



LEVEE DISTRICT No.1 OF SUTTER COUNTY

243 Second Street · Yuba City, CA 95991

Office: (530) 673-2454 · E-Mail: ld1@syix.com

LEVEE DISTRICT AGENDA AND REGULAR MEETING NOTICE

DATE: **June 13, 2022**

TIME: **8:00 A.M.**

In compliance with Government Code section 54953(e), members of the Board of Directors and members of the public will participate in this meeting by video conference/conference call. You may join the meeting using Zoom's webinar platform or by phone utilizing the information provided below:

Zoom link:

<https://us02web.zoom.us/j/86569151823?pwd=eUZBd1o3TCtzS2FMTU5abGISUWROZz09>

Phone number: 888 475 4499

Meeting ID: 865 6915 1823

Passcode: 524596

Any member of the public may speak during Public Comment or may e-mail public comments to ld1@syix.com and comments will be read. Levee District No.1 will use its best efforts to swiftly resolve requests for reasonable modifications or accommodations from individuals with disabilities, consistent with the Americans with Disabilities Act, and resolve any doubt whatsoever in favor of accessibility.

CALL TO ORDER

ROLL CALL

_____ Gary Marler, Director
_____ Al Montna, Chairman
_____ Charles Hoppin, Director

REMOTE MEETING RESOLUTION: Consider and discuss approval of Resolution 6-13-2022 Authorizing Remote Teleconferencing Meetings in Accordance with Government Code Section 54953(e).

PUBLIC COMMENT: Members of the public will be allowed to address the Levee District No. 1 of Sutter County's Board of Directors on items of interest to the public that are within the subject matter jurisdiction of the Board. Any member of the public who may wish to bring a matter before the Board that has not been placed on the agenda may do so at this time; however, State law provides that no action may be taken on any item not appearing on the posted agenda.

Al Montna
Chairman
(530) 674-2837

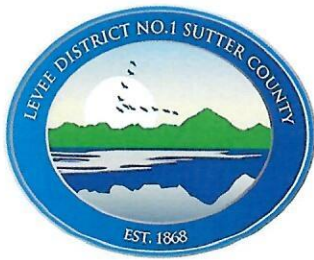
Gary Marler
Director
(530) 870-1413

Charles Hoppin
Director
(530) 673-5272

Andrew Stresser
General Manager
(530) 673-2454

Sean Minard
Engineer
(530) 742-6485

Somach Simmons & Dunn
Attorneys
(916) 446-7979



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CONSENT CALENDAR: The Consent Calendar groups together those items that are considered noncontroversial or for which prior policy direction has been given to staff and that require only routine action by the Board. The Chairman will advise the audience that the matters may be adopted in total by one motion; however, the Board may, at its option or upon request of a member of the public, consider any matter separately.

1. Approval of the minutes for the April 11, 2022 Regular Board Meeting.
2. Review and approval of claims for payment submitted by the Levee District in the amount \$699.10.
3. Review and approval of claims for payment submitted by the R.V. Park in the amount of \$700.00.

PRESENTATION, DISCUSSION, AND ACTION ITEMS:

1. Consider and discuss Draft Budget for the District for Fiscal Year 22/23
2. Consider and discuss approval of Smith & Newell's proposal to audit the Financial Statements of the District for the fiscal years ending June 30, 2022, 2023 & 2024 in the amounts of \$3,915, \$4,110 & \$4,235, respectively.
3. Consider and discuss action to be taken on the District's Ballots for the Feather River West Levee Financing Authority Prop. 218 Benefit Election for property owned by the District and provide direction to the General Manager for completing and submitting same.

SUTTER BUTTE FLOOD CONTROL AGENCY (SBFCA): The Board may discuss action taken by SBFCA. The next meeting for SBFCA is on July 13, 2022.

ENGINEER'S REPORT:

1. Update from District Engineer.

MANAGER'S REPORT: The Board will hear any reports or correspondence from the Manager.

