

Date: March 24, 2021

To: Finance and Government Operations Committee (FGOC)

Housing, Land Use, Environmental and Transportation Committee (HLUET)

Cheryl Solov, Contract Management Audit Manager

From: Mark Warren, Board President, Los Altos Hills County Fire District

J. Logan, General Manager, Los Altos Hills County Fire District (LAHCFD or District)

RE: LAHCFD March 2021 Report and PowerPoint to Management Audit Division, FGOC

and HLUET Committees

This Cover Memorandum will serve to transmit the LAHCFD March 2021 Monthly Report and the PowerPoint, requested by Supervisor Lee, pertaining to the Management Audit Recommendations for LAHCFD.

The attached March 2021 Report and PowerPoint are to be included in the agenda files for FGOC and HLUET on April 15, 2021 and April 22, 2021 Committee meetings, respectively.

Thank you.

#### Attachments:

- 1. LAHCFD March Monthly Report
- 2. LAHCFD March PowerPoint

cc:

Jeff Smith, County Executive
Tony Bowden, Fire Chief, Central Fire Protection District
James Williams, County Counsel
Christopher S. Cheleden, Lead Deputy County Counsel
Rob Coelho, Assistant County Counsel
Kavita Narayan, Assistant County Counsel

No.	RECOMMENDATION	DISTRICT RESPONSE as summarized by	MONTHLY REPORT FROM LAHCFD: March 31, 2021
		HMR (revised 8/5/2020)	
Section 1: Us	se of Fire District Funds		
The <b>Board of</b>	<b>Supervisors</b> should:		
1.1	Direct County Counsel to review and report to the Board of Supervisors its assessment of whether the making of agreements, donations or loans resulting in Fire District subsidies of other entities' capital projects has been consistent with all applicable legal requirements. This review should include any new proposed agreements or expenditures. (Priority 1)	District agrees with recommendation to direct County Counsel to review and report its assessment, including new proposed agreements or expenditures, to the Board of Supervisors. Pending this assessment and report, the District requests immediate assistance from County Counsel for the review of other agencies' capital improvement projects that are currently underway or in the design and preconstruction phase and that immediately impact District fire hydrants and equipment. County Counsel review is requested as a priority to guide the District Board of Commissioners. During the fire season, decisions on these projects are urgent. If County Counsel is not immediately available due to County- wide demands or resources, the District Board of Commissioners wishes to proceed in a manner consistent with fire protection and safety based on engineering and fire-safety reports.	March 2021: LAHCFD Commission meeting was held on March 16, 2021. 1.) The Board of Commissioners approved a cost reimbursement agreement with Purissima Hills Water District (PHWD) that was approved by County Counsel as to form and legality for construction costs related to District owned hydrants and hydrant related infrastructure that were part of the PHWD Taaffe/Elena Water Main Replacement Project. No expenditures were made by the District to fund PHWD's portion of the construction project. The District Engineer Consulting firm prepared a detailed report that accounted for each District owned hydrant and the related District owned hydrant infrastructure (Infrastructure) and verified that hydrant parts were reused or replaced as determined by engineer assessments. Photos of each of the District owned hydrants and infrastructure were in the engineering report to verify construction, location and invoice payment. Prior to construction, District staff, engineers, and Central Fire personal conducted a sitewalk to determine placement of the hydrants and infrastructure to maximize fire protection safety. A second sitewalk inspection of the completed project occurred and was part of the District Engineer Consultant's final report. Total cost of the District hydrant and infrastructure project is \$167,300. The cost reimbursement agreement, final engineering report and invoice were on the March 16, 2021 agenda for consideration by the Commission and for transparency to the public. 2). At the March 16, 2021 meeting, the Board of Commissioners (Board) received a presentation by the District Engineer Consulting firm. The presentation informed the Board of progress on the development of policies and processes for management of District

