

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: KATE GOLDFINE, ADMINISTRATIVE SERVICES OFFICER
HOUSING AND COMMUNITY SERVICES
SUBJECT: THIRD AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT
NUMBER F002014 WITH LEGAL AID OF SONOMA COUNTY

AGENDA ACTION: RESOLUTION

RECOMMENDATION

It is recommended by the Housing and Community Services Department that the Council, by resolution, approve a Third Amendment to Professional Services Agreement Number F002014 with Legal Aid of Sonoma County to increase compensation by \$111,000.00, including \$106,000 of City General Fund and \$5,000 of Federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act) Community Development Block Grant (CDBG-CV) funds for a total amount not to exceed \$377,000.00, to extend the time of performance from June 30, 2022 through June 30, 2023, and to add provisions regarding focused outreach to Black, Indigenous, and People of Color (BIPOC) communities.

EXECUTIVE SUMMARY

The Council funded Legal Aid of Sonoma County ("Legal Aid") to provide tenant education; habitability, retaliation, and discrimination claim defense; Section 8 assistance; eviction defense; assistance for qualified landlords; and mobile home park resident advocacy since February 2017, under four separate agreements. This third amendment to Agreement F002014 will increase compensation by \$111,000, including \$106,000 of City General Fund and \$5,000 of Federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act) Community Development Block Grant (CDBG-CV) funds, extend the period of performance to July 1, 2022 through June 30, 2023, and update the Scope of Service and Quarterly Status Report to add community outreach events focused on BIPOC communities and report upon the number of BIPOC clients served.

BACKGROUND

On February 28, 2017, the Council, by motion, 1) approved \$20,000 of General Fund money to Legal Aid to provide renter advocacy and legal representation services, 2) requested Legal Aid report back on how the funds were spent and the outcomes, and 3) requested staff seek proposals for Renter/Property Owner education and mediation, eviction defense, Section 8

terminations, and habitability retaliation. The City entered into agreement F001408 with Legal Aid for \$20,000 for the period of May and June 2017.

During the FY 2017/18 Budget Study Sessions, the Council directed staff to budget \$75,000 of General Fund money for renter legal services in the FY 2017/18 budget.

In June 2017, staff issued a Request for Information for a contractor to provide renter advocacy and legal representation in preparation for the potential passage of Ordinance 4072 to establish Rent Stabilization in Santa Rosa. Legal Aid was the only respondent with a scope of services to include tenant education; habitability, retaliation, and discrimination claim defense; Section 8 assistance; eviction defense; eviction assistance for qualified landlords; and mobile home park resident advocacy at a cost of \$87,000 annually. Ordinance 4072 did not pass.

On September 26, 2017, the Council, by resolution RES-2017-198, approved an agreement with Legal Aid to provide these services for \$87,000 annually. Staff established agreement F001600 with Legal Aid for the period of October 1, 2017 through September 30, 2018.

At the FY 2018/19 Budget Study Session, Council directed staff to continue funding the Legal Aid agreement. Staff recommended 1) that the funding be allocated on a fiscal year basis with \$62,250 available for the period of October 1, 2018 through June 30, 2019 and 2) that the contract be reviewed as part of the annual budget process. On October 16, 2018, the Council, by resolution RES-2018-179, approved an agreement with Legal Aid for \$62,250 for a period of nine-months. Staff established agreement F001861 with Legal Aid for the period of October 1, 2018 through June 30, 2019.

On June 18, 2019, the Council, via RES-2019-065, approved a one-year agreement with Legal Aid to continue to provide tenant advocacy and legal representation services. Staff established agreement F002014 for \$87,000.00 for the period of July 1, 2019 through June 30, 2020 (FY 2019/20).

On October 20, 2020, the City Manager approved the First Amendment to Agreement F002014 to add additional compensation of \$87,000, for a total agreement amount not to exceed \$174,000, extend the time of performance for the period of July 1, 2020 through June 30, 2021 (FY 2020/21), and make minor adjustments to the Quarterly Status Report. This amendment did not require Council approval, because the total compensation did not meet that threshold.

