



**MINUTES OF A REGULAR MEETING OF THE
LOS ALTOS HILLS COUNTY FIRE DISTRICT BOARD OF COMMISSIONERS
HELD ON TUESDAY, OCTOBER 19, 2021 BEGINNING AT 7:00 P.M.**

A video recording of this meeting is available at:

<https://www.lahcfd.org/download/october-19-2021-fire-district-commission-meeting/>

Discussion of each agenda item is time-stamped with the hour, minute, and second [hh:mm:ss]

1. Roll Call [00:01:08]:

President Warren called the meeting to order at 7:03 p.m. A quorum was present via videoconference, pursuant to the provisions of Government Code section 54953(e).

Attendee Name	Title	Status
Mark Warren	President	Present - Remote
Melvin Vaughn	Vice President	Present - Remote
Terry Kearney	Commissioner	Not Present
Joan Sherlock	Commissioner	Not Present
Roger Spreen	Commissioner	Present - Remote
Kavita Tankha	Commissioner	Present - Remote
George Tyson	Commissioner	Present - Remote

ALSO PRESENT: Santa Clara County Central Fire Protection District (SCCCFPD) Acting Fire Chief Brian Glass, Municipal Resources Group (MRG) Strategic Planning Consultant Marcie Scott, Emergency Services Manager Captain Denise Gluhan (Ret.), Integrated Hazardous Fuel Reduction Consultant David Barnett, General Manager J. Logan, Lead Deputy County Counsel Christopher Cheleden, CERT Program General Analyst Victoria Bebee, Freyer & Laureta (F&L) Consulting Engineer Jeff Tarantino.

2. Commission President Remarks [00:02:32]:

President Warren noted Agenda Item 4.I. is a Commendation for departing Town of Los Altos Hills (Town) City Manager Carl Cahill. He thanked Cahill for his support of the District and said the Commendation will be presented at the Town's City Council meeting on October 21, 2021.

3. Public Comment [00:03:53]:

Los Altos Hills resident and Purissima Hills Water District (PHWD) Board Member Steven Jordan suggested an agreement between the District and PHWD for installation of leak sensors on the District-owned fire hydrants. He also discussed the water shortage and hoped the District can provide some input on potential vegetation fire hazards.

4. Consent Calendar and Changes to the Order of the Board of Commissioners Agenda [00:07:48]:

- A. Approve Draft Minutes of September 21, 2021 Regular Meeting
- B. Receive Financial Statement Package - Period 3, September 2021
- C. Receive Financial Statement Package – Period 13, FY2020/21 Final
- D. Receive Disbursements for October 2021
- E. Receive Report on Santa Clara County Public Health Officer COVID-19 Related Orders
- F. Adopt Resolution No. 21-9 of the Los Altos Hills County Fire District Board of Commissioners making required findings that: (1) Circumstances of State Emergency Continue to Exist; and (2) Recommended Measures to Promote Social Distancing Continue to Exist that Require Continued Remote Meetings in Accordance with Government Code section 54953(e)(3)
- G. Approve Agreement with Bortolotto Construction Company for replacement of District hydrant valve covers and the affected infrastructure and painting of valve covers as part of the Town of Los Altos Hills annual pavement rehabilitation capital improvements project, for an amount not to exceed Seven Thousand Two Hundred Dollars (\$7,200) that has been approved by County Counsel as to form and

legality

H. **Approve Third Amendment to the Municipal Resource Group (MRG) Professional Services Agreement for continuation of services through April 30, 2022 for implementation of the District 2021-2022 Strategic Plan for an additional amount not to exceed Twenty Thousand Dollars (\$20,000) that has been approved by County Counsel as to form and legality**

I. **Adopt Resolution No. 21-10 of the Los Altos Hills County Fire District Board of Commissioners Authorizing the General Manager to Amend Certain Agreements for Goods and Services for the Benefit of the District and Furtherance of the District Purpose that has been approved by County Counsel as to form and legality**

