

MWPA BOARD OF DIRECTORS AGENDA

Thursday, January 19, 2022

3:00 p.m.

<https://zoom.us/j/93068198420>

Or Telephone:

669-900-6833

Meeting ID: 930 6819 8420

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

ATTENTION: Consistent with the provisions of Government Code Section 54953 (as amended by AB 361), the Marin Wildfire Prevention Authority Board of Directors and standing committee meetings will be held via teleconference/videoconference only during the current State of Emergency. There will not be a public location for participating in this meeting, but any interested member of the public can participate via Zoom by utilizing the link listed above or telephonically by utilizing the dial-in information listed 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:

Fairfax	Kentfield	Marinwood	Corte Madera
Novato	Southern Marin	Bolinas	County of Marin
Larkspur	San Rafael	Ross	Inverness
Muir Beach	Stinson Beach	Mill Valley	San Anselmo
Sleepy Hollow			

3. AGENDA ADJUSTMENTS:

4. PRESENTATION OF PROCLAMATION

- a. Proclamation of Appreciation for Bob Ravasio - Board Member

Recommendation: Acknowledge Director Bob Ravasio for his service and contributions to the MWPA Board of Directors.

4a. Proclamation - Director Bob Ravasio for 1-19-23.pdf

5. OPEN TIME FOR PUBLIC EXPRESSION:

The public is welcome to address the Board of Directors at this time on matters not on the agenda that are within the jurisdiction of the Board. Please be advised that pursuant to the Government Code Section 54954.2, the

board 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.**

6. EXECUTIVE OFFICER'S REPORT: Verbal Report

Information Only, such as information about Marin/Statewide Wildfire Status Update, Executive and Finance Committee Updates.

7. CONSENT CALENDAR:

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

- a. Minutes of the December 15, 2022 Board of Directors Meeting

Recommendation: Approve or approve with edits.

[7a. Minutes - December 15, 2022 Board of Directors meeting for 1-19-23.pdf](#)

- b. Adopt resolution to allow for virtual Board and standing Committee meetings in compliance with AB 361

Recommendation: Adopt the attached resolution to make the requisite findings under AB 361 to allow the MWPA Board and standing Committees to continue holding virtual meetings.

[7b. Staff Report - AB 361 for 1-19-23.pdf](#)

[7b. Resolution - 2023-001 AB 361 for 1-19-23.pdf](#)

- c. Request for Proposal for the Development of a Geographic Information System (GIS) Consultant for the Marin Wildfire Prevention Authority

Recommendation: Approve the Request for Proposal.

[7c. Staff Report - MWPA Geographic Information System \(GIS\) Consultant RFP for 1-19-23.pdf](#)

[7c. RFP - MWPA Geographic Information System \(GIS\) Consultant for 1-19-23.pdf](#)

- d. Budget Adjustments

Recommendations: Review and approve.

[7d. Staff Report - Budget Adjustments for 1-19-23.pdf](#)

- e. Planning and Program Manager Evaluation and Amended Employment Agreement

Recommendation: Authorize Executive Officer Mark Brown to execute the second amendment to the employment agreement for Planning and Program Manager Anne Crealock.

[7e. AMENDED Staff Report - Planning and Program Manager Evaluation and Amended Employment Agreement for 1-19-23.pdf](#)

[7e. Attachment 1 - Second Amendment to A. Crealock Employment Agreement for 1-19-23.pdf](#)

[7e. MWPA Planning and Program Manager Compensation Comparison for 1-19-22.pdf](#)

8. STAFF REPORTS:

- a. January 2023 Finance Report for the Marin Wildfire Prevention Authority

Recommendation: Receive report.

[8a. Staff Report - MWPA January 2023 Finance Report for 1-19-23.pdf](#)

- b. FY 2022/2023 Work Plan Update

Recommendation: Staff recommends that the Board receive a progress update on implementation of the FY 2021-2022 and FY 2022-2023 Work Plans.

[8b. FY 2022-2023 Work Plan Update for 1-19-23.pdf](#)

9. COMMITTEE REPORTS:

- a. Fire Safe Marin
Recommendation: Receive report.
[9a. Committee Report - January MWPA Fire Safe Marin Report for 1-19-23.pdf](#)
- b. Advisory/Technical Committee
Recommendation: Receive report.
- c. Operations Committee
Recommendation: Receive report.

10. INFORMATION ITEMS:

- a. Acknowledgement of the Finance Committee Minutes of December 5, 2022
[10a. Minutes - December 5, 2022 Finance Committee meeting for 1-19-23.pdf](#)
- b. Acknowledgement of the Advisory/Technical Committee Minutes of December 7, 2022.
[10b. Minutes - December 7, 2022 Advisory Technical Committee meeting for 1-19-23.pdf](#)
- c. Acknowledgement of the Citizens' Oversight Committee Minutes of December 7, 2022.
[10c. Minutes - December 7, 2022 Citizens' Oversight Committee meeting for 1-19-23.pdf](#)
- d. Acknowledgement of the Operations Committee Minutes of December 14, 2022.
[10d. Minutes - December 14, 2022 Operations Committee Meeting wEdits for 1-19-23.pdf](#)
- e. Citizens' Oversight Committee Recommendations/Responses/Actions Taken
Recommendation: Receive Report
[10e. Staff Report - Citizens Oversight Committee Annual Report Recommendations-Responses-Actions Taken - Fiscal Year 2020-2021 for 1-19-23.pdf](#)
- f. Bruce is Our Winner
Recommendation: Recognize and honor Director Bruce Goines for his excellency in leadership and outstanding contribution to the MWPA.
[10f. Staff Report - Bruce is Our Winner for 1-19-23.pdf](#)
[10f. Attachment - CVNL Nomination for Bruce Goines for 1-19-23.pdf](#)
- g. Presentation - Parcel Level Risk Analysis
Recommendation: Receive presentation.

11. BOARD MEMBERS REQUEST REGARDING FUTURE AGENDA ITEMS:

12. ADJOURNMENT:

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 Board of Directors regarding any item on this agenda after the distribution of the original packet will be made available for public inspection at 1600 Los Gamos Drive, Suite 335, San Rafael, CA 94903. *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*

Notice is hereby given that the Board of Directors 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 Board meeting. Judicial review of an administrative decision of the Board of Directors must be filed with the Court not later than the 90th day following the date of the Board meeting decision (Code of Civil Procedure Section 1094.6)

I certify that this agenda was posted on the Public Notice Bulletin on Monday, January 16, 2022 at 3:00 p.m.



Mark Brown, Executive Officer



PROCLAMATION

Honoring the Service of Bob Ravasio to the MWPA BOARD (May 2020 to January 2023)

WHEREAS Bob Ravasio has served as a Board member of the Marin Wildfire Prevention Authority since its first meeting on May 21, 2020, shortly after Measure C was enacted by the voters; and

WHEREAS Bob represented the Town of Corte Madera on the MWPA Board of Directors --- he served on the Corte Madera Town Council for 15 years; and

WHEREAS, dedicated to his community, Bob has served as a board member of the Corte Madera Community Foundation and the Corte Madera Lions Club, and while on the council he was chair of the bicycle and pedestrian committee as well as a member of several Marin County police and fire councils; and

WHEREAS Bob is family oriented, we understand he will be stepping away to devote more time to family, and the real estate business he works on with his wife.

WHEREAS Bob is a role model, a servant leader, and has been instrumental in the career and professional development of several honorable members of Marin County's Police, Fire, and administrative staff; and

WHEREAS Bob is respected by all he serves with on the MWPA Board; he has served the public with integrity and intelligence;

Now, THEREFORE, BE IT HEREBY PROCLAIMED, that, in acknowledgment of his exemplary service and many contributions, the MWPA sincerely thanks **Bob Ravasio** and wishes him success in his future endeavors.

Signed this nineteenth day of January 2023,

Dennis Rodoni, MWPA Board President



INVESTING IN A FIRE ADAPTED MARIN COUNTY

**THE MARIN WILDFIRE PREVENTION AUTHORITY
BOARD OF DIRECTORS MEETING
Thursday, December 15, 2022
MINUTES**

1. Call to Order

President Rodoni called the Regular Meeting to order at 3:00 p.m.

2. Roll Call

Directors – In Attendance: Tom Finn (Sleepy Hollow Fire), Bruce Goines (Novato Fire), Julie McMillan (Ross), Dennis Rodoni (County of Marin), Mark White (Stinson Beach), Barbara Coler (Fairfax), Bill Shea (Marinwood), Gabe Paulson (Larkspur), Kathryn Donohue (Inverness), Cathryn Hilliard (Southern Marin), Rachel Kertz (San Rafael), Barry Evergettis (Kentfield), Steve Burdo (San Anselmo), Paul Jeschke (Muir Beach), Stephen Burke (Mill Valley) Simon Dunn (alternate for Bolinas Fire District)

Directors – Absent: Bob Ravasio (Corte Madera)

Staff – In Attendance: Executive Officer Mark Brown, Planning and Program Manager Anne Crealock, Legal Counsel Megan Acevedo, MWPA Treasurer Alyssa Schiffmann, Management Analyst, Martina Wilson

3. Agenda Adjustments

There were no adjustments.

4. Open Time for Public Expression

Chair Rodoni opened the meeting to public expression. Seeing none, he closed public expression.

5. Executive Officer's Report

Executive Officer Brown gave a PowerPoint presentation that included the following: 1) Recent Fires/Fire Weather; 2) Board Chambers- Meeting Space; 3) Center for Volunteering and Non-

Profit Leadership; 4) Staff/Planning Off-Site Session; 5) Regional Forest and Fire Capacity Program; 6) "Did You Know"- Dspace Inspectors, Grants, FSM Newsletter; 7) IBHS Update. He answered questions from the Board regarding availability of the Fire Safe Marin videos; documentation in place for the IBHS partnership.

President Rodoni opened the meeting to public comments. Seeing none, he closed the meeting to public comments

6. Consent Calendar

- a. Minutes of the November 17, 2022 Board of Director's Meeting
- b. Adopt Resolution to Allow for Virtual Board and Standing Committee Meetings in Compliance with AB 361
- c. MWPA Financial Policy Approval
- d. Citizen's Oversight Committee Member Appointment
- e. Renewal of Legal Services Agreement with Remy Moose, LLP
- f. Cooperative Agreement with County Agencies for Fire Fuel Reduction Work in County Parks and Open Space Preserves

President Rodoni opened the meeting to public comments. Seeing none, he closed the meeting to public comments.

Director Coler had a few questions about item #6f regarding the joint projects. President Rodoni stated this item should be removed from the Consent Calendar for discussion.

A motion by Director Kertz, seconded by Director Burdo, to approve Consent Calendar items #6a through #6e with the removal of #6f for discussion. Passed by unanimous vote of all in attendance. Passed 16/0/1.

AYES 16 Tom Finn (Sleepy Hollow Fire), Bruce Goines (Novato Fire), Julie McMillan (Ross), Dennis Rodoni (County of Marin), Mark White (Stinson Beach), Barbara Coler (Fairfax), Bill Shea (Marinwood), Gabe Paulson (Larkspur), Kathryn Donohue (Inverness), Cathryn Hilliard (Southern Marin), Rachel Kertz (San Rafael), Barry Evergettis (Kentfield), Steve Burdo (San Anselmo), Paul Jeschke (Muir Beach), Stephen Burke (Mill Valley) Simon Dunn (alternate for Bolinas Fire District)

NOES 0

ABSENT 1 Bob Ravasio (Corte Madera)

ABSTAIN 0

7. Consent Calendar

- f. Cooperative Agreement with County Agencies for Fire Fuel Reduction Work in County Parks and Open Space Preserves

Executive Officer Brown presented a staff report. Staff responded to Director Coler's questions.

Director Paulson asked about areas of overlap. He noted Measure A calls for "boots on the ground". He hoped this document would promote efficiency and collaboration.

Director Donohue stated this discussion about overlap is very important. A Communications Plan would be a good strategy.

A motion by Director White, seconded Director Kertz, to approve Consent Calendar item #6f. Passed by unanimous vote of all in attendance. Passed 16/0/1.

AYES 16 Tom Finn (Sleepy Hollow Fire), Bruce Goines (Novato Fire), Julie McMillan (Ross), Dennis Rodoni (County of Marin), Mark White (Stinson Beach), Barbara Coler (Fairfax), Bill Shea (Marinwood), Gabe Paulson (Larkspur), Kathryn Donohue (Inverness), Cathryn Hilliard (Southern Marin), Rachel Kertz (San Rafael), Barry Evergettis (Kentfield), Steve Burdo (San Anselmo), Paul Jeschke (Muir Beach), Stephen Burke (Mill Valley) Simon Dunn (alternate for Bolinas Fire District)

NOES 0

ABSENT 1 Bob Ravasio (Corte Madera)

ABSTAIN 0

8. Staff Reports

- a. January 2023 Finance Report for MWPA

Treasurer Schiffmann presented a staff report. As of this report they are at 44% for the Fiscal Year with total Expenditures at 20%. The Property Tax Disbursement came in yesterday and will be reflected in next month's report. Staff answered a question from the Board regarding Line Item #6140, Core Projects (Dspace Grants for Home Hardening).

Director Goines stated he had trouble opening the report. Executive Director Brown stated he would check this out and email the report to each Director.

President Rodoni opened the meeting to public comments. Seeing none, he closed the meeting to public comments.

b. Work Plan Implementation Update

Program Manager Crealock gave a staff report and a PowerPoint presentation that included the following: 1) West Marin; 2) Public Work Plan Process; 3) Advisory Technical Committee (ATC) and Operations (OPS) Committee Meetings; 4) Next Field Trip; 5) Grant Program; 6) Chipper Program; 7) How Much Vegetation Management is Completed, Underway, or Ready to Implement. Staff answered questions from the Board regarding the addition of two non-voting members to the ATC; if the two-year agreement with UC Extension would be renewed; how to make sure there is a distinction between the work being done by MWPA and PG&E; feedback from residents; collection of data about the use of the grants; if MWPA crews wear shirts with the MWPA logo.

President Rodoni opened the meeting to public comments. Seeing none, he closed the meeting to public comments.

Director Hilliard stated she was excited about the number of people receiving grants.

Director Coler stated they need to make sure there is a distinction between the work being done by MWPA and PG&E. She suggested using more signage.

Director Jeschke agreed about the need for more signage.

Director Donohue asked staff to put together information about what the other entities and partners are doing.

9. Committee Reports

a. Fire Safe Marin (FSM) Report

Operations (OPS) Committee member Shortall presented a report including recent work done in conjunction with the MWPA, advertisements in the newspaper, videos, and the Adapt campaign. He answered a question from the Board regarding adding an MWPA tag line to the FSM publications.

President Rodoni opened the meeting to public comments.

There were no comments.

President Rodoni closed the meeting to public comments

b. Advisory/Technical Committee

Program Manager Crealock presented a report. The ATC met on December 7th and discussed the process that they will take this year including moving up some of the due dates. They will continue to meet monthly.

There were no questions or comments from the Board.

President Rodoni opened the meeting to public comments. Seeing none, he closed the meeting to public comments.

c. Operations Committee

Program Manager Crealock presented a report. The OPS Committee met on December 14th and discussed the overall timeline for the Work Plan development and a proposal to address funding across the zones. Staff answered questions from the Board regarding if the funding discussion would come back to the Board; the ATC and OPS Committee's decision making process.

President Rodoni opened the meeting to public comments. Seeing none, he closed the meeting to public comments.

Director McMillan asked staff to circulate the OPS Committee priorities. Executive Officer Brown stated he would include this information in the Executive Officer Reports.

10. Information Items

- a. Acknowledgement of Finance Committee Minutes of December 5, 2022
- b. Acknowledgement of Citizens' Oversight Committee Minutes of December 7, 2022
- c. Amicus Curiae Briefs for Claremont Canyon Conservancy v. UC Regents

Director Goines referred to item #9c and asked about the timeline.

Ms. Sabrina Teller, representing Remy Moose Manley LLP, discussed the timeline and the MWPA's involvement.

President Rodoni opened the meeting to public comments. Seeing none, he closed the meeting to public comments.

Director McMillan thanked Ms. Teller for her excellent work on this issue.

11. Board Members Request Regarding Future Agenda Items

There were no requests.

12. Adjournment

President Rodoni adjourned the meeting at 4:22 p.m. The next meeting would be held on January 19, 2023.

Respectfully submitted,

Toni DeFrancis,
Recording Secretary

STAFF REPORT

FOR THE MEETING OF January 19, 2023

To: Marin Wildfire Prevention Authority Board of Directors

From: Martina Wilson, Management Analyst

Subject: Adopt Resolution to Allow for Virtual and Hybrid Board and Standing Committee Meetings in Compliance with AB 361

RECOMMENDATION:

Adopt the attached resolution to make the requisite findings under AB 361 to allow the MWPA Board and Standing Committees to continue holding virtual or hybrid meetings (Attachment 1).

BACKGROUND:

On March 4, 2020, Governor Newsom declared a state of emergency pursuant to Government Code section 8625 due to COVID-19. Recognizing the need to promote social distancing while allowing local legislative bodies to continue operating during the emergency, Governor Newsom signed Executive Orders N-25-20, N-29-20, and N-08-21, which suspended provisions of the Brown Act. Those Orders permitted legislative bodies to hold virtual meetings; however, the relevant provisions expired on September 30, 2021.

On September 16, 2021, Governor Newsom signed AB 361, which extends the authority of public agencies to conduct meetings by teleconference, including video conference, during State-declared emergencies. Specifically, the bill provides that a legislative body may hold virtual meetings in any of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees. (Cal. Gov. Code § 54953(e)(1)).

AB 361 also contains specific requirements related to noticing and public comment during virtual meetings, but it avoids many of the onerous Brown Act teleconferencing requirements.

On September 22, 2021, the Marin County Director of Health & Human Services, Benita McLarin, sent a letter to the Marin County Board of Supervisors recommending continued social distancing for local government meetings. The letter states, in part:

Local government meetings are indoor meetings that are sometimes crowded, involve many different and unfamiliar households, and can last many hours. Given those circumstances, I recommend a continued emphasis on social distancing measures as much as possible to make public meetings as safe as possible. These measures can include using video/teleconferencing when it meets community needs and spacing at in-person meetings so that individuals from different households are not sitting next to each other.

Ms. McLarin has confirmed that these recommendations remain in place, including in her letter to the Board on January 10, 2023.

ANALYSIS

From its founding in the spring of 2020, MWPA has held its Board of Directors and Standing Committee meetings virtually based on the Executive Order provisions that expired on September 30, 2021. AB 361 fills the gap left by the expiration of those Orders and it allows MWPA legislative bodies the option to continue meeting over Zoom.

At its October 7, 2021, meeting, the Executive Committee decided to continue with virtual meetings based on Ms. McLarin's guidance. The Committee also recommended that the Board and all Standing Committees continue to meet virtually, given that each legislative body has up to 17 members from different jurisdictions throughout the County and that finding a space large enough to safely socially distance with so many officials and the public could be a challenge.

Given the transmissibility of the Omicron variants and the continued recommendation from local health officials to continue using tele/video conferencing, staff recommends that MWPA's legislative bodies continue utilizing virtual meeting platforms to ensure that members of the public have continued access to safely observe and participate in MWPA meetings. In addition, staff has secured the meeting space and technology to facilitate a hybrid meeting format that can be used by the Board and standing committees where there is a desire to offer an in-person option for meetings. This will allow for flexibility by giving meeting participants and the public the option to participate remotely or in-person.

At its meetings of October 21, 2021, November 18, 2021, December 16, 2021, January 20, 2022, February 17, 2022, March 17, 2022, April 21, 2022, May 19, 2022, June 16, 2022, and July 21, 2022, August 18, 2022, September 15, 2022, October 20, 2022, November 17, 2022, and December 15, 2023, the Board adopted Resolutions to make the findings required by AB 361. The attached resolution includes the requisite findings and applies to all MWPA legislative bodies.

FISCAL IMPACT:

Adoption of the resolution has no fiscal impact.

ENVIRONMENTAL IMPACT:

Adoption of the attached resolution allowing for continued virtual meetings 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,

Martina Wilson, Management Analyst

Attachments:

1. Resolution Making Findings Required by AB 361



RESOLUTION NO. 2023-001

RESOLUTION OF THE BOARD OF DIRECTORS OF THE MARIN WILDFIRE PREVENTION AUTHORITY (MWPA) PURSUANT TO ASSEMBLY BILL 361 MAKING FINDINGS TO SUPPORT THE CONTINUATION OF VIRTUAL PUBLIC MEETINGS DURING THE CONTINUING STATE OF EMERGENCY RELATED TO THE COVID-19 PANDEMIC

WHEREAS, on March 4, 2020, Governor Newsom declared a state of emergency pursuant to Government Code section 8625 due to the COVID-19 pandemic, which state of emergency remains in effect; and

WHEREAS, Executive Orders N-25-20 and N-29-20 suspended certain provisions of the Brown Act (Gov. Code, §§ 54950 *et seq.*) to allow public meetings to be held virtually without opening a physical space to the public, which provisions expired September 30, 2021; and

WHEREAS, effective September 16, 2021, Assembly Bill 361, allows public agencies to continue to meet remotely when there is a State-declared emergency and when State or local officials have imposed or recommended measures to promote social distancing; and

WHEREAS, local officials continue to recommend measures to promote social distancing due to the continued rates of transmission of the COVID-19 virus and variants, as reflected in the September 22, 2021, letter from Marin County Director of Health and Human Services, Benita McLarin, advising continued social distancing for government meetings, including the use of video and teleconference technologies; and

WHEREAS, the County Director of Health & Human Services' has reaffirmed her recommendation related to public meetings, including in a letter to the Board of Directors on January 10, 2023; and

WHEREAS, on November 26, 2021, the World Health Organization (WHO) classified a new variant, B.1.1.529, as a Variant of Concern and on December 1, 2021, the California and San Francisco Departments of Public Health confirmed the first case of COVID-19 in California was caused by the Omicron variant; and

WHEREAS, additional Omicron subvariants have been identified as Variants of Concern in recent months and have caused surges in infection rates; and



WHEREAS, MWPA Board and Standing Committee public meetings involve representatives from the 17 member agencies in shared indoor spaces, in close proximity for hours, which may create a health risk for attendees, including officials and members of the public; and

WHEREAS, the MWPA Board and Standing Committees have exclusively conducted business and received public comment in virtual meetings and continuing to hold remote or hybrid meetings during the ongoing state of emergency will allow the MWPA's work to continue safely.

NOW, THEREFORE, be it resolved as follows:

Section 1. Environmental Review. A meeting format determination under AB 361 is not a "project" under the California Environmental Quality Act, because it does not involve an activity that has the potential to cause a direct or reasonably foreseeable indirect physical change in the environment (Pub. Res. Code § 21065).

Section 2. Findings to Support Continued Use of Video/Teleconferencing. The Board desires to continue to have the flexibility, for itself and for all other MWPA legislative bodies, to meet by teleconference, videoconference and/or in a hybrid format. Pursuant to AB 361 and based on the recitals above, which are hereby incorporated, the Board finds:

1. The Board has reconsidered the circumstances of the COVID-19 state of emergency since its December 15, 2022 Board meeting.
2. There is an ongoing proclaimed state of emergency relating to the novel coronavirus causing the disease known as COVID-19.
3. The state of emergency continues to directly impact the ability of MWPA legislative bodies to meet safely in person.
4. Local health officials, including the Marin County Director of Health & Human Services, continue to recommend social distancing during public meetings, including the use of tele/video conferencing.



The foregoing Resolution was adopted at the regular meeting of the Marin Wildfire Prevention Authority Board of Directors held on January 19, 2023, by the following vote:

Dennis Rodoni, Board President

Attest: _____

Martina Wilson, Management Analyst

STAFF REPORT

FOR THE MEETING OF JANUARY 19, 2022

To: Marin Wildfire Prevention Authority Board of Directors
From: Anne Crealock, Planning and Program Manager
Subject: Release of Request for Proposals for GIS services

RECOMMENDATION:

Staff recommends that the Board approve the release of the attached Request for Proposals (RFP) for Geographic Information Systems (GIS) services. (Attachment 1).