On August 17, 2021, the Council, via RES-2021-141 approved the Second Amendment to Agreement F002014 to add additional compensation of \$92,000, including \$5,000 of CARES Act CDBG-CV funds and \$87,000 of City General Fund; extend the time of performance for the period of July 1, 2021 through June 30, 2022 (FY 2021/22); and add Federal provisions to the contract and revise the Quarterly Status Report to include data required by the Federal government.

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The total amount of funding to Legal Aid including all agreements for the period of May 15, 2017 through June 30, 2022, is \$438,250.

For FY 2022/23, staff recommends approval of the third amendment to agreement F002014, including increasing funding by \$111,000 (\$5,000 CARES Act CDBG-CV funds and \$106,000 City General Fund) for a contract not to exceed \$377,000 and total funding not to exceed \$549,250.

PRIOR CITY COUNCIL REVIEW

On February 28, 2017, the Council, by motion, awarded \$20,000 to Legal Aid to provide renter advocacy and legal representation services, and directed Legal Aid to return to Council with a report on their activities at a later date. The City entered into agreement F001408 with Legal Aid for \$20,000 for the period of May and June 2017.

On September 26, 2017, the Council, by resolution RES-2017-198, approved an agreement with Legal Aid to continue to provide these services at a cost of \$87,000 annually. The City entered into agreement F001600 with Legal Aid for the period of October 1, 2017 – September 30, 2018.

On October 16, 2018, the Council, by resolution RES-2018-179, approved an agreement with Legal Aid to continue to provide these services at a cost of \$62,250 for a period of nine-months. The City entered into F001861 agreement with Legal Aid for the period of October 1, 2018 – June 30, 2019.

On June 18, 2019, the Council, by resolution RES-2019-065, approved an agreement with Legal Aid to continue provide these services at a cost of \$87,000 annually. The City entered into agreement F002014 with Legal Aid for the period of July 1, 2019 – June 30, 2020 (FY 2019/20).

(The first amendment to the agreement for the period of July 1, 2020 – June 30, 2021 did not require Council approval because the total compensation did not meet that threshold.)

On August 17, 2021, the Council, by resolution RES-2021-141, approved the second amendment to agreement F002014 with Legal Aid to continue to provide these services at a cost of \$92,000. The City entered into the second amendment to F002014 for the period of June 1, 2021 – June 30, 2022 (FY 2020/21).

ANALYSIS

The \$111,000 funding for this third amendment is included in the Housing & Community Services Department FY 2022/23 budget (\$5,000 CARES Act CDBG-CV and \$106,000 City General Fund). Legal Aid has met the conditions of all their agreements with the City since inception.

To ensure service to all members of the community, including those historically underserved

and overrepresented, the FY 2022/23 Scope of Service was updated to increase tenant/education outreach presentations onsite at apartment complexes, health fairs, and other community events particularly focused on communities of color. Additionally, the Anticipated Outcomes within the Scope of Service were updated to reflect that one-third of clients served represent BIPOC communities. The Quarterly Status Report was updated to include a metric that eight (8) onsite presentations as described above would occur within the time of performance. Said presentations will take place in the City approved Equity Priority Community areas and focus on the City's Equity Priority Populations.

Council approval is required for this third amendment because the total compensation to Legal Aid has met the threshold.

FISCAL IMPACT

This agreement is funded by CARES Act CDBG-CV and the City General Fund and is currently budgeted in of the Housing & Community Services Department FY 2022/23 budget.

ENVIRONMENTAL IMPACT

This action is exempt from the California Environmental Quality Act (CEQA) because it is not a project which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, pursuant to CEQA Guidelines Section 15378.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

NOTIFICATION

Ronit Rubinoff, Executive Director, Legal Aid of Sonoma County

ATTACHMENTS

- Resolution / Exhibit A – Third Amendment to Agreement

CONTACT

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