

Board of Directors
SLEEPY HOLLOW FIRE PROTECTION DISTRICT
Minutes of Special Meeting
Saturday, October 27, 2018

District Directors Attendance:

Rich Shortall	Director / President
Sharon Adams	Director / Treasurer
Thomas Finn	Director / Secretary

1. **Call to Order:** 1002 hours by President **Rich Shortall**, presiding as Chair, at the Sleepy Hollow Homes Association Clubhouse, 1317 Butterfield Road, San Anselmo, California 94960. ***A quorum was reached.*** Eva Denegri Baker, a guest, took minutes of the proceedings.

2. **Public Comment Period No. 1:** Sleepy Hollow Fire Protection District Director and Secretary, Thomas Finn, told the audience that this portion of the meeting is reserved for persons desiring to address the Board on any matter not listed on this Agenda. All statements that require a response will be referred for reply in writing or will be placed on the Board's agenda for consideration at a later meeting.
 - a. **Connie Berto:** Mrs. Berto reminded the meeting that the polling place normally held at the Community Center has instead been moved to the Music Room at Hidden Valley School.
 - b. **Bruce Baum:** Mr. Baum asked that the Board consider holding a paper shredding day.
 - c. **Peter Jozwik:** In the course of his comments on the District's fire pumps program and preparedness, Mr. Jozwik expressed his support for the proposed Lease in advance of the Board's consideration of the proposed Lease. He was interrupted by the Chair and reminded that his comments should be deferred until the appropriate time later in the meeting.

3. **Consideration of Proposed Lease:** The Chair began by giving some history of the Sleepy Hollow Fire Protection District:

The Sleepy Hollow Fire Protection District ("SHFPD" or "the District") was formed in February 1949 by Resolution of the Marin County Board of Supervisors, and by subsequent approval by the State of California. Funding for the District comes from base property tax (1% rate per Proposition 13). The District's share is 17%. Unlike many other Marin cities and towns, there is no additional "safety tax" and no longer a State Responsibility Area (SRA) fee. If SHFPD were dissolved, the County would

keep the taxes and healthy reserves, currently valued just under \$4,500,000. The District is also a voting member of the Ross Valley Fire Department Joint Powers Authority, which includes the Towns of Ross, Fairfax, and San Anselmo. The District's share of that expense is fixed at 12.8%, which is a very good deal, and, in fact, is a substantial improvement over the previous contract for services agreement with the JPA.

The Chair then gave an overview of the activities of the Sleepy Hollow Fire Protection District, as summarized here:

- Through FIRESafe MARIN, the Chair has learned that Sleepy Hollow is viewed as the leading model for fire preparedness in Marin County. “No one in this County has done as much to prepare themselves for wildfire,” he said.
- The District provides community fire protection as a full member of the Ross Valley Fire Department (RVFD), whose Board of Directors includes two District representatives.
- As a member of the Ross Valley Paramedic Authority (RVPA), the District provides state-of-the-art Advanced Life Support emergency medical and ambulance services, including licensed paramedics onboard each Ross Valley Fire Department engine that responds into Sleepy Hollow. A District director represents the community on the RVPA Board.
- We created a detailed 108 page Assessment of the risks and hazards associated with wildfire in Sleepy Hollow – available on website.
- We updated our Strategic Plan based on the recommendations and analysis in that report and have completed almost all of our initiatives and projects.
- We were one of the first *FIREWISE USA* communities in Marin and maintain annual certification as a *FIREWISE Site* through strategic activities and projects.
- We have adopted the latest Fire Codes and will be holding meetings to discuss possible adoption of a new Hazardous Vegetation ordinance.
- We sponsor and/or spearhead with community partners simultaneous vegetation management projects, including:
 - Contracting with the Marin County Fire Department for comprehensive inspections by MCFD personnel of all 850 parcels within the District;
 - Four annual Chipper Days, including onsite pickup, with record-setting volumes of vegetation cleared; and,
 - Creation of shaded fuel breaks on our surrounding ridgetops using herds of

goats of and sheep in partnership with Marin County Open Space, San Domenico School, Triple C Ranch, Rocking H Ranch, and other public agencies. We expect this program will be expanded next year.

