



# Sutter Butte Flood Control Agency

Board of Directors Amended Agenda – Special Meeting, January 12, 2022, 1 p.m.

## MODIFIED BROWN ACT REQUIREMENTS IN LIGHT OF COVID-19

In Compliance with CA Executive Orders N-25-20 and N-29-20 members of the Board of Directors and members of the public will participate in this meeting in person or by teleconference. The call in information for the Board of Directors and the public is as follows:

**Zoom Meeting URL:** <https://downeybrand.zoom.us/j/89767420397?pwd=ZXdmTWtnYTRMY1dSaUxxT1JEUUnJKQT09>

**Meeting ID: 897 6742 0397**

**Passcode: 864650**

**Phone Number: (213) 338-8477**

Any member of the public on the telephone may speak during Public Comment or may email public comments to [admin@sutterbutteflood.org](mailto:admin@sutterbutteflood.org) and comments will be read from each member of the public. During this period of modified Brown Act Requirements, Sutter Butte Flood Control Agency will use best efforts to swiftly resolve requests for reasonable modifications or accommodations with individuals with disabilities, consistent with the Americans with Disabilities Act, and resolving any doubt whatsoever in favor of accessibility.

### County of Sutter

Mat Conant  
Mike Ziegenmeyer  
Alt. Karm Bains  
Alt. Nicholas Micheli

### County of Butte

Bill Connelly  
Tod Kimmelshue

### City of Yuba City

Shon Harris  
Grace Espindola  
Alt. Marc Boomgaarden

### City of Live Oak

Lakhvir Ghag  
Alt. Luis Hernandez

### City of Gridley

Bruce Johnson

### City of Biggs

Bo Sheppard  
Alt. Chuck Nuchols

### Levee District 1

Charlie Hoppin  
Al Montna  
Alt. Vacant  
Alt. Drew Stresser

### Levee District 9

Mike Morris  
Chris Schmidl

## AGENDA SUMMARY

### **SPECIAL MEETING/CALL TO ORDER**

1. Roll Call
2. Consider approval of Resolution 2022-01 Authorizing Remote Teleconference Meetings under the Brown Act
3. Workshop on FEMA Risk Rating 2.0

### **ADJOURNMENT**

The next regularly scheduled Board of Directors meeting will be held on Wednesday, February 9, 2022 at 1 p.m.

**Sutter Butte Flood Control Agency**

**RESOLUTION NO. 2022-01**

**AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF SUTTER BUTTE  
FLOOD CONTROL AGENCY PURSUANT TO THE BROWN ACT**

WHEREAS, Sutter Butte Flood Control Agency (“Agency”) is committed to preserving public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of the Agency are open and public, as required by the Ralph M. Brown Act (Gov. Code, §§ 54950 – 54963) (“Brown Act”), so that any member of the public may attend, participate, and watch the Agency’s legislative body conduct its business; and

WHEREAS, Assembly Bill 361 added Government Code section 54953(e) to make provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition 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, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body determines that meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, as a condition of extending the use of the provisions found in Section 54953(e), the Board of Directors must reconsider the circumstances of the state of emergency that exists in the District; and

WHEREAS, such conditions persist in the District, specifically, the March 4, 2020 State of Emergency Proclamation remains active in California due to the continued threat of COVID-19; and

WHEREAS, the Board of Directors does hereby find that meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, the Board of Directors does hereby find that the Agency shall conduct its meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that the Board shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, all meeting agendas, meeting dates, times, and manner in which the public may participate in the public meetings of the Agency and offer public comment by telephone or internet-based service options including video conference are posted on the Agency website and physically outside of the Agency office.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF SUTTER BUTTE FLOOD CONTROL AGENCY DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Risks to Health and Safety of Attendees. The Board hereby determines that meeting in person would present imminent risks to the health or safety of attendees.

Section 3. Remote Teleconference Meetings. Agency staff are 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(e) and other applicable provisions of the Brown Act.

Section 4. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) February 11, 2022, or such time the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Agency may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Directors of Sutter Butte Flood Control Agency, this 12<sup>th</sup> day of January, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN: