

**DELTA REGION GEOLOGIC HAZARD ABATEMENT DISTRICT
REGULAR MEETING OF THE BOARD OF DIRECTORS
AUGUST 30, 2022 AGENDA**

By Computer:

<https://us02web.zoom.us/j/3379037904?pwd=cWdVNkN5aHUxcjVwRGR1M1BpajcwZz09>

By Phone: 1 (669) 900-9128 Meeting ID: 337 903 7904 Password: 123456

- Agendas and staff reports are posted on the GHAD's internet website (www.deltaregionghad.org).
- A complete packet of information containing staff reports and exhibits related to each item is available for public review at least 72 hours prior to a Delta Region GHAD Board meeting, or in the event that it is delivered to Boardmembers less than 72 hours prior to a GHAD Board meeting, as soon as it is delivered.

REGULAR MEETING 6:30 P.M.

1. Call to Order/Roll Call/Pledge of Allegiance:

Board Members: Pam Bulahan, Eric Pene, Iva Walton, Dean Dockery, and Jean Yokotobi

Present: Board Members Pam Bulahan, Iva Walton, Dean Dockery and Jean Yokotobi. Absent: Eric Pene.

2. Confirmation of Agenda Posting/Adoption of Agenda:

The GHAD Board may take action on any item listed on the agenda.

ACTION: None.

3. Public Forum: Members of the Public May Comment (3 minutes per speaker)

At this time, the public is permitted to address the GHAD Board on non-agendized items. In accordance with State law, no action or discussion may take place on an item not appearing on the posted agenda. The Board may respond to statements made or questions asked, or may request staff to report back at a future meeting concerning the matter.

ACTION: None.

4. Consent Calendar:

A. Subject: Minutes from May 31, 2022 meeting

Recommendation: Approve the minutes from the May 31, 2022 meeting

ACTION: Board Member Dean Dockery motion to approve minutes from May 31, 2022. Board Member Pam Bulahan second the motion. AYES: Board Members Pam Bulahan, Iva Walton, Dean Dockery and Jean Yokotobi. NOES: None. ABSTAIN: None. ABSENT: None. Passed 3-0.

B. Subject: Resolution 22-08, A resolution of the Board of the Delta Region GHAD making a finding and determination under Assembly Bill 361 for the conducting of virtual meetings and authorizing virtual meetings pursuant to Assembly Bill 361.

Recommendation: Approve Resolution 22-08, authorizing conducting of virtual meetings pursuant to Assembly Bill 361.

ACTION: Board Member Pam Bulahan motion to approve Resolution 22-08, authorizing conducting of virtual meetings pursuant to Assembly Bill 361. Board Member Dean Dockery second the motion. AYES: Board Members Pam Bulahan, Iva Walton, Dean Dockery. NOES: None. ABSTAIN: Board Member Jean Yokotobi. ABSENT: Board Member Eric Pene. PASSED 3-1.

5. Continued Items:

A. Subject: Resolution 22-07 A resolution of the Board of Delta Region GHAD to appoint the City of Isleton Clerk to serve as the Delta Region GHAD Clerk and authorize the Chair to approve the contract with City of Isleton Clerk to provide GHAD Clerk services.

Recommendation: Continue this item to the next meeting.

ACTION: Tabled.

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6. New Business:

- A. Subject: Delta Region GHAD Overview Presentation

Recommendation: Receive presentation from GHAD Manager.

ACTION: GHAD Delta Region Manager gave presentation.

- B. Subject: Resolution 22-09, A resolution of the Board of the Delta Region GHAD to set Board of Director terms through January 2024 - To allow for this date the Board must pass a resolution as stated in Elections Code 10505 (d), " Pursuant to Section 10404, a special district electing members of the governing body in odd-numbered years may, by resolution, require that its elections of governing body members be held on the same day as the statewide general election".

Recommendation: Approve Resolution 22-09 to set the term of the Board of Directors through January 2024.

ACTION: Tabled.

7. Board Comments and Upcoming Topics of Discussion:

- A. Set Date for Stakeholder Outreach Meeting – TBD

ACTION: Tabled.

- B. Set Date for Next Scheduled Board Meeting – November 15, 2022

ACTION: Board Members by consensus agreed to November 15, 2022 to be next GHAD meeting.

