



CITIZEN OVERSIGHT COMMITTEE AGENDA

Wednesday March 24, 2021

5:30 PM

<https://zoom.us/j/93455535718>

Or Telephone:

669-900-6833

Meeting ID: 934 5553 5718

For those joining by phone use: *9 to “raise your hand” and *6 to mute/unmute

ATTENTION: This will be a virtual meeting of the Citizens' Oversight Committee Meeting of the Marin Wildfire Prevention Authority pursuant to Executive Order N-29-20 issued by the Governor of the State of California. There will not be a public location for participating in this meeting, but any interested member of the public can participate telephonically by utilizing the dial-in information printed on this agenda. If any member of the public has a request for a reasonable modification or accommodation for accessing this meeting due to a disability, she/he/they should contact Mark Brown at mbrown@marinwildfire.org

1. **Call to order.**

2. **Roll Call.**

Kingston Cole
Larry Minikes
Stephen Keese
Lucy Dilworth
Rebecca Suggs
Pat Randolph
Larry Chu
Max Perrey
Carolyn Longstreth

3. **Agenda Adjustments.**

4. Open time for public expression.

*The public is welcome to address the Citizens' Oversight Committee at this time on matters not on the agenda that are within the jurisdiction of the Committee. Please be advised that pursuant to the Government Code Section 54954.2, the Committee is not permitted to discuss or take action on any matter not on the agenda. Comments may be no longer than three minutes and should be respectful to the community. **Please silence your cell phones during the meeting / mute your microphone when not reporting out.***

5. Executive Officer's Report - Verbal Report.

Information Only, such as information about Board of Directors, Executive, Finance, Operations and Advisory/Technical Committee Updates.

6. Consent Calendar.

The opportunity for public comment on consent agenda items will occur prior to the Committee's discussion of the consent agenda. The Committee may approve the entire consent agenda with one action. In the alternative, items on the consent agenda may be removed by any Committee or staff member, for separate discussion and vote.

- a. Approve minutes from the 2/24/2021 Citizens' Oversight Committee Meeting and 3/14/2021 Special Meeting.

Recommendation: approve minutes.

[6a1 - MWPA COC 2-24-21.pdf](#)

[6a2 - MWPA COC 3-14-21.pdf](#)

7. Committee Reports.

- a. Monitoring Assignment Reports

Recommendation: received informational reports from Committee members assigned to monitor MWPA Board and Committees.

- b. ESP/Environmental Groups Ad Hoc Subcommittee Report

Recommendation: receive an update on the development of goals and plans pertaining to the review of ESP and other environmental groups dealings with the MWPA.

- c. Policies and Procedures Ad Hoc Subcommittee Report

Recommendation: receive an update from the ad hoc subcommittee and replace a departing member of the ad hoc subcommittee.

8. Information Items.

9. Committee Members Request Future Agenda Items.

10. Adjourn.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate

in this meeting, please contact the MWPA at 415-539-MWPA (6972). Notification at least 48 hours prior to the meeting will enable the Agency to make reasonable accommodation to help insure accessibility to this meeting.

*Any writings or documents provided to a majority of the Committee regarding any item on this agenda after the distribution of the original packet will be made available for public inspection at 28 Liberty Ship Way, Suite 2800, Sausalito CA 94965. *Note as of 4/30/20 offices are closed to the public. Therefore, documents will be made available upon request and will be available online at www.marinwildfire.org*

Notice is hereby given that the Committee may discuss and/or take action on any or all of the items listed on this agenda. If any of these matters above are challenged in Court, you may be limited to raising only those issues you or someone else raised at any public hearing described on this agenda, or in written correspondence delivered at, or prior to, this Committee meeting. Judicial review of an administrative decision of the Citizens' Oversight Committee must be filed with the Court not later than the 90th day following the date of the Committee meeting decision (Code of Civil Procedure Section 1094.6)

I certify that this agenda was posted on the Public Notice Bulletin Board on or before Sunday, March 21st, 2021 at 5:30 p.m.



Mark Brown, Executive Officer

THE MARIN WILDFIRE PREVENTION AUTHORITY
CITIZENS' OVERSIGHT COMMITTEE MEETING
5:30 p.m. Wednesday, February 24, 2021
Via teleconference due to Coronavirus (COVID-19)
MINUTES

1. Call to Order- Chair Minikes called the meeting to order at 5:30 p.m.

2. Roll Call

Committee members – In Attendance: Kingston Cole, Larry Minikes, Stephen Keese, Lucy Dilworth, Rebecca Suggs, Pat Randolph, Larry Chu, Max Perrey, Carolyn Longstreth
Staff in Attendance: Executive Officer Mark Brown

3. Agenda Adjustments

Committee member Keese noted a typographical error on the agenda under the Open Time for Expression item.

