

**Tuolumne County Resource Conservation District  
Board of Directors - MEETING AGENDA  
March 16, 2022 5:30pm**

**Teleconference Information**

Meeting ID: [meet.google.com/ufr-obtt-ret](https://meet.google.com/ufr-obtt-ret)

Phone Numbers: (US)+1 530-867-9520 PIN: 943 918 173#

**Notice:** *This meeting will be held in accordance with AB 361 and the Federal Americans with Disabilities Act. The Board will hold this meeting telephonically using Google Meet. All members of the public may observe and participate in the meeting via teleconference or webcast.*

**Call to Order**

**Roll Call:** Stuart Crook, Stephen Dietrich, Kirk Ford, Maiya Morrison, Jim Phelan, Mike Sardella, Galen Weston

**Public Comment**

*(5 minutes per item maximum) We would like to welcome the members of the public who have taken the time to bring their concerns to this meeting. Any member of the public may address the Board relating to any matter within the Board's jurisdiction. This need not be related to any item on the agenda; however, the Board cannot act on an item unless it was noticed on the agenda.*

**Business**

1. Discussion and action related to Remote Meetings and Resolution 2022-03.
2. Discussion and action related to Minutes for February 2022 Board Meeting.
3. Discussion and action related to CSDA Field Coordinator and AB 1776.
4. Discussion and action related to American Forest Foundation My Sierra Woods Project, Demonstration Site on Wards Ferry Road.
5. Discussion and action related to TCRCO Grant Program Updates:
  - a. RCPP Forestry Program and CARCD Forestry PACE Program
  - b. Twain Harte Community Stormwater Enhancement Project
  - c. CAL Fire Fire Prevention Grant - Pine Mountain Lake Fuel Reduction Project
  - d. Mother Lode PBA
  - e. TStan IRWM Administration
  - f. Pending Project Proposals

**NRCS Update**

**District Manager Update**

**Correspondence and Announcements**

**Other Matters at the Discretion of the Chair**

**Adjournment**

*In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact District Manager Lindsay Mattos at (209) 559-9066. Notification 48 hours prior to the meeting will enable the TCRCO to make reasonable arrangements to ensure accessibility to this meeting (28CFR35.102-35.104 ADA Title II)*

**Tuolumne County Resource Conservation District  
Board of Directors - MEETING MINUTES  
February 16, 2022**

**Notice:** *This meeting was held in accordance with AB 361 via Google Meet.*

**Call to Order:** 5:30 pm

**Roll Call:** Stuart Crook, Jim Phelan, Mike Sardella, Galen Weston, Maiya Morrison

**Public Comment:** No Comment.

**Business**

- Discussion and action related to Minutes for January 2022 Board Meeting. Motion by director Crook, seconded by director Phelan, passed unanimously.
- Discussion and action related to TCRCD Grant Program Updates:
  - TCRCD IRWM Projects
  - RCPP Forestry Program and CARCD Forestry PACE Program
  - Twain Harte Community Stormwater Enhancement Project
  - CAL Fire Fire Prevention Grant - Pine Mountain Lake Fuel Reduction Project
  - Mother Lode PBA
  - Pending Project Proposals

*Overview of projects provided by L. Mattos. Discussion by the board on the Cal Fire Grant and the Mother Lode PBA. L. Mattos to follow up on container BioChar project, UC Merced Forest Carbon Study, BioChar project in El Dorado County, Rangeland BioChar Project, and Don Pedro PBA and old equipment.*

**NRCS Update:** No report provided.

**District Manager Update:** No additional update.

**Correspondence and Announcements**

**Other Matters at the Discretion of the Chair**

**Adjournment:** 6:41 pm

March 16, 2022

RESOLUTION NO. 2022-03

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TUOLUMNE COUNTY RESOURCE CONSERVATION DISTRICT PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF THE TUOLUMNE COUNTY RESOURCE CONSERVATION DISTRICT FOR THE PERIOD 30 DAYS PURSUANT TO BROWN ACT PROVISIONS.

WHEREAS, the Tuolumne County Resource Conservation District is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of Tuolumne County Resource Conservation District's legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District's legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District's boundaries, caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, such conditions now exist in the District, specifically, Governor's Executive Orders (N-25-20, N-29-20, N-35-20); and

WHEREAS, the Board of Directors does hereby find that continuing threat of COVID-19 has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District, and desires to proclaim a local emergency and ratify the proclamation of state of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the local emergency, the Board of Directors does hereby find that the legislative bodies of Tuolumne County Resource Conservation District shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall comply with the

requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

NOW THEREFORE BE IT RESOLVED by the Board of Directors of the Tuolumne County Resource Conservation District as follows:

Section 1. Proclamation of Local Emergency. The Board hereby proclaims that a local emergency now exists throughout the District, and the Tuolumne County Resource Conservation District will be utilizing the option for virtual participation in meetings to ensure the safety of those participating in District business.