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No.	RECOMMENDATION	DISTRICT RESPONSE as summarized by HMR (revised 8/5/2020)	water systems of hydrant and hydrant infrastructure. The goal of this process is to develop a studied approach for the Board to manage the District's water systems of 540 hydrant and hydrant infrastructure for protection of property, life-safety and support of fire suppression systems.  Background: At the February 16, 2021 HLUET Committee meeting, responses to questions by Supervisor Simitian confirmed two District hydrant projects were a result of the water utility's CIP project of pipeline replacements. Expenditure of District fund for both of these construction projects was limited to the replacement, relocation, and addition of District owned hydrants and related hydrant infrastructures for purposes of fire protection. There were no subsidies made by the District to PHWD's CIP portion of the construction project. The January monthly report and FGOC PowerPoint slides contain details on these hydrant projects.  The Board of Commissioners, at its regular meeting on January 19, 2021, approved the LAHCFD 2021-2022 Strategic Plan (SP). The SP states the Board of Commissioner's hydrant and related infrastructure management endeavor as Goal 4. To commence action on Objective a. of Goal 4, the District Consulting Engineers convened a task force composed of District Engineer Consultants, Central Fire personnel, water purveyor engineers, Town of Los Altos Hills Public Works Director/City Engineer to gather information and to address the development of policies and guidelines. The task force gathered information during its meeting pertaining to interface with and feedback from each agency and with the District.
			Prior projects between these agencies and the District were discussed along with upcoming projects. District will next convene a workgroup to develop the policies and guidelines and report back to the Board of Commissioners with Standard Operating Procedures

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			(SOP) for District hydrants and related infrastructure once the policies and guidelines are defined.
1.2	Suspend its delegation of authority to the Fire Commission to ensure the Fire District does not enter into new agreements or arrangements to subsidize capital projects of other agencies while the Board exercises due diligence per Recommendation 1.1. The Fire Commission should serve in an advisory role. (Priority 1)	LAHCFD disagrees. The District agrees with the Audit Recommendation 1.1 for a review, assessment and report by County Counsel. Planning for any mutual cost- sharing capital improvement project with Purissima Hills Water District was halted once the audit concerns were expressed during the course of the audit investigations. However, as Purissima Hills Water District capital improvement projects continue and as these projects provide the LAHCFD with opportunities to improve hydrants and equipment for fire flow and firefighting capabilities, LAHCFD desires to undertake such projects if permitted by law. To this end, LAHCFD welcomes guidance from County Counsel. This plan positively responds and achieves the purpose of Audit Recommendations 1.1. Recommendation 1.2. to suspend delegated authority to the Fire District is not required to achieve Recommendation 1.1.	Per the posted minutes of the Board of Supervisors October 6 meeting, action was taken to accept the management audit of the Los Altos Hills County Fire District (ID# 103208) as amended, excluding Recommendation 1.2 relating to suspension of delegation of authority.

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	se of Fire District Funds for Private Tree	Services	
The Board of 2.1	End the discretionary tree services program and redirect the funds to services expressly designed to improve the ability of properties in the Fire District to survive wildfire. While such efforts could include tree pruning and removal to reduce the amount of flammable material, public funding of such services should result in demonstrably reduced overall fire risk within the District. (Priority 1)	LAHCFD: Agree. The District will comply with the Audit Recommendation and will continue to keep retired the tree removal program it once operated for identification and removal of hazardous fire fuels. Absent the audit findings, the District had no plan to continue the tree removal program. The District fulfilled its obligations to residents for hazardous tree removals under that prior plan, identified improvements, retired the program and notified the community accordingly. The District's current program is now an Integrated Hazardous Fuel Reduction Program (IHFR). The IHFR program is supported in partnership with Santa Clara County FireSafe Council (FSC) to bring effective vegetation mitigation to residents. The suite of programs offers Home Ignition Zone (HIZ) inspections, monthly brush chipping to remove hazardous fuels stacked-up by residents, creation of shaded fuel breaks for evacuation and escape routes	Dead/dying/Eucalyptus tree removal program is retired.  March 2021: At the March 16, 2021 Commission meeting, the Board of Commissioners approved an agreement, that was approved by County Counsel as to form and legality, for goat grazing services that are a component of the District Integrated Hazardous Fuel Reduction Program. District continues to implement, by Area, the monthly residential Defensible Space Brush Chipping and Debris (brush chips) Removal Services Program and monthly Defensible Space Fuel Reduction Drop off Program. Construction of new Shaded Fuel Breaks are in the planning stages. Input from Central Fire personnel as to the location of shaded fuel breaks is in process.  District-offered fire prevention and fire protection programs, formulated in collaboration with Central Fire, such as the Integrated Hazardous Fuel Reduction Program, serve to reduce the risk of fires and emergencies and result in mitigation of fire threats and events.  Background: The Defensible Space Brush Chipping and Debris (brush chips) Removal Services Program and Shaded Fuel Break Projects are components of the Integrated Hazardous Fuel Reduction Program. District prepares Defensible Space flyers, Letter, authorization Card, and Notices and informational brochures
		similar to the recent construction on Highway 17, and other programs. District funds are allocated to these integrated efforts based on fire science principles and aligned with FSC programs being utilized	sent monthly to residents in the chipping Area as an advisory of the criteria and qualifications to participate in the Defensible Space Brush Chipping and Debris Removal Services Program. County Counsel reviewed and advised on the program materials and on the authorization to enter property and the indemnify, defend and hold

