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North Hills Community Association Board Meeting Agenda

Draft 1

Aug 16, 2021

7:00 PM

Meeting Via Zoom

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Board Members

Carolyn Burgess

Ken Cohen

Steve Hanson - Chair

Chris Johnson –Second V. Chair for Public Safety, Communications Chair

Dave McGuinness

Nancy Mueller (Excused)

Sue Piper –Secretary, Garden Committee Chair

Brenda Roberts – Treasurer

Elizabeth Stage –V. Chair, Interim Public Safety Chair

Guests:

Gordon Piper

Sarah Kidder, Marketing

1. Call to order

2. Introduction of Guests

Please introduce yourselves at the appropriate time

3. Review and approval of draft minutes- July 19, 2021

4. Review of agenda- adoption of agenda – August 16, 2021.

5. Treasurer’s Report—Brenda Roberts

a. July report – Overall income vs Revenue

- b. Special Fund for Event summary
- c. Payment of Reimbursements
- d. Request that financial reports to be attached to agenda in the future.

6. Communications Committee—Chris Johnson (Sue and others to fill-in on this report, if necessary).

- a. Annual Meeting – Set for Thursday September 23, 2021 (Steve-Chris)
 - Publicizing the Meeting – via announcements and ?
 - Zoom Meeting to start at 7:00 PM or 6:30 PM?
 - Slide Show of NHCA revision of last years’ PowerPoint with full introduction of Community Comeback- Then and Now
 - Include at least one video and full press on the celebration event
 - NHCA website review
 - Nomination and election of new officers and Board Members (Elizabeth Stage)
- b. Marketing Plan Development – Sarah Kidder
- b. 30th Commemorative event- Sue Piper/ Sarah Kidder Weekly Wednesday Meetings on Marketing and 30th Anniversary.
- c. Promotional Post Card – Sarah -Steve
- d. 30th Anniversary of the Oakland Fire Videos update - Sue Pipe

6. Public Safety Committee—Elizabeth Stage (See attached Reports)

- a. Update on Zoning changes for ADU’s in the Very High Fire Severity Zones. New letter to be sent
- b. Public Safety Meetings – Police Chief Armstrong -town hall
- c. NCPC budgets

7. Garden Committee—Sue Piper

- a. See Attached Report
- b. Agreement with City of Oakland for Gateway Extension is still in negotiation- but not finalized

8. New Business

9. Old Business?

10. Adjourn

(Attachments)

Board Minutes—July 16, 2021
 Garden Report -Sue Piper
 Public Safety Report – Elizabeth Stage
 ADU June 2, Planning Meeting Summary



July 19, 2021 Board Meeting Minutes
Via Zoom

Present: Carolyn Burgess
Steve Hanson
Nancy Mueller
Sue Piper
Brenda Roberts
Elizabeth Stage

Excused: Ken Cohen
Chris Johnson
Dave McGinness

The meeting was called to order at 7:03 pm by Chair Steve Hanson

1. **Minutes** of May 17, 2021 were approved as mailed.
2. **Preview of Community Comeback: Then and Now:** Sue Piper shared two of the videos that have been prepared for the website personal story pages. The Board suggested different music.
3. **Treasurer's Report—**
 - a. Brenda Roberts reported total donations year to date are \$3210.14 and expenses are \$4710.95. We have \$23,459.02 the checking and savings account, of which \$11,725.00 is designated for the garden and \$11734.01 are unrestricted. Almost all of the donations year-to-date are earmarked for the garden.
 - b. Brenda is still working on an audit of our finances. More to come.
4. **Communications Committee**
 - a. Sue Piper noted that plans for Community Comeback are on schedule. The special event application has been submitted to EBRP for October 17. She and Steve will be meeting with EBRP to negotiate the final details.
 - b. To date, we have fund raising commitments for the picnic of \$9,750. Board members are asked to continue to work the sponsor list at <https://docs.google.com/spreadsheets/d/17VEilnGgG0iukNh3ru363J3pRD-CsHDh1I0ld5wnlzw8/edit>

- c. The Community Comeback website is scheduled to launch on August 2. It will contain the first two videos, a page of art and artifacts and a page with links to resources about the 1991 Firestorm
- d. The committee will be addressing the picnic checklist and opportunities for volunteers at its meeting next week.

