

FALLEN LEAF LAKE COMMUNITY SERVICES DISTRICT

Friday, September 24, 2021
Held under Executive Order N-29-20
Tele/Video Conference
9:00 AM

CLOSED SESSION

President Cathcart called the closed session meeting to order at 9:00 am

ROLL CALL

President Cathcart, Director Casey, Director Malley, Director Hart, Director G. Calof and Paul V. Carelli, District's Attorney via tele/video conference.

DISCUSSION ITEMS

A. Contract for Fire Chief and General Manager

Requested Action / Discussion to Approve Contract for Fire Chief and General Manager

Board Member: President Cathcart

B. Contract for Concessionaire with RRM

Requested Action / Discussion to Approve Contract for Concessionaire with RRM

Board Member: President Cathcart

C. Consider a Performance Bonus for Chief Gerren for Fire Administration and General Manager's Position

Requested Action / Discussion to Approve Performance Bonus for Chief Gerren for Fire Administration and General Manager's Position

Board Member: President Cathcart

OPEN SESSION

President Cathcart called the open session meeting to order at 10:01 am

ROLL CALL

President Cathcart, Director Casey, Director Hart via tele/video conference. Director G. Calof came in late and Director Malley absent.

PLEDGE OF ALLEGIANCE

REPORT OUT OF CLOSED SESSION

President Cathcart reported out of closed session.

A. Contract for Fire Chief and General Manager

In closed session the Board agreed to recommend extending the contract that Chief Gerren had that expired last April 2021 till the end of December 2021 to give the Board time to work out compliance and several details including state government and community service legal issues. The terms of the new contract which are being reviewed, but the existing contract will continue in force on its existing terms so that Chief Gerren will continue with a written agreement until the end of 2021.

B. Contract for Concessionaire with CLM- RRM

The Board has received proposals from CLM- RRM and the contract negotiations with the concessionaire are still underway. The CSD has some concerns, along with concerns being expressed from members of the community. We are going to try to have an agreement that can be circulated for public review and action to be taken hopefully at the regular December meeting of the CSD.

C. Consider a Performance Bonus for Chief Gerren for Fire Administration and General Manager's Position for the year.

The Board has done a review of Chief Gerren in connection with other terms of his new agreement and establishing a bonus that has not yet been done. The review basically was excellent. Chief Gerren has done unbelievably well in a bad year in terms of dealing with the fall out of the pandemic, along with, the fire crisis that has taken place since July and/or earlier and the on-going negotiations that he has assisted with that are ongoing with the concessionaire. The Board has nothing but good things to say about Chief Gerren and if anyone else on the Board would like to add something regarding the Chief's review, please go ahead.

Director Casey voiced, that he and the Board would like to congratulate Chief Gerren on a spectacular job done under very, very trying circumstances. We expected no less based on the performance that he has given us over the last 10 years. It was a remarkable piece of work that Chief Gerren and all the other firefighters did. I express my gratitude along with the actions of a lot of people for saving our houses and for saving the jewel of the lake where we live. I sincerely agree with the very positive review.

PUBLIC COMMENTS

President Cathcart opened the subject for public comments regarding items that are not on the agenda. He asked that members of the public to please hold each comment to 2 minutes each, if more time is necessary, please let them know and they will try and accommodate.

Also, there are three items on the agenda the Board will not be voting on. All are under New Business:

B. Contract for Fire Chief

C. Contract for Concessionaire with RRM

D. Consider a Performance Bonus for Chief Gerren for Fire Administration and General Manager's Position

Under each of these items public comments would be welcomed. No public comments voiced.

ADMINISTRATIVE MATTERS

A. Approval of Agenda

Motion Director Casey to approve agenda for September 24, 2021. Motion seconded by Director G. Calof and passed unanimously.

B. Approve Minutes of Regular Meeting of July 3, 2021

Motion Director G. Calof to approve minutes from Board Meeting July 3, 2021. Motion was seconded by Director Hart. Director Hart had a change to the minutes as follows:

Administrative Matters

- E. General Manager's / Fire Chief's Report Page 4 of 6 / 3rd paragraph / 1st sentence should read as: Chief reported no parking signs are posted on both side of road and so far to date there have been no issues. After full discussion motion was passed unanimously per changes.

