

THE MARIN WILDFIRE PREVENTION AUTHORITY
BOARD OF DIRECTORS

Held a meeting:

3:00 p.m. Thursday, June 18, 2020

Via teleconference due to Coronavirus (COVID-19)

1. Call to Order- Marin County Fire Chief Weber called the meeting to order at 3:02 p.m.

2. Roll Call and Introductions

- Directors Attendance: Steve Burdo (San Anselmo), Barbara Coler (Fairfax), Tom Finn (Sleepy Hollow Fire), Steve Gerbsman (Kentfield Fire), Bruce Goines (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)

Kathryn Donohoe (Inverness)- arrived at 3:30 p.m.

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

3. Agenda Adjustments

There were no adjustments to the agenda.

4. Open Time for Public Expression

There were no comments.

5. Executive Officer’s Report

Chief Weber stated there is no staff or Executive Officer yet and he and Director Schwarz have been co-filling that role. At the last meeting the Board asked about obtaining the services of legal counsel and they are getting some quotes. In the interim, Mr. Steven Raab, County Counsel, has been assisting the Board. They have received proposals from the City of San Rafael and the County and plan to obtain proposals from private enterprise. A page has been added to the MWPA Website with information about the Ecologically Sound Practices (ESP) group. They also added a section that would allow individuals to sign up to receive agendas and other notifications. The Zoom videos of previous meetings are now posted on the Website. He recommended that meetings not exceed two hours.

Chief Weber opened the meeting to public comments.

There were no comments.

Chief Weber closed the meeting to public comments.

6. Consent Calendar

- a. Approval of minutes from May 21, 2020 MWPA Board of Directors meeting
- b. Adoption of Operations Committee By-Laws

Director Hilliard asked if the Operations Committee By-Laws will be a part of the overall By-Laws. Chief Weber stated the Board of Directors By-Laws will reference the Operations Committee By-Laws. The hope is that the Board will give autonomy to the Operations Committee to develop and maintain its By-Laws.

Chief Weber opened the meeting to public comments.

There were no comments.

Chief Weber closed the meeting to public comments.

M/s, Phillips/McEntee to approve the Consent Calendar with corrections to the May 21, 2020 minutes.

Ayes: 16 of 16, 100% of population (through a roll call vote)

7. Old Business

- a. Election of Board President and Vice President

Chief Weber presented a staff report and explained the process. There were five Directors who have expressed an interest in the position of President.

Director Rodoni nominated Director Goines for the position of President. Directors Berdo, Gerbsman, and Kimball supported the nomination.

M/s, Phillips/McEntee to nominate Director Goines as President.

Ayes: 16 of 16, 100% of population (through a roll call vote)

Chief Weber opened the meeting to public comments.

Mr. Ron Arlas, former Mayor of Larkspur, stated transparency and expertise were very important and he supported the election of Director Goines as President.

Mr. Stephen Keese, Fairfax, stated Director Goines is an excellent choice as President because of his extensive experience.

Mr. John Baggala, President of Marin Professional Firefighters, supported Director Goines as President. The decisions made by the MWPA will directly affect the MPA members.

Chief Weber closed the meeting to public comments.

M/s, Phillips/McEntee to elect Director Goines as President.
Ayes: 16 of 16, 100% of population (through a roll call vote)

President Goines asked for nominations for the Vice President position.

Director Phillips nominated Director Rodoni for the position of Vice President.

Director Gerbsman nominated Director McEntee for the position of Vice President.

President Goins asked for a straw poll of the candidates. Director Rodoni received eleven “votes” and Director McEntee received five “votes”.

M/s, Phillips/Ravasio, to nominate Director Rodoni as Vice President.
Ayes: 16 of 16, 100% of population (through a roll call vote)

President Goines opened the meeting to public comments.

Mr. Stephen Keese and Mr. John Baggala, supported Director Rodoni for the Vice President position.

President Goines closed the meeting to public comments.

Director Donohoe arrived at the meeting.