5. Public Safety Committee—

- a. **Oakland Fire Department/Vegetation Management (VM) and Wildfire more broadly**
 - i. Met with **Chief Reginald Freeman** on July 6th to discuss a wide range of issues; very knowledgeable and has high priority for wildfire prevention
 - ii. **Inspections: Seem to be going pretty well.** Concerns that inspections were incomplete, not even ringing the doorbell to get permission for back yard entrance when residents were at home and happy to say “Yes;” many fewer complaints about the process being unfair or unreasonable. OFD leadership acknowledges the problem of the “acting” supervisor (four people over the last two years). Awaiting confirmation of the timing for the Grandview week.
 - iii. **Oakland 2021-23 Budget Adopted 6/24, decent for OFD (not good for OPD).** Ended up with \$1.6 million for Vegetation Management; haven’t yet had a response to learn what the impact might be of the 20% reduction since the last biennial budget.
 - iv. **Ten-Year Vegetation Management Plan and its Environmental Impact Report: Wait and see.** Rebecca Sanchez in D4 CM Thao’s office reported to OFSC that there had been back and forth with staff and consultants, they’re working on more precise language that is required in EIRs. She expects to receive the final draft this month, will review and set up a meeting with community leaders sometime in August.
 - v. **Emergency evacuations:**
 - 1. Last month I noted that community leaders’ attention has moved from individual emergencies to collective emergencies, particularly wildfires, where two lanes of traffic (first responders entering and residents exiting), so the focus has moved from a street-by-street perspective to evacuation routes--the pathway from a home to safety.
 - 2. It would appear that this concept is **not** getting traction in the discussion of Accessory Dwelling Units (see below).
 - 3. NHCA endorsed a proposal by UCB, UC Davis, and others to work on games that teach people about the split-second decisions that people have to make during evacuations. Several community leaders participated in a pilot on June 22nd, agreed to try out the current draft scenario with friends. (My Tahoe houseguests provided good feedback.)
- b. **Emergency Services**

- i. **Plans: Making progress.** The Local Hazard Mitigation Plan incorporated some, but not all, of the community feedback and was approved by City Council and FEMA, paving the way for FEMA support for the CERT program and potential applications to FEMA for vegetation management. It can continue to be edited over its five-year time frame.
- ii. Sent comments on the draft Emergency Operations Plan regarding “resilience centers” where people can gather when homes need to be evacuated. Pointed out that our area doesn’t have recreation centers, senior centers, hospitals, or schools. The Kaiser elementary campus is going to become an early childhood and special education hub for OUSD and that might be a potential site if the OFSC initiative led by Sue Piper (OUSD, CalTrans, and private property owners making a fuel break) gets some funding; could be a model elsewhere.
- c. **Wildfire Priority Resolution, Interdepartmental Working Group: Good relationship.**
 - i. Grizzly Peak and Skyline have had fewer fireworks-initiated fires this July 4th, but fireworks complaints continue.
- d. **Oakland Police Department**
 - i. **Neighborhood Council** (Neighborhood Services has moved to City Administrator’s office, still transitioning into a broader role)
 - ii. Sandwich boards and laminated posters have been received/picked up (thanks, Carolyn!) awaiting next Garden work-day or Public Safety meeting.
 - iii. Public Safety Meeting, was going to do Zonehaven, but Macy Cornell took the lead and will work with OFSC and OCP&R to organize.
- e. **Other City Issues**
 - i. **Accessory Dwelling Units (ADUs) Still an active issue.**
 - ii. State-level, summarized in Sue Piper’s draft letter that she’s asking us to approve tonight.
 - iii. City-level. Although Chief Freeman told us informally that his position hadn’t changed, “No ADU’s in the WUI,” the staff has been drafting a “tentative” position for the Planning Commission, going to 26-foot street widths, which doesn’t take the full evacuation route into account.
- f. **Paving**
 - i. Less disruption than anticipated, many complaints about roads in need of repair, including messes left behind by PG&E and EBMUD

digging. In the next three-year plan, they will be required to factor wildfire safety in their calculations and we will work with the D1 office to make sure that happens.

