

**ARROYO SECO GROUNDWATER SUSTAINABILITY AGENCY SPECIAL MEETING
November 22, 2022 @ 4:00 P.M.**

Virtual Attendance Only and Remote Viewing Options

The Arroyo Seco Groundwater Sustainability Agency (“ASGSA”) will be conducting its regular meeting on November 22, 2022. Consistent with Assembly Bill (AB) 361, the Agency will hold this meeting virtually only, without in-person attendance by the public and without a physical location for public participation. Further, and consistent with AB 361, the meeting is accessible for public participation through video conferencing and livestreaming.

The Board meeting to be held on November 22, 2022, at 4:00 p.m. will only be accessible online and may be viewed through the following options:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/82173177313>

Or One tap mobile: US: +16699006833,,82173177313# or +16694449171,,82173177313#

Or Telephone: Dial(for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 669 444 9171 or +1 719 359 4580 or +1 253 215 8782 or +1 346 248 7799 or +1 646 931 3860 or +1 689 278 1000 or +1 929 205 6099 or +1 301 715 8592 or +1 309 205 3325 or +1 312 626 6799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000

Webinar ID: 821 7317 7313

The ASGSA will provide links to these streaming options on the City of Greenfield’s website and on its Facebook page.

Public Comment

Public comments will be permitted in the following formats: (1) through Zoom, and (2) through e-mail. If you wish to make a public comment through Zoom, please use the “raise your hand” feature during the public comment section of the agenda that you wish to comment on. You will be selected by the meeting host and will be allowed to say your comment aloud. If you wish to make a public comment through email, please submit your public comment to cityclerk@ci.greenfield.ca.us. In the subject line of the email, please state your name and the item you are commenting on. If you wish to submit a public comment on more than one agenda item, please send a separate e-email for each item you are commenting. Please be aware that written public comments, including your name, may become public information.



**City of Greenfield
Arroyo Seco
Groundwater Sustainability Agency**

599 El Camino Real
Greenfield, CA 93927

**Special Meeting Agenda
November 22, 2022
4:00 P.M.**

The Arroyo Seco Groundwater Sustainability Agency will be conducting its regular meeting on November 22, 2022. Given the current Shelter-in-Place Order covering Monterey County and the Social Distance Guidelines issued by Federal, State, and Local Authorities, the Agency is implementing changes for attendance and public comment. The Groundwater Sustainability Agency meeting to be held on November 22, 2022 at 4:00 p.m. will only be accessible online. Please review the Agency's Attendance and Public Comments Changes Due to COVID-19 for further information.

PLEASE TURN OFF CELL PHONES AND PAGERS

- A. **CALL TO ORDER**
- B. **ROLL CALL**
- C. **PLEDGE OF ALLEGIANCE**
- D. **PUBLIC COMMENTS FROM THE AUDIENCE REGARDING ITEMS NOT ON THE AGENDA**

This portion of the Agenda allows an individual the opportunity to address the Agency on any items not on closed session, consent calendar, public hearings, and Agency business. Under state regulation, **no action can be taken on non-agenda items, including issues raised under this agenda item.** Members of the public should be aware of this when addressing the Agency regarding items not specifically referenced on the Agenda.

PLEASE NOTE: Given the current Shelter-in-Place Order covering Monterey County and the Social Distance Guidelines issued by Federal, State, and Local Authorities, the Agency is implementing changes for attendance and public comment. Please review the Agency's Attendance and Public Comments Changes Due to COVID-19 for additional information. Please be further aware that all public comments must be submitted via email to the following email address: cityclerk@ci.greenfield.ca.us.

**Meeting Agenda
November 22, 2022**

E. CONSENT CALENDAR

All matters listed under the Consent Calendar are considered routine and may be approved by one action of the Agency, unless a request for removal for discussion or explanation is received prior to the time Agency votes on the motion to adopt.

E-1. ADOPTION of Resolution GSA #2022-10, A Resolution of the Arroyo Seco Groundwater Sustainability Agency Authorizing Use of Remote Teleconferencing Provision (AB 361)

F. ADJOURNMENT

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In compliance with the American With Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (831) 674-5591. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (CFR 35.102-35.104 ADA Title II).
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This agenda is duly posted outside City Hall and on the City of Greenfield web site



**City of Greenfield
Arroyo Seco
Groundwater Sustainability Agency**

MEETING DATE: November 22, 2022

TO: Board of Directors
Arroyo Seco Groundwater Sustainability Agency

PREPARED BY: Agency Counsel

TITLE: **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
ARROYO SECO GROUNDWATER SUSTAINABILITY AGENCY
TO AUTHORIZE USE OF REMOTE TELECONFERENCING
PROVISIONS PURSUANT TO AB 361 AND GOVERNMENT
CODE SECTION 54953**

BACKGROUND

In response to the COVID-19 Pandemic, Governor Newsom signed AB 361 into law on September 16, 2021, which amends Government Code section 54953 and permits a local agency to use teleconferencing to conduct its meetings in any of the following circumstances: (A) the legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; (B) the legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or (C) the legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health and safety of attendees.

In order for the Arroyo Seco Groundwater Sustainability Agency (“ASGSA”) to use teleconferencing as allowed by AB 361 after October 1, 2021, the Board must make a finding that the current circumstances meet the requirements of AB 361 and Government Code section 54953. Upon making the requisite findings, the ASGSA will be permitted to conduct teleconferences, subject to the requirements of Government Code section 54953, meetings for a period of thirty (30) days.

AB 361 also requires a governing body to make findings not later than thirty (30) days after teleconferencing for the first time and then every thirty (30) days thereafter.