M/s, Phillips/McEntee to elect Director Rodoni as Vice President.
Ayes: 17 of 17, 100% of population (through a roll call vote)

b. Executive Officer recruitment

Operations Committee (OPS) member Donnery presented a report. The subcommittee is working with Nelson Staffing on the recruitment which began on May 15th and concluded on June 10th. There were a great number of applicants and Nelson is in the process of reviewing the candidates and vetting the list to a recommended eight to ten of the most qualified. The subcommittee will review all the applications and recommend a list to be interviewed by the Selection Committee which should include the Board President, Vice President, one of the Board Directors, the Chair of the OPS Committee, a member of the Technical Advisory Committee, and one at-large community member. The Selection Committee will decide on a candidate or candidates who would go to the Board in Closed Session for an interview. This interview process is yet to be determined. As an alternative, the Board Subcommittee could be involved in this initial review of all applicants before review by the Selection Committee.

Director Coler asked if any interviews have already taken place. OPS Committee member Donnery stated “no”. Chair Weber stated Nelson Staffing has done Zoom interviews with some of the candidates. Director Coler stated she liked the alternative option and did not want to limit the candidates to only two.

Director McEntee supported the alternative option. It will be important for a Board Subcommittee to do the winnowing.

Director Hilliard stated she hoped a broad, diverse recruitment was taking place. She would like to see more than two candidates interviewed by the Board and supported the alternative option.

President Goines asked for clarification on the alternative option. OPS Committee member Donnery stated the recommendation is that the Board select a subcommittee of three to five members for the candidate selection process. This subcommittee would be looking at the full packet coming from Nelson Staffing along with Nelson's vetted list of the top candidates. The OPS subcommittee would also do a review and submit its notes.

President Goines opened the meeting to public comments.

Ms. Carolyn Monstras, member of the California Native Plants Society, asked the Board to give strong consideration to candidates who have an understanding and background in natural resources. Part of the authority's mission is to protect biodiversity.

President Goines closed the meeting to public comments.

Directors McEntee, Coler, Hilliard, Burdo, Gerbsman, and Phillips expressed interest in serving on the Board Selection Subcommittee.

M/s, Phillips/White, to select Directors McEntee, Coler, Hilliard, Burdo, Gerbsman, and Phillips to serve on the Board Selection Subcommittee.

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

c. Appointment of Technical Advisory Committee

Chief Weber presented the report. The By-Laws will ultimately establish how this process is done in the future. Staff is recommending the interim appointment of the members recommended by the member agencies. He noted the following correction: under the City of Mill Valley, the name should be Mr. Fred Hilliard and not Mr. Scott Barnes.

Director Rodoni noted the same member was listed for Inverness and Bolinas and he asked if that was a mistake. Chief Weber stated the smaller agencies are sharing a member.

Director Coler stated she thought they were going to appoint alternates. Chief Weber stated the Resolution allows for alternates but this is the interim appointment. Agencies have the prerogative to have an alternate attend with full voting rights.

President Goines opened the meeting to public comments.

There were no comments.

President Goines closed the meeting to public comments.

M/s, Rodoni/Hilliard, to appoint the members to the Technical Advisory Committee as recommended in the staff report with the correction noted by Chief Weber: Mr. Fred Hilliard shall represent Mill Valley.

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

d. Citizens' Oversight Committee

Chief Weber presented the report. He stated members of the Grand Jury have stayed engaged in this process including developing the on-line application format. He noted the draft application was attached to the staff report for the Board's review and consideration. He recommends the formation of a Board subcommittee to process the applications and come back with recommendations to the Board. The Board would ultimately select the Citizen's Oversight Committee (COC) members.

Director McMillan referred to the application and stated it would be helpful to define "West Marin", "Central Marin", and "Southern Marin".

President Goines stated he did not want to limit individual's experience and qualifications to Marin County. They should broaden the criteria to relevant qualifications. Chair Weber stated they could remove that wording.

President Goines opened the meeting to public comments.

There were no comments.

President Goines closed the meeting to public comments.

Directors McMillan, Rodoni, Burdo, and President Goines volunteered to serve on the Board COC subcommittee.

M/s, Phillips/Donahue, to appoint Directors McMillan, Rodoni, Burdo, and President Goines to serve on the Citizen's Advisory Committee (COC) subcommittee.

