

**NOTICE AND AGENDA
Special Board Meeting
at Sanitary District No. 5 of Marin County
Thursday, June 30, 2022**

12:00 P.M. SPECIAL BOARD MEETING

COVID-19 ADVISORY NOTICE

Consistent with Assembly Bill 361 revising Government Code section 54953, and Resolution No. 2021-07 of this Board enacted in accordance therewith, the Meeting will not be physically open to the public and all Board Members and Staff will be teleconferencing into the meeting.

How to Submit Public Comments:

Comments submitted prior to the commencement of the meeting will be presented to the Board and included in the public record for the meeting.

Public Comments are to be submitted via email to rdohrmann@sani5.org.

In addition, members of the public who are calling in, will have the opportunity to provide public comments by following the steps below:

How to Participate in the Meeting:

Join Zoom Meeting by clicking on the following link:

<https://us02web.zoom.us/j/6230620778>

Meeting ID: 623 062 0778 or join by phone:

Call in number: (669) 900-9128 Participant Code: 623 062 0778

ROLL CALL

PUBLIC COMMENTS: The public is invited to address the Board on items that do not appear on the agenda and are within the subject matter jurisdiction of the Board. The Brown Act does not allow the Board to take action on any public comment. Please limit public comments to no more than three minutes.

DIRECTORS' COMMENTS AND/OR AGENDA REQUESTS:

CONSENT CALENDAR:

NEW BUSINESS:

1. Motion to review and affirm Resolution No. 2021-08: A Resolution proclaiming the continuing need to meet by teleconference in accordance with Government Code Section 54953 – Action
2. Consideration of adoption of Resolution No 2022-07: A Resolution of the Governing Body of Sanitary District No.5 of Marin County, proposing a regularly scheduled election to be held in this jurisdiction; requesting the Board of Supervisors to consolidate with any other election conducted on said date, and requesting election services by the Marin County Elections Department (Rubio) – Action

ADJOURNMENT

The Board will be asked to adjourn the meeting to a Regular Board Meeting on July 21, 2022, at 5:00 P.M.

At its discretion, the Board of Directors may consider the above-agenda items out of the order in which they appear currently. Accessible public meetings: Upon request, the District will provide written agenda materials in appropriate alternate formats, or disability-related modification or accommodation, including auxiliary aids or services to enable individual with disabilities to participate in public meetings. Please submit written requests to the District at P.O. Box 227, Tiburon, CA 94920 or rdohrmann@sani5.org at least two days prior to the meeting

RESOLUTION 2021-08

SANITARY DISTRICT NO. 5 OF MARIN COUNTY

A RESOLUTION PROCLAIMING THE CONTINUING NEED TO MEET BY TELECONFERENCE IN ACCORDANCE WITH GOVERNMENT CODE SECTION 54953

WHEREAS, on January 30, 2020, the World Health Organization declared the COVID-19 outbreak a public health emergency of international concern; and

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency in order to address the COVID-19 pandemic; and

WHEREAS, on March 3, 2020, Marin County declared a local emergency due to the COVID-19; and

WHEREAS, to allow local government bodies to safely conduct public meetings during the COVID-19 pandemic as well as to ensure public access to governmental meetings, the Governor of the State of California issued Executive Orders N-25-20 and N-29-20, which streamlined notice requirements for teleconference meetings under the Ralph M. Brown Act; and

WHEREAS, the Sanitary District No. 5 (“District”) has been conducting meetings of the District Board as well as its Committees pursuant to the provisions of these executive orders since their issuance; and

WHEREAS, the California State Legislature approved and the Governor signed AB 361 into law, which amended the Ralph M. Brown Act to allow local legislative bodies to continue meeting by teleconference during a gubernatorial proclaimed state of emergency if the local legislative body determines, by majority vote, that as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees (California Government Code section 54953(e)(1)(B)); and

WHEREAS, the State of Emergency remains in effect; and

WHEREAS, COVID-19 continues to threaten the health and lives of District residents; and

WHEREAS, there is scientific consensus that variants of COVID-19, such as the Delta variant, are highly transmissible in indoor settings; and

WHEREAS, in individuals that are vaccinated, breakthrough cases of COVID-19 are becoming increasingly common; and

WHEREAS, AB 361 requires the District to reconsider the circumstances of the emergency and review whether it continues to directly impact the ability of the members to meet safely in person;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Sanitary District No. 5 does hereby resolve, declare, determine, and order as follows:

SECTION 1. The above recitals are correct and are material to this Resolution and are incorporated into this Resolution as findings of the District Board.

SECTION 2. Pursuant to the requirements of Government Code Section 54953 (e)(3), the District Board makes the following findings:

- A) The District Board has considered the circumstances of the continuing state of emergency;
- B) The state of emergency continues to directly impact the ability of the members and the public to meet safely in person;
- C) Due to COVID-19, holding meetings in person will present imminent risks to the health and safety to attendees; and
- D) The District Board will continue to meet by teleconference in accordance with Government Code section 54953(e).