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		throughout Santa Clara County. The District has moved forward to accomplish the audit report Recommendation stated in Section 2 and has utilized its funds that more broadly reduce the risk of major fires in the Fire District.	harmless statements that are signed by residents who receive program services.  District is currently providing an Integrated Hazardous Fuel Reduction Program (IHFR). District IHFR programs are designed around principles of fire science and FireSafe Council programs.  District is targeting areas with high fire-risk potential such as District boundaries adjoining open space areas and densely wooded roads for priority hazardous fuel reduction efforts for egress and ingress safety. IHFR programs contracted through Santa Clara County FireSafe Council include Home Ignition Zone (HIZ) surveys that educate residents in principles of property hygiene and structure hardening; defensible space brush chipping to remove hazardous fuels that have been cut, trimmed, pruned, collected and stacked by residents; construction of shaded fuel breaks along roadways for evacuation and escape routes. District also offers additional vegetation mitigation programs, trainings and workshops and resources to mitigate and remove hazardous fire fuels and to offer protection and prevention from wildfire, structure fire and fires caused by earthquake for public safety.
Section 3: Bro	own Act Compliance		
	Supervisors should:		
3.1	Direct the Fire Commission to use County Counsel as its legal representative, consistent with Ordinance Code section A22-16, to help prevent future Brown Act violations. If this recommendation is implemented and potential	LAHCFD agrees. The District wishes to comply with the Audit Recommendation to avoid actual or potential Brown Act violations. The District requests assignment of County Counsel to LAHCFD to start discussion of the transition process and to discuss the role of the District contract counsel with County Counsel and LAHCFD during and after the transition	March 2021: District staff and Commissioners worked with County Counsel to continue to comply with Ordinance Code section A22-16 and the Brown Act. County Counsel reviewed and approved agreements and resolutions executed in March as to form and legality.  Background: August 19, 2020 District entered into an Agreement for legal services with County Counsel and effective September 16, 2020 Agreement with County Counsel was for exclusive legal

