



"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."

150 Chuck Yeager Way, Ste. A, Oroville, CA 95965 * (530) 693-3173 * bcrd@carcd.org

BOARD OF DIRECTORS

Minutes

Date: Thursday, February 17, 2022

Time: 9:00 AM

**Location: Klamath Conference Room
202 Mira Loma Drive, Oroville, CA 95965**

Or Join Zoom Meeting

<https://us02web.zoom.us/j/85961204034?pwd=UjNORGpQMmRxTGJENEtV2Z4QzBPZz09>

Meeting ID: 859 6120 4034

Passcode: 555329

Join via phone +1 408 638 0968

1. **CALL TO ORDER** – Dave Lee, President. 9:05 am
 - a) **WELCOME AND INTRODUCTIONS** : Chair Dave Lee, Vice Chair Allen Harthorn, Treasurer Colleen Hatfield, Director John Christofferson; Associate Director Mike Crump; District Manager Thad Walker, staff Kimberly Romero, Dallas Koller, and Wolfy Rougle; District Coordinator for Office of Assemblyman James Gallagher, Juleah M. Cordi.

2. **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))

3. **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 BCRC D 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.

CONSENT AGENDA:

- a) Teleconferencing Requirements of the Brown Act AB361 BCRC D Resolution 01202022
- b) Review and approval of the minutes of the BOD meeting held 1/20/2022

John moved to accept, Allen seconded, motion to accept the consent agenda passed unanimously.

4. ACTION ITEMS – Dave Lee, President

- b) **Presentation of AB 1776 - Resource conservation districts: California Prompt Payment Act - Introduced by Assemblyman Gallagher** -Juleah M. Cordi, District Coordinator, Office of Assemblyman James Gallagher: Gallagher is sponsoring AB 1776, which would add RCDs to the Prompt Payment Act, which says that if the state doesn't pay outstanding invoices within 45 days to certain entities, then the State has to pay interest on those invoices, starting on day 46 (1/4% for each day thereafter). In 2008 and 2009, there were attempts to make this amendment. Those amendments didn't happen, but not for want of Assembly support. Bill introduction deadline is tomorrow, so after that Gallagher's staff will have a better idea of what the committee assignment, etc will look like. Staff will then be reaching out to RCDs for letters of information about how this bill would affect RCDs' operations and conservation in the state. If passed, would take effect Jan 1, 2023. Colleen asked would it be retroactive to any invoices that were overdue before the act took effect? Good question; Juleah will follow up. Juleah is former DM of Sutter RCD! Colleen will nudge CARCD directors to follow up with Juleah as well.
- c) **Review and approval of Financials/ Accounts Payable-** Colleen Hatfield: Colleen described the new format. The first page is a review, showing our general fund balance on the date of last board meeting, all items paid since last board meeting, and the ending balance as it stands now. Pages 2 and 3 show all deposits since last board meeting and all checks we expect to write right after this BOD meeting. (Deposits can come either from checks we received from funders or from transfers from our advance accounts. Checks are amounts shown in parentheses.) Page 4 is accounts payable, i.e. invoices from our contractors that we can't pay yet because we have not received adequate payment from our funders. Page 5 is a summary of (a) all outstanding invoices our funders need to pay us, (b) all our account balances including all advances, and (c) outstanding checks we issued to contractors but they never cashed. Auditor bills; \$6300 for the audit has previously been approved at Jan BOD meeting; once we receive the new invoice, we will pay that; then we will bring the balance forward to the next BOD meeting. From Page 4: (a) We will pay McCombs & Tim Keesey as soon as we receive the payment from the County. (b) We will pay all Colby invoices previously approved b/c payment just came in; the PWA Dixie #3 invoice as soon as we receive that waterboards payment; and annual SNA fees immediately. Also, we will stop payment on the Ben Hart check 5047 and reissue him a new one. John moved to approve these actions, Allen seconded; motion passed unanimously.
- d) **Review of Audit of Financial Statements: fiscal year ending June 30, 2019** -Colleen

Hatfield (Discussion item): No big surprises. Significant improvements made to the RCD's recordkeeping and documentation practices over the last several years were discussed. Acceptance of the audit will be an action item at the March BOD meeting.

