

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 94606 • (510) 567-8282
WWW.ACHHD.ORG

DATE: June 8, 2018

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 next regular meeting of the Alameda County Lead Poisoning Prevention Program Joint Powers Authority Board of Directors is scheduled for **Thursday, June 14, 2018. The meeting will begin at 10:15 a.m., or immediately following the Administration and Finance Committee Meeting at the Alameda County Administrator's Office, 1221 Oak Street, 5th Floor Board Chambers, Oakland, CA.**

Attached is the agenda packet for the meeting. If you have any questions, please contact Lidice De La Fuente at (510) 567-8291.

Thank you.

Attachments

ALAMEDA COUNTY LEAD POISONING PREVENTION PROGRAM
JOINT POWERS AUTHORITY

AGENDA

General Board Meeting

June 14, 2018

10:15 a.m. or immediately following the Administration and Finance Committee Meeting

Alameda County Administrator's Office
1221 Oak Street, 5th Floor, Board Chambers
Oakland, California

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) **Open Forum** (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.
- 2) **Director Report** (Information)
- 3) **Program Operations Committee**
 - a) **Minutes (May 24, 2018)** (Action) Pg. 1
- 4) **Administration and Finance Committee**
 - a) **Minutes (May 24 2018)** (Action) Pg. 4
- 5) **General Board Meeting**
 - a) **Minutes (May 24, 2018)** (Action) Pg. 6
- 6) **Announcements by Board Directors** (Information)

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

**PROGRAM OPERATIONS COMMITTEE
MEETING MINUTES**

May 24, 2018

Attendance:

Voting Directors: Mary Hatsume Vella, Alameda; Susan Wengraf, Berkeley; John J. Bauters, Emeryville

Non-Voting Directors:

Alternates: Sarah Oddie, County of Alameda; Gwen Hardy, Community Representative

Staff: Larry Brooks; Lidice De La Fuente; Dale Hagen; April Williamson

Others:

Absent: Desley Brooks, Oakland

Director John J. Bauters chaired the meeting at 9:30 A.M.

1) **Open Forum**

2) **Director's Report**

Secretary to the Board, Larry Brooks, provided Directors with an update on the paint litigation lawsuit indicating that one of the plaintiffs, National Lead Industries, Inc., settled out of court for the amount of \$60 million. Mr. Brooks noted that it's unclear how much of the settlement will go to Alameda County and the city of Oakland adding that ConAgra and Sherwin Williams plan to continue to appeal to the U.S. Supreme Court.

Mr. Brooks stated that the Healthy Homes and Schools Act ballot initiative slated for the November 2018 election is promoted by the paint companies and will reverse the 2014 lead paint litigation judgment and change the public nuisance law preventing the people to sue the paint companies for any environmental hazards. Under the proposed ballot initiative the paint companies are proposing to create a \$2 billion bond to pay for the remediation of lead paint and mold hazards. On May 23, 2018, the California Legislature Assembly Committees for Environmental Safety and Toxic Materials, Housing and Community Development and the Committee on Judiciary and Senate Environmental Quality held a joint hearing in Sacramento, CA inviting supporters and opponents of the initiative. Mr. Brooks noted that at the joint hearing Assembly members made it clear that the ballot measure was deceptive. Director John J. Bauters indicated that the Attorney General's Office determines the Title and Summary and currently is not favorable to the paint companies. JPA Directors requested sample language for city and county resolutions opposing the initiative along with a fact sheet and FAQ in order to provide voters with clarification on the ballot initiative. Mr. Brooks handed out literature from the paint companies promoting the ballot initiative and stated he would consult with County Counsel on their request.

Mr. Brooks encouraged Directors to listen to the KALW series on Bay Area and the Housing Crisis, which has received national attention and picked up by the National Public Radio. The series sparked the interest of a documentary filmmaker from New York City who intends to film in the Bay Area.

Dale Hagen, Healthy Homes Manager, reported on the U.S. Department of Housing and Urban Development (HUD) Program Manager's School held in Omaha, NB from April 29-May 3, 2018. Mr. Hagen shared insights on the mandatory training by HUD Office of Lead Hazard Control noting there's an increasing requirement for documentation and increase in funding and support in lead poisoning prevention at the national level. Mr. Hagen shared that he had an

opportunity to discuss with other grantees the challenges of the Lead Hazard Control programs and found common themes including housing affordability, shortage of resources, and contractors and consultants unwilling to do the work. Mr. Hagen also discussed the challenges for operating in the Bay Area noting the size of the HUD grants versus expectations. He stated that the grants are competitive and the Department competes with other jurisdictions across the Country that may have lower costs for operating and have additional resources for their programs. The Lead Hazard Control grants also have limits to administrative and overhead costs that don't reflect the increase of requirements and limitations by HUD as well as conflicting goals such as maximizing the number of housing units while keeping unit costs low, addressing the highest risk properties and prioritizing housing units with children under six years of age. Mr. Hagen stated that he's seen the relationship of rental property owners and tenants are more strenuous, which he attributes to the lack of housing affordability, therefore, impacting the Department's Lead Hazard Control Programs. Lastly, Mr. Hagen noted the compelling number of California grantees not participating in the Lead Hazard Control Programs.