BACKGROUND:

The MWPA incorporates GIS in numerous projects, programs, and studies that require collection, analysis, and reporting of spatial data. Some of the current and future efforts that feature GIS include:

- Project scoping and environmental compliance
- Project implementation, field support, and tracking biomass generated
- An assessment of risk reduction resulting from home hardening and defensible space actions recorded through inspections (tracking and reporting metrics)
- An assessment of risk reduction resulting from vegetation management projects (tracking and reporting metrics)
- Home hardening and defensible space resident grants program
- Evacuation/ingress/egress study
- MarinMap participation
- Public surveying efforts
- Ensuring inclusivity and equality of access to programs

ANALYSIS:

Several different contractors provide GIS services for the above efforts. However, MWPA currently lacks GIS staff to coordinate and integrate these and other endeavors. MWPA is seeking a consultant to conduct a needs and opportunities assessment of

MWPA's GIS-related needs, develop an efficient structure for a GIS program, develop a data management system to manage and integrate data generated for these efforts, create consistency and standardization across initiatives, assist in efforts to track and report vegetation management activities and related metrics, and support other GIS-related efforts.

Table 1. Proposed RFP process and timeline

January 20, 2023	Board approval and RFP released
February 3, 2023 (5pm)	Deadline for written questions to be submitted
February 7, 2023 (5pm)	Responses to questions distributed and posted on website
February 10, 2023 (5pm)	Proposals due to Anne Crealock
February 13 – 17, 2023	Selection team (MWPA staff, contractors, and partners) evaluates proposals
February – March, 2023	Selection team chooses subset of respondents to present proposals to selection team
March, 2023	Selection team chooses consultant and staff finalizes contract for consideration by MWPA Board for approval

FISCAL IMPACT:

The fiscal impact of contracting with a GIS consultant will be determined once proposals are received.

ENVIRONMENTAL IMPACT:

Receiving an update and approving the release of an RFP 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,

Anne Crealock, Planning and Program Manager

Attachment 1 – Request for Proposals for GIS Consultant



INVESTING IN A FIRE ADAPTED MARIN COUNTY

REQUEST FOR PROPOSALS

GEOGRAPHIC INFORMATION SERVICES FOR THE MARIN WILDFIRE PREVENTION AUTHORITY

Marin Wildfire Prevention Authority (MWPA) seeks proposals from qualified consultants to perform a broad suite of services related to Geographic Information Services (GIS).

Release date: January 19, 2023

Proposals are due to the MWPA no later than 5:00 pm on February 10, 2023. Submit a complete proposal as a single PDF document via email to acrealock@marinwildfire.org.

A. OVERVIEW

The [MWPA](#) consists of 17 member agencies covering nearly all of Marin County and was established by a voter-approved parcel tax (2020 Measure C). MWPA is a joint powers authority (JPA). The Board of Directors is composed of 17 representatives from member agencies with taxing and fire management responsibility within Marin County. The organization is funded by a parcel tax, Measure C, which took effect in the 2020/21 fiscal year and unless renewed, will expire in 2029/30. These funds, estimated to raise approximately \$20 million annually, are managed and distributed by MWPA to local member agencies working in fire prevention and protection in Marin County based on the priorities outlined in the Marin County Community Wildfire Protection Plan (CWPP) and other guiding documents.

The MWPA is working to create fire-adapted communities using sound science, innovative financial strategies, sound ecological practices, thoughtful vegetation management, effective community education, and reliable evacuation and warning systems with the support of its member and partner agencies.

The MWPA Board of Directors developed five goals to describe the activities that the MWPA intends to pursue. MWPA's activities support one or more of the following goals directly or indirectly. They include:

1. Vegetation Management and Local Wildfire Prevention Mitigation
2. Wildfire Detection, Alert, and Evacuation Program Improvements
3. Grants and Partnerships
4. Public Outreach and Education
5. Defensible Space Evaluations and Home Hardening

B. CURRENT, PLANNED, AND FUTURE GIS-RELATED PROJECTS AND PROGRAMS

Project Scoping and Environmental Compliance

Spatial data is currently incorporated into MWPA project planning and implementation. During project scoping and environmental compliance, MWPA staff works closely with environmental compliance consulting firms to compile studies, project maps, and documents related to planning and environmental compliance. Panorama staff also create static maps for inclusion in MWPA's [annual work plan](#).

For large shaded fuel breaks, such as the [Greater Ross Valley Shaded Fuel Break](#) (GRVSFB) and [Greater Novato Shaded Fuel Break](#) (GNSFB), Panorama subcontracts with Vibrant Planet, to review existing fire risk, potential vegetation treatments, cost associated with vegetation treatment activities, and fire risk benefits of treatments, as well as how best to prioritize and sequence project activities.

Project Implementation, Field Support, and Metrics

MWPA will create a system for tracking vegetation management activities, sensitive resources to avoid/protect, biomass generated, before and after photos, contractor invoices associated with specific project locations, and other data related to project implementation. CalTopo is currently in use for one large project. Other potential tools include a tool in development by the Golden Gate National Parks Conservancy staff for OneTam, which also integrated with the CAL FIRE Management Activity Project Planning and Event Reporter (CalMAPPER). Field data collection will also support measuring a suite of metrics related to project implementation, biomass generated, and progress toward achieving [goals outlined by the MWPA Board of Directors](#). Communicating project information to the public is a top priority. MWPA plans to display a public-facing interactive map featuring project boundaries and before and after photos.

Risk Reduction Assessment

MWPA supports the [inspection](#) of over 33,000 homes per year for factors that contribute to the home's vulnerability to wildfire. Staff is working with contractors on a methodology to calculate risk reduction resulting from (1) home hardening and defensible space improvements made by residents at their homes and (2) shaded fuel break projects adjacent to communities. Home hardening / defensible space inspection data are recorded through an application developed by [FireAside](#). Comparing initial inspections to follow-up inspections allows the measurement of risk reduction over time. Modeling that compares risk before and after treatments for shaded fuel breaks will be used to estimate fire risk reduction for vegetation management activities. These efforts combined will support MWPA's efforts to measure success in reducing wildfire risk in Marin County.

Grants program

MWPA offers several grants to assist residents with the mitigation of fire risk on private parcels following an inspection. The analysis of grant funds allocation compared to hazard severity zones and other geo-attributes is of interest in the design of future grant programs.

Evacuation/Ingress/Egress Study

MWPA is working with contractors (including Sonoma Technology, UC Berkeley, Fehr & Peers, Spatial Infomatics Group, and Reax Engineering) to identify evacuation route vulnerability (relative risk), understand factors that contribute to risk, and use this information to plan projects to reduce risks related to evacuation. This [modeling effort](#) will result in an ESRI Geo-Planner GIS application to help various agencies plan projects to address risk factors identified in this study.

Public Surveying efforts

MWPA is designing a large community survey to assess the need for public education regarding fire prevention. Survey responses will need to be analyzed through a geo-database to account for factors that may affect responses, such as proximity to the wildland-urban interface, roll-out of the private parcel inspection program, etc. In turn, the results of this analysis should allow MWPA to target programs and intervention to the needs of each community.

Diversity, Equity and Inclusion

MWPA is committed to designing programs and activities that are inclusive to all and account for the geo-specific needs of individuals with Access and Functional needs. Several MWPA programs and data require GIS analysis of fire risk combined with other layers containing socio-economic indicators to ensure equity of access.

Coordination with MarinMap

MWPA is a member of MarinMap and would like to find opportunities to use this GIS resource to share data with partners to the extent feasible.

C. SCOPE OF WORK

The MWPA is seeking assistance with the development of a GIS program to track and integrate multiple current and future efforts, many of which are described in item B above. Specific tasks are listed below. Other tasks may be added as needed.

1. Conduct an initial needs and opportunities assessment to define MWPA's GIS-related needs and most effective and efficient structure for GIS program that integrates various existing and future efforts.
2. Develop a GIS data management system to coordinate amongst multiple currently existing GIS application and data needs as well as anticipated additional GIS applications.
3. Work with MWPA staff and their consultants to develop MWPA's GIS program and data management system to address multiple GIS application- and data-related needs.
4. Produce written documentation of methods for any GIS applications developed and analyses conducted as well as written and multi-media (e.g., slides, video) user guides for use by MWPA staff, consultants and partners for using the GIS applications.
5. Develop written policies and procedures to create consistency and standardization across multiple current and future data and mapping initiatives to ensure maximum data integration,

including between GIS platforms (e.g., Web, desktop, mobile/field data collection and navigation).

6. During Work Plan development each year, provide GIS technical support (data development and mapping) to member agencies as needed during project scoping.
7. Once the Work Plan is adopted annually, provide GIS technical support during environmental compliance activities (this will include coordination with MWPA environmental compliance consultants).
8. Provide GIS technical support during implementation of core projects¹. This will include:
 - a. Assist in setting up and providing ongoing technical support for field navigation applications (e.g., CalTopo, Avenza, etc) used during project implementation
 - b. Support for data collection applications (Golden Gate National Park Conservancy / OneTam's tool)
 - c. Support for grant reporting (e.g., CalMapper)
 - d. Ensure integration of various tools/applications to the extent feasible
9. Provide GIS technical support related to tracking agency metrics (such as acres treated in various fire hazard severity zones, projects completed, dollars spent per subregion or per acre) and reporting of metrics through a dashboard or similar tool.
10. Provide technical support related to MWPA's participation with and use of MarinMap for public and nonpublic geospatial data sharing.
11. Work with land management and fire agencies to collect and share data as needed to support project planning and implementation.
12. Provide technical training to MWPA staff as needed, particularly related to information research and gathering, map/graphic production, and field data collection.
13. Provide custom geospatial analysis as needed to answer ad hoc questions with accurate information.
14. Produce high-quality maps for public and nonpublic meetings, presentations, documents, and website.
15. Support MWPA's coordination with funding/grant organizations and agencies through timely preparing and providing maps, data, and custom analyses.
16. On behalf of MWPA, maintain software licenses, credits, and subscriptions to ensure consistent and dependable use of GIS, including coordinating with Marin County GIS entities on enterprise solutions.

D. PROPOSAL SUBMISSION

1. Content

Respondents should propose an overall program structure and potential solutions to challenges regarding integrating the various projects and programs described above. The Proposal should include:

¹ A core project is an MWPA-funded project that receives support from MWPA staff and consultants through project planning, environmental compliance, and implementation. A local project, on the other hand, is an MWPA-funded project planned and implemented independently by a Member Agency.

- Signed Proposal Cover Page (Certificate of Authority)
- Consultant Statement of Qualifications
 - Description of company, team, and/or individual contractor
 - Description of relevant expertise and experience
- Proposal for Program Development
 - Demonstrated understanding of the MWPA
 - Approach to integrating and supporting various GIS-related projects and programs described above
 - Strategy to ensure a cost-effective approach
 - Other information regarding innovative strategies that may support MWPA's efforts

Proposals are due to the MWPA no later than 5:00 pm on February 10, 2023. Submit as single PDF document via email to acrealock@marinwildfire.org.

INQUIRIES: No phone calls will be accepted. Written questions may be submitted by 5:00 on Friday, February 3. Responses to all written questions will be posted to the MWPA website on Tuesday, February 7.

2. Proposal Withdrawal

Any Respondent to this RFP may withdraw a Proposal by written notice delivered to the Anne Crealock prior to the due date and time specified above. The Respondent must, in person, retrieve the entire submission package. Another Proposal may be submitted prior to the deadline. A Proposal may not be changed after the designated deadline for submission of Proposals.

3. Irregular Proposals

A Proposal may be rejected if it shows any alteration of form, additions not called for, conditional Proposals, incomplete Proposals, erasures, or irregularities of any kind. If the Proposal amount is changed after the amount is originally inserted, the change must be initialed.

4. MWPA's Right to Reject or Terminate RFP

MWPA expressly reserves the right to further consider, accept or reject any or all Proposals submitted in response to this RFP; to request additional information or clarification of information submitted; to cancel or modify, in part or in its entirety, this RFP, or to request new Proposals or pursue any other means for obtaining the services contemplated by this RFP and/or the Professional Services Agreement.

E. PROPOSAL EVALUATION

1. Evaluation Criteria

Proposals will be evaluated based on the following criteria:

- a) Demonstrated successful outcomes and work products for technical projects and approaches similar in nature to the technical proposal submitted;
- b) Demonstrated experience with and knowledge of issues related to wildfire, vegetation management, environmental compliance, land use planning, natural resources planning, and/or other related topics;
- c) Demonstrated ability to work in a collaborative, integrated way, with a team comprised of multiple disciplines;
- d) Demonstrated ability to perform work in a cost-effective and efficient manner – proven ability to be creative in leveraging limited financial resources;
- e) Local preference will be given to proposers located within the region, particularly from Marin County, the North Bay, or the San Francisco Bay Area.

2. Interviews

MWPA, in its sole discretion, may prepare a short list of Respondents for interviews. Respondents who are invited to attend an interview will be notified in writing. Only the actual personnel who will be responsible for the work should come to the interview.

If requested by MWPA, qualified Respondents may be required to present their Proposals to the Selection Committee and submit to oral questions.

MWPA's Management Analyst or other MWPA staff will schedule the interviews in the month of February and/or March 2023 at MWPA's offices, or at such other time and/or location indicated by MWPA. Each Respondent should prepare a presentation not to exceed 45 minutes. Each Respondent is responsible for any special equipment required for the presentation. Projection equipment will be available in MWPA's conference room upon advance request by Respondent.

The interviews shall be solely for the benefit of MWPA and shall not be open to the public or to other Respondents.

3. Additional Evaluation Information

MWPA may interview any or all of the client references provided by Respondent. Submittal of a Proposal constitutes Respondent's consent for MWPA to conduct reference checks and reasonable investigation of all information provided by Respondent.

All Proposals and accompanying documentation submitted by Respondents become the property of MWPA and, except as otherwise provided in this RFP, will not be returned.

The MWPA reserves the right to disqualify submissions based on insufficient response to this Request for Proposals. The MWPA also reserves the right to negotiate specific requirements and costs.

F. PROFESSIONAL SERVICES AGREEMENT

A professional services agreement is included as Exhibit A and includes the Insurance Requirements for this work.

1. Selected Respondent

MWPA will expect the Selected Respondent to execute the attached form of Professional Services Agreement for work, with only such changes as MWPA may approve in its sole discretion.

2. MWPA's Right to Amend

MWPA reserves the right to make such modifications or additions to the form of Professional Services Agreement attached as Exhibit A to this RFP, as MWPA may elect in its sole discretion prior to the execution thereof, and thereafter as otherwise permitted by the Professional Services Agreement. Otherwise, MWPA reserves the right to make modifications or additions with the mutual consent of the Selected Respondent.

3. Selected Respondent's Refusal to Execute

If the Selected Respondent refuses to execute the form of Professional Services Agreement in substantially the form attached as Exhibit A to this RFP, as modified by its Proposal, MWPA may begin negotiations with the Respondent whose Proposal is determined to be the best alternative Proposal, determine that no such alternative exists, or exercise any other available right.

G. ADDENDUM/ADDENDA TO THIS RFP

1. Addenda to RFP

MWPA reserves the right to interpret or change any provisions of this RFP at any time. Such amendments, if any, shall be issued as written Addendum/Addenda to this RFP.

Additionally, MWPA may prepare answers, in the form of an Addendum to this RFP, to questions addressed by MWPA and as MWPA otherwise deems appropriate. Written responses, in the form of an Addendum and amendments, if any, to this RFP will be posted on MWPA's RFP website. Any Addendum issued by MWPA may also be obtained in person from the MWPA office. It is sole responsibility of Respondent to ensure that it obtains all Addenda and acknowledges receipt of all Addenda in its Proposal.

2. Acknowledgment of Receipt of Addendum

Each Respondent is responsible to inquire as to the Addendum/Addenda issued by MWPA. All Addenda shall become part of this RFP, and all Respondents shall be bound by such Addenda, whether or not received by Respondent. Each Respondent must sign the Acknowledgment of Addendum Form ("Acknowledgment"), which will be attached to the Addenda, and return the

Acknowledgment Form with their Proposal Form. Failure to return the Acknowledgment Form shall constitute a presumption of withdrawal from the qualification process.

H. RIGHT TO PROTEST

1. Protesting Party

Only bidders or proposers who have submitted timely proposals can initiate a protest action or appeal.

2. Protest Procedures

The following steps must be followed to consider a protest:

- a. The protest must be in writing and delivered in person or by registered mail. Once received, it will be date stamped by MWPA staff.
- b. The protest must be filed within three (3) business days after the MWPA announces its selection, but before the contract is awarded.
- c. Copies of the protest and all supporting documentation must be concurrently transmitted to all other parties with a direct financial interest that may be adversely impacted by the outcome of the protest. Such parties shall include all bidders who appear to have a reasonable prospect of receiving an award depending upon the outcome of the protest.
- d. The protested bidder may submit a written response to the protest, provided the response is received within two (2) business days of receiving the bid protest.
- e. The protesting party must bear all of its own costs and fees in conjunction with the protest and appeal processes.

3. Protest Filing

The written protest shall:

- a. Include the name, street address, business phone number and email address of the protestor.
- b. Identify this RFP by name.
- c. Contain a complete statement of the grounds for protest.
- d. Refer to the specific portion or portions of the RFP upon which the protest is based.
- e. Include all supporting documentation.

4. Protest Review Prior to Award

The Executive Officer or his designee will withhold contract award pending disposition of the protest unless it is determined that an emergency exists. Upon review with the MWPA Legal Counsel, the Executive Officer or his designee will issue a determination and respond in writing to the material issues raised in the protest no later than ten (10) business days after receipt of the protest.

5. Right of Appeal

Following issuance of the response to the protest, the protestor may appeal the initial determination to the Executive Officer in writing within three (3) business days after notification of the decision. The Board will review the submitted information and render a final decision.

I. CONDITIONS GOVERNING THIS RFP

1. Confidentiality

MWPA has made a determination in accordance with Government Code Section 6255 that all Proposals submitted in response to this RFP shall not be made public by MWPA until after MWPA has executed a Professional Services Agreement with the Selected Respondent. In the event a Respondent wishes to claim portions of its Proposal exempt from disclosure under the Public Records Act, it is incumbent upon Respondent to clearly identify those portions with the word "confidential" printed on the lower right-hand corner of the page, along with a written justification as to why such information should be exempt from disclosure. However, MWPA will make a decision based upon applicable laws.

MWPA shall notify Respondent of any materials or information that MWPA does not believe are entitled to exemption from the Public Records Act, and Respondent shall have five (5) business days from such notice to:

- withdraw its Proposal;
- withdraw such information from its Proposal; or
- withdraw such information and replace it with substituted information for which Respondent does not claim an exemption.

Proprietary or confidential data must be readily separable from the Proposal in order to facilitate eventual public inspection of the non-confidential portion of the Proposal. Confidential data is normally restricted to confidential financial information. The cost of Services shall not be designated as proprietary or confidential information.

2. Applicable Laws/Miscellaneous

By submitting a response to this RFP, Respondents affirm their agreement to comply with the following terms and conditions of this RFP:

- a. The Selected Respondent shall maintain professional licenses required by the laws of the State of California at all times while performing Services for the Project.
- b. The Selected Respondent shall comply with the laws of the State of California requiring employers to insure against liability for Worker's Compensation while performing Services for this Project.

- c. All Services shall comply with all statutes, ordinances, regulations, codes, and requirements of all governmental entities, including federal, state, and municipal entities, relating to the Project.
- d. This RFP and any resultant Professional Services Agreement shall be governed by the laws of the State of California. The parties agree to the jurisdiction and venue of the appropriate courts in the County of Marin and the State of California.
- e. All data and information provided by MWPA or referred to in this RFP is furnished for the convenience of interested parties in preparing a Proposal. The Respondent shall defend, indemnify and hold harmless MWPA from any and all liability, claims, or expenses whatsoever, incurred by, or on behalf of, the Respondent's response to this RFP. MWPA expressly disclaims any and all liability for representation or warranties, express or implied, contained in the RFP or any other written or oral communication transmitted or made available to interested parties, including any errors of omission.

Exhibit A. Professional Services Agreement

**AGREEMENT FOR PROFESSIONAL SERVICES
FOR GIS CONSULTING AND COORDINATION SERVICES**

This Agreement is made and entered into this _____ day of _____, 20____, by and between the MARIN WILDFIRE PREVENTION AUTHORITY (hereinafter "MWPA"), and _____ (hereinafter "CONSULTANT").

RECITALS

WHEREAS, MWPA and its member agencies utilize a variety of services and functions involving and pertinent to GIS information and requires CONSULTANT to support, manage, and coordinate amongst these member agencies, services, and functions, and develop appropriate tools to assist in that effort._____;

AGREEMENT

NOW, THEREFORE, the parties hereby agree as follows:

1. **PROJECT COORDINATION.**

A. **MWPA'S Project Manager.** The _____ is hereby designated the PROJECT MANAGER for the MWPA and said PROJECT MANAGER shall supervise all aspects of the progress and execution of this Agreement.

B. **CONSULTANT'S Project Director.** CONSULTANT shall assign a single PROJECT DIRECTOR to have overall responsibility for the progress and execution of this Agreement for CONSULTANT. _____ is hereby designated as the PROJECT DIRECTOR for CONSULTANT. Should circumstances or conditions subsequent to the execution of this Agreement require a substitute PROJECT DIRECTOR, for any reason, the CONSULTANT shall notify the MWPA within ten (10) business days of the substitution.

2. **DUTIES OF CONSULTANT.**

CONSULTANT shall perform the duties and provide services as set forth in the Scope of Work attached hereto as Exhibit A ("Services") and incorporated herein by reference. Should CONSULTANT utilize any third parties, subcontractors, or independent contractors ("subcontractors") to perform the Services, CONSULTANT shall require all subcontractors to abide by the terms of this Agreement and shall be liable to MWPA for any acts or omissions of subcontractors as if they were CONSULTANT's own act or omissions.

3. DUTIES OF MWPA.

MWPA shall pay the compensation as provided in Paragraph 4, and perform the duties as follows:

- a. MWPA shall promptly provide or direct the appropriate stakeholder to provide responsive information and data necessary for CONSULTANT to perform the Services to CONSULTANT upon CONSULTANT's written request for such information and/or data.

4. COMPENSATION.

For the full performance of the services described herein by **CONSULTANT**, **MWPA** shall pay **CONSULTANT** as specified in the Payment Schedule attached hereto as Exhibit B and incorporated herein by reference. In no event shall compensation for the Services exceed \$ ____.

Payment will be made monthly upon receipt by PROJECT MANAGER of itemized invoices submitted by **CONSULTANT**.

5. TERM OF AGREEMENT.

The term of this Agreement shall be for (____) year(s) commencing on _____ and ending on _____. Upon mutual agreement of the parties, and subject to the approval of the Executive Officer the term of this Agreement may be extended for an additional period of up to (____) year(s).

6. TERMINATION.

A. **Discretionary.** Either party may terminate this Agreement without cause upon thirty (30) days written notice mailed or personally delivered to the other party.

B. **Cause.** Either party may terminate this Agreement for cause upon fifteen (15) days written notice mailed or personally delivered to the other party, and the notified party's failure to cure or correct the cause of the termination, to the reasonable satisfaction of the party giving such notice, within such fifteen (15) day time period.

C. **Effect of Termination.** Upon receipt of notice of termination, neither party shall incur additional obligations under any provision of this Agreement without the prior written consent of the other.

D. **Return of Data.** Upon termination, any and all **MWPA** Data, as defined below, provided to or made accessible to **CONSULTANT** and any and all of **CONSULTANT**'s Work, as

defined below, , shall be delivered to **MWPA** as soon as possible, but not later than thirty (30) days after termination.

