

**MINUTES OF A REGULAR MEETING OF THE
LOS ALTOS HILLS COUNTY FIRE DISTRICT BOARD OF COMMISSIONERS
HELD ON TUESDAY, SEPTEMBER 17, 2019, 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 7:03 p.m.

1. Roll Call:

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

ABSENT: Commissioner Vaughn

ALSO PRESENT: General Manager J. Logan, Fire Chief Tony Bowden, Emergency Services Manager Captain Denise Gluhan (Ret.), District Counsel Dan Siegel, Fire Consultant Stu Farwell, Financial Consultant & District Clerk Cori Vargas

2. Public Comment:

No public comments on items not on the agenda.

3. Commission President Remarks:

Warren announced that Fire Consultant Stu Farwell would be leaving after 22 years of service with the District and 61 years of public service. He stated that the agenda was robust due to both the absence of a meeting in August and the increased activities of the Staff and Subcommittees.

4. Santa Clara County Management Audit Process:

J. Logan discussed the process of the Santa Clara County management audit of the District. She recommended appointment of an AdHoc subcommittee to receive and review the draft management audit report and interact with the County audit team. Logan suggested the committee should consist of President Warren and former Presidents Tyson and Price. Warren questioned if District staff including General Manager, District Clerk Cori Vargas and Contract District Legal Counsel Dan Siegel, JSM&F and associates would be assisting; Logan affirmed. Logan explained that County Counsel requires the draft report to remain confidential to the subcommittee and staff until the final version is released to the public. Logan also explained that the subcommittee would be representing the entire commission in correcting factual errors and deciding whether the District “agrees”, “partially agrees”, or “disagrees” with potential audit findings.

Action: Motion by Spreen for appointment of Santa Clara County Management Audit AdHoc Subcommittee consisting of Commissioners Warren, Tyson and Price; second by Kearney.

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

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

MOTION PASSED

5. **Adopt Resolution 19-30 Resolution of the Los Altos Hills County Fire District Approving Assignment of Professional Services Agreement for Financial Audit Services dated March 19, 2019, between the Los Altos Hills County Fire District and Vavrinek, Trine, Day & Company to Eide Bailly LLP:**

District Counsel Dan Siegel explained that the District's financial audit firm Vavrinek, Trine, Day & Company was acquired by Eide Bailly LLP. The original contract agreement would need to be superseded to reflect the name change, with no changes made to terms and conditions.

Action: Motion by Price to adopt resolution for appointment approving assignment of professional services agreement for financial audit services dated March 19, 2019, between the Los Altos Hills County Fire District and Vavrinek, Trine, Day & Company to Eide Bailly LLP; second by Spreen.

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

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

MOTION PASSED

6. **Presentation and Consideration of Approval of Draft Audit Report FY2018/2019:**

Ahmad Gharaibeh of Eide Bailly LLP gave a brief review of the draft audit for the year ended June 30, 2019.

Action: Motion by Spreen for approval of draft audit report FY2018/2019 with suggested changes; second by Price.

Comment from Public: Los Altos Hills resident Allan Epstein asked if staff had passed his email of comments to the auditor for review.

Financial Consultant Cori Vargas stated the points raised by Mr. Epstein were discussed with management and the auditors. She outlined the suggested changes to the draft audit, and stated the final audit will be presented at the October 15, 2019 meeting.

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

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

MOTION PASSED

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

Fire Chief Tony Bowden reviewed the Monthly Reports for July and August 2019. July had a few small fires but none were considered significant events. There was a structure fire in August which caused approximately \$60,000 in damage and was still under investigation. He mentioned SCCFD's intent to replace of Rescue Engine 74 during FY2021. He explained that with the engine's original purchase in 2006, the District paid an additional amount for modifications and upgrades so the engine could service the District's rugged terrain. He recommended the District consider a future expenditure of approximately \$375,000 for engine upgrades. Chief Bowden noted that the station's wood deck had extensive dry rot and was replaced. He apologized for not gaining Commission approval before making a capital improvement to a District asset. In compromise for the cost of the repairs, he suggested SCCFD cover the labor costs if the District would reimburse for materials.

Comment from Public: Los Altos Hills resident Allan Epstein questioned the wording of the contract with SCCFD regarding District expenditures for the engine and deck replacements.

General Manager, J. Logan assessed that based on the 20016 expenditure for Engine 74 and in light of the circumstances concerning the deck, these expenditures are appropriate. Legal Counsel Siegel concurred with Logan.

Action: Motion by Tyson for approval to reimburse SCCFD \$3,272.54 for materials to repair the deck; second by Kearney.

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

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

MOTION PASSED

8. General Manager Report:

Logan stated September is “National Preparedness Month” with a goal to encourage individuals and families to prepare for emergencies. She mentioned the “Our Community Prepares” exhibit opening October 17 at the Los Altos History Museum and that the District would be providing outreach and education during the exhibition. Logan reported on the conclusion of her service to the National Committee for revisions to the Commission on Fire Accreditation International (CFAI) model the 10th edition “Fire and Emergency Services Self-Assessment Manual”.

