



MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT
*"To Provide Responsive Service to our Growing Community
that Exceeds Expectations at a Fair Value"*

STAFF REPORT

AGENDA TITLE: General Manager Update on District Activities

MEETING DATE: August 11, 2021

PREPARED BY: Steven J. Pinkerton, General Manager

COVID -19 Updates and Reopening Plans

Developing protocols during this time when circumstances, guidelines and standards are rapidly evolving has proven to be a complex and challenging task. We are balancing the desire to return fully to pre-COVID activities with our responsibility to protect residents and staff. This is a challenge that will test the patience and resourcefulness of the community.

In accordance with California Department of Public Health guidelines, activities and businesses returned to usual operations on June 15, with limited exceptions for mega events – 5,000 for indoor gatherings and 10,000 for outdoor gatherings.

Over four days in mid-March 2020 we moved into our new town hall. However, because of COVID-19 restrictions, we were not able to open the facility to the public on Tuesday, March 17 as planned. On Tuesday, July 6, 2021 - after a delay of 68 weeks (nearly sixteen months) - we opened town hall to the public. We have resumed our regular hours – Monday through Friday from 8:00 a.m. to 5:00 p.m., with closure from noon to 1:00 p.m. - and we look forward to returning to more normal operations.

In spite of the hopeful return to more normal operations, we are now faced with a resurgence of infection rates. San Joaquin County reported 109 new cases by day (8/3/2021), an increase of 127% over the previous 14 days. Hospitalizations for the same time period increased 69%. **San Joaquin County health officials report the COVID-19 infection rate increased in the past month by about 400% in the county. More than 80% of those cases are the delta variant.** The Centers for Disease Control and Prevention (CDC) [reported the delta variant](#) is more contagious than the common cold, flu, smallpox, and the Ebola virus. It is also believed to be as infectious as chickenpox. The CDC once believed those vaccinated who were infected by COVID-19 were unlikely to pass it to others, but new data shows that is not true for the delta variant.

The California Department of Public Health recommends that residents mask up while indoors regardless of vaccination status.

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On June 17, the Occupational Safety and Health Standards Board (OSHSB) readopted an [amended version of the Emergency Temporary Standards \(Cal/OSHA COVID-19 Regulations\)](#) (“June 17 Amendments”). These amendments affect many of the requirements that have been in place since OSHSB initially adopted the regulations in November 2020, including those related to employees’ use of face coverings, physical distancing at worksites and the installation of partitions between workstations.[1]. The newly adopted amendments include the following:

- Fully vaccinated employees do not have to wear face coverings at work.
- Regulatory requirements related to physical distancing in the workplace have been removed.
- Regulatory requirements concerning the installation of solid partitions between workstations where physical distancing could not be maintained at all times have been removed.
- Employers are required to provide respirators (N95) to employees who are not fully vaccinated if the employee requests such a device for their use at work, the employee is working indoors or will be in a vehicle with more than one person.

The CDC continues to advise unvaccinated people to wear masks anytime when they are with people who do not live with them, both indoors and outdoors.

The California Department of Public Health website reports the population of zip code 95391 to be 14,578 and as of July 26, 2021 100% of residents have received at least one dose of the vaccine and 83% have been fully vaccinated. The percentage numbers are likely skewed as the population numbers for Mountain House are likely five years out of date.

I receive weekly updates from the San Joaquin County Public Health Department and periodically discuss best practices and public building reopening protocols with other City Managers in the region.

We continue to update the District website and our social media sites with links to COVID-19 related materials. Besides including District-specific information, you can also access important materials from the County’s Public Health Department and the California Department of Public Health.

Visit the following links for information and updates:

[Beyond the Blueprint for a Safer Economy](#)

https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/beyond_memo.aspx

<https://sjready.org/events/covid19/vaccines.html>

Public Comments on Social Media

In response to recent comments about postings on social media, staff is providing a copy of the Board of Directors Code of Conduct (Attachment B). This document describes the policies and protocols relating the Board member comments made outside of regularly scheduled Board meetings. District General Counsel will be available to discuss the policy with members of the Board.

Finance and Accounting

Congratulations to Thomas Retchless, Finance Director, for receiving the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association for the District's comprehensive annual financial report for the fiscal year ended June 30, 2020. (Attachment A) We appreciate the contributions of Denae DeGough, Accounting Manager, and our finance staff in achieving this award.

Thomas and his Finance staff presented the fiscal year 2021/2022 budget for Board approval in June and they are now working on the audit for fiscal year 2020/2021.

Risk Management/Human Resources

Nicole Adamo, District Clerk, completed a risk management assessment of the District with the assistance of Management Strategies Group. Nicole is also reviewing and updating the return to work protocols discussed above and developing a safety program. Staff meets routinely to discuss risk assessment and avoidance.

Emergency Preparedness

Staff is updating the District's Emergency Operations and Emergency Response Plans. We will submit the documents to the San Joaquin County Office of Emergency Preparedness for review and present the information to the Board for review and adoption in September.

Public Parks and Facilities and Recreation Programming

We are now renting indoor and outdoor facilities. Demand is brisk and we are experiencing high call volumes and rental signups.

