



## Legislation Details (With Text)

**File #:** 2021-1013

**Type:** Consent Calendar Item **Status:** Passed

**File created:** 9/13/2021 **In control:** Community Development Commission

**On agenda:** 11/16/2021 **Final action:** 11/16/2021

**Title:** Agreement with 4Leaf, Inc. for a HUD-approved Regional Fair Housing Analysis

**Sponsors:** Community Development Commission

**Indexes:**

**Attachments:** 1. Summary Report, 2. Attachment 1 - Draft Professional Services Agreement with 4LEAF, Inc., 3. Attachment 2 - Proposal from Lawyers' Committee for Civil Rights Under Law, 4. Attachment 3 - Draft Memorandum of Understanding between the Sonoma County Community Development Commission, the City of Santa Rosa, and the City of Petaluma, 5. Attachment 4 - Budget Resolution

Date	Ver.	Action By	Action	Result
11/16/2021	1	Board of Supervisors	Approved as recommended	Pass

**To:** Sonoma County Board of Supervisors and Board of Commissioners of the Community Development Commission

**Department or Agency Name(s):** Sonoma County Community Development Commission

**Staff Name and Phone Number:** Martha Cheever, 707-565-7521

**Vote Requirement:** 4/5th

**Supervisory District(s):** Countywide

**Title:**

Agreement with 4Leaf, Inc. for a HUD-approved Regional Fair Housing Analysis

**Recommended Action:**

- A) Authorize the Interim Executive Director of the Community Development Commission, or their designee, to enter into an agreement with 4LEAF, Inc. for the development of a US Department of Housing and Urban Development (HUD)-approved Regional Fair Housing Analysis.
- B) Adopt a resolution adjusting the Community Development Commission fiscal year 2021-2022 adopted budget by increasing revenues and expenditures appropriations by \$95,000 to support a consulting contract with 4LEAF, Inc. and related translation services.
- C) Authorize the Interim Executive Director of the Community Development Commission, or their designee, to sign a Memorandum of Understanding with the City of Santa Rosa and the City of Petaluma to share the costs of completing the Regional Fair Housing Analysis and related translation services.

(4/5<sup>th</sup> Vote Required)

**Executive Summary:**

The Sonoma County Community Development Commission (Commission) is requesting authority for the Interim Executive Director, or their designee, to execute an agreement with 4LEAF, Inc. for the development of a HUD-approved Regional Fair Housing Analysis which is required for the county's housing element, as well as the housing elements for each of the cities within Sonoma County. 4LEAF, Inc. is uniquely positioned to coordinate the work and ensure that the County meets all HUD requirements for the Fair Housing Analysis and

State's AB 686 requirements for Affirmatively Furthering Fair Housing in each jurisdiction's Housing Element.

The Commission is also requesting that the Interim Executive Director or their designee be authorized to sign a Memorandum of Understanding with the Cities of Santa Rosa and Petaluma to share the cost of the completion of a Regional Fair Housing Analysis.

**Discussion:**

Recipients of funds from the U.S. Department of Housing and Urban Development (HUD) have a duty to affirmatively further fair housing, by taking proactive steps to overcome housing discrimination and segregation. In 2015, the Obama Administration implemented the Assessment of Fair Housing (AFH) requirement for recipients of Federal Programs. This AFH took the place of the Analysis of Impediments to Fair Housing which was put in place under the Clinton Administration. The County of Sonoma last completed an Analysis of Impediments in 2012 and submitted it to HUD with its CON Plan.

In response to the Trump Administration's systematic weakening of AFH requirements, the State of California implemented AFH requirements through the passage of Assembly Bill 686 (AB 686). AB 686 requires all cities and counties in California to incorporate AFH requirements into their Housing Element.

For the County of Sonoma, the Housing Element is a section of the Sonoma County General Plan, which presents goals, objectives, policies, and supporting information related to the provision of housing for existing and future residents of the County. The Housing Element guides decision-making by elected and appointed officials, in the context of broader General Plan policy and time frame, regarding housing. Specifically, the Housing Element sets forth how the County will address the need for housing, especially by low- and moderate-income families, special needs families, and individuals. Each jurisdiction within Sonoma County is required to prepare and submit a separate Housing Element. The Housing Element for the County and for all jurisdictions within the County must be submitted to the California Department of Housing and Community Development by the end of 2022.

In May 2021, the Commission released a Request for Proposals (RFP) for the completion of an Assessment of Fair Housing to meet the requirements of Assembly Bill 686. In response to the RFP, one proposal was received. A review committee consisting of staff from the City of Healdsburg, the City of Santa Rosa, the Commission, and Permit Sonoma reviewed the proposal, conducted an interview with the proposer, and checked the proposer's references. Ultimately, the review committee determined that the proposer did not have sufficient experience to perform the services needed.

