

**Woodside Fire Protection District
Board of Directors Meeting
Administration Building
808 Portola Rd.
Portola Valley, CA 94028
May 28th, 2024**

The meeting of the Board of Directors was called to order at 7:00 pm by Director Miller

Directors Present: Miller, Holthaus, Cain

Directors Absent: None

Staff: Chief Cuschieri, Chief Zabala, Chief Douthit, FM Giuliacci, Finance Manager Liu

Zoom Attendees: Chief Hird, Chief McKenzie, Chief Hird, Capt. Witsoe, FF O’Leary

Other Attendees: *Zoom Attendees:* WFPD General Counsel Rubin Cruse (RPLG); Daniel Warren, “A”

Public Comment Non-Agendized Topics: (Written as transcribed)

There were no public comments made on Non-Agendized Topics.

III. CONSENT AGENDA The Board considered the following consent agenda items:

- C1. Approval of Minutes of the April 30th, 2024, Meeting of the Board of Directors
- C2. Accept Financial Reports April 2024
- C3. Accept Statement of Accounts April 2024
- C4. Accept Warrant List April 2024
- C5. Accept Fiscal Year Spreadsheet 23-24

Director Cain motioned to approve the consent agenda and approve Items C1, C2, C3, C4, and C5 as submitted, 2nd by Director Holthaus. Motion passed 3-0.

IV. REGULAR AGENDA BUSINESS ITEMS

R1. Consider taking the following actions: (1) Adopt Resolution 24-03 establishing Defensible Space Provisions of the Standards and Guidelines for Defensible Space and Home Hardening (the “Guidelines”) in accordance with District Ordinance # 24-01; and (2) find that the Defensible Space Provisions of the Guidelines are exempt from the California Environmental Quality Act for the reasons stated in District Ordinance # 24-01

All Directors expressed their appreciation for the document and how it clarifies Ordinance #24-01 by explaining what is required of residents, and what is recommended by the Fire District.

Fire Marshal Giuliacci discussed the guidelines for defensible space and home hardening, particularly focusing on spacing guidelines. Key points include:

1. **Historical Context and Purpose:** The guidelines, initially from Cal Fire's forestry management efforts in the 90s, aimed at creating fuel breaks to reduce fire spread and ignition risks around homes. These recommendations, designed for conifer forests, were adapted to the local context to minimize the likelihood of structures igniting during a wildfire.

2. **Zone Zero Importance:** Emphasis was placed on Zone Zero, the area immediately surrounding a house, which should be free of flammable materials to prevent ember storms from igniting structures. Moving or relocating plants and maintaining a clean perimeter are crucial.
3. **Public Education and Collaboration:** The ordinance aims to educate residents on fire-safe landscaping while maintaining aesthetic appeal. The process involves raising awareness, offering one-on-one inspections, and encouraging community sharing of experiences to ease the transition.
4. **Ongoing Adaptation and Feedback:** Acknowledging that the guidelines are a work in progress, Giuliacci highlighted the importance of collecting feedback from residents to continuously improve the document. The first year will be focused on education and adapting the guidelines based on common questions and issues faced by homeowners.
5. **Encouragement of Resident Involvement:** Residents are urged to schedule inspections and communicate with fire officials to clarify any confusion. The goal is to support the community in adopting these practices gradually and collaboratively.

Fire Marshal Giuliacci also mentioned that for residents not currently in the zones selected for inspections, there will be an online assessment tool available. This tool will allow residents to complete a self-assessment of their property's defensible space and home hardening measures. This initiative aims to extend the educational and preparatory efforts to all residents, ensuring wider community participation and fire safety awareness.

Public Comment: (transcribed as recorded)

Daniel Warren: “I didn't have anything prepared at the beginning, which is why I didn't raise my hand then. I just wanted to react a little bit to something that was said in this discussion about moving plants near the house to somewhere else. I spoke with our landscaping team about it, and I've had other people in the neighborhood ask me about such a thing. The information I got is that it's expensive and really hard work and has maybe a 50% chance of success, at best, for smaller plants and really small trees, and bigger trees, they can't do it. The root systems are just too big. So, I feel like we should probably be honest with ourselves about which of these things are talking about moving plants and which of them we're talking about removing plants that will not go back in the ground somewhere else, just to make sure that we're not thinking; oh, you know, anything that's there, you just move it somewhere else. It's not that simple. Especially depending on what type of species it is and how extensive the root systems are, and depending if the root systems go horizontal or go vertical. And I haven't really had a chance to review this version of the guidelines. I just saw it in the packet, the board packet when it was posted like a day or two ago. But I will say that I was happy to see that some of the things from the walking tour that we had earlier in the year, were in there, such as, the treatment of privacy hedges and plants on the hillsides and groups of plants and things like that. I was a little concerned, though, that some of the other items from the walking tour were not there, such as, garbage cans being in zone zero, if there's nowhere else for them to go, you know, firewood piles, if they're covered in an appropriate fire resistant rated -- I don't remember the exact number, but like, you know, the NFPA rated materials. I didn't see anything there about what happens with trees or branches of trees that are wholly within zone zero. Well, I mean, I guess the question about what is and isn't allowed in zone zero. There are some things that are allowed in zone zero. So, I guess what I have to say about that then is that it's different from what we were told during the walking tour. During the walking tour, there were a few small tree-like objects that were within zone zero and were pointed to and said, don't worry, those can stay.”

