

## CONSOLIDATED PLAN ADVISORY BOARD (CPAB)

### MINUTES

Wednesday, January 10, 2024

1200 3<sup>rd</sup> Avenue, 14<sup>th</sup> Floor, San Diego, CA 92101

BOARD MEMBERS PRESENT	BOARD MEMBERS ABSENT
<ul style="list-style-type: none"> <li>Abena Bradford, Council District 3</li> <li>Yegin Chen, Council District 1</li> <li>Rich Thesing, Council District 7</li> <li>Lauren Graces, Council District 5</li> <li>Jordan Beane, Council District 2</li> <li>Victoria Barba, Council District 8</li> <li>Smith Sirisakorn, Council District 6</li> </ul>	<ul style="list-style-type: none"> <li>VACANT, Council District 4</li> <li>VACANT, Council District 9</li> </ul>

STAFF PRESENT	ATTENDANCE
<ul style="list-style-type: none"> <li>Nadine Hassoun, Community Development Specialist</li> <li>Nancy Luevano, Community Development Project Manager</li> <li>Melissa Villalpando, Community Development Specialist</li> <li>Ashley Gain, Community Development Project Manager</li> <li>Liza Fune, Contract Monitoring</li> <li>Tina Hines, Contract Monitoring</li> <li>La Tisha Thomas, Community Development Specialist</li> <li>Robert Ashton, Community Development Project Manager</li> </ul>	<p><i>Three members of the public joined the meeting via Zoom.</i></p>

### Call to Order

- CPAB Co-Chair Abena Bradford called the meeting to order at 10:10a.m. Abena Bradford took roll call; five board members were present. Quorum was achieved at the same time.

Date Prepared: 1/11/24 by N. Luevano

Final Approved: 2/14/24

Motion/Second by J. Bean/R. Thesing

Vote: 6 votes in favor, 0 opposed, 0 abstentions

Revisions to Draft: N/A

Revisions Prepared: N/A

**Approval for Board Members**

2. Motion to approve CPAB members, Yegin Chen and Rich Thesing to attend the meeting virtually due to Just Cause. A motion was made by Smith Sirisakorn, and was seconded by Abena Bradford. The board approved that Yegin Chen and Rich Thesing may attend the meeting virtually as CPAB members, 5-0.

**Approval of Minutes**

3. Motion to approve minutes from previous meeting November 13, 2023, by Rich Thesing seconded by Jordan Beane. Minutes approved, 6-0, with one abstention.

**Board Member Announcements**

4. Smith Sirisakorn announced the 36<sup>th</sup> Annual All Peoples Celebration to honor Martin Luther King Jr., on Monday, January 15, 2024. Smith shared that he had extra table seat tickets for those that wished to attend.
5. Abena Bradford shared that she was attending Mayor Todd Gloria, 2024 State of the City Address. Four additional CPAB members confirmed that they would be attending.

**Staff Announcements**

6. Nancy Luevano, Community Development Project Manager shared the FY 2025 Community Development Block Grant Request for Proposals upcoming deadlines. The Request for Proposal Technical Assistance resumed in the new year and will run until the end of this week, January 12, 2024. The last day to email RFP related questions to [CDBG@sandiego.gov](mailto:CDBG@sandiego.gov) and to request updates to Primary/Secondary Representatives on ED Grants will be on January 16, 2024, at 5:00pm PST. The deadline to Request ED Grants Navigation Assistance/Staff Support is January 19, 2024, at 12:00pm PST. Lastly, submittal of FY 2025 CDBG RFP Responses via ED Grants will be January 19, 2024 at 5:00pm (PST).
7. Nancy announced the Request for Proposal for Fair Housing Services. The Economic Development Department's Fiscal Year 2025 Practice Fair Housing Request for Proposal (RFP) for Fair Housing Services is now available. The City of San Diego is seeking a fair housing provider to provide fair housing services and administration of the City of San Diego's "Practice Fair Housing." The program for an initial contract term of one year starting July 1, 2024, through June 30, 2025, subject to agreement negotiations. Upon the initial one-year contract term there will be four one-year options to extend the contract. The Request for Proposal (RFP) submittal deadline will be Friday, February 9, 2024, at 5p.m. (PST). Late applications will not be accepted. The Request for Proposal (RFP) package has been published online through the ED Grants portal under the "Opportunities" tab.