J. **Commendation and Recognition of outgoing Town of Los Altos Hills City Manager Carl Cahill**

Lead Deputy County Counsel Cheleden provided comment on Item No. 4.F. He reminded the Commission about the September 16, 2021 passage of Assembly Bill 361, which authorizes continuation of remote meetings during a proclaimed state of emergency and amends the Brown Act for those purposes. Every 30 days the Commission must make a finding that it is still necessary and appropriate to continue to have remote meetings based on recommendations made by the local public health official. The October Meeting was allowed to be held remotely because legislature allowed for one meeting to be held without the legislative body making the required findings. Commissioners Warren and Tyson asked if the required findings will still be valid if there are more than 30 days between meetings. Cheleden stated he will provide details of County Counsel’s opinion of the statute to the Commission off-line or at a subsequent meeting.

General Manager Logan requested Item No. 8 be moved to follow Item No. 13, and Item No. 12.B. be removed from the Meeting Agenda. For Item No. 4.A. she noted public comment had been received via email from Los Altos Hills resident Allan Epstein, and distributed to the Commission, with suggested revisions to the September 21, 2021 Meeting Minutes. Due to the timing in receipt of the public comment and to provide staff with more time to review the request, she suggested Item No. 4.A. be continued to November’s Meeting.

The motion was made to approve the Consent Calendar with changes to continue Item No. 4.A. to the November Meeting, move Item No. 8, and remove Item No. 12.B. from the Agenda.

4. RESULT:	APPROVED [5-0, 2 ABSENT]
MOVER:	Spreen
SECONDER:	Tyson
AYES:	Warren, Vaughn, Spreen, Tankha, Tyson
ABSTAIN:	None
ABSENT:	Kearney, Sherlock

5. **Los Altos Hills County Fire District Administration Monthly Report to County Committees [00:17:23]:**

A. **Receive the September 2021 Monthly Report and presentation slides from District Administration to the County of Santa Clara Management Audit Division and presented to the County of Santa Clara Finance and Government Operations Committee (FGOC) on October 14, 2021 at 2 pm and to the County of Santa Clara Housing, Land Use, Environment, and Transportation Committee (HLUET) on October 27, 2021 at 10 am**

B. **Receive Management Audit Division cover letter and presentation slides submitted to the County of Santa Clara Board of Supervisors, the County of Santa Clara Government Operations Committee (FGOC), and the County of Santa Clara Housing, Land Use, Environment, and Transportation Committee (HLUET) pertaining to the District Administration’s September 2021 Monthly Report**

C. **Receive information pertaining to Local Agency Formation Commission of Santa Clara County (LAFCO) Countywide Fire Service Review and the Santa Clara County Comprehensive Fire Study**

Logan stated Item No. 5.A. is the September Monthly Report, which includes the Ad Hoc Community Wildfire Preparedness Plan/Integrated Hazardous Fuel Reduction (CWPP/IHFR) Subcommittee report, notes on the Moody/El Monte Roads Hardening and Evacuation Route Project, and an overview of the District’s records management policy.

Item No. 5.B. is the Management Audit Division Cover Letter which summarizes each Management Audit recommendation and summarizes the District’s actions. For the record, Logan reviewed each of the recommendations and findings as of Oct. 1, 2021:

