

**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 17, 2019

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 20, 2019. The meeting will begin a 9:15 a.m., or immediately following the Administration and Finance Committee Meeting at the Alameda County Administrator's Office, 1221 Oak Street, 2nd Floor, 220E, Oakland, CA.**

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

Thank you.

ALAMEDA COUNTY LEAD POISONING PREVENTION PROGRAM  
JOINT POWERS AUTHORITY

AGENDA

**General Board Meeting**

**June 20, 2019**

**9:15 A.M. or immediately following the Administration and Finance Committee Meeting**

Alameda County Administrator's Office  
1221 Oak Street, 2nd Floor, 220E  
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's Report** (Information)
- 3) **Lead Paint Litigation** (Information)  
A) County Update/ Timeline  
B) Status of Allocated Funding
- 4) **Program Operations Committee**  
a) Minutes (May 23, 2019) (Action) Pg. 1
- 5) **Administration and Finance Committee**  
a) Minutes (May 23, 2019) (Action) Pg. 3
- 6) **General Board Meeting**  
a) Minutes (May 23, 2019) (Action) Pg. 5
- 7) **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](http://www.achhd.org)**

**PROGRAM OPERATIONS COMMITTEE**  
**MEETING MINUTES**

May 23, 2019

**Attendance:**

**Voting Directors:** Susan Wengraf, Berkeley; Lynette Gibson-McElhaney, Oakland; John J. Bauters, Emeryville

**Non-Voting Directors:** Gwen Hardy, Community Representative

**Alternates:** Dave Brown, County of Alameda

**Staff:** Larry Brooks; Lidice De La Fuente; April Williamson

**Others:** Alex Marqusee; Bernard Ashcraft

**Absent:** Malia Vella, Alameda

Director John J. Bauters opened the Program Operations Committee meeting at 9:34 A.M.

1) **Open Forum**

2) **Director's Report**

Secretary to the Board, Larry Brooks, informed of Public Employee Recognition Week and praised Directors for their community service. He noted Alameda County Supervisor Valle's May 7th, 2019 resolution publicly acknowledged JPA Director John J. Bauters for his commitment to feeding the homeless.

3) **Goals and Objectives FY 2019/2020**

Larry Brooks introduced the Goals and Objectives FY 2019-2020 highlighting Measure A and AC3 funding from Health Care Services Agency and Behavioral Health Services Agency funding activities under the Fixing to Stay and Independent Living Homes projects. Mr. Brooks noted that the Department was rebranded to Healthy Homes Department to access funds from other sources since the ten-dollar County Service Area property owner service charge on pre-1978 units has not been raised since the inception of the Lead Poisoning Prevention Program. For the new fiscal year the Department will receive County funds to support and maintain current operations in infrastructure.

For fiscal year 2019-2020 the Department's goal is to seek funding to provide the "Gold Standard" of care to lead poisoned children, entailing that all lead poisoned children would be case managed and receive an environmental investigation regardless of their blood lead level. Currently, the California Department of Public Health Childhood Lead Poisoning Prevention Branch (CADPH) funds environmental investigations for cases above 15 microgram per deciliter.

Mr. Brooks anticipates providing U.S. Environmental Protection Agency (EPA) Renovate, Repair, Paint (RRP) trainings to building inspectors and code enforcement officers enabling them to respond to unsafe renovation/condition complaints in their respective jurisdictions. Mr. Brooks informed that EPA Region 9 is setting up a meeting with their headquarters in Washington, D.C., to discuss making the Department's RRP training model a national model to address unsafe renovation complaints. He reminded Directors of the city of Emeryville's RRP certification ordinance and acknowledgement form that CSA cities adopted.

Mr. Brooks noted the objective to complete 40 lead hazard control units under the current U.S.

Department of Housing and Urban Development (HUD) Lead Hazard Control grant program which ends November 2019. He expects the Department will apply for the next round of funding.