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

8. New Business

a. Marin Wildfire Prevention Authority Resolution Adopting Fiscal Year 2020/21 Budget

Operations Committee (OPS) member Tubbs presented the report. The development of the budget was based on several key factors including the requirements of the JPA and the Work Plan. They realized the need to establish a Reserve Carry-Over to avoid an annual cycle of refunding and develop a process for budgeting for local mitigations and inspections (a pass-through process). The committee is recommending that the Board adopt the \$10.8 million

budget for the first year, allowing for an \$8.5 million Reserve Carry-over in preparation for Fiscal Year 2021/22.

Director McEntee referred to Table 2, Start-Up Costs of \$250,000 (not to exceed), and asked for an explanation. Chief Weber stated that included the following costs: 1) Nelson Staffing recruiting- \$26,250; 2) Election Costs for Measure "C"- \$54,406.84; 3) Website/Senior Mailer- \$24,622.27; 4) Tax Administration- \$64,311.75. The MWPA will only be invoiced for actual costs. Director McEntee referred to the "Defensible Space and Local Mitigation" line item and asked for clarification. OPS Committee member Tubbs stated the JPA allows for an opt-out of the Defensible Space Program for local agencies. These agencies can do the inspections and be reimbursed by the JPA. Abatement includes inspections where circumstances are found that must be mitigated through an administrative process. They set aside funding for this.

Director Paulson asked about the assumptions or calculations that lead to the \$8.5 million in reserves. OPS Committee member Tubbs stated there was an expectation of the JPA ramping up quickly and doing work as quickly as possible. They landed at that amount by recognizing that the local mitigation dollars were essentially a pass-through for work to be done in the first year. In addition, they recognized that the Defensible Space inspections will provide information about how to allocate funds relative to vegetation planning.

Director Coler stated the carry-over was prudent and a good start. She had a question about the start-up costs and found it unusual that an agency would pay for election costs. Mr. Steven Raab, County Counsel, stated agencies pay for the administration of elections.

Director Phillips asked if the deferral of Property Tax payments due to COVID-19 has been taken into account. OPS Committee member Tubbs stated he did not think they would see any impact but have not gotten specific direction from the County. Director Phillips referred to the 20% allocated to each jurisdiction and asked how much they could anticipate receiving. OPS Committee member Tubbs stated they were proposing the full 20%. Director Phillips asked if the jurisdiction has any discretion over the use of that 20%. OPS Committee member Tubbs stated it is recognized that there are factors that might limit the amount of funding that they choose to use that first year. Director Phillips asked if there would be a carryover the following year if they spent only 10% the first year. Local funds not spent in year one could be carried forward for projects that extend beyond budgeted fiscal year. Member agencies are responsible for providing audit trail of funds spent and they are in alignment with voter initiative.

Chief Weber stated the important thing to remember was not to mix Core Program Funding with Local Funding.

Director McEntee noted the administrative overhead cost were capped by the budget and asked if the 20% that went to local jurisdictions was before or after expenses. 20% local funds are not reduced for administrative fees, the full 20% is allocated to the member agency.

Director Kimball asked how the local jurisdiction should budget for the Defensible Space Program.

OPS Committee member Tubbs referred to Table 4 and stated they should take the agency's figure and deduct the cost of abatement enforcement. Director Kimball asked if that money was budgeted as revenue or a cost reimbursement. OPS Committee member Tubbs stated they will be looking to the Board for that determination.

President Goines asked about the work that would be conducted by Fire Safe Marin such as Chipper Day, etc. He stated he did not see an apportionment accounting for this work or the percentages for the beneficiaries. Chief Weber stated this could be covered during the Work Plan discussion.

President Goines opened the meeting to public comments.

There were no comments.

President Goines closed the meeting to public comments.

M/s, Rodoni/Hilliard, to adopt Resolution No. 20-02, adopting the Fiscal Year 2020/21 Budget. Ayes: 15 of 17, 76% of population (through a roll call vote)

b. Marin Wildfire Prevention Authority 2020 Work Plan

Chief Weber presented the report. He noted some of the information was covered under the Budget adoption discussion. He commended OPS Committee member Tyler for putting together the plan. This plan is a "living document" and will be reviewed at mid-year. Every project must have environmental compliance which is different than best practices. Best practices include monitoring and "pre" and post work where it is necessary. Agencies are responsible for CEQA review. The Work Plan consists of local projects and the Core Programs. Core Programs are in the purview of the Board and include Chipper Days, public education, the weather radios, Red Flag signage in Fire Wise communities, environmental compliance, and a set-aside of \$1 million for the Evacuation Study. He asked the Board to direct its attention to the six items listed in Table 3 of the Budget.