**Non-agenda Public Comment**

1. *No non-agenda public comments were received.*

**Action Items**

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Motion/Second by J. Bean/R. Thesing

Vote: 6 votes in favor, 0 opposed, 0 abstentions

Revisions to Draft: N/A

Revisions Prepared: N/A

1. **Bill Witt, Deputy City Attorney, provided a presentation on an Overview of Financial Conflicts-of-Interest Review.** (Presentation attached) Questions regarding Public Records Act/Brown Act Training were addressed.
  - a. CPAB member Abena Bradford asked if members of the board may bid for a contract under Economic Development Department with the City of San Diego if it is not part of the Community Development Block Grant? Bill shared that it may be a different category however, due to the complexity he would need to review the details more closely. A detailed email may be sent to the City Attorney's office to receive an answer.
  - b. CPAB member Lauren Graces asked when the Annual Form 700 was due. Bill responded that it may be different for each board member, depending on the date of appointment to the board. Nadine Hassoun, Community Development Specialist shared that she will be following up with the date.
  - c. CPAB member Victoria Barba shared that the Form 700 was due on April 2, 2024.
  - d. CPAB member Rich Thesing mentioned that since conflict of interest had to do with financial gain would helping a friend apply for a CDBG grant be an example of conflict of interest. Bill clarified that conflict of interest looked at the financial effect upon an economic gain. If the friend provided a gift or financial gain, then it would be a conflict.
  - e. Ashely Gain, Community Development Project Manager shared that CPAB members may also use their ethic's training when determining if there is a conflict of interest.
  - f. CPAB member Smith Sirisakorn asked if he voluntarily served on a board for no economic gain would it be a conflict of interest if the organization applied for CDBG. Bill shared that the City Attorney's office would need to take a closer look at the specific situation.
  - g. Ashely Gain shared that CPAB members may email Nadine Hassoun if they had a specific question on conflict of interest. Nadine would forward the question to Bill Witt, Deputy City Attorney.
  - h. Ashely mentioned that CPAB members will be receiving a list of all applicant organizations Board of Directors. If a board member recognized a name on the list, then he/she would not be able to score the application.

<b>Action Items</b>
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2. **Nancy Luevano, Project Manager, provided a presentation on Fiscal Year 2025 CPAB Review Handbook.** (Presentation attached)
  - a. CPAB member Abena Bradford asked if CPAB will be receiving information regarding the scoring results prior to going to City Council for approval. Ashley Gain shared that CPAB will have an opportunity to ratify scores and recommendations during the March 13<sup>th</sup> CPAB meeting. Nadine Hassoun added that a draft of the FY 2025 – 2029 Consolidated Plan will be presented during the CPAB meeting in April 2024.

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## Community Development

- b. Melissa Villalpando, Community Development Specialist reminded CPAB members that CDBG applicants sometimes requested their prior year's grant application to review their scores and comments made by CPAB members. Melissa asked board members to be mindful when scoring the applications and provide detailed feedback. Ashley Gain, Project Manager, added that the board members names in the CDBG application scores will be kept confidential.
- c. CPAB member Smith Sirisakorn asked how many applications CPAB will be scoring. Melissa Villalpando shared that 50 organizations were invited to submit a Request for Proposal (RFP). Melissa added that it would depend on the number of organizations that submitted their application and moved forward to the next phase after the internal CDD staff evaluation.
- d. CPAB member Abena Bradford asked why it only took one day to post the scoring results on the CDBG website. Ashley Gain clarified that ED Grants generated the results automatically, then CDD staff checked the scores manually for accuracy. The process allows EDD to post the scores on March 1, 2024.
- e. CPAB member Abena Bradford asked if she may edit a score review after it had been submitted. Melissa Villalpando clarified that CPAB members may want to read all of the CDBG applications prior to begin scoring. Melissa shared that once the scores are submitted on ED Grants, the software will not allow them to make edits.