1. Section 1: Use of District Funds. The auditors review of a sample of expenditures indicates that the expenses relate to contractual agreements, which have been reviewed by County Counsel, for services pertaining to District functions and District-owned infrastructure. The District terminated private legal counsel services and executed an agreement with the County of Santa Clara (County) for exclusive legal services counsel.
2. Section 2: Use of District Funds for Private Tree Services. The District has removed the tree removal program from the Fire District’s website, and a sample review by the auditors of expenditures did not identify any expenses for private tree services. The Fire District is providing integrated hazardous fuel reduction brush chipping and defensible space services to the community through a contract with the non-profit Santa Clara County Fire Safe Council (SCCFSC).
3. Section 3: Brown Act Compliance. The previously mentioned changes to legal services have allowed the District’s provisions for services to be confirmed by County Counsel. The hardcopies of District legal records were transferred to County Counsel and auditors were furnished documentation of the transfer.
4. Section 4: Fire Prevention Programs Are Not Aligned with Fire Risks. The District adopted revised Annex 4 of the County Wildfire Protection Plan as the LAHCFD CWPP. The auditor’s review of expenditures shows the District is providing hazard-reduction services, and is focused on high-risk areas for mitigation efforts. The effort to target fuels along the Moody/El Monte Roads Hardening and Evacuation Route Project is exactly the sort of focused effort the audit team was hoping to come from the recommendation made.
5. Section 5: Fire District Compliance with State and Local Procurement Requirements. The previously mentioned changes to legal services provide for County Counsel to review and approve contracts as to form and legality. The Commission amended the District’s records management policy, which requires documents produced by third party vendors be retained in the District’s online shared file sites, and copied into the District’s cloud storage system for backup, retrieval, storage, and production of documents when necessary. The District has contracted for digitization of its records and for assistance with record-keeping practices. The auditors have conducted interviews and reviewed electronic records to verify the above actions.

The Management Audit Report states “The District has fully addressed the findings or implemented the recommendations. Based on our review of the LAHCFD’s actual spending, its actual contracting, its use of County Counsel for its legal services, its adoption of improved record-keeping policies and practices, and the elimination of its private tree program in favor of more aggressive efforts to mitigate severe fire risks, all of the LAHCFD audit recommendations as approved by the Board of Supervisors have been implemented.”

6. Santa Clara County Fire Chief Report [00:25:18]:

A. Monthly report for September 2021

B. Palo Alto Fire Station 8 monthly report for September 2021

SCCCFPD Acting Fire Chief Glass reviewed the monthly report for September 2021 and said there were no significant events. He explained Engine 75 had a late response due to three simultaneous service calls, and a problem with the address listing in the fire dispatch system.

Chief Glass said Station 8 was manned by SCCCYPD in September, and received a total of 10 calls, 3 of which were cancelled en route. He noted the Station 8 contract allows for staffing the station through mid-November, however, Glass does not feel an extension of staffing is necessary due upcoming rains. President Warren requested Logan to follow up with Chief Glass at the end of the month to see if extended staffing is necessary.

7. Receive General Manager Report [00:31:08]:

A. Report on updates, events and activities

B. Update on coordination with County Technology Services and Solutions for development of a scope of work to seek procurement of consulting information technology services for District

C. Coordination with Santa Clara County Central Fire Protection District to provide education and outreach to residents pertaining to Zonehaven and mailing of materials and zone identification items

Logan reviewed the report slides included in the agenda packet including meetings, events and activities. She said District staff met with County Counsel and the County’s Technology Services and Solutions (TSS) to review the scope of work for District IT Services. An RFP package is currently being developed, and TSS has identified at least three vendors as potential recipients.

She reported the District is coordinating with SCCCYPD on Zonehaven public outreach and training workshops, and a packet of educational materials will be sent to LAHCFD households.

Item No. 8 was moved to follow Item No. 13 under the Consent Calendar.

9. **Receive Emergency Services Manager Report [00:35:12]:**

A. Report on Events and Activities

- i. Saddle Mountain Firewise Community recognition update
- ii. LAHCFD and Town of Los Altos Hills Wildfire Preparedness Fair

B. Report on Community Emergency Response Team (CERT) Activities

- i. Teen CERT update

Emergency Services Manager Captain Gluhan (Ret.) presented the report slides included in the agenda packet. She discussed meetings and activities including upcoming Zonehaven Webinar Training presented by SCCCFPD. CERT Program General Analyst Bebee provided an overview of CERT meetings, events and community outreach activities including expansion of Teen CERT into Mountain View High School and the upcoming Wildfire Preparedness Fair.

