

Los Altos Hills County Fire District

Minutes of a Special Meeting of the Los Altos Hills County Fire District Board Members, Held on Tuesday, July 25, 2017 Beginning at 7:00 p.m. at the El Monte Fire Station, Foothill College Campus, 12355 El Monte Road, Los Altos Hills, California

President Tyson called the meeting to order at 7:00 p.m.

1) **Roll Call:** **PRESENT:** Commissioners Vaughn, Spreen, Waldeck, Price, Carr, Warren and Tyson

ABSENT: None

ALSO PRESENT: Assistant Chief Tony Bowden, Fire District Attorney Dan Siegel, Financial Consultant Cori Vargas of Vargas Company, Fire Consultant Stu Farwell, District Clerk Jeanne Evilsizer

2) **Public Comment:** A resident from Sherlock Road expressed her appreciation of the Fire Departments' handling of the recent fire in Byrne Preserve on July 20, 2017. She mentioned the open space area and importance of fire roads. Carl Cahill, City Manager of Los Altos Hills, complimented the Fire Department on their quick response in extinguishing the Byrne Preserve fire. He explained how many resources were used to quickly contain the fire. He handed the Chief written notes of thanks. Tyson asked for a round of applause for the courageous fire department and their expert handling of this fire.

3) **Resolution of the Board of the Los Altos Hills County Fire District Adopting Weed Abatement Report and Ordering Cost of Abatement to be a Special Assessment on the Respective Properties. Resolution 17-13:** Ray Moreno, inspector for the Weed Abatement Division, explained the properties on the list are monitored for three consecutive years and program information is sent to all residents on the list. He explained the weed abatement program stating the minimum fee charged to the resident is \$60.00. Tyson thanked Mr. Moreno for his presentation.

Action: The public hearing was opened. No members of the public spoke. The public hearing was closed. A motion was made by Vaughn to approve the resolution of the Board of the Los Altos Hills County Fire District adopting weed abatement report and ordering cost of abatement to be a special assessment on the respective properties; Warren seconded the motion. **All in Favor:** Commissioner Vaughn, Warren, Tyson, Spreen, Carr, Price and Waldeck. **Opposed:** None.

4) **CERT Report:** a.) Calendar of Events for July/August: Tyson pointed out the calendar of events and the CERT meeting and training occurring in August. CERT training program is managed by the Office of Emergency Management; David Flamm, Deputy Director of

Emergency Management, is the contact person. Personal Emergency Preparedness training would remain in the Community Education Services Division; Christie Moore, Assistant Deputy Director, is the contact.

5) Chief's Report: a.) Monthly Report for June, 2017 Chief Bowden referred to the handout distributed with response times in excess of 8 minutes in date range of June 4-June 26. Chief Bowden discussed the grass fire that occurred on Altamont Road at Black Mountain on July 20, 2017. The fire occurred in Byrne Preserve near Westwind Barn. It was a field mower that struck a rock and ignited the fire. Grasses are ready, available fuel. The Battalion Chief responded from the El Monte Station.

Battalion Chief Wally Finck gave an overview of the entire fire. He listened to several radio frequencies and was assisted by helicopters, aircraft and bulldozer support. Cal Fire added support with a helicopter and hand crews. Rescue 74 was assigned to fire-watch that evening and early morning. Engine 374 continued checking the area for hot spots. Price mentioned the need to contact the Sheriff's Department so that they can provide traffic control.

6) Consultant Report: a.) Projects Update Dated July 1, 2017 Farwell stated the chipping program area 1-6 finished in June and was to begin again, in areas 1-6, July through December. The tree program area 3 & 4 is 59% completed and should finish up in September. The hydrant program originally had 124 hydrants to be replaced. Two hydrants on Duval Way were not to be changed at this time due to the Purissima Hills Water District capital improvement project on that street. A hydrant on Duval Way developed a leak – the hydrant was shut off and is out of service. Estimates were given for repair or replacement; replacement was recommended. Farwell said the estimated cost of the replacement is \$12,800. The Commissioner consensus was to replace the hydrant. This will be accomplished with a change order.

7) Resolution of the Board of the Los Altos Hills County Fire District Declaring Brush Growing on Certain Described Properties To Be A Public Nuisance and Potential Fire Hazard and Setting Hearing for Objections to Proposed Removal. Resolution 17-14: **Action:** Price made a motion to approve the resolution of the Board of the Los Altos Hills County Fire District declaring brush growing on certain described properties to be a public nuisance and potential fire hazard and setting September 19 at 7:00 p.m. for the hearing for objections to proposed removal; Waldeck seconded the motion. **All in Favor:** Carr, Spreen, Vaughn, Waldeck, Price, Tyson and Warren. **Opposed:** None. Warren questioned whose responsibility was the freeway 280 corridor for brush/weed abatement? He sees it as a hazard. Public member Allan Epstein suggested a letter be written to the proper State representative, asking that this area be abated of the weed/brush nuisance. The Commissioners concurred. Tyson offered to follow up with Caltrans.

