



HOUSING

AUTHORITY OF THE  
CITY OF SANTA BARBARA

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California / 93101

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April 24, 2023

**SUBJECT: REQUEST FOR PROPOSALS FOR A CONSULTANT TO PROVIDE ADVICE AND  
COMMUNICATIONS FOR A NOVEMBER 2024 BALLOT MEASURE**

Dear Interested Party:

The Housing Authority of the City of Santa Barbara (HACSB) requests proposals for a strategic advisor to assist with the research, planning and organizing of a citizen sponsored ballot measure for the November 2024 election. HACSB has recognized the need for the creation of an ongoing local funding source for low and moderate-income housing acquisition and development. Our initial review of local conditions leads us to considering an increase to the City of Santa Barbara's transient occupancy tax (TOT) as a potential revenue source for affordable housing.

As the primary affordable housing producing organization in the City, HACSB has a deep understanding of the need for an ongoing source of local funding for the community to adequately address its Regional Housing Needs Allocation (RHNA). The primary purpose of the strategic advisor will be to coordinate and assist with all facets of the creation of a ballot measure, from polling of the community to determining the correct revenue source, and the amount of such revenue, to filing the required paperwork to have the ballot measure certified to be put on the local ballot for the November 2024 elections. Once the ballot is certified, HACSB will hand off the foregoing work to other local coalitions of affordable housing organizations.

Qualified applicants are invited to submit proposals that demonstrate their ability to provide the services further described herein. The selected provider will enter into a contract with HACSB for the services proposed.

Proposals must be prepared in accordance with the attached instructions and will be evaluated by HACSB as specified in the *Evaluation of Proposals* portion of the Request for Proposals. **To register interest in submitting proposal, send an email to Clarissa Montenegro at [cmontenegro@hacsb.org](mailto:cmontenegro@hacsb.org) no later than May 17, 2023. Proposals are due no later than 5:00 p.m. on June 5, 2023. Proposals must be submitted in PDF format via email to Clarissa Montenegro at [cmontenegro@hacsb.org](mailto:cmontenegro@hacsb.org). If you have additional questions, please contact me (805) 897-1051 or via email at [rffredericks@hacsb.org](mailto:rffredericks@hacsb.org).**

Sincerely,

HOUSING AUTHORITY OF THE  
CITY OF SANTA BARBARA

ROB L. FREDERICKS  
Executive Director/CEO



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**Housing Authority of the City of Santa Barbara**

808 Laguna Street, Santa Barbara, CA 93101

(805) 965-1071

(805) 564-7041 (fax)

**Request for Proposals**

**Ballot Measure Strategic Advisor and Consultant**

Proposals due no later than  
5:00 PM, June 5, 2023



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OPPORTUNITIES POLICY



## REQUEST FOR PROPOSALS STATEMENT OF WORK

### 1. GENERAL INFORMATION

#### 1.1 Introduction

##### *About the City of Santa Barbara*

The City of Santa Barbara includes a land area of  $\pm 21.09$  square miles and a water area of  $\pm 22$  square miles, for a total of  $\pm 43.09$  square miles. The city center is  $\pm 26$  miles north of Ventura and  $\pm 90$  miles north of Los Angeles. The Pacific Ocean runs east to west along this stretch of the California coastline, providing southern exposure to the ocean. The Santa Ynez Mountains, part of the Transverse Ranges of the Pacific Coast Ranges, is a small mountain range paralleling the coastline. Santa Ynez Peak is the highest of the summits at  $\pm 4,298$  feet above sea level. The city proper spreads from the coast to the foothills of the Santa Ynez Mountains.

Santa Barbara is a charter city, incorporated on April 4, 1850. Government is by a City Council, which includes a mayor and six council members. As of April 2018, Santa Barbara levies a retail sales tax of 8.75%, a property tax rate of 1.0% to 1.25% of the assessed value, and a transient lodging tax rate of 12%. California state law assesses commercial vessels, charter boats, and oceanographic research vessels at 4% of their full cash value.

According to the NAHB/Wells Fargo Housing Opportunity Index, in the 4th quarter of 2022, the Santa Barbara/Santa Maria area ranked 2nd in the nation of the least affordable metro areas for areas with populations under 500,000. The median home price in the City of Santa Barbara was \$2,100,000 in March 2023. The city is working hard to meet its affordable housing needs, and affordable housing currently constitutes 15% of the city's housing stock. This affordability issue is due to a lack of supply of available and affordable homes. Hence, the effort to raise more local flexible funding to leverage with other state and federal funds to create and protect existing moderate and affordable housing for the residents who live or work within the local region.

##### *About the Housing Authority of the City of Santa Barbara*

The Housing Authority of the City of Santa Barbara (HACSB) is a local public agency, separate from the City of Santa Barbara, that provides safe, decent, quality affordable housing and supportive services to eligible persons through a variety of housing programs funded by federal, state, local, and private resources. The primary task of HACSB is to create affordable rental housing for families with limited incomes, elderly persons, and persons with disabilities. HACSB owns and manages affordable housing developments throughout the City of Santa Barbara and administers rental subsidies by way of the Housing Choice Voucher program (Section 8) for persons renting in the private sector. Since 1969, HACSB has developed and/or secured nearly 4,000 units of affordable rental housing in the Santa Barbara area. Additional information about



the Housing Authority of the City of Santa Barbara can be found on the organization's website:  
[www.hacsb.org](http://www.hacsb.org).