g. **Joint Powers Authority**

- i. Website: <https://eastbaywildfirejpa.org>
- ii. Resolutions are making their way through City Councils (Berkeley, El Cerrito, Oakland) and Alameda County Board of Supervisors.
- iii. \$50K grant from Bay Area Air Quality Management District is on its way.
- iv. AB 9, regional planning in all VHFHSZ's in the state, is successfully moving through the legislature, could/should/would provide a grant to take next steps.

6. Garden Committee-

- a. Firestorm Memorial Garden
 - i. We finally received the insurance check for \$\$8,714.64 from Waste Management's Insurance Company.
 - ii. Eagle Scout candidate Nathan Catalano will begin work on installing edger boards along the Hiller sidewalk in the next few weeks.
 - iii. Thanks to the assistance of boys and parents from Boys Charity Team out of Piedmont, and our regular volunteer Celine Geiger and her family, Gordon has managed to make a big dent in spreading the 32 cubic yards of compost donated by Waste Management. They have planted 600 purple needle grass plants (California's native grass) and agapanthus and other plants donated by Apple Blossom Nursery in Sabastopol going out of business (will be getting details to record the in-kind donation.)
 - iv. Met with Bentley School about removing dead trees and shrubs on their property bordering the garden and Tunnel Road. Will be working with them to replace dead plants with drought tolerant, more fire-resistant plantings in coordination with those at the garden. Bentley will be pruning the pine trees that are growing into the Oak trees at the garden.
 - v. Awaiting a proposal from Graham Tree Service to prune the Oak trees at the garden that need attention. We believe we will be getting a heavy discount.
- b. Gateway Gardens
 - i. Eagle Scout candidate Mason Chen will complete the step replacement/improvement project the weekend of July 31/August 1. We raised over \$5,000 in in-kind services for this effort.
 - ii. Gordon and Celine continue to weed in the garden.

- iii. We received \$400 worth of 8 varieties of ground cover sedum starts from Emerald Coast Growers. They have been planted in our home nursery for final planting in front of the exhibit center deck in the fall when it will hopefully rain.
- iv. OFD replaced a trash container that was destroyed by fire (either on purpose or someone dumped hot coals into the canvas trash container. We now have a 40-gallon metal container that is chained to the guard rail at the turnout above the garden.
- v. We continue to push the City to replace the illegible garden rule sign and to install no smoking signs at Gateway (See Click Fix, emails to PWA, Dan Kalb and even a discussion with Council President Bas.). It's a real problem because young people use the gardens to smoke pot.
- c. Gateway Extension
 - i. We are getting close—still negotiating on the water issue.
- d. Upcoming Volunteer Support
 - i. We've been accepted as a site for Chevron's Care Days September through November 2021
 - ii. We've been accepted as a site for the Insurance Charitable Trust Fund this fall, as well.

Carolyn concerned about taking over Extension—Steve Hanson explained that we can't walk away from it now. Volunteers have been maintaining it all along to reduce chance of fire going up the hill.

7. New Business

- a. **Insurance renewal and cost**—did pay insurance—Steve will talk to our broker to ensure we are up to snuff.
- b. **Annual Meeting** on Zoom set for September 23 Thursday, evening
- c. **Nomination of board members**—Elizabeth Stage volunteer to chair of the nomination committee. The board discussed how to spread the word:— Post on Next Door and Open Forum, Need names and agenda 30 days before August 23
- d. **Announcement Open Forum** should cover both Community Comeback and Annual Meeting
- e. Carolyn Burgess recommended that we put out the agenda and encourage members to attend the Board meeting the Friday before the next meeting. Committee chairs asked to submit their reports to Steve Hanson by Thursday, August 12 for the Monday, August 16 Board Meeting.

