

THE MARIN WILDFIRE PREVENTION AUTHORITY
EXECUTIVE COMMITTEE MEETING
10:00 a.m. Thursday, April 1, 2021
Via teleconference due to Coronavirus (COVID-19)
MINUTES

1. Call to Order. President Goines called the meeting to order at 10:00 a.m.

2. Roll Call.

Directors – In Attendance: Bruce Goines (Novato Fire), Dennis Rodoni (County of Marin), Sashi McEntee (Mill Valley), Julie McMillan (Ross), Rachel Kertz (San Rafael)
Staff in Attendance: Executive Officer Mark Brown, Legal Counsel Megan Acevedo

3. Agenda Adjustments.

There were no adjustments.

4. Open Time for Public Expression.

There were no comments.

5. Executive Officer's Report

Executive Officer Brown presented a staff report that included the following: 1) He wished everyone Happy "Opening Day" of Major League Baseball ! 2) He gave a presentation of "North Ops, 2021 Fire Season Outlook, Early Analysis"; 3) The Operations Committee and Advisory/Technical Committee are hard at work but have not recently held a public meeting; 4) Preparation of Draft Project Proposal and Notification Form; 5) Individual agencies working on local mitigation projects and submissions for Core Projects; 6) Citizens' Oversight Committee meeting and desire to understand relationship between MWPA and Ecologically Sound Practices (ESP); 7) Brown Act Training for all committees; 8) Final draft of Goals and Objectives; 9) Adjustments to meeting minutes; 10) Deadline for Request for Proposal (RFP) for environmental consulting firms closed yesterday; 11) Possible Executive Committee meeting to receive presentation from two firms; 12) Award of two positions from Grizzly Corp; 13) Background checks for Planning and Program Manager position with possible conditional offer of employment by end of next week; 14) Southern Marin Fire Department tour of Shaded Fuel Brake Project.

Director McEntee referred to the presentation and had a question about readiness and how to not get "behind". Executive Officer Brown stated it will take years to catch up since they have no control over some of the variables such as the weather. He discussed factors such as moderate vs. extreme fire behavior conditions.

Director McMillan suggested that FIREsafe Marin use this presentation as an educational tool for the public. Each member agency should also receive a copy of the presentation.

Director Kurtz noted this report is predictive and she asked if it gets updated. Executive Officer Brown stated “yes, it gets updated every three months”. Another forecast will come out the end of May or beginning of June.

President Goines asked for clarification on the “1,000 hour” vs. the “100 hour” fuel slide. Director Rodoni asked Executive Officer Brown to come up with a simpler way to explain the information in this slide.

President Goines asked about the status the ESP product. Executive Officer Brown discussed the three work groups and their focus on carbon sequestration, vegetation management, and defensible space. They worked on best management practices and merged the work into one large document. The Advisory/Technical Committee and Operations (OPS) Committee will review and make recommendations to the Board.

President Goines opened the meeting to public comments.

There were no comments.

President Goines closed the meeting to public comments.

6. Citizens’ Oversight Committee Bylaws

Executive Officer Brown presented a staff report. He noted the Board has no authority on approving or amending the Citizens’ Oversight Committee (COC) Bylaws as long as they are in alignment with the founding documents. He discussed the importance of transparency.

Legal Counsel Acevedo stated she worked on several versions of the bylaws with the COC and tried to adhere to the intent of the founding documents. The report they develop and the committee’s oversight will focus on the financial components of the MWPA and whether everything is in alignment with the intent of the ordinance. The Joint Powers Agreement (JPA) mentions a “monitoring” role in terms of public meetings. It also mentions a “recruiting process” which would allow them to vet candidates and make recommendations to the Board.

Director Rodoni asked if it has been determined which founding document would supersede the other. The ballot language seems to have more authority than the JPA. Legal Counsel Acevedo agreed that the ordinance would take precedence.

Director Kurtz stated the value of the COC is critical to this organization. She referred to Article #6, the monitoring piece, and stated the JPA Agreement is in retrospect and Article #6 is current. She would like to see the following language in the last clause: “... in review of the COC’s committees and documented as part of their reporting...”. Executive Officer Brown agreed and stated the COC goal is to not have a retrospective report. Director Kurtz stated they could get “in a knot” with the current language.