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	Brown Act violations continue, County Counsel should report these violations to the Board of Supervisors promptly. (Priority 1)	process. The District wishes to comply with the audit recommendation to utilize County legal services. The District welcomes the opportunity to work with County Counsel on legal affairs and to work with County Counsel and review how best to achieve legal representation for the District. The District appreciates the merits and leadership of the County Counsel office and its ability to provide advice and legal guidance to the District.	services. District staff and Commissioners continue to benefit and appreciate the expertise provided by County Counsel.  At the Feb. 16, 2021 regular Commission meeting, an agenda item pertaining to governance that included an overview and orientation for newly appointed and ongoing Commissioners was presented by management consultants and by County Counsel. Topics included: information pertaining to special districts, governing boards and staff responsibilities and roles; agenda process; district records management and retention system, records public portal; Brown Act, California Public Records Act and Form 700 filing statement and related governance matters. A compilation of resource materials was attached to the agenda item along with slide decks on the topics. These resources will be available on the District website, Governance tab, for use as a reference by the public, staff and Commissioners.
	Prevention Programs Are Not Ali	gned with Fire Risks	
	upervisors should:	T	
4.1	Direct the Fire District to use the Santa Clara County Community Wildfire Protection Plan Annex 4 – Los Altos Hills County Fire Protection District published in August 2016, any subsequent iterations of the CWPP, and the expert advice of the Santa Clara County Fire Department to develop	LAHCFD agrees. The District is pleased to already comply with the Audit Recommendation to use the CWPP (Community Wildfire Protection Plan) and the advice of the Santa Clara County Central Fire Department (SCCFD) to develop spending priorities and wildfire prevention programs aligned with the risks and recommendations identified by both sources. The District adopted its CWPP Annex 4 in 2019 and added an Addendum handbook written for residents. These	March 2021: At the March 16, 2021 Commission meeting, the Board of Commissioners received a presentation from Central Fire Command Staff on County-wide fire services and programs and projects provided in partnership with LAHCFD for fire protection, fire suppression and medical emergency services. County-wide and regional services are a continuing discussion topic between the Board of Commissioners and Central Fire and pertain to regional cooperation and mutual aid. This topic was added to Section 4.1 of the Management Audit Report by motion of Supervisor Simitian and is referenced below*. Revisions to the LAHCFD CWPP Annex 4 and Addendum are underway per implementation of the District 2021-2022 Strategic Plan.

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	spending priorities and wildfire prevention programs aligned with the risks and recommendations identified by both sources. (Priority 1)	documents were developed during meetings with SCCFD and programs were specifically designed to address the County CWPP Annex 4 guidelines and recommendations. The District CWPP Annex 4 is ready for its annual update. The District plans to collaborate with SCCFD and stakeholders to ensure the updated CWPP Annex 4 will follow the guidelines of the audit report, Section 4. The District appreciates the collaboration and partnership with SCCFD on all fire safety measures and protection and prevention planning. Budget allocations are aligned to support these programs.	Background: The Board of Commissioners at its January 19, 2021 meeting, approved the LAHCFD 2021-2022 Strategic Plan, Goal 1 is to update the CWPP, Annex 4 and Addendum. The workplan for this Goal calls for engagement with the community and partners for review, input & update to CWPP Annex 4 & Addendum. A Commissioner is aligned with one of the six Strategic Plan Goals and related objectives and will formulate a workplan for accomplishment of the aligned goal and objectives.  *December 17, 2020 HLUET and FGOC meetings: Supervisor Simitian, at the November 19, 2020 HLUET meeting, made a motion that was approved, to add to the Management Audit Recommendation 4.1, information pertaining to regional cooperation and mutual aid. A report was submitted to HLUET and FGOC with the November monthly report. At the December 17,2020 HLUET meeting, responses to questions pertaining to the report that included regional benefits and mutual aid were provided by the District General Manager and the Fire Chief. The District substantiated six benefits, totaling \$1,781,432 annual expenditure of District funds that it provides to regional fire protection services (24/7 Battalion Chief, Type III Engine and enhanced rescue equipment, fire crews in mode staffing on high fire warning days). Plans for addition regional benefits are in development (use of District parcel for staging of fire protection activities, staffing Station 8, fuel reduction across high fuel fire danger areas). FGOC agendized the mutual aid report at its next meeting. The November monthly report was received on consent. LAHCFD Community Wildfire Protection Plan (CWPP), Annex 4 and Addendum Handbook, written for residents by District staff, were adopted June 2019. District will commence review and revision of the LAHCFD CWPP and companion documents in 2021. District will

