



County of San Mateo

Inter-Departmental Correspondence

Department: HOUSING

File #: 19-1216

Board Meeting Date: 12/10/2019

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: Ken Cole, Director

Subject: **Measure K:** Contract with Legal Aid Society of San Mateo County for Comprehensive Legal Services

RECOMMENDATION:

Measure K: Adopt a resolution waiving the Request for Proposals process and authorizing the Director of the Department of Housing or the Director's designee to negotiate and execute an agreement with Legal Aid Society of San Mateo County for the Eviction Defense Project for the term of December 1, 2019 through November 30, 2021 in a total amount not to exceed \$486,362.

BACKGROUND:

Measure K is a 20-year half-cent sales tax extension passed by local voters in November 2016 to support essential County services and to maintain or replace critical facilities. The original tax was passed in 2012 (assigned as Measure A on that ballot). **Measure K** extends the sales tax for 20 years, until March 31, 2043. The Board and County staff have conducted study sessions and community outreach efforts to inform priorities of **Measure K** spending.

On June 25, 2019, the Board of Supervisors (the "Board") approved an Appropriation Transfer Request transferring **Measure K** revenue and expenditure appropriations in the amount of \$225,000 from Non-Departmental Services to the Department of Housing ("DOH") for eviction defense for low-income tenants provided by Legal Aid Society of San Mateo County ("Legal Aid").

On September 24, 2019, the Board approved final revisions to the FY 2019-21 Approved Recommended Budget, allocated \$507,500 of **Measure K** funds for Landlord and Tenant Information and Referral Services ("LTIR Services"). DOH considers eviction defense for low-income tenants to be a LTIR Service.

DISCUSSION:

Legal Aid is a non-profit law firm that seeks to "fight social injustice through civil legal advocacy for people living in poverty." Legal Aid has more than 50 years of experience in providing legal services to low-income families, seniors, individuals with disabilities, and domestic violence survivors. Since

2012, DOH has provided funding support to Legal Aid of the provision of quality legal assistance to low-income individuals and families.

Legal Aid operates an Eviction Defense Project that provides legal counseling, representation, and advice to low-income San Mateo County residents who are experiencing eviction, substandard living conditions, and/or illegal acts by a landlord (the "Project"). The Project is designed to ensure that low-income individuals and families have access to lawyers who provide comprehensive legal representation in high-priority civil cases, defined as cases where representation by an attorney is likely to result in a significant improvement to the case outcome, with the overall goal of preventing displacement and preserving affordable housing in the County of San Mateo. In order to effectively prioritize and streamline services, the Project involves the maintenance of a communications network with Community Legal Services of East Palo Alto ("CLSEPA"), another non-profit law firm.

On September 4, 2018, the Board authorized the Director of the Department of Housing to execute an agreement with Legal Aid for the Project for the term of July 1, 2018 through June 30, 2019 ("Agreement"). Legal Aid exceeded its performance goal set forth in the Agreement, providing comprehensive legal representation to 66 persons in civil cases related to evictions, rent increases, and substandard living conditions in FY 2018-19-16 persons above the Agreement's performance goal. Data from the case outcomes of limited scope assistance versus the comprehensive legal representation provided by the Project show an increase in the rate of success of approximately 40 percent, where success is defined as an individual or family remaining housed and avoiding eviction.

Given the high level of performance and the potential impact of a break in service, DOH is requesting that the Board approve a waiver of the Request for Proposals process and authorize DOH to enter into another agreement with Legal Aid for the Project for a term of December 1, 2019 through November 30, 2021 in a total amount not to exceed \$486,362.

The resolution contains the County's standard provisions allowing amendments of the County's fiscal obligations by a maximum of \$25,000 (in aggregate).

County Counsel has reviewed and approved this resolution and the agreement as to form.

FISCAL IMPACT:

The total cost of the agreement is \$486,362. Funds for the agreement are included in DOH's FY 2019-21 budget, and consist of \$261,362 in **Measure K** funds allocated for LTIR Services, and \$225,000 from Non-Departmental Services, transferred to DOH through an Appropriation Transfer Request approved by the Board on June 25, 2019 for eviction defense services to be provided by Legal Aid.