

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: October 21, 2022

TO: Directors and Alternates
Alameda County Lead Poisoning Prevention Program

FROM: Larry Brooks, Secretary
Joint Powers Authority

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

The meeting of the Alameda County Lead Poisoning Prevention Program Joint Powers Authority Board of Directors is scheduled for **Thursday, October 27, 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/87129196461?pwd=a29paVQwTEo5S3NLbnpWWFJhaFNCUT09>

Passcode: **623174**

or dial in by using your phone, 1-669-900-6833 Webinar ID: 871 2919 6461 Passcode: 623174

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 Shantel Ruiz at Shantel.Ruiz@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 Shantel Ruiz at Shantel.Ruiz@acgov.org or (510) 567-8249 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
Meeting of the Board of Directors

October 27, 2022 at 9:00 A.M.

Please join the meeting from your computer, tablet or smartphone

<https://us06web.zoom.us/j/87129196461?pwd=a29paVQwTEo5S3NLbnpWWFJhaFNCUT09>

Passcode: 623174

or dial in by using your phone, 1-669-900-6833 Webinar ID: 871 2919 6461 Passcode: 623174

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) **Consent Items**
 - 3.1 **Resolution AB 361: Open Meetings State & Local Agencies** (Action) Pg. 1
 - 3.2 **Meeting Minutes for September 22, 2022** (Action) Pg. 3
- 4) **Presentation:** (Information/Action)
Lead in Residential Soil
A Community Assessment Alameda County
- 5) **November 17, 2022 JPA Board Meeting** (Action)
Proposed cancellation
- 6) **Director's Report** (Information/Action)
- 7) **Future Agenda Items** (Discussion)
- 7) **Announcements by Board Directors** (Information)
- 8) **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-____

A RESOLUTION AUTHORIZING REMOTE TELECONFERENCE MEETINGS
FOR THE PERIOD BEGINNING OCTOBER 27, 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

September 22, 2022

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; Hannah Wollo; Simon Yang

Others: None

Absent: None

Director John J. Bauters called into order the teleconference for the Meeting of the Board of Directors at 9:06 A.M.

1) **Roll Call**

2) **Public Comment**

None

3) **Consent Items**

3.1 **Resolution AB 361: Open Meetings State & Local Agencies**

3.2 **Meeting Minutes for July 21, 2022**

Action: The Board approved Resolution AB 361 for the September 22, 2022, JPA meeting and the meeting minutes from July 21, 2022.

Approved: Noel Gallo **Seconded:** Susan Wengraf **Ayes:** 5- Gallo; Hardy; Savas; Wengraf; Bauters

No: None **Abstain:** None **Community Representative's Vote:** Aye

Absent: 1-Malia Vella **Excused:** None

4) **Director's Report**

Director Malia Vella arrived at item #4.

Secretary to the Board, Larry Brooks, announced that the Department is the recipient of the U.S. Department of Housing and Urban Development (HUD) Secretary's Award. Mr. Brooks and Assistant Deputy Director, Dale Hagen will accept the award at the HUD conference in Baltimore, MD on October 18, 2022. Directors congratulated staff and asked for a press release or bullet points to assist in getting the word out to the public. Director Noel Gallo congratulated staff and inquired about the Department's ten-year strategy for moving forward. Director John J. Bauters offered to assist with drafting the press release.

Lidice De La Fuente introduced the Department's two newest staff members, Hannah Wollo and Simon Yang, members of the Department's Health team and Education and Engagement team.

Mr. Brooks shared a presentation on the status of the lead settlement funds with the JPA Directors, which was originally requested by Alameda County Board of Supervisors, Nate Miley and David Haubert, for their Procurement and Contracting Committee. Mr. Brooks gave an overview of the lead settlement funds and highlighted activities promoting the

opportunities for various local vendors and community-based organizations, expanded and enhanced services to lead poisoned children and community engagement. Mr. Brooks stated that the City of Oakland is benefiting indirectly due to the Department contracting with local vendors and community-based organizations based in Oakland for the Department's logo, community engagement activities and lead safety training. Mr. Brooks noted that the forty percent of the funds dedicated to Oakland have not been spent and negotiations with the City have not resumed. Director Gallo asked for a copy of the presentation and indicated he would follow up with Oakland's negotiation team.

Mr. Brooks stated that Assembly Bill 838 went into effect on July 1, 2022, requiring cities and counties to respond to lead hazard related tenant complaints. Senate Bill 1076, supported by the California Code Enforcement Association will require all workers on pre-1978 housing take a one-day lead safety training. These two bills impact code enforcement statewide.

The Department has seen an uptick in children with elevated blood lead levels presuming due to the U.S. Center for Disease Control lowering the action level to 3.5 mcg/dl and coming out of the COVID-19 pandemic. Mr. Brooks noted that most recently three children and the mother were lead poisoned with two of the children having a blood lead level above 40 mcg/dl. According to staff this was the most complex case in the Department's history due to an uncooperative parent and thus requiring a multiagency response.

Mr. Brooks indicated that Oakland Code Enforcement responded to an apartment building with unpermitted demolition work in North Oakland in part due to AB 838 and Healthy Homes providing them with an overview of the new law and Lead Safe Work Practices.

5) **July & August Monthly Reports**

Lidice De La Fuente stated the Department made changes to the Department's website such as adding translation capability and making the Department's Programs more prominent. The Department presumes that these changes attributed to more visitors to the website and people staying longer.

6) **End of Year Outreach Reports FY 21/22**

Lidice De La Fuente highlighted multiple media campaigns in the fiscal year and training of 101 individuals on lead safety.

7) **Future Agenda Items**

None

8) **Announcements by Board Directors**

None

9) **Adjournment**

Meeting adjourned at 9:57 A.M.