We have offered coaches, tournament organizers, and leagues extra hours in the off-peak times and staff has not received complaints from residents who are not able to reserve courts. The new CourtReserve system is working well. Since implementation, we have collected \$12,321 in court reservations.

The District held its first Music in the Park for 2021 on July 24th. Despite the sweltering heat and a short time to publicize the event, we had an estimated crowd of 800. The band Brickhouse performed and we had three food vendors and three event vendors. Our next event is on Saturday, August 21st, from 5:00 p.m. – 8:00 p.m.. The Purple Ones, a Prince cover band, will perform.

We held a Blood Drive on Wednesday, July 28, in the Boardroom. We were able to collect 31 units for American Red Cross.

Staff organized National Night Out which took place on Tuesday, August 3, at Central Community Park. The event was well attended by public safety personnel and the community. We will report more on this event at the August Board meeting.

Library / Town Hall Open House

We plan to hold the Open House for the Library/Town Hall from 2:00 p.m. – 4:00 p.m. on Saturday, August 21st. We will invite elected officials and other dignitaries, offer food and drinks to the public, award a few giveaways, and open the Boardroom and meeting rooms for the residents to view.

Community Meetings

In coordination with the Board, the staff is conducting a series of community meetings this year. Topics for meetings to date have included presentations from developers, consultants, and staff on the park's strategic plan, bike and pedestrian plans, incorporation, transportation issues, and Wicklund mailboxes.

Future community meetings are being planned for the balance of the calendar year. The next meeting will focus on public safety and Master Restrictions. Other meetings will focus on upcoming park projects. We will also host a meeting with West Valley Disposal, our solid waste hauler, to educate the community about new state regulations regarding residential waste disposal and how those regulations will impact service delivery and costs.

Web Services

The staff continues to work on surveys for the community. Future surveys will include preferences on park facilities. The Wicklund Mailbox survey is still open.

To view the responses to online surveys, go to the following link:

https://www.opentownhall.com/portals/391/forum_home and click on one of the surveys.

We have published the following surveys:

Topic	Visitors	Respondents
Retail/new shopping center	1,861	1,346
Non-standard vehicles parking	660	168
Parks and recreation opportunities	1,112	735
Pedestrian/bicycle Master Plan	272	67
Improving public communication	457	220
Transportation options	1,556	1,054
Wicklund Mailbox repair/replacement	314	160

These results demonstrate the effectiveness of this survey tool and the interest of our residents in community activities.

The staff is working on a variety of forms that will be available online as fillable PDFs. There will also be options to pay fees for items such as the encroachment permit online as well.

Social Media

Angel Lamb manages the District's Facebook and Nextdoor accounts. We are implementing a new email blast system that will be available by the end of August. It will allow residents to subscribe to the various topics of interest, such as road closures and recreation events.

Code Compliance Activities

The code compliance group is currently focusing on an update to the Master Restrictions. Recommendations for Master Restrictions implementation will be presented to the Board during the August Board meeting. We are planning to hold two virtual meetings to educate residents regarding Master Restrictions and CC&R requirements.

The following are the statistics for the code compliance enforcement effort for June 2021.

Total citations issued	9
Parking-related citations	7
Administrative/property/landscaping warnings/notice (no fines)	2
Administrative/property/landscaping citation (fine)	0
Appeal – parking-related	0
Request for change or variations of Master Restrictions	48
Approval permits for property changes approved	44
Approval permits for property changes pending	4

Non-Standard Vehicle Parking in the Community

Staff has completed a survey of existing ordinances of nearby communities for recreational vehicles, boats, and non-standards vehicles. Staff will be presenting recommendation for Ordinance revision during the August Board meeting.

Grant Line Road West Improvements (Alameda County)

District legal counsel is currently negotiating the final terms with the Alameda County legal counsel to finalize the cooperative agreement with for the final design and delivery of the two roundabouts along Grant Line Road. Staff expects completion of the final design by the spring of 2022 and completion of construction by the end of 2023. District staff has developed a funding plan in association with Mountain House Developers (MHD) and Mountain House Investors (MHI), who are obligated to complete the project.

Pinnacle Ridge Annexation

LAFCo has approved the annexation of 3 acres located at 17400 West Bethany Road. Staff is working with the developer for the off-site plan revisions and utility connections. The business will have approximately 35 employees on site.

Incorporation

District staff met with LAFCo staff to review the incorporation application and discuss their concerns and questions. District staff will continue to work through and address the issues and concerns of LAFCo as the project progresses.

Mustang Square

Staff has reviewed the final plans for the project and are working with the County and the applicant to issue building permits for the project. The project is located at the northwest corner of Mountain House Parkway and Grant Line Road. The site is made up of 4.61 acres and includes a gas station, convenience store, car wash, and three additional buildings totaling 11,080 square feet for retail uses. A groundbreaking event was held on July 30, 2021.

Creekside Development – Neighborhood G

Lennar, in association with Trimark, is proposing a 254-unit multi-family development on the west side of Central Parkway, south of Arturo Blvd. The project will have pedestrian connections to the Creek corridor and other amenities. The project applicant has submitted the plans to the County for review and District staff have submitted the conditions of approval to the County, which includes pedestrian safety upgrades on Central Parkway, including a rectangular flashing beacon for crossing to the Central Community Park and a traffic signal at Main Street and Central Community Parkway.