Fire Marshal Giuliacci acknowledged that, through research and collaboration with experts, they discovered that some desired allowances for residents were not feasible. Despite the wish to let

residents keep certain items, doing so would undermine the primary goal of reducing fire risk and protecting homes. Thus, they had to adjust their guidelines to ensure effectiveness in fire safety.

Daniel Warren: “Maybe in such a scenario, it'd be nice if there were a way to come back to the neighborhood. Because, like, I shared with you the little notes document we put together and shared with Ladera saying, like, this is what we learned during the excellent, wonderful walking tour. If there's any, you know, if there's anything you could do to help us communicate that back to the community, saying like; hey, this is what we were told before, and actually this is what was implemented now, so that people are understanding what to reference. Because some of the things in that document that came from the walking tour aren't directly addressed in the guidelines. And so, there's some confusion because they're not, you know, they're not -- they don't line up saying, it used to be this, now it's this, or it was said to be this and it's still that. So, if you can help us with that, I think would be really helpful in the communication.”

General Counsel Rubin Cruse provided the following clarification of Ordinance 24-01:

- The ordinance is to be interpreted and applied to avoid the taking of mature, healthy, scenic trees, even in Zone Zero.
- The fire code official will review each area based on the guidelines and the specific area's evaluation.
- Determinations will be made on a case by case basis as to whether any mature, healthy, scenic trees in Zone Zero should be removed to significantly reduce the risk of transmission of flame or heat sufficient to ignite a Structure.
- If these trees are not deemed to be such a risk, removal is not mandated by the ordinance.

Director Miller made a motion to (1) Adopt Resolution 24-03 establishing Defensible Space Provisions of the Standards and Guidelines for Defensible Space and Home Hardening (the “Guidelines”) in accordance with District Ordinance # 24-01; and (2) find that the Defensible Space Provisions of the Guidelines are exempt from the California Environmental Quality Act for the reasons stated in District Ordinance # 24-01, 2nd by Director Holthaus. Motion passed 3-0.

Director Miller responded, expressing openness to the phased three-year compliance approach without strong opposition. Acknowledging the extended timeline for inspection due to current circumstances, he mentioned his own efforts in gradually addressing compliance by dismantling and preparing materials for chipping. He admitted past mistakes in landscaping decisions that now necessitate costly adjustments around his home. Miller agreed with the resident's concerns about the financial and practical challenges involved but expressed determination to make steady progress over the coming years, despite the incremental expenses. He emphasized the importance of proceeding cautiously while striving for improvement in fire safety measures around properties.

R2. Adopt Resolution 24-04 authorizing the Fire Chief to sign an agreement for the acquisition of real property located at 3117 Woodside Road, Town of Woodside, California, for an amount not to exceed \$3.5 million, pay additional necessary closing costs including, but not limited to, escrow and title costs in an amount not to exceed \$25,000, and take all other actions necessary to complete the acquisition.

Chief Cuschieri discussed the purchase of a lot next door to Fire Station 7, stating that an agreement has been reached with the administrator of Shirley Bayerle's estate. The details are outlined in an 18-page purchase agreement included in the board packet. He explained that once approved, the process will follow the outlined timeline, aiming to complete the purchase by June 30th, before the fiscal year ends. The legal aspects of the transaction are being handled by Mr. James Ross, an attorney representing the fire department and Lauren Boro, an attorney for Shirley's estate. Chief

Cuschieri asked if there were any questions about the agreement, emphasizing that it is comprehensive and clear.

Director Miller asked the Fire Chief about the due diligence planned for the purchase of the lot next to Fire Station 7. He highlighted the importance of investigating potential issues such as contaminated soil, pest problems, and faults. Miller suggested consulting with the town for their preliminary thoughts on the building envelope, given concerns about nearby faults. He referenced a property on Farm Road facing difficulties due to fault lines, emphasizing the need for thorough due diligence to avoid similar issues.

Director Miller expressed his support for the purchase of the property next to Station 7, noting that while he wished the acquisition had occurred earlier, he believes it will ultimately benefit the consolidation of operations in the long term. He emphasized that the purchase price seemed fair based on his research. However, he cautioned against any immediate development or construction on the property due to recent financial commitments made by the department, including the rehabilitation of Station 19, Station 8, and the construction of a new Station 7, alongside the land purchase. Miller stressed the need for financial stability before considering further investments, suggesting that the property could initially be utilized for training or storage purposes. He acknowledged the potential for an administrative station on the site in the future but reiterated his stance against additional major expenditures in the near term, emphasizing the importance of owning such strategic assets for the district's long-term needs.

Chief Cuschieri discussed the initial plans for the purchased property next to Station 7, highlighting a phased approach. Initially, the goal is to clean up and secure the property. He mentioned relocating the fuel mitigation crew to the site as a practical use. Looking ahead, there are aspirations to establish a training tower on the property, with further developments to follow in due course.