- e) **Report from County Counsel's Office re: insurance coverage** -John Christofferson (discussion item): John sent Kathleen's report to each of the BOD members. Summary: County Counsel has never seen a requirement such as SDRMA has requested; County Council will not write the affidavit SDRMA has requested; this raises the question of whether the County is able to shun liability incurred by the BCRCD and if so, under what circumstances. If the RCD experiences a loss, SDRMA does not cover it, and the County will not cover it, does that make the Directors liable therefor? Kathleen responded that the County is self-insured and has a different insurance policy (doesn't use SDRMA) which is why the County won't pay for losses not covered by SDRMA. Thad suggested approaching LAFCo to ask these questions, since they work with every special district in the county.
- f) **Review of Bid Proposal Forms and Agreement with Kelly Excavation for Chandon Ave Project funded by Cal Recycle** -Kimberly Romero. Item was put out to bid in early Jan; Kelly's bid was lowest and most qualified. Dave reviewed all the bids and noted 3 were fairly close together (including the contractor we've worked with on these types of projects the most in the past) but Kelly's was much lower. However, Kelly does have experience with previous projects and attended a bid walk where the several sites were explained in detail. The project requires DIR registration but no certified payroll. 100% performance bond is required. No bid bond. John moved to accept the bid, Allen seconded, motion passed unanimously.
- g) **Approval requested for a sole-source contract with Pacific Watershed Associates for sediment source assessment and stream reach assessments for Upper Butte Creek Forest Health Project** - Wolfy Rougle. Allen moved, Colleen seconded to accept the justification; motion passed unanimously
- h) **Approval requested for a sole-source contract with Wendy Boes for botany surveys for Upper Butte Creek Forest Health Project** - Wolfy Rougle. Colleen moved, Allen seconded to accept the justification; motion passed unanimously.
- i) **Next Board of Directors Meeting:** Thursday, March 17th, 2022 at 9:00 AM, Location: Klamath Conference Room 202 Mira Loma Drive, Oroville, CA 95965. Colleen won't be able to make it but will try to Zoom in.

5. RCD PROJECTS AND PROGRAMS

a) Staff Updates – Dallas Koller introduced himself and his work history, as well as the main projects he now works on for the RCD. Currently pursuing a master's in Forest Science from Colorado State: one class left with graduation scheduled for December.

Thad, Allen and Wolfy recently met with consulting/facilitation firm Kearns West to get an introduction to the Central Valley Salamon restoration initiative and learn ways BCRCD and other Butte County partners can contribute to scoping, project inventory, and ultimately implementation. They are trying to create an integrated database/understanding of all salmon recovery efforts basinwide, which doesn't really exist right now. Upcoming webinars on Mar 3 and Mar 30 where partners can contribute. Allen & staff suggested Kearns West contact some groups they hadn't thought of yet. It was just recently shown that salmon fry (from the hatchery) grow 7x faster in a

floodplain environment than a channel, so restoration of Butte Sink wetlands from up to Gorill Dam should be a high priority.

Strategic planning: Allen has found a couple good RCD strategic plans e.g. Napa, Sonoma (although these did not cover forested areas). Combining this structure with some of the content already developed through our recently DOC-funded Butte Forested Watersheds Plan could be a quick and effective way to develop a strategic plan.

6. PARTNERS' REPORTS (5 minute limit per group) - None

- a) Natural Resource Conservation Service (NRCS)
- b) Butte County departments
- c) Community groups and agencies

7. CLOSED SESSION – Directors only

- a) Personnel Discussion

8. BOARD OF DIRECTORS REPORTS

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

9. 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: bcrcd@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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