



CITIZEN OVERSIGHT COMMITTEE AGENDA

Wednesday August 25, 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 Marin/Statewide Wildfire Status Update, Executive and Finance 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 7/28/2021 Citizens' Oversight Committee Meeting
[6a1 - MWPA COC 7-28-21.pdf](#)

7. Committee Reports.

- a. Monitoring Assignment Reports
Recommendation: receive informational reports from Committee members assigned to monitor MWPA Board and Committees.
- b. Finance Ad Hoc Subcommittee
Recommendation: receive an update and provide feedback and create ad hoc subcommittees to divide the work of creating the end of year report.
[7b1 - Framework for Oversight Review .pdf](#)

8. Information Items.

- a. Citizens' Oversight Committee Standing Agenda Item for Executive, Finance and Operations Committees
Recommendation: discuss if the Citizens' Oversight Committee would like to request to have a standing agenda item for the Executive, Finance and Operations Committee meetings.

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 August 22, 2021 at 5:30 PM.



Mark Brown, Executive Officer

THE MARIN WILDFIRE PREVENTION AUTHORITY
CITIZENS' OVERSIGHT COMMITTEE MEETING
5:30 p.m. Wednesday, July 28, 2021
Via teleconference due to Coronavirus (COVID-19)
MINUTES

1. Call to Order- Chair Chu 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, Carolyn Longstreth, Max Perrey
Staff in Attendance: Executive Officer Mark Brown, Planning and Program Manager Ann Crealock

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 report that included the following: 1) A wildfire update- two large fires burning at this time; 2) The Dixie Fire is 217,000 acres and close to 20% contained; 3) The Tamarack Fire is 68,000 acres and close to 59% containment; 4) Prescribed fires and forest health; 5) Board President Goines was re-elected along with Board Vice-President Rodoni; 6) Staff is working on the Objectives and Metrics along with individual members of the Operations (OPS) Committee and the Technical/Advisory (TAC) Committee- this will be a two month process; 7) Panorama Environmental continues to provide outstanding work with an amazing turnaround time; 8) Member agencies are starting to take the lead on projects including finding contract crews for evacuation projects- the invoices will be paid by the MWPA out of the Core Budget; 9) Member agencies are starting on their local mitigation and defensible space projects; 10) Defensible space inspection numbers are very high with levels of compliance being a bit lower than those throughout the State due to the setting of a higher bar; 12) The defensible space app is being use in Central Marin and the County jurisdictions

Program Director Crealock reported staff continues to prioritize "low-hanging" fruit projects- low in terms of the potential for any environmental effects but with high public safety benefits. Staff has been able to move forward with environmental compliance on all the Chipper programs (Local and Core) and three Evacuation Route Core Projects. Staff is building the programs, supporting crews, and training crew leaders. These projects will start in August.

Committee member Keese referred to the d-space low compliance rate and the higher bar and asked staff if they could talk to other agencies. He was surprised at the low compliance rate.

Committee member Dilworth asked how compliance was measured. Executive Officer Brown stated there was a checklist.

Committee member Longstreth asked if the Request for Proposals (RFP) for the Evacuation Plan discussed at the last Board meeting was from the MWPA. Executive Officer Brown stated the evacuation effort has been split in two and they are very far along with the plan with the aid of Zonehaven. The RFP is for a comprehensive study of the actual risk assessment of the evacuation route. This assessment will identify the weak points in the routes in terms of vegetation management and transportation infrastructure.

Committee member Suggs stated there was legislation creating standardize metrics for home hardening and d-space compliance that will be used Statewide and wondered how that would affect fire insurance. Executive Officer Brown stated he would follow up with OPS Chair Tyler on the joint effort with the insurance companies and legislators.

Committee member Keese stated Internet mapping services track traffic on major arteries and he asked if any of that data is pulled into Zonehaven. Executive Officer Brown stated the satellite view has the traffic overlay on it.

Chair Chu opened the meeting to public comments.

There were no comments.

Chair Chu closed the meeting to public comments.

6. Consent Calendar

- a. Approve minutes from the June 23, 2021 COC Meeting

M/s, Keese/Cole, motion to approve the June 23, 2021 minutes as submitted.

Ayes: All

7. Committee Reports

- a. Monitoring Assignment Reports

Committee member Minikes reported the Board discussed the new software called FireAside and he asked Executive Officer Brown to describe it. Executive Officer Brown stated the educational item on the next Board meeting agenda will be a preview and demonstration of this software. He encouraged the Committee to check it out.

Committee member Suggs asked if the Operations of Technical Advisory Committees would be meeting soon. Executive Officer Brown stated "no".