On September 22, 2021, the Monterey County Public Health Officer issued that certain “Recommendation Regarding Social Distancing Including Remote Meetings of Legislative Bodies”, which recommends that physical and social distancing strategies be practiced in Monterey County, which includes remote meetings of legislative bodies of local agencies, to the extent possible.

On October 26, 2021, the ASGSA Board made the requisite findings and have conducted meetings by teleconference since that date. In October 2022, the Board of Directors cancelled its monthly meeting without renewing its AB 361 findings. As such, more than thirty (30) days have lapsed since the last time that the Board of Directors readopting its AB 361 findings and so, the October 26, 2021, findings resolution expired.

RECOMMENDATION

It is recommended the Board of Directors approve the Resolution authorizing the General Manager to Implement Teleconferenced Public Meetings Pursuant to Assembly Bill 361.

PROPOSED MOTION

I MOVE TO APPROVE RESOLUTION NO. GSA 2002-10 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ARROYO SECO GROUNDWATER SUSTAINABILITY AGENCY TO AUTHORIZE USE OF REMOTE TELECONFERENCING PURSUANT TO ASSEMBLY BILL 361 AND GOVERNMENT CODE SECTION 43953.

ATTACHMENTS

1. Resolution Number GSA #2022-10
2. Monterey County Health Officer Recommendation, dated September 21, 2021

RESOLUTION NO. GSA 2022-10
RESOLUTION OF THE BOARD OF DIRECTORS OF THE
ARROYO SECO GROUNDWATER SUSTAINABILITY AGENCY
AUTHORIZING USE OF REMOTE
TELECONFERENCING PROVISIONS (AB 361)

WHEREAS, the Board of Directors of the Arroyo Seco Groundwater Sustainability Agency (“ASGSA”) is committed to open and transparent government, and full compliance with the Ralph M. Brown Act (“Brown Act”); and

WHEREAS, the Brown Act generally requires that a public agency take certain actions in order to use teleconferencing to attend a public meeting virtually; and

WHEREAS, the Board recognizes that a local emergency persists due to the worldwide COVID-19 pandemic; and

WHEREAS, the California Legislature has recognized the ongoing state of emergency due to the COVID-19 pandemic and has responded by creating an additional means for public meetings to be held via teleconference (inclusive of internet-based virtual meetings); and

WHEREAS, on September 16, 2021, the California legislature passed Assembly Bill (“AB”) 361, which amends Government Code, section 54953 and permits a local agency to use teleconferencing to conduct its meetings in any of the following circumstances: (A) the legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; (B) the legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or (C) the legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, in order for the Board to use teleconferencing as allowed by AB 361 after October 1, 2021, it must first adopt findings in a resolution, allowing the ASGSA to conduct teleconference meetings for a period of thirty (30) days; and

WHEREAS, Governor Gavin Newsom declared a state of emergency for the State of California due to the COVID-19 pandemic in his order entitled “Proclamation of a State of Emergency,” signed March 4, 2020; and

WHEREAS, the County of Monterey continues to require certain social distancing requirements of people within Monterey County, as described in detail in the “Recommendation Regarding Social Distancing Including Remote Meetings of Legislative Bodies,” issued by the Monterey County Health Department on September 22, 2021; and

WHEREAS, the Board is conducting its meetings through the use of telephonic and internet-based services so that members of the public may observe and participate in meetings and offer public comment.

NOW THEREFORE, BE IT RESOLVED, that the recitals set forth above are true and correct and fully incorporated into this Resolution by reference.

BE IT FURTHER RESOLVED, that the Board is conducting meetings during a state of emergency and the Monterey County Health Department recommends measures to promote social distancing.

BE IT FURTHER RESOLVED, that the actions taken by the Board through this resolution shall be applied to all ASGSA committees governed by the Brown Act unless otherwise desired by that committee.

BE IT FURTHER RESOLVED, the Board authorizes the General Manager or their designee(s) to take all actions necessary to conduct Board meetings in accordance with Government Code section 54953(e) and all other applicable provisions of the Brown Act, using teleconferencing for a period of thirty (30) days from the adoption of this Resolution after which the Board will reconsider the circumstances of the state of emergency.

PASSED AND ADOPTED by the Arroyo Seco Groundwater Sustainability Agency on this 22 day of November 2022, by the following vote:

AYES, and all in favor, thereof, Board Members:

NOES, Board Members:

ABSENT, Board Members:

ABSTAIN, Board Members:

James Thorp, Chair

ATTEST:

Ann F. Rathbun, City Clerk



COUNTY OF MONTEREY HEALTH DEPARTMENT

Elsa Mendoza Jimenez, Director of Health

Administration Animal Services Behavioral Health Clinic Services
Emergency Medical Services Environmental Health Public Administrator/Public Guardian Public Health

Recommendation Regarding Social Distancing Including Remote Meetings of Legislative Bodies

Issued: September 22, 2021

The Monterey County Health Department continues to recommend that physical and social distancing strategies be practiced in Monterey County, which includes remote meetings of legislative bodies of local agencies, to the extent possible.

Monterey County continues to experience transmission of COVID-19 locally. Physical and social distancing is still an effective measure to reduce the spread of COVID-19, especially when combined with use of face coverings, frequent hand washing, staying home when ill, testing, and vaccination with U.S. Food and Drug Administration approved or authorized COVID-19 vaccines.

Remote meetings of legislative bodies allow for the virtual participation of agency staff, presenters, and community members in safer environments, with less risk of exposure to SARS-CoV-2, the virus that causes COVID-19.

The Monterey County Health Officer will continue to monitor local metrics and the necessity of this recommendation.