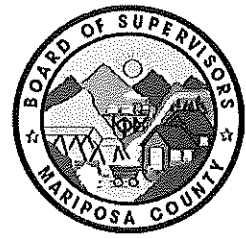




MARIPOSA COUNTY

Fire · 209-966-4330



RESOLUTION - ACTION REQUESTED 2022-539

MEETING: September 20, 2022
TO: The Board of Supervisors
FROM: Mike Van Loben Sels, Acting Fire Chief
RE: Mariposa County Fire Advisory Committee (MCFAC) Update

RECOMMENDATION AND JUSTIFICATION:

Provide an Update and Recommendations to the Board of Supervisors on the Mariposa County Fire Advisory Committee (MCFAC); and Approve an Update to Exhibit A of the MCFAC By-laws.

As requested, and required by Resolution No. 2020-627 exhibit A line e, MCFAC will provide periodic assessment, evaluation of, and feedback to the Board of Supervisors regarding the successes and challenges of Mariposa County Fire and Fire Advisory Committee efforts. MCFAC has reviewed, approved and recommended approval to the BOS an updated draft Exhibit A for recommendation of approval by the board to assist MCFAC with quorum and streamlining processes; discuss assessed successes and challenges regarding MCFAC ongoing implementation. These recommendations were approved by MCFAC on August 17th, 2022.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board of Supervisors approved Resolution No. 2019-303 on June 4, 2019 establishing the Mariposa County Fire Advisory Committee as an advisory board to the Board of Supervisors with the purpose of recommendations for fire related issues including the implementation and ongoing maintenance of the Community Wildfire Protection Plan (CWPP).

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

No update or recommendations to the Board of Supervisors as requested through Resolution 2020-627. No update or amendments to the CWPP community groups or template for consistent community assessments.

ATTACHMENTS:

201002 MCFAC BOS RESOLUTION AMENDMENTS DRAFT (PDF)
email regarding OPR and WUI planning (PNG)
WUI planning guide link (DOCX)

RESULT: ADOPTED [UNANIMOUS]

MOVER: Wayne Forsythe, District IV Supervisor

SECONDER: Marshall Long, District III Supervisor

AYES: Rosemarie Smallcombe, Marshall Long, Wayne Forsythe, Miles Menetrey

**STATE OF CALIFORNIA
COUNTY OF MARIPOSA
BOARD OF SUPERVISORS**

Resolution
No. 2022-539

WHEREAS, pursuant to Mariposa County Code Chapter 2.96, entitled Mariposa County Fire Department, the Board established the Fire Department and Fire Chief; and

WHEREAS the Board directed the Fire Department to form an ad-hoc committee in the fall of 2018 to consider an update to the Countywide Community Wildfire Protection Plan (CCWPP) and other related overarching fire issues; and

WHEREAS the County Fire Department convened the fire ad-hoc committee to consider the CCWPP plan and other relevant issues; and

WHEREAS the ad-hoc fire advisory committee concluded that an ongoing arrangement for a fire advisory committee was needed to assist in the work on various tasks including the important CCWPP update, ongoing maintenance of the plan and to ensure stakeholder collaboration on all relevant fire related issues; and

WHEREAS, in conjunction with the review of the CCWPP the ad-hoc committee also assisted the Mariposa County Fire Safe Council in preparation of the Community Wildfire Prevention Grant to CALFIRE for the update of the CCWPP; and

WHEREAS, on December 11, 2018, the Board of Supervisors adopted Resolution No. 2018-601 approving a letter of support to the Mariposa County Firesafe Council for the submittal of the grant to update the CCWPP; and

WHEREAS, by Resolution No. 2018-601, the Board recognized the importance of updating the CCWPP and potential inclusion within the Strategic Fire Plan of the MMU; and

WHEREAS the Community Wildfire Prevention Grant was subsequently awarded for the update of the CCWPP; and

WHEREAS the ad-hoc committee recommended that the Board of Supervisors establish the Mariposa County Fire Advisory Committee as key to ensuring the involved agencies and partners benefit from the CCWPP cohesive work plan and related fire programs and to continue the important work to which partners and public will benefit; and

WHEREAS, at their meeting of June 4, 2019, the Board of Supervisors adopted Resolution No. 2019-303 Establishing the Mariposa County Fire Advisory Committee; and

WHEREAS, at their meeting of July 16, 2019, the Board of supervisors adopted clarification to Resolution No. 2019-303, Exhibit A, 3. Term and Manner of Appointment, as shown in Resolution No. 2019-415; and

WHEREAS, at their meeting of October 20, 2020, the Board of supervisors adopted Resolution No. 2020-627 Exhibit A additional clarifications and amendment recommendations to the terms by the committee; and

WHEREAS the Mariposa County Fire Advisory Committee has conducted meetings on a monthly basis since establishment, and as a result has recommended amendments to the resolution Exhibit A.

