

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: MEGAN BASINGER, DIRECTOR
HOUSING AND COMMUNITY SERVICES
SUBJECT: FOURTH 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 Fourth Amendment to Professional Services Agreement Number F002014 with Legal Aid of Sonoma County to increase compensation by \$111,000, including \$50,063.23 of City General Fund and \$60,936.77 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 \$488,000, to extend the time of performance from June 30, 2023 through June 30, 2024.

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 Fourth Amendment to Agreement F002014 will increase compensation by \$111,000, including \$50,063.23 of City General Fund and \$60,936.77 of CARES Act CDBG-CV, funds, extend the period of performance to July 1, 2023, through June 30, 2024, 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

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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 October 1, 2019, the City Manager approved a First Amendment to Agreement F001861 to add additional compensation for a total amount not to exceed \$65,250.

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

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add Federal provisions to the contract and revise the Quarterly Status Report to include data required by the Federal government.

On June 21, 2022, the Council via RES-2022-120 approved the Third Amendment to Agreement F002014 to add additional compensation of \$111,000, including \$5,000 of CARES Act CDBG-CV funds and \$106,000 of City General Fund, extend the time of performance for the period of July 1, 2022, through June 30, 2023 (FY2022/23), and add Federal provisions to the contract and revise the Quarterly Status Report to include a Metric for eight onsite presentations.

The total amount of funding to Legal Aid including all agreements for the period of May 15, 2017, through June 30, 2023, is \$ 549,250.

For FY 2023/24, staff recommends approval of the Fourth Amendment to agreement F002014, including increasing funding by \$111,000 (\$60,936.77 CARES Act CDBG-CV funds and \$50,063.23 City General Fund) for a contract not to exceed \$488,000 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.)

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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).

On June 21, 2022, the Council, by resolution RES-2022-120, approved the Third Amendment to agreement F002014 with Legal Aid to continue to provide these services at a cost of \$111,000. The City entered into the Third Amendment to F002014 for the period of June 1, 2022 – June 30, 2023 (FY2022/23).

ANALYSIS

The \$111,000 funding for this Fourth Amendment is included in the Housing & Community Services Department FY 2023/24 budget (\$60,936.77 CARES Act CDBG-CV and \$50,063.23 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 2023/24 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, which is continued in the FY 2023/2024 Scope of Services as well. Additionally, the Anticipated Outcomes within the Scope of Service continue to reflect that one-third of clients served represent BIPOC communities.

Council approval is required for this Fourth 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 2023/24 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.

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NOTIFICATION

Ronit Rubinoff, Executive Director, Legal Aid of Sonoma County

ATTACHMENTS

- Resolution / Exhibit A – Fourth Amendment to Agreement

PRESENTER

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