Chair Chu opened the meeting to public comments.

There were no comments.

Chair Chu closed the meeting to public comments.

b. ESP/Environmental Groups Ad Hoc Subcommittee Report

Executive Officer Brown presented a staff report and a PowerPoint presentation that included the following: 1) Ecologically Sound Practices Overview; 2) ESP Content; 3) Who are the audiences?; 4) Who does the work?

He noted the message is being delivered to quite a few different entities. The ESP content is divided into three different categories including wildland vegetation projects, carbon management, and defensible space. The work will be done by agencies crews or contract crews with residents doing a majority of the d-space work. He cited the findings from the ad hoc subcommittee and the response from staff. MWPA legal counsel has found that the ESP is not a standing committee of the MWPA.

Committee member Cole (Chair of the ad hoc subcommittee) asked if staff has a recommendation on the two options suggested by the ad hoc subcommittee. Executive Officer Brown stated he saw his role as commenting on the findings but not the recommendations. Committee member Cole stated his preference would be to go with Option One. Committee member Cole stated the ad hoc committee stands by the findings and recommendations.

Committee member Longstreth asked if the COC would be voting on the recommendations. She was not sure it was necessary to adopt Option One.

Committee member Minikes stated he would recommend something different than Option One- they should leave the partners icon as is, and they would work to set up a Website.

Chair Chu opened the meeting to public comments.

Ms. Belle Cole, representing ESP, stated she is full of optimism for the ESP Partnership and its accomplishments including ecologically sound practices for reducing wildfire risks. The document provides a set of recommendations to guide the proposed work and provides expertise during the development and implementation of projects. She noted the ad hoc subcommittee is defining the ESP Partnership as something it is not- a private group operating as a standing committee.

Chair Chu closed the meeting to public comments.

Committee member Minikes stated he is responding to the original report and not as a committee member. He is concerned about the contentious nature of this process. He stated he had a right to be on the subcommittee and there was no conflict of interest.

Committee member Dilworth stated it is odd that the ESP is represented as a “button” on the front page of a public entity. There is a place for the group on the Website.

Committee member Longstreth did not agree with the subcommittee’s findings. There are innuendos used to raise unfounded suspicions about the origins and operations of the ESPP. The way to characterize the ESPP is as a public/private partnership. Nothing needs to change with ESPP and counsel has advised that they do not need to comply with the Brown Act. She recommended that the COC reject the report and decline to send it to the Board.

Committee member Keese stated the idea of the ESPP was great and it allowed a lot of people to show up and offer his or her ideas and expertise. The ambiguity of the role of the ESPP in relationship to the MWPA was ripe for clarification. However, clarification has been achieved and there is no need to do anything further.

Committee member Perrey noted there is an interest in moving beyond this issue and moving forward. He wants the COC to get back to working proactively and productively. He felt the report should not be forwarded to the Board.

Committee member Minikes discussed the nature of the partnership.

Committee member Keese made a motion to table this item and not continue any further discussion. There was no second.

Committee member Longstreth stated a report was prepared and this motion would leave things unresolved.

M/s, Longstreth/Keese, motion to decline to take any further action on the report.

Ayes: Keese, Longstreth, Minikes, Perrey, Randolph, Suggs, Chair Chu

Noes: Cole, Dilworth

c. Finance Ad Hoc Subcommittee

Chair Chu reported this subcommittee has met twice and discussed the type of information and questions that will be forwarded to the COC. Staff is working on developing comments for the subcommittee and the COC. Chair Chu asked if the auditors are line up and if there is a schedule. Executive Officer Brown stated the auditors are lined up for September and staff is working on closing the books.

Committee member Keese asked if there was anything to look at with respect to the months leading up to the beginning of the last Fiscal Year. Executive Office Brown stated any expenditures prior to June 30, 2020 were invoiced to the MWPA after July 1, 2020. They are being treated as occurring in the same Fiscal Year.

Committee member Dilworth asked if individual tasks would be delegated to smaller subdivisions of the COC.

Chair Chu asked the COC what they would like the subcommittee to be doing- reviewing the finances or taking the lead on the entire process. He asked if other subcommittees need to be created.

Committee member Keese stated he liked the idea of having a couple of people tasked with writing the report, a committee looking at transparency, and one looking at the projects.

Committee member Suggs agreed with Committee member Keese and stated the subcommittee should make a list of what needs to be looked at. This could be an agenda item for the next meeting.

Committee member Minikes asked if the COC should be looking at the Board's review of transparency or transparency itself.

Chair Chu stated this is a discussion for a future meeting. It does not seem like the Finance Committee has an appetite to take the lead on the process. This narrows down the scope- to go through the initial oversight process and come up with a preliminary report strictly on the financials.