- 8. The meeting was adjourned at 8:23 pm

NHCA Garden Committee Report for August 2021

Firestorm Memorial Garden

1. Eagle Scout Candidate Nathan Catalano completed his project this month. He installed sidewalk edgers along the Hiller side of the garden to keep dirt and debris off the sidewalk. Lava rock was added between the garden and the edgers.
2. Bentley School trimmed two of the Pines that were encroaching the Oaks on the North end of the garden.
3. The Committee is working with Bentley to plant its side of the sidewalk that goes from Hiller to Tunnel with drought tolerant plants that mesh what is in the garden itself.
4. We have just about spread all 32 cubic yards of the compost, thanks to the help of Boys Charity Team from Piedmont. Parent and teen boys come several times a month to volunteer.

Gateway Exhibit Center and Fire Resistant Demonstration Garden

1. Eagle Scout Candidate Mason Chen completed his lengthy project to replace 22 deteriorating steps with new landscape timbers and then to put decking boards on most of the steps. He raised almost \$2,400 in in-kind services to complete the job.
2. Eagle Scout Candidate Nico Laub-Sabater has two more workdays scheduled to complete his project of weeding and prepping the site for planting ground cover sedum in front of the exhibit center itself.
3. Chevon has cancelled its September workdays due to Covid.

Gateway Garden Extension

1. We are close to signing an agreement. Joe DeVries is still working on allowing us to connect water to the extension as part of the agreement. Right now, water is prohibited, but we made the case that best practice for firewise gardening is to keep plants hydrated. We shall see.

**Public Safety Committee – Report for August 2021 Board Meeting – Agenda addendum
Reported by Elizabeth Stage – Public Safety Chair**

1. Chief Armstrong will be holding a town hall for beats 13Y and 13Z at Montclair Park on September 2nd at 6PM. I will be distributing information once it's been approved by the Chief's office.
2. The Community Policing Advisory Board has asked how we will spend our Neighborhood Council budget in the 2021-22 fiscal year (due August 18th) . We can expect an amount similar to last fiscal year, about \$1,000, and it has to be spent by Neighborhood Services, paying an invoice online; it won't be available for spending until the end of October, so cannot be used for our annual meeting or Community Comeback. It can be used to renew our Zoom account, could be used for a new list serve if we want to replace our current provider, and could be used for door hangers with information on NHCA. Other ideas?
3. Development in the WUI (not just ADUs) has continued as a major focus, see attached document which has been vetted by the Oakland Fire Department; they judged it complete and accurate. If we have time for discussion, I'd like to propose a statement by the board that says that we think that there should not be any development in the WUI until such time as a traffic study determines that it's safe for evacuation and the City of Oakland has an adopted Vegetation Management Plan and the resources to fund it.

June 2nd 2021 Planning Commission Public Hearing on Proposed ADU Regulation
Issues and Responses, August 7th 2021 Draft

The ADU item was continued to a date uncertain, directing the Planning Department to respond to the comments of Commissioners and the public, to refine the proposal based on what they heard and emails or other communications, to work with HCD to make sure that the revised proposal will be found consistent with state law, and to expect that the Commission will re-open the public hearing because the revised proposal will be substantially changed. Until such time, state law will be the default. All Commissioners who were present and voting (Shirazi absent and Ray-Lynch recused) voted in favor; Hegde will be replaced by Sugrue on June 16th; he and Shirazi can get up to speed on the issue by reading the June 2nd packet and watching the hearing video.

Fifty-one members of the public spoke (one person spoke a second time), all but six of whom mentioned the full WUI component of the proposal exclusively or as one of several reasons to reject or modify the proposed regulation. The most prevalent reason for requesting modification was the proposal's breadth, which was foreshadowed and echoed by Commissioners prior to and following the public comments. Few people referenced the S-9 overlay that was originally proposed to the Zoning Committee and some people (both public and Commission) were mistaken about the differences between the S-9 and WUI maps, so it's not clear whether the Commission would consider the S-9 overlay acceptable, but it's possible that they would be satisfied with something in between these maps as being responsive to the expressed concerns.

