

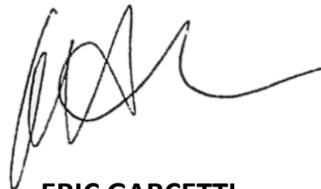
## TRANSMITTAL

To: **THE COUNCIL**

Date: **10/21/22**

From: **THE MAYOR**

**TRANSMITTED FOR YOUR CONSIDERATION. PLEASE SEE ATTACHED.**

A handwritten signature in black ink, appearing to read 'Eric Garcetti', with a long horizontal flourish extending to the right.

(Andre Herndon) for

**ERIC GARCETTI**  
Mayor



October 18, 2022

Council File: 21-1186-S1

Council Districts: Citywide

Contact Persons:

Abigail R. Marquez: 213-808-8462

Veronica McDonnell: 213-928-9060

Julie O'Leary: 213-300-5603

Honorable Eric Garcetti  
Mayor, City of Los Angeles  
Room 303, City Hall  
200 N. Spring Street  
Los Angeles, CA 90012  
Attention: Heleen Ramirez  
Legislative Coordinator

**TRANSMITTAL: COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) RECOMMENDATIONS FOR REPROGRAMMING FOR AMERICANS WITH DISABILITIES ACT (ADA) ACCESSIBILITY IMPROVEMENTS AT FAMILYSOURCE CENTERS, SOLE SOURCE AND CONTRACT AUTHORITY FOR FIVE-YEAR CONSOLIDATED PLANNING CONSULTANT, AND CONTROLLER INSTRUCTIONS NEEDED FOR THESE ACTIVITIES**

**SUMMARY**

The General Manager of the Los Angeles Community Investment for Families Department (CIFD) respectfully requests that you review this transmittal and forward it to the appropriate committee for further consideration. In accordance with Council instructions (CF 21-1186-S1), CIFD is providing recommendations for CDBG expenditures. The City has funded a number of projects using the Community Development Block Grant (CDBG) to make its FamilySource Centers accessible for persons with disabilities. Because of rising costs, CIFD is recommending additional CDBG funding needed to complete these projects. To update prior Mayor and Council action (CF 22-0041), CIFD is also requesting approval for a sole source agreement for the development of the five-year Consolidated Plan and for Controller Instructions for projects previously approved through Council motion.

**RECOMMENDATIONS**

That the City Council, subject to the approval of the Mayor:

- I. APPROVE the projects in Table 1 below and the amending of the 48<sup>th</sup> Program Year (PY 48) Consolidated Plan (Con Plan) to reflect the change in funding.
- II. APPROVE the reprogramming of \$2,134,000 in CDBG funds as detailed in Attachment 1 and as a source of revenue for the revised PY 48 Con Plan budget.

- III. AUTHORIZE the General Manager of CIFD, or designee, to prepare and post for the 30-day public comment period a Substantial Amendment to the PY 48 Con Plan listing the projects in Table 1 and all revisions, and submit the amendment to the U.S. Department of Housing and Urban Development (HUD) for approval.
- IV. AUTHORIZE the General Manager or designee to negotiate and execute contracts, contract amendments, and/or interdepartmental agreements as needed with the grant recipients, subject to City Attorney review and approval as to form (see Attachment 2).
- V. FIND, in accordance with Charter Section 371(e)(2) and Los Angeles Administrative Code Section 10.15(a)(2), that for the performance of the necessary professional, expert, technical services of a temporary and occasional character, that competitive bidding is not practicable or advantageous.
- VI. FIND, in accordance with Charter Section 1022, that CIFD does not have available in its employ personnel with sufficient time or necessary expertise to undertake the services in a timely manner, and it is more feasible, economical and in CIFD's best interest to secure these services by contract with the entities identified on Attachment 2.
- VII. APPROVE the Controller Instructions included as Attachment 3 and authorize the General Managers, or designees, of program implementing departments to prepare Controller instructions and any technical adjustments consistent with Mayor and City Council actions on this matter, subject to the approval of the Chief Legislative Analyst (CLA), and authorize the Controller to implement these instructions.

