**BY-LAWS**

**of the**

**CALIFORNIA WILDFIRE SAFETY ADVISORY BOARD**

## 1. ARTICLE ONE: NAME

1.1. Name**.** The name of this advisory board shall be the California Wildfire Safety Advisory Board (WSAB or Board).

## 2. ARTICLE TWO: PURPOSE

2.1. Purpose of the Board. Pursuant to Public Utilities (PU) Code § 326.1 , the purpose of the WSAB is to advise the Office of Energy Infrastructure Safety (Energy Safety)within the California Natural Resources Agency, and provide advisory opinions to the local publicly-owned electric utilities or electrical cooperatives regarding wildfire mitigation and risks.

## 3. ARTICLE THREE: MEMBERSHIP

3.1. Members. The Board shall consist of seven members. Members of the Board shall be selected from industry experts, academics, and persons with labor and workforce safety experience or other relevant qualifications and shall represent a cross-section of relevant expertise including, at all times, at least three members experienced in the safe operation, design, and engineering of electrical infrastructure (PU Code § 326.1).

3.2. Selection. Five members shall be appointed by the Governor, one member shall be appointed by the Speaker of the Assembly, and one member shall be appointed by the Senate Committee on Rules (PU Code § 326.1).

3.3. Term of Appointment. The members of the Board shall serve four-year staggered terms. A member shall hold office until a successor has been appointed and has assumed office or until the member has been removed.

3.4. Resignation. Any member may resign upon written notice to the Chair of the Board and the appointing entity. The member's appointment shall terminate upon the date provided in the written notice.

3.5. Vacancies. If a seat is vacated, the Chair shall request that entity which appointed that seat (Governor, Speaker of Assembly, or Senate Committee on Rules) fill that vacancy.

3.6. Indemnification. Members of the Board who are not state agency staff are uncompensated servants of the State of California within the meaning of Government Code (GC) § 810.2. Accordingly, the State will indemnify Board members as it indemnifies its compensated employees and will provide them with representation for their acts done within the course and scope of the services they perform for the Board, pursuant to GC §§ 815 – 825.6 and 995 – 996.6. The budget may include the purchase of Errors and Omissions and Directors and Officers or similar insurance to indemnify Board members for acts done within the course and scope of services performed for the Board, to the extent that such activities are held not to be indemnified by the State under GC §§ 810.2, 825 – 825.6 and/or 995 – 996.6.

3.7. Expenses and Per Diem. Pursuant to PU Code § 326.1, members of the Board who are not salaried state service employees shall be eligible for reasonable compensation, not to exceed a per diem of four hundred dollars ($400), for attendance at Board meetings. All reasonable costs incurred by the Board, including staffing, travel at state travel reimbursement rates, and administrative costs, shall be reimbursed through the Public Utilities Commission Utility Reimbursement Account provided for in PU Code § 402 and shall be part of Energy Safety's budget. Energy Safety shall consult with the Board in the preparation of this portion of Energy Safety's proposed annual budget (PU Code § 326.1).

Eligible Board members must seek reimbursement of reasonable costs such as travel for Board related purposes, member research, and other administrative costs, as well as the per diem through the state's Travel Expense Claim (TEC) process. Completed TECs must be submitted to Energy Safety for review and processing. Board members shall not be eligible to receive intervenor compensation under PU Code § 1801 et seq. for their work related to the Board.

## 4. ARTICLE FOUR: DUTIES AND RESPONSIBILITIES

4.1. Duties. Pursuant to PU Code § 326.2 and PU Code § 8389, the California Wildfire Safety Advisory Board shall do all of the following:

(a) Develop and make recommendations annually to Energy Safety regarding wildfire safety and mitigation performance metrics annually, by June 30 each year.

(b) Develop and make recommendations annually to Energy Safety regarding the contents of wildfire mitigation plans pursuant to PU Code § 326 by June 30 each year.

(c) Review and provide comments and advisory opinions to each local publicly-owned electric utility and electrical cooperative regarding the content and sufficiency of its wildfire mitigation plan and make recommendations on how to mitigate wildfire risk.

(d) Provide other advice and recommendations related to wildfire safety as requested by Energy Safety.

(e) Make recommendations annually to Energy Safety on the appropriate scope and process for assessing the safety culture of an electrical corporation by June 30 each year.

The Board shall act in an advisory capacity to Energy Safety and local publicly-owned electric utilities and electrical cooperatives regarding wildfire mitigation and risk.

4.2. Administrative, Legal, and other Assistance: Energy Safety shall assign Energy Safety staff as advisors or liaisons to the Board for the purposes of providing administrative, legal, technical, policy, and other assistance as needed. These liaisons shall not be members of the Board and shall have no vote. Energy Safety staff will be designated to facilitate Board meetings by scheduling the room for such meetings, preparing agendas, preparing meeting information packages, and taking and preparing minutes of the meetings. The staff advisors shall also assist the Board in the development of each proposed fiscal year program budget. One liaison, from the Energy Safety's Legal Division, who shall be assigned by Energy Safety's General Counsel, shall provide the Board with legal advice, upon request. At least one other advisor shall be assigned to provide technical

and policy support to the Board, upon request, to assist in preparation of its recommendations, opinions, and reports.