- We have funded major equipment purchases for the Tam Fire Crew and have hired them to create defensible space and fuel breaks.
- Fire road maintenance within the District, including restoration of some previously abandoned roads that now permit better firefighter access.
- A first-of-its-kind fire-safe landscaping demonstration project located on Fox Lane.
- We conduct ongoing public education activities for District residents, including:
 - Publication and distribution of the “Living With Fire in Sleepy Hollow” educational booklet, which I have been told sits on the desks of multiple Marin County fire chiefs;
 - Organization and hosting of our annual Safety Fair in collaboration with partner agencies;
 - Offering “Living With Fire” classroom training to all District residents;
 - Providing all hazard safety information contained in the Sleepy Hollow Directory that was distributed to all residents;
 - Publishing regular articles on fire safety in Sleepy Hollow Homes Association Newsletter and on our website; and,
 - Maintaining our up-to-date, informative website (www.shfpd.org) to facilitate public awareness and communications.
- We organize and conduct evacuation drills for Residents and First Responders:
 - An annual evacuation drill, complete with RVFD, RVPA, MCFD, Marin County Sheriff, CHP, Red Cross, and PG&E participation;
 - Providing updated evacuation information to all residents via our “Living With Fire” publication and classroom training;
 - Supporting and promoting the Alert Marin program and improved wireless communications vital to community safety; and,
 - At our direction, on December 4, 2018, a representative from the LRAD Corporation will be in Sleepy Hollow to measure the geography and acoustics for a potential installation of an outdoor public warning system, in cooperation with other Ross Valley agencies.
- We fund and maintain the sandbagging station during the winter.
- We have initiated the block-by-block Neighborhood Preparedness Coordinator project. The Chair anticipates that this will become our most important and successful preparedness initiative.

- We have successfully applied for and received multiple fire prevention grants from the State and other sources.
- We continue to explore establishing a District office with meeting space, space for organizing and equipping the Neighborhood Preparedness Project, and space for a community emergency shelter to better serve all residents.

The Chair closed his comments by stating that nothing in the proposal to be discussed today will prevent the District from continuing and expanding the scope of these activities. “If anything, it will enable us to take our preparedness to a new level,” said the Chair.

3. Real Estate Negotiator’s Report:

The designated staff negotiator, Christopher J. Warner, gave a report regarding the potential real estate lease between the District and the Sleepy Hollow Homes Association (SHHA) and Sleepy Hollow Charitable Foundation (SHCF) for real property located at 1317 Butterfield Road and other possible commercial transactions. The report was made available at www.shfpd.org. Mr. Warner began by saying what an honor it was for him to be a member of this community and that he had served as a member of the Board until June 2017 when he transitioned to staff support on the issue of this lease. He wanted to commend members of the charitable organization and the Board for the multiple discussions had on this subject, which were key parts of his evaluation.

He had two objectives:

- a. How the Board would find rentable office and facilities space to accomplish their objectives and how this lease would serve the objectives of the Strategic Plan.
- b. How the space could be leased at a reasonable price.
 - i. Recommends that the lease be for 15 years at a fixed non-escalating rate, with the opportunity to renew after that. Being a “fixed rate” would be a significant benefit to the lessee.
 - ii. Key aspect of rentable space is that it also be usable as a facility during emergency situations.

