

County of Santa Clara

Public Health Department

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MEMORANDUM

DATE: April 22, 2022

TO: Honorable Board of Supervisors

FROM: Sara H. Cody, M.D., Health Officer/Director, Public Health Department
Rochelle Gaddi, Interim Director, Department of Environmental Health 8742
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SUBJECT: **Off-Agenda Report Regarding Lead Safe Homes Program Update**

At the February 15, 2022 Board of Supervisors meeting (Item No. 10), the Board directed Administration to provide an off-agenda report relating to details regarding the County Lead Safe Homes Program. This report provides details and an update on the Program.

Background

The County Lead Safe Homes Program (Program) will help identify and eliminate the hazards posed by residential use of lead paint in Santa Clara County by providing residents with lead paint inspections and abatement services. The Program is housed within the Department of Environmental Health (DEH) and will significantly expand upon lead-hazard identification and mitigation services currently provided by DEH through their Site Mitigation Program (SMP) and the Childhood Lead Poisoning Prevention Program (CLPPP) in DEH and the Public Health Department (PHD). The Program is being developed in close partnership with PHD, Office of the County Counsel (CCO), and other internal and external stakeholders.

Settlement funds obtained from former lead paint manufacturers through the [Lead Paint Litigation](#), led by the County, will be used to support the Program and to address harms posed by lead paint, particularly for children. Under the terms of the settlement, the County will receive approximately \$16.8 million over the next several years, which the Program will use to address damages related to residential lead paint. The settlement funds are being used to expand existing County lead poisoning prevention services by providing for and funding lead paint inspections and abatement, as well as education, outreach, and other related needs. This will accelerate progress toward ensuring that all County residents, especially children, have a safe and healthy living environment to maximize their developmental potential by reducing the incidence and impact of lead exposure in the community.

Lead Safe Homes Program Description and Goals

The Program utilizes the settlement funds (approximately \$16.8 million) to reduce and/or eliminate

lead paint hazards by providing inspection and abatement services at private residences, apartment complexes, and home-based daycares countywide (unincorporated county and the 15 cities within Santa Clara County) for residents who choose to enroll in the Program. The Program estimates that the average inspection cost to be approximately \$1,500 per unit and the average abatement cost to be approximately \$21,000 per unit. The Program will utilize the majority of available funds for inspection and abatement while reserving approximately \$300,000 for future needs such as workforce development, training, and unanticipated expenses.

While the principal focus of the Program is on identification, enrollment, inspections, and abatement of impacted housing units, the Program will also provide lead hazard education and support services to residents throughout the county. The Program will continue to be implemented with a particular focus on health equity by prioritizing enrollment of units in disadvantaged communities most heavily impacted by lead paint hazards and other environmental and public health burdens. This is achieved by focusing on strong community engagement, continuous improvement, and completion of the following Program goals and elements:

1. **Primary Prevention:** To protect all County residents, especially children, from lead poisoning by removing lead paint hazards in their homes and home-based day cares. The principal means of achieving this goal is through County-funded lead paint risk assessments, inspections, and abatements.
2. **Secondary Prevention:** To identify and prevent ongoing lead-paint hazards in housing and home-based daycares where children with elevated blood lead levels either currently or previously resided or attended.
3. **Community Engagement:** To engage with the community to optimize the delivery of outreach, education, enrollment, inspection, and abatement services, and to better understand each community's culturally and geographically diverse challenges and needs.
4. **Sustainability and Equity:** To ensure that lead-paint hazards in the county's housing stock are eradicated in a manner that integrates environmental health, social equity, and economic vitality by (1) focusing on equitable distribution of program services by prioritizing inspection and abatement of housing stock in low-income communities and communities disproportionately burdened by environmental and public health harms, (2) preserving access to affordable housing and preventing displacement while also improving the safety and quality of affordable housing in the county, and (3) realizing sustainability co-benefits by, for instance, replacing lead-contaminated windows with more energy-saving fixtures through coordination with other county departments such as the County's Procurement Department and Office of Sustainability.
5. **Program Evaluation and Performance Measures:** To utilize a scientifically robust process and outcome evaluation with clear performance metrics to drive efficiency and optimization of delivery.

