



Upper Mokelumne River Watershed Authority

UMRWA Regular Governing Board Meeting

Agenda

Friday, July 24, 2020 – 1:30 p.m.

EBMUD Mokelumne Watershed Headquarters, 15083 Camanche Parkway South,
Valley Springs, CA 95252

NOTE: Meeting via WebEx (see bottom of page for more information)

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT: When responding to a matter not on the agenda, state law limits a Board member to providing a brief response, asking clarifying questions, and/or referring it to staff.

AUTHORITY BUSINESS:

Recommended Action

- | | |
|--|----------------------------|
| 1. Board Regular Meeting Minutes of April 24, 2020 | Approve by Motion |
| 2. Treasurer's Report – Third Quarter FY 2020 | Accept for Filing |
| 3. Mattley Meadow Restoration Project | Approve by Motion |
| 4. West Calaveras Thin Project | Approve by Motion |
| 5. UMRWA Forestry Projects Report | Approve by Motion |
| 6. Fiscal Year 2021 Budget | Approve by Motion |
| 7. UMRWA Policies and Procedures | Approve by Motion |
| 8. Consulting Agreements for UMRWA Support Personnel | Approve by Motion |
| 9. Web Support Agreement with Woodard & Curran | Approve by Motion |
| 10. Youth Watershed Stewardship Program 2021 Agreement | Approve by Motion |
| 11. MAC Plan Activities Update - Prop 1 Grant Award | Discussion/Possible Action |
| 12. Legislative Issues Update | Discussion/Possible Action |

BOARD MEMBER COMMENTS:

13. Board Member Comments

EXECUTIVE OFFICER REPORT:

14. Executive Officer's Oral Report - August 15 marks UMRWA's 20th

ADJOURNMENT:

- Next Regular Board Meeting: October 23, 2020 at 1:30 p.m. (location TBD)

Members of the public may attend the meeting electronically via WebEx by request (or via telephone for audio only). To attend, email or call Lisa Stuart at 209.772.8261 or lisa.stuart@ebmud.com no later than 24 hours before the meeting.



Upper Mokelumne River Watershed Authority

Agenda No: **1**

Meeting Date: July 24, 2020

Title:

Regular Meeting Minutes of April 24, 2020

Recommended Action:

Approve the regular meeting minutes of April 24, 2020.

Summary:

The summary minutes of the April 24, 2020 regular meeting are included for Board review and approval.

Friday, April 24, 2020 – 1:30 p.m.
Governing Board Regular Meeting
Upper Mokelumne River Watershed Authority
via WebEx and at the Mokelumne Watershed Office,
15083 Camanche Parkway South, Valley Springs, CA 95252

Summary Minutes

ROLL CALL

Directors John Coleman, Terry Woodrow, Richard Farrington, Jack Garamendi, Richard Blood, and Ed Gonzalez were present. Absent were: Brian Oneto, Amador County and Jeff Davidson, Calaveras County Water District. Also present were Executive Officer Richard Sykes, Administrative Officer Rob Alcott, Authority Counsel Greg Gillott, Authority Secretary Lisa Stuart, and 16 visitors and presenters. (Director Gonzales, EO Sykes, and Authority Secretary Stuart were the only ones present in person at the Mokelumne Watershed Office.)

PUBLIC COMMENT – none.

AUTHORITY BUSINESS

1. Regular Meeting Minutes of January 24, 2020

Motion 10-20 to approve the regular meeting minutes of January 24, 2020 was made by Director Garamendi, seconded by Director Woodrow and carried by roll call vote: Yea 6 – Nay 0 – Abstain 0.

2. Treasurer's Reports – 2nd Quarter FY20

The Treasurer's Report for the Second Quarter of fiscal year 2020 was provided to the Board for review prior to the meeting.

Motion 11-20 to accept the Second Quarter FY20 Treasurer's Reports for filing, was made by Director Woodrow, seconded by Director Garamendi and carried by roll call vote: Yea 6 – Nay 0 – Abstain 0.

3. Mattley Meadow Restoration Project

The Mattley Meadow Restoration Project encompasses approximately 45 acres of meadow and riparian habitat in the headwaters of Mattley Creek, tributary to the North Fork Mokelumne River on public lands administered by the USDA-Forest Service (USFS), Calaveras Ranger District, Stanislaus National Forest and private lands owned by Stan Dell'Orto. The project area is located in Calaveras County, approximately 40 miles east of Jackson, CA, three miles southeast of the east end of Salt Springs Reservoir and four miles west of Bear Valley. The purpose of the project is to restore ecosystem function in the currently degraded channel floodplain system in Mattley and Mattley Creek meadows. These hydrologic alterations in turn have negatively impacted meadow plant communities and aquatic and wildlife habitat.

Calaveras Ranger District (Stanislaus NF) has partnered with Plumas Corporation, a meadow restoration group in Plumas County, to conduct data collection and design services for this project. Plumas Corporation's project work, largely funded under a grant contract with the National Fish & Wildlife Foundation, has included preparation of the required NEPA and CEQA environmental documentation. NEPA documentation addresses project work within the

Stanislaus NF. CEQA documentation covers project work on private lands and thus outside the FS's jurisdiction. It is recommended that UMRWA serve as the lead agency for CEQA.

With the Board's authorization to serve as lead agency for the CEQA elements of the Mattley Meadow Restoration Project UMRWA staff will circulate the draft project Mitigated Negative Declaration to appropriate agencies, UMRWA stakeholders and the State Clearinghouse and provide a link to the document on the UMRWA website. Additionally, a combined Notice of Intent to Adopt a Mitigated Negative Declaration, Notice of Public Hearing, and Notice of Public Review of the MND will be published in the *Calaveras Enterprise*. Staff will work with Plumas Corporation and Stanislaus NF to develop responses to any comments during this period. Notice would provide for at least the minimum 30 days for receipt of comments. The Board would consider approval of the Initial Study, adoption of the MND and approval of the Mattley Meadow Restoration Project at the July 24 Board Meeting.

Jim Wilcox of the Plumas Corporation provided the Board with a brief presentation and further information on the project.

Motion 12-20 to (1) authorize UMRWA to act as the California Environmental Quality Act lead agency for the Mattley Meadow Restoration Project and (2) authorize staff to circulate the draft Mitigated Negative Declaration (MND) for the Mattley Meadow Restoration Project, was made by Director Woodrow, seconded by Director Garamendi and carried by roll call vote: Yea 6 – Nay 0 – Abstain 0.

4. Bid Awards for Culvert & Drainage Improvements Project

On Monday, April 6, 2020 at 1:30 p.m., Invitation to Bid 20-01 (Bear River Sub-watershed Project) and Invitation to Bid 20-02 (Panther Creek Sub-watershed Project) were received, opened and read publicly at the UMRWA office located at 15083 Camanche Parkway South, Valley Springs.

Two bids were received for the Bear River Project and three bids were received for the Panther Creek Project. The Board was provided with a Bid Receipt Log identifying the firms submitting bids.

The bids submitted by the lowest responsive responsible bidder, KW Emerson, Inc. located in San Andreas, CA are recommended for award. The 2-page Bid Evaluation Form is was also provided to the Board. No Bid Protests were received by the April 13 deadline for filing a protest. A copy of the draft construction contract was included in the *Supplemental April 24, 2020 Agenda Materials Packet* that accompanied the agenda transmittal.

Motion 13-20 (1) to award Invitation to Bid 20-01 and Invitation to Bid 20-02 to KW Emerson and (2) to authorize the Executive Officer to sign the construction contract upon concurrence by Authority Counsel was made by Director Farrington, seconded by Director Garamendi and carried by roll call vote: Yea 6 – Nay 0 – Abstain 0.

5. West Calaveras Thin Project

UMRWA was unsuccessful in its SNC grant application for the WCT Project. However, due to significantly lower costs for Landmark Environmental Inc. (LEI) and UMRWA's forest contractors hired to perform Black Springs treatments, UMRWA has solicited the Sierra

Nevada Conservancy's approval to apply unused Black Springs funding to treat a minimum 170 acres in the adjacent WCT. Additionally, Mule Deer Foundation has agreed to contribute financial support to LEI and UMRWA to facilitate the treatment of a minimum 170 acres of extremely dense, overstocked, homogeneous forested conditions within the WCT project area.

There was a total of \$283,411 in unused Black Springs project funds. In spite of these budget savings, UMRWA still expects to treat a total of 963 acres in the Black Springs project area, exceeding the minimum 900 acres specified in the grant agreement.

UMRWA staff, working closely with SNC, the Calaveras Ranger District, and Mule Deer Foundation, has identified WCT as the next priority treatment area that has cleared NEPA and CEQA for expenditure of the \$283,411 in excess Black Springs funding. The WCT project area is immediately adjacent to and north of the Black Springs project area and treatments at this location will help protect the adjacent SNC-funded project areas of Black Springs, Cabbage and Pumpkin Hollow. UMRWA has completed CEQA for the WCT project; a Notice of Exemption was filed January 24, 2020 with the Calaveras County Clerk.

The basis for each of the recommended actions follows:

Amendment to Black Springs grant agreement - SNC's approval of the requested budget amendment will reallocate and authorize \$283,411 of unused Black Springs funding for treatment of a minimum 170 acres within WCT.

MOA with Mule Deer Foundation (MDF) – This agreement provides the following key terms: MDF to provide \$20,000 to LEI for costs associated with contractor procurement with any residual dollars available to UMRWA for project implementation costs, and UMRWA to pursue SNC funding (from excess Black Springs grant funds) and secure contractors to complete the WCT treatments. The MOA was provided to the Board for review.

Black Springs Specific Project Agreement – An amendment to the Black Springs SPA is necessary for providing UMRWA, and its contractors, the authority and access to undertake treatments in the WCT project area.

Motion 14-20 (1) to approve and authorize the Executive Officer to sign an amendment to the Black Springs agreement with Sierra Nevada Conservancy to reallocate unused funding from this project to the West Calaveras Thin (WCT) project, (2) to approve the Memorandum of Agreement with Mule Deer Foundation, (3) to authorize the Executive Officer to sign a Black Springs SPA amendment to facilitate UMRWA completing treatments to the WCT project and (4) to authorize staff to issue Requests for Proposals for the WCT project was made by Director Farrington, seconded by Director Woodrow and carried by roll call vote: Yea 6 – Nay 0 – Abstain 0.

