

**CONSOLIDATED PLAN ADVISORY BOARD (CPAB)**

**MINUTES**

**Wednesday, July 22, 2020**

**VIRTUAL CPAB MEETING**

[\(LINK\)](#)

<b>BOARD MEMBERS PRESENT</b>	<b>BOARD MEMBERS ABSENT</b>
<ul style="list-style-type: none"> <li>• Eileen Gonzales, Council District 3</li> <li>• Brenda Campbell, Council District 4</li> <li>• Patrick Batten, Council District 5</li> <li>• Rich Thesing, Council District 7</li> <li>• Victoria Barba, Council District 8</li> <li>• Peter Dennehy, Council District 9</li> </ul>	<ul style="list-style-type: none"> <li>• VACANT, Council District 1</li> <li>• VACANT, Council District 6</li> <li>• Sara Berns, Council District 2</li> </ul>

<b>STAFF PRESENT</b>	<b>ATTENDANCE</b>
<ul style="list-style-type: none"> <li>• Monica Hardman, Assistant Deputy Director</li> <li>• Michele Marano, Community Development Coordinator</li> <li>• Leonardo Alarcon, Community Development Specialist</li> <li>• Nadine Hassoun, Community Development Project Manager</li> </ul>	<p><i>(Public had access to meeting via youtube link)</i></p>

**Call to Order**

1. Mr. Peter Dennehy called the meeting to order at 10:03 am. Mr. Dennehy took role call; 5 board members were present. One member arrived late. Quorum was achieved at 10:16 a.m.

**Board Member Announcements**

2. No board members announcements

**Staff Announcements**

3. Mr. Leonardo Alarcon announced new updates to the Consolidated Plan Advisory Board. Ms. Valerie Brown’s term expired and will no longer be serving on the CPAB. Mr. Alarcon introduced two new board members: Dr. Brenda Campbell representing Council District 4, and Patrick Batten representing Council District 5.

**Approval of Minutes**

- Ms. Eileen Gonzales made the motion to approve the May 13, 2020 meeting minutes. Mr. Peter Dennehy seconded the motion. The minutes were approved unanimously, 6-0.

**Non-agenda Public Comment**

- Public comment received via the online form by Anonymous resident:* Low income renters have no justice in San Diego. If an owner violates state federal or criminal laws, there is no way to enforce them. Legal briefs or small claims are over \$1,000 – too expensive. Agencies don't do anything, including Legal Aid, which focuses on evictions. In fact, when an owner obstructs justice and performs a felony, local government does nothing. Courts side with owners despite overwhelming evidence to the contrary. This contributes to homelessness. San Diego takes advantage of its poor and their lack of resources. This is criminal to not enforce renter's rights, laws or give people a way to protect themselves from the abuse.

**Agenda Item**

- Ms. Michele Marano gave a brief presentation on the San Diego San Diego Regional Analysis of Impediments (AI) to Fair Housing Choice. Staff asked CPAB to recommend the AI to City Council for approval. The AI presents a demographic profile of San Diego County, assess the extent of housing needs among specific income groups, and evaluates the range of available housing choices for residents. *Please see attached presentation for more information.*

Mr. Rich Thesing made the motion to recommend the Analysis of Impediments to City Council for Approval. Ms. Gonzales seconded the motion. The motion passed unanimously, 6-0.

**Discussion Item**

- Updates on Federal CARES Act Grants

Staff provided an update on CARES Act funding allocated to the City through the CDBG, ESG, and HOPWA programs. *Please see attached presentation for more information.*

**Adjournment**

Ms. Dennehy adjourned the meeting at 10:55AM.