NOW THEREFORE, BE IT RESOLVED THAT the Board of Supervisors of the County of Mariposa does hereby adopt this resolution amending and clarifying the terms of the establishment of the Mariposa County Fire Advisory Committee (MCFAC) as an advisory body to the Board of Supervisors with purpose, functions, and procedures as described in Exhibit A attached hereto and incorporated herein.

ON MOTION BY Supervisor Forsythe, seconded by Supervisor Long, this resolution is duly passed and adopted on, September 20, 2022, by the following vote:

AYES: SMALLCOMBE, LONG, FORSYTHE, MENETREY

NOES: NONE

EXCUSED: NONE

ABSTAIN: NONE



Rosemarie Smallcombe, Chair
Mariposa County Board of Supervisors

Attest:


Danielle Bondshu
Clerk of the Board of Supervisors

Approved as to Form:

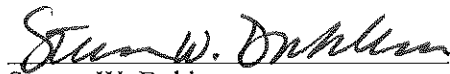

Steven W. Dahlem
County Counsel

EXHIBIT A

BOARD OF SUPERVISORS Resolution No. 2022-XXX
Mariposa County Fire Advisory Committee

Article 1 – Purpose and Authority

Section A – The committee is established under authority of Resolution 19-303

Section B – Its purpose is as follows:

1. Formulate, design, implement and participate in stakeholder engagement to ensure full participation by the committee in the establishment of recommendations for fire related issues to the Board of Supervisors, which will facilitate the implementation and ongoing maintenance of the Countywide Community Wildfire Protection Plan (CCWPP) and other needed fire plans, strategies, goals and documents.
2. Identify, evaluate and recommend the implementation of feasible fire related projects, programs, and policies pertinent to the County and stakeholders.
3. Incorporate a holistic approach in considering and making recommendations on important topics such as pre-fire coordination, fire prevention education, fire risk reduction and resource resiliency to both the County Fire Chief and Board of Supervisors.
4. Support the work of staff and others in the conduct of fact finding and data gathering necessary to (1) identify existing fire related resources and opportunities, (2) recommend projects, programs, and policies needed to efficiently implement the County's fire-related activities, plans and program goals, and (3) ultimately realize the recommendations contained in the Board of Supervisors approved fire codes, polices and relevant plans; and
5. Provide periodic assessment, evaluation of, and feedback to the Board of Supervisors regarding the success of Mariposa County Fire and Fire Advisory Committee efforts.

Section C – The Mariposa County Fire Advisory Committee is advisory to the Board of Supervisors and, as such, shall not take part officially in, nor does it lend its influence to, any political causes or issues.

Section D – Mariposa County Fire Advisory Committee is advisory to and the Board of Supervisors only. Committee recommendations are advisory only and are meant to inform the decisions of decision-makers who may accept, modify, or reject them. The Mariposa County Fire Advisory Committee is not empowered by ordinance, establishing authority, or policy to render a decision of any kind on behalf of the County of Mariposa, or its appointed or elected officials.

Article 2 – Membership and Term of Office

Section A – The Mariposa County Fire Advisory Committee is limited to nineteen (19) in accordance with the establishing authority.

1. Representatives shall be selected from or represent the following agencies and groups in Mariposa County *and will have a designee and/or alternate to represent at each meeting:*

- CALFIRE
- Mariposa County Fire Safe Council
- Mariposa County Resource Conservation District
- Mariposa County Planning Department
- Mariposa County Public Works Department
- American Indian Council of Mariposa County
- Mariposa County Sheriff (OES)
- SouthWest InterFace Team (SWIFT)
- Two (2) Public Members
- University of California Cooperation Extension (UCCE)
- Sierra Tel

These representatives are Ex-Officio (non-voting) members:

- Two (2) United States Forest Service – Stanislaus and Sierra
- Bureau of Land Management
- Yosemite National Park
- Pacific Gas and Electric
- Cal Trans
- Farm Bureau

2. The committee may call upon representatives of other organizations and the general public as resources on certain topics related to fire such as resiliency, land management, economic development, and resource conservation.

3. Two (2) Ex-Officio (non-voting) members from the Board of Supervisors.

Section B – Each term is for a period of Term and Manner of Appointment

1. Advisory agency and group membership seats are standing committee seats for continuous terms requiring no Board appointment.

2. Appointments of the Two (2) public members to the MCFAC shall be made by the Board of Supervisors based on the joint recommendation of the Fire Chief or designee and MCFAC.

3. public member terms shall expire four (4) years from the date of appointment.

4. The Board of Supervisors may remove at any time and without cause any member of the MCFAC.

Section C – Participation by Member Required, Vacancy

1. If any member of the Advisory Committee is absent (unexcused) for two (2) consecutively scheduled meetings, then that member may be removed from the MCFAC by the Board of Supervisors, and the Board of Supervisors shall fill the vacancy for the unexpired term. Members
2. The Board of Supervisors shall fill any Public Member vacancy in the MCFAC membership for the unexpired term.
3. Members who wish to continue serving for additional terms are required to complete and submit a new application, or update and resubmit original application

Section D – Selection of Officers

1. At its first meeting, the MCFAC shall elect a chair, vice chair, and secretary to serve a term of one (1) year or until the successor of each is appointed.