Steps Completed to Date

DEH and its partners have completed the following steps and milestones to develop and operationalize the Program:

- At its November 17, 2020 Regular Meeting (Items No. 75 and 76), the Board of Supervisors approved appropriating funding from the Lead Paint Litigation settlement funds to create a new Supervising Hazardous Materials Specialist position within DEH to help develop, manage, and

oversee the Program. Following this appropriation, DEH hired a Supervising Hazardous Materials Specialist into this role.

- The Program commissioned a report by nationally recognized subject matter experts to help develop a strategic plan for utilizing the Lead Paint Litigation settlement funds to create and implement a robust residential lead paint abatement program in Santa Clara County that realizes the Program goals.
- An internal, cross-departmental work group was formed, and has met regularly to develop processes around optimizing community engagement and the implementation of Program goals.
- Staff meets frequently with several of the other nine prosecuting jurisdictions involved in the Lead Paint Litigation on development and implementation of the Program and meets quarterly with an inter-agency working group that includes representatives from the California Department of Public Health's (CDPH) Childhood Lead Poisoning Prevention Branch.
- Staff developed a strategy to prioritize enrollment, inspection, and abatement activities through utilization of the latest release of California's Office of Environmental Health Hazard Assessment (OEHHA) mapping tool, [CalEnviroScreen](#). This tool will be used to focus Program efforts and resources within census tracts with the highest lead risks first ("worst-first" approach).
- Staff developed a strategy to efficiently administer the Program through a third-party partner (third-party administrator) who will assist with various program elements such as outreach, enrollment, coordination between property owners and CDPH lead-certified inspection/abatement contractors, temporary relocation, as well as other necessary program elements.
- Staff launched a new County website (www.leadfreesccl.org) to provide additional information and updates related to the Program. It also consolidates news and information related to other County lead hazard programs and resources to provide an accessible source of information about lead hazards and prevention programs for county residents.
- Staff has met with community-based organizations (CBOs) and other County partners to begin development of a community advisory group which, when fully formed, will help guide and advise the Program in areas of environmental equity, environmental justice, build trust within the communities that have been most impacted, and help overcome operational challenges such as relocation, language barriers, and access to information.
- A Request for Information (RFI) was recently issued to gather market information related to entities that have capacity for and interest in partnering with the County as a third-party administrator. The responses to this RFI will provide direction for the County to develop a scope of work that can be effectively managed by a third-party to administer the Program.

Next Steps

- Responses to the RFI will be received and evaluated in the 2nd quarter of 2022. The results of the RFI will be used to clarify the procurement approach for a third-party administrator with the goal of formally launching the Program in the first 1st quarter of 2023.
- Staff is currently in the process of forming the community advisory group and plans to hold the first informational meeting in the 2nd quarter of 2022.

- Staff continues to develop and finalize its outreach and education strategy with internal (CLPPP, PHD) and external partners (CBOs).
- Staff will continue to coordinate and communicate with the other County and City departments currently involved with lead poisoning prevention efforts in order to focus abatement, education, and outreach in the highest priority areas with cumulative environmental burdens, like areas impacted by higher emissions due to traffic congestion, residences in areas zoned for mixed use, and residences in close proximity to heavy industrial use.
- Staff will meet with City Planning, Housing, and Code Enforcement departments to bring awareness about the Program and collaborate on outreach and education in order to establish a local network of lead paint resources for the public.
- The scale of the Program combined with the individualized nature of lead paint abatement projects in private residences, presents unique circumstances and challenges that require detailed operational processes and procedures. Processes such as project enrollment, project prioritization, project contracting, project workflow, temporary relocation, and tenant/owner disclosure, are intricate and nuanced. Through continued collaboration with the inter-agency working group, the community advisory group, and County and City partners, Staff will finalize the robust operational processes and procedures required to implement the Program.

Funding

It is important to note that the costs of mitigating the lead paint hazards across the county's entire housing stock far exceed the funds obtained through the Lead Paint Litigation settlement. Out of the 177,000 units in the county estimated to be significantly impacted by lead paint, only approximately 750 units can be inspected, and approximately 550 units can be abated given the current funding, leaving a shortfall of approximately \$265 million. The Program will continue to pursue additional funding from other sources, such as the US Department of Housing and Urban Development Lead Hazard Control Grant program, or use of Community Development Block Grants (CDBG), to achieve its goal of preventing lead paint exposure for all children and other vulnerable community members by eliminating lead paint hazards in all homes across the County.

cc: Chief Board Aides
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