

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: JULIE GAREN, PROGRAM SPECIALIST
HOUSING AND COMMUNITY SERVICES
SUBJECT: SECOND AMENDMENT TO PROFESSIONAL SERVICES
AGREEMENT NUMBER F002014 WITH LEGAL AID OF SONOMA
COUNTY

AGENDA ACTION: RESOLUTION

RECOMMENDATION

It is recommended by the Housing & Community Services Department that the Council, by resolution, approve a Second Amendment to Professional Services Agreement Number F002014 with Legal Aid of Sonoma County to increase compensation by \$92,000.00 for a total amount not to exceed \$266,000.00, to extend the time of performance through June 30, 2022, and to add federal provisions required for use of Community Development Block Grant funds.

EXECUTIVE SUMMARY

The Council has budgeted funding to Legal Aid of Sonoma County (“Legal Aid”) for an annual contract to provide tenant advocacy and legal representation since February 2017, under four separate agreements. In Fiscal Year (FY) 2019/20, Professional Services Agreement Number F002014 (Agreement) was approved by Council (RES-2019-065) to consolidate all Legal Aid agreements under one agreement number. In FY 2020/21, the first amendment to F002014 was approved by the City Manager, increasing compensation by \$87,000, for a total amount of \$174,000, and extending the time of performance through June 30, 2020. The second amendment to Agreement F002014 will increase compensation by \$92,000, including \$87,000 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, 2021- June 30, 2022, and add Federal provisions to the contract and revise the Quarterly Reporting Form to include data required by the Federal government.

BACKGROUND

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

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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. 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 in May 2017, the Council directed staff to budget \$75,000 of General Fund funding 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 to prepare for the possible passage of Ordinance 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.

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

At the FY 2018/19 Budget Study Sessions in May 2018, Council directed that funding be continued for tenant advocacy and legal representation services in FY 2018/19. Staff recommended that the funding be allocated on a fiscal year basis with funding of \$62,250 available for the period of October 1, 2018 – June 30, 2019 and recommended that the agreement with Legal Aid be reviewed as part of the annual budget process. The Council approved funding to continue the agreement with Legal Aid in the amount of \$62,250 as part of the FY 2018/19 budget. 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 – June 30, 2019.

On June 18, 2019, the Council, via RES-2019-065, approved another 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 – 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 not to exceed \$174,000, extend the time of performance for the period of July 1, 2020 - June 30, 2021 (FY2020/21), and make minor adjustments to the Quarterly Reporting Form. This amendment did not require Council approval, because the total compensation did not meet that threshold.

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There is \$92,000.00 in the Housing & Community Services FY 2020/21 budget for a second amendment to agreement F002014 with Legal Aid, including \$5,000 of CARES Act CDBG-CV funds and \$87,000 of City General Fund.

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.

ANALYSIS

The \$92,000 funding for this agreement is currently budgeted in the Housing & Community Services Department FY 2021/22 budget. The source of funds is the Federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act) Community Development Block Grant (CDBG-CV) for \$5,000 and the General Fund for \$87,000. Legal Aid has met the conditions of all of their agreements with the City since the inception of their agreement.

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

FISCAL IMPACT

This agreement is funded by the Federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act) Community Development Block Grant (CDBG-CV) and the General Fund. The funding for this agreement is currently budgeted in of the Housing & Community Services Department FY 2021/22 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 – Second Amendment to Agreement

CONTACT

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