Director McEntee agreed with Director Kurtz's concerns. The COC is there to make sure the MWPA does what the voters asked them to do. She referred to candidates for the COC and asked if the suggestion is to delegate the review process to the COC or that they make suggestions that are folded into the Board's review process. Executive Officer Brown stated "the former".

Director McMillan referred to Article 34, #7, and the wording "monitoring deliberations to assess transparency" and stated transparency is implicit. She was not sure this is necessary. She noted the memorandum from COC member Cole to Chair Minikes and ESP member Belle Cole seemed a bit adversarial. Legal Counsel Acevedo stated the recommendation about the removal of the wording about transparency would be brought to the COC.

Director Rodoni asked for clarification on whether the COC would make recommendations to the Board but not handle the recruitment. Recruitment and advertising is the role of the agency. Executive Officer Brown stated the term "evaluation" could be interpreted as "recruitment". Legal Counsel Acevedo stated they could add clarifying language to specify that the MWPA does the upfront work of advertising and recruitment.

President Goines opened the meeting to public comments.

Mr. Bruce Bartel stated he was disappointed in the process used to develop the bylaws. A key provision of the ballot measure was the development of a strong citizen oversight committee. The COC should be free to decide its own processes with oversight over the entire organization of the agency.

Mr. Larry Minikes stated the COC's purpose is oversight and making sure the funds are spent as they were meant to be spent. The purpose of the Board is to oversee the other committees.

President Goines closed the meeting to public comments.

Director McEntee stated it was not a good idea to have the COC evaluate its own applications. They are certainly able to give feedback like other member of the public. The first vetting of COC candidates is the Board's responsibility.

Director Rodoni agreed with Director McEntee and stated the agency should advertise and control the applications. The applications would be shared with the COC who could make recommendations for Board approval.

Director McMillan stated the COC could help with the identification and recruitment of people concurrently with the Board.

Director Kurtz agreed with the comments made about the recruitment and management process for the COC. These committees tend to change frequently and the Board will need to come up with a standardized process and procedure of recruitment. The bylaws should come back to the Board with some modifications based on the Board's comments.

Executive Officer Brown recommended that this item be placed on the next COC meeting agenda and ask them to work on the modifications including the following issues: 1) The transparency piece; 2) Selection of COC members; 3) Concerns about real time feedback.

Director McEntee asked if leaving the language as is would it bind them to anything. Legal Counsel Acevedo stated the bylaws are intended to be a guide on how the COC operates and if there is an issue then it could be addressed by the Board. Director McEntee stated she would like to move forward.

Director McMillan asked how they could “reel things back in” if things go sideways. Legal Counsel Acevedo stated the Board would bring it to the attention of Executive Officer Brown and the COC. It would be fairly straightforward.

Director Kurtz stated there are pieces of this document that are up for interpretation that could raise questions the future. The composition of the Board and COC will change.

Director McMillan agreed and wanted to make things more clear. She asked if the COC would be open to providing better definition and clarity.

Director McEntee reiterated the desire to kick it back to the COC with some recommended modifications.

Director Rodoni is in favor of delaying this and having more discussion. He asked if it would be possible for the COC to develop bylaws based on their authority and have a side procedural agreement. Executive Officer Brown stated the COC formed a Rules and Policies Ad Hoc Subcommittee that could look at this.

President Goines stated he could support the bylaws as they currently exist. They are designed to facilitate communication and early problem identification. They could revisit the document in six months or a year. He would like to move forward.

Executive Officer Brown stated the COC Bylaws and Policies and Procedures could come to the Executive Committee as a package with clarification on Article 4, Sections 4.6, 4.7, and 4.8

7. Draft MWPA Communications Strategy

Executive Officer Brown presented a brief report and stated he is working with the Communications Strategy Ad Hoc Committee that consists of Directors Katherine Donohue, Gabe Paulson, Steve Berto, and Paul Jeschke. Mr. Pam Kuhn is assisting them.

Ms. Kuhn stated she has worked on communications and public outreach for various agencies including Marin County Parks. She gave a PowerPoint presentation that included: 1) Identity- clear and concise core message; 2) MWPA Mission; 3) Audience- who do we need to reach?; 4) Goals- what should the communication accomplish?; 5) MWPA Vision; 6) Phase 1- Foundational elements; 7) Spring- Summer 2021 deliverables; 8) Phase 2- Foundational elements and implementation; 9) Fall 2021- Winter 2022 deliverables.

