

**MINUTES OF A REGULAR MEETING OF THE
LOS ALTOS HILLS COUNTY FIRE DISTRICT BOARD OF COMMISSIONERS
HELD ON TUESDAY, MARCH 17, 2020, BEGINNING AT 7:00 P.M.
AT THE EL MONTE FIRE STATION BOARD CONFERENCE ROOM
12355 EL MONTE ROAD, LOS ALTOS HILLS, CALIFORNIA**

President Warren called the meeting to order at 7:02 p.m.

Pursuant to the Executive Order of the Governor of California N-25-20 issued on March 12, 2020, allowing for deviation of teleconference rules required by the Brown Act: Members of the Commission, members of Staff, Meeting Participants, and the Public participated in the Special Meeting by teleconference. Public Notice was provided to allow all parties to participate telephonically in the Regular Meeting held at 7:00 p.m. on Tuesday, March 17, 2020. In addition to the ability to participate telephonically, pursuant to the Executive Order, the public was allowed to physically attend the meeting at the Fire Station at 12355 El Monte Road, Los Altos Hills, California. The District Clerk and the District's Emergency Services Manager were present at the Fire Station, but no one else attended the physical meeting. The meeting was conducted remotely via teleconference. By proceeding pursuant to the more flexible telephone conference rules of the Executive Order this allowed the District to provide the safest environment for officials, staff and the public while allowing for public participation.

Warren made the following statement:

“Please note that in support of physical distancing during the local public health emergency and in accordance with Governor Newsom’s Executive Order that relaxed Brown Act rules during this public health crisis, we are conducting this meeting via teleconference. Because we are teleconferencing, we will follow a strict protocol for the benefit of the audio recording. I will indicate when Commissioners, staff and the public will provide comments. Please state your name prior to providing your comment or vote, for the benefit of the audio recording. If any participants on the call would like to leave prior to the end of the meeting, please state your name and announce that you are leaving for the benefit of the recording.”

1. Roll Call:

PRESENT: Commissioners Warren, Vaughn, Tyson, Price, Spreen, Carr, Kearney

ABSENT: None

ALSO PRESENT: Assistant Fire Chief Brian Glass, Emergency Services Manager Captain Denise Gluhan (Ret.), General Manager J. Logan, District Counsel Dan Siegel, District Counsel Jennifer Beyers, Special Projects Services Consultant Sarah Henricks, Financial Consultant & District Clerk Cori Vargas

All participants were present via teleconference. Emergency Services Manager and District Clerk were present at the Fire Station and dialed into the teleconference from the scheduled meeting location.

2. Public Comment:

There was no public comment on items not on the agenda.

3. Commission President Remarks:

Warren made the following statement:

“Yesterday, the Health Officer of the County of Santa Clara directed all individuals living in the County to shelter at their place of residence with limited exceptions. One of those exceptions is for ‘Essential Governmental Functions’ as determined by the governmental entity performing those functions.

Pursuant to Government Code 54954.2(b)(1), allowing legislative bodies to take actions on items of business not appearing on the posted agenda under certain conditions, I would like to add to the Agenda determinations of the District’s ‘Essential Governmental Functions’ that should continue during the County’s Shelter in Place Order and identification of District Staff and Contractors necessary to carry out the ‘Essential Governmental Functions’. The District can take action on this item if a majority of Commissioners vote that an ‘Emergency Situation’ exists. ‘Emergency Situation’ includes a work stoppage, crippling activity, or other activity that severely impairs public health, safety, or both as determined by a majority of the members of the Commission. Roll Call Vote on whether to add to the Agenda determinations of the District’s ‘Essential Governmental Functions’ that should continue during the County’s Shelter in Place Order, and identification of District Staff and Contractors necessary to carry out the Essential Governmental Functions.”

Action: Motion by Kearney to recognize an “Emergency Situation” which allows for addition to the Agenda determinations of the District’s Essential Governmental Functions that should continue during the County’s Shelter in Place Order, and identification of District Staff and Contractors necessary to carry out the Essential Governmental Functions; seconded by Tyson.

Roll Call Vote: All in Favor: Warren, Vaughn, Tyson, Price, Spreen, Carr, Kearney.

Opposed: None. **Absent:** None.