## **BACKGROUND**

### **Accessibility Improvements**

In 2016-17, the City began having FamilySource Centers (FSC) assessed to identify what improvements needed to be made to the facilities to ensure that clients with disabilities were granted the same access to services at the Centers. The assessments are conducted by Certified Access Specialists (CASP), who are professionals who have passed an examination and been certified by the State of California to have specialized knowledge of the applicability of state and federal construction-related accessibility standards. The assessments and the subsequent Americans with Disabilities Act (ADA) improvements are eligible uses of CDBG funds. The City started ADA improvements to its City-owned facilities first, and subsequently started making improvements to nonprofit-owned FamilySource sites. The City has assessments and projects in progress and additional funds are needed to complete them. CIFD requests authority to amend existing nonprofit contracts to add the requested additional funds and to extend contract terms on neighborhood improvement/public facility contracts.

### **Five-Year Consolidated Planning Consultant**

On June 29, 2022, Mayor and Council approved CIFD to contract with Western Economic Services, LLC (WES) for the development of the City's five-year 2023-27 Housing and Community Development Consolidated Plan (Con Plan) and associated activities (CF 22-0041). WES was a vendor that was in the process of being selected by the Los Angeles County Development Authority (County) for a two-year contract for up to \$270,000. WES was the only respondent to a Request for Proposals for Consolidated Plan and Assessment of Fair Housing Consulting Services (RFP) released by the County to develop its Five-Year Con Plan. Since that approval, WES arranged with the National Council for Community Development, Inc. (NDC) to be a subcontractor to support the work and the County did not enter into a contract with

WES due to a conflict of interest that could not be resolved. The County has now executed a sole source contract with NDC to assist with developing the County’s Con Plan.

### **REPROGRAMMING RECOMMENDATIONS**

The projects in Table 1 are ongoing assessments and projects and need additional funding to complete them. Costs have increased due to procurement issues, rising construction costs, and change orders. Additional assessments are ongoing and more funding is needed to complete them. CIFD expects the work below to be completed by April 2023. Additionally, a separate motion by Councilmember Harris-Dawson (CF 20-1433-S3) instructed CIFD to identify \$74,000 in CDBG funds to provide cameras and lighting for the Martin Luther King, Jr. Park. The funding below includes funds for that project.

*Table 1: Reprogramming Recommendations*

<b>Projects Proposed for Funding</b>	<b>Council District</b>	<b>Funding Needed</b>
ADA FSC Improvement Project—All Peoples Community Center (part of Building Improvement Fund)	9	\$271,000
ADA FSC Improvement Project—New Economics For Women (part of Building Improvement Fund)	3	\$50,000
ADA FSC Improvement Project—P.F. Bresee Foundation (part of Building Improvement Fund)	13	\$989,000
Building Improvement Fund (Covers ADA on 6 City-owned FSCs done by GSD)	1,10,14,7,8	\$500,000
Certified Access Specialists (CAsp)	1,10,14,7,8	\$250,000
Martin Luther King, Jr. Park Improvements	8	\$74,000
<b>Total</b>		<b>\$2,134,000</b>

### **AVAILABLE FUNDING**

CIFD reviewed the list of accounts and projects with CDBG and identified savings from prior year activities in Attachment 1 to cover the funding for the projects in Table 1.

### **OTHER NEIGHBORHOOD IMPROVEMENTS**

Casa Amador is a homeless shelter in construction and Inell Woods Park is a new park under construction that need more time to complete. Attachment 2 includes recommendations to extend the term of those agreements.

### **CON PLAN CONSULTING SERVICES**

With the procurement of Western Economic Services not being completed by the County, CIFD is seeking approval of a sole source procurement of the National Council for Community Development, Inc. for assistance in developing the City’s Five-Year Con Plan. The Con Plan is due to the U.S. Department of Housing and Urban Development (HUD) in May 2023 and there is not sufficient time for CIFD to conduct a competitive procurement for Con Plan consulting services. Additionally, CIFD would like to collaborate planning efforts with the County, which has its five-year plan due to HUD at the same time. Additional information is provided in Attachment 4.

**HLH HOLDINGS, LLC OPTOMETRY PARKING LOT**

Through a Mayor and Council action (CF 18-0106-S4), a contract amendment with additional CDBG funding was approved for EWDD. Controller instructions are needed for this action and are included as part of Attachment 3.

**FISCAL IMPACT**

There is no impact to the General Fund. All costs are covered by the federal Community Development Block Grant.