7. OWNERSHIP OF DOCUMENTS AND MWPA.

“MWPA Data” means any data or information supplied to or made available to **CONSULTANT** by or on behalf of MWPA or its member agencies, including but not limited to, documents, materials, databases, applications, and tools (Examples of MWPA Data include OneTam, CalTopo, Avenza, CalMapper, MarinMap, data related to home inspections, grants associated with home inspections, location of sensitive plant and animal species, cultural resources information, Assessor Parcel Number information, fire risk associated with neighborhoods and homes).

“Work” is the data, information, databases, applications, programs, tools, documents and materials prepared by the **CONSULTANT** in connection with the performance of Services under this Agreement. Work shall be the sole property of **MWPA**. **MWPA** may use Work for any purpose, including projects not contemplated by this Agreement.

In addition, as between **MWPA** and **CONSULTANT**, (a) all MWPA Data is the property of **MWPA**, and (b) **MWPA** retains all rights, title and interest in and to the MWPA Data, including all copies, modifications, extensions and derivative works thereof. **CONSULTANT** may also obtain data used for Work from other sources besides MWPA (“Other Data”).

CONSULTANT shall comply with **MWPA** instructions regarding return or deletion of MWPA Data at the conclusion or termination of this Agreement. **CONSULTANT** shall also cooperate with **MWPA** regarding preservation of MWPA Data or Work to comply with any court order, subpoena, public records act request, or litigation hold received by **MWPA**.

a. Limitation on Use and Confidentiality.

MWPA Data and Work shall not be used by **CONSULTANT** for any other purpose than performing Services under this Agreement. This includes, but is not limited to, prohibiting **CONSULTANT** from using MWPA Data or Work for marketing, internal product development, or research and development. **CONSULTANT** shall keep MWPA Data and Work confidential and shall not disclose, share, or allow access to MWPA Data or Work except to MWPA and MWPA’ member agencies, agents, consultants, or other public entities if any, with whom MWPA instructs **CONSULTANT** in writing to share MWPA Data or Work. **CONSULTANT** may share specified MWPA Data or Work with the public only if MWPA directs, in writing, that **CONSULTANT** create and share public facing information. This provision shall survive termination of the Agreement.

b. Access Limits.

Only **CONSULTANT**’s employees and subcontractors who require access to MWPA Data and Work to perform Services under this Agreement shall be permitted to access MWPA Data and Work.

c. Security.

CONSULTANT shall implement and maintain industry standard physical, administrative, and technical safeguards that keep up with evolving threats to protect MWPA Data and Work from unauthorized access, disclosure, or use.

d. **Other Data**

Should CONSULTANT obtain Other Data for use in provision of the Services or Work which are subject to any regulations, laws, or contractual terms that are more strict than the terms contained herein or differ materially in any way from the terms herein, CONSULTANT warrants and represents that it shall obey and abide by these regulations, laws, or contractual terms that apply to Other Data and shall notify MWPA in writing of the regulations, laws, or contractual terms which apply to Other Data. If no regulations, laws, or contractual terms that are more strict than the terms contained herein apply to Other Data, Other Data shall be treated by CONSULTANT like MWPA Data.

8. **INSPECTION AND AUDIT.**

Upon reasonable notice, **CONSULTANT** shall make available to **MWPA**, or its agent, for inspection and audit, all Work, and MWPA Data, if any, maintained by **CONSULTANT** in connection with its performance of Services under this Agreement. **CONSULTANT** shall fully cooperate with **MWPA** or its agent in any such audit or inspection.

9. **ASSIGNABILITY.**

The parties agree that they shall not assign or transfer any interest in this Agreement nor the performance of any of their respective obligations hereunder, without the prior written consent of the other party, and any attempt to so assign this Agreement or any rights, duties or obligations arising hereunder shall be void and of no effect.

10. **INSURANCE.**

A. **Scope of Coverage.** During the term of this Agreement, **CONSULTANT** shall maintain, at no expense to **MWPA**, the following insurance policies:

1. A commercial general liability insurance policy in the minimum amount of one million dollars (\$1,000,000) per occurrence/two million dollars (\$2,000,000) aggregate, for death, bodily injury, personal injury, or property damage.

2. An automobile liability (owned, non-owned, and hired vehicles) insurance policy in the minimum amount of one million dollars (\$1,000,000) dollars per occurrence.

3. If any licensed professional performs any of the services required to be performed under this Agreement, a professional liability insurance policy in the minimum amount of one million dollars (\$1,000,000) per occurrence/two million dollars (\$2,000,000) aggregate, to cover any claims arising out of the **CONSULTANT**'s performance of services under this Agreement. Where **CONSULTANT** is a professional not required to have a professional license, **MWPA** reserves the right to require **CONSULTANT** to provide professional liability insurance pursuant to this section.

4. If it employs any person, **CONSULTANT** shall maintain worker's compensation insurance, as required by the State of California, with statutory limits, and employer's liability insurance with limits of no less than one million dollars (\$1,000,000) per accident for bodily injury or disease. **CONSULTANT**'s worker's compensation insurance shall be specifically endorsed to waive any right of subrogation against **MWPA**.

5. **CONSULTANT** will at all times during the term of this Agreement maintain "errors and omissions" insurance coverage which is customarily carried by consultants performing functions that are similar to those performed under this Agreement and in an amount which is comparable to that which is customarily maintained by consultants performing such functions.

6. **CONSULTANT** will at all times during the term of this Agreement maintain Cyber Liability Insurance, with limits not less than \$2,000,000 per occurrence or claim, \$2,000,000 aggregate. Coverage shall be sufficiently broad to respond to the duties and obligations as is undertaken by **CONSULTANT** in this Agreement and shall include, but not be limited to, claims involving security breach, system failure, data recovery, business interruption, cyber extortion, social engineering, infringement of intellectual property, including but not limited to infringement of copyright, trademark, trade dress, invasion of privacy violations, information theft, damage to or destruction of electronic information, release of private information, and alteration of electronic information. The policy shall provide coverage for breach response costs, regulatory fines and penalties, as well as credit monitoring expenses.

B. Other Insurance Requirements. The insurance coverage required of the **CONSULTANT** in subparagraph A of this section above shall also meet the following requirements:

1. Except for professional liability insurance or worker's compensation insurance, the insurance policies shall be specifically endorsed to include the **MWPA**, its officers, agents, employees, and volunteers, as additional insureds (for both ongoing and completed operations) under the policies.

2. The additional insured coverage under **CONSULTANT'S** insurance policies shall be "primary and noncontributory" with respect to any insurance or coverage maintained by **MWPA** and shall not call upon **MWPA**'s insurance or self-insurance coverage for any contribution. The "primary and noncontributory" coverage in **CONSULTANT'S** policies shall be at least as broad as ISO form CG20 01 04 13.

3. Except for professional liability insurance or worker's compensation insurance, the insurance policies shall include, in their text or by endorsement, coverage for contractual liability and personal injury.

4. By execution of this Agreement, **CONSULTANT** hereby grants to **MWPA** a waiver of any right to subrogation which any insurer of **CONSULTANT** may acquire against **MWPA** by virtue of the payment of any loss under such insurance. **CONSULTANT** agrees to obtain any endorsement that may be necessary to effect this waiver of subrogation, but this provision applies regardless of whether or not **MWPA** has received a waiver of subrogation endorsement from the insurer.

5. If the insurance is written on a Claims Made Form, then, following termination of this Agreement, said insurance coverage shall survive for a period of not less than five years.

6. The insurance policies shall provide for a retroactive date of placement coinciding with the effective date of this Agreement.

7. The limits of insurance required in this Agreement may be satisfied by a combination of primary and umbrella or excess insurance. Any umbrella or excess insurance shall contain or be endorsed to contain a provision that such coverage shall also apply on a primary and noncontributory basis for the benefit of **MWPA** (if agreed to in a written contract or agreement) before **MWPA'S** own insurance or self-insurance shall be called upon to protect it as a named insured.

8. It shall be a requirement under this Agreement that any available insurance proceeds broader than or in excess of the specified minimum insurance coverage requirements and/or limits shall be available to **MWPA** or any other additional insured party. Furthermore, the requirements for coverage and limits shall be: (1) the minimum coverage and limits specified in this Agreement; or (2) the broader coverage and maximum limits of coverage of any insurance policy or proceeds available to the named insured; whichever is greater. No representation is made that the minimum Insurance requirements of this agreement are sufficient to cover the obligations of the **CONSULTANT** under this agreement.

C. Deductibles and SIR's. Any deductibles or self-insured retentions in **CONSULTANT**'s insurance policies must be declared to and approved by the PROJECT MANAGER and General Counsel and shall not reduce the limits of liability. Policies containing any self-insured retention (SIR) provision shall provide or be endorsed to provide that the SIR may be satisfied by either the named insured or **MWPA** or other additional insured party. At **MWPA**'s option, the deductibles or self-insured retentions with respect to **MWPA** shall be reduced or eliminated to **MWPA**'s satisfaction, or **CONSULTANT** shall procure a bond guaranteeing payment of losses and related investigations, claims administration, attorney's fees and defense expenses.

D. Proof of Insurance. **CONSULTANT** shall provide to the PROJECT MANAGER or **MWPA'S** General Counsel all of the following: (1) Certificates of Insurance evidencing the insurance coverage required in this Agreement; (2) a copy of the policy declaration page and/or endorsement page listing all policy endorsements for the commercial general liability policy, and (3) excerpts of policy language or specific endorsements evidencing the other insurance requirements set forth in this Agreement. **MWPA** reserves the right to obtain a full certified copy of any insurance policy and endorsements from **CONSULTANT**. Failure to exercise this right shall not constitute a waiver of the right to exercise it later. The insurance shall be approved as to form and sufficiency by PROJECT MANAGER and the General Counsel.

E. Subcontractors. **CONSULTANT** shall require each of its subcontractors to maintain insurance coverage that meets all of the requirements of this Agreement.

11. INDEMNIFICATION.

A. Except as otherwise provided in Paragraph B., **CONSULTANT** shall, to the fullest extent permitted by law, indemnify, release, defend with counsel approved by **MWPA**, and hold harmless **MWPA**, its member agencies, officers, agents, employees and volunteers (collectively, the “**MWPA Indemnitees**”), from and against any claim, demand, suit, judgment, loss, liability or expense of any kind, including but not limited to attorney's fees, expert fees and all other costs and fees of litigation, (collectively “**CLAIMS**”), arising out of **CONSULTANT'S**, or any of its subcontractors', performance of Services, its obligations, or conduct of its operations under this Agreement. The **CONSULTANT**'s obligations apply regardless of whether or not a liability is caused or contributed to by the active or passive negligence of the **MWPA Indemnitees**. However, to the extent that liability is caused by the active negligence or willful misconduct of the **MWPA Indemnitees**, the **CONSULTANT**'s indemnification obligation shall be reduced in proportion to the **MWPA Indemnitees**' share of liability for the active negligence or willful misconduct. In addition, the acceptance or approval of the **CONSULTANT**'s Work by the **MWPA** or any of its member agencies, directors, officers or employees shall not relieve or reduce the **CONSULTANT**'s indemnification obligations. In the event the **MWPA Indemnitees** are made a party to any action, lawsuit, or other adversarial proceeding arising from **CONSULTANT'S** performance of Services, its obligations, or operations under this Agreement, **CONSULTANT** shall provide a defense to the **MWPA Indemnitees** or at **MWPA'S** option reimburse the **MWPA Indemnitees** their costs of defense, including reasonable attorneys' fees, incurred in defense of such claims.

CONSULTANT agrees to obtain executed indemnity agreements with provisions identical to those set forth in this section for each and every subcontractor **CONSULTANT** elects to utilize in the performance of Services. In the event that **CONSULTANT** does not obtain such indemnity agreements from subcontractor, **CONSULTANT** agrees to be fully responsible and to indemnify, hold harmless and defend **MWPA**, its officers, agents, employees and volunteers from and against any **CLAIMS** resulting from any negligent performance of **CONSULTANT**'s subcontractors or any other person or entity involved by, for, with or on behalf of **CONSULTANT** in the performance of this Agreement.

C. The defense and indemnification obligations of this Agreement are undertaken in addition to, and shall not in any way be limited by, the insurance obligations contained in this Agreement, and shall survive the termination or completion of this Agreement for the full period of time allowed by law.

12. NO RE COURSE AGAINST MEMBERS OF MWPA

MWPA is organized as a Joint Powers Authority in accordance with the Joint Exercise of Powers Act of the State of California (Government Code Section 6500, et seq.) pursuant to the Joint Powers Agreement and is a public entity separate from its constituent members. **MWPA** shall solely be responsible for all debts, obligations and liabilities accruing and arising out of this Agreement. Contractor shall have no rights and shall not make any claims, take any actions or assert any remedies against any of **MWPA**'s constituent members in connection with this Agreement.

13. NONDISCRIMINATION.

CONSULTANT shall not discriminate, in any way, against any person on the basis of age, sex, race, color, religion, ancestry, national origin or disability in connection with or related to the performance of Services under this Agreement.

14. COMPLIANCE WITH ALL LAWS.

CONSULTANT shall observe and comply with all applicable federal, state and local laws, ordinances, codes and regulations, in the performance of its duties and obligations under this Agreement. To the extent the California Consumer Privacy Act (“CCPA”) applies to MWPA Data or Work, **CONSULTANT** warrants that it does and will comply with the CCPA. **CONSULTANT** shall perform all Services under this Agreement in accordance with these laws, ordinances, codes and regulations. **CONSULTANT** shall release, defend, indemnify and hold harmless **MWPA**, its member agencies, officers, agents and employees from any and all damages, liabilities, penalties, fines and all other consequences from any noncompliance or violation of any laws, ordinances, codes or regulations.

15. NO THIRD PARTY BENEFICIARIES.

MWPA and **CONSULTANT** do not intend, by any provision of this Agreement, to create in any third party, any benefit or right owed by one party, under the terms and conditions of this Agreement, to the other party.

16. NOTICES.

All notices and other communications required or permitted to be given under this Agreement, including any notice of change of address, shall be in writing and given by personal delivery, or deposited with the United States Postal Service, postage prepaid, addressed to the parties intended to be notified. Notice shall be deemed given as of the date of personal delivery, or if mailed, upon the date of deposit with the United States Postal Service. Notice shall be given as follows:

TO **MWPA**’s Project Manager:

TO **CONSULTANT**’s Project Director:

17. INDEPENDENT CONTRACTOR.

For the purposes, and for the duration, of this Agreement, **CONSULTANT**, its officers, agents and employees shall act in the capacity of an Independent Contractor, and not as employees of the **MWPA**. **CONSULTANT** and **MWPA** expressly intend and agree that the status of **CONSULTANT**, its officers, agents and employees be that of an Independent Contractor and not that of an employee of **MWPA**.

18. ENTIRE AGREEMENT -- AMENDMENTS.

A. The terms and conditions of this Agreement, all exhibits attached, and all documents expressly incorporated by reference, represent the entire Agreement of the parties with respect to the subject matter of this Agreement.

B. This written Agreement shall supersede any and all prior agreements, oral or written, regarding the subject matter between the **CONSULTANT** and the **MWPA**.

C. No other agreement, promise or statement, written or oral, relating to the subject matter of this Agreement, shall be valid or binding, except by way of a written amendment to this Agreement.

D. The terms and conditions of this Agreement shall not be altered or modified except by a written amendment to this Agreement signed by the **CONSULTANT** and the **MWPA**.

E. If any conflicts arise between the terms and conditions of this Agreement, and the terms and conditions of the attached exhibits or the documents expressly incorporated by reference, the terms and conditions of this Agreement shall control.

19. SET-OFF AGAINST DEBTS.

CONSULTANT agrees that **MWPA** may deduct from any payment due to **CONSULTANT** under this Agreement, any monies which **CONSULTANT** owes **MWPA** under any ordinance, agreement, contract or resolution for any unpaid taxes, fees, licenses, assessments, unpaid checks or other amounts.

20. WAIVERS.

The waiver by either party of any breach or violation of any term, covenant or condition of this Agreement, or of any ordinance, law or regulation, shall not be deemed to be a waiver of any other term, covenant, condition, ordinance, law or regulation, or of any subsequent breach or violation of the same or other term, covenant, condition, ordinance, law or regulation. The subsequent acceptance by either party of any fee, performance, or other consideration which may become due or owing under this Agreement, shall not be deemed to be a waiver of any preceding breach or violation by the other party of any term, condition, covenant of this Agreement or any applicable law, ordinance or regulation.

21. TAXES.

CONSULTANT shall pay any and all state and federal taxes and any other applicable taxes. **MWPA** shall not be required to pay for any work performed under this Agreement, until **CONSULTANT** has provided **MWPA** with a completed Internal Revenue Service Form W-9 (Request for Taxpayer Identification Number and Certification).

22. SURVIVAL OF TERMS.

Any terms of this Agreement that by their nature extend beyond the term (or termination) of this Agreement shall remain in effect until fulfilled and shall apply to both Parties' respective successors and assigns.

23. APPLICABLE LAW, JURISDICTION AND VENUE.

This Agreement shall be construed in accordance with the laws of the State of California and the parties hereto agree that venue shall be in Marin County, California.

24. COUNTERPARTS AND ELECTRONIC SIGNATURE.

This Agreement may be executed by electronic signature and in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one document. Counterpart signature pages may be delivered by telecopier, email or other means of electronic transmission.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day, month and year first above written.

MWPA

Mark Brown, Executive Officer

CONSULTANT

By: _____

Name: _____

Title: _____

[If CONSULTANT is a corporation, add signature of second corporate officer]

By: _____

APPROVED AS TO FORM:

Name: _____

Title: _____

MEGAN H. ACEVEDO, General Counsel

STAFF REPORT

FOR THE MEETING OF JANUARY 19, 2023

To: Marin Wildfire Prevention Authority Board of Directors
From: Alyssa Schiffmann, Treasurer
Subject: FY23 Budget Adjustments #2

RECOMMENDATION:

Staff recommends that the Board review and approve the four budget adjustments as presented in this report.

BACKGROUND:

This budget includes four adjustments to the current FY23 budget which are summarized below:

1. For ease of tracking, staff proposes to combine the *6130 DSpace Grants Fuel Management* and *6140 DSpace Grants Home Hardening*, into a new *6140 Countywide Grant Program* budget line. The tracking of two separate grant lines is proving to be unnecessary, and combining the two into the Countywide Grant Program line will improve efficiency. **Net Impact \$0**
2. Staff proses transferring a \$100,000 into the new *6140 Countywide Grant Program* budget line. The grant program is being well-utilized by residents and needs more funding. The \$100,000 would be pulled from two Core projects:
 - a. MWPA Fire Camera Subscription (#JPA-MWPA-23-01-C-AL) \$30,000
 - b. MWPA Operational Costs (#JPA-MWPA-23-10-C-OH) \$70,000**Net Impact \$0**
3. The Southern Marin Fire District (SMFD) would like to transfer prior-year rollover Local mitigation money (\$100,000) to the MWPA's JPA-wide grant program (line *6140 Countywide Grant Program*). **Net Impact \$0**
4. SMFD would like to allocate additional funding to work on the Marin City Fuel Reduction Zone Project (#SM-MRN-23-03-C-FB), using funds from the Southern Marin Hazardous Tree Removal Project (#SM-SOM-23-21-L-FB).The Marin City project was proposed as part of the FY2022-23 Work Plan and addresses a number of lower income residences in an area that has

experienced several ignitions. The MWPA Board of Directors acknowledged completion of environmental compliance and approved the project on September 15, 2022. SMFD deems the Marin City project to be a higher priority than the hazardous tree removal project. **Net Impact \$0**

ANALYSIS

All of the proposed changes will advance the MWPA's workplan by improving efficiencies and shifting funds to higher-priority projects.

FISCAL IMPACT:

The revisions in this report will have a net zero impact on the budget.

ENVIRONMENTAL IMPACT:

A budget adjustment 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,

Alyssa Schiffmann

Attachments

FY23 Budget Adjustments (Proposed) – 1/11/2023

Marin Wildfire Prevention Authority

FY23 Budget Adjustments (Proposed)

	Current FY23 Budget	Proposed Additions	Proposed Subtractions	Proposed FY23 Budget
Revenue				
4000 · Measure C	20,485,273	-	-	20,485,273
4100 · County Interest	3,500	-	-	3,500
Total Revenue	20,488,773	-	-	20,488,773
Expenditures				
CORE PROGRAM				
6000 · Envrmntl. Compliance/Monitoring	750,000	-	-	750,000
6005 · Evacuation Study	1,171,700	-	-	1,171,700
6010 · Evacuation Mgmt Platform	75,000	-	-	75,000
6015 · Operational Costs				
6015-1 · Rent	125,000	-	-	125,000
6015-2 · Tenant Improvements	20,000	-	-	20,000
6015-3 · Website/Portal	20,000	-	-	20,000
6015-4 · Communications	45,000	-	-	45,000
6015-5 · GrizzlyCorps	40,000	-	-	40,000
6015-6 · Training	25,000	-	-	25,000
6015-7 · R&D, Emerging Opportunities	25,000	-	-	25,000
6015-8 · Contingencies	254,216	-	(70,000)	184,216
Total Operational Costs	554,216	-	(70,000)	484,216
6100 · Core Projects				
6105 · Alerts/Notifications	621,369	-	(30,000)	591,369
6110 · Chipper Days	1,689,757	-	-	1,689,757
6120 · DSpace Evaluations	304,545	-	-	304,545
6130 · DSpace Grants Fuel Management	227,946	100,000	(327,946)	(0)
6140 · DSpace Grants Home Hardening	767,010	100,000	(867,010)	0
				Move from MWPA Fire Camera Coordination project to 6140 Countywide Grant Program
6140 · Countywide Grant Program	-	1,194,956	-	1,194,956
6145 · Metrics Development Tracking	135,000	-	-	135,000
6150 · Equipment	110,000	-	-	110,000
6160 · Evacuation Routes	1,308,842	-	-	1,308,842
6170 · Public Education	1,471,473	-	-	1,471,473
6180 · Shaded/Non-shaded Fuel Breaks	4,612,755	230,000	-	4,842,755
6190 · Staffing	1,202,003	-	-	1,202,003
Total Core Projects	12,450,700	-	(1,224,956)	12,850,700
Total Core Program	15,001,616	1,624,956	(1,294,956)	15,331,616
Defensible Space Program				
6400 · DSpace Agency Payments	4,101,237	-	-	4,101,237
6405 · DSpace Abatement Program	(82,025)	-	-	(82,025)
Total Defensible Space Program	4,019,212	-	-	4,019,212

Marin Wildfire Prevention Authority

FY23 Budget Adjustments (Proposed)

	Current FY23 Budget	Proposed Additions	Proposed Subtractions	Proposed FY23 Budget
Local Wildfire Mitigation Prog				
6500 · Local Agency Payments	4,101,237	-	(230,000)	3,871,237
Total Local Wildfire Mitigation Prog	4,101,237	-	(230,000)	3,871,237
Administrative Costs				
6600 · Financial & Admin Services	107,263	-	-	107,263
6605 · Legal Services	223,526	-	-	223,526
6610 · Personnel	750,000	-	-	750,000
6620 · Services & Supplies	192,650	-	-	192,650
6630 · Professional Services	150,000	-	-	150,000
Total Administrative Costs	1,423,439	-	-	1,423,439
Total Expenditures	24,545,504	1,624,956	(1,524,956)	24,645,504
Other Income/Expense				
Other Income				
7000 · Grant Revenue				
7010 · CalFire Grant	3,250,000	-	-	3,250,000
Total 7000 · Grant Revenue	3,250,000	-	-	3,250,000
7100 · Interagency Reimbursements	-	100,000	-	100,000
7500 · Prior Years' Fund Balance	4,056,731	-	-	4,056,731
Total Other Income	7,306,731	100,000	-	7,406,731
Other Expense				
8000 · Grant Expenditures				
8010 · CalFire Grant	3,250,000	-	-	3,250,000
Total 8000 · Grant Expenditures	3,250,000	-	-	3,250,000
Total Other Expense	3,250,000	-	-	3,250,000
Net Other Income				
Net Surplus/(Deficit)	(0)	(1,524,956)	1,524,956	(0)



STAFF REPORT

FOR THE BOARD OF DIRECTORS MEETING OF JANUARY 19, 2023

TO: Marin Wildfire Prevention Authority Board of Directors

FROM: Mark Brown, Executive Officer
Megan Holt Acevedo, General Counsel

SUBJECT: Planning and Program Manager Evaluation and Amended Employment Agreement

Recommendation

That the Board of Directors authorize Executive Officer Mark Brown to execute the Second Amendment to the At-Will Employment Agreement of Anne Crealock, Planning and Program Manager. (Attachment 1).