Economic Development Department

# San Diego Regional Analysis of Impediments to Fair Housing Choice (2020-2025)

Consolidated Plan Advisory Board

July 22, 2020

# Requested Actions

## THE CONSOLIDATED PLAN ADVISORY BOARD (CPAB) IS ASKED TO:

- Recommend City Council approval of the San Diego Regional Analysis of Impediments to Fair Housing Choice (2020-2025)

# Objectives

## TODAY'S PRESENTATION | ANALYSIS OF IMPEDIMENTS

- Background and purpose for the Analysis of Impediments
- Definitions and requirements for fair housing
- Summarize outreach and engagement efforts
- Highlight findings, impediments and actions to remediate

# Background

## INTRODUCTION TO THE ANALYSIS OF IMPEDIMENTS

- Jurisdictions receiving federal funds from HUD are required to:
  - Administer grants according to the Fair Housing Act
  - “Affirmatively Further Fair Housing”
- Complete a regional update | 2020 - 2025



# Background

## AFFIRMATIVELY FURTHER FAIR HOUSING

- Conduct a study to identify impediments to fair housing choice
- Take appropriate actions to overcome impediments
- Sign an annual certification to receive federal funds
- Maintain records



# Background

## PARTNERS IN THE SAN DIEGO REGION



City of Carlsbad

City of Chula Vista

City of Coronado

City of Del Mar

City of El Cajon

City of Encinitas

City of Escondido

City of Imperial Beach

City of La Mesa

City of Lemon Grove

City of National City

City of Oceanside

City of Poway

[City of San Diego](#)

City of San Marcos

City of Santee

City of Solana Beach

City of Vista

County of San Diego

# Purpose

## ANALYSIS OF IMPEDIMENTS | CONTENTS

- Demographic characteristics and housing market conditions
- Practices in the housing market
  - Rental and For-Sale markets
  - Lending patterns
- Public policies
- Fair housing profile
- Potential impediments and recommendations to address them



# Definition | Fair Housing

## WHAT IS FAIR HOUSING?

- Fair housing describes a condition in which individuals of similar income levels in the same housing market have a like range of choice available to them regardless of a protected class status
- Prohibits discrimination in housing choice because of protected class status

