



PUBLIC NOTICE
Board Meeting of the:
Honey Lake Valley Resource Conservation District
170 Russell Ave. Suite C
Susanville, CA 96130
5302574127 ext. 100

Attachments available 1/24/22 at www.honeylakevalleyrcd.us

Date: Thursday, January 27th, 2022

Location: HELD REMOTELY Via ZOOM

This Virtual Meeting is held pursuant to Executive Order N-29-20 issued by Governor Newsom on March 17, 2020 that directs Californians to follow public health directives including canceling large gatherings. The Executive Order also allows local legislative bodies to hold meetings via conference calls while still satisfying state transparency requirements. Executive Order N-33-20, prohibits people from leaving their homes or places of residence except to access necessary supplies and services or to engage in specified critical infrastructure employment.

Note: Pursuant to the Brown Act, Section 54953(b)(2). Section (b) (2) requires that all votes taken during a teleconference meeting shall be by roll call. Any agenda item may be discussed in a different order, if necessary. The Board may take action whether items are listed as action, information or discussion. The meeting is being held solely by remote means and will be made accessible to members of the public seeking to attend and address the Board solely through the phone number set forth below.

Join us on Zoom with information below:

<https://us02web.zoom.us/j/84726721792?pwd=K2Q3YkFRYXZxd2dHTmJJSS9sLzB5Zz09>

Meeting ID: 847 2672 1792

Passcode: 452513

One tap mobile

+16699006833,,84726721792#,,,,*452513# US (San Jose)

+12532158782,,84726721792#,,,,*452513# US (Tacoma)

Time: 3:30 PM

AGENDA

NOTE: THE HONEY LAKE VALLEY RESOURCE CONSERVATION DISTRICT MAY ADVISE ACTION ON ANY OF THE AGENDA ITEMS SHOWN BELOW.

NOTE: IF YOU NEED A DISABILITY-RELATED MODIFICATION OR ACCOMMODATION, INCLUDING AUXILIARY AIDS OR SERVICES, TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE DISTRICT OFFICE AT THE TELEPHONE NUMBER AND ADDRESS LISTED ABOVE AT LEAST A DAY BEFORE THE MEETING.

I. CALL TO ORDER, ROLL CALL

II. APPROVAL OF AGENDA

Tie to the Strategic Plan: Strategic Issue 1 – Build HLVRCD leadership & organizational capacity.

III. PUBLIC COMMENT

Per RCD Board Policy No. 5030.4.1, during this portion of the meeting, any member of the public is permitted to make a brief statement, express his/her viewpoint, or ask a question regarding matters related to the District. Five (5) minutes may be allotted to each speaker and a maximum of twenty (20) minutes to each subject matter.

IV. CONSENT ITEMS

- A. Approval of Meeting Minutes: 12/9/2021
- B. Treasurer's Report
- C. Correspondence

Tie to the Strategic Plan: Strategic Issue 1 – Build HLVRCD leadership & organizational capacity.

V. REPORTS

- A. District Manager Report – Stuemky
- B. NRCS Agency Report – Stephens
- C. SWAT - Hanson
- D. WAC Report – Langston
- E. Modoc Regional RCD/CARCD Report – Tippin
- F. Fire Safe Council Report – Johnson
- G. IRWMP Report – Claypool
- H. Unagendized reports by board members

Tie to the Strategic Plan: Strategic Issue 1 – Build HLVRCD leadership & organizational capacity.

VI. ITEMS FOR BOARD ACTION AND/OR DISCUSSION – RCD

- A. Annual Organizational Meeting (RCD 5010.5; PRC 9306 & 9307)
 - 1. Election of officers (chairman, vice-chairman and secretary/treasurer).
 - 2. Appointment of District Manager as board secretary.
- B. File Statement of Facts with the Secretary of State
- C. Assignment of committees (SWAT, WAC, Modoc Regional RCD/CARCD, FireSafe Council, IRWM)
- D. Policy update/revisions (RCD 5010.1)
- E. Place and time of meetings
- F. Approval and adoption of 2022 RCD calendar (attachment)

Tie to the Strategic Plan: Strategic Issue 1 – Build HLVRCD leadership & organizational capacity

