

# **AGENDA**

## **Covid-19 Meeting Notice**

**To address concerns relating to COVID-19 and to comply with the prohibitions on gatherings under Santa Barbara County Health Officer Order No. 2020-12.14, this meeting will be held by remote video conferencing without a physical meeting location, as authorized by Governor Newsom's Executive Order N-29-20.**

**Members of the public who wish to observe the meeting and/or offer public comment by video conferencing should contact the District at least 4 hours before the meeting at (805) 967-4519 or RMangus@GoletaSanitary.org to obtain the meeting ID and passcode.**

**Members of the public with disabilities who wish to request a reasonable modification or accommodation to observe the meeting and/or offer public comment should contact the District at least 8 hours before the meeting at the foregoing telephone number or email address for instructions on how to access the meeting.**

**A G E N D A**  
SPECIAL MEETING OF THE GOVERNING BOARD  
OF THE GOLETA SANITARY DISTRICT  
A PUBLIC AGENCY

One William Moffett Place  
Goleta, California 93117

February 17, 2021

**CALL TO ORDER:** 2:00 p.m.

**ROLL CALL OF MEMBERS**

**BOARD MEMBERS:** Jerry D. Smith  
Steven T. Majoewsky  
George W. Emerson  
Sharon Rose  
Edward Fuller

**CONSIDERATION OF THE MINUTES OF THE BOARD MEETING**

The Board will consider approval of the Minutes of the Regular Meeting of February 1, 2021.

**PUBLIC COMMENTS** - Members of the public may address the Board on items within the jurisdiction of the Board.

**POSTING OF AGENDA** – The agenda notice for this meeting was posted at the main gate of the Goleta Sanitary District and on the District's web site 24 hours in advance of the meeting.

**BUSINESS:**

1. PRESENTATION ON TRANSITION TO DISTRICT-BASED ELECTIONS BY LAPKOFF & GOBALET DEMOGRAPHIC RESEARCH INC.
2. CONSIDERATION AND ACTION REGARDING ATTENDANCE BY GOVERNING BOARD MEMBERS AT MEETINGS OF OUTSIDE AGENCIES (Board may take action on this item.)
3. DISCUSSION AND ACTION RELATED TO DIRECTOR PARTICIPATION ON THE EXECUTIVE BOARDS OF THE CALIFORNIA SANITATION RISK MANAGEMENT AGENCY AND THE CALIFORNIA SPECIAL DISTRICT FINANCE CORPORATION (Board may take action on this item.)

4. CONSIDERATION OF 2021 EMPLOYEE SALARY AND BENEFITS SURVEY  
(Board may take action on this item.)
5. GENERAL MANAGER'S REPORT
6. LEGAL COUNSEL'S REPORT
7. COMMITTEE/DIRECTOR'S REPORTS AND APPROVAL/RATIFICATION OF  
DIRECTOR'S ACTIVITIES
8. PRESIDENT'S REPORT
9. ITEMS FOR FUTURE MEETINGS
10. CORRESPONDENCE  
(The Board will consider correspondence received by and sent by the District since  
the last Board Meeting.)
11. APPROVAL OF BOARD COMPENSATION AND EXPENSES AND  
RATIFICATION OF CLAIMS PAID BY THE DISTRICT  
(The Board will be asked to ratify claims.)

## **ADJOURNMENT**

***Any public records which are distributed less than 24 hours prior to this meeting to all, or a majority of all, of the District's Board members in connection with any agenda item (other than closed sessions) will be available for public inspection at the time of such distribution at the District's office located at One William Moffett Place, Goleta, California 93117.***

***Persons with a disability who require any disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the meeting are asked to contact the District's Finance & H.R. Manager at least 2 hours prior to the meeting by telephone at (805) 967-4519 or by email at [info@goletasanitary.org](mailto:info@goletasanitary.org).***

# MINUTES

**MINUTES**  
REGULAR MEETING OF THE GOVERNING BOARD  
GOLETA SANITARY DISTRICT  
A PUBLIC AGENCY  
DISTRICT OFFICE CONFERENCE ROOM  
ONE WILLIAM MOFFETT PLACE  
GOLETA, CALIFORNIA 93117

February 1, 2021

**CALL TO ORDER:** President Smith called the meeting to order at 6:30 p.m.

**BOARD MEMBERS PRESENT:** Jerry D. Smith, Steven T. Majoewsky, George W. Emerson, Sharon Rose, Edward Fuller

**BOARD MEMBERS ABSENT:** None

**STAFF MEMBERS PRESENT:** Steve Wagner, General Manager/District Engineer, Rob Mangus, Finance and Human Resources Manager/Board Secretary, John Crisman, Plant Operations Manager and Richard Battles, Legal Counsel from Howell Moore & Gough LLP.

**OTHERS PRESENT:** Tom Evans, Director, Goleta Water District

**APPROVAL OF MINUTES:** Director Majoewsky made a motion, seconded by Director Fuller, to approve the minutes of the Special Board meeting of 01/20/21. The motion carried by the following vote:

(21/02/2167)

AYES: 5 Smith, Majoewsky, Emerson, Rose,  
Fuller  
Emerson

NOES: None

ABSENT: None

ABSTAIN: None

**POSTING OF AGENDA:** The agenda notice for this meeting was posted at the main gate of the Goleta Sanitary District and on the District's website 72 hours in advance of the meeting.

**PUBLIC COMMENTS:** None

**BUSINESS:**

1. PRESENTATION ON THE CURRENT STATE OF OPERATIONS AT THE DISTRICT'S WATER RESOURCE RECOVERY FACILITY

Mr. Wagner began the staff report and introduced Mr. Crisman for this presentation item, no Board action was taken.

2. CONSIDERATION AND ACTION REGARDING ATTENDANCE BY GOVERNING BOARD MEMBERS AT MEETINGS OF OUTSIDE AGENCIES

Mr. Wagner gave the staff report.

Director Rose made a motion, seconded by Director Emerson to continue the practice of having Board Members attend Board meeting of outside agencies, Goleta West Sanitary District and Goleta Water District.

The motion carried by the following vote:

(21/02/2168)

AYES:	5	Smith, Majoewsky, Emerson, Rose, Fuller
NOES:		None
ABSENT:		None
ABSTAIN:		None

3. REVIEW AND CONSIDERATION OF BOARD SELF-ASSESSMENT WORKSHOP

Mr. Wagner gave the staff report.

Board consensus was to table this item until later this year when the Board may meet in person and have more information on the ongoing issues of the District.

4. REVIEW AND CONSIDERATION OF EXTENDING COVID-19 EMERGENCY PAID TIME OFF FOR DISTRICT EMPLOYEES

Mr. Wagner gave the staff report.

Board consensus was to table this item until next meeting and continue to monitor the actions at the Federal level related to Covid-19 leave actions.

5. GENERAL MANAGER'S REPORT

Mr. Wagner gave the report and reminded the Board that the next meeting, a Special Board meeting, would be Wednesday, February 17, 2021 at 2:00 p.m. due to the President's Day holiday.

6. LEGAL COUNSEL'S REPORT

Mr. Battles reported from the District's Administrative Code regarding issues related to Board members attending Board meetings of outside agencies.

He also reported he had a forthcoming handout on AB992 regarding the Brown Act and Social Media.

7. COMMITTEE/DIRECTORS' REPORTS AND APPROVAL/RATIFICATION OF DIRECTORS' ACTIVITIES

Director Rose – Reported on part two of her Goleta Water District meeting she attended last month and Director Rose made a request to attend and be compensated for attendance at the Goleta Water District Committee meeting regarding District elections.

Director Majoewsky made motion, seconded by Director Fuller to approve compensation for Director Rose to attend the upcoming Goleta Water District Committee meeting regarding District elections.

The motion carried by the following vote:

(21/02/2169)

AYES:	5	Smith, Majoewsky, Emerson, Rose, Fuller
NOES:		None
ABSENT:		None
ABSTAIN:		None

Director Emerson – No report.

Director Majoewsky – No report.

Director Fuller – No report.

8. PRESIDENT'S REPORT

President Smith – No report.

9. ITEMS FOR FUTURE MEETINGS

No Board action was taken to return with an item.

10. CORRESPONDENCE

The Board reviewed and discussed the list of correspondence to and from the District in the agenda.

11. APPROVAL OF BOARD COMPENSATION AND EXPENSES AND RATIFICATION OF CLAIMS PAID BY THE DISTRICT

Director Majoewsky made a motion, seconded by Director Emerson, to ratify and approve the claims, for the period 01/21/2021 to 02/01/2021 as follows:

Running Expense Fund #4640	\$ 374,714.07
Capital Reserve Fund #4650	\$ 29,060.75
Depreciation Replacement Reserve Fund #4655	\$ 12,771.80
Retiree Health Insurance Sinking Fund #4660	\$ 10,160.38

The motion carried by the following vote:

(21/02/2170)

AYES:	5	Smith, Majoewsky, Emerson, Rose, Fuller
NOES:		None
ABSENT:		None
ABSTAIN:		None

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:36 p.m.

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Jerry D. Smith  
Governing Board President

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Robert O. Mangus, Jr.  
Governing Board Secretary

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Steven T. Majoewsky

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George W. Emerson

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Sharon Rose

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Edward Fuller

# **AGENDA ITEM #1**

**AGENDA ITEM: 1**

**MEETING DATE: February 17, 2021**

**I. NATURE OF ITEM**

Presentation on Transition to District-Based Elections by Lapkoff & Gobalet Demographic Research Inc.

**II. BACKGROUND INFORMATION**

On August 20, 2018, the Board adopted Resolution No.18-637 declaring their intent to transition from at-large elections to district-based elections in accordance with the California Voting Rights Act by November 2022. At that meeting, the Board also directed staff to seek proposals from qualified firms to assist with the transition process.

In July 2020, the Board authorized a professional services agreement with Lapkoff and Gobalet Demographic Research Inc. (LGDR) to assist in the transition to district-based elections as set forth in Resolution No.18-637. LGDR has extensive experience working with agencies across the state to transition to district-based elections and were highly recommended by other agencies that have hired them. A copy of LDGR's proposal and statement of qualifications is attached to this report.

Jeanne Gobalet and Shelly Lapkoff of LDGR will provide a presentation on the status of the 2020 census data and the process to transition to district-based elections in time for the 2022 elections.

**III. COMMENTS AND RECOMMENDATIONS**

This presentation is intended to familiarize the Board with the LDRG team and the steps to be taken over the next year and a half to transition to district-based elections. No Board action is required at this time.

**IV. REFERENCES**

Resolution No. 18-637

Statement of Qualifications and Proposal from Lapkoff & Gobalet Demographic Research, Inc.

**RESOLUTION NO. 18-637**

**RESOLUTION OF THE GOVERNING BOARD OF THE GOLETA SANITARY DISTRICT OUTLINING ITS INTENTION TO TRANSITION FROM AT-LARGE ELECTIONS TO DISTRICT-BASED ELECTIONS BY NOVEMBER OF 2022 AND APPROVING CONDITIONAL SETTLEMENT AGREEMENT AND RELEASE**

**WHEREAS**, members of the Governing Board (the “Board”) of the Goleta Sanitary District (the “District”) are currently elected by an at-large method of election in which the voters of the District’s entire jurisdiction elect the Board members; and

**WHEREAS**, Elections Code Sections 10508 and 10650 permit the District, by resolution, to change from its current at-large method of election to a district-based election in which the candidate must reside within an election district that is a divisible part of the District’s jurisdictional boundaries and is elected only by voters residing within that election district; and

**WHEREAS**, on July 2, 2018, the District received a letter dated June 29, 2018 entitled Notice of Violation of California Voting Rights Act (the "Notice"). The Notice was written on behalf of Hector Mendez (the "Prospective Plaintiff") and asserts that the District's current method of conducting elections may violate the California Voting Rights Act ("CVRA"); and

**WHEREAS**, under Elections Code section 14028(a), a violation of the CVRA is established if it is shown that racially polarized voting occurs in elections for members of the District’s Board or in elections incorporating other electoral choices by the voters of the District. Under Elections Code section 14026(e) “racially polarized voting” means voting in which there is a difference in the choice of candidates or other electoral choices that are preferred by voters in a protected class, and in the choice of candidates and electoral choices that are preferred by voters in the rest of the electorate; and

**WHEREAS**, the Notice states that the District has forty-five (45) days from receipt of the Notice to adopt a resolution outlining its intention to transition from at-large elections to district-based elections, specifying the specific steps it will take to facilitate the transition, and estimating the time frame for the transition (a “Resolution of Intention”). The Notice also states that, if the Board does not adopt a Resolution of Intention within such forty-five (45) day period, then a legal action will be commenced in Santa Barbara Superior Court to require the District to institute district-based elections pursuant to the CVRA. The Notice further states that, to enable the District to consider the issue at its regular Board meetings, the Prospective Plaintiff will defer filing any court action until after the August 20, 2018 regular meeting of the Board; and

**WHEREAS**, Elections Code section 10010 allows Prospective Plaintiff to file a lawsuit against the District if the District does not adopt a Resolution of

Intention within forty-five (45) days after receiving the Notice; and

**WHEREAS**, Prospective Plaintiff has offered to enter into a Conditional Settlement Agreement and Release (the “Settlement Agreement”) under which the District would not be required to institute district-based elections until the November 2022 regular election, which would allow 2020 census data to be used in drawing district boundaries. Copies of the Settlement Agreement have been provided to and reviewed by the members of the Board; and

**WHEREAS**, the District denies that its current at-large method of election violates the CVRA or any other provision of law and asserts that the District's election system is legal in all respects. Nevertheless, the District recognizes that public policy favors instituting district-based elections, and that litigation involves significant costs and uncertainty. The District further recognizes that, by approving this Resolution of Intention and entering into the Settlement Agreement, it can avoid the costs and uncertainty that litigation involves and can delay the institution of district-based elections until 2022 so that the district boundaries may be drawn based on 2020 federal census data, which will not become available until 2021. The public interest would therefore be served by adopting this Resolution of Intention, entering into the Settlement Agreement and transitioning to district-based elections.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Board of the Goleta Sanitary District as follows:

1. Before the November 2022 regular election, the Board intends to hold a public hearing and to consider the adoption of a resolution to institute a district-based election system (the “Implementing Resolution”). Said public hearing shall be scheduled so as to allow sufficient time for districts to be established and candidates within such districts to register for the November 2022 regular election.

2. Prior to holding a public hearing to consider the adoption of the Implementing Resolution, the District intends to undertake the following steps to facilitate the transition from at-large elections to district-based elections, as required by Elections Code Sections 10010:

(a) Before drawing a draft map or maps of the proposed boundaries of the districts, the District will hold at least two public hearings over a period of no more than thirty (30) days, at which the public is invited to provide input regarding the composition of the districts. Before these hearings, the District may conduct outreach to the public, including to non-English-speaking communities, to explain the districting process and to encourage public participation.

(b) After all draft maps are drawn, the District will publish and make available for release at least one draft map and, if members of the Board will be elected in their districts at different times to provide for staggered terms of office, the potential sequence of the elections. The District will also hold at least two additional hearings over a period of no more than forty-five (45) days, at which the public is invited to

provide input regarding the content of the draft map or maps and the proposed sequence of elections, if applicable. The first version of a draft map will be published at least seven (7) days before consideration at a hearing. If a draft map is revised at or following a hearing, it will be published and made available to the public for at least seven (7) days before being adopted.

(c) In determining the final sequence of the district elections, the Board will give special consideration to the purposes of the CVRA, and it will take into account the preferences expressed by members of the districts.

3. As required by Elections Code Section 10650, the Implementing Resolution will include a declaration that the change in the method of electing members of the Board is being made in furtherance of the purposes of the California Voting Rights Act of 2001 (Chapter 1.5 (commencing with Section 14025) of Division 14 of the Elections Code).

4. The Settlement Agreement is hereby approved, and the President and Secretary of the Board are hereby authorized and directed to execute the Settlement Agreement on behalf of the District.

**PASSED AND ADOPTED** this 20th day of August, 2018, by the following vote of the Governing Board of the Goleta Sanitary District:

**AYES:** Emerson, Rose, Wageneck  
**NOES:** Majoewsky, Smith  
**ABSENT:** None  
**ABSTAIN:** None

**COPY**  
  
\_\_\_\_\_  
Steven T. Majoewsky  
President of the Governing Board

**COUNTERSIGNED:**

**COPY**  
  
\_\_\_\_\_  
Robert O. Mangus, Jr.,  
Secretary of the Governing Board

## **CONDITIONAL SETTLEMENT AGREEMENT AND RELEASE**

**THIS CONDITIONAL SETTLEMENT AGREEMENT AND RELEASE** (this “Agreement”) is entered into on this 20th day of August, 2018 (the “Effective Date”) by and between the **GOLETA SANITARY DISTRICT**, a public agency formed pursuant to the Sanitary District Act of 1923 (“GSD”), and **HECTOR MENDEZ**, a registered voter residing within GSD’s boundaries (“Prospective Plaintiff”). The above parties are referred to herein individually as “Party” and collectively as “Parties.”