# Definition | Protected Status

## SOURCES OF LAW

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

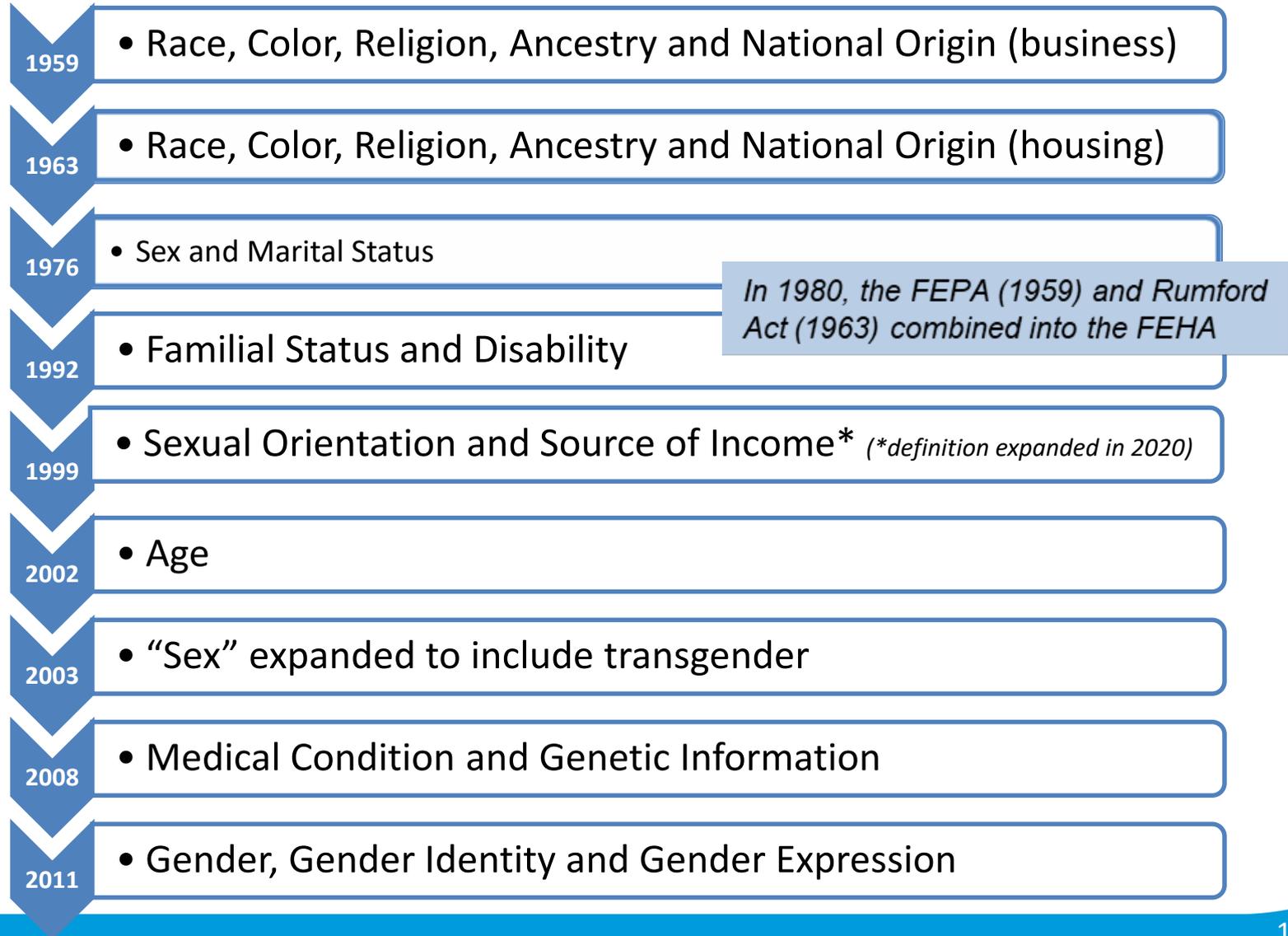


1968	1974	1988
Race	Race	Race
Color	Color	Color
Religion	Religion	Religion
National Origin	National Origin	National Origin
	<b>Gender</b>	Gender
		<b>Familial Status</b>
		<b>Disability</b>

## Definition | Protected Status

### SOURCES OF LAW

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



# Definition | Protected Status

## PROTECTED CLASSES (FEDERAL LAW)

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

## ADDITIONAL PROTECTED CLASSES (CALIFORNIA LAW)

Marital Status	Medical Condition
Ancestry	Sexual Orientation
Source of Income	Gender Identity/ Gender Expression
Genetic Information	Other Arbitrary Status
Age	

# Definition | Fair Housing

## WHAT IS NOT FAIR HOUSING?

### **Affordability**

Affordability issues are not fair housing issues, unless affordability disproportionately impacts a protected class

### **Tenant/Landlord Issues**

Tenant/landlord disputes are not fair housing issues, unless the disputes are based on protected classes

# Outreach and Engagement

## COMMUNITY WORKSHOPS AND SURVEY

- Six (6) Community Workshops
- Regional Survey | Multiple Languages
- Nine (9) Stakeholder Interviews
- Presentations to CPAB

**Is discrimination keeping you out  
of the home of your dreams?**



# Regional Findings

## MOST COMMON FAIR HOUSING COMPLAINTS

- Disability
  - Reasonable Accommodations
  - Reasonable Modifications
- Race
- Retaliation
- Familial Status
- Sex



# Regional Findings

## IMPEDIMENTS AND RECOMMENDED ACTIONS

- Lending and Credit Counseling
  - Hispanics under-represented in homeownership and mortgage applications
  - Hispanics and Blacks (regardless of income) under-represented in mortgage loan approvals
  - ✓ Action: Coordinate with the San Diego City/County Reinvestment Task Force
- Overconcentration of Housing Choice Vouchers
  - Regional overconcentration occurs primarily in El Cajon and National City
  - ✓ Action: Continue to expand affordable housing inventory  
Promote the Housing Choice Voucher Program to rental property owners  
Increase education regarding Source of Income protections

