



**REGULAR MEETING AGENDA
PAJARO DUNES GEOLOGIC HAZARD ABATEMENT DISTRICT
VIRTUAL MEETING via ZOOM**

Governor Newsom through CA Executive Order N-33-20 (issued on March 19th, 2020) issued a shelter-in-place order for the State of California. The order was further strengthened by the County of Santa Cruz Health Officer Order issued on March 31st, 2020 which discourages residents from traveling (even between their own properties) for non-essential reasons. CA Executive Order N-25-20 allows for modifications to the Brown Act ensuring that public meetings can continue under this order through telephone or video conferencing.

Saturday, December 11th, 2021 9:00 a.m.

Join Zoom Meeting

<https://us02web.zoom.us/j/81503851647?pwd=amdWYkprR3plSHkyTnljMmN3S0Q0dz09>

Meeting ID: 815 0385 1647

Passcode: 210746

See below the agenda for how to download Zoom for a computer or smartphone (both audio and video available) or to participate via dial-in telephone (audio only). Also, please review the etiquette guidelines and reminders. If you have any questions please contact the District Clerk at pdghad@gmail.com

A. OPEN SESSION CALL TO ORDER – PLEDGE OF ALLEGIANCE

Roll Call

John Cullen, President
David Ferrari, Vice-President
Raphael Kraw, Treasurer

Michael Butner, Director
Sarah Mansergh, Clerk

B. MEMBER COMMENTS

Matters under the jurisdiction of the Board and not on the posted agenda, may be addressed by members of the public before the Board for consideration. However, California law prohibits the Board from taking action on any matter which is not on the posted agenda unless it is determined to be an emergency by the Board of PDGHAD. Any person wishing to address the Board during the Member Comment period shall

be permitted to be heard for up to 3 minutes, A) individuals may speak only once and B) the Board is unable to address any owner comments in depth, but may choose to direct the Clerk to follow-up on the matter for a future meeting.

C. PRESIDENT'S REMARKS

The President will use this opportunity to inform the public of issues affecting the District and other items of a general nature not otherwise provided for on this agenda.

1. 2022 Regular Meeting Dates

Discuss meeting dates for 2022-align with PDA? See item #6 below

D. CONSENT CALENDAR

All matters listed on the Consent Calendar are considered to be routine by the Board of Directors and will be enacted by one motion at the appropriate time. There will be no separate discussion on these items. If discussion is desired, that item will be removed from the Consent Calendar and will be considered separately.

1. Approval of meeting minutes of November 13th, 2021.

E. TREASURER'S REPORT

2. Financial Reports

- Financial Report through November 30th, 2021
- Warrant listing

F. MEETING reports

3. Meetings attended by Directors at District expense since the last meeting of the Board (per AB1234 requirements). Such reports may be made orally or in writing.

G. NEW BUSINESS

4. ITEM-Consider resolution for continuing teleconferencing meetings.

- a. Board report
- b. Public comment
- c. Board discussion
- d. Board action /direction

5. ITEM- Update on County application for grading permit

- a. Board report
- b. Public comment
- c. Board discussion
- d. Board action /direction

6. ITEM – Consider updating meeting policy to coordinate dates with PDA meetings.

- a. Board report
- b. Public comment
- c. Board discussion
- d. Board action /direction

7. ITEM – Review/Accept 2020/21 Audit Report

- a. Board report
- b. Public comment
- c. Board discussion
- d. Board action /direction

H. DIRECTORS COMMENTS AND CONCERNS

Members of the Board of Directors may address items of concern at this time, and may request that items be placed on future agendas in accordance with the By-laws of the Board.