MOTION PASSED

Agenda Addition: Determination of District’s Essential Governmental Functions:

District Legal Counsel Siegel explained that the Commission may consider and discuss a list of “Essential Governmental Functions” and identify the staff and contractors necessary to carry out these functions so that certain work could continue without violating the County’s Order. He stated that should the Commissioners agree upon such a list, then a motion and vote should be made approving these items to then be formalized into a resolution. He noted that the Commission does not need to consider certain District functions which are already authorized under the County’s Order such as Fire Fighting and Emergency Medical Services, hydrant maintenance and repair services, and Emergency Tree Removal services necessary for the operations and maintenance of “essential infrastructure” such as roads and street access. He also clarified that contractors or staff would not be mandated to perform these functions should they feel unsafe performing their duties. General Manager Logan reported that the contractors currently performing Brush Chipping services were practicing social distancing and safety protocols.

After discussion, the Commission proffered the list of “Essential Governmental Functions” that should continue during the County’s Order, and identified the staff and contractors necessary to carry out these functions as follows:

1. Meetings of the Board of Commissioners of the Los Altos Hills County Fire District – General Manager Logan, District Clerk and Financial Consultant Vargas, Commission, District Legal Counsel, Emergency Services Manager Gluhan, Special Projects Consultant Henricks, Technical Services Consultant Bebee
2. Fire Fuel Reduction at Byrne Preserve - Ecosystem Concepts, Inc.
3. Brush Chipping and debris removal - Gluhan, Contractor S.P. McClenahan, Contractor Santa Clara County FireSafe Council
4. Shaded Fuel Break- FireSafe Council
5. Dead Tree Removal- Gluhan, S.P. McClenahan, FireSafe Council
6. Emergency Maintenance and CERT Preparedness at the ARK – Gluhan, Bebee, CERT Supervisors

Action: Motion by Spreen to adopt the list of the District’s “Essential Governmental Functions” that should continue during the County’s Shelter in Place Order, and identification of District Staff and Contractors necessary to carry out the “Essential Governmental Functions” into a resolution to be documented by the General Manager and Legal Counsel; seconded by Price.

Roll Call Vote: All in Favor: Warren, Vaughn, Tyson, Price, Spreen, Carr, Kearney.

Opposed: None. **Absent:** None.

MOTION PASSED

4. **Commission Ad Hoc Management Audit Subcommittee Update:**

Logan reported that there were no updates. Warren noted there could be a delay in the release of the report due to the health crisis.

5. **Santa Clara County Fire Chief Report:**

Assistant Fire Chief Glass reviewed the monthly report for February 2020 and said there were no significant events. Carr suggested the Y-axis for the “Incident and Response Count by Hour of Day” should be re-titled “Number of Calls” for clarification. Glass left the teleconference meeting at 7:48 p.m.

6. **General Manager Report:**

Logan orally presented the General Manager report. She mentioned that she had attended the “California Department of Insurance Forum” at the invitation of County of Santa Clara Supervisor Mike Wasserman and California Insurance Commissioner Ricardo Lara. She stated she provided the offices of Wasserman and Lara with an outline of the District’s fire-prevention and protection activities and suggested these benefits be considered to help District residents keep and/or achieve lower insurance rates.

She noted the District was providing local public health updates to the community via links to the Town of Los Altos Hills and County of Santa Clara websites. She also mentioned the District staff was working to transform the District’s business operations to audio and video platforms during the public health emergency. She said the “Yard Waste Drop Off” and “Home Ignition Zone” programs have been postponed due to the County’s Order.

Logan reported the Santa Clara County Fire Department (SCCFD) will be transferring title of two emergency trailers to the District.

District Clerk Vargas reminded staff and Commissioners to submit their Form 700 Statement of Economic Interest by April 1, 2020.

7. **Emergency Services Manager Update:**

Gluhan reported that planned events and meetings such as the “Youth Council Leadership Conference” and the “Stanford Workshop on Wildfire Management” had been cancelled due to the County’s Order. She stated there could be a delay in working with SCCFD on GIS Mapping since many of SCCFD’s administrative staff was working from home. She said the Cal-Water Ravensbury infrastructure project was currently in progress.

Comment from Public: Los Altos Hills resident Dave Stewart asked for clarification on the GIS Mapping. Gluhan explained the District was trying to collect and digitize different geographical mapping data into one easily accessible source.