### **Recitals**

- A.** Since its formation in 1942, members of GSD’s Governing Board have been elected through an at-large method of election in which the voters of the entire jurisdiction of GSD elect the members of GSD’s Governing Board.
- B.** On July 2, 2018, GSD received a Notice of Violation (the “Notice”) of the California Voting Rights Act (the “Act”) from Prospective Plaintiff, alleging that GSD’s at-large method of electing members to GSD’s Governing Board violates the Act and threatening suit unless GSD transitions to a district-based election system, which is an election method in which the candidate must reside within an election district that is a divisible part of GSD’s jurisdiction and is elected only by voters residing within that election district.
- C.** The GSD Governing Board denies that GSD’s at-large method of election violates the Act. Nevertheless, GSD recognizes that public policy favors instituting district-based elections, and that litigation involves significant costs and uncertainty. GSD further recognizes that, by approving a resolution of intention to institute a district-based election system and entering into this Agreement, it can avoid the costs and uncertainty that litigation involves and can delay the institution of district-based elections until 2022 so that the election district boundaries may be drawn based on 2020 federal census data, which will not become available until 2021.
- D.** In light of the foregoing considerations, at its regular meeting on August 20, 2018, the GSD Governing Board adopted a resolution setting forth its intention to institute a district-based election system for the GSD Governing Board seats by the November 2022 regular election (the “Resolution of Intention”). The Resolution of Intention also authorizes GSD to enter into this Agreement.
- E.** The Parties desire to set forth herein the terms of their agreement relating to the settlement of the claims set forth in the Notice and the instituting by GSD of a district-based election system for the GSD Governing Board.

**NOW, THEREFORE**, in consideration of the mutual covenants and agreements

described below, and for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree:

**1. Obligations of Parties.**

(a) Pursuant to the Resolution of Intention, after the 2020 federal census data becomes available, the GSD Governing Board shall consider the adoption of a resolution instituting a district-based election system for the GSD Governing Board seats by the November 2022 regular election (the “Implementing Resolution”), which election will occur on November 8, 2022 pursuant to Elections Code Section 1000(d).

(b) Prospective Plaintiff shall not bring suit against GSD prior to November 9, 2022 for any cause of action related to GSD’s electoral system, including, but not limited to, suit seeking the implementation of district-based elections or claims related to or arising from the Notice.

(c) Within thirty (30) days after GSD adopts the Resolution of Intention, GSD will remit a payment of Thirty Thousand Dollars (\$30,000) to Prospective Plaintiff as reimbursement of its costs incurred for the work product to support the Notice in fulfillment of the requirement to reimburse Prospective Plaintiff's reasonable costs pursuant to Elections Code Section 10010(f); provided, however, that if more than one prospective plaintiff is entitled to reimbursement, GSD shall reimburse the prospective plaintiffs in the order in which they sent a written notice pursuant to Elections Code Section 10010(e)(1). In no event shall the cumulative amount of reimbursements made by GSD to all prospective plaintiffs exceed Thirty Thousand Dollars (\$30,000). GSD will make such reimbursement payment to Prospective Plaintiff by delivering a check to Prospective Plaintiff's attorney-of-record, Hon. Frank J. Ochoa (Ret.), which check will be made payable to the "Hon. Frank J. Ochoa (Ret.) Trust Account". Prospective Plaintiff has made a demand for reimbursement and GSD has substantiated that the documentation provided by Prospective Plaintiff represents the costs incurred by Prospective Plaintiff supporting the Notice.

**2. Condition Precedent.** The adoption by GSD of the Implementing Resolution described in Section 1(a) above is an express condition precedent to the consummation of this Agreement and the covenants, conditions and agreements contained herein. In the event that the Implementing Resolution is not adopted as set forth in Section 1(a), then this Agreement shall be null and void and shall be of no further force and effect. In such event, neither this Agreement, nor any of its terms or provisions, shall be admissible in any action or proceeding initiated by Prospective Plaintiff for any purpose.

GSD is under no obligation to adopt the Implementing Resolution and GSD reserves its discretion and the full measure of its powers to evaluate the Implementing Resolution in accordance with applicable procedures, standards and requirements. This Agreement shall not be

construed in any fashion as an advance determination by GSD and does not provide Prospective Plaintiff with any expectation as to the outcome of GSD's decision on the Implementing Resolution. GSD's lack of approval or inaction on the Implementing Resolution shall not constitute a default of this Agreement, but instead will constitute a terminating event of this Agreement.

3. **Admissibility of Agreement.** If GSD does not institute district-based elections for GSD Governing Board seats by the November 2022 regular election, this Agreement shall not be construed as an admission by GSD that such failure to institute district-based elections is unreasonable or unlawful under the Elections Code. In addition, this Agreement may not be introduced into or be admissible in any judicial proceeding other than a judicial proceeding to enforce the terms of this Agreement.

4. **Release.**

(a) Subject to the performance of the Parties' obligations in this Agreement, the Parties hereby fully and finally waive, release, and permanently discharge each other (and their respective directors, officers, employees, agents, representatives and attorneys), from any and all past, present, or future matters, claims, demands, obligations, liens, actions or causes of action, suits in law or equity, or claims for damages or injuries, whether known or unknown, which they now own, hold or claim to have or at any time heretofore have owned, held or claimed to have held against each other by reason of any matter or thing alleged or referred to, or in any way connected with, arising out of or in any way relating to the Notice (collectively, the "Released Claims"). In connection with the release of the Released Claims, the Parties waive any and all rights that they may have under the provisions of section 1542 of the California Civil Code, which states as follows:

*A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor.*

In the event that any waiver of the provisions of Section 1542 of the California Code provided for in this Agreement shall be judicially determined to be invalid, voidable or unenforceable, for any reason, such waiver to that extent shall be severable from the remaining provisions of this Agreement, and the invalidity, voidability or unenforceability of the waiver shall not affect the validity, effect, enforceability or interpretation of the remaining provisions of this Agreement.

(b) The foregoing release extends to any claims or damages, without limitation, arising out of the Released Claims that may exist on the date of the execution of this Agreement, but which the Parties do not know to exist, which, if known, would

have materially affected their decision to execute this Agreement, regardless of whether their lack of knowledge is a result of ignorance, oversight, error, negligence or any other cause.

(c) This Agreement is a compromise and settlement of their disputes and differences, and is not an admission of liability or wrongdoing by any Party.

(d) Except as provided in Section 1(c) of this Agreement, each of the Parties waives any and all claims for the recovery of any costs, expenses, or fees, including attorney fees, associated with the matters and claims released in this Agreement.

## 5. **Representations and Warranties.**

(a) Prospective Plaintiff hereby represents and warrants to GSD, as of the Effective Date, as follows:

(i) Prospective Plaintiff has not heretofore assigned or transferred, or purported to assign or transfer, to any party not named herein any Released Claim, or any part or portion thereof.

(ii) To the best of Prospective Plaintiff's knowledge, there are no legal actions, suits or similar proceedings pending and served, or threatened in writing against the Prospective Plaintiff that would adversely affect his ability to consummate the transactions contemplated in this Agreement. To the best of his knowledge, Prospective Plaintiff is not aware of any existing claims nor of any facts that might give rise to any claims of any type or nature against GSD, whether asserted or not, that have not been fully released and discharged by the release set forth in this Agreement.

(iii) Prospective Plaintiff has freely entered into this Agreement and is not entering into this Agreement because of any duress, fear, or undue influence. This Agreement is being entered into in good faith.

(iv) Prospective Plaintiff has made such investigation of the facts pertaining to this Agreement as he deems necessary.

(v) Prospective Plaintiff has, prior to the execution of this Agreement, obtained the advice of independent legal counsel of his own selection regarding the substance of this Agreement and the claims released herein.

(b) In executing this Agreement, Prospective Plaintiff acknowledges, represents, and warrants to GSD that he has not relied upon any statement or representation of any GSD director, officer, agent, employee, representative, or attorney

regarding any facts not expressly set forth within this Agreement. In entering into this Agreement, Prospective Plaintiff assumes the risk of any misrepresentations, concealment or mistake, whether or not he should subsequently discover or assert for any reason that any fact relied upon by him in entering into this Agreement was untrue, or that any fact was concealed from him, or that his understanding of the facts or of the law was incorrect or incomplete.

(c) The representations and warranties of each of the Parties set forth in this Section 5 and elsewhere in this Agreement will survive the execution and delivery of this Agreement and are a material part of the consideration to GSD in entering into this Agreement.

**6. Interpretation.**

(a) The Parties have cooperated in the drafting and preparation of this Agreement and, in any construction or interpretation to be made of this Agreement, the same shall not be construed against any Party. This Agreement is the product of bargained for and arm's length negotiations between the Parties and their counsel. This Agreement is the joint product of the Parties.

(b) This Agreement is an integrated contract and sets forth the entire agreement between the Parties with respect to the subject matter contained herein. All agreements, covenants, representations and warranties, express or implied, oral or written, of the Parties with regard to such subject matter are contained in this Agreement. No other agreements, covenants, representations or warranties, express or implied, oral or written, have been made or relied on by either Party.

(c) This Agreement may not be changed, modified or amended except by written instrument specifying that it amends this Agreement and signed by both Parties. No waiver of any provision of this Agreement shall be deemed or shall constitute a waiver of any other provision whether or not similar, nor shall any waiver be deemed a continuing waiver; and no waiver shall be implied from delay or be binding unless executed in writing by the party making the waiver.

(d) All of the covenants, releases and other provisions herein contained in favor of the persons and entities released are made for the express benefit of each and all of the said persons and entities, each of which has the right to enforce such provisions.

(e) This Agreement shall be binding upon and inure to the benefit of each of the Parties, and their respective representatives, officers, employees, agents, heirs, devisees, successors and permitted assigns.

**7. Further Cooperation.** Each Party shall perform any further acts and execute and

deliver any further documents that may be reasonably necessary or appropriate to carry out the provisions and intent of this Agreement. Except as expressly stated otherwise in this Agreement, actions required of the Parties or any of them will not be unreasonably withheld or delayed, and approval or disapproval will be given within the time set forth in this Agreement, or, if no time is given, within a reasonable time. Time will be of the essence of actions required of any of the Parties.

**8. No Third Party Beneficiaries.** Nothing in this Agreement is intended to benefit any third party or create a third party beneficiary. This Agreement shall not be enforceable by any person not a Party to this Agreement.

**9. Enforced Delay (Force Majeure).**

(a) Performance by either Party shall not be deemed to be in default where delays or defaults are due to war, insurrection, strikes, walkouts, riots, floods, earthquakes, fires, acts of terrorism, epidemic, quarantine, casualties, acts of God, litigation, restrictions imposed or mandated by governmental entities, enactment of conflicting state or federal laws or regulations, or other similar circumstances beyond the reasonable control of the Parties and which substantially interfere with the ability of a Party to perform its obligations under this Agreement.

(b) An extension of time for any such cause (a "Force Majeure Delay") shall be for the period of the enforced delay and shall commence to run from the time of the commencement of the cause, if notice by the Party claiming such extension is sent to the other Party within thirty (30) days of knowledge of the commencement of the cause. Notwithstanding the foregoing, none of the foregoing events shall constitute a Force Majeure Delay unless and until the Party claiming such delay and interference delivers to the other Party written notice describing the event, its cause, when and how such Party obtained knowledge, the date the event commenced, and the estimated delay resulting therefrom. Either Party claiming a Force Majeure Delay shall deliver such written notice within thirty (30) days after it obtains actual knowledge of the event. The time for performance will be extended for such period of time as the cause of such delay exists but in any event not longer than for such period of time.

**10. Governing Law; Venue.** This Agreement shall be governed by, and construed in accordance with, the laws of the State of California, without regard to any otherwise applicable principles of conflicts of laws. Any action arising out of this Agreement must be commenced in the state courts of the State of California, County of Santa Barbara, and each Party hereby consents to the jurisdiction of the above courts in any such action and to venue in the State of California, County of Santa Barbara, and agrees that such courts have personal jurisdiction over each of them.

**11. Counterparts.** This Agreement may be executed in any number of counterparts,

each of which when so executed shall be deemed to be an original, and such counterparts together shall constitute one and the same instrument.

**12. Assignment.** Neither Party may assign its rights or delegate its obligations under this Agreement, in whole or in part, without the prior written consent of the other Party.

**13. Partial Invalidity.** If any term or provision of this Agreement or the application thereof to any person or circumstance is, to any extent, determined to be invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is determined to be invalid or unenforceable, shall not be affected thereby, and each such term and provision of this Agreement shall be valid and unenforceable to the fullest extent permitted by law.

**14. Notices.** Any notices permitted or required hereunder shall be in writing and shall be (a) given by personal delivery, (b) mailed by certified or registered mail, postage prepaid, return receipt requested, (c) sent by reputable overnight delivery service (e.g., UPS, Federal Express, DHL or Airborne), or (d) sent by facsimile or email transmission using the contact information set forth below.

To GSD:

Goleta Sanitary District  
c/o Steve Wagner, General Manager  
One William Moffett Place  
Goleta, CA 93117  
Fax: (805) 964-3583  
Email: swagner@goletasanitary.org

To Prospective Plaintiff:

Hector Mendez  
c/o Hon. Frank J. Ochoa (Ret.)  
Sanger, Swysen & Dunkle  
125 East De La Guerra Street, Suite 102  
Santa Barbara, CA 93101  
Fax: (805) 963-7311  
Email: judgefrankochoa@gmail.com

Either party may change its contact information for notice purposes by giving notice of such change in the manner set forth above.

**IN WITNESS WHEREOF**, the parties have executed this Agreement as of the date first set forth above.

GOLETA SANITARY DISTRICT

By  **COPY**  
Steven T. Majoewsky, Board President

PROSPECTIVE PLAINTIFF

 **COPY**  
Hector Mendez

COUNTERSIGNED:

By  **COPY**  
Robert O. Mangus, Jr., Board Secretary

Approved as to Legal Form:

SANGER SWYSEN & DUNKLE

By  **COPY**  
Hon. Frank J. Ochoa (Ret.)

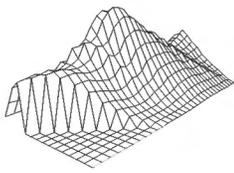
Approved as to Legal Form:

HOWELL MOORE & GOUGH LLP

By  **COPY**  
Richard G. Battles

Attorneys for Hector Mendez

Attorneys for Goleta Sanitary District



## Proposed Scope of Demographic Districting Services for Goleta Sanitation District

May 21, 2020; updated June 12, 2020

The purpose of this project is to help the Goleta Sanitation District (GSD, the District) change the method of electing the District's Board of Directors from at-large to by single member district. The work would include the following steps, which are listed in chronological order (some tasks may occur simultaneously or throughout the districting process). Most of these tasks are included in our base price, but in-person and virtual meetings are billed separately, as are the Optional services (see Fee Proposal, page four).

1. Help GSD staff members develop a timeline for the districting process.
2. Consult with the GSD legal counsel about the process.
3. Advise District staff members about methods of public outreach during the process, including recommended website content.
4. Meet virtually or in-person with the GSD Board of Directors to describe:
  - a. The process of changing the election method of its Board from at-large to by-district
  - b. The procedures demographers use to meet California and Federal Voting Rights Act requirements.
  - c. The project timeline
5. Obtain Geographic Information System (GIS) shapefiles for GSD's outer boundary from the District, Santa Barbara County Elections Division, and/or the County Mapping and GIS Resources department.
6. Obtain GIS shapefiles for current precinct boundaries, parcel boundaries, streets, and other mapping layers from the County Elections Division and/or County Mapping and GIS Resources department.
7. Acquire Census 2020 and other data and information necessary for drafting electoral division plans as soon as PL94-171 districting data are released in 2021.
8. Overlay the District's official boundary and County of Santa Barbara shapefiles (described in 5 and 6, above) on Census 2020 blocks. Identify and attempt to resolve discrepancies.
9. Provide materials to be posted on the GSD website and for distribution to interested members of the public.
10. Provide maps and tables showing the District's 2020 population data that are used when drawing plans.
11. Provide initial drafts of election district plans and present them to the Board of Directors.
12. Attend (virtually or in-person) Board of Directors meetings and public hearings.
13. (Optional) Provide online districting data so that members of the public can submit districting plans.
14. (Optional) Analyze districting plans submitted by members of the public or by representatives of interest groups.
15. Revise draft electoral division plans, as needed.
16. Present information and answer questions during hearings held in advance of the Board adopting a districting plan.
17. Be available to answer questions when the Board adopts a districting plan.
18. Provide a description of the adopted districting plan to the Santa Barbara County Elections Division and consult with that office, as needed.

**Qualifications:**

LGDR has performed districting and redistricting services to many jurisdictions since 1989. The firm is owned and operated by Shelley Lapkoff, PhD, and Jeanne Gobalet, PhD. They are assisted by GIS Specialist Robin Merrill. The company headquarters are in Saratoga, CA, with additional offices in Oakland, CA, and Sparks, NV.

LGDR has certified small business status with the State of California (Supplier #1125021). The firm is 100 percent woman-owned and is an Equal Opportunity employer. LGDR's FEIN is 94-3161151.

See the accompanying attachments for additional information about LGDR and its principals.

**Timeline:**

We will help the District establish a timeline for completion of the project. We will meet deadlines and plan to complete the work within a short amount of time.

**Fixed Fee Proposal:**

Our proposal is provided on page four. Additional services not specified in the work plan can be provided. Our professional demographers' hourly billing rate is \$295 and the hourly rate for GIS specialists is \$175.

**References:**

Since 1990, LGDR has provided demographic support for many governing board districting and redistricting projects. After the 1990, 2000, and 2010 U.S. Censuses, LGDR helped many clients move from at-large to by-district elections pursuant to federal Voting Rights Act requirements; those done more recently have also been pursuant to California Voting Rights Act requirements. References include:

**West County Wastewater District (Alameda County), 2019-2020:** Assisted with establishing Director Divisions.

Contacts: Justin Lovell, Administrative Services Department Manager  
2910 Hilltop Drive, Richmond, CA 94806  
E-mail: [jlovell@wcwd.org](mailto:jlovell@wcwd.org), (510) 662-3647

Alfred A. "Mick" Cabral, Board Attorney  
Pelletreau, Alderson & Cabral  
[Aacabral1954@gmail.com](mailto:Aacabral1954@gmail.com), (510) 262-2100

**Mtn. View Sanitary District, 2019-present:** Analyzed demographic data and provided a report on whether the District has geographical concentrations of members of groups protected under the Federal Voting Rights Act.