I. ADJOURNMENT

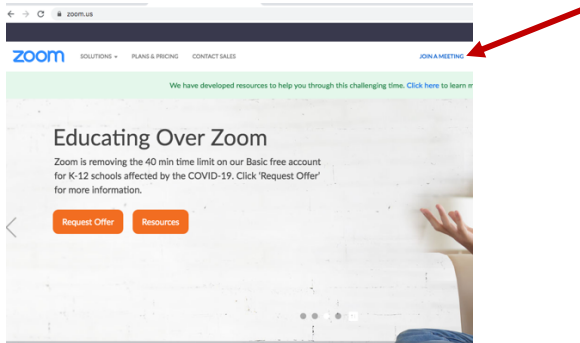
The next Meeting of the Board of Directors is scheduled for February 5th, 2021, at 9:00 a.m. online via Zoom and if possible at the offices of the Pajaro Dunes Geologic Hazard Abatement District, Board Room, Pajaro Dunes, 2661 Beach Road, Watsonville, CA 95076. Individuals who require special accommodations are requested to contact the District Clerk by calling (831) 818-9253, no less than 72 hours prior to the meeting or in the case of a Special Meeting, as soon as possible after the Agenda is posted. Copies of the agenda will be available 72 hours prior to the meeting and may be obtained by contacting the District at (831) 761-7744. All meetings are noticed and conducted in accordance with the Ralph M. Brown Act

Zoom Meeting Set-up for PDGHAD meeting

You can join Zoom with your computer or with your smartphone. Please download the program (as described below) for your preferred instrument and call Sarah to verify usability.

Computer:

- 1) Go to zoom.us



- 2) Click Join a Meeting (red arrow)
- 3) It will prompt you to download and run Zoom (The program should open automatically. If it doesn't then go to your programs and start it manually)
- 4) Click Join a Meeting
- 5) Meeting ID: see agenda
- 6) Choose a Name and Click Join
- 7) Test Password: see agenda
- 8) You will be admitted to the meeting and can use the designated public participation times to ask a question verbally or the chat feature (bubble icon on lower menu) at any time to ask questions that can be read out during the public comment period.

Smartphone:

- 1) Go to your application download center
- 2) Download "Zoom Cloud Meetings" by Meet Happy



- 3) Click “Join a Meeting”
- 4) Enter Meeting ID: see agenda
- 5) Enter Password: see agenda
- 6) You will be admitted to the meeting and can use the designated public participation times to ask a question verbally or the chat feature (click on the 3 dots More button on the bottom right and select chat) at any time to ask questions that can be read out during the public comment period.

Telephone (audio only):

- 1) Call: Dial by your location
 - 669 900 9128 US (San Jose)
 - 888 788 0099 US Toll-free
 - 877 853 5247 US Toll-free
- 2) Enter the Meeting ID: See agenda
- 3) Enter the Meeting PW: See agenda
- 4) Follow the instructions
- 5) You can send questions (or ask for assistance) outside of the public comment period to pdghad@gmail.org to be read during the discussion public comment time.

Some etiquette-

- 1) We can see you:
 - a. Warn your household members they may be on video
 - b. Leave the phone/computer where it is when taking a break
 - 2) Turn down ambient music/noises
 - 3) Mute yourself when you are not speaking to us (you will be muted upon entering the meeting and during presentations). You can use the chat feature to ask questions when muted.
 - 4) Unmute when you are speaking to us
- Some common solutions:

Want to see everyone in gallery view (everyone at once)?

Computer: Click Gallery View on the top right menu

Smart phone: Swipe left

Camera not showing the correct view?

Computer: Go to the Video icon on the bottom left of your computer screen and click on the ^ to open the menu to switch your camera.

Smartphone: Click the camera reverse button on the top menu

PDGHAD

REGULAR MEETING AGENDA PAJARO DUNES GEOLOGIC HAZARD ABATEMENT DISTRICT VIRTUAL MEETING via ZOOM

Governor Newsom through CA Executive Order N-33-20 (issued on March 19th, 2020) issued a shelter-in-place order for the State of California. The order was further strengthened by the County of Santa Cruz Health Officer Order issued on March 31st, 2020 which discourages residents from traveling (even between their own properties) for non-essential reasons. CA Executive Order N-25-20 allows for modifications to the Brown Act ensuring that public meetings can continue under this order through telephone or video conferencing.