## 1.2. Proposal Timeline

The anticipated proposal selection schedule is as follows:

Activity	Date
RFP Released	April 24, 2023
Final date to register interest by sending email to <a href="mailto:cmontenegro@hacsb.org">cmontenegro@hacsb.org</a> Final date to submit written questions and requests for additional information. (Written responses will be shared with all registrants by May 22, 2023.)	May 17, 2023
Proposal Due	June 5, 2023
Selection of finalists, interviews, and presentations	June 2023
Consultant Selected	June 2023
Anticipated Contract Start Date	June 15, 2023

## 1.3. Contact Information

Questions and requests for additional information must be submitted via email before 5:00 p.m. on May 17, 2023 to:

**Clarissa Montenegro**  
Property and Development Supervisor  
[cmontenegro@hacsb.org](mailto:cmontenegro@hacsb.org)

## 1.4. Submission of Proposals

To facilitate evaluation, proposals must be sent to the following individual in pdf format via electronic mail, with the subject line titled "RFP Ballot Measure Consultant":

**Clarissa Montenegro, Property and Development Supervisor**  
Housing Authority of the City of Santa Barbara  
Email: [cmontenegro@hacsb.org](mailto:cmontenegro@hacsb.org)

Proposals must be received no later than **5:00 p.m. on June 5, 2023**. Proposals should include a title page listing a contact person, mailing address, phone and email address.

*Proposals received later than the date and time specified above will not be considered.*



## **2. SCOPE OF WORK**

HACSB is seeking to have a ballot measure created to increase the TOT from the current level of 12% up to 15%. It is proposed that 2% of the increase will be specifically dedicated to the acquisition and creation of affordable housing for low and moderate-income households and 1% of the increase will be dedicated to Visit Santa Barbara, the official destination marketing organization for the City of Santa Barbara, South Coast and surrounding communities. The following scope of work represents the anticipated activities and deliverables for the project. HACSB anticipates the project length to be up to one (1) year. HACSB may consider an alternative approach to the project if proposed by the selected applicant.

### **2.1 Strategic Planning and Support**

HACSB requires assistance in planning for and evaluating expected voter acceptance towards the prospective revenue measures including the increase to the Transient Occupancy Tax (TOT). This involves working closely with HACSB staff to discuss the potential measures and propose a recommended approach based on available data and the consultant's knowledge and previous experience.

Specifically, the HACSB seeks a strategic advisor to provide advice, recommendations, and support in the following areas:

- Expected voter acceptance or antipathy toward prospective revenue measures such as an increase in the Transient Occupancy Tax (TOT)
- Assistance with prioritization of increasing the TOT among other potential funding sources
- Evaluation of timing for revenue measures across multiple years
- Likelihood of passage of potential revenue measures
- Evaluation and strategy for potential opposition and/or competing measures
- Strategies to support voter consideration of the revenue measure, including strategies to engage key stakeholders.
- Gathering of required forms to submit to the City, or the City and/or County for ballot measure certification within the required timelines
- Information on the consultant's qualifications, performance, and ability to succeed
- Responders may include additional proposed areas for guidance or advisement not included in this RFP that they deem necessary for a successful ballot measure

### **2.2 Polling**

HACSB seeks assistance in:

- Formulating draft survey instruments for telephone or other survey
- Contracting with polling firm (if separate from consultant) and coordinating polling process



- Evaluating survey results
- Drafting ballot measure language

This evaluation should result in an opinion on the likelihood of passage for potential measure.

## 2.3 Communication

HACSB seeks:

- Communication to support voter consideration of the revenue measure, including communication to engage key stakeholders.
- Assistance in developing the best way to present the revenue measure to voters
- Strategy around how to best present potential measures to the public

## 3. APPLICANT QUESTIONNAIRE

### 3.1 Proposal

#### 3.1.1 Letter of Transmittal\*

Please email your letter of Transmittal as a PDF to [cmontenegro@hacsb.org](mailto:cmontenegro@hacsb.org) . Include the following items:

- 1) Identify the submitting organization;
- 2) Identify the name, title, telephone and fax numbers, and e-mail address of the person authorized by the organization to contractually obligate the organization;
- 3) Identify the name, title, telephone and fax numbers, and e-mail address of the person authorized to negotiate the contract on behalf of the organization;
- 4) Identify the names, titles, telephone and fax numbers, and e-mail addresses of persons to be contacted for clarification;
- 5) Be signed by the person authorized to contractually obligate the organization;
- 6) Acknowledge receipt of any and all amendments to this RFP.

\*Response required

#### 3.1.2 Qualifications\*

Provide a brief summary of your company's history, its capabilities, and its recent relevant experience (last five years). Also, describe your demonstrated experience with similar projects and qualification including professional licenses and certifications.

\*Response required



### 3.1.3 Key Personnel\*

Describe the project team composition and include resumes of key personnel. Proposed members should be available for ninety (90) days from the proposal due date. HACSB must be promptly notified of any changes in key personnel prior to award.

\*Response required

### 3.1.4 References\*

List a minimum of three (3) references for whom comparable services were provided to in the last five (5) years. Include the name of the firm, name of the contact, telephone number of the contact, email address of contact (if available), brief description of the services provided and your firm's role, and the start and completion date.

\*Response required

### 3.1.5 Project Work Plan and Availability\*

Describe your understanding of the project and approach. Include deliverables, milestones, assumptions, and identify potential risks that could delay the project. List any resources you expect HACSB to provide. Include your detailed availability for the first-year time period.

\*Response required

### 3.1.6 Cost Proposal\*

Provide a proposed total fee by dollar amount outlining the proposal and identify the hourly fee schedule for all personnel to be involved in the project. The hourly rates should include fringe benefits, indirect costs and profit. The Consultant should also indicate what percentage of the scope of work is expected to be completed by each individual or pay classification included in fee proposal. Include estimated cost of necessary polling. If applicable, a schedule of reimbursable expenses should be included. **Also include in the proposed fee an estimated amount for polling services.**

\*Response required

## 3.2 Other Required Responses

### 3.2.1 RFP Addenda if issued

### 3.2.2 Business License Requirements

If the applicant is physically located in the City of Santa Barbara, the applicant must have a City of Santa Barbara business license. Contact the City's Business License unit for the appropriate forms. If the applicant is not located in the City of Santa Barbara, no Santa Barbara business license is needed.

