

**CHINO VALLEY INDEPENDENT FIRE DISTRICT**  
*Special Meeting of the Board of Directors*

**MINUTES**  
*January 28, 2021*

**TELECONFERENCE MEETING ANNOUNCEMENT**

President Ramos-Evinger opened the meeting at 2:00 p.m. and stated that all future Fire Board meetings will be held in a hybrid format, with only Board members and essential staff present, until further notice in accordance with the California Governor's executive Order N-29-20; guidance from the California Department of Public Health; and in an effort to combat the spread of COVID-19. She explained the process for members of the public to participate in the meeting and provide public comment. President Ramos-Evinger also announced that the meeting would be recorded.

**ROLL CALL**

All Board Members were present.

**OPEN SESSION**

President Ramos-Evinger called the Open Session to order.

**FLAG SALUTE**

Vice President Kreeger.

**INVOCATION**

Keith Roby, Fire District Chaplain.

**CHANGES TO THE AGENDA**

President Ramos-Evinger asked Clerk of the Board Heney if there were any changes to the agenda.

Clerk of the Board Heney stated that there were no changes.

**PUBLIC COMMUNICATIONS**

None.

**OLD BUSINESS**

None.

**NEW BUSINESS**

I. **RESOLUTION NO. 2021-07, APPROVING A PROPERTY TRANSFER AGREEMENT NO. 2021-02 WITH THE CITY OF CHINO HILLS FOR THE PROPOSED CONSTRUCTION OF FIRE STATION 68**

Purpose is for the Board of Directors to consider adopting Resolution No. 2021-07, approving the Property Transfer and Public Facility Development Impact Fee Payment Agreement (“Agreement”) between Chino Valley Independent Fire District (“District”) and the City of Chino Hills (“City”).

Legal Counsel Isaac Rosen stated that in October, 2020, the District and City entered into a nonbinding Letter of Intent with respect to a transfer of real property for the potential construction of Fire Station 68, which benefits both parties, the larger community, and serves an agency use for the District. In exchange for a District-owned parcel located at 4040 Eucalyptus Avenue (.62 acres), the City would transfer a City-owned parcel located at the intersection of Soquel Canyon Parkway and Pipeline Avenue, plus a portion of an adjoining parcel, for a total of roughly 4 acres. If the parties approve this Agreement by resolution, the parties will enlist a surveyor (and split the costs) to determine the legal metes and bounds of the City-owned real property to be transferred to the District for total acreage.

Legal Counsel Isaac Rosen stated that once the legal description of the City-owned property to be transferred is approved, the Agreement provides for the processes by which the parties conduct due diligence on the parcels, including evaluation of any environmental considerations, and review of the respective property title reports to ensure the properties are acceptable.

Legal Counsel Isaac Rosen stated that there is no purchase price associated this agreement. There is a payment from the City to the District of \$8 million associated with the construction of Fire Station 68, \$4 million would be provided to the District at the time the property transfer would be complete upon the close of escrow meaning the grant deeds have been filed and the land itself has been transferred. The second installment of \$4 million would be issued at the time the District chooses a consultant, a contractor for the potential construction of Fire Station 68. Once the due diligence closes and the properties are transferred via grant deed, the District will begin the process of evaluating the potential construction of Fire Station 68, including California Environmental Quality Act (“CEQA”) review, and determining what other land use approvals may be necessary. The District is responsible for the costs associated with any required CEQA review for the potential construction of Fire Station 68.

**RECOMMENDATION:** It is recommended that the Board of Directors approve, via Resolution No. 2021-07, the Property Transfer and Public Facility Development Impact Fee Payment Agreement No. 2021-02 between the District and the City and find the action exempt from CEQA.

President Ramos-Evinger asked if there was any Public comment.

There was no public comment.

President Ramos-Evinger asked if there was any Board comments.

Director Williams asked if we get any 4-acre parcel that we want of the whole acreage that Legal Counsel Rosen had stated.

Legal Counsel Rosen stated the 1.5-acre parcel on Soquel and Pipeline is a part of the transfer, the remaining 2.5-acres would come from an adjoining parcel. A surveyor has been enlisted to assist by setting out bounds for a legal description and ultimately merge the two parcels as part of the transfer.

Director Williams asked if it has been determined what the first 1.5 acreage will be.

Legal Counsel Rosen stated that the parcel at Soquel and Pipeline can be transferred entirely. Both parties administratively approved the 4 acres total but the process is to enlist the surveyor and the cost would be split equally between the parties before the close of escrow. The 4 acres would be based on how the surveyor accesses the land that would adjoin the 1.5-acre parcel.

Fire Chief Shackelford stated that there is an underground culvert for drainage that will be an easement. In addition, there is a flood detention basin that is associated with that area.

Fire Chief Shackelford stated that the first portion of the property was originally designated many years ago for a fire station facility and is set aside. It is the additional portion that the surveyor will determine what the boundaries will look like, but it will be one continuous parcel.

Director Williams asked when he could go out to look at the acreage.

Legal Counsel Rosen stated that any Board Member can go and see the parcel that is under consideration.

Fire Chief Shackelford stated that once the project progresses a layout can be provided to the Board.