Saturday, November 13th, 2021 9:00 a.m.

Join Zoom Meeting

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A. OPEN SESSION CALL TO ORDER – PLEDGE OF ALLEGIANCE

Roll Call

John Cullen, President-present
David Ferrari, Vice-President-present
Raphael Kraw, Treasurer-not present

Michael Butner, Director-present
Sarah Mansergh, Clerk-present

Also in attendance Wendy Cumming (and Mike Rodriquez (attorney), Dan Peluso (engineer) joining the meeting.

B. MEMBER COMMENTS

Matters under the jurisdiction of the Board and not on the posted agenda, may be addressed by members of the public before the Board for consideration. However, California law prohibits the Board from taking

action on any matter which is not on the posted agenda unless it is determined to be an emergency by the Board of PDGHAD. Any person wishing to address the Board during the Member Comment period shall be permitted to be heard for up to 3 minutes, A) individuals may speak only once and B) the Board is unable to address any owner comments in depth, but may choose to direct the Clerk to follow-up on the matter for a future meeting.

C. PRESIDENT'S REMARKS

The President will use this opportunity to inform the public of issues affecting the District and other items of a general nature not otherwise provided for on this agenda.

1. 2021 Regular Meeting Dates

December 11th 2021-check timing of meeting-confirm 9am Zoom most likely; hybrid at least.

D. CONSENT CALENDAR

All matters listed on the Consent Calendar are considered to be routine by the Board of Directors and will be enacted by one motion at the appropriate time. There will be no separate discussion on these items. If discussion is desired, that item will be removed from the Consent Calendar and will be considered separately.

1. Approval of meeting minutes of August 21st and 27th, 2021.

David Ferrari moves to approve. Mike Butner seconds. John Cullen-aye, David Ferrari-aye; Mike Butner-aye.

E. TREASURER'S REPORT

2. Financial Reports

- Financial Report through October 31st, 2020
- Warrant listing

Wendy reported that the Bond payment was made. No other major expenditures were reported.

F. MEETING reports

3. Meetings attended by Directors at District expense since the last meeting of the Board (per AB1234 requirements). Such reports may be made orally or in writing.

No meetings.

G. NEW BUSINESS

4. ITEM-Consider resolution for teleconferencing meetings and review procedures moving forward.

- a. Board report
- b. Public comment
- c. Board discussion
- d. Board action /direction

Mike Rodriquez gave an overview of the new State policy under AB 361 to establish a teleconferencing policy every 30 days with resolution at the beginning of meetings based on findings of continued health issues. Presented the resolution for consideration.

Mike Butner moves to approve the resolution for teleconferencing policy. David Ferrari seconds. Roll Vote: John Cullen-aye, David Ferrari-aye; Mike Butner-aye.

5. ITEM- Update on County application for grading permit
- a. Board report
 - b. Public comment
 - c. Board discussion
 - d. Board action /direction

Dan Peluso showed a cross section of the new maintenance plans for the seawall. This will involve moving rocks into place to reestablish the slope of the revetment in areas where rocks have fallen. They will creating the plans for the full ~1800 ft. They should have nearly 90% plans this week and will prepare a submission packet and cover letter for the County. He will return to the December meeting with 90% plans and updated cost estimates and hopefully some preliminary plan check comments from the County.

6. ITEM-Consider resolution moving the bank account for the Bond funds from Union Bank to Santa Cruz County Bank.
- a. Board report
 - b. Public comment
 - c. Board discussion
 - d. Board action /direction

Wendy reported that trying to make the Bond payment through Union Bank has been difficult and suggest the Board should consider moving that account.