6. UMRWA Forestry Projects Status Report

Collaborative Projects with CHIPS: At the October 4, 2019 meeting, the UMRWA board authorized staff to continue its collaboration with CHIPS to implement forest health projects. In furtherance of that collaboration the Board, on January 24, authorized CEQA notices of exemption for two projects, the Upper Mokelumne River Habitat Restoration and Defense Project and the View 88 project. CHIPS has received notice from the Wildlife Conservation Board (WCB) and SNC staff that these projects will be recommended for grant funding, and at its last meeting the WCB awarded a \$1.9 million grant to CHIPS. The USFS has indicated that an agreement clarifying cost shares and other responsibilities

would be beneficial for the Habitat Restoration and Defense Project. CHIPS, UMRWA and the USFS are currently working to finalize language for this agreement and hope to execute it in the next several weeks.

Regional Forest and Fire Capacity Program: The Board, on January 24, authorized the Executive Officer to enter into a Sierra Nevada Conservancy grant agreement for up to \$50,000 in funding to develop the Regional Forest and Fire Capacity Program. SNC solicited UMRWA's central role in this program as a means for providing technical assistance to the ACCG, and in furtherance of the SNC's own Regional Forest and Fire Capacity Program's goals. The program was also seen as potentially meeting UMRWA's interest in creating an inventory of forest health improvement projects for future grant funding and implementation. UMRWA's role in initiating this program was the acceptance of SNC block grant funding for the purpose of hiring a consultant to develop the GIS-based Regional Forest and Fire Capacity Program. SNC and UMRWA have executed the grant agreement and the work was initiated in March. The Board was provided with updated information on all current projects, timelines and contracts.

7. Proposed Fiscal Year 2021 Budget

The proposed FY 2021 budget and member funding offsets were provided to the Board. The total member- supported portion of the proposed budget, including in-kind, is \$294,500. This is \$25,500 less than the current year amount of \$320,000. The member funding offsets include member in-kind credits, and most notably indirect charge receipts paid by USFS and SNC grants.

The draft budget is organized to distinguish between the Authority's two primary revenue sources, Member funding and non-Member funding (grant and USFS funding). The Authority's work activities planned for FY 2021 are similarly organized.

For the Member-funded portion of the proposed FY2021 budget the following activities and associated funding requirements are assumed:

- 1) Reduce the funding level for Board and Authority administration by \$10,000 (to \$120,000). This budget funds the Executive Officer and Administrative Officer positions and the Woodard & Curran contract for data/website technical support.
- 2) Maintain (unchanged) the annual funding support for the local school watershed education program at \$16,500.
- 3) Reduce to \$100,000 (from \$125,000) the funding level for costs associated with the forest health program, including developing forest-related grant applications.
- 4) Maintain (unchanged) at \$25,000 funding for IRWM-related tasks requiring Member funding (e.g. possible Prop 1 Implementation Grant application).

For the non-Member funded portions of the budget, grant and other funding associated with the Sierra Nevada Conservancy and USFS sources for FY 2021 will be determined in September, the final month of UMRWA's fiscal year. Awarded but uncollected FY 2020 funds will be carried forward to FY 2021. Those amounts will be determined based on the September 30, 2020 end of fiscal year Treasurer's Report.

Motion 15-20 endorsing the proposed FY 2021 UMRWA budget and authorizing staff to transmit the proposed budget to Member Agencies for review and comment, was made by Director Garamendi, seconded by Director Farrington and carried by roll call vote: Yea 6 – Nay 0 – Abstain 0.

8. MAC Plan Activities Update

The Department of Water Resources initially was anticipating the release of Prop 1 Round 2 IRWM Implementation grant funding in the fall of 2020. However, due to program delays (related to COVID19 and other reasons), DWR has removed mention of the Round 2 schedule from their website. Based on email conversations with DWR, we are anticipating that Round 2 will be released sometime in fall 2021. UMRWA now has ample time to complete the Call for Projects and update the MAC Plan. Activities associated with this work include: opening a 30-day call for projects, scoring and ranking projects received, preparing an updated project list incorporating the new projects, and appending the MAC Plan with the updated project list. The work also allows for one conference call and one in-person RPC meeting, as needed. Given the new, delayed schedule, this work could begin at any point in 2020. Due to the current health crisis, it is envisioned that this work will begin no earlier than summer 2020.

9. Legislative Issues Update

The Executive Officer confirmed for the Board that there were no new, relevant legislative issues to share with the Board and noted that due to current pandemic issues, legislative bodies have only been focusing on pandemic-related initiatives. It is expected that legislative sessions won't return to normal business until October.

Board Member Comments: Director Farrington noted his attendance at ACCG and planning workgroup meetings supporting fire fuel reduction projects.

Executive Officer Comments: Executive Officer, Richard Sykes acknowledged and commended Greg Gillott and Amador County staffs, Rob Alcott, and the Landmark Environmental Team for their diligent work on UMRWA's Invitation to Bid and contracting process for the Power Fire Area Culvert Replacement Project.

ADJOURNMENT: Director Coleman adjourned the meeting at 2:24 p.m. The next regular meeting will be held on July 24, 2020 at 1:30 p.m. (TBD: either open meeting at McLean Hall, Pardee Center, or video conferenced meeting at EBMUD Mokelumne Watershed Headquarters, Camanche Parkway South, Valley Springs.)

SUBMITTED BY:

Lisa Stuart, Authority Secretary

John Coleman, Chair of the Board
APPROVED: July 24, 2020



Upper Mokelumne River Watershed Authority

Agenda No: **2**

Meeting Date: July 24, 2020

Title:

Treasurer's Report - Third Quarter FY 2020

Recommended Action:

Accept for filing

Summary:

A copy of the Treasurer's Report for the Third Quarter of fiscal year 2020, which ended June 30, 2020, is attached and will be presented at the Board meeting.

**UPPER MOKELUMNE RIVER WATERSHED AUTHORITY
TREASURER'S REPORT
STATEMENT FOR THE PERIOD ENDING JUNE 30, 2020**

<i>Fiscal Year 2020 (begining Oct. 1, 2019)</i>	Assessment, Grants & USFS	Budget FY 2020	Actual		
			Current Quarter	YTD	YTD %
<u>General Assessments & Operating Revenue</u>					
Amador Agencies Funding	51,500	51,500	4,720	51,500	100%
Calaveras Agencies Funding	59,000	59,000	-	59,000	100%
EBMUD Funding	151,000	151,000	-	151,000	100%
Prior Year Unspent/Carry forward	38,440	38,440	-	-	0%
USFS indirect/overhead fees (FY20 budget assumed \$10,000)	10,000	10,000	-	13,797	138%
SNC indirect/overhead fees (FY20 budget assumed \$15,000)	15,000	15,000	-	53,130	354%
NFWF indirect fees (FY budget assumes \$0)	-	-	-	2,693	
Interest/Misc income	1,000	1,000	322	851	85%
Operating Reserve (Bal. \$307,003)	-	-	-	-	
Total Assessments & Operations Funding	325,940	325,940	5,042	331,970	102%
<u>IRWM Grant Funding</u>					
Prop 1 - Technical Assistance Grant	40,000	40,000	-	-	0%
Prop 1 - CCWD West Point WTP	500,000	500,000	-	-	0%
<u>Forestry/Watershed Funding</u>					
US Forest Service (Pumpkin Hollow)	141,997	141,997	-	144,230	102%
US Forest Service (Cabbage Patch)	13,297	13,297	10,214	10,214	77%
Sierra Nevada Conservancy Grant 1 (Pumpkin Hollow)	268,347	268,347	-	260,196	97%
Sierra Nevada Conservancy Grant 2 (Cabbage Patch)	333,128	333,128	7,480	175,721	53%
Sierra Nevada Conservancy Grant 3 (Black Springs)	867,895	867,895	30,739	238,619	27%
Sierra Nevada Conservancy Mapping Tool Grant	49,500	49,500	11,842	11,842	24%
NFWF (Eldorado NF Culvert Upgrades)	1,346,610	1,346,610	11,409	60,789	5%
Total Grants and Other Funding	3,560,774	3,560,774	71,684	901,611	25%
TOTAL REVENUES & FUNDING	3,886,714	3,886,714	76,727	1,233,582	32%
<u>ASSESSMENT EXPENDITURES</u>					
<u>General Assessment (Administration)</u>					
Executive Officer		50,000	15,126	31,126	62%
Administrative Officer		50,000	14,983	31,258	63%
MAC Data & Website Support (Woodard & Curran) (incl. \$10,000 carry forward)		30,000	1,700	5,000	17%
<u>General Assessment (Operations)</u>					
MLLT - School Watershed STE Program (incl. \$16,500 carry forward)		33,000	-	16,500	50%
Forest agency liaison & Board reporting (LEI, Inc)		25,000	135	2,643	11%
Forest-related Grant Applications/Project Development		100,000	3,095	24,990	25%
IRWM Grant Application/Project Development		25,000	-	-	0%
MAC Plan Update 2018 (Woodard & Curran) (incl. \$11,940 carry forward)		11,940	1,660	12,959	109%
TOTAL ASSESSMENT EXPENDITURES		324,940	36,699	124,475	38%
<u>GRANT and FORESTRY/WATERSHED FUNDING EXPENDITURES</u>					
<u>DWR Prop 1 Implementation Grant</u>					
CCWD - West Point WTP		470,840	-	-	0%
Woodard & Curran - invoicing & reporting		23,760	-	-	0%
WRA - agreement administration		5,400	-	-	0%
<u>DWR Prop 1 Technical Assistance Grant</u>					
Tuolumne County RCD disbursements		40,000	-	-	0%
<u>Pumpkin Hollow Restoration Project</u>					
Landmark Environmental Inc.		79,260	7,783	22,718	29%
Ronwright Logging Lumber Inc. (RFP 18-02)		65,170	-	64,658	99%
<u>Cabbage Patch Restoration Project</u>					
GTS Forestry		3,953	-	3,953	100%
Landmark Environmental Inc.		2,833	17,001	19,275	680%
Greater Valley Conservation Corp		10,800	-	10,800	100%
D. Watt Industries (RFP 18-04)		40,580	-	31,520	78%
Ronwright Logging Lumber Inc. FORE (RFP 19-03)		147,045	46,699	46,699	32%
<u>Black Springs Restoration Project</u>					
Landmark Environmental Inc.		113,913	13,190	37,058	33%
Ronwright Logging Lumber Inc. (RFP 19-01)		144,020	21,280	47,975	33%
Greater Valley Conservation Corp		32,962	-	-	0%
Sierra Nevada Forestry Service		297,616	-	154,509	52%
Uncommitted/Future Contracts TBD		253,402	-	-	0%
<u>NFWF - Culvert Upgrade Project</u>					
Landmark Environmental Inc.		142,467	10,763	60,143	42%
KW Emerson, Inc.		1,126,622	-	-	0%
<u>SNC - Mapping Tool Project</u>					
Landmark Environmental Inc.		45,000	11,962	11,962	27%
TOTAL GRANT EXPENDITURES		3,045,643	128,678	511,270	17%
Total Project Expenses		3,370,583	165,377	635,744	19%



Upper Mokelumne River Watershed Authority

Agenda No: **3**

Meeting Date: July 24, 2020

Title:

Mattley Meadow Restoration Project Negative Declaration

Recommended Actions:

- (1) Approve the Initial Study and the Mitigation Monitoring and Reporting Plan, and adopt the Mitigated Negative Declaration for the Mattley Meadow Restoration Project.
- (2) Authorize the filing of a Notice of Determination with Calaveras County.

