

AGENDA

REMOTE MEETING NOTICE

Due to health concerns related to the COVID-19 pandemic, members of the public are encouraged to attend this meeting remotely via zoom as set forth below.

INSTRUCTIONS FOR USING ZOOM

- Join the meeting using the link below.
- You must have audio and microphone capabilities on the device you are using to join the meeting.
- When you join the meeting make sure that you join the meeting with audio and follow the prompts to test your speaker & microphone prior to joining the meeting.

TO SPEAK ON AN ITEM USING ZOOM

- The Board President will call the item and staff will begin the staff report.
- Click on the Raise Hand icon if you would like to speak on the item.
- Your name will be called on when it's your turn to speak.
- When your name is called, you will be prompted to unmute yourself.
- When your time is up, you will be muted.
- You will repeat this process for each item you want to speak on.

FOR OPEN SESSION PARTICIPATION

Join Meeting Electronically at:

<https://us02web.zoom.us/j/84688869144?pwd=cE9yOG1hSiswd3VYK21Ld2Q0WHJzZz09>

Meeting ID: 846 8886 9144

Passcode: 664592

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

November 20, 2021

CALL TO ORDER: 11:00 a.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 November 15, 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. SECOND PUBLIC HEARING PRESENTATION ON TRANSITION TO DISTRICT-BASED ELECTIONS PROCESS
2. CONSIDERATION AND ADOPTION OF RESOLUTION CONTINUING CONDUCTING MEETINGS UNDER MODIFIED BROWN ACT REQUIREMENTS

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.

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

November 15, 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 (arrived at 7:02 p.m.), Sharon Rose, Edward Fuller (attended via zoom, then arrived at 6:55 p.m.)

BOARD MEMBERS ABSENT: None

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

OTHERS PRESENT: Larry Meyer, Director, Goleta West Sanitary District
Tom Evans, Director, Goleta Water District

APPROVAL OF MINUTES: Director Rose made a motion, seconded by Director Majoewsky, to approve the minutes of the Regular Board meeting of 11/01/21. The motion carried by the following vote:

(21/11/2253)

AYES:	3	Smith, Majoewsky, Rose
NOES:		None
ABSENT:	2	Emerson, Fuller
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. **REVIEW AND CONSIDERATION OF FISCAL YEAR 2021-22 FIRST QUARTER BUDGET REPORT**
Mr. Wagner and Mr. Mangus gave the staff report. No Board action was taken on the presentation item.

Consensus of the Board was to move to agenda item #3 and to defer agenda item #2 pending arrival of Director Emerson.

2. CONSIDERATION OF PENSION LIABILITY MANAGEMENT STRATEGIES

Mr. Wagner gave the staff report.

Director Rose made a motion, seconded by Director Majoewsky to direct staff to continue to investigate Pension Liability Management Strategies and report back to the Board following the forthcoming CalPERS anticipated adjustments.

The motion carried by the following vote:

(21/11/2255)

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

3. CONSIDERATION OF APPROVAL OF SURPLUS REAL PROPERTY REPORT

Mr. Wagner gave the staff report.

Director Majoewsky made a motion, seconded by Director Rose to determine the District does not have Surplus Real Property.

The motion carried by the following vote:

(21/11/2254)

AYES:	4	Smith, Majoewsky, Rose, Fuller
NOES:		None
ABSENT:	1	Emerson
ABSTAIN:		None

4. GENERAL MANAGER'S REPORT

Mr. Wagner gave the report.

5. LEGAL COUNSEL'S REPORT

Mr. Battles – No report.

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

Director Fuller – Reported on the Goleta Water District meeting he attended.

Director Rose – Reported on the Local Chapter CSDA meeting she organized and attended.

Director Majoewsky – Reported on the Goleta West Sanitary meeting he attended.

Director Emerson – No report.

7 PRESIDENT'S REPORT

President Smith – No report.

8. ITEMS FOR FUTURE MEETINGS

No Board action was taken to return with an item.

Board returned to agenda item #2.

9. CORRESPONDENCE

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

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

Director Rose requested to be compensated for the Local Chapter CSDA meeting held 11/08/21.

Director Fuller made a motion, seconded by Director Majoewsky to approve compensation for Director Rose regarding the organization and attendance at the Local Chapter CSDA meeting, November 8, 2021.

The motion carried by the following vote:

(21/11/2256)

AYES:	4	Smith, Majoewsky, Emerson, Fuller
NOES:		None
ABSENT:		None
ABSTAIN:	1	Rose

Director Majoewsky made a motion, seconded by Director Emerson, to ratify and approve the claims, for the period 11/02/21 to 11/15/21 as follows:

Running Expense Fund #4640	\$ 332,992.36
Capital Reserve Fund #4650	\$ 182,528.45
Depreciation Replacement Reserve Fund #4655	\$ 9,554.49

The motion carried by the following vote:

(21/11/2257)

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

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:46 p.m.