David Ferrari moves to approve the Resolution to transfer the Bond account from Union Bank to Santa Cruz County Bank. The Board directs the establishment of a new bank account at SCCB with the same signatories as the other accounts currently held at SCCB (John Cullen, David Ferrari and Sarah Mansergh) and to also allow online access for statement viewing to Wendy Cumming. Mike Butner seconds.

Roll Vote: John Cullen-aye, David Ferrari-aye; Mike Butner-aye.

7. ITEM – Provide direction for seawall inspection
- a. Board report
 - b. Public comment
 - c. Board discussion
 - d. Board action /direction

The Board directs Sarah to schedule a seawall inspection in early Spring.

H. DIRECTORS COMMENTS AND CONCERNS

Members of the Board of Directors may address items of concern at this time, and may request that items be placed on future agendas in accordance with the By-laws of the Board.

I. ADJOURNMENT

The meeting was adjourned at 9:56am.

The next Meeting of the Board of Directors is scheduled for December 11th, 2021, at 9:00 a.m. online via Zoom and if possible at the offices of the Pajaro Dunes Geologic Hazard Abatement District, Board Room, Pajaro Dunes, 2661 Beach Road, Watsonville, CA 95076. Individuals who require special accommodations are requested to contact the District Clerk by calling (831) 818-9253, no less than 72 hours prior to the meeting or in the case of a Special Meeting, as soon as possible after the Agenda is posted. Copies of the agenda will be available 72 hours prior to the meeting and may be obtained by contacting the District at (831) 761-7744. All meetings are noticed and conducted in accordance with the Ralph M. Brown Act

DRAFT

Pajaro Dunes Geologic Hazard Abatement District

Balance Sheet

As of November 30, 2021

Nov 30, 21

ASSETS

Current Assets

Checking/Savings

100000 · SCCB Zone 1 - 3957	198,073
100001 · SCCB Zone 2 - 3965	55,972
100002 · SCCB Z1 Emerg - 1877	489,004
100003 · SCCB LTD- 0208	49,220
100400 · Union Bank Bond Holding	<u>263,711</u>

Total Checking/Savings 1,055,980

Accounts Receivable

120000 · Assessments Receivable	<u>271,679</u>
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Total Accounts Receivable 271,679

Other Current Assets

121500 · Prepaid Insurance	5,517
121600 · Prepaid Expenses	<u>1,000</u>

Total Other Current Assets 6,517

Total Current Assets 1,334,176

Fixed Assets

150000 · Riverwall	3,000,000
160000 · Accumulated Depreciation	<u>-1,691,665</u>

Total Fixed Assets 1,308,335

TOTAL ASSETS 2,642,511

LIABILITIES & EQUITY

Liabilities

Current Liabilities

Accounts Payable

200000 · Accounts Payable	<u>942</u>
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Total Accounts Payable 942

Other Current Liabilities

220000 · Accrued Interest	<u>10,366</u>
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Total Other Current Liabilities 10,366

Total Current Liabilities 11,308

Long Term Liabilities

285000 · Bonds Payable Z2	1,000,000
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286000 · Bonds Payable Discount Z2	-52,250
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286500 · Amort. Bond Discount Z2	<u>34,819</u>
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Total Long Term Liabilities 982,569

Total Liabilities 993,877

Equity

30000 · Opening Balance Equity	608,448
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32000 · Retained Earnings	926,531
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Net Income	<u>113,656</u>
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Total Equity 1,648,635

