

THE MARIN WILDFIRE PREVENTION AUTHORITY
BOARD OF DIRECTORS

Held a meeting:

3:00 p.m. Thursday, May 21, 2020

Via teleconference due to Coronavirus (COVID-19)

1. Call to Order- Marin County Fire Chief Weber called the meeting to order at 3:05 p.m.

2. Roll Call and Introductions

Directors Attendance: Steve Burdo (San Anselmo), Barbara Coler (Fairfax), Kathryn Donohue (Inverness), Tom Finn (Sleepy Hollow Fire), Steve Gerbsman (Kentfield Fire), Bruce Goins (Novato Fire), Leah Green (Marinwood), Cathryn Hilliard (Southern Marin Fire), Leighton Hills (Muir Beach), David Kimball (Bollinas Fire District), Sashi McEntee (Mill Valley), Julie McMillan (Ross), Gabe Paulson (Larkspur), Gary Phillips (San Rafael), Bob Ravasio (Corte Madera), Dennis Rodoni (County of Marin), Mark White (Stinson Beach), Jason Weber (Marin County Fire)

Chief Weber stated Mr. Kevin Yeager was behind the scenes running the Webinar. The public will have an opportunity to address the committee by using the “raise your hand” function.

3. Agenda Adjustments

There were no adjustments to the agenda.

4. Open Time for Public Input

Mr. Rick Freitas, Novato, discussed the unique guidelines developed by the Audubon Conservation Committee for removing fire fuel during the nesting season for birds. The JPA should develop protocols for individual homeowners.

Mr. Stephen Keese, member of the Citizens for Wildfire Preparedness, stated the Board should focus on County-wide pre-ignition work and not firefighting. The public has high expectations.

Mr. Rich Cimino, Larkspur, stated he had concerns about impacts to nesting birds and endangered species around Larkspur. He was concerned about the environmental impacts that could occur from non-trained contractors. Environmental professionals should be included in the ground crews.

Ms. Carolyn Longsteth, Marin Chapter of the California Native Plants Society (CMPS), stated they are concerned about the vegetation treatment methods outlined in a Request for Proposal (RFP) that was included in the Operations Committee packet. There could be some serious environmental harm to Marin’s biodiversity. CMPS would like to provide input in these guidelines and would like the JPA to hire a vegetation ecologist. They would also like

information on how to nominate someone for the Technical Advisory Committee (TAC) and would like the charge of the Citizens Advisory Committee (CAC) broadened.

5. Consent Calendar

There were no Consent Calendar items.

6. Old Business

There were no Old Business items.

7. New Business

- a. Marin Wildfire Prevention Authority (MWPA) Board of Directors Overview- purpose formation, roles and responsibilities, voting

Mr. Steven Raab, County Counsel, presented a report and displayed a video. The Board sets policy with respect to: 1) Fire Prevention throughout Marin; 2) Stopping wildfires; 3) Working with local jurisdictions to provide instructions about defensible space, including some enforcement provisions. He discussed the Board's unique voting structure. There are 17 members/entities that can vote. There are two aspects to voting- a simple majority of the members present (at least 9 for an affirmative vote) and a second level of criteria for voting which includes a population function. Each member jurisdiction has a population representation calculated on the last Census. This second criteria will look at the population and make sure that over 50% of the population has voted in the affirmative. These population percentages will adjust depending upon which Directors are present. A spreadsheet has been created to determine if a majority of the members present and 50% of the "population" supports a motion.

Director Burdo asked if there was a threshold on the second layer of voting. Mr. Raab stated it was one vote over 50%.

Director McEntee asked Chief Weber to post a description of the voting process, along with the spreadsheet, on the Website.

Director Rodoni stated this voting process underscores the importance of attending meetings and having an alternate in place.

Director Paulson asked what would happen when there is an even number of Directors present. Mr. Raab stated there would still be a quorum requirement but for voting purposes there must be a majority of members voting in the affirmative.

Chief Weber opened the meeting to public comments.

There were no comments.

