



Report #4

Residential Accessibility Retrofit Program

“Retrofit Program”

January 1, 2020 through June 30, 2020

Date Issued: 7-1-2020

**CRA/LA, a Designated Local Authority
448 S. Hill Street, 12th Floor
Los Angeles, CA 90013**

Purpose

The settlement agreement (“Settlement Agreement”) among CRA/LA and the Independent Living Center of Southern California, the Fair Housing Council of the San Fernando Valley and Communities Actively Living Independent and Free (“Plaintiffs”) contains Reporting Requirements (Section III.15) calling for CRA/LA to issue biannual reports (“Reports”) to the Court-Appointed Monitor and Plaintiffs. Reports are to include specific qualitative and quantitative data on activities carried out by CRA/LA during the reporting period. This Report includes information for the period beginning January 1, 2020 and ending June 30, 2020.

This Report is divided into five sections: 1) Summary of Activity; 2) General Overview; 3) Specific Quantitative Information; 4) Program Expenditures; 5) Tasks Underway Through December 31, 2020; and 6) List of Attachments.

1. SUMMARY OF ACTIVITY DURING REPORTING PERIOD

a. Construction Document Approvals

In February, Onyx submitted construction documents for the Lofts at NoHo Commons to the Los Angeles Department of Building and Safety (“LADBS”). LADBS reviewed the plans, made comments and in April returned the plans to Onyx. Onyx is currently reviewing the corrections with Carde Ten and Todd Borzi, discussing how best to respond to LADBS.

To that end, Carde Ten is working diligently with the Plaintiff’s and Court Monitor’s experts on the most efficient and effective way to comply with the California Building Code and the federal requirements. In addition, the Court Monitor submitted CRA/LA’s requests for compliance interpretations to the U.S. Department of Housing and Urban Development (“HUD”). HUD recently responded to some of the issues. HUD’s responses are being reviewed by Carde Ten, and the Plaintiff’s and Court Monitor’s experts.

Based upon input from Carde Ten, the Plaintiff’s and Court Monitor’s experts and HUD’s responses, Onyx will revise the Lofts’ construction documents and resubmit them to LADBS. Onyx will also complete construction documents for the Gallery and by late summer will submit them to LADBS for review and approval.

Concurrently with Onyx’s submittal of the Lofts’ construction documents to LADBS, Carde Ten forwarded copies of the Lofts’ and Gallery’s documents to the Plaintiff’s and Court Monitor’s experts. Both experts suggested revisions to the plans, which were discussed with Carde Ten. Carde Ten provided input to Onyx on the suggested revisions.

While CRA/LA has directed Onyx to prioritize completion of the construction documents for the Lofts and Gallery, Onyx is also making good progress toward completing construction documents for the three other Phase 1 Projects.

As discussed in Report #3, Plan Check and City approvals may take anywhere from twelve to sixteen weeks depending on, among other things, LADBS’s backlog, the time it takes

to assign the plans to staff and the number and complexity of corrections required by LADBS. The coronavirus pandemic may also impact timing of construction document approvals.

Upon receiving LADBS approvals for the Phase 1 Projects, CRA/LA will issue a request for proposals (“RFP”) to the pool of prequalified general contractors. The award of bids will follow, and construction will commence. CRA/LA anticipates that contractors will have the capacity to retrofit from four to eight units at any one time. Further, CRA/LA estimates that contractors will require from 10-12 months to retrofit the Lofts and from 12-16 months to retrofit the Gallery.

Following selection of the Phase 2 Projects in winter, CRA/LA will issue an RFP for the purpose of selecting a project architect to prepare construction documents. There will be four or more phases of the Retrofit Program. Each phase will include from five to seven Residential Developments.

b. Consultants on Contract

LADBS Liaison: Todd Borzi
 Legal Services: Goldfarb & Lipman, LLP
 Managing Architect: Carde Ten Architects (“Carde Ten”)
 Project Architect: Onyx Architects (“Onyx”)
 Relocation Services: Shober Consulting (“Shober”)

c. Number of Units to be Retrofit in the Phase 1 Projects

Management of the Lofts at NoHo Commons has agreed to allow CRA/LA to retrofit an additional seven, affordable units with mobility features. Therefore the total number of mobility units to be retrofit in the Phase 1 Projects has increased from 54 units to 61 units, as shown in the following table.

