



## Legislation Details (With Text)

**File #:** 24-1068      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 5/31/2024      **In control:** Board of Supervisors

**On agenda:** 6/25/2024      **Final action:** 6/25/2024

**Title:** Planning and Building Department, Planning Division, Long Range Planning Division, Affordable Housing Unit, recommending the Board:

- 1) Pursuant to Section 3.13.030 of the El Dorado County Ordinance Chapter 3.13, Contracting Out, find that specialty skills and qualifications not expressly identified in County classifications are required for the performance of this work;
- 2) Approve and authorize the Chair to sign Amendment II to competitively bid Agreement 7389 with Housing Group LLC for the provision of providing program administration of the Department's Affordable Housing Program (formerly Housing, Community, and Economic Development Unit), increasing the total agreement amount by \$360,000 for a new total agreement of \$420,000.00, updating the scope of work, and extending the term of the Agreement by two years with a revised expiration of July 8, 2026; and
- 3) Authorize the Purchasing Agent, to execute any further documents determined necessary related to Agreement 7389, including amendments which do not increase the not-to-exceed amount or the term of the Agreement, contingent upon approval by County Counsel and Risk Management.

**FUNDING:** Discretionary Transient Occupancy Tax 78% & Affordable Housing Program, program income 22%.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Counsel Approval, 2. B - PE Amend II Agreement 7389, 3. C - Original Agreement and Amendment 1, 4. Executed Amend II Agreement 7389

Date	Ver.	Action By	Action	Result
6/25/2024	1	Board of Supervisors	Approved	Pass

Planning and Building Department, Planning Division, Long Range Planning Division, Affordable Housing Unit, recommending the Board:

- 1) Pursuant to Section 3.13.030 of the El Dorado County Ordinance Chapter 3.13, Contracting Out, find that specialty skills and qualifications not expressly identified in County classifications are required for the performance of this work;
- 2) Approve and authorize the Chair to sign Amendment II to competitively bid Agreement 7389 with Housing Group LLC for the provision of providing program administration of the Department's Affordable Housing Program (formerly Housing, Community, and Economic Development Unit), increasing the total agreement amount by \$360,000 for a new total agreement of \$420,000.00, updating the scope of work, and extending the term of the Agreement by two years with a revised expiration of July 8, 2026; and
- 3) Authorize the Purchasing Agent, to execute any further documents determined necessary related to Agreement 7389, including amendments which do not increase the not-to-exceed amount or the term of the Agreement, contingent upon approval by County Counsel and Risk Management.

**FUNDING:** Discretionary Transient Occupancy Tax 78% & Affordable Housing Program, program

income 22%.

## **DISCUSSION / BACKGROUND**

The Planning and Building Department (Department), Long Range Planning Division, includes the Affordable Housing Unit. The Affordable Housing Unit's mission is to administer and expand grant-funded programs that provide an overall economic benefit to the County through support for a variety of housing loan programs, especially low to moderate-income housing. The program is directed by the policy and objectives of the Board and the Housing Element of the County General Plan. The Unit is responsible for implementing and managing related housing loans and special projects to meet those objectives in addition to reporting progress to the Board, State, and local agencies.

Upon retirement of the previous incumbent and unsuccessful recruitment, the Department released Request for Proposals (RFP) 23-918-015 on October 3, 2022. This RFP received only one response, Housing Group LLC. The RFP review panel reviewed Housing Group, LLC's submission and deemed them qualified to administer the Affordable Housing Unit program.

On April 3, 2023, the County's Purchasing Agent executed Agreement 7389 for Housing Group, LLC. to perform a complete and thorough investigation of the Affordable Housing program including but not limited to;

- Examine, organize, and document all current internal and external programs and projects including grants, awards, program files, contracts, and MOUs.
- Research and provide internal/external program/project status updates.
- Evaluate current processes.
- Identify Department staff's program knowledge and training needs.
- Prepare a comprehensive assessment of all housing programs and needs.
- Update and/or create new internal operations manual for County housing programs and projects
- Update and/or create new housing program/project guidelines, documents, marketing materials, etc
- Develop a reporting process for the County; and
- Provide any suggestions or activities that will benefit housing programs and activities.

On March 27, 2024, the County Purchasing Agent executed Amendment I for Agreement 7389 increasing the not-to-exceed amount by \$20,000 for a new not-to-exceed amount of \$60,000, adding 3 months to the term with a new expiration of 7/8/2024, and changes to the scope of work to include but not limited to; meetings with the California Department of Housing Community Development (HCD), answering inquires from the public, and submitting reports to HCD to satisfy deadlines required by the Housing Unit's various grant programs.

At the present time, the County does not have staff to perform the work to appropriately administer the Affordable Housing Program, as it requires very specialized skills and knowledge that is not available in-house. Therefore, the Department has the need to utilize a consulting service with technical expertise that better understands Affordable Housing Programs. Housing Group LLC., has nearly 30 years of combined experience creating and managing successful affordable housing programs, program development, and other housing program administration experience throughout California in both the public and private sectors. Chapter 3.13 of the El Dorado County Code of Ordinances, Contracting Out, includes Section 3.13.030, Criteria, which establishes those instances where contracts may be awarded, and work can be performed by independent contractors. It is recommended that the Board find that the work under the proposed amendment requires specialty

skills and qualifications not expressly identified in County classifications.

This proposed Amendment II will increase the not-to-exceed amount by \$360,000 with a new not-to-exceed amount of \$420,000 and extending the term by two years with a new expiration date of 7/8/2026, and the addition of Task 4 to the scope of work to allow Housing Group LLC., to fully function as the previous incumbent by administering the Department's Affordable Housing Programs by providing Loan and Grant Program Administration along with program guidelines and training. During the first year of this proposed amendment Housing Group LLC., will also create a desk guide which will provide written guidelines and policies for the Affordable Housing Unit and will allow Housing Group LLC., to assist with the on-boarding of a fulltime County employee prior to the completion of the term of this agreement. It is anticipated that once a full time employee is on board to administer affordable housing related tasks, the contract with Housing Group LLC will be allowed to expire or greatly reduced to provide "as needed" assistance with more complex affordable housing tasks.

### **ALTERNATIVES**

The Board may choose not to approve this proposed amendment. This would result in delays in projects and potential monetary consequences for the Department as Housing Group LLC is assisting the Department with submitting grant applications and required reporting for numerous grant and loan programs offered by the California Department of Housing Community Development.

### **PRIOR BOARD ACTION**

N/A

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel and Risk Management have approved the proposed Amendment.

### **CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

### **FINANCIAL IMPACT**

There is no change to Net County Cost associated with this item. Funding for these services have been included in the Fiscal Year 2024-25 budget. Funding for services beyond FY 24-25 will be included in subsequent budgets accordingly.

Planning and Building receives an annual disbursement of \$115,000 from Discretionary Transient Occupancy Tax (DTOT) to fund the vacant staff position that is temporarily being filled by Housing Group LLC. Additionally, the Department is able to use Affordable Housing Program income to cover other eligible administrative costs.

### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) The Clerk of the Board will obtain the Chair's signature on two (2) original copies of Amendment II to Agreement 7389;
- 2) The Clerk of the Board will forward one (1) fully-executed original Amendment II to Agreement 7389 to the Chief Administrative Office, Procurement and Contracts Division, for further processing

### **STRATEGIC PLAN COMPONENT**

N/A

**CONTACT**

Rob Peters

Deputy Director of Planning

Planning and Building Department