Summary

Anne Crealock, MWPA's Planning and Program Manager, was hired on May 17, 2021. In December 2022, after 19 months of service, the Executive Officer evaluated Anne's performance in the position and researched and examined a range of partially comparable positions to determine a possible compensation adjustment.

Mark Brown has completed this evaluation and compensation review and analysis. Based on Anne's performance and on several potentially comparable positions among other public agencies in Marin and elsewhere, the Executive Officer has determined that Anne has performed admirably in the position and is due a compensation adjustment.

Background

As is well known, the MWPA positions are unique and do not fit into comparable categories in other agencies, such as Planning Director at the Transportation Authority of Marin, or Community Development Director or Assistant City Manager at the City of San Rafael. Elements of the work that Anne is doing show up in almost every position on the comparison chart, attached (Attachment 2); however, there is no position that is a direct match for the kind of work she is performing on behalf of MWPA. The Executive Committee provided suggestions regarding comparable positions, while recognizing that there is no direct comparison because of the many hats that Anne wears.

Nevertheless, a comparison with similar positions is helpful for position development purposes, and to begin the process of recognizing the value of work that Anne has performed, which has led to significant positive outcomes for the agency. In one sense, her work reflects and correlates exceptionally well with the intent of MWPA, which is to create resilience by identifying, initiating and carrying out practices and programs designed to avoid or mitigate future wildfire disasters. Despite its unquestionable benefits, there is no means to properly assign a specific value to avoiding or mitigating the impacts of the risk of wildfire. More than any other skill set, Anne has brought to MWPA, her ability to efficiently and effectively plan and carry out projects that reduce wildfire risk in the County.

The other comparable positions, with the possible exception of the San Rafael Assistant City Manager, are tasked with responding to the workload presented and within an existing structure, e.g., processing applications, conducting environmental reviews, holding public hearings. Anne has been both designing the programs from a hazard avoidance/benefit gained perspective, and then tasked with making the work happen, while avoiding complex environmental pitfalls and threats of potential litigation. During most her tenure, she has carried out this work without personnel, and has only recently been assigned assistive staff.

Performance Evaluation

Anne has earned the trust and respect of the Board of Directors, Operation Committee (Ops), Advisory Technical Committee (A/TC), Citizens Oversight

Committee (COC), and environmental stakeholders, community partners (both private and government) and member agencies. She earned this trust and respect very quickly, by consistently listening first, then addressing concerns in thoughtful and honest ways. Her efforts have been supported throughout by her very deep subject matter expertise. People quickly learned that her intellectual and experiential value and her work, thoughts and opinions can be trusted.

Anne integrated into and worked very well with the Ops and A/TC Committees. She intuitively understood these relationships were critical, and that it was important for her to quickly develop into a resource for these groups. She effectively framed the meetings by working with the chairs and developed well thought out agendas, then helped to guide the meetings, discussions and action items to successful completion.

Anne quickly built a strong working relationship with Panorama, our contract environmental consultants and with outside counsel, Sabrina Teller. Our environmental compliance process is strong and efficient. She was integral to completing numerous Notices of Exemption (NOEs), and the successful first effort at creating a Project Specific Analysis (PSA) for the California Vegetation Treatment Program (Cal VTP) programmatic environmental impact report.

In addition, notably, Anne guided the development of the Work Plan through our Work Plan portal, a first of its kind tool. She managed to gather and lead the 17 member agencies through these tasks while juggling the competing interests and perspectives toward agreement. At the same time, Anne advised outside consultants as they built and refined the portal itself, which was a major accomplishment.

These key accomplishments reflect the depth and importance of each of her work assignments, and the extensive, consuming workload that carrying out her tasks, projects and research entailed.

Lastly, there is the very successful working relationship that has been built between the Executive Officer and the Planning and Program Manager, with the foundation of trust, respect and honesty.

Compensation Review

Anne's salary and total compensation was significantly lower than other comparable positions, even while acknowledging that the comparisons are dissimilar in the types of duties. Mitigating factors include her length of tenure being among the least extensive in this position, and that several of the other positions' benefit structures include PERS or 37 Act public retirement system benefits. Several of the comparison positions appear to be benefiting from a "pay for performance" adjustment, which may be either a percentage of salary or a cash bonus. In any case, Anne's length of tenure in this position has been offset by the extensive work experience across other organizations that she has incorporated into the Planning and Program Manager duties. Anne's compensation should be justifiably increased based in part on some components of these comparison agency positions.

My recommendation is to enact a three-year compensation strategy that includes an annual adjustment fixed by contract of up to 3.5% of salary, based on merit, a commitment to continue service with the organization (loyalty or tenure-based adjustment), and/or a market consideration adjustment. Anne and I negotiated an annual merit adjustment for the 2022/23 fiscal year of approximately 15.0% of salary, based her performance since her arrival in May 2021, and considering market comparison data. In recognition of current cost of living, the increase includes an additional adjustment of 3.5% of salary for this fiscal year. This three-year employment agreement would be retroactive to July 1, 2022. Anne has also requested, and I support a \$300 per month adjustment to her cash in-lieu compensation to offset rising costs for health care. Finally, Anne has entered the Executive Leadership Program at Dominican University/University of Georgia for public sector managers as part of her Professional Development program.

The purpose of this substantial total adjustment is to achieve a level of compensation commensurate with the value she brings to the organization, and as a potential successor for the Executive Officer position. Again, while the comparison agencies are helpful, and should be updated periodically, finding a truly comparable position match is unlikely.

Environmental Impact

Authorizing the Executive Officer to sign the Planning and Program Manager's employment agreement 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. (Pub. Res. Code § 21065).

Respectfully submitted,

Mark Brown
Executive Officer

Attachment 1: Second Amendment to the At-Will Employment Agreement of
Anne Crealock, Planning and Program Manager

Attachment 2: MWPA Plng & Program Manager Compensation Comparison

**SECOND AMENDMENT TO THE AT-WILL EMPLOYMENT AGREEMENT OF
ANNE CREALOCK, PLANNING AND PROGRAM MANAGER**

This Second Amendment to the At-Will Employment Agreement of Anne Crealock (“Amendment”) is made and entered into between the Marin Wildfire Prevention Authority (“Authority”), a joint powers authority organized in the State of California, and Anne Crealock (“Employee”), an individual. The Authority and Employee are sometimes individually referred to as a “Party” and collectively as “Parties.” This Amendment shall be effective upon adoption by the Authority’s Board of Directors.

WHEREAS, the Parties entered into an Employment Agreement (“Agreement”), wherein the Authority employed Employee as its Planning and Program Manager effective May 17, 2021;

WHEREAS, the Parties entered into an Amendment to the Agreement on September 20, 2021 (“First Amendment”);

WHEREAS, The Authority adopted the MWPA Employee Compensation Policy and Plan (“Plan”) on November 17, 2022; and

WHEREAS, the Parties now wish to further amend the Agreement consistent with the Plan and newly agreed upon terms as provided in this Amendment.

NOW, THEREFORE, in consideration of the promises herein, the Parties agree as follows:

1. Section 2 “Terms of Agreement” of the Agreement is hereby revised as follows: “The term of this Agreement shall be three (3) years, from July 1, 2022 until June 30, 2025, or until terminated by either party in accordance with the provisions of paragraph 4 of the Agreement. Employee is an at-will employee who may be terminated at any time, with or without cause, and shall serve at the pleasure of the Authority’s Executive Officer.”

2. Section 5 “Salary” of the Agreement is hereby revised as follows:
“a. Effective July 1, 2022, the Authority agrees to pay Employee thirteen thousand three hundred thirty three dollars and thirty three cents (\$13,333.33) per month which is annualized as one hundred sixty thousand dollars and zero cents (\$160,000.00) per year.”

3. Section 6 “Supplemental Benefits” of the Agreement is hereby revised as follows:
“b. The Authority shall provide Employee two thousand two hundred dollars and zero cents (\$2,200.00) per month which is annualized as twenty six thousand and four hundred dollars and zero cents per year (\$26,400.00) as cash in lieu contribution for Employee’s use for any medical insurance or other benefits.

“e. Subject to prior expressed approval, at the Executive Officer’s sole discretion, Employee shall be provided the opportunity to engage in on-going professional development.”

“g. Employee shall be entitled to an annual performance review, and may be eligible to receive a specified annual merit adjustment based on the performance review as a percentage of salary, within the provided limit under the Plan, at the Executive Officer’s sole discretion.”

“h. Employee may receive an annual merit adjustment not to exceed three and one half percent (3.5%) at the Executive Officer’s sole discretion.

“i. Subject to prior expressed approval, at the Executive Officer’s sole discretion, any annual adjustments to salary or benefits shall be retroactive to July first of the same fiscal year of the adjustment.”

4. Section 9 “Notices” of the Agreement is hereby revised as follows:
“Any notices required by this Agreement shall be in writing and either given in person or by first class mail with the postage prepaid and addressed as follows:

TO AUTHORITY: Executive Officer, MWPA
1600 Los Gamos Drive, Suite 345
San Rafael, CA 94903

TO EMPLOYEE: Anne Crealock
1600 Los Gamos Drive, Suite 345
San Rafael, CA 94903”

5. Section 13 “Construction” of the Agreement is hereby revised as follows:
“To the fullest extent allowed by law, the provisions of this Agreement shall be construed and given effect in a manner that avoids any violation of statute, ordinance, regulation or law. This Agreement has been negotiated between the Board of Directors, on behalf of the Authority, and Anne Crealock as the Employee. Authority and Employee acknowledge that they have each contributed to the making of this Agreement and in the event of a dispute over the interpretation of this Agreement, the language of the Agreement will not be construed against one party in favor of the other. Authority and Employee acknowledge that they have each had an adequate opportunity to consult with their own legal counsel in the negotiation and preparation of this Agreement.”

6. Except as specifically modified and amended in this Amendment, the Agreement and the First Amendment remain in full force and effect and binding upon the Parties.

[SIGNATURES ON THE NEXT PAGE]

IN WITNESS WHEREOF, The Parties have executed this Amendment.

MARIN WILDFIRE PREVENTION AUTHORITY

Date: _____

By: _____
Mark Brown, Executive Officer

EMPLOYEE

Date: _____

Anne Crealock, Planning and Program Manager

APPROVED AS TO FORM:

By: _____
Megan Acevedo, General Counsel

**MWPA - PLANNING AND PROGRAM MANAGER
COMPENSATION COMPARISON, 1.10.23**

ORGANIZATION	NAME	TITLE
Marin Wildfire Prevention Authority (MWPA)	Crealock, Anne	Planning and Program Manager
Marin Emergency Radio Authority (MERA)	Morris-Mayorga, Mary	Interim Executive Officer
Marin County	Lai, Thomas	Community Development Director
San Rafael	Alilovich, Cristine	Assistant City Manager
San Rafael	Jensen, Paul	Community Development Director
Transportation Authority of Marin (TAM)	McGill, Derek	Planning Director
Marin Municipal Water District	Ban, Michael	Environmental & Engineering Services Manager

STAFF REPORT

FOR THE MEETING OF JANUARY 19, 2023

To: Marin Wildfire Prevention Authority Board of Directors
From: Alyssa Schiffmann, Treasurer
Subject: January 19, 2023 Finance Report

RECOMMENDATION:

Receive report

BACKGROUND:

As of January 6, 2023, total expenditures are at 24% of the projected target of 52% for FY23.

ANALYSIS

The total Administrative Costs are at 37%, and the Core Program is at 32%: with expanded workforce bandwidth we expect to be able to execute more of the Core projects this year.

FISCAL IMPACT:

None

ENVIRONMENTAL IMPACT:

A staff report outlining the MWPA budget 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,

Alyssa Schiffmann

Marin Wildfire Prevention Authority

FY23 Revenue and Expense Report

52% *	thru Jan 6, 2023	Budget	\$ Over Budget	% of Budget
Revenue				
4000 · Measure C	11,227,722	20,485,273	(9,257,551)	55%
4100 · County Interest	7,110	3,500.00	3,610	203%
4200 · Prior Years' Fund Balance	0	0	0	0%
Total Revenue	11,234,831	20,488,773	(9,253,942)	55%
Expenditures				
Core Program				
6000 · Envrmntl. Compliance/Monitoring	174,698	750,000	-575,302	23%
6005 · Evacuation Study	315,125	1,171,700	-856,576	27%
6010 · Evacuation Mgmt Platform	0	75,000	-75,000	0%
6015 · Operational Costs				
6015-1 · Rent	57,762	125,000	-67,238	46%
6015-2 · Tenant Improvements	15,210	20,000	-4,790	76%
6015-3 · Website/Portal	5,077	20,000	-14,923	25%
6015-4 · Communications	26,111	45,000	-18,889	58%
6015-5 · GrizzlyCorps	20,000	40,000	-20,000	50%
6015-6 · Training	236	25,000	-24,764	1%
6015-7 · R&D, Emerging Opportunities	0	25,000	-25,000	0%
6015-8 · Contingencies	8,653	254,216	-245,563	3%
Total 6015 · Operational Costs	133,050	554,216	-421,166	24%
Core Projects				
6105 · Alerts/Notifications	856	621,369	-620,513	0%
6110 · Chipper Days	592,823	1,689,757	-1,096,934	35%
6120 · DSpace Evaluations	292,910	304,545	-11,635	96%
6130 · DSpace Grants Fuel Mgmt	216,936	227,946	-11,010	95%
6140 · DSpace Grants Home Hardening	392,972	767,010	-374,038	51%
6145 · Metric Development Tracking	13,638	135,000	-121,362	10%
6150 · Equipment	0	110,000	-110,000	0%
6160 · Evacuation Routes	472,992	1,308,842	-835,850	36%
6170 · Public Education	450,007	1,471,473	-1,021,466	31%
6180 · Shaded/Nonshaded Fuel Breaks	1,559,319	4,612,755	-3,053,436	34%
6190 · Staffing	149,447	1,202,003	-1,052,556	12%
Total Core Projects	4,141,899	12,450,700	-8,308,801	33%
Total Core Program	4,764,772	15,001,616	-10,236,844	32%
Defensible Space Program				
6400 · DSpace Agency Payments	0	4,101,237	-4,101,237	0%
6405 · DSpace Abatement Program	0	(82,025)	82,025	0%
Total Defensible Space Program	0	4,019,212	-4,019,212	0%
Local Wildfire Mitigation Prog				
6500 · Local Agency Payments	0	4,101,237	-4,101,237	0%
Total Local Wildfire Mitigation Prog	0	4,101,237	-4,101,237	0%
Administrative Costs				
6600 · Financial & Admin Services	107,263	107,263	0	100%
6605 · Legal Services	83,892	223,526	-139,634	38%

Marin Wildfire Prevention Authority

FY23 Revenue and Expense Report

52% *	thru Jan 6, 2023	Budget	\$ Over Budget	% of Budget
6610 · Personnel	255,030	750,000	-494,970	34%
6620 · Services & Supplies	65,791	192,650	-126,859	34%
6630 · Professional Services	16,241	150,000	-133,760	11%
Total Administrative Costs	528,216	1,423,439	-895,223	37%
Total Operating Expenditures	5,292,988	24,545,504	-19,252,516	22%
Other Income/Expense				
Other Income				
7500 · Prior Years' Fund Balance	0	4,056,731	(4,056,731)	0%
7000 · Grant Revenue				
7010 · CalFire Grant	0	3,250,000	-3,250,000	0%
Total 7000 · Grant Revenue	0	3,250,000	-3,250,000	0%
Total Other Income	-	7,306,731	(7,306,731)	
Other Expense				
8000 · Grant Expenditures				
8010 · CalFire Grant	1,413,535	3,250,000	(1,836,465)	43%
Total 8000 · Grant Expenditures	1,413,535	3,250,000	(1,836,465)	43%
Total Other Expense	1,413,535	3,250,000	(1,836,465)	43%
TOTAL EXPENDITURES	6,706,523	27,795,504	(21,088,981)	24%
NET SURPLUS/(DEFICIT)	4,528,308	0		

* Indicates percent through the year to-date. Budget lines exceeding this percent are highlighted in red, though this may not indicate a projected budget overage as of year end.

Marin Wildfire Prevention Authority
Statement of Net Assets

	<u>Jan 6, 2023</u>	<u>Dec 9, 2022</u>
ASSETS		
Current Assets		
Checking/Savings		
1000 · County Operating Fund 8150		
1005 · General Fund	14,613,157.54	4,484,954.42
1010 · Abatement Program Fund	79,554.42	79,554.42
1015 · Reserve Account	3,000,000.00	3,000,000.00
Total 1000 · County Operating Fund 8150	<u>17,692,711.96</u>	<u>7,564,508.84</u>
1100 · Payroll Account	54,825.52	108,992.26
Total Checking/Savings	<u>17,747,537.48</u>	<u>7,673,501.10</u>
TOTAL ASSETS	<u>17,747,537.48</u>	<u>7,673,501.10</u>
LIABILITIES & EQUITY		
Liabilities		
Current Liabilities		
Accounts Payable		
2000 · Accounts Payable	1,184.47	0.00
Total Accounts Payable	<u>1,184.47</u>	<u>0.00</u>
Other Current Liabilities		
2200 · Payroll Liabilities		
2240 · DC Retirement Payable	0.00	0.00
2260 · Deferred Comp Withheld	0.00	0.00
Total 2200 · Payroll Liabilities	<u>0.00</u>	<u>0.00</u>
Total Other Current Liabilities	<u>1,184.47</u>	<u>0.00</u>
Total Current Liabilities	<u>1,184.47</u>	<u>0.00</u>
Long Term Liabilities		
2500 · PTO Accrued	26,210.97	26,210.97
Total Long Term Liabilities	<u>26,210.97</u>	<u>26,210.97</u>
Total Liabilities	<u>27,395.44</u>	<u>26,210.97</u>
Equity		
3200 · Fund Balance	13,297,599.18	13,297,599.18
3300 · To Be Provided - PTO Accrual	-26,210.97	-26,210.97
3400 · Restricted for Abatement Program	-79,554.42	-79,554.42
Net Income	4,528,308.25	-5,544,543.66
Total Equity	<u>17,720,142.04</u>	<u>7,647,290.13</u>
TOTAL LIABILITIES & EQUITY	<u>17,747,537.48</u>	<u>7,673,501.10</u>

Marin Wildfire Prevention Authority

Revenue & Expenditure Detail

December 10, 2022 through January 6, 2023

Type	Date	Num	Source Name	Memo	Split	Amount
Core Program						
6000 · Envrmntl. Compliance/Monitoring						
Check	11/21/2022	815000923	Panorama Environmental, Inc	#102189 & 102190 for July	1005 · General Fund	-6,015.20
Check	11/21/2022	815000923	Panorama Environmental, Inc	#102189 & 102190 for July	1005 · General Fund	-18,042.94
Check	11/21/2022	815000923	Panorama Environmental, Inc	#102189 & 102190 for July	1005 · General Fund	-45.06
Check	11/21/2022	815000923	Panorama Environmental, Inc	#102189 & 102190 for July	1005 · General Fund	-423.59
Check	11/21/2022	815000923	Panorama Environmental, Inc	#102189 & 102190 for July	1005 · General Fund	-2,160.43
Check	11/21/2022	815000923	Panorama Environmental, Inc	#102189 & 102190 for July	1005 · General Fund	-270.38
Check	11/21/2022	815000923	Panorama Environmental, Inc	#102189 & 102190 for July	1005 · General Fund	-1,412.39
Check	11/21/2022	815000923	Panorama Environmental, Inc	#102189 & 102190 for July	1005 · General Fund	-131.33
Check	11/21/2022	815000923	Panorama Environmental, Inc	#102189 & 102190 for July	1005 · General Fund	-2,349.69
Check	11/21/2022	815000923	Panorama Environmental, Inc	#102189 & 102190 for July	1005 · General Fund	-6,908.01
Check	11/21/2022	815000924	Panorama Environmental, Inc	#102254 - August	1005 · General Fund	-4,588.34
Check	11/21/2022	815000924	Panorama Environmental, Inc	#102254 - August	1005 · General Fund	-75.00
Check	11/21/2022	815000924	Panorama Environmental, Inc	#102254 - August	1005 · General Fund	-7,613.21
Check	11/21/2022	815000924	Panorama Environmental, Inc	#102254 - August	1005 · General Fund	-7,425.00
Check	11/21/2022	815000924	Panorama Environmental, Inc	#102254 - August	1005 · General Fund	-144.20
Check	11/21/2022	815000924	Panorama Environmental, Inc	#102254 - August	1005 · General Fund	-182.83
Check	11/21/2022	815000924	Panorama Environmental, Inc	#102254 - August	1005 · General Fund	-45.06
Check	11/21/2022	815000924	Panorama Environmental, Inc	#102254 - August	1005 · General Fund	-1,473.50
Check	11/21/2022	815000924	Panorama Environmental, Inc	#102254 - August	1005 · General Fund	-1,165.19
Check	11/21/2022	815000924	Panorama Environmental, Inc	#102254 - August	1005 · General Fund	-3,523.19
Check	11/21/2022	815000924	Panorama Environmental, Inc	#102254 - August	1005 · General Fund	-4,909.24
Check	11/21/2022	815000924	Panorama Environmental, Inc	#102254 - August	1005 · General Fund	-890.95
Check	11/21/2022	815000924	Panorama Environmental, Inc	#102254 - August	1005 · General Fund	-628.28
Check	11/21/2022	815000924	Panorama Environmental, Inc	#102254 - August	1005 · General Fund	-569.08
Check	11/21/2022	815000924	Panorama Environmental, Inc	#102254 - August	1005 · General Fund	-7,909.53
Check	12/05/2022	815000969	Panorama Environmental, Inc	#102316 - September	1005 · General Fund	-12,345.39
Check	12/05/2022	815000969	Panorama Environmental, Inc	#102316 - September	1005 · General Fund	-90.13
Check	12/05/2022	815000969	Panorama Environmental, Inc	#102316 - September	1005 · General Fund	-369.36
Check	12/05/2022	815000969	Panorama Environmental, Inc	#102316 - September	1005 · General Fund	-45.06
Check	12/05/2022	815000969	Panorama Environmental, Inc	#102316 - September	1005 · General Fund	-2,029.20
Check	12/05/2022	815000969	Panorama Environmental, Inc	#102316 - September	1005 · General Fund	-727.44
Check	12/05/2022	815000969	Panorama Environmental, Inc	#102316 - September	1005 · General Fund	-90.13
Check	12/05/2022	815000969	Panorama Environmental, Inc	#102316 - September	1005 · General Fund	-450.63
Check	12/05/2022	815000969	Panorama Environmental, Inc	#102316 - September	1005 · General Fund	-2,370.53
Check	12/05/2022	815000969	Panorama Environmental, Inc	#102316 - September	1005 · General Fund	-45.06
Check	12/05/2022	815000969	Panorama Environmental, Inc	#102316 - September	1005 · General Fund	-2,899.35
Check	12/05/2022	815000969	Panorama Environmental, Inc	#102316 - September	1005 · General Fund	-4,850.75
Check	12/05/2022	815000969	Panorama Environmental, Inc	#102316 - September	1005 · General Fund	-2,067.74
Check	12/05/2022	815000969	Panorama Environmental, Inc	#102316 - September	1005 · General Fund	-7,088.62
Check	12/05/2022	815000969	Panorama Environmental, Inc	#102316 - September	1005 · General Fund	-2,163.18
Check	12/05/2022	815000969	Panorama Environmental, Inc	#102316 - September	1005 · General Fund	-2,043.26
Check	12/05/2022	815000969	Panorama Environmental, Inc	#102316 - September	1005 · General Fund	-1,915.80
Check	12/05/2022	815000969	Panorama Environmental, Inc	#102316 - September	1005 · General Fund	-984.94
Check	12/05/2022	815000969	Panorama Environmental, Inc	#102316 - September	1005 · General Fund	-1,928.47
Check	12/05/2022	815000969	Panorama Environmental, Inc	#102316 - September	1005 · General Fund	-1,467.75
Total 6000 · Envrmntl. Compliance/Monitoring						-124,874.41
6005 · Evacuation Study						
Check	12/05/2022	815000982	Jourdain, Charlotte	#MWPA 11/30/22 Evacuation Risk Assessment	1005 · General Fund	-618.75
Check	12/05/2022	815000985	Sonoma Technology, Inc	#I0002272 TAT & Project Meetings	1005 · General Fund	-9,333.00
Check	12/05/2022	815000985	Sonoma Technology, Inc	#I0002272 4A, 4B, 4C	1005 · General Fund	-177,667.00
Check	12/05/2022	815000985	Sonoma Technology, Inc	#I0002382 TAT & Project Meetings	1005 · General Fund	-9,333.00
Total 6005 · Evacuation Study						-196,951.75
6015 · Operational Costs						

