



THE CITY OF SAN DIEGO

CONSOLIDATED PLAN ADVISORY BOARD (CPAB)

NOTES FOR MEETING

WEDNESDAY JANUARY 14, 2015

SAN DIEGO CIVIC CONCOURSE - NORTH TERRACE ROOMS 207-208

202 'C' STREET - SAN DIEGO, CA 92101

BOARD MEMBERS PRESENT	BOARD MEMBERS ABSENT
<ul style="list-style-type: none"> • Joyce Abrams, Council District 1 representative • Dr. Maruta Gardner, Council District 2 representative • Vicki Granowitz, Council District 3 representative • Ken Malbrough, Council District 4 representative • Valerie Brown, Council District 5 representative • Earl Wong, Council District 6 representative • Richard Thesing, Council District 7 representative • Aaron Friberg, Council District 8 representative • Nohelia Patel, Council District 9 representative 	n/a

STAFF PRESENT	ATTENDANCE SHEET
<ul style="list-style-type: none"> • Sima Thakkar, HUD Program Manager • Eliana Barreiros, HUD Programs Coordinator • Michele Marano, HUD Programs Coordinator • Krissy Toft-Maier, HUD Programs Coordinator • Leo Alarcon, HUD Project Manager • Daichi Pantaleon, HUD Assistant Project Manager 	12 people signed the attendance sheet

Call to Order

Ms. Vicki Granowitz called the meeting to order at 9:06 a.m. with nine board members present. Quorum was achieved at the same time.

Approval of Minutes

Ms. Granowitz called for a motion to approve the minutes from the December 2014 meeting. Mr. Ken Malbrough motioned to approve the minutes – the motion was seconded by Ms. Valerie Brown. Minutes were then approved, 9-0.

Staff Announcements

Mr. Alarcon provided the following staff announcement:

- The secondary CDBG FY 2016 Request for Qualifications (RFQ) determination resulted in 58 qualified projects out of a total of 59.
- Key dates for the RFP process were discussed and the RFP schedule has made available online.
- The CPAB meeting for February has been canceled; the next scheduled meeting is March 11.

Board Announcements

- Ms. Granowitz mentioned that the Geographic Targeting group was meeting and taking efforts to ensure the accuracy of the findings and data.
- She noted several board members attended the RFP training sessions and found them to be insightful in terms of preparing applicants.
- Ms. Granowitz stressed the importance of feedback from the agencies in improving the workshops.

Non-Agenda and Agenda Public Comment

- N/A

Agenda Item(s)

**Item 6: FY 2016 CDBG Applications: CPAB Review Process, Staff Report
Action Item: Selection of Ad Hoc Committees Members**

Ms. Barreiros and Mr. Alarcon discussed the application review and ranking process that leads to the determination of the projects that are recommended for funding to the City Council.
Please see attached presentation for more details.

Mr. Malbrough motioned to approve the selection of three Ad Hoc Committees (for the review of the FY 2016 applications) composed of the following Board members:

- *Ad Hoc Committee 1: Ken Malbrough, Maruta Gardner, Nohelia Patel*
- *Ad Hoc Committee 2: Valerie Brown, Earl Wong, Aaron Friberg*
- *Ad Hoc Committee 3: Vicki Granowitz, Rich Thesing, Joyce Abrams*

The motion was seconded by Ms. Brown. Motioned passed unanimously 9-0.

**Item 7.a: Conflict of Interest Policies
Discussion Item**

Ms. Sharon Spivak from the City Attorney's Office addressed the CPAB on ethics and conflict of interest guidelines when Board members review applications and determine if any Conflict of Interest policies warrant any recusals. Ms. Spivak emphasized the importance of the critical decisions CPAB has to make during the review and scoring of applications.

**Item 7.b: Nonprofit Capital Improvement Projects (NCIP) Informational Overview
Discussion Item**

Ms. Krissy Toft-Maier, HUD Programs Coordinator, gave an overview of the process of carrying out CIP projects for non-profit agencies with CDBG funds once said projects are selected for funding. *Please see attached presentation for more information.*

- Mr. Wong asked what an applicant can do to signal project readiness during the competitive RFP phase. Ms. Thakkar mentioned the scoring criteria and application are intended to evaluate acquisition and control of property and the extent to which the 18-month timeline is feasible.
- Mr. Malbrough asked if there is any consideration for local hire. Ms. Toft-Maier stated that the bidding process addresses minority hires as federal and city requirements.