8) Resolution of the Board of Commissioners of the Los Altos Hills County Fire District Authorizing Execution of Professional Services Agreement for Removal and Trimming of Trees in Areas 5 & 6 of the District: Resolution #17- 15 Tyson explained the program. He discussed how the project was advertised, how request for proposals were solicited and the intricacies of the RFP Assessment as outlined in the Tree Subcommittee Report-Tree Program – RFP Assessment Areas 5&6. He explained that the program was to reduce the fire load in our

District. Tyson reviewed details about the RFP process, ascertaining that the proposers were qualified and arriving at the recommendation using a profile which included the following criteria: firm profile, background 20%, key personnel and staffing 20%, approach to scope of work 20% and cost proposal 40%. This was a methodical process and one not just based on price. Siegel stated he reached out to the Foundation for Fair Contracting regarding the bid protest/advisory they had submitted on July 19, 2017. He referenced the OSHA Inspection Detail they provided.

Tyson summarized the West Coast Arborist, Inc. bid protest letter that was submitted today July 25, 2017). Siegel expressed that the WCA letter stated it was an unbalanced bid and they did not feel the work could be done under the prevailing wage classification.

Tyson opened the hearing up to the Commissioners to comment. Comments included: a history with S.P. McClenahan Co. meeting the District's needs with their skills and organization, using proper equipment, responding to our requests and coming in consistently at a lower cost. Tyson opened up the public hearing for public comment reminding the audience of the three minute time frame to speak. Members of LiUNA!, the Laborers' International Union of North America, individually spoke. Enrique Arguello, business manager for Laborers Local 270, was the first to speak and stated his organization felt that S.P. McClenahan did not comply with fair, prevailing wage costs associated with this project. He mentioned his organization contracts with 400 organizations in California. Other public speakers voiced concerns such as: look at prevailing wage and see where disparity comes from, quality of work, prevailing wage essential for working families struggling, workers compensation-profit-overhead. Resident Kjell Karlsson expressed that S.P. McClenahan was well managed, has proper equipment and experienced personnel.

Joshua McClenahan, S.P. McClenahan Co., spoke and stated his company was a fourth generation family business. Many of his workers had been with the company over 15 years; they ramp up their skill set and work with the tree contractors. They have a safety program and training program. They meet or exceed prevailing wage.

Further comments included: union labor go to labor school for safety and accuracy, importance of organized labor to live in this valley, possibly mis-classifying workers, responsible bid is not always cheapest bid, lowest bidder is not always responsible bidder, want District to relook at the proposals.

Tyson summarized all that was said reviewing the major points of the public speakers. He emphasized that S.P. McClenahan had been efficient, courteous and may be less expensive because they are local. He stated he believes it is a fair proposal. An information card from the Foundation for Fair Contracting listing Craft, Classification and Area was distributed by public member Olivia Novarro. Tyson expressed that rate and job classifications will be checked.

Spreen expressed was glad that the audience came to this; he likes to see the competition and is very willing to listen. He is agreeable to look into their concerns.

Price likes the idea to look at the data; she is prepared to vote.

Waldeck felt we had received the best result at the lowest price. He wanted to move forward on the item with the proviso to look into rate and job classification.

Action: Motion made by Price to approve resolution #17-15 of the Board of Commissioners of the Los Altos Hills County Fire District Authorizing Execution for a professional services agreement for removal and trimming of trees in area 5 & 6 of the District with S. P. McClenahan Company conditioned upon the District's confirmation, within thirty (30) days, that the appropriate prevailing wage rate and classification were used; Waldeck seconded the motion.

All in Favor: Tyson, Vaughn, Spreen, Carr, Warren, Waldeck and Price.

Opposed: None.

9) Resolution of the Los Altos Hills County Fire District Approving and Authorizing Execution of Agreement Between the Los Altos Hills County Fire District and Pakpour Consulting Group, Inc. Resolution #17-16 Siegel explained the change in the Pakpour agreement distributed. Pakpour's billing rates will increase beginning September 1, 2017. There is a change in professional services that require a change in fault and indemnification. It is current now but is expected to change again.

Action: Warren made a motion to approve Resolution #17-16 a resolution of the Los Altos Hills County Fire District approving and authorizing execution of agreement between the Los Altos Hills County Fire District and Pakpour Consulting Group, Inc. for Consulting Services; Vaughn seconded the motion. **All in Favor:** Vaughn, Waldeck, Warren, Carr, Price, Tyson and Spreen.

Opposed: None.

10) Resolution of the Board of Commissioners of the Los Altos Hills County Fire District Authorizing Execution of Agreement with EKI Environment & Water Inc. for Professional Consulting Services Related to Management of Proposed Fire Flow Improvement Projects.