- G. Final reading and approval of the 2022 RCD Calendar. (attachment)

Tie to the Strategic Plan: Strategic Issue 1 – Build HLVRCD leadership & organizational capacity

- H. Consideration and approval of Resolution 2021-5, regarding AB 361 for the continuation of online board meetings. (attachment)

Tie to the Strategic Plan: Strategic Issue 1 – Build HLVRCD leadership & organizational capacity

- I. Consideration and approval of Cooperative Agreement between HLVRCD and LFSC, Inc. for HLVRCD to act as CEQA Lead Agency for the Dyer Mountain Initiative WUI Fuel Treatments. (attachment)

Tie to the Strategic Plan: Strategic Issue 1 – Build HLVRCD leadership & organizational capacity

- J. Consideration and approval of Review and approval of Dyer Mountain Initiative WUI Fuel Treatments CEQA Environmental Review and Notice of Exemption (NOE).

Tie to the Strategic Plan: Strategic Issue 1 – Build HLVRCD leadership & organizational capacity

VII. ITEMS FOR BOARD ACTION AND/OR DISCUSSION– WATERMASTER

- A. Consideration and Approval to pay BBK January 2022 Invoice #924553 (\$13,111.90) (attachment).

Tie to the Strategic Plan: Strategic Issue 1.4 – Watermaster services are professionally provided.

VIII. ADJOURNMENT

The next Honey Lake Valley RCD meeting will be **February. 24th, 2022, at 3:30 PM.** The location is the USDA Service Center, 170 Russell Avenue, Suite C, Susanville, CA.

I certify that on Monday, January 24, 2022 agendas were posted as required by Government Code Section 54956 and any other applicable law.

X 

Andrea Stuemky
District Manager



PUBLIC NOTICE
Special Board Meeting of the:
Honey Lake Valley Resource Conservation District
170 Russell Ave. Suite C
Susanville, CA 96130
530-257-7271 ext. 100

Attachments available 12/08/21 at www.honeylakevalleyrcd.us

Date: Thursday, December 9th, 2021

Location: HELD REMOTELY Via ZOOM

This Virtual Meeting is held pursuant to Executive Order N-29-20 issued by Governor Newsom on March 17, 2020 that directs Californians to follow public health directives including canceling large gatherings. The Executive Order also allows local legislative bodies to hold meetings via conference calls while still satisfying state transparency requirements. Executive Order N-33-20, prohibits people from leaving their homes or places of residence except to access necessary supplies and services or to engage in specified critical infrastructure employment.

Note: Pursuant to the Brown Act, Section 54953(b)(2). Section (b) (2) requires that all votes taken during a teleconference meeting shall be by roll call. Any agenda item may be discussed in a different order, if necessary. The Board may take action whether items are listed as action, information or discussion. The meeting is being held solely by remote means and will be made accessible to members of the public seeking to attend and address the Board solely through the phone number set forth below.

Time: 4:00 PM

MEETING MINUTES
votes taken via role call

NOTE: THE HONEY LAKE VALLEY RESOURCE CONSERVATION DISTRICT MAY ADVISE ACTION ON ANY OF THE AGENDA ITEMS SHOWN BELOW.

NOTE: IF YOU NEED A DISABILITY-RELATED MODIFICATION OR ACCOMMODATION, INCLUDING AUXILIARY AIDS OR SERVICES, TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE DISTRICT OFFICE AT THE TELEPHONE NUMBER AND ADDRESS LISTED ABOVE AT LEAST A DAY BEFORE THE MEETING.

I. CALL TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL

Board member Jesse Claypool called the meeting to order at 4:08 pm, and a quorum was noted.

II. **APPROVAL OF AGENDA**

Board member Will Johnson made a motion to approve the agenda, Board member Robin Hanson seconded, and the motion passed. All.

Tie to the Strategic Plan: Strategic Issue 1 – Build HLVRCD leadership & organizational capacity.

III. **PUBLIC COMMENT - NONE**

Per RCD Board Policy No. 5030.4.1, during this portion of the meeting, any member of the public is permitted to make a brief statement, express his/her viewpoint, or ask a question regarding matters related to the District. Five (5) minutes may be allotted to each speaker and a maximum of twenty (20) minutes to each subject matter.