Contact: Denise Gray, Administrative Services Manager/ CFO  
P.O. Box 2757 (3800 Arthur Road), Martinez, CA 94553  
E-mail: [dgray@mvsd.org](mailto:dgray@mvsd.org) (925) 228-5635 x20

**Sierra View Local Health Care District (Tulare County), 2016-2017:** Assisted with establishing Director Divisions.

Contact: Donna Hefner, President/Chief Executive Officer, Sierra View Medical Center  
E-mail: [dhefner@sierra-view.com](mailto:dhefner@sierra-view.com) (559) 788-6100

**San Benito Health Care District (San Benito County), 2014-16:** Provided districting services and litigation support to the District.

Contact: Ken Underwood, CEO  
Hazel Hawkins Memorial Hospital, 911 Sunset Drive, Hollister, CA 95023  
E-mail: [kunderwood@hazelhawkins.com](mailto:kunderwood@hazelhawkins.com) (831) 636-2673

**Monterey Peninsula Water Management District, 1991-2012:** Assisted with establishing Director Divisions and then provided redistricting services after the 2000 and 2010 decennial U.S. Censuses.

Contact: Arlene Tavani, Executive Assistant/Clerk of the Board  
E-mail: [arlene@mpwmd.net](mailto:arlene@mpwmd.net) (831) 658-5652

**City of Santa Clara, 2011-2019:** Provided various districting services to the City, supplying maps and reports for the public hearings and the City's website. Helped the City implement a court-ordered districting plan that we developed. LGDR principals worked with the City Attorney staff members on this project, which concluded in August 2018. See: <http://santaclaraca.gov/government/departments/city-manager/district-elections>

Contacts: Brian Doyle, City Attorney, [BDoyle@SantaClaraCA.gov](mailto:BDoyle@SantaClaraCA.gov), (408) 615-2230  
Nadine Nader, Assistant City Manager, [nnader@SantaClaraCA.gov](mailto:nnader@SantaClaraCA.gov), (408) 615-2228

### **Caveats**

LGDR relies on data, maps, and other information supplied by various public agencies, including Census 2020 Public Law 94-171 data and population and citizenship estimates from the Census Bureau's latest American Community Survey. In addition to the County's official GIS maps, we will use electronic maps of Census blocks provided by the Census Bureau, since districting data are available for only those geographical units (not for precincts or real estate parcels). The District or County will need to supply GIS shapefiles for GSD's outer boundaries.

We cannot be responsible for any errors or omissions resulting from incorrect data or maps provided by the Census Bureau, County or the District. Of particular concern is the fact that election districts must be constructed by aggregating Census blocks to permit use of Census population counts. Some blocks may be split by the jurisdiction's legal outer boundary and we may not be able to provide precise population counts and estimates. We will estimate populations for split blocks in order to assess compliance with "one person, one vote" requirements, but we will not be able to supply maps that exactly represent the District's precinct geography and legal outer boundary.

We will work with the County Registrar of Voter's GIS personnel to implement the adopted plan and will help to resolve any differences between our Census block-based approximation of the jurisdiction (used for establishing election zones) and the County's election precincts. If the resolution of differences becomes especially time-consuming, we may need to request additional compensation.

## Fee Proposal for Demographic Districting Services

Lapkoff & Gobalet Demographic Research, Inc.

May 21, 2020; updated June 12, 2020

Service	Description	Deliverables	Fee
<b>Base Fee</b>	All services detailed below, except meeting charges and charges for optional services		\$25,000
<b>Throughout project</b>	Consult with the jurisdiction's legal counsel and staff members as needed		included
	Provide materials for the jurisdiction's website as needed	Reports, maps, and tables in pdf format	included
	Provide unlimited number of telephone consultations and conference calls		included
<b>Meeting Charges</b>	The fee is for each in-person meeting attended by Dr. Lapkoff or Dr. Gobalet. Fee includes additional districting plan development as well as meeting preparation and follow up.		\$2,000 per in-person meeting
	Virtual meetings are also an option.		\$500 per virtual meeting
<b>Develop and modify districting scenarios</b>	Provide demographic support for the change from at-large to by-area election. Develop and modify various scenarios (each scenario will meet demographic requirements of the Federal and State Voting Right Acts). Provide summaries of each scenario's total population, voting age population, and estimated citizen voting age population. Provide scenario and background maps.  Modify initial scenarios and create new ones until one is selected.	Initial report with maps of at least two scenarios plus data tables. Modify scenarios, as needed.	Included
<b>Plan Implementation</b>	Document adopted plan with electronic shapefiles so that the County Registrar of Voters can implement the plan. Advise the jurisdiction if it needs to engage the services of another consultant to meet the Registrar's needs.	Final written report detailing the characteristics of the documented plan (a pdf file), with electronic files (shapefiles) that define the plan.	Included
<b>Optional Services</b>	Provide online districting data so that members of the public can submit districting plans.		\$12,000
	Analyze districting plans submitted by members of the public or by representatives of interest groups.		\$250 per plan

## **Additional Information**

### **Qualifications and Experience: About LGDR**

LGDR has provided demographic support for many Federal and California Voting Rights Act projects since the late 1980s. Specifically, LGDR has helped many jurisdictions change from at-large election to election by single-member district, starting with Hartnell College in 1990. The firm's clients include special districts, public school districts, community college districts, cities, county boards of education, and a county Board of Supervisors. The firm has provided districting and redistricting services to many other California jurisdictions. It routinely assists county Registrars of Voters during development and implementation of redistricting plans.

LGDR is known for the clarity and effectiveness of its public presentations, maps, reports, and handouts. The firm's principals enjoy working with members of the public and are seasoned public speakers. LGDR is experienced in explaining the redistricting process to the public and to the media. It can suggest content for the client's website or web page that explains the process and details to all interested parties.

The personal styles of Drs. Jeanne Gobalet and Shelley Lapkoff are suited to consensus-building and have enabled disparate parties to agree on districting plans that met "one person, one vote" and Voting Rights Act criteria. The principals are committed professionals and see their role as being the impartial and non-partisan expert providers of information and analysis that informs public choice.

Drs. Gobalet and Lapkoff are expert users of Census data, skilled with GIS (Geographic Information System) mapping software (including Maptitude Redistricting), and are proficient, practiced quantitative analysts. They understand the technical, legal, and political aspects of districting.

Dr. Lapkoff and Dr. Gobalet have Ph.D. degrees in Demography and Sociology from UC Berkeley and Stanford University, respectively. They have made many presentations at professional conferences on political redistricting (see resumes on pages ii-v). LGDR's redistricting work has included litigation support, including expert witness analysis and testimony; various demographic analyses to support clients' defenses in voting rights cases; and preclearance submissions to the U.S. Department of Justice.

LGDR's headquarters is in Saratoga, CA, with additional offices in Oakland, CA, and Sparks, NV.

**LGDR has certified small business status with the State of California (Supplier #1125021). The firm is 100 percent woman-owned. It is an Equal Opportunity employer.**

**Shelley Lapkoff, Ph.D.**

**Demographer**

Lapkoff & Gobalet Demographic Research, Inc.

Lapkoff@demographers.com

President and Principal, Lapkoff & Gobalet Demographic Research, Inc., since 1992, and founder and owner of Lapkoff Demographic Research before that.

Lecturer, *University of California, Berkeley*, Demography Department, 1995 and 2001.

**Education and Honors**

Ph.D. Demography, *University of California, Berkeley*, 1988

M.A. Economics, *University of California, Berkeley*

A.B. Economics, With Honors, *University of Maryland*

Guest Lecturer, Business School, *University of California, Berkeley*

NICHHD Training Grant, *University of California, Berkeley*, 1984-86

*University of California* Graduate Fellowship, 1982-84

**Political Redistricting Experience**

Since 1990, Dr. Lapkoff has provided demographic assistance to many jurisdictions making the change from at-large to by-district election of governing board members. In connection with these projects, she has made many public presentations involving redistricting. She has provided expert testimony and litigation support in a variety of cases involving political districting and redistricting.

Attended Maptitude Redistricting training course (2011). Caliper Corporation's three-day course covering GIS redistricting and mapping.

**Papers and Professional Presentations**

***Political Districting***

"Who Must Elect by District in California? A Demographer's Perspective on Methods for Assessing Racially Polarized Voting," with Shelley Lapkoff. Chapter 18 in *Emerging Techniques in Applied Demography*, Hoque, M. Nazrul, Potter, Lloyd B. (Eds.), 2015.

"How much is enough and how much is too much? Measuring Hispanic political strength for redistricting purposes," with Jeanne Gobalet, 2012 Population Association of America Annual Meeting.

"Voting Rights Act Issues in Political Redistricting," with Jeanne Gobalet, 1993 Population Association of America Annual Meeting.

Invited Speaker, "Demographers and the Legal System," International Conference on Applied Demography, Bowling Green University, 1992.

"Changing from At-large to District Election of Trustees in Two California Community College Districts: A Study of Contrasts," with Jeanne G. Gobalet, *Applied Demography*, August 1991.

***School and Child Demography***

"Who Attends Private Schools?" with Magali Barbieri and Jeanne Gobalet, 2014 Applied Demography Conference, San Antonio, TX.

"Measuring Variations in Private School Enrollment Rates Using ACS Estimates," with Magali Barbieri and Jeanne Gobalet, 2014 American Community Survey Users Conference, Washington, DC.

"Five Trends for Schools," Educational Leadership, March 2007, Volume 64, No. 6, Association for Supervision and Curriculum Development (with Rose Maria Li).

"Studies in Applied Demography," Session Organizer at the 2006 Population Association of America Annual Meeting.

"California's Changing Demographics: How New Population Trends Can Affect Your District," 2004 California School Boards Association Annual Meeting.

Panelist, "School Demography" session, 2004 Southern Demographic Association Annual Meeting.

"Where Have All the Children Gone?" Poster, 2004 Population Association of America Annual Meeting.

"Using Child-Adult Ratios for Estimating Census Tract Populations," 1996 Population Association of America Annual Meeting.

"How to Figure Kids," *American Demographics*, January 1994.

"Neighborhood Life Cycles," 1994 Population Association of America Annual Meeting.

"Enrollment Projections for School Districts," *Applied Demography*, Spring 1993.

"Projecting Births in a California School District," 1993 Population Association of America Annual Meeting.

"School District Demography," Session Organizer and Chair, 1994 Population Association of America Annual Meeting.

"School District Demography," Roundtable Luncheon Organizer, 1992 Population Association of America Annual Meeting.

"National Demographic Trends," presentation to the National Association of Business Economists, 1990.

"Demographic Trends and Long-range Enrollment Forecasting," presentation at the Redwood Leadership Institute, Sonoma County, California, 1990.

"Projections of Student Enrollment in the Pleasanton Unified School District," 1989 Population Association of America Annual Meeting.

### ***General Demography***

"Forecast of Emeritus Faculty/Staff Households on a University Campus," with Jeanne Gobalet, 2000 Population Association of America Annual Meeting.

"Communicating Results: Practical Approaches Suited to Decision-Oriented Audiences," Panelist. 2000 Population Association of America Annual Meeting.

"Fiscal Impacts of Demographic Change: Focus on California," Session Organizer and Chair. 1995 Population Association of America Annual Meeting.

Discussant for "Evaluating the Accuracy of Population Estimates and Projections," 1992 Population Association of America Annual Meeting.

"Intergenerational Flows of Time and Goods: Consequences of Slowing Population Growth," with Ronald Lee, *Journal of Political Economy*, March 1988.

"A Research Note on Keyfitz' 'The Demographics of Unfunded Pension'," *European Journal of Population*, July 1991.

"Pay-as-you-go Retirement Systems in Nonstable Populations," Working Paper, U.C. Berkeley Demography Group, 1985.

"Assessing Long-run Migration Policy as a Solution to the Old Age Dependency Problem," paper presented at the 1985 Population Association of America Annual Meeting

**Jeanne Gobalet, Ph.D.**  
**Demographer and GIS Specialist**  
Lapkoff & Gobalet Demographic Research, Inc.  
Gobalet@demographers.com

Vice President and Principal, Lapkoff & Gobalet Demographic Research, Inc., since 1992  
Social Sciences Instructor, Institutional Researcher, and Accreditation Steering Committee Chair, San Jose City College, 1967-99  
Evaluation Team Member, Accrediting Commission for Community and Junior Colleges, Western Association of Schools and Colleges, 1993-97  
Guest Lecturer, Demography, University of California, Berkeley, 1996 and 2001

**Education and Honors**

Ph.D. Sociology, *Stanford University*, 1982  
Specialties: Demography and Social Stratification  
M.A. Sociology, *Stanford University*  
M.A. Education, *Stanford University*  
A.B. Sociology and History (Majors) and Geography (Minor)  
*Stanford University*. With Distinction and Phi Beta Kappa  
Postdoctoral Fellow, Demography, *University of California, Berkeley*, 1982-83

**Political Redistricting Experience**

Since 1989, Dr. Gobalet has provided demographic assistance to many jurisdictions making the change from at-large to by-district election of governing board members. In connection with these projects, she made many public presentations involving redistricting. She has provided expert testimony and litigation support in a variety of cases involving political districting and redistricting.

Attended Maptitude Redistricting training course (2011). Caliper Corporation's three-day course covering GIS redistricting and mapping. Phoenix, Arizona.

Attended National Conference of State Legislatures Redistricting Seminar (2011). NCSL's three-day conference focusing on legal and technical issues accompanying the post-Census 2010 round of political redistricting. Washington, D.C.

**Selected Publications**

"Who Must Elect by District in California? A Demographer's Perspective on Methods for Assessing Racially Polarized Voting," with Shelley Lapkoff. Chapter 18 in *Emerging Techniques in Applied Demography*, Hoque, M. Nazrul, Potter, Lloyd B. (Eds.), 2015.

"State and Local Government Demography," in *Encyclopedia of Population*, Macmillan Reference USA, 2003.

"Lead Hot Zones and Childhood Lead Poisoning Cases, Santa Clara County, California, 1995," with Su-Lin Wilkinson, Marcia Majoros, Bernie Zebrowski, and Guadalupe S. Olivas. *Journal of Public Health Management and Practice*, 1999.

"Demographic Data and Geographic Information Systems for Decision-Making: The Case of Public Health," with Richard K. Thomas. *Population Research and Policy Review*, 1996.

"Using Sociological Tools in a Legal Context," *Journal of Applied Sociology*, 1995.

"Changing from At-large to District Election of Trustees in Two California Community College Districts: A Study of Contrasts," with Shelley Lapkoff. *Applied Demography*, Fall 1991.

*World Mortality Trends Since 1870*. New York, New York: Garland Publishing Inc., 1989.

### **Presentations at Professional Meetings**

"Who Attends Private Schools?" with Magali Barbieri and Shelley Lapkoff, 2014 Applied Demography Conference, San Antonio, TX.

"Measuring Variations in Private School Enrollment Rates Using ACS Estimates," with Magali Barbieri and Shelley Lapkoff, 2014 American Community Survey Users Conference, Washington, DC.

"Using American Community Survey Citizenship Estimates in Political Redistricting," invited panelist, Workshop on the Benefits (and Burdens) of the American Community Survey, National Research Council of the National Academies of Science, Washington, DC, 2012.

"How much is enough and how much is too much? Measuring Hispanic political strength for redistricting purposes," with Shelley Lapkoff, 2012 Population Association of America Annual Meeting.

"Who Must Elect by District? Methods for Assessing Racially Polarized Voting," 2012 Applied Demography Conference, San Antonio, TX.

"What U.S. Census Data Tell Us About the Number of Children Per Housing Unit," 2009 Population Association of America Annual Meeting.

Organizer and Chair, School Demography Session, 2007-2011 Population Association of America Annual Meetings.

Panel Member, "Order in the Court: Demographers as Expert Witnesses in Legal Proceedings," 2008 Population Association of American Annual Meeting.

"Did Changing the Election Method Make a Difference?" 2003 Southern Demographic Association Annual Meeting.

Panel Organizer, "Applications of GIS and Spatially-Referenced Data," 2000 Population Association of America Annual Meeting.

"Forecast of Emeritus Faculty/Staff Households on a University Campus," with Shelley Lapkoff, 2000 Population Association of America Annual Meeting.

Panel Organizer and Presenter, "Spatially Referenced Data," 1999 Population Association of America Annual Meeting.

Demographics & Public Health, GIS in Public Health 3<sup>rd</sup> National Conference, 1998.

"Targeting At-Risk Children and Adolescents for Decision Makers," 1996 Population Association of America Annual Meeting.

"GIS and Demography," Discussant, 1996 Population Association of American Annual Meeting.

"Small Area Demographic Analysis with GIS," 1994 International Conference on Applied Demography.

"What Demographers Need to Know about GIS," 1994 International Conference on Applied Demography.

"Spatial Analysis in Sociology Using Geographic Information System Software," 1994 American Sociological Association Annual Meeting.

"Exploring the Spatial Element in School District Demography Using GIS Software," 1994 Population Association of America Annual Meeting.

"Use of Neighborhood Life Cycles for Improving Small Area Population Forecasts," with Shelley Lapkoff, 1994 Population Association of America Annual Meeting.

# **AGENDA ITEM #2**

**AGENDA ITEM: 2**

**MEETING DATE: February 17, 2021**

**I. NATURE OF ITEM**

Consideration and Action Regarding Attendance by Governing Board Members at Meetings of Outside Agencies

**II. BACKGROUND INFORMATION**

Historically, the Board assigns individual Board members to attend certain local agencies' governance meetings in order to keep the Board informed of the activities of these local agencies. The payment of compensation and expenses for attendance by assigned Board members to regular or rescheduled governance meetings of the Goleta West Sanitary District and the Goleta Water District is authorized by Resolution Nos. 13-558, 15-586 and 15-587. The list of pre-approved Director activities is included in Sections 2-1.6.2 and 2-1.7.2 of the District's Administrative Code. These assignments are typically made in the beginning of the calendar year, after the incoming Board President is seated. In accordance with Resolution No. 13-558, absent any action of the Board, these assignments terminate after twelve months.