4. Public Comment Period No. 2:

Secretary Finn gave the ground rules for their input, including that speakers are limited to three (3) minutes each unless authorized by the Chair. He would function as the timekeeper. He stressed that the agenda today is only regarding the proposed lease. No actions can be taken today on any other issues, for example, the design of the proposed building, future traffic flow, etc. He asked that any

materials that anyone wishes the Board to consider be presented to the Board in advance and that any materials not previously received by the Board would not be addressed at the meeting. What follows is a list of the comments by public audience members made during this period of the meeting:

- a. **Dan Stein:** Urges Board to move forward on this lease. Read a list of fellow supporters who could not be at this meeting but who voiced their approval via the District website:
 - i. Phiroze Wadia
 - ii. Goolcher Wadia
 - iii. Evelyn Messinger
 - iv. Peg McAllister
 - v. Tom McAllister
 - vi. J.M. Ranallo
 - vii. Jill Buresh-Nail
 - viii. Carolyn Goodman
 - ix. Holly and Eric Briese
- b. **Steve Hale:** Asked how this will be funded and what involvement the fire department down the road would have. Director Finn answered that his questions would be answered at the end of the public comment period.
- c. **Koren Grubb:** In support of lease. Feels it would increase community safety by having the District office at community center location.
- d. **Jan Blackford:** Current President of Sleepy Hollow Homes Association. In support of lease. This would be a well-planned space for use as office space, meeting space, education space, etc. She added that all residents of the SHFPD are members of the Sleepy Hollow Homeowners Association, and welcome to join. She sees the Fire District's presence at the community center as a model for other communities.
- e. **Erin Hill:** In support of lease. Resident of Fox Lane and has worked closely with Rich Shortall and Todd Lando on the Fox Lane Pilot program.
- f. **John Grubb:** In support of lease. Speaks on behalf of the charitable organization. Says that the new community/disaster recovery center concept has pulled together many groups who are in support, namely, the Marin County Planning Commission, the Board of Supervisors, Fire Chiefs, Ross Valley Fire District, Marin County Fire Department, Marin County Sheriff's Office, Red Cross, OES, and others, including many people who have contributed financially to the project. The new space will have stockpiled medicine, food, cots, generators, and other emergency supplies. By consolidating all the fire district's activities into one central and visible location, the community will grow in confidence and be better able to recover from future disasters. Mr. Grubb asked for a show of hands in support of the lease.
- g. **Luke Argilla:** In support of lease. Thanked Christopher Warner for the report and the logic behind the proposal. Stressed that all the work that went into this proposal came from much volunteer time ("a long, sober journey of five or

six years”). Board has invested hundreds of hour of due diligence and careful consideration. He added, that this facility will be a safe, visible, and hopefully permanent presence of the Fire Board in the community. The Board “ought to be showered with gratitude.”

- h. **Kate Sullivan:** In support of lease. She added that she recently worked with the fire district to install a hydrant in her front yard.
- i. **Carl Coughlin:** In support of lease. He has never experienced a greater sense of community as in the Hallow. Expressed gratitude to the District for work on the fire breaks. Thinks that a 15 year fixed lease is “incredible” and will be beneficial, “only enhancing relationships between the fire district and others.”
- j. **Merle Ongaro:** In support of lease. Being that her husband had been on home dialysis, which requires power, she feels it would be very beneficial for the community center to have an available power supply during emergencies.
- k. **Chris Staskus:** Lives on Deer Hollow and in support of lease.
- l. **Tim Nardell:** In support of lease. Makes perfect sense to bring the District to the center of the community. Expressed appreciation to those members who have worked so hard and have made good decisions regarding this lease.
- m. **Kevin Coughlin:** In support of lease. Used to be a SHHA board member. Wanted to say thank you.
- n. **Pat Grubb:** In support of lease. Said that the fire department is here to put the fire out, but that “the fire district helps to make sure there are no fires.”
- o. **Dave Grubb:** In support of lease. Formerly in construction business. Nothing is more important than safety, and this community center will help keep Sleepy Hollow safe.
- p. **Ann Wagner:** In support of lease. Fawn Drive resident.
- q. **Tammy Parr:** In support of lease. Important to her to see a plaquard and “to have visibility and to know there are people behind the building.”
- r. **Christian Franklin:** In support of lease.
- s. **Lauren Westfall:** In support of lease. She understands how vulnerable this community is due to her “nightmare” experience with a garage fire (“no cell service, and people running around”). This issue makes her emotional. She feels community needs this facility.
- t. **George Wagner:** In support of lease. Having experience in commercial real estate, thinks construction costs for project will run above projected; urges the community to provide financial support to this project.
- u. **Emily Baker:** In support of lease. New resident to the Hallow and grateful to be here.
- v. **Derek:** Just moved to Sleepy Hollow last night. In support of lease.
- w. **Pym Brouwer:** In support of lease.
- x. **Eric Mac Ausland:** Not in support of lease. Unsure still what specifically the building will be used for in addition to fire protection, and feels they are unprotected from it possibly being misused.
- y. **Alex:** In support of lease. The scare of fire is real. Could not get fire insurance when first moved in to area. Home is tucked back a ways away from Sir Francis Drake Blvd.

