

**CONSOLIDATED PLAN ADVISORY BOARD (CPAB)
MINUTES**

WEDNESDAY, NOVEMBER 8, 2017

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"> • Joe LaCava, Council District 1 • Vicki Granowitz, Council District 3 • Sara Berns, Council District 2 • Ken Malbrough, Council District 4 • Richard Thesing, Council District 7 • Claudia Dunaway, Council District 8 • Peter Dennehy, Council District 9 	<ul style="list-style-type: none"> • Gary Wong, Council District 6 • VACANT, Council District 5

STAFF PRESENT	ATTENDANCE SHEET
<ul style="list-style-type: none"> • Stephen Maduli-Williams, Program Manager, Community Development • Michele Marano, Community Development Coordinator • Krissy Maier, Community Development Coordinator • Leonardo Alarcon, Community Development Specialist • Ulysses Panganiban, Community Development Specialist • Michelle Harati, Community Development Project Manager 	<p>14 people signed the attendance sheet</p>

Call to Order

Ms. Vicki Granowitz called the meeting to order at 9:03 a.m. with seven board members present. A quorum was achieved at the same time.

Approval of Minutes

Ms. Granowitz called for a motion to approve the October 11, 2017, meeting minutes. Mr. Joe LaCava moved to approve the minutes. Mr. Richard Thesing seconded the motion. The minutes were then approved 7-0.

Board Announcements

N/A

Staff Announcements

- Mr. Ulysses Panganiban introduced Atilano Moran as the newest staff member to the City's Economic Development Department who will support in managing the subrecipient projects.
- Ms. Michele Marano stated that the Regional Task Force on the Homeless is now accepting volunteer registration for the WeAllCount survey. You can learn more about the WeAllCount campaign [here](#).
- Ms. Marano explained that she had spoken with the Mayor's office on the reappointment and appointment of the CPAB members. The timing of which will likely occur during the first quarter of next year.

Non-Agenda Public Comment

N/A

Agenda Item(s)

Action Item 6a:

Palm Avenue Transitional Housing Project

CPAB was asked to make a recommendation on the proposed allocation of CDBG funds for rehabilitation of 1788 Palm Avenue (existing Super 8 motel) for the SMART Program Expansion. Mr. Steven Shinn of Gensler Architects presented details on the proposed design and architectural plans for the site. Ms. Lara Easton, Deputy Chief City Attorney, provided background information on the SMART Program. Ms. Krissy Maier, Community Development Coordinator, explained that the proposed CDBG allocation would be utilized as a Capital Improvement Project for facility upgrades and requested the CPAB to recommend \$4.5 million in CDBG funds be allocated for the rehabilitation. *Please see attached presentation for more information.*

Ms. Granowitz called for a motion to approve the request for the CPAB to recommend \$4.5 million in CDBG funds be allocated for the rehabilitation of 1788 Palm Avenue for the Palm Avenue Transitional Housing Project for the SMART Program.

Mr. Thesing made the motion, which was seconded by Ms. Vicki Granowitz. The motion was approved 6-1 (Joe LaCava).

Discussion Items 7:

a. Brown Act Review

Delmar Williams, Deputy City Attorney for the City of San Diego, provided an overview on the Brown Act for the CPAB members and public in attendance. *Please see attached presentation for more information.*

b. CDBG Subrecipient Performance Report Card

Mr. Leonardo Alarcon, Community Development Specialist provided an overview of the CDBG subrecipient performance report card and its integration into the Fiscal Year 2019 CDBG proposal scoring process. Mr. Alarcon explained that staff are in the process of finalizing performance report cards on Fiscal Year 2017 projects and will be making these available once they are completed. *Please see attached presentation for more information.*

c. Fiscal Year (FY) 2019 Request for Qualifications (RFQ) Review

Ms. Michele Marano, Community Development Coordinator, provided an update on FY 2019 Request for Qualifications (RFQ) submittals. Ms. Marano stated that the City had received 76 RFQs with 70 applications to the standard track and 6 applications to the Small and Emerging Nonprofits track. *Please see attached presentation for more information.*

Adjournment

- Meeting adjourned at 10:42 a.m.

Allocation of CDBG Funds for the Rehabilitation of 1788 Palm Avenue for the Palm Avenue Transitional Housing Project for the SMART Program

Consolidated Plan Advisory Board
November 08, 2017



 City Attorney's Office

Why SMART was needed

- Prop. 47 reduced many drug and theft crimes from felonies to misdemeanors
- It was intended to divert offenders from prison to community based mental health/drug treatment and housing programs
- No funding was provided for such programs until June 2017
- Once passed, CAO saw a 185% increase in drug and theft cases without meaningful incentives for offenders to complete diversion programs



Proposition 47 Impact on City Attorney's Office

- Cases issued from 2014 to 2015:
 - Drug Charges up 38%
 - Theft Charges up 65%
 - Combo charges up 184%



The SMART Approach to Addressing the Chronic Misdemeanor Offender

Collaboration with:

- San Diego Police Dept.
- Sheriff's Dept.
- San Diego Superior Court
- Public Defender's Office
- HHSA - Behavioral Health Services
- Family Health Centers of San Diego (FHCS)
- San Diego Second Chance Program (Second Chance)
- ACLU
- Housing Commission



Who does SMART help?

Individuals who have

- committed low-level misdemeanors
- undergone comprehensive background checks
- been identified as likely to succeed with treatment and housing



Who is eligible?

- People who:
 - Have **one or more** misdemeanor drug offenses since Prop 47 took effect;
- and**
- Were arrested at least **twice** in the past six months for a quality-of-life offense.
- This population is especially vulnerable to crime and exploitation

Who is excluded from SMART?

- All participants are screened by SDPD, the City Attorney's Office, and Family Health Centers of San Diego
- Sex offenders are categorically excluded
- As are offenders on felony probation for drug sales
- Offenders with severe mental illness

SMART goals

- **Increase** days in treatment
- **Reduce** recidivism, court appearances
- **Increase** access to healthcare
- **Reduce** emergency room visits
- **Bridge** participants to permanent housing

How does SMART work?

- Available at multiple stages in the criminal justice continuum.

Arrest/ Citation	Prosecution	Custody	Social Contact
SMART participant avoids prosecution	SMART participant agrees to treatment in lieu of custody	SMART participant is released from jail	SMART participant voluntarily enters treatment with no case pending

SMART provides what participants need to succeed

Participants receive:





How SMART bridges participants to permanent housing

- Housing Navigator
- Apartment search, applications, advocate for clients with landlords, and credit checks
- Move-in costs and rental assistance
- Civil legal aid



SMART Program Early Statistics & Outcomes

- 10 Participants in SMART- We're Full
 - 41 participants received offers
 - 98 rejected or disqualified
- Over 1,035 days housed/in treatment



SMART Graduation



Expanding SMART Citywide

- Received \$3 million from Prop.47 grant to expand SMART citywide
- Joint grant application with the County
- City/County's grant ranked #1 in state
- Grant began June 16





MYTH vs. FACT



MYTH No. 1



FACT

The SMART House only accepts offenders who have committed low-level offenses while battling drug addiction problems.

Its goal is to help them end their involvement with the criminal justice system, obtain permanent housing, get off drugs, find stable employment, and rejoin society.



MYTH No. 2

FACT

Residents of the SMART House will come from all neighborhoods in San Diego. Eligible participants must be willing to follow:

- Undertake extensive treatment;
- Participate in on-site counseling; and
- Follow strict rules.

There is no requirement based on past residency.

MYTH No. 3



FACT

Access to the gated SMART House property is controlled by security officers.

Participants who leave without permission will be terminated from the program.

Non-participants will have no reason to come to the SMART House, and will not be allowed on the property.



MYTH No. 4



FACT

The SMART House will have 24/7 security and strict rules. Participants who break the rules will rejoin the criminal justice system, typically jail.

- Experts say homeless people (like the rest of us) have specific places where they feel secure and comfortable and among friends. They want to return to those places. It is unlikely that a homeless individual from Balboa Park, for example, would decide to relocate to South Bay.