TOTAL LIABILITIES & EQUITY 2,642,512

Pajaro Dunes Geologic Hazard Abatement District

Profit & Loss Budget vs. Actual

July through November 2021

	Zone 1			
	<u>Jul - Nov 21</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense				
Income				
410000 · Assessment Income	89,852	89,852	0	100%
410020 · Emergency Reserve Fund	70,759	70,759	0	100%
410050 · Assess. Income PDA Stairs	0	0	0	0%
Total Income	<u>160,611</u>	<u>160,611</u>	<u>0</u>	<u>100%</u>
Expense				
610155 · Postage and Mailings	3	750	-747	0%
61510 · Advertising	0	0	0	0%
615115 · Office Expense	-14	210	-224	-7%
615140 · Audit Expense	9,600	10,331	-731	93%
61518 · Clerk	1,374	3,616	-2,242	38%
615415 · Accounting	6,600	11,000	-4,400	60%
615416 · Assessment Admin. Expense	5,340	8,265	-2,925	65%
615617 · Website Maintenance	0	750	-750	0%
615650 · Officer Election	0	2,557	-2,557	0%
615655 · Dues	0	0	0	0%
615656 · Board/Clerk Education	0	0	0	0%
616500 · Legal Fees	1,520	7,748	-6,228	20%
617250 · Seawall Inspections	0	0	0	0%
619010 · Technical Consulting Costs	23,963	50,955	-26,992	47%
628500 · Insurance Expense	6,457	6,457	0	100%
629030 · SBA Repayment to PHA Z2	0			
629900 · Bond Fee Expense	0			
650000 · Bank Service Charges	1,025			
750000 · Depreciation Expense Z2	0			
Total Expense	<u>55,868</u>	<u>102,639</u>	<u>-46,771</u>	<u>54%</u>
Net Ordinary Income	<u>104,743</u>	<u>57,972</u>	<u>46,771</u>	<u>181%</u>
Other Income/Expense				
Other Income				
410070 · Interest & Penalty Income	97	21	76	462%
Total Other Income	<u>97</u>	<u>21</u>	<u>76</u>	<u>462%</u>
Other Expense				
855000 · Interest Expense	0			
955500 · Interest Bond Discount	0			
Total Other Expense	<u>0</u>	<u></u>	<u></u>	<u></u>
Net Other Income	<u>97</u>	<u>21</u>	<u>76</u>	<u>462%</u>
Net Income	<u><u>104,840</u></u>	<u><u>57,993</u></u>	<u><u>46,847</u></u>	<u><u>181%</u></u>

Pajaro Dunes Geologic Hazard Abatement District
Profit & Loss Budget vs. Actual
 July through November 2021

	Zone 2			
	<u>Jul - Nov 21</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense				
Income				
410000 · Assessment Income	110,931	110,931	0	100%
410020 · Emergency Reserve Fund	0			
410050 · Assess. Income PDA Stairs	0	0	0	0%
Total Income	<u>110,931</u>	<u>110,931</u>	<u>0</u>	<u>100%</u>
Expense				
610155 · Postage and Mailings	0			
61510 · Advertising	0			
615115 · Office Expense	0			
615140 · Audit Expense	0			
61518 · Clerk	411	1,118	-707	37%
615415 · Accounting	0			
615416 · Assessment Admin. Expense	517	1,073	-556	48%
615617 · Website Maintenance	0			
615650 · Officer Election	0			
615655 · Dues	0			
615656 · Board/Clerk Education	0			
616500 · Legal Fees	0			
617250 · Seawall Inspections	0			
619010 · Technical Consulting Costs	0			
628500 · Insurance Expense	0			
629030 · SBA Repayment to PHA Z2	38,690	38,690	0	100%
629900 · Bond Fee Expense	0	0	0	0%
650000 · Bank Service Charges	0	215	-215	0%
750000 · Depreciation Expense Z2	41,665	41,667	-2	100%
Total Expense	<u>81,283</u>	<u>82,763</u>	<u>-1,480</u>	<u>98%</u>
Net Ordinary Income	29,648	28,168	1,480	105%
Other Income/Expense				
Other Income				
410070 · Interest & Penalty Income	90	63	27	143%
Total Other Income	90	63	27	143%
Other Expense				
855000 · Interest Expense	20,052	25,065	-5,013	80%
955500 · Interest Bond Discount	870			
Total Other Expense	<u>20,922</u>	<u>25,065</u>	<u>-4,143</u>	<u>83%</u>
Net Other Income	-20,832	-25,002	4,170	83%
Net Income	<u><u>8,816</u></u>	<u><u>3,166</u></u>	<u><u>5,650</u></u>	<u><u>278%</u></u>