On January 17, 2020, the Board voted on the following assignments:

<b>AGENCY</b>	<b>REPRESENTATIVE</b>	<b>ALTERNATE</b>
Goleta West Sanitary District	Director Majoewsky	Director Smith
Goleta Water District	Director Rose	Director Majoewsky

At the Board meeting on February 1, 2021 staff was directed to bring this item back for further consideration and discussion. As such staff is bringing this item back for direction.

**III. COMMENTS AND RECOMMENDATIONS**

Under the current version of Section 18702.5 of the Fair Political Practices Commission's (FPPC) regulations, the following matters are deemed to not have a personal financial effect on a Director:

- Payment of any travel expenses, to the extent allowed by law, incurred while attending meetings as an authorized representative of the District.
- Stipends received for attendance at meetings of any group or body created by law or formed by the District for a special purpose, so long as the District posts an FPPC form 806.

Should the Board elect to continue outside agency appointments, Directors may vote on their appointment since the District has posted its FPPC form 806 listing the outside agency appointments.

As noted above, and by action of the Board, the assignments for meeting attendance of the above agencies expired on January 17, 2021. As such, the Board may wish to address this issue and act as needed.

#### **IV. REFERENCE MATERIALS**

Resolution No. 13-558

Resolution No. 15-586

Resolution No. 15-587

**RESOLUTION NO. 13-558**

**RESOLUTION OF THE GOVERNING BOARD OF THE GOLETA  
SANITARY DISTRICT REPEALING RESOLUTION NO. 12-550 AND  
SETTING FORTH REVISED POLICIES PERTAINING TO DIRECTOR  
MEETING ATTENDANCE AND COMPENSATION**

**WHEREAS**, on December 3, 2012, the Governing Board (the “Board”) of the Goleta Sanitary District (the “District”) adopted Resolution No. 12-550 to set forth the policies of the District pertaining to the payment of compensation and to address other issues when members of the District’s Board (“Directors”) (i) attend regular and special meetings of the District’s Board, meetings of District standing committees and ad hoc committees, and meetings of other agencies, associations and organizations at which matters that affect the District are to be discussed and/or acted upon, (ii) serve on boards and committees of various associations and organizations, and (iii) engage in other activities that contribute to their effectiveness as Directors and/or benefit the District (collectively, “Director Activities”); and

**WHEREAS**, The Board desires to repeal Resolution No. 12-550 and replace it with this Resolution in order to (i) add City of Goleta City Council meetings, Goleta West Sanitary District (“GWSD”) Governing Board meetings and Goleta Water District (“GWD”) Board of Directors meetings to the list of pre-approved Director Activities, (ii) adopt a new requirement that any Director who wishes to continue engaging in a previously approved Director Activity shall be responsible for bringing the matter to the Board for consideration and action before the term of the Board approval expires, and (iii) provide for the authorization of the Board President to appoint Directors to attend meetings of other agencies, associations and organizations and serve on boards and committees of associations and organizations.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Board of the Goleta Sanitary District as follows:

**1. Purpose.** This Resolution sets forth the policies of the District pertaining to the payment of compensation and addresses other issues relating to Director Activities. The Board may deviate from these policies on a case-by-case basis to address specific circumstances as may be determined by the Board. When approving Director Activities, the Board may impose such requirements, restrictions and limitations as it deems appropriate.

**2. Authorized Compensation.** Directors shall be compensated for meeting attendance associated with Director Activities where the compensation is (i) specifically

authorized by the Board on a case-by-case basis, or (ii) included in the table of pre-approved Director Activities set forth below. In the event a Board or committee meeting of the California Special Districts Association (CSDA), the California Sanitation Risk Management Authority (CSRMA), or the California Association of Sanitation Agencies (CASA) is held as part of a larger conference or event for which the District has authorized attendance, but where the District does not pay compensation, the District will not pay compensation for attending said Board or committee meeting.

<b>PRE-APPROVED DIRECTOR ACTIVITIES</b>	
<b><u>Meeting</u></b>	<b><u>Authorized Directors</u></b>
<u>GSD Governing Board:</u> <ul style="list-style-type: none"> <li>• Regular Board meetings</li> <li>• Special Board meetings</li> </ul>	All Directors
<u>GSD Committees:</u> <ul style="list-style-type: none"> <li>• Standing committee meetings</li> <li>• Ad hoc committee meetings</li> </ul>	Directors appointed as committee members, and Directors appointed as alternates when attending committee meetings in the absence of a regular committee member
<u>Santa Barbara Chapter of CSDA:</u> <ul style="list-style-type: none"> <li>• Executive Board meetings</li> </ul>	As approved by the District Board or (if authorized) by the Board President
<u>CSDA:</u> <ul style="list-style-type: none"> <li>• Board of Directors meetings</li> <li>• Legislative Committee meetings</li> </ul>	As approved by the District Board or (if authorized) by the Board President
<u>CSRMA:</u> <ul style="list-style-type: none"> <li>• Board of Directors meetings</li> </ul>	As approved by the District Board or (if authorized) by the Board President
<u>CASA:</u> <ul style="list-style-type: none"> <li>• Board of Directors meetings</li> <li>• Legislative Committee meetings</li> </ul>	As approved by the District Board or (if authorized) by the Board President
<u>City of Goleta City Council meetings:</u> <ul style="list-style-type: none"> <li>• Regular meetings and special meetings held in lieu of regular meetings</li> </ul>	As approved by the District Board or (if authorized) by the Board President
<u>GWSD Governing Board meetings:</u> <ul style="list-style-type: none"> <li>• Regular meetings and special meetings held in lieu of regular meetings</li> </ul>	As approved by the District Board or (if authorized) by the Board President
<u>GWD Board of Directors meetings:</u> <ul style="list-style-type: none"> <li>• Regular meetings and special meetings held in lieu of regular meetings</li> </ul>	As approved by the District Board or (if authorized) by the Board President

**3. Rate of Compensation.** Where compensation is authorized under this Resolution for meeting attendance associated with Director Activities, such compensation shall be at the rate periodically established by ordinance of the Board in accordance with Health & Safety Code Section 6489.

**4. Maximum Compensation.** The maximum compensation a Director is entitled to receive is as follows:

- a. **Daily.** The maximum number of Director Activities that a Director shall be compensated for per day is one (1).
- b. **Monthly.** The maximum number of Director Activities that a Director shall be compensated for in a calendar month is six (6).

5. **Board Compensation Request Forms.** In order to receive compensation which is authorized under this Resolution for meeting attendance associated with a Director Activity, Directors shall submit to District Staff a completed Governing Board Compensable Meeting Attendance Sheet within four (4) weeks of the Director Activity in question. Completed Governing Board Compensable Meeting Attendance Sheet must be submitted by noon on the Wednesday immediately prior to the District's next regular payday in order for compensation to be paid on such payday.

6. **Restrictions and Procedures.** Without the express prior authorization of the Board, no Director shall, as a representative of the District, engage in Director Activities or speak on behalf of the Board. In the event the Board approves a Director Activity that involves the election or appointment of the Director to serve as a board or committee member of an association or organization, such Board approval shall expire at the end of the then current term of such board or committee position, unless withdrawn earlier by the Board as provided below. All other Board approvals relating to Director Activities shall expire one year after the approval is granted unless the Board takes action to extend the term of the approval or unless a different term is stated at the time of approval. Approvals may be granted or withdrawn at any time by action of the Board. Any Director who wishes to continue engaging in a previously approved Director Activity shall be responsible for bringing the matter to the Board for consideration and action before the term of the Board approval, as provided above, expires. Unless specifically authorized by the Board in advance or ratified after the fact, no compensation or expenses shall be paid following expiration or withdrawal of such Board approval. For purposes of this Section 6, a Director shall be deemed to be acting as a representative the District when engaging in a Director Activity if (i) the District pays any compensation or expenses in connection with the Director Activity, or (ii) the Director Activity involves the election or appointment of the Director to serve as a board or committee member of an association or organization and such association or organization requires the approval of the Board in connection with the election or appointment. In order to avoid conflicts of interest, the Board may on a case by case basis delegate to the Board President the authority to appoint individual Directors to attend meetings of other agencies, associations and organizations and serve on boards and committees of associations and organizations.

7. **Report Requirement.** Directors shall provide brief reports on meetings attended at the expense of the District at the next regular meeting of the Board.

8. **Repeal of Resolution No. 12-550.** Resolution No. 12-550 is hereby repealed and is superseded by this Resolution.

**PASSED AND ADOPTED** this 3rd day of September, 2013, by the following vote of the Governing Board of the Goleta Sanitary District:

**AYES: Smith, Fox, Carter, Emerson, Rose**

**NOES: None**

**ABSENT: None**

**ABSTAIN: None**

**COPY**  
  
\_\_\_\_\_  
Jerry D. Smith,  
President of the Governing Board

Countersigned:  
**COPY**  
  
\_\_\_\_\_  
Robert O. Mangus, Jr.,  
Secretary of the Governing Board

**RESOLUTION NO. 15-586**

**RESOLUTION OF THE GOVERNING BOARD OF THE  
GOLETA SANITARY DISTRICT AMENDING RESOLUTION  
NO. 13-558 TO REVISE TABLE OF DIRECTOR ACTIVITIES  
FOR WHICH COMPENSATION IS PRE-APPROVED**

**WHEREAS**, on September 3, 2013, the Governing Board (the “Board”) of the Goleta Sanitary District (the “District”) adopted Resolution No. 13-558 to set forth the policies of the District pertaining to the payment of compensation and to address other issues when members of the District’s Board (“Directors”) (i) attend regular and special meetings of the District’s Board, meetings of District standing committees and ad hoc committees, and meetings of other agencies, associations and organizations at which matters that affect the District are to be discussed and/or acted upon, (ii) serve on boards and committees of various associations and organizations, and (iii) engage in other activities that contribute to their effectiveness as Directors and/or benefit the District (collectively, “Director Activities”);

**WHEREAS**, Section 3 of Resolution No. 13-558 was amended by Resolution No. 14-579 on August 4, 2014 to set forth the procedures to be followed in the event the Board wishes to increase the compensation payable to Directors in connection with Director Activities;

**WHEREAS**, Section 2 of Resolution No. 13-558 sets forth a table of Director Activities for which the payment of compensation has been pre-approved; and

**WHEREAS**, the Board desires to revise the table under Section 2 of Resolution No. 13-558 to delete attendance at Goleta City Council meetings from the list of pre-approved Director Activities.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Board of the Goleta Sanitary District as follows:

1. **Pre-Approved Director Activities**. The table of pre-approved Director Activities set forth under Section 2 of Resolution No. 13-558 is hereby deleted in its entirety and is replaced with the following:

<b>PRE-APPROVED DIRECTOR ACTIVITIES</b>	
<b><u>Meeting</u></b>	<b><u>Authorized Directors</u></b>
<u>GSD Governing Board:</u> <ul style="list-style-type: none"><li>• Regular Board meetings</li><li>• Special Board meetings</li></ul>	All Directors
<u>GSD Committees:</u> <ul style="list-style-type: none"><li>• Standing committee meetings</li><li>• Ad hoc committee meetings</li></ul>	Directors appointed as committee members, and Directors appointed as alternates when attending committee meetings in the absence of a regular committee member

<u>Santa Barbara Chapter of CSDA:</u> • Executive Board meetings	As approved by the District Board or (if authorized) by the Board President
<u>CSDA:</u> • Board of Directors meetings • Legislative Committee meetings	As approved by the District Board or (if authorized) by the Board President
<u>CSRMA:</u> • Board of Directors meetings	As approved by the District Board or (if authorized) by the Board President
<u>CASA:</u> • Board of Directors meetings • Legislative Committee meetings	As approved by the District Board or (if authorized) by the Board President
<u>GWSD Governing Board meetings:</u> • Regular meetings and special meetings held in lieu of regular meetings	As approved by the District Board or (if authorized) by the Board President
<u>GWD Board of Directors meetings:</u> • Regular meetings and special meetings held in lieu of regular meetings	As approved by the District Board or (if authorized) by the Board President

2. **Continued Effect.** Except as specifically amended herein, all of the terms and provisions of Resolution No. 13-558, as previously amended by Resolution No. 14-579, shall continue in full force and effect.

**PASSED AND ADOPTED** this 2nd day of February, 2015, by the following vote of the Governing Board of the Goleta Sanitary District:

**AYES:** Emerson, Smith, Majoewsky

**NOES:** Rose, Fox

**ABSENT:** None

**ABSTAIN:** None

**COPY**  
  
 George W. Emerson,  
 President of the Governing Board

Countersigned:  
  
**COPY**  
 Robert O. Mangus, Jr.  
 Secretary of the Governing Board

**RESOLUTION NO. 15-587**

**RESOLUTION OF THE GOVERNING BOARD OF THE GOLETA  
SANITARY DISTRICT AMENDING RESOLUTION NO. 12-549 AND  
REPEALING RESOLUTION NO. 14-564 TO REVISE TABLE OF DIRECTOR  
ACTIVITIES FOR WHICH EXPENSES ARE PRE-APPROVED**

**WHEREAS**, on December 3, 2012, the Governing Board (the “Board”) of the Goleta Sanitary District (the “District”) adopted Resolution No. 12-549 to set forth the policies of the District pertaining to the payment of expenses when members of the District’s Board (the “Directors”) (i) attend regular and special meetings of the District’s Board, meetings of District standing committees and ad hoc committees, and meetings of other agencies, associations and organizations at which matters that affect the District are to be discussed and/or acted upon, (ii) serve on boards and committees of various associations and organizations, and (iii) engage in other activities that contribute to their effectiveness as Directors and/or benefit the District (collectively, “Director Activities”);

**WHEREAS**, Section 3 of Resolution No. 12-549 sets forth a table of Director Activities for which the payment of expenses has been pre-approved;

**WHEREAS**, the table under Section 3 of Resolution No. 12-549 was most recently revised by Resolution No. 14-564 on April 7, 2014; and

**WHEREAS**, the Board desires to further revise the table under Section 3 of Resolution No. 12-549 to delete attendance at Goleta City Council meetings from the list of pre-approved Director Activities.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Board of the Goleta Sanitary District as follows:

**1. Pre-Approved Director Activities.** The table of pre-approved Director Activities set forth under Section 3 of Resolution No. 12-549, as previously amended, is hereby deleted in its entirety and is replaced with the following:

<b>PRE-APPROVED DIRECTOR ACTIVITIES</b>	
<b><u>Meeting</u></b>	<b><u>Authorized Directors</u></b>
<u>GSD Governing Board:</u> <ul style="list-style-type: none"><li>• Regular Board meetings</li><li>• Special Board meetings</li></ul>	<ul style="list-style-type: none"><li>• All Directors</li></ul>
<u>GSD Committees:</u> <ul style="list-style-type: none"><li>• Standing committee meetings</li><li>• Ad hoc committee meetings</li></ul>	<ul style="list-style-type: none"><li>• Directors appointed as committee members, and Directors appointed as alternates when attending committee meetings in the absence of a regular committee member</li></ul>

<u>Santa Barbara Chapter of CSDA (SBCSDA):</u> <ul style="list-style-type: none"> <li>Regular meetings of members</li> </ul>	<ul style="list-style-type: none"> <li>All Directors</li> </ul>
<u>SBCSDA:</u> <ul style="list-style-type: none"> <li>Executive Board meetings</li> </ul>	<ul style="list-style-type: none"> <li>As approved by the District Board or (if authorized) by the Board President</li> </ul>
<u>State CSDA:</u> <ul style="list-style-type: none"> <li>Board of Directors meetings</li> <li>Legislative Committee meetings</li> </ul>	<ul style="list-style-type: none"> <li>As approved by the District Board or (if authorized) by the Board President</li> </ul>
<u>State CSDA:</u> <ul style="list-style-type: none"> <li>Annual conference</li> </ul>	<ul style="list-style-type: none"> <li>The Board President or an alternate Director designated by the Board President</li> <li>Directors who serve as a member of the Board of Directors or as a member of any committee of CSDA at the State level</li> <li>Newly elected or appointed Directors during the first 12 months in office</li> </ul>
<u>State CSDA:</u> <ul style="list-style-type: none"> <li>Legislative Days</li> </ul>	<ul style="list-style-type: none"> <li>The Board President or an alternate Director designated by the Board President</li> <li>Directors who serve as a member of the Legislative Committee of CSDA at the State level</li> <li>Newly elected or appointed Directors during the first 12 months in office</li> </ul>
<u>CSRMA:</u> <ul style="list-style-type: none"> <li>Board of Directors meetings</li> </ul>	<ul style="list-style-type: none"> <li>As approved by the District Board or (if authorized) by the Board President</li> </ul>
<u>CASA:</u> <ul style="list-style-type: none"> <li>General membership conferences in January and August of each year</li> </ul>	<ul style="list-style-type: none"> <li>All Directors</li> </ul>
<u>CASA:</u> <ul style="list-style-type: none"> <li>Annual Washington DC conference</li> <li>Annual Spring conference</li> </ul>	<ul style="list-style-type: none"> <li>Board President or an alternate Director designated by the Board President</li> <li>Newly elected or appointed Directors during the first 12 months in office</li> </ul>
<u>CASA:</u> <ul style="list-style-type: none"> <li>Board of Directors meetings</li> <li>Legislative Committee meetings</li> </ul>	<ul style="list-style-type: none"> <li>As approved by the District Board or (if authorized) by the Board President</li> </ul>

<p><u>Water Environment Federation:</u></p> <ul style="list-style-type: none"> <li>• Annual Technical Exhibition and Conference (WEFTEC)</li> </ul>	<ul style="list-style-type: none"> <li>• All Directors, but only where the event is held within driving distance and does not involve an overnight stay, in which case one day's attendance is pre-approved</li> <li>• Newly elected or appointed Directors during the first 12 months in office, but not including attendance at technical workshops</li> </ul>
<p><u>GWSD Governing Board meetings:</u></p> <ul style="list-style-type: none"> <li>• Regular meetings and special meetings held in lieu of regular meetings</li> </ul>	<p>As approved by the District Board or (if authorized) by the Board President</p>
<p><u>GWD Board of Directors meetings:</u></p> <ul style="list-style-type: none"> <li>• Regular meetings and special meetings held in lieu of regular meetings</li> </ul>	<p>As approved by the District Board or (if authorized) by the Board President</p>

2. **Continued Effect.** Except as specifically amended herein, all of the terms and provisions of Resolution No. 12-549 shall continue in full force and effect.