Committee member Randolph stated there is an anomaly in the wording of the Founding Documents that says something to the effect that over a five year period, 80% of the funds collected for vegetation management should be divided up equally among the jurisdictions. She noted funds are not collected for vegetation management and not all of the Core funding goes to vegetation management. This is something they need to be aware of. Chair Chu stated they will get clarification on this language.

Chair Chu opened the meeting to public comments.

There were no comments.

Chair Chu closed the meeting to public comments.

8. Action Item

a. Determination of Length of First Committee Membership Terms

Chair Chu stated they need to "draw straws" to determine who gets a one year, two year, or three year term. He asked if anyone wanted to volunteer for a one year term. Committee members Keese, Longstreth, and Chair Chu volunteered to take a one-year term. Chair Chu asked for volunteers for a two-year term. There was no response.

Executive Officer Brown "drew straws", in alphabetical order, for the two and three year terms. The result is as follows: Committee members Cole, Minikes, and Suggs were assigned a two year term and Committee members Dilworth, Perrey, and Randolph were assigned a three year term.

b. Elect Vice Chair

Chair Chu noted this is a six-month term. He discussed the role of the Vice Chair.

M/s, Perrey/Randolph, motion to nominate Committee member Dilworth as the Vice Chair.
Ayes: All

c. Finance Ad Hoc Subcommittee Membership

M/s, Keese/Randolph, motion to appoint Committee member Cole to the Finance Ad Hoc Subcommittee.
Ayes: All

9. Informational Items

There were no comments.

11. Committee Member Request Future Agenda Items

Chair Chu noted the following items would be on a future agenda: 1) Discussion about other subcommittee functions; 2) The possible formation of a Rules Committee or modification of the Roles and Responsibilities document regarding the formation of subcommittees; 3) Discussion of standing agenda items including a report on the Executive Committee and the Finance Committee.

Chair Chu discussed the four stages of team development- forming, storming, norming, and performing!

12. Adjourn- Chair Chu adjourned the meeting at 7:29 p.m.

Respectfully submitted,

Toni DeFrancis
Recording Secretary



MARIN WILDFIRE PREVENTION AUTHORITY

For the Meeting of August 25, 2021

To: Marin Wildfire Prevention Authority Citizens' Oversight Committee
From: Larry Chu, Chair
Subject: Framework for Oversight Review (Agenda Item 7B)

Background

The role of the MWPA Citizens' Oversight Committee is "to report on the spending of the parcel tax funds and the previous year's work program to evaluate consistency with the tax measure" as defined in the JPA agreement, description of services, and the tax ordinance.

On June 23, 2021, the COC approved the formation of an ad-hoc committee for creating a process for reviewing the MWPA's finances for the fiscal year ending June 30, 2021. The COC appointed Larry Chu, Steven Keese, and Rebecca Suggs to serve on this subcommittee. On July 28, 2021, the COC approved the addition of Kingston Cole to the subcommittee.

The COC still needs form subcommittees to review the work plan, evaluate reporting and transparency to the public, and produce the annual report. The following are broad objectives for each subcommittee. The appointed members will still need to determine the detailed scope of their work, the resources they will need, any dependencies, and an estimated date of completion.

Each subcommittee shall meet before September 22, 2021 and report on their status and progress to the full COC at this meeting and each subsequent meeting until the annual review process is completed.

Work Plan

This subcommittee is tasked with reviewing the MWPA work plan to confirm that the projects and initiatives are consistent with the use of Measure C tax proceeds. To review specific projects, it may be necessary to have the Executive Officer arrange for onsite tours.



Transparency

This subcommittee is tasked with reviewing the open government practices of the MWPA and reporting on the general effectiveness for ensuring the public has access to the decisions made by the agency and process in which those decision were made. The subcommittee should also review the findings of the annual audit to ensure there are adequate internal controls in place.

Annual Report

This subcommittee is tasked with the creation of the annual report. They will need to determine the content, design, and layout of the report. The subcommittee will also need to work with the Executive Officer to determine the budget for the publication of the report, the distribution list, and the method of distribution.

Action Needed

Discuss the scope of work for the annual review of the MWPA, identify the subcommittees needed to perform the annual review, and appoint no more than four member of the COC to serve on each subcommittee.

Environmental Impact:

Discussing the framework for oversight review is not a “project” under the California Environmental Quality Act, because it does not involve an activity which has the potential to cause a direct or reasonably foreseeable indirect physical change in the environment. (Cal. Pub. Res. Code § 21065).

Respectfully submitted,

Larry Chu, Chair