Town Center Apartments Development Project

Van Daele Development, in association with Trimark, is proposing a 304-unit apartment complex on Arnaudo Boulevard, between De Anza and Prosperity. The developer is submitting a second phase of the project on the between Prosperity and Tradition as well. This development will be the first apartment development in Mountain House. Staff has developed the conditions of approval for Phase 1 and will be developing the conditions of approval for the second phase of the project. We expect to receive the plans for review shortly.

Security Cameras

The security camera installation is almost complete. All of the license plate reader (LPR) cameras and all security cameras, except for the Central Parkway and Grant Line, have been installed. The Sheriff and Rank Security personnel have received training on the use of the equipment. The security camera at Grant Line Road at Central Parkway will be installed in August when the traffic signal is completed.

The Sheriff and Rank have been using both the LPR and security cameras that have been installed throughout the community. All cameras are now operational and working. During the first month of operation, the security camera system has yielded positive outcomes and has assisted with identification of several crimes and disturbances in the District. Examples of reported activity captured by the cameras include the following:

- On 7/15/21 a silver Dodge was used to commit several thousand dollars' worth of theft of construction supplies. We are currently investigating this case. The cameras were used to track the movements of this vehicle and to obtain a clear picture of the vehicle and images of the driver.
- On 7/7/21 a white Chevy pickup was used to commit theft of construction material. This vehicle was entered into the alert system. A few days after, the vehicle was identified by an LPR, and a traffic stop was conducted on the vehicle. One subject was arrested and another subject was identified as being a possible accomplice in the theft.

- In several domestic disturbance cases, we have utilized the LPR system to alert when the suspect vehicle entered the city. We have been successful in locating and closing these cases.

The project initially installed LPR cameras for all entrances to the community. We have since identified that it would be advantageous to also cover all the exits to the community. Having an additional camera for the outbound locations will assist the Sheriff and Rank to identify suspects that commit thefts and are traveling outbound with stolen materials, such as tractors or lumber. Therefore, staff is planning to add five additional cameras that will cover the outbound traffic. In addition, the District is also planning to add two additional security cameras in the SPIII areas, near the current Century Homes development and to integrate the Town cameras that were previously installed by another vendor with the Avigilon system. This will allow Rank Security to use the artificial intelligence capabilities of the Avigilon system and be able to monitor the Town Hall area on the same platform as the current District wide system. The District has sufficient budget in the current budget to accomplish these additions and the scope is within the GM authority to award.

Grant Line Road Construction

The contractor has completed the landscaping and traffic signal installations. The signals at Central Parkway, Tradition, and DeAnza will be activated by first week of August. The pictures below show the signals at Tradition and Central Parkway. The District was able to activate the signal at Central Parkway prior to the start of school to allow pedestrian to have a safer crossing at this location.



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The second phase of Grant Line Road construction from Central Parkway to Great Valley Parkway started in early February. The contractor has completed the underground utility construction and the median and north side of the roadway is on-going. It is expected that road widening will be substantially completed by April 2022. The pictures below show the construction activity in the area.

**Utility Corridor Landscaping Concept Design**

Staff has started working with the SPIII developers and builders on the conceptual design and construction of this critical corridor. The following developers and builders have obligations to build a portion of the corridor: Mountain House Developers, Shea, KHOVNIAN, Mountain House Investors, Meritage, and Century. The developers have retained Vta to prepare the concept plan. Once a concept plan is approved, each developer will build their respective segment. Some of the corridors are not currently annexed, and these areas will be developed once the developers commence their development. The main purpose of the corridor is to create an Active Transportation Corridor with bicycle and pedestrian amenities with attractive but not intensive landscaping, consistent with the newly adopted Parks, Recreation and Leisure Plan.

Byron-Bethany Irrigation District (BBID) Response to the State Water Board's Delta Water Unavailability

The State Water Resources Control Board (State Water Board) provided a notice for the workshop regarding the draft methodology on water unavailability on May 12th for a workshop on May 21, 2021. The deadline for providing comments was the end of business day on May 25, 2021. The workshop was for the draft methodology which is intended to be used for water unavailability and curtailment analysis of the delta watershed.

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In a letter delivered Tuesday, May 25, 2021 to the State Water Board, BBID identified several concerns with the State Water Board's revised methodology for determining water unavailability in the delta watershed. The link to the letter is attached for your information. <https://bbid.org/bbid-identifies-areas-of-concern-with-state-water-boards-delta-water-unavailability-analysis/>

Additionally, on June 15, 2021 the State Water Resources Control Board sent a "Notice of Water Unavailability for Post-1914 Water Right Holders" to Mountain House Developers (Attachment B) regarding the riparian water rights that they currently hold and intend to transfer to the District when the neighborhoods north of Byron develop and the improvements are dedicated. BBID also received the same notice and may receive a notice regarding the pre-1914 water rights at a later date.

We are holding regular meetings with BBID to keep abreast of the potential impacts to the delta watershed during this current drought situation.