3. **Repeal of Resolution No. 14-564.** Resolution No. 14-564 is hereby repealed and is superseded by this Resolution.

**PASSED AND ADOPTED** this 2nd day of February, 2015, by the following vote of the Governing Board of the Goleta Sanitary District:

**AYES:** Emerson, Smith, Majoewsky

**NOES:** Rose, Fox

**ABSENT:** None

**ABSTAIN:** None

**COPY**  
  
 George W. Emerson  
 President of the Governing Board

Countersigned.  
**COPY**  
  
 Robert O. Mangus, Jr.  
 Secretary of the Governing Board

# **AGENDA ITEM #3**

**AGENDA ITEM: 3**

**MEETING DATE: February 17, 2021**

**I. NATURE OF ITEM**

Discussion and Action Related to Director Participation on the Executive Boards of the California Sanitation Risk Management Agency and the California Special District Finance Corporation

**II. BACKGROUND INFORMATION**

Articles 6 and 7 of the District's Administrative Code provide for Board member participation on various committees and boards of District supported organizations. Certain activities are identified and considered pre-approved in terms of compensation and/or expense reimbursement. For activities that are not considered pre-approved, Board is authorized to approve such activities on a case-by-case basis.

While certain activities are considered pre-approved, individual Board members must get Board authorization before representing the District and/or participating in any activity that involves possible compensation and/or reimbursement of expenses. For activities that are not considered pre-approved, individual Board members must get Board authorization for their participation, compensation, and expense reimbursement.

**III. COMMENTS AND RECOMMENDATIONS**

Participation on the California Sanitation Risk Management Agency (CSRMA) executive board is included in the District's list of pre-approved activities for both compensation and reimbursement of expenses. Participation on the California Special District Finance Corporation (SDFC) executive board is not included in the District's list of pre-approved activities for either compensation or reimbursement of expenses.

Director Emerson currently serves on the executive boards of the CSRMA and SDFC and has expressed his interest in continuing to serve on both boards through 2021.

Since participation on the CSRMA executive board is a pre-approved activity for compensation and reimbursement of expenses, and since participation on the SDFC executive board is not included on the list of pre-approved activities the Board must consider approval of Director Emerson's participation in these activities. As such, staff recommends the Board vote on Director Emerson's participation on each of these activities and whether he is to be compensated and reimbursed for expenses associated with his participation on the SDFC executive board.

**IV. REFERENCE MATERIALS**

None

# **AGENDA ITEM #4**

## **AGENDA ITEM: 4**

**MEETING DATE: February 17, 2021**

### **I. NATURE OF ITEM**

Consideration of 2021 Employee Salary and Benefits Survey

### **II. BACKGROUND INFORMATION**

The District conducts periodic employee salary and benefits surveys in order to attract and retain qualified employees pursuant to Resolution No. 11-522 (attached). The last survey was completing in 2016. The completion of an employee salary and benefit survey every 5 years is a goal included in the District's 2020 Strategic Plan and 2020 Annual Action Plan. An employee made a request in 2019 that the Board consider hiring an outside consultant to assist with completing a future survey. This request came from concerns raised by some employees after the last salary survey. In the past, the District performed this survey in house. The previous employee salary and benefits surveys have been conducted in accordance with District policy.

The methodology used in the 2016 employee salary and benefits survey was similar to prior in-house surveys and used the same 11 local agencies that were used in the 2005 and 2011 surveys for continuity. These agencies include the following sanitary districts and cities:

1. Carpinteria Sanitary District
2. Goleta West Sanitary District
3. Montecito Sanitary District
4. Ojai Valley Sanitary District
5. Ventura Regional Sanitary District
6. City of Camarillo
7. City of Lompoc
8. City of Santa Barbara
9. City of Simi Valley
10. City of Thousand Oaks
11. City of San Luis Obispo

The above-listed agencies were contacted and asked to share their organization charts and position descriptions for comparison to the District's position descriptions. The agencies were chosen for a number of reasons including: their similarity in services provided, agencies who are geographically close, and may compete for potential new employees, and agencies that have similar numbers of staff, either within a city department, or within a special district agency.

For some positions additional agencies were used for comparison, as not all of the above-listed agencies had comparable positions. A minimum of 7 agencies with comparable positions were used for each evaluation. The additional agencies used

include the cities of Goleta, Ventura, Oxnard, Santa Maria, and Santa Rosa, as needed to reach the minimum number with comparable position descriptions. The comparison was then made between the District's top step for each staff position and the average of the top steps of all comparable positions from the other agencies.

For a comparison of benefits, the District's benefit package was compared to the benefit packages of the other agencies previously listed.

### **III. COMMENTS AND RECOMMENDATIONS**

There are pros and cons to both approaches. If the District wishes to hire an outside consultant to conduct the survey the cost could be \$10,000 or more. A consultant may not be familiar with the work done by many staff members and may minimize their functions. On the plus side an outside consultant is impartial, as they have no connection to the District. If staff performs the salary survey as in years past, it will not have additional cost implications, but may tie up staff time for an undetermined period. However, there may be employees who raise concerns with the results of an in-house survey.

If the Board desires to have a consultant perform the salary and benefits survey staff would issue a request for qualifications and return to the Board with a firm that is experienced with performing surveys for similar wastewater agencies. If the Board supports hiring the consultant to assist with this effort, staff recommends the following two-phased approach be considered.

1. Consultant to review existing survey process/methodology and bring back any recommended modifications to the Board for consideration.
2. Once Board approves any changes to the survey process a scope of work and fee would be brought back for Board consideration.

Additionally, the Board may wish to include other jurisdictions for all comparisons, e.g., the City of Goleta, the Goleta Water District, or others. This may be included in the scope of work for the consultant under Phase 1 if the Board chooses to have the work completed externally. If the Board wishes to make changes to the list of comparable agencies, without hiring an outside consultant, they may direct staff to draw up a list of other potential agencies for inclusion, to be brought back before the Board at a future meeting.

Staff recommends that the Board consider whether or not is wishes to hire an outside consultant to perform the 2021 Salary and Benefits Survey, or to continue to perform the task in-house.

### **IV. REFERENCE MATERIALS**

Resolution No. 11-522

**RESOLUTION NO. 11-522**

**RESOLUTION OF THE GOVERNING BOARD OF THE GOLETA SANITARY DISTRICT APPROVING CHANGES IN STAFF ORGANIZATION, REDUCED FUNDING OF CALPERS PENSION COST FOR NEW EMPLOYEES, USE OF AVERAGE SALARY SURVEY RESULTS, REVISED SALARY STRUCTURE AND CONTINUED USE OF CURRENT METHOD FOR CALCULATING COST OF LIVING ADJUSTMENTS TO EMPLOYEE COMPENSATION**

**WHEREAS**, in 2010 the Governing Board of the Goleta Sanitary District (the "District") formed a Compensation and Benefits Ad Hoc Committee (the "Committee") to review the compensation and benefits of District employees and related matters; and

**WHEREAS**, at a special meeting of the District's Governing Board held on September 6, 2011, the Committee presented its recommendations regarding the following matters:

- (i) Changes in staff organization to accurately represent the actual lines of responsibilities at the upper management level, as set forth in the revised organization chart attached hereto as Exhibit "A" and incorporated herein by reference;
- (ii) Reduced funding by the District of the portion of the CalPERS pension cost that is payable by new employees during the first seven (7) years of employment;
- (iii) The use of surveys and average survey results when making adjustments to the salary scale for District employees;
- (iv) The adoption of a new salary scale utilizing five (5) steps rather than seven (7) and reflecting the results of the salary survey recently completed by the Committee, as set forth in the revised salary scale attached hereto as Exhibit "B" and incorporated herein by reference; and
- (v) The continued use of the method currently used by the District for calculating cost of living adjustments to employee compensation; and

**WHEREAS**, the recommendations made by the Committee are more fully described in the staff report presented to the Board at its special meeting on September 6, 2011, a copy of which is attached hereto as Exhibit "C" and incorporated herein by this reference; and

**WHEREAS**, the Board has reviewed and considered the recommendations made by the Committee and, by the adoption of this Resolution, desires to formally approve such recommendations.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Board of the Goleta Sanitary District as follows:

1. **Organizational Chart.** The Board hereby approves the revised organizational chart attached hereto as Exhibit "A".

2. **CalPERS Pension Plan Contributions.** The District participates in a CalPERS pension plan which requires contributions by the District and by the District's employees. The contribution payable by each District employee is an amount equal to seven percent (7%) of the employee's compensation (the "Employee Share"). The balance of the required contributions are payable by the District (the "District Share") Historically, in addition to paying the District Share, the District has also paid the entire Employee Share on behalf of all District employees as an additional employment benefit. The Board hereby adopts the recommendation of the Committee to reduce the funding by the District of the Employee Share during the first seven (7) years of employment according to the following schedule (the "Contribution Schedule"):

<b>YEAR OF EMPLOYMENT</b>	<b>EMPLOYEE SHARE PAYABLE BY EMPLOYEE</b>	<b>EMPLOYEE SHARE PAYABLE BY DISTRICT</b>
Year 1	7%	0%
Year 2	6%	1%
Year 3	5%	2%
Year 4	4%	3%
Year 5	3%	4%
Year 6	2%	5%
Year 7	1%	6%
Year 8 and all years thereafter	0%	7%

The Contribution Schedule shall apply with respect to all new employees of the District who are hired after the effective date thereof. The District shall continue to pay the entire Employee Share on behalf of all District employees who were hired prior to said effective date. The District's General Manager and other appropriate officers of the District are hereby authorized and directed to work with District legal counsel and CalPERS staff to determine the CalPERS and other requirements, if any, that must be complied with in connection with the adoption and implementation of the Contribution Schedule. The effective date of Contribution Schedule shall be the date that this Resolution is adopted by the Board, or such later date as may be required by CalPERS or other applicable requirements.

3. **Compensation and Benefits Surveys.** In order to attract and retain qualified employees, the District seeks to provide its employees with compensation and benefits that are competitive with comparable local public agencies. To ensure that the District's compensation and benefits remain competitive, it shall be the policy of the District to conduct a survey periodically (approximately every five (5) years) of the compensation paid and the benefits provided to the employees of other comparable local public agencies. Survey data shall be obtained from comparable local public agencies and, if available, from the California State Controller's Office. The District's salary scale may be updated using average values obtained from such surveys.

4. **Salary Scale.** The salary scale for District employees shall utilize five (5) regular salary steps (A through E) rather than the existing seven (7) steps. The new salary scale shall also

include an additional probationary and/or training step designated as Step AA for each District position. The Board hereby approves the revised 2010-2011 salary scale attached hereto as Exhibit "B" reflecting these changes and the results of the salary survey recently completed by the Committee in 2010. Said salary scale may be revised based on (i) future compensation and benefits surveys, as provided in Section 3 above, (ii) the 12-month average CPI change, as provided in Section 5, below, and (iii) such other factors as the Board may deem appropriate, in the Board's sole discretion.

**5. Cost of Living Adjustments (COLA).** It shall continue to be the policy of the District to review in May of each year the salary scale then in effect for District employees and to determine whether revisions should be made, effective as of the commencement of the next fiscal year, to take into consideration increases in the cost of living during the prior year.

**a. Methodology.** In the event the Board determines that revisions to the salary scale should be made to reflect increases in the cost of living, the Board may, but shall not be required to, calculate the cost of living increase using the following methodology:

**(i) Definitions.**

- **Index:** The Consumer Price Index published by the United States Department of Labor, Bureau of Labor Statistics, for All Urban Wage Consumers, All Items, for the Los Angeles-Riverside-Orange County Area, 1982-1984 = 100 ("CPI").
- **12-month Average CPI Change:** 12-month average CPI change for April through March beginning in the year prior to the year for which the CPI increase is being calculated.

**(ii) COLA.** The 12-month average CPI change, as defined above, shall be used as a guide for the Board to determine the value of the cost of living adjustment ("COLA") which may be applied to the salary scale starting on July 1 of the fiscal year following the determination of the 12-month average CPI change.

**b. Board Action.** After determining the 12-month average CPI change using the methodology set forth above, or such other methodology as the Board deems appropriate, the Board may, in its sole and absolute discretion:

- (i)** Leave the current salary scale unchanged;
- (ii)** Increase the current salary scale by the average percentage change in the CPI as defined above;
- (iii)** Increase the current salary scale by an amount which is less than the average percentage change in the CPI if the Board determines that the District has insufficient financial resources to pay the increase or that such increase would otherwise not be in the best interests of the District; or

- (iv) Revise the current salary scale based on factors other than the average percentage change in the average CPI defined above.

c. **Nonbinding Effect.** The methodology set forth in Section 5.a. above is intended solely to provide the Board with a method which it may use in determining the increase in the cost of living during the prior year as part of its annual review of the then current employee salary scale. This policy does not (i) require the Board to utilize the methodology set forth above to determine the increase in the cost of living, (ii) require the Board to increase or decrease the salary scale based on the average percentage change in the CPI or other factors, or (iii) confer on any employee of the District a right to receive an increase in compensation based on increases in the CPI or any other factors.

6. **No Vested Rights.** The Board reserves the right to make changes with respect to any or all action taken, items approved and matters addressed in this Resolution as the Board deems appropriate, in the Board's sole discretion. Irrespective of the date of hire or the date of retirement, no employee or retiree shall have any vested rights as a result of any action taken, item approved or matter addressed in connection with the adoption of this Resolution.

7. **Further Actions.** The General Manager and other appropriate officers of the District are hereby authorized and directed to take all necessary action to implement the foregoing resolutions.

**PASSED AND ADOPTED** this 6th day of September, 2011, by the following vote of the Governing Board of the Goleta Sanitary District:

AYES: Majoewsky, Emerson, Smith, Fox, Carter

NOES: None

ABSENT: None

ABSTAIN: None

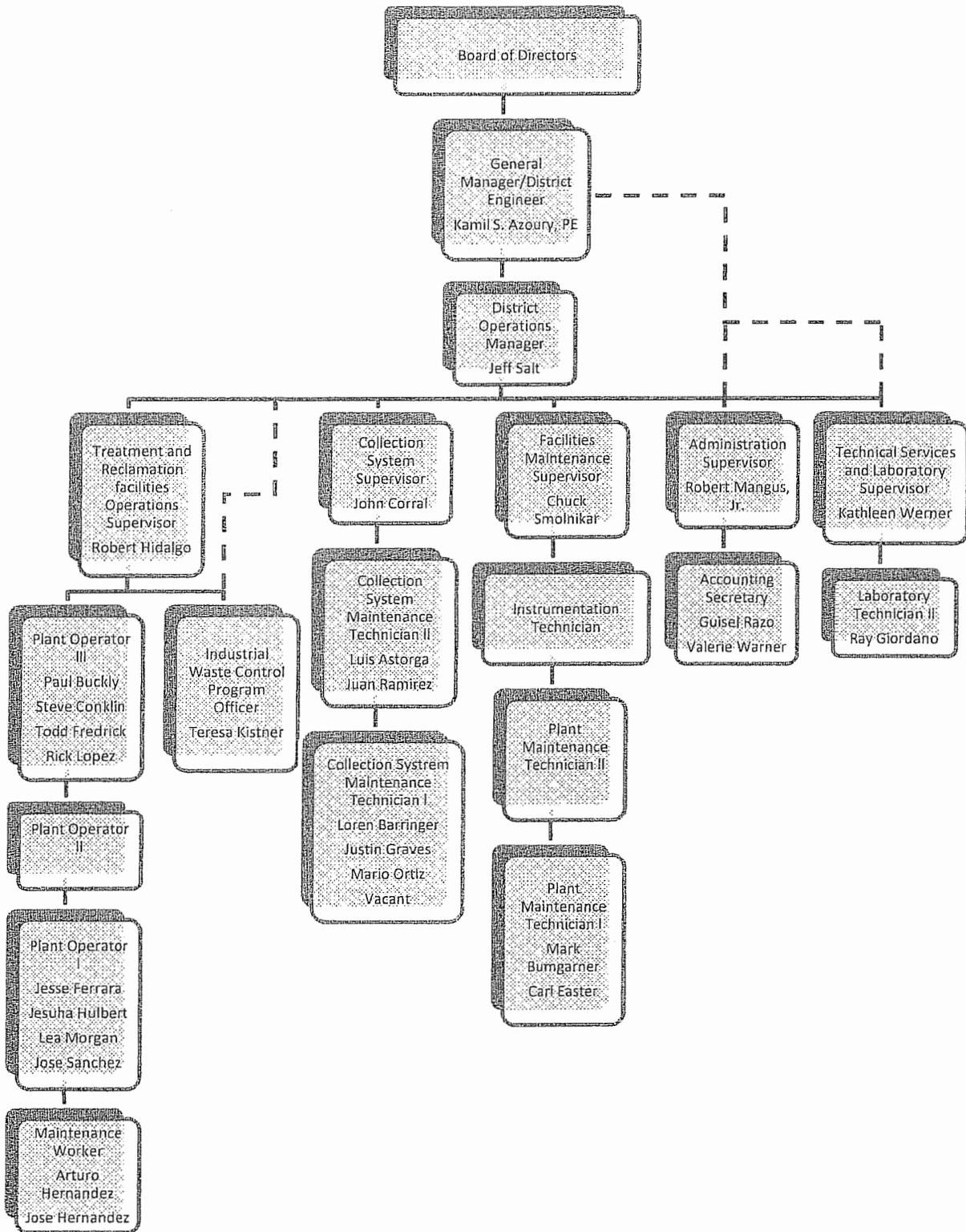
**COPY**  
\_\_\_\_\_  
Steven T. Majoewsky, Governing Board  
President