8. Adjournment

AYES:

NOES:

ABSTAIN:

ABSENT:

CHAIR, Iva Walton

CLERK, Yvonne Zepeda

**DELTA REGION GEOLOGIC HAZARD ABATEMENT DISTRICT
STAFF REPORT**

TO: Delta Region Geologic Hazard Abatement District (GHAD) Board of Directors

FROM: GHAD Manager

BOARD MEETING DATE: January 31, 2023

SUBJECT: Adopt a resolution regarding teleconferenced public meetings of the Delta Region GHAD

RECOMMENDATION

That the Board adopt Resolution 23-01, accepting a teleconferencing policy for public meetings of the Delta Region GHAD Board of Directors.

SUMMARY

In response to the COVID-19 state of emergency, the Governor temporarily suspended the rules described above when he issued Executive Order N-29-20 on March 17, 2020, and authorized local legislative bodies to hold virtual public meetings subject to specific public accessibility and noticing requirements. The Governor signed AB 361 prior to the expiration of Order N-29-20. On October 25, 2022, the Isleton City Council chose not to enact AB 361, and on December 13, 2022, adopted a teleconferencing policy for public meetings.

For uniformity and consistency, this teleconferencing policy aligns with the Isleton City Council teleconferencing policy and includes the following provisions:

- To participate via teleconference, a public participant is to submit a request with the GHAD Clerk 24 hours in advance of the public meeting.
- In the event of an infrastructure failure, the teleconference portion of the meeting will end without affecting the validity or conduct of the public meeting.
- In the event of an infrastructure failure, the presenter or person referenced in the meeting agenda (directly or indirectly) will be allowed to participate in the meeting via telephone.
- The absence of teleconference comments will not affect the validity of the meeting.

FISCAL IMPACT: None.

Attachment 1: Resolution 23-01

**BOARD OF DIRECTORS OF THE
DELTA REGION GEOLOGIC HAZARD ABATEMENT DISTRICT**

RESOLUTION NO. 23-01

**RESOLUTION REGARDING TELECONFERENCED PUBLIC MEETINGS OF THE DELTA
REGION GHAD**

WHEREAS, the Brown Act (Government Code section 54950 et seq.) allows for public meetings of a legislative body to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction; and

WHEREAS, in response to the COVID-19 state of emergency, the Governor temporarily suspended the rules described above when he issued Executive Order N-29-20 on March 17, 2020, and authorized local legislative bodies to hold virtual public meetings subject to specific public accessibility and noticing requirements; and

WHEREAS, the Governor signed AB 361 prior to the expiration of Order N-29-20; and

WHEREAS, AB 361 amends the Brown Act to allow the legislative body of a state or local agency to hold a teleconferenced meeting during a state of emergency without complying with the normal teleconferencing requirements described above if it meets requirements related to providing notice of the meeting, public access and participation via call-in or internet-based service options, real-time public comments, and conduct of the meeting in a manner that protects statutory and constitutional rights of any parties and the public appearing before the legislative body; and

WHEREAS, internet service and electrical power within the Delta region are not reliable, causing intermittent failure from either the internet or power service; and

WHEREAS, the public meeting teleconferencing policy needs to be adaptable to the infrastructure realities of the Delta region and still allow the Delta Region GHAD Board of Directors to conduct business; and

The Delta Region Board of Directors HEREBY RESOLVES THAT:

1. The Board of Directors of the Delta Region GHAD will conduct its public meetings both in public assembly and via teleconferencing and will allow public participation via both media, subject to these provisions:

- To participate via teleconference, a public participant is to submit a request with the GHAD Clerk 24 hours in advance of the public meeting.
- In the event of an infrastructure failure, the teleconference portion of the meeting will end without affecting the validity or conduct of the public meeting.
- In the event of an infrastructure failure, the presenter or person referenced in the meeting agenda (directly or indirectly) will be allowed to participate in the meeting via telephone.
- The absence of teleconference comments will not affect the validity of the meeting.

2. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED by the Delta Region GHAD Board of Directors, at the meeting of said Board held on the 31st day of January, 2023.

Ayes: Director(s)

Noes: Director(s)

Absent: Director(s)

Abstain: Director(s)

By:

_____, Chair of the GHAD Board of Directors

ATTEST:

_____, Clerk of the GHAD Board

Date: _____

**DELTA REGION GEOLOGIC HAZARD ABATEMENT DISTRICT
STAFF REPORT**

TO: Delta Region Geologic Hazard Abatement District (GHAD) Board of Directors

FROM: GHAD Manager

BOARD MEETING DATE: January 31, 2023

SUBJECT: Adopt a Resolution Appointing the City of Isleton Clerk to serve as the GHAD Clerk and Authorize the Chair to Execute an Agreement with the City of Isleton for GHAD Clerk Services at a later date.

