



EASTERN SAN JOAQUIN GROUNDWATER AUTHORITY

Board of Directors Meeting

AGENDA

Wednesday January 12, 2022

10:30 a.m. – 12:00 a.m.

Call-In Information Provided Below

- I. **Call to Order/Pledge of Allegiance & Safety Announcement/Roll Call** (*Please remember to keep your phone line muted and unmute when announcing yourself for attendance or speaking)
- II. **SCHEDULED ITEMS –**
 - A. **Action Items:**
 1. Discussion and Possible Action to Adopt Resolution R-22-XX Determining to Conduct Meetings Using Teleconferencing Pursuant to Government Code 54953 as Amended by AB 361 ([Attachment 1 – Page 3](#))
- III. **Directors' Comments**
- IV. **Public Comment (non-agendized items)**
- V. **Future Agenda Items**
- VI. **Adjournment**

Next Regular Meeting

Wednesday, February 9, 2022

10:30 a.m. – 12:00 p.m.

Location TBD

Action may be taken on any item

Agendas and Minutes may also be found at <http://www.ESJGroundwater.org>

Note: If you need disability-related modification or accommodation in order to participate in this meeting, please contact San Joaquin County Public Works Water Resources Staff at (209) 468-3089 at least 48 hours prior to the start of the meeting.

EASTERN SAN JOAQUIN GROUNDWATER AUTHORITY

Board of Directors Meeting

AGENDA

(Continued)

NOTICE: Coronavirus COVID-19

Important Notice Regarding COVID 19 and Closure of Board Chambers to the Public During Eastern San Joaquin Groundwater Authority Board of Directors Meetings

On March 18, 2020, Governor Gavin Newsom issued Executive Order N-29-20 recognizing that COVID 19 continues to spread throughout our community resulting in serious and ongoing economic harm. Governor Newsom has therefore waived certain requirements of the Ralph M. Brown Act relating to public participation and attendance at public meetings.

Based on guidance from the California Department of Public Health and the California Governor's Officer, *effective immediately* and while social distancing measures are imposed, Board chambers will be closed to the public during the Eastern San Joaquin Groundwater Board of Directors Meetings.

In order to minimize the spread of the COVID 19 virus, the following options are available to members of the public to listen to these meetings and provide comments to the Board of Directors before and during the meeting:

1. You are strongly encouraged to listen to the Eastern San Joaquin Groundwater Authority Board of Directors meetings by attending the teleconference:

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

[+1 209-645-4071,,929131824#](#) United States, Stockton

Phone Conference ID: 929 131 824#

[Find a local number](#) | [Reset PIN](#)

[Learn More](#) | [Meeting options](#)

Once connected, we request you kindly mute your phone.

2. If you wish to make a comment on a specific agenda item, please submit your comment via email by 5:00 p.m. on the Tuesday prior to the meeting. Please submit your comment to the Clerk/Secretary of the Board at sperez@sjgov.org. Your comment will be shared with the Board members and placed into the record at the meeting. Every effort will be made to read comments received during the meeting into the record, but some comments may not be read due to time limitations. Comments received after an agenda item will be made part of the record if received prior to the end of the meeting.

BEFORE THE BOARD OF DIRECTORS OF
EASTERN SAN JOAQUIN GROUNDWATER AUTHORITY

RESOLUTION

R-22-##

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE EASTERN SAN JOAQUIN GROUNDWATER AUTHORITY (ESJGWA) DETERMINING TO CONDUCT MEETINGS OF THE ESJGWA BOARD OF DIRECTORS USING TELECONFERENCING PURSUANT TO GOVERNMENT CODE 54953 AS AMENDED BY AB 361 FOR THE PERIOD JANUARY 12, 2022 TO FEBRUARY 11, 2022.

WHEREAS, the Eastern San Joaquin Groundwater Authority (the “Authority”) Board of Directors (the “Board”) is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings the Authority’s legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963) (the “Brown Act”), so that any member of the public may attend, participate, and watch the Authority’s legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), as amended by AB 361 (2021), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, on March 4, 2020, the Governor proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS, Cal-OSHA adopted emergency regulations (Section 3205) imposing requirements on California employers, including measures to promote social distancing; and

WHEREAS, an Order of the San Joaquin County Public Health Officer acknowledges that close contact to other persons increases the risk of transmission of COVID-19; and

WHEREAS, currently the dominant strain of COVID-19 in the country, is more transmissible than prior variants of the virus, may cause more severe illness, and that even fully

vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations, therefore, meeting in person would present imminent risksto the health or safety of attendees.

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Finding of Imminent Risk to Health or Safety of Attendees. The Board hereby finds that the circumstances of the current State of Emergency proclaimed by the Governor on March 4, 2020, and finds that the current dominant strain of COVID-19 in the country, is more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations has caused, and will continue to cause, conditions of peril to the safety of persons, thereby presenting an imminent risk to health and/or safety to the Authority's staff and attendees of the Authority's public meetings; and

Section 3. Teleconference Meetings. The Board does hereby determine as a result of the State of Emergency proclaimed by the Governor, and the recommended measures to promote social distancing made by State and local officials that the Board may conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e)(1)(A) and (B) of section 54953, and shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

Section 4. Direction to Staff. The Authority staff are 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.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED _____, by the following vote of the Board of Directors of the Eastern San Joaquin Groundwater Authority, to wit:

AYES:

NOES:

ABSENT:

CHUCK WINN
Chairman

ATTEST: KRIS BALAJI, PMP. P.E.
Secretary