Section 2. Ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency,.

Section 3. Remote Teleconference Meetings. The District Manager and Board of Directors of the Tuolumne County Resource Conservation District are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 4. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective for 30 days, or such time the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Tuolumne County Resource Conservation District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Board of Directors of the Tuolumne County Resource Conservation District at a meeting of the Board held on the \_\_\_ day of \_\_\_\_\_. Motion by \_\_\_\_\_ and second by \_\_\_\_\_.

Motion passed by the following vote:

AYES:

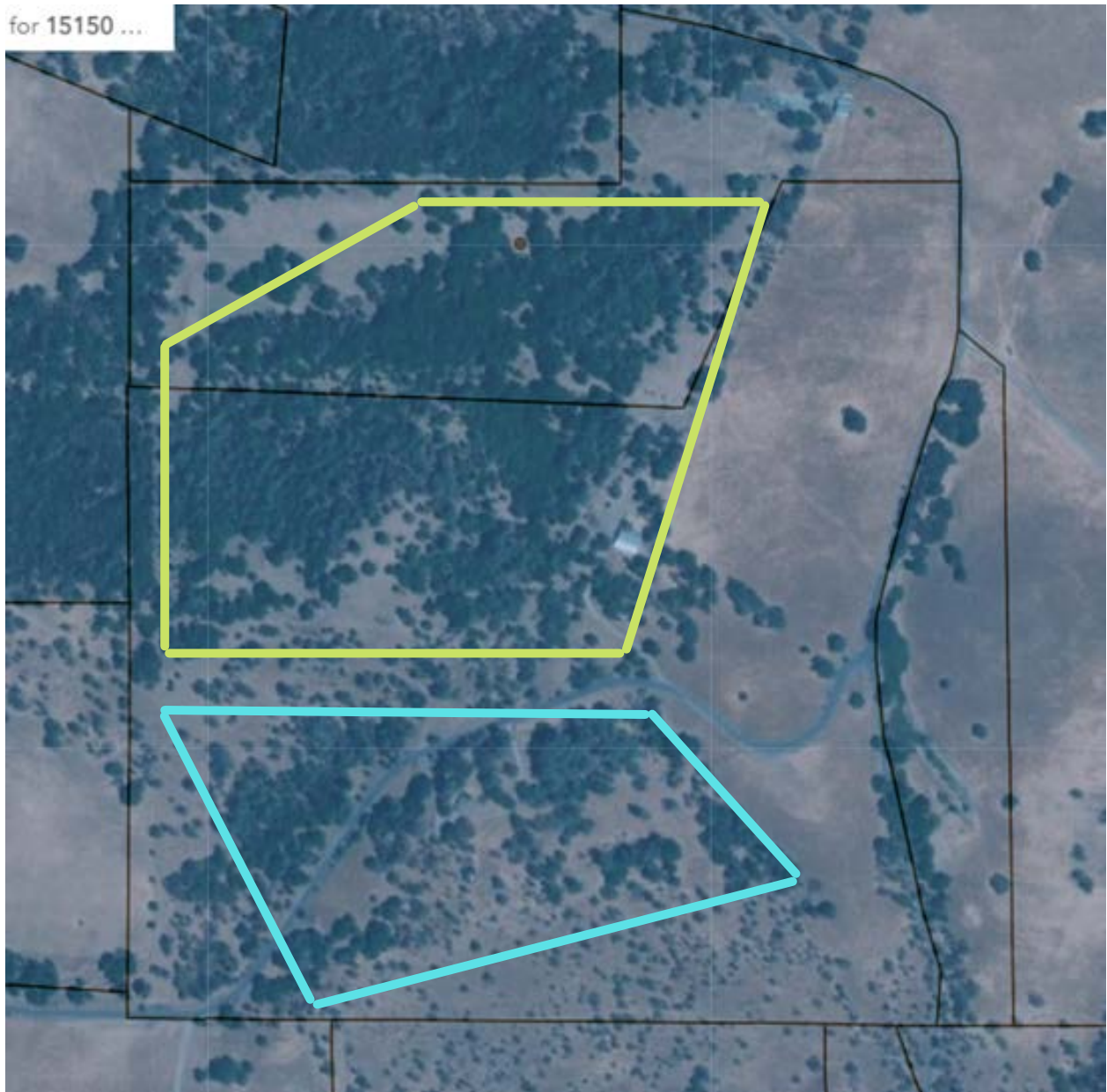
NOES:

ABSTAIN:

ABSENT:

Signed: \_\_\_\_\_ ATTEST: \_\_\_\_\_

# Lot A & B, Wards Ferry Road, Sonora



Management Area 1



Management Area 2

## **Management Area 1**

**Description:** Management area one includes a seasonal drainage that flows into a stock pond on the north side, a property line fence between parcels through the middle and a steep hill on the south side. Most of this area is covered in Canyon Live Oaks and Bull Pines with a limited number of White Oaks. Most of this area is extremely dense and only growing small amounts of forage in patches where sunlight comes through.