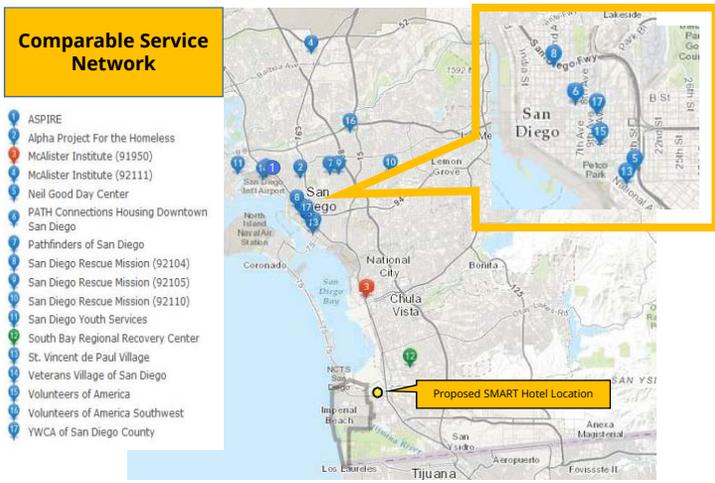
MYTH No. 5

FACT

Treatment programs like the SMART House are found in neighborhoods throughout the city. Currently they operate in Council Districts 2, 3, 4, 6, 7 and 9.

The City looked at 10 potential sites for the SMART House and the Super 8 Motel was chosen because it was the best deal for the taxpayers.

It was the most affordable to purchase and the most easily upgraded with the kitchens and meeting rooms that will keep participants on site and working toward their goals.





MYTH No. 6



FACT

To keep apprised of community concerns, the City Attorney's Office is forming a Neighborhood Advisory Committee that will include neighbors, businesses, city officials and the faith community.

The City Attorney's Office will also invite community input at town council, planning groups, and similar meetings.



MYTH No. 7



FACT

Mayor Kevin Faulconer, City Attorney Mara W. Elliott, the San Diego Police Department and the City Council are fully behind SMART.

SMART has been recognized by the State of California as a leader in addressing the issues created when Proposition 47 reduced incentives for low-level misdemeanants to enter treatment programs.

It received a \$3 million grant and the top ranking among 58 jurisdictions seeking state funding.

What will “success” look like?

Participants will:

- Address their addiction issues
- Exit to permanent housing
- Enroll in health care programs
- Obtain financial stability

Conditional Use Permit- Housing Operations

- **Resident Facility Manager**
 - 24-hour front desk staff; operational outdoor entry intercom system
- **Multi-Use Service Center**
 - Counseling offices, case management, service needs assessment, housing referrals
- **Rules of Conduct for Residents and Visitors**
- **Communications/Litter and Loiter Plan**
- **Security Plan**
 - 24-hour on-site security personnel, video surveillance
- **Five-Year Review of CUP**
- **Neighborhood Advisory Committee**



Neighborhood Advisory Committee

Neighborhood participants will include:

- Residents and property owners
- Business operators
- Neighborhood groups
- Faith community



Neighborhood Advisory Committee

City representatives:

- City Attorney's Office
- San Diego Police Department
- Mayor's Office
- Council District 8

For more information about SMART, visit the San Diego City Attorney's website at:

<https://www.sandiego.gov/cityattorney/divisions/criminal/smart>

Proposed CDBG Allocation for Facility Rehabilitation



- Estimated \$7.5 Million in CDBG funds for Facility Upgrades; includes City CIP design and engineering costs
- Enhanced Curb Appeal
- Improved Safety and Security
- ADA Compliance
- New Investment along Palm Ave.
- Consistent with:
 - General Plan Housing Element
 - Otay Mesa-Nestor Community Plan
 - Palm Ave. Revitalization Plan

Palm Avenue Transitional Housing Timeline

- **November 16, 2017:** Escrow Close
- **December 5, 2017:** City Council (tentative)
 - CUP & CDBG Allocation for Facility Upgrades
- **April 2018:** Construction Start
- **September 2018:** Construction Complete
- **October 2018:** Facility opens

Requested Action

The Consolidated Plan Advisory Board is asked to recommend \$7.5 million in CDBG funds be allocated for the rehabilitation of 1788 Palm Avenue for the Palm Avenue Transitional Housing Project for the SMART Program.

QUESTIONS?

An architectural sketch of a multi-story transitional housing building. The building is light-colored with multiple windows and a dark roof. In the foreground, there is a parking lot with several cars, including a prominent red car. A tall palm tree stands to the left of the building. To the right, there is a fenced-in area with a gate and a tall signpost. The sky is blue with light clouds. The text is overlaid on the right side of the image.

City of San Diego
Palm Avenue Transitional Housing
1788 Palm Avenue
Conditional Use Permit

SITE

Address: 1788 Palm Avenue, San Diego

Zoned: CC-4-2

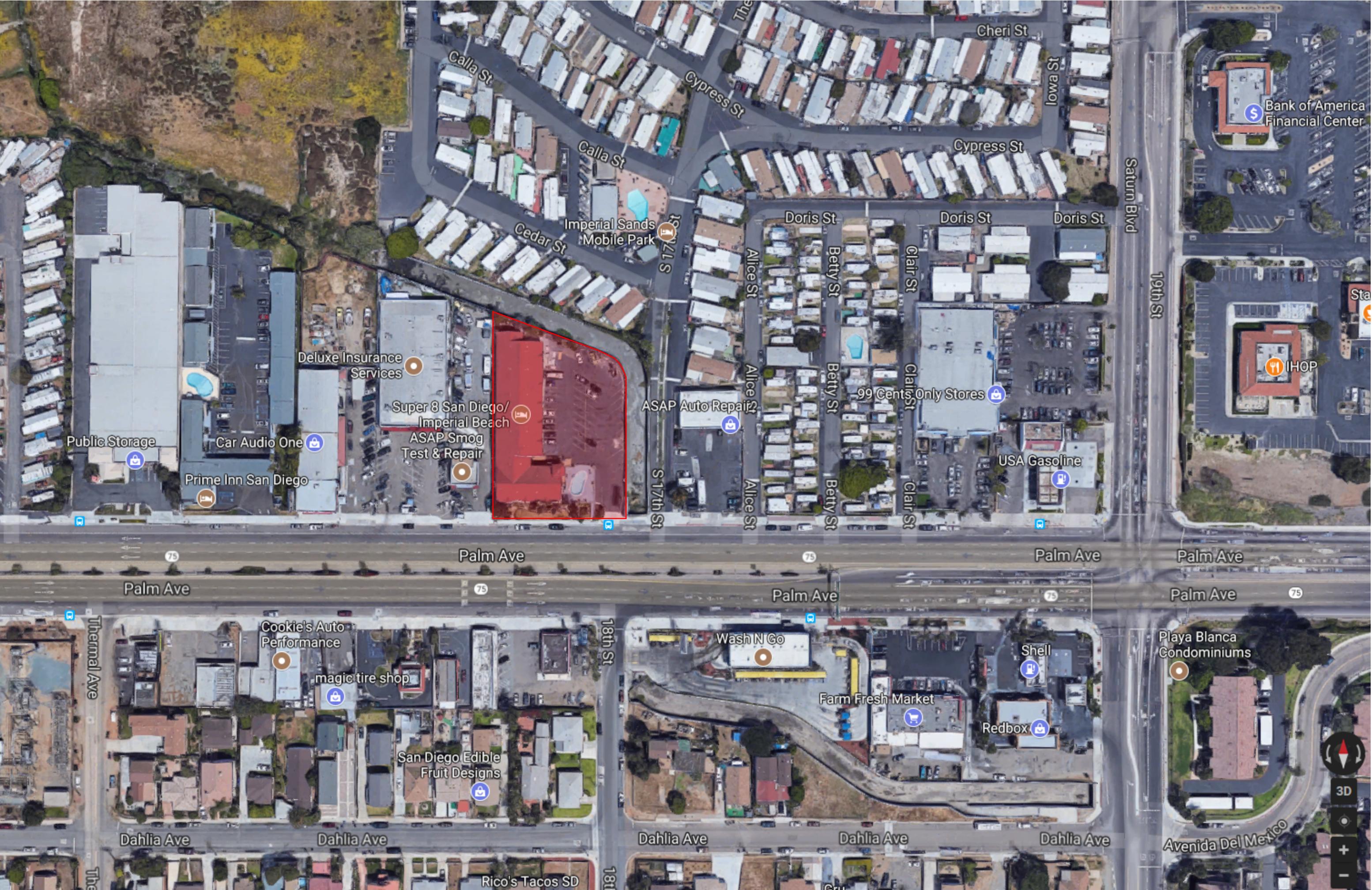
Gross Site Area: 42,688 sf

Building Area: 24,154 sf

Existing Building Use: Hotel (R-1)