**Item 7.c: Overview of Fair Housing and the process for the 2015-2020 update to the San Diego Regional Analysis of Impediments to Fair Housing Choice, Staff Report
Discussion Item**

Ms. Marano discussed fair housing discrimination, including the most common complaints and groups of people impacted. She noted the majority of current housing complaints are due to reasonable accommodations' requests. She also stated that a region-wide community survey regarding housing issues runs through February 13th, the link to which was distributed to the e-mail distribution list of the City's HUD Program Administration Office. She noted that the release of the draft Analysis of Impediments is expected in April. *Please see attached presentation for more information.*

- Ms. Thakkar mentioned that the Fair Housing Program is funded through the 20% administrative portion of CDBG funds.
- Mr. Malbrough asked whether parking spots were reserved for specific people. Ms. Marano noted that there are general disabled spots for anyone with a placard but the Fair Housing Act allows individual specific off-street parking.
- Mr. Malbrough asked whether certain affordable housing developments have to set aside units for the disabled. Ms. Marano replied that federal funds stipulate a minimum of five percent of units to be accessible.
- Ms. Barreiros brought up the availability of resources for landlords and professionals in the real estate business in regards to Fair Housing. Ms. Marano mentioned a training session that is expected to occur in April which will be free to the public.

Adjournment

- Meeting adjourned at 10:20 a.m.



FY 2016 CDBG Applications CPAB Review Process

Eliana Barreiros, HUD Programs Coordinator

Leo Alarcon, Project Manager

HUD Programs Administration Office - Reporting Section

Economic Development Department



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CPAB Review Package

- CPAB Review Handbook
- Applications (Responses to RFP)
- Review and Scoring Criteria
- Scoring Sheets
 - Recommended HPA scores for factors so identified in criteria
 - Optional comments sections



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CPAB Review Handbook

- Outlines responsibilities of CPAB and Staff
- Conflict of Interest Guidelines
- Confidentiality Agreement
- CPAB Review Process
- CPAB Ratification of Scores



CPAB Review Process

- Preparation
- Reading/analyzing applications
- Ad Hoc Meetings
- Scoring Applications
- Wrap-up



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After CPAB Review

Note:

Estimated FY 2016 Budgets

- \$246,353 for Public Service
- \$1,042,954 for Community/Economic Development
- \$2,294,498 for Capital Improvement Projects

- Staff averages & sorts applications
- Three sets of rankings: PS, CIP & CED
- Tie breaking mechanism



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After CPAB Review

- Scores and subsequent rankings
 - Posted on the City's CDBG website
 - Notice provided concurrently
- CPAB public meeting (March):
 - Recommendations to CC are ratified based on scores/rankings
- City Council public hearing (March):
 - Rankings determined by CC via Resolution



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Tentative Schedule

- *CPAB Review Period: February 5 – March 2*
 - Ad Hoc Meetings: February 9 – February 27
- *Scores/Rankings Posted: March 6*
- *CPAB ratifies recommendations to CC: March 11*
- *CC Public Hearing: March 23 or March 24*
- *FY 2016 Action Plan due date: May 15*



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Questions? Comments?

Eliana Barreiros, HUD Programs Coordinator

Leo Alarcon, Project Manager

HUD Programs Administration Office - Reporting Section



Community Development Block Grant (CDBG)

Nonprofit Capital Improvement Project Implementation Process

HUD Programs Administration
Economic Development Department



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PROCUREMENT

- Request for Proposal/Invitation to Bid
- Bid Advertisement
- Pre Bid Job Walk
- Bid Opening



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CONSTRUCTION CONTRACT AWARD & EXECUTION

- Contractor Selection
- Contractor Notification
- General Contractor Contract
- Subcontractor Contracts



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PRECONSTRUCTION MEETING & NOTICE TO PROCEED

- Davis Bacon Labor Standards
- HPA Reporting
- Notice to Proceed



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CONSTRUCTION PHASE

- Certified Payrolls
- Site Visits
- Worker Interviews
- Reimbursement Requests
- Progress Photos



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PROJECT CLOSEOUT

- City Final Inspection and Notice of Completion
- HPA Final Site Visit
- Project Close Out Reporting- meeting the National Objective
- HPA Notice of Completion



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QUESTIONS?



FAIR HOUSING & EQUAL OPPORTUNITY

CPAB OVERVIEW

Presented by:
Michele Marano
HUD Programs Coordinator



WHY IS FAIR HOUSING IMPORTANT TO CPAB?