**Management Techniques:** The best management techniques to maintain firebreaks and proper forage for livestock will include mechanical removal of Canyon Live Oaks using heavy machinery and chipping all removed material, any stumps unable to be removed will need to be chemically treated to prevent re-sprout, bull pines will need to be fell, chipped and removed, or sent to the shavings plant. We can also utilize pile burning on material that cannot be chipped. Nice single stemmed oak trees of any variety will be saved for shade.

## **Management Area 2**

**Description:** Management area two consists of larger Bull Pines, White Oak and Canyon Live Oaks. The trees are not nearly as dense as management area one. This area also has many downed trees.

**Management Techniques:** This area will greatly benefit from falling and chipping, with a goal of no more than 4-5 trees per acre leaving only the healthy White Oak Trees. All downed trees need to be piled and burned.

## **GOALS**

The goal is to save and preserve healthy White Oak Trees, free of mistletoe or other diseases and the Elderberry Bushes.

We need to develop a spray program to start immediately following all work to promote only desired species growth and control for invasive species.

Additionally, we will need to implement a seeding program on newly open land to promote quality forage for livestock.

Desired Outcome: Preservation of healthy White Oaks, reduction of fuels, and creating quality forage ground for livestock.



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## AB 1776: Resource conservation districts: California Prompt Payment Act

### SUMMARY

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AB 1776 would include Resource Conservation Districts (RCD) within the list of entities entitled to late payment penalties when a state fails to make payment for goods and services to an RCD pursuant to a contract.

### ISSUE BACKGROUND

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When the state contracts with outside entities to perform work. The Prompt Payment Act, requires state agencies to pay properly submitted, undisputed invoices within 45 calendar days of initial receipt. If the requirement is not met, state departments must automatically calculate and pay the appropriate late payment penalties as specified in Government Code Section 927. The penalty rate is 0.25% per calendar day if the contractor is a small business or the Pooled Money Investment Account (PMIA) rate plus 1% (not to exceed 15%) for all other businesses. This helps ensure contracting entities are compensated for their work in a timely and fair manner.

Current law is unclear if RCDs fall under the provisions of the Prompt Payment Act. RCDs are a form of special districts which partner with local communities for natural resource conservation and agriculture on public and private lands. California's RCD network includes 95 special districts serving rural, urban, and suburban communities across the state.

Even though RCDs are a form of government, most do not have a tax base and operate like a non-profit.

Existing law fails to completely address how Resource Conservation Districts (RCDs) are to be paid for projects they perform for the state.

Due to the complex and ultimately ambiguous nature of treatment of RCDs, they do not have a clear set of rules under which they are to be paid for projects that they perform for the state. This leads, in some cases, of payments not being made for several years without penalty to the state

### SOLUTION

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AB 1776 would allow RCDs to be included in the prompt payment provisions the same way small businesses are.

### AUTHOR'S STATEMENT

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RCD's are a vital part of local communities, resource management, and conservation efforts. They efficiently and successfully complete local habitat, conservation, and fuel load management projects and provide state regulatory compliance assistance in partnership with state agencies. Yet, state agencies repeatedly delay grant payments for months, leaving these small, streamlined organizations in precarious positions.

### MORE INFORMATION

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Amazing Benamati  
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[INSERT HEADING/LETTERHEAD]

*February XX, 2022*

Assemblyman James Gallagher  
P.O. Box 942849  
Sacramento, CA 94249-0003

**RE: AB 1776 (Gallagher, 2022) Resource conservation districts: California Prompt Payment Act**

Dear Assemblyman Gallagher:

*We/organization are/is* pleased to support **Assembly Bill 1776**, an important measure that would include Resource Conservation Districts (RCD) within the list of entities entitled to late payment penalties when a state fails to make payment for goods and services to an RCD pursuant to a contract.

*\*optional- paragraph about the organization/specific interest in the legislation, including helpful examples1\**

Including RCD's in the prompt payment provisions the same way small businesses are is fair and necessary in order for them to continue doing the vital work they do for communities.

Sincerely,

[SIGNATURE]

**NAME**

**TITLE**

***\*Please deliver via e-mail to [amazing.benamati@asm.gov](mailto:amazing.benamati@asm.gov) and upload letter to the [CA Advocates Website](#)***