Director Cain made a motion to adopt Resolution 24-04 authorizing the Fire Chief to sign an agreement for the acquisition of real property located at 3117 Woodside Road, Town of Woodside, California, for an amount not to exceed \$3.5 million, pay additional necessary closing costs including, but not limited to, escrow and title costs in an amount not to exceed \$25,000, and take all other actions necessary to complete the acquisition, 2nd by Director Holthaus. Motion passed 3-0.

V. STAFF REPORTS

Director Miller commented on the fire prevention staff report, expressing interest in the identification of parcels considered hazards and supporting a phased three-year compliance approach. He emphasized the importance of keeping the board informed of any emerging issues early on to avoid complications later. Miller raised concerns about the financial implications for residents facing significant costs due to fire prevention measures, suggesting that the board should be prepared to intervene if costs become prohibitive. He shared personal experiences with costly tree removals, highlighting the unexpected financial burdens homeowners might face under the ordinance. Miller stressed the need for sensitivity to residents' financial capabilities and suggested tracking the costs associated with compliance to ensure the approach remains manageable. He also noted the potential role of incentive programs in providing insights into cost estimates and ensuring the measures are equitable. Miller concluded by acknowledging residents' willingness to comply with the ordinance while navigating challenges in finding affordable solutions, suggesting that landscape architects could play a crucial role in guiding homeowners through the process in the future.

Public Comment: (transcribed as recorded)

Daniel Warren: “I really appreciate what you're saying here. It is really an important thing for you guys to understand. And I'm really sorry to hear about your tree. I'm sure that was sad on a lot of different levels. I think if people actually open up and explain how much it's going to cost, I think everybody is going to be pretty shocked. I've just tried to get some very basic bids on some of the things around our property, which was, like, extensively and beautifully landscaped before we bought it, and that was one of the reasons that we bought it. I think what you're going to find is that the more people have spent on their landscaping, the more it's going to cost to unlandscape it, which is going to be even more upsetting after they're now undoing it. Also, landscape architects are either in high demand or not very responsive, in any case. Before we bought this house, we tried to get in contact with the ones that did the work here, our did. They just are too busy. They don't really get back to you, they don't answer. So, I feel like for the people that spent a lot and are very proud of their landscaping, it's not going to be an easy thing to do it within a short time period, even if they have the money, even if they're upset that they have to spend the money, they might just not be able to hire the right people to do it right. So, I hope you guys are very lenient in the ability to give people the phased compliance three-year thing. I know we'd originally talked, earlier in the process, about trying to make that a default. I hope if somebody asks for it, you're not going to push back too hard on saying; you don't really need it.”

Director Miller asked about the new fire engine.

Chief Cuschieri responded that the engine is being built now and that once the frame is done, they will need to make some final adjustments and it should be done in November.

Both Director Miller and Director Holthaus commented on the landscape work that will need to be completed to meet the new ordinance requirements.

VI. FIRE CHIEF'S REPORT

District Updates

- We're preparing for our family open house on June 1st for our fire families, retirees and Board members to come and see the new fire station. So far I believe we have about 130 people that have rsvp'd. Following this event we are in the midst of planning our Badge pinning ceremony tentatively scheduled for mid July.

Station Updates

- Station 7- Budget is still on track and we are currently waiting for VB to submit their final invoices. I did express to them that I would like to have all billing completed before the end of this fiscal year. Also, In tomorrow's meeting we should find out when our final closeout is scheduled with the Town. Also, on Thursday we have our final punch list walk through to address a few remaining items.
- Update from the Fire Foundation- The Foundation has contributed the remaining \$500k to the District as part of the overall project contribution for our rebuild project. They also just approved purchasing a trailer in the amount of \$6700. to hold our firefighter rehab gear that our CERT members will be utilizing to support the needs of the District.

State Updates

- Earlier this month, there was a major victory for special districts and the National Special Districts Coalition (NSDC), where the U.S. House of Representatives overwhelmingly passed the Special District Grant Accessibility Act (H.R. 7525), legislation that would codify a first-ever definition of “special district” in federal law. Additionally, the bill would direct the White House Office of Management and Budget to require federal agencies to ensure that special districts are eligible for all appropriate forms of federal assistance. The vote passed 352-27 and

will go on to the Senate next. On behalf of Woodside Fire I sent a letter to our elected officials to support this.

3117 Purchase Agreement

- Once approved by the BOD we will go ahead and follow the timeline that we have outlined out from opening escrow to closing which we hope to have completed by June 30th.

Director Miller mentioned that the JPA meeting was canceled due to insufficient attendance to establish a quorum.

VII. REPORT ON WRITTEN COMMUNICATIONS

There were no written communications.

VIII. REQUESTS FOR ITEMS ON FUTURE AGENDAS

There were no requests for items on future agendas.

IX. CLOSED SESSION

There were no closed session items.

Adjournment: The meeting was adjourned at 8:51 P.M.

The next scheduled meeting will be held June 25th, at 7:00 P.M at the WFPD Administration Building, 808 Portola Rd. Portola Valley, CA 94028.

Respectfully Submitted,

Tom Cuschieri – Board Secretary