RECOMMENDATION

That the Board adopt Resolution 22-07, appointing City of Isleton Clerk to serve as the GHAD Clerk and authorize the Chair to execute an agreement with City of Isleton for GHAD Clerk Services at a later date.

SUMMARY

The GHAD is responsible for hiring its staff (or contracting with parties to perform such staff services), including all workers who will undertake operation, maintenance, replacement, repair, and other activities of the GHAD. Pursuant to Public Resources Code Section 26584, the Board of Directors must appoint a Clerk. The Delta Region GHAD Board of Directors appointed ENGEO Incorporated to serve as the GHAD Clerk on March 29, 2022 with Resolution 2022-02. On May 31, 2022, ENGEO Incorporated submitted a resignation letter resigning from serving as the GHAD Clerk for the Delta Region GHAD. The Board of Directors now desires to appoint the City of Isleton to serve as the GHAD Clerk. It is recommended that if City employees serve in the role as GHAD Clerk, City employees should be treated as consultants or contractors to the GHAD under a separate agreement. Such agreement will be prepared and executed at a later date.

FISCAL IMPACT: The value of the services contract, to be mutually agreed upon at a later date. Fees will also be deferred until a later time. The GHAD is funded through assessments levied on properties within the GHAD and potentially other external sources. Therefore, if approved, there is no fiscal impact on the City's General Fund.

Attachment 1: Resolution 22-07

**BOARD OF DIRECTORS OF THE
DELTA REGION GEOLOGIC HAZARD ABATEMENT DISTRICT**

RESOLUTION NO. 22-07

**RESOLUTION APPOINTING CITY OF ISLETON CLERK TO SERVE AS THE GHAD
CLERK AND AUTHORIZE THE CHAIR TO EXECUTE AN AGREEMENT WITH CITY
OF ISLETON FOR GHAD CLERK SERVICES AT A LATER DATE**

WHEREAS, on December 14, 2021, the Isleton City Council adopted Resolution No. 028-21 approving and ordering the formation of the Delta Region Geologic Hazard Abatement District ("Delta Region GHAD or GHAD"); and

WHEREAS, the GHAD is a political subdivision of the State of California, governed by state law (Pub. Res. Code § 26500 et seq.), and constitutes a legal entity separate and distinct from the City of Isleton ("City"), with operations independent of City functions; and

WHEREAS, notice of the hearing on the formation of the GHAD was given in accordance with the provisions of Public Resources Code Sections 26558 and 26561-63; and

WHEREAS, at the time set for the hearing no owner of real property within the proposed GHAD made an objection to its formation in accordance with the provisions of Public Resources Code Section 26564; and

WHEREAS, at the December 14, 2021, hearing, the owners of more than 50 percent of the assessed valuation of the real property within the proposed GHAD did not object to the GHAD's formation and the Board of Supervisors closed the hearing; and

WHEREAS, the GHAD is responsible for hiring its own staff (or contracting with parties to perform such staff services), including all workers who will undertake operation, maintenance, replacement, repair, and other activities of the GHAD, and no City employees shall perform such services for GHAD facilities and improvements unless the GHAD and the City enter into a separate agreement to be executed at a later date, through which City employees would be treated as consultants or contractors to the GHAD, and provided that the GHAD shall reimburse the City of Isleton for all of the time and expenses of the Clerk; and

WHEREAS, pursuant to Public Resources Code Section 26584, the Board of Directors must appoint a Clerk; and

WHEREAS, the Delta Region GHAD Board of Directors has considered options for staffing of Geologic Hazard Abatement District Clerk position; and

WHEREAS, on March 29, 2022, the Delta Region GHAD Board of Directors appointed ENGEO Incorporated to serve as the GHAD Clerk with Resolution 22-02; and

WHEREAS, on May 31, 2022, ENGEO Incorporated submitted a letter of resignation to serve as GHAD Clerk for the Delta Region GHAD Board of Directors; and

WHEREAS, the Delta Region GHAD Board of Directors desires to accept ENGEO Incorporated's resignation and appoint the City of Isleton Clerk to serve as the GHAD Clerk; and

WHEREAS, the Delta Region GHAD Board of Directors authorizes the Chair of the Board to execute an agreement with City of Isleton for GHAD Clerk services at a later date; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Delta Region GHAD resolves and orders as follows:

1. The GHAD Board of Directors hereby appoints the City of Isleton Clerk to provide Clerk services for the Delta Region GHAD.
2. The recitals contained in this resolution are true and correct are an integral part Board of Directors' decision.
3. This resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED by the Delta Region GHAD Board of Directors, at the meeting of said Board held on the 31st day of January, 2023.