Summary:

On April 24 the Board authorized UMRWA to act as the California Environmental Quality Act lead agency for the Mattley Meadow Restoration Project and directed staff to circulate the draft Mitigated Negative Declaration (MND) for the Mattley Meadow Restoration Project.

Public Review Process:

A Notice of Intent (NOI) to Adopt a Mitigated Negative Declaration was published in the Calaveras Enterprise and the Amador Ledger Dispatch on May 8, 2020 with comments to be submitted by June 12, 2020. The NOI, Notice of Completion and Proposed Mitigated Negative Declaration were also posted May 8 on the Authority’s website. Copies of the proposed MND document were also sent to individuals who regularly receive UMRWA agenda packets, as well as to the affected District Rangers at the Stanislaus and El Dorado National Forest district offices.

Public Comments: Two comment letters, and one acknowledgement email, were received. The two comments letters and UMRWA’s response letters are included in the Supplemental July 24, 2020 Agenda Materials Packet. The contents of the letters are summarized in the table below.

Submitted by:	Topics addressed:
Central Sierra Environmental Resource Center	- Clear need and support for project - Some proposed mitigations excessive - Re-vegetation mitigation insufficient - Added livestock grazing restrictions
Cal Trans	- Acknowledged project; no comment
California RWQCB	- Identified potentially applicable regulations

Project Description: The Mattley Meadow Restoration Project would restore channel-floodplain connectivity in Mattley and Mattley Creek Meadows at the headwaters of Mattley Creek, tributary to the North Fork Mokelumne River. The Project would eliminate incised

gullies in the meadows. Construction will require one month during the low/no flow period (proposed for September 1-30, 2021). The Project would restore approximately 45 acres of riparian and meadow habitat (32 acres of federal lands, 13 acres on private property), enhancing wetland conditions on 30.86 acres of wetland meadow, creating 1.61 acres of open water, and reconnecting 1,926 feet of riverine channel (0.64 acres) with the meadow floodplain.

Filling the incised channels would require excavation and placement, using heavy equipment, of 15,991 cubic yards of soil fill in 6 plugs to eliminate the existing gullies and raise/restore the base elevation of surface water flow in the meadow by redirecting flow into existing vegetated remnant channels. Fill sources include 9 borrow pits in meadow margins and other elevated features.

The Project will include the relocation of a 0.1-mile segment of a motorized trail (17EV16) that crosses Mattley Creek Meadow. The trail would be rerouted outside of the meadow to a rerouted trail segment approximately 0.2-0.4 miles in length. Five cubic yards of 6" rock would be used to armor the new re-routed trail crossing of Mattley Creek outside of the meadow. The existing trail segment will be restored. Re-vegetation with native seed and riparian woody species (i.e. willows, aspens, etc.), and stockpiling of existing topsoil, sod mats, and willow wads are an integral component of the Project.

Cattle grazing would be restricted within the meadow restoration areas until the sites have re-vegetated and stabilized, a minimum of 3 years. In Mattley Meadow, range fencing on the north property boundary and east edge of the meadow would be reconstructed. Temporary fencing would be constructed around the immediate restoration area in Mattley Creek Meadow. An off-channel water source may be constructed to increase dispersal of cattle.

Plumas Corporation will carry out the Project in coordination with the Stanislaus National Forest and a private landowner. Short-term construction impacts would occur to approximately 6.01 acres, which would be restored with native vegetation. Construction is proposed during the low flow period of 2021 (anticipated September 1-30).

Figure 1. Mattley Meadow Restoration Project Area Locations

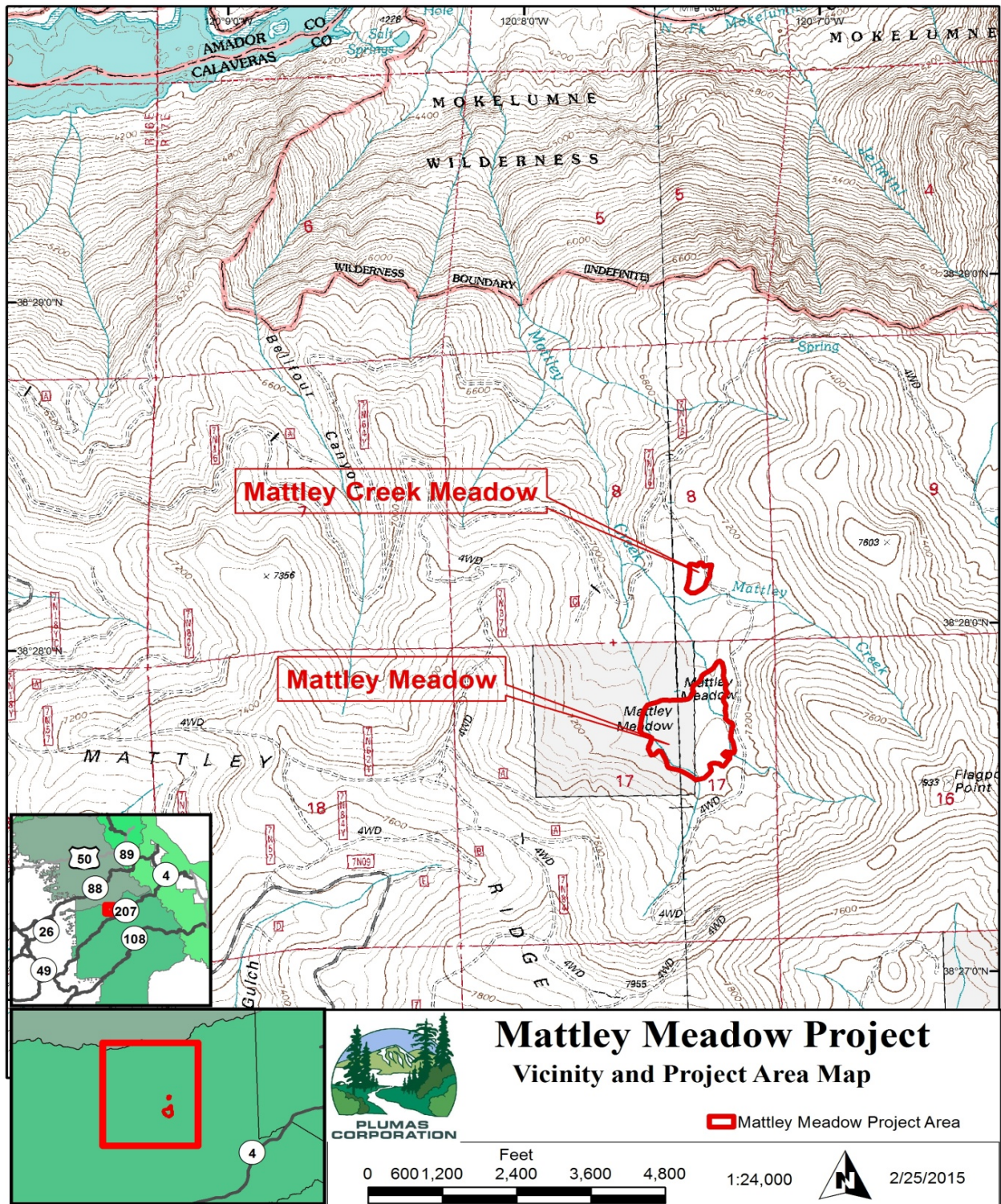
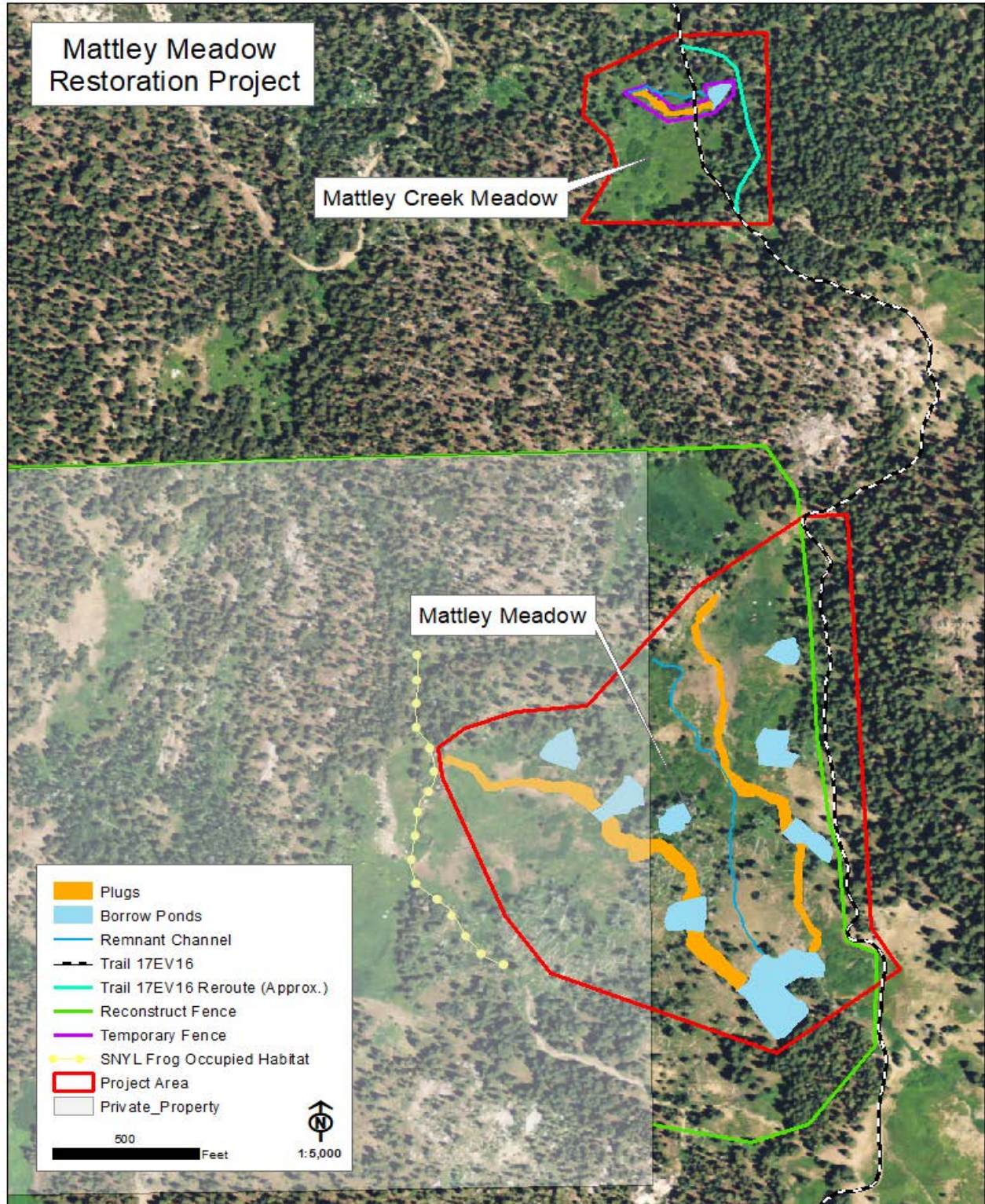