Jerry D. Smith
Governing Board President

Robert O. Mangus, Jr.
Governing Board Secretary

Steven T. Majoewsky

George W. Emerson

Sharon Rose

Edward Fuller

AGENDA ITEM #1

AGENDA ITEM: 1

MEETING DATE: November 20, 2021

I. NATURE OF ITEM

Second Public Hearing Presentation on Transition to District-Based Elections Process

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 (CVRA) for the November 2022 General Election, following the completion and receipt of the data from the 2020 Census. On July 6, 2020 the Board approved an agreement with Lapkoff and Gobalet for demographic services to assist in creating the new voting district maps pursuant to the CVRA.

A number of outreach activities must take place before the new voting district maps can be finalized. These activities include, but are not limited to the following:

1. Conducting public outreach, including to non-English-speaking communities to explain the districting process and to encourage public participation.
2. Holding two public hearings to gather input before draft voting district maps are prepared.
3. Holding two additional public hearings after draft voting district maps have been prepared for additional public feedback.
4. Publicizing the above public hearings in advance (on the District's website, social media, in press releases, posted in the community).
5. Holding a public meeting on the proposed voting district maps for approval.
6. Submitting the approved final version of the voting district maps to the County's Office of Elections.

Today is the second of the first two public hearings. The public has been invited to join via Zoom. An interpreter is available to assist with anyone desiring Spanish-language interpretation. After this hearing the demographers will prepare maps after receiving input from the public and Board regarding communities of interest with equal population counts per district. Once maps are drawn the public will have two opportunities to provide additional comment. The expected timeline for these meetings is late February and early March. The exact dates will be publicized once determined.

III. COMMENTS AND RECOMMENDATIONS

Shelley Lapkoff, of Lapkoff and Gobalet Demographers, will give a presentation on the process and take any questions the Board or public may have. This presentation and any comments or questions will be recorded in both English and Spanish for future viewing on the District's website.

As this item is for informational purposes, no action is required.

IV. REFERENCE MATERIALS

None

AGENDA ITEM #2

AGENDA ITEM: 2

MEETING DATE: November 20, 2021

I. NATURE OF ITEM

Consideration and Adoption of Resolution No. 21-671 Continuing Conducting Meetings Under Modified Brown Act Requirements

II. BACKGROUND INFORMATION

In 1953 the Ralph M. Brown Act (California Government Code Sections 54950-54963, commonly referred to as the Brown Act) was passed to guarantee the public's right to attend and participate in the meetings of local legislative bodies.

On March 19, 2020 California Governor Gavin Newsom issued a number of executive orders, including a stay-at-home order for the protection of the health and well-being of all Californians. To lessen the anticipated economic impact to workers who get sick, executive order N-25-20 was issued by Gov. Newsom on March 12, 2020 mandating a number of measures, including temporarily loosening the requirements of the Brown Act that apply when local government entities (including the District) hold virtual remote meetings. Executive order N-08-21 rescinded those modifications to the Brown Act as of September 30, 2021.

On September 21, 2021 the Governor signed AB 361 into law, which allows local governments flexibility to conduct remote or hybrid in-person and remote meetings without some of the constraints of doing so under the Brown Act. The criteria were enumerated during the October 7, 2021 board meeting.

On October 7, 2021 the Board adopted Resolution No. 21-669 allowing meetings of the District's legislative bodies to be conducted under the modified Brown Act requirements. The adoption of the resolution permits meetings under the provisions of AB 361 for a maximum period of 30 days. On November 1, 2021 the Board adopted Resolution No. 21-670, extending the provisions of AB 361. As adopted at the November 1, 2021 meeting, the resolution will expire on December 1, 2021. If a state of emergency remains active, a local agency may continue to hold meetings by teleconferencing under AB 361 by passing a subsequent resolution by majority vote finding that (i) the Board has reconsidered the circumstances of the state of emergency, and (ii) any of the following circumstances exist:

- The state of emergency continues to directly impact the ability of the members to meet safely in person.

- State or local officials continue to impose or recommend measures to promote social distancing.

The Santa Barbara County Health Department's requirement to wear masks indoors and the recommendation to maintain social distancing are still in place through December 4, 2021 at which time the Health Department will evaluate whether or not to extend the indoor mask order and social distancing measures.

AB 361 will sunset on January 1, 2024 if no changes have been made, or if it has not been extended or made permanent.