- z. **Bradley Johnson:** In support of lease. Read full report and strongly supports.
- aa. **Garril Page:** Not in support of lease. The scope of this project is not fiscally responsible. Other alternatives exist that are not in the report (“not true that this building is the only one”). Does not understand why the plans couldn’t be downsized fiscally in order to be supportable. Director Finn added that a letter from Ms. Page’s attorney will be included in the official record of the meeting.
- bb. **Katie Rice:** In support of lease. As County Supervisor and Sleepy Hollow resident, feels that Sleepy Hollow is a model community. She has much trust in the board members and in their due diligence and fiscal responsibility.
- cc. **Franklin Black:** In support of lease.
- dd. **John Parente:** Not in support of lease. Resides across the street from the club house. Applauds the work done by the board but feels the price per square foot for the lease is outrageous. Feels the clubhouse could be “redone” and “kept single story” in a more fiscally responsible way, thus a better use of taxpayers’ money.
- ee. **Bruce Baum:** Not in support of lease. Not against the project but “troubled by 1.5 million dollar cost.” Represents group called, “Money to Burn,” and would like to address several concerns:
 - i. **District Reserves** – per their accountant who has reviewed the financials, the report contains “false numbers on reserves.”
 - ii. **Communications** – community cannot rely on cell phone service as the Hollow continues to have no coverage. Also Marin Emergency Radio Authority (MERA) communications still do not work in some spots (“dead spots”). Believes that Sleepy Hollow must move to next generation of communications – First Net. The First Net system would be a “prudent use of fire funds.”
 - iii. **Alternate Facilities** – Consider leasing office space from the Town of San Anselmo. RVFD Station 20 on Butterfield Road needs upgrading “in accordance with federal laws.”
- ff. **Kevin Siegel:** Attorney representing “Money 2 Burn” addressed audience to speak to “unaddressed legal issues,” as referenced in an anonymous letter left as a handout in multiple copies at the start of this meeting. Referenced California Government Code Section 1090, which prohibits conflicts of interest. He explained there is a conflict in the District using public funds for a private project (the clubhouse being “private”). He also cited the project’s implications with the California Environmental Quality Act. Finally, he spoke to problems with paying “prevailing wages,” which will become more expensive. Director Finn responded by saying that the anonymous letter was not received by the Board in advance of this meeting; thus, the Board cannot address the arguments contained therein.
- gg. **Max Straube:** In support of lease.
- hh. **Bob Lasser:** Neighbor of clubhouse and in support of lease, but thinks the lease is too costly. Questions whether project could be reduced to smaller scale. Concerned about size of building and scope of project.