C. Approve Financial Reports F/Y 2020-21 through September 24, 2021

Motion by Director Casey to approve Administration, Parks and Recreation and Fire Department Financial Reports F/Y 2021 through September 24, 2021 and seconded by Director Hart. A discussion was held regarding surplus account under the Fire Department, dates on financials and special tax assessment funds received versus budget. Motion was amended by Director Casey to approve Financial Reports F/Y 2020-21 through mid-August 2021, seconded by Director Hart and was passed unanimously.

D. COVID-19 Report

Chief Gerren reported the store performed sanitation of the bathrooms, store cleaning, maintained a policy for wearing masks and answering a COVID-19 questionnaire every morning prior to work was utilized by the working staff. Chief Gerren reported Tom will talk further on Covid regarding the store and marina under the Concessionaire Report.

Chief Gerren reported the fire department had three firefighters with Covid who were on a strike team. These firefighters were quarantined per guidelines and tested clear prior to returning to work. When firefighters are out on strike teams, they are required to follow the guidelines and procedures as set forth by the State whether it be a State or Federal fire. Each strike team base camp has protocols, such as wearing masks on base camp. However, out on the fire line is a different situation. So, firefighters out on the fire line are in situations where they might catch Covid. This is a just another risk firefighters must contend with when fighting fires.

E. General Manager's / Fire Chief's Report

Chief reviewed with the Board the General Manager's / Fire Chief's Report which was included in the board packet. Chief reported there have been 43 responses to date and 13 of these responses were strike team and task forces. The most recent fire is the Caldor Fire and the evacuations that came with it. Chief Gerren thanked everyone for their cooperation with the evacuation and for their patience prior to returning to our community. Most everyone had left prior to the evacuation order because of the heavy smoke and air quality. This situation made the job easier for the few evacuations left in our area because of the difficult evacuation situation of Fallen Leaf. All the firefighters did an amazing job whether on a strike team, task forces and firefighters at Station 9 who were operational within the district to protect our homes and property. All residential areas had hose lays where fire hydrants were present. Fire pumps were available on the west side. They had lines distributed all the way from the tract going in, along with hose packs. Dave at Stanford Camp had pumps and hose lines hooked up to protect that area. The fire boat is operational every other day on patrol. Sixteen firefighters were on the fire and 4-6 firefighters were here every day and 3 firefighter volunteers were out on patrol on the west side. Fortunately for Fallen Leaf, the winds did not push the fire through desolation into our area. However, Echo Summit and Echo Lakes (upper and lower) was not so lucky. All firefighters and resources did their best to protect and fight the fire, but we still lost homes in areas up along and around Echo Summit.

Chief Gerren reported on the project and prevention and how the Caldor fire has brought attention to the fuels and dry conditions, surrounding the Tahoe Basin area. The Forest Service is doing a lot of fire suppression recovery work in our area.

Chief Gerren reported he is currently working with Cal-Fire regarding bringing the attention to problems with the Forest Service cleaning up slash piles and log decking that has been placed in our district for over the past 10 years.

The firefighters have been doing PRC 4291 inspections all this year and will continue to do more next year working with the residences and community to provide defensible space and maintain the defensible space around their property on an annual basis. The firefighters and I will continue to work very closely with the residences regarding trees that need to be removed, brush that needs to be removed and canopies on trees that need to be raised. The season during the summer months is very dry and not enough moisture is being provided naturally to provide a base of wet fuels. Everyone needs to be more aggressive with the defensible space around their homes.

Chief Gerren reported that the CSD meetings will continue to be held via teleconference. The Store and Marina are back open and will be opened through September 30, 2021.

Director Casey made note regarding losing fire insurance coverage as it relates to his home and maybe others. Our situation here at Fallen Leaf Lake is different than other residential homes around the Tahoe Basin. Out here at Fallen Leaf Lake we have access to the lake and a fire boat to help with fire suppression. ISO has considered living by the lake and a

fire boat are considered a good water source. Can we talk with ISO regarding that we are far less at risk than other areas around the Tahoe Basin?

Chief Gerren agreed that homeowners in our area and around the Tahoe Basin are losing their fire insurance coverage and are having trouble getting fire insurance coverage. The insurance companies feel we are in a high-risk area and Cal-Fire agrees that we are a high-risk area. Unfortunately, the insurance companies use the Cal-Fire's information so rates can be adjusted higher and/or cancel the homeowner's policy due to being in a high-risk area. During the Caldor Fire some insurance companies have their own private protection units. Such as AGI was out here. There were several different others insurance carriers that were spraying fire retardant on some houses.