III. COMMENTS AND RECOMMENDATIONS

The Board should consider if it wishes to maintain the ability to continue to meet remotely by teleconference, or hold hybrid meetings under AB 361. If not, then no action is required at this time, in which case Resolution No. 21-670 will expire on December 1, 2021 and holding of meetings by teleconferencing will be subject to the more restrictive Brown Act requirements that predate AB 361. If the Board desires to have the option to continue to meet remotely due to the ongoing COVID-19 emergency, staff recommends the Board adopt Resolution No. 21-671 pursuant to AB 361 as described herein. The new resolution will allow the District to meet under the AB 361 requirements through December 20, 2021.

IV. REFERENCE MATERIALS

Resolution No. 21-671

RESOLUTION NO. 21-671

A RESOLUTION OF THE GOLETA SANITARY DISTRICT AUTHORIZING CONTINUATION OF REMOTE TELECONFERENCE MEETINGS OF THE DISTRICT'S LEGISLATIVE BODIES PURSUANT TO GOVERNMENT CODE SECTION 54953(e) FOR THE PERIOD NOVEMBER 20, 2021 TO DECEMBER 20, 2021

WHEREAS, all meetings the Goleta Sanitary District's Governing Board, standing committees, and other legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District's legislative bodies conduct their business; and

WHEREAS, Government Code section 54953(e) makes provisions for meetings to be conducted by remote teleconferencing without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition for conducting meetings using teleconferencing under Government Code section 54953(e) is that a state of emergency has been declared by the Governor pursuant to Government Code section 8625; and

WHEREAS, it is further required as a condition for conducting meetings using teleconferencing under Government Code section 54953(e) that (i) state or local officials have imposed or recommended measures to promote social distancing, or (ii) meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the Governing Board adopted Resolution No. 21-669 on October 7, 2021 finding that the requisite conditions existed for the Governing Board and other legislative bodies of the Goleta Sanitary District to conduct remote teleconference meetings without compliance with Government Code section 54953(b)(3); and

WHEREAS, the Governing Board adopted Resolution No. 21-670 on November 1, 2021 finding that the requisite conditions existed for the Governing Board and other legislative bodies of the Goleta Sanitary District to conduct remote teleconference meetings without compliance with Government Code section 54953(b)(3); and

WHEREAS, as a condition of extending the use of the provisions found in Government Code section 54953(e), the Governing Board must find that (i) it has reconsidered the circumstances of the state of emergency, and (ii) any of the following circumstances exist:

- The state of emergency continues to directly impact the ability of the members to meet safely in person.

- State or local officials continue to impose or recommend measures to promote social distancing; and

WHEREAS, the state of emergency that was declared by Governor Newsom on March 4, 2020 due to COVID-19 remains active and in effect as of the date of this Resolution; and

WHEREAS, local officials continue to impose or recommend measures to promote social distancing in that, on September 28, 2021, the Santa Barbara County Health Department issued a document entitled “Health Officials AB 361 Social Distance Recommendation” which remains in effect as of the date of this Resolution and which states, in part, as follows:

Using teleconferencing options for public meetings in an effective and recommended social distancing measure to facilitate public participation in public affairs and encourage participants to protect themselves and others from the COVID-19 disease. This recommendation is further intended to satisfy the requirement of the Brown Act (specifically Gov’t Code Section 54953(e)(1)(A)), which allows legislative bodies in the County of Santa Barbara to use certain available teleconferencing options set forth in the Brown Act; and

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

1. Findings. The Governing Board hereby finds that (i) it has reconsidered the circumstances of the state of emergency declared by Governor Newsom on March 4, 2020 and has determined that such state of emergency remains active, (ii) local officials continue to impose or recommend measures to promote social distancing, and (iii) the legislative bodies of the District are authorized to continue conducting meetings using teleconferencing under Government Code section 54953(e) without compliance with Government Code section 54953(b)(3).

2. Remote Teleconference Meetings. The General Manager and staff of the District are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, continuing to conduct open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

3. Public Access. The legislative bodies of the District shall comply with the requirements to provide the public with access to meetings as prescribed in Government Code Section 54953(e)(2).

4. Effective Date of Resolution. This Resolution shall take effect on November 20, 2021, and shall expire on December 20, 2021 unless, on or before that date and every thirty (30) days thereafter, the Governing Board adopts a subsequent resolution setting forth the findings required by Government Code Section 54953(e)(3) to extend the time during which the legislative bodies of the District may continue to teleconference without compliance with Government Code Section 54953(b)(3).

PASSED AND ADOPTED this 20th day of November, 2021, by the following vote of the Governing Board of the Goleta Sanitary District:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jerry D. Smith
President of the Governing Board

Countersigned:

Robert O. Mangus, Jr.,
Secretary of the Governing Board