8. **Adopt Resolution 20-9 Resolution of the Los Altos Hills County Fire District Authorizing Execution of Professional Services Agreement between the Los Altos Hills County Fire District and Cleary Consultants, Inc., for Soils Engineering Consulting Services:**

Logan explained that two of the District's damaged hydrants had considerable soil damage due to the water valve not shutting off immediately. Cleary Consultants will provide soil density testing and on-site observation to ensure proper repair of the hydrants. Carr asked if the dollar amount of compensation to Cleary Consultants was calculated by the District; Logan explained the contractor provided the estimates in their cost proposal. Warren asked if the costs to repair the hydrants could be recovered through insurance; Logan affirmed responsible parties have been identified, and it is anticipated the District would receive full cost-recovery once the repairs are complete.

Action: Motion by Tyson to adopt the resolution authorizing execution of professional services agreement with Cleary Consultants, Inc. for soils engineering consulting services; seconded by Kearney.

Roll Call Vote: All in Favor: Warren, Vaughn, Tyson, Price, Spreen, Carr, Kearney.

Opposed: None. **Absent:** None.

MOTION PASSED

9. **Community Emergency Response Team (CERT) Activities and Update:**

Gluhan reported that CERT meetings during the proceeding weeks had been cancelled. She and the CERT Supervisors were working to utilize teleconferencing for upcoming meetings including a Red Cross presentation. She mentioned samples of Emergency Vests were being sent to a CERT subcommittee for final approval before placing a larger order for distribution to CERT members. Since individual sizing of the vest cannot be done due to social distancing requirements, ordering of vest sizes will be based on estimates.

10. **Hazardous Fuel Reduction Subcommittee Update:**

Financial Consultant Vargas reviewed the cost report for Phases 1 and 2 of the Residential Tree Removal Program. She stated Phase 2 should be completed by the end of March.

Logan said the brush chipping services would continue uninterrupted as an "Essential Governmental Function", with the FireSafe Council Pilot Program to begin on April 1. She had no current updates on the Integrated Hazardous Fuel Reduction (IHFR) or Shaded Fuel Break programs.

11. **Adopt Resolution 20-10 Resolution of the Los Altos Hills County Fire District Authorizing Execution of First Amendment to the Professional Services Agreement between the Los Altos Hills County Fire District and Santa Clara County FireSafe Council for Chipping Services to Add Shaded Fuel Break Services:**

Logan reviewed the memorandum report and recommended shaded fuel breaks to widen roads for emergency evacuation, provide ingress and egress of emergency vehicles, and support firefighting efforts. Carr suggested that CERT members might be trained to help residents living along the proposed emergency evacuation routes to maintain their properties. Kearney asked if there was more information about a past agreement made with the Town of Los Altos Hills to keep brush clear along Page Mill Road in exchange for a donation from the District for improvements to Westwind Community Barn. Logan clarified that the Town provided annual mowing and picking-up of fallen limbs, rather than the intensive planning and thinning out of vegetation required to create a shaded fuel break. Warren suggested press-releases should be prepared to educate and inform the public about the importance of shaded fuel breaks.

Action: Motion by Vaughn to adopt the resolution authorizing execution of first amendment to the professional services agreement with Santa Clara County FireSafe Council for chipping services to add shaded fuel break services; seconded by Tyson.

Roll Call Vote: All in Favor: Warren, Vaughn, Tyson, Price, Spreen, Carr, Kearney.

Opposed: None. **Absent:** None.

MOTION PASSED

12. **Adopt Resolution No. 20-11 Resolution of the Los Altos Hills County Fire District Authorizing Execution of Agreement between the Los Altos Hills County Fire District and Ecosystem Concepts, Inc. for Fire Fuel Reduction Goat Grazing Services:**

Logan reviewed the memorandum report and said Ecosystem Concepts hoped to begin services sometime in April or May, dependent upon weather.

Action: Motion by Spreen to adopt the resolution authorizing execution of agreement with Ecosystem Concepts Inc. for fire fuel reduction goat grazing services; seconded by Vaughn.

Roll Call Vote: All in Favor: Warren, Vaughn, Tyson, Price, Spreen, Carr, Kearney.

Opposed: None. **Absent:** None.

MOTION PASSED

13. **Personnel Subcommittee Update:**

Spreen reported that the Commission had completed the General Manager performance review, with contract negotiations scheduled to be discussed during the closed session later in the evening.