	Phase 1 Projects	Mobility Units	Sensory Units	Total Mobility & Sensory Units
1.	Gallery at NoHo Commons (“Gallery”)	22	9	31
2a.	Lofts at NoHo Commons (“Lofts”)	15	6	21
2b.	Lofts – Additional Voluntary Units	7	0	7
3.	Buckingham Place Senior Housing (“Buckingham”)	4	2	6
4.	Imani Fe (East and West) (“Imani Fe”)	6	2	8
5.	Vermont Senior Housing (I and II) (“Vermont”)	7	3	10
	Total Mobility & Sensory Units	61	22	83

2. General Overview

a. Accessibility Unit Plan

The change to the Accessibility Unit Plan is the number of units – seven additional affordable, mobility units – to be provided at the Lofts. A total of 83 units will be retrofit in the Phase 1 Projects, representing one-third of the total number of units required to be retrofit with accessibility features under the Settlement Agreement.

b. Exhibit “A” and Exhibit “B” Units

A total of 171 units will be retrofit from Exhibit “B” to the Settlement Agreement. The additional number of units to be retrofit is 79. To address the additional 79 units, CRA/LA is analyzing the feasibility of retrofitting some of the housing developments listed on Exhibit “A” to the Settlement Agreement. CRA/LA will reach out to Exhibit “A” property owners after construction commences on the Phase 1 Projects.

c. Housing Policy Progress Information

Representatives of all 22 housing developments continue to complete the initial and annual refresher training courses required under the City’s housing policy. CRA/LA confirms that representatives of the projects are receiving training by requesting copies of Certificates of Completion issued by the City. Where there is turnover of staff and/or of property managers, CRA/LA strongly encourages and confirms that new staff members complete training.

d. List of Units/Developments Receiving Certificates of Compliance and Certification of Adoption of Housing Policies

As retrofit work is completed, Carde Ten will conduct final inspections and issue certificates of compliance. None of the units or developments have been issued certificates of compliance at this time. CRA/LA periodically requests that HCID provide copies of the certification of adoption of housing policies as they are issued.

3. SPECIFIC QUANTITATIVE INFORMATION

a. Number of Properties Inspected and Number of Survey Reports Completed

All 22 housing developments.

b. Number/Type of Units Under Construction

Phase 1 Projects totaling 83 Designated Accessible Units are in the preconstruction construction stage.

c. Number/Types of Accessible Units Completed

None at this time.

d. Number and Addresses of Properties with Recorded Accessibility Covenants

None at this time. Accessibility Covenants will be executed and recorded after Carde Ten confirms the designated accessible units prior to commencement of construction.

e. Number/Types of Accessible Units Occupied by Persons with Disabilities Who Need Accessibility Features

To be determined after retrofit work is completed.

At the request of the Plaintiffs, CRA/LA and the property owners have surveyed tenants to identify individuals requiring accessible units. Results of the surveys will be considered prior to making the final selection of accessible units in each of the 22 housing developments.

The Court Monitor, in his semi-annual report concerning CRA/LA for the reporting period of July 1, 2010 through December 31, 2019, recommended that CRA complete the surveys and preserve the data and updates in its file server. The Court Monitor also recommended that CRA should make available to the City information in its file server for inclusion in the City's comprehensive data base.

CRA/LA received surveys from all 22 Residential Developments and keeps the information on its file server. CRA/LA will discuss keeping a copy of the information on the server where the accessibility surveys are kept and which is maintained by Carde Ten. CRA/LA will also contact the City to find out if the information would be useful for their purposes.

f. Number/Types of Accessible Units Occupied by Persons Who Do Not Need Accessibility Features.

To be determined after retrofit work is completed.

g. Certifications of Compliance with Accessibility Standards

None at this time.

h. Units Completed

None at this time.

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4. Program Expenditures

- In FY 19-20 (7-1-19 through 6-30-20), as shown in Table 1, below, CRA/LA expended a total of \$667,528 to comply with the Settlement Agreement.

Table 1

Accessibility Retrofit Program Expenditures FY 19-20	
Payee	Amount
CRA/LA LADBS Liaison	\$ 26,187
Court Monitor	22,221
Legal Services*	4,480
Managing Architect	143,490
Project Architect	471,150
Total Expenditures	\$667,528
*CRA/LA, in April 2020, started tracking legal expenses pertaining to the Retrofit Program.	