4. Open Time for public expression

There were no comments.

5. Executive Officer's Report

Executive Officer Brown presented a report that included the following: 1) Board of Directors meeting included refining draft Vision and Mission Statements, discussion about Values, Goals, and Objectives; 2) Request for Proposals (RFP) for environmental consulting firm; 3) Recruitment for Planning and Program Manager is closed; 4) Utilization of Grizzly Corps fellow for wildfire resiliency work; 5) Finance Committee meeting included development of budget framework; 6) Operations (OPS) Committee formed Ad Hoc Finance Subcommittee; 7) Advisory/Technical Committee plan of attack for the 2021/2022 Work Plan.

Committee member Cole had a question about the projected surplus and whether or not to apply an escalator.

Committee member Dilworth had a question about what the Grizzly Corp fellow would be doing. Executive Officer Brown discussed the three tasks.

Committee member Chu had questions about the Reserve Account, cash flow, and the need to have projects implemented as soon as possible. Executive Officer Brown stated they have adequate liquidity to move forward. Committee member Chu asked if the authority is allowed to take out debt if necessary. Executive Officer Brown stated there was a debt limit of 10%.

6. Consent Calendar

a. Approve minutes from the January 26, 2021 Citizens' Oversight Committee meeting

Committee member Chu asked for more content in the minutes.

M/s, Keese/Cole, to approve the January 26, 2021 minutes as corrected.

Ayes: All

7. Create an Ad Hoc Subcommittee to inquire into ESP and other environmental groups dealing with the MWPA; develop findings and recommendations

Committee member Cole volunteered to serve on the subcommittee.

Committee member Longstreth stated excluding a committee member who belongs to one of the environmental groups seems adversarial. Committee member Cole stated it would be a conflict of interest. The intent is not to be adversarial.

Committee member Rudolph agreed this could be a conflict of interest. Chair Minikes disagreed.

Committee member Perrey had a question about a possible Brown Act violation.

Committee member Longstreth stated they need to be more precise in defining what will be looked into. Committee member Cole stated the subcommittee would work that out.

Committee members Keese and Dilworth volunteered to serve on the subcommittee.

M/s, Keese/Randolph, motion to create an Ad Hoc Subcommittee to inquire into ESP and other environmental groups dealing with the MWPA composed of Committee members Cole, Dilworth, and Keese.

Ayes: All

8. Monitoring Assignments for Partner Agencies and Entities

Executive Officer Brown stated this was the time for committee members to report out on committees being monitored.

Committee member Longstreth stated she attended the Board meeting and they discussed how Marin Map might be useful to the MWPA. There is a Story Map posted on the MWPA Website under "programs". The Board also discussed issues with the CEQA attorney regarding exemptions.

9. Discuss Change of Day and Time of Citizens' Oversight Committee Meetings

Chair Minikes stated the suggestion is to change the meeting day to a Wednesday.

Committee member Rudolph stated she did not object to a Wednesday but noted it could remain a Tuesday but not the last Tuesday of the month.

Committee member Perrey stated the fourth Wednesday seems to work best for everybody. Chair Minikes agreed.

Committee member Longstreth stated she would like the meeting to start at 7:00 p.m.

M/s, Perrey/Keese, to move the Citizens' Advisory Committee (COC) meetings to the fourth Wednesday of the month starting at 5:30 p.m. and to bring this item back for review in June.
Ayes: All

10. Proposed Citizens' Oversight Committee Bylaws

Executive Officer Brown presented a staff report. He discussed his desire to have a proactive COC. He supports the monitoring assignments but is not in favor of non-voting membership. He discussed accountability, lines of communication, process, making mistakes, and brainstorming. The insertion point for the COC is at the Board level.

Committee member Perrey stated the recommendation is for a final vote at the next meeting. He discussed Article 4, #5, and the two alternatives. The key change is removing the "voice but not voting" phrase. There are other minor changes.

Committee members discussed his or her preference with respect to the use of the word "monitor" as opposed to "attend".

Committee member Perrey noted there were six member in favor of the word "monitor" and three in favor of the word "attend".

Committee member Dilworth moved on to the rest of the document and discussed some reordering, minor alterations in some of the language, and possible deletions.

Chair Minikes had a question about the rotation of COC members. Committee member Perrey stated the subcommittee would come up with two alternatives for future discussion.

Committee member Longstreth had comments about Article 4, Section 5, "Partnership Entities", Article 5, and Article 7. Committee member Perrey responded.