Proposed Building Use: Transitional Housing (R-2)





Super 8 San Diego/
Imperial Beach
ASAP Smog
Test & Repair

Deluxe Insurance
Services

ASAP Auto Repair

99 Cents Only Stores

USA Gasoline

Wash N Go

Farm Fresh Market

Shell

Redbox

Playa Blanca
Condominiums

Bank of America
Financial Center

IHOP

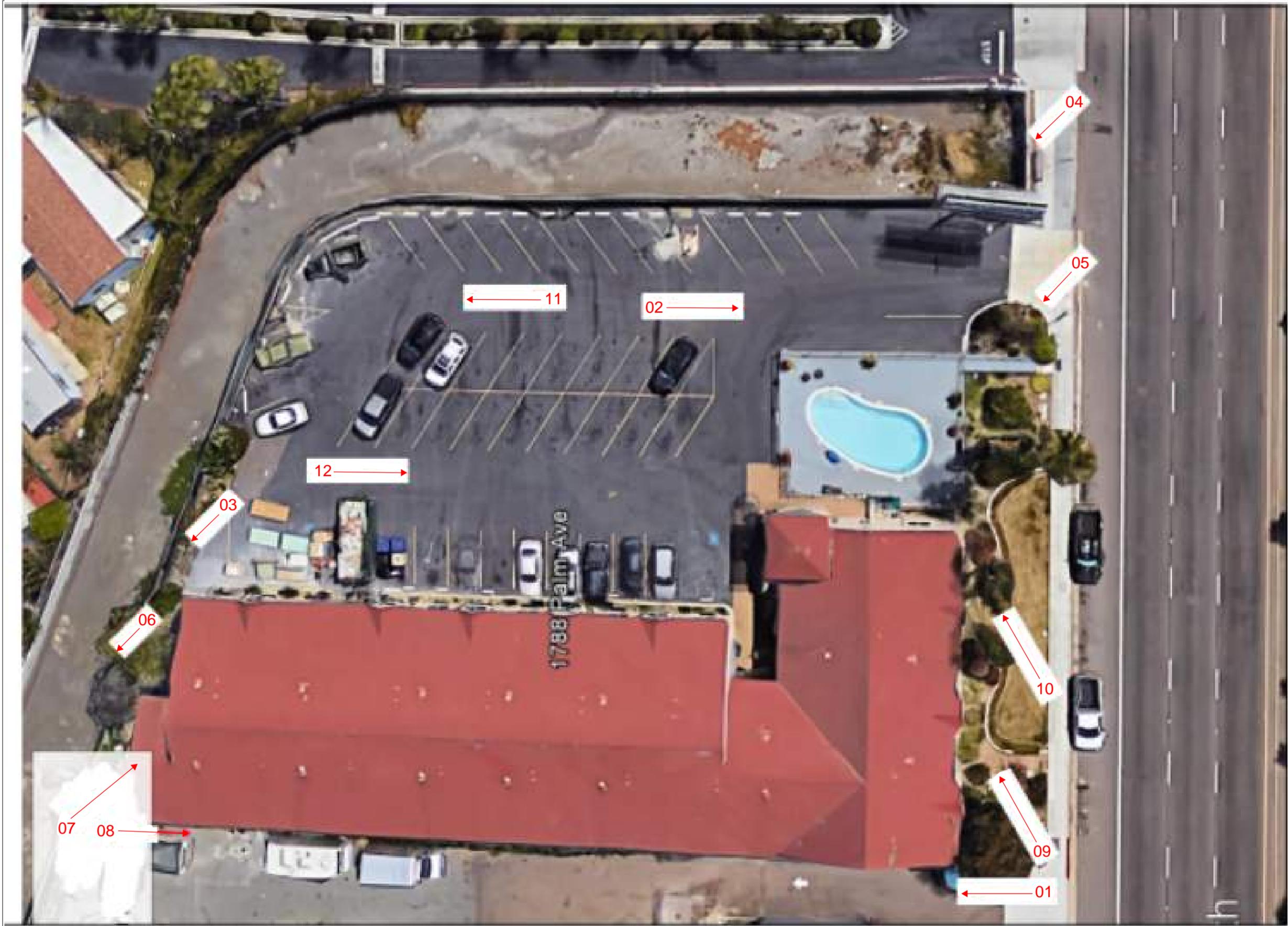
3D

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TRANSITIONAL HOUSING
 1178 PALM AVE
 San Diego, CA 92154
 CITY OF SAN DIEGO

Gensler
 225 Broadway
 Suite 100
 San Diego, CA 92101
 Telephone: 619.557.2500
 Facsimile: 619.557.2520



Issue	Date & Issue Description	By	Check
01	04.13.17 ISSUE FOR CLIP PACKAGE	FL	SSL/M
02	09.15.17 ISSUE FOR CLIP REVISION 01	FL	SSL/M

Seal/Signature

Project Name

Project Number

CAD File Name

PROJECTS\59\55\7291\019\CAD\SHEETS\A-01-01

Description

PHOTOGRAPHIC SURVEY - KEY PLAN

Scale



A-01-01

©2017 Gensler



05



04



11



12

TRANSITIONAL HOUSING
1178 PALM AVE
San Diego, CA 92154
CITY OF SAN DIEGO

Gensler
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Seal/Signature

Project Name

Project Number

CAD File Name

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Description
PHOTO SURVEY 1

Scale

Ref, North

A-01-02

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03



06



07



08

TRANSITIONAL HOUSING
1178 PALM AVE
San Diego, CA 92154
CITY OF SAN DIEGO

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Seal/Signature

Project Name

Project Number

CAD File Name

PROJECTS\55155.7291.019\CAD\SHEETS\A-01-03

Description

PHOTO SURVEY 2

Scale



A-01-03

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01



09



10



02

TRANSITIONAL HOUSING
1178 PALM AVE
San Diego, CA 92154
CITY OF SAN DIEGO

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225 Broadway
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San Diego, CA 92101
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02	09.15.17 ISSUE FOR CLIP REVISION 01	FL	SSLM