- From the start of the program in FY 17-18 through FY 19-20, as shown in Table 2, below, CRA/LA expended a total of \$1,056,637 to comply with the Settlement Agreement.

Table 2

Accessibility Retrofit Program Expenditures FY 17-18 through FY 19-20	
Payee	Amount
CRA/LA's LADBS Liaison	\$ 26,187
Chicago Title	11,000
Court Monitor	85,336
Legal Services	4,480
Plaintiff CASp	20,000
Project Architect	471,150
Managing Architect	438,484
Total Expenditures	\$1,056,637

- The Retrofit Program budget for FY 20-21, as shown in **Table 3**, below, is in the amount of \$9,353,647. On December 20, 2019, CRA/LA's Governing Board approved the FY 20-21 Recognized Obligation Payment Schedule ("ROPS") (see ROPS DOF Item #478, **Attachment 1**). The budget was finalized on April 10, 2020 following approvals by CRA/LA's Oversight Board and the California Department of Finance.

Total projected Retrofit Program costs continue to be estimated at \$29,110,641. Estimated funding requests for subsequent ROPS are also shown in Table 3.

Table 3

Projected Retrofit Program Costs/Per FY	
ROPS Fiscal Year	Amount
ROPS 2017-18 (Actual)	\$ 37,480
ROPS 2018-19 (Actual)	351,629
ROPS 2019-20 (Actual)	667,528
ROPS 2020-21	9,353,647
ROPS 2021-22	8,982,614
ROPS 2022-23	9,717,743
Total Projected Program Costs	\$29,110,641

Retrofit Program staff and overhead costs incurred to carry out the Retrofit Program are not tracked and reported as separate items on ROPS.

5. Tasks Underway Through December 30, 2020

For the period beginning July 1, 2020 and ending December 30, 2020, the following activities are scheduled to occur.

- Lofts: final approval of construction documents, selection of a general contractor and commencement of construction.
- Gallery: submission and approval of construction documents.
- Phase 1 relocation services will begin.
- Buckingham, Imani Fe and Vermont: submission of construction documents to LADBS.

6. List of Attachments

Attachment 1 – ROPS FY 20-21 (see Line Item #478)

Attachment 1

Los Angeles City Recognized Obligation Payment Schedule (ROPS 20-21) - ROPS Detail

July 1, 2020 through June 30, 2021

(Report Amounts in Whole Dollars)