Wastewater Treatment Plant Expansion Project

July update includes:

- Installed rebar for digester walls
- Installed wall forms for the digester
- Placed first wall concrete for digester walls
- Installed 24" overflow pipe to overflow pond
- Excavated for sub-grade for the membrane bioreactor slab
- Installed crushed rock for membrane bioreactor sub-grade
- Installed under slab drains for the membrane bioreactor
- Excavated and installed form work for the mixed liquor box and placed slab concrete
- Excavated and installed form work for the southwest collector box and placed slab concrete
- Installed form work and wall dowels for the membrane bioreactor
- Placed concrete in two slab sections of the membrane bioreactor

August activities include:

- More walls will be formed, and concrete will be placed in them for the digester
- The rest of the first level of the MBR slab will be placed in concrete
- The 24" effluent to recycled water pump station will be installed
- The 14" membrane bioreactor drain will be installed

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Raw Water Tank 2 Conversion and Flow Meter Project

The Tank 2 conversion project is complete with the exception of two deferred items - the maintenance manual and fixing the level in Tank 1. The conversion of Tank 1 will start sometime later this year.



Trash Bins on Great Valley Parkway

The Board approved funds in the 2021-2022 budget to install trash bins on Great Valley Parkway. Staff is in the process of ordering and placing the bins on Great Valley Parkway.

Speed Cushions Project Near Schools

The Board approved the award of a project to Silicon Valley Paving Company to construct speed cushions at various locations as follows:

- Esplanade Drive and Montebello Street in Questa
- Saint Francis Avenue in Altamont
- Escuela Drive in Bethany
- Legacy Drive in Wicklund
- Tradition Street, Parco Avenue and Ramsey Drive in Cordes Village

The project is expected to be completed prior to the start of the school year.



Pedestrian Crossing Flashing Signals - Rectangular Rapid Flashing Beacon (RRFB) Project

The pedestrian crossing flashing signals project is being bid to install RRFBs on Central Parkway at Legacy Drive and on Mustang Way at Prosperity Street. Bids will be submitted to the District on August 10, 2021. The Transportation Committee will review the proposed options for these locations.



Poplar Removal Project

The poplar tree removal and replacement project is ongoing. The first phase has been completed. Individual street reports are as follows:

- Mountain House Parkway (MHP): All poplar trees have been removed and stumps grinded. The trees and plants have been replaced. The contractor is finishing up the planting and mulching after which MHP will be done.
- Wicklund, Mustang, and Arnaudo from MHP to DeAnza: Poplar trees have been removed and stumps grinded. Staff is working with Brightview on proposals for replacements trees and plants.
- Great Valley Parkway: Poplar trees were removed between sidewalks and sound walls from Arturo to Byron Rd. The contractor is now starting the stump grinding.
- DeAnza: Poplar trees are being removed at this time. Poplar trees in the median have already been removed and the vendor is working on the west side. Staff will work with Brightview on proposals for tree and plant replacement.



Library Operations

We are looking forward to celebrating the long-overdue grand opening of our new facilities. We are coordinating the event with our partners at Stockton/San Joaquin Library. Once the current COVID-19 restrictions are relaxed and we can ensure the safety of our residents in a large gathering, we will be scheduling a date for the event.

Library hours of operation continue with Monday-Saturday hours:

Monday	10 am-8 pm
Tuesday	10 am-7 pm
Wednesday	1 pm - 6 pm
Thursday	10 am-6 pm
Friday	10 am-5 pm
Saturday	10 am-5pm

For the convenience of patrons, staff continue to offer curbside service at the library as needed. Remote reference and customer account services are still available via telephone. The Library system is offering virtual story times, virtual professional performer programs, book clubs, crafts and more. The Summer Reading Program is in full swing. In-house a new make-and-take craft is available for patrons on a weekly basis.

Precautions being implemented for in-person library use include:

- Face coverings will continue to be worn by staff and encouraged for others.
- Hand sanitizing stations are dispersed around the building.
- Distancing is still encouraged.

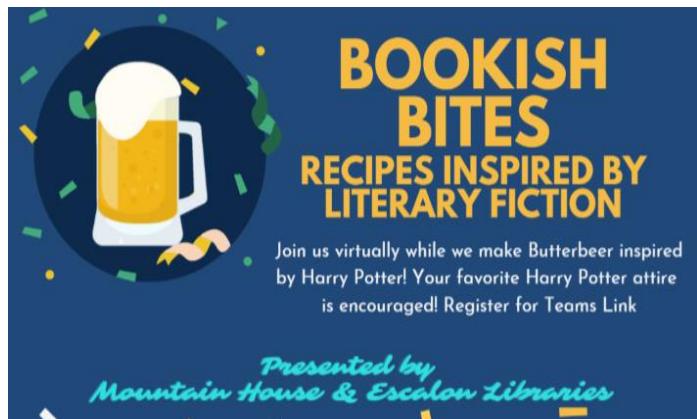
Staff have been told that we can plan outside programs. We are planning to start with a garden storytime on August 26th, after the open house and continue with storytimes until fall.

The Mountain House Friends of the Library had their first meeting in a year to talk about the book sale, growing their membership and supporting the library. The book sale is going well and is once again raising funds for the library's programs.

Library attendance and numbers in general have increased dramatically since we have opened more fully to the public.