Seal/Signature

Project Name

Project Number

CAD File Name

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Description

PHOTO SURVEY 3

Scale



A-01-04

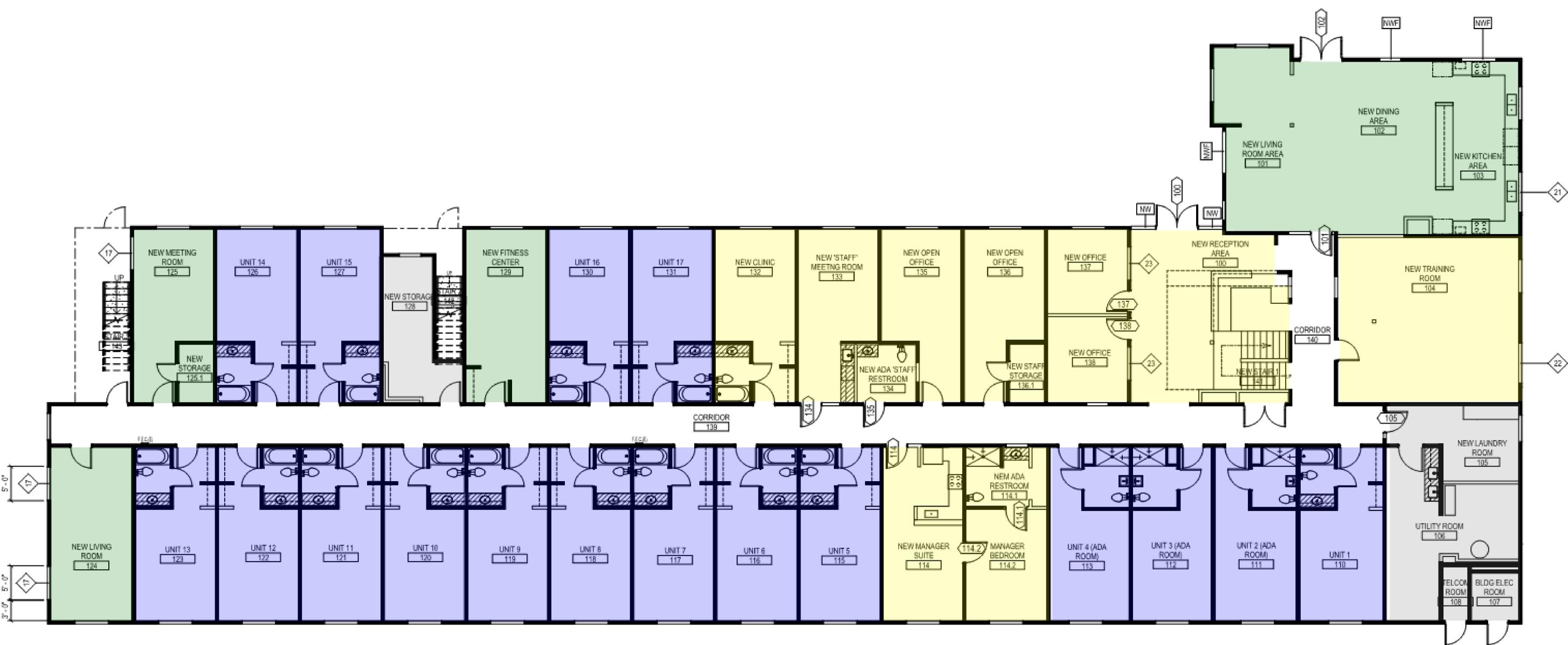
©2017 Gensler



PLANT LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	FORM
STREET TREES SUCH AS:				
	JACARANDA MIMOSIFOLIA	JACARANDA	24" BOX	STANDARD
	WASHINGTONIA ROBUSTA	MEXICAN FAN PALM	14" BTH	BALL & BURLAP, SKINNED
	EXISTING PALM	VARES		
TREES SUCH AS:				
	LAGERSTROEMIA SPECIOSA	MUSKOGEE CRAPE MYRTLE	36" BOX	STANDARD
	PLATANUS RACEMOSA	CALIFORNIA SYCAMORE	24" BOX	NATURAL
	QUERCUS AGRIFOLIA	COAST LIVE OAK	36" BOX	NATURAL
	ULMUS PARVIFOLIA	CHINESE EVERGREEN ELM	36" BOX	STANDARD
STREET EDGE / PARKING LOT MIX / PLANTS SUCH AS:				
	DIANELLA TASMANICA VAREGATA	WHITE STRIPED TASMAN FLAX LILY	1 GALLON	18" O.C.
	HESPERALOE PARVIFLORA	RED YUCCA	1 GALLON	18" O.C.
	LIGUSTRUM JAPONICUM TEXANUM	WAXLEAF PRIVET	5 GALLON	2" O.C.
	MISCANTHUS TRANSPARRICOIDES	MADEN GRASS	5 GALLON	30" O.C.
	MISCANTHUS SINENSIS	CHINESE SILVER GRASS	1 GALLON	2" O.C.
	PENNISETUM SPATHULATUM	SLENDER VELDT GRASS	1 GALLON	2" O.C.
	RHAMPHOLEPIS UMBELLATA MINOR	DWARF YERBON HAWTHORN	5 GALLON	30" O.C.
	ROSMARINUS HIRTINGTONII CARPET	HUNTINGTON CARPET ROSEMARY	1 GALLON	30" O.C.
	SALVIA LEUCANTHA SANTA BARBARA	SANTA BARBARA SAGE	1 GALLON	3" O.C.
RIPARIAN/BIOSWALE MIX / PLANTS SUCH AS:				
	ACHILLEA MILLEFOLIUM PAPRIKA	PAPRIKA YARROW	1 GALLON	2" O.C.
	CAREX SPISSA	SAN DIEGO SEDGE	1 GALLON	30" O.C.
	CHONDROPETALUM TECTORUM	CAPE RUSH	5 GALLON	3" O.C.
	IVA HAYESIANA	POVERTY WEED	1 GALLON	30" O.C.
	JUNCUS PATENS	COMMON RUSH	1 GALLON	30" O.C.
	LEYMUS CONDENSATUS CANYON PRINCE	CANYON PRINCE WILD RYE	1 GALLON	3" O.C.
	MUHLENBERGIA RIGENS	DEER GRASS	1 GALLON	3" O.C.
	RUSSELLIA EQUSETIFORMIS	CORAL FOUNTAIN	5 GALLON	4" O.C.
ACCENT MIX / PLANTS SUCH AS:				
	AGAVE ATTENUATA BLUE FLAME	BLUE FLAME AGAVE	5 GALLON	30" O.C.
	AGAVE BLUE GLOW	BLUE GLOW AGAVE	5 GALLON	2" O.C.
	AGAVE DESMETIANA VAREGATA	VAREGATED SMOOTH AGAVE	5 GALLON	3" O.C.
	ALOE BARBADENSIS	ALOE VERA	5 GALLON	30" O.C.
	ALOE BLUE ELF	BLUE ELF ALOE	1 GALLON	18" O.C.
	CORDYLINAE FESTIVAL	RED FOUNTAIN CORDYLINAE	5 GALLON	2" O.C.
	FURCRAEA FOETIDA MEDIOPICTA	FURCRAEA FOETIDA MEDIOPICTA	5 GALLON	4" O.C.
	LAVANDELA X INTERMEDIA GROSSO	PURPLE LAVANDIN	1 GALLON	30" O.C.
	SALVIA CLEVELANDII	CLEVELAND SAGE	1 GALLON	3" O.C.
	VERBERNA LILACINA DE LA MINA	DE LA MINA VERBERNA	1 GALLON	30" O.C.
HEDGE				
	FICUS NITIDA	INDIAN LAUREL FIG	15 GALLON	24" O.C.
	MYRICA CALIFORNICA	PACIFIC WAX MYRTLE	15 GALLON	5" O.C.
VINE				
	VITIS CALIFORNICA	CALIFORNIA WILD GRAPE	5 GALLON	8" O.C.
MULCH				
NOT SHOWN	ROCK MULCH - TYPE 1 SMALL	TYPE TBD		
NOT SHOWN	ROCK MULCH - TYPE 2 LARGE (AT BIOSWALE AREAS)	TYPE TBD		
OTHER				
	ROOTBARRIER (AT ALL TREES WITHIN 5' OF PARKING TYPICAL)	BIO-BARRIER		
	SOIL & PERCOLATION TEST LOCATION	QUANTITY INDICATED ON DRAWING		
	ROOT ZONE (AT ALL TREES, 40 SQ FT, 5' WIDTH MIN.)			
NOTES				
1. ALL PLANTING AREAS TO RECEIVE MULCH TO 3" DEPTH MIN.				