Pajaro Dunes Geologic Hazard Abatement District

Profit & Loss Budget vs. Actual

July through November 2021

	TOTAL			
	Jul - Nov 21	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
410000 · Assessment Income	200,783	200,783	0	100%
410020 · Emergency Reserve Fund	70,759	70,759	0	100%
410050 · Assess. Income PDA Stairs	0	0	0	0%
Total Income	<u>271,542</u>	<u>271,542</u>	<u>0</u>	<u>100%</u>
Expense				
610155 · Postage and Mailings	3	750	-747	0%
61510 · Advertising	0	0	0	0%
615115 · Office Expense	-14	210	-224	-7%
615140 · Audit Expense	9,600	10,331	-731	93%
61518 · Clerk	1,785	4,734	-2,949	38%
615415 · Accounting	6,600	11,000	-4,400	60%
615416 · Assessment Admin. Expense	5,857	9,338	-3,481	63%
615617 · Website Maintenance	0	750	-750	0%
615650 · Officer Election	0	2,557	-2,557	0%
615655 · Dues	0	0	0	0%
615656 · Board/Clerk Education	0	0	0	0%
616500 · Legal Fees	1,520	7,748	-6,228	20%
617250 · Seawall Inspections	0	0	0	0%
619010 · Technical Consulting Costs	23,963	50,955	-26,992	47%
628500 · Insurance Expense	6,457	6,457	0	100%
629030 · SBA Repayment to PHA Z2	38,690	38,690	0	100%
629900 · Bond Fee Expense	0	0	0	0%
650000 · Bank Service Charges	1,025	215	810	477%
750000 · Depreciation Expense Z2	41,665	41,667	-2	100%
Total Expense	<u>137,151</u>	<u>185,402</u>	<u>-48,251</u>	<u>74%</u>
Net Ordinary Income	<u>134,391</u>	<u>86,140</u>	<u>48,251</u>	<u>156%</u>
Other Income/Expense				
Other Income				
410070 · Interest & Penalty Income	187	84	103	223%
Total Other Income	<u>187</u>	<u>84</u>	<u>103</u>	<u>223%</u>
Other Expense				
855000 · Interest Expense	20,052	25,065	-5,013	80%
955500 · Interest Bond Discount	870	0	870	100%
Total Other Expense	<u>20,922</u>	<u>25,065</u>	<u>-4,143</u>	<u>83%</u>
Net Other Income	<u>-20,735</u>	<u>-24,981</u>	<u>4,246</u>	<u>83%</u>
Net Income	<u><u>113,656</u></u>	<u><u>61,159</u></u>	<u><u>52,497</u></u>	<u><u>186%</u></u>