The business license documentation is only required from the successful Proposer.





## **4. ADDITIONAL REQUIREMENTS**

### **4.1 Insurance Requirements**

Interested parties shall provide proof of general liability, auto, professional liability/errors and omissions, and workers' compensation insurance with proposals. All liability insurances shall be for an amount not less than one million (\$1,000,000) per occurrence for bodily injury and property damage for each claimant and: the Housing Authority of the City of Santa Barbara; and their Governing Boards, each member thereof, and every officer, official, employee, volunteer or agent must be named as "additional insured".

### **4.2 Section 3 Requirements**

Respondents who meet the Section 3 business categories must indicate in this proposal under which category they are qualified and are responsible for providing all documentation or other information which supports the respondent's declared category in order to be granted a preference, by completing the Estimated Project Workforce Plan and the Section 3 Eligibility Questionnaire. The successful bidder must comply with Section 3 of the Housing and Urban Development Act of 1968 (refer to Attachment B and attached documents for Section 3 of the Housing and Urban Development Act of 1968 requirements, preference for Section 3 businesses, evaluation instructions and documentation requirements). The successful bidder will be required to complete a Section 3 Strategic Plan and Estimated Project Work Force form.

## **5. EVALUATION OF PROPOSALS**

An award will be made to the applicant whose proposal is most responsive to the needs of HACSB as determined solely by HACSB. Evaluation criteria to be included in HACSB's assessment of proposals shall include the following:

### **SUMMARY OF APPLICATION ELEMENTS AND CRITERIA:**

Description	Maximum Points (100 points total)
<b>Organizational Overview and Proposed Work Plan</b> <ul style="list-style-type: none"><li>• Project Description and Approach</li><li>• Service Provisions &amp; Methods</li><li>• Proposed Work Plan</li><li>• Planned Activities and Deliverables</li><li>• Quality of written proposal</li><li>• Completeness of proposal and responsiveness to RFP requirements</li></ul>	30



<b>Capability, Qualifications, and Experience of the Applicant</b> <ul style="list-style-type: none"><li>• Consultant's prior experience in providing local ballot measure advisory and consulting services</li><li>• Consultant's training, expertise, and professional credentials</li><li>• Experience and success in complying with contracts</li></ul>	25
<b>Budget/Pricing</b> <ul style="list-style-type: none"><li>• Budget Spreadsheet</li><li>• Budget Narrative</li><li>• Overall Cost/Reasonableness of Cost Proposal</li></ul>	25
<b>Supportive Information and Attachments</b> <ul style="list-style-type: none"><li>• Brochures and promotional material</li><li>• Work References (minimum of 3)</li></ul>	15
<b>Insurance Requirements/Certificates</b> <ul style="list-style-type: none"><li>• General Liability, Auto, Professional Liability/E&amp;O</li><li>• Workers' Compensation (if applicable)</li><li>• All liability insurances shall name the Housing Authority of the City of Santa Barbara, their Governing Boards, each member thereof, and every officer, official, employee, volunteer or agent as "additional insured".</li></ul>	5
<b>Section 3 Requirements</b> <ul style="list-style-type: none"><li>• Estimated Project Workforce Plan</li><li>• Section 3 Eligibility Questionnaire</li></ul>	Y/N

Proposals will be evaluated by HACSB based upon the above stated criteria. HACSB has the right to accept or deny any or all proposals. The agreement shall be awarded to the proposer or proposers whose proposal is best qualified, taking into consideration the evaluation factors set forth in the RFP. The most qualified proposal may or may not have received the most points or be the lowest cost proposal.

Further, HACSB has the right to reduce the term of the contract and/or to enter into a contract with more than one provider.

Upon award and execution of a contract, all responses to the RFP will be available for public review through a public document request to HACSB.

Upon award and execution of a contract, Contractor will comply with HACSB's "Harassment Free Workplace and Equal Employment Opportunities" policies, provided as Attachment B.



## **Minority-Owned and Women-Owned Business Enterprises (MWBE)**

HACSB strongly encourages minority-owned and women-owned businesses, as well as socially and economically disadvantaged business enterprises, and small businesses to respond to this RFP.

### *Attachments:*

- A. Section 3 Economic Opportunities for Low Income Individuals Bid Compliance Packet*
- B. Harassment Free Workplace and Equal Employment Opportunities*

Section 3  
Economic Opportunities for Low Income Individuals  
Bid Compliance Packet

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**POLICY FOR THE AWARD OF CONTRACTS  
IN ACCORDANCE WITH SECTION 3 MANDATES**

**HOUSING AUTHORITY  
CITY OF SANTA BARBARA**

Section 3 of the Housing and Urban Development Act of 1968, as amended by the Housing and Community Development Act of 1992, requires that economic opportunities generated by HUD financial assistance for housing (including Public and Indian housing) and Community Development programs shall, to the greatest extent feasible, be given to low and very low-income persons, particularly those who are recipients of governmental assistance for housing, and to businesses that provide economic opportunities for those persons.

In accordance with 24 CFR Part 135 of this Act, it is the policy of the Housing Authority of the City of Santa Barbara (herein referred to as "the Housing Authority") to provide to the greatest extent feasible, opportunities for job training and employment to lower income residents in connection with projects within the City of Santa Barbara. In an effort to demonstrate active solicitation of Section 3 participation, it is the policy of the Housing Authority to require each bidder to submit answers to the following questions, in order to help the Housing Authority determine Section 3 eligibility.

