

MINUTES

BOARD OF COMMISSIONERS MEETING

January 17, 2023

0900 HOURS

HELD AT THE FIRE STATION AND REMOTELY

14380 SARATOGA AVENUE

The agenda for this meeting was posted in front of the Fire Station at 14380 Saratoga Avenue at 1400 hours on December 6, 2022, pursuant to Government Code Section 54954.2 (more commonly known as the Brown Act).

NOTE: The meeting will also be accessible remotely by electronic means. Members of the public can view and participate in the meeting by either using Zoom or calling in to the meeting. Please raise your hand to speak on an agenda item or press * 9 on the phone.

Meeting ID: 839-2863-2873

Password: 861852

One tap mobile: 1-669-900-6833 (San Jose)

1. Call to Order:

The meeting was called to order by Commissioner Long at 0905 hours. In attendance were Commissioners Kraule and Zambetti, Deputy Chief Falarski, Saratoga City Manager James Lindsey, Saratoga City Community Development Director Debbie Pedro, and Attorney Hynes. County Fire Marshal Estrada and Saratoga citizen Tony Hoffman arrived later. Yoriko Kishimoto from the Mid Penn Open Space Board, and Stephen Harrington from FireSafe Council attended remotely.

2. Approval of the minutes.

2.1 Approval of the minutes of the regular Board Meeting on December 13, 2022.

The minutes of the December 13, 2022, Board Meeting were approved as presented.

3. Communications:

3.1 Oral communications or public comment.

Yoriko Kishimoto introduced herself. She is the President of the Mid Penn Open Space Board, serves on LAFCO which is currently working on a Santa Clara County fire study. She stated that there is a February 17th TAC meeting in conjunction with the fire study. Steven Harrington introduced himself to Yoriko and stated that they will be working together on the Bohlman Road project.

3.2 Correspondence.

3.2.1 Copy of the Response Reports for November and December of 2022.

The Response Report was entered into the record.

3.2.2 Copy of the Deputy Fire Marshal's Report for December of 2022.

The Deputy Fire Marshal's Report was entered into the record.

3.2.3 An email reminder of the Tuesday January 24th Santa Clara CWPP Advisory Team meeting. The meeting will be from 10:10 to 12:40 via Zoom.

The email was read and entered into the record.

3.2.4 Email from Saratoga City Community Development Director, Debbie Pedro requesting a discussion of PRC4290, a proposed development review process related to State Fire Safe Regulations be placed on the agenda.

The email was read and entered into the record.

3.2.5 Mercury News article about the Los Gatos Creek Watershed project.

The Mercury News article was read and entered into the record.

3.2.6 Letter from "Concerned Neighbors/Merchants..." informing the District that they believe an individual is living in a commercial space that does not include a bathroom or running water.

The letter was read and entered into the record. Any future letters of this type will be turned over to the City for code enforcement.

3.2.7 Information about ballot initiative #21-0042A1, an initiative that limits the ability to raise revenues for government services.

The information was read and entered into the record.

3.3 Additional Correspondence.

3.3.1 Information about PRC4290 and Santa Clara County's handling of its requirements. The topic is discussed under "Other Reports." The information was entered into the record.

4 Chief's Reports:

4.1 Response Reports for November and December. (The Response Report describes the type and time of each response for the previous month.)

Chief Falarski presented the Response Report for December. Response times for E73 and R73 were 4.68 and 5.37 minutes respectively for urban calls. Response times for E73 and R73 were 4.23 and 3.47 minutes respectively for rural calls during the month of December. The report was accepted as presented.

4.2 Deputy Fire Marshal's Report for December. (The Deputy Fire Marshal's Report describes any significant building projects in the previous month.)

The Deputy Fire Marshal's Report was accepted as presented.

4.3 Other projects/reports. None.

5. Reports:

5.1 Commissioners Reports.

5.1.1 Report on the FireSafe Council.

Stephen Harrington reported that Fire Safe Council was applying for the Wildfire Prevention Grant. The application is due on March 15, 2023. The money would be used for the Bohlman Road project and other projects. The report was accepted as presented.

5.1.2 Report on the Santa Clara County Special Districts Association. None.

5.1.3 Other Commissioner Reports.

5.1.3.1 Update on Model AA.

Tony Hoffman reported that brake lights have been installed on the engine. The only problem they are having is that the lights stay on when the emergency break is on. Therefore they will continue to use blocks when the engine is parked. Chief Falarski reported that seven individuals were interested in learning how to drive the engine.

5.2 Financial reports.

5.2.1 Financial Report for December 2022.

The report was accepted as presented.

5.3 Other Reports.

5.3.1 Presentation on PRC4290, a proposed development review process related to State Fire Safe Regulations.

Saratoga City Manager James Lindsey gave a short presentation on recent application of PRC4290 to existing roads. Many of the roads in the unincorporated area of Santa Clara County do not meet the width requirements of PRC4290. By strictly enforcing the width requirements, CAL FIRE has made the development of small projects impossible. It is being claimed that the cost of compliance is so high that it is the equivalent of an unconstitutional taking of private property for public use. County Council has developed a process for determining whether compliance can be waived to avoid an unconstitutional taking. The City intends to mirror this process.

6. **Old Business:**

6.1 Discuss and consider progress with EWAS monitoring issues.

Attorney Hynes reported that process servers have been given the information. No action is necessary at this time.

7. **New Business:**

7.1 Administer Oaths of Office. Postponed.

8. **Board Signatures:**

9. **Adjournment:**

The meeting adjourned at 1045 hours. The minutes were transcribed and typed by Trina Whitley.