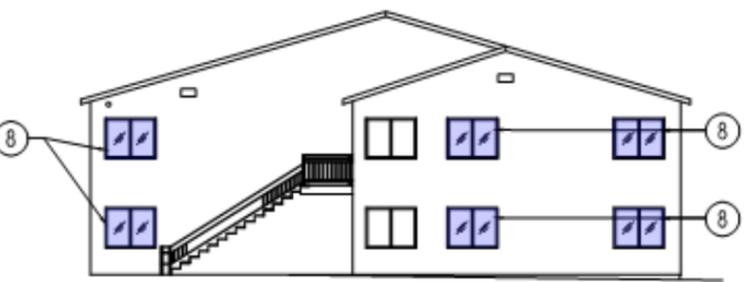




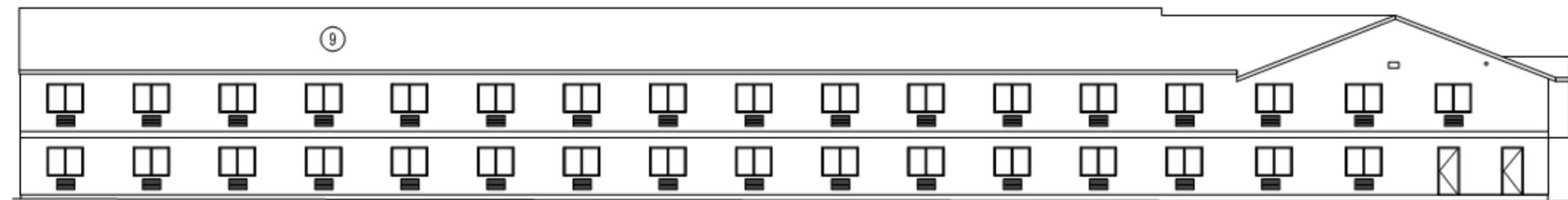
FIRST FLOOR



SECOND FLOOR



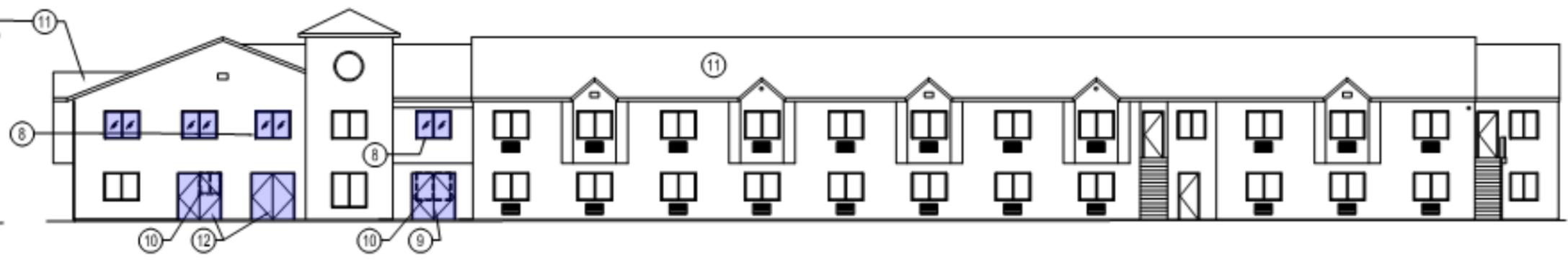
① PROPOSED NORTH ELEVATION



① PROPOSED WEST ELEVATION



① PROPOSED SOUTH ELEVATION



① PROPOSED EAST ELEVATION



Overview of The Ralph M. Brown Act

California's Open Meeting Law

Consolidated Plan Advisory Board

Presented by the Office of the City Attorney
November 8, 2017



Purpose & Intent

- To ensure the actions of public bodies are taken openly and deliberations are conducted openly
- To facilitate public participation in all phases of local government decision-making and provide “meaningful public access”
- To curb misuse of the democratic process by secret legislation by public bodies

2

Basic Rules for Public Access

- Meetings must be open to the public and held on a regular schedule
- Meeting agendas must be available to the public in advance; only noticed items can be discussed
- Closed sessions are limited to specific purposes authorized by the Act
- No secret ballots allowed
- ***The Brown Act is interpreted liberally in favor of public access***

3

How the Board is Subject to the Act

- “Legislative bodies” includes a commission, committee, board or other body of a local agency created by charter, ordinance, resolution or formal action of a legislative body
- Board: Created by City Council ordinance as a Charter section 43(a) advisory board
- Standing subcommittees with continuing subject matter jurisdiction are also subject to the Act

4

Definition of “Meeting”

- The Brown Act applies to all “meetings” of the Board
- “Meeting”: Any congregation of a majority of the Board at the same time and place to hear, discuss, deliberate, or take action on any item within its subject matter jurisdiction
- A majority of the Board is 5 members

5

Serial Meetings Not Allowed

- A majority of the members shall not, outside a meeting authorized by the Brown Act:
 - use a series of communications of any kind, directly or through intermediaries
 - to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the Board
- Staff may communicate with separate members to answer questions or provide information if member’s comments are not shared with other members

6

Serial Meetings are not Allowed

- “Serial” communications
 - “A to B” and “B to C”
(no “daisy chains” or “telephone trees”)

- Email communications
 - A majority cannot email each other to discuss topics that are within the subject matter of the Board.
(E.g., do not “reply to all” to emails that include other Board members)

7

Beware of Email Communications

- “Deliberation” – broadly construed; includes “not only collective discussion, but collective acquisition and exchange of facts preliminary to the ultimate decision”
- No substantive discussions which “advance or clarify a member’s understanding of an issue, or facilitate an agreement or compromise . . . or advance the ultimate resolution” of an issue

8

Emails: Attorney General Opinion

- *“We thus conclude that a majority of the board members of a local public agency may not e-mail each other to develop a collective concurrence as to action to be taken by the board without violating the Brown Act even if the e-mails are also sent to the secretary and chairperson of the agency, the e-mails are posted on the agency’s Internet website, and a printed version of each e-mail is reported at the next public meeting of the board.”*

84 Ops. Cal. Atty. Gen. 30 (2001)

9

What is *Not* a “Meeting”?

- Individual contacts between a Board member and another person is not a “meeting”
- A majority of members may attend a:
 - Conference open to the public
 - Community meetings
 - Open meeting of another legislative body or agency
 - Social or ceremonial event

But, a majority of the members may not discuss Board matters among themselves at these events

10

Contacts With the Public

- Communication with a member of the public does not violate the Act
- If an individual contacts a majority of the Board, members should not respond outside the public meeting – deliberations should occur in public
- One-way transmission of background materials and solitary review by Board members would not violate Act

11

Holding Meetings

- Regular meetings
 - Post agenda 72 hours in advance in location “freely accessible” to the public
- Special meetings
 - Post agenda 24 hours in advance
- Emergency meetings
 - Only in an emergency situation which severely impairs public health, safety, or both
- Location: Meetings must be held within City boundaries. Very narrow, specific exceptions
- Disability-related accommodations: Must be made available to allow for public participation

12

Public Participation

- Agendas: Written to Inform the Public
 - Date, time, and location of meeting
 - General description of each item

- Public Right to Attend
 - Cannot require names or other information as a condition of attending meeting
 - Voluntary sign-in is allowed

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Public Participation

- Right to Comment at Regular Meetings
 - Public may comment on any matter within the group's subject matter jurisdiction, even if not on the agenda (non-agenda public comment) (see SDMC for subject matter jurisdiction)
 - Public may comment on agenda items before action is taken on an item
 - Reasonable regulations, including time limits, may be adopted
 - Must allow criticisms and complaints

14

Public Participation

- No discussion on non-agenda items raised during public comment
 - May provide a brief response to statements or questions, but no discussion or action
 - May ask questions for clarification
 - May refer the matter to staff for follow-up or to report back
 - May direct that the matter be placed on a future agenda

15

Public Right to Documents

- Public has a right to review agendas and other writings distributed to a majority of members
- Board records and communications shall be available for public inspection and copies provided for a reasonable fee
- Public has a right to record the meeting with an audio or videotape recorder, or take photographs
- Documents distributed within the 72 hours prior to meeting must be made available to public simultaneously

16

Violations of Brown Act

- Civil Actions
 - Any interested party may bring an action
 - Board will have an opportunity to cure and correct actions taken
 - With judgment, action is void, with certain exceptions
 - Costs & attorneys fees may be awarded
- Criminal penalties
 - With intent to deprive public of information
 - Guilty of a misdemeanor

17

Summary

- All meetings must be open and public
- Discussions, actions, deliberations must take place in open public meetings
- All persons must be permitted to attend and participate in the meetings
- Judicial interpretation favors open and public meetings and exceptions are narrowly construed.

18

Resources

- *Open & Public V: A Guide to the Ralph M. Brown Act, Revised (2016)* League of California Cities
<https://www.cacities.org/Resources-Documents/Resources-Section/Open-Government>
- *The Brown Act, Open Meetings for Local Legislative Bodies, (2003)* California Attorney General's Office*
<http://oag.ca.gov/open-meetings>

19

Questions?



20

Economic Development

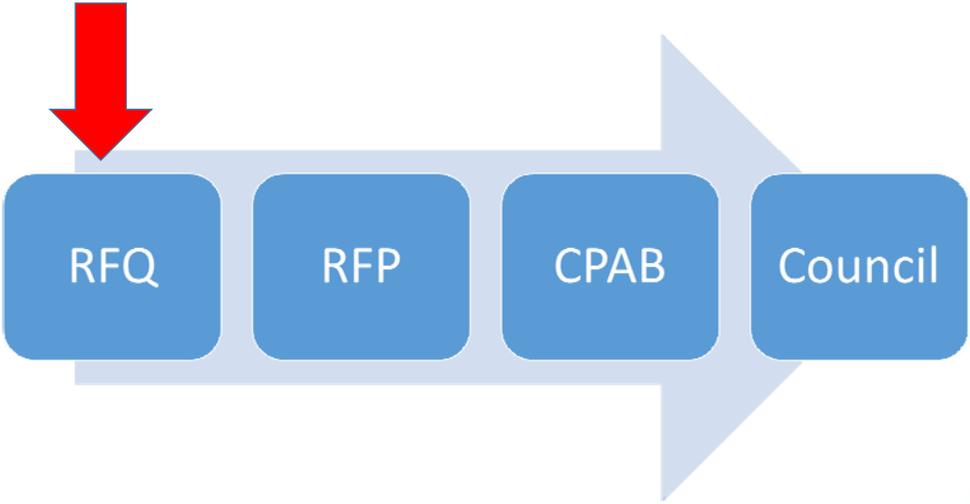
FY 2019 CDBG Request for Qualifications (RFQ) Preview