IV. **CONSENT ITEMS**

- A. Approval of Meeting Minutes: 10/28/2021 (attachment)
- B. Correspondence

Board member Robin Hanson made a motion to approve the consent items, Board member Wayne Langston seconded, and the motion passed. All.

Tie to the Strategic Plan: Strategic Issue 1 – Build HLVRCD leadership & organizational capacity.

V. **REPORTS**

- A. District Manager Report – Stuemky
 - Reported on current grants progress, upcoming 2021 Audit timelines, grant application that we are waiting to hear back about, hiring a new Watermaster and current district events.
- B. NRCS Agency Report – Stephens
 - Reported that NRCS welcomed a new biologist, and that the office is part of a National Cover Crop initiative pilot program. Quick deadlines and turn around for EQIP (Dec. 10th), and the potentially for NRCS to receive more federal funding.
- C. SWAT – Hanson
 - NONE
- D. WAC Report – Langston
 - Reported that the WAC board met in November and the WM and Langston were the only ones present. The WAC board was not able to approve the Annual Use Report because of the lack of a quorum, and that the RCD board would need to approve.
- E. Modoc Regional RCD/CARCD Report – Tippin
 - Reported that CARCD annual conference would be online again this year starting in January – still time to register if interested.

- F. Fire Safe Council Report – Johnson
 - NONE
- G. IRWMP Report – Claypool
 - NONE
- H. Unagendized reports by board members
 - NONE

Tie to the Strategic Plan: Strategic Issue 1 – Build HLVRCD leadership & organizational capacity.

VI. ITEMS FOR BOARD ACTION AND/OR DISCUSSION – RCD

- A. Consideration & approval to renew 2022 CSDA membership at \$200.00. (attachment)

Board member Robin Hanson made a motion to approve the 2022 CSDA membership cost, Board member Wayne Langston seconded, and the motion passed. All.

Tie to the Strategic Plan: Strategic Issue 1 – Build HLVRCD leadership & organizational capacity

- B. Consideration and approval of Resolution 2021-5, regarding AB 361 for the continuation of online board meetings. (attachment)

Board member Robin Hanson made a motion to approve Resolution 2021-5, Board member Wayne Langston seconded, and the motion passed. All.

Tie to the Strategic Plan: Strategic Issue 1 – Build HLVRCD leadership & organizational capacity

- C. Second reading of the HLVRCD 2022 Annual Calendar. (attachment)

No comments from the board at this time.

Tie to the Strategic Plan: Strategic Issue 1 – Build HLVRCD leadership & organizational capacity

VII. ITEMS FOR BOARD ACTION AND/OR DISCUSSION– WATERMASTER

- A. Consideration and Approval to pay BBK November invoice #921825 (\$8,988.50) (attachment)

Board member Robin Hanson made a motion to approve the BBK invoice #921825, Board member Wayne Langston seconded, and the motion passed. All.

Tie to the Strategic Plan: Strategic Issue 1.4 – Watermaster services are professionally provided.

B. Consideration and approval of the Watermaster position description. (attachment)

Board member Robin Hanson made a motion to approve the Watermaster position description pending edits by 12/15, Board member Wayne Langston seconded, and the motion passed. All.

Tie to the Strategic Plan: Strategic Issue 1.4 – Watermaster services are professionally provided.

C. Consideration and approval to advertise the Watermaster position for hiring.

Board member Robin Hanson made a motion to approve the advertisement of the Watermaster position, Board member Wayne Langston seconded, and the motion passed. All.

Tie to the Strategic Plan: Strategic Issue 1.4 – Watermaster services are professionally provided.

D. Consideration and approval of Resolution 2021 – 04 in regards to the 2021 Urban and Multi-benefit Drought Relief Grant Program Proposal from CA Dept. of Water Resources.

Board member Robin Hanson made a motion to approve Resolution 2021 – 04, Board member Wayne Langston seconded, and the motion passed. All.

Tie to the Strategic Plan: Strategic Issue 1.4 – Watermaster services are professionally provided.