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

Emergency Services Manager Captain Gluhan (Ret.) explained the area around the ARK is still not accessible to the public for CERT drills. She mentioned collaborating with the Town of Los Altos Hills, De Anza College, and the FireSafe Council on different public emergency preparedness meetings and training.

10. Fire Commission Subcommittee Reports and Staff Consultant Reports:

Fire Consultant Stu Farwell reviewed the Sept. 1, 2019 Residential Program Updates. Ed Slintak of CSG Consultants, Inc. stated that Brush Chipping Invitation to Bid should be ready for authorization by either October or November meeting. Commissioner Tyson explained the new brush chipping contract will provide a restricted “on-call” system to provide faster service to applicable residents. Tyson explained Resolution 19-31, in which the District would provide recommendation to the Town of Los Altos Hills to adopt the R337 building code standards currently in place in portions of the unincorporated areas of Santa Clara County. These codes provide a great level of building requirements for greater fire resiliency. Commissioner Spreen stated he would abstain from voting due to common interest in both the District and the Town of Los Altos Hills.

Action: Motion by Kearney to adopt the resolution providing recommendation to the Town of Los Altos Hills to adopt 2019 California Residential Code Section R337: materials and construction methods for exterior wildfire exposure, as its building code standard to improve public safety; second by Tyson.

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

Opposed: None. **Abstained:** Spreen. **Absent:** Vaughn.

MOTION PASSED

11. Adopt Resolution 19-32 Resolution of the Los Altos Hills County Fire District Authorizing the District President to Execute Services Agreement Between with _____ for Tree Removal Services in Areas 4, 5 and 6 of the District:

CSG Consultant Ed Slintak discussed RFP process and evaluation criteria. He mentioned 4 proposals were received and reviewed by the District Evaluation Panel who gave almost identical scores to Bay Area Tree Specialist (BATS) and S.P. McClenahan. In order to provide expedient service to residents and based on evaluation of the other criteria factors, the panel recommends awarding the contract to S.P. McClenahan so BATS could focus resources on Areas 1, 2 and 3.

Comment from Public: Los Altos Hills resident Allan Epstein mentioned BATS was the lowest bidder; he suggested the District either delay adoption until it can better evaluate BATS experience and work approach, or ask McClenahan to match the lower bid price.

Spreen commented that doing so would give the impression that cost is the most important criteria for selection. Slintak mentioned there should be no delay since immediate service was the overall goal for Phase 2.

Action: Motion by Tyson to adopt the resolution authorizing the District President to execute services agreement between the Los Altos Hills County Fire District and S.P. McClenahan for Tree Removal Services in Areas 4, 5 and 6 of the District; second by Price.

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

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

MOTION PASSED

12. Adopt Resolution 19-33 Resolution of the Los Altos Hills County Fire District Authorizing Execution of Amendment No. 2 to the Professional Services Agreement with CSG Consultants for Fuel Reduction Program Oversight Services:

Logan explained that with the departure of Fire Consultant Farwell, additional administration and oversight would be necessary for expansion of the District's fuel reduction programs. Amendment No. 2 is a recommendation to increase the service and provide oversight for programs to cover these extra duties, with a note that extra cost will be offset by Fire Consultant salary savings.

Action: Motion by Carr to adopt the resolution authorizing execution of Amendment No. 2 to the professional services agreement with CSG Consultants for fuel reduction program oversight services; second by Kearney.

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

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

MOTION PASSED

13. Hydrant Flow and Pipeline Resiliency Subcommittee Report:

Logan mentioned there were no significant findings in the two-year Fire Hydrant Replacement Project Phase VIII warranty report. Logan reported that further discussion would be needed with PHWD about installing antennas, wildfire detection cameras and audible early warning systems around the District. Warren stated the subcommittee had talked with PHWD about upgrading pipeline around Taaffe and Elena Roads. Gluhan discussed visiting the site and suggested adding 2 hydrants to conform with County standards of 500 feet between hydrants. The subcommittee met to discuss Resolution 19-34.

14. Adopt Resolution 19-34 Resolution of the Board of Commissioners of the Los Altos Hills County Fire District Confirming Interest in Cost Sharing With the Purissima Hills Water District for Construction of the Hydrant Flow and Pipeline Resiliency Improvement Project Taaffe/Elena Pending Final Costs After Bid and Contractor Selection, and Setting Forth Percentage Split Between the Parties:

Warren explained PHWD needs the District to show interest and intent for a cost sharing plan before it can start preliminary engineering and design on the project. He clarified that this resolution did not approve current allocation of funds. Kearney noted that "Taaffe" was spelled incorrectly on page 2; Warren stated the resolution would be amended to correct.

Comment from Public: Los Altos Hills resident Allan Epstein asked for clarification on percentage split calculations.

Warren stated both fire-flow improvements and public safety concerns of pipe breakage during earthquakes warranted a higher percent contribution from the District.