The rationale and basis for a tailored, indeed "surgical," approach ranged from general principles to requests for case-by-case evaluation of eligibility.

Challenges to the City's position that the roads in the WUI are insufficient to evacuate its existing residents in the event of a wildfire.

- **Chief Luby's presentation was compelling, but what are the assumptions that are built into the modelling?**

--**How many vehicles per residence?** A study of the Berkeley hills, done by UC Berkeley (I can provide the citation), estimates that it will take two hours to evacuate if each household deploys two cars, only one hour if each household only uses one car.

Contemporary fire speed estimates, however, would give residents 15 minutes to clear the hills, so the number of vehicles per residence is irrelevant, as is the number of adults or children. Clearly educational outreach regarding carpooling (especially to include mobility-challenged neighbors) could reduce the number of vehicles per residence, reducing the total evacuation time and saving lives, but residents' need to take important documents, medications, water, and pets limits that optimization. The focus needs to be on the "choke points" of the evacuation routes.

[A study cited by an architect (Carrie Shores-Diller) that the average number of people per residence has fallen from 5.6 in the 1930's to 1950's to 2.3 currently as boomers are aging was interesting enough that one Commissioner mentioned it, but it's not clear how it applies to the Oakland hills; the issue is the total number of homes.]

--"**Why do they think that everyone will take cars?** People should take public transportation or ride bikes." Public transportation in many parts of the WUI is nearly non-existent and bikes are not an option for a large fraction of the population in an area with steep hills and poor road conditions, no less people who have small children or mobility challenges.

--"**Why do they think that people will head for the freeways?**" In addition to Luby's comments about studies of decision-making under stress (that people take familiar routes), the arterial streets get backed up on ordinary days when people aren't leaving at the same time.

--"Why do they think that everyone will leave at the same time? We have cell phones now (compared with 1991, but not with the last decade) and we can get alerts." Yes, and people routinely ignore the alerts.

- **Why did we just learn about this more dramatic analysis?** Based on their observations of more recent fires, sometimes directly as mutual aid fire fighters, it's has been the opinion of OFD leaders for several years that they need to focus on evacuation, but they didn't have local data until they could model with Zonehaven. Initially, they had been trying (e.g., Fire Safe Streets Program) to get parking restrictions on the streets in the WUI to allow for reasonable access to homes due to the inability of first responders to respond to medical emergency calls due to vehicles parked in such a way as to require them to be rerouted, resulting in death or serious injury due to delay. The Department of Transportation (OakDoT) faced pushback from residents when parking prohibitions are posted, ranging from removal of signs and complaints from City Council members to lawsuits from residents; they have been slow to add streets to the roster. OakDoT now patrols the WUI on Red Flag days, a welcome practice that started this year.

Even if more parking restrictions were imposed and enforced, contemporary fires are more frequent, more intense, faster-moving, and lightning-ignited. Fire departments throughout the state have realized that one lane of traffic is insufficient for evacuation since residents are leaving at the same time as first responders are entering. Since 1991, Oakland has made great strides in vegetation management; private property owners have annual inspections to make sure that they are complying with defensible space requirements, but the City hasn't had sufficient resources to clear all its property (most recent estimates are ~80%) nor does it have authority over other governmental agencies (e.g., CalTrans) that don't clear their properties adequately. Further, since winds carry embers for longer distances (one mile is not uncommon), homes become fuel even

when not surrounded by brush and lightning ignitions cause crown fires so that parks with highly flammable trees are more vulnerable than they used to be, creating more embers for nearby homes.

In response, fire fighters have changed their mission from suppressing fires and saving structures to directing and supporting evacuations (where they often share responsibility with law enforcement). Thus, it's not simply evacuating a structure or even a neighborhood, rather predicting the path of the fire and evacuating everyone in harm's way. And it's studying the entire evacuation route for people fleeing a particular building from that place to a place of refuge. It's no longer about parking on any given street, it's about the pinch points along the route; that's a function of the volume of vehicles on all the roads in the area. Technological advances (e.g., remote fire spotting cameras and drones, apps like Zonehaven) are now allowing fire agencies to locate the origin, speed, and direction of fires for this purpose. And, since Alameda County's contract with Zonehaven has been signed, the database has been populated for Oakland, providing an opportunity to model previous fires (e.g., 1991) and anticipate future fires and needed evacuations with a greater precision than previously available.