Pajaro Dunes Geologic Hazard Abatement District

Bank Account Activity

As of November 30, 2021

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Debit</u>	<u>Credit</u>	<u>Balance</u>
100000 - SCCB Zone 1 - 3957						222,867.65
Bill Pmt -Check	11/16/2021	1427	Cal Engineering & Geology		19,605.83	203,261.82
Bill Pmt -Check	11/16/2021	1428	Hutchinson & Bloodgood		1,600.00	201,661.82
Bill Pmt -Check	11/16/2021	1429	Jarvis, Fay, & Gibson, LLP		100.00	201,561.82
Bill Pmt -Check	11/16/2021	1430	Wendy L. Cumming, CPA		2,805.00	198,756.82
Bill Pmt -Check	11/16/2021	1431	Sarah Mansergh		683.76	198,073.06
Total 100000 - SCCB Zone 1 - 3957				0.00	24,794.59	198,073.06
100001 - SCCB Zone 2 - 3965						71,651.84
Bill Pmt -Check	11/15/2021	1366	Pelican Home Owner's Association		7,738.00	63,913.84
Bill Pmt -Check	11/16/2021	1364	Pelican Home Owner's Association		7,738.00	56,175.84
Bill Pmt -Check	11/16/2021	1365	Sarah Mansergh		204.27	55,971.57
Total 100001 - SCCB Zone 2 - 3965				0.00	15,680.27	55,971.57
100002 - SCCB Z1 Emerg - 1877						489,004.24
Total 100002 - SCCB Z1 Emerg - 1877						489,004.24
100003 - SCCB LTD- 0208						49,216.44
Deposit	11/30/2021			4.05		49,220.49
Total 100003 - SCCB LTD- 0208				4.05	0.00	49,220.49
100400 - Union Bank Bond Holding						263,711.15
Total 100400 - Union Bank Bond Holding						263,711.15
TOTAL				4.05	40,474.86	1,055,980.51

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE PAJARO DUNES
GEOLOGIC HAZARD ABATEMENT DISTRICT AUTHORIZING THE CONTINUED
USE OF TELECONFERENCED MEETINGS PURSUANT TO ASSEMBLY BILL 361**

Resolution No. 2021-03

WHEREAS, on March 4, 2020, Governor Newsom declared a State of Emergency in the State of California, as defined under the California Emergency Services Act, due to the COVID-19 pandemic; and

WHEREAS, on March 4, 2020, the Health Officer of Santa Cruz County declared a similar declaration of “local health emergency” regarding COVID-19 for Santa Cruz County, which was subsequently ratified by the Santa Cruz County Board of Supervisors on March 10, 2020; and

WHEREAS, on March 17, 2020, due to the threats posed by COVID-19, Governor Newsom issued Executive Order N-29-20, which suspended certain requirements of Government Code Section 54950 *et seq.*, the Ralph M. Brown Act (“Brown Act”), in order to allow local legislative bodies to conduct meetings telephonically or electronically without a physical meeting place; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21, which stated that the provisions suspending requirements of the Brown Act in Executive Order N-29-20 would remain in effect through September 30, 2021, at which point the suspensions would expire; and

WHEREAS, on September 16, 2021, Governor Newsom signed Assembly Bill 361 (“AB 361”) into law, an urgency measure effective upon adoption, amending the Brown Act to allow legislative bodies to continue to meet remotely during a proclaimed State of Emergency, when either state or local officials have imposed or recommended measures to promote social distancing, or the legislative body determines that meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the State of Emergency proclaimed by the Governor on March 4, 2020, and local health emergency declarations remain in effect; and

WHEREAS, the highly contagious COVID-19 Delta Variant emerged in the second half of 2021, causing an increase in positive cases and hospitalizations locally and throughout the State of California; and

WHEREAS, the Delta variant cases have recently been supplemented by a new highly contagious variant, Omicron, the full significance and danger of which has yet to be fully ascertained; and

WHEREAS, on November 18, 2021, in recognition of the dangers posed by the COVID-19 virus, the Santa Cruz County Health Officer issued an Order requiring the use of face coverings in indoor setting regardless of vaccination status; and

WHEREAS, according to the CDC’s “Community Transmission” metric, which provides a four-tiered system that measures the level of community transmission in each county, for the week of December 7, 2021, Santa Cruz County was reported as having a “Substantial” Community Transmission rate, an increase from ratings taken in November; and

WHEREAS, due to the continued impact of the Delta and Omicron Variants, the District is concerned about the health and safety of attendees at public meetings should they be held in person and in a shared indoor public meeting space; and

WHEREAS, regular meetings of the Board of Directors of the Pajaro Dunes Geologic Hazard Abatement District (the “Board”), comprised of homeowners and constituents who often reside in other counties in the State, pose a unique risk of gatherings of individuals from a variety of locales with differing Community Transmission rates; and