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			again collaborate with Central Fire in the revisions to the LAHCFD CWPP as was done in 2019. The CWPP is a foundational pillar of the District. LAHCFD recently approved its 2021-2022 Strategic Plan (SP), a successor to the 2015-2020 Strategic Plan. The LAHCFD CWPP is the first goal in the SP and the foundation for programs and the operational plan to carry out the District's Mission to protect the lives, property and environment within the District it serves from fires, disasters, medical emergencies or other incidents through education, prevention, protection and emergency response services, and to be responsible for the financial stewardship of District taxpayer funds. District budget allocations are aligned to
			support LAHCFD CWPP programs.
Section 5: Fire D	District Compliance with State a	nd Local Procurement Requirements	
The <b>Board of Su</b>	pervisors should:		
5.1	Reduce the risk of	LAHCFD partially agrees.	March 2021: County Counsel assisted District: 1.) Review and
	inconsistent or non-	To address the audit recommendation for	approve as to form and legality, Agreements considered for
	compliant contracting or	procurement, the District looks forward to	approval and Resolutions considered for adoption by the Board of
	contracting for prohibited	working with County Counsel to ensure	Commissioners at the Match 16, 2021 meeting, 2.) Provided
	services, by bringing the	procurement is revised as needed and	guidance for processes for procurement of services, 3). Assisted
	Fire District's	follows District policies and procedures and	with formation of March 16, 2021 agenda items, 4.) Provided
	contracting under the	to ensure legal compliance for purchases of	review and advice for various District matters.
	purview of the County	goods and services, bidding processes and	Background: District entered into an agreement with County for
	Director of Procurement	contracting of vendors. The District can	County Counsel legal services effective August 19, 2020 and
	with review by County	achieve this result without its contracting	exclusive legal services were ratified by the Commission on
	Counsel as to form and	being under the purview of the County	September 15, 2020 effective September 16, 2020. Commission
	legality. The County	Director of Procurement. District requests	took action to notice and terminate private legal counsel.
	Procurement Director	assignment of County Counsel to LAHCFD to	Collaboration with County Counsel supports the effectiveness of
	should bring the Fire	commence review and advise the District of	Commission meetings, increases Brown Act compliance and
	District's contracting and procurement practices into	Fire District procurement practices currently	complies with review of any new proposed agreements or expenditures.

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	compliance with State law,	underway and advise on updating the	Effective September 17, 2020, HLUET Committee meeting: District
	County policies and the	District's Procurement Policy.	agrees with recommendation 5.1. District will follow County
	County Ordinance Code,		procurement policies and County Counsel will review, as to form
	including ending the Fire		and legality, and advise on District procurement and practices. The
	District's unauthorized use		District believes that compliance can be achieved without formal
	of private counsel. (Priority		involvement of the County Director of Procurement; however, the
	1)		District and County Counsel will continue to monitor compliance
			efforts and input from HLUET and/or the District Board of Directors.
			District is following County procurement policies and procedures
			and State requirements such as the Public Contract Codes.
The Fire Dis	trict should:		
5.2	Regularly scan and store its	LAHCFD agrees.	March 2021: In March, District staff with assistance from County
	official records – including	The District is in compliance of this	Counsel are arranging digitization of legal records from former
	bids for contracts - in an	Recommendation. The District previously	District legal counsel. Legal records have been reviewed by District
	electronic database or	addressed storage of records and has	staff. District retained a records management consultant to review
	other central repository,	digitized District documents and historical	and assess the District's digital records storage system, records
	and ensure that they are	records for storage and access. Records are	retention schedule and storage backup for digital records, to
	not held at contractors'	not held at a private residence. Working	coordinate digital records with County COB, and to establish a
	residences or private	financial documents are at the Financial	public portal for public access to District records. The LAHCFD
	offices or not retained at	Consultant office for access but are also in	Commission March agenda was posted on the BOS Public Portal
	all. (Priority 2)	digital form. At this time due to COVID-19,	with a link to all District March agenda materials.
		District staff does not have access to the El	These efforts will further the transparency of the Board of
		Monte Fire Station where office space, files	Commissioners to the public and integrate the District into the
		and office equipment are housed. As a	County Meeting Portal Page.
		result, staff is working from home offices	Background: District records are digitized documents that include
		with digital and hardcopy records. Business	historical records and are filed and stored digitally on OneDrive.
		practices are altered due to the protections	Hard copy records and historical hard copy files are stored at the El
		needed for staff and for the SCCFD crews on	Monte Fire station, but all of these records have been cataloged,
		duty at the District-owned El Monte Fire	recorded and uploaded to the OneDrive file. The fire station has not
		Station.	been accessible to District staff or the public since March 2020 due

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			to COVID-19 precautions, so hard-copies of documents stored at
			the station have not been available to District Staff. District staff
			has immediate, effective and efficient access to all digital records
			when reviewing, sharing or sending documents via OneDrive. The
			District has a records management system and records retention
			schedule. District legal records were transferred in hardcopy files to
			County Counsel office. Approximately eight boxes were delivered
			on Oct. 20, 2020.