Executive Officer Brown noted Phase 1 and Phase 2 are very aggressive and have a lot of content items. He was cautious about overcommitting and underperforming.

Director Kurtz stated there seemed to be a lot of work and she asked if they could narrow this down and break it down into priorities. The risk management piece should be moved up. Residents might not know about the MWPA or FIRESafe Marin but they know about their local fire department. She suggested adding on some surveys or focus groups.

Director McMillan had a question about the reference to the “public outreach budget”. Executive Officer Brown stated this is the amount allocated to FIRESafe Marin for outreach in the amount of \$540,000.

President Goines stated he, along with fire chiefs in the County, are frustrated with the unresponsiveness by the public in terms of recommendations. He would like to focus on how to compel action. It is critical to get the metrics down sooner rather than later.

Director McMillan and President Goines noted they have several minor edits.

President Goines opened the meeting to public comments.

There were no comments.

President Goines closed the meeting to public comments.

Executive Officer Brown stated residents need to hear from local fire departments and the MWPA is not trying to supplant that “voice” but rather support the message of local fire department. The Advisory/Technical Committee and the Operations (OPS) Committee will be instrumental in creating the metrics. He would like to bring the draft document to the Board on April 15th.

8. Legislative Support Process

Executive Officer Brown presented a staff report. He noted they have to be careful using funds for legislation and lobbying or putting member agencies in an awkward position. Staff is asking for assistance in drafting a policy on how to deal with legislative issues.

Director Kurtz stated the Marin Clean Energy (MCE) model was very helpful. She asked if they could bring some expertise to the table the way the Marin County Council of Mayors and Councilmembers (MCCMC) does.

President Goines opened the meeting to public comments

There were no comments.

President Goines closed the meeting to public comments.

Director McEntee stated they need a process and thought that member agencies are going to look to the MWPA for guidance in the area of fire prevention. She supported the idea of a category of things that can be approved by staff. They could create a Legislative Committee that meets several times a year or matters could go to the Executive Committee.

Director Rodini stated it is important to have a mechanism to comment on legislation. He described the County's method.

Director McMillan wanted it to be clear that they would not be using taxpayers' money for lobbying.

President Goines stated he would like to identify their allies and mine their data. He did not want to "reinvent the wheel".

Director McEntee left the meeting at 12:01 p.m.

9. Agency Partnerships/Coordination and Grant Funding Efforts

Mr. Bill Keene gave a PowerPoint presentation that included the following: 1) Grant Funding, Partnerships, and Collaboration; 2) Overview; 3) CalFire Programs; 4) Resource Agency Programs; 5) Other State Opportunities/Partnerships; 6) Regional and Local Partnerships; 7) CalFire Grant Opportunities; 8) Future Actions/Considerations.

Director Kurtz asked if the three areas of funding were on the same cycle. Mr. Keene stated the two related to fire prevention and forest health were. Director Kurtz stated it would be helpful for the Board to know the "nuts and bolts" framework of the grants.

Director McMillan asked staff to substitute the word "leverage" with "enhance" or "augment".

President Goines stated there is a group called Avoided Wildfire Emissions (AWE) that will reward entities for doing work to reduce carbon and wildfire emissions. He asked staff to begin to study the organizational component related to this effort. There will be grant administration, and fiscal, administration work that will need to be done. Personnel, equipment, supplies, and contracts are the typical line items. Executive Officer Brown stated most grants allow 10% for administrative costs.

President Goines opened the meeting to public comments.

There were no public comments

President Goines closed the meeting to public comments.

10. MWPA Regular Board Meeting Agenda Planning for April 15, 2021

Executive Officer Brown presented a staff report.

Legal Counsel Acevedo stated the discussion about the legislative process should go back to the Executive Committee for review and go to the Board in May.

President Goines referred to Consent Calendar item #6(d) and asked if it would be postponed. Executive Officer Brown stated "yes".

Director McMillan asked if the new hire could be announced at the April 15th Board meeting. Executive Officer Brown stated he would make a placeholder in the agenda for this item.

President Goines opened the meeting to public comments.

There were no public comments

President Goines closed the meeting to public comments.

11. Informational Items

There were no informational items.

12. Committee Member Request Future Agenda Items

President Goines noted the status of the ESP product should be on a future agenda.

13. Adjournment- President Goines adjourned the meeting at 12:23 p.m.

Respectfully submitted,

Toni DeFrancis,
Recording Secretary