



SEASIDE COUNTY SANITATION DISTRICT

440 HARCOURT AVENUE SEASIDE, CA 93955

SPECIAL MEETING
Board of Directors
Wednesday, August 31, 2022, 9:30 AM
VIRTUAL ONLY MEETING

Pursuant to California Government Code section 54953(e)(1)(A) and (C) and the Seaside County Sanitation District's resolution authorizing virtual participation in public meetings given the COVID-19 pandemic; meetings are being conducted in a virtual format providing in order to promote social distancing and protect the health and safety of attendees.

VIRTUAL PUBLIC PARTICIPATION INSTRUCTIONS

1. To view this meeting: Please click on the following link to the City of Seaside YouTube Channel: <https://www.youtube.com/c/CityofSeasideCalifornia>
2. To participate in this meeting: Using the Zoom application on your smart phone, laptop, tablet or desktop and click on this link:
<https://us02web.zoom.us/j/83946789270>

WEBINAR ID: **839 4678 9270**

3. To participate by phone: Please call (669) 900-9128. Enter the meeting ID **839 4678 9270** when prompted. There is no participate code – press the pound sign # after the recording prompts you.
4. To make public comment, the following options are available:
 - Before the Meeting via Email: Written comments can be emailed to pwinfo@ci.seaside.ca.us Include the following subject line: "Public Comment Item #____" (insert the agenda item number relevant to your comment). Written comments must be received at least two (2) hours prior to the meeting time on the day of the meeting.
 - During the Meeting via Oral Comments: When the Chair calls for public comment, attendees can queue to speak with the "Raise Hand" feature. On the Zoom application, click the "Raise Hand" button. On the phone, press *9.

1. CALL TO ORDER
BOARD OF DIRECTORS

Jerry Blackwelder
Pat Lintell
Jon Wizard

Chair
First Vice Chair
Second Vice Chair

2. REVIEW OF AGENDA

If there are any items that arose after the 72-hour posting deadline, this is the point in the meeting where a vote may be taken to add the item to the agenda. (A 2/3-majority vote is required).

3. PUBLIC COMMENT

Members of the public wishing to address the Seaside County Sanitation District on matters within the jurisdiction of the Board, but not on this agenda, may do so during Public Comment period for up to two minutes. Public Comments on specific agenda items are heard under that item. For the public record, please state your name.

4. CONSENT AGENDA

A. APPROVE MINUTES FROM THE AUGUST 16, 2022 REGULAR MEETING

B. ADOPT A RESOLUTION MAKING FINDINGS IN ACCORDANCE WITH AB361 AND GOVERNMENT CODE SECTION 54953(E) AUTHORIZING REMOTE TELECONFERENCE MEETINGS

PURPOSE: ADOPT A RESOLUTION MAKING FINDINGS IN ACCORDANCE WITH AB361 AND GOVERNMENT CODE SECTION 54953(E) AUTHORIZING REMOTE TELECONFERENCE MEETINGS

RECOMMENDATION: Adopt a resolution making findings under AB361 and Government Code section 54953(e) authorizing continued teleconference (Zoom) hybrid meetings.

5. NEW BUSINESS

6. STAFF REPORTS

Staff reports include items for which verbal reports/presentations will be provided. If a specific Seaside County Sanitation District presentation is planned, it will be listed and information included with the Agenda. Brief oral reports may be provided for items arising after the Agenda was prepared. The Board may wish to ask questions or discuss a staff report, but no action is appropriate other than referral to staff, or request that a matter be set as a future Agenda item.

7. BOARD MEMBERS COMMENTS

8. ADJOURNMENT

Next Regularly Scheduled Meeting:
September 13, 2022
9:30 a.m.

In compliance with the Americans with Disabilities Act (ADA), the Seaside County Sanitation District (SCSD) does not discriminate against persons with disabilities. Any person with a disability who requires a modification or accommodation to be able to participate in this meeting is asked to contact the office of the District Clerk at cityclerk@ci.seaside.ca.us 831-899-6707, no fewer than two business days prior to the meeting to allow for reasonable arrangements. This agenda is posted in compliance with Pursuant to Governor Newsom's Executive Orders [N-29-20](#) and [N-33-20](#). Agenda related writings or documents provided to the Board are available for public inspection during the meeting or may be requested from the office of the District Clerk.



