



"To protect, enhance, and support Butte County natural resources and agriculture by working with willing landowners and citizens through education, land management, and on-the-ground projects."

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BOARD OF DIRECTORS Minutes

Date: Thursday, July 16, 2020

Time: 9:00 AM

Location: No physical location

NOTICE OF TEMPORARY PROCEDURES FOR BOARD OF DIRECTORS MEETING: Pursuant to California Governor Gavin Newsom's Executive Order N-29-20 issued on March 17, 2020, relating to the convening of public meetings

in response to the COVID-19 pandemic, the Butte County Resource Conservation District will be closing the June 18, 2020 Board of Directors Meeting to members of the public and nonessential District staff. Additionally, members of the Board of Directors are allowed to attend the meeting via teleconference and to the same extent as if they were present.

Members of the public are encouraged to participate in the Board meeting in the following ways :

1. Remote Viewing

h <https://zoom.us/j/321411651> (Meeting ID: 321 411 651) OR use
One tap mobile: +16699006833, then enter 321411651#

2. Public Comment

Public Comment can also be submitted anytime via email at bcrcd@carcd.org . Every effort will be made to provide Board Members with your comments before the agenda item is heard. Comments received after an agenda item will be made part of the record if received prior to the end of the meeting

1) CALL TO ORDER – Dave Lee, President , 9:04 am

2) WELCOME AND INTRODUCTIONS – Directors John Christofferson, Allen Harthorn, Colleen Hatfield, and Dave Lee; Associate Director Mike Crump; District Manager Thad Walker; staff Wolfy Rougle, Tim Keesey, Amanda Chaney; Americorps member Shepard Smith; NRCS district conservationist Dan Taverner.

3) REVISIONS TO AGENDA (only emergency situations requiring the need to take immediate actions may be added as action items pursuant to Gov. code 549954.2(b))

4) PUBLIC COMMENT (on non-action items)

(1) (3 min. limit per speaker/topic, 15 minutes/person/meeting total) (2) *Public comment is encouraged. Any member of the public may address the Board with any comment related to the Resource Conservation District's areas of concern. However, no action can be taken by the Board on such items at this current meeting. The Board may direct staff to agendize such items for consideration at a future meeting.* (3) **Please note that all action items will have time set aside for public comment prior to the vote occurring. After a motion*

is made and seconded by two BCRCD Directors, the Chair will first ask for any further discussion from the Directors and

Associate Directors and then Chair will open up the item for brief public comment limited to 2 minutes/person. After the public comment period closes a vote will be held.

5) **CONSENT AGENDA:** Project Updates (see board packet).

6) **ACTION ITEMS –**

Dave Lee, President

- a. **Review and approval of the minutes of the BOD meeting held 6/18/2020** – John moved, Colleen seconded to approve minutes; motion passed unanimously
- b. **Review and Approve Outstanding Bills and Financials – Colleen Hatfield –** Colleen showed how CARCD dues will go up for us now that our operating (overhead) budget is so much higher than it used to be. CARCD asks for 2% of overhead budget, which for us would be about \$2,000. The Board also considered a contribution to the Pacific Policy Group, a firm that advocates for RCDs (including e.g. baseline funding for RCDs from the state). Colleen suggested a voluntary donation of \$200 to show that BCRCD is engaged and supports PPG's efforts. Current bank balance is around \$127,000. This month, \$25K in invoices were paid to BCRCD (including 3 back invoices to Sierra Nevada Conservancy which are essentially paid by BCRCD to BCRCD out of an advance or "holding account"). John moved that BCRCD: pay the outstanding bills, make a donation of \$200 to PPG, transfer the funds for the 3 SNC invoices, pay \$2000 in CARCD dues, and authorize midcycle payments (listed on the A/P in the greyed-out fields) to contractors Lunak and Babcock as soon as the expected payment is received from AFF. Colleen seconded, motion passed unanimously.
- c. **Audit Update- Colleen Hatfield – (no action needed)** – Auditors are hoping and planning to have the audit done by the end of August.
- d. **Operating Reserves Policy -Colleen Hatfield/ Thad Walker –** In alignment with other RCDs' practices and government code, BCRCD can establish a cash reserves policy to maintain a reserve that would carry the RCD through some pre-established length of time of no income. Funding this reserve becomes an overhead line item in our budget; that raises our indirect and contributes to the long-term sustainability of the district. For a three-month reserve, the target amount would currently be \$100-105K. This target could fluctuate up or down depending on RCD budget/expenses as the district grows, and would be revisited annually. Goal of \$33K per year allocated into reserves would achieve this target in 3 years. Allen said these targets sounded realistic, but the RCD should consider meeting it sooner if revenue streams allow; and he added the district should be aiming for eventually having a 6-month reserve. The board discussed whether this contribution would be best made monthly at a fixed amount, quarterly at a fixed amount, or as a fixed percentage of monthly income. Dave asked to see 2 proposals for next board meeting: one based on a monthly fixed amount and one based on a monthly percentage. Board also asked for a comparison of how other RCDs handle it and additional detail on how they specify how the reserves can/will be spent.
- e. **Tier 1 Accreditation checklist -Colleen Hatfield/ Thad Walker (no action needed)** – CARCD has developed a checklist to help RCDs meet DOC's "Tier 1" accreditation standards. If we implement Tier 1, there is very little else we need to

do to establish our legitimacy as a district in good standing to virtually any funder or potential partner. Staff will bring examples back to board from time to time of how other RCDs are meeting these standards.