Following the RFP process, and because there was no longer sufficient time to release a new RFP, Commission staff reached out to the Napa-Sonoma Planning Collaborative (the Collaborative), a part of the Association of Bay Area Government's Technical Assistance Program for local jurisdictions. The Collaborative is a group of local jurisdictions that share consulting resources as they work together to address their housing priorities. Each Planning Collaborative is staffed by a consultant who provides technical assistance to its jurisdictions and offers tailored training and products as are needed to serve the local jurisdictions within each sub-region. The Collaborative contracts with 4LEAF, Inc. As 4LEAF, Inc.'s Director of Housing Policy, Jane Riley, Certified Planner, acts as staff liaison to the Napa-Sonoma Collaborative.

Using the Collaborative's procurement process, 4LEAF, Inc. has entered into a sub-consultant agreement with the Lawyers' Committee for Civil Rights Under Law, a 501 (c)(3) (The Lawyers' Committee) for completion of a HUD-approved Fair Housing Analysis for Napa County. 4LEAF, Inc. is providing project management and coordination. The resulting Fair Housing Analysis will provide all of the necessary data, policies, programs and analysis for each jurisdiction to meet AB 636 requirements. 4LEAF, Inc. and the Collaborative have agreed to expand the agreement to include the County of Sonoma. This Assessment of Fair Housing will meet the AB

686 needs for the County and all jurisdictions within the County.

The total cost of the 4LEAF, Inc.'s agreement with The Lawyers' Committee is \$130,000. Based upon the number of jurisdictions in Napa and Sonoma Counties, the Sonoma County portion of the agreement is \$95,000. The resulting housing analysis will be incorporated into the Housing Elements for the County of Sonoma, the City of Cloverdale, the City of Healdsburg, the Town of Windsor, the City of Sebastopol, the City of Sonoma, the City of Santa Rosa, the City of Rohnert Park, the City of Cotati, and the City of Petaluma.

With the approval of this agenda item, the Commission's Interim Executive Director, or designee, will be authorized to enter into a Memorandum of Understanding (MOU) with the City of Santa Rosa and the City of Petaluma to offset the cost of the agreement. The agreement with 4LEAF, Inc. will not be signed until the MOU is executed. The costs for jurisdictions within the urban county will be provided through Community Development Block Grant funds.

To proceed with the required work, staff are requesting that the Board authorize the Interim Executive Director of the Commission or their designee to enter into an agreement not to exceed \$95,000 with 4LEAF, Inc. for a term ending December 31, 2022. Additionally, staff are requesting that the Interim Executive Director of the Commission or their designee be authorized to enter into an MOU with the Cities of Santa Rosa and Petaluma to share costs. The MOU will be signed prior to entering into the agreement with 4LEAF, Inc. and includes a cost share of the \$95,000 for the Assessment of Fair Housing and any required Spanish translation of documents.

#### Prior Board Actions:

None

#### FISCAL SUMMARY

Expenditures	FY 21-22 Adopted	FY 22-23 Projected	FY 23-24 Projected
Budgeted Expenses			
Additional Appropriation Requested	95,000		
<b>Total Expenditures</b>	<b>95,000</b>	<b>0</b>	<b>0</b>
Funding Sources			
General Fund/WA GF			
State/Federal	39,900		
Fees/Other	55,100		
Use of Fund Balance			
Contingencies			
<b>Total Sources</b>	<b>95,000</b>	<b>0</b>	<b>0</b>

#### Narrative Explanation of Fiscal Impacts:

Funding for the Consultant and any required Spanish document translation services in the amount of \$95,000 will be split between the Housing Authority (\$19,950), Community Development Block Grant (\$19,950), the City of Santa Rosa (\$38,475) and the City of Petaluma (\$16,625). Appropriations for the Fiscal Year 2021/2022 Adopted Budget will be added through the attached Budget Resolution.

Staffing Impacts:			
Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

**Narrative Explanation of Staffing Impacts (If Required):**

None

**Attachments:**

Attachment 1 - Draft Professional Services Agreement with 4LEAF, Inc.

Attachment 2 - Proposal from the Lawyers' Committee for Civil Rights Under Law

Attachment 3 - Draft Memorandum of Understanding between the Sonoma County Community Development Commission, the City of Santa Rosa, and the City of Petaluma

Attachment 4 - Budget Resolution

**Related Items "On File" with the Clerk of the Board:**

None