Our ISO rating is 2. However, most of the insurance carries look at what Cal-Fire has put out as being a high-risk area and not what ISO classifies each area as. ISO is an independent grader that provides a protection class for different areas and insurance companies can subscribe to ISO to determine the Public Protection Class, but most insurance companies prefer to utilize what Cal-Fire classifies as a high-risk area.

President Cathcart asked about the status of the fire boat. Chief Gerren reported that the fire boat is still in the water and was on patrol around the lake all during the Caldor fire crisis checking for hot spots, etc. The new fire boat should be here next May. Dave at Stanford camp has a barge set up with pumps and hose for the winter

The Chief gave update on the Caldor fire that is around the Echo Lakes, Echo Summit and Desolation. Most of the fire in that area is knocked out. There is still a fire threat around the Kirkwood area. Fallen Leaf Lake is no longer under any evacuation order.

There was talk about a new directory with updated information of residences, phone numbers, etc. There was also a discussion regarding the Neighborhood Firewise Program. Information can be found at <https://www.nfpa.org/Public-Education/Fire-causes-and-risks/Wildfire/Firewise-USA/Become-a-Firewise-USA-site>.

F. President's Report

President Cathcart wanted to re-iterate appreciation for all the firefighters and work done by the fire department in the wake of the Caldor Fire. A suggestion was made by Tom Gowen for the community to come together and set up an Appreciation Day to the Fire Department where everyone can thank and honor the fire department and firefighters who all fought and watched over our community during the Caldor Fire. If anyone is interested in organizing this special event for next season, please email President Cathcart.

President Cathcart also reported that he has received over the past months' emails from the community regarding issues and concerns that felt need to be addressed. If these concerns are regarding policy and/or other issues that pertain to the running of the CSD, these issues will then be forwarded to other board members for review. If these issues are of grave importance, these issues and concerns would be placed on the agenda for the Board to discuss and possibly make a motion. Your issues and concerns would then be kept

confidential, and the Board would handle accordingly. So, if anyone has concerns or issues where they did not want to be on public record at this meeting to please contact him by email so your concerns and issues would be kept confidential.

Emails concerning the Board were: The boat wash out of service for a few days and the repair of the launch ramp. Apparently, the propane tank was turned off during the Caldor Fire. Grant funding is trying to be secured for the replacement of the launch ramp.

G. Concessionaire Report

Tom Melendez, the Concessionaire for the Store and Marina gave the following report. We have a strict mandatory COVID assessment that is done every morning. The store and marina had one staff member with symptoms and tested positive. We placed him on a 14-day quarantine and other personnel that were near this person all tested negative. After this issue, all personnel were instructed to wear a mandatory mask mandate for the rest of season while on duty.

As far as I and Jen evacuating, we left on August 27, 2021, because of the heavy smoke prior to the mandatory evacuations taking place. We prepped the store and marina prior to our departure, and we returned on September 15, 2021, to open up the store and marina. The store did have some freezer issues and lost meat and ice cream. Apparently, the freezers fans overheated and automatically shut down. We had Alpine Refrigeration install a duct fan and have an auto reset system installed so this issue does not happen again. The boat wash was down and once we determined the issue and noticed that the propane was turned off during the Caldor Fire, we then had Hatch Electric come out and make sure all was working well.

The Store and Marina will be open through September 30, 2021. We will have two staff members and Jen and I running the Store and Marina till closing. Boats must be out by September 30, 2021. Jon Rich will be pulling docks shortly thereafter. Jen and I will remain here through October 8th or 9th, 2021 to close the store and marina down, getting boats, kayaks, paddle boards out, winterizing the store, etc.

We appreciate the Chief for helping and giving us great guidance all season long. He not only has his job as Fire Chief and running the fire department, but he also is the General Manager of the Store and Marina and has given us his time to help and supervise us through our first year as concessionaire.