Figure 2. Mattley Meadow Restoration Project Treatment Reaches





Upper Mokelumne River Watershed Authority

Agenda No: 4

Meeting Date: July 24, 2020

Title:

West Calaveras Thin Project

Recommended Actions:

- (1) Authorize the Executive Officer to sign the West Calaveras Thin (WCT) Supplemental Project Agreement (SPA).
- (2) Approve and authorize the Executive Officer to sign the General Service Agreement with Tanner Logging, Inc. in the amount of \$380,500.
- (3) Authorize the Executive Officer to increase by Change Order the maximum compensation payable to Tanner Logging, Inc. for additional treated acres up to the amount of excess project funding deemed available, if any, upon the contractor's completion of the 252 acres of work specified in the General Services Agreement.

Summary:

As described to the Board at its April 24 meeting the WCT project has been identified as the next priority treatment area. This project is NEPA and CEQA ready and has been deemed eligible by the Sierra Nevada Conservancy (SNC) for re-allocation of \$283,411 in unused Black Springs funding. The WCT project area is immediately adjacent to and north of the Black Springs project area and treatments at this location will help protect the adjacent SNC-funded project areas of Black Springs, Cabbage Patch and Pumpkin Hollow.

On April 24 the Board took the following actions related to WCT: authorized the Executive Officer to sign an amendment to the Black Springs agreement with Sierra Nevada Conservancy to re-allocate unused funding to the WCT project, approved a Memorandum of Agreement with partner Mule Deer Foundation, authorized the Executive Officer to sign a Black Springs SPA amendment, and authorized staff to issue Requests for Proposals for the WCT project. Subsequently, the USFS determined a separate WCT SPA agreement was preferred and thus that agreement, in lieu of an amendment, has been prepared to facilitate UMRWA completing treatments to the WCT project. A draft copy of the WCT/Bailey SPA agreement is included in the Supplemental Materials packet.

Discussion:

Authority staff administered a request-for-proposals (RFPs) process for the WCT project fuels treatment work as authorized by the West Calaveras Thin SPA agreement. On June 11 prospective bidders were sent notices of the RFPs availability on UMRWA's website. A pre-proposal meeting was held with interested contractors on June 24 at the Hermit Springs Fire Station nearby the WCT project area.

Two proposals were received for the WCT work (RFP 20-03). The proposals were reviewed and rated by the Authority Selection Committee. Tanner Logging Inc., a local service provider, was determined to be the best-qualified proposer.

The following table presents the results of the Selection Committee’s proposal evaluation process.

Contractor	Overall Score	Cost Mandatory	Cost Optional	Total Cost	Budget Available
Tanner Logging, Inc.	88.7	\$270,500	\$162,000	\$432,500	Maximum \$380,500
Ronwright Logging Lumber Construction, Inc.	88.1	\$531,820	\$284,376	\$816,196	

Tanner Logging, Inc. is recommended for award as the most qualified contractor based on affordability and work service delivery. As described in the RFP, UMRWA reserved the right to decline to award any contract, or award any or all of the Optional Areas based upon available funding. Accordingly, award is recommended to Tanner Logging, Inc. for Items 1, 2 and 4, plus 46 acres of Optional Item 3 (units 20, 35, and 37), for a total cost of \$380,500.00. If additional funds become available within the timeframe of the contract, then all or part of the remainder of Item 3 (26 acres: units 19, 34, and 36) could subsequently be awarded if mutually agreed. Authorization for the Executive Officer to issue a Change Order to utilize this potentially available funding is included in the recommended actions.

A copy of the Supplemental Project Agreement and the General Services Agreement referenced above are included in the Supplemental July 24, 2020 Agenda Materials Packet.



Upper Mokelumne River Watershed Authority

Agenda No: **5**

Meeting Date: July 24, 2020

Title:

UMRWA Forestry Projects Status Report

Recommended Actions:

(1) Waive the Procurement Policy 10% change order limitation for the K.W. Emerson contract and authorize the EO to approve change orders with a cumulative total not to exceed the total project construction budget of \$1,126,622 (representing 18.5%).

(2) Authorize the EO to formulate a Memorandum of Understanding with the USFS that describes the process, stakeholders, schedule, budget and funding to develop a Collaborative Forest Projects Plan for the Upper Mokelumne River watershed.

Summary:

Progress has been steadily made on most of UMRWA's forest initiatives since the Board's April meeting. Two of these initiatives, the National Fish and Wildlife Foundation (NFWF) grant funded Culverts and Erosion Control Project and a potential collaborative forest projects planning effort lead by UMRWA, are specifically addressed in this report. This agenda report concludes with the status of ongoing Authority forest projects.

NFWF Culverts Project:

The Board on April 24 awarded a contract totaling \$951,000 to K.W. Emerson Inc. to complete culvert and drainage improvements in the Bear River and Panther Creek watersheds. Final clearances to begin project work were received from the USFS the week of June 15 and K.W. Emerson was issued a Notice to Proceed that authorized work to begin June 23. The contractor's schedule anticipates construction work at the 42 project sites to be completed by September 30. The construction contract with K.W. Emerson provides additional sites may be added by change order in the event grant funds remain unused upon completion of work at the initial 42 sites.

The UMRWA Procurement Policy authorizes the Executive Officer to approve change orders up to a cumulative 10 percent of the original contract amount. Change orders exceeding the EO's cumulative 10 percent limit are required to be approved by the Board of Directors. With \$1,126,623 budgeted in the NFWF grant for construction costs versus the initial \$951,060 committed to K.W. Emerson (for the 42 original work sites) there is \$175,563 potentially remaining available for making improvements to additional sites. (Note, project engineers have identified and designed improvements for an additional 50 eligible sites for which these excess funds, with the USFS's concurrence, could be apportioned). This \$175,563 represents 18.5% of the Board approved K.W. Emerson

contract amount and therefore exceeds the 10% change order authority as delegated to the EO by Board policy.

With the contractor expecting to complete project work by the end of September it will be impractical to seek the Board's approval of potential change orders that exceed the EO's 10% limit. Therefore it is recommended the Board waive the 10% change order limitation for the K.W. Emerson contract and authorize the EO approve change orders with a cumulative total not exceeding the total project construction budget of \$1,126,622.

Collaborative Forest Projects Plan:

UMRWA entered into the Master Stewardship Agreement creating its partnership with the USFS in May 2016. At that time the 14,000-acre Hemlock Restoration Project (a component of the 390,000-acre Cornerstone Project) was the sole NEPA-ready project eligible for implementation activities. Work performed, or presently under contract, by UMRWA contractors over the past 4 years will complete the prescribed Hemlock Project treatments. Basically, UMRWA is on the verge of not having any forest treatment work to undertake. To address this circumstance, and thus enable UMRWA (and its USFS partner) to continue its forest program by preserving the institutional capacity and apparatus necessary to carry out this work, a pipeline of new projects is essential.

In recent discussions with the USFS it has been suggested that UMRWA consider taking the lead in developing a Collaborative Forest Projects Plan. This potential planning initiative is envisioned to be a collaborative process that actively engages the USFS, ACCG, SNC and other interested actors to complete a broadly supported forest projects plan. The completed Collaborative Forest Projects Plan would serve to guide subsequent NEPA and CEQA review processes, and those in turn would yield forest projects suitable for funding and UMRWA implementation efforts.

A potentially valuable tool in completing the proposed plan is the ongoing Mapping Tool project. This \$49,500 SNC grant funded GIS-based Regional Forest and Fire Capacity Program was approved by the Board in January 2020, and is presently being developed by a GIS sub-contractor to Landmark Environmental Inc. A key product of this effort will be a master map showing projects completed to date and projects in varying stages of planning overlaid with critical data points such as the wild-land urban interface, public infrastructure, critical habitat, and timber resources. The completed Mapping Tool is seen as providing a valuable basis for advancing the collaborative planning process envisioned here.

With the Board's consent staff will engage in discussions with potential key stakeholders with the intent of formulating a Memorandum of Understanding that describes the planning process, stakeholder participation guidelines, schedule and budget for developing the proposed Collaborative Forest Projects Plan.