WHAT IS FAIR HOUSING?

WHAT IS THE CITY'S FAIR HOUSING PROGRAM?

HOW YOU CAN HELP!



WHY IS FAIR HOUSING IMPORTANT TO THE CPAB?

Certifications required by entitlement jurisdictions:

- (1) The awarded grant will be carried out and administered according to the Fair Housing Act, and
- (2) The grantee will work diligently to affirmatively further fair housing



TO “AFFIRMATIVELY FURTHER FAIR HOUSING”, A JURISDICTION MUST:

- Conduct a study to identify impediments to fair housing choice (Analysis of Impediments or “AI”)

<http://www.sandiego.gov/cdbg/pdf/110600ai.pdf>

- Take appropriate actions to overcome impediments

<http://www.sandiego.gov/cdbg/general/plansreports.shtml>

- Maintain records



HOW DOES THIS APPLY TO SUBRECIPIENTS?

- Certifications are also required for subrecipients
 - Fair Housing
 - Title VI of the Civil Rights Act of 1964
 - Section 504
 - Title II of the Americans with Disabilities Act of 1990
- Ongoing monitoring of compliance





FAIR HOUSING PROTECTIONS – DEFINED BY LAW

Federal Fair Housing Act – Civil Rights Act of 1968

(42 USC Section 3601 *et. seq.* “Title VIII” / 24 CFR Part 14 *et. al.*)

State of California – Fair Employment and Housing Act

(California Government Code Sections 12900-12996)



PROTECTED CLASSES (FEDERAL LAW)

Race

National Origin

Color

Familial Status

Religion

Disability

Sex (Gender)

ADDITIONAL PROTECTED CLASSES (CALIFORNIA LAW)

Marital Status

Medical Condition

Age

Ancestry

Sexual Orientation

Source of Income

Other Arbitrary Status



WHAT IS FAIR HOUSING?

Fair housing can be defined as a condition in which individuals of similar income levels in the same housing market have a like range of housing choice available to them regardless of race, color, religion, national origin, gender, familial status, disability, marital status, ancestry, age, source of income, medical condition, sexual orientation, or other arbitrary status.



WHAT IS HOUSING DISCRIMINATION?

Housing discrimination is unjust or prejudicial treatment of individuals, in the area of housing and real estate, based on the individual's protected class.



Test Your Knowledge # 1

A landlord refuses to rent you an apartment because your primary source of income is unemployment insurance.

This is OK

This is not OK



Test Your Knowledge # 1

A landlord refuses to rent you an apartment because your primary source of income is unemployment insurance.

This is OK

This is not OK



Test Your Knowledge # 2

A landlord requires an application fee of \$25 per person for two people or \$25 per married couple.

This is OK

This is not OK



Test Your Knowledge # 2

A landlord requires an application fee of \$25 per person for two people or \$25 per married couple.

This is OK

This is not OK



Test Your Knowledge # 3

A landlord does not want to rent a second floor unit to a family with small children because he fears the children may fall and hurt themselves.

- This is OK
- This is not OK



Test Your Knowledge # 3

A landlord does not want to rent a second floor unit to a family with small children because he fears the children may fall and hurt themselves.

This is OK

This is not OK



Test Your Knowledge # 4

A landlord requests a pet deposit from a disabled tenant using a service animal.

- This is OK
- This is not OK



Test Your Knowledge # 4

A landlord requests a pet deposit from a disabled tenant using a service animal.

This is OK

This is not OK



Test Your Knowledge # 5

An advertisement for a one-bedroom apartment is placed seeking a “single, young professional” tenant.

- This is OK
- This is not OK



Test Your Knowledge # 5

An advertisement for a one-bedroom apartment is placed seeking a “single, young professional” tenant.

This is OK

This is not OK



Test Your Knowledge # 6

A disabled tenant asks to have her kitchen and bathroom counters lowered. The landlord agrees but asks the tenant to pay for the changes herself.

- This is OK
- This is not OK



Test Your Knowledge # 6

A disabled tenant asks to have her kitchen and bathroom counters lowered. The landlord agrees but asks the tenant to pay for the changes herself.