Public Comment: Los Altos Hills resident Allan Epstein asked why LAHCFD is involved with the expansion of Teen CERT into Mountain View High School. Bebee responded there are more members in the Los Altos/Los Altos Hills Teen CERT Chapter, so they collaborate with the Santa Clara County Chapter to encourage participation and expansion of the program throughout the County. President Warren also noted that some LAHCFD residents from the unincorporated area live within the Mountain View High School jurisdiction.

10. **Integrated Hazardous Fuel Reduction Projects and Proposals [00:44:12]:**

A. Receive report on the Moody and El Monte Roads hardening and evacuation route project

B. Receive update from the Ad Hoc Community Wildfire Preparedness Plan/Integrated Hazardous Fuel Reduction (CWPP/IHFR) Subcommittee

Gluhan provided an update on the Moody/El Monte Roads Hardening and Evacuation Route Project and stated 56 (46%) of approximately 120 parcels have provided right of entry in order to manage fuels within 30 feet of the center of the roadway. This response rate is higher than the average of 20% for similar projects, as reported by SCCFSC. The targeted start date of the Project is November 8.

Commissioner Spreen reported the CWPP/IHFR Subcommittee discussed the question of how the District can strategically manage its resources for communication and interaction with residents on IHFR projects and programs. The Subcommittee also discussed the possibility of the District obtaining vegetation mitigation equipment, such as a masticator, with more details provided at a future meeting.

Public Comment: Los Altos Hills resident Allan Epstein suggested the masticator be purchased during the current fiscal year budget, since the planned FY22 purchase of the fire engine water tender will likely not occur until FY23.

11. **District Hydrant and Related Infrastructure Report [00:59:43]:**

A. Update on the Duval Way/Elena Road/Padre Court/Seton Property (DEPS Project) water main capital improvement project

B. Update on Horseshoe Lane District parcel soil erosion repair

Freyer & Laureta (F&L) Consulting Engineer Tarantino stated the District is continuing to coordinate with Purissima Hills Water District (PHWD) to identify opportunities to relocate and add fire hydrants during PHWD's upcoming water main improvement project. He reviewed photos of the Horseshoe Lane soil erosion repair project and reported the work had been completed.

12. **Personnel [01:03:09]:**

- A. Approve District Operations Manager position description and authorize execution of an at-will employment agreement between the District and David Barnett for the position of a full-time Operations Manager effective no later than December 31, 2021 until terminated by either Party, and with annual base compensation of One Hundred Seventy-Six Thousand Dollars (\$176,000) and subsequent annual compensation adjustment of an amount not to exceed four percent per year as determined by the General Manager and approved by the Board of Commissioners, that has been approved by County Counsel as to form and legality**

Logan reviewed the proposed Operations Manager Employment Agreement included in the agenda packet, and noted California Government Code Section 54953(c)(3) requires the Commission to receive an oral report summary of the proposed compensation before taking final action to adopt that compensation via the Employment Agreement. The proposed at-will, full-time, employment agreement includes an effective start-date no later than December 31, 2021. The initial annual base salary is \$176,000, which is equivalent to approximately \$84.62 per hour, with annual adjustment not to exceed 4% per year. Logan outlined the premium pay and fringe benefits from Section III and Section V of the employment agreement. The proposed employment agreement does not provide holiday pay, medical benefits, or retirement benefits.

Public Comment: Los Altos Hills resident Allan Epstein asked for clarification regarding what mutual aid emergency services the Operations Manager will provide, and how the deployment will impact the Operations Manager's duties and responsibilities to the District. Logan explained these mutual aid services provide benefits to the District by broadening experience and widening the network of services available through Cal State programs. She stated any requests for mutual aid deployment will have to be vetted and approved by the General Manager based upon the District's needs. Integrated Hazardous Fuel Reduction Consultant Barnett explained in emergency situations and disasters the Operations Manager will represent the District in overhead positions such as manning of command posts and recovery efforts.

