



REQUEST FOR IRVINE COMMUNITY LAND TRUST BOARD ACTION

LAND TRUST BOARD MEETING DATE:

OCTOBER 19, 2011

TITLE: Transfer of contracts and business expenses from Irvine Redevelopment Agency

A handwritten signature in blue ink that reads "Mark Asturias".

Executive Director

RECOMMENDED ACTIONS:

1. Approve the transfer of consultant contracts, authorize the Executive Director to execute attached contracts and Land Trust business expenses and authorize expenditure of funds.
2. Authorize the Executive Director to file a notice with the Internal Revenue Service and the State Franchise Tax Board amending the Land Trust Fiscal Year to July 1 through June 30.

BACKGROUND:

On February 24, 2011 the Board ratified an Affordable Housing Funds Grant Agreement (Agreement) with the Irvine Redevelopment Agency (Agency). Pursuant to the terms of the Agreement, the Agency will transfer all Housing Set-Aside funds to the Land Trust and the Land Trust agrees to act as the Agency's agent in developing, administering and monitoring affordable housing projects and programs. On June 30, 2011 the Agency transferred all cash funds to the Land Trust in compliance with the terms of the Agreement. Subsequent to this action, the Land Trust must also approve the assignment and transfer of consultant contracts for affordable housing services. Three consultant contracts must be transferred and approved so the Agency is able to pay expenses associated with affordable housing services that have and are being provided in the development, management and administration of affordable housing. The three consultant contracts include legal, financial, administrative, and program services firms including:

1. Legal Services – Rutan & Tucker, LLP
2. Financial and Management Services – Rosenow Spevacek Group
3. Operations and Administration Services – CivicStone, Inc.

The three firms have provided ongoing support for affordable housing development projects and programs and continue to provide services such as advising about redevelopment legislation, analyzing project impacts and legislative impacts due to State budget issues, and facilitating discussion and implementation of the Land Trust. The Agency had issued requests for qualifications and implemented a competitive bidding process prior to selecting and approving these firms to provide these services. The qualifications, scope and cost of services from each of these firms was deemed by the Agency as the most cost competitive and these firms were

awarded contracts for these services listed. The attached contracts for CivicStone and Rosenow Spevacek Group mirror exactly the terms, conditions, pricing and scope of work currently provided to the Agency. The Agency's contract with legal counsel extends beyond the scope of services the Land Trust would use as the Agency's contract is combined with the City of Irvine. Therefore, a specific contract will be prepared including a scope of services that Rutan currently provides to the Land Trust and it will also include a scope for housing legal services that would be provided to the Agency. The terms, conditions and costs will mirror those with the Agency. In addition to these consultant contracts, the Land Trust will incur expenses associated with the Board President's travel to the National Land Trust Conference and in attending affordable housing events and conferences. The authorization of the board to expend funds for travel and affordable housing events will permit the Executive Director to approve expenses for these events in a total amount not to exceed \$15,000 for all activities for the balance of the Land Trust 2011 fiscal year and the first half of the 2012 fiscal year. Examples of events and conferences the board and staff may and will attend include the National Land Trust Conference, the California Redevelopment Association Affordable Housing Conference, the Orange County Housing Summit, and other local events sponsored by organizations such as the Kennedy Commission, Habitat for Humanity, HomeAid Orange County, and the Orange County Housing Trust.

In transferring the Agency's funds at the end of the Agency's fiscal year, which is June 30, it has been recommended by the Land Trust's accountant that the Land Trust fiscal year be amended to align with the Agency's. This will assist the Land Trust in developing its annual budget by aligning with the Agency's funding schedule and allow the Land Trust to better anticipate and budget the projected revenues from the Agency.

FISCAL IMPACT:

In transferring all funds from the Agency's Housing Set-Aside funds the Land Trust is now responsible for the administration of these contracts. All contracts were approved by the Agency with sufficient budgeted funds that have been transferred to the Land Trust. The contracts are within the budget approved by the Agency and within the funding now transferred to the Land Trust.

Attachments:

1. Rosenow Spevacek Group Contract
2. CivicStone, Inc. Contract