This is OK

This is not OK



COMMON VIOLATIONS OF FAIR HOUSING LAW

- **Refusing to Rent, Lease or Sell Housing**

Lying about availability of a unit

Setting different rental terms for different people

Failing to respond to inquiries or provide a rental application

Steering buyers to certain neighborhoods

<https://www.youtube.com/watch?v=Y6pMw1Xi6E>

- **Sexual Harassment**

Quid pro quo

- **Familial Status**

Evicting a pregnant tenant, restricting what children can and cannot do in common areas, not lending to an applicant on maternity leave



MOST COMMON VIOLATION OF FAIR HOUSING LAW

- **Refusal to Permit Reasonable Modifications / Accommodations**
(more detail later)

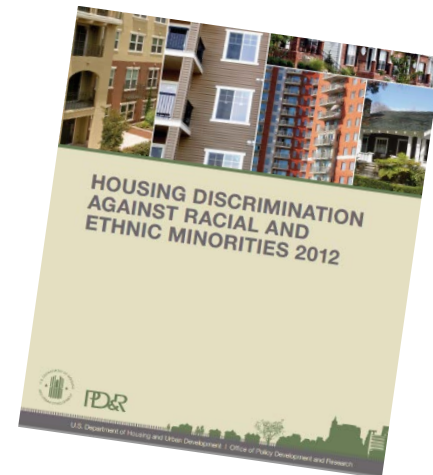
EMERGING FAIR HOUSING ISSUES

- Assistance Animals
- Linguistic Profiling (<https://www.youtube.com/watch?v=84k2iM30vbY>)
- Zero Tolerance Policies re: violence (disparate impact on victims of domestic violence, primarily women)



HUD STUDY AND STATS

- Discrimination against persons with disabilities remains the largest category of complaints received by HUD (53% of all complaints in FY 2013)
- “Housing Discrimination Against Racial and Ethnic Minorities” - 2012 HUD Study





DISABILITY – A DEFINITION

- Person with a physical or mental impairment that limits one or more major life activity
- Has a record of having a disability
- Is regarded as having that type of impairment
- Includes certain medical conditions such as:
HIV/AIDS, alcoholism, recovering alcohol or drug user, hoarding, PTSD, etc.

Does NOT include: kleptomania, pyromania, compulsive gambling and current illegal use of a controlled substance



REASONABLE MODIFICATION

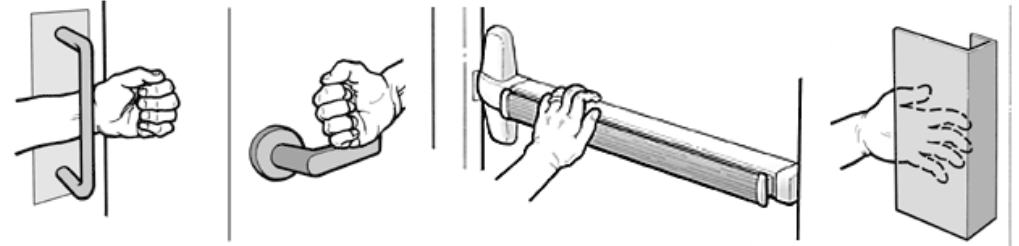
“A physical change to the property reasonably necessary to allow a person with a disability the equal opportunity to use and enjoy a dwelling unit.”

- Made at tenant’s expense
- Done in a workmanlike manner
- Restore to original condition, if change will negatively affect the next tenant



EXAMPLES OF MODIFICATIONS

- Roll-In Showers
- Bathroom Grab Bars
- Lower Counter-Tops
- Alternative Door Handles
- Flooring Change
- Flashing Smoke/CO detectors





REASONABLE ACCOMODATION

“A change in a rule, policy, practice or service that may be necessary to allow a person with a disability the equal opportunity to use and enjoy a dwelling unit.”



Fair Housing Month – April 2014 Council Proclamation





Video:

Public Service Announcement

Created by the City of San Diego in partnership with Legal Aid Society of San Diego, Inc.

**Fair Housing Center of the
Legal Aid Society of San Diego, Inc.**
(844) 449-3500

City of San Diego - Fair Housing Program
sandiego.gov/cdbg/fairhousing

This public service announcement is funded in part with Community Development Block Grant (CDBG) program funds provided by the U.S. Department of Housing and Urban Development (HUD) to the City of San Diego.