Chief Weber closed the meeting to public comments.

- b. Resolution of the MWPA Board of Directors allowing agencies to appoint a single alternate behind each designated member

Director McEntee noted the word “member” is not well-defined in the resolution and she was not sure if the member agency or the Director makes the appointment.

Chief Weber stated the intent is that the member agency, and not the Director, makes the appointment. Mr. Raab agreed. Chief Weber suggested an amendment to clarify this issue.

Chief Weber opened the meeting to public comments.

There were no comments.

Chief Weber closed the meeting to public comments.

M/s, Rodoni/Burdo, to read by title only and adopt Resolution No. 20-01, a Resolution of the Marin Wildfire Prevention Authority regarding alternates for the Board of Directors Operations Committee and Technical Advisory Committee as amended by Chief Weber.

Ayes: All (through a roll call vote)

- c. Options for consideration surrounding the appointment of Board President and Vice President

Chief Weber presented a report. He noted he and Operations Committee member Dan Schwarz are co-chairing the Operations Committee. He asked the Board of Directors to decide on the timing and the process for appointing these positions. The JPA calls for the appointment by the first meeting in a fiscal year.

Chief Weber opened the meeting to public comments.

Ms. Pam Meigs, Fairfax, stated she is a member of the FireWise community. She read a statement stressing the importance of the JPA. The individual selected as President should have integrity, a knowledge base, and experience. She supported the selection of Director Rodoni.

Chief Weber closed the meeting to public comments.

Director Hilliard stated there were three letters of interest. The candidate should have good organizational skills and a general background in how governance works. She supported Director McEntee as the President.

Director Philips stated all of the candidates who have shown interest are strong. It would be prudent to wait for a couple of meetings to allow everyone to get to know each other.

Director Paulson stated efficiency, effectiveness, environment, and equity were his priorities.

Director Coler agreed with Directors Phillips and Paulson. It might be worthwhile to wait for several months.

Director Burdo agreed with Director Coler and stated they should not decide today. He did not want it to seem like they are making a hasty decision.

Directors Hilliard, Kimball, White, Goins stated they agreed with the last four speakers.

Director McEntee asked Mr. Raab is there was anything that would be impacted by waiting to appoint a President. Mr. Raab stated the task of the President is to run the meeting, sign contracts, etc. Director McEntee asked if this last task could be delegated to Chief Weber in the absence of a President. Mr. Raab stated this could be delegated to a Director to sign on behalf of the Board of Directors. Chief Weber stated he did not anticipate the need to execute any contracts before July 1st.

Director White asked about the deadline to apply for the position. Mr. Raab stated there is an informal application process and the Board of Directors could choose to open it up to more applicants.

Director Goins stated the various subcommittees will afford opportunities to provide leadership.

M/s, Coler/McEntee, to delay the appointment of President and Vice President to the June meeting and to keep the deadline for applications/letters of interest open.

Ayes: 16 of 17, 99% of population (through a roll call vote)

d. Marin Wildfire Prevention Authority Website

Chief Weber presented a report and displayed the Website. It is under construction and he asked the Board for feedback. The focus is on transparency. The cost is currently being funded through the member agencies until the JPA is in a position to reimbursement them.

Director McEntee stated the formation agreement and spreadsheet with the “voting populations” should be included on the Website.

Director Burdo stated the Website should include a robust Resources Page with information about vegetation management, signage, education, etc. Communication about the Senior Exemption is also critical. He liked the look and feel of the Website.

Director Phillips stated the following points should be included: 1) Role and responsibility of the inspectors; 2) Timeline of activities; 3) Homeowner personal responsibility.

Director Coler stated she really liked the Website. Zoom meetings should be made available on the Website and ultimately the “in person” meetings could be live streamed by the Community Media Center of Marin (CMCM). They could also live stream some of the projects such as the grazing goats, etc.

Director Paulson stated to increase transparency they could be a dynamic section including fundraising goals and progress reports. A blog section that would allow people to post comments would also be helpful.