ABIGAIL R. MARQUEZ  
General Manager

ARM:VM:JO

- Attachment 1: CDBG Funding for Reprogramming
- Attachment 2: Contract Authorities
- Attachment 3: Controller Instructions
- Attachment 4: Sole Source Justification

Program Year 48 (2022-23) Consolidated Annual Plan  
 CDBG Funding to be Reprogrammed

Attachment 1

Dept.	Project Name	Program Year	Council District	FMS Acct.	CDBG Savings
CIFD-OPS	Domestic Violence Crisis Housing Services aka Crisis to Shelter	46	CW	43T951	\$15,431.11
CIFD-OPS	FamilySource System	46	CW	43T582	\$171,664.09
EWDD	EWDD ADM AND PROGRAM DELIVERY	45	CW	43S122	\$122,056.51
EWDD	LA BusinessSource Program	43	CW	43P586	\$63,389.00
EWDD	LA BusinessSource Program	44	CW	43R586	\$286,320.00
EWDD	LA BusinessSource Program	45	CW	43S586	\$55,351.76
EWDD	LA BusinessSource Program	46	CW	43T586	\$597,043.00
EWDD	SEE-LA Food Business Incubator	45	CW	43S286	\$2,744.95
LAHD	HCID ADM citywide License	46	CW	43T682	\$177.00
LAHD	Personnel	46	CW	43T166	\$80,815.52
LAHD	Reimbursement to GF- Personnel	46	CW	43T299	\$16,526.47
LAHD	Reimbursement to GF-HCIDLA	46	CW	43T299	\$308,624.53
LAHD-CD	Urgent Repair Program	43	CW	43P559	\$9,425.00
LAHD-HDB	Single Family Rehabilitation—Handyworker	46	CW	43T588	\$404,431.06
Grand Total					\$2,134,000.00

**Community Investment for Families Department**  
**Neighborhood Improvements**

**Funding Sources:**

CDBG - Neighborhood Improvements

**Description:**

Neighborhood Improvement projects are acquisition, construction, improvements, and/or renovations to various facilities owned and/or operated by nonprofit agencies or City departments.

Project Name	Council District	Contractor	Contract #	Amendment #	Contract Term	Current Funding	PY 48 Funding	Contract Total
ADA Building Improvement Fund (FamilySource Non-Profit Owned)	9	All Peoples Community Center	C-134812	2	9/5/2019 - 7/31/2044	\$2,039,675	\$271,000	\$2,310,675
ADA Building Improvement Fund (FamilySource Non-Profit Owned)	13	P.F. Bresee Foundation	C-135297	1	12/6/2019 - 12/5/2031	\$208,800	\$989,000	\$1,197,800
ADA Building Improvement Fund (FamilySource Non-Profit Owned)	3	New Economics for Women	C-139693	1	7/1/2019 - 6/30/2029	\$117,450	\$50,000	\$167,450
Casa Amador	10	Reach for the Top, Inc.	C-126691	6	7/1/2010 - 9/30/2023	\$2,355,000	\$0	\$2,355,000
Inell Woods Park	9	Heal the Bay	C-138970	2	9/20/2021-11/30/2023	\$1,150,000	\$0	\$1,150,000

**Community Investment for Families Department**  
**Professional Services**

**Funding Sources:**

CDBG - Administration/Planning

**Description:**

Consultant to assist with developing the 2023-27 Five-Year Housing and Community Development Consolidated Plan.

Contractor	Contract #	Contract Term	PY 48 Funding
National Council for Community Development, Inc.	New	10/1/22-9/30/24	\$263,000

# Controller Instructions

# Attachment 3

a. Rescind CF 21-0600-S115 (approved by the City Council on July 1, 2022) Recommendation 29B, Attachment 11 to reappropriate \$516,125 funding from CDBG Fund 424/21, Account 21V174 to fiscal year 2022-23. This recommendation was superseded by a Motion under CF 20-1433-S3 (approved by the City Council on September 6, 2022) to reprogram the \$516,125 CDBG funds.

b. Decrease appropriations within the Community Development Block Grant Fund No. 424, as follows:

Account No.	Account Name	Amount
43T951	Domestic Violence Crisis Hsng Srvcs	15,431.11
43S122	Economic and Workforce Development	122,056.51
43T682	Engineering Special Service Fund	177.00
43T582	FamilySource Centers-Nonprofit Managed	171,664.09
43T588	Handyworker	404,431.06
43P586	LA's Business Source	63,389.00
43R586	LA's Business Source	286,320.00
43S586	LA's Business Source	55,351.76
43T586	LA's Business Source	597,043.00
43T166	Personnel	80,815.52
43T299	Reimb to General Fund (Related Costs) HCIDLA	308,624.53
43T299	Reimb to General Fund (Related Costs) Personnel	16,526.47
43S286	SEE-LA Food Business Incubator	2,744.95
43P559	Urgent Repair Program	9,425.00
21V174	Board of Public Works	516,125.00
	<b>Total</b>	<b>\$2,650,125.00</b>

c. Establish new accounts within the Community Development Block Grant Fund 424 and appropriate funds as follows:

