



RECLAMATION DISTRICT NO. 1000
RESOLUTION NO. 2022-08-01

**A RESOLUTION OF THE BOARD OF TRUSTEES OF RECLAMATION DISTRICT NO. 1000
PROCLAIMING A LOCAL EMERGENCY PERSISTS, RE-RATIFYING THE COVID-19 STATE OF
EMERGENCY, AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF RECLAMATION
DISTRICT NO. 1000 PURSUANT TO THE RALPH M. BROWN ACT.**

At a regular meeting of the Board of Trustees of Reclamation District No. 1000 held at the District Office on the 12th day of August 2022, the following resolution was approved and adopted:

WHEREAS, Reclamation District No. 1000 (District) is committed to preserving and nurturing public access and participation in meetings of the Board of Trustees; and

WHEREAS, all meetings of the District 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 District’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, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District’s boundaries, caused by natural, technological, or human-caused disasters; 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 2022-07-01 on July 8, 2022, finding that the requisite conditions exist for the District to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, such conditions persist in the District, specifically, on March 4, 2020, Governor Gavin Newsom proclaimed a State of Emergency to exist in California due to the threat of COVID-

19; despite sustained efforts, the virus continues to spread and has impacted nearly all sectors of California; and

WHEREAS, the Board of Trustees does hereby find that the ongoing risk posed by the highly transmissible COVID-19 virus has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District; and

WHEREAS, as a consequence of the local emergency persisting, the Board of Trustees does hereby find that the District shall continue to 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 District and offer public comment by telephone or internet-based service options including video conference are posted on the District website and physically outside of the District office.

NOW, THEREFORE BE IT RESOLVED THAT:

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

Section 2. Affirmation that Local Emergency Exists. The Board has reconsidered the conditions of the state of emergency and proclaims that a local emergency persists throughout the District because the high risk of transmissibility of COVID-19 continues to pose an imminent risk to the safety of persons in the District.

Section 3. 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 4. Remote Teleconference Meetings. District 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 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) September 12, 2022, 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 District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

ON A MOTION BY Trustee Elena Lee-Reeder, seconded by Trustee Nick Avdis, the foregoing resolution was passed and adopted by the Board of Trustees of Reclamation District No. 1000, this 12th day of August 2022, by the following vote, to wit:

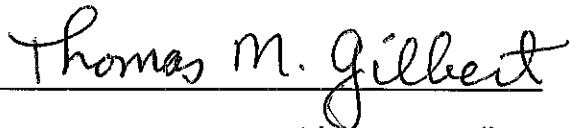
AYES: 5 Trustees: Elena Lee-Reeder, Nick Avdis, Tom Barandas, Jag Bains, Chris Burns

NOES: 0 Trustees:

ABSTAIN: 0 Trustees:

RECUSE: 0 Trustees:

ABSENT: 1 Trustees: Thom Gilbert



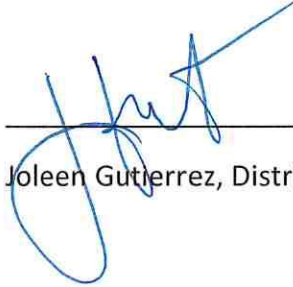
Thomas M. Gilbert

President, Board of Trustees

Reclamation District No. 1000

CERTIFICATION:

I, Joleen Gutierrez, Secretary of Reclamation District No. 1000, hereby certify that the foregoing Resolution 2022-08-01 was duly adopted by the Board of Trustees of Reclamation District No. 1000 at the regular meeting held on the 12th day of August 2022 and made a part of the minutes thereof.



Joleen Gutierrez, District Secretary



RECLAMATION DISTRICT NO. 1000
RESOLUTION NO. 2022-08-02

**A RESOLUTION OF THE BOARD OF TRUSTEES OF RECLAMATION DISTRICT NO. 1000
AUTHORIZING THE ENFORCEMENT OF CHAPTER 8.140 OF THE SACRAMENTO CITY CODE
UPON RECLAMATION DISTRICT PROPERTY AND FACILITIES**

At a regular meeting of the Board of Trustees of Reclamation District No. 1000 held at the District Office on the 12th day of August 2022, the following resolution was approved and adopted:

WHEREAS, Reclamation District No. 1000 (District) has experienced an increasing number of incidents caused by activities of unauthorized encampments along its levees and other areas defined by the City as “critical infrastructure”; and

WHEREAS, the presence of encampments on District-owned and maintained property has in various locations resulted in the interruption of maintenance and operations and the destruction of property, thereby creating a significant risk to the safety of the flood control system, District employees, and residents; and

WHEREAS, the city council of a charter city has broad powers in enacting ordinances to maintain the public health, safety, and welfare within its jurisdiction and may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not specifically preempted by State law; and

WHEREAS, on February 25, 2020, the Sacramento City Council adopted Ordinance No. 2020-0009, which added Chapter 8.140 to the Sacramento City Code for the protection of critical infrastructure and wildfire risk areas in the interests of public health, safety, and welfare; and

WHEREAS, on July 20, 2021, the Sacramento City Council adopted a Resolution Approving the City Manager’s Designation of Specified Locations as Critical Infrastructure for Purposes of Chapter 8.140 of the City Code, which included District-maintained or operated facilities such as levees, rivers and creeks, dewatering stations, and drainage canals; and

WHEREAS, the enforcement of Chapter 8.140 of the Sacramento City Code upon District property and facilities is consistent with the mission of the District to construct, maintain, repair and operate all levees, pumps, channels, conduits, pipes, ditches, canals, and all other necessary improvements that may be required to repair, maintain and complete the same as set forth in Reclamation District Act (Water Code § 50000).

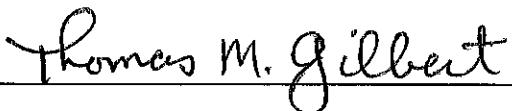
NOW, THEREFORE BE IT RESOLVED THAT:

Section 1. Enforcement of Chapter 8.140 of the Sacramento City Code upon District property and facilities will advance the mission of the District to operate and maintain its levees and associated improvements to control and dispose of storm and flood waters..

Section 2. City of Sacramento personnel are authorized to enforce Chapter 8.140 upon eligible District property and facilities located within the City of Sacramento and designated as critical infrastructure by the City Manager and approved as such by resolution of the City Council.

ON A MOTION BY Trustee Elena Lee-Reeder , seconded by Trustee Nick Avdis , the foregoing resolution was passed and adopted by the Board of Trustees of Reclamation District No. 1000, this 12th day of August 2022, by the following vote, to wit:

AYES: 5 Trustees: Elena Lee-Reeder, Nick Avdis, Tom Barandas, Jag Bains, Chris Burns
NOES: Trustees:
ABSTAIN: Trustees:
RECUSE: Trustees:
ABSENT: 1 Trustees: Thom Gilbert




Thomas M. Gilbert

President, Board of Trustees
Reclamation District No. 1000

CERTIFICATION:

I, Joleen Gutierrez, Secretary of Reclamation District No. 1000, hereby certify that the foregoing Resolution 2022-08-02 was duly adopted by the Board of Trustees of Reclamation District No. 1000 at the regular meeting held on the 12th day of August 2022 and made a part of the minutes thereof.



Joleen Gutierrez, District Secretary