President Goines opened the meeting to public comments.

Mr. Mike Swezy stated he was part of the group that assisted with the ecologically sound practices (ESP) partnership and he supported the line item related to environmental compliance. He referred to the list of projects and asked for clarity in terms of the projected environmental review (exemptions, Negative Declaration, etc.). Some projects are not mapped and he stated the monitoring measures should be part of the project description. Building a fuel break, one of the best management practices, is really a permanent infrastructure which would include follow-up maintenance.

Ms. Cheryl Longstreth agreed with the comments made by Mr. Swazey. She is pleased with the level of detail. She is hoping that the CEQA part of the form will include more information. She is hoping that the JPA will produce a document that takes a "30,000 foot view" of the program that would include long-term criteria for success.

President Goines closed the meeting to public comments.

Director Coler referred to page 64 of the packet and noted the wording should say "County/Tiburon". She was concerned that there was so much on the plate for Fire Safe Marin and she asked if there should be some prioritization.

OPS Committee member Shortall stated he was confident that Fire Safe Marin will be able to get all of the work done. The bulk of the mission of Fire Safe Marin is public education as are the projects that build upon each other. They have created a new Educational Subcommittee. They will be presenting a monthly Webinar with different topics each month. He discussed the various workshops put on by Fire Safe Marin. He discussed the Chipper Day Program that occurs within the seventy Fire Wise sites.

President Goines reiterated there must be an accounting for the expenditure of funds by each member agency. They will need an accounting of time spent and an estimate of expenditures. OPS Committee member Shortall stated that should not be a problem.

M/s, Phillips/Coler, to adopt Resolution No. 20-03, adopting the Marin Wildfire Prevention Authority 2020 Work Plan.

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

9. Committee Reports

a. MWPA Board of Directors By-Laws Committee

Director Finn presented a report. The subcommittee met on Monday and he plans to circulate some sample language very soon. He gave a quick overview. The provisions in the by-laws are primarily boiler plate but there are some that are MWPA specific. None of them are controversial. The subcommittee will review the document and submit it to the Board. The Board can continue to conduct business under the JPA Agreement, the budget, and the Work Plan.

Director Burdo added that the subcommittee is recommending a 6:00 p.m. start time for the meetings on the third Thursday. Director Finn stated they need to consider the Director's other meeting schedules (Council meetings, etc.) to avoid a conflict.

Chief Weber stated the subcommittee will submit a draft at the next Board meeting.

President Goines opened the meeting to public comments.

There were no comments.

President Goines closed the meeting to public comments.

10. Financial Reports

There were no reports.

11. Informational Items

There were none.

12. Board Members Request Future Agenda Items

Director Gerbsman read an email regarding the high fire danger in Kent Woodlands. The Kent Woodland Property Owners Association (KWPOA) is concerned that they are not in the business of enforcing fire inspection citations and is asking how the MWPA could assist. Chief Weber stated enforcement would be thorough the agency that has jurisdiction- the Kentfield Fire Department. The MWPA Work Plan includes early education and creating defensible space and the 2% hold back for abatement is for these issues. Abatements can be cumbersome and time consuming.

President Goines stated there has been a lot of public testimony about the need to be clear with respect to CEQA compliance. He asked if the Board could discuss this at a future meeting. They need to make it very clear that the Board is serious about environmental compliance. Chief Weber stated this is something that could be discussed by the Operations Committee and then by the Board.

Director Burdo asked about the next meeting date. Director Coler stated she would like to continue with the third Thursday at 3:00 p.m. Director Kimball agreed. Director McMillan asked that the meetings be kept to two hours or less.

President Goines suggested a Board Retreat to discuss operational principles and practices, perhaps with a professional facilitator. He asked that this item be placed on an upcoming agenda. Director McMillan stated this should be done after the hiring of the Executive Director.

13. Adjournment- President Goines adjourned the meeting at 5:25 p.m. The next meeting would be held on Thursday, July 16, at 3:00 p.m.

Respectfully submitted,

Toni DeFrancis,
Recording Secretary