<http://www.youtube.com/watch?v=jJyL84USOYo&feature=youtu.be>



City 24

**You are protected against
illegal housing discrimination**



Fair Housing Hotline
1.800.462.0503
www.sandiego.gov/cdbg/fairhousing





“PRACTICE FAIR HOUSING” HOTLINE

- Fair Housing Hotline: **1-800-462-0503** or
Fair Housing Center: **1-844-449-3500**
- Speak with Housing Counselor – facts and details
- Referral to Legal Services (if merited)
- Assistance to resolve
- Unresolved complaints may be litigated

SAN DIEGO REGIONAL ALLIANCE FOR FAIR HOUSING

www.sdfairhousing.org



AUDIT TESTS (FY 2014)

Protected Class	Total # of Tests (51)	# of Tests with Disparate Treatment	% of Discriminatory Responses
Sexual Orientation	11	4	36%
National Origin	27	7	26%
Race	13	5	38%

ENFORCEMENT / LITIGATION (FY 2014)

- 847 fair housing inquiries received
- 107 complaints received
- 56 complaints investigated
- 48 complaints resolved by fiscal year end



Regional Analysis of Impediments / 2015-2020

- Regional Community Outreach Meetings
 - San Diego's – January 21st / 6-8 pm / Jacob's Center
 - [Workshop flyer](#) online lists other locations
- Fair Housing Community Survey
 - Now through February 13, 2015
 - Online: [Fair Housing Survey - English](#)
[Fair Housing Survey - Spanish](#)
- Comments on draft AI in April 2015



Fair Housing | Brief Summary



FAIR HOUSING PROTECTIONS – DEFINED BY LAW

Federal Fair Housing Act – Civil Rights Act of 1968
(42 USC Section 3601 et. seq. "Title VIII" / 24 CFR Part 14 et. al.)

State of California – Fair Employment and Housing Act
(California Government Code Sections 12900-12996)

WHAT IS FAIR HOUSING?

A condition in which individuals of similar income levels in the same housing market have a like range of housing choice available to them regardless of their protected status. (Discrimination is prohibited in the sale, rental, financing and insuring of housing).

Federal Protected Status

Race	National Origin	Color		
Familial Status	Religion	Disability	Sex (Gender)	

California Additional Protected Status

Marital Status	Medical Condition	Ancestry	Age
Sexual Orientation	Source of Income	Other Arbitrary Status	

"PRACTICE FAIR HOUSING" PROGRAM

- o Fair Housing Hotline: [1.800.462.0503](tel:18004620503)
- o Fair Housing Center: [1.844.449.3500](tel:18444493500)
- o SD Regional Alliance for Fair Housing

SAN DIEGO REGIONAL ANALYSIS OF IMPEDIMENTS – UPDATE (2015-2020)

- o Fair Housing Surveys at: www.sdfairhousing.org (DUE FEBRUARY 13TH)
- o Community Workshop: January 21 / 6-8 pm
Jacobs Center

CDBG GOVERNING REGULATIONS REQUIRE

- o The awarded grant will be carried out and administered according to the Federal Fair Housing Act
- o The grantee will work to affirmatively further fair housing

January 14, 2015

get involved!

Upcoming Fair Housing Workshops

The San Diego Regional Alliance for Fair Housing



The San Diego Regional Alliance for Fair Housing is hosting a series of Community Workshops. Attend a workshop to learn about fair housing laws and to share your experiences with housing discrimination.

Your input is important to understanding the community's needs and potential solutions for reducing housing discrimination. **Attend a workshop near your community, from 6 p.m. to 8 p.m.:**

NORTHERN REGION

Tuesday, January 20, 2015
Escondido City Hall
Mitchell Room
201 North Broadway
Escondido, 92025

SOUTHERN REGION

Tuesday, January 27, 2015
City of Chula Vista
276 Fourth Avenue
Civic Center – Public Services
North – Building C
Conf. Rooms B-111 and B-112
Chula Vista, 91910

CENTRAL REGION

Wednesday, January 21, 2015
Jacobs Center for Neighborhood Innovation
Joe & Vi Jacobs Center –
Community Room
404 Euclid Avenue
San Diego, 92114

EASTERN REGION

Wednesday, January 28, 2015
City of El Cajon
Police Department
Community Room (#161)
100 Civic Center Way
El Cajon, 92020

For more information, reasonable accommodation or translation service requests, please contact Andy Pendoley 72 hours before the workshop by phone (619-677-2003 ext. 322) or email (info@sdfairhousing.org).

We want to hear about your experience with housing discrimination issues and concerns.

Please complete the brief online survey at:

www.sdfairhousing.org

Surveys are available in alternative formats and languages upon request.





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