- Our fourth quarter statistics show that Mountain House was visited by 20,496 patrons in the last fiscal year.
- We circulated 30,116 items even with closures for COVID-19. Mountain House residents love their new library.
- In the month of June we had the highest statistics of any of the Stockton-San Joaquin Public Library branches for Summer Reading. Mountain House patrons read 3,473 books. The program ends July 31st.
- The Library's library volunteer list has 100 people ready to assist us when we get the word that we can again have volunteers help shelve, assist in the book sale and help with programs.

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Flyers for two of the virtual programs that MH Library Staff have put together.

Virtual Crafty Friday for Adults and Teens

Friday, July 16, 2021 online at 10:30 am

Register on our website events calendar, pick up a kit at the Mountain House Library and join the fun from the comfort of home.



Make Pretty
Origami
Flowers

Registration is required—be sure to sign up early!



Library Tour With Little Champs Preschool

For more information on Library programs and services visit <http://www.ssjcpl.org/>

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Residential Developments

Below is a summary of new development as of June 30, 2021. Since January 1, permits have been issued for a total of 257 units, including 38 second units. There have been 340 units granted final occupancy since January 1, including 40 second units.

During the year ended June 30, 2021, 686 units, including 76 second units, have been issued permits and 569 units (including 63 second units) have received occupancy permits.

<u>As of June 30, 2021</u>		Auth.	Permits	Units	Remaining	Second Units		Total Units	
Neighborhood	Permits	Issued	Finished	Authorized	Issued	Finaled	Issued		Finaled
Bethany	1372	1295	1295	77	68	68	1363		1363
Wicklund	1518	979	979	539	67	67	1046		1046
Altamont	1217	890	890	327	62	62	952		952
Questa	1638	1116	1078	522	77	71	1193		1149
Hansen	1280	1139	1099	141	176	176	1315		1275
Cordes	1297	1049	996	248	152	146	1201		1142
<u>College Park</u>	<u>1763</u>	<u>536</u>	<u>342</u>	<u>1227</u>	<u>91</u>	<u>63</u>	<u>627</u>		<u>405</u>
Subtotal	10,085	7,004	6,679	3,081	693	653	7,697		7,332
					9.89%				
Future Neighborhoods									
I	1427								
J	1137								
K	1192								
L	1381								
Town Center	440								
Subtotal	5,577			5,577					
Total	15,662			8,658					

<u>As of June 30, 2020</u>		Auth.	Permits	Units	Remaining	Second Units		Total Units	
Neighborhood	Permits	Issued	Finished	Authorized	Issued	Finaled	Issued		Finaled
Bethany	1372	1295	1295	77	68	68	1363		1363
Wicklund	1518	979	979	539	67	67	1046		1046
Altamont	1217	890	890	327	62	62	952		952
Questa	1638	1077	1077	561	70	70	1147		1147
Hansen	1280	1055	993	225	172	169	1227		1162
Cordes	1297	956	834	341	141	132	1097		966
<u>Costa (A/B)</u>	<u>1763</u>	<u>142</u>	<u>105</u>	<u>1621</u>	<u>37</u>	<u>22</u>	<u>179</u>		<u>127</u>
Subtotal	10,085	6,394	6,173	3,691	617	590	7,011		6763
					9.65%				
Future Neighborhoods									
I	1427								
J	1137								
K	1192								
L	1381								
Town Center	440								
Subtotal	5,577			5,577					

DISCUSSION ITEM 10.1

ATTACHMENTS:

Attachment A: Certificate of Achievement

Attachment B: Board of Directors Code of Conduct

Attachment C: Letter from State Water Resource Control Board to Mountain House Developers



Government Finance Officers Association

Certificate of
Achievement
for Excellence
in Financial
Reporting

Presented to

**Mountain House Community Services District
California**

For its Comprehensive Annual
Financial Report
For the Fiscal Year Ended

June 30, 2020

Christopher P. Monell

Executive Director/CEO

Article XIV **BOARD OF DIRECTORS CODE OF CONDUCT**

All members of the Board of Directors, including those serving as President and Vice President, have equal votes. No Board Member has more power than any other Board Member and all should be treated with equal respect. Board Members are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing its mission. The work of the District is a team effort. All individuals should work together in the collaborative process, assisting each other in conducting the affairs of the District.

In order to assist in the governance of the behavior between and among members of the Board of Directors and District staff, all Board Members should:

- Fully participate in Board of Directors meetings and other public forums while demonstrating respect, kindness, consideration, and courtesy to others. Responsiveness and attentive listening in communication is encouraged.
- Prepare in advance of Board meetings and be familiar with issues on the agenda
- Be respectful of other people's time. Stay focused and act efficiently during public meetings
- Serve as a model of leadership and civility to the community
- Demonstrate honesty and integrity in every action and statement
- Participate in scheduled activities to increase team effectiveness and review Board procedures, such as this Code of Conduct

Meeting Chair

The President will chair official meetings of the Board of Directors, unless the Vice President or another Board Member is designated as Chair of a specific meeting.

- Maintains order, decorum, and the fair and equitable treatment of all speakers
- Keeps discussion and questions focused on specific agenda item under consideration

Board Conduct with One Another

IN PUBLIC MEETINGS

- Use formal titles
The Board should refer to one another formally during public meetings as President, Vice President, or Director followed by the individual's last name.
- Practice civility and decorum in discussions and debate
The dignity, style, values and opinions of each Board Member shall be respected. Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow, however, Board Members to make belligerent,

personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated.