Section E – Duties of Officers

1. The chair shall preside at all meetings of the MCFAC and shall perform all of the duties necessary or incidental to the office, including approval of the agenda topics for the meeting. The vice chair is chair in the absence or inability of the chair to act. The secretary shall maintain notes and prepare minutes for the approval of the MCFAC

Section F – Meetings and Quorum

1. The MCFAC shall hold its first meeting at the call of the County Fire Chief or designee. The MCFAC shall establish a meeting schedule deemed necessary by the MCFAC to accomplish its purpose.
2. A quorum shall be a majority of those appointed as voting members. A quorum is required to transact any MCFAC business at a regular meeting or special meeting.
3. The Fire Chief or designee may supplement required notification in any manner deemed appropriate for the content of the proposed agenda.

Section G – Administration and Support

1. County staff shall provide support to the MCFAC. The County Fire Chief or designee shall be the lead member of County staff responsible for supporting the MCFAC. The County Fire Chief or designee shall be empowered to call upon appropriate departments to provide information required to assist the MCFAC in carrying out its designated responsibilities.
2. The County Fire Chief or designee shall be responsible for meeting notices, preparation and distribution of meeting support materials, and coordinating the meeting arrangements.

3. In the event that the MCFAC does not appoint a secretary, the County Fire Chief or designee shall be responsible for recording the meetings, archival storage of electronic recordings, and preparation and publication of minutes for MCFAC approval.

Section H – Attendance

1. If a member of the Mariposa County Fire Advisory Committee is absent from three successive regular meetings of the Advisory Board without reasonable cause, as determined by the committee chair, the office becomes vacant automatically. The Advisory Board shall immediately notify the Board of Supervisors of the vacancy so that advertising and recruitment of a replacement can commence.

Article 3 – Officers

Section A - The advisory committee shall elect a Chairperson, and a Vice-Chairperson annually at the first meeting of the calendar year, and a Secretary.

Section B – The Chairperson provides general supervisory guidance to the advisory committee and presides over its meetings. The Chairperson may assign coordinating duties to the Vice Chairperson, as necessary. The Chairperson is the sole official spokesperson for the advisory committee unless this responsibility is delegated in writing.

Section C – In the absence of the Chairperson, the Vice Chairperson assumes the duties and responsibilities of that office.

Section D – The Secretary records the minutes of all advisory committee meetings and handles committee correspondence. The Secretary keeps the roll, certifies the presence of the quorum, maintains a list of all active representatives, and keeps records of actions as they occur at each meeting. County staff assigned to the advisory committee shall be responsible for posting all meeting notices and agendas as required by the Ralph M. Brown Act, and to keep a record of such postings, and to reproduce and distribute the advisory committee notices, agendas, and minutes for all meetings, if needed

Article 4 – Meeting Procedures

Section A – All meetings, meeting notices, agendas, and meeting actions must be in compliance with the Ralph M. Brown Act, the Americans with Disabilities Act (A.D.A.), and all other laws and policies. County staff shall be responsible for posting meeting agendas on the County’s agenda management system, at the meeting location, and other applicable publicly accessible places, no less than 72 hours prior to each regular meeting, or 24 hours prior to each special meeting. Additionally, notices or agendas shall be mailed upon written request.

1. As County-affiliated entities, the tops of all committee agendas shall display the County emblem in compliance with the County Branding Policy.
2. The bottoms of all agendas shall provide a contact for A.D.A. assistance similar to “In compliance with the Americans with Disabilities Act, if special assistance is required to participate in this meeting, please contact the Mariposa County Fire Department (209) 966-4330.

Section B – Meetings that are not noticed correctly under the Ralph M. Brown Act, as noted in Section A above, may not occur and must be rescheduled to a future date.

Section C – Meetings may only occur when a quorum of committee members is present. A quorum, unless otherwise defined by the establishing authority, is a majority of the members, normally calculated as half the membership plus one. If a quorum is not present within ten minutes of the advertised meeting start time, committee members are to exit the meeting place and disperse to avoid an accidental, unauthorized meeting.

Section D - All meetings of the advisory committee and any subcommittees shall be open to the public to the extent required by the Brown Act. Meetings are to be held in public places which are in compliance with the Americans with Disabilities Act.

Section E – The Chairperson shall be the Presiding Officer at all Mariposa County Fire Advisory Committee meetings and is responsible for the maintenance of order and decorum at all times. In the absence of the Chairperson, the Vice-Chairperson shall preside.

Section F – Rosenberg’s Rules of Order shall govern the operation of the committee in all cases not covered by these by-laws. The advisory committee may formulate specific procedural rules of governance when required by resolutions, ordinances, or laws.

Section G – Each voting member has one vote and no proxy.