E. Final reading of the Draft Annual Use Report for 2021/2022.

Board commented that the included graphs depicted how horrible the drought conditions were the past year. Watermaster commented that the report would be submitted next week.

Tie to the Strategic Plan: Strategic Issue 1.4 – Watermaster services are professionally provided.

VIII. ADJOURNMENT – 12/9/2021 at 5:19PM

The next Honey Lake Valley RCD meeting will be **January 27th, 2022**. The location is the USDA Service Center, 170 Russell Avenue, Suite C, Susanville, CA.

Respectfully Submitted,



Andrea Stuemky
District Manager

APPROVED: _____
Jesse Claypool, RCD Board
Chairperson

DATE: 01/27/2022



HONEY LAKE VALLEY RESOURCE CONSERVATION DISTRICT

January 2022

Su	M	Tu	W	Th	F	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

January

01/01/22 (Sat)	New Year's Day (observed 12/31/21)
01/06/22 (Thu)	Organizational Meeting
01/17/22 (Mon)	Martin Luther King Day
01/27/22 (Thu)	Organizational Meeting, Adopt Calendar, FYE21 Mid-Year Budget Review, WAC Appointments

February 2022

Su	M	Tu	W	Th	F	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28					

February

02/21/22 (Mon)	President's Day
02/24/22 (Thu)	FYE21 Audit, 1st Reading - Strategic/Annual Operations Plan (AOP) Review, FYE22 RCD/WM Budget Review DM Mid Year Evaluation

March 2022

Su	M	Tu	W	Th	F	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

March

03/01/22 (Tue)	Irrigation Season Begins
03/10/22 (Thu)	FYE21 Budget Review, Direct Billing
03/24/22 (Thu)	1st Reading - FYE21 RCD/WM Budget, 2nd Reading - Strategic/AOP

April 2022

Su	M	Tu	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

April

04/28/22 (Thu)	Adopt Strategic/AOP, 2nd Reading - FYE22 RCD/WM Budget Begin 5:30 schedule Hwy Clean-up Month
----------------	--

May 2022

Su	M	Tu	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

May

05/02/22 (Mon)	Update WM Control Cards
05/12/22 (Thu)	
05/26/22 (Thu)	Budget Hearing - Approve FYE21 RCD/WM Budget, Initiate WM Assessment Apportionment
05/30/22 (Mon)	Memorial Day

June 2022

Su	M	Tu	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

June

06/14/22 (Tue)	Apportionment and Assessment Letters Due to Water Users
06/19/2022 (Sun)	Juneteenth (observed 06/20/22)
06/23/22 (Thu)	Review RCD Board Appointments



HONEY LAKE VALLEY RESOURCE CONSERVATION DISTRICT

July 2022						
Su	M	Tu	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

August 2022						
Su	M	Tu	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

September 2022						
Su	M	Tu	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

October 2022						
Su	M	Tu	W	Th	F	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

November 2022						
Su	M	Tu	W	Th	F	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

December 2022						
Su	M	Tu	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

July	
07/04/22 (Mon)	Independence day
07/07/22 (Thu)	
07/28/22 (Thu)	Certify Apportionments to Auditor, Initiate FYE21 Audit

August	
08/09/22 (Tue)	Certified Apportionments due to Auditor
08/25/22 (Thu)	Annual DM Evaluation

September	
09/05/22 (Mon)	Labor Day
09/08/22 (Thu)	Draft 2021/22 SRWSA Annual Use Report
09/22/22 (Thu)	1st Reading - 2021/22 SRWSA Annual Use Report, HWY Cleanup

October	
10/10/22 (Mon)	Indigenous Peoples Day
10/27/22 (Thu)	2nd Reading - 2021/22 SRWSA Annual Use Report, 1st Reading - 2023 RCD Calendar
10/31/22 (Mon)	Irrigation Season Ends - Direct Billing

November	
11/11/22 (Fri)	Veterans Day
11/10/22 (Thu)	Approve 21/22 SRWSA Annual Use Report
11/24/22 (Thu)	Meeting status subject to change; Approve 2021/22 SRWSA Annual Use Report (submit to Court pending approval), 2nd Reading - 2023 RCD Calendar
11/24/22 (Thu)	Thanksgiving
11/25/22 (Fri)	Thanksgiving Holiday