Section III ("Examples of Procurement Procedures That Provide for Preference for Section 3 Business Concerns") of 24 CFR Part 135 instructs that preference in the award of Section 3 covered contracts that are awarded under a sealed bid (IFB) process may be provided as follows:

(i) Bids shall be solicited from all businesses (Section 3 business concerns and Non-Section 3 business concerns). An award shall be made to the qualified Section 3 business concern with the highest priority ranking and with the lowest responsive bid if that bid:

(A) is within the maximum total contract price established in the contracting party's budget for the specific project for which bids are being taken, and

(B) is not more than "X" higher than the total bid price of the lowest responsive bid from any responsible bidder. "X" is determined as follows:

X = lesser of:

When the lowest responsive bid is less than \$100,000:                      10% of that bid, or \$9,000

When the lowest responsive bid is:

At least \$100,000, but less than \$200,000:    9% of that bid, or \$16,000

At least \$200,000, but less than \$300,000:    9% of that bid, or \$21,000

At least \$300,000, but less than \$400,000:    6% of that bid, or \$25,000.

At least \$400,000, but less than \$500,000:    5 % of that bid, or \$40,000

At least \$500,000, but less than \$600,000:    4% of that bid, or \$60,000

At least \$600,000, but less than \$700,000:    3% of that bid, or \$90,000

At least \$700,000, but less than \$800,000:    2% of that bid, or \$105,000

At least \$800,000, but less than \$900,000:    2% of that bid, or \$105,000

\$900,000 or more 1 ½ % of the lowest responsive bid, with no dollar limit.

(ii) If no responsive bid by a Section 3 business concern meets the requirements of paragraph (2)(i) of this section, the contract shall be awarded to a responsible bidder with the lowest responsive bid.

(iii) Professional Services: Procurement under the competitive proposals method (Request for Proposals "RFP") where the Section 3 covered contract is to be awarded based on factors other than price, an RFP shall be issued with a rating system for the assignment of points to evaluate the merits of each proposal.

### **Section 3 Clause**

A. The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

B. The parties to this contract agree to comply with HUD's regulations in 24 CFR part 135, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 135 regulations.

C. The contractor agrees to send to each labor organization or representative or workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this Section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.

D. The contractor agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 135. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 135.

E. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 135.

F. Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

G. With respect to work performed in connection with Section 3 covered Indian housing assistance, section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this contract. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this contract that are subject to the provisions of Section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).

## Housing Authority of the City of Santa Barbara

### Contractor efforts in achieving to the “Greatest Extent Feasible” Section 3 Compliance

#### Preference for Section 3 residents in training and employment opportunities:

Contractors and subcontractors shall direct their efforts to provide, to the greatest extent feasible, training and employment opportunities generated from the expenditure of Section 3 covered assistance to Section 3 residents in the following order of priority:

1. Residents of the housing development or developments for which the Section 3 covered assistance is expended
2. Residents of other housing developments managed by the HA that is expending the Section 3 covered housing assistance
3. Participants in HUD Youth-build programs being carried out in the metropolitan area ( or nonmetropolitan county) in which the Section 3 covered assistance is expended
4. Low income Santa Barbara Residents that meet the income eligibility guideline for low or very low total family income per the table below:

1 Person	2 Persons	3 Persons	4 Persons	5 Persons	6 Persons	7 Persons	8 Persons
Below:	Below:	Below:	Below:	Below:	Below:	Below:	Below:
\$52,500	\$60,00	\$67,00	\$60,550	\$71,500	\$80,940	\$86,940	\$98,940

#### A Section 3 business concern is defined as:

1. 51 percent or more owned by Section 3 residents; or
2. Whose permanent, full-time employees include persons, at least 30 percent of whom are currently Section 3 residents, or within three years of the date of first employment with the business concern were Section 3 residents; or
3. Provides evidence of a commitment to subcontract in excess of 25 percent of the dollar award of all subcontracts to be awarded to business concerns that meet the qualifications of a Section 3 business concern.

#### Here is one example of how Section 3 is supposed to work:

Let's say the Housing Authority wants to build a playground and a new child care center. The Housing Authority wants to find an outside company (called a “contractor”) to do all the work. The contractor will need to hire 10 new people in order to complete the work. Section 3 says that 30% of all new hires have to be Section 3 residents. In this case, the contractor would have to hire **three Section 3 residents in order to comply with Section 3**. The other **seven** people can be anyone else they want to do the work. This is just one example.

#### Contractor Strategic Plan in achieving Section 3 Compliance:

All contractors selected for the contract award shall be required to submit a Section 3 Strategic Plan. The Section 3 Strategic Plan shall be on their firm's letterhead and explain the efforts they intend to make to comply with Section 3. For example, efforts may include conducting outreach for prospective workers at Housing Authority complexes and contacting local employment agencies to recruit workers that meet the low or very low income status requirements. Additionally, selected contractors shall be required to complete an Estimated Project Work Force Form (refer to Page 4 of this packet).

## ESTIMATED PROJECT WORK FORCE

PROJECT NAME: \_\_\_\_\_ COMPANY NAME: \_\_\_\_\_

Category/List Specific Job Title	Number of positions needed	Total number of staff currently on payroll	Number of *HACSB Section 3 resident	Number of *Low Income Residents of the City of Santa Barbara	Number of new positions to be filled	Hiring goal number for *HACSB Section 3 Residents	Hiring goal number for *Low Income Section 3 Residents of the City of Santa Barbara
.							

