

RESOLUTION NO. 04-11-2022-B
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

WHEREAS, Levee District No.1 of Sutter County (LD1) is a California levee district organized and existing to operate and maintain a portion of the Feather River West Levee protecting the City of Yuba City and Sutter County; and

WHEREAS, LD1 currently imposes two annual assessments (LD1 Assessments) which fund LD1's operation and maintenance activities for the portion of the Feather River West Levee within its jurisdiction; and

WHEREAS, the Feather River West Levee Financing Authority (FRWLFA) is a joint powers authority created by LD1, Levee District No. 9 of Sutter County (LD9) and Sutter County to finance operation and maintenance activities within LD1 and LD9; and

WHEREAS, FRWLFA is proposing to levy a new assessment (FRWLFA Assessment) to fund levee Operation, Maintenance, Repair, Replacement and Rehabilitation (OMRR&R) activities on the Feather River West Levee within the jurisdictions of LD1, LD9, and Maintenance Area 3 (MA3) from Paseo Road south to the confluence of the Sutter Bypass; and

WHEREAS, if approved by property owners, the FRWLFA Assessment will provide sufficient revenue to fund LD1's OMRR&R activities and LD1's Assessments will no longer be necessary; and

WHEREAS, LD1 wishes to clarify for its current assessment payers its intent to suspend the levy of LD1's Assessments if the FRWLFA Assessment is approved by property owners; and

WHEREAS, the FRWLFA Assessment will not be levied until the following items have occurred/been completed: (1) the FRWLFA Assessment has been approved by property owners; (2) the annexation of MA3 into LD1; and (3) the FRWLFA Assessment has been placed on the Sutter County secured property tax roll for collection; and

WHEREAS, a suspension (and not elimination) of LD1's Assessments will allow for the continued levy of LD1's Assessments in the event the FRWLFA Assessment does not pass or cannot be levied.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. **Recitals.** The above recitals are true and correct.
2. **Suspension of LD1 Assessments.** LD1 will the LD1 Assessments beginning the Fiscal Year in which all of the following items have occurred/been completed:
 - a. The FRWLFA Assessment has been approved by property owners; and

- b. The annexation of MA3 into LD1; and
- c. The FRWLFA Assessment has been placed on the Sutter County secured property tax roll for collection.

LD1 will suspend the LD1 Assessments for each year thereafter so long as the FRWLFA Assessment remains valid and is levied.

PASSED AND ADOPTED as a resolution of the Board of Directors of Levee District No.1 of Sutter County on April 11, 2022.

AYES:

NOES:

ABSTAIN:

ABSENT:

Al Montna
Chairman, Board of Directors
Levee District No.1 of Sutter County

ATTEST:

Andrew Stresser
Secretary, Board of Directors
Levee District No.1 of Sutter County