

ALAMEDA COUNTY
LEAD POISONING PREVENTION PROGRAM
A Joint Powers Authority serving the Cities of Alameda, Berkeley, Emeryville, and Oakland

2000 Embarcadero, Suite 300, Oakland, CA (510) 567-8282
www.achhd.org

DATE: December 29, 2021

TO: Directors and Alternates
Alameda County Lead Poisoning Prevention Program

FROM: Larry Brooks, Secretary
Joint Powers Authority

SUBJECT: **Special Meeting of the Board of Directors**

The special meeting of the Alameda County Lead Poisoning Prevention Program Joint Powers Authority Board of Directors is scheduled for **Thursday, January 6th, 2022 at 9:00 a.m.**

In response to the COVID-19 pandemic, and pursuant to California Government Code section 54953, the Alameda County Lead Poisoning Prevention Program Joint Powers Authority Meeting of the Board of Directors will be available via teleconference.

Members of the public can also attend in person at the Alameda County Healthy Homes Department, 2000 Embarcadero, Suite 300, Oakland, CA. Members are encouraged to watch the meeting of the Board of Directors online by clicking the following link

<https://us06web.zoom.us/j/88281818423?pwd=UUNEbmhrcm5vdG11T0xGTEFPcW1pQT09>

Passcode: **120489**

or dial in by using your phone, 1-669-900-6833 Webinar ID: 88281818423; Passcode: 120489

If viewing the meeting via teleconference, you may provide written comment on an agenda item or raise an issue during Public Comment by sending an email to Lidice De La Fuente at Lidice.DeLaFuente@acgov.org. Please include your name and identify the agenda item you are addressing or that your comment falls under Public Comment. It is encouraged to send any comments 24 hours prior to the meeting; however, members of the public will be able to provide live oral comments or send written comments via email during the meeting as well.

If you require a reasonable modification or accommodation for a disability, please contact Lidice De La Fuente at Lidice.DeLaFuente@acgov.org or (510) 567-8291 at least 48 hours before the meeting of the Board of Directors.

Attached is the agenda packet for the meeting.

Thank you.

ALAMEDA COUNTY LEAD POISONING PREVENTION PROGRAM
JOINT POWERS AUTHORITY

A G E N D A
Special Meeting of the Board of Directors

January 6th, 2022 at 9:00 A.M.

Please join the meeting from your computer, tablet or smartphone

<https://us06web.zoom.us/j/88281818423?pwd=UUNEbmhrcm5vdG11T0xGTEFPcW1pQT09>

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or in person at

Alameda County Healthy Homes Department, 2000 Embarcadero, Suite 300, Oakland, CA

NOTICE: All meetings of the Alameda County Lead Poisoning Prevention Program Joint Powers Authority Board of Directors are open to the public. Those wishing to address the Board of Directors on items not on the agenda may do so during the open forum section of the meeting.

- 1) **Roll Call**
- 2) **Public Comment** (Discussion)
Directors, alternates, staff, or members of the public may address the Board of Directors regarding items not on the agenda. The Board will listen to matters presented but may not take action on these items.
- 3) **Resolution AB 361: Open Meetings State & Local Agencies** (Action) Pg. 1
- 4) **Appointment of a Chair and Vice Chair for Calendar Year 2022** (Action)
- 5) **Meeting Minutes for December 16th, 2021** (Action) Pg. 3
- 6) **Adjournment**

Material related to an item on this Agenda, including those submitted to the Board of Directors after distribution of the agenda packet, and are available for public inspection at the Alameda County Healthy Homes Department office during normal business hours.

Agendas are available on the Department's website at www.achhd.org

RESOLUTION NO. 2022-XXX

A RESOLUTION AUTHORIZING REMOTE TELECONFERENCE MEETINGS
FOR THE PERIOD BEGINNING JANUARY 6, 2022

WHEREAS, the Ralph M. Brown Act (Gov. Code sections 54950 *et seq.*), requires the meetings of local legislative bodies to be open to the public; and

WHEREAS, all meetings of the Board of Directors of the Alameda County Lead Poisoning Prevention Program Joint Powers Authority (“the Board of Directors”) and its committees or subcommittees that are subject to the Brown Act are open to the public; and

WHEREAS, the Brown Act allows meetings by teleconference, provided specified requirements are met; and