WHEREAS, on November 13, 2021, in recognition of much of the information referenced above, the Board adopted initial Resolution No. 2021-02 “Authorizing the Continued Use of Teleconferenced Meetings Pursuant to AB 361” as a means of protecting the Board and the public from the transmission of the COVID-19 virus; and

WHEREAS, pursuant to the provisions of AB 361, after adoption of an initial resolution stating the desire to continue to use teleconferencing, if a governmental entity wishes to continue to conduct business via teleconferencing, it must adopt a subsequent resolution every 30 days establishing facts and findings that justify the use of such meeting procedures; and

WHEREAS, in light of the foregoing, the Board desires to take action necessary to comply with AB 361 and to continue to hold its meetings remotely.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of the Directors of the Pajaro Dunes Geologic Hazard Abatement District as follows:

1. All of the recitals set forth above are true and correct to the best of its knowledge and by this reference are incorporated herein as findings.
2. The Board hereby acknowledges that the Governor’s State of Emergency proclamation issued on March 4, 2020, remains in effect.
3. The Board finds that due to the emergence of the Delta and Omicron Variants and the continued threat of COVID-19, holding in-person Board meetings would present an imminent risk to the health and safety of attendees.
4. The Board is hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution, including conducting open and public meetings in

accordance with Government Code Section 54953(e) and other applicable provisions of the Brown Act to allow teleconferenced meetings.

5. This Resolution shall take effect on December 14, 2021, and shall be effective until the earlier of thirty days from said date or such time the Board adopts a subsequent resolution in accordance with Government Code Section 54953(e)(3) to extend the time during which the Board may continue teleconferencing without compliance with the Brown Act's prior rules regarding teleconferencing.

PASSED AND ADOPTED by the Board of Directors of the Pajaro Dunes Geologic Hazard Abatement District of the County of Santa Cruz, State of California, this 11th day of December, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

President John Cullen, Board of Directors

ATTEST _____
Sarah Mansergh, Clerk of the Board



Item #6: Current Meeting Policy

**PAJARO DUNES GEOLOGIC HAZARD ABATEMENT DISTRICT
Regular Meeting Policy**

The Pajaro Dunes Geologic Hazard Abatement District (a California Special District) meeting policy shall be in conformity of the Brown Act. To follow are the rules of the District's meeting policy:

- Regular Meetings shall be held in February, April, May, August, November and December
- Regular Meetings shall be held on the second Saturday of a meeting month at 9:00 am.
- Regular Meeting times shall be established when meeting dates are set, with a priority to come before or after the Pajaro Dunes Association's meeting.
- Regular Meetings shall be held in the Meadow Room at Pajaro Dunes, but can be changed to Sandpiper Center at the Dunes Hall, or the Board Room. The Pajaro Dunes is located at 2661 Beach Road, Watsonville, California 95076
- Regular Meeting dates shall be confirmed at each meeting for the following meeting
- Regular Meetings agendas are to be posted on the Pajaro Dunes Association, the District's and the Pajaro Dunes Association public websites.
- Agenda's for regular meetings are to be posted a minimum of 72 hours prior to the meeting.
- Agendas are to be displayed on both the Board Room, the display case on the fence facing Beach Road, and on the Dunes Hall at Sandpiper Center.
- Meeting dates can be changed by an action of the President of the Board to cancel, change a meeting, or by a change in the future date of the meeting.
- If a meeting date is changed the Clerk or President must notify all Board members by email or phone. The change must be posted on the District's and on the Pajaro Dunes Association website. Also, the change in meeting date and time must be posted on agenda marked with the new date, and all locations where an agenda is regularly posted shall be changed.

A good faith effort will be made to comply with the policy, but failure to meet any particular requirement, unless mandated by law, shall not be grounds for cancellation of a meeting or invalidation of any action taken at the same.