Director McMillan stated they need to balance the environmental issues along with the vegetation clearing management and they might want to consider a section for environmental awareness. This might help with the public comments they are receiving.

Chief Weber opened the meeting to public comments.

Mr. Stephen Keese asked if the photographs of the Directors could be included on the Website.

Chief Weber closed the meeting to public comments.

e. Executive Officer recruitment

Operations Committee (OPS) member Mark Pomi presented a report on the search for an Executive Officer. The Operations Committee formed a subcommittee to start the recruitment process. They are working with an executive recruiting firm, Nelson Staffing, on the announcement and in identifying a list of candidates. Nelson Staffing will vet all applicants and provide a recommendation of the top eight to ten candidates. The subcommittee will refine the list and present it to the Board of Directors. The salary range is included in the announcement and the benefit package would be negotiated upon appointment. Nelson has received applications from throughout the State. The closing date for submitting applications is June 10th. He asked the Board of Directors to discuss how the interview and negotiation process would occur.

Chief Weber opened the meeting to public comments.

There were no comments.

Chief Weber closed the meeting to public comments.

Director McEntee asked if a salary survey was done and for clarification on the process. Chief Weber stated they looked at the salary range of City Managers and Fire Chiefs across Marin County, with the lowest figure as the ceiling and worked down from there with a three step process (5% between each step). The Board of Directors will make all final decisions and decide on the process once they are presented with a list of qualified candidates.

Director McEntee stated all of the Directors should be involved in vetting candidates.

Director Gerbsman stated this was a very important decision and he offered his assistance to the OPS Committee prior to bringing anything to the Board of Directors. He also volunteered to be on the Board of Directors subcommittee if that is the direction they decide to take.

Director Coler stated one of the benefits would include a defined contribution plan so they would not be incurring any pension liability. She suggested not awarding a lengthy contract but rather a one-year contract with the ability to extend. They might not need a highly paid, full time person in the future. She would like the full Board of Directors to weigh in on the hiring process. It would be a good idea for the OPS Committee to do some vetting and narrow it down to three or four candidates.

Director Burdo offered his services in the hiring process. He would support a shorter contract but not a one-year contract since this could make the recruiting process difficult.

Director Hilliard stated they need to comply with the open public recruitment process. They need a strong Executive Officer with a renewable contract. The interviewing panel should include some of the Directors.

Director Phillips stated he was not in favor of an interview panel consisting of seventeen individuals and recommended the OPS Committee pare down the candidates to a manageable number- three or four. It might be appropriate to have a screening body consisting of members of this body that would make a recommendation. He was not sure about the length of the contract and stated they need to be flexible in order to hire the most capable candidate.

Director Kimball stated the idea of whether or not they will need a part-time person should be put on the "back burner". They should be looking for someone that is open, inclusive, demonstrates integrity and objectivity. Being able to integrate the work performed by the various subcommittees will be critical.

Director McEntee suggested the Directors review the resumes in Closed Session and select the candidates to interview. The interviews would need to be done in Open Session by the entire Board of Directors. She was not in favor of forming a subcommittee or farming it out to the OPS Committee.

Director Donahue stated she did not believe the Directors should be responsible for recruitment- this body is responsible for oversight. Nelson Staffing is a recruitment agency. A subcommittee should then weed them out, not the Board of Directors.

Chief Weber opened the meeting to public comments.

Ms. Mimi Woolard stated it was a good idea to have some Board of Directors involved in the search committee. The JPA is supposed to be a low overhead entity with most of the funds going toward accomplishing the tasks at hand. She was opposed to a "big ticket", multi-year hire that included a pension plan.

Chief Weber closed the meeting to public comments.

Director McMillan stated it would be very difficult for the entire Board of Directors to look at all the resumes. The OPS Committee progress report would include a narrowing down of the candidates. This is a key position that needs a person that everyone is comfortable with.