Marin Wildfire Prevention Authority

Revenue & Expenditure Detail

December 10, 2022 through January 6, 2023

Type	Date	Num	Source Name	Memo	Split	Amount
6015-1 · Rent						
Check	11/21/2022	815000963	County of Marin - RENT	Lease: 00136442 Unit 345 December 2022 Rent	1005 · General Fund	-4,880.00
Check	11/21/2022	815000963	County of Marin - RENT	Lease: 00136442 Unit 335 December 2022 Rent	1005 · General Fund	-4,702.00
Total 6015-1 · Rent						-9,582.00
6015-3 · Website/Portal						
Check	11/21/2022	815000958	Polygons Media LLC	#11142022 Web Development Agencies Portal	1005 · General Fund	-1,560.00
Total 6015-3 · Website/Portal						-1,560.00
6015-4 · Communications						
Check	12/05/2022	815000984	Pam Kuhn Creative	#8015 Communications Work	1005 · General Fund	-7,220.00
Total 6015-4 · Communications						-7,220.00
6015-8 · Contingencies						
Check	11/21/2022	815000922	FIRESafe MARIN	#2070 contingencies	1005 · General Fund	-175.85
Total 6015-8 · Contingencies						-175.85
Total 6015 · Operational Costs						-18,537.85
Core Projects						
6145 · Metric Development Tracking						
Check	11/21/2022	815000922	FIRESafe MARIN	#2070 Knowledge & Attitudes Survey	1005 · General Fund	-254.01
Check	12/05/2022	815000982	Jourdain, Charlotte	#MWPA 11/30/22 Parcel-Level Risk Assessment	1005 · General Fund	-4,166.25
Check	12/05/2022	815000982	Jourdain, Charlotte	#MWPA 11/30/22 Objectives & Metrics	1005 · General Fund	-1,196.25
Total 6145 · Metric Development Tracking						-5,616.51
6110 · Chipper Days						
Check	11/21/2022	815000922	FIRESafe MARIN	#2070 chipper days	1005 · General Fund	-45,767.40
Check	11/25/2022	eft	Payroll	Peters	1100 · Bank of Marin Pe	-3,052.62
Check	11/25/2022	eft	Payroll	Peters supplemental allowance	1100 · Bank of Marin Pe	-876.92
Check	11/25/2022	eft	Payroll Tax	10/30-11/12/22	1100 · Bank of Marin Pe	-44.26
Check	12/09/2022	eft	Payroll	Peters	1100 · Bank of Marin Pe	-3,052.62
Check	12/09/2022	eft	Payroll	Peters supplemental allowance	1100 · Bank of Marin Pe	-876.92
Check	12/09/2022	eft	Payroll Tax	11/13-11/26/22	1100 · Bank of Marin Pe	-44.26
Total 6110 · Chipper Days						-53,715.00
6120 · DSpace Evaluations						
Check	11/21/2022	815000923	Panorama Environmental, Inc	#102189 & 102190 for July	1005 · General Fund	-843.31
Check	11/21/2022	815000924	Panorama Environmental, Inc	#102254 - August	1005 · General Fund	-2,465.06
Total 6120 · DSpace Evaluations						-3,308.37
6130 · DSpace Grants Fuel Mgmt						
Check	11/21/2022	815000925		FY22-23-4785494671	1005 · General Fund	-1,000.00
Check	11/21/2022	815000926		FY22-23-8474547460	1005 · General Fund	-842.45
Check	11/21/2022	815000927		FY22-23-9139098346	1005 · General Fund	-1,000.00
Check	11/21/2022	815000928		FY22-23-1759407423	1005 · General Fund	-1,000.00
Check	11/21/2022	815000929		FY22-23-9327421144	1005 · General Fund	-550.00
Check	11/21/2022	815000930		FY22-23-1121376644	1005 · General Fund	-1,000.00
Check	11/21/2022	815000933		FY22-23-3182210086	1005 · General Fund	-480.00
Check	11/21/2022	815000939		FY22-23-5388816856	1005 · General Fund	-928.42
Check	11/21/2022	815000941		FY22-23-9373544613	1005 · General Fund	-1,000.00
Check	11/21/2022	815000942		FY22-23-2668283985	1005 · General Fund	-1,000.00
Check	11/21/2022	815000943		FY22-23-8714924067	1005 · General Fund	-1,000.00
Check	11/21/2022	815000944		FY22-23-0397398223	1005 · General Fund	-1,000.00
Check	11/21/2022	815000945		FY22-23-9856843623	1005 · General Fund	-1,000.00
Check	11/21/2022	815000946		FY22-23-2107559748	1005 · General Fund	-1,000.00
Check	11/21/2022	815000947		FY22-23-2139968525	1005 · General Fund	-1,000.00
Check	11/21/2022	815000949		FY22-23-5775234705	1005 · General Fund	-750.00
Check	11/25/2022	eft	Payroll	Schmitt	1100 · Bank of Marin Pe	-1,406.00
Check	11/25/2022	eft	Payroll Tax	10/30-11/12/22	1100 · Bank of Marin Pe	-107.56

Marin Wildfire Prevention Authority

Revenue & Expenditure Detail

December 10, 2022 through January 6, 2023

Type	Date	Num	Source Name	Memo	Split	Amount
Check	12/05/2022	815000964		FY22-23-2028146248	1005 · General Fund	-500.00
Check	12/05/2022	815000965		FY22-23-4042395652	1005 · General Fund	-550.00
Check	12/05/2022	815000966		FY22-23-4759219152	1005 · General Fund	-1,000.00
Check	12/05/2022	815000967		FY22-23-5449026566	1005 · General Fund	-1,000.00
Check	12/05/2022	815000968		FY22-23-6765247240	1005 · General Fund	-599.00
Check	12/05/2022	815000973		FY22-23-5022946010	1005 · General Fund	-596.00
Check	12/05/2022	815000974		FY22-23-6944110171	1005 · General Fund	-520.00
Check	12/05/2022	815000975		FY22-23-8052335083	1005 · General Fund	-1,000.00
Check	12/05/2022	815000982	Jourdain, Charlotte	#MWPA 11/30/22 Community Grant Program	1005 · General Fund	0.00
Check	12/05/2022	815000986		FY22-23-6407905838	1005 · General Fund	-1,000.00
Check	12/09/2022	eft	Payroll	Schmitt	1100 · Bank of Marin Pe	-532.00
Check	12/09/2022	eft	Payroll Tax	11/13-11/26/22	1100 · Bank of Marin Pe	-40.69
Total 6130 · DSpace Grants Fuel Mgmt						-23,402.12
6140 · DSpace Grants Home Hardening						
Check	11/21/2022	815000926		FY22-23-8474547460	1005 · General Fund	-142.48
Check	11/21/2022	815000931		FY22-23-3528762958	1005 · General Fund	-5,000.00
Check	11/21/2022	815000932		FY22-23-5897906495	1005 · General Fund	-1,787.79
Check	11/21/2022	815000934		FY22-23-6986084913	1005 · General Fund	-5,000.00
Check	11/21/2022	815000935		FY22-23-1326247584	1005 · General Fund	-1,550.78
Check	11/21/2022	815000936		FY22-23-2668935922	1005 · General Fund	-5,000.00
Check	11/21/2022	815000937		FY22-23-2203260961	1005 · General Fund	-5,000.00
Check	11/21/2022	815000938		FY22-23-1389706362	1005 · General Fund	-1,400.00
Check	11/21/2022	815000940		FY22-23-4554252032	1005 · General Fund	-1,245.97
Check	11/21/2022	815000945		FY22-23-9856843623	1005 · General Fund	-2,274.60
Check	11/21/2022	815000948		FY22-23-4532894140	1005 · General Fund	-2,966.86
Check	11/25/2022	eft	Payroll	Schmitt	1100 · Bank of Marin Pe	-1,406.00
Check	11/25/2022	eft	Payroll Tax	10/30-11/12/22	1100 · Bank of Marin Pe	-107.56
Check	12/05/2022	815000970		FY22-23-2035552518	1005 · General Fund	-5,000.00
Check	12/05/2022	815000971		FY22-23-7167694963	1005 · General Fund	-3,415.76
Check	12/05/2022	815000972		FY22-23-8303230894	1005 · General Fund	-5,000.00
Check	12/05/2022	815000975		FY22-23-8052335083	1005 · General Fund	-5,000.00
Check	12/09/2022	eft	Payroll	Schmitt	1100 · Bank of Marin Pe	-532.00
Check	12/09/2022	eft	Payroll Tax	11/13-11/26/22	1100 · Bank of Marin Pe	-40.69
Total 6140 · DSpace Grants Home Hardening						-51,870.49
6170 · Public Education						
Check	11/21/2022	815000922	FIRESafe MARIN	#207 Adapt Campaign	1005 · General Fund	-5,450.00
Check	11/21/2022	815000922	FIRESafe MARIN	#2070 firewise	1005 · General Fund	-7,620.49
Check	11/21/2022	815000922	FIRESafe MARIN	#2070 video	1005 · General Fund	-17,781.15
Check	11/21/2022	815000922	FIRESafe MARIN	#2070 workshops	1005 · General Fund	-1,524.10
Check	11/21/2022	815000922	FIRESafe MARIN	#2070 written material	1005 · General Fund	-6,096.39
Check	11/21/2022	815000922	FIRESafe MARIN	#2070 website	1005 · General Fund	-5,080.33
Check	11/21/2022	815000922	FIRESafe MARIN	#2070 social media	1005 · General Fund	-9,144.59
Check	11/21/2022	815000922	FIRESafe MARIN	#2070 schools	1005 · General Fund	-2,540.16
Check	11/21/2022	815000922	FIRESafe MARIN	#2070 dspace program support	1005 · General Fund	-1,016.07
Total 6170 · Public Education						-56,253.28
6180 · Shaded/Nonshaded Fuel Breaks						
Check	11/21/2022	815000923	Panorama Environmental, Inc	#102189 & 102190 for July	1005 · General Fund	-10,383.69
Check	11/21/2022	815000923	Panorama Environmental, Inc	#102189 & 102190 for July	1005 · General Fund	-933.91
Check	11/21/2022	815000923	Panorama Environmental, Inc	#102189 & 102190 for July	1005 · General Fund	-1,535.99
Check	11/21/2022	815000924	Panorama Environmental, Inc	#102254 - August	1005 · General Fund	-25,682.18
Check	11/21/2022	815000924	Panorama Environmental, Inc	#102254 - August	1005 · General Fund	-2,517.11
Check	11/21/2022	815000924	Panorama Environmental, Inc	#102254 - August	1005 · General Fund	-4,408.05
Check	11/21/2022	815000956	Forster & Kroeger	#8573 SM Sheltered Fuel Break	1005 · General Fund	-6,000.00
Check	11/21/2022	815000957	Marin County Fire Department	#1016	1005 · General Fund	-152,285.00
Check	12/05/2022	815000969	Panorama Environmental, Inc	#102316 - September	1005 · General Fund	-59,490.08

Marin Wildfire Prevention Authority

Revenue & Expenditure Detail

December 10, 2022 through January 6, 2023

Type	Date	Num	Source Name	Memo	Split	Amount
Check	12/05/2022	815000969	Panorama Environmental, Inc	#102316 - September	1005 · General Fund	-7,107.17
Check	12/05/2022	815000969	Panorama Environmental, Inc	#102316 - September	1005 · General Fund	-765.06
Check	12/05/2022	815000969	Panorama Environmental, Inc	#102316 - September	1005 · General Fund	-2,194.22
Check	12/05/2022	815000980	Forster & Kroeger	#8444 Evacuation Routes	1005 · General Fund	-145,600.00
Total 6180 · Shaded/Nonshaded Fuel Breaks						-418,902.46
6190 · Staffing						
Check	11/21/2022	815000960	Southern Marin Fire Protection District	#22-23-22 FY23 EPC	1005 · General Fund	-86,000.00
Total 6190 · Staffing						-86,000.00
Total Core Projects						-699,068.23
Total Core Program						-1,039,432.24
Administrative Costs						
6605 · Legal Services				#292287 Fees for Professional Services		
Check	11/21/2022	815000951	Burke, Williams, & Sorensen, LLP	through 9/30/22	1005 · General Fund	-823.50
Check	11/21/2022	815000954	Epstein Holtzapple Christo LLP	#6383 Legal counsel through 10/31/22	1005 · General Fund	-8,976.00
Check	12/05/2022	815000976	Burke, Williams, & Sorensen, LLP	#293601 Fees for Professional Services through 10/31/22	1005 · General Fund	-241.50
Total 6605 · Legal Services						-10,041.00
6610 · Personnel						
6611 · Salaries						
Check	11/25/2022	eft	Payroll		1100 · Bank of Marin Pe	-7,115.38
Check	11/25/2022	eft	Payroll		1100 · Bank of Marin Pe	-5,192.31
Check	11/25/2022	eft	Payroll		1100 · Bank of Marin Pe	-3,775.38
Check	12/09/2022	eft	Payroll		1100 · Bank of Marin Pe	-7,115.38
Check	12/09/2022	eft	Payroll		1100 · Bank of Marin Pe	-5,192.31
Check	12/09/2022	eft	Payroll		1100 · Bank of Marin Pe	-3,775.38
Total 6611 · Salaries						-32,166.14
6612 · Payroll Tax						
Check	11/25/2022	eft	Payroll Tax	10/30-11/12/22	1100 · Bank of Marin Pe	-278.28
Check	12/09/2022	eft	Payroll Tax	11/13-11/26/22	1100 · Bank of Marin Pe	-278.31
Total 6612 · Payroll Tax						-556.59
6613 · Supplemental Allowance						
Check	11/25/2022	eft	Payroll		1100 · Bank of Marin Pe	-323.08
Check	11/25/2022	eft	Payroll		1100 · Bank of Marin Pe	-1,032.00
Check	11/25/2022	eft	Payroll		1100 · Bank of Marin Pe	-876.92
Check	12/09/2022	eft	Payroll		1100 · Bank of Marin Pe	-323.08
Check	12/09/2022	eft	Payroll		1100 · Bank of Marin Pe	-1,032.00
Check	12/09/2022	eft	Payroll		1100 · Bank of Marin Pe	-876.92
Total 6613 · Supplemental Allowance						-4,464.00
6614 · Defined Contribution Retirement						
Check	11/25/2022	eft	Payroll	401a	1100 · Bank of Marin Pe	-1,435.17
Check	12/09/2022	eft	Payroll	401a	1100 · Bank of Marin Pe	-1,435.17
Total 6614 · Defined Contribution Retirement						-2,870.34
6615 · Payroll Processing Fees						
Check	12/09/2022	eft	Paychex		1100 · Bank of Marin Pe	-107.91
Total 6615 · Payroll Processing Fees						-107.91
6616 · Workers' Comp Insurance						
Check	12/09/2022	eft	Workers' Comp Insurance		1100 · Bank of Marin Pe	-120.55
Total 6616 · Workers' Comp Insurance						-120.55
Total 6610 · Personnel						-40,285.53
6620 · Services & Supplies						
Check	11/21/2022	815000952	DeFrancis, Toni	10/26/22 MWPA Citizens' Oversight Committee Meeting	1005 · General Fund	-100.00
Check	11/21/2022	815000952	DeFrancis, Toni	11/3/22 MWPA Executive Committee Meeting	1005 · General Fund	-140.00
Check	11/21/2022	815000955	FirstNet	#287298752211X11082022	1005 · General Fund	-494.60

Marin Wildfire Prevention Authority

Revenue & Expenditure Detail

December 10, 2022 through January 6, 2023

Type	Date	Num	Source Name	Memo	Split	Amount
Check	11/21/2022	815000959	Schmitt, Maria	Rmb: Care Package 11/17/22 MWPA Board of Directors Meeting	1005 · General Fund	-67.52
Check	12/05/2022	815000978	DeFrancis, Toni	#8223365 Checks (500) Envelopes (1000)	1005 · General Fund	-140.00
Check	12/05/2022	815000981	Greatland Corporation		1005 · General Fund	-461.97
Check	12/05/2022	815000983	NBS	#202209-1978	1005 · General Fund	-9,265.23
Total 6620 · Services & Supplies						<u>-10,669.32</u>
Total Administrative Costs						<u>-60,995.85</u>
8000 · Grant Expenditures						
8010 · CalFire Grant						
Check	11/21/2022	815000923	Panorama Environmental, Inc	#102189 & 102190 for July	1005 · General Fund	-37,522.14
Check	11/21/2022	815000924	Panorama Environmental, Inc	#102254 - August	1005 · General Fund	-39,266.00
Check	11/21/2022	815000950	Artistry In Trees	#01	1005 · General Fund	-4,140.00
Check	11/21/2022	815000950	Artistry In Trees	#02	1005 · General Fund	-9,163.00
Check	11/21/2022	815000953	Elite Tree Trimming Services Inc.	#2022-11-1 #8553 Greater Ross Valley Shaded Fuel Break	1005 · General Fund	-8,400.00
Check	11/21/2022	815000956	Forster & Kroeger	#8570 Greater Ross Valley Shaded Fuel Break	1005 · General Fund	-8,400.00
Check	11/21/2022	815000956	Forster & Kroeger	#8571 Greater Ross Valley Shaded Fuel Break	1005 · General Fund	-56,000.00
Check	11/21/2022	815000956	Forster & Kroeger	#8572 Greater Ross Valley Shaded Fuel Break	1005 · General Fund	-58,800.00
Check	11/21/2022	815000956	Forster & Kroeger	#102622-3 Greater Ross Valley Shaded Fuel Break	1005 · General Fund	-25,200.00
Check	11/21/2022	815000961	The Tree Man, LLC	#111022-3 Greater Ross Valley Shaded Fuel Break	1005 · General Fund	-5,500.00
Check	11/21/2022	815000961	The Tree Man, LLC	#111022-4 Greater Ross Valley Shaded Fuel Break	1005 · General Fund	-14,000.00
Check	11/21/2022	815000961	The Tree Man, LLC	#102622-4 Greater Ross Valley Shaded Fuel Break	1005 · General Fund	-2,500.00
Check	11/21/2022	815000961	The Tree Man, LLC	#102622-8 Greater Ross Valley Shaded Fuel Break	1005 · General Fund	-14,000.00
Check	11/21/2022	815000961	The Tree Man, LLC	#111522-1 Greater Ross Valley Shaded Fuel Break	1005 · General Fund	-14,000.00
Check	11/21/2022	815000961	The Tree Man, LLC	#111522-2 Greater Ross Valley Shaded Fuel Break	1005 · General Fund	-2,800.00
Check	11/21/2022	815000956	Forster & Kroeger	#8577 Greater Ross Valley Shaded Fuel Break	1005 · General Fund	-58,800.00
Check	12/05/2022	815000969	Panorama Environmental, Inc	#102316 - September	1005 · General Fund	-30,413.00
Check	12/05/2022	815000977	City of Larkspur Member Agency	Administrative Assistant	1005 · General Fund	-1,253.49
Check	12/05/2022	815000979	Elite Tree Trimming Services Inc.	#2022-11-10 #8614 Greater Ross Valley Shaded Fuel Break	1005 · General Fund	-9,800.00
Check	12/05/2022	815000980	Forster & Kroeger	#8618 Greater Ross Valley Shaded Fuel Break	1005 · General Fund	-119,449.61
Check	12/05/2022	815000980	Forster & Kroeger		1005 · General Fund	<u>-67,200.00</u>
Total 8010 · CalFire Grant						<u>-600,607.24</u>
Total 8000 · Grant Expenditures						<u>-600,607.24</u>
TOTAL						<u>-1,701,035.33</u>

STAFF REPORT

FOR THE MEETING OF JANUARY 19, 2023

To: Marin Wildfire Prevention Authority Board of Directors
From: Anne Crealock, Planning and Program Manager
Subject: Work Plan Implementation Update

RECOMMENDATION:

Staff recommends that the Board receive a progress update on implementation of the FY 2021-2022 and FY 2022-23 Work Plans.

BACKGROUND:

The MWPA Board of Directors approved a Work Plan for fiscal year 2022-23 on May 19, 2022, which outlines the priorities that the MWPA and member agencies intend to pursue. In addition to new proposals, this Work Plan incorporates proposals from past Work Plans that have not yet been completed or that require maintenance. The fiscal year 2022-23 Work Plan accounts for the distribution of MWPA funds for environmental compliance and implementation of Core, Defensible Space Evaluation/Mitigation, and Local Wildfire Mitigation Projects.

ANALYSIS:

Project Coordination, CEQA Compliance, and Project Implementation

MWPA staff continues to work with consultants and project partners on environmental compliance for Core projects in the FY 2022-23 Work Plan. No environmental compliance documents are included on the January Board agenda.

Implementation of the Highway 1 Evacuation Corridor Project began on November 22 in Muir Beach in close coordination with National Park Service (NPS), Muir Beach Community Services District, and Caltrans. Crews worked within 100 feet of Highway 1 thinning vegetation, particularly nonnative vegetation on steep terrain. Extensive coordination with Caltrans allowed for traffic control during chipping operations to

ensure a large amount of biomass was processed ahead of storms that arrived in late December. Work for this fiscal year is complete in this project area.

MWPA staff and consultants have been working to prevent erosion within project areas during the recent record-breaking series of storm events. Within the Greater Ross Valley Shaded Fuel Break, for instance, steep slopes were inspected by qualified experts before project implementation. As a result of inspection, some sites were avoided due to a history of landslides, some sites were treated but erosion control measures were installed per recommendations (jute netting, biodegradable wattles, and/or native grass seed), and some sites were treated with no need for additional measures. Once heavy rain appeared in the forecast, additional sites were inspected, and additional measures were installed. Throughout the storm events, GRVSFB project areas have been inspected daily by field staff to check for erosion issues and implement additional measures. No erosion problems have been detected to date. Additionally, MWPA staff and consultants have been working with member agencies to provide support for other Core projects including inspection by geologists and installation of wattles. As of the drafting of this staff report, no concerns have arisen within MWPA project sites.

The steep slopes of Marin County have a long history of erosion and landslides; therefore, staff anticipates some erosion to occur in the region during extreme precipitation and wind events. However, because vegetation management activities undertaken by the MWPA and its member agencies take a “light touch” approach, project activities do not result in large areas of bare soil. Rather, by thinning dead and down woody debris and reducing density of weedy hazardous vegetation that competes with native trees, shrubs, and forbs, project areas will become healthier and more resilient to stresses, such as extreme weather events, over time.

Table 1 below lists Core projects for which CEQA is complete and Board action has been taken.