Consolidated Plan Advisory Board
November 08, 2017



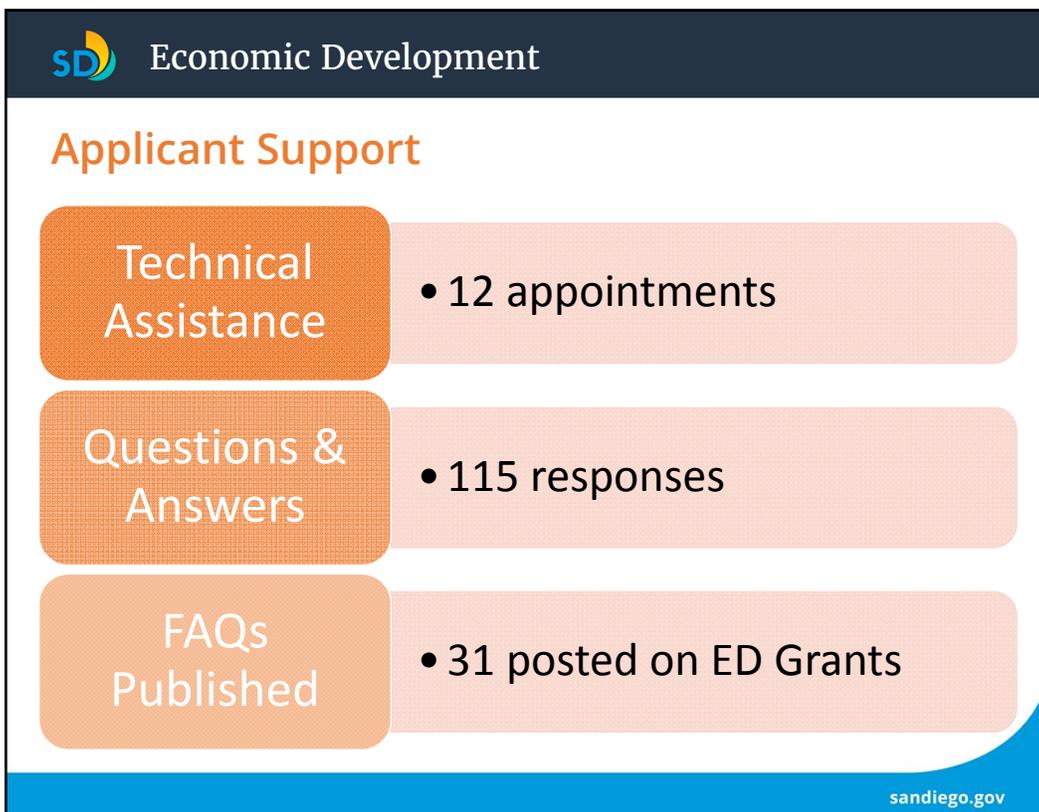
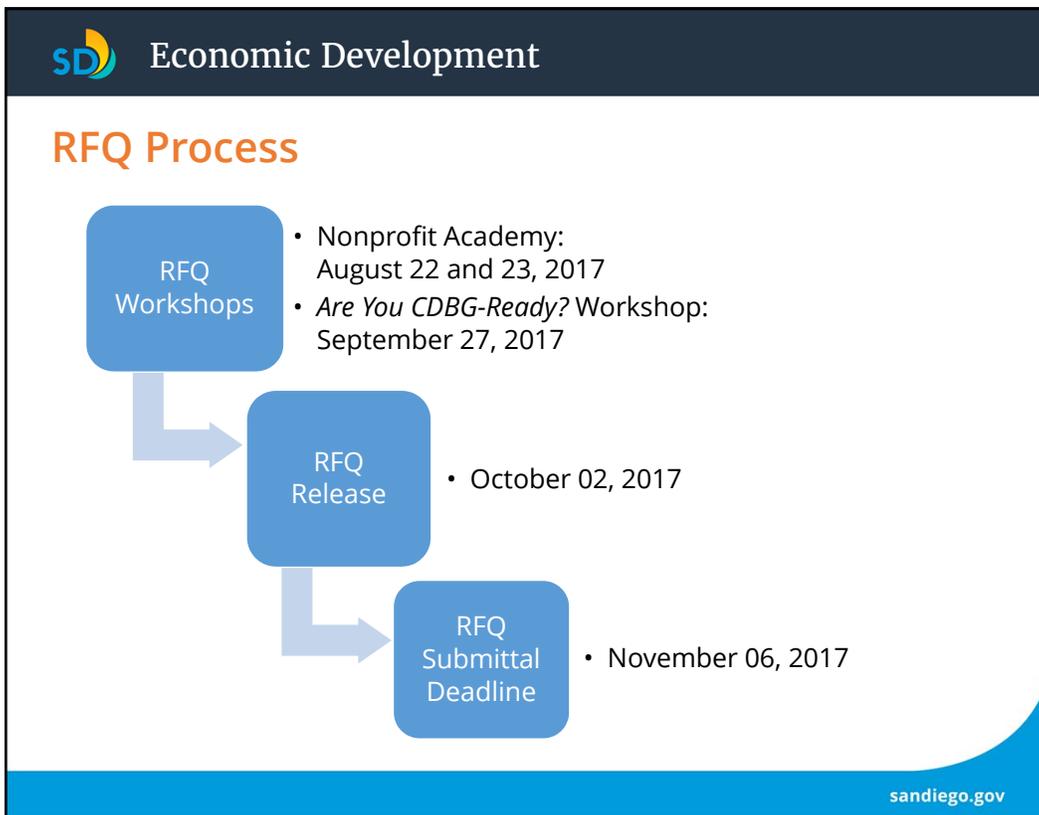
 Economic Development

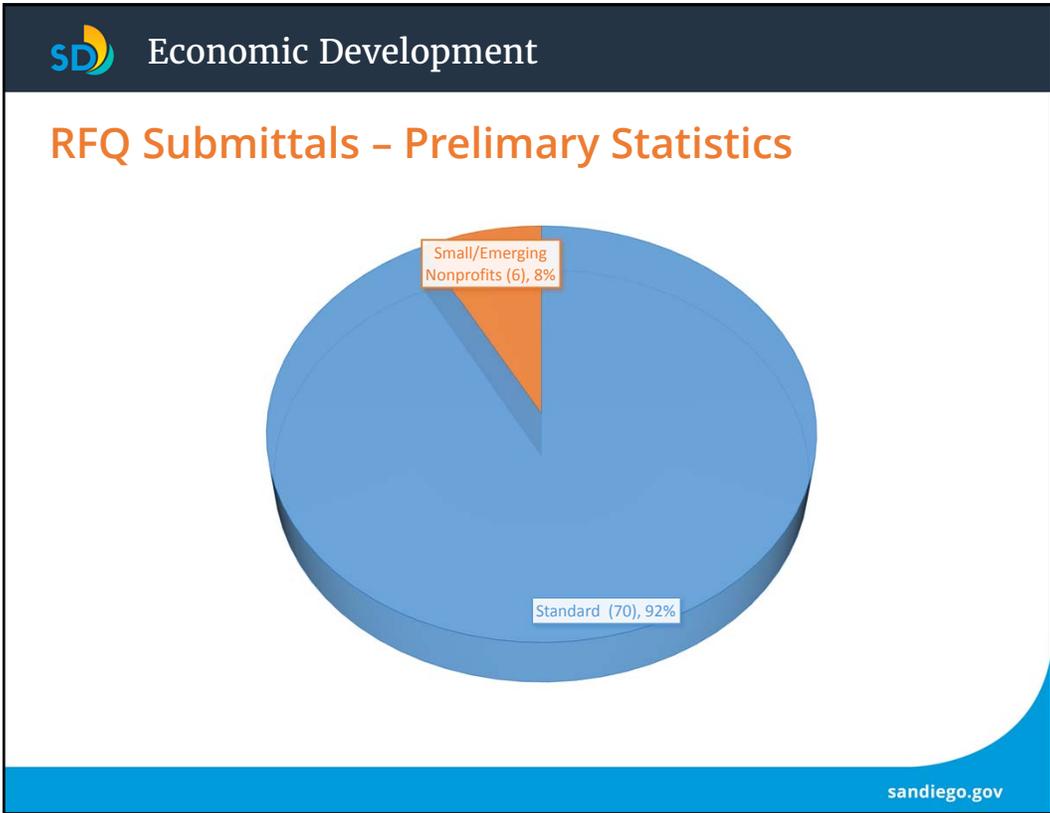
Sequence



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graph LR; RFQ[RFQ] --> RFP[RFP]; RFP --> CPAB[CPAB]; CPAB --> Council[Council]
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Tentative Timeline