- Honor the role of the Chair in maintaining order
It is the responsibility of the Chair to keep the comments of Board Members on track during public meetings. Board Members should honor efforts by the Chair to focus discussion on current agenda items. If there is disagreement about the agenda or the Chair's actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedure.
- Avoid personal comments that could offend other Board Members
If a Board Member is personally offended by the remarks of another Board Member, the offended Board Member should make notes of the actual words used and call for a "point of personal privilege" that challenges the other Board Member to justify or apologize for the language used. The Chair will maintain control of this discussion.
- Demonstrate effective problem-solving approaches
Board Members have a public stage to show how individuals with disparate and differing points of view can find common ground and seek a compromise that benefits the community as a whole.
- Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disagreeable. Once the Board of Directors takes action, Board Members should commit to supporting said action and not to create barriers to the implementation of said action.

IN PRIVATE ENCOUNTERS

- Continue respectful behavior in private
The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations.
- Board Members should commit themselves to emphasizing the positive, avoiding double talk, hidden agendas, gossip, backbiting, and other negative forms of interaction.

Board Conduct with District Staff

- The primary responsibility of the Board of Directors is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the District are to be delegated to professional staff members of the District.
- Treat all staff as professionals
Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable. Board Members should develop a working relationship with the General Manager wherein current issues, concerns and District projects can be discussed comfortably and openly.
- Limit contact to specific District staff
Questions of District staff and/or requests for additional background information

should be directed only to the General Manager, District Counsel, or Department Heads. The Office of the General Manager should be copied on any request, except those to the District Counsel. In seeking clarification for policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programming, said concerns should be referred directly to the General Manager or District Counsel.

Requests for follow-up or directions to staff should be made only through the General Manager or the District Counsel when appropriate. When in doubt about what staff contact is appropriate, Board Members should ask the General Manager for direction. Materials supplied to a Board Member in response to a request will be made available to all members of the Board so that all have equal access to information.

- In handling items related to safety, concerns for safety or hazards should be reported to the General Manager or to the District office. Emergency situations should be dealt with immediately by seeking appropriate assistance.
- Do not disrupt District staff from their jobs
Board Members should not disrupt District staff while they are in meetings, on the phone, or engrossed in performing their job functions in order to have their individual needs met.
- Never publicly criticize an individual employee
Board should never express concerns about the performance of a District employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the General Manager through private correspondence or conversation.
- Do not get involved in administrative functions
Outside of regular or special Board meetings, Board Members must not attempt to influence District staff on the making of appointments, awarding of contracts, selecting of consultants, processing of development applications, or granting of District licenses and permits. The Board's authority to make decisions regarding such matters during Board meetings, is not limited by this section. If approached by District personnel concerning specific District policy, Board Members should direct inquiries to the appropriate staff supervisor or General Manager. The chain of command should be followed.
- Do not attend administrative meetings with District staff unless requested by staff
Even if the Board Member does not say anything, the Board Member's presence implies support, shows partiality, intimidates staff, and hampers staff's ability to do their job objectively.
- Do not solicit political support from staff
Board Members should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from District staff. District staff may, as private citizens with constitutional rights, support political candidates, but all such activities must be done away from the workplace.

Board Conduct with The Public

IN PUBLIC MEETINGS

- Be welcoming to speakers and treat them with care and gentleness
- Be fair and consistent in allocating public hearing time to individual speakers
The Chair will determine and announce limits on speakers at the start of the public hearing process. Generally, each speaker will be allocated five-minutes with applicants and appellants or their designated representatives allowed more time. If many speakers are anticipated, the Chair may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers.

No speaker will be turned away unless he or she exhibits inappropriate behavior. Each speaker may only speak once during the public hearing unless the Board requests additional clarification later in the process.

- Give the appearance of active listening
It is disconcerting to speakers to have Board Members not look at them when they are speaking. It is fine to look down at documents or to make notes, but reading for a long period of time gazing around the room gives the appearance of disinterest. Be aware of facial expressions, especially those that could be interpreted as "smirking," disbelief, anger or boredom.
- Ask for clarification, but avoid debate and argument with the public
Only the Chair – not individual Board Members -- can interrupt a speaker during a presentation. However, a Board Member can ask the Chair for a point of order if the speaker is off the topic or exhibiting behavior or language the Board Member finds disturbing. If speakers become flustered or defensive by Board questions, it is the responsibility of the Chair to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by Board Members to members of the public testifying should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker. Board Members' personal opinions or inclinations about upcoming votes should not be revealed until after the public hearing is closed.
- No personal attacks of any kind, under any circumstance
Board Members should be aware that their body language and tone of voice, as well as the words they use, can appear to be intimidating or aggressive.

IN UNOFFICIAL SETTINGS

- The needs of the District's constituents should be the priority of the Board of Directors. When a Director believes he or she may have a conflict of interest, the legal counsel shall be requested to make a determination if one exists or not.
- When responding to constituent requests and concerns, Directors should be courteous, responding to individuals in a positive manner and routing their questions through appropriate channels and to responsible management personnel. When handling complaints, said complaints should be referred directly to the General Manager.