1. Update on Operation and Maintenance throughout District.

CLOSED SESSION: Any person desiring to comment on any matter scheduled for this closed session may address the Board at this time.

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BOARD MEMBERS' REPORTS: This time is provided to allow Board members to report on activities or to raise issues for placement on future agendas.

ADJOURNMENT

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Chairman
(530) 674-2837

Gary Marler
Director
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Charles Hoppin
Director
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LEVEE DISTRICT NO. 1 OF SUTTER COUNTY

Minutes of April 11, 2022, Regular Board of Directors Meeting

Pursuant to Government Code section 54953(e) this meeting was conducted exclusively by video conference/teleconference.

DIRECTORS PRESENT: Charlie Hoppin, Al Montna, Gary Marler

DIRECTORS ABSENT: None

OTHERS PRESENT: Andrew Stresser (General Manager), Alexis [Ali] Stevens (District Counsel) & Sean Minard (District Engineer).

The meeting was called to order by the Chairman at 8:01 a.m.

ROLL CALL:

Roll call was taken, all Directors were present.

PUBLIC BUSINESS FROM THE FLOOR:

No public comment.

CONSENT CALENDAR:

Al Montna read the rules and the items for consent. Charlie Hoppin moved to approve the minutes for the March 14, 2022 Regular Board Meeting and to approve Items 2 and 3 of the Consent Calendar (review and approval of claims for payment submitted by the Levee District and review and approval of claims for payment submitted by the R.V. Park). Gary Marler seconded the motion. The matter was put to a vote and votes were cast as follows:

Director Charlie Hoppin: Yes
Director Al Montna: Yes
Director Gary Marler: Yes

The motion to approve the minutes for the March 14, 2022 Regular Board Meeting and to approve Items 2 and 3 of the Consent Calendar for the claims submitted by the Levee District in the amount of \$691.27 and the RV Park in the amount of \$2,561.38 was carried.



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PRESENTATION, DISCUSSION, AND ACTION ITEMS:

1. *Consider and discuss approval of Resolution 4-11-2022-A Re-authorizing Remote Teleconferencing Meetings in Accordance with Government Code Section 54953(e).*

Gary Marler made a motion to approve Resolution 4-11-2022-A Re-authorizing Remote Teleconferencing Meetings in Accordance with Government Code Section 54953(e). Charlie Hoppin seconded the motion.

**Director Charlie Hoppin: Yes
Director Al Montna: Yes
Director Gary Marler: Yes**

The motion to approve Resolution 4-11-2022-A Re-authorizing Remote Teleconferencing Meetings in Accordance with Government Code Section 54953(e) was carried.

2. *Resolution 4-11-2022-B A Resolution of Intention to Suspend Existing Assessments of Levee District No. 1 of Sutter County Upon Approval and Levy of Proposed Feather River West Levee Financing Authority Assessment.*

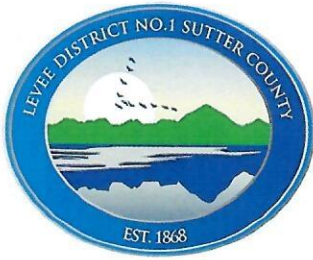
Charlie Hoppin made a motion to approve A Resolution of Intention to Suspend Existing Assessments of Levee District No. 1 of Sutter County Upon Approval and Levy of Proposed Feather River West Levee Financing Authority Assessment. Gary Marler seconded the motion.

**Director Charlie Hoppin: Yes
Director Al Montna: Yes
Director Gary Marler: Yes**

The motion to approve A Resolution of Intention to Suspend Existing Assessments of Levee District No. 1 of Sutter County Upon Approval and Levy of Proposed Feather River West Levee Financing Authority Assessment was carried.

3. *Consider and discuss approval of Marchetti Services Invoice in the Amount \$24,552.00 for the Vegetation Removal on the waterside from Tudor to Central Ave.*

Gary Marler made a motion to approve Marchetti Services Invoice in the Amount \$24,552.00 for the Vegetation Removal on the waterside from Tudor to Central Ave. Charlie Hoppin seconded the motion.