Date	Activity
November 17, 2017	Notification of RFQ Results
November 27, 2017	FY19 CDBG RFP – Release Date
January 16, 2018	FY19 CDBG RFP – Submittal Deadline
January 29, 2018	RFP Responses released to CPAB for review and scoring
March 8, 2018	CPAB scores due in ED Grants

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CDBG Subrecipient Performance Report Card Overview

Consolidated Plan Advisory Board
November 8, 2017



 Economic Development

Background

Introduced in CY 2014 as Part of the FY 2015 Scoring Criteria

Max Deduction of 3 Points Taken from Final CPAB Score of Proposal

Based on Past Performance of Applicant with City CDBG Program

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Purpose

- Serve as monitoring tool for City staff
- Foster excellent performance among CDBG subrecipients
- Inform CPAB of past organization performance during proposal scoring

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Performance Assessment Areas

- Fiscal Performance
- Administrative Performance
- Programmatic Performance

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Performance Indicators

Fiscal Indicators	<ul style="list-style-type: none"> Balance of Award \$ at Closeout Total of Disallowance \$ at Closeout Number of Disallowances Processed
Administrative Indicators	<ul style="list-style-type: none"> Number of Late MPRs Submitted Number of Late RFRs Submitted
Programmatic Indicators	<ul style="list-style-type: none"> Number of Clients Served OR Number of Projects Completed

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Performance Standards

Fiscal Standards	<ul style="list-style-type: none"> Award Balance: $\geq 10\% \rightarrow -0.50$ point Total Disallowance \$: $\geq 10\% \rightarrow -0.25$ point Disallowance Frequency: $\geq 50\% \rightarrow -0.25$ point
Administrative Standards	<ul style="list-style-type: none"> Monthly Programmatic Reports (MPRs) Submitted Late: $> 25\% \rightarrow -0.50$ point Requests for Reimbursement (RFRs) Submitted Late: $> 25\% \rightarrow -0.50$ point
Programmatic Standards	<ul style="list-style-type: none"> Clients Served OR Projects Completed $\geq 80\%$ of target met $\rightarrow -0.00$ point $50\% <$ of target met $< 80\% \rightarrow -0.50$ point $\leq 50\%$ of target met $\rightarrow -1.0$ point

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Maximum Point Deductions

-3 Total Max

- 1 Fiscal
- 1 Administrative
- 1 Programmatic

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Performance Report Card Sample

SAMPLE Organization LMI Assistance Project CED FY-2016 Performance Report

OBJECTIVE
An evaluation of past performance of CEDC funded agencies will be conducted by H&D Program Administration staff via Performance Indicators. The approved Scoring Criteria for projects contain a section related to a maximum of 3 point deductions based on performance results. Evaluation of the Performance Indicators is based on three program approach: Fiscal, Programmatic and Administrative Performance - each with elements being worth 1 point.

FISCAL
DISLLOYALTY (TWO PARTS - FREQUENCY OF DISLLOYALTY - .25 & TOTAL DISLLOYALTY - .25)
Frequency Of Disloyalty (.25)
Description: Measure the total number of disloyalties that has occurred during the duration of the project. If an agency has accumulated a total that is greater than or equal to 10%, the agency shall receive a recommended deduction of .25 points.
Project Duration: 11 Months
Frequency Of Disloyalties: 2 Months
Recommended Deduction: 0
Justification: Frequency of disloyalties during the course of the project is less than 10%.

Disloyalty Balance
Description: Measure the total volume of disloyalty that has occurred during the duration of the project. If an agency has accumulated a disloyalty amount that is greater than or equal to 10% of the total budget, the agency shall receive a recommended deduction of .25 points.
Budget Awarded: \$204,000.00
Total Disloyalties: \$11,000.00
Recommended Deduction: 0
Justification: Disloyalty balance is less than 10% of the total budget.

BALANCE (.25)
Description: Measure the remaining balance of the approved budget. If the remaining balance is greater than or equal to 10% of the total budget, the agency shall receive a recommended deduction of .25 points.
Budget Awarded: \$204,000.00
Remaining Total: \$204,000.00
Recommended Deduction: 0
Justification: Remaining balance is greater than or equal to 10% of the total budget.

PROGRAMMATIC
NUMERIC GOALS DEDUCTION - 1 POINT
Description: Measure the agency's goal completion. If the agency completed at least 80% of their goals, 4 points shall be recommended for deduction. If between 50%-79% of their goals, .80 points shall be recommended for deduction. If 50% or less of goals are completed - 1 full point shall be recommended for deduction.
SAMPLE Organization's Goals: 100
Served: 30
Recommended Deduction: 0
Justification: Agency completed 50% or less of their goals.

Administrative
MFR SUBMISSIONS (LATE SUBMISSIONS) DEDUCTION - .50 POINTS
Description: Measure the agency's ability to submit MFR documents on time. If the agency submits 20% or more MFRs late, they shall receive a recommended deduction of .50 points.
Project Duration: 11 Months
Number of Months w/Late Submissions: 4 Months
Recommended Deduction: 0
Justification: 20% or more MFRs were submitted late.

MFR SUBMISSIONS (LATE SUBMISSIONS) DEDUCTION - .50 POINTS
Description: Measure the agency's ability to submit MFR documents on time. If the agency submits 20% or more MFRs late, they shall receive a recommended deduction of .50 points.
Project Duration: 11 Months
Number of Months w/Late Submissions: 3 Months
Recommended Deduction: 0
Justification: Less than 20% of MFRs were submitted late.

RFR SUBMISSIONS
Description: Measure the agency's ability to submit RFR documents on time. If the agency submits 20% or more RFRs late, they shall receive a recommended deduction of .50 points.
Project Duration: 11 Months
Number of Months w/Late Submissions: 3 Months
Recommended Deduction: 0
Justification: Less than 20% of RFRs were submitted late.

TOTAL RECOMMENDED DEDUCTION
-2

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Performance Report Card Sample

SAMPLE Organization LMI Assistance Project CED FY-2016 Performance Report										
OBJECTIVE										
An evaluation of past performance of CDBG-funded agencies will be conducted by HUD Programs Administration staff via Performance Indicators. The approved Scoring Criteria for process contains a section related to a maximum of 3-point deduction based on performance tracked. Evaluation of the Performance Indicators is based on a three-pronged approach - Fiscal, Programmatic and Administrative Performance - with each element being worth 1 point.										
FISCAL										
DISALLOWANCE (TWO PARTS - FREQUENCY OF DISALLOWANCE - .25 & TOTAL DISALLOWANCE - .25)										
Frequency Of Disallowance (.25)										
<p>Description</p> <p>Measures the total number of disallowances that has occurred during the duration of the project. If an agency has accumulated a total that is <i>greater than or equal to 50%</i>, the agency shall receive a recommended deduction of .25 points.</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">Project Duration</td> <td style="text-align: center;">13 Months</td> </tr> <tr> <td style="text-align: center;">Frequency Of Disallowances</td> <td style="text-align: center;">2 Months</td> </tr> </table>	Project Duration	13 Months	Frequency Of Disallowances	2 Months	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: center; background-color: #f39c12;">Recommended Deduction</th> <td style="text-align: center;">0</td> </tr> <tr> <th style="text-align: center; background-color: #f39c12;">Justification</th> <td style="text-align: center; color: #e74c3c;">Frequency of disallowances during the course of the project is less than 50%</td> </tr> </table>	Recommended Deduction	0	Justification	Frequency of disallowances during the course of the project is less than 50%
Project Duration	13 Months									
Frequency Of Disallowances	2 Months									
Recommended Deduction	0									
Justification	Frequency of disallowances during the course of the project is less than 50%									
<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> <p>Frequency Of Disallowance</p> <p>Number Of Disallowances: 17%</p> </div> </div>										

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Performance Report Card Sample