WHEREAS, on March 4, 2020, the Governor of the State of California issued a Proclamation of a State of Emergency declaring a state of emergency exists in California due to the threat of COVID-19, pursuant to the California Emergency Services Act (Government Code section 8625), which has not yet been lifted; and

WHEREAS, the Governor, toward the beginning of the state of emergency, issued executive orders suspending certain requirements of the Brown Act regarding teleconferencing; the Governor’s suspension of Brown Act teleconferencing requirements expired on September 30, 2021, pursuant to Executive Order N-08-21; and

WHEREAS, on September 16, 2021, the Governor signed into law AB 361, which amended the Brown Act to allow teleconferenced meetings under abbreviated teleconference procedures during a state of emergency (Gov. Code section 54953(e)); and

WHEREAS, Government Code section 54953(e), provides for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), during a state of emergency declared by the Governor pursuant to Government Code section 8625, if certain conditions exist; and

WHEREAS, the conditions of Government Code section 54953(e) are that state or local officials have imposed or recommended measures to promote social distancing, or in the alternative, the legislative body holds a meeting to determine, or has already determined, by a majority vote that meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the Division of Occupational Safety and Health of California’s (Cal/OSHA) issued Emergency Temporary Standards that require employers to train and instruct employees that the use of social distancing helps combat the spread of COVID-19 (8 Cal. Code Regs. 3205(c)(5)(D).); and

WHEREAS, on September 28, 2021, the Board of Supervisors of the County of Alameda accepted the recommendation of the Health Care Services Agency Director for continued social distancing at all meetings of the full Board of Supervisors and at all Board of Supervisors Committee meetings; and

NOW, THEREFORE, BE IT RESOLVED:

Section 1. All of the above recitals are true and correct and are incorporated into this Resolution by this reference.

Section 2. The Board of Directors finds that state and local officials have imposed or recommended measures to promote social distancing. The Board of Directors has reconsidered the circumstances of the state of emergency and finds that state and local officials continue to impose or recommend measures to promote social distancing.

Section 3. The Board of Directors finds that as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees. The Board of Directors has reconsidered the circumstances of the state of emergency and finds that the state of emergency continues to directly impact the ability of the members to meet safely in person.

Section 4. The Board of Directors therefore determines that it and its legislative bodies shall conduct their meetings by teleconferencing in accordance with Government Code section 54953(e).

Section 5. This Resolution expires thirty (30) days after the date of its adoption only to the extent required by law. Otherwise, this Resolution shall remain in effect until repealed by the Board of Directors.

ADOPTED this ____ day of _____ 2022 by the Board of Directors of the Alameda County Lead Poisoning Prevention Program Joint Powers Authority, by the following vote:

YES:

NO:

ABSENT:

ABSTAIN:

John J. Bauters
Chair

Attest:

Larry Brooks
Secretary

Approved as to form:
DONNA R. ZIEGLER
County Counsel

By: _____
Andrew J. Massey, Deputy

MEETING OF THE BOARD OF DIRECTORS
MEETING MINUTES

December 16th, 2021

Attendance:

Voting Directors: Noel Gallo, Oakland; Malia Vella, Alameda; Susan Wengraf, Berkeley;
John J. Bauters, Emeryville

Non-Voting Directors: Gwen Hardy, Community Representative

Alternates: Jared Savas, County of Alameda

Staff: Larry Brooks; Lidice De La Fuente; Joy Sledge; Shantel Ruiz; Ruben Briones; Soni Johnson;
Yvette Martin Dale Hagen; Morgan Holdman; Savitha Quadros; Ieshia Manuel; Diep Tran; Julie Kurko

Others: None

Absent: None

Director John J. Bauters called into order the teleconference for the Meeting of the Board of Directors at 9:14 A.M.

- 1) **Roll Call**
- 2) **Public Comment**
None

Directors tabled items #3 and #4 and moved on to items #5 and #6.

- 3) **Resolution AB361: Open Meetings State & Local Agencies**
Action: The Board approved Resolution AB361 Open Meetings State & Local Agencies, December 16th, 2021.
Approved: Susan Wengraf **Seconded:** Malia Vella **Ayes:** 4- Gallo; Vella; Wengraf; Bauters
No: None **Abstain:** None **Community Representative's Vote:** Gwen Hardy
Absent: None **Excused:** None

- 4) **Meeting Minutes for November 18th, 2021**
Action: The Board approved the meeting minutes for November 18th, 2021.
Moved: Susan Wengraf **Seconded:** Noel Gallo **Ayes:** 4-Gallo; Wengraf; Vella; Bauters
No: None **Abstain:** None **Community Representative's Vote:** Gwen Hardy
Absent: None **Excused:** None

- 5) **Director's Report**
Secretary Brooks thanked City of Berkeley staff for hosting the 2021 JPA holiday meeting.