ATTEST:  
**COPY**  
\_\_\_\_\_  
Camil S. Azoury, Governing Board Secretary

# GOLETA SANITARY DISTRICT

## Organization Chart

### Exhibit A



## Exhibit 2

GOLETA SANITARY DISTRICT  
 REVISED SALARY RANGES AND EMPLOYEE SALARIES  
 Survey in 2010  
 Set Step E at Higher of Current Value or Average Survey High Value

DEPARTMENT/POSITION	RANGE	AA	A	B	C	D	E
<i>ADMINISTRATION</i>							
Accounting Secretary	450	3652	3835	4027	4228	4439	4661
Administration Supervisor	900			Position reclassified and is currently under review			
<i>COLLECTION SYSTEM</i>							
Maintenance Worker	300	2962	3110	3266	3429	3600	3780
Maintenance Tech I	525	3667	3850	4042	4244	4456	4679
Maintenance Tech II	625	4248	4460	4683	4917	5163	5421
Collection System Supervisor	950	5760	6048	6350	6668	7001	7351
<i>TREATMENT FACILITIES</i>							
Lab Tech II	650	4314	4530	4756	4994	5244	\$5,506
Lab Director	775	5972	6271	6585	6914	7260	\$7,623
Maintenance Tech I	525	3667	3850	4042	4244	4456	\$4,679
Maintenance Tech II	625	4248	4460	4683	4917	5163	\$5,421
Plant Maintenance Tech I	527	3881	4075	4279	4493	4718	\$4,954
Plant Maintenance Tech II	627	4485	4709	4944	5191	5451	\$5,724
Treatment Plant Operator I	635	3992	4192	4402	4622	4853	\$5,096
Treatment Plant Operator II	675	4480	4704	4939	5186	5445	\$5,717
Treatment Plant Operator III	685	4991	5241	5503	5778	6067	\$6,370
Sr. Treatment Plant Operator III	695	5955	6253	6566	6894	7239	\$7,601
Electrician/Mechanic	725	4941	5188	5447	5719	6005	\$6,305
Instrumentation Technician	735	4945	5192	5452	5725	6011	\$6,312
Industrial Waste Control Officer	750	4810	5051	5304	5569	5847	\$6,139
Facilities Maintenance Supervisor	760	5999	6299	6614	6945	7292	\$7,657
Plant Superintendent	1000	7893	8288	8702	9137	9594	\$10,074

Salary Step AA is for probationary and training periods.

AGENDA ITEM: 2

MEETING DATE: September 6, 2011

**I. NATURE OF ITEM**

Consideration and Adoption of Resolution 11- 522 Approving Recommendations of The Compensation and Benefits Ad Hoc Committee Relative to Changes in Staff Organization, Reduced Funding of CalPERS Pension Cost for New Employees, Use of Average Salary Survey Results, Revised Salary Structure and Continued Use of Current Method For Calculating Cost of Living Adjustments to Employee Compensation

**II. BACKGROUND INFORMATION**

Last year the Governing Board formed an Ad Hoc Committee to review the compensation and benefits of District employees. The Committee began its work immediately after its formation and identified several issues that were subsequently analyzed and evaluated. The Committee has not actually completed its efforts due to the large number of issues being addressed; however, the Committee prioritized its focus and has developed recommendations which address the most important items in an effort to enable the Board to implement these recommendations, if approved, in 2011.

The Ad Hoc Committee focused on the following issues:

- A. District Staff Organization
  - a. Job descriptions and positions
- B. Review of Current District Benefits
  - a. Vacation, sick leave, holidays, compensatory time off
  - b. Health insurance plans (medical, dental, vision)
  - c. Pension program through CalPERS in light of the District's obligations
    - a) District contribution to employee share of pension plan contributions
  - d. Retiree health insurance plan
    - a) Analysis of the current program
    - b) Obligations of the current program
    - c) Evaluation of cost cutting measures of the current program
    - d) Comparisons with other similar programs
    - e) Legal analysis of changes in the program
- C. Current Salary Structure of the District Employees
  - a. Current salary steps and incremental step changes
  - b. Seven steps versus five steps salary ranges
  - c. Stepped versus non-stepped salary ranges
  - d. Incentive pay increases
- D. Survey of Comparable Agencies with Respect to Compensation and Benefits
  - a. Adhere to the agencies surveyed in the past and specifically in 2004
  - b. Conduct a salary survey of the agencies surveyed in 2004
  - c. Discussion of the 66 percent or percentile criteria for the salary survey
  - d. Analysis of the 5-step and 7-step salary survey

- e. Analysis of using the survey average high values as basis of setting compensation
- f. Comparative analysis with the rolling COLA survey
- g. Recommendations for salary adjustments
- E. Analysis of the District Policy of Determining COLA Values
  - a. Viability of the existing COLA determination methodology
  - b. Analysis of the 5-year COLA values in comparison to survey values

After a thorough analysis of the main issues listed above the Committee arrived at several conclusions and related recommendations that are discussed below.

## 1. Organizational Changes

The Committee reviewed the District's existing organization structure and concluded that the existing structure does not represent the actual lines of responsibilities at the upper management level. Actual District operations differ from the existing organization chart in that the Operations Manager has historically been actively involved in the laboratory functions as well as the technical services of the District. Additionally, the Operations Manager has also been involved in the administrative and personnel functions of the District since most of the District staff report him. **In this respect, and to reflect the actual operations of the District, the Committee recommends that the District organization chart be slightly modified to reflect actual operations whereby all departments would report to the Operations Manager as shown in the proposed organization chart attached to this agenda item.**

## 2. Changes in Certain Current Benefits

The Committee reviewed the District's current health, dental and vision plans and concluded that the current plans are very generous and competitive. Several other surrounding agencies offer similar plans. However, the Committee noted also that many agencies and especially in this adverse economic environment, have revised their plans and reduced some of the agency obligations either by reducing the funding of employees' premiums or by shifting this responsibility totally or partially to the employees. The Committee does not recommend any changes to the level of District funding of current medical plans for active employees at this time; however, the Committee has recommended a change in the funding method which is necessitated by changes to the current District retiree medical insurance program. At the special Board meeting on August 29, 2011, the Committee presented its recommendations regarding changes in the active employees and retiree medical insurance program. **At such meeting, the Board adopted Resolutions 11-518, 11-519 and 11-520 that addressed changes to the health program and directed the formation of Health Reimbursement Arrangements (HRAs) that would fund the program in conjunction with contributions to CalPERS.**

In addition to changes to the method for funding the health insurance program discussed above and adopted by the Board on August 29, 2011, the Committee recommends a change in the District's policy relative to funding of new employees' share of the CalPERS pension plan. Currently, the District pays the employees' share of the CalPERS pension plan which amounts to 7% of each District employee's salary.

After 5 years of service with the District, employees become fully vested in the pension plan. If an employee leaves District employment before 5 years of service, the employee is entitled to receive the full value of the employee contribution made by the District. **The Committee recommends that new employees pay their own contribution to the CalPers pension plan for the first 7 years of employment in a declining scale starting with the full 7% in the first year of employment a declining by 1% per year over the ensuing 7 years. This proposed change in policy would protect the District from loss of funds to employees who elect to work for short periods of time.**

### 3. Policy for Employee Salary Structure, Surveys and Adjustments

The Committee conducted a salary survey using the same agencies surveyed in 2004. In conducting the survey, the Committee relied primarily on the data available at the California State Controller's Office web site, and when needed data was obtained from the agencies directly. The Committee encountered difficulties in implementing the concept of setting the District's compensation and benefits at 66% of the surveyed agencies which has been the understanding of the District employees. It is impractical to assign a value for the benefits of the surveyed agencies, and it is also impractical to combine compensation values and benefit values to derive the 66% value of all surveyed agencies. Additionally, it is impossible to determine the cumulative value of compensation and benefits of all surveyed agencies and derive the 66% value that would be applied to the District's compensation and benefits. **In light of these factors, the Committee recommends abandoning the 66% concept since it is not practical to implement.** Additionally, the Committee determined that it was difficult to make a fair and proper comparison between the District's existing 7 step salary ranges and the 5 step salary ranges used by most of the surveyed agencies. **In this respect, the Committee recommends that the Board adopt 5 salary steps for District staff compensation utilizing the existing upper 5 steps of the current salary ranges.** No District employees are currently at the lower two steps and as such none of the existing employees would be impacted by this recommended change. New employees can start at a separate special rate for one year and then move to the first step in the regular 5 step range for the specific position.

The results of the salary survey indicated that the District's current total compensation value is slightly above the value yielded through the salary survey described above. Based on such results, the Committee concluded that the current salary ranges of District staff are competitive with the surveyed agencies under the new criteria using the 5 step ranges and basing the survey of the average highest step values. **The Committee recommends adoption of the attached new salary 5-step ranges for the District staff which reflects the outcome of the salary survey. Moreover, there are two positions that require minor adjustments and the Committee recommends such adjustments retroactively to July 1, 2011.**

### 4. Determination of Annual COLA Values.

The salary survey analysis discussed above indicates that the COLA adjustments in the past 5 years have yielded current salaries that are very compatible with surveyed values. The Committee therefore concluded that the current methodology of

determining the annual COLA for District staff remains fair and equitable. Using the average CPI index values for the Los Angeles-Riverside-Orange Counties over a period of 12 months (April to March) yields fair results and balances the “peaks and valleys” of the CPI changes over the 12 month period. **Therefore the Committee recommends that the District maintain its current method of COLA determination.**

### III. COMMENTS AND RECOMMENDATIONS

The Committee recommends adoption of Resolution 11-522 approving the following recommendations:

1. Modify the District’s organization chart to reflect actual operations whereby all departments would report to the Operations Manager as shown in the proposed organization chart attached to this agenda item.
2. New employees will be required to pay their own contributions to the CalPERS pension plan for the first 7 years of employment in a declining scale starting with the full 7% in the first year of employment and declining by 1% per year over the ensuing 7 years.
3. Abandon the old concept of setting salaries and benefit values at the 66% level of surveyed agencies since it is not practical to implement. Instead, the Board should adopt the policy of setting the high salary value for each step of the salary ranges at the average high value yielded by future surveys of local agencies used in the surveys of 2004 and 2010.
4. Abandon the existing 7-step salary schedules and adopt 5 salary steps for staff compensation utilizing the existing upper 5 steps values of the current salary ranges. Included in the new salary schedule is a starting step for probationary and training employment periods for all positions.
5. Adopt the attached new 5-step salary ranges for the District staff for fiscal year 2010-11 which reflects the outcome of the salary survey in 2010 (copies of which were provided to District Staff) with corresponding minor adjustments retroactively to July 1, 2011.
6. Maintain the current method of COLA determination.

### IV. REFERENCE MATERIAL

Revised District Staff Organization Chart

Revised 5–step Salary Schedule for Fiscal Year 2010-11

Resolution 11-522 regarding Changes in Staff Organization, Reduced Funding of CalPERS Pension Cost for New Employees, Use of Average Salary Survey Results, Revised Salary Structure and Continued Use of Current Method For Calculating Cost of Living Adjustments to Employee Compensation

# **GENERAL MANAGER'S REPORT**

## **GOLETA SANITARY DISTRICT GENERAL MANAGER'S REPORT**

The following summary report describes the District's activities from February 2, 2021 through February 17, 2021. It provides updated information on significant activities under three major categories: Collection System, Treatment/Reclamation and Disposal Facilities, and General and Administration Items.

### **1. COLLECTION SYSTEM REPORT**

#### **SANITARY SEWER OVERFLOW (SSO) 1122 N. Patterson Ave**

District staff have certified the SSO report on the California Integrated Water Quality System. The District has processed a claim submitted by the homeowner for carpet cleaning and plumbing services and staff has created a recurring inspection work order for that sewer line.

#### **SANITARY SEWER OVERFLOW (SSO) 740 RUSSELL WAY**

Staff responded to a report on Wednesday February 10, 2021 to an overflowing manhole in an easement at 740 Russell Way near N. La Cumbre Road. Roots and shop rags were found to be the cause of the spill. The initial spill volume is estimated at approximately 300 gallons. No property damage or injuries were reported. The spill was absorbed into the ground around the manhole and did not affect any creeks or waterways. District staff were able to clean and Closed Circuit Television (CCTV) inspect the sewer lines to prevent a recurrence. This spill will be reported on the State Water Board CIWQS web site. Staff will provide an update as clean up and a comprehensive CCTV inspection is completed for any recommended long term corrective measures.

#### **LINES CLEANING**

Staff is conducting priority areas lines cleaning through-out the District.

#### **CCTV INSPECTION**

Staff is conducting routine CCTV inspections in the area of N. Patterson Avenue and Cathedral Oaks Road.

#### **2020 CCTVI PROJECT**

The National Plant Services crews continue working in the County of Santa Barbara area.

#### **SEWER SYSTEM MANAGEMENT PLAN**

The Sewer System Management Plan (SSMP) as adopted by the Board is being finalized for submittal to the State Water Boards via the California Integrated Water Quality System (CIWQS) web site.

#### **2020 AERIAL IMAGERY UPDATE**

The District's GIS consultant, ZWorld GIS, continues the review of the updated survey images, which will be incorporated into the District Geographic Information System (GIS) map.

#### **REPAIR AND MAINTENANCE**

The CCTVI camera transporter had various leaking seals repaired. The vendor, Plumbers

Depot, provided a replacement transporter while repairs were completed.

**GREASE AND OIL INSPECTIONS**

Staff continues with the annual Grease and Oil inspections.

**COMPETENCY-BASED TRAINING (CBT)**

Staff continues to work with DKF Solutions to prepare upcoming Confined Space Entry training.

**WINTER STORM PREPARATION**

Staff continues with creek and easement clearing as needed.

**2. TREATMENT, RECLAMATION AND DISPOSAL FACILITIES REPORT**

Plant flows have maintained an average of 4.1 million gallons per day (MGD). Reclamation demand has decreased to below 0.25 MGD with the cooler temperatures and shorter days. The facility remains shut down for the month of February 2021, with the Goleta Water District providing potable water to the system.

Centrifuge operations are continuing as planned. Dredging operations have been completed across approximately 80% of the lagoon. Given the reduction in overall solids coming into the plant we plan to extend the dredging operations through the end of the fiscal year to maximize the benefit of the operation.

The Lystek refeed project is on hold due to some operational issues. Digester sludge foaming measurements are being performed to determine the severity of foaming and the way it is trending.

Operations staff has started testing a new bio-stimulant, comparable to the Counter-Quat, used in the second half of last year to combat the negative effects of antimicrobial products in the wastewater, to determine the effectiveness and cost reduction.

**3. GENERAL AND ADMINISTRATIVE ITEMS**

**Financial Report**

The District account balances as of February 17, 2021 shown below are approximations to the nearest dollar and indicate the overall funds available to the District at this time.

Operating Checking Accounts:	\$ 435,616
Investment Accounts:	\$ 29,557,716
Total District Funds:	\$ 29,993,332

The following transactions are reported herein for the period 02/02/21 – 02/17/21.

Regular, Overtime, Cash-outs and Net Payroll:	\$ 124,762
Claims:	\$ 153,042
Total Expenditures:	\$ 277,804

Total Deposits: \$ 16,990

Transfers of funds:

LAIF to Community West Bank Operational (CWB):	\$	- 0 -
CWB Operational to CWB Money Market:	\$	- 0 -
CWB Money Market to CWB Operational:	\$	- 0 -

The District's investments comply with the District's Investment Policy adopted per Resolution No. 16-606. The District has adequate funds to meet the next six months of normal operating expenses.

**Local Agency Investment Fund (LAIF)**

LAIF Monthly Statement – January, 2021.  
LAIF Quarterly Report – Previously submitted.  
PMIA/LAIF Performance – January, 2021.  
PMIA Effective Yield – January, 2021.

**Community West Bank (CWB)**

CWB Money Market Account – January, 2021.

**Deferred Compensation Accounts**

CalPERS 457 Deferred Compensation Plan – Previously submitted.  
Lincoln 457 Deferred Compensation Plan – January, 2021.

**COVID-19 Response Plan Update**

A verbal update will be provided at the meeting.

**Annual Planning Meeting**

We have tentatively scheduled our annual planning meeting to be in person at the Pacifica Suites conference room on Wednesday March 24, 2021. The annual report will be distributed for review on Friday March 19, 2021.

**Employee Recognition Luncheon Event 2/24/21**

Given the ongoing pandemic and restrictions on-in house dining we are planning a scaled down version of our annual Employee Recognition Event. We will have a CV-19 safe luncheon event on Wednesday February 24, 2021. Board members are welcomed to attend as we will be presenting our Employee of the Year award and other service-related awards.