<p>Description</p> <p>Measures the total balance of disallowances that has accumulated during the duration of the project. If an agency has accumulated a disallowance amount that is <i>greater than or equal to 10%</i> of the total budget, the agency shall receive a recommended deduction of .25 points.</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">Budget Awarded</td> <td style="text-align: center;">\$250,000.00</td> </tr> <tr> <td style="text-align: center;">Total Disallowances</td> <td style="text-align: center;">\$11,000.00</td> </tr> </table>	Budget Awarded	\$250,000.00	Total Disallowances	\$11,000.00	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: center; background-color: #f39c12;">Recommended Deduction</th> <td style="text-align: center;">0</td> </tr> <tr> <th style="text-align: center; background-color: #f39c12;">Justification</th> <td style="text-align: center; color: #e74c3c;">Disallowance balance is less than 10% of the total budget.</td> </tr> </table>	Recommended Deduction	0	Justification	Disallowance balance is less than 10% of the total budget.
Budget Awarded	\$250,000.00									
Total Disallowances	\$11,000.00									
Recommended Deduction	0									
Justification	Disallowance balance is less than 10% of the total budget.									
<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> <p>Disallowance Balance</p> <p>Total Disallowance: 4%</p> </div> </div>										
BALANCE (.50)										
<p>Description</p> <p>Measures the remaining balance of the awarded budget. If the remaining balance is <i>greater than or equal to 10%</i> of the total budget, the agency shall receive a recommended deduction of .50</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">Budget Awarded</td> <td style="text-align: center;">\$250,000.00</td> </tr> <tr> <td style="text-align: center;">Remaining Total</td> <td style="text-align: center;">\$38,001.00</td> </tr> </table>	Budget Awarded	\$250,000.00	Remaining Total	\$38,001.00	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: center; background-color: #f39c12;">Recommended Deduction</th> <td style="text-align: center;">-.50</td> </tr> <tr> <th style="text-align: center; background-color: #f39c12;">Justification</th> <td style="text-align: center; color: #e74c3c;">Remaining balance is greater than or equal to 10% of the total budget.</td> </tr> </table>	Recommended Deduction	-.50	Justification	Remaining balance is greater than or equal to 10% of the total budget.
Budget Awarded	\$250,000.00									
Remaining Total	\$38,001.00									
Recommended Deduction	-.50									
Justification	Remaining balance is greater than or equal to 10% of the total budget.									
<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> <p>Remaining Balance</p> <p>15.20%</p> </div> </div>										

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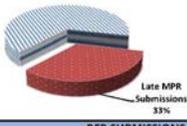
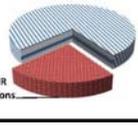
Performance Report Card Sample

PROGRAMMATIC		
NUMERIC GOALS (MAX DEDUCTION - 1 POINT)		
<p>Description</p> <p>Measures the agency's goal outcome. If the agency completes at <i>least 80%</i> of their goals - 0 points shall be recommended for deduction. If <i>between 51%-71%</i> of their goals - .50 points shall be recommended for deduction. If <i>50% or less</i> of goals are completed - 1 full point shall be recommended for deduction.</p>	<p>SAMPLE Organization's Goals</p> <p style="text-align: right;">100</p>	
	<p>Served</p> <p style="text-align: right;">30</p>	
<p>Clients Served</p>  <p style="text-align: right; font-weight: bold; font-size: 24px;">30%</p>	<p>Recommended Deduction</p> <p style="font-size: 24px; color: red;">-1</p>	
	<p>Justification</p> <p style="color: red;">Agency completed 50% or less of their goals.</p>	

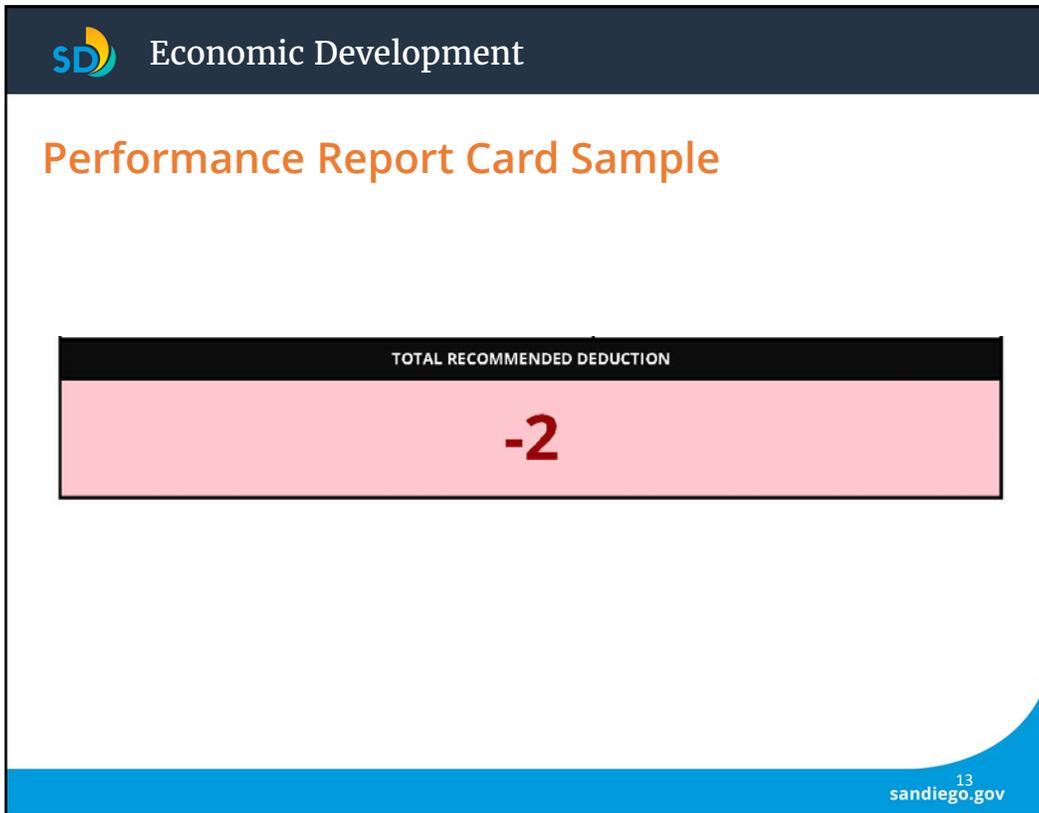
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Performance Report Card Sample

ADMINISTRATIVE		
MPR SUBMISSIONS (MAX DEDUCTION -.50 POINT)		
<p>Description</p> <p>Measures the agency's ability to submit MPR documents on time. If the agency submits <i>26% or more</i> MPRs late, they shall receive a recommended deduction of .50 points.</p>	<p>Project Duration</p> <p style="text-align: right;">13 Months</p>	
	<p>Number of Months w/Late Submissions</p> <p style="text-align: right;">4 Months</p>	
<p>MPR Submissions</p>  <p style="text-align: right; font-size: 18px;">Late MPR Submissions 33%</p>	<p>Recommended Deduction</p> <p style="font-size: 24px; color: red;">-.50</p>	
	<p>Justification</p> <p style="color: red;">26% or more MPRs were submitted late</p>	
RFR SUBMISSIONS (MAX DEDUCTION -.50 POINT)		
<p>Description</p> <p>Measures the agency's ability to submit RFR documents on time. If the agency submits <i>26% or more</i> RFRs late, they shall receive a recommended deduction of .50 points.</p>	<p>Project Duration</p> <p style="text-align: right;">13 Months</p>	
	<p>Number of Months w/Late Submissions</p> <p style="text-align: right;">3 Months</p>	
<p>RFR Submissions</p>  <p style="text-align: right; font-size: 18px;">Late RFR Submissions 23%</p>	<p>Recommended Deduction</p> <p style="font-size: 24px; color: red;">0</p>	
	<p>Justification</p> <p style="color: red;">Less than 25% of RFRs were submitted late</p>	

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Next Steps

- Staff finalizing analysis and report cards using FY 2016 (construction) and FY 2017 data
- Report card scores/deductions to be incorporated into ED grants system

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The slide is titled 'Next Steps' in orange. It contains two bullet points: 'Staff finalizing analysis and report cards using FY 2016 (construction) and FY 2017 data' and 'Report card scores/deductions to be incorporated into ED grants system'. The slide has a dark blue header with the 'SD' logo and 'Economic Development'. The bottom right corner has a blue curved footer with the number '14' and the website 'sandiego.gov'.