Bernard Ashcraft from the Bay Area Business Roundtable discussed the need for workforce development and requested the JPA Board of Directors develop a budget and collaboration agreement with the Bay Area Roundtable in preparation of the lead paint judgment. Director Bauters asked to discuss offline potential partnerships including with Alameda County Supervisor Chan's office.

**Action:** The Board approved the Goals and Objectives for Fiscal Year 2019-2020.

**Moved:** Susan Wengraf      **Seconded:** Lynette Gibson-McElhaney      **Ayes:** 3- Wengraf; McElhaney; Bauters

**Absent:** Malia Vella

4)      **Outreach and Education Monthly Report**

Assistant Secretary of the Board, Lidice De La Fuente informed of outreach events conducted in the cities of Berkeley, Emeryville and Oakland for the month of April 2019.

5)      **Announcements by Board Directors**

There were no announcements by Board Directors.

Meeting adjourned 10:05 A.M.

**ADMINISTRATION AND FINANCE COMMITTEE  
MEETING MINUTES**

May 23, 2019

**Attendance:**

**Voting Directors:** Susan Wengraf, Berkeley; Lynette Gibson-McElhaney, Oakland; John J. Bauters, Emeryville

**Non-Voting Directors:** Gwen Hardy, Community Representative

**Alternates:** Dave Brown, County of Alameda

**Staff:** Larry Brooks; Lidice De La Fuente; April Williamson

**Others:** Alex Marqusee; Bernard Ashcraft

**Absent:** Malia Vella, Alameda

Director John J. Bauters called into order the Administration and Finance Committee Meeting at 10:05 A.M.

1) **Open Forum**

2) **Director's Report**

None reported.

3) **Budget FY 2019/2020**

Finance Manager, April Williamson, introduced the Healthy Home Department Budget for Fiscal Year 2019-2020. Both Ms. Williamson and Mr. Brooks provided clarification on the definition of contract cities, which the Department contracts with city of Oakland and Union City to administer their minor home repair programs. Furthermore, the CSA revenue is set to ten dollars per pre-1978 unit since the inception of the Program and as a result of Proposition 218 a ballot measure is required to raise the service charge and for other cities to opt in to the Program. Mr. Brooks informed that in 2006, a consulting firm contracted by the Department did not recommend a ballot measure at that time. The Department is exploring the possibility of a ballot measure to increase the CSA and include the Unincorporated County in time for the 2020 election.

Ms. Williamson reported on decrease in revenue due to the CA DPH three-year contract ending June 2020, HUD Lead Hazard Control grant ending November 2019; Slight decrease in Community Development Block Grants (CDBG) for minor home repair services in the urban county and in Union City.

Ms. Williamson informed of the supplemental funding from the County for positions to prepare for the judgment and support infrastructure. The Department is currently working with County Human Resources for hiring of new positions. The Department successfully negotiated an Memorandum of Understanding for services provided under the Fixing to Stay and Independent Living Association projects.

Ms. Williamsons stated that the Department's overhead costs and project costs has decreased, and salary and benefits have increased due to additional positions funded by the County. Director Susan Wengraf recommended a two-year budget and expressed concern over the 23% salary and benefits increase. Director Gwen Hardy emphasized the need for outreach and education, which the Department has allocated over \$10,000 for printed materials and promotional materials.

**Action:** Directors approved the Budget FY 2019-2020.

**Moved:** Susan Wengraf

**Seconded:** Lynette Gibson-McElhaney

**Ayes:** 3-

Wengraf; McElhaney; Bauters

**Absent:** Malia Vella

4) **Announcements by Board Directors**

There were no announcements by Board Directors.