# Regional Findings

## IMPEDIMENTS AND RECOMMENDED ACTIONS

- Housing Options
  - Housing choices for special needs groups are limited
  - Over 20% of households on waiting lists for public housing and Housing Choice Vouchers include a household member with a disability
  - ✓ Action: Amend zoning codes to address new state laws  
Encourage universal design principals  
Educate City/County building and planning staff on accessibility requirements  
Consider offering housing rehabilitation and accessibility programs
- Enforcement
  - Insufficient enforcement activities are pursued regionally
  - ✓ Action: Encourage victims to pursue litigation  
Publicize favorable litigation outcomes to encourage others to come forward

# Regional Findings

## IMPEDIMENTS AND RECOMMENDED ACTIONS

- Outreach and Education
  - Traditional outreach methods are not adequate to meet diverse needs
  - ✓ Action: Expand outreach to include multimedia campaigns  
Utilize existing networks of neighborhood groups and organizations
- Racial Segregation
  - There are Racially/Ethnically Concentrated Areas of Poverty (RECAPs) throughout the County
  - ✓ Action: Diversify and expand the housing stock to accommodate varied housing needs
- Linguistic Isolation
  - Over 15% of residents indicate they speak English “less than very well”
  - ✓ Action: Promote equal access to information  
Update language access plans to reflect demographic changes

# Regional Findings

## IMPEDIMENTS AND RECOMMENDED ACTIONS

- Public Policies
  - Land use policies, zoning provisions and development regulations may impact the range of housing choice available
  - Several jurisdictions have yet to update zoning ordinances to address changes in California law
    - Density Bonus
    - Definition of Family
    - Accessory Dwelling Units
    - Emergency Shelters
    - Low Barrier Navigation Centers
    - Transitional and Supportive Housing
    - Farmworker Housing / Employee Housing
- ✓ Action: Implement Housing Element program commitments

# Resources

## CITY OF SAN DIEGO HOTLINE

- **“PRACTICE FAIR HOUSING” HOTLINE**
  - Fair Housing Center: [1-844-449-3500](tel:1-844-449-3500)
  - Speak with housing counselor
  - Referral to legal services (if merited)
  - Assistance to resolve
  - Unresolved complaints may be litigated



# Milestones

## NEXT STEPS

- Public comment period | June 4 – July 4, 2020
  - COVID-19 Appendix
- Regional approvals
- Submittal to HUD
- Measure progress | Consolidated Annual Performance and Evaluation Report (CAPER)

# Requested Actions

## THE CONSOLIDATED PLAN ADVISORY BOARD (CPAB) IS ASKED TO:

- Recommend City Council approval of the San Diego Regional Analysis of Impediments to Fair Housing Choice (2020-2025)

Economic Development

# CARES ACT updates

Consolidated Plan Advisory Board

July 22, 2020



## Background | CARES Act

- COVID-19 Pandemic
- National, State and Local emergencies
- Federal Coronavirus Aid, Relief and Economic Security (CARES) Act – March 27, 2020
- Waiver of certain regulatory requirements



## City of San Diego | CARES Act

- Roughly \$250 million received
- Funds must be spent in relation to COVID-19



## Additional HUD Funding | CARES Act

- Round 1

CDBG-CV	\$7,223,939
---------	-------------

ESG-CV	\$3,598,334
--------	-------------

HOPWA-CV	\$682,662
----------	-----------

- Round 2

ESG-CV2	\$22,796,116
---------	--------------



## Related Activities | CDBG-funded Relief Efforts

- Small Business Relief Fund – \$20.5 million

Enterprise Zone	\$ 550,000
FY 2020 CDBG	\$3.3 million
Revolving Loan Fund	\$2.165 million
Private Donations	\$ 702,000
CARES Act (City)	\$12.8 million
FY 2021 CDBG	\$ 970,276

- COVID-19 Emergency Rental Assistance Program - \$15.1 million

CDBG-CV	\$3.6 million
FY 2021 CDBG	\$1.8 million
CARES Act (City)	\$9.7 million



## Considerations for FY 21/22

- Delays in executing FY 21 Agreements
- Delays in beginning FY 22 Application cycle
- CAPER due in December; FY 20 closeouts delayed
- NOFA specific to COVID-19 activities