Ayes: Director(s)

Noes: Director(s)

Absent: Director(s)

Abstain: Director(s)

By:

_____, Chair of the GHAD Board of Directors

ATTEST:

_____, Clerk of the GHAD Board

Date: _____

**DELTA REGION GEOLOGIC HAZARD ABATEMENT DISTRICT
STAFF REPORT**

TO: Delta Region Geologic Hazard Abatement District (GHAD) Board of Directors

FROM: GHAD Manager

BOARD MEETING DATE: January 31, 2023

SUBJECT: Adopt a Resolution that allows GHAD Board chairperson to apply for funding grants or prepare letters of support for grant applications.

RECOMMENDATION

That the Board adopt Resolution 23-02, authorizing GHAD Board chairperson to apply for funding grants or prepare letters of support for grant applications.

SUMMARY

On occasion and as available, the GHAD may be eligible for funding via financial grants available from local, State, or Federal sources and programs. This resolution authorizes the GHAD Board chair to, as appropriate, apply for grants or prepare letters of support for grant applications, provided these actions and/or award of the grants do not encumber the GHAD or the GHAD Board with undesirable conditions or circumstances.

FISCAL IMPACT: Aside from the potential award of funds via successful grant applications, there is no fiscal impact on the GHAD budget.

Attachment 1: Resolution 23-02

**BOARD OF DIRECTORS OF THE
DELTA REGION GEOLOGIC HAZARD ABATEMENT DISTRICT**

RESOLUTION NO. 23-02

**RESOLUTION ALLOWING GHAD BOARD CHAIRPERSON TO APPLY FOR
FUNDING GRANTS OR PREPARE LETTERS OF SUPPORT FOR GRANT
APPLICATIONS**

WHEREAS, on December 14, 2021, the Isleton City Council adopted Resolution No. 028-21 approving and ordering the formation of the Delta Region Geologic Hazard Abatement District ("Delta Region GHAD or GHAD"); and

WHEREAS, the GHAD is a political subdivision of the State of California, governed by state law (Pub. Res. Code § 26500 et seq.), and constitutes a legal entity separate and distinct from the City of Isleton ("City"), with operations independent of City functions; and

WHEREAS, a member of the board of directors of the GHAD ("Board") serves as the Board Chairperson; and

WHEREAS, the Board Chairperson is authorized to execute all resolutions and official actions by the GHAD Board, to lead meetings of the Board, and to carry out the responsibilities delegated to the Chairperson by the Board; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Delta Region GHAD resolves and orders as follows:

1. The GHAD Board Chairperson may apply for funding grants for the GHAD or prepare letters in support of funding grant applications, provided these actions do not encumber the GHAD or the GHAD Board.
2. This resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED by the Delta Region GHAD Board of Directors, at the meeting of said Board held on the 31st day of January, 2023.

Ayes: Director(s)
Noes: Director(s)
Absent: Director(s)
Abstain: Director(s)

By: _____, Chair of the GHAD Board of Directors

ATTEST:

_____, Clerk of the GHAD Board

Date: _____

**DELTA REGION GEOLOGIC HAZARD ABATEMENT DISTRICT
STAFF REPORT**

TO: Delta Region Geologic Hazard Abatement District (GHAD) Board of Directors

FROM: GHAD Manager

BOARD MEETING DATE: January 31, 2023

SUBJECT: Adopt a resolution of the Board of Delta Region GHAD to appoint an individual to fill the vacant Board of Directors position.

RECOMMENDATION

That the Board adopt Resolution 23-03, appointing an individual to fill the vacant Board of Directors position.

SUMMARY

An individual should be appointed to fill the presently vacant seat on the Board of Directors of the GHAD ("Board").

FISCAL IMPACT: None.