Director McEntee asked if a poll could be taken of Directors who would be interested in being on a Selection Committee responsible for narrowing down the candidates. Chief Weber stated he could come back to the Board of Directors at a Special Meeting after the deadline for submission of applications to Nelson Staffing. That would allow them to focus on this issue and select a subcommittee if that is the decision of the Board of Directors.

Director Rodoni asked how a subcommittee could be formed prior to establishing an Executive Committee or By-Laws. Chief Weber stated he would follow up with legal counsel.

Director Gerbsman stated the OPS Committee, along with Nelson Staffing, should screen candidates with the assistance of any interested Director.

Chief Weber asked interested Directors to send him an email and to also send it to OPS Committee Co-Chair Dan Schwarz.

The Board of Directors took a 5-minute break at 5:05 p.m.

f. MWPA- Measure C Tax Administration

Chief Weber presented a report and stated the OPS Committee's subcommittee on this matter consists of Committee member Toy, Tyler, and himself with some assistance from a consulting firm. The tax roll must be submitted to the Auditor/Controller's Office by August 1st. Accuracy is critical. County Fire will administer the contract with the consulting firm with future reimbursement from the JPA. The initial set up and audit is around \$20,000. General administration of the tax is about \$30,000. The JPA is required under AB 2476 to make notification by mail to any parcel owner with an address outside of Marin County. Notice to seniors about the exemption is discretionary. The cost for this notification is around \$20,000.

Chief Weber opened the meeting to public comments.

Ms. Mimi Woolard, representing the Coalition of Sensible Taxpayers, supported the idea of notifying seniors about the exemption- it is well worth the money.

Chief Weber closed the meeting to public comments.

Director Burdo agreed with Ms. Woolard. Transparency and communication is important.

Director McEntee supported a one-time notification to seniors. She asked about the typical method of notifications. She noted some agencies require a senior to re-apply every year. Chief Weber stated it differs according to each agency. He will come back with more information.

Director Coler supported the senior notification at least for the first year. She asked if a process would be followed to verify income similar to what MERA does.

Chief Weber stated a senior needed to meet two thresholds: 1) 65 years of age or greater; 2) An income threshold according to Housing and Urban Development (HUD) data.

M/s, Hilliard/Kimball, to move forward with the postcard notification to households with members over 65 years of age with an estimated cost not to exceed \$20,000.

Ayes: 17 of 17, 100% of population (through a roll call vote)

Chief Weber stated the postcards would go out as soon as possible.

g. Marin Wildfire Prevention Authority year one funding/finance options

OPS Committee member Tubbs presented a report. The Subcommittee consists of Committee member Pomi, Cusimano, Chinn, and himself. They were tasked with looking at the funding they might need to acquire prior to the tax disbursement from the County in December. There is a transfer process through the County Treasurer's Office. There is a 3% interest rate attached to the transfer. They are working with the Work Plan Committee in analyzing the proposals and the type of funding they might need. They have reached out to each member agency asking if they would help carry some funding from July to December. They will keep the Board of Directors updated on this. The JPA requires the appointment of a Treasurer that comes from one of the member agencies. They are looking at modeling the MERA Board who contracts this function along with administrative services. The Subcommittee will bring this information to the Board of Directors.

Chief Weber opened the meeting to public comments.

There were no comments.

Chief Weber closed the meeting to public comments.

Director McEntee asked if the subcommittee has received an assumption of Property Tax defaults. OPS Committee member Tubbs stated they are working on obtaining that information and recognize that is part of the formula. Director McEntee agreed with the Subcommittees recommendation regarding building up a Reserve and would like the Board of Directors to discuss the creation of a Reserve Policy.

Director Kimball agreed with the suggestion made by Director McEntee.