\* HACSB = Housing Authority city of Santa Barbara

\* Low Income Section 3 Resident = Low Income Santa Barbara Residents that meet income eligibility guidelines as listed on page 3



THE HOUSING AUTHORITY CITY OF SANTA BARBARA  
SECTION 3 ELIGIBILITY QUESTIONNAIRE

The Department of Housing and Urban Development, Federal Register Part VI, 24 CFR part 135 and Subtitle A et. al Economic Opportunities for Low and Very Low Income Persons, Interim and Final Rules, directs Public Housing Authorities to award contracts to Section 3 business concerns in the following order of priority:

**Category 1 Business:**

(i) Business concerns that are 51% or more owned by residents of the housing development or developments for which the Section 3 covered assistance is expended OR whose full-time, permanent work force includes 30% of these persons as employees.

Yes	No	Q-1: Is at least 51% of your business owned by residents of the housing development or developments for which the Section 3 covered assistance is expended?
Yes	No	Q-2: Is your full-time, permanent work force composed of a minimum of 30% of those persons as employees?

**Category 2 Business:**

(ii) Business concerns that are 51% or more owned by residents of other housing developments or developments managed by the Housing Authority that is expending the Section 3 covered assistance, OR whose full-time permanent work force includes 30% of these persons as employees.

Yes	No	Q-3: Is at least 51 % of your business owned by residents of other housing developments or developments managed by the Housing Authority that is expending the Section 3 covered assistance?
Yes	No	Q-4: Is Your full-time permanent work force composed of at least 30% of these persons as employees?

**Category 3 Business:**

(iii) HUD Youthbuild programs being carried out in the metropolitan area (or non-metropolitan county) in which the Section 3 covered assistance is expended.

Yes	No	Q-5: Does your business currently participate in a HUD Youthbuild program (a program which receives assistance under subtitle D of Title IV of the National Affordable Housing Act as amended by the Housing and Community Development Act of 1992 (42 U.S.C. 12899), and provides disadvantaged youth with opportunities for employment, education, leadership development, and training in the construction or rehabilitation of housing for homeless individuals and members of low-and very low income families) now being carried out in the metropolitan area (or non-metropolitan county) in which the Section 3 covered assistance is expended?
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**Category 4 Business:**

(iv) Business concerns that are 51% or more owned by Section 3 residents that reside in the metropolitan area or non-metropolitan county in which the section 3 covered assistance is expended, and who is a low income resident or whose permanent, full-time workforce includes no less than 30% of these residents or that subcontract in excess of 25% of the total amount of subcontracts to business concerns that meet Section 3.

Yes	No	Q-6: Is at least 51% of your business owned by Section 3 residents (low or very low income persons from the metropolitan area or non-metropolitan county who are not public housing residents of the Housing Authority expending section 3 funding)?
Yes	No	Q-7: Is your permanent, full time workforce made up of a minimum of 30% Section 3 residents?
Yes	No	Q-8: Are a minimum of 25% percent of your subcontracts awarded to Business Concerns identified as Category 1 or 2 Businesses?

I, \_\_\_\_\_ having read and answered all questions contained above, do hereby  
(Name)  
certify that to the best of my knowledge the information provided as it pertains to \_\_\_\_\_  
(Name of Business)  
is accurate and true.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

**CONFIDENTIAL**

**THE HOUSING AUTHORITY OF THE CITY OF SANTA BARBARA**

**SECTION 3 – RESIDENT/EMPLOYEE/APPLICANT ELIGIBILITY CERTIFICATION**

The Housing Authority of the City of Santa Barbara, in accordance with Section 3 of the Housing and Urban Development Act of 1968, requires its contractors and sub-contractors (including professional service contracts) to direct their efforts toward providing training and employment opportunities to low and very low-income persons, and particular those who are recipients of government housing assistance. Therefore, HUD directs the Housing Authority of the City of Santa Barbara to give preference to contractors who can demonstrate a reasonable level of success in the recruitment, employment, and utilization of Housing Authority Residents and other low and very low-income persons.

In order for the Housing Authority to make this determination, your employer is required to verify that these goals have been implemented in hiring practices. If you live in a property owned by the Housing Authority of the City of Santa Barbara, (HACSB) are a Section 8 Participant of HACSB, or live in the metropolitan area or non-metropolitan county in which the Section 3 covered assistance is expended, and are considered a low or very low-income individual, AND wish to assist your employer in documenting compliance with the goals of Section 3; we ask that you provide the following information: **YOUR RESPONSE IS VOLUNTARY. IF YOU DO NOT WISH TO SUBMIT THIS INFORMATION, YOUR TERMS OF EMPLOYMENT WILL NOT BE AFFECTED.**

Because the following questions are personal in nature, your answers will be treated with strict confidentiality. Thank you for your assistance.

---

Name of Employer

---

Name: First

Middle

Last

---

Street Address

1. Please CHECK ONE of the following:

<input type="checkbox"/>	Public Housing Resident
<input type="checkbox"/>	Section 8 Participant
<input type="checkbox"/>	Low-Income Santa Barbara Resident

\*To qualify as a Low Income Resident, your **TOTAL FAMILY INCOME must not exceed the following amounts per household listed on the table below.**

2. If you have indicated that you are a Low Income City Resident, please indicate which category your TOTAL HOUSEHOLD INCOME falls into:

1 Person	2 Persons	3 Persons	4 Persons	5 Persons	6 Persons	7 Persons	8 Persons
Below:	Below:	Below:	Below:	Below:	Below:	Below:	Below:
\$52,500	\$60,000	\$67,500	\$71,500	\$80,940	\$86,940	\$92,940	\$98,940

I certify that the statements made on this sheet are true, complete and correct to the best of my knowledge and belief, and made in good faith.

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## PROTEST PROCEDURE:

The Housing Authority of the City of Santa Barbara desires to offer to concerned parties, a procedure whereby complaints alleging non-compliance with the Section 3 Statute can receive a prompt and equitable hearing and resolution. Protests surrounding the Housing Authority Section 3 program may be submitted in writing to the following person hereby designated as the Section 3 Coordinator.

