

ALAMEDA COUNTY LEAD POISONING PREVENTION PROGRAM
JOINT POWERS AUTHORITY
MEETING MINUTES
November 8, 2007

Attendance:

Voting Directors: Henry Chang, Ken, Bukowski, Beverly Johnson, Betty Olds

Non-Voting Directors: Alice Lai-Bitker, Gwen Hardy

Alternates:

Staff: Mark Allen, Barbara Arriaga, Maricela Narvaez-Foster

Others:

Absent:

The meeting was called to order at 2:10 p.m.

1) **Open Forum**

No public comment.

2) **Director's Report**

Mr. Allen informed the JPA Board of Directors that the Bay Area Coalition of Lead Leaders, comprised of 11 Counties of which nine are in the Bay Area, held a press conference to provide parents with guidance on shopping for safe toys during the holiday season (see attached) on November 7, 2007. He circulated a press packet for the Board to review.

3) **Strategic Planning Meeting**

Mr. Allen gave a PowerPoint presentation to the JPA Board of Directors. The points highlighted, and comments from the Board, are attached to the minutes. The complete PowerPoint presentation is available upon request.

4) **Approval of Minutes (October 25, 2007)**

Action: The Board approved the minutes for October 25, 2007.

Moved: Ms. Olds **Seconded:** Mr. Chang **Ayes** 4

5) **Program Operations Committee**

a) **Health and Housing Services Report**

Mr. Allen reviewed the Health and Housing Services Report. There were no questions regarding this report.

b) **First Quarter Report Fiscal Year 2007-08**

Mr. Allen reviewed the first quarter report for Fiscal Year 2007-08. There were no questions regarding this report.

6) **Administration and Finance Committee**

7) **Announcements by Board Members**

None.

Meeting adjourned at 4 p.m.

PROGRAM OPERATIONS COMMITTEE

MEETING MINUTES

November 8, 2007

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Alternates:

Staff: Mark Allen, Barbara Arriaga, Maricela Narvaez-Foster

Others:

Absent:

- 1) **Open Forum**
No public comment.
- 2) **Director's Report**
Deferred until the General meeting.
- 3) **Health and Housing Services Report**
Mr. Allen and the JPA Board Members reviewed the Health and Housing Services Report. There were no questions regarding these reports.

Meeting adjourned at 2:05 p.m.

ADMINISTRATION AND FINANCE COMMITTEE

MEETING MINUTES

November 8, 2007

Attendance:

Voting Directors: Henry Chang, Ken, Bukowski, Beverly Johnson, Betty Olds

Non-Voting Directors: Alice Lai-Bitker, Gwen Hardy

Alternates:

Staff: Mark Allen, Barbara Arriaga, Maricela Narvaez-Foster

Others:

Absent:

- 1) **Open Forum**
No public comment.
- 2) **Director's Report**
Deferred until the General meeting.

Meeting adjourned at 2:07 p.m.

ALAMEDA COUNTY LEAD POISONING PREVENTION PROGRAM

Staff Report Regarding CALCULATION OF SERVICE CHARGE

December 13, 2007

BACKGROUND

At its Special Strategic Planning Meeting, November 8, 2007, Joint Powers Authority Director Henry Chang asked staff to provide the Board with the language authorizing and calculating the County Service Area service charge.

DISCUSSION

The documents that established the mechanism for financing the basic level of services in the County Service Area include:

1. June 18, 1991, County of Alameda Application to Local Agency Formation Commission to establish the County Service Area/Lead Abatement District.

“Annual service fee of \$10.00 per pre-1978 residential unit will be assessed to unincorporated county and participating cities.”

2. November 5, 1991, Alameda County Board of Supervisors resolution approving: County Lead Abatement Program: Adoption of Resolution of Notice of Intention to Form County Service Area for Lead Abatement (LA-1991-1) and Setting of Public Hearing.

“All residential units built before 1978 in the unincorporated county and participating cities will be charged a fee of \$10 per year, with program services being distributed to each jurisdiction in direct proportion to the funds received from each jurisdiction.”

3. December 10, 1991, Alameda County Board of Supervisors resolution approving: County Lead Abatement Program: Public Hearing and Adoption of Resolution of Formation to Form County Service Area for Lead Abatement (LA-1991-1).

“Residential units built before 1978 in the unincorporated county and participating cities will be charged a fee not to exceed \$10 for the first year, with program services being distributed to each jurisdiction in direct proportion to the funds received from each jurisdiction.”

4. December 10, 1991, Alameda County Board of Supervisors resolution approving: Understanding Re: Assessments.

“This Board of Supervisors acknowledges that the resolution creating the CSA does not of itself levy any assessment; that this Board may annually assess property and set the level of benefit charges for particular zones with the CSA pursuant to County Service

Area Law (Government Code § 25210.77 (a), but only after notice, public hearing, citizen input, and final determination of this Board on the annual report of assessments.”

5. From 1992-1996, before the passage of the State of California Right to Vote on Taxes Act (Proposition 218) in November 1996, the Alameda County Board of Supervisors annually passed a resolution to: Review Written Report and Service Charges for County Services Area LA-1991-1, Lead Abatement; Set and Hold Public Hearing: Establish Fees. That section of the resolution which addresses the calculation of the service charge reads:

“Service charges for CSA LA-1991-1 (Lead Abatement) are established annually by the Board of Supervisors. The service charges are based upon the proposed level of services as reflected in the proposed budget and the number of benefit assessment units from parcel information provided by the Assessor's Office. The benefit assessment unit for CSA LA-1991-1 is pre-1978 housing units, except in the case of fraternities and sororities for which the benefit assessment unit is bedrooms.”

6. From 1997 to the present the Alameda County Board of Supervisors has annually passed a resolution using the following revised language for that section addressing the calculation of the service charge:

“Service charges for CSA LA-1991-1 (Lead Abatement) are established annually by the Board of Supervisors. The service charges are based upon the proposed level of services as reflected in the proposed budget and the number of residential units from parcel information provided by the Assessor's Office. The fee unit for CSA LA-1991-1 is pre-1978 housing units, except in the case of certain rooming house situations, for which the fee unit is bedrooms.”

The revision in the language under Calculation of Service Charges was one of five specific changes proposed by representatives of the Goldfarb & Lipman law firm. Goldfarb & Lipman was hired by the Joint Powers Authority to ensure program adherence to the requirements of Proposition 218.

The proposed changes, submitted by Rick Judd of Goldfarb & Lipman in a memo dated April 25, 1997, were adopted by County Counsel and the County Administrator's Office and incorporated in the Annual Report submitted to the Board of Supervisors for Fiscal Year 1997-1998.