**Action Items**

1. **Nadine Hassoun, Project Specialist gave an updated on the FY 2025 – 2029 Consolidated Plan**
  - a. Nadine shared that on December 11, 2023, a draft of the FY 2025 – 2029 Consolidated Plan Goals was presented to City Council, and it was approved it unanimously.
  - b. The community engagement component of the Consolidated Plan has concluded. The survey was closed on January 7, 2024. Over one thousand surveys responses were received.
  - c. The consultants are currently drafting the FY 2025-2029 Consolidated Plan. It will be available for public comment on April 2024. It will also be presented to CPAB during April's meeting. CPAB members will receive a copy of the FY 2025-2029 Consolidated Plan to review and discuss during April 10<sup>th</sup>, 2024, CPAB Meeting.
  - d. CPAB member Rich Thesing asked if public comments will be submitted along with the Consolidated Plan goals. Nadine confirmed that all public comments will be submitted to HUD along with the FY 2025-2029 Consolidated Plan.

**Other Items**

1. CPAB member Rich Thesing shared that he would like for CDBG to fund organizations that work with immigrants in San Diego County. Ashley Gain clarified that there are

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currently a few organizations that receive funding from CDBG that work with the immigrant and refugee population.

2. CPAB member Yegin Chen made a comment on considering modifying what constitutes a quorum since there remains two seats vacant in the CPAB Board. Nadine Hassoun, Project Specialist clarified that a quorum consists of five in-person board members. Nadine shared that last year an inquiry was made to the Board and Commissions office if a modification may be made to the quorum requirements. The office had not provided an update. Nadine will be following up with this inquiry.
3. CPAB member Rich Thesing thanked Nadine Hassoun with assisting him and Yegin Chen in attending the meeting virtually due to unforeseen circumstances.
4. CPAB member Lauren Graces commented that it may be easier to use a percentage amount of filled seats to set the quorum requirements due the number of vacancies.
5. CPAB member Abena Bradford asked if the board may address questions that they may have during the scoring process during the next CPAB meeting. Nadine Hassoun clarified that CPAB may ask scoring questions during the February Ad Hoc Committee meetings. Nadine will be emailing CPAB members potential meeting dates/times.
6. CPAB member Lauren Graces asked how to register to ED Grants to score the CDBG applications. Nadine Hassoun shared that she emailed the Scoring Criteria Handbook on 1/9/24. In the scoring applications section of the handbook, it has instructions on how to register to ED Grants. A link is provided in the handbook.
7. CPAB member Rich Thesing shared that he did not remember his password. Ashley Gain reminded the board members to email [CDBG@sandiego.gov](mailto:CDBG@sandiego.gov) if they needed to reset their password. CPAB members will then receive a reset password link.
8. CPAB member Abena Bradford thanked EDD staff for the presentation and their hard work.

<b>Adjournment</b>
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1. Meeting closed at 11:20am.