Resolution 17-17 Warren summarized the District's desire to hire EKI Environment and Water Inc. to assist the District in developing a plan to responsibly fund water fire flow improvement projects that would improve public safety. **Action:** Motion was made by Price to approve Resolution 17-17 a resolution of the Board of Commissioners of the Los Altos Hills County Fire District authorizing execution of agreement with EKI Environment & Water Inc. for professional consulting services related to Management of proposed fire flow improvement projects; Waldeck seconded the motion. **All in Favor:** Carr, Vaughn, Waldeck, Spreen, Price, Tyson and Warren.

Opposed: None.

11) Resolution of the Los Altos Hills County Fire District Amending Resolution 15-6 and Committing Funds for Fiscal Year 2017-18: Resolution 17-18 **Action:** Vaughn made a

motion to approve Resolution #17-18 of the Los Altos Hills County Fire District Amending Resolution #15-6 and Committing Funds for Fiscal Year 2017-18; Warren seconded the motion.

All in Favor: Tyson, Carr, Spreen, Vaughn, Price, Waldeck and Warren. **Opposed:** None.

12) Sub-Committee, Contract and Non-Board Committee Reports:

a.) Strategic Plan: Spreen discussed the First Draft Management Position dated July 13, 2017. The Strategic Plan Committee said this individual should have knowledge of what the Brown Act entails also add Risk Management and Compliance to the list of responsibilities. Where

should they go from here? The Commission discussed the idea of the position being part-time or full-time; how many hours per week? What are the costs? The Clerk explained that the Commission thus far had never had a General Manager; the Commission President and Finance Officer always played a significant role along with the Fire Consultant and District Clerk. Price said the District has expanded its' duties necessitating a possible General Manager. Price suggested a consultant with a similar contract to the Fire Consultant, Clerk and Finance Consultant. Spreen and Warren felt it would be a full-time position; Tyson felt half or three-quarter time position and Waldeck said to begin with half-time position and build from there if necessary. The consensus was to form a new committee, hiring committee, consisting of Tyson, Price and Warren. Price reviewed the two page summary of the June 2, 2017 strategic plan meeting. She said the next strategic plan elements to work on was the salary survey and the need for a Commissioner orientation program. b.) Website Update: There was no update for the District website.

c.) Water Supply Subcommittee Update: Discussed previously under item 10. Agreement with EKI.

d.) Tree Subcommittee Report: Tyson reviewed his Tree Subcommittee report for July 25, 2017. He discussed the future of tree trimming and removal with recommendations based on experience from the past three phases of RFP's. He suggested a new phase might be implemented which would include broader means of solicitation for tree removal/trimming; trees to be assessed by an Arborist; Arborist establishes a price for a suitable number of trees; the bundle of trees will be offered to a Preferred Tree Company which will have been previously identified and a contract established; initial term of process will be one year; NOTE: this is one approach to deal with future tree work and the tree subcommittee solicits ideas on other approaches. It is suggested to try this for one year. He wants the Board to think about it. Chief Bowden stressed the importance of vegetation management; brush/grass this time of year is of significant concern. It is vegetation/fuel management that is essential. Looking at the location and topography and what areas pose the most risk.

The next steps of the Tree Committee include a report on the progress in Areas 5&6 and presenting a formal proposal for future management of tree removal.

Public member Allan Epstein commented that the competitive bidding process has worked in our favor; we have saved money by doing it this way.

e.) Community Wildfire Protection Plan Sub-Committee Update: Waldeck needs to speak to the City Council explaining what a community wildfire protection plan is and the benefits of such a plan. Warren stated he wants a review of the Byrne Preserve Fire and evaluate our programs and how they have helped. What have we learned?

f.) Current Contracts: None.

- 13) Consent Calendar:** a.) Minutes of June 20, 2017
b.) Period Report 12, June 2017

Action: A motion was made by Warren to adopt the minutes of June 20, 2017 as submitted; Spreen seconded the motion. **All in Favor:** Vaughn, Carr, Warren, Spreen, Waldeck, Tyson and Price. **Opposed:** None.

b.) Period Report 12, June 2017. Cori Vargas asked that on Page 6 & 7 the date July 2016 through *May 2017* be changed to: July, 2016 through June, 2017. **Action:** Motion was made by

Warren to approve amended Period Report 12, June, 2017 ; Waldeck seconded the motion. **All in Favor:** Carr, Price, Tyson, Vaughn, Spreen, Waldeck and Warren. **Opposed:** None.

14) Disbursements for July, 2017. Cori Vargas handed out a revised July 2017 disbursement list.

15) Board Member Reports: Tyson asked that the Commissioner's read the letter from resident Barry Bruins concerning CERT coverage areas and sphere of influence for a later discussion.

16) Adjournment. By consensus, the next meeting of August 15, 2017 was cancelled; the next regular meeting will be September 19, 2017. Also by consensus the meeting was adjourned at 9:55 p.m.

Prepared by,

Jeanne Evilsizer
District Clerk

Approved 9/19/17