DRAFT MINUTES
SEASIDE COUNTY SANITATION DISTRICT
Tuesday, August 9, 2022 9:30 AM
REGULAR MEETING
Seaside Conference Room

1. CALL TO ORDER

The meeting was called to order at 9:30 a.m.

PRESENT: BLACKWELDER, LINTELL, WIZARD
ABSENT: NONE

2. REVIEW OF AGENDA

3. PUBLIC COMMENT

4. CONSENT AGENDA

On motion by First Vice Chair Lintell and seconded by Second Vice Chair Wizard and passed by the following roll call vote, the Seaside County Sanitation District Board approved the consent agenda as presented.

RESULT: ***APPROVED***
AYES: BLACKWELDER, LINTELL, WIZARD
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

A. APPROVE MINUTES FROM THE JULY 12, 2022 REGULAR MEETING

Result: ***APPROVED***

B. ADOPT A RESOLUTION MAKING FINDINGS IN ACCORDANCE WITH AB361 AND GOVERNMENT CODE SECTION 54953(E) AUTHORIZING REMOTE TELECONFERENCE MEETINGS

Result: ***APPROVED***

C. Receive Seaside County Sanitation District Operations Report for July 2022.

Result: ***APPROVED***

D. APPROVAL OF MAY & JUNE 2022 EXPENDITURE REPORT FOR SEASIDE COUNTY SANITATION DISTRICT

Result: ***APPROVED***

5. NEW BUSINESS

NONE

6. STAFF REPORTS

District Engineer Nisha Patel provided a report on the construction for the Fremont, Broadway, Ortiz Sewer Main Project.

7. BOARD MEMBERS COMMENTS

NONE

8. ADJOURNMENT

This meeting adjourned at 9:36 a.m.

Respectfully Submitted,

**Jasmine Dolan for Dominique L.
Davis, District Clerk**

Jerry Blackwelder, Chair



**SEASIDE COUNTY SANITATION DISTRICT
STAFF REPORT**

Item No.: 4.B.

TO: Seaside County Sanitation District

FROM: Jaime M. Fontes, District Manager

BY: Jasmine Dolan, Administrative Assistant

DATE: August 31, 2022

**SUBJECT: ADOPT A RESOLUTION MAKING FINDINGS IN ACCORDANCE
WITH AB361 AND GOVERNMENT CODE SECTION 54953(E)
AUTHORIZING REMOTE TELECONFERENCE MEETINGS**

PURPOSE

ADOPT A RESOLUTION MAKING FINDINGS IN ACCORDANCE WITH AB361 AND GOVERNMENT CODE SECTION 54953(E) AUTHORIZING REMOTE TELECONFERENCE MEETINGS

RECOMMENDATION

Adopt a resolution making findings under AB361 and Government Code section 54953(e) authorizing continued teleconference (Zoom) hybrid meetings.

BACKGROUND

At the Seaside County Sanitation meeting of February 8, 2022, the Board considered and authorized continuing teleconference meetings to conduct the business of the District in accordance with the provisions of AB361 which adds Government Code section 54953(e) to the Brown Act and provides for remote teleconferencing subject to the existence of certain conditions. Government Code section 54953(e) provides that when there is a proclaimed State of Emergency declared by the Governor, a local body may make a determination to authorize a meeting remotely via teleconference as a result of the emergency, within the first 30 days after the first meeting. To do so, a resolution would need to be adopted in which the legislative body finds that a meeting in person would present imminent risks to the health or safety of attendees, or that

state or local officials have imposed or recommended measures to promote social distancing. Importantly, the resolution to continue teleconference meetings must be renewed every 30 days.

Since February 8, 2022, the situation has not changed. The State of California remains in a State of Emergency as a result of the threat posed by the COVID-19 pandemic. Although the FDA and CDC have approved boosters and a vaccination for Children 5 - 11, the SARS-CoV-2 virus continues to mutate and there continues to be break-through infections. Finally, renewing this resolution to continue with the option to participate remotely by teleconference (Zoom) to be in the health, safety and welfare of its citizenry during the continuing COVID-19 crisis.