Ongoing UMRWA Forest Projects:

UMRWA FOREST PROJECTS & CONTRACTS

RFP #	Contractor	Contract Date	Amount	Scheduled Completion	Actual Completion	Total Acres
PUMPKIN HOLLOW – COMPLETED and CLOSED OUT						

Various	Six (6) contractors	2017/2018	\$905,645	Dec. 2019	Nov. 2019	927.5
CABBAGE PATCH						
18-03	GTS Forestry	July 2018	\$74,375	Dec. 2019	Nov. 2019	174.5
18-04	D. Watt Industries	July 2018	\$105,840	Dec. 2019		132.3
N/A	GVCC	July 2018	\$10,800	Dec. 2019	Oct. 2019	7.2
						314
BLACK SPRINGS						
19-01	Ronwright	July 2019	\$144,020	Dec. 2021		151.6
19-02	Sierra Nevada Forestry	July 2019	\$297,616	Dec. 2021		812.2
N/A	GVCC	July 2019	\$ 32,962	Dec. 2021		12.8
						976.6
FORE						
19-03	Ronwright	July 2019	\$ 149,664	Dec. 2021		130



Upper Mokelumne River Watershed Authority

Agenda No: 6

Meeting Date: July 24, 2020

Title:

Fiscal Year 2021 Budget

Recommended Action:

Approve the FY 2021 Budget and authorize the EO to transmit invoices to Member agencies requesting payment of FY 2021 assessments by October 31, 2020.

Summary:

The recommended FY 2021 budget is presented in Table 1. The total member-supported portion of the proposed budget is \$310,725 (\$9,275 less than the current year).

Presented in Table 2 are member funding offsets. These include member in-kind credits, most notably indirect charge receipts paid by USFS and SNC grants. [The current FY2020 budget was the first year in which indirect fees were included in budget calculations, at \$25,000. The proposed FY 2021 applies \$103,000 of indirect receipts; this is indicative of the growth in Authority work funded by outside sources.] Resulting Member Agency funding allocations and resulting assessment amounts are shown in Table 3.

The budget is organized into the Authority's two primary revenue sources, Member funding and non-Member funding (grant and USFS funding). The Authority's work activities planned for FY 2021 are summarized below.

For the Member-funded* portion of the proposed FY2021 budget the following activities and associated funding requirements are assumed:

- 1) Reduce the funding level for Board and Authority administration by \$10,000 (to \$120,000). This budget funds the Executive Officer and Administrative Officer positions and the Woodard & Curran contract for data/website technical support.
- 2) Maintain (unchanged) the annual funding support for the local school watershed education program at \$16,500.
- 3) Reduce to \$100,000 (from \$125,000) the funding level for costs associated with the forest health program, including the proposed Collaborative Forest Projects Plan (see agenda item 5).
- 4) Maintain (unchanged) at \$25,000 the funding for IRWM-related tasks requiring Member funding (e.g. possible Prop 1 Implementation Grant application).

For the non-Member funded portions of the budget, grant and other funding associated with SNC, NFWF and USFS sources for FY 2021 will be determined in September, the final month of UMRWA's fiscal year. Awarded but uncollected FY 2020 funds will be carried forward to FY 2021. Those amounts will be determined based on the September 30, 2020 end of fiscal year Treasurer's Report.

Table 1 – PROPOSED FY 2021 BUDGET

Programs	Categories	Member Funds	Other Funds (DWR, USFS, SNC)	Total Member Funded Program Budgets
Board and Authority Admin.	Executive Officer	50,000		120,000
	Administrative Officer	50,000		
	Web & Opti technical support	20,000		
Watershed Ed.	Public schools program (STE)	16,500		16,500
Forest Health	Cabbage Patch Project	--	Carry forward	100,000
	Black Springs	--	Carry forward	
	NFWF Culverts Project	--	Carry forward	
	West Calaveras Thin	--	Carry Forward	
	Collaborative Forest Projects Plan	50,000		
	Forest-related Grant Applications	40,000		
	Inter-agency liaison & Board support	10,000		
IRWM	Grant applications	25,000		25,000
Grant Pass-through	West Point Water Reliability Project	0	\$527,287	0
	UMRWA administration	0	\$29,160	
TOTAL BUDGET		\$261,500	Carry forward	\$261,500

Carry forward amounts to be determined based on amount of Other Funds received vs. pending as of Sept. 30, 2020

Table 2 – FY 2021 MEMBER AGENCY FUNDING OFFSETS

Member assessments	As required by the above Proposed Fiscal Year Budget	\$261,500
Off budget <i>In-kind</i> contributions*	Authority Legal Counsel \$6,500 (Amador County) Accounting (\$25,725), annual audit (\$5,240) and Authority Secretary (\$11,760) (EBMUD)	\$49,225*
	TOTAL MEMBER SUPPORTED BUDGET =	\$310,725
Indirect Fee/ Overhead revenues	SNC, USFS and NFWF grant indirect receipts	(\$103,000)
	TOTAL REQUIRED MEMBER FUNDING =	\$207,725

* In-kind labor costs are Member-provided estimates of prior year work performed in support of UMRWA.

Table 3 – FY 2021 MEMBER FUNDING ALLOCATIONS & ASSESSMENTS

Formula % Share	Member Agency %	Proposed FY21 Allocation	In-Kind Credit	Proposed Assessment	Last Year's Assessment
Amador Entities 20%	Amador County – 9.2%	19,110	(6,500)	12,610	19,640
	Amador Water Agency – 9.2%	19,110	0	19,110	27,140
	Jackson Valley ID – 1.6%	3,324	0	3,324	4,720
Calaveras Entities 20%	Calaveras County – 6.0%	12,464	0	12,464	17,700
	Calaveras County WD – 9.6%	19,942	0	19,942	28,320
	Calaveras PUD – 4.4%	9,140	0	9,140	12,980
EBMUD	EBMUD – 60%	124,635	(42,725)	81,910	151,000
TOTAL		\$207,725	\$49,225	\$158,500	\$261,500



Upper Mokelumne River Watershed Authority

Agenda No: **7**

Meeting Date: July 24, 2020

Title:

UMRWA Policies and Procedures

Recommended Actions:

- (1) Approve the draft amended Conflict of Interest Code (Policy 1) for submittal to the FPPC for review.
- (2) Approve the amended Procurement Policy and Procedure (Policy 4) which incorporates provisions to address construction services.
- (3) Approve a new Records Retention, Storage and Disposal Policy and Procedure (Policy 5).

Summary:

Amendments to two existing Authority policies (Conflict of Interest and Procurement Policy and Procedure) and a new Records Retention, Storage and Disposal Policy and Procedure, are recommended for approval. The need and justification for each of these are described in the sections below.

Conflict of Interest Code:

The California Political Reform Act requires every multi-county agency to review its conflict-of-interest code biennially and submit a Biennial Notice to the Fair Political Practices Commission (FPPC) by October 1 that indicates whether the agency's code is accurate or whether it needs to be amended. If amendments are needed, the revised conflict-of-interest code must be submitted to the FPPC for approval within 90 days of filing the Biennial Notice.

Review of UMRWA's Conflict-of-Interest Code indicates that an amendment is necessary to designate the Administrative Officer position as being subject to the code. As instructed by FPPC notice the Executive Officer has completed and submitted the 2020 Multi-County Agency Biennial Notice indicating UMRWA's need and intention to amend its Conflict of Interest Code.

According to the FPPC's guidelines for amending a multi-county agency's Conflict of Interest Code the Authority is advised to (1) prepare and secure the Board's approval of the draft amended code, (2) submit the approved Code to the FPPC for review; (3) upon FPPC concurrence make the draft Code available for a 45-day public (i.e. employee) review period, and (4) complete the final approval process by signed declaration by the Executive Officer.

The draft amended UMRWA Conflict-of-Interest Code is attached. Recommended changes are shown in ~~strike through~~ and **underlined** text. Upon receiving FPPC concurrence that the amended policy is ready for notice an email notice will be sent to all UMRWA contracted staff and designated consultants, as appropriate, with a copy of the amended policy for review and comment.

Amended Procurement Policy and Procedure (Policy 4)

The Authority awarded its first construction services contract at the April 24, 2020 Board meeting. The competitive bidding process that was employed for that contract award was modeled after the qualifications-based process established in UMRWA's Procurement Policy and Procedure. With the potential for UMRWA to pursue additional construction services projects in the future staff has prepared an amendment to the Procurement Policy and Procedure that addresses considerations specific to competitive bidding contract awards.

The attached draft amended Procurement Policy and Procedure is presented for the Board's consideration and approval.

Records Retention, Storage and Disposal Policy and Procedure (Policy 5)

UMRWA does not have a records management policy or procedure. To address this need staff reviewed the Secretary of State's guidelines for records retention and disposal for California local governments and the records retention schedules used by several member agencies and several other joint powers agencies. The attached draft Records Retention, Storage and Disposal Policy and Procedure (Policy 5) was prepared consistent with established guidelines and is presented for the Board's approval.

- Draft Amendment -

Upper Mokelumne River Watershed Authority

CONFLICT of INTEREST CODE	Policy No. 1 Amended: 24 July 2020 Adopted: 22 April 2004
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The Political Reform Act (Government Code Section 8100, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations Section 18730) that contains the terms of a standard conflict of interest code that may be incorporated by reference in an agency's code. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices commission are hereby incorporated by reference. This regulation and the attached Appendix designating officials and employees, and establishing disclosure categories, shall constitute the conflict of interest code of the Upper Mokelumne River Watershed Authority.

Designated employees shall file their statements with the Secretary of the Upper Mokelumne River Watershed Authority who will make the statements available for public inspection and reproduction. (Gov. Code Section 81008). Upon receipt of the statements of the Members and Alternate Members of the Board of Directors and the Executive Officer, the Authority shall make and retain a copy and forward the originals to the fair Political Practices Commission. Statements of other designated employees are to be retained by the Authority.