Mr. Hagen updated Directors on the two concurrent Lead Hazard Control grants projecting the completion of 145 units out of a target goal of 140 units for the Lead Hazard Control grant ending May 30, 2018; and the completion of 28 units out of a targeted 120 units for the second Lead Hazard Control grant scheduled to end October 31, 2019. Mr. Hagen stated that the Department historically has been at the lower end of units due to the higher costs for operating and that it originally proposed 110 units, however, HUD countered at 120 units. Mr. Hagen stated the Department staff is evaluating its resources for outreach, enrollment, administration support and training in preparation for the next Notice of Funding Availability.

3) **Goals and Objectives FY 18/19**

Larry Brooks presented Directors with the Department's Goals and Objectives for Fiscal Year 2018/2019 noting this year it has separated the public outreach objective to reflect direct face to face contact versus indirect contact through mailings, web and social media. Mr. Brooks added that the JPA Board has the ability to amend the goals and objectives if they wish.

Director Bauters asked for clarification on the goal for the current fiscal year for direct community interaction, which Ms. Lidice De La Fuente indicated she could provide at the next meeting.

Motion: Directors issued a motion to continue Item 3, Goals and Objectives FY 18/19 for the next June 14, 2018 meeting.

Moved: John J. Bauters **Second:** Mary Hatsume Vella **Ayes:** 3-Wengraf; Vella; Bauters
Absent: Desley Brooks

4) **Outreach and Education Monthly Report**

Lidice De La Fuente reported on the outreach and education activities for the month of April 2018 highlighting the events in Alameda noting that one of the Departments Healthy Homes Community Development Specialist will present to the Board on June 14, 2018 on the soil testing event held at the Alameda Earth Day Festival. Furthermore, the Department conducted information booths at the Alameda County Authority, Berkeley Property Owner Association, Berkeley Rent Board and the East Bay Rental Housing Association.

Directors asked for clarification on the healthy home assessments conducted in the Alameda County Wide section of the monthly report. Mr. Hagen indicated that assessments reported in the County Wide section are assessments that were conducted in other cities in the County not in the County Service Area. Mr. Hagen also pointed out that the Department contracts with the

City of Union city for rehabilitation and minor home repair services, receives Federal Community Development Block Grant funding to conduct minor home repair services in smaller cities that do not have their own allocation and are part of the Urban County consortium such as Piedmont, the unincorporated areas of the county, and offers lead hazard controls services to eligible units countywide.

Director Gwen Hardy noted that CSA cities receive all property owner services while the remaining jurisdictions are only eligible for certain services.

- 5) **Announcements by Board Directors**
There were no announcements by Board Directors.

Meeting adjourned at 10:17 A.M.

**ADMINISTRATION AND FINANCE COMMITTEE
MEETING MINUTES**

May 24, 2018

Attendance:

Voting Directors: Mary Hatsume Vella, Alameda; Susan Wengraf, Berkeley; John J. Bauters, Emeryville

Non-Voting Directors:

Alternates: Sarah Oddie, County of Alameda; Gwen Hardy, Community Representative

Staff: Larry Brooks; Lidice De La Fuente; Dale Hagen; April Williamson

Others:

Absent: Desley Brooks, Oakland

The meeting was called to order by John J. Bauters at 10:17 A.M.

1) **Open Forum**

2) **Director's Report**

Mr. Brooks alerted Directors that he and Mr. Hagen will be attending a HUD mandatory conference, National Healthy Homes Conference in Anaheim, CA from June 25-28, 2018.

Mr. Brooks informed Directors of the outcome of his April 2018 meeting with Board of Supervisor Chan and Miley noting that without the CSA there will be no Healthy Homes Department. At the meeting Mr. Brooks informed the Supervisors that the CSA dollars are shrinking and asked for suggestions for sustainability to ensure residents are provided with Department services. Suggestions by Supervisors included ballot initiative in 2020 to increase the CSA service charge and offer the opportunity for other jurisdictions to join the CSA. Mr. Brooks noted that funding for polling would be required. Other suggestion offered was seeking County General Fund and for Department staff to approach various foundations for financial support. Mr. Brooks thanked Supervisor Chan for asking JPA Alternate Sarah Oddie to meet with Department staff to discuss the needs and challenges of the Department.