Section 3 Coordinator  
HOUSING AUTHORITY OF THE  
CITY OF SANTA BARBARA  
808 Laguna Street  
Santa Barbara, CA 93101  
(805) 965-1071

All complaints of non-compliance with the Section 3 Statute shall conform to the following requirements:

- Complaints shall be filed in writing, and shall contain the name, address, and phone number of the person filing the complaint, and a brief description of the alleged violation of the regulations.
- Complaints shall be filed within thirty (30) calendar days after the complainant becomes aware of the alleged violation.
- An investigation as may be appropriate will follow the filing of a complaint. The investigation will be conducted by the Housing Authority Section 3 Coordinator. The rules contemplate information, but thorough investigations, affording all interested persons and their representatives, if any, and to submit testimony and/or evidence as may be available and relevant to the complaint.
- Written documentation as to the validity of the complaint and a description of the findings or resolution, if any, will be issued by the Section 3 Coordinator no later than thirty (30) days after the filing of a complaint.

In cases where concerned parties wish to have its complaint considered outside of the Housing Authority, a complaint may be filed with the Assistant Secretary for Fair Housing and Equal Opportunity, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington D.C., 20410. A complaint must be received not later than 180 days from the date of the action or omission upon which the complaints are based, unless the time for filing is extended by the Assistant Secretary for good cause shown.



## **2.2. HARASSMENT-FREE WORKPLACE**

Effective Date: 10/4/06

Revision Date: 3/1/23

### **Policy Statement**

HACSB is committed to providing a professional and respectful work environment that is free of harassment of any kind. HACSB employees are expected to pursue their responsibilities guided by a strong commitment to basic ethical principles, professional codes of conduct, and our policy prohibiting harassment. HACSB strictly prohibits sexual harassment (which includes harassment based on sex, sex stereotype, gender, pregnancy, childbirth or related medical condition including breast feeding, sexual orientation, gender, gender identification and expression, transgender status, transitioning employees), as well as harassment based on other factors such as race (including protective hairstyles and hair texture), religion (including religious belief, observance, dress or grooming practices), creed, color, age (40 years or over), physical or mental disability, medical condition (including cancer), genetic characteristics, genetic information, family care, reproductive health decision-making, marital status, registered domestic partner status, enrollment in any public assistance program, status as military, or as a veteran or as a qualified disabled veteran, status as an unpaid intern or volunteer, ancestry, citizenship, national origin, protected medical leaves (including a request for or approval of leave under applicable leave of absence laws), domestic violence victim status, political affiliation, or any other classification protected by law. HACSB also prohibits harassment based on the perception that anyone has any of those protected characteristics, or is associated with a person who has or is perceived as having any of those protected characteristics. All such harassment is unlawful and those found to have violated this policy may be held personally liable for their actions.

For purposes of national origin harassment, improper and unlawful conduct includes, but is not limited to, harassment based upon an employee's, volunteer's, intern's or applicant's (or that individual's ancestors') actual or perceived physical, cultural, or linguistic characteristics associated with a national origin group, marriage to or association with persons of a national origin group, tribal affiliation, membership in or association with an organization identified with or seeking to promote the interests of a national origin group, attendance or participation in schools, churches, temples, mosques, or other religious institutions generally used by persons of a national origin group, and a name that is associated with a national origin group, possessing a driver's license issued under Vehicle Code § 12801.9, or any other characteristic protected by law.

HACSB strongly disapproves of and will not tolerate harassment against employees or clients by its employees, representatives or contractors. HACSB will also not tolerate any harassment or bullying of, or by, non-employees with whom HACSB has a business, service or professional relationship or any outside persons in contact with our employees or contractors. HACSB will take action as it deems reasonably necessary to prevent, correct, and discipline behavior which violates this policy.

### **Scope**

This policy applies to all HACSB employees, volunteers, unpaid and paid interns, commissioners, current or potential clients, residents, and employer agents such as temporary workers, consultants, independent contractors, and vendors. Each one of these individuals has the responsibility to maintain a workplace free of harassment and of any form of offensive conduct. Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the

workplace, such as during business trips, business meetings and HACSB business related social events.

### **Definitions of Harassment**

**Sexual harassment:** Sexual harassment is illegal discrimination and includes any *unwelcome* sexual advances, requests for sexual favors, and other verbal, physical or visual conduct of a sexual nature which meets any one of the following criteria:

- Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment, whether or not the term or condition results in direct economic consequences; or
- Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting the employee or the individual whether or not the term or condition results in direct economic consequences; or
- The conduct has the purpose or effect, intentionally or unintentionally, of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment. Such conduct need not be directed at a particular employee. Sexual harassment may also occur where third parties are denied benefits or opportunities because of the existence of a sexual relationship or the existence of a hostile, intimidating or offensive environment.
- Sexual harassing conduct need not be motivated by sexual desire.