APPENDIX OF DESIGNATED EMPLOYEES AND DISCLOSURE CATEGORIES

<u>DESIGNATED EMPLOYEE</u>	<u>DISCLOSURE CATEGORIES</u>
Member, Board of Directors	All
Alternate Member, Board of Directors	All
Member, Associate Member Committee	All
Executive Officer	All
<u>Administrative Officer</u>	<u>All</u>
Authority Attorney	All
Treasurer	All
Controller	All
Consultants ¹	All

Category A: Interests in real property located in any Affected County.²

Category B: Income from sources located in any Affected County.

Category C: Investments in any business entity that is located in any Affected County.

Category D: Business positions held in any business located in any Affected County.

¹ Consultants shall be included in the list of designated employees and shall normally disclose pursuant to the broadest disclosure categories in the Code. However, the Executive Officer may determine in writing that a particular consultant, although a 'designated employee', is hired to perform a range of duties that is limited in scope and thus is not required to comply fully with the disclosure requirements described in this Appendix. Such written determination shall include a description of the consultant's duties and, based on that description, a statement of the extent of the disclosure requirements. The Executive Officer's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

² An 'Affected County' shall mean any of the following counties of the State of California: Alameda, Alpine, Amador, Calaveras, Contra Costa, Sacramento, or San Joaquin.

Upper Mokelumne River Watershed Authority

<p style="text-align: center;">PROCUREMENT POLICY and PROCEDURE</p> <p style="text-align: center;">General, Professional <u>and</u> <u>Construction Services</u>, and Materials and Supplies</p>	<p style="text-align: center;">Policy No. 4</p> <p style="text-align: center;">Revised: 24 July 2020 Revised: 27 April 2018 Adopted: 28 April 2017</p>
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IT IS THE POLICY OF THE UPPER MOKELUMNE RIVER WATERSHED AUTHORITY TO:

1. Secure **goods and** services for the Authority's use so as to receive high value for each dollar expended consistent with ultimate need, service quality, and provider performance. In doing so:
 - a. Provide a fair and impartial competitive environment.
 - b. Provide equal opportunity in its procurement of general and professional services, **construction services**, and materials and supplies.
 - c. Seek a reasonable rate of participation by local businesses in the Authority's procurement activities.
2. Provide uniform methods and procedures for receiving and opening proposals for general and professional services and materials and supplies, **and competitive bids for construction services.**
3. Place the authority and responsibility with the Executive Officer, or designee, to administer and coordinate all of the above.

FURTHER, IT IS THE POLICY OF THE AUTHORITY, with regard to general services agreements and procurement of materials and supplies, to promote employment and business opportunities for local residents and firms by giving preference to qualified local business engaged in providing such services.

PROCEDURE:

PURPOSE and SCOPE

The purpose of this procedure is to provide guidance, define responsibility and assign authority for the procurement of general services, professional services, **construction services** and materials and supplies. This procedure applies to the procurement and administration of all Authority procurements. On any occasion this procedure does not effectively address a procurement question or issue encountered, staff will seek further direction from the Board of Directors.

DEFINITIONS

General Services: General services are recognized as physical tasks that often require the provision and use of special tools, equipment, and/or the technical ability and experience to use such items. Examples of general services include logging operations, truck drivers, heavy equipment operators, and well drilling services. General services normally result in specific physical tasks being accomplished. General services often fall within the legal definition of a public work and as such are subject to public work requirements including DIR registration, submission of form PWC 100 to DIR, payment of prevailing wages and use of apprentices.

Professional Services: Professional services are services requiring specialized knowledge or expertise provided by independent contractors in such areas as legal, programming, planning, economics, finance, environmental, construction management, and engineering. Broadly speaking, professional services normally result in a report, drawing, plan or document as the final product or contract deliverable.

Construction Services: **Construction services involve the erection, construction, alteration, repair and/or improvement to a building, road or other physical structures and appurtenances.**

Local Service Provider: A business enterprise, including but not limited to a sole proprietorship, partnership, or corporation, which has the following:

- Where available, a valid business license issued from Amador, Calaveras or Alpine County or a political subdivision within these counties; and
- Its principal business office, or a satellite office from which the business enterprise operates or performs business on a day-to-day-basis, physically located within Amador, Calaveras or Alpine County.

Community Benefit Area: This is an area comprised by the counties of Amador, Calaveras and Alpine.

Materials and Supplies: Materials and supplies are tangible items such as office equipment, business supplies, building materials and tools.

RESPONSIBILITY FOR PROCUREMENT OF SERVICES

1. The Executive Officer, or designee, is responsible for administering all Authority procurements. Accordingly, the Executive Officer is authorized to carry out authorized bid

and/or proposal solicitations for general, professional **and construction** services procurements in conformance with this Policy and Procedure.

2. When and as necessary to fulfill Authority purposes, the EO will recommend to the Board potential general, professional **and construction** services procurements. When and as authorized by the Board the EO will:
 - Take necessary actions consistent with this Policy and Procedure to complete the bid and/or proposal process.
 - Generally use the *Request for Proposal (RFP) Guideline and Template* as the basis for soliciting and evaluating general and professional services proposals, **and Invitations to Bid (ITB) for construction services.**
3. Board authorized purchases of materials and supplies may be procured by the EO, or designee, in conformance with this Policy and Procedure.

PROCUREMENT TYPES, LIMITS, METHODS AND AWARDS

Type	Limit	Method	Award
Informal Quote	Up to \$5,000	Obtain up to 3 price quotes by telephone or email whenever feasible.	EO
Formal Quote	Up to \$25,000	Obtain up to 3 written price quotes by email or letter whenever feasible.	EO
Request for Proposal/ Invitation to Bid	Above \$25,000	Issue RFPs (generally conforming to the accompanying <i>RFP Guideline and Template</i>) to seek proposals from at least 3 qualified proposers, <u>and ITBs for competitive bidding processes.</u>	Board

SELECTION AND AWARD

Professional and General Services: Professional and general services selection decisions are generally qualifications based decisions. Accordingly, assuming a reasonable price for the service can be negotiated, the Authority may consider multiple potential service providers and award a contract to the provider it determines is best qualified to perform the work. Regardless of the value of the resulting contract, this selection decision must be documented.

Generally, the following factors will be considered in determining the best-qualified professional and/or general services provider.

- **Approach and technical criteria** – for example: planned approach, key personnel, organizational capacity, production capability, schedule availability
- **Cost** – for example: total amount, reasonableness, affordability
- **Relevant experience** – for example: knowledge of local conditions from prior work within region, extensiveness of provider’s experience, degree of direct experience of assigned individuals
- **References** – for example: demonstrated competence, quality of work, effective communication, budget adherence, degree of cooperativeness

Construction Services: Construction service procurements will generally be awarded to the lowest-priced responsive and responsible bidder identified through a competitive bidding process.

Generally, the following Invitation to Bid process will be followed.

- **Invitations for Bid shall include detailed specifications, general provisions, special provisions, and in some instances bond forms, legal statements, affidavits, or other documents.**
- **A Notice inviting bids will be posted electronically on the Authority website and when appropriate posted in at least one local newspaper. The Notice shall state the time and place for receiving and opening the sealed bids and describe in general terms the work to be done.**
- **Bidders submit the required information in a sealed bid for public opening by staff at a specified date, time, and place.**
- **Bid pricing shall be publically read aloud by the person opening the sealed bids.**
- **Contract award, if any, shall be to the lowest-priced responsive and responsible bidder which is the bidder submitting the lowest-priced bid that materially conforms to all requirements in the ITB and has demonstrated the ability to perform the work.**

Materials and Supplies: Material and supply procurements generally will be awarded to the lowest responsive and qualified bidder. A responsive bidder is one that is in substantial conformance with the requirements of the bid solicitation. A qualified bidder is one that has the demonstrated ability, capability and skill to satisfactorily fulfill the requirements of the bid solicitation within the time required.

Sole Source Purchases: Services, materials and supplies that can be obtained from only one provider are exempt from the competitive procurement process. Sole source procurements may include proprietary items sold directly from the manufacturer or one authorized provider; items that could normally be obtained competitively but due to an emergency situation must be obtained from a specific provider; or a certain good or service that has been proven to be available from only one acceptable provider. The Executive Officer shall provide written justification to the Board of Directors of any sole source procurement.

COMMUNITY BENEFIT

The Authority recognizes that strategies that promote the use of Local Service Providers helps preserve local businesses, retain local dollars within the community, and enhance employment opportunities, all of which contribute to sustaining the economic health of local communities.

The Executive Officer, or designee, shall consider the locality of business enterprises submitting proposals and bids to the Authority. In evaluating proposals or bids submitted to the Authority by a qualified Local Service Provider the applicable preference as specified below shall be applied.

General Services: A five percent (5%) preference will be applied to the scoring evaluation of proposals submitted by qualified Local Service Providers.

Construction Services: No preference will be applied to construction services bid award determinations.

Materials and Supplies: When price is the determining factor for an award a five percent (5%) preference shall be subtracted from a bid submitted by a qualified Local Service Provider. If application of the 5% results in the Local Service Provider's bid being at or lower than the non- local vendor, the award shall be made to the Local Service Provider at the Local Service Provider's bid price.

Declaration of Local Service Provider: To qualify for consideration under this preference, a business enterprise must meet applicable criteria and include a completed Declaration of Local Service Provider (see Appendix A) in any proposal or bid submitted to the Authority.

Quality and Fitness: The preference established in this policy shall not be construed to limit or restrict the Authority from comparing quality and fitness of proposed services and from comparing the qualifications, character, responsibility and fitness of all firms submitting proposals. The preference established in this policy shall not be construed to prohibit the Authority from giving any other preference permitted by law.

Affordability: Application of the preference established in this policy is contingent on the availability of sufficient funding.

CONTRACT EXECUTION and ADMINISTRATION

1. Professional, general **and construction** services contracts above \$25,000 must be approved by the Board of Directors.
2. The EO, or designee, is responsible for administering agreements between the Authority and consultants and contractors. These responsibilities include: verifying compliance with contractual provisions; ensuring that contract tasks are completed on schedule and within budget; verifying the accuracy of invoices; recommending payment; and ensuring that expenditures do not exceed the contract amount.

PROTESTS AND REJECTION OF BIDS

1. Bid protests will be considered by the Authority provided a written protest on company letterhead is received by the Authority Secretary within seven working days after notification of selection/non-selection.
2. Protests will be accepted from bidders or potential bidders only. Bid protests shall contain a detailed and complete written statement describing the reason(s) for protest. The protest must include the RFP title and/or number, the name of the firm protesting, and the name, telephone number, email address and physical address of the protestor.
3. If the Authority does not receive the bid protest within the seven working day protest period, the protesting party bears the burden of proof to submit evidence (e.g., certified mail receipt) that the protest was sent in a timely manner for it to be received by the Authority within the bid protest period.

