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.

2. ARTICLE TWO: PURPOSE

2.1 Purpose of the Board. Pursuant to Public Utilities (PU) Code § 326 (established in Assembly Bill [AB] 111 of 2019 and AB 1054 of 2019 and modified in AB 1513 of 2019), the purpose of the California Wildfire Safety Advisory Board (the Board) is to use its broad expertise to develop and provide comments, advice, and recommendations regarding wildfire safety to the Wildfire Safety Division of the California Public Utilities Commission (Commission), before July 1, 2021, and the Office of Energy Infrastructure Safety within the California Natural Resources Agency as of July 1, 2021, and provide advisory opinions to local publicly owned electric utility or electrical cooperative 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. The initial members of the Board shall be appointed by January 1, 2020. The Governor shall designate three of the initial members who shall serve two-year terms (PU Code § 326.1). 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 then acting 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 Commission or state agency staff are uncompensated servants of the State of California within the meaning of 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 (E&O) and Directors and Officers (D&O) 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 Reimbursement Account provided for in Section 402 and shall be part of the budget of the Commission. The Commission shall consult with the Board in the preparation of this portion of the commission'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 the Commission 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 to the Wildfire Safety Division related to wildfire safety and mitigation performance metrics by June 30, 2020, and annually thereafter.

(b) Develop and make recommendations related to the contents of wildfire mitigation plans pursuant to PU Code § 326 by June 30, 2020, and annually thereafter.

(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 recommendations on how to mitigate wildfire risk.

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

(e) Make recommendations to the Division on the appropriate scope and process for assessing the safety culture of an electrical corporation, by June 30, 2020, and annually thereafter.

The Board shall act in an advisory capacity to the Wildfire Safety Division and Commission and local publicly owned electric utilities and electrical cooperatives regarding wildfire mitigation and risk.

4.2 Administrative, Legal and other Assistance: The Commission shall assign Commission staff as liaisons to the Board for the purposes of providing administrative, legal, technical and other assistance as needed. These liaisons shall not be members of the Board and shall have no vote. Staff of the Commission will be designated to facilitate Board meetings by scheduling the room for such meetings, preparing agendas and meeting information packages, and taking and preparing minutes of the meetings. The staff liaison shall also assist the Board in the development of each proposed fiscal year program budget. One liaison, from the Commission's Legal Division, or its successor, who shall be appointed by the Commission's General Counsel, shall provide the Committee with legal advice, upon request. At least one other liaison shall be assigned to provide technical support to the Board, upon request, to assist in preparation of its annual 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) prior to taking a seat on the Board, annually, 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 the Commission to seek funds from the monies under the control of either Commission, or in a parent or subsidiary of such an entity. Each Board member will maintain his or her own Form 700, and the Commission will also maintain a copy of the Form 700s for all members. The Form 700 for any member will be provided to any person upon request within a reasonable period.

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 a legal liaison to the Board to obtain advice on how to proceed.

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 member and shall be published as required by the Bagley-Keene Open Meeting Act (GC §11120 et seq.) and in the Commission's Daily Calendar at least ten (10) calendar days in advance of the meeting. Notice shall include the name, address, and telephone number of a person who can provide additional information prior to the meeting, as well as a brief, general description of the business to be transacted and shall highlight important pending decisions. The agenda, once published, shall not be revised ten (10) days prior to the meeting. The Board may take action on an item of business not appearing on the published agenda, as long as the action is taken in accordance with Gov. Code § 11125.3. Pursuant to PU Code § 326.1, communications by the board, its staff, and individual members of the board are not subject to the 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 Committee.

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 or by conference telephone to the extent consistent with state law regarding open meetings, so long as the place of the meeting is open to attendance by the public and so long as the meeting is conducted in a way that is consistent with the following requirements of GC § 11123:

(a) All meetings of a state body shall be open and public and all persons shall be permitted to attend any meeting of a state body except as otherwise provided by [Part 1, Chapter 1, Article 9 of GC].

(b) (1) Nothing in Part 1, Chapter 1, Article 9 of the GC shall be construed to prohibit a state body from holding an open or closed meeting by teleconference if the convening at one location of a quorum of the state body is difficult or impossible, subject to all of the following:

A. The teleconferencing meeting shall comply with all requirements of [Part 1, Chapter 1, Article 9 of GC] applicable to other meetings.

B. The portion of the teleconference meeting that is required to be open to the public shall be audible to the public at the location specified in the notice of the meeting.

C. Each teleconference location shall be identified in the notice of the meeting and shall be accessible to the public.

D. All votes taken during a teleconference meeting shall be by roll call.

E. The portion of the teleconference meeting that is closed to the public may not include the consideration of any agenda item being heard pursuant to GC §11125.5.

F. At least one member of the state body be physically present at the location specified in the Notice of the meeting.

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 for members of the public who wish to address the Board. The sign-up sheet shall be available prior to the commencement of the public meeting and shall provide space for the name of the member of the public wishing to address the Board, whom the individual represents, and the agenda item to be addressed. 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 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 summary of actions taken. Copies of the minutes shall be provided to the Commission 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 the Board's public documents that are subject to the Public Records Act may be requested from the Board and the Board shall provide them within a reasonable time.

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 at 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 a temporary 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. It is anticipated that these by-laws shall be amended after July 1, 2021 when the Office of Energy Infrastructure is established within the California Natural Resources Agency and the Wildfire Safety Division is transferred to the Office of Energy Infrastructure Safety.

8. ARTICLE EIGHT: LIMITATION ON POWER AND AUTHORITY

8.1 Advisory Board Role: While the Board shall have the power and authority pursuant to PU Code § 326.1, § 326.2, and § 8389 to function consistent with the by-laws, and in particular, to carry out the duties and responsibilities specified in Article Four of the by-laws, the members of the Board in the performance of their duties and in the actions taken by the Board shall act in an advisory capacity and all policy and program decision-making authority respectively remains with the Wildfire Safety Division, the Commission, and local publicly owned utilities and electrical cooperatives.

The by-laws are hereby executed on _____.

_____
Chair

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Vice Chair

_____
Member

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Member

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Member

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Member

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Member

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