Sexual harassment may include a range of subtle to blatant behaviors and may involve individuals of same sex or gender as well as those of differing sexes or genders. Depending on the circumstances, these behaviors may include but are not limited to:

- Unwanted sexual advances or request for sexual favors
- Continuing to express personal interest in an individual after being informed the interest is unwelcome
- Instances where submission to or rejection of forms of sexual conduct is used as the basis of an employment decision or as a condition of employment
- Sexual jokes, language and innuendo
- Physical conduct such as leering, obscene gestures, unwanted touching, blocking normal movement, or assault
- Comments, e-mails, letters or other communication which is suggestive or contains sexual implications
- Display or circulation in the workplace of sexually suggestive objects, symbols or pictures

**Unlawful Harassment:** Harassment on the basis of any other protected characteristic is also strictly prohibited. Unlawful harassment includes verbal, physical and visual conduct (both subtle and overt) which ridicules, demeans or shows hostility toward another individual because of the individual's race (including protective hairstyles and hair texture), religion (including religious belief, observance, dress or grooming practices), creed, color, sex, sex stereotype, pregnancy, childbirth or related medical conditions (including breast feeding), age (40 years or over), sexual orientation, gender, gender identification and expression, transgender status, transitioning employees, physical or mental disability, medical condition (including cancer), genetic characteristics, genetic information, family care, reproductive health decision-making, marital status, registered domestic partner status, enrollment in any public assistance program, status as military, or as a veteran or as a qualified disabled veteran, status as an unpaid intern or volunteer, ancestry, citizenship, national origin, protected medical leaves (including a request for or approval of leave under applicable leave of absence laws), domestic violence victim status, political affiliation, or any other classification protected by law and that has the purpose or effect of substantially interfering with a person's work performance or creating a hostile or offensive work environment. Protected classes of individuals

include those perceived to have the characteristics of the protected class, or who are associated with someone with those characteristics.

Prohibited unlawful harassment includes, but is not limited to the following unacceptable types of behaviors:

- Verbal conduct such as epithets or slurs, derogatory jokes or comments, offensive stereotypes, use of obscene language or profanity
- Threatening, intimidating, or hostile acts
- Display or circulation of written or graphic material that is derogatory or shows hostility or aversion toward an individual or group

All such behavior is unacceptable and will not be tolerated. It is no defense to a claim of harassment that the alleged harasser did not intend to harass. In determining whether a harassing work environment has been created, the standard to be applied is the victim's perspective, as long as that perspective is reasonable for a similarly situated person in the victim's circumstances.

*Workplace Bullying:* Bullying in the workplace will also not be tolerated. Bullying is defined as repeated intentional and malicious behaviors by an employer or employee at the workplace, directed at an employee, that is intended to degrade, humiliate, embarrass, or otherwise undermine the employee's performance in a manner unrelated to legitimate business interests. It may include verbal abuse (such as repeated derogatory remarks, insults or epithets), offensive conduct or behaviors which a reasonable person would find to be threatening, humiliating or intimidating. It may also include work interference, gratuitous sabotage or undermining of a person's work performance without legitimate business purpose. A single act does not constitute abusive conduct unless it is especially severe or egregious. Concerns of bullying may be reported in the same manner as unlawful harassment.

### **Training and Prevention**

HACSB will take all reasonable steps to prevent harassment, discrimination, retaliation and bullying from occurring and to ensure that employees are familiar with this policy. As part of its commitment towards the prevention of harassment discrimination, retaliation and bullying, HACSB will provide harassment, discrimination, retaliation and bullying prevention training within six months of hire (or promotion to a management position) and at least every two years thereafter for its employees and any other individuals deemed appropriate by the Executive Director/CEO, and requires that all employees participate in such training. Harassment, discrimination, retaliation and bullying prevention training for supervisory employees shall also include training on how to prevent harassment and "abusive conduct" and how to respond to complaints of harassment, discrimination, retaliation and bullying. In an effort to prevent harassment, discrimination, retaliation and bullying by independent contractors, HACSB will incorporate its policy against harassment, discrimination, retaliation and bullying as a non-discrimination provision in all contracts.

## **2.3. EQUAL EMPLOYMENT OPPORTUNITY**

Effective Date: 4/19/06

Revision Date: 3/1/23

### **Policy Statement**

HACSB is committed to the principles of equal employment opportunity and makes employment decisions based upon job-related requirements including merit, ability and qualifications. HACSB strictly prohibits and will not tolerate discrimination against anyone on the basis of race (including protective hairstyles and hair texture), religion (including religious belief, observance, dress or grooming practices), creed, color, sex, sex stereotype, pregnancy, childbirth or related medical

conditions (including breast feeding), age (40 years or over), sexual orientation, gender, gender identification and expression, transgender status, transitioning employees, physical or mental disability, medical condition (including cancer), genetic characteristics, genetic information, family care, reproductive health decision-making, marital status, registered domestic partner status, enrollment in any public assistance program, status as military, or as a veteran or as a qualified disabled veteran, status as an unpaid intern or volunteer, ancestry, citizenship, national origin, protected medical leaves (including a request for or approval of leave under applicable leave of absence laws), domestic violence victim status, political affiliation, or any other classification protected by law. We will not tolerate discrimination by any employee (including supervisors, managers or co-workers), volunteer, intern, or independent contractor of the Company, or by any outside persons in contact with our employees, volunteers, interns, and independent contractors (including our customers, potential customers, vendors, delivery persons, etc.). HACSB also prohibits discrimination based on the perception that anyone has any of those protected characteristics, or is associated with a person who has or is perceived as having any of those protected characteristics. HACSB recognizes and values the diversity of each employee, applicant and client. HACSB expects that all relationships amongst persons engaged in work for HACSB will be professional and free of discrimination, bias or prejudice. It is the intention of HACSB to take whatever action may be needed to prevent, correct, and, if necessary, discipline behavior which violates this policy. The Executive Director/CEO shall have overall responsibility for the implementation of HACSB's Equal Employment Opportunity policy and is designated as HACSB's Section 504/ADA Coordinator.

For purposes of national origin discrimination, improper and unlawful conduct includes, but is not limited to, an employee's, volunteer's, intern's or applicant's (or that individual's ancestors') actual or perceived physical, cultural, or linguistic characteristics associated with a national origin group, marriage to or association with persons of a national origin group, tribal affiliation, membership in or association with an organization identified with or seeking to promote the interests of a national origin group, attendance or participation in schools, churches, temples, mosques, or other religious institutions generally used by persons of a national origin group, and a name that is associated with a national origin group, possessing a driver's license issued under Vehicle Code § 12801.9, or any other characteristic protected by law.