Account No.	Account Name	Amount
21W605	Building Improvement Fund	1,310,000.00
21W140	General Services	500,000.00
21W662	Certified Access Specialist	250,000.00
21W218	Martin Luther King Jr Park Improvement	590,125.00
	<b>Total</b>	<b>\$2,650,125.00</b>

d. Increase appropriations within Department 40 Fund 100 as follows:

Account No.	Account Name	Amount
001101	Hiring Hall Construction	245,000.00
001121	Benefits Hiring Hall Construction	105,000.00
003180	Construction Materials	150,000.00
	<b>Total</b>	<b>\$500,000.00</b>

e. Transfer appropriations within the Community Development Trust Fund 424 as follows:

From: Account 43R278	Dulan's Soul Food Restaurant	\$90,000
To: Account 43R279	HLH Holdings LLC Optometry	\$90,000

## SOLE SOURCE JUSTIFICATION TO CONTRACT WITH THE NATIONAL COUNCIL FOR COMMUNITY DEVELOPMENT, INC. TO PROVIDE CONSOLIDATED PLANNING SERVICES TO CIFD

CIFD is requesting approval to execute a sole source contract with National Development Council (NDC) in accordance with [24 Code of Federal Regulations 85.36](#), sections (d)4(i)B and D. The City is now facing an exigent circumstance for which this program cannot endure an untenable delay that will likely result from being compelled to conduct a competitive procurement. The Five-Year Con Plan preparation and submission generally takes a year. With the requirement of the U.S. Department of Housing and Urban Development (HUD) that the plan be submitted in May 2023, the CIFD now finds itself short of time to complete all aspects of the Five-Year Con Plan in addition to the ongoing workload that City staff are responsible for completing. The time constraint is also exacerbated by the following:

- The Five-Year Con Plan consulting market is rather niche, particularly for the complexities of large jurisdictions, as evidenced by the County receiving only one response to the RFP.
- The services to be provided by this contract will require months for completion. Every month available from now to May 2023 will be needed to complete the Five-Year Con Plan. There is insufficient time for the City to formulate and release a competitive process to provide this service by the HUD deadline.
- The time that would be spent conducting a procurement would push the plan's completion date forward by about two months, which reduces the length of time that the City would have to expend Community Development Block Grant (CDBG) funding before the annual timeliness test in 2024. Having less time to expend CDBG increases the risk of not meeting the annual timeliness requirement and facing a punitive recapture of federal funding. CDBG is the largest grant provided through the Con Plan.
- CIFD is a newly-formed department as of July 2021. As such, CIFD has not had sufficient staff to manage a procurement of such a complex and distinctive nature. Prior to coordination with the County regarding the consultant RFP, in June 2021, Consolidated Planning staff attempted to take advantage of an opportunity to work with a public policy student intern from a local university to assist with development of the Five-Year Con Plan. Leveraging the access to the student intern was intended to support the lack of staff resources available to focus attention and work on the complex and voluminous amount of data research and analysis required of the Five-Year Con Plan. Unfortunately, the work produced by the intern did not yield desired results, the internship was terminated due to lack of product, and the need for a consultant has become more urgent as HUD's deadline nears.

CIFD would like to execute a sole source contract with NDC. A competitive procurement that CIFD attempted to leverage with the County was deemed inadequate. In addition, a sole source contract is needed due to the exigent need of the services to meet the HUD deadline. NDC has been selected because:

- NDC has the expertise and experience needed and conducts highly-specialized strategic planning work, indicated by the breadth of their portfolio with many other jurisdictions.
- NDC advised that they can meet the City's accelerated timeframe to complete the documents by April 2023 in order to meet HUD's submission deadline of May 2023.
- By working with NDC, the City would have the opportunity to collaborate with the County on its Five-Year Con Plan given the same contractor and a similar timeframe. Specifically, contracting with NDC will enable them to efficiently collect and share data, collaborate on community engagement and inform regional planning between the City and County.