Mr. Brooks alerted Directors that Vice President, Kamala Harris, announced an action plan accelerating replacing lead pipes in the next decade. He offered to send the announcement to Directors.

Larry Brooks introduced the Department's new staff member, Ieshia Manuel.

Health Services Manager, Julie Kurko, introduced Amber Kury, Public Health Nurse and Morgan Holdman, Community Outreach Worker who participated in a tabling event at the Afghan Newcomer Fair on December 10th, 2021 hosted by the Fremont Unified School District. Ms. Holdman indicated the event was a successful event providing information to 50 families and 10 community partners.

Mr. Brooks reported back on the City of Detroit's lead listening tour. Also, noting that Women for a Healthy Environment in Pittsburgh, PA invited him to participate in a webinar and highlighting that on December 7th, 2021 Pittsburgh, PA passed a lead ordinance similar to the law passed in Rochester, NY.

Mr. Brooks stated that Oakland Unified School District (OUSD) invited him to participate in a meeting on the subject of lead contamination in their water faucets. Mr. Brooks indicated that water in Alameda County and in the local school districts is safe to drink and will work with the City of Oakland and OUSD to start a campaign that encourages children to get blood lead tested. Mr. Brooks indicated that OUSD is considering a water policy similar to City of Berkeley Unified School District's adopted policy of less than 1 part per billion in lead in water.

6) **Presentation-Sindoor/Kumkum: Our New Turmeric**
Director Noel Gallo arrived at item 6.

Ms. Kury and Ms. Holdman gave a presentation on the subject of Sindoor/Kumkum noting that in addition to housing hazards such as peeling paint and leaded pipes, children can also have elevated blood levels due to consuming certain imported spices. Ms. Kury highlighted Sindoor/Kumkum which has been found to contain high lead levels used during Hindu religious and cultural ceremonies. As a result, the Department provides thorough education to families informing them that some imported spices may contain high lead levels. Both Ms. Kury and Holdman provided case examples where the Department worked very closely with families and the State to identify Sindoor as a lead hazard.

In response to Director Wengraf's question, Ms. Kurko indicated that the U.S. Food and Drug Administration has been reactive in investigating spices as a potential lead hazard.

Director Bauters added that certification or labeling that an organic product is lead free may be helpful, however, Ms. Johnson stated it's difficult to tell due to the fact that products with the same brand may come from different batches making it difficult to ensure that the batch is lead free. Director Malia Vella expressed concern over the legal liabilities related to making recommendations of different brands.

Mr. Brooks stated the Department pioneered a makeup exchange program, which other programs are now duplicating. Mr. Brooks offered to continue or expand our partnerships with Chamber of Commerce to educate merchants.

Directors tabled items #7, #8, #9 and #10 and moved on to items #3 and #4.

7) **November Monthly Reports**

Lidice De La Fuente highlighted a tabling event at Laurel ACE Hardware in Oakland on November 6th, 2021 promoting Department services and the paint supply kits available to eligible CSA property owners. Ms. De La Fuente invited Directors to another tabling event at ACE Hardware in Oakland on December 18th, 2021 from 12:00-2:00pm.

8) **Future Agenda Items**

Director Bauters asked to agendaize the nomination and selection of a Chair and Vice-Chair to the JPA Board and AB 361 Resolution during a special Board meeting on January 6, 2022 at 9:00 AM. Director Vella noted that the Directors will not receive compensation for attending a short meeting.

Director Gallo announced that the Oakland and Alameda County lead poisoning report has been released and expressed the importance of reading the report. Mr. Brooks added that the Memorandum of Understanding with Oakland and Alameda County for the distribution of lead settlement funds was recently approved by the Alameda County Board of Supervisors. Director Bauters asked to agendaize an update on the status of lead settlement negotiations for the January 27th, 2022 meeting.

9) **Announcements by Board Directors**

Directors thanked staff and wished everyone a happy holiday. Director Vella thanked Director Bauters for chairing the meetings.

Director Bauters and Gallo will partner to host the 2022 JPA Holiday meeting.

10) **Adjournment**

Meeting adjourned at 10:19 AM.