Table 1. 2021-22 and 2022-23 Core Projects with CEQA Complete

Project Name	Date of Board Action	Zone	Approx. Acres	Miles of Roads	Miles of Fire Roads
Prescribed Herbivory on San Rafael Open Space (modified)	6/17/2021	San Rafael	132.5		
Chipper Days (all)	7/15/2021	All Zones			
Central Marin Zone Evacuation Route Core Project	7/15/2021	Central Marin		100	
West Marin Evac Route Core	7/15/2021	West Marin		24.7	
San Rafael Evac Route Clearance	7/15/2021	San Rafael		80	
San Rafael Zone Fire Roads: Vegetation Removal and Enhancements Project	8/24/2021	San Rafael			12

Table 1 continued. 2021-22 and 2022-23 Core Projects with CEQA Complete

Project Name	Date of Board Action	Zone	Approx. Acres	Miles of Roads	Miles of Fire Roads
San Rafael Zone South San Pedro Mountain Fuel Reduction Zone Project	8/24/2021	San Rafael	42		
Marin Valley Goat Grazing Evacuation Project	9/16/2021	Novato	63		
Southern Marin Zone L.R.A.D Emergency Notification Network – Mill Valley and Sausalito	9/16/2021	Southern Marin			
San Rafael Zone North Lucas Valley Fuel Reduction Project	10/21/2021	San Rafael	24		
San Rafael Zone Open Space Management Project	10/21/2021	San Rafael	78		
Novato Zone Roadside Evacuation Routes Project	10/21/2021	Novato		64	
Novato Zone Black Point Evacuation Routes Project	10/21/2021	Novato Zone		11	
Novato Zone Bahia HOA Defensible Space Project	11/19/2021	Novato Zone	39		
Ridgecrest Fuel Reduction- Southern Marin	11/19/2021	Southern Marin	74		
Southern Marin Zone Mill Valley Shaded Fuel Break Project	12/16/2021	Southern Marin	39.2		
San Rafael Zone Terra Linda/Sleepy Hollow Divide Fire Fuel Reduction Project	3/17/2022	San Rafael	12.7		
San Rafael Zone South San Rafael Hill Fuel Reduction Project	3/17/2022	San Rafael	5.4		
Southern Marin Zone Tamalpais Valley/Homestead Fuel Break Project	4/21/2022	Southern Marin	28		
San Rafael Zone West San Pedro Fuel Reduction Project (formerly "Puerto Suello Fuel Reduction Project")	4/21/2022	San Rafael	2.5		
Greater Ross Valley Shaded Fuel Break	6/16/2022	Central Marin	1,810		
Two proposals combined into one document: HOA D-Space/Chipper Program, City of Novato Open Space ("Novato Zone HOA Defensible Space and City of Novato Open Space Project")	6/16/2022	Novato	284.6		
San Rafael Zone Marinwood and San Rafael Open Space Prescribed Herbivory Project	7/21/2022	San Rafael	46		
Southern Marin Zone Mill Valley Summit and Ralston Fuel Break Project	8/18/2022	Southern Marin	50.7		
Southern Marin Zone Throckmorton Ridge Evacuation Route Vegetation	8/18/2022	Southern Marin		6.8	
Novato Zone Valley Memorial Park Eucalyptus Removal Project	8/18/2022	Novato	1.4		

Table 1 continued. 2021-22 and 2022-23 Core Projects with CEQA Complete

Project Name	Date of Board Action	Zone	Approx. Acres	Miles of Roads	Miles of Fire Roads
Southern Marin Zone Marin City Fuel Reduction Zone Project	9/15/2022	Southern Marin	27.2		
Highway 1 Evacuation Corridor (Federal Portion)	9/15/2022	Southern Marin	18		
Tamalpais/Homestead Valley Fuel Break (Federal Portion)	9/15/2022	Southern Marin	22.7		
Southern Marin Zone SMFD Ring Mountain Fuel Break Project	10/20/2022	Southern Marin	52.3		
San Rafael Zone Evacuation Route Core Project	11/17/2022	San Rafael Zone		281	
		Totals:	2,853.2	567.5	12

Coordination with Environmental Stakeholders

MWPA staff continues to meet with environmental stakeholders to discuss upcoming projects.

MWPA staff continues to work with the Ecologically Sound Practices Partnership (ESP Partnership) to schedule future field trips (currently on hold due to weather) and webinars.

Defensible Space and Home Hardening Grant Programs

Since kicking off the 2022-2023 grant program in July, 563 grant applications from residents have been initiated, submitted, or awarded. \$528,900 has been distributed to homeowners in MWPA jurisdictions for home hardening and defensible space work. MWPA has requested as part of the January Board agenda, a \$100,000 transfer from certain JPA-wide projects to the grant program to continue supporting residential home hardening and defensible space grants. MWPA staff continues to reach out to member

agencies to consider contributing unspent Core funds to help support this program through the remainder of this fiscal year.

Curbside Chipper Day Program

The curbside Chipper Day Program concluded its 2022 season on December 2, 2022. Staff is currently collecting and analyzing data from this season to develop and release an annual report.

FISCAL IMPACT:

The fiscal impact of Work Plan implementation is identified in the FY 2021-22 and FY 2022-23 Work Plans and Budgets.

ENVIRONMENTAL IMPACT:

Receiving an update on implementation of the FY 2021-2022 and FY 2022-23 Work Plans 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,

Anne Crealock, Planning and Program Manager

Fire Safe Marin

January 2023 Report

Deliver to MWPA for the 1/19 Board Meeting

Adapt Campaign

The PSA's distributed as part of the Adapt Campaign have now been seen over 8 million times by residents throughout Marin. We ended our 2022 series with a call for homeowners to harden their homes and thanked the MWPA for the significant work accomplished.

Recognizing residents' mindsets during the holiday season and the heavy rain cycle we are experiencing, FSM decided not to purchase ads from December 15 - March 15th. This allows us to maintain a sense of timely urgency to the messages. It also enables us to shift funds to run two ads simultaneously in April - May, hitting our goals for the next round of Adapt ads (focusing on firesmart yards) and promoting Ember Stomp.

Planning for the March 15th relaunch of the campaign included:

- Reviewing metrics of past PSAs' performance and applying lessons learned to 2023 strategies;
- Identifying themes and topics for the upcoming videos and accompanying digital ads;
- Storyboarding and casting for production;
- Planning organic social media posts to support the paid campaign.

The next round of 30, 15, and 6 second videos promotes "Spring Work" in our yards to get ready for fire season. Todd Lando will narrate the series that runs March 15-April 15. From April 15-May15 the PSAs will teach residents to "Stop the Spread of Fire" by teaching them to be aware of continuous lines of vegetation as a fire pathway.

We will continue to distribute these ads at a rate of approximately 1.5 million impressions a month, targeting homeowners in high risk areas. The campaign will continue to include weekly full page ads in the IJ.

Bilingual Education

FSM has added a part-time bilingual staff member who has local experience in community engagement with vulnerable communities. We continue to look for ways to expand its Spanish outreach efforts. In addition to producing the Adapt Campaign videos and static ads in Spanish and English, and adding short Spanish messages to our monthly outreach to community partners, we've added Spanish videos within our e-newsletter and work to provide core content in Spanish whenever possible. We are seeing an uptick in viewers of Spanish content on the Youtube channel. Spanish language content that we have produced can be viewed here on our website

<https://firesafemarin.org/en-espanol/>.

Content Creation

Fire Safe Marin regularly creates new content to support the high-paced and multifaceted schedule of our outreach efforts. Our video production team creates a series of ads every 5 weeks for the Adapt Campaign. This requires new concepts, scripts, visuals, music, live video shoots, voiceover recordings, translations, and editing to produce 30, 15, and 6-second videos in English and in Spanish. The videos are complemented by print and digital ads that are distributed through news and social media platforms.

Our communications team oversees all production elements from educational content to graphical design for ads that meet +12 different size specifications and formats each month. The communication team

also produces a steady stream of original content for social media posts for Facebook, Instagram, and Twitter to widen our audiences and delve deeper into the featured core messages of the month. Good examples can be viewed on FSM's [Facebook](#), [Instagram](#), [Tik Tok](#), [Twitter](#) feeds, and original articles appearing in our [e-newsletter](#) like *Vents 101*. Finally, we produce a fresh and informative newsletter every month. This month's edition picks up on the theme of home hardening, providing how-to's and motivation to install fire-resistant vents.

Social Media Outreach

We use social media to expand FSM reach and engagement among residents and increase overall followers. We focus content on materials that support the Adapt to Wildfire campaign, provide timely tips and resources, and amplify preparedness information from our community partners' accounts. In December, content centered around home hardening where we drilled into vents and windows. We increased posting to 5-7x per week on Facebook, Instagram, and Twitter. We created 113 posts that yielded 31K impressions.

Engagement was 5% down slightly from fall months; however, still high among non-profit industry standards. The top posts in December included content about the MWPA roads clearance for evacuation routes and a team holiday message. Please follow FSM social media channels. Click on the link and follow or subscribe. Contact us at info@firesafemarin.org if you would like help.

[Facebook](#)

[Nstagram](#)

[TikTok](#)

[Twitter](#)

E-newsletter. The December [e-newsletter](#) was a review of 2022. In We delivered it to 12,252 emails and had an open rate of 58% with a

CTR of 6.1%. The top-viewed content was the new rain Mythbusters (17% open), followed by the Yardzen article (10%) and FAQs (7%). As interest in the e-newsletter has grown and the amount of content we have to share increases, we will evolve the look and feel in 2023 to provide readers with a very user-friendly, easy-to-read experience. We will also expand efforts to increase overall subscribership. **Please help share the e-newsletter broadly, send us relevant content, and encourage your constituents to subscribe. Use this [link](#) to subscribe.**

Youtube. In December there were 1,600 views with a watch time of 68 hours down from 3,100 in November (129 hours) and 4,800 (211 hours) in October. Top videos included: Rain Mythbuster, Pack a Go Bag En Español and Keep Embers Out. Youtube advertising was responsible for 20% of the views while 23% and 10% from suggested videos. Total subscribers remained flat at 769. Average viewing time is ~ 2:30 minutes.

Firewise

With assistance from new Fire Safe Marin staff member Josh Hampshire, 75 existing Firewise sites successfully completed their annual renewal process and two new sites were added to the list, bringing the total to 77 Marin Firewise sites. December's Firewise Leaders Meeting was focused on strategies to combat wildfire prevention misinformation. With the start of the new year, Josh has been meeting with Firewise leaders and committees to discuss strategies for expanding outreach and risk reduction activities in their communities.

Website

The website continues to require frequent and ongoing maintenance.

In December there were 7,600 visitors, accounting for 12,600 pages viewed. This is up 72% from Dec. 2021. Overall, there were ~110K visitors to the website in 2022 which was about the same as 2021. Half of the visitors came through organic Google searches and 15% through paid searches. In 2021 this was 74% and zero, respectively. The most viewed pages this month: Eucalyptus trees, vents, soffits. Fire Safe Marin is working with MWPA staff to revise the Evacuation guidance on the website and to align it with the new literature review report entitled *State-of-the Science in Wildfire Evacuation*. Fire Safe Marin is working on a major revision to the Fire Smart Landscaping pages.

Educational Materials

We created new *Did You Know* sign messages that will be printed and made available in the cache for Firewise leaders and our community partners to display in their communities. We are close to finalizing a “basic” wildfire checklist in response to having an abbreviated version. This will supplement the existing evacuation checklist, not replace it. We are close to completing a physical signage display to pilot at the Town of San Anselmo Library. The display is entitled “Evacuation Station” and provides the basic checklist and homeowner guides. The goal of this project is to reach residents who do not have digital access.

Fire Safe Marin is working with MWPA staff to create new educational materials to support the findings of the new literature review report entitled *State-of-the Science in Wildfire Evacuation*.

Schools

FSM completed our third semester as a Community Partner with Terra Linda High School’s Leadership in Environmental Action Development (LEAD) program. Working with a group of seven students every other

week, we are helping them to create an information campaign to raise awareness about wildfire risks and inspire action. To date, they have: 1) completed research papers (exploring, wildfire science, personal safety, home hardening and fire-smart landscaping); 2) defined the scope of their group project; 3) identified target objectives and reach goals; and 4) determined measurable outcomes to determine success. We accompanied the students on November 15 as they shared their research with Miller Creek Elementary School students through a 45 minute presentation. They presented their final project to the student body, parents and community partners on December 8, 2022. We also facilitated the students' participation in a Broom Pull event and all of the students have volunteered to help with Ember Stomp, leading educational games and sharing their final project.

FSM is also working closely with Ross Valley schools and Ready Marin to offer two programs for 5th graders and their families throughout the county. The wildfire preparation program, *Ready, Set, Go!* is currently underway, followed by an all-hazards program, *Prepare for Disasters*. Both programs are available in English and Spanish. Ross Valley Fire Department will visit schools in their district as an added incentive to implement the program.

At the request of a teacher from San Domenico Elementary School in Sleepy Hollow, FSM is creating a 7th-grade program focusing on the Ross Valley Fuel Break as a case study to explore wildfire risk reduction through environmentally sound practices. Themes of climate change, resilient ecosystems, and wildfire science will be woven into an interdisciplinary field-based unit. Students will work in groups, choosing one of the following projects:

- Literature/writers workshop: students will create and publish children's books exploring wildfire preparation and safety.

- Science: students will create Mythbuster videos testing and demonstrating some basic principles of wildfire science.
- Public Speaking: students will create a presentation about the shaded fuel break that surrounds SD Elementary School and act as tour guides during the schools' Earth Day events. They will also create permanent signage pointing out features of a shaded fuel break.

See a recent article produced promoting [Wildfire in Marin Schools](#).

Defensible Space Program

FSM is continuing to revise the links to the Home Evaluation report that give residents advice on how to comply with the report findings. The new links will be better integrated into our newly revised website content.

Workshops

In June 2023, FSM will host the annual online Workshop Series for each of the five MWPA zones, highlighting wildfire prevention work accomplished throughout the year. We encourage all agencies to continue to collect before and after photos and present these as a slideshow to help the public understand the strategies and magnitude of the work being done.

Ember Stomp

Ember Stomp will be held at the Marin Civic Center on Saturday, May 20 from 11-5 PM. Planning and fundraising are well underway, and participation commitments from organizations have been enthusiastic. This year's exciting new exhibits include 3 fire smart landscape design spaces occupying over 420 square feet; a wildfire-centered art exhibit showcasing works that reflect upon what it means to adapt to wildfire; and, a *New Frontiers* stage where participants will present the latest

wildfire prevention technologies and services and product demonstrations. Live music, multicultural food trucks, and BBQ have been secured. We expect to have more fire prevention product vendors and services, possibly a live burn, along with a children's stage, and games. Public Safety agencies and our many wildfire partner agencies will be on hand to provide information and answer questions. Promotions and advertising will begin in late March/ early April. **Please contact us at info@firesafemarin.org if you would like to participate in planning or volunteering during the day of the event.**

Ember Stomp promotional graphics to share:

[8 x 10](#)

[Square](#)

[Square 2](#)



**THE MARIN WILDFIRE PREVENTION AUTHORITY
FINANCE COMMITTEE MEETING
Monday, December 5, 2022
MINUTES**

1. Call to Order

Chair Kertz called the meeting to order at 10:00 a.m.

2. Roll Call

Committee members – In Attendance: Bruce Goines, Rachel Kertz, Stephen Burke, Tom Finn, Jason Weber, Dan Schwartz

Committee members – Absent: Dennis Rodoni

Staff in Attendance: Executive Officer Mark Brown, Treasurer Alyssa Schiffmann, Management Analyst Martina Wilson

3. Agenda Adjustments

There were no adjustments.

4. Open Time for Public Expression

There were no comments.

5. Consent Calendar

- a. Minutes of the October 11, 2022 Finance Committee Meeting

Chair Kertz opened the meeting to public comments. Seeing none, she closed the public comments.

A motion by member Finn, seconded by member Burke, to approve the October 11, 2022 minutes as submitted. Passed by unanimous vote of all in attendance. Passed 6/0/1.

AYES: 6 Burke, Finn, Goines, Schwarz, Weber, Chair Kertz

NOES: 0

ABSENT: 1 Rodoni

6. Executive Officer's Report

Executive Officer Brown presented a staff report. He noted the recent rain has been positive in terms of fire weather. Work continues on projects including evacuation route clearing and the Greater Ross Valley Shaded Fuel Break. December is a busy month for the MWPA in terms of meetings. Last week's Executive Committee meeting was cancelled. The Advisory Technical Committee and the Operations (OPS) Committee had asked for an earlier start to the Work Plan planning cycle and will be meeting this month.

There were no questions from the Committee.

Chair Kertz opened the meeting to public comments. Seeing none, she closed the public comments.

7. Action Items

a. MWPA Draft Financial Policies

Chair Kertz stated this item falls under the category of very important "housekeeping". She asked staff to ask for comments after each policy is presented. The policies include the Fund Disbursement, Internal Controls and Whistleblower, Grant Application and Approval, and Budget Preparation.

Executive Officer Brown presented a staff report. Staff will continue to work on the Insurance Policy which turned out to be much more complicated than originally anticipated. He noted in lieu of this there are Professional Agreement Standards in place. He discussed the Citizen's Oversight Committee (COC) recommendations.

Executive Officer Brown discussed the changes made to the Fund Disbursement Policy and asked for comments.

Committee member Finn noted the January disbursement of funds occurs irrespective of whether the member agencies have filed expense reports by September 30th. He asked if there were consequences to a late filing or if there is a grace period. Executive Officer Brown stated this is something that could be included and he asked for feedback from the Committee. Committee member Finn stated they want to incentive the member agencies to file on time. There could be a grace period between September 30th and January. MWPA Treasurer Schiffmann stated she liked that idea.

Chair Kertz suggested the following language: "The January disbursement is contingent on completion of the expense report". Staff could decide on a date.

Executive Officer Brown discussed the changes made to the Internal Controls and Whistleblower Policy and asked for comments.

There were no questions or comments from the Committee.

Executive Officer Brown discussed the Grant Application and Approval Policy and asked for comments. This is a new policy.

Chair Kertz asked about the timeline for reviewing all policies. Executive Officer Brown suggested either once a year or every other year review, depending on the policy. Each policy could include a recommended review period.

Committee member Goines asked for a tiered process. He asked about the Grants Specialist position. Executive Officer Brown stated this individual is working on the Resident Grant program and grant applications.

Chair Kertz asked about the number of grants submitted. Executive Officer Brown stated staff applied for two grants in the last fiscal year. Staff has applied for one this year and are preparing two more. Five to ten per fiscal year is a fair number.

Committee member Burke asked how staff goes about finding and applying for grants. Executive Officer Brown stated there were some well-known grant sources including Cal Fire and the US Forest Service.

Executive Officer Brown discussed the Budget Preparation Policy and asked for comments. This is a new policy.

Committee member Goines asked for clarification on staff's interpretation of "operational" vs. "administrative" for legal costs associated with implementation of the Work Plan. Executive Officer Brown stated he was not able to find any areas where these costs were operationally charged.

Committee member Schwartz stated the City of Larkspur would charge it to the legal budget because it has to do with the operation of the agency.

Committee member Burke suggested having the COC review this policy prior to a vote of the Finance Committee. Executive Officer Brown stated the policy would have a "second reading" by the Board prior to its approval.

Chair Kertz appreciated Committee member Schwartz's perspective. She is not sure how it has been done in the past. Executive Officer Brown stated all legal costs to date have been allocated to "administration". Chair Kertz stated she is comfortable allocating legal expenses to "administration".

Committee member Goines suggested they consider further policy development around legal/litigation and the relationship to administrative, operations, and member apportionment.

Committee member Finn stated for reporting purposes unexpected or expected litigation is usually characterized as “extraordinary, non-recurring”.

Chair Kertz stated the calendar will drive a lot of the activity. Executive Officer Brown suggested the Finance Committee meet the week prior to the Board meetings in March, April, May and October.

Chair Kertz opened the meeting to public comments.

COC Chair Suggs recommended running Financial Policies by the COC prior to adoption by the Board.

Chair Kertz closed the meeting to public comments.

Chair Kertz stated this is important work and she thanked staff. A two-year review process would be helpful.

Chair Kertz stated it was the consensus of the Committee to support these polices as drafted.

8. Committee Member Requests Regarding Future Agenda Items

There were no requests.

9. Adjourn

Chair Kertz adjourned the meeting at 10:48 a.m.

Respectfully submitted,

Toni DeFrancis,
Recording Secretary



**THE MARIN WILDFIRE PREVENTION AUTHORITY
ADVISORY/TECHNICAL COMMITTEE MEETING
Wednesday, December 7, 2022
MINUTES**

1. Call to Order

Chair Martin called the meeting to order at 10:03 a.m.

2. Roll Call

Committee members – In Attendance: Larry Pasero (Kentfield Fire), Lynne Osgood (Novato Fire), Fred Hilliard (Southern Marin Fire and Mill Valley), Ruben Martin (Larkspur), Todd Lando (Corte Madera), Jordan Reeser (County of Marin), David Taylor (Muir Beach), Robert Bastianon (Ross), John Hanley (Sleepy Hollow), Jim Fox (Inverness), Carey Crosby (Stinson Beach), Luke Fretwell (Marinwood), Loren Umbertis (Fairfax), Sean Condry (San Anselmo)

Committee members – Absent: Bolinas representative, Quinn Gardner (San Rafael)
At Large Members: Belle Cole (ESP), Corey Norvaile (UC Cooperative Extension),
Rich Shortall (FireSafe Marin)

Staff in Attendance: Executive Officer Mark Brown, Planning and Program Manager
Anne Crealock, Management Analyst Martina Wilson

3. Agenda Adjustments

There were no adjustments.

4. Open Time for Public Expression

There were no comments.

5. Planning and Program Manager's Report

Program Manager Crealock gave a PowerPoint presentation on the following: 1) Looking Back; 2) Detection, Alert, Evacuation; 3) Home Evaluations; 4) Grant Program; 5) Chipper Program; 6) Public Education; 7) PPM Report- how much

vegetation has been removed; 8) Additional Updates; 9) A Few Notes from Fiscal Year 2022/23. There were no questions from the Committee.

Chair Martin opened the meeting to public comments.

Ms. Tanya Baxter asked if the report included the Tiburon area.

Chair Martin closed the meeting to public comments.

There were no comments from the Committee.

6. Discussion Items

- a. Development of the Fiscal Year 2023/34 Work Plan and coordination with land management agencies

Program Manager Crealock gave a PowerPoint presentation on the following: 1) Overview and Process; 2) ATC Structure; 3) Timeline/Tasks/Milestones; 4) Coordination with Land Management Agencies; 5) MWPA and Externally Funded Fuels Work Program and Timeline. There were no questions from the Committee.

Mr. Jim Chayka, representing County Parks and Open Space, discussed the Work Plan Development Timeline.

ESP member Cole asked Mr. Chayka when information regarding projects would be available to the public. Mr. Chayka stated these are internal conversations since they are simply concepts. There will be several public forums that will occur to share ideas including the Environmental Roundtable and a Parks and Open Space Commission meeting in April. There will be a project list at the April meeting. Ms. Cole asked if these projects would be included on the Web Portal. Mr. Chayka stated the MWPA funded projects would be on the Web Portal.

Chair Martin opened the meeting to public comments. Seeing none, he closed the meeting to public comments.

Chair Martin urged member agencies to engage with land management agencies as soon as possible.

b. Web Portal Update

Program Manager Crealock gave a PowerPoint presentation on the following: 1) Web Portal Update; 2) What is the Web Portal?; 3) How can it be accessed?; 4) Who can use it?; 5) What proposals should be entered?; 6) Current changes; 7) Future changes.

ESP member Cole asked how non-voting ATC members could get access. Program Manager Crealock stated staff will be making proposals as early as possible.

Chair Martin opened the meeting to public comments. Seeing none, he closed the meeting to public comments.

7. Committee Members Request Future Agenda Items

There were no requests.

8. Adjournment

Chair Martin adjourned the meeting at 10:45 a.m. The next meeting will be held on January 4, 2023 at 10:00 a.m.