Economic Development

Fiscal Year 2025 CPAB Review Handbook


Consolidated Plan Advisory Board  
January 10, 2024

The City of

SAN DIEGO



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Economic Development

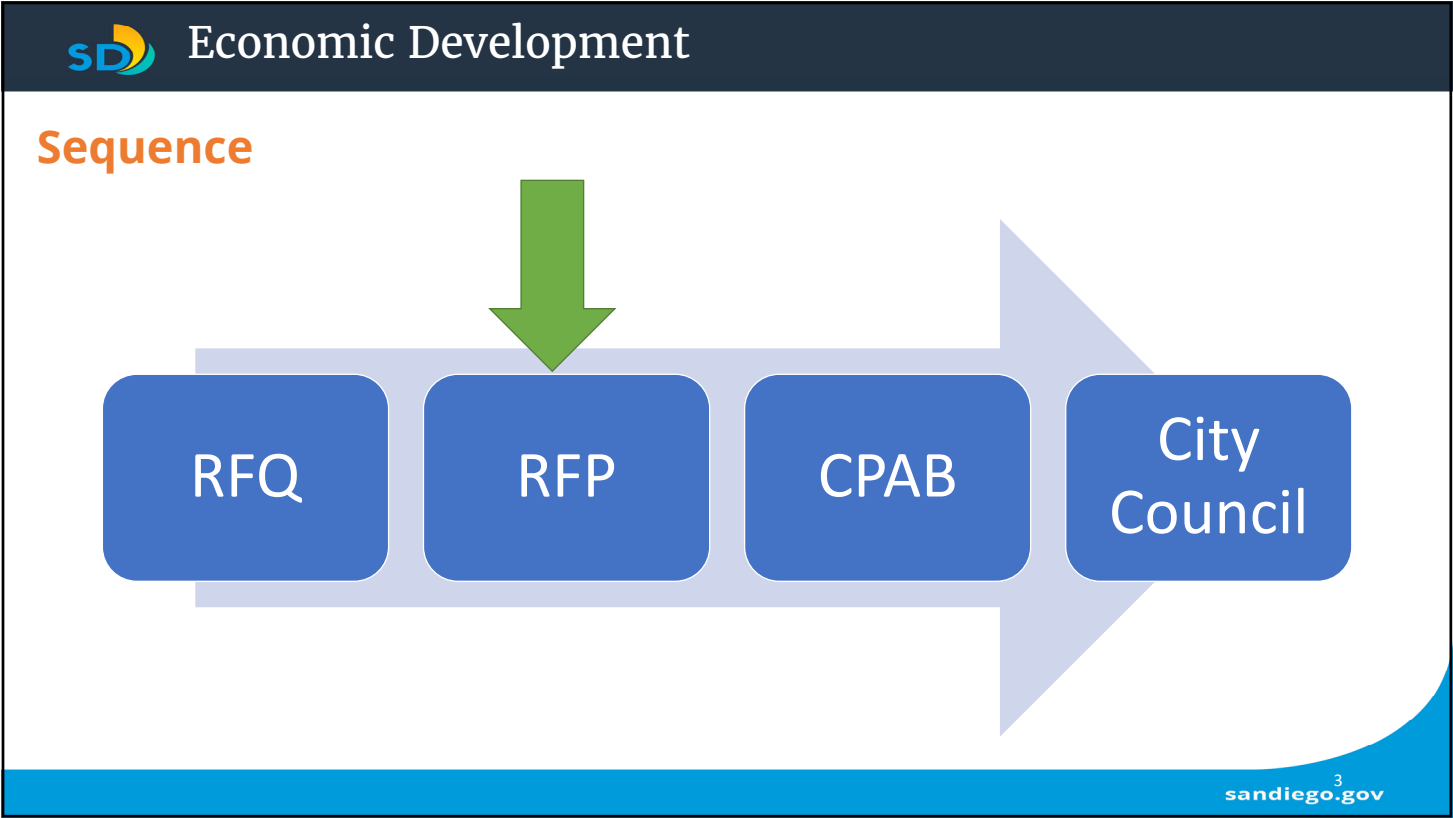
Overview

- Status of Request for Proposals (RFP) Process
- Considerations
- FY 2025 Updates/Changes
- Appendices
- Next Steps

