



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 12, 2023**

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

This meeting will be conducted in person, but members of the public may choose to participate remotely. 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

CALL TO ORDER

ROLL CALL

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

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.

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 May 8, 2023 Regular Board Meeting.
2. Review and approval of claims for payment submitted by the Levee District in the amount \$240.00.

Al Montna
Chairman
(530) 674-2837

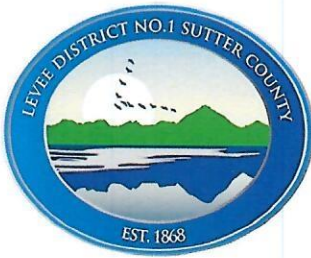
Gary Marler
Director
(530) 870-1413

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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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 23/24
2. Consider and discuss approval of Letter Notifying Responsible Agencies of Liability related to the Health and Safety Hazard existing in the Floodplain.
3. Consider and discuss approval of Agreement for Elections Services with the County of Sutter for the District's Board of Director's Election.
4. Consider and discuss approval of Invoice from Escherman Construction Company in the Amount of \$51,018.60 for Repair/Replacement of Vandalized Gates said amount to be Reimbursed by District Insurance.

SUTTER BUTTE FLOOD CONTROL AGENCY (SBFCA): The Board may discuss action taken by SBFCA. The next meeting for SBFCA is June 14, 2023.

ENGINEER'S REPORT:

1. Update from District Engineer.

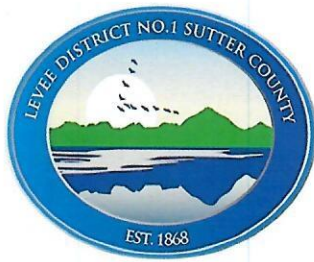
MANAGER'S REPORT: The Board will hear any reports or correspondence from the Manager.

1. Update on Operation and Maintenance throughout District.
2. Update on MA3 Dissolution Process

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

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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LEVEE DISTRICT NO. 1 OF SUTTER COUNTY

Minutes of May 8, 2023, Regular Board of Directors Meeting

DIRECTORS PRESENT: Charlie Hoppin, Al Montna, Gary Marler

DIRECTORS ABSENT: None

OTHERS PRESENT: Andrew Stresser (General Manager), Sean Minard (District Engineer), Alexis [Ali] Stevens (District Counsel) & Michael Bessette (Executive Director SBFCA) via video conference.

The meeting was called to order by the Chairman at 8:16 a.m.

ROLL CALL:

Roll call was taken, all directors were present.

PUBLIC BUSINESS FROM THE FLOOR:

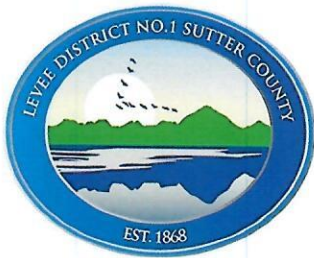
No public comment.

CONSENT CALENDAR:

Al Montna read the rules and the items for consent. **Charlie Hoppin moved to approve the minutes for the April 10, 2023 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 April 10, 2023 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 \$240.00 and the RV Park in the amount of \$700.00 was carried.



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PRESENTATION, DISCUSSION, AND ACTION ITEMS:

1. *Consider and discuss Acceptance of Bid from Durham Pump for LD1's Share of the Relief Well Pump Testing Project in the Amount of \$64,900 and Authorize the General Manager to Execute Any and All Necessary Documents Related to Same.*

Charlie Hoppin made a motion to approve the Bid from Durham Pump for LD1's Share of the Relief Well Pump Testing Project in the Amount of \$64,900 and Authorize the General Manager to Execute Any and All Necessary Documents Related to Same. Gary Marler seconded the motion.

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

The motion to approve the Bid from Durham Pump for LD1's Share of the Relief Well Pump Testing Project in the Amount of \$64,900 and Authorize the General Manager to Execute Any and All Necessary Documents Related to Same was carried.

2. *Consider and discuss approval of Letter Notifying All Responsible Agencies of Liability related to the Health and Safety Hazard existing in the Floodplain.*

Charlie Hoppin made a motion to conditionally approve Letter Notifying All Responsible Agencies of Liability related to the Health and Safety Hazard existing in the Floodplain Pending any Changes from Staff. Gary Marler seconded the motion.