December	
12/22/22 (Thu)	Meeting status subject to change
12/23/2021 (F)	1/2 Holiday
12/26/22 (Mon)	Christmas Day Observed
12/31/22 (Sat)	SRWSA Annual Use Report submitted to Court

**Board of Directors Honey Lake Valley Resource Conservation
District County of Lassen, State of California**

RESOLUTION 2022-01

**RESOLUTION OF THE HONEY LAKE VALLEY RESOURCE
CONSERVATION DISTRICT (RCD)**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE HONEY LAKE VALLEY
RESOURCE CONSERVATION DISTRICT MAKING FINDINGS IN ACCORDANCE WITH AB
361 AND GOVERNMENT CODE SECTION 54953, AUTHORIZING REMOTE
TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF THE HONEY LAKE
VALLEY RESOURCE CONSERVATION DISTRICT**

January 27th, 2022

WHEREAS, all meetings of Honey Lake Valley County Resource Conservation District's ("District") Board of Directors meetings 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, Governor Newsom signed AB 361, amending the Brown Act, including Government Code section 54953, subd. (e), that makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953, subd. (b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition of AB 361 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, on March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic; and

WHEREAS, the proclaimed state of emergency remains in effect; and

WHEREAS, California Department of Public Health and the federal Centers for Disease Control and Prevention caution that the Delta variant of COVID- 19, currently the dominant strain of COVID-19 in the country, is more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations (<https://www.cdc.gov/coronavirus/2019-ncov/variants/delta-variant.html>); and

WHEREAS, the District is committed to preserving and nurturing public access and participation in meetings of the Board of Directors and to protecting the health, welfare, and safety of the participants; and

WHEREAS, the Board of Directors does hereby find that the COVID-19 emergency 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 deems it necessary to find that meeting in person for meetings of all District-related legislative bodies as well as subcommittees of the Board of Directors subject to the Ralph M. Brown Act, would present imminent risks to the health or safety of attendees, and thus intends to invoke the provisions of AB 361 related to teleconferencing as provided in Government Code section 54953, subd. (e); and

WHEREAS, all teleconference meetings of the Board of Directors of the District and any legislative bodies of the District shall comply with the requirements to provide the public with access to the meetings as prescribed in section 54953; subd. (e)(2).

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Honey Lake Valley Resource Conservation District as follows:

1. Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
2. The Board finds that meeting in person for meetings of all District-related legislative bodies subject to the Ralph M. Brown Act would present imminent risks to the health or safety of attendees.
3. Staff is directed to return to the Board of Directors no later than thirty (30) days after the adoption of this resolution, or by the next Board of Directors meeting (whichever comes first), with an item for the Board to consider making the findings required by AB 361 in order to continue meeting under its provisions.
4. The District Executive Director is 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, subd. (e), and other applicable provisions of the Brown Act.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Board of Directors of the Honey Lake Valley Resource Conservation District at its special meeting held on the 27th day of January 2022, by the following vote:

Adopted on following motion by Director _____ seconded by
Director _____ and the following vote on this ____ day of _____
2022.

Director Vote:

Ayes: _____

Noes: _____

Absent: _____

Abstain: _____

Jesse Claypool, Chair
Board of Directors

WAYNE LANGSTON, Secretary/Treasurer
Board of Directors

Attest:

Andrea Stuemky, District Manager

Dyer Mountain Initiative WUI Fuel Treatments CEQA

Cooperative Agreement Between

Honey Lake Valley Resource Conservation District

&

Lassen Fire Safe Council, Inc. (LFSC)

January 27, 2022

Project Identification:

This agreement is for the Honey Lake Valley Resource Conservation District (HLVRCD) to serve as the lead agency, in accordance with CEQA Guidelines Section 15051 (b) (1), for the proposed Dyer Mountain Initiative WUI Fuel Treatments Project.

