



ROCK CREEK RECLAMATION DISTRICT

*A Butte County Reclamation District Operating Under Division 15 of the
California Water Code*

**Regular Board Meeting
January 13th, 2022
3:00PM**

**Meeting Location: Teleconference and In-Person
5130 Anita Rd. Chico**

Rock Creek Reclamation District Board Meeting

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Please Take Notice, as a result of the COVID-19 pandemic, California Governor Gavin Newsom issued Executive Order (EO) N-29-20, which waives certain requirements of the Ralph M. Brown Act (Brown Act). Specifically: EO N-29-20 waives the requirements that local public agencies (1) notice each teleconference location from which a Board member will participate, (2) make each teleconference location accessible to the public, (3) allow the public to address the agency from each teleconference location, (4) post the agenda at each teleconference location, and (5) ensure that a quorum of the board participate in locations within the boundary of the agency. EO N-29-20 requires local public agencies that conduct public meetings telephonically to allow members of the public to observe and address the meeting telephonically or otherwise electronically.

In accordance with EO N-29-20, the public may participate in the district's 1/13/22 meeting by teleconference via the instructions provided above. Members of the public who observe the meeting via teleconference will be given the opportunity to provide public comment on the agenzized item, and their comments will be included in the minutes of the meeting.

Public Comments: Please email any written public comments before the meeting to rockcreekreclamation@gmail.com

Please contact District Counsel at 530-533-2885 if you require an agenda in an alternative format or if you need to request a disability-related modification or accommodation. Please submit this request in advance of the meeting.



Agenda

- 1. Roll Call**
- 2. Public Comments:** This is time for any member of the public to address the Board of Directors on any matters not on the agenda that is within the subject matter jurisdiction of the district. Comments are limited to no more than three (3) minutes each.
- 3. Selection and Designation of Officers** – action Requested- motion to select officers for the following offices
 - a. Chair
 - b. Vice Chair
 - c. Treasurer
 - d. Secretary
- 4. Pay VRF fee to Department of Fish & Wildlife** – action requested – motion to pay VRF fee related to Keefer Slough tree removal
- 5. Approval of Minutes for December 3rd, 2021 Special Board Meeting** - action requested – motion to approve the September 30th, 2021, board minutes
- 6. Treasurers Report** – district treasurer to give the board an update on status of district financials
- 7. District Financing Options 2022/2023** – action requested- Discuss and provide direction to staff on the following items:
 - a. Potential Proposition 218 Assessment Election
 - b. Potential Proposition 218 Fee
 - c. Potential SGMA Fee
 - d. Grants and other funding opportunities
- 8. Approval of Bills**
 - A. District Secretary** – action requested – motion to approve the invoice of Winley Durham



9. Approval of Resolution No. 2022-01 – action requested – motion to adopt Resolution No. 2021-05, A RESOLUTION OF THE BOARD OF TRUSTEES OF THE ROCK CREEK RECLAMATION DISTRICT RE-AUTHORIZING REMOTE MEETINGS OF THE BOARD CONSISTENT WITH AB 361 AND THE BROWN ACT

10. Adjournment



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Minutes of the
Rock Creek Reclamation District Special Board Meeting
December 3rd, 2021
3:00PM

RCRD Attendance (in person):

Hal Crain-Chair

Darren Rice-Vice Chair

Sue Vanella- Trustee

Bruce McGowan-Treasurer

Dan Paiva- Trustee

Elvin Bentz- Trustee

Winley Durham- Secretary

Jay Payne – Trustee to be sworn in

Aidan Wallace – legal counsel

Vicki Hoggins - assistant to legal counsel and notary

RCRD Attendance (online):

Jon Lavy – Trustee

***Motion Passed** – Unanimous vote of present trustees

- 2. Public Comments:** This is time for any member of the public to address the Board of Directors on any matters not on the agenda that is within the subject matter jurisdiction of the district. Comments are limited to no more than three (3) minutes each.

Discussion was had regarding the resignation of district secretary and transition process for a new staff member for the district.

- 3. Administer Oath of Office for New Trustee**

Trustees present in person administered the oath of office given by Vicki Hoggins, the assistant to legal counsel. The full notary authorization process was conducted for all trustees present in person.



4. Recognition of Election Results, November 2, 2021 Election of Trustees
Discussion was had regarding trustee term dates with legal counsel. The trustees that won board seats via the election on November 2nd, 2021 were officially recognized by the board.

5. Approval of Minutes for September 30th, 2021, Special Board Meeting -
action requested – motion to approve the September 30th, 2021, board minutes

Motion made by Trustee McGowan, seconded by Vice Chair Rice

Motion Passed

6. Approval of Bills

A. California Special Districts Association (CSDA) – action requested – motion to approve the annual invoice

B. District Secretary – action requested – motion to approve the invoice of Winley Durham

Motion made to pay bills by Trustee Payne, seconded by Vice Chair Rice

Motion Passed

7. Approval of Resolution No. 2021-05 – action requested – motion to adopt Resolution No. 2021-05, A RESOLUTION OF THE BOARD OF TRUSTEES OF THE ROCK CREEK RECLAMATION DISTRICT RE-AUTHORIZING REMOTE MEETINGS OF THE BOARD CONSISTENT WITH AB 361 AND THE BROWN ACT

Motion made by Vice Chair Rice, seconded by Trustee Paiva

Motion Passed

8. Adjournment - Meeting adjourned by Chair Crain at 3:24PM

RESOLUTION NO. 2022-01

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE ROCK CREEK RECLAMATION DISTRICT RE-AUTHORIZING REMOTE MEETINGS OF THE BOARD CONSISTENT WITH AB 361 AND THE BROWN ACT

WHEREAS, the Rock Creek Reclamation District is committed to preserving and nurturing public access and participation in meetings of the Board of Trustees; and

WHEREAS, all meetings of the Board of Trustees of Rock Creek Reclamation District 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 Board of Trustees conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote participation in meetings by members of a legislative body by audio or video or both, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition of remote meetings is a declaration of a state of emergency 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 meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the Board of Trustees previously adopted a Resolution, Number 2022-05 on December 15, 2021, finding that the requisite conditions exist for the Board of Trustees of Rock Creek Reclamation District to conduct remote meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in section 54953(e), the Board of Trustees must reconsider the circumstances of the state of emergency; and the Board of Trustees has done so; and

WHEREAS, emergency conditions persist in the District, specifically, on March 4, 2020 the Governor proclaimed State of Emergency to exist in California due to the COVID-19 pandemic, which proclamation is still active; and

WHEREAS, state and local officials have recommended social distancing measures, including masks, to slow the spread of COVID-19 and its variants, and to protect the vulnerable and immunocompromised members of the community; and

WHEREAS, the Board of Trustees does hereby find that the state of emergency continues to directly impact the ability of members to meet in-person; and

WHEREAS, as a consequence of the State of Emergency and recommended social distancing measures, the Board of Trustees does hereby find that the Board of Trustees of Rock Creek Reclamation District shall continue to conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such 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, the public may attend meetings and comment as described in meeting agendas.

NOW, THEREFORE, THE BOARD OF TRUSTEES OF ROCK CREEK RECLAMATION DISTRICT 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. Re-ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.

Section 3. Remote Teleconference Meetings. The staff and board of Rock Creek Reclamation District are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, continuing to conduct 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) 30 days from adoption of this Resolution, or such time the Board of Trustees adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the board of Rock Creek Reclamation District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Trustees of Rock Creek Reclamation District this 13th day of January, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Chair of the Board

Secretary of the Board