NOTE: Modified to comply with DOF determination letter dated April 10, 2020

DLA ROPS #	DLA Cat.	DOF Item #	Project Name / Debt Obligation	C	D	E	F	G	H	I	J	K	20-21A (July - December)					20-21B (January - June)														
													Obligation Type	Contract/ Agreement Execution Date	Contract/ Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Retired	ROPS 20-21 Total	Fund Sources					Fund Sources					
																						Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF	20-21A Total	Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF
1813	1A	472	Bonds	Bonds Issued After 12/31/10	8/1/2016	9/1/2040	U.S. Bank, N.A.	2016 TAB Refunding (Taxable), \$329,060,100; Prin - \$11,520,000, Int - \$5,386,319	Various	252,527,836	N	\$ 16,906,319	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	\$ 16,906,319
1814	1A	473	Bonds	Bonds Issued After 12/31/10	12/20/2013	9/1/2032	U.S. Bank, N.A. or Union Bank	2013 TAB Refunding, \$39,615,000 (Tax-Exempt) & \$21,995,000 (Taxable); Prin - \$6,600,000, Int-\$1,076,355	Adelante Eastside, Hollywood, Little Tokyo, Mid City Corridors & North Hollywood	28,177,437	N	\$ 7,676,355	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	\$ 7,676,355	
1815	1A	474	Bonds	Bonds Issued On or Before 12/31/10	6/26/2008	9/1/2038	U.S. Bank	Pooled Financing Bonds (Taxable), Series P, \$8,750,000; Prin - \$285,000, Int-\$583,200	Mid City Corridors & Vermont/Manc hester	12,637,200	N	\$ 868,200	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	868,200	-	-	\$ 868,200	
1816	1B	475	Bonds	Fees	10/24/1997	9/1/2040	U.S. Bank, N.A., Union Bank, or Bank of New York	Trustee/Fiscal Agent Fees - Various Bonds.	Various	188,100	N	\$ 18,500	-	-	-	7,350	-	-	-	-	-	-	-	-	-	-	-	11,150	-	-	\$ 11,150	
1819	6	478	Judgments and Settlements	Litigation	9/7/2017	9/7/2020	Various Vendors	ILCSC Settlement Agreement. Payments required to retrofit 250 units to comply with federal accessibility requirements. See Note.	Various	16,302,216	N	\$ 9,353,647	-	8,818,490	535,157	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	\$ 9,353,647	
1825	3B	486	Loans or Moneys Borrowed by Agency	City/County Loan (Prior 06/28/11), Other	7/1/2020	6/30/2021	City of Los Angeles	CDBG Loans. Repayment of loans involving Federal grant/loan funds. 3rd of 4 annual equal payments.	Various	10,000,000	N	\$ 5,000,000	-	-	-	-	5,000,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	\$ 5,000,000
1829	7A	490	Legally binding and enforceable agreements or contracts	OPA/DDA/Construction	6/1/2010	1/20/2022	Various businesses	Commercial façade maintenance payments:A+ Education Svcs-\$419, Fountain on Peachtree-\$270, Catholic Healthcare West-\$300.	Reseda/Canoga Park	1,678	N	\$ 989	-	-	-	-	-	-	-	-	-	-	-	-	-	-	989	-	-	-	\$ 989	
1830	8A	491	Contracts or agreements necessary for continued administration or operation of agency	Admin Costs	7/1/2020	6/30/2021	Various Vendors	Administrative: General office supplies and services, equipment, vehicles, maintenance, computer/data/network/licenses/phones, insurance, accounting/finance services and temporary personnel.	Admin	2,490,001	N	\$ 747,000	-	-	330,000	-	-	-	-	-	-	-	-	-	-	-	-	-	417,000	-	-	\$ 417,000
1831	4A	492	Payments	Admin Costs	7/1/2020	6/30/2021	Employees and Various Vendors: CalPERS, PayPro, Delta Dental, VSP, Reliance Standard Life Insurance	Active Employees (Admin) Salaries and Benefits: Medical, Dental, Vision, Life Insurance.	Admin	512,162	N	\$ 512,161	-	-	256,079	-	-	-	-	-	-	-	-	-	-	-	-	-	256,082	-	-	\$ 256,082
1832	4A	493	Payments	Project Management Costs	7/1/2020	6/30/2021	Employees and Various Vendors: CalPERS, PayPro, Delta Dental, VSP, Reliance Standard Life Insurance	Active Employees (Program Delivery) Salaries and Benefits: Medical, Dental, Vision, Life Insurance.	Admin	466,180	N	\$ 466,179	-	-	-	233,090	-	-	-	-	-	-	-	-	-	-	-	-	233,089	-	-	\$ 233,089
1833	3B	494	Legally binding and enforceable agreements or contracts	Third-Party Loans	3/5/2002	2/28/2029	NoHo Commons: Various Vendors	NoHo Commons. Contractual payments to owners: GS NoHo: \$1,988,277 SL NoHo: \$1,172,019 SL NoHo: \$1,200,461 GS NoHo: \$239,803 NoHo Commons: \$329,131 See note.	North Hollywood	30,515,642	N	\$ 4,929,691	-	-	-	-	4,929,691	-	-	-	-	-	-	-	-	-	-	-	-	-	-	\$ 4,929,691
1834	7A	495	Legally binding and enforceable agreements or contracts	OPA/DDA/Construction	3/5/2007	9/30/2019	Los Angeles Grand Avenue Authority - County of LA (fiscal agent)	Grand Avenue Project. Enforceable obligations pursuant to Conveyance/Funding Agmt. Affordable Hsg: \$2,225,000 Offsite Public Improvements: \$1,172,221 See note.	Bunker Hill	14,022,221	N	\$ 3,397,221	-	-	-	3,397,221	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	\$ 3,397,221
1835	6	496	Judgments and Settlements	Litigation	12/16/2019	6/30/2021	U.S. Treasury and Relator's Counsel	Payments pursuant to a stipulated judgment to settle false claims act allegations. Final payment.	N/A	3,764,017	Y	\$ 3,764,017	-	-	3,764,017	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	\$ 3,764,017
1836	6	497	Judgments and Settlements	Litigation	12/16/2019	6/30/2021	Reiman, Dane & Colfax	Payment pursuant to a stipulated judgment to settle false claims act allegations. Final payment.	N/A	260,835	Y	\$ 260,835	-	-	260,835	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	\$ 260,835