

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: DAVID GOUIN, DIRECTOR
HOUSING AND COMMUNITY SERVICES

SUBJECT: PROPOSED RENTER ADVOCACY AND LEGAL
REPRESENTATION SERVICES

AGENDA ACTION: MOTION / RESOLUTION

RECOMMENDATION

The Housing a Community Services Department requests that the City Council: 1) by motion, direct staff to present to the City Council an agreement with Legal Aid of Sonoma County for the provision of renter advocacy and education, and legal services to tenants and low income landlords, in an amount not to exceed \$87,000 at a later meeting; or 2) by Resolution, authorize the City Manager to enter into such an agreement, or 3) take no action.

EXECUTIVE SUMMARY

The purpose of this item is to request direction from Council on whether to award General Fund funding to Legal Aid of Sonoma County ("Legal Aid") to provide renter advocacy and legal representation services.

BACKGROUND

The Council has been reviewing options for various rent stabilization, rental inspection, renter / property owner education and mediation services, and renter advocacy and legal representation. On February 28, 2017, the Council, by motion, approved \$20,000 in one-time funding to Legal Aid to provide renter advocacy and legal representation services, requested Legal Aid report back on how the funds were spent and the outcomes, and requested staff seek proposals for Renter/Property Owner education and mediation, eviction defense, Section 8 terminations, and habitability retaliation.

During the FY 2017/18 Budget Study Sessions in May 2017, the Council allocated \$75,000 of General Fund funding for renter legal services.

In June 2017, staff issued a Request for Information for a contractor to provide renter advocacy and legal representation to prepare for the possible passage of Ordinance

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4072 regarding Rent Stabilization. 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.

Staff was preparing for a Council presentation on three possible fee-based rental programs, including rental inspections, renter/property owner education and mediation services, and renter advocacy and legal representation services that would assess rental property owners for these services. However, due to other Council priorities, this presentation has been postponed.

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.

During the FY 2017/18 Budget Study Sessions in May 2017, the Council allocated \$75,000 of General Fund funding for renter legal services.

ANALYSIS

The Council may direct staff to present a contract with Legal Aid in an amount not to exceed \$87,000 to Council at a later meeting for its consideration. Seventy-five thousand dollars of the cost of the contract currently exists in the Housing and Community Services FY 2017/18 budget. If the contract were approved, staff would also request that the Council amend the FY 2017-18 adopted budget to appropriate an additional \$12,000 from the General Fund unassigned fund-balance. Alternative, Council may authorize the City Manager to enter into the Agreement at this time. Last, Council may take no action, deferring any contract with Legal Aid until a fee is considered to potentially offset the cost.

If/when Council directs award of the funds and establishment of the contract, City administrative costs to prepare and administer the contract are estimated at \$5,000 annually, which would also need to be appropriated from the unassigned General Fund fund-balance. Administration includes contract preparation, legal review and approval, invoice payment, and compliance monitoring.

Staff recommends that if/when a contract is established, clear outcomes and reporting requirements are developed to be consistent with other housing and homeless service contract providers.

FISCAL IMPACT

If Council authorizes the City Manager to approve an agreement with Legal Aid, \$87,000 would be paid to Legal Aid and an additional \$5,000 would be incurred for City administrative costs, for a total \$92,000; \$75,000 already exists in the Housing and Community Services FY 2017/18 budget, and \$17,000 would be appropriated from the unassigned General Fund fund-balance, thereby reducing General Fund unassigned fund balance by that amount. If Council defers the award of an agreement until a fee is established, the proceeds of the fee would be used to offset the contract and City administrative costs.

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 Guideline section 15378.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

NOTIFICATION

Ronit Rubinoff, Executive Director, Legal Aid of Sonoma County

ATTACHMENTS

- Attachment 1 –Legal Aid Response to Request for Information

CONTACT

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