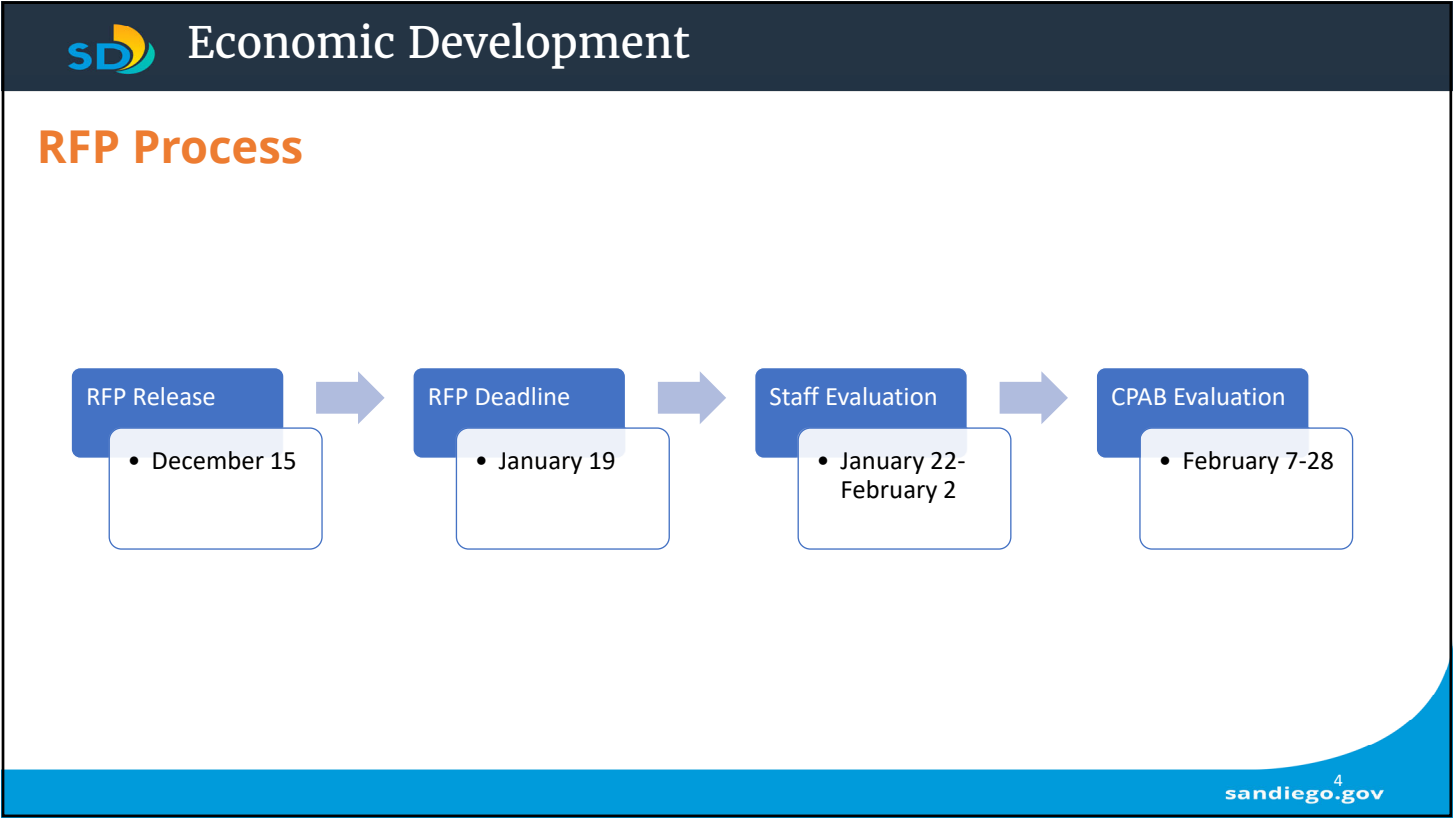
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4



## Economic Development

### EDGrants

- Economic Development Grants Management System (EDGrants):  
[https://edgrants.force.com/ApplicantLogin4?username=n  
ull](https://edgrants.force.com/ApplicantLogin4?username=null)
- Completion of registration process
  - Pledge of Confidentiality
  - Acceptance of Conflict of Interest
  - All other relevant information
  - Approval link from ED Grants

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5



## Economic Development


### Review and Scoring | Considerations

- CONFIDENTIALITY
  - Scores should be kept privately
- Conflict of Interest
  - Review List of Organizations and Board of Directors before reviewing applications
- CPAB Judgment
  - Did organization answer question?
  - Do the outcomes align with the proposed budget?
  - Specific response or “filler response”?
  - Outcomes attainable?