- Make no promises on behalf of the Board
Board Members will frequently be asked to explain a Board action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of District policy and to refer to District staff for further information. It is inappropriate to overtly or implicitly promise Board action, or to promise District staff will do something specific (fix a pothole, secure employment, remove a library book, plant new flowers in the median, etc.).
- Make no personal comments about other Board Members
It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other Board Members, their opinions and actions. Board Members are constantly being observed by the community every day that they serve in office. Their behaviors and comments serve as models for proper deportment in Mountain House. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by Board Members, 24 hours a day, seven days a week.

Board Conduct with Other Public Agencies

- Be clear about representing the District or personal interests
If a Board Member appears before another governmental agency or organization to give a statement on an issue, the Board Member must clearly state: 1) if his or her statement reflects personal opinion or is the official stance of the District; 2) whether this is the majority or minority opinion of the Board.
If the Board Member is representing the District, the Board Member must support and advocate the official District position on an issue, not a personal viewpoint.
If the Board Member is representing another organization whose position is different from the District, the Board Member should withdraw from voting on the issue if it significantly impacts or is detrimental to the District's interest.
Board Members should be clear about which organizations they represent and inform the President and Board of their involvement.
- Correspondence also should be equally clear about representation
District letterhead should not be used by Board Members.

Board Conduct with the Media

Board Members are frequently contacted by the media for background and quotes.

- The General Manager is the official spokesperson for the Board and representative of the District position
The President is the designated representative of the Board to present and speak on the official District position. If an individual Board Member is contacted by the media, the Board Member should be clear about whether their comments represent the official District position or a personal viewpoint.

Sanctions

- Board Members Behavior and Conduct

Board Members who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Board.

Principles of Proper Conduct

Proper conduct IS ...

Keeping promises

Being dependable

Building a solid reputation

Participating and being available

Demonstrating patience

Showing empathy

Holding onto ethical principles under stress

Listening attentively

Studying thoroughly

Keeping integrity intact

Overcoming discouragement

Going above and beyond, time and time again

Modeling a professional manner

Proper conduct IS NOT ...

Showing antagonism or hostility

Deliberately lying or misleading

Speaking recklessly

Spreading rumors

Stirring up bad feelings, divisiveness

Acting in a self-righteous manner

It all comes down to respect. Respect for one another as individuals . . respect for the validity of different opinions . . .respect for the democratic process . . . respect for the community that we serve.

Checklist for Monitoring Conduct

Will my decision/statement/action violate the trust, rights or good will of others?

What are my interior motives and the spirit behind my actions?

If I have to justify my conduct in public tomorrow, will I do so with pride or shame?

How would my conduct be evaluated by people whose integrity and character I respect?

Even if my conduct is not illegal or unethical, is it done at someone else's painful expense? Will it destroy their trust in me? Will it harm their reputation?

Is my conduct fair? Just? Morally right?

If I were on the receiving end of my conduct, would I approve and agree, or would I take offense?

Does my conduct give others reason to trust or distrust me?

Am I willing to take an ethical stand when it is called for? Am I willing to make my ethical beliefs public in a way that makes it clear what I stand for?

Do I exhibit the same conduct in my private life as I do in my public life?

Can I take legitimate pride in the way I conduct myself and the example I set?

Do I listen and understand the views of others?

Do I question and confront different points of view in a constructive manner?

Do I work to resolve differences and come to mutual agreement?

Do I support others and show respect for their ideas?

Will my conduct cause public embarrassment to someone else?

Glossary of Terms

Attitude	The manner in which one shows one's dispositions, opinions, and feelings
Behavior	External appearance or action; manner of behaving; carriage of oneself
Civility	Politeness, consideration, courtesy
Conduct	The way one acts; personal behavior
Courtesy	Politeness connected with kindness
Decorum	Suitable; proper; good taste in behavior
Manners	A way of acting; a style, method, or form; the way in which things are done
Point of Order	An interruption of a meeting to question whether rules or bylaws are being broken, such as the speaker has strayed from the motion currently under consideration
Point of Personal Privilege	A challenge to a speaker to defend or apologize for comments that a fellow Board Member considers offensive
Propriety	Conforming to acceptable standards of behavior
Protocol	The courtesies that are established as proper and correct
Respect	The act of noticing with attention; holding in esteem; courteous regard



GAVIN NEWSOM
GOVERNOR



JAREO BLUMENFELD
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

June 15, 2021

Water Right ID Login: A016809

Password: HBD3RL

MOUNTAIN HOUSE DEVELOPERS, LLC
230 S. STERLING DRIVE, SUITE 246
MOUNTAIN HOUSE, CA 95391

In Regard to Water Right: A016809

Primary Owner: MOUNTAIN HOUSE DEVELOPERS, LLC

NOTICE OF WATER UNAVAILABILITY FOR POST-1914 WATER RIGHT HOLDERS AND WARNING OF IMPENDING WATER UNAVAILABILITY FOR PRE-1914 AND RIPARIAN CLAIMANTS IN THE SACRAMENTO-SAN JOAQUIN DELTA WATERSHED¹

State Water Resources Control Board (State Water Board or Board) records show you hold a post-1914 appropriative water right. Please note that you will be receiving a similar notice for each water right or claim for which you are listed as the mail receiver.