4.3. Conflict of Interest Rules. To identify potential conflicts of interest and any appearance of impropriety, the Board shall comply with the Fair Political Practices Commission Conflict of Interest Code, 2 California Code of Regulations, § 18730. For purposes of applying these rules, all members of the Board shall be defined as "designated employees" required to complete a Statement of Economic Interests (Form 700) upon appointment to the Board, annually thereafter, and upon the conclusion of the member's term. Each member shall disclose on his or her Form 700 each economic interest, as defined, in any entity seeking to provide any product or service related to the Board's function, or that has plans to come before the Board or Energy Safety to seek funds from the monies under the control of either the Board or Energy Safety. Each Board member will maintain his or her own Form 700, and Energy Safety will also maintain a copy of the Form 700s for all members. The Form 700 is a public document and will be provided to any person upon request within the timeframe stated in the Public Records Act (GC § 7922.535)..

In addition, Board members may, from time to time, encounter a situation that presents a potential conflict of interest for the Board member. In such situations, the Board member should consult with the assigned legal liaison to obtain advice on how to proceed and to determine whether abstention from a vote is necessary.

## 5. ARTICLE FIVE: MEETINGS AND RECORDS

5.1. General. Pursuant to PU Code § 326.1, the Board shall meet at least quarterly and alternate meeting locations between northern, central, and southern California, when feasible. Notification of the date, place, and time of each meeting shall be given to each Board member as well as to anyone who requests it and shall be publicly posted on Energy Safety's website at least ten (10) calendar days in advance of the meeting, as required by the Bagley-Keene Open Meeting Act (GC § 11120 et seq.). The notice shall include an agenda describing each item of business that the Board will consider at the meeting including a brief description of any topic the Board proposes to discuss in closed session and the statutory authority for the closed session item, as well as the contact information for the person who can answer questions about the

meeting, the WSAB website address, and information on how a person with a disability may ask for an accommodation to attend the meeting. Pursuant to PU Code § 326.1, communications by the Board, its staff, and individual members of the Board are not subject to the California Public Utilities Commission's ex parte rules set forth in Article 1 (commencing with § 1701) of Chapter 9 (PU Code § 326.1).

5.2. Open Meetings. All meetings shall be open to the public and shall be held in accordance with the provisions of the Bagley-Keene Open Meeting Act. A copy of the Act shall be given to every existing and new member of the Board.

5.3. Quorum and Teleconferencing. A majority of the members of the Board shall constitute a quorum for the transaction of business. The members may be present in person at each meeting or, by conference telephone, or videoconference software if allowed under the Bagley-Keene Open Meeting Act.

5.4. Board Decisions. Each Board member present shall have one (1) vote. Decisions shall be made by majority vote of those members present as long as a quorum is present at the time of the vote.

5.5. Public Participation. The Board shall provide an opportunity for members of the public to address the Board directly on each agenda item before or during the Board's discussion or consideration of the item. The Board shall provide a sign-up sheet, videoconference link, or telephone line queue for members of the public who wish to address the Board. The Board shall make its best efforts to recognize the public members during the appropriate comment periods at each meeting, consistent with the Board's obligation to conduct business in an orderly manner.

5.6. Records. Written minutes shall be taken for each meeting by the assigned Energy Safety staff liaison. Written minutes will: (a) identify the date, time, and place of the meeting; (b) identify the Board members in attendance, and (c) contain a brief summary of the agenda items discussed and the actions taken. Copies of the minutes shall be provided to Energy Safety or any interested party upon request. Minutes shall be submitted to the Board at its next meeting for review and approval.

5.7. Public Record Act Request. Copies of Board records may be requested under the Public Records Act (GC § 7920.000 et seq.)

## 6. ARTICLE SIX: OFFICERS

6.1. Two Officers. The Board shall have two (2) officers, a Chair and a Vice-Chair, both of whom shall be members of the Board. The officers shall be elected by the members of the Board to serve a term of one year, and they may be re-elected. An officer shall continue to hold office until a successor has been elected and assumed office.

6.2. Duties. The Chair shall be responsible for the general supervision and direction of the affairs of the Board. The Chair shall preside over all meetings of the Board. In the absence of the Chair, the Vice-Chair shall perform the duties of that office. If the Chair and Vice-Chair are unavailable for a meeting where a quorum nevertheless exists, the Chair may appoint an acting Chair for that meeting. The officers shall perform such other duties as from time to time may be prescribed by the Board, with the assistance of an assigned liaison, as needed.

## 7. ARTICLE SEVEN: EFFECTIVE DATE AND AMENDMENTS

7.1. Effective Date. The by-laws shall become effective on the date they are approved by the Board unless the Board establishes a different effective date.

7.2. Amendments. The by-laws may be amended by vote of the majority of the members of the Board.

## 8. ARTICLE EIGHT: LIMITATION ON POWER AND AUTHORITY

Advisory Board Role: While the Board shall have the power and authority granted to it under PU Code § 326.1, § 326.2, and § 8389, it shall also function consistent with the by-laws. The Board shall act in an advisory capacity and all policy and program decision-making authority remains respectively with Energy Safety, local publicly-owned utilities, and the electrical cooperatives.

The by-laws are hereby executed on September 4, 2024.

Jessica Block, Chair

Christopher Porter, Vice Chair

Ralph M. Armstrong Jr., Board Member

Diane Fellman, Board Member

Timothy Haines, Board Member

John Mader, Board Member

Alexandra Syphard, Board Member