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6



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### Scoring Criteria Recommended Revisions

- Section 1. c.: Organization Capacity
  - Collaboration: Applicant describes and provides specific examples of collaboration with similar organizations, peer to peer networks, potential subcontractors and/or partner agencies for referral purposes to benefit LMI/presumed LMI clients.

7

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7

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### Scoring Criteria Recommended Revisions

- Section 2. bii.: Project Characteristics
  - Applicant explains the rationale, including metrics and available data, used to make above determinization in **section b. i.** and describes how the project is providing or will provide an impact.
- Section 2. d.i. : Project Characteristics
  - Applicant includes the number of unduplicated COSD individuals, total number of LMI anticipated to be served below 80% AMI.

8

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8

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### Scoring Criteria Recommended Revisions

- Section 2. d.ii. : Project Characteristics
  - Applicant provides clear methodology on determining anticipated outcomes.
- Section 3. iv.: Project Specifics
  - A cost per beneficiary amount is provided and specifics are given on how costs are warranted. Costs are consistent with the proposed budget section and follows RFP Handbook guidelines on identifying eligible costs.

9

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9

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### Scoring Criteria Recommended Revisions

- Section 4. a.: Project Benefits
  - Applicant describes how the project will provide services to high need populations and results in a positive impact for LMI individuals; provides references used for determinization; describes a success story or successful outcome. Public Service project must be considered a Low and Moderate Income Limited Clientele Activity (LMC) by serving one of the following populations:

10

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10

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## Scoring Criteria Recommended Revisions

- Section 4.b. and 4.c.: Project Benefits
  - Federally Designated Promise/Opportunity Zone location: Applicant’s office(s) providing project services is located in the Opportunity Zone or Promise Zone.\*

11

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11

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## Scoring Criteria Recommended Revisions

- Section 4.d.: Project Benefits
  - Collateral Material: Applicant provides proof of positive impact through testimonial(s), annual report, photos/videos, social media or website postings, and/or marketing/promotional materials. Applicants shares materials that speak to the impact in the community.

12

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12


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## Appendices and Resources

- Appendix A: FY 2025 Applicant Organization Board Rosters (updated after February 2, 2024)
- Appendix B: FY 2025 Applicant Organizations and Project Names (updated after February 2, 2024)
- Appendix C: Past Performance (updated after February 2, 2024)
- Appendix D: ED Grants User Guides for Reviewers
- Appendix E: Scoring Criteria
- Appendix F: Categories with Budgets
- Appendix G: FY 2025-2029 Consolidated Plan Goals

13

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## Next Steps

Date	Event
February 28, 2024	CPAB FY 2025 CDBG scoring results due to CDD staff
March 1, 2024	FY 2025 CDBG RFP scoring results posted on CDBG website
March 13, 2024	CPAB Meeting to ratify scores and recommended to City Council for approval
April 1-May 2, 2024	Public Comment period for FY 2025 Annual Action Plan (AAP)
April 2024	FY 2025 CDBG funding recommendations presented Economic Development and Intergovernmental Relations Committee for approval with FY 2025 AAP and FY 2025 – 2029 Consolidated Plan
April/May 2024 (TBD)	FY 2025 CDBG funding recommendations presented to City Council for approval with FY 2025 AAP and FY 2025 – 2029 Consolidated Plan to HUD
April or May 2024	Submit FY 2025 AAP and FY 2025 – 2029 Consolidated Plan to HUD

14

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# Overview of Financial Conflicts of Interest

## Consolidated Plan Advisory Board

Presented by the Office of the City Attorney  
January 10, 2024

1




## Regulating Conflicts of Interest Purpose & Intent

- Ensure the actions of government officials serve all citizens equally, without regard to status or wealth.
- Ensure government officials perform their duties without bias or personal gain.
- Ensure and maintain public trust in government

2

2




## Federal, State and Local Laws Regulating Conflict of Interest

- Federal CDBG Regulations, 24 C.F.R. § 570.611
- California Political Reform Act
- California Government Code 1090
- San Diego Municipal Code §§ 26.2108-26.2109
- CPAB Conflict of Interest Code
- City's Ethics Ordinance §§ 27.3501-27.3595

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## Federal Conflict of Interest Regulations Applicable to CDBG

24 C.F.R. § 570.611

No persons having any responsibility with respect to CDBG activities or who participate in any CDBG related decision-making process or have inside information with respect to CDBG activities may obtain a financial interest or benefit from the activity or have an interest in any contract, subcontract or agreement or in any of its proceeds, either for themselves or those with whom they have immediate family or business ties, during their tenure and for one year after.