3) **Budget FY 18/19**

April Williamson, Finance Manager presented Directors with the Department's budget for Fiscal Year 2018/2019. She handed out a summary of budget changes noting a decrease in funding due to the conclusion of one Lead Hazard Control grant, end of contract with city of Fremont, end of the Pay for Success project and reduction in fee for service with Oakland Housing Authority due to staff capacity. The Department is currently in negotiations with its sister Department for minor home repair services in the Urban County, city of Union City for rehabilitation and minor home repair and with Health Care Services Agency for the Fixing to Stay and Group Living Facilities projects.

Ms. Williamson stated the Department is negotiating the rental lease due to expire March 2019 and expects to provide more information on the final lease amount in late 2018. Mr. Brooks added that the Department continues to rent out cubicle space to other county departments in an effort to increase revenue.

Ms. Williamson noted the increase in non-discretionary expenses due to the approval of Cost of Living Adjustments (COLA) for SEIU and Management employees set to take effect July 1, 2018; the six percent increase in salaries and benefits are expenses past down to the Department. Currently, the Department has 18 FTE's and retirements of permanent staff is

being replaced by temporary or project positions due to not having long term funding. Ms. Williamson stated line item budget includes funding for outreach materials and promotional items for staffing events, and field staff comprise 67% of the Department staff, which spend a significant amount of time in the field working directly with clients.

Ms. Hardy stated that due to the fact that the CSA is under the umbrella of the County the CSA needs to adhere to the County's financial structure.

Mr. Brooks stated that the Department would not exist without the CSA and it's another justification for the need for general fund support for the Department. Lastly, Mr. Brooks noted that the Department was unsuccessful in receiving Measure A1 Bond funds.

Action: The Board approved the Department's Budget for Fiscal Year 2018/2019.

Moved: Susan Wengraf **Seconded:** Mary Hatsume Vella **Ayes:** 3-Wengraf; Vella; Bauters

Absent: Desley Brooks

4) **Announcements by Board Directors**

There were no announcements by Board Directors.

Meeting adjourned at 10:42 A.M.

ALAMEDA COUNTY LEAD POISONING PREVENTION PROGRAM
GENERAL BOARD
MEETING MINUTES

May 24, 2018

Attendance:

Voting Directors: Mary Hatsume Vella, Alameda; Susan Wengraf, Berkeley; John J. Bauters, Emeryville

Non-Voting Directors:

Alternates: Sarah Oddie, County of Alameda; Gwen Hardy, Community Representative

Staff: Larry Brooks; Lidice De La Fuente; Dale Hagen; April Williamson

Others:

Absent: Desley Brooks, Oakland

The meeting was called to order by John J. Bauters at 10:43 A.M.

1) **Open Forum**

2) **Director's Report**

Larry Brooks informed Directors of a conference call with U.S. Environmental Protection Agency (EPA) and the California Association for Code Enforcement Officers (CACEO) discussing eliminating lead hazards and the need to work together in advancing lead poisoning prevention efforts within the building inspection and code enforcement professions. EPA agreed to assist CACEO with funding for a two hour workshop on lead poisoning prevention and Renovate, Repair, Paint (RRP) at the annual CACEO convention and possibly fund the Department to provide RRP courses. Both EPA and CACEO emphasized the importance of being proactive in regards to lead poisoning prevention efforts. EPA complemented the city of Emeryville for adopting the RRP form and requested minor changes to the form in order to provide it to all Region 9 jurisdictions.

3) **Approval of Minutes -Program Operations Committee**

a) **Minutes (April 26, 2018)**

Action: The Board approved the meeting minutes for the April 26, 2018 Program Operations Committee meeting.

Moved: Susan Wengraf **Seconded:** Mary Hatsume Vella **Ayes:** 3-Wengraf; Vella; Bauters **Absent:** Desley Brooks

4) **Approval of Minutes -Administration and Finance Committee**

a) **Minutes (April 26, 2018)**

Action: The Board approved the meeting minutes for the April 26, 2018 Administration and Finance Committee meeting.

Moved: Mary Hatsume Vella **Seconded:**Susan Wengraf **Ayes:** 3-Wengraf; Vella; Bauters **Absent:** Desley Brooks

5) **Approval of Minutes -General Board Meeting**

a) **Minutes (April 26, 2018)**

Action: The Board approved the meeting minutes for the April 26, 2018 General Board meeting.

Moved: Susan Wengraf **Seconded:** Mary Hatsume Vella **Ayes:** -Wengraf; Vella; Bauters **Absent:** Desley Brooks

- 6) **Announcements by Board Directors**
There were no announcements by Board Directors.

Meeting adjourned at 10:50 A.M.