HLVRCD and LFSC Responsibilities:

LFSC will prepare the necessary documentation for meeting the goal of full compliance under the California Environmental Quality Act (CEQA), and all CEQA process documentation for the Dyer Mountain Initiative WUI Fuel Treatments Project. HLVRCD will review, organize, file and adopt all necessary documentation in compliance with CEQA Guidelines. All products will be delivered in accordance with the attached Standard Clauses (Exhibit A).

Duration of Contract:

The duration of this Contract will extend from January 27, 2022 through April 30, 2022.

Project Managers:

The project manager for Lassen Fire Safe Council, Inc. is Tom Esgate. Project manager for the HLVRCD is Andrea Stuemky.

Method of Payment:

Payment will be for CEQA County Clerk Processing fee of \$50 plus \$2,000 for RCD staff time, not to exceed \$2,050.

Standard Provisions:

Exhibit A, containing standard provisions are included below and by this reference incorporated herein.

Execution:

Honey Lake Valley RCD

_____	_____	68-0003580
Mr. Jesse Claypool, RCD Chairman	Date	Tax ID#

Lassen Fire Safe Council, Inc.

_____	_____
Mr. Tom Esgate, Managing Director	Date

Standard Clauses
Exhibit A

Worker's Compensation Clause

Vendor agrees to comply with provisions of Section 3700 of the California Labor Code which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that Code, before commencing the performance of the work under this Contract. Lassen Fire Safe Council, Inc. will make its contractors and subcontractors aware of this provision and determine that they have complied with it before commencing work on the project. Volunteer laborers are exempt from the worker's compensation provision of the California Labor Code.

National Labor Relations Board Clause

In accordance with Public Contract Code Section 10296, Lassen Fire Safe Council, Inc. declares under penalty of perjury that no more than one final, unappealable finding of contempt of court by a federal court has been issued against the Lassen Fire Safe Council, Inc. within the immediately preceding two-year period because of Lassen Fire Safe Council, Inc.'s failure to comply with an order of a federal court which orders Lassen Fire Safe Council, Inc. to comply with an order of the National Labor Relations Board.

Nondiscrimination Clause

During the performance of this Contract, Lassen Fire Safe Council, Inc., its contractors, and subcontractors shall not deny the Contract's benefit to any person on the basis of religion, color, ethnic group identification, sex, age, physical or mental disability, nor shall they discriminate unlawfully against any employee or applicant for employment because of race, religion, color, national origin, ancestry, physical handicap, mental disability, medical condition, marital status, age (over 40), or sex. Lassen Fire Safe Council, Inc. shall insure that the evaluation and treatment of employees and applicants for employment are free of such discrimination. Lassen Fire Safe Council, Inc., its contractor, and subcontractor shall comply with the provisions of the Fair Employment and Housing Act (Government Code Section 12900 et seq.) and the regulations promulgated thereunder (California Administrative Code, Title 2 Sections 7285.0 et seq.), the provisions of Article 9.5, Chapter 1, Part 1, Division 3, Title 2 of the Government Code (Government Code Section 11135-11139.5), and the regulations or standards adopted by the awarding State agency to implement such article.

Lassen Fire Safe Council, Inc., its contractors, and subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement.

Lassen Fire Safe Council, Inc. shall include the nondiscrimination and compliance provision of this clause in all subcontracts to perform work under the Contract.

Lassen Fire Safe Council, Inc., its contractors, and subcontractors shall permit access by representatives of the Department of Fair Employment and Housing and the awarding State agency, upon reasonable notice, at any time during the normal business hours, but in no case less than 24 hours notice, to such of its books, records, accounts, other sources of information, and its facilities as said Department or Agency shall require to ascertain compliance with this clause. The Lassen Fire Safe Council, Inc.'s signature on this contract shall constitute a certification under the penalty of perjury under the laws of the State of California that the Lassen Fire Safe Council, Inc. has, unless exempted, complied with the nondiscrimination program requirements of Government Code Section 12990 and Title 2, California Code of Regulations Section 8103.