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## California Political Reform Act

California Government Code §§ 87100-87505

- ❑ A public official at any level of state or local government shall not make, participate in making, or in any way attempt to use the public official's official position to influence a governmental decision in which the official knows or has reason to know the official has a financial interest.
- ❑ A public official has a financial interest in a decision ***if it is reasonably foreseeable that the decision will have a material financial effect*** on the official, a member of the official's immediate family, or on one or more of the official's economic interests.

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## Economic Interests

- **Income** (including loans) aggregating \$500 or more within the 12 months prior to the decision.
- **Gifts** from a single source aggregating to \$590 or more within the 12 months prior to the decision.
- **Business Entity** in which you have an investment of \$2,000 or more, or in which you are a *director, officer, partner, trustee, employee, or manager*.
- **Real Property** in which you have an interest of \$2,000 or more.
- **Personal Finances** not including investments in business entities or real property.

6

6

## Economic Interests

### Indirect Investments

Investments or interests owned by:

- Your spouse
- Your dependent child
- Your agent
- A business entity or trust in which you, your spouse, your dependent child or your agent holds a 10% or greater interest

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7

## Criminal Penalties

- A knowing and willful violation of the Political Reform Act is a misdemeanor.
- Fine equal to the greater of \$10,000 for each violation or three times the amount improperly reported.
- Ineligible to hold an elected office or act as a lobbyist for four years after conviction.
- City Attorney may bring criminal or civil actions for violations within the City of San Diego.

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8



## Civil & Administrative Penalties

- Civil Fines & Liability
- Orders to:
  - (1) cease and desist violation of the Act;
  - (2) file any required reports or statements; and
  - (3) pay a fine of up to \$5,000 per violation.
- Administrative fine of \$10 per day for late filing of statements or reports.

9

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## California Government Code 1090

- Applies to financial conflicts related to contracts
- Prohibits a public official from participating in the making of a contract when the official has a disqualifying conflict of interest
- Exceptions: remote or small financial interests

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## Penalties for Violating Section 1090

- Contract is void and unenforceable
- Willful violation can be criminally prosecuted
  - Potential fine
  - Imprisonment
  - Permanent disqualification from holding office in California

11

11

## Local Regulations of Conflict of Interest

- File statements of economic interests (Form 700) in accordance with the CPAB conflict of interest code and comply with all applicable ethics laws. SDMC § 26.2108.
- Statements of economic interests must be filed upon taking office, annually, and upon leaving office.
- Recusal Requirement: No member of CPAB shall participate in any decision in which they have any personal or financial interest. SDMC § 26.2109.
- Ethics Ordinance prohibits accepting gifts valued at more than \$590.

12

12



## CPAB Conflict of Interest Code

### Form 700 Disclosure Category (Category 1)

- Investments and business positions in any business entity located in or doing business with the City of San Diego.
- Income and gifts from sources located in or doing business with the City of San Diego.
- Interests in real property located in the City of San Diego, including property located within a two-mile radius of any property owned or used by the City.

13

13



## Summary

- Remember to annually disclose all required economic interests.
- Recuse yourself from decisions in which you have disqualifying financial interests.
- When in doubt, ask for advice.

14

14

## Resources

- **Fair Political Practices Commission (FPPC),**  
<http://fppc.ca.gov>
- **City's Ethics Commission,**  
<http://www.sandiego.gov/ethics/about/help.shtml>
- **Providing Conflict of Interest Advice (2022)**  
**League of California Cities,**  
<https://www.calcities.org/Resource/Providing-Conflict-of-Interest-Advice>

15

15

## Questions?



16

16