14. **FY2020/21 Tax Override Vote:**

Vargas reviewed the memorandum report and stated the Commission had an option to impose a tax of \$50 per District resident parcel if additional property tax revenues were needed. She noted the District was in good financial standing and recommended setting a FY2020/2021 tax override rate of \$0.

Action: Motion by Vaughn to establish the FY2020/2021 tax override rate at \$0; seconded by Spreen.

Roll Call Vote: All in Favor: Warren, Vaughn, Tyson, Price, Spreen, Carr, Kearney.

Opposed: None. **Absent:** None.

MOTION PASSED

15. **Adopt Resolution 20-12 Resolution of the Los Altos Hills County Fire District Adopting the Fiscal Year 2020/2021 Budget for the Los Altos Hills County Fire District General Fund:**

Vargas reviewed the memorandum report and noted a few changes had been made between the Draft FY2020/2021 budget presented in February and the Final version. She explained that a representative from the Santa Clara County Office of Budget and Analysis (OBA) informed the District that they would be charged a one-time Intra-County Cost Recovery allocation of approximately \$200,000 for costs incurred by Santa Clara County for conducting the management audit. The budgeted funds to cover this required payment were moved out of the "Fire Service Water Flow Improvements".

Action: Motion by Price to adopt the resolution adopting the fiscal year 2020/2021 budget for the District's general fund; seconded by Kearney.

Roll Call Vote: All in Favor: Warren, Vaughn, Tyson, Price, Spreen, Carr, Kearney.

Opposed: None. **Absent:** None.

MOTION PASSED

16. Adopt Resolution 20-13 Resolution of the Los Altos Hills County Fire District Authorizing Execution of Professional Services Agreement between the Los Altos Hills County Fire District and Center for Public Safety Excellence, Inc. for Technical Advisor Program Services to Prepare 5-Year Strategic Plan:

Logan explained that the Center for Public Safety Excellence (CPSE) is not set-up to provide strategic plan services conducted remotely during the public health emergency, therefore she requested the adoption of the resolution be postponed to a future meeting. Price asked if the service agreement could be approved with dates of service to be determined. Logan stated CPSE could not commit to the service agreement at this time if remote services were required. The Commission made a unanimous consensus to take no action on Resolution 20-13 and move the item to a future meeting for discussion.

17. Financial Consultant Update:

Vargas reported there was no update on the District Credit Card.

18. Consent Calendar:

Warren asked for a motion to approve “18.A. Approval of Draft Minutes of February 18, 2020 Special Meeting”, “18.B. Approval of Draft Minutes of February 18, 2020 Regular Meeting”, and “18.C. Receive Period Report 8, February 2020”.

Action: Motion by Tyson to approve the Consent Calendar as submitted; seconded by Spreen.

Roll Call Vote: All in Favor: Warren, Vaughn, Tyson, Price, Spreen, Carr, Kearney.

Opposed: None. **Absent:** None.

MOTION PASSED

19. Receive Disbursements for March 2020:

Vargas stated there were an additional \$115,154.20 in expenditures bringing the total March disbursements to \$224,014.24.

20. Commission Member Reports:

There was no comment from the Commission or the public.

21. Closed Session:

Public Employee Performance Evaluation (Government Code Section 54957). It is the intention of the Commission to meet in Closed Session with Marcie Scott, the District’s Human Resource Consultant, to consider the following position of public employment: General Manager.

Warren made the following statement:

“Commissioners and HR Consultant Scott: please hang up and dial in to the Closed Session teleconference line. All other callers may remain on the line to hear the Commission’s report out when we return to Open Session. If there are any members of the public in attendance at the El Monte Fire Station, please leave your contact information with District Clerk Vargas, if you wish to be contacted when we return to Open Session.”

Comment from Public: There was no public comment on the Closed Session agenda item.

The Commissioners and Scott adjourned to Closed Session at 9:10 p.m.

22. Return to Open Session:

Report from the Closed Session: At 9:43 p.m. the meeting was returned to Open Session. Warren announced that there was no reportable action taken.

23. Adjournment

The next regular meeting date is April 21, 2020. Siegel stated the Commissioners would be informed of any changes due to the public health emergency. Warren adjourned the meeting at 9:46 p.m.

Prepared by,

Cori Vargas
District Clerk