

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: DAVID GOUIN, DIRECTOR OF HOUSING & COMMUNITY SERVICES
SUBJECT: DISCUSSION OF \$20,000 GAP FUNDING REQUEST FROM LEGAL AID OF SONOMA COUNTY
AGENDA ACTION: MOTION AND POSSIBLE RESOLUTION

RECOMMENDATION

It is recommended by the Housing & Community Services Department that the Council discuss the \$20,000 gap funding request from Legal Aid of Sonoma County. Should the Council opt to provide the gap funding requested by Legal Aid of Sonoma County, staff has prepared a resolution appropriating \$20,000 for funding to Legal Aid of Sonoma County from the General Fund unassigned fund balance.

EXECUTIVE SUMMARY

On January 10, 2017, Council agreed to request a future agenda item to consider a request for \$20,000 in gap funding for Legal Aid of Sonoma County ("Legal Aid") to provide services to tenants. On January 24, 2017, the Council voted to discuss the request at a future meeting.

BACKGROUND

Legal Aid has submitted a "Tenant Stabilization Project" summary that provides the reasons for its gap funding request (Attachment 1). Legal Aid has identified a need in Santa Rosa for:

- Tenant Education;
- Habitability/Retaliation Advocacy; and
- Eviction Defense.

Legal Aid proposes engaging low-income tenants and offering the following services:

- Legal Education;
- Negotiations with Landlords;
- Preparation of Pleadings and other Written Legal Documents; and
- Full Legal Representation when needed.

The City does not currently fund a program that provides landlord/tenant mediation or counseling services. The City does sponsor fair housing activities via its contract with Fair Housing Advocates of Northern California (formerly Fair Housing of Marin). The provision of fair housing services is required by the U.S. Department of Housing & Urban Development (HUD) in order to receive Community Development Block Grant (CDBG) funding.

The Fair Housing Act prohibits discrimination in housing because of race, color, national origin, religion, familial status, gender, or disability, and ensures that all persons receive equal housing opportunity. Fair Housing Advocates of Northern California's focus is the investigation and identification of discriminatory housing practices per HUD regulations.

There are other organizations that offer similar services as proposed by Legal Aid. Prior to Fiscal Year 2016/2017, Petaluma People Services Center (PPSC) provided fair housing services for the City. As part of its services, PPSC also addressed landlord/tenant counseling and mediation and continues to do so. Both PPSC and Legal Aid of Sonoma County report an increase in calls for service from Santa Rosa landlords and tenants regarding evictions, three-day Notices to Vacate, rent increases, unpaid rent, repairs, reasonable accommodations, damages, deposits, privacy concerns, or lease and rental agreement questions. Both organizations have noted an increase in calls because of the Council's discussions about rent stabilization. California Rural Legal Assistance also provides these services but did not respond to staff's request for information.

Additionally, the City is considering Rent Stabilization and a Rental Inspection Service Program. With these two programs, staff will seek partnerships to offer initial and ongoing education services for all tenants and landlords.

PRIOR CITY COUNCIL REVIEW

None.

ANALYSIS

It is a matter of Council discretion to provide direct funding to a service provider for tenant-landlord mediation services. There is no policy or procedure that directly addresses nonprofit funding requests that fall outside the City's solicitation of program services, sponsorship of those services, or fiscal year processes.

It may be helpful, however, to compare Council Policy No. 600-01, Section 4.2, which sets forth the informal procedures required for execution of minor professional service contracts (that is, contracts under \$100,000). That Section 4.2 authorizes the Department Head to solicit proposals from one to three firms, to review and evaluate all proposals, and to negotiate the terms of a consultant services agreement with the

selected provider, subject to approval by the City Manager.

The Council has several options in this case:

1. Maintain the status quo and decline to sponsor tenant/landlord counseling and mediation services;
2. Provide \$20,000 to Legal Aid of Sonoma County for tenant/landlord counseling and mediation services;
3. Expand the annual solicitation for federally-mandated fair housing services to include contract services for tenant/landlord counseling and mediation services as a pilot program;
4. Conduct a separate solicitation for tenant/landlord counseling and mediation services, independent from the annual solicitation for fair housing services; or
5. Other Options as directed by Council.

Should the Council decide to sponsor tenant/landlord counseling and mediation services, the third option could allow the Council to augment the existing \$36,000 available for fair housing services by the requested \$20,000 for a total of \$56,000, and then review proposals for both Fair Housing and landlord/tenant counseling and mediation services.

FISCAL IMPACT

Approval of this one-time funding request reduces the General Fund unassigned fund balance by \$20,000.

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

None.

NOTIFICATION

Ronit Rubinoff, Legal Aid of Sonoma County – email rrubinoff@legalaidsoc.com
Elece Hempel, Petaluma People Services Center – email elece@petalumapeople.org
Jeff Hoffman, California Rural Legal Assistance – 1260 N. Dutton Ave., Santa Rosa 95401

ATTACHMENTS

- Attachment 1 –Legal Aid of Sonoma County Tenant Stabilization Project
- Resolution

CONTACT

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