### **Scope**

Our equal employment opportunity (EEO) policy applies to all employees, volunteers and paid and unpaid interns as well as all areas of employment including but not limited to: recruitment and hiring, compensation and benefits, training and development, promotions and transfers, safety programs, employee discipline and termination. This commitment applies to all persons involved in operations at HACSB and prohibits unlawful discrimination by any employee at HACSB.

### **Americans with Disabilities Act (ADA)/Fair Employment and Housing Act (FEHA) Reasonable Accommodation**

HACSB's Section 504/ADA Coordinator is responsible for promoting and ensuring equal opportunity for individuals with disabilities in all HACSB programs, activities and services and overseeing HACSB's compliance with the ADA and FEHA, Section 504 and HUD's implementing regulations (HACSB's Section 504 Plan and Housing Policies for each program should be consulted for further information regarding HACSB's Section 504 guidelines and procedures).

As part of our Equal Employment Opportunity commitment, HACSB will comply fully with all applicable provisions of the ADA, Section 504 of the Rehabilitation Act of 1973 and FEHA, to promote and ensure equal opportunity in employment for qualified persons with disabilities. A disability under ADA is a physical or mental impairment that substantially limits one or more major life activities. A disability under FEHA is a physical or mental impairment that limits one or more major life activities. For purposes of employment, a qualified individual with a disability is an

individual who, with or without reasonable accommodation, can perform the essential functions of the job the individual holds or is seeking, and meets reasonable skill, education, and other requirements of the position. HACSB will provide reasonable accommodations for qualified individuals with known disabilities (physical or mental) to assist them in performing the essential functions of the job, unless the accommodation will impose an undue hardship on the Agency or create a direct health or safety threat. HACSB will also consider requests by employees or applicants for reasonable accommodation due to the employee's or applicant's association with a person with disabilities in compliance with FEHA.

Any applicant, volunteer, intern or employee who requires an accommodation in order to perform the essential functions of the job should contact Human Resources. Once the employee or applicant has indicated a need for an accommodation, Human Resources will initiate an interactive process to obtain input as to the job requirements, the type of accommodation(s) which may be necessary, and/or the specific functional limitations directly related to the need for accommodation. When appropriate, HACSB may request permission to obtain medical documentation to assist in understanding the nature of the individual's functional limitations. Once an accommodation is identified, Human Resources will submit the request to the Housing Authority's Section 504/ADA Coordinator for final review. The Section 504/ADA Coordinator or that person's designee will review the suggested accommodation for reasonableness and approve as appropriate. The Housing Authority strictly prohibits retaliation against an employee, volunteer, intern or applicant for requesting reasonable accommodations based on physical and/or mental disabilities. Complaints pertaining to the application of Section 504/ADA may be reported in the same manner as described above. Managers, Supervisors or Human Resources shall notify the Section 504/ADA Coordinator of any Section 504/ADA complaints received.

HACSB will reasonably accommodate known sincerely-held religious beliefs or practices of an otherwise qualified applicant, volunteer, intern, or employee, unless undue hardship would result.

Meaningful equal opportunity cannot be realized without the assistance of all employees, interns, volunteers, applicants and managers throughout HACSB. HACSB will not tolerate discrimination, harassment, bullying or retaliation against an individual for requesting a reasonable accommodation based on mental or physical disability or a sincerely-held religious belief. You are encouraged to address any questions or concerns you may have about our EEO Policy with Human Resources or the Section 504/ADA Coordinator.

### **Accommodation for Lactation**

Nursing employees are entitled to a reasonable amount of break time to express milk in a private area (other than a bathroom) designated by the Agency. That area will be in close proximity to the work station, and it will be safe, clean, free of hazardous materials, shielded from view and free from intrusion. It will also contain a surface on which to place a breast pump and other personal items, a place to sit, and will have access to electricity or alternative devices needed to operate an electric or battery-powered breast pump. The Agency will also provide a sink with running water and a refrigerator, or other cold storage device suitable for storing milk, in close proximity to the work station. Nursing employees should use their regular paid rest periods for this purpose. Additional break periods necessary to express milk will be unpaid. If employees require additional information or lactation accommodation, please contact Human Resources. Human Resources will respond promptly.

HACSB urges employees to immediately report any incidents or failures to accommodate lactation needs to Human Resources, so that the Agency can quickly and fairly resolve those concerns. HACSB will not discriminate or retaliate against employees based upon lactation needs or activity. However, employees are also entitled to file a complaint with the California Division of Labor



Standards Enforcement (DLSE), if they think they have been discriminated or retaliated against in this regard. That agency may be found on the internet or through directory assistance.

### **Diversity, Equity and Inclusion**

Working for HACSB means committing to fostering a diverse culture and an inclusive workplace.

A diverse workforce reflects our clients and residents and includes a broad range of backgrounds, thoughts, talents, and passions. Sometimes, differences can contribute to misunderstanding or conflict, but with mutual respect and appreciation, we can use our differences to our advantage, enriching our work environment and driving even greater innovation and performance. Embracing an environment of inclusion – one of involvement, respect, support, and connection – will help to ensure that we leverage our best ideas.

An employee's role is as follows:

- Integrate diversity, equity and inclusion into who you are and how you work. Respect and leverage our differences and varied voices to generate better ideas, solutions, and services for our clients.
- Create a workplace that is inclusive by actively working to remove barriers to collaboration and take steps to help the best ideas and solutions come to the forefront.
- Make all employment decisions—including hiring, firing, pay, promotion, and work assignments—based on the person's qualifications, performance, and ability to succeed.