M/s, Kimball/Hilliard, to adopt the Subcommittee's three recommendations

Ayes: 17 of 17, 100% of population (through a roll call vote)

h. Marin Wildfire Prevention Authority 2020 Work Plan

i. Template for projects

ii. Accelerated year one options

iii. Update on planning around mid-long-term projects

OPS Committee member Tyler presented a report. He stated he, along with Committee members Shutz, White, Schwarz, Tubbs, Kraukauer, Shortall, and Chief Weber, comprise the OPS Work Plan Subcommittee. He gave a PowerPoint presentation and discussed the Work Plan. They plan to return to the June meeting with a proposed Work Plan for adoption. The Work Plan is based on the programmatic areas included in the JPA and Measure C. It is made up of four core items: 1) Wildfire detection, notification, and evacuation improvements; 2) Vegetation management and fire reduction; 3) Grant management; 4) Public education. This will make up 60% of the funds spent. The other two areas are: 1) Defensible space evaluations and home hardening; 2) Local wildfire prevention mitigation. He briefly discussed the types of programs or projects that would be included in an agency's Work Plan. Phase I projects are immediately or near immediately ready to begin- "shovel ready". Phase II projects might need more work, local review, more public input, are waiting for bids, etc. Phase III project would take longer due to the need to purchase equipment, hiring a contractor, etc. He displayed a copy of the worksheet provided to member agencies. They are compiling this information with a set of criteria, a list of concerns and/or challenges, identification of stakeholders, timeframes, outcomes, and costs. He displayed several submitted project.

Director McEntee stated she would like to see more coordination within projects and that projects adhere to "best practices". She would also like to see a report discussing the overview of impacts to the County at the end of the year. She wants to make sure these projects "leave them in a better place".

Director Coler stated Fairfax is already working on the public evacuation maps and thought this project should be considered on a broader basis.

Director Phillips stated he would be interested in how the OPS Work Plan Subcommittee is determining the projects and drawing its conclusions. He would also be interested in the funding allocations, what factors are taken into consideration, and the criteria used in terms of inspections (universal or unique to each jurisdiction).

Director Paulson asked if there was a way to make the prioritization and ranking of projects more objective. OPS Committee member Tyler stated "yes, especially within the core areas". Rankings will not really matter as long as funding remains available.

Director Kimball referred to the core areas and the need for communication and notification leading up to and during an event. He would like the entire County to come up with a standard. It is incumbent upon them to rank projects as soon as possible. OPS Committee member Tyler agreed about communication and notification and stated they were looking forward to these conversations.

i. Marin Wildfire Prevention Authority grant program

OPS Committee member Shortall stated he, along with Committee members Tyler, Chinn, and Chief Weber, comprise the subcommittee. One of the mandates of the MWPA is to create a

grant program for low income and needy seniors. They looked at some “best practices” and came up with a concept. They are looking at two categories: 1) Defensible space measures; 2) Home hardening. Eligibility would be 65 years of age or older or having functional needs that make it impossible to do clean-up work. Owner occupancy is a requirement and the homeowner must be financially unable to hire a contractor. They are using HUD data with respect to income levels- extremely low and very low. They are looking at a fund of \$500,000- \$400,000 in the first category (\$1,000 limit), and \$100,000 in the second category (individuals in dire need).

Director Coler suggested working with the Marin Center for Independent Living and Marin Clean Energy in order to leverage funds for energy efficiency items (replacing windows, etc.).

Director McEntee stated this could be the same target audience as those who might be eligible for the senior exemption. She asked if an individual could obtain an exemption but also be eligible for a grant. OPS Committee member Shortall stated that was a policy decision for the Board. Director McEntee suggested making grants available on a neighborhood/multi home level.

OPS Committee member Shortall stated an attempt will be made to equally distribute the grants throughout the five zones. They will use the FireWise communities in identifying eligible homeowners.

Chief Weber opened the meeting to public comments.

There were no comments.

Chief Weber closed the meeting to public comments.

j. Update on Ecologically Sound Practices (ESP) Partnership

Chief Weber presented a report. They have partnered with environmental groups and will use ESP as a guiding principal moving forward. This goes beyond required environmental compliance and is about “best practices” and partnerships. There is a lot of talent in the County.

Chief Weber opened the meeting to public comments.