SECTION 3. The aforementioned findings apply to all Commissions, Committees, or advisory bodies of the District, which are classified as legislative bodies per Government Code Section 54952.

SECTION 4. The District Board will reconsider, not more than every 30 days, the circumstances of the emergency and review whether it continues to directly impact the ability of the members to meet safely in person.

SECTION 5. All portions of this resolution are severable. If an individual component of this resolution is adjudged by a court to be invalid and unenforceable, then the remaining portions will continue in effect.

* * * * *

I hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly passed and adopted by the Board of Directors of Sanitary District No. 5 of Marin County, California, at a meeting thereof duly held on the 21st day of October 2021, by the following vote:


AYES, and in favor thereof, Directors: *RICHARD SNYDER, JOHN CARAPIET, TOM MOODY, CATHERINE BENEDIKTSSON*

NOES, Directors: *NONE*

ABSENT, Directors: *OMAR AQUAS MONTEZ*

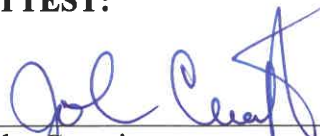
ABSTAIN, Directors: *NONE*

APPROVED:



Richard Snyder
President, Board of Directors

ATTEST:



John Carapiet
Vice President, Board of Directors

MARIN COUNTY ELECTIONS DEPARTMENT
DISTRICT BOUNDARY CONFIRMATION REQUEST
For the November 8, 2022 Statewide General Election

This is to confirm that the jurisdictional boundaries have not changed since the last district-wide election or the last printing of the boundary map.

Please complete and email this form to danmiller@marincounty.org.

Name of Jurisdiction: Sanitary District No. 5 of Marin County

Please Print

As the representative of the above-named jurisdiction I confirm there have been no boundary changes to this jurisdiction since the last election or boundary revision:

Signed _____ Date June 30, 2022

Name of Representative: _____

Please Print

Title of Representative: Board Director - Sanitary District no. 5 of Marin County

Please Print

Elected Officials and Terms of Office

Please refer to the accompanying instructions for important information and instructions, **before** completion.

District Info: **Sanitary District No. 5 of Marin County**

April 18, 2022

P O Box 227
Tiburon CA 94920

As required by Elections Code 10509 please confirm the information listed below regarding your jurisdiction's elective offices to be filled at your next general candidate election.

Sign and return this form if the information is correct. Contact the Elections office immediately if changes are needed.

PAYMENT FOR THE PUBLICATION OF THE STATEMENT OF QUALIFICATIONS IS THE RESPONSIBILITY OF THE

District _____ (candidate or district)

Ballot Heading(s):	Elected/ Appointed	Term of Office
District Sanitary District No. 5 - Tiburon		
Director	Catharine V Benediktsson 2352 Mar East St Tiburon, CA 94920	Elected 12/7/2018 to 12/2/2022
Director	Tod Curtis Moody 2111 Centro East St Tiburon, CA 94920	Elected 12/7/2018 to 12/2/2022
Director	John G Carapiet 4 Lagoon Rd Belvedere, CA 94920	Elected 12/4/2020 to 12/6/2024
Director	Omar Arias-Montez 72 Marinero Cir Tiburon, CA 94920	Elected 12/4/2020 to 12/6/2024
Director	Richard Neil Snyder 10 Pomander Walk Belvedere, CA 94920	Elected 12/4/2020 to 12/6/2024

I have reviewed all information contained on this form and have indicated any changes necessary.

**Please
Stamp
District Seal Here**

Signature

RESOLUTION NO. 2022-07

**A RESOLUTION OF THE GOVERNING BODY OF
SANITARY DISTRICT NO. 5 OF MARIN COUNTY
PROPOSING A REGULARLY SCHEDULED ELECTION TO BE HELD IN THIS
JURISDICTION; REQUESTING THE BOARD OF SUPERVISORS TO
CONSOLIDATE WITH ANY OTHER ELECTION CONDUCTED ON
SAID DATE, AND REQUESTING ELECTION SERVICES
BY THE MARIN COUNTY ELECTIONS DEPARTMENT**

WHEREAS, it is the determination of said governing body that the Uniform District Election, to be held on the 8th day of November, 2022, at which election the issue to be presented to the voters shall be:

Number of Regular Term Positions (4 year): 2

Number of Short Term Positions (2 year): 0

NOW THEREFORE BE IT RESOLVED, pursuant to Elections Code §10002, the Board of Supervisors of the County of Marin is hereby requested to:

- 1) Consolidate said election with any other applicable election conducted on the same day in the manner prescribed in Elections Code §10418;
- 2) Authorize and direct the Marin County Elections Department at the District’s expense, to provide all necessary election services and to canvass the results of said election.

* * * * *

I hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly passed and adopted by the Board of Directors of Sanitary District No. 5 of Marin County, California, at a meeting thereof duly held on the 30th day of June, 2022, by the following vote:

AYES, and in favor thereof, Directors:

NOES, Directors:

ABSENT, Directors:

ABSTAIN, Directors:

APPROVED:

ATTEST:

John Carapiet
President, Board of Directors

Richard Snyder
Director, Board of Directors