Respectfully submitted,

Toni DeFrancis
Recording Secretary



**THE MARIN WILDFIRE PREVENTION AUTHORITY
CITIZENS' OVERSIGHT COMMITTEE MEETING
Wednesday, December 7, 2022
MINUTES**

1. Call to Order

Chair Suggs called the meeting to order at 5:30 p.m.

2. Roll Call

Committee members – In Attendance: Pat Randolph, Kingston Cole, John McCauley, Larry Chu, Lucy Dilworth, Larry Minikes, Rebecca Suggs

Committee members – Absent: Jennifer Howard

Staff – In Attendance: Executive Officer Mark Brown, Management Analyst Martina Wilson

3. Agenda Adjustments

Committee member Chu stated he had to leave the meeting at 6:15 p.m. and he would defer to Committee member McCauley to make the report on the Finance Committee.

4. Open Time for Public Expression

There were no comments.

5. Executive Officer's Report

Executive Officer Brown presented a staff report regarding the following: 1) December is a busy month in terms of meetings scheduled; 2) The Finance Committee and Advisory/Technical Committee (ATC) met this week in a trial run using the new Board Chambers- the first full public meeting will be held on December 15th; 3) The Finance Committee reviewed the draft Finance Policies, made several modifications, and decided to table the Insurance Policy.

Chair Suggs opened the meeting to public comments. Seeing none, she closed the public comments.

6. Consent Calendar

- a. Minutes of October 26, 2022 Citizens' Oversight Committee

Chair Suggs opened the meeting to public comments. Seeing none, she closed the public comments.

A motion by member Minikes, seconded by member Cole, to approve the October 26, 2022 COC minutes as submitted. Passed by unanimous vote of all in attendance.

Passed 7/0/1.

AYES: 7 Chu, Cole, Dilworth, McCauley, Minikes, Randolph, Chair Suggs.

NOES: 0

ABSENT: 1 Howard

7. Committee Reports

- 1. Monitoring Reports
 - a. Executive Committee

Committee member Randolph reported the Executive Committee met in October and decided that all MWPA committees will hold in-person meetings beginning in March. Their November meeting was cancelled.

- b. Board of Directors

Committee member Dilworth reported the Directors passed a resolution allowing committees to continue to meet remotely until the State of Emergency is lifted. There were no other matters pertaining to the COC.

- c. Finance

Committee member McCauley reported he attended the Finance Committee and had nothing to add to Executive Officer Brown's summary.

Chair Suggs opened the meeting to public comments. Seeing none, she closed the public comments.

- 2. Annual Report Committees
 - a. Writing/Editing

Chair Suggs stated the committee has scheduled its first meeting for next week.

Committee member Dilworth stated it might make sense to form an Ad Hoc Report Planning Committee to decide on the focus of the report, how work would be divided up, scheduling, etc.

Committee member Chu stated there was no need to create another subcommittee- the planning is already in the framework.

Committee member Minikes suggested this be done as an agenda item rather than forming a subcommittee. Chair Suggs agreed.

b. Finance

Committee member Chu reported the committee has received the necessary financial information from staff and will be able to answer every question regarding compliance. The committee will be reviewing individual expenditures by zone and tracking remaining balances.

Committee member McCauley suggested the Finance Director create a financial analysis document that would deal with internal controls.

c. Work Plan

Committee member Randolph stated the committee decided to focus on public education with a focus on Fire Safe Marin and defensible space inspectors. They have finished their research and are working on the analysis and writing phase and hope to have something ready for review by the middle of next week.

Chair Suggs asked what the committee would do with the documentation from local agencies regarding projects. Committee member Randolph stated that will be decided once they get the information- it would be something fairly simple rather than a “deep dive”.

d. Transparency

Committee member Cole reported the committee has focused on improvements to the Website and the transition from last year's recommendations. They have finished their research and are working on the analysis and writing phase and hope to have something ready for review by the middle of next week. They plan to prepare a report in January.

Chair Suggs opened the meeting to public comments. Seeing none, she closed the public comments.

Committee member Chu left the meeting.

8. Action Items

a. Election of Vice Chairperson

Chair Suggs presented a report.

A motion by member Randolph, seconded by member Cole, to elect Committee member Howard as Vice Chair. Passed by unanimous vote of all in attendance. Passed 6/0/2.

AYES: 6 Cole, Dilworth, McCauley, Minikes, Randolph, Chair Suggs.

NOES: 0

ABSENT: 2 Chu, Howard

9. Information Items

- a. MWPA Committee assignment updates and meeting dates

Chair Suggs presented a report. The Advisory Technical Committee (ATC) and the Operations (OPS) Committee are scheduled to meet monthly until May. There is one open spot- back-up for ATC. Committee member Minikes volunteered to serve as the back-up to ATC.

- b. Confirm next COC meeting for January 25, 2023 at 5:30 p.m.

Chair Suggs confirmed the next COC meeting.

10. Discussion Items

- a. Role in Citizens' Oversight Committee in monitoring local agency Measure C-funded Projects

Chair Suggs stated she would like to continue this item to the next meeting.

Committee member McCauley stated he thought this had already been addressed.

Chair Suggs stated they will need on-boarding mentors for the new members.

11. Committee Member Request Regarding Future Agenda Items

Committee member Randolph thanked Chair Suggs for her service as Chair.

12. Adjourn

Chair Suggs adjourned the meeting at 6:26 p.m.

Respectfully submitted,

Toni DeFrancis
Recording Secretary



**THE MARIN WILDFIRE PREVENTION AUTHORITY
OPERATIONS COMMITTEE
Wednesday, December 14, 2022**

1. Call to Order

Vice Chair Schwarz called the meeting to order at 10:00 a.m.

2. Roll Call

Committee Members:	In Attendance – Darin White (San Rafael), Eric Dreikosen (Marinwood), Dan Mahoney (Sleepy Hollow Fire District), Chris Tubbs (Southern Marin Fire), Jason Weber (Marin County Fire), Jim Fox (Inverness Fire), Jesse Perry (Stinson Beach), George Kraukauer (Bolinas Fire), Chris Gove (Muir Beach), Heather Abrams (Fairfax), Bill Tyler (Novato Fire), Christa Johnson (Ross), Mark Pomi (Kentfield Fire), Dan Schwarz (Larkspur), Adam Wolfe (Corte Madera), Todd Cusimano (Mill Valley)
Committee Members:	Absent – Dave Donery (San Anselmo)
Staff:	In Attendance – Executive Officer Mark Brown, Planning and Program Manager Anne Crealock, Management Analyst Martina Williams

3. Agenda Adjustments

There were no adjustments.

4. Open Time for Public Expression

There were no comments.

5. Planning and Program Manager's Report

Program Manager Crealock presented a staff report that included the following: 1) Looking Back; 2) Detection, Alerts, Evacuations; 3) Home Evaluations Fiscal Year 2021/22; 4) Grant

Program; 5) Chipper Program; 6) Public Education; 7) How Much Vegetation Management is Completed; 8) Additional Updates; 9) A Few Notes from Fiscal Year 2022/23. There were no questions from the Committee.

6. Consent Calendar

There were no Consent Calendar items.

7. Discussion Items

A. Development of the Fiscal Year 2023/24 Work Plan and coordination with land management agencies

Program Manager Crealock presented a PowerPoint presentation that included the following: 1) Overview and Process; 2) Timeline/Tasks/Milestones; 3) Current and Future Changes to Web Portal; 4) Coordination with Land Management Agencies; 5) Work Plan Development Timeline. Staff answered questions from the Committee regarding the process for establishing timelines for implementing projects; if the project proposal process should demand more of the member agencies in terms of implementation timelines; if an L-Rad system would be considered a project.

Vice Chair Schwarz opened the meeting to public comments. Seeing none, he closed the public comments.

B. Prioritized Zone Planning and Implementation

Executive Officer Brown gave a staff report and a PowerPoint presentation that included the following: 1) Challenges; 2) JPA Language Provides Some Flexibility; 3) Proposed 5-Year Prioritization Matrix. He answered questions regarding the expected revenue stream from Measure C; if consideration has been given to grants given to particular areas and the proposed prioritization; if it is assumed the 20% would always be available for all five zones.

Vice Chair Schwarz opened the meeting to public comments. Seeing none, he closed the public comments.

Committee member Tyler stated he liked the thought gone into this and appreciated the work of the subcommittee. He stated large individual land owners have a responsibility to be funding and completing projects on their property and seeking grants.

Executive Officer Brown asked if the Committee would like to make a preliminary attempt at prioritizing some zones for the next 5-years or if they would like the Advisory Technical Committee (ATC) to do this.

Committee member Tyler stated the OPS would need more information.

Vice Chair Schwarz stated he would prefer to send it to the ATC with it coming back to the OPS Committee.

8. Action Items

A. Determination of the Recommended Overall Approach to the Fiscal Year 2023/24 Work Plan

Program Manager Crealock presented a staff report.

A motion by Member Tyler, seconded by Member Tubbs, to keep existing guidance in place regarding the recommended overall approach to the Fiscal Year 2023/24 Work Plan. Passed by unanimous vote of all in attendance. Passed 16/0/2.

AYES: 16 Eric Draperson (Marinwood), Dan Mahoney (Sleepy Hollow Fire District), Chris Tubbs (Southern Marin Fire), Jason Weber (Marin County Fire), Jim Fox (Inverness Fire), Jesse Perry (Stinson Beach), George Kraukauer (Bolinas Fire), Chris Gove (Muir Beach), Heather Abrams (Fairfax), Bill Tyler (Novato Fire), Christa Johnson (Ross), Mark Pomi (Kentfield Fire), Dan Schwarz (Larkspur), Adam Wolfe (Corte Madera), Todd Cusimano (Mill Valley)

NOES: 0

ABSTAIN: 0

ABSENT: 2 Dave Donery (San Anselmo), Darin White (San Rafael)

B. Fiscal Year 2022/23 Grant Funding Increase

Executive Officer Brown gave a staff report and a PowerPoint presentation that included the following: 1) Fiscal Year 2022/23 Grant Funding Program for home hardening and defensible space (d-space); 2) Staff would like to coordinate with the OPS Committee to provide additional funding for the remainder of Fiscal Year 2022/23. Staff answered questions from the Committee regarding application deadline for these funds; if some of the projects take a phased approach; if the grants are considered part of the 80%; if there is consideration of a balancing out of the grants; if there is a cap for the various areas; if there have been studies done about the benefits of providing fuel modifications on property owners as opposed to a large project such as a fuel break; if direct assistance creates a public project; how the numbers on the table were obtained; if the grants are awarded based on when the application is submitted or on a prioritization basis; if there are income qualifications.

Vice Chair Schwarz opened the meeting to public comments. Seeing none, he closed the public comments.

Vice Chair Schwarz stated he would like staff to come up with a different term for “underspent”- it can imply mismanagement.

A motion by Member Weber, seconded by Member Johnson, to approve the staff recommendation to make two transfers- \$30,000 from the Fire Camera Coordination allocation and \$70,000 from the Contingency allocation to the Grant Program. Member agencies will be asked to give feedback about whether unspent money could be moved to the Grant Program.

AYES: 16 Darin White (San Rafael), Eric Draperson (Marinwood), Dan Mahoney (Sleepy Hollow Fire District), Chris Tubbs (Southern Marin Fire), Jason Weber (Marin County Fire), Jim Fox (Inverness Fire), Jesse Perry (Stinson Beach), George Kraukauer (Bolinas Fire), Chris Gove (Muir Beach), Heather Abrams (Fairfax), Bill Tyler (Novato Fire), Christa Johnson (Ross), Mark Pomi (Kentfield Fire), Dan Schwarz (Larkspur), Adam Wolfe (Corte Madera), Todd Cusimano (Mill Valley)

NOES: 0

ABSTAIN: 0

ABSENT: 1 Dave Donery (San Anselmo)

9. Committee Reports

A. Citizen Oversight Committee (COC)

There was no report.

B. Advisory/Technical Committee (ATC)

ATC Chair Martin reported staff they met last week to outline goals and objectives in submitting Work Plans for the upcoming Fiscal Year. They also increased the non-voting membership of the group to include the UC Cooperative Extension and Fire Safe Marin.

10. Committee Member Request Future Agenda Items

Committee member Tyler asked when the Election of Officers would occur and how meetings would be handled moving forward- in person or Zoom.

Program Director Crealock stated staff is moving towards in-person meetings since the Governor's Emergency Order will expire in 2023. In-person meetings will begin in March. The Election of Officers (Chair and Vice Chair) will take place in January for both the OPS Committee and the ATC.

11. Adjourn

Vice Chair Schwarz adjourned the meeting at 11:07 a.m.

Respectfully submitted,

Toni DeFrancis,
Recording Secretary

STAFF REPORT

FOR THE MEETING OF JANUARY 19, 2023

To: Marin Wildfire Prevention Authority Executive Committee
From: Mark Brown, Executive Officer
Subject: Citizens' Oversight Committee Annual Report
Recommendations/Responses/Actions Taken – Fiscal Year
2020/2021

RECOMMENDATION:

Receive report and provide feedback to staff.

BACKGROUND:

At the July 7, 2022, meeting of the Executive Committee, the Citizens' Oversight Committee (COC) and staff presented the COC Annual Report recommendations and staff responses. After thoughtful questions and deliberations, the Executive Committee recommended the following action items for review by the Board of Directors. These action items were broken into three categories: Finance Committee policy development for Board of Directors approval; standard procedure development by a staff-lead working group consisting of members from the Operations and Advisory/Technical committees for Board of Directors approval; and COC recommendations that had already been incorporated into policy and/or MWPA standard procedures.

The Board of Directors received the recommendations at its July 21, 2022, and staff began taking steps to form the working group and coordinate with the Finance Committee for policy development. At the December 15, 2022, Board of Directors meetings, the Board approved all the policies proposed by the Finance Committee.

ANALYSIS

Listed below is a table reflecting each COC numbered recommendation and a summary of the action taken.

Following the table is a detailed description of each COC recommendation, along with the staff response and action taken.

Recommendation(s)	Action(s) Taken
1a	Developed policy language defining “budget” regarding Section 5e of JPA language
1b	Already resolved by MWPA processes and confirmed with Auditor about appropriateness
1c	Policies developed/amended and posted on website: Grant Application and Approval Policy Budget Preparation Process Policy Compensation of Elected Officials Insurance Policy – tabled pending further research
1d,1e	Established reporting schedule and clarified unspent funds rollover process in the Fund Disbursement Policy
2a, 2b	Drafted policy language defining funding vs. implementation roles of the MWPA and requirements for MWPA funded positions and projects
2c	Identification of responsibility for certification that a project is not supplanting previous efforts will be in Project Proposal
2d	Established a project prioritization process for Core projects
2e, 3a, 3b	Established reporting process for change in Local and DSpace projects
3c	Provided Member Agency Snapshots of aggregate wildfire prevention spending for Fiscal Year 2019/2020
4a	Will continue to highlight collaborative efforts in MWPA Annual Reports

Recommendation 1a:

The language in Section 5e of the JPA Agreement needs clarification. The use of the term “budget” does not distinguish between tax measure proceeds or total expenditures. Consequently, the COC recommends that the Authority approve a written policy or accounting convention that establishes that the word “budget” in this section should be interpreted to mean tax measure proceeds. Using tax proceeds would be consistent with other fund metrics and provide clarification as to which base number to use for the debt limit.

Response 1a:

Staff concurs with the recommendation and can incorporate the recommendation into future budget policy development.

Action Item 1a:

The following definition was included in the newly developed Budget Preparation Policy:

Budget – A framework and plan for expenditures for the proceeds from Measure C Ordinance No. 3716 (“Measure C”). Additional revenue, such as grants and interest, may augment the expenditures.

Recommendation 1b:

Accounting for Core Vegetation Management activities and projects is performed in an Excel spreadsheet outside of the accounting system. The expenditures in the spreadsheet should be reconciled for the calendar year on a cash basis. This will then need to be manually reconciled against the accounting system which is on an accrual basis with a fiscal year ending on June 30th. The COC recommends that the MWPA’s accounting system be set up to (1) eliminate the use of this spreadsheet and to post all transactions directly into the accounting system on an accrual basis, and (2) to track individual expenditures so each transaction can be attributable to a specific zone and project.

Response 1b:

Staff concurs with the recommendation and has already incorporated a tracking system to account for expenditures by zone and project. Specifically, for Fiscal Year 2021/2022, staff developed a project numbering format that tracks all projects by project type and geographical location. As mentioned above, there were no vegetation management projects funded through the Core program in the MWPA’s first year.

Action Item 1b:

For Fiscal Year 2021/2022 the MWPA established a project code numbering format that tracks expenditures by zone, project and related goal.

Recommendation 1c:

The COC recommends that all outstanding policies that have been introduced but not approved should be reviewed by the Finance Committee and presented again to the Board for approval.

Response 1c:

Staff concurs and the Finance Committee has outlined the next round of policies to be developed, reviewed and approved by the Board of Directors.

Action Item 1c:

The following policies were amended or created:

1203 – Fund Disbursement – Amended
1205 – Internal Control and Whistleblower – Amended
1211 – Grant Application and Approval – New
1212 – Budget Preparation – New

A policy outlining insurance requirements was not presented to the Board due to ongoing research.

All policies will be uploaded to the MWPA website under Guiding Documents prior to the Board of Directors meeting.

Recommendation 1d:

The COC recommends that each member agency's accounting system be set up to track its expenditures for individual projects in the Work Plan so that at the end of the fiscal year each project's actual costs can be compared to its estimated costs.

Response 1d:

Staff concurs with the recommendation and has requested the member agencies to develop accounting practices to track receipt of MWPA funds and track expenditures for projects.

Action Item 1e:

The Fund Disbursement Policy was amended to include a stipulation that member agencies are to submit annual report itemized by project due by the end of September: to include what was budgeted, expensed, remaining or overspent.

Recommendation 1e:

The COC recommends that the Authority establish a policy to address unspent funds by member agencies. For example, if any funds allocated to a particular project in the Work Plan remain unspent, the policy might require that such funds be rolled over into the next fiscal year, restricted to Local or Defensible Space Projects, and when identified and selected, these projects be reported back to the MWPA's Board, Operations Committee and the COC for informational purposes.

Response 1e:

Such a policy is already in place in the Fund Disbursement Policy:

1203.5.4 UNUSED LOCAL SPECIFIC PREVENTION PROGRAM FUNDS
If a member agency does not spend all of the LSP funds they may be rolled over and used in a subsequent fiscal year and the reserves need to be shown in the quarterly budget reports.

Staff and the Finance Committee could review the policy and update as needed.

Action Item 1e:

The Fund Disbursement Policy was modified to include language stipulating member agencies will coordinate with MWPA staff for reallocation of unspent Local or DSpace Funds. MWPA staff has included a project amendment process in the Work Plan Portal.

Recommendation 2a:

Section 1 of the Measure C Tax Ordinance requires that the tax money be spent “solely to plan, finance, implement, manage, own and operate a multi-jurisdictional agency to prevent and mitigate wildfires in Marin County.” As a result, any full time position that the MWPA funds directly within a member agency or within an external entity might not fully comply with this limitation. Such an external position is likely to require some duties that relate to the functions of that other organization. In fiscal year 2020/2021, there are three examples of this, the Open Space Rangers for San Rafael, the Community Disaster Preparedness Specialist for San Rafael, and the Disaster Coordinator for Central Marin. These positions include a broader range of duties than wildfire prevention and mitigation.

The COC recommends that the MWPA fund such FTE positions only in proportion to the time the employees spend specifically on wildfire prevention or mitigation work. Any such proposed external position should have a detailed description of wildfire related duties, an accurate job title, and an accounting of time-spent. Alternatively, if state labor law permits it, such needs should be filled by contract or on a per project basis.

Response 2a:

At the Board’s direction, staff can work with member agencies to identify the proportion of positions staffed within member agencies or an external entity committed to wildfire prevention or mitigation work. It should be noted, many activities within the MWPA and member agencies will have collateral effects for member agencies and residents. For example, resident evacuation preparation for wildfires leaves the resident more prepared for evacuation for any emergency.

Action Take 2a:

The following definitions of MWPA’s Funding and Implementation roles and Allowable Costs/Projects was included in the Budget Preparation Policy:

Funding Role – The Authority’s responsibility to provide funding to a Member

Agency for Local Prevention and Defensible Space. The Member Agency must use the Authority's funds to supplement, not replace, funding for programs that were in place prior to the passage of Measure C.

Implementation Role – Following the Work Plan development process with the Advisory/Technical and Operations Committees, Authority staff uses Authority resources to execute projects utilizing the Core budget.

Allowable Costs/Projects – Measure C funds may be used for, but are not limited to, the following costs and projects: vegetation management; defensible space inspections/creation; wildfire ignition prevention and detection; evacuation plans and alerts; grants; and public education. It is understood that many of these projects provide collateral benefits above and beyond the Authority's mission, such as ecological restoration, improvements to the flow of traffic, or improved alert and warning capabilities for non-fire hazards. In such cases, the Authority should endeavor to enter into partnerships for funding as available and feasible. However, if the collateral benefit is difficult to define and there is significant benefit to the Authority's mission, the Board of Directors can approve full funding.

Recommendation 2b:

On the same principle, the purchase of the L-RADs by Southern Marin does not fully comply with the Tax Ordinance that requires expenditures to be “solely ... to prevent and mitigate wildfires in Marin County.” Similarly, it could be suggested that a portion of the equipment should have been paid from funds other than from the MWPA. However, this apportionment principle might not work because, at the time of purchase, it would be hard to determine the probability of the use of the equipment for wildfire incidents in proportion to its use for other emergencies. The COC recommends that in the future, emergency equipment purchases be carefully considered in order to avoid a finding that the expenditure is not appropriate.

Response 2b:

Similar to Response 2a, there will be collateral effects from MWPA efforts for all member agencies and residents of Marin. Staff believes it would be nearly impossible to parse out the net costs based on the type of emergency a MWPA project may or may not benefit. Staff recommends that the Board consider whether it is acceptable to fund equipment or projects as long as it has a demonstrable benefit for wildland fire prevention and mitigation and is instituted to those ends. To parse out a proportion of benefit by emergency-type would be an undue burden on the MWPA and member agencies.

Action Taken 2b:

The following definition of Allowable Costs/Projects was included in the Budget Preparation Policy:

Allowable Costs/Projects – Measure C funds may be used for, but are not limited to, the following costs and projects: vegetation management; defensible space inspections/creation; wildfire ignition prevention and detection; evacuation plans and alerts; grants; and public education. It is understood that many of these projects provide collateral benefits above and beyond the Authority's mission, such as ecological restoration, improvements to the flow of traffic, or improved alert and warning capabilities for non-fire hazards. In such cases, the Authority should endeavor to enter into partnerships for funding as available and feasible. However, if the collateral benefit is difficult to define and there is significant benefit to the Authority's mission, the Board of Directors can approve full funding.

Recommendation 2c:

All Work Plan projects with completed worksheets for the 2020/2021 fiscal year contained a statement affirming that the use of tax proceeds is appropriate. Section 9d of the JPA Agreement requires that “Members must certify that the tax measure proceeds are used consistent with the purpose of the Authority and that the tax measure expenses result in a higher level of service than would otherwise be provided by the Member.” In order to meet this requirement, the agency designed individual project worksheets that when put together comprised the 2020 Work Plan. Each project worksheet had a space on the form for the local member agency to “declare” that the project has met the required standards. However, these forms did not require the officials making such declarations to identify themselves. The COC believes that such declaration is insufficient as it does not create any personal accountability, and that an anonymous “declaration” is not equal to a statement from an individual official “certifying” compliance with the JPA Agreement. The COC recommends that, going forward, an identified senior official of the member agency should certify each Work Plan project.

Response 2c:

All project proposals are submitted by agency staff under the overall guidance of each member agencies’ leadership (city/town manager or fire chief). Section 9d of the JPA Agreement specifies that “members” must certify that the tax proceeds are used appropriately. Staff feels the submission of a declaration within the project proposals in the name of the member agencies is sufficient to meet the certification required by the JPA Agreement.