Committee member Perrey stated a final proposal will be brought back at the next meeting for a final vote.

11. Informational Items

There were no items.

12. Board Members Request Future Agenda Items

Committee member Rudolph stated the reports from the monitored committees should be a standard part of every agenda. Executive Officer Brown stated these would be verbal reports for the time being.

13. Adjourn- Chair Minikes adjourned the meeting at 7:25 p.m.

Respectfully submitted,

Toni DeFrancis,
Recording Secretary

THE MARIN WILDFIRE PREVENTION AUTHORITY
CITIZENS' OVERSIGHT COMMITTEE MEETING
10:00 a.m. Sunday, March 14, 2021
Via teleconference due to Coronavirus (COVID-19)
MINUTES

1. Call to Order- Chair Minikes called the meeting to order at 10:00 a.m.

2. Roll Call

Committee members – In Attendance: Kingston Cole, Larry Minikes, Stephen Keese, Lucy Dilworth, Rebecca Suggs, Pat Randolph, Larry Chu, Carolyn Longstreth
Committee members absent- Max Perrey
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. Approve Draft Citizens' Oversight Committee Bylaws

Committee member Dilworth referred to Article 1 and noted the changes. Article 2 remains largely the same with some minor changes. Article 3 has been rearranged and now contains the JPA Agreement language. She referred to the following language: "...three members of the committee shall be replaced every year..." and asked if the term "shall" should be replaced. The committee decided to use the following wording: "The terms of three members will end on December 31st of each year except 2021".

Executive Officer Brown noted a typographical error in Article 2.

Committee member Dilworth referred to Article 4. At the last meeting the committee discussed two different versions of a particular subsection of Article 4. She stated the MWPA Board of Directors does not have the authority to approve the COC Bylaws. The Bylaws Subcommittee met and decided they can establish the COC's independence and define how it carries out responsibilities within the constraints of Measure "C" and the Joint Powers Formation Agreement. These are referred to as the "founding documents". She noted the language specifying they will attend meetings of the MWPA and are permitted to address members of these bodies as "observers". The reference to "partnership entities" was eliminated. She referred to item 8 and stated the language has changed to make it clear that they are merely recommending a candidate that would then be appointed by the Board.

Committee member Dilworth referred to Article 5 and stated there has been no change.

Committee member Dilworth referred to Article 6 and stated a “Minutes” section has been added.

Committee member Dilworth referred to Article 7 and stated there has been no change.

Committee member Dilworth referred to Article 8 and stated there were minor revisions to include a reference to the Brown Act.

Committee member Dilworth referred to Article 9 and stated there has been no change. She brought up the section pertaining to the Actions of the Committee and noted revisions to the Bylaws requires the majority vote of the full committee. Legal Counsel Acevedo stated formal actions normally require the majority vote of the full Board or Committee and other actions require the majority of a quorum. She recommended the following wording: “...with all committee members present...”. Committee member Dilworth suggested the following wording: “... a majority vote of five out of nine members present for a Bylaws amendment...”.

Committee member Dilworth referred to Article 10 and stated a reference to the governing documents has been added.

Chair Minikes referred to Article 7 and stated he is still concerned about splitting terms during the year. It is unconventional. He believes in continuity and supports a Chair and Vice Chair serving for one full cycle.

Committee member Dilworth stated the responsibilities of the Chair are limited and thus the continuity issue is less complicated.

Chair Minikes opened the meeting to public comments.

Mr. Bruce Bartel stated the role of the Chair is to simply conduct the meeting and there is no issue with continuity. He suggested two revisions to Article 5: 1) Provide feedback to the MWPA’s Board of Directors *and to the public*; 2) Monitor the deliberations of the MWPA’s Board of Directors.....*and the standing committees*.

Ms. Pamela Meigs asked if the Chair assists in the preparation of the agenda and whether or not the six-month member could get a second term in a row.

Chair Minikes closed the meeting to public comments.

Committee member Dilworth referred to the wording: “...majority vote of the full committee..” and suggested taking out the word “full”. This would allow them to adopt the Bylaws tonight.

Committee member Randolph stated she was concerned with wording that would require every member to be presented for an action on the Bylaws.

Committee member Dilworth suggested using the wording: "...majority vote of the full committee.." which would allow them to adopt the Bylaws tonight.

Executive Officer Brown summarized the agreed upon changes to the Bylaws.

M/s, Cole/Keese, to adopt the Bylaws as amended.

Ayes: All

Absent: Perrey

6. Adjourn- Chair Minikes adjourned the meeting at 11:13 a.m.

Respectfully submitted,

Toni DeFrancis,
Recording Secretary