### Los Altos Hills County Fire District

March Monthly Report to Management Audit Division, FGOC, and HLUET Committees

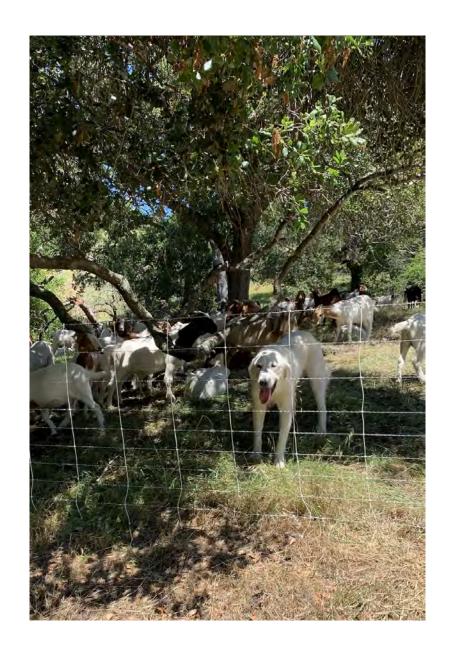
Presented on April 15, 2021, FGOC and April 22, 2021 HLUET



### LAHCFD Board of Commissioner approved Cost Reimbursement Agreement with Water Purveyor, PHWD

### **Cost Reimbursement Agreement:**

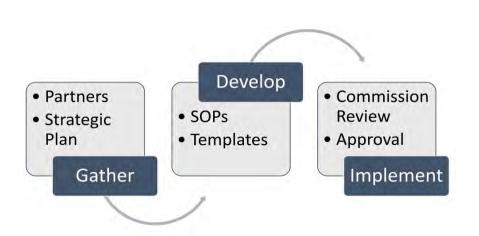
- Approved by County Counsel as to form and legality for construction costs related to District owned hydrants and hydrant related infrastructure that were part of the PHWD Taaffe/Elena Water Main Replacement Project
- No expenditures were made by the District to fund PHWD's portion of the construction project
- District Engineer Consulting firm prepared a detailed report that accounted for each District owned hydrant and the related District owned hydrant infrastructure (Infrastructure) and verified that hydrant parts were reused or replaced as determined by engineer assessments
- Photos of each of the District owned hydrants and infrastructure were in the engineering report to verify construction, location and invoice payment
- Site-walks occurred before and after construction
- Total cost of the District hydrant and infrastructure project is \$167,300.



# Integrated Hazardous Fuel Reduction: Spring Goat Grazing to mitigate vegetation for fire fuel reduction in LAHCFD

March 16, 2021: LAHCFD Board of Commissioners approved agreement for Spring Goat Grazing

- Goat grazing services used in LAHCFD since 2006
- Effort resulted in significant decrease of vegetative mass and creating desirable fuel breaks
- Goat grazing utilizes environmentally friendly techniques
  - Natural and enhances wildlife habitat
  - Uses no toxic chemical sprays
  - Requires minimal manpower, equipment and no environmental hazards
- Approximately 400 goats used to reach difficult terrain



## March 16, 2021 Presentations to Board of Commissioners

#### **Central Fire Command Staff:**

- County-wide fire services and programs
- Projects provided in partnership with LAHCFD for fire protection, fire suppression and medical emergency services
- County-wide and regional services are a continuing discussion topic between the Board of Commissioners and Central Fire and pertain to regional cooperation and mutual aid

### **District Engineer Consulting firm**

- Progress on the development of policies and processes for management of District water systems of hydrant and hydrant related infrastructure
- Development of a studied approach for the Board to manage the District's water systems of 540 hydrant and hydrant infrastructure for protection of property, life-safety and support of fire suppression systems.

**End of Report** 

**Questions/Comments**