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Title: Staff Report for a City of San Leandro City Council Resolution to Approve a Subrecipient Agreement for \$150,000 in Community Development Block Grant (CDBG) Fiscal Year 2021-2022 Funds Between the City of San Leandro and Rebuilding Together Oakland-East Bay for the Provision of Lead-Based Paint Assessments of Residential Rental Properties that Received City Emergency Rental Assistance Payments.

Sponsors: Tom Liao

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Date	Ver.	Action By	Action	Result
1/4/2022	1	City Council	Received and Filed	Pass

Staff Report for a City of San Leandro City Council Resolution to Approve a Subrecipient Agreement for \$150,000 in Community Development Block Grant (CDBG) Fiscal Year 2021-2022 Funds Between the City of San Leandro and Rebuilding Together Oakland-East Bay for the Provision of Lead-Based Paint Assessments of Residential Rental Properties that Received City Emergency Rental Assistance Payments.

SUMMARY AND RECOMMENDATIONS

Staff recommends that the City Council adopt a resolution approving a Subrecipient Agreement with Rebuilding Together Oakland | East Bay (RT) for \$150,000 to evaluate residential rental properties that received City of San Leandro Emergency Rental Assistance Payments (ERAP) for the presence of lead-based paint. RT is an established nonprofit that has been the City’s third party administrator for the City’s Owner-Occupied Housing Rehabilitation Program since FY 2016-2017. The project is scheduled to commence January 15, 2022 and will be approximately 18 months in length ending on June 30, 2023. This Community Development Block Grant (CDBG) funded project is authorized by the City Council as part of the City’s FY 2021-2022 U.S. Department of Housing and Urban Development (HUD) Annual Action Plan approved in May 2021.

BACKGROUND/ANALYSIS

As a result of the City’s Emergency Rental Assistance Payment (ERAP) Program providing rent and utility relief payments to low-income households who were financially impacted by COVID-19 in FY2020-2021, the City is required by HUD to affirm that renter households that received four months or more of ERAP assistance are free of lead-based paint in their homes.

The City's ERAP Program was supported by federal CDBG Coronavirus funding (CDBG-CV) stimulus funds authorized by the March 2020 federal CARES Act. Use of those funds for subsistence payments of more than four months requires that the City affirm that the properties are in compliance with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821 et seq) and the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851 et seq.). Properties that were constructed prior to 1978 are required to have a visual assessment and, if needed, testing of samples taken at the property that is clear of any evidence of lead-based paint. There are an estimated 110 rental units in 88 residential rental properties that requires this lead-based paint assessment/clearance. If lead-based paint is found, then the City will work with RT to identify the scope of work and funding for the remediation, if necessary. City staff have received technical assistance from Alameda County Housing and Community Development Department Healthy Housing Services staff on identifying the project's scope of work and standards that RT should be held to. Staff estimates that this is the first phase of a possible two phase grant project with the first phase contract amount of \$150,000. Staff and RT will evaluate this first phase to determine if additional future CDBG funds may be needed for further phases and will bring forward such proposals to the City Council as needed.

Current Agency Policies

- 2015-2023 Housing Element adopted by City Council in January 2015, and certified by the California Department of Housing Community Development in February 2015.

Previous Actions

- Resolution No. 2021.065 adopted on May 3, 2021, City Council approval of the FY 2021-2022 Annual Action Plan for submittal to HUD; this housing activity program is described in the Annual Action Plan.

Applicable General Plan Policies

- Policy 57.04 Public Health and Housing, Action 57.04-B: Healthy Homes Initiatives to address public health and safety issues in San Leandro residences...and will help property owners/managers remediate construction and design deficiencies which contribute to health problems in San Leandro residences.

Environmental Review

National Environmental Protection Act (NEPA) environmental review of the umbrella ERAP program is complete. This project will complete the full NEPA review of each address that received subsistence payments.

Fiscal Impacts

This Community Development Block Grant Fund program will cost \$150,000, which was approved by the City Council on May 3, 2021 as part of the City's FY2021-2022 HUD Annual Action Plan (see "Previous Actions" above). The total City Council approved FY2021-2022 HUD Annual Action Plan budget is approximately \$1.25 million, which including this \$150,000 lead-based paint assessment program: FY2021-2022 CDBG entitlement grant (\$774,605), CDBG carryover from prior years (\$446,641) and CDBG program income (\$25,000). The \$150,000 for this lead-based program shall

be appropriated to EDEN account code 165-43-255.

Budget Authority

Budget authority for CDBG funds is derived from Title I of the Housing and Community Development Act of 1974 (24 CFR 570 et seq.). This project requires Council appropriation of \$150,000 in CDBG funds for Fiscal Year 2021-2022 to EDEN account code 165-43-255.

ATTACHMENT

Attachment to Resolution

1 FY 2021-2022 CDBG Consulting Services Agreement between the City of San Leandro and Rebuilding Together Oakland | East Bay

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