- ii. **Chris Cincebeaux:** In support of lease. However, expressed an understanding for the “valid concerns” of the clubhouse’s neighbors, i.e., the size and scope of the building. He believes that solutions for these concerns can be found “with out of the box thinking.”
- jj. **Alex Guana:** In support of lease. His wife is on the homeowner’s association board. Says he is “begging” them to put their tax dollars to work by going ahead with this project.
- kk. **Kathy Surkejian:** In support of lease. Public school teacher who sits on homeowner’s association board. Thinks of it more as a community center than a clubhouse.
- ll. **James Ayres:** In support of lease, but not necessarily the scope. Wants to reconsider the size, keeping it a community center, and not a “party center.”
- mm. **Darlene Hemley:** In support of lease. Lost her home to a fire on Butterfield Road. Applauds board for their dedication to this project.
- nn. **Diana Shortall:** In support of lease.
- oo. **Katie Vanderhall:** In support of lease.

Director Finn said that the public discussion has now concluded. He thanked the audience for their “very thoughtful comments” and reminded them that the Board has given careful consideration to everyone’s thoughts and concerns over the past six years, including holding dozens of meetings, and exchanging hundreds of emails. He said that the Board will now begin its discussion. When concluded, this meeting shall be adjourned, and another follow up meeting will be scheduled for soon after.

5. Board requests for future agenda items, questions, and comments to staff, and Director’s announcements:

At 11:35 a.m. the Chair, President Rich Shortall, addressed questions raised during the public discussion.

- **Purpose.** Clarified what the purpose is for this facility: a centrally located facility within the Sleepy Hollow community that has multi-functions, namely, as office space, storage space, meeting space, and emergency space. It will act as a base location for the community’s disaster preparedness program. The space will store supplies such as drinking water, generators, food, and cots.
- **Funding.** Clarified that the Fire District is not financing or having anything to do with the construction of the facility. Rather, the Fire District would lease the building from the Homeowner’s Association. **Chris Warner, Real Estate Negotiator**, added that the lease in question would commence only after the community center was built and ready for occupancy. “This would just be a lease.”

The Chair then made these comments to the audience:

- Said that the Board has really listened to the concerns of the residents on this issue, and especially understands the concerns of the clubhouse neighbors. “Compromises were made,” but this project “is the will of the community” as the majority of residents are in favor.
- Regarding comments made by Mr. Bruce Baum referring to an accountant’s review of the District’s financial health, the Chair expressed surprise that an accountant would comment on the District’s finances without first contacting the board to meet or at least to speak on the phone. The District has four and a half million dollars in reserves separated by funds such as the operational fund, liability fund, Firewise fund, etc. The board has the discretion to move the money around between funds. Also it is not true the idea that the District would have to use funds to pay back in the event of a fire (as Santa Rosa had to do) because the District is not a town or city, but rather, a special district of the County of Marin. Therefore, information purported by the accountant is not accurate.
- The Chair also clarified that the cost of the lease in question would be less than \$100,000 per year. Every year the District “has had net revenue in excess of the cost of the lease year after year, and has still been able to accomplish many projects.”
- Said that the District also has legal representation.
- The Chair and the other members of the District board have no conflict of interest as they are not in the homeowner’s association and have no financial stake in the deal.
- Director Finn added that next year will be the 70th anniversary of the District. “The work of the District cannot be done from our garages and kitchens anymore.” He also said that this issue boils down to policy preferences; people have two choices, to run for the board and pursue different preferences, or to sue. Hopeful to reach a conclusion in the next several weeks.
- Director and Treasurer, Sharon Adams, made a pitch for residents to become “block preparedness captains,” as part of the community preparedness program she runs.

6. Adjournment to next special meeting tentatively scheduled for November 17, 2018. Being no further business, the Chair called this meeting adjourned at 1153 hours, and proposed that the next meeting be held three weeks from today, on Saturday, November 17, 2018. He introduced Eva Denegri Baker who will do the minutes of this meeting, which will be posted on the District’s website.

SECRETARY'S CERTIFICATE:

I hereby certify that the foregoing is a true and correct copy of the minutes of the Special Meeting of the Board of Directors, held on October 27, 2018.

Thomas J. Finn, Secretary