empire Steel Buildings
Total Bid	\$394,096	\$618,400	\$618,525 + tax

The public bid opening was attended by myself, District consultant Tockstein, and Administrative Officer/Finance Officer Harris, who read the submittals aloud. Engineered Structures of San Diego was the only company to provide a complete RFP packet.

After the disclosure of bids to all bidders, Allied representatives requested to increase their bid by \$94,000 due to a mathematical error in their software. This increase is not reflected in the table above.

On January 28, 2025, consultant Tockstein, three members from the District’s architectural firm (MPA Architects), and myself conducted bidder interviews. MPA was tasked with ensuring the buildings conform to the specifications set forth in the preliminary drawings, and Consultant Tockstein was tasked with completing reference checks, and ensuring bids were complete with accurate estimates. Engineered Structures of San Diego was the only bidder to meet building specifications and present complete/accurate dollar estimates.

FISCAL IMPACT

\$618,400 from the Facilities Replacement/Renovation Fund

ATTACHMENTS

- A. Contract for Engineered Structures of San Diego
- B. Resolution 25-07

RECOMMENDATION

Award contract to Engineered Structures of San Diego, granting the Fire Chief authority to execute said contract via Resolution 25-07.

**PUBLIC WORKS CONTRACT
BETWEEN
THE SAN MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT
AND
ENGINEERED STRUCTURES OF SAN DIEGO**

This public works contract (“Contract”) is made and entered into as of February 13, 2025 (“Effective Date”), by and between the San Miguel Consolidated Fire Protection District (a public agency organized under the laws of the State of California with its principal place of business at 2850 Via Orange Way, Spring Valley, California 91978) (“District”); and Engineered Structures of San Diego, dba Cairo Construction Company (a general contractor with its principal place of business at 7111 Engineer Road, San Diego, California 92111) (“Contractor”). District and Contractor are sometimes individually referred to as “Party” and collectively as “Parties”.

Recitals

A. District is a California Special District duly organized and validly existing under the laws of the State of California with the power to continue its business as it is now being conducted under the statutes of the State of California; and

B. Contractor is a general contractor determined by the District to be qualified by experience and ability to render the desired construction services; and

C. Request for Proposals 2425-04 issued by the District with an expiration date of January 16, 2025 (“RFP”) (located under the “RFP” tab on the District’s website at “<https://sanmiguelfire.gov/completed-rfps>”) solicited proposals for construction services (design, manufacture, and delivery of a pre-engineered steel building) (“Construction Services”) at Fire Station 18 (Crest) located at 1811 Suncrest Boulevard, El Cajon, California 92021 (“Fire Station 18”); and

D. Contractor submitted a proposal on January 16, 2025, in response to the RFP prepared by District (“Proposal”); and

E. District’s Board of Directors approved the selection and award of the contract to Contractor on February 12, 2025, contingent upon performance and payment bond stipulations; and

F. The Parties now desire to contract for the Construction Services at Fire Station 18.

Agreement

1. Incorporation of Recitals. The recitals above are true and correct, and are hereby incorporated herein by this reference.

2. Services. Contractor shall provide District with the services described in Document Number 00500 (Scope) of the RFP.

3. RFP and Proposal Incorporation by Reference. The RFP and Proposal, including any amendments or modifications thereto, are hereby incorporated into and

made a part of this Contract by reference. The terms and conditions of the RFP and Proposal, including any exhibits or attachments, shall govern the performance of work and the obligations of the Parties under the Contract to the extent they do not conflict with the terms of this Contract. In the event of any conflict between the terms of this Contract and the RFP and Proposal, the terms of this Contract shall prevail.

a. RFP Documents. The following documents listed in the “Table of Contents” section of the RFP are specifically highlighted and noted as being included in this Contract and are hereby incorporated in full by reference: Document Number 00500 (Scope), Document Number 00700 (General Conditions), and Document Number 00750 (Special Provisions).

b. Articles to RFP Document Number 00700 (“General Conditions”). The following Articles listed in the General Conditions section of the RFP are specifically highlighted and noted as being included in this Contract, and are hereby incorporated in full by reference:

- Article 2 (Contract Documents)
- Article 6 (Project Schedule)
- Article 14 (Subcontractors)
- Article 29 (Prevailing Rates of Wages)
- Article 30 (Labor Compliance)
- Articles 34-39 (Insurance)
- Article 40 (Time for Completion and Liquidated Damages)
- Article 47 (Indemnification)
- Article 48 (Personal Liability)
- Article 50 (Resolution of Construction Claims)
- Article 51 (District’s Right to Terminate Contract)
- Article 52 (Warranty and Guarantee)
- Article 54 (Required Certifications)
- Article 64 (Laws and Regulations)

4. Time for Completion. The work shall commence within ten (10) days of the date stated in District’s Notice to Proceed (“NTP”) in accordance with Article 40 of the General Conditions section of the RFP. Contractor shall complete all work required by the Contract not later than sixteen (16) weeks from the date stated in the NTP. By its signature hereunder, Contractor agrees the time for completion set forth above is adequate and reasonable to complete the work.