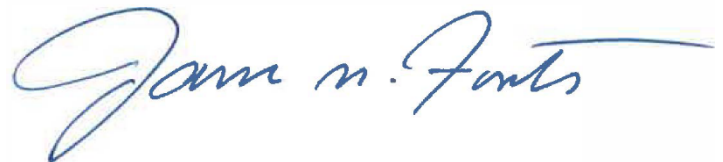
FISCAL IMPACT

Zoom account and on-line services are already included in the budget.

ATTACHMENTS

1. Resolution
-

Reviewed for Submission to the
Board by:



Jaime M. Fontes, District Manager

RESOLUTION NO. 22-XX

A RESOLUTION OF THE SEASIDE COUNTY SANITATION DISTRICT

MAKING FINDINGS FOR HOLDING REMOTE TELECONFERENCE/ZOOM MEETINGS IN ACCORDANCE WITH AB361 AND GOVERNMENT CODE SECTION 54953(e)

WHEREAS, on or about March 4, 2020, Governor Newsom declared a State of Emergency in the State of California pursuant to Government Code section 8625 as a result of the COVID-19 pandemic; and

WHEREAS, Governor Newsom issued Executive Orders N-25-20 and N-29-20. These orders suspended certain elements of the Brown Act and specifically allowed for legislative bodies to hold their meetings entirely electronically with no physical meeting place. On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which provided that the emergency provisions suspending the Brown Act provisions would expire on September 30, 2021; and

WHEREAS, there have been continued transmission of the COVID-19 cases and most hospitalizations in Monterey County primarily due to the Delta and Omicron variants of the SARS-CoV-2, the virus that causes COVID-19. Emerging evidence indicates that the Omicron variant is far more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others; and

WHEREAS, Monterey County Health Officer continues to recommend social distancing measures for meetings of legislative bodies, or the state of emergency continues to directly impact the ability of the members to meet in person.

WHEREAS, on or about September 16, 2021, Governor Newsom signed AB361 into law which creates a new section of the Brown Act, Government Code section 54953(e), which authorizes the continuation of remote teleconference meetings without complying with provisions of noticing requirements of 54953(b) and physical location, so long as the local agency has made appropriate findings and the state continues to be in a state of emergency; and

WHEREAS, the District did not have sufficient business to conduct meetings in October and November. In January, the City of Seaside had a COVID outbreak which necessitated closing City Hall, and the District was unable to hold its January meeting; and

WHEREAS, the Seaside County Sanitation District now desires to adopt a Resolution finding that the requisite conditions exist for the legislative bodies of the Seaside County Sanitation District of Seaside, to conduct remote electronic/teleconference meetings without compliance with Government Code section 54953 (b)(3).

NOW, THEREFORE, BE IT RESOLVED that the Board of the Seaside County Sanitation District hereby makes the following findings:

1. The above recitals are true and correct and are incorporated herein by this reference.
2. The District Board determines that as a result of the proclaimed state of emergency in California due to COVID-19, and in particular the continued spread of the virus in Monterey County, along with the limited of vaccine for children under the age of 12 and the increased transmissibility of the Delta, Omicron, and other variants of the SARS-CoV-2a virus require the continuation of remote teleconference participation in the conduct of the Seaside County Sanitation District's business.
3. The District Manager and District Counsel shall ensure that all Seaside County Sanitation bodies are authorized to conduct their meetings via teleconference hybrid method, including in person and/or fully remote Zoom/teleconference meetings and are directed to take all steps to implement this Resolution including, continuing to conduct open and public remote meetings in accordance with the requirements of Government Code section 54953(e) and other applicable provisions of the Brown Act.

This Resolution shall take effect immediately upon its adoption and shall be effective for thirty (30) days, unless extended by the District Board.

PASSED AND ADOPTED at a meeting of the Seaside County Sanitation District duly held on the 31st day of August, 2022, by the following vote:

AYES:	BOARD MEMBERS:
NOES:	BOARD MEMBERS:
ABSENT:	BOARD MEMBERS:
ABSTAIN:	BOARD MEMBERS:

Jerry Blackwelder, Chair

ATTEST:

Dominique Davis, District Clerk