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Director Charlie Hoppin: Yes
Director Al Montna: Yes
Director Gary Marler: Yes

The motion to approve Marchetti Services Invoice in the Amount \$24,552.00 for the Vegetation Removal on the waterside from Tudor to Central Ave was carried.

SUTTER BUTTE FLOOD CONTROL AGENCY (SBFCA):

SBFCA Executive Director Michael Bessette gave an update on the following items:

- Discussion updating the Board on the progress of the Sutter Basin Flood Risk Management Project (SBFRMP) and other SBFCA Projects on the Feather River West Levee.

ENGINEER'S REPORT:

District Engineer Sean Minard gave an update on the following items:

- Discussion updating the Board on progress related to the FMAP application processes and Engineering issues throughout the District.

MANAGER'S REPORT:

District General Manager Andrew Stresser gave an update on the following items:

- Discussion updating the Board on Operations and Maintenance throughout District.

CLOSED SESSION:

The Board did not hold a closed session.

BOARD MEMBERS' REPORTS:

There were no Board Member reports.

ADJOURN MEETING:

There being no further business, the Chairman adjourned the meeting at 8:39 a.m.

RESOLUTION NO. 6-13-2022
**A RESOLUTION OF THE BOARD OF DIRECTORS OF LEVEE DISTRICT No.1 OF
SUTTER COUNTY AUTHORIZING REMOTE TELECONFERENCE MEETINGS IN
ACCORDANCE WITH GOVERNMENT CODE SECTION 54953(e)**

WHEREAS, Levee District No.1 of Sutter County (District) recognizes the importance of transparency and clear communication in government, and is committed to full compliance with the letter and spirit of the Ralph M. Brown Act (Gov. Code, §§ 54950 – 54963) (hereinafter “Brown Act”); and

WHEREAS, all meetings of the District’s Board of Directors are open and public, as required by the Brown Act, so that any member of the public may attend and participate; and

WHEREAS, the Brown Act, (Gov. Code, § 54953, subd. (e)), allows members of a legislative body to participate in meetings remotely, without compliance with the requirements of Government Code section 54953, subdivision (b)(3), if a state of emergency is proclaimed pursuant to Government Code section 8625 and state or local officials have imposed or recommended measures to promote social distancing, or meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, on March 4, 2020 Governor Gavin Newsom proclaimed a State of Emergency to exist in the State of California as a result of the threat of COVID-19 and state and local officials have imposed or recommended measures to promote social distancing; and

WHEREAS, COVID-19 cases and hospitalizations continue to increase in Sutter County due primarily to the emergence of the Omicron variant which has caused a spike in COVID-19 cases throughout the state; and

WHEREAS, the District wishes to authorize remote teleconference meetings pursuant to Government Code section 54953(e).

NOW, THEREFORE, BE IT RESOLVED by the Levee District No.1 Board of Directors as follows:

1. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
2. The Board of Directors does hereby find that a State of Emergency was proclaimed by Governor Gavin Newsom pursuant to Government Code section 8625 on March 4, 2020 and remains active.
3. The Board of Directors does hereby find that state and local officials have imposed or recommended measures to promote social distancing.
4. The Board of Directors does hereby find that as a result of the current surge in COVID-19 cases and increased hospitalizations, particularly in Northern California, conditions

exist which pose imminent risks to the health and safety those attending meetings of the District's Board of Directors.

5. The General Manager and staff are hereby authorized and directed to continue 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, subdivision (e), and other applicable provisions of the Brown Act.

6. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of: (i) July 13, 2022 or (ii) such time as the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953, subdivision (e)(3), to extend the time during which the Levee District No.1 of Sutter County Board of Directors may continue to meet remotely without compliance with the requirements of Government Code section 54953, subdivision (b)(3).

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Board of Directors of Levee District No.1 of Sutter County on June 13, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Al Montna
Chairman, Board of Directors
Levee District One of Sutter County

ATTEST:

Andrew Stresser
Secretary, Board of Directors
Levee District One of Sutter County