Ms. Belle Cole, member of the ESP Partnership Steering Committee, stated the working partnership is inclusive, coordinated, and consensus-driven. Membership exceeds 70 organizations with representation from County, regional, local agencies, non-profits, and commercial groups. There is broad expertise on ecology and climate impacts and mitigations.

Chief Weber closed the meeting to public comments.

Director McMillan stated all of this information should be on the MWPA Website.

k. Appointment of the Technical Advisory Committee

OPS Committee member Schwarz presented a report. There are two sections of the JPA document that address the appointment of committees. Section 7 calls for the formation of a Technical Advisory Committee (TAC) and for each member agency to appoint someone to sit on this committee. The Board of Directors has the discretion to appoint representatives from two stakeholder groups to participate in the TAC meetings. They are recommending that Directors go back and confer with their OPS Committee member about likely candidates. They are asking that the member agencies bring back that initial slate of committee members and invite the stakeholder agencies to appoint someone. The By-Laws Committee would be the right venue for the Board of Directors to discuss inviting other stakeholder representatives.

Chief Weber opened the meeting to public comments.

There were no comments.

Chief Weber closed the meeting to public comments.

Director McEntee asked if there has been good engagement from the non-voting members (Marin Municipal Water District, National Parks, etc.). She wants them involved and engaged. Chief Weber stated the land management agencies were the nexus and coordination with all the non-voting members was important.

l. Citizens Oversight Committee

OPS Committee member Schwarz presented a report. Section 8 of the JPA calls for the formation of a Citizens Oversight Committee with the task of reviewing the authority's spending on an annual basis. The JPA calls out the nine seats that will make up this committee and the qualifications- five seats for the geographic areas that make up the fire prevention areas, and four additional seats that are called out for different organizations or groups. Applications will be reviewed by the OPS Committee and submitted to the Board of Directors for review and approval. This could occur in the middle of the summer.

Chief Weber opened the meeting to public comments.

Mr. Stephen Keese asked if the organization chooses the representative or if they submit nominations for the Board of Directors to decide. OPS Committee member Schwarz stated they would submit the application to the Board of Director indicating their qualifications. The Board of Directors will fill the seats as they deem fit.

Chief Weber closed the meeting to public comments.

Chief Weber stated they will return with more information at the next meeting.

m. MWPA Board of Directors By-Laws.

Chief Weber presented the report and recommended the formation of an ad hoc subcommittee to develop By-Laws for review by the Board of Directors.

Directors McEntee, Phillips, Goins, Burdo, Hilliard, and Finn volunteered to serve on the ad hoc By-Laws Subcommittee.

Chief Weber stated one of the OPS Committee members will reach out to this subcommittee to begin the process.

Chief Weber opened the meeting to public comments.

There were no comments.

Chief Weber closed the meeting to public comments.

Mr. Yeager noted that Director Gerbsman left the meeting.

M/s, McEntee/Coler, to appoint Directors McEntee, Phillips, Goins, Burdo, Hilliard, and Finn to serve on the ad hoc By-Laws Subcommittee.

Ayes: 15 of 17, 97% of population (through a roll call vote)

8. Committee Reports

There were no Committee Reports.

9. Financial Reports

There were no Committee Reports.

10. Informational Items

Director Kimball reported a group of civil engineers at UC Berkeley were doing a peer review project integrating the traffic network analysis with communications network analysis during a disaster such as a wildfire. They are also building simulation models.

11. Board Members Request Future Agenda Items

Director Burdo stated he would like to discuss the timing of the meetings that would allow for maximum public participation.

Director Coler stated she would like to discuss the Community Media Center of Marin (CMCM) live-streaming these meetings.

Chair Weber stated he would add these items to the next agenda.

Chief Weber opened the meeting to public comments.

Mr. Stephen Keese thanked Chief Weber and the Board of Directors for their thoughtful comments and good work.

Chief Weber closed the meeting to public comments.

12. Adjournment- Chair Weber adjourned the meeting at 6:33 p.m. The next meeting would be held on Thursday, June 18th at 3:00 p.m.

Respectfully submitted,

Toni DeFrancis,
Recording Secretary