California State Treasurer  
**Fiona Ma, CPA**



Local Agency Investment Fund  
P.O. Box 942809  
Sacramento, CA 94209-0001  
(916) 653-3001

February 01, 2021

[LAIF Home](#)  
[PMIA Average Monthly Yields](#)

GOLETA SANITARY DISTRICT

GENERAL MANAGER  
ONE WILLIAM MOFFETT PLACE  
GOLETA, CA 93117

[Tran Type Definitions](#)

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**Account Number:** 70-42-002

January 2021 Statement

Effective Date	Transaction Date	Tran Type	Confirm Number	Web Confirm Number	Authorized Caller	Amount
1/15/2021	1/14/2021	QRD	1664649	N/A	SYSTEM	19,633.51

**Account Summary**

Total Deposit:	19,633.51	Beginning Balance:	2,000,381.04
Total Withdrawal:	0.00	Ending Balance:	2,020,014.55



# PMIA/LAIF Performance Report as of 02/04/21



## PMIA Average Monthly Effective Yields<sup>(1)</sup>

Jan	0.458
Dec	0.540
Nov	0.576

## Quarterly Performance Quarter Ended 12/31/20

LAIF Apportionment Rate <sup>(2)</sup> :	0.63
LAIF Earnings Ratio <sup>(2)</sup> :	0.00001719170547343
LAIF Fair Value Factor <sup>(1)</sup> :	1.002271318
PMIA Daily <sup>(1)</sup> :	0.49%
PMIA Quarter to Date <sup>(1)</sup> :	0.58%
PMIA Average Life <sup>(1)</sup> :	165

## Pooled Money Investment Account Monthly Portfolio Composition <sup>(1)</sup> 12/31/20 \$107.4 billion

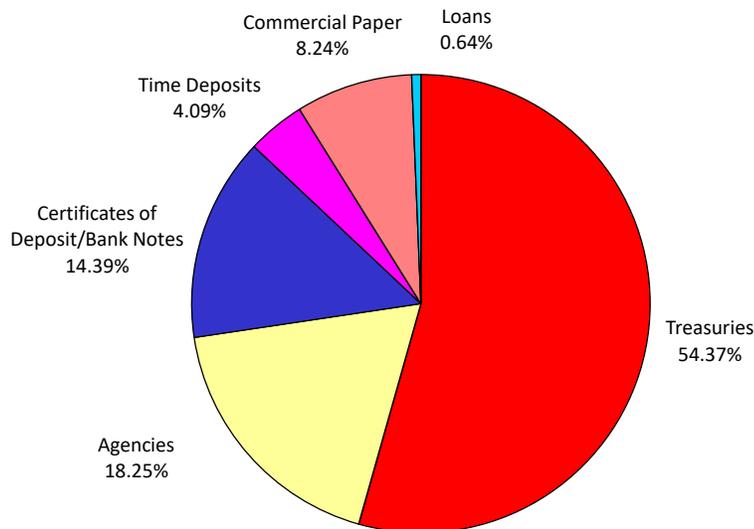


Chart does not include 0.01% of mortgages. Percentages may not total 100% due to rounding.

Daily rates are now available here. [View PMIA Daily Rates](#)

Notes: The apportionment rate includes interest earned on the CalPERS Supplemental Pension Payment pursuant to Government Code 20825 (c)(1) and interest earned on the Wildfire Fund loan pursuant to Public Utility Code 3288 (a).

Source:

<sup>(1)</sup> State of California, Office of the Treasurer

<sup>(2)</sup> State of California, Office of the Controller





445 Pine Avenue  
Goleta, CA 93117

## Statement Ending 01/29/2021

GOLETA SANITARY DISTRICT

Customer Number: XXXXXXXX5554

RETURN SERVICE REQUESTED

GOLETA SANITARY DISTRICT  
MONEY MARKET  
1 WILLIAM MOFFETT PL  
GOLETA CA 93117-3901

**All Community West Bank branch offices are open to serve you Monday through Friday, 9:00 am to 5:00 pm.**

### Business Loans

If your business plans include needing new funding or commercial real estate financing, contact your Community West Banker to discuss a loan or line of credit. We have the flexible financing your business needs, offered at competitive rates.

### Treasury Management Disclosure and Agreement Updated

An updated Treasury Management Disclosure Agreement has been published. The Agreement contains the general terms, conditions and service descriptions governing each Community West Bank Treasury Management product. You are encouraged to familiarize yourself with the Agreement. Please refer questions regarding the agreement to your Banking Relationship Manager. The updated agreement is available online at:

<https://www.communitywestbank.com/disclosures.php>

### Summary of Accounts

Account Type	Account Number	Ending Balance
PUBLIC AGENCY-MMDA	XXXXXXXX5554	\$27,537,701.41

### PUBLIC AGENCY-MMDA - XXXXXXXX5554

#### Account Summary

Date	Description	Amount		
01/01/2021	Beginning Balance	\$28,272,893.62	Average Ledger Balance	\$28,247,031.55
	1 Credit(s) This Period	\$14,807.79		
	1 Debit(s) This Period	\$750,000.00		
01/29/2021	Ending Balance	\$27,537,701.41		

#### Account Activity

Post Date	Description	Debits	Credits	Balance
01/01/2021	Beginning Balance			\$28,272,893.62
01/29/2021	To fund claims	\$750,000.00		\$27,522,893.62





**Statement Ending 01/29/2021**

GOLETA SANITARY DISTRICT

Customer Number: XXXXXXXX5554

**PUBLIC AGENCY-MMDA - XXXXXXXX5554 (continued)**

**Account Activity (continued)**

<b>Post Date</b>	<b>Description</b>	<b>Debits</b>	<b>Credits</b>	<b>Balance</b>
01/29/2021	INTEREST AT .6598 %		\$14,807.79	\$27,537,701.41
01/29/2021	Ending Balance			\$27,537,701.41

**Daily Balances**

<b>Date</b>	<b>Amount</b>
01/29/2021	\$27,537,701.41

# Performance Update

Quoted performance data represents past performance. Past performance does not guarantee nor predict future performance. Current performance may be lower or higher than the performance data quoted. Please keep in mind that double-digit returns are highly unusual and cannot be sustained.

Variable products are sold by prospectus. Consider the investment objectives, risks, charges, and expenses of the variable product and its underlying investment options carefully before investing. The prospectus contains this and other information about the variable product and its underlying investment options. Please review the prospectus available online for additional information. Read it carefully before investing.

Investment return and principal value of an investment will fluctuate so that an investor's unit values, when redeemed, may be worth more or less than their original cost.

## Monthly hypothetical performance adjusted for contract fees \*

Investment Options		Inception Date	Change from Previous Day	YTD as of 02/09/2021	YTD as of 01/29/2021	Average Annual Total Return (%) as of 1/29/2021						Since Incep.
						1 Mo	3 Mo	1 Yr	3 Yr	5 Yr	10 Yr	
<b>Risk Managed</b>												
DWS Equity 500 Index VIP Portfolio - Class A <sup>11</sup>	RM	10/01/1997	-0.12	4.13	-1.12	-1.12	13.69	15.76	10.31	14.70	12.05	6.64
DWS Small Cap Index VIP Portfolio - Class A <sup>8, 11</sup>	RM	08/25/1997	0.39	16.43	5.09	5.09	34.95	28.45	9.71	15.05	10.44	7.04
Fidelity <sup>®</sup> VIP Freedom 2055 Portfolio <sup>SM</sup> - Service Class <sup>7, 9</sup>	RM	04/11/2019	0.37	5.28	-0.32	-0.32	16.37	19.16	N/A	N/A	N/A	15.86
Fidelity <sup>®</sup> VIP Freedom 2060 Portfolio <sup>SM</sup> - Service Class <sup>7, 9</sup>	RM	04/11/2019	0.37	5.26	-0.40	-0.40	16.25	19.18	N/A	N/A	N/A	15.88
Neuberger Berman AMT Mid Cap Growth Portfolio (I Class) <sup>8</sup>	RM	11/03/1997	0.82	10.33	0.62	0.62	17.80	37.53	16.71	18.81	12.89	9.57
<b>Maximum Capital Appreciation</b>												
AB VPS Global Thematic Growth Portfolio - Class B <sup>1, 2</sup>	MCA	01/11/1996	0.25	6.03	0.02	0.02	13.80	36.48	14.64	17.93	8.63	6.03
Delaware VIP <sup>®</sup> Smid Cap Core Series - Standard Class <sup>4, 8</sup>	MCA	07/12/1991	0.36	10.51	1.78	1.78	24.26	14.00	6.48	11.17	10.83	9.17
DWS Alternative Asset Allocation VIP Portfolio - Class A <sup>1, 2, 3, 9, 10</sup>	MCA	02/02/2009	0.07	3.75	0.14	0.14	10.54	4.34	2.02	3.73	1.69	4.23
LVIP Baron Growth Opportunities Fund - Service Class <sup>8</sup>	MCA	10/01/1998	-0.43	6.19	-1.76	-1.76	20.27	26.84	16.98	18.94	13.58	11.58
LVIP SSGA Emerging Markets 100 Fund - Standard Class <sup>1, 19</sup>	MCA	06/18/2008	0.53	5.29	-0.65	-0.65	22.89	9.75	-4.45	6.80	-0.67	2.11
LVIP SSGA Small-Cap Index Fund - Standard Class <sup>8, 11</sup>	MCA	04/18/1986	0.41	16.26	4.90	4.90	34.69	28.15	9.47	14.81	10.19	7.30
LVIP T. Rowe Price Structured Mid-Cap Growth Fund - Standard Class <sup>8</sup>	MCA	02/03/1994	0.53	7.45	-0.40	-0.40	18.54	29.33	17.15	19.44	13.57	7.48

# Performance Update

## Monthly hypothetical performance adjusted for contract fees \*

Investment Options		Inception Date	Change from Previous Day	Average Annual Total Return (%) as of 1/29/2021								
				YTD as of 02/09/2021	YTD as of 01/29/2021	1 Mo	3 Mo	1 Yr	3 Yr	5 Yr	10 Yr	Since Incep.
<b>Long Term Growth</b>												
American Funds Global Growth Fund - Class 2 <sup>1</sup>	LTG	04/30/1997	0.46	7.42	0.83	0.83	17.05	31.16	13.34	17.03	11.76	9.63
American Funds Growth Fund - Class 2	LTG	02/08/1984	0.26	6.94	0.16	0.16	22.41	47.41	21.23	23.45	15.46	12.38
American Funds International Fund - Class 2 <sup>1</sup>	LTG	05/01/1990	0.32	4.35	-2.07	-2.07	18.69	14.90	3.01	10.69	5.30	6.95
Delaware VIP Small Cap Value <sup>4, 8</sup>	LTG	12/27/1993	0.00	11.03	1.21	1.21	28.40	2.95	-0.36	9.43	7.36	8.79
Fidelity® VIP Contrafund® Portfolio - Service Class	LTG	01/03/1995	0.02	4.27	-1.02	-1.02	10.08	24.75	13.23	16.33	11.89	10.61
Fidelity® VIP Growth Portfolio - Service Class	LTG	10/09/1986	0.23	7.61	0.86	0.86	15.27	40.15	20.28	21.89	15.73	10.21
LVIP BlackRock Global Real Estate Fund - Standard Class <sup>1, 2, 7</sup>	LTG	04/30/2007	0.24	3.32	-0.49	-0.49	16.72	-5.27	2.58	4.48	4.03	0.70
LVIP Delaware Mid Cap Value Fund - Standard Class <sup>4, 8</sup>	LTG	12/28/1981	0.08	6.99	-0.27	-0.27	20.96	3.84	1.42	10.25	8.29	10.09
LVIP Delaware Social Awareness Fund - Standard Class <sup>4</sup>	LTG	05/02/1988	-0.18	5.11	-0.20	-0.20	14.88	18.40	11.42	14.72	11.86	9.95
LVIP Dimensional U.S. Core Equity 1 Fund - Standard Class	LTG	12/28/1981	0.03	6.32	-0.05	-0.05	17.86	16.92	9.08	14.42	11.42	9.71
LVIP Mondrian International Value Fund - Standard Class <sup>1</sup>	LTG	05/01/1991	-0.03	3.59	-0.50	-0.50	20.95	-2.31	-3.00	4.16	2.71	5.12
LVIP SSGA International Index Fund - Standard Class <sup>1, 11, 20</sup>	LTG	04/30/2008	0.34	2.94	-1.49	-1.49	18.64	8.10	0.98	7.25	3.75	1.35
LVIP SSGA S&P 500 Index Fund - Standard Class <sup>11, 21</sup>	LTG	05/01/2000	-0.09	4.16	-1.10	-1.10	13.72	15.75	10.30	14.73	12.09	5.34
LVIP Vanguard Domestic Equity ETF Fund - Service Class <sup>9, 22</sup>	LTG	04/29/2011	0.02	4.99	-0.81	-0.81	15.23	17.34	10.60	14.55	N/A	10.81
LVIP Vanguard International Equity ETF Fund - Service Class <sup>1, 9, 22</sup>	LTG	04/29/2011	0.64	5.09	-0.08	-0.08	18.98	13.41	1.78	8.96	N/A	3.36
MFS® VIT Utilities Series - Initial Class <sup>2</sup>	LTG	01/03/1995	-0.37	0.17	-1.44	-1.44	7.96	-0.67	8.24	10.21	7.77	10.05
<b>Growth and Income</b>												
American Funds Growth-Income Fund - Class 2	GI	02/08/1984	0.12	3.76	-1.21	-1.21	13.61	11.84	7.95	13.87	11.29	10.04

# Performance Update

## Monthly hypothetical performance adjusted for contract fees \*

Investment Options		Inception Date	Change from Previous Day	YTD as of 02/09/2021	YTD as of 01/29/2021	Average Annual Total Return (%) as of 1/29/2021						Since Incep.
						1 Mo	3 Mo	1 Yr	3 Yr	5 Yr	10 Yr	
BlackRock Global Allocation V.I. Fund - Class I <sup>1,3</sup>	GI	02/28/1992	0.35	3.43	-0.54	-0.54	13.17	19.12	7.21	8.99	5.66	6.50
Delaware VIP REIT <sup>2,4,7</sup>	GI	05/04/1998	0.56	4.10	-0.49	-0.49	11.93	-12.32	1.92	2.18	5.75	6.97
Delaware VIP Value <sup>4</sup>	GI	07/28/1988	0.23	3.16	-1.71	-1.71	16.30	0.49	2.02	8.49	9.82	7.66
Fidelity® VIP Freedom 2020 Portfolio <sup>SM</sup> - Service Class <sup>9,12</sup>	GI	04/26/2005	0.20	2.90	-0.28	-0.28	9.78	13.55	6.85	9.62	6.80	6.02
Fidelity® VIP Freedom 2025 Portfolio <sup>SM</sup> - Service Class <sup>9,12</sup>	GI	04/26/2005	0.23	3.24	-0.32	-0.32	10.92	14.64	7.26	10.33	7.50	6.55
Fidelity® VIP Freedom 2030 Portfolio <sup>SM</sup> - Service Class <sup>9,12</sup>	GI	04/26/2005	0.23	3.71	-0.32	-0.32	12.31	15.86	7.55	11.58	8.10	6.79
Fidelity® VIP Freedom 2035 Portfolio <sup>SM</sup> - Service Class <sup>9,12</sup>	GI	04/08/2009	0.32	4.64	-0.37	-0.37	14.75	17.79	7.97	12.62	8.76	11.93
Fidelity® VIP Freedom 2040 Portfolio <sup>SM</sup> - Service Class <sup>9,12</sup>	GI	04/08/2009	0.38	5.28	-0.35	-0.35	16.29	19.11	8.32	12.91	8.94	12.17
Fidelity® VIP Freedom 2045 Portfolio <sup>SM</sup> - Service Class <sup>9,12</sup>	GI	04/08/2009	0.33	5.28	-0.31	-0.31	16.32	19.17	8.32	12.91	9.00	12.26
Fidelity® VIP Freedom 2050 Portfolio <sup>SM</sup> - Service Class <sup>9,12</sup>	GI	04/08/2009	0.37	5.30	-0.34	-0.34	16.31	19.13	8.31	12.89	8.99	12.37
LVIP BlackRock Advantage Allocation Fund - Standard Class <sup>3,4,13</sup>	GI	07/28/1988	0.11	2.11	-0.36	-0.36	8.21	11.09	5.68	7.86	5.77	5.82
LVIP Delaware Wealth Builder Fund - Standard Class <sup>3,4,13</sup>	GI	08/03/1987	0.18	1.41	-0.81	-0.81	8.93	3.97	3.25	6.33	5.24	5.95
LVIP JPMorgan Retirement Income Fund - Standard Class <sup>3,4,13</sup>	GI	04/27/1983	0.12	1.63	-0.40	-0.40	7.10	7.46	4.22	5.94	4.70	6.61
<b>Income</b>												
Delaware VIP Diversified Income <sup>4,5</sup>	I	05/16/2003	0.08	-0.54	-0.60	-0.60	2.15	7.07	5.10	4.15	3.25	4.56
Delaware VIP High Yield <sup>4,5,6</sup>	I	07/28/1988	0.00	0.87	-0.08	-0.08	5.11	6.39	4.93	6.87	4.62	5.69
LVIP BlackRock Inflation Protected Bond Fund - Standard Class <sup>5</sup>	I	04/30/2010	0.02	0.49	0.43	0.43	1.87	3.60	3.13	2.37	1.68	1.71
LVIP Delaware Bond Fund - Standard Class <sup>4,5</sup>	I	12/28/1981	0.03	-0.66	-0.56	-0.56	1.19	5.97	4.97	3.59	3.16	6.69
LVIP Delaware Diversified Floating Rate Fund <sup>4,16</sup>	I	04/30/2010	0.01	0.22	0.15	0.15	0.78	0.16	0.79	1.03	0.26	0.34
LVIP Global Income Fund - Standard Class <sup>1,5,13,15</sup>	I	05/04/2009	0.19	-0.97	-0.87	-0.87	0.76	3.17	3.54	2.92	1.54	2.81