Meeting adjourned at 10:19 AM

**GENERAL BOARD  
MEETING MINUTES**

May 23, 2019

**Attendance:**

**Voting Directors:** Susan Wengraf, Berkeley; Lynette Gibson-McElhaney, Oakland; John J. Bauters, Emeryville

**Non-Voting Directors:** Gwen Hardy, Community Representative

**Alternates:** Dave Brown, County of Alameda

**Staff:** Larry Brooks; Lidice De La Fuente; April Williamson

**Others:** Alex Marqusee; Bernard Ashcraft

**Absent:** Malia Vella, Alameda

Director John J. Bauters opened the General Board Meeting at 10:19 A.M.

1) **Open Forum**

2) **Director's Report**

Larry Brooks noted that if the Unincorporated County joined the CSA it would become a voting member, consequently, changing the CSA Lead Program's voting structure.

Mr. Brooks shared a thank you letter from a property owner participating in the Lead Hazard Control program, which he shared with several media outlets, elected officials and other community influencers.

3) **Lead Paint Litigation**

**A) County Update/timeline**

Mr. Brooks stated that since November 2018 representatives of the jurisdictions have met monthly to discuss plans for implementation of the lead paint judgment. At the last hearing in May 2019 the Judge lifted a stay on the funding indicating that they will enter their final judgment on June 24, 2019. Mr. Brooks stated that as a result of a Public Records Act request by the paint companies the Department will be required to submit property addresses where lead poisoned children live and property owner names to the paint companies. Alameda County's appeal to block this request was denied by an Alameda County Superior Court judge.

Mr. Brooks provided Directors a draft advisory letter informing public agencies including realtors, apartment association, tenant advocacy groups, housing advocacy organizations and local legal aid providers of the lead paint companies' public records act request and their intentions to sue property owners for properties found to cause child lead poisoning.

Director Lynette Gibson McElhaney and Wengraf recommended editing the letter to include that the jurisdictions had prevailed in the lawsuit; funds are available to remediate lead hazards benefiting property owners and tenants; link to webpage informing of the court ruling; FAQ; and Department's contact information.

Based on Director Hardy's concerns of not reaching vulnerable populations Director Bauters asked for her assistance in getting the word out to tenant groups and working with Department staff on an outreach and education strategy.

Mr. Brooks asked Directors to support AB206, (Chu), Public Nuisance: Abatement: Lead-

based Paint, which would nullify property owners from any fault caused by lead based paint in their properties.

Directors issued a motion to add the revised advisory letter as an action agenda item for the June 20<sup>th</sup> JPA Board meeting.

**B) Status of Allocated Funding**

None reported.

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

a) **Minutes (April 25, 2019)**

**Action:** The Board approved the meeting minutes for the April 25, 2019 Program Operations Committee meeting.

**Moved:** Lynette Gibson-McElhaney                   **Seconded:** Susan Wengraf   **Ayes:** 3-  
McElhaney; Wengraf; Bauters

**Absent:** Malia Vella

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

a) **Minutes (April 25, 2019)**

**Action:** The Board approved the meeting minutes for the April 25, 2019 Administration and Finance Committee meeting.

**Moved:** Susan Wengraf           **Seconded:** Lynette Gibson-McElhaney **Ayes:** 3- Wengraf;  
McElhaney; Bauters

**Absent:** Malia Vella

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

a) **Minutes (April 25, 2019)**

**Action:** The Board approved the meeting minutes for the April 25, 2019 General Board meeting.

**Moved:** Lynette Gibson-McElhaney                   **Seconded:** Susan Wengraf   **Ayes:** 3-  
McElhaney; Wengraf; Bauters

**Absent:** Malia Vella

7) **Announcements by Board Directors**

Larry Brooks announced that California Apartments Owners Association is aware of lead paint companies' intentions to sue property owners and are supporting a rental inspection program.

Director Bauters reminded Directors that the next JPA Board meeting is June 20<sup>th</sup>, 2019.

Director Bauters informed that City of Emeryville will raise two Pride flags including one for City of Dublin at Emeryville Town Hall on June 8<sup>th</sup>, 2019 at noon. The Pride flags will be displayed during month of June.

Meeting adjourned at 10:51 A.M.