Current information indicates that, as of the date of this letter, water supply in the Sacramento-San Joaquin Delta (Delta) watershed is insufficient to support lawful diversion under any post-1914 appropriative water right. While water may be physically present at post-1914 appropriative water right holders' points of diversion, that water is expected to either be needed by more senior water right claimants downstream or to consist of storage releases necessary to meet other downstream purposes, such as salinity control in the Delta.

Information also indicates that water will become unavailable this summer for some **pre-1914 appropriative water right claimants and riparian claimants**. The State Water Board is currently in the process of evaluating the seniority at which water may be unavailable for pre-1914 appropriative and riparian claimants, and when, and plans

¹ For the purposes of this notice, all registrations and stockpond certificates in the Delta watershed are considered post-1914 appropriative water rights for which water is currently unavailable.

To Water Right Holders in the
Delta Watershed

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June 15, 2021

to issue further notices of water unavailability (notices) via email and to post water unavailability information on the Board's website as described below.

As a water right holder, it is your responsibility to monitor current conditions and pay attention to the information provided by the State Water Board. **Future notices of water unavailability and updated information regarding your water right will be sent by email through the State Water Board's Delta Drought list.** To stay informed and ensure you receive future communications regarding water unavailability for your water right(s), you are **strongly encouraged to subscribe to the Delta Drought list** on the State Water Board's Email Lists webpage at:

https://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.html

Additionally, the State Water Board urges you to frequently visit the following webpage where updated information will also be posted:

<https://www.waterboards.ca.gov/drought/delta/>

The State Water Board is using its Water Unavailability Methodology for the Delta Watershed (methodology) to identify which water rights in the Delta watershed face insufficient supplies for diversion. For more information about the methodology and for ongoing updates as the methodology is refined, please visit the following webpage:
https://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/drought_tools_methods/delta_method.html

Request to Complete a Water Unavailability Certification Form

If you have a **post-1914 appropriative water right**, please submit the Water Unavailability Certification Form (Form) within **seven days** of the date of this letter. If you have a pre-1914 appropriative or riparian claim, you do not need to complete the Form now, but you may be asked to do so in the near future. Please subscribe to the above referenced Delta Drought email list to receive any such future notices. You should not expect to receive hard copy mail notices of future changes in water unavailability that may affect your water right or claim; hard copy mail may be sent for other related matters, but only as required by law or regulation.

The Form requests information about whether you will cease diversions, if you have alternative sources of water, and if you seek an exception due to a need to divert water for human health and safety. Your timely response helps the State Water Board better identify and protect senior water rights and assists all water users to better manage severely limited water supplies.

Please follow the steps below to submit the Form:

1. Visit: <https://public.waterboards.ca.gov>
2. Login using the unique Water Right ID and Password listed next to your address at the top of this letter
3. Complete the Form

June 15, 2021

To Water Right Holders in the
Delta Watershed

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If you have a pending application and you do not have a unique Water Right ID Login and Password, please download a Form from the State Water Board's website at: <https://www.waterboards.ca.gov/drought/delta/>. Additional instructions for completing and submitting the Form are provided on the website.

If you receive a notice of water unavailability for your water right, the State Water Board may be able to assist you with identifying alternative sources of water or provide an exception on a case-by-case basis. If you divert under any of the following circumstances, you should identify it on the Form and provide the information requested:

- Your diversion is your only source of water to meet human health and safety uses, you have no other water supply, **and** you already conserve as much as possible;
- Your diversion is for a non-consumptive use (e.g., hydroelectric generation) and you return all water you divert to the originating stream on a time step that does not affect availability for other users; or
- You have a contract or transfer order allowing you to divert stored water released from a reservoir.

Potential Emergency Regulations and Future Curtailments

In accordance with the Governor's May 10, 2021 Proclamation of a State of Emergency, the State Water Board is considering emergency regulations to curtail water diversions when water is not available at water right holders' priority of right or to protect releases of stored water. Therefore, emergency regulations may require water right holders, including those diverting under pre-1914 appropriative or riparian claims, to curtail their diversions. As noted above, all water right holders should subscribe to the Delta Drought email list to receive notice of and to participate in the public process for State Water Board consideration and possible adoption of emergency regulations.

Potential Enforcement

This notice is solely informational. It alerts water users that the State Water Board's best available information indicates that water is not available to post-1914 appropriative water rights, and warns pre-1914 appropriative and riparian claimants that water may be unavailable at their claimed priority of right in the near future. It also reminds water users of their obligations under California's water rights system. This notice is not an order or directive from the State Water Board to stop diverting.

California water law provides that you are not authorized to divert when water is unavailable under your priority of right or according to the nature of your right/claim. Diverting water that is not lawfully available for your water right may subject you to a cease and desist order, prosecution in court, or administrative fines as high as \$1,000 per day of violation and \$2,500 for each acre-foot of water you divert or use that is not lawfully available under your water right. (See Wat. Code, §§ 1052, 1055.)

To Water Right Holders in the
Delta Watershed

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If you have any questions regarding this notice, you may send an email to Bay-Delta@waterboards.ca.gov, or call the Delta Drought phone line at (916) 319-0960. For additional information, visit the State Water Board's drought webpage at: <http://www.waterboards.ca.gov/drought>

Sincerely,



Erik Ekdahl
Deputy Director, Division of Water Rights
State Water Resources Control Board