12.A. RESULT:	APPROVED [5-0, 2 ABSENT]
MOVER:	Tyson
SECONDER:	Tankha
AYES:	Warren, Vaughn, Spreen, Tankha, Tyson
ABSTAIN:	None
ABSENT:	Kearney, Sherlock

- B. Authorize General Manager to hire a part-time independent contractor at an hourly rate up to Fifty Dollars (\$50) for up to twenty (20) hours per week for up to six months to provide Community Liaison services to residents for improvement of their property and home hardening efforts for wildfire protection and resiliency**
 - i. Memorandum Report**

Item No. 12.B. was removed from the agenda under the Consent Calendar.

13. Financial Consultant and District Clerk Report [01:19:41]:

A. Receive update on FY2022/23 Budget Development

Financial Consultant Vargas reported the Standing Budget Subcommittee will schedule a public Special Meeting, subject to the rules of the Brown Act, at the beginning of November. An update will be provided at the November 16, 2021 Regular Meeting.

Public Comment: Los Altos Hills resident Allan Epstein asked what information will be available in advance of the meeting for the public to view. Vargas stated the agenda and a draft of the FY23 Budget will be posted to the website, but noted some of the revenue and expenditure amounts will be rough estimates since the County does not provide their budget estimates until early December 2021.

- B. Adopt Resolution 21-11 of the Los Altos Hills County Fire District Board of Commissioners Establishing the Appropriations Limit for the District for Fiscal Year 2021-2022 in Accordance with Article XIII B of the California Constitution and Government Code Section 7910 and Establishing Period for Contesting Such Limits**
 - i. Memorandum Report**

Vargas recommended approval of the District's FY2021/2022 Appropriation Limit, which was computed by the County Controller Treasurer Department at \$25,397,281.

13.B. RESULT:	APPROVED [5-0, 2 ABSENT]
MOVER:	Spreen
SECONDER:	Vaughn
AYES:	Warren, Vaughn, Spreen, Tankha, Tyson
ABSTAIN:	None
ABSENT:	Kearney, Sherlock

C. Approve final FY2020/2021 Financial Audit Report

Vargas recommended approval of the District’s FY2020/2021 Financial Audit Report.

13.C. RESULT:	APPROVED [5-0, 2 ABSENT]
MOVER:	Vaughn
SECONDER:	Tankha
AYES:	Warren, Vaughn, Spreen, Tankha, Tyson
ABSTAIN:	None
ABSENT:	Kearney, Sherlock

8. Status Review of the District 2021/2022 Strategic Plan [01:27:54]:

a. Review of Goals

This item was moved to follow Item No. 13 under the Consent Calendar. Municipal Resources Group (MRG) Strategic Planning Consultant Scott reviewed the District’s 2021/2022 Strategic Plan goals. She provided examples of implementation of goals such as searching for technological data for fire modeling, participation in the LAFCO and County fire studies, partnering with regional organizations to enhance vegetation management, the development of hydrant and infrastructure policies and procedures, updates to the District’s website, and early development of the FY23 Budget.

Public Comment: Los Altos Hills resident Steven Jordan mentioned the lack of water resources during the Oakland Hills Fire in 1991 and noted the importance of upgraded water pipeline capacity.

Public Comment: Los Altos Hills resident Allan Epstein reminded the Commission of his recommendation as part of the Los Altos Hills Strategic Fuel Break Project that the District propose installing water tanks to provide additional water resources.

14. Commission Member Reports [01:44:17]:

A. One Commission Vacancy 12/31/21 for Incorporated Area

B. Future agenda items

Logan stated notice of the Commission Vacancy will run in local press, and the District’s website and social media pages. Applicants apply online via the County, and County Supervisor Joe Simitian makes recommendations to the Board of Supervisors for appointment. Vargas noted the vacancy will be advertised in the Los Altos Town Crier and the Palo Alto Daily Post.

Public Comment: Los Altos Hills resident Allan Epstein asked if Commissioner Kearney will be applying for a second term.

The Commissioners and Staff had no reports or suggested additions to future agenda items.

15. Adjournment [01:47:32]:

Warren adjourned the meeting at 8:50 p.m. The next regular meeting will be held via videoconference on November 16, 2021 at 7:00 p.m.

Prepared by,

Cori Vargas
District Clerk