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

The motion to conditionally approve Letter Notifying All Responsible Agencies of Liability related to the Health and Safety Hazard existing in the Floodplain Pending any Changes from Staff was carried.

SUTTER BUTTE FLOOD CONTROL AGENCY (SBFCA):

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

1. Discussion updating the Board on the progress of the Agency's Project



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ENGINEER'S REPORT:

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

1. Discussion updating the Board on progress related to the FMAP application process and engineering issues throughout the District.

MANAGER'S REPORT:

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

1. Update on Operations and Maintenance throughout District.
2. Update on MA3 Dissolution Process

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 8:58 a.m.



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June XX, 2023

Ms. Diana Langley, City Manager
Chief Brian Baker, Chief of Police
City of Yuba City
1201 Civic Center Blvd.
Yuba City, CA 95993

Mr. Steve Smith, County Administrator
Sheriff Brandon Barnes
Sutter County
1160 Civic Center Blvd. Suite A
Yuba City, CA 95993

Re: Floodplain Management - Unpermitted Structures and Debris Obstructing the Floodplain

Dear Colleagues:

We write on behalf of Levee District No.1 of Sutter County (LD1) and Sutter Butte Flood Control Agency (SBFCA). All of our respective agencies have a vested interest in floodplain management in Sutter County. LD1 has made multiple attempts to bring attention to the health and safety hazards that exist within the local floodplain. In the past, LD1 has worked with the County and other local agencies and assisted with the removal of unpermitted structures and debris obstructing the floodplain. Unfortunately, progress on these efforts has been stalled for some time. The results of these past efforts have now been lost as the unpermitted structures and debris from the inhabitants has grown to pre-cleanup levels. We write to notify you of these existing hazards within our local floodplain and request your immediate assistance to abate and resolve this issue which poses a significant threat to the people and property of Sutter County.

Sutter County Ordinance Chapter 1780 mandates that the floodplain be kept free of all unpermitted structures and debris. Failure to comply with Chapter 1780 endangers the life and property of the local population. "The cumulative effect of obstructions...increase flood heights and velocities" which contribute to and potentially exacerbate flood losses which may include "health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare."

Any damage caused by flooding could be alleged to result from the failure to maintain the floodplain as required by Chapter 1780. LD1 and SBFCA believe that failure to enforce Chapter 1780 exposes the County and other local agencies to enormous risk and potential liability. We therefore write this letter to remind all of our local agencies of the responsibilities that Chapter 1780 imposes and enlist your assistance and support in addressing the dangerous hazard that exists. Please know that LD1 and SBFCA will continue to be here to assist in these efforts.

Sincerely,

Al Montna
Chairman
Levee District No. 1 of Sutter County

Mat Conant
Chairman
Sutter Butte Flood Control Agency

Al Montna
Chairman
(530) 674-2837

Gary Marler
Director
(530) 870-1413

Charles Hoppin
Director
(530) 673-5272

Andrew Stresser
General Manager
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Attorneys
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AGREEMENT FOR ELECTION SERVICES

THIS AGREEMENT, made June 12, 2023 by and between the COUNTY OF SUTTER, a Political Subdivision of the State of California, herein-after called "County" and LEVEE DISTRICT 1.

WITNESSETH

WHEREAS, Election Code 1500 calls for the Mail Ballot Election to be held on the **29th** day of **August, 2023**, in the County, and **Levee District 1** desires to make use of certain services, facilities, and equipment of the office of the County Clerk and to pay the County for its costs thereof, pursuant to the provision of the Agreement.

NOW, THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

1.	County agrees to make no changes in the precinct boundaries within sixty (60) days of the Mail Ballot Election on August 29, 2023 .
2.	District to prepare a list of eligible voters and file with Sutter County Elections no later than 75 days prior to the election.
3.	The County and Levee District 1 agree that the County will conduct said election and perform services as set forth in the California Election Code and Division 10, Part 4 of the Uniform District Election Law.
4.	Levee District 1 agrees to pay the County its reasonable costs for all services, facilities and equipment furnished by the county to Levee District 1 in connection with said General District Election immediately upon receipt by Levee District 1 of a statement from the County Elections Office setting forth the cost to County for services, facilities, supplies, and equipment so furnished. The County shall charge only those expenses necessary to carry out the terms of this agreement.
5.	County reserves the right to contract out services as needed.