4. Upon receipt of a written protest, the Authority Secretary will confirm receipt to the sender and inform the EO. The EO will consult with Authority Counsel and conduct an investigation into the protest.
5. If the EO determines that the protest is valid, one of the following actions may be taken:
 - All bids may be rejected and a re-bid conducted.
 - All bids may be rejected and no re-bid conducted.
 - An award may be made to the best remaining responsive qualified bidder.
6. Affected bidders will be notified by certified mail of the action taken. If the protest is denied, the EO shall provide the determination to the affected bidders by email and certified mail, and the award will be made to the best responsive qualified bidder in accordance with the applicable bid solicitation documents.
7. The bid protester can appeal the determination to the Authority Board of Directors. The appeal must be submitted to the Authority Secretary no later than five working days from the date of receipt of the EO's determination on the initial protest.
8. Such an appeal must be made in writing on company letterhead and must include all grounds for the appeal and copies of the original protest and the Authority's response (email accepted with a signed letter attached and formatted as a PDF).
9. The appeal will be scheduled for the next Board of Director's meeting and the Authority Secretary shall advise the protestor of the date, time, and location of the Board of Directors meeting at which staff will make a recommendation regarding the appeal and award and inform protestor it may request to address the Board of Directors at that meeting.

CHANGE ORDERS

1. The EO is authorized to approve change orders to a Board-approved professional services, general services and **construction services** contracts in a cumulative sum amount not to exceed 10 percent of the original contract amount provided sufficient remaining budget is available.
2. Change orders that exceed the EO's cumulative 10 percent limit and change orders for which there is insufficient available budget must be approved by the Board of Directors.

PROHIBITED ACTIONS

No one participating in a procurement process on the Authority's behalf shall:

1. Accept any gift, fee, compensation or payment of expenses that results in private gain in return for preferential treatment; nor
2. Grant any special consideration, treatment, or advantage to any person or company beyond that which is available to every other person or company in similar circumstance.

Appendix A

DECLARATION OF LOCAL SERVICE PROVIDER

The Upper Mokelumne River Watershed Authority (UMRWA) may give local business enterprises a preference when awarding general service agreements as set forth in UMRWA's Procurement Policy.

In order to qualify for consideration with this preference, a business enterprise must meet the following criteria:

- Where available, a valid business license issued from Amador, Calaveras or Alpine County or a political subdivision within these counties; and
- Its principal business office, or a satellite office from which the business enterprise operates or performs business on a day-to-day-basis, physically located within Amador, Calaveras or Alpine County.

All information submitted is subject to investigation, as well as disclosure to third parties under the California Public Records Act. Incomplete, unclear, or incomprehensible responses to the following may result in the Proposer not being considered as a Local Service Provider under this policy.

1. Legal name of business: _____
2. Physical address of principal place of business, or bona-fide satellite office (e.g. with daily operations; or at least one regular employee, etc.)

3. Business license number issued by City of _____, or County of _____:

License Number: _____ Issued by: _____

Authorized Signature: _____

Date: _____

Printed Name & Title: _____

Upper Mokelumne River Watershed Authority

RECORDS RETENTION, STORAGE AND DISPOSAL POLICY and PROCEDURE

Policy No. 5

Adopted: 24 July 2020

IT IS THE POLICY OF THE UPPER MOKELUMNE RIVER WATERSHED AUTHORITY TO:

Establish and maintain a process for ensuring UMRWA's records are properly retained, stored and disposed.

PROCEDURE:

Records Retention Schedule - The Records Retention Schedule below, established consistent with the California Secretary of States Local Government Records Management Guidelines in accordance with Government Code sections 12236, may be amended from time to time. UMRWA will retain, store and dispose of its records in accordance with this schedule and the requirements and procedures set forth in this policy.

Title	Minimum Retention Period - Years
Administration	
Correspondence *	3
Policies and Procedures	Active + 1
Formation	Permanent
Form 700 Statements	Office term + 7
Board of Directors	
Correspondence *	3
Agenda Packets	Permanent
Meeting Minutes	Permanent
Conflict of Interest Code	Current + 3
Committee documents	3
Contracts	
Agreements and contracts	7 after expiration
Requests for Proposals/ Invitations to Bid	7
Financial	
Correspondence *	3
Treasurer Reports	3
Financial Statements	3
Annual Budgets	3
Legal	
Correspondence *	3
Litigation	2 after conclusion

Miscellaneous	
Other records deemed to have significant historical value	7

* (Including electronic)

Applicability – This policy and procedure applies to UMRWA staff including Executive Officer, Authority Secretary, Administrative Officer and Authority Counsel.

Records Storage –

Electronic correspondence – UMRWA staff will maintain electronic correspondence on their respective email platforms.

Requests for Proposals (RFPs), Invitations to Bid (ITBs), and associated project files may be stored and available to the public on the Authority website (www.umarwa.org)

All other records referenced in this policy will be maintained at UMRWA's Administrative office located at 15083 Camanche Parkway South, Valley Springs, California 95252, or such other repository that UMRWA may designate from time to time.

Records Disposal – UMRWA staff may destroy and discard, by any permanent method that protects the confidentiality of any privileged or confidential information contained therein, any Authority record after the expiration of the applicable retention period specified in the above Records Retention Schedule.



Upper Mokelumne River Watershed Authority

Agenda No: **8**

Meeting Date: July 24, 2020

Title:

Consulting Agreements for UMRWA Support Personnel

Recommended Action:

1. Approve an agreement with Richard Sykes to serve as the Authority's Executive Officer for the period October 1, 2020 through October 31, 2022; and authorize the Board Chair to sign the agreement.
2. Approve an agreement with Rob Alcott to serve as Authority Administrative Officer for the period October 1, 2020 through October 31, 2022; and authorize the Board Chair to sign the agreement.
3. Approve the consulting services agreement with Landmark Environmental Inc. to provide services for the period October 1, 2020 through October 31, 2022 and authorize the Executive Officer to sign the agreement.

Discussion:

The recommended two-year agreements with Richard Sykes and Rob Alcott provide for the continuation of Executive Officer and Administrative Officer services for the two-year period coinciding with the Authority's next two fiscal years beginning October 1, 2020. The two agreements (copies are included in the separately provided Supplemental July 24, 2020 Agenda Materials Packet) retain the hourly rates in the existing agreements (\$150 and \$140 respectfully). Both agreements specify that Member Funded compensation shall not exceed the combined funding allocated for the Executive Officer and the Administrative Officer in the annual UMRWA budget or exceed \$50,000 per fiscal year. Also, as in past years, Grant Funded compensation is to be paid by grant funds specifically allocated for grant-funded work tasks.

The recommended consulting services agreement with Landmark Environmental Inc. (LEI) will continue LEI's professional and administrative support to UMRWA's forestry program for another two years. Karen Quidachay and her compliment of professional staff have largely been responsible for the forestry work UMRWA has completed over the past four years in partnership with the USFS, SNC and others. The recommended agreement with LEI will ensure the firm's vital support of UMRWA's forestry-related projects and programs and their continued success.

As in the current agreement, LEI's direct cost reimbursements generally will be limited to authorized mileage, parking and tolls, and extraordinary copying and postage charges. Total Member-funded charges are not to exceed \$100,000 (the FY 2021 budget limit) with all work to be authorized by Task Order issued by the Executive Officer. The FY 2022 limit

will be the associated FY 2022 Board approved budget amount with all work to again be authorized by a Task Order issued by the Executive Officer. As in the prior two agreements, grant-related work costs will not exceed the funding budgeted for and available to Landmark Environmental under applicable grants nor exceed the amount authorized by the Authority's Executive Officer.

As noted above, copies of the three recommended Consulting Services Agreements are included in the Supplemental July 24, 2020 Agenda Materials Packet.



Upper Mokelumne River Watershed Authority

Agenda No: 9

Meeting Date: July 24, 2020

Title:

Web Support Agreement with Woodard & Curran

Recommended Action:

Approve the agreement with Woodard & Curran and authorize the Executive Officer to sign.

Summary:

In July 2018 the Board approved an agreement with Woodard & Curran) to maintain and administer the umrwa.org website, and maintain and continue support for the Authority's Opti database (which satisfies UMRWA's compliance with the terms of three DWR Prop 84 Implementation Grants). Both of these web-based applications require some limited degree of maintenance and technical support, while the Opti database also requires a host platform (which W&C is providing).

The recommended agreement with Woodard & Curran will continue these services for the next two fiscal years at a not-to-exceed cost of \$10,500 per year. Funding for this agreement is included in the Authority's FY 2021 budget (see agenda item 5).

The umrwa.org website has become an important tool in carrying out UMRWA's contracting out activities and will continue to serve as a primary means for sharing Board agenda materials. It is also the primary means for communicating and sharing MAC Plan update documents with the stakeholder Regional Participants Committee. The website serves as a resource for the members of the public to familiarize themselves with UMRWA, as it does interested contractors, funding agencies, and others.

A copy of the recommended Consulting Services Agreement with Woodard & Curran is included in the Supplemental July 24, 2020 Agenda Materials Packet.



Upper Mokelumne River Watershed Authority

Agenda No: **10**

Meeting Date: July 24, 2020

Title:

Youth Watershed Stewardship Program

Recommended Action:

Approve the agreement with the Mother Lode Land Trust for the year ending December 31, 2020 and authorize the Executive Officer to execute the agreement.

Summary:

Since 2006 UMRWA has annually provided funds to support the local public schools Youth Watershed Stewardship Program (YWSP). The program is now facilitated under an agreement between UMRWA and the Mother Lode Land Trust (MLLT), which in partnership with Stewards Through Education (STE) sponsors the YWSP.

Discussion:

An agreement with MLLT to conduct the YWSP for another year is presented for the Board's approval today. The \$16,500 funding for this agreement is included in UMRWA's FY2020 budget. But for the addition of a provision acknowledging CVOID-19 uncertainties and how they may impact public schools, the recommended contract is comparable with prior year agreements.