Hold Harmless

The Vendor and Landowner agree to mutually save harmless, Landowners and Vendor, their agents or employees and to hold the same free and harmless from any and all claims, demands, damages, losses, costs, expenses or liability due or incident to, either in whole or in part, and whether directly or indirectly, related to the project resulting from any and all contractors, subcontractors, materialmen, laborers and any other person, firm or corporation furnishing or supplying work, services, materials or supplies in connection with the performance of this contract, and from any and all claims and losses accruing or resulting to any person, firm or corporation who may be injured or damaged by the Landowner or Vendor in the performance of this contract, except all claims due to willful negligence or fraud. The hold harmless damages shall include damages from floods, fires or other Acts of Nature, as well as, any upstream or downstream effects.

Compliance With Laws, Regulations, Permit Requirements

The Lassen Fire Safe Council, Inc. shall at all times comply with, and require its contractors and subcontractors to comply with, all applicable federal and State laws, rules and regulations, permit and all applicable local ordinances, specifically including but not limited to environmental, procurement and safety laws, rules, regulations, permits and ordinances.

Successors and Assigns

This Contract and all of its provisions shall apply to and bind the successors and assigns of the parties hereto. No assignment or transfer of this Contract or any part hereof, rights hereunder or interest herein by the Lassen Fire Safe Council, Inc. shall be valid unless and until it is approved by the Landowners and made subject to such reasonable terms and conditions as the Landowners may impose.

Audit Requirement

Pursuant to Government Code Section 10532, the contracting parties shall be subject to the examination and audit of the State and the State Auditor General for a period of three years after final payment under this Contract with respect to all matters connected with the performance of this Contract, including but not limited to the cost of administering this Contract. All records of the Lassen Fire Safe Council, Inc. shall be preserved for this purpose for at least three years after completion of the project.

Remedies Not Exclusive

The use by either party of any remedy specified herein for the enforcement of this Contract is not exclusive and shall not deprive the party using such remedy of, or limit the application of, any other remedy provided by law.

Amendments

This Contract may be amended at any time by mutual agreement of the parties, except insofar as any proposed amendments are in any way contrary to applicable law. Requests by the Lassen Fire Safe Council, Inc. for amendments must be in writing stating the amendment request and the reason for the request.

Waiver of Rights

It is the intention of the parties hereto that from time to time either party may waive any of its rights under this Contract unless contrary to law. Any waiver by either party hereto of rights arising in connection with this Contract shall not be deemed to be a waiver with respect to any other rights or matters.

Notices

All notices that are required either expressly or by implication to be given by one party to the other under this Contract shall be signed for the Lassen Fire Safe Council, Inc. and for the Landowners by such officers as from time to time may be authorized in writing to so act. All such notices shall be deemed to have been given if delivered personally or if enclosed in a properly addressed, postage paid envelope and deposited in a United States Post Office for delivery by registered or certified mail.

Indian Wells
(760) 568-2611
Irvine
(949) 263-2600
Los Angeles
(213) 617-8100
Manhattan Beach
(310) 643-8448



BEST BEST & KRIEGER
ATTORNEYS AT LAW

3390 University Avenue, 5th Floor, P.O. Box 1028, Riverside, CA 92502
Phone: (951) 686-1450 | Fax: (951) 686-3083 | www.bbklaw.com
Tax ID # 95-2157337

Ontario
(909) 989-8584
Sacramento
(916) 325-4000
San Diego
(619) 525-1300
Walnut Creek
(925) 977-3300
Washington DC
(202) 785-0600

ANDREA STUEMKY, RCD DISTRICT MANAGER
HONEY LAKE VALLEY RESOURCE CONSERVATION DISTRICT
170 RUSSELL AVENUE
SUSANVILLE, CA 96130

January 13, 2022
Invoice 924553
AMS
Page 1

INVOICE SUMMARY

For Professional Services Rendered Through December 31, 2021:

Our Matter # 83697.00003
Re: DOW V. HONEY LAKE VALLEY RCD (CASE NO. C091965)

Current Fees:	\$	13,091.50
Current Reimbursable Costs:		<u>20.40</u>
Total Current Billings For This Matter:	\$	13,111.90
Balance from Previous Statement:		8,988.50
Payments and Other Credits Received:		<u>(8,988.50)</u>
Prior Outstanding Balance:		0.00
Total Amount Due:	\$	<u><u>13,111.90</u></u>

INVOICE IS DUE AND PAYABLE UPON RECEIPT