Attachment 1: Resolution 23-03

**BOARD OF DIRECTORS OF THE
DELTA REGION GEOLOGIC HAZARD ABATEMENT DISTRICT**

RESOLUTION NO. 23-03

**A RESOLUTION APPOINTING _____ TO THE GHAD BOARD OF DIRECTORS
BEGINNING JANUARY 31, 2023**

WHEREAS, on December 14, 2021, the Isleton City Council adopted Resolution No. 028-21 approving and ordering the formation of the Delta Region Geologic Hazard Abatement District ("Delta Region GHAD or GHAD"); and

WHEREAS, the GHAD is a political subdivision of the State of California, governed by state law (Pub. Res. Code § 26500 *et seq.*), and constitutes a legal entity separate and distinct from the City of Isleton ("City"), with operations independent of City functions; and

WHEREAS, the Board of Directors of the GHAD ("Board") is constituted of five individuals who own real property with the boundaries of the GHAD; and

The Delta Region Board of Directors HEREBY RESOLVES THAT:

1. That _____, is appointed to the Delta Region GHAD Board of Directors; and
2. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED by the Delta Region GHAD Board of Directors, at the meeting of said Board held on the 31st day of January, 2023.

Ayes: Director(s)
Noes: Director(s)
Absent: Director(s)
Abstain: Director(s)

By: _____, Chair of the GHAD Board of Directors

ATTEST:
_____, Clerk of the GHAD Board

Date: _____

**DELTA REGION GEOLOGIC HAZARD ABATEMENT DISTRICT
STAFF REPORT**

TO: Delta Region Geologic Hazard Abatement District (GHAD) Board of Directors

FROM: GHAD Manager

BOARD MEETING DATE: January 31, 2023

SUBJECT: Adopt a Resolution that, as stated in Elections Code 10505 (d)., pursuant to Section 10404, a special district electing members of the governing body in odd-numbered years may, by resolution, require that its elections of governing body members be held on the same day as the statewide general election.

RECOMMENDATION

That the Board adopt Resolution 23-04, requiring that its elections of governing body members be held on the same day as the statewide general election with the initial election to be held in 2024.

SUMMARY

As stated in Elections Code 10505 (d)., pursuant to Section 10404, a special district electing members of the governing body in odd-numbered years may, by resolution, require that its elections of governing body members be held on the same day as the statewide general election. The resolution makes this finding and, directs Delta Region GHAD staff to take all necessary actions to conduct an election on the same day as the statewide general election starting in 2024.

FISCAL IMPACT: Aside from costs associated with having Board elections, there is no fiscal impact on the GHAD budget.

Attachment 1: Resolution 23-04

**BOARD OF DIRECTORS OF THE
DELTA REGION GEOLOGIC HAZARD ABATEMENT DISTRICT**

RESOLUTION NO. 23-04

**RESOLUTION ALLOWING BOARD ELECTIONS TO BE HELD ON SAME DAY AS
STATEWIDE GENERAL ELECTION**

WHEREAS, on December 14, 2021, the Isleton City Council adopted Resolution No. 028-21 approving and ordering the formation of the Delta Region Geologic Hazard Abatement District ("Delta Region GHAD" or "GHAD"); and

WHEREAS, Resolution 028-21 also appointed five landowners within the GHAD to serve as the Board of Directors of the GHAD ("Board") in 2021, an odd-numbered year; and

WHEREAS, pursuant to Elections Code § 10505(c), the directors elected at the first general district election held in a district and at a formation election held at the same time as the general district election shall meet as soon as practicable after taking office and classify themselves by lot into two classes, as nearly equal in number as possible, and the terms of office of the class having the greater number shall be four years and the terms of office of the class having the lesser number shall be two years; and

WHEREAS, the Board desires to require that its elections be held on the same day as the statewide general election as allowed Elections Code Section 10505 (d)., pursuant to Section 10404 with the initial election to be held in 2024.

The Delta Region Board of Directors HEREBY RESOLVES THAT:

1. The following three (3) Boardmembers shall have terms through the 2026 statewide general election; and

2. The following two (2) Boardmembers shall have terms through the 2024 statewide general election; and

3. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED by the Delta Region GHAD Board of Directors, at the meeting of said Board held on the 31st day of January, 2023.

Ayes: Director(s)

Noes: Director(s)

Absent: Director(s)

Abstain: Director(s)

By: _____, Chair of the GHAD Board of Directors

ATTEST:
_____, Clerk of the GHAD Board

Date: _____