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# Performance Update

## Monthly hypothetical performance adjusted for contract fees \*

Investment Options	Inception Date	Change from Previous Day	YTD as of 02/09/2021	YTD as of 01/29/2021	Average Annual Total Return (%) as of 1/29/2021							
					1 Mo	3 Mo	1 Yr	3 Yr	5 Yr	10 Yr	Since Incep.	
LVIP SSGA Bond Index Fund - Standard Class <sup>5, 11</sup>	I 04/30/2008	0.04	-1.09	-0.77	-0.77	0.24	3.56	4.19	2.66	2.39	2.73	
PIMCO VIT Total Return Portfolio - Administrative Class <sup>5</sup>	I 12/31/1997	0.00	-0.70	-0.55	-0.55	0.81	4.56	4.52	3.41	2.83	4.39	
<b>Preservation of Capital</b>												
LVIP Government Money Market Fund - Standard Class <sup>13, 18</sup>	PC 01/07/1982	0.00	-0.11	-0.08	-0.08	-0.24	-0.82	0.13	-0.23	-0.60	2.76	
<b>Risk Managed - Asset Allocation</b>												
LVIP Global Conservative Allocation Managed Risk Fund - Standard Class <sup>1, 3, 9, 13, 17</sup>	RMAA 05/03/2005	0.08	2.14	-0.42	-0.42	7.20	5.20	3.81	5.69	4.67	4.86	
LVIP Global Growth Allocation Managed Risk Fund - Standard Class <sup>1, 3, 9, 13, 17</sup>	RMAA 05/03/2005	0.13	3.78	-0.29	-0.29	10.32	5.43	2.47	6.29	4.36	4.41	
LVIP Global Moderate Allocation Managed Risk Fund - Standard Class <sup>1, 3, 9, 13, 17</sup>	RMAA 05/03/2005	0.11	3.15	-0.30	-0.30	8.88	5.26	2.78	6.04	4.37	4.66	
LVIP SSGA Global Tactical Allocation Managed Volatility Fund - Standard Class <sup>1, 3, 9, 13, 14, 15</sup>	RMAA 05/03/2005	0.12	4.27	0.18	0.18	13.18	7.62	2.40	6.08	3.96	3.63	
<b>Risk Managed - US Large Cap</b>												
LVIP BlackRock Dividend Value Managed Volatility Fund - Standard Class <sup>13, 14</sup>	RMUSL 02/03/1994	0.00	4.93	-0.65	-0.65	18.13	1.90	0.68	6.91	5.27	6.26	
LVIP Blended Large Cap Growth Managed Volatility Fund - Standard Class <sup>13, 14, 15</sup>	RMUSL 02/03/1994	0.01	4.88	-1.01	-1.01	12.05	20.06	8.71	11.99	8.72	6.90	
<b>Asset Allocation</b>												
LVIP T. Rowe Price 2010 Fund (Standard Class) <sup>9, 12, 13</sup>	AsA 05/01/2007	0.08	2.25	-0.31	-0.31	8.38	10.49	5.92	6.63	4.64	4.01	
LVIP T. Rowe Price 2020 Fund (Standard Class) <sup>9, 12, 13</sup>	AsA 05/01/2007	0.10	2.85	-0.32	-0.32	10.21	11.82	6.39	7.68	5.05	4.05	
LVIP T. Rowe Price 2030 Fund (Standard Class) <sup>9, 12, 13</sup>	AsA 05/01/2007	0.13	3.90	-0.40	-0.40	13.05	14.18	7.04	8.37	5.36	4.17	
LVIP T. Rowe Price 2040 Fund (Standard Class) <sup>9, 12, 13</sup>	AsA 05/01/2007	0.16	4.90	-0.33	-0.33	15.40	16.02	7.57	9.09	5.60	3.98	
LVIP T. Rowe Price 2050 Fund (Standard Class) <sup>9, 12, 13</sup>	AsA 04/29/2011	0.17	5.20	-0.33	-0.33	16.14	16.47	7.72	9.91	N/A	5.32	

# Performance Update

## Monthly hypothetical performance adjusted for contract fees \*

Investment Options	Inception Date	Change from Previous Day	YTD as of 02/09/2021	YTD as of 01/29/2021	Average Annual Total Return (%) as of 1/29/2021							Since Incep.
					1 Mo	3 Mo	1 Yr	3 Yr	5 Yr	10 Yr		
LVIP T. Rowe Price 2060 Fund - Standard Class <sup>9, 12, 13</sup>	AsA 04/30/2020	0.16	5.49	-0.35	-0.35	17.26	N/A	N/A	N/A	N/A	N/A	32.69
<b>Risk Managed - US Mid Cap</b>												
LVIP Blended Mid Cap Managed Volatility Fund - Standard Class <sup>8, 13, 14, 15</sup>	RMUSM 05/01/2001	0.35	5.36	-1.49	-1.49	16.00	22.64	13.11	15.89	6.93	4.84	
LVIP JPMorgan Select Mid Cap Value Managed Volatility Fund - Standard Class <sup>8, 13, 14, 15</sup>	RMUSM 05/01/2001	0.05	6.49	0.00	0.00	18.39	3.65	-0.60	5.26	4.89	5.48	
<b>Risk Managed - Global/International</b>												
LVIP Franklin Templeton Global Equity Managed Volatility Fund - Standard Class <sup>1, 13, 14</sup>	RMGI 08/01/1985	-0.09	3.49	-1.66	-1.66	16.05	11.66	1.55	7.27	4.61	6.94	
LVIP SSGA International Managed Volatility Fund - Standard Class <sup>1, 9, 13, 14</sup>	RMGI 12/31/2013	0.35	2.97	-1.49	-1.49	18.74	-0.69	-2.04	4.08	N/A	0.34	

\* These returns are measured from the inception date of the fund and predate its availability as an investment option in the variable annuity (separate account). This hypothetical representation depicts how the investment option would have performed had the fund been available in the variable annuity during the time period. It includes deductions for the M&E charge and the contract administrative fee. If selected above, the cost for the i4LIFE® Advantage feature or a death benefit will be reflected. The cost for other riders with quarterly charges is not reflected. No surrender charge and no annual contract charge is reflected.

# Performance Update

## <sup>1</sup> International

Investing internationally involves risks not associated with investing solely in the United States, such as currency fluctuation, political or regulatory risk, currency exchange rate changes, differences in accounting and the limited availability of information.

## <sup>2</sup> Sector Funds

Funds that target exposure to one region or industry may carry greater risk and higher volatility than more broadly diversified funds.

## <sup>3</sup> Asset Allocation Portfolios

Asset allocation does not ensure a profit, nor protect against loss in a declining market.

## <sup>4</sup> Macquarie Investment Management

Investments in Delaware VIP Series, Delaware Funds, LVIP Delaware Funds or Lincoln Life accounts managed by Macquarie Investment Management Advisers, a series of Macquarie Investments Management Business Trust, are not and will not be deposits with or liabilities of Macquarie Bank Limited ABN 46 008 583 542 and its holding companies, including their subsidiaries or related companies, and are subject to investment risk, including possible delays in repayment and loss of income and capital invested. No Macquarie Group company guarantees or will guarantee the performance of the fund, the repayment of capital from the fund, or any particular rate of return.

## <sup>5</sup> Bonds

The return of principal in bond funds is not guaranteed. Bond funds have the same interest rate, inflation, credit, duration, prepayment and market risks that are associated with the underlying bonds owned by the fund or account.

## <sup>6</sup> High-yield or mortgage-backed funds

High-yield funds may invest in high-yield or lower rated fixed income securities (junk bonds) or mortgage-backed securities with exposure to subprime mortgages, which may experience higher volatility and increased risk of nonpayment or default.

## <sup>7</sup> REIT

A real estate investment trust (REIT) involves risks such as refinancing, economic conditions in the real estate industry, declines in property values, dependency on real estate management, changes in property taxes, changes in interest rates and other risks associated with a portfolio that concentrates its investments in one sector or geographic region.

## <sup>8</sup> Small & Mid Cap

Funds that invest in small and/or midsize company stocks may be more volatile and involve greater risk, particularly in the short term, than those investing in larger, more established companies.

## <sup>9</sup> Fund of funds

Each fund is operated as a fund of funds that invests primarily in one or more other funds, rather than in individual securities. A fund of this nature may be more expensive than other investment options because it has additional levels of expenses. From time to time, the Fund's advisor may modify the asset allocation to the underlying funds and may add new funds. A Fund's actual allocation may vary from the target strategic allocation at any point in time. Additionally, the Fund's advisor may directly manage assets of the underlying funds for a variety of purposes.

## <sup>10</sup> Alternative Funds

Certain funds (sometimes called "alternative funds") expect to invest in (or may invest in some) positions that emphasize alternative investment strategies and/or nontraditional asset classes and, as a result, are subject to the risk factors of those asset classes and/or investment strategies. Some of those risks may include general economic risk, geopolitical risk, commodity-price volatility, counterparty and settlement risk, currency risk, derivatives risk, emerging markets risk, foreign securities risk, high-yield bond exposure, index investing risk, exchange-traded notes risk, industry concentration risk, leveraging risk, real estate investment risk, master limited partnership risk, master limited partnership tax risk, energy infrastructure companies risk, sector risk, short sale risk, direct investment risk, hard assets sector risk, active trading and "overlay" risks, event-driven investing risk, global macro strategies risk, temporary defensive positions and large cash positions. If you are considering investing in alternative investment funds, you should ensure that you understand the complex investment strategies sometimes employed and be prepared to tolerate the risks of such asset classes. For a complete list of risks, as well as a discussion of risk and investment strategies, please refer to the fund's prospectus. The fund may invest in derivatives, including futures, options, forwards and swaps. Investments in derivatives may cause the fund's losses to be greater than if it invested only in conventional securities and can cause the fund to be more volatile. Derivatives involve risks different from, or possibly greater than, the risks associated with other investments. The fund's use of derivatives may cause the fund's investment returns to be impacted by the performance of securities the fund does not own and may result in the fund's total investment exposure exceeding the value of its portfolio.

## <sup>11</sup> Index

An index is unmanaged, and one cannot invest directly in an index. Indices do not reflect the deduction of any fees.

## <sup>12</sup> Target-date funds

The target date is the approximate date when investors plan to retire or start withdrawing their money. Some target-date funds make no changes in asset allocation after the target date is reached; other target-date funds continue to make asset allocation changes following the target date. (See the prospectus for the funds allocation strategy.) The principal value is not guaranteed at any time, including at the target date. An asset allocation strategy does not guarantee performance or protect against investment losses. A "fund of funds" may be more expensive than other types of investment options because it has additional levels of expenses.

## <sup>13</sup> Manager of managers funds

Subject to approval of the fund's board, Lincoln Investment Advisors Corporation (LIAC) has the right to engage or terminate a subadvisor at any time, without a shareholder vote, based on an exemptive order from the Securities and Exchange Commission. LIAC is responsible for overseeing all subadvisors for funds relying on this exemptive order.

## <sup>14</sup> Managed Volatility Strategy

The fund's managed volatility strategy is not a guarantee, and the fund's shareholders may experience losses. The fund employs hedging strategies designed to reduce overall portfolio volatility. The use of these hedging strategies may limit the upside participation of the fund in rising equity markets relative to unhedged funds, and the effectiveness of such strategies may be impacted during periods of rapid or extreme market events.

## <sup>15</sup> Multimanager

For those funds that employ a multimanager structure, the fund's advisor is responsible for overseeing the subadvisors. While the investment styles employed by the fund's subadvisors are intended to be complementary, they may not, in fact, be complementary. A multimanager approach may result in more exposure to certain types of securities risks and in higher portfolio turnover.

# Performance Update

## <sup>16</sup> Floating rate funds

Floating rate funds should not be considered alternatives to CDs or money market funds and should not be considered as cash alternatives.

## <sup>17</sup> Risk Management Strategy

The fund's risk management strategy is not a guarantee, and the funds shareholders may experience losses. The fund employs hedging strategies designed to provide downside protection during sharp downward movements in equity markets. The use of these hedging strategies may limit the upside participation of the fund in rising equity markets relative to other unhedged funds, and the effectiveness of such strategies may be impacted during periods of rapid or extreme market events.

## <sup>18</sup> Money Market Funds

You can lose money by investing in the fund. Although the fund seeks to preserve the value of your investment at \$1.00 per share (or, for the LVIP Government Money Market Fund, at \$10.00 per share), it cannot guarantee it will do so. An investment in the fund is not insured or guaranteed by the Federal Deposit Insurance Corporation or any other government agency. The fund's sponsor has no legal obligation to provide financial support to the fund, and you should not expect that the sponsor will provide financial support to the fund at any time.

## <sup>19</sup> Emerging Markets

Investing in emerging markets can be riskier than investing in well-established foreign markets. International investing involves special risks not found in domestic investing, including increased political, social and economic instability, all of which are magnified in emerging markets.

## <sup>20</sup> MSCI

The fund described herein is indexed to an MSCI® index. It is not sponsored, endorsed, or promoted by MSCI®, and MSCI®; bears no liability with respect to any such fund or to an index on which a fund is based. The prospectus and statement of additional information contain a more detailed description of the limited relationship MSCI®; has with Lincoln Investment Advisors Corporation and any related funds.

## <sup>21</sup> S&P

The Index to which this fund is managed is a product of S&P Dow Jones Indices LLC (SPDJI) and has been licensed for use by one or more of the portfolio's service providers (licensee). Standard & Poor's®; and S&P® are registered trademarks of Standard & Poor's Financial Services LLC (S&P); Dow Jones® is a registered trademark of Dow Jones Trademark Holdings LLC (Dow Jones); and these trademarks have been licensed for use by SPDJI and sublicensed for certain purposes by the licensee. S&P®, S&P GSCI® and the Index are trademarks of S&P and have been licensed for use by SPDJI and its affiliates and sublicensed for certain purposes by the licensee. The Index is not owned, endorsed, or approved by or associated with any additional third party. The licensee's products are not sponsored, endorsed, sold or promoted by SPDJI, Dow Jones, S&P, their respective affiliates, or their third party licensors, and none of these parties or their respective affiliates or third party licensors make any representation regarding the advisability of investing in such products, nor do they have liability for any errors, omissions, or interruptions of the Index®.

## <sup>22</sup> Exchange-traded funds

Exchange-traded funds (ETFs) in this lineup are available through collective trusts or mutual funds. Investors cannot invest directly in an ETF.

## Important Disclosures

Variable products are issued by The Lincoln National Life Insurance Company, Fort Wayne, IN, distributed by Lincoln Financial Distributors, Inc., and offered by broker/dealers with an effective selling agreement. The Lincoln National Life Insurance Company is not authorized nor does it solicit business in the state of New York.

**Contractual obligations are backed by the claims-paying ability of The Lincoln National Life Insurance Company.**

Limitations and exclusions may apply.

Lincoln Financial Group is the marketing name for Lincoln National Corporation and its affiliates. Affiliates are separately responsible for their own financial and contractual obligations.

## Asset Categories

RM	= Risk Managed
MCA	= Maximum Capital Appreciation
LTG	= Long Term Growth
GI	= Growth and Income
I	= Income
PC	= Preservation of Capital
RMAA	= Risk Managed - Asset Allocation
RMUSL	= Risk Managed - US Large Cap
AsA	= Asset Allocation
RMUSM	= Risk Managed - US Mid Cap
RMGI	= Risk Managed - Global/International

**DISTRICT  
CORRESPONDENCE**  
**Board Meeting of February 17, 2021**



**Date:**                    **Correspondence Sent To:**

1. 01/28/2021    Mike Prater, Executive Officer  
Santa Barbara LAFCO  
**Subject:** Out-of-Agency Service Agreement  
400 N. San Marcos Road, Santa Barbara  
A.P.N. 067-210-012
  
2. 02/03/2021    Clerk of the Board  
Santa Barbara County  
**Subject:** Notice of Exemption for the Goleta Sanitary District  
Siebenaler Out of Agency Agreement
  
3. 02/03/2021    Jaime Valdez  
City of Goleta  
**Subject:** Sewer Service Availability  
Proposed Sewer Service Connection for a Proposed 9,000 SF Train  
Depot Building  
A.P.N. 073-050-033 at 27 S. La Patera Lane, Goleta, CA
  
4. 02/04/2021    Fred Barbaria  
**Subject:** Sewer Service Availability  
Proposed Sewer Service Connection for One Existing Single Family  
Residence  
A.P.N. 069-050-004 at 5970 La Goleta Road, Goleta, CA
  
5. 02/05/2021    The Honorable Dianne Feinstein  
United States Senate  
**Subject:** Support H.R. 535 and S. 91, the Special Districts Provide  
Essential Services Act  
Letter also sent to:
  - The Honorable Alex Padilla  
United States Senate
  - The Honorable Salud Carbajal  
United States House of Representatives
  - Governor Gavin Newsom
  - CSDA
  
6. 02/08/2021    Morgan Krapes-Kiah  
Flowers & Associates, Inc.  
**Subject:** Sewer Service Availability  
Proposed Sewer Service Connection for a Proposed Lot Merger and  
Subdivision into six (6) new lots with a Development Plan for  
approximately 137,000 SF of Office and Light Industrial Development  
A.P.N. 071-170-079, -080, -083 at 891 S. Kellogg Ave., Goleta, CA

**DISTRICT**  
**CORRESPONDENCE**  
**Board Meeting of February 17, 2021**  
**Page 2**

7. 02/10/2021 Santa Barbara County Coroner's Office  
**Subject:** Industrial Wastewater Discharge Permit #11-228 Extension
8. 02/11/2021 Lauren Fondahl  
US EPA WTR-5  
**Subject:** 2020 Biosolids Annual Report

**Date:**                    **Correspondence Received From:**

1. 01/28/2021 CSDA  
**Subject:** CSDA Board of Directors Call for Nominations Seat A
2. 02/03/2021 LAFCO  
**Subject:** Brown Annexation to the Goleta Sanitary District  
(LAFCO No. 19-08)
3. 02/03/2021 LAFCO  
**Subject:** Galileo Annexation to the Goleta Sanitary District  
(LAFCO No. 19-09)

***Hard Copies of the Correspondence are available at the District's Office for review***