IN WITNESS WHEREOF, the party hereto has hereunto set their hands and seals the day and year first above written.

Signature of Chairman of Board of Directors of Levee District 1

Signature of Chairman, Board of Supervisors County of Sutter

Signature of Secretary of Levee District 1

LEVEE DISTRICT # 1
OF SUTTER COUNTY
CLAIMS BATCH

DATE SUBMITTED 6-12-2023

<u>VENDOR NAME</u>	<u>AMOUNT</u>
<u>ESCHEMAN CONSTRUCTION COMPANY</u>	<u>\$51,018.60</u>

WE, THE DIRECTORS OF LEVEE DISTRICT ONE, SUBMIT TO THE SUTTER
COUNTY AUDITOR'S OFFICE FOR PAYMENT, THE ABOVE LISTED CLAIMS IN
THE AMOUNT OF

Total: \$51,018.60

DIRECTOR

DIRECTOR

RETURN TO DEPT.
(Please Highlight for Return)

DATE 6/8/2023

**AUDITOR-CONTROLLER'S OFFICE
CLAIM FORM FOR SPECIAL DISTRICTS**

VENDOR NAME AND ADDRESS

ESCHEMAN CONSTRUCTION COMPANY

P.O. BOX 607

BROWNSVILLE, CA 95919

Levee District #1
SPECIAL DISTRICT NAME

ANDREW STRESSER (530) 673-2454

PREPARED BY TELEPHONE #

ANDREW STRESSER (530) 673-2454

APPROVED BY TELEPHONE #

APPROVED BY

APPROVED BY

Vendor Number

INVOICE #	AMOUNT	FUND/DEPT PROJECT	PROGM/OO	ACCOUNT # ACCOUNT #	ACCT/P.O.#/DESCRIPTION (MEMO)	A/C
4547	\$51,018.60		6426 - 00	- 52344		
GRAND TOTAL	\$51,018.60					

GENERAL INFO:

ACCESS CONTROL DAMAGED GATE

Eschelman Construction Company

P.O. Box 607
 Brownsville, CA. 95919

Levee District 1
 243 Second Street
 Yuba City, CA 95993

Invoice

Date	Invoice #
6/1/2023	4547
Our Job #	2022-59

Office: 530-675-2323

Fax: 530-675-2325

E-mail jeschelman@gmail.com

Terms	Payable upon receipt
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Date	Description	Unit	Qty	U/M	Rate	Amount
	Project Contract #2022-001 Change Order #3 Pipe Gate Replacement		3		17,006.20	51,018.60

All invoices not paid within 30 days subject to finance charge of 1 1/2% per month.

Total \$51,018.60

~~~ *Please pay from this invoice* ~~~

**Payments/Credits** \$0.00

Note: If paying by credit card a 3.5% fee will be added to total.

**Balance Due** \$51,018.60

LEVEE DISTRICT # 1  
OF SUTTER COUNTY  
CLAIMS BATCH

DATE SUBMITTED 6-12-2023

| <u>VENDOR NAME</u>                | <u>AMOUNT</u>   |
|-----------------------------------|-----------------|
| <u>ALLEN, GEORGE (cell)</u>       | <u>\$60.00</u>  |
| <u>DANIEL, ALLEN (cell)</u>       | <u>\$60.00</u>  |
| <u>MASON, GARY (rv park)</u>      | <u>\$700.00</u> |
| <u>SILLOWAY Jr., KEVIN (cell)</u> | <u>\$60.00</u>  |
| <u>STRESSER, ANDREW (cell)</u>    | <u>\$60.00</u>  |

WE, THE DIRECTORS OF LEVEE DISTRICT ONE, SUBMIT TO THE SUTTER  
COUNTY AUDITOR'S OFFICE FOR PAYMENT, THE ABOVE LISTED CLAIMS IN  
THE AMOUNT OF

**Total: \$940.00**

\_\_\_\_\_  
DIRECTOR

\_\_\_\_\_  
DIRECTOR