Zonehaven will have a resident-facing app that will direct people who are evacuating; this will be used in conjunction with sirens, AC Alert, wireless notifications like Amber alerts, and door-to-door strategies if there is time to do so.

- **Why is the fire safety burden being placed on ADU's?**

--With the \$6000 assessment added to the property tax on vacant lots, it appears that "the City" is encouraging development; restrictions on building as many ADU's as possible seem to run counter to that encouragement. The City Council voted to put the vacant parcel assessment on the ballot since it was a new tax; two thirds of the voters in

the XXXX election voted in favor of that measure. When the Neighborhood Council for the North Hills realized the impact of this measure on population density and thus emergency evacuations, they worked with Council Member Kalb's office to figure out what to do. The politics of granting a blanket exception to "the hills" immediately after a referendum were unacceptable, but an exemption procedure was constructed whereby any reasonable use of a vacant lot adjacent to a house as an extension of the residents' occupancy would be granted with documentation of that use, such as photographs of a garden, tool shed, play structure, patio, etc. This was done quietly and without fanfare, so it's not surprising that people outside of the immediate area didn't hear about it and generated public comment on this apparent conflict. Another speaker surmised that the ADU issue was the first opportunity for the Planning Department to begin limiting development in the WUI once they learned of the basis for the Fire Department's position and its supporting evidence. (see more below on this topic)

--**What about Oak Knolls?** This 187-acre development will have 918 homes (houses and townhouses) located in the area where Keller Avenue joins 580, almost a square created by the first turn of Keller. From the diagram below and from the development website, it appears to be the kind of housing that is recommended for the WUI with dense housing, surrounded by open space that, if vegetation is managed well, can serve as a fuel break. In other words, it's designed consistent with recent recommendations for building in the WUI. Its impact on the evacuation routes that involve Keller Avenue should be evaluated, however, in any modelling of evacuation carrying capacity in this area.



In the hearing, there were other issues raised that didn't feature in the Commissioners' deliberations; it's not clear if they should be addressed going forward.

- ADU conversations are often framed by the need for more housing, particularly affordable housing and equity in the availability of housing. Construction cost estimates for ADUs in the hills range from \$600/square foot to \$1200/square foot due to the challenging terrain, making an 800 square foot ADU cost between \$.5-1 million dollars, taking it outside of the range of "affordable." In addition, there currently aren't accessibility requirements for ADUs.
- CalFire was mentioned twice regarding updating maps and providing guidance about housing density. The revised fire zone maps should be available by the end of 2021; they are expected to increase in area. CalFire is primarily responsible for the State

Responsibility Areas (e.g., state forests and parks); while they have been encouraged to broaden their perspective to include Local Responsibility Areas, such as Oakland, it's limited to fire prevention more broadly (e.g., location of fuel breaks) than local issues such as housing.

- If you look at Oakland's Local Hazard Mitigation Plan, fire is only one of many hazards that should be taken into considered; otherwise, there would be no land for people to live in Oakland. It's true that Oakland faces many challenges, with severe earthquakes being very likely and providing less advance notice than wildfires, but the number of people who die from earthquakes is low and the mitigation strategies (retrofitting buildings, emergency gas turn-offs) provide more protection. Landslides, flooding, and tsunamis are possible, but much less likely and generally given more advance notice. Wildfire is different because it moves so quickly and seeking higher ground is not as straightforward.

In conclusion, we're left with one set of questions: Is it possible to determine the carrying capacity of the roads for evacuations? Is it feasible to make prohibitions in the WUI the default, but to create an exception procedure that is fair and sensible where there is road space available to evacuate within 15 minutes over the entire route? Is there data on a home-by-home basis that would allow such modelling? Could the boundaries of the WUI be tested in such a way?