- f. **Policy to limit subcontractor indirect - Wolfy Rougle** – Colleen moved to approve the procurement policy with its revisions as submitted by staff, Allen seconded; motion passed unanimously.
- g. **Contract between BCRCD and Chico State Enterprises (CSE) to have CSE assist the RCD with the development of the Big Chico Creek Forest Management Plan- Tim Keesey.** John remarked on the paragraph stating that when 90% of the funds have been expended, contractor will be able to negotiate a new contract (BOD would like to insert language saying: “at discretion of RCD board”). John asked why is this language in the contract? Contracts should not include unnecessary language. Board asked that this clause be eliminated (attachment B and attachment D). Moving on to attachment D, John noted that sometimes we are in a position of not being able to pay subcontractors because we have not been paid by our funder. John would like to insert language saying that RCD will pay subcontractor invoices within 60 days upon RCD receiving payment from our funder. John moved that Board accept the contract with these changes. Allen seconded. Motion passed unanimously.

Next, the Board discussed how change orders would be handled and eventually concluded the language in paragraph 10, attachment D was sufficient.

- h. **Contract with Butte Co. Fire Safe Council to conduct cultural resource surveys for a 7,000 acre Vegetation Management Program (VMP) south of the town of Paradise. -Tim Keesey** – The BCFSC has a large and complex post-Camp Fire landscape management planning grant it is managing for Paradise Ridge. It has parceled up this planning process into 5 smaller chunks. RCD submitted a bid for all 5 chunks, but our bid was only accepted for this one cultural resources chunk (\$129,400). (However, we were also invited to join a paid advisory panel so we can still influence the other 4 chunks. But that is a separate issue which will be on the agenda for August.) Tim confirmed that the archaeologist he has in mind for this contract, Sean Jensen/Genesis, has enough capacity to complete both this survey (due April 2021) as well as Dixie Rd which we also want him to do. In general, RCD would not always take on a contract which is almost 100% pass-through to a subcontractor, however in this case it is important to support the Fire Safe Council in their work and maintain a strong relationship. Tim proposed the second task in the contract before the board (i.e., FMP overview or consulting) be deleted from this contract, as it is not fully negotiated yet; it can be revisited next month. John moved approval of the cultural resources portion of the contract this month, and review of the consulting portion next month. Colleen seconded. Motion passed unanimously.
- i. **Contract to conduct cultural resources surveys and report - Paradise VMP-Tim Keesey** – This is the contract with the archaeologist who would actually be doing the work in items *h* and also *n*. Both jobs have been combined into a single contract. On page 2, paragraph 5, John noted “as long as progress in” should be changed to “as long as progress *is*”. Last line in Compensation section – Should add

same language as we added to contract with Chico State above, i.e., RCD will pay subcontractor invoices within 60 days upon RCD receiving payment from our funder. John also proposed adding the following language as the second line of page 2, paragraph 5: "Each invoice shall contain a brief description of work completed or percentage of work completed for each task as outlined in Exhibit A, and a percentage of the not-to-exceed project cost billed to date." Next, in Exhibit A (scope of work), item G, "all reports will be completed ~~between~~-by May 2021," also delete ~~between~~-in item F paragraph 2. With those changes, John moved to accept the contract. Allen seconded, motion passed unanimously.