5. Amount of Compensation. As consideration for performance of the work required herein, District agrees to pay Contractor for a total Contract price of six hundred eighteen thousand, four hundred dollars (\$618,400).

6. Performance and Payment Bond (“Bonds”). Contractor shall provide one hundred percent (100%) Bonds as requested in the RFP. The Bonds shall be included in the total cost of the Project.

7. Liquidated Damages. Contractor shall pay District the sum of five hundred dollars (\$500) for each and every calendar day of delay beyond the time prescribed in the Contract for finishing the work as liquidated damages in accordance with Article 40 to the General Conditions section of the RFP. In the event this is not paid, Contractor agrees District may deduct that amount from any money due or that may become due Contractor under the Contract. This provision does not exclude recovery of other damages specified in the Contract.

8. Authority to Enter Contract. Each Party warrants that the individuals who have signed this contract have the legal power, right, and authority to make this Contract and bind each respective Party.

9. Entire Contract; Modification. This Contract contains the entire agreement of the Parties with respect to the Contract (and supersedes all prior negotiations, understandings, or agreements). This Contract may only be modified by a writing signed by both Parties.

[SIGNATURES ON NEXT PAGE]

**SIGNATURE PAGE FOR PUBLIC WORKS CONTRACT
BETWEEN
THE SAN MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT
AND
ENGINEERED STRUCTURES OF SAN DIEGO**

IN WITNESS WHEREOF, the Parties have entered into this Contract as of the Effective Date.

**SAN MIGUEL CONSOLIDATED
FIRE PROTECTION DISTRICT**

**ENGINEERED STRUCTURES OF
SAN DIEGO**

By: _____
Andy Lawler
Fire Chief

By: _____
Christopher Cairo
Vice President

Resolution 25-07

**A Resolution of the Board of Directors of the
San Miguel Consolidated Fire Protection District
Approving the Expenditure of Funds for Station 18
Pre-Engineered Steel Building, and
Granting the Fire Chief Authority to Enter into Contract**

WHEREAS, Station 18 had been demolished, with crews operating out of a temporary facility on-site; and

WHEREAS, the land has been graded with public utilities and underground septic installed, and is ready for the permanent structure to be engineered and constructed; and

WHEREAS, the project Request for Proposals 2425-04 was published, and bids vetted pursuant to District policy; and

WHEREAS, a capable and qualified contractor, Engineered Structures of San Diego DBA Cairo Construction Company has been identified; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the San Miguel Consolidated Fire Protection District hereby approve the expenditure of \$618,400.00 from the Facilities Replacement/Renovation Fund.

BE IT FURTHER RESOLVED that the Board of Directors of the San Miguel Consolidated Fire Protection District authorizes the Fire Chief to enter into said contract.

PASSED AND ADOPTED by the Board of Directors of the San Miguel Consolidated Fire Protection District on this 12th day of February 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST

Shayna Rians, Board Clerk

Kim Raddatz, Board President

SMFR

FIRE CHIEF REPORT

February 12, 2025



STAFF INVOLVEMENT

- DC Riley, BC Nava, BC Lieberman, and HR Specialist Jacobson attended LCW training downtown San Diego. The training covered employment law.
- DC Riley attended a community meeting with SDSO large animal evacuation.
- DC Riley and Fire Marshal Newman attended the Crest community general meeting.
- Inspector Lyons attended the re-opening ceremony at the Nancy Vasquez Residential Care Center.
- Admin/Finance Officer Harris attended the Legislative Task Force Meeting.

IMPORTANT LEGISLATION

- Federal Grant Status.

POLITICAL PARTNERSHIPS

- Director Pierce, Director Robles and myself met with Division 1 candidate, and current Imperial Beach Mayor Paloma Aguirre in Spring Valley to provide a tour and discuss District challenges.

COMMUNITY OUTREACH

- 1/18 - **Grossmont Gala Dinner** - Station 15 crew and I hosted a party of 5 for a station dinner auctioned off at the Grossmont Hospital Foundation Gala fundraiser.
- 1/20 - **BSA Troop station visit** - Approximately 20 Boy Scouts visited Station 15 for a station and apparatus tour.
- 1/22 - **Steele Canyon High School Training** - E22 crew, Scott Medinger, and Captain Loftis put on a requested training session for "Hands-Only" CPR, Narcan administration, and fire extinguisher use for staff. Over the course of 5-6 hours, we cycled through all staff members teaching them proper techniques. I discovered that we had a fire extinguisher prop that proved to be an excellent demonstration device for the fire extinguisher class.
- 1/30 - **La Presa Elementary School Visit** - E16 provided fire safety talk and engine tour for approximately 30 kindergarteners.

OTHER

- District Master Plan - Contract initiated on February 2, 2025.
- Annual Report to be delivered at the March Board meeting.
- Ivanhoe Ranch and Jamacha Road development.
- Board Meeting Frequency-CFD.
- Fire engine delays.