CITY OF LONG BEACH

DEPARTMENT OF HEALTH AND HUMAN SERVICES

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September 12, 2006

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Authorize the City Manager to execute the first amendment to agreement number 03-76024 with the State of California Department of Health Services to continue a Local Lead Hazard Reduction and Compliance Program for a period of 12 months. (Citywide)

DISCUSSION

On April 6, 2004, the City Council authorized the City Manager to execute an agreement with the State of California Department of Health Services (State) for the implementation of a Local Lead Hazard Reduction Compliance and Enforcement Program (LHRCEP) for the term of February 1, 2004 through June 30, 2006 (2.5 years). The State has informed the City of it's intent to extend the program through 2007 (another 1.5 years).

This amendment implements a one-year extension to enable completion of the originally contracted services. It reflects a budget modification to move $26,346 in funding from Year 2 to Year 4, adding a fourth year. Through this amendment, the California Department of Health Services will be receiving the same services as specified in the original agreement.

Senate Bill 460 (SB 460), which took effect on January 1, 2003, was passed by the California State Legislature and signed into law by the Governor to assure that children are protected from lead-based paint hazards. SB 460 makes it illegal to create a lead hazard or to have a condition that is a lead hazard in residential and public buildings. Many cases of childhood lead poisoning are caused by lead in paint that has been disturbed by remodeling activities or lead dust caused by deteriorated lead-based paint.

SB 460, which amended sections of the State Civil Code and amended and added sections to the State Health and Safety Code relating to lead abatement, provides local enforcement agencies (including local building, housing, health, and environmental health agencies) the authority to issue orders to abate or otherwise correct a lead hazard. Enforcement agencies can also issue orders to cease and desist any activities that create lead hazards (such as disturbing lead-based paint without using containment and failing to follow other lead safe work practices).

The DHHS will act as the LHRCEP agency for the City of Long Beach and will implement the local infrastructure and framework, implement a plan to identify local lead-hazard reduction training needs, and conduct lead hazard reduction compliance and enforcement activities. DHHS will work closely with the Planning and Building Department and the City Prosecutor to implement and coordinate the LHRCEP. In the course of the prior year, DHHS has certified two environmental health housing inspectors as Certified Lead Inspectors/Risk Assessors by sending them to State training, testing, and application submission. A means was created by which code violations can be issued for lead-hazards. With final training of the housing inspectors, the program is ready to continue outreach and begin production. A contract extension will allow implementation of this program.

This matter was reviewed by Deputy City Attorney Donna Gwin and by Budget Management Officer David Wodynski on August 30, 2006.

TIMING CONSIDERATIONS

Reimbursable program services will commence only when a fully executed copy is returned to the City of Long Beach by the State of California Department of Health Services. Accordingly, City Council action is required as soon as possible.

FISCAL IMPACT

The City will receive grant revenues of $26,346 to offset expenditures of the same amount. Sufficient funds are budgeted in the Department of Health and Human Services (HE) and in the Health Fund (SR 130).

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

RONALD R. ARIAS, DIRECTOR
HEALTH AND HUMAN SERVICES

APPROVED:

GERALD R. MILLER
CITY MANAGER