Action taken 2c:

The attestation in the Work Plan Portal has been updated to include the name of the member certifying that MWPA provided funds are following the stipulations of the JPA agreement.

Recommendation 2d:

The funds allocated to the projects in West Marin are small, compared to larger communities. The conditions on the boundary between Heart's Desire State Park and the Seahaven neighborhood illustrates this point. West Marin may have fewer structures, but it has more WUI and wildlands that need treatment. At the same time, the local fire districts are understaffed and unable to devote the resources necessary to develop projects, present them to the MWPA, and get them into the Work Plan. Additionally, projects in the coastal zone have additional CEQA compliance costs due to California Coastal Commission regulations. Overall, West Marin needs more help.

Section 9b of the JPA Agreement specifically allows the allocation of Core funds to local wildfire prevention efforts and the allocation of vegetation management funds “with consideration towards equitable spending” over the zones. The COC recommends that the agency should make it a priority to increase West Marin’s funding.

Response 2d:

Staff concurs with this recommendation. Historical data shows that since the fire in Mill Valley in 1929, all major wildland fires in Marin started in West Marin. A rapidly expanding event in West Marin has immediate impacts for all residents in Marin. Staff believes increased funding in West Marin will be needed to begin to provide the appropriate mitigation efforts in that zone. Staff has not made a recommendation to increase West Marin funding for specific projects because environmental compliance in the Coastal Zone is far more complicated and time consuming than any other zone within the MWPA. However, after the completion of the Coastal Zone Public Works Plan (development approved as a part of the 2022/2023 Work Plan), environmental compliance will be more streamlined and Core project proposals will be forthcoming. The increased cost of environmental compliance in West Marin also speaks to the need to increase funding for West Marin.

Action Taken 2d:

The COC Recommendations working group deliberated and forwarded a proposal to the Operations Committee which came to the following consensus, very similar to the opinion of the Board of Directors.

Rather than simply provide additional funding to West Marin, a process of prioritization should be created to ensure MWPA expends resources at the right time and in the right place.

During Work Plan preparation, each zone will be informed of their 80% zone budgeting threshold for planning purposes. This will create a priority funding pool of 20% of the

Core budget allocated to the 5 MWPA zones. Projects included in this 80% budget should include ongoing projects and maintenance of previous projects. New and emerging projects proposed for the 20% priority funding pool will be prioritized by the Advisory/Technical and Operations Committees. Projects receiving the highest priority will receive funding through the priority funding pool. This will allow MWPA to meet the 80% expenditure of revenue generated in each zone while executing priority projects regardless of revenue from particular zone.

Recommendation 2e:

The COC recommends that any Local and Defensible Space Projects that are performed instead of the projects that were originally approved in the Work Plan be reported with each new project's estimated costs and, eventually, its actual costs to the Board, the Operations Committee, and the COC for informational purposes.

Response 2e:

Staff has requested member agencies to document in writing any changes to Local and Defensible Space projects. Staff then documents the change within the MWPA project tracking systems. Staff can prepare a staff report for each change for inclusion in the Consent Calendar for each Board meeting, but this may be unnecessary as the Board of Directors simply acknowledges the Local and Defensible Space projects and does not approve them. In addition, bringing every change to the attention of the Operations Committee would be impractical, as the Committee does not meet year-round and when meetings do occur, they are focused on the upcoming Work Plan. However, the MWPA annual report will capture, and document mid-year changes and this information is available to the Operations Committee, the COC and the Board.

Action Taken 2e:

MWPA staff has created a project/proposal change process through the Work Plan Portal. Member agencies will complete the form proposing the change to an existing Local/DSpace/Core project/proposal. MWPA staff will create a staff report identifying the change. Changes to Core projects/proposals will require Board of Directors approval and will be included in the Consent Calendar. Changes to Local/DSpace projects/proposals do not require Board of Directors approval and will be included in the Information Items agenda item for Board meetings.

Recommendation 3a:

The COC recommends that, in the interests of transparency and accountability, a quarterly progress report and a year-end report to consolidate project information on all MWPA funded projects should be given to both the Board of Directors and the Operations Committee. The year-end report should explain for each project the actual costs compared to the estimated costs, how the money was spent, the completion (or

not) of the project and the reasons for any changes or delays. Even though the funds for Local Projects are given as a pass-through to member agencies, the Board as the agency's governing body, and the Operation Committee as its experts and managers, should be kept informed of the results of the expenditure of MWPA funds. Such informational reports will provide feedback-control, create accountability, and build the agency's institutional knowledge.

Response 3a:

The MWPA publishes the annual report as well as provides monthly Work Plan updates at each Board meeting. Staff believes quarterly updates at this detail will create an undue burden on MWPA and member agency staff.

Action Taken 3a:

The COC Recommendations working group deliberated on this item and felt quarterly reporting created an undue and unachievable burden on member agency staff. MWPA staff provides updates on Core projects at each Board of Directors meetings. For Local and DSpace projects, the following language was included in the Fund Disbursement Policy:

Member Agencies are required to submit expense reports to the Treasurer on an annual basis. These reports are due by September 30 of each year. These reports shall include the following:

Project Name (either a project or staffing)
Amount allocated
Amount expended
Amount under or overspent (whichever is the case)
If under spent, an attestation that the remaining funds are kept as restricted funds for Defensible Space Programs.

Member Agencies will comply with MWPA reporting requirements through the project development portal.

Recommendation 3b:

The COC recommends that it too should receive these quarterly and year-end informational reports. Without such reports there is no straightforward way for the COC or the public to evaluate and keep track of the Local and Defensible Space Projects. At the end of each fiscal year, the COC is charged with the responsibility to review all MWPA expenditures and the Work Plan to determine whether Measure C funds have been spent appropriately. To be certain of the facts for its 2020/2021 report, the COC searched through scattered records, compared disparate accounting systems, and analyzed data from many

separate sources. This complicated information gathering process was the only way to discover the actual costs of each Local and Defensible Space Project; which of them were completed, delayed, or altered; and the reasons for any changes that were made after the project was first proposed and approved. Without any regular, centralized reporting system, this information was hard to find and slow in coming.

Additionally, the lack of readily accessible information delays the COC's review to the point where the COC has fallen out of step with the MWPA's annual work cycle. Due to the complexity of the review process, the COC's report comes out well after the end of the fiscal year when the next year's projects have already begun. By this stage it is too late for the COC's recommendations to be considered or applied to the design and implementation of the next Work Plan. This misalignment of work cycles blocks timely feedback and frustrates one of the purposes of the COC's oversight role. Regular quarterly and annual project reports will speed up the review process and should correct such functional inefficiency.

Note: The COC recognizes that an on-line information portal is now being developed to track projects but it is not clear how the portal will work, who can access it, at what point in time project details can be made public, or whether it will provide all of the information necessary for the COC's Work Plan review.

Response 3b:

As stated in Response 3a, MWPA staff is not in favor of quarterly reports at this level of detail. Staff does acknowledge the disjointed nature of the data collection the COC went through to compile their report for Fiscal Year 2020/2021. This was a learning year for all involved, the MWPA staff, member agency staff and the COC. MWPA staff attempted to predict the reporting needs and methods, member agencies were learning how best to institute Measure C funding and tracking tools, and the COC was learning what questions to ask and who to ask. In addition, the COC was still building its own processes and procedures and had a late start to building their report.

Additionally, staff believes there was a misunderstanding of the difference of Core projects segregated by zone compared to Local Mitigation projects which caused a delay in the request for financial details. Lessons learned from the process have already been instituted and staff believes developing the report for next year will be smoother.

Action Taken 3b:

See Action Taken 3a. Additionally, MWPA staff will compile the annual reports and provide to the COC. This was completed for Fiscal Year 2021/22.

Recommendation 3c:

Section 9d of the JPA Agreement requires that MWPA funds "are used consistent with the purpose of the Authority and that the tax measure expenses result in a higher level

of service than would otherwise be provided by the Member.” The COC recommends that the member agencies create a means of demonstrating that Measure C funds are not being used to supplant local agency funding for wildfire prevention and mitigation expenditures. For instance, this might be in the form of a report to the COC containing information regarding the amounts expended by individual member agencies on wildfire prevention prior to the creation of the MWPA, presented as an average based on the three fiscal years prior to July 1, 2020. The information could be prepared on a per project basis or as an aggregate of the member agency’s total expenditures on defensible space inspections and local mitigation projects.

The point of this is to establish a benchmark and to measure the wildfire preparedness and mitigation expenditures that are expected to continue after the creation of the MWPA. If any question arises, the COC, the public, and the agencies themselves could use this to confirm that Measure C tax proceeds are being used appropriately for each project and that they result in greater wildfire preparedness than would have been possible without MWPA funds.

Response 3c:

Staff believes this request will be difficult to achieve at the level of granularity requested by the COC. The COC asks each of the agencies to prepare a report to the COC containing project-specific information regarding the amounts expended by individual member agencies on wildfire prevention prior to the creation of the MWPA from 2017-2020. However, the 17 member agencies likely utilize governmental financial practices that have not captured data at the individual project level. Rather, the budgeting systems generally include the data at the program level – such as “Vegetation Management”. The amounts budgeted and expended are likely captured, but not to the detail requested by the COC.

Additionally, projects that have previously been funded by the member agency before the existence of the MWPA could now be funded by the MWPA without supplanting that agency’s funding, if the member agency continues to fund vegetation management projects to previous levels. For example: Assume a member agency allocated \$100,000 annually for vegetation management. In the past, this agency has used \$10,000 for goat grazing at XYZ location. If the member agency now uses Measure C funds for the goat grazing at XYZ location but still funds other vegetation management projects at the \$100,000 level annually, then MWPA funding has not supplanted local agency funding. Instead, the agency has complied with Measure C by completing projects that result in a higher level of service than would otherwise be provided by the member agency.

Using this example as a basis, staff believes that member agency accounting reports showing no change in the agency’s funding for wildfire prevention activities suffice to satisfy Measure C.

Action Taken 3c:

Each member agency was requested to provide a budgetary snapshot of Fiscal Year 2019/20 to exhibit wildfire prevention efforts to create a benchmark to ensure MWPA funds are increasing wildfire prevention efforts rather than supplanting existing efforts. This information has been collated and provided to the COC.

Recommendation 4a:

The COC recommends that the MWPA encourage, where appropriate, more multijurisdictional Local Projects and more cooperation among member agencies and among zones. These collaborative efforts would augment the reach of the Authority's Core Projects, tackle the highest priority work, and take advantage of economies of scale.

The concern that prompted the creation of the MWPA was that Marin's individual fire districts, while they worked well in responding to fires, were not working together in prevention and preparation efforts. In recognition of this problem, 70.8% of the voting public in the County agreed to pay for a new parcel tax to fund "coordinated wildfire prevention." Thus the founding principle of the Authority is to create a broad, countywide approach to wildfire prevention and mitigation.

By building a culture of cooperation and mutual support, the agency might counter the more parochial view that a member agency should, in every case, be the exclusive beneficiary of the tax proceeds generated in its own jurisdiction. Wildfire knows no boundaries; wildfire preparedness should not be limited by jurisdictional borders.

Response 4a:

Staff concurs with the recommendation in as much as the need for multi-agency/multi-zone collaboration. However, MWPA staff believes there has been a tremendous level of collaboration between agencies at the local level and zone level. Staff offers the following items as examples of such collaboration:

- 12 agencies participated in a pooled approach for defensible space inspections by utilizing a single team of wildfire mitigation specialists.
- Public education was created and scoped for the needs of the entire JPA with involvement from all member agencies.
- NOAA Weather Alert Radios were distributed, in coordination with all member agencies, throughout the entire JPA.
- Resident grant programs were modeled in similar ways between neighboring agencies.

Staff believes the perception of any deficiencies in collaboration is due to the limited manner in which the Core program was utilized in Fiscal Year 2020/2021, the rapid

speed in which the initial Work Plan was created (2 months) after the passage of Measure C and the focus on the “House Out” approach”. The boundaries of the MWPA Zones, for the most part, exist outside of the Wildland Urban Interface boundary and member agencies focused their efforts in that area, which may appear to demonstrate a lack of multi-zone collaboration. However, the fire prevention staff from each member agency coordinated with their partners to ensure the goals of the MWPA were being met within their jurisdictions.

Action Taken 4a:

Multi-jurisdictional projects will continue to be encouraged and supported through the Work Plan development process. The MWPA Annual Reports will continue to highlight member agency coordination and collaboration.

FISCAL IMPACT:

The actions taken have no fiscal impact.

ENVIRONMENTAL IMPACT:

Actions taken based on the COC Annual Report are not a “projects” 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,

Mark Brown
Executive Officer

STAFF REPORT

FOR THE MEETING OF January 19, 2023

To: Marin Wildfire Prevention Authority Board of Directors
From: Martina Wilson, Management Analyst
Subject: Bruce is Our Winner

RECOMMENDATION:

Staff recommends that the Board recognize and honor Director Bruce Goines for his excellency in leadership and outstanding contributions to the MWPA.

BACKGROUND:

On November 17, 2022, the Center for Volunteer and Non-profit Leadership (CVNL) announced the nominees of their 30th Annual Heart of Marin Awards.

The nomination categories included the following:

- Corporate Community Service (Sponsored by PG&E)
- Volunteer of the Year (Sponsor: Harbor Point Charitable Foundation)
- Excellence in Board Leadership (Sponsor: BioMarin)
- Excellence in Innovation (Sponsor: Potrero Group)
- Youth Volunteer of the Year (Sponsor: Redwood Credit Union)
- Excellence in Leadership (Sponsor: Marin Community Foundation)
- Lifetime Achievement (Sponsor: Kaiser Permanente)

A ceremony honoring and announcing award nominees and recipients was held on January 12, 2023. Nominated by MWPA Staff, Director Bruce Goines, and his wife Lynda Goines were joined by MWPA Board President Dennis Rodoni, Board Vice President Julie McMillan, Director Rachel Kertz, MWPA Staff Mark Brown, Executive Director, Anne Crealock, Planning and Program Manager, and Martina Wilson, Management Analyst in anticipation of the award. Also in attendance were close friends Kathleen Buckley and John Miller.

ANALYSIS:

Bruce Goines was elected inaugural President of the MWPA by unanimous vote. As the President of the Board of Directors, Bruce helped to foster a sense of community amongst the MWPA's seventeen member agencies during an unprecedented time of distance and uncertainty. Now a cherished member of the Board, Director Goines continues to demonstrate excellence in MWPA Board leadership through his insight, expertise, and innovative approach to creative problem solving. For these reasons and countless others, Director and former MWPA President Bruce Goines was nominated for CVNL's Excellence in Board Leadership award.

CVNL did not select Bruce as the recipient of the 30th Annual Heart of Marin award for Excellence in Board Leadership, nonetheless, he is our winner and we would like to formally honor his dedication and commitment to the Marin Wildfire Prevention Authority and the residents of Marin County.

FISCAL IMPACT:

None.

ENVIRONMENTAL IMPACT:

Recognizing and honoring Director Bruce Goines for his excellency in leadership and outstanding contribution to the MWPA 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,

Martina Wilson, Management Analyst

Using examples from the past 12 months to describe how the nominee has made a significant, positive and measurable impact on the organization; and how has the nominee demonstrated leadership, dedication and exhibited best practices in nonprofit governance during the past 12 months?

The devastating fires of 2017 placed much of the North Bay under siege. Extreme wildfire behavior became our new normal, due to ignition sources made plentiful by decades of fire suppression, along with the growing effects of climate change. Four fires erupted almost simultaneously and burned more than 160,000 acres across Napa and Sonoma Counties. 8,200 buildings and structures were either completely destroyed or severely damaged. 43 lives were lost. The Marin community braced itself for what was already proving to be a momentous and arduous task, and then COVID hit. Conversations surrounding wildfire preparedness and the ever-present threat of catastrophic wildfire events were highlighted in Marin's Community Wildfire Protection Plan. The Marin Wildfire Prevention Authority, a novel wildfire prevention program, was formed with strong support from County leaders and 70% voter approval.

The MWPA and its member and partner agencies were charged with developing fire adapted communities using sound scientific, financial, programmatic and ecological practices in vegetation management, community education, and evacuation and warning systems to preserve and protect the County's rich environmental diversity. To succeed, Marin County's landmark wildfire prevention authority needed an environmental leader capable of addressing multiple and unprecedented functional and logistical challenges. This charge became even more complicated by the unprecedented global pandemic.

Bruce Goines was elected President of the MWPA by unanimous vote. A smart, energetic, student of life with a proven dexterity for identifying and outlining a path toward addressing critical issues, Bruce's wisdom and intellect were the driving force of the MWPA's formative years. His leadership empowered the Authority in its efforts not only to achieve and in many ways exceed its goals and objectives to date, but also to bring a sense of community and connectedness during a time of distance and uncertainty. With his unique combination of management skills, leadership style, and extensive forestry expertise, President Goines has had an enormous impact on the Authority's integrity, character, and conduct.

As the inaugural President of the MWPA's Board of Directors, Bruce established the Board's foundation of conduct, governing the launch and continuance of the Authority's activities and proceedings with professionalism, kindness, fairness and objectivity. Bruce lent his support for initiatives he may have privately opposed when circumstances called for impartiality, and he remained respectful of opposing viewpoints in the interest and good of Marin County's residents and the Authority's overall commitments. The MWPA has gone from being a concept to conducting business in an efficient and delicately balanced fashion under President Goines' guidance, and he remains laser-focused to meet MWPA's mission, goals, and objectives. With no precedent, President Goines set a benchmark of success for the MWPA, encouraging and empowering the Agency's ability and capacity for all who follow in his footsteps.

President Goines spearheaded the key fundamentals of Board governance to ensure effective organizational planning and sufficient resources to support activities. Important elements of these responsibilities include proper financial oversight, fulfilling all applicable ethical and legal obligations, and selection and evaluation of a competent and knowledgeable executive officer to lead staff. President Goines' first order of business was to establish a team of professionals who then helped build the infrastructure of MWPA's legal, guiding and operative documents, ensuring they were uniform in style, organized according to need, and effective in use. These foundational documents have become MWPA's guiding principles and processes for measuring impact, success,

and identifying areas for improvement. In addition to establishing top tier best practices, President Goines facilitated convening representatives from seventeen vastly different Marin County agencies including cities, towns and fire districts to build a joint and unified MWPA. President Goines exemplifies warmth, kindness, and empathy constantly inspiring others. He demonstrates his passion for self-improvement and professional development in his service to the Novato Fire District Board, the Rotary Club of Novato Sunrise, and as a licensed forester since 1973.

Bruce's long and storied career in the non-profit sector and his expertise in forestry were the perfect combination MWPA needed to establish best practices and methodology. President Goines spearheaded the formation and operation of MWPA's multiple committees, including the Advisory Technical Committee, Operations Committee, Executive Committee, Citizens' Oversight Committee, and Finance Committee. Bruce oversaw and participated in the creation of committee bylaws, codes of conduct, goals and values. He was an integral part in developing agency workplans, budgets, and policies, and either led or was deeply involved in the recruitment of in-house counsel, labor and employment counsel, outside environmental counsel, environmental consultants, agency staff, its Planning and Program Manager, and MWPA's first interim and now current Executive Officer.

President Goines' vision and ability to carefully navigate the development of MWPA's foundational elements has ensured that Marin County has made significant progress in becoming better prepared for catastrophic wildfire activity. In the past 12-months the Marin Wildfire Prevention Authority's has spent \$4 million dollars on defensible space evaluations for more than 33,000 homes and structures through the county. These defensible space evaluations led to Marin County residents receiving just under \$250,000 in direct grants awards for assistance with defensible space and home hardening efforts. MWPA's Chipper Days program has removed more than 2,900 standard dump trucks worth of vegetation and debris removal around thousands of homes increasing the Authority's fuels reduction goals and initiatives to create a better fire adapted Marin. The MWPA has spent \$7 million across 50 individual fire fuel reduction projects within its jurisdictional boundaries and \$750,000.00 in public education and outreach which has provided its member agencies with critically needed resources to inform their communities, furthering knowledge and awareness of resources to help with wildfire protection and preparedness. The Authority has improved the county's emergency detection, alerts and notification systems by providing law enforcement and fire agencies with invaluable additions to infrastructure and increased support in the event of an emergency. The MWPA's community partnerships, such as that with Fire Safe Marin provides the county with funding and resources that helps to support the greater common goal of creating a network of information. This network includes advertisements, outreach, educational opportunities, home renovation material and design recommendations, preferred local vendor lists, career and training in the fire services, volunteer opportunities, and community activism that transcends age, culture, and social-emotional challenges so that every person within the Authority's jurisdictional boundaries is included, considered, and supported. President Goines' and the MWPA's commitment to diversity, equity and inclusion has helped solidify the Authority's ability to maintain effective outreach and collaboration with Marin's cultural and functionally diverse communities. President Goines' has routinely displayed his passion and deep commitment to the Authority. His regular commitment of 40-hours of unpaid time each week established a legacy and work ethic that will leave a lasting impact on Marin County.

After valiantly creating and leading the Authority through the pandemic, President Goines helped advocate to establish an MWPA headquarters that now serves member agencies, the public, and MWPA staff for strategy and gathering to creating a fire-adapted Marin County. The MWPA has helped implement a state-of-the-art warning and alert system which includes a countywide network of safe evacuation routes and temporary refuges in case of widespread evacuation. Fire

fuels reduction in Marin County have been or are planned to clear more than 260 miles of evacuation routes, 12 miles of fire roads, and approximately 3,375 acres of shaded fuel breaks. In July 2022, after two years of dedicated and brilliant service, President Goines humbly and proudly passed the torch of leadership to Marin County Supervisor Dennis Rodoni. Bruce continues to serve as an integral part of the MWPA's Board of Directors, Executive and Finance Committees.

Describe how the nominee has supported a collaborative relationship with the executive director, constituents and/or the community.

In addition to his collaborative works mentioned above, President Goines participates in every public and community event possible. He utilizes his multiple leadership platforms to share MWPA's message broadly. Bruce is either responsible for or has been deeply involved in the cultivation of every community and strategic partnership the Authority shares. President Goines' collaborative work with the Ecologically Sound Practices Partnership (ESP) originated from a unanimous recognition of climate change's role in the escalating threat of wildfires. President Goines' forestry experience, environmental care, and creative problem solving provided the group with a stable and consistent base of stewardship and cross-functional collaboration. As a member of the ESP's Steering Committee, President Goines supported the group's focus in vegetation treatment projects in wildlands, defensible space, and carbon management. He proactively considered emerging and critical issues faced by non-profit and public agencies dedicated to wildfire climate and the environment, urban foresters, and biomass resource managers at the state, regional, and local level. President Goines' partnership work has facilitated his participation and involvement in the Marin Biomass Collaborative Partnership, developed to explore sustainable uses of biomass feedstocks generated in Marin County. This project addresses increasing flows of biomass materials generated by wildfire prevention activities and by landfill diversion efforts in the County, overseen by the MWPA and Zero Waste Marin. President Goines' targeted, persistent and effective outreach strategies led to this project receiving \$500,000 from the Governor's Office of Planning and Research, one of only five pilots to do so. Bruce Goines' leadership and passion have inspired an entire community of environmentalists to continue in his footsteps, a legacy that will sustain and grow for decades to come.

Briefly state the organization's mission and services offered.

The Marin Wildfire Prevention Authority's mission is to lead the development of fire adapted communities using sound scientific, financial, programmatic, ecological practices, vegetation management, community education, evacuation and warning systems with the support of its member and partner agencies. In March of 2020, Marin County voters approved Measure C, a parcel tax on real property within the seventeen member agencies for a period of ten years. The measure funds proactive state-of-the-art wildfire prevention and preparedness efforts in the form of in-home defensible space and home hardening evaluations and direct grants to carry out the suggested improvements. Community workshops and education prepares Marin County residents for situations of fire including a countywide network of refuge and evacuation routes, additional countywide grants for low-income and functional needs populations, and planning and funding widescale vegetation management within and across jurisdictional boundaries countywide.