

AGENDA ITEM NO.

COUNCIL MEETING: January 15, 2008

APPROVED BY

DEPARTMENT DIRECTOR 

CITY MANAGER \_\_\_\_\_

January 15, 2008

FROM: NICK YOVINO, Director  
Planning and Development Department

BY: JERRY BISHOP, Assistant Director  
Planning and Development Department 

MATTHEW LOPEZ, Manager  
Code Enforcement Division 

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, RELATING TO AUTHORIZING SUBMISSION OF AN APPLICATION TO THE STATE DEPARTMENT OF PUBLIC HEALTH FOR CHILDHOOD POISONING PREVENTION FUNDING, AND AUTHORIZING THE PLANNING AND DEVELOPMENT DEPARTMENT ASSISTANT DIRECTOR TO SIGN ON BEHALF OF THE CITY

#### KEY RESULT AREA

One Fresno

#### RECOMMENDATION

Staff recommends Council approve the submission of an application to the State Department of Public Health for Childhood Lead Poisoning Prevention Funds for Fiscal Years 2008-09, 2009-10, and 2010-11. Staff has already prepared and submitted a non-binding application pending Council approval.

#### EXECUTIVE SUMMARY

The State Department of Public Health, Childhood Lead Poisoning Prevention Branch, is requesting participation from local jurisdictions for Childhood Lead Poisoning Prevention Program funding. If awarded, funding would support the State's effort to eliminate childhood lead poisoning by identifying and eliminating sources of lead exposure in the City of Fresno. The City of Fresno will collaborate with the Fresno County Department of Community Health for this program. The State will also provide funding for certificated training for existing city staff as Lead Hazard Inspector/Assessors and Sampling Technicians.

#### KEY OBJECTIVE BALANCE

Approval of the application for State funding to reimburse costs associated with eliminating sources of lead exposure will have a positive effect to the Customer Satisfaction, Employee Satisfaction, and Financial Management Key Objectives. Approval impacts the Customer Service aspect by ensuring that the City of Fresno has an effective means to address lead based hazards in our community. The approval also contributes to Employee Satisfaction by supporting staff's efforts to remove hazardous conditions, and demonstrates Financial Management by providing funding to reimburse costs associated with the program.

**BACKGROUND**

Fresno County has been identified by the State as having the second highest number of lead-poisoned children in California. Three Fresno County zip codes, 93701, 93702 and 93706 rank in the top ten in California with the most lead hazards for children under the age of six years. The State Department of Public Health is requesting participation from local jurisdictions to eliminate lead poisoning by identifying and eliminating sources of lead exposure in the City of Fresno.

**FISCAL IMPACT**

The recommended application, if awarded, would provide re-imbusement of costs incurred by the City of Fresno for the identification and removal of sources of lead exposure for a three year period at \$168,458.00 per year. There is no local match.

**Attachment:**

Resolution authorizing submission of application to the State Department of Public Health.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, RELATING TO AUTHORIZING SUBMISSION OF AN APPLICATION TO THE STATE DEPARTMENT OF PUBLIC HEALTH FOR CHILDHOOD POISONING PREVENTION FUNDING, AND AUTHORIZING THE PLANNING AND DEVELOPMENT DEPARTMENT ASSISTANT DIRECTOR TO SIGN ON BEHALF OF THE CITY.

WHEREAS, the Council of the City of Fresno (“Council”) finds that funds are allocated and available from the California Department of Public Health to local jurisdictions and counties with regulatory authority to perform code enforcement activities; and

WHEREAS, the California Department of Public Health, Childhood Lead Poisoning Branch, has the responsibility for the administration of the program within the State, setting up necessary procedures governing application by cities and counties under the program; and

WHEREAS (California Civil Code 1941.1; California Health & Safety Code 17961, 17980, 124130, 17920.10, 105251 to 105257) Deems a building to be in violation of the State Housing Law if it contains lead hazards, and requires local enforcement agencies to enforce provisions related to lead hazards; and

WHEREAS, the City can demonstrate that it has sufficient staff resources, technical expertise, and/or experience with similar projects to carry out the proposed program; and

WHEREAS, the City will enter into an agreement with the State of California for implementation of code enforcement actions to achieve elimination of lead hazards.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. The City of Fresno authorizes the submittal of an application to the California Department of Public Health for a lead paint hazard enforcement program for a period of three years starting July of 2008.

2. The Planning and Development Assistant Director, or his or her designee, is hereby authorized and empowered to execute in the name of the City of Fresno all necessary applications, contracts, agreements, and amendments hereto for the purposes of securing funds to implement and carry out the purpose specified in the contract application.

\* \* \* \* \*

STATE OF CALIFORNIA )  
COUNTY OF FRESNO ) ss.  
CITY OF FRESNO )

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2007.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

Mayor Approval: \_\_\_\_\_, 2007  
Mayor Approval/No Return: \_\_\_\_\_, 2007  
Mayor Veto: \_\_\_\_\_, 2007  
Council Override Vote: \_\_\_\_\_, 2007

REBECCA E. KLISCH  
City Clerk

BY: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
CITY ATTORNEY'S OFFICE

BY:   
Charlotte M. Hylton, Deputy