The Scope of Work for next year includes the following three tasks.

- Annual Implementation – Conduct in-service training to teachers in elementary, middle, school classrooms in Calaveras, Alpine and Amador Counties to implement use of STE website (including the forest health curriculum) and Watershed Guide. Provide subsidized transportation and supervision for field activities, Ranger Led Environmental Education Program (RLEEP), and the Classroom Aquarium Education Program (CAEP). Expand CAEP to upcountry and Alpine County schools including release of CAEP trout into local streams.
- Program Support – Website update and support, storage costs, equipment, supplies, insurance, and LLC licensing.
- Elementary and High School Programs - Coordinate and conduct outdoor field experiences with community partners for grades 5-12 (with special attention to the involvement of Forestry Challenge students) and a focus on “Healthy Forests Healthy Watersheds” in Calaveras County and Amador County.

A copy of the recommended agreement with MLLT is included in the Supplemental July 24, 2020 Agenda Materials Packet.



Upper Mokelumne River Watershed Authority

Agenda No: **11**

Meeting Date: July 24, 2020

Title:

MAC Plan Activities – Prop 1 Grant Award

Recommended Action:

For discussion and possible action.

Summary:

The Department of Water Resources on July 7 informed UMRWA that the Mokelumne-Amador-Calaveras Proposition 1 IRWM Implementation Grant Application has been awarded \$556,447. Funding from this grant award will be applied to Calaveras County Water District's West Point Water Treatment Plant Improvement Project. Staff is presently working with CCWD staff to fulfill several grant eligibility requirements (e.g. certification that CCWD complies with state groundwater and urban water management plan obligations, local cost share commitment).

Under the grant project costs incurred after June 26, 2020 will be eligible for grant reimbursement and costs incurred after January 1, 2015 can be used as required local cost share. This award is conditioned upon the execution of a Grant Agreement between DWR and UMRWA.

Over the coming weeks staff will work with CCWD and DWR to finalize project details and complete the Grant Agreement. The Grant Agreement, along with an UMRWA – CCWD Project Partners agreement, will be presented to the Board for approval at the October meeting.

On a related note, the planned effort to update the MAC Plan implementation projects list will be initiated in September. This effort will be undertaken and administered by Woodward & Curran. Activities associated with this work include; opening a 30 day call for projects, scoring and ranking projects received, preparing an updated project list incorporating the new projects, and appending the MAC Plan with the updated project list. The work also allows for one conference call and one in-person RPC meeting, as needed and as deemed appropriate given Covid-19 safety guidelines.



Upper Mokelumne River Watershed Authority

Agenda No: **12**

Meeting Date: July 24, 2020

Title:

Legislative Issues Update

Recommended Action:

For discussion and possible action – legislative matters discussed by the Board.

Summary:

Two documents prepared by EBMUD are included in this agenda package. The first summarizes SB 1348 (Stern) and AB 2421 (Quirk) which pertain to fuel management/forest health and standby generation/emergency communication, respectively. The second document briefly summarizes the two budget bills and 18 budget trailer bills signed by Governor Newsom in June including how those bills might impact the Pine Grove Youth Conservation Camp. The EO will summarize any additional relevant legislative information that may be obtained prior to the Board meeting. Additionally, Board directors and/or agency staff may have particular legislation of interest and this agenda item is intended to facilitate discussion of it.

SB 1348
(Stern)

**FIRE PREVENTION: VEGETATION
MANAGEMENT: PUBLIC EDUCATION:
GRANTS: DEFENSIBLE SPACE:
FIRE HAZARD SEVERITY ZONES:
FOREST MANAGEMENT**

Existing law requires the Director of the Department of Forestry and Fire Protection (CAL FIRE) to identify areas of the state as very high fire hazard severity zones based on specified criteria. Pursuant to legislation in 2017, CAL FIRE established a local assistance grant program for fire prevention activities in the state. Existing law defines the eligible activities for this grant funding. Existing law also requires a property owner in a high fire hazard severity zone to maintain defensible space and authorizes a local agency enforcing these requirements to conduct defensible space work if the owner fails to, and to place a lien on the property for the cost of that work. Additionally, existing law establishes tiers of penalties for failure to maintain defensible space for repeat violators.

SB 1348 (Stern), as amended on June 18, 2020, makes changes to state law in the four main areas described below.

First, the bill would require the Director of CAL FIRE to identify areas of the state as “moderate” and “high” fire hazard severity zones based on consistent statewide criteria and the severity of fire hazard expected for those areas. Cities or counties with areas designated by CAL FIRE as a moderate or high would be required to make the information available for public review and comment within 30 days of the designation. These requirements are similar to existing law for very high fire hazard severity zones.

Second, the bill would expand the eligible activities for CAL FIRE’s local assistance grant fund program to specifically include projects for vegetation management along roadways and driveways, and public education outreach regarding home and community wildfire resistance. This bill also authorizes any project or program to improve forest health and reduce GHG emissions or any grant funded by the Greenhouse Gas Reduction Fund (GGRF) to include projects or programs for vegetation management along roadways and driveways, including defensible space training, as well as public education outreach and community wildfire assistance.

Third, SB 1348 would require CAL FIRE to take on additional responsibilities to:

- adopt regulations related to defensible space requirements in vacant lots;
- create and maintain a public database relating to defensible space inspections and assessments conducted by CAL FIRE, local agencies, or volunteers;
- develop and propose to the legislature a financial penalty structure to apply to situations where CAL FIRE has authorized and removed vegetation and placed a lien upon the property to recover its costs; and
- establish in cooperation with the U. S. Forest Service and specified federal agencies, a program for purposes of the development of specified federal and state environmental protection documents for landscape scale ecological restoration and fire resiliency projects on national forest lands that are at least 50,000 acres.

Finally, SB 1348 would require the California Building Standards Commission to update its code pertaining to the construction of new buildings in specified fire hazard zones.

SB 1438 is intended to enhance fire prevention efforts throughout the state by expanding the range of projects for which funding may be available and, according to the author, to address recommendations contained in CAL FIRE's 2019 Community Wildfire Prevention & Mitigation Report, which was prepared in response to Governor Newsom's Executive Order N-05-19.

AB 2421
(Quirk)

LAND USE: PERMITTING: WIRELESS
COMMUNICATIONS: EMERGENCY
STANDBY GENERATORS

Existing law provides that a state or local government may not deny, and shall approve, any request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such a tower or base station. Under the FCC rules governing such requests, the approval must be issued within 60 days or the request shall be deemed granted. Existing law also provides that the placement or installation of certain wireless facilities, including antennas and related equipment, on or immediately adjacent to a wireless telecommunications facility, is a permitted use not subject to a county or city discretionary permit.

AB 2421 (Quirk), as amended June 4, 2020, would require a city and county to make the installation of an emergency standby generator within the physical footprint of a macro cell tower site that meets specified requirements a permitted use subject only to local agency administrative review. The bill's provisions require the city or county to act on the completed application within 60 days, or the application will be deemed approved upon expiration of that period. Though the bill specifies that the city or county shall not require the applicant to submit proof of authorization from the property owner at the time of initial application, a city or county may require documentation of authorization prior to final installation. Additionally, if the city or county determines that the emergency standby generator violates any applicable state or local law or regulation, including building and fire safety codes, the permit or approval status may be revoked through the appropriate process. Provisions of the bill would sunset on January 1, 2024, and apply to all counties and cities, including charter cities.

According to the author, "In order to facilitate wireless network upgrades needed to mitigate the impacts of public safety power shutoffs, this legislation will help enable the rapid deployment of emergency standby generators at macro cell sites. These resources are vital for public safety and welfare to help ensure consumers maintain access to 911 services, wireless emergency alerts, and other public safety communications." A recent committee analysis of the bill notes that AT&T reported delays ranging from five to 30 months in some jurisdictions for the permitting of back-up generators.

2020-21 State Budget Update

INTRODUCTION

On June 29, 2020, Governor Newsom signed two main budget bills and 18 budget trailer bills to implement the 2020-21 State Budget. The enacted budget reflects agreement between the governor and legislative leaders on a hybrid approach combining portions of the governor's May Revise budget proposal with portions of a legislative budget proposal. Additional budget trailer bills are expected in the coming months as the state tax revenues and additional expenses associated with the state's response to the coronavirus pandemic become clearer.

DISCUSSION

The enacted 2020-21 State Budget is a \$202.1 billion spending plan, \$133 billion of which is General Fund spending, that addresses a \$54.3 billion shortfall through the use of state reserves, borrowing, new revenue, federal funds, canceled expansions of programs, improved revenue forecasts, and spending cuts. Spending cuts went into effect on July 1, similar to what the governor proposed in the May Revise, but are more limited in line with the legislature's approach. Some spending cuts would be reversed if the state receives additional federal funding.

Specific areas of interest are summarized below.

Use of Coronavirus Relief Funds

The budget relies upon \$10.1 billion in federal funding, including a portion of the Coronavirus Relief Fund dollars allocated to the state in accordance with the federal CARES Act. In addition, the state would offset some spending cuts that went into effect on July 1 if future funds are approved by Congress.

Public Safety Power Shut-Offs

The budget includes \$50 million in one-time General Fund moneys to bolster community ability to support critical services vulnerable to power outage events including schools, county election offices, and food storage reserves.

Youth and Adult Conservation Camps

The May Revise proposed closure of the Pine Grove Youth Conservation Camp as part of the realignment of the Division of Juvenile Justice. The May Revise also proposed to close eight adult inmate fire/conservation camps in order to consolidate camps that are not at capacity, with the specific camps to be determined at a later date. The Pine Grove Youth Conservation Camp and the Vallecito #1 Conservation Camp are used for various fire prevention and response activities in the Mokelumne River watershed.

A budget trailer bill to implement the realignment of the Division of Juvenile Justice has not yet been introduced in the legislature, though the Department of Finance's budget summary does indicate the administration will continue to work with the legislature to achieve this realignment.

The enacted budget does include closure of eight adult inmate fire/conservation camps; CAL FIRE will identify the camps to be closed at a later date.

NEXT STEPS

The governor and legislature will likely consider additional budget trailer bills in the coming months after the final state tax revenue numbers are available (tax filing deadline was pushed back to July 15) and as any additional expenses related to the state's coronavirus response emerge.