Director Luth had no comment.

Director DeMonaco stated that this item was on the agenda last October and asked why the process took three months.

Legal Counsel Rosen stated that there was negotiations that still had to be done on the back end for practical considerations of implementation. The goal was to layout each step along the way and work with our partners to make sure everyone was on the same page.

Director DeMonaco asked if there was a delay by the Fire District in this process.

Legal Counsel Rosen stated that there was not a delay on behalf of the Fire District.

Director DeMonaco asked if there would be additional delays.

Legal Counsel Rosen stated that the Board will be apprised of each subsequent development including what the City Council may have been referring to at their last meeting regarding possible delays.

Legal Counsel Rosen stated that the agreement is complete. It lays out the process for the due diligence period through the close of escrow.

Director DeMonaco asked when the 180 days of due diligence start.

Legal Counsel Rosen stated that it would start as soon as the parties agree on the legal description for the 4 acres that will be transferred to the Fire District.

Director DeMonaco asked what the timeline was in getting the land surveyed and over to the City for our proposal.

Fire Chief Shackelford stated that the process could start within a month or sooner.

Vice President Kreeger thanked Legal Counsel Rosen, Fire Chief Shackelford and the City Council for their work on this.

Vice President Kreeger asked about the 180 days due diligence.

Fire Chief Shackelford commented on the steps needed to be taken to get the process moving during the due diligence period.

Vice President Kreeger asked if the CEQA process can be done during this period.

Legal Counsel Rosen commented on the steps needed to be taken during the CEQA process.

Fire Chief Shackelford stated that the goal is to move this process as quickly as possible to get the Station built.

President Ramos-Evinger also thanked everyone involved for all their work.

Director DeMonaco thanked everyone for their hard work and stated that it was imperative that we impress on the City to move this project along.

**Moved by Vice President Kreeger, seconded by Board Member Luth, carried by a 5-0 voice vote for the Board of Directors to approve Resolution No. 2021-07, approving a property transfer Agreement No. 2021-02 with the City of Chino Hills for the proposed construction of Fire Station 68 as presented.**

**AYES: BOARD MEMBERS: Ramos-Evinger, Kreeger, DeMonaco, Luth, and Williams.**  
**NOES: BOARD MEMBERS: None.**  
**ABSTAIN: BOARD MEMBERS: None.**  
**ABSENT: BOARD MEMBERS: None.**

**CLOSED SESSION**

President Ramos-Evinger read the Closed Session Items.

**CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Section 54965.9: (one (1) potential case)

**CONFERENCE WITH LABOR NEGOTIATOR**

Meet with Board previously appointed negotiators (Fire Chief Tim Shackelford, Finance Director Steve Heide and Human Resources Director Kristi Kuchwara) regarding negotiators between the Chino Valley Professional Firefighters, Local 3522 (CVPF) Safety Unit and the Chino Valley Fire District per Government Code Section 54957.6.

President Ramos-Evinger asked if there was any Public comment.

There was no public comment.

**ADJOURN TO CLOSED SESSION**

President Ramos-Evinger adjourned the meeting to Closed Session.

**RE-OPEN TO OPEN SESSION**

President Ramos-Evinger re-opened to Open Session.

**ROLL CALL**

All Board Members were present.

**REPORT OUT OF CLOSED SESSION**

Legal Counsel Isaac Rosen stated that there was nothing to report out of Closed Session.

**BOARD COMMITTEE REPORTS/BOARD COMMENTS**

Director Williams commented that he hopes it goes well during negotiations. He also stated he needs help getting the form to add an item to the agenda.

Fire Chief Shackelford stated he would email the form to him again.

Director Luth confirmed that the Board had received an email outlining the process for placing an item to the agenda that included the form and also stated that he had reached out to Director Williams and offered to help with understanding the form.

Director DeMonaco asked Chief Shackelford to send the email to the entire Board again with the instructions on how to place an item on the agenda.

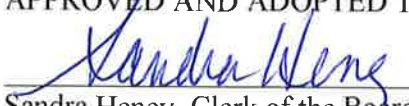
Vice President Kreeger had no further comment.

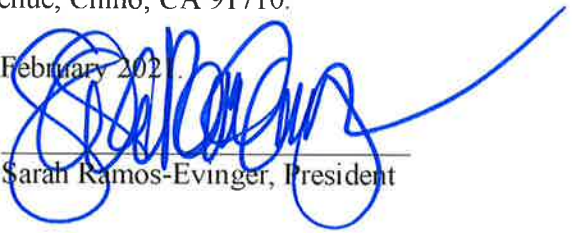
President Ramos-Evinger had no further comment.

**ADJOURNMENT**

The meeting was adjourned at 4:22 p.m. to a Regular Meeting of the Board of Directors of the Chino Valley Independent Fire District to be held on Wednesday, February 10, 2021 at 6:00 p.m. at the Fire District Training Center located at 5092 Schaefer Avenue, Chino, CA 91710.

APPROVED AND ADOPTED THIS 10th DAY OF February 2021.

  
Sandra Heney, Clerk of the Board

  
Sarah Ramos-Evinger, President