H. Voting Rights Committee Report / Communications Report

Director Casey reported Senate Bill 96 was originally set up to recognize firefighters and to emphasize the firefighting that would be lost if we were not able to get enough relief from our voting rights bill to be able to stay in business. This has subsequently been revised because unfortunately the Bill will not be heard in committee. Now we are working with LAFCO to try and come up with another modification of the bill. This time with LAFCO's support. One of the big concerns that Legislators in Sacramento have if our bill passed is it could open pandora's box to let a whole lot of other second home communities come in as well with their own requirements or request for self-governments. LAFCO has done an analysis and they figure it's really 5 or 6 other second home communities rather

than the number Sacramento was worried about. So, I think we probably will be able to successfully amend the bill to get the chairman of the committee to look at it in a different way. The bill as amended will be introduced in January and is being finalized right now and we are working on drafts of it and will be ready for submission in January. We are working very closely with the Legislators who are co-sponsors of the bill and hope all is going well.

I. Boating Safety Report

Director Casey reported that the committee did get some feedback from the community regarding the revised safety rules prior to the Caldor Fire. However, the committee is looking at creating a survey to be released soon to gather feedback from the community regarding various revised rules for safety on the lake.

JPA Report

President Cathcart reported the JPA (Joint Powers Agreement) provides and coordinates medical services to the South Lake Tahoe area (CSA5). The JPA submitted its RFP to the El Dorado County for a long-term agreement and has received approval. The Fallen Leaf Lake CSD is not assessed for any funds for this service and provides us with medical services when needed.

OLD BUSINESS

NONE

NEW BUSINESS

A. Resolution 2021-6 to Submit to the Voters Renewal of the Existing Fire Special Tax

Chief Gerren presented Board Resolution 2021-6 for approval to submit to the Voters Renewal of the Existing Fire Special Tax in 2022.

President Cathcart reported the fire tax is the amount paid per parcel. We have an authorization that allows us to assess a tax per parcel up to \$660. The authorization allows for a 1.5% increase each year with board approval. We do not collect the amount we authorized because we as a group have never assessed the amount that goes up to the ceiling as presently authorized. I think that will continue in the foreseeable future. We receive income from strike teams and other activities of the fire department as well as grants that Chief Gerren has been able to obtain. President Cathcart called for the motion to approve Resolution 2021-6. Director Casey moved to approve Resolution 2021-6 and seconded by Director Hart. After a full discussion held motion was passed unanimously.

President Cathcart reported that if anyone has any comments to items B, C and D to email him. These items will be on the December Agenda for discussion and motion to approve.

B. Contract for Fire Chief

President Cathcart reported the Chiefs contract has been submitted to legal counsel for reviewed After the contract is reviewed and submitted to the board a discussion will be held in public. Director Casey reported the Board is negotiating retirement benefits and other avenues of retirement benefits that would be beneficial to Chief Gerren and the District. Continued to December 4, 2021, meeting.

C. Contract for Concessionaire CLM- RRM

President Cathcart reported any comments or suggestions regarding the negotiation of the contract for Concessionaire, please email him, any Board Member or Chief Gerren. Continued to December 4, 2021, meeting.

D. Consider a Performance Bonus for Chief Gerren for Fire Administration and General Manager's Position

President Cathcart reported that in closed session Chief Gerren was given a high rating for his performance as Fire Administrator and as General Manager. Continued to December 4, 2021, meeting.

E. Meeting Dates for 2022

Chief Gerren presented Resolution 2021-7 to Approve Meeting Dates for Year 2022. Next meeting for 2021 is scheduled for December 4, 2021, A motion was made by Director Hart to approve Resolution 2021-7 for meeting dates for year 2022. Motion was seconded by Director G. Calof and passed unanimously.

F. Resolution 2021-8 from Department of Forestry and Fire Protection Agreement #7GF21039 for the Volunteer Fire Assistance Program (VFA)

Chief Gerren presented Resolution 2021-8 to approve Department of Forestry and Fire Protection Agreement #7GF21039 for the Volunteer Fire Assistance Program (VFA). Motion was made by Director Hart to approve Resolution 2021-8 from Department of Forestry and Fire Protection Agreement #7GF21039 for the Volunteer Fire Assistance Program (VFA). Motion was seconded by Director Casey. After full discussion motion was approved unanimously.

G. To Consider an Amazon Drop Off in the Area of Old Post Office

President Cathcart requested the item be tabled to the December 4, 2021, meeting.: "To consider the Old Post Office to become a USPS Office again, to operate Coffee and Ice Cream for Store or an Amazon Drop Off". Chief Gerren reported that currently it is being used for fire department equipment overflow and uniforms work center.

With no other further business, President Cathcart adjourned the meeting at 11:51 am.