Action: Motion by Kearney to approve the resolution confirming interest in cost sharing with the Purissima Hills Water District for construction of the hydrant flow and pipeline resiliency project Taaffe/Elena pending final costs after bid and contractor selection, and setting forth percentage split between the parties; seconded by Tyson.

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

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

MOTION PASSED

15. Personnel Subcommittee Report:

Warren mentioned that some of Fire Consultant Farwell's duties were added to the job descriptions for Emergency Service Manager and District Clerk. He mentioned that the subcommittee had met to review and discuss Resolutions 19-35 and 19-36.

16. Adopt Resolution 19-35 Resolution of the Los Altos Hills County Fire District Authorizing Execution of Agreement for Employment Between the Los Altos Hills County Fire District and Corinne Vargas for Services as District Clerk:

Logan reviewed the memorandum report which recommended the District Clerk position should be a part-time regular District employee position as opposed to an independent contractor position.

Action: Motion by Spreen to adopt the resolution authorizing execution of agreement for employment between the Los Altos Hills County Fire District and Corinne Vargas for services as District Clerk; seconded by Price.

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

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

MOTION PASSED

17. Adopt Resolution 19-36 Resolution of the Los Altos Hills County Fire District Authorizing Execution of Agreement for Independent Contractor Consultant Services Between the Los Altos Hills County Fire District and Julie Smiley for Services as General Analyst:

Logan made the following statement for the record: "The materials related to Item 17 have been updated since the publication of the Agenda. The titling of the Independent Contractor Agreement is now "Consultant for Technical Services". Formerly it labeled the independent contractor as "General Analyst." Accordingly, the Resolution for this item as well as the Independent Contractor Agreement have been updated to state "Consultant for Technical Services." The compensation, scope of services, and the other terms and conditions of the Independent Contractor agreement are the same. None of the substantive provisions of the Independent Contractor Agreement have been changed. The services contemplated to be provided under the agreement, and the associated costs of the Independent Contract Agreement are the same. As such, although there has been a changing in the titling, the notice provided in the Agenda regarding this item is sufficient to allow the Commission to review and enter into the Independent Contractor Agreement, if it so desires." Logan explained the title change was to clarify that this is a contract position, not an employee. She reviewed the memorandum report and stated Smiley's résumé was available for review by request.

Action: Motion by Tyson to adopt the resolution authorizing independent contractor agreement for consulting services for technical services between the Los Altos Hills County Fire District and Julie Smiley; seconded by Kearney.

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

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

MOTION PASSED

18. Financial Consultant Reports:

Financial Consultant Vargas presented agenda report summary and recommended the Commission appoint a Budget Subcommittee to prepare a draft of the FY2021 Budget. She suggested the Commission form the subcommittee 4 months earlier than prior years to allow more time for analysis, research, and other subcommittee's input. Spreen stated he was willing to join the FY2021 committee and nominated Commissioner Vaughn (absent) who serviced on the committee last budget cycle with Commissioner Spreen. Vargas discussed Resolution 19-37 which would authorize issuance of credit cards to Logan and Gluhan for Emergency supply purchases and regular monthly expenditures not payable by petty cash. Logan explained that a "credit card use policy" would be developed and approved by the Commission before using the cards, except in case of an emergency or disaster.

Action: Motion by Spreen to adopt the resolution authorizing issuance of District credit cards to General Manager J. Logan and Emergency Services Manager Capt. Denise Gluhan (Ret.) with credit limit of \$5,000 on each card; seconded by Kearney.

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

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

MOTION PASSED

19. District Clerk Report:

District Clerk Vargas mentioned that she had met with Gladwell Government Services to discuss records retention and organization of District records. She stated the process was ongoing and an update would be provided at a future meeting. She also mentioned interest in attending the "2019 Board Secretary/Clerk Conference" in November.

20. Consent Calendar:

Warren asked for a motion to approve "20.A. Approval of Draft Minutes of July 30, 2019 Regular Meeting" and "20.B. Receive Period Reports 1 & 2, July and August 2019". There was no comment from the Commission or the public.

Action: Price made a motion to approve the Consent Calendar as submitted; seconded by Spreen.

All in Favor: Warren, Price, Tyson, Vaughn, Carr, Kearney.

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

MOTION PASSED

21. Receive Disbursements:

There was no comment from the Commission or the public.

22. Commission Member Reports:

Spreen mentioned that the Strategic Plan for 2015-2020 had provided many elements of growth for the District and suggested that the Commissioners consider working on the next 5-year plan. Logan mentioned the Town Crier would be publishing an article on Community Wildfire Protection Plans (CWPP) offering safety tips to the public. Price mentioned a half-page District ad would appear in the upcoming issue of the Town Crier "Living In" magazine.

23. Adjournment:

Warren adjourned the meeting at 9:59 p.m. The next regular meeting date is October 15, 2019.

Prepared by,

Cori Vargas
District Clerk