- j. **Contract to conduct cultural resource surveys, reports, and consult with SHPO for 30 landowners approved for FSA EFRP funding- Tim Keesey** – This was sent out originally as a blank contract. Now that Genesis has been contracted for items **h** and **n**, Tim recommended item **j** be filled in with the information of Alta Engineering. Alta Engineering is another firm with capacity to do cultural resources surveys. It did a great job on the Big Chico Creek FMP, has experience with FSA, and submitted the lowest bid, covering 29 landowners (the number who have been approved by FSA to date) and 3000 acres. The 3000-acre target is the more important deliverable than the # of landowners. It is likely that the 3000-acre target will be met before all 29 landowners get their arch done. It will need to be clarified to FSA what a monumental task this is and that more \$ will be needed to achieve forest planning for fire recovery on all the lands that need it and have signed up. John moved to accept the contract with Alta Engineering, with the same changes that were made above to the Genesis contract. Colleen seconded. Motion passed unanimously. Tim asked that John review the specific language Tim developed from John's suggestions for the compensation section.
- k. **MOU with Thibault Hoppe-Glosser to provide grant development services as volunteer for upcoming CCI-Forest Health opportunity- Wolfy Rougle.** Colleen and Dave both asked if RCD would really have the capacity to project-manage a grant of this large scope (multi-thousand acre, multi-million dollar, multiple landowners). Staff responded that right now, we don't, but a Forest Health grant is an opportunity to build capacity; and if we don't seek out this type of funding source and the Fire Safe Council doesn't do it either (they've indicated they won't but would like us to) then the work won't get done. John observed this is our community and we ought to try and bring the funds in to serve it. Colleen moved to sign the MOU, John seconded, motion passed unanimously.
- l. **NRCS Engineering Agreement -Thad Walker** – To recap, our NRCS engineering agreement is used up, and we've been using up the last hours in our conservation planning agreement, which NRCS will not renew. NRCS would like to renew the engineering agreement at \$75K. However, it will also simultaneously fly an NRCS engineering tech position. As soon as that position is filled, the engineering agreement with RCD would be terminated. Dan observed that this position has been open a long time and hasn't been filled yet, but whoever was doing the work in the RCD role would logically be a top candidate for the engineering tech position. These \$75K funds haven't been made available yet, but Dan asked Board to authorize staff to pursue the opportunity once the funding is

renewed. Dave said this is something the RCD has been consistently pursuing for a long time so there's no reason staff couldn't continue to follow up and pursue the contract renewal.

- m. **Staffing Recommendations Review- Thad Walker (no action needed)** – As discussed at last month's board meeting, the RCD needs to hire more staff, especially in forestry. Tim has put together job posting for a forestry tech and a forester, as well as for a conservation project manager (a less immediate but still vital long-term need). Plan is to advertise these positions with the help of FSC, our own website, CARCD, and other avenues. Job descriptions for all 3 positions are in the board packet. Mike asked if there is a compensation schedule for the forestry tech position or if compensation is really wide open. It's really wide open. John noted we should reach out to California Licensed Foresters Association (Tim is a member) and the forester training program in Siskiyou County (Tim knows someone who is closely affiliated with that program) and to neighboring RCDs to see if they can "share" their RPF (Colleen responded most of the regional RCDs seem equally overwhelmed as us in terms of work >capacity). Tim will take his RPF test in October (remotely). Colleen asked if an RPF from out of this area would be acceptable. Tim replied yes, this could be done by a remote applicant who was willing to travel to the area a few days a month.
- n. **Contract for Cultural Resources -Dixie Road – Thad Walker** – Already handled, see item i.
- o. **Next Meeting of BCRCR BOD- Thursday August 20th @ 9 AM.**

6) RCD PROJECTS AND PROGRAMS

a) **Update – See staff updates in BOD packet.** Mike Crump asked for an update on negotiations around walnut orchard removal in Brayton project. Thad responded: We were recently given the green light to burn the orchard waste rather than chip or haul it; this will significantly reduce costs. We continue to negotiate with River Partners on how we can fit not only the implementation but also the monitoring and maintenance into the project.

Staff provided summaries of the 3 WCB Forest Conservation grants they would submit that day. Wolfy described the \$2.2M implementation grant for Concow Resilience project (federal lands) and the \$180K planning grant for burn pods in Concow (SPI and federal lands). Thad described the \$1.4M planning grant for Colby/Upper Butte Creek. Thad also described the second CalRecycle grant RD is pursuing, spearheaded by Shepard who successfully wrote the first one a few months ago. Mike mentioned that reaching out to Supes might be a great way to identify more sites for CalRecycle grants, when we are ready to grow the program; this is because Supes are often the first people folks contact about illegal dumping on rural lands.

7) PARTNERS' REPORTS (5 minute limit per group)

- a) Natural Resource Conservation Service (NRCS) – Masks will now be required in the office, even with distancing.
- b) Butte County departments
- c) Community groups and agencies

8) CLOSED SESSION – Directors only – About 11:30 am

a) Personnel Discussion

BCRCD Board of Directors approved an hourly pay increase for the Engineering Technician. Colleen made the motion, John was the second; motion passed unanimously.

9) BOARD OF DIRECTORS REPORTS

a) Butte County RCD Directors and Associate Directors are welcome to report

10) ADJOURNMENT

***NOTE:** The Butte County Resources Conservation District (BCRCD) distributes its Board meeting agendas electronically at least 24 hours in advance of meetings. If you would like to be added to, or removed from, the email list, please notify the Butte County RCD at (530) 534-0112, ext. 122 or by email to: brcrd@carcd.org. The BCRCD also publicly posts notice and agenda of meetings 72 hours in advance of meetings at the Butte County RCD office located at 150 Chuck Yeager Way, Suite A, Oroville, CA. **Reasonable Accommodations:** In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Butte County RCD Manager at (530) 534-0112, ext. 122.*

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