

CONSOLIDATED PLAN ADVISORY BOARD (CPAB) MINUTES

WEDNESDAY, FEBRUARY 14, 2018

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"> • 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 	<ul style="list-style-type: none"> • VACANT, Council District 1 • VACANT, Council District 5 • Gary Wong, Council District 6 • Peter Dennehy, Council District 9

STAFF PRESENT	ATTENDANCE SHEET
<ul style="list-style-type: none"> • Erik Caldwell, Economic Development Director • Stephen Maduli-Williams, Community Development Division Program Manager • Michele Marano, Community Development Coordinator • Leonardo Alarcon, Community Development Specialist • Ulysses Panganiban, Community Development Specialist • Michelle Harati, Community Development Project Manager 	<p>3 people signed the attendance sheet</p>

Call to Order

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

Approval of Minutes

Ms. Granowitz called for a motion to approve the January 10, 2018, meeting minutes. Mr. Richard Thesing moved to approve the minutes. Ms. Sara Berns seconded the motion. The minutes were approved 5–0.

Board Announcements

a. Acknowledgement of exiting CPAB member: Joe LaCava

Joe LaCava, Council District 1, was acknowledged and thanked for his time as a member of the CPAB. Vicky Joes, Director of Policy for Council President Pro Tem Barbara Bry, presented Mr. LaCava with a special commendation on behalf of Council President Pro Tem Barbara Bry. Erik Caldwell, Director of Economic Development, presented Mr. LaCava with a certificate of appreciation on behalf of the Economic Development Department.

Staff Announcements

- Mr. Stephen Maduli-Williams discussed the recent property acquisition of 1401 Imperial Avenue. The property will be utilized as a Housing Navigation Center for Homeless Services. Mr. Maduli-Williams explained that the action was authorized by [City Council on Monday, January 29, 2018](#), to acquire this property utilizing \$7.3 million in CDBG funding. Mr. Maduli-Williams stated that the City is soliciting Request for Proposals (RFP) from service agencies to operate the Navigation Center.
- Ms. Michelle Harati announced that on February 9th, staff released a Request for Proposals (RFP) from professional consulting firms to prepare the Consolidated Plan (Con Plan) for Fiscal Years 2020-2024. The contract will tentatively begin May 2018 and end in May 2019. A summary of the RFP can be viewed at the [City of San Diego's Economic Development ED Grants webpage](#) under the Opportunities tab. Interested applicants will be required to register with ED Grants prior to submission of a proposal. The proposal submission deadline is Wednesday, February 28, 2018, at 5:00 pm. PST.
- Ms. Harati explained that in regards to the Assessment for Fair Housing (AFH), a change in the timeline has occurred. On January 5, 2018, the Department of Housing and Urban Development (HUD) issued a Federal Register Notice stating that consolidated plan participants (the City of San Diego included) are required to submit an AFH after October 31, 2020. Ms. Harati also stated that as such, the AFH public meetings will not be occurring this year.
- Ms. Harati stated that the Community Development Division remains committed to continuing to update our [Regional Analysis of Impediments to Fair Housing choice](#), which is valid from Fiscal Year 2016 to Fiscal Year 2017, until we are required to submit the AFH after October 31, 2020. The Analysis of Impediments will include public meetings that will be scheduled for the upcoming year.
- Ms. Harati announced that Marie Cavarlez, from the Department of Housing and Urban Development office in Los Angeles, is planning to conduct an on-site visit monitoring the CDBG Program from March 12 to March 16, 2018. Ms. Harati also mentioned that Marie has been invited to attend the March 14 CPAB meeting and staff may be contacting CDBG recipients about scheduling a visit.
- Ms. Harati stated that the Nonprofit Academy will be hosting a Spring Workshop Series in local neighborhoods with dates in March, April and May. This series will

provide an opportunity to explore topics in program development, fundraising, marketing, and financial management. A series of webinar sessions will also be available for attendees and those who are unable to join the workshop sessions. Details of all upcoming events can be found on the City's [Nonprofit Academy](#) webpage.

Non-Agenda Public Comment

N/A

Agenda Item(s)

Discussion Item: 6a:

Conflict of Interest Policies

Mr. Delmar Williams from the City Attorney's Office gave a brief presentation regarding the City's conflict of interest policies and how they relate to CPAB activities. *Please see attached PowerPoint for additional information.*

Discussion Item 6b:

Fiscal Year (FY) 2019 Request for Proposal (RFP) Status

Mr. Leonardo Alarcon provided a status update of the FY 2019 CDBG RFP process. *Please see attached PowerPoint for additional information.*

Adjournment

- Meeting adjourned at 9:38 a.m.



Overview of Financial Conflicts of Interest

Consolidated Plan Advisory Board

Presented by the Office of the City Attorney

February 14, 2018



Purpose & Intent of Legally Regulating Conflicts of Interest

- 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.

Basic California Legal Regulation of Financial Conflicts of Interest

■ Political Reform Act:

- A public official has a financial interest in a decision ***if it is reasonably foreseeable that the decision will have a foreseeable and material financial effect*** on the official or one or more of his or her economic interests.
- Economic interests that might cause a financial conflict of interest must be disclosed upon taking office, annually thereafter, and upon leaving office (Cal. Gov't Code §§ 87200-87210) ("**Act**")

■ California Government Code 1090: Governs contracts entered into while acting in your official capacity as a board member

■ CPAB Local Conflict of Interest Code

How the CPAB 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.
- CPAB was created by a City Council ordinance as a Charter section 43(a) advisory board.
- San Diego Municipal Code section 26.2108 requires all members of the CPAB to complete and file statements of economic interests in accordance with the conflict of interest code and comply with all applicable ethics laws.

Economic Interest

- Income (including loans) aggregating \$500 or more from a single source located in or doing business with the City of San Diego.
- Any gift or gifts from a single source that aggregate to \$470 or more within the 12 months prior to the decision.
- A measurable financial benefit or loss to your personal finances or a family member's personal finances would result from the decision.



Direct Investments

- Direct investments worth \$2,000 or more in a business entity located in or doing business with the City of San Diego.
- A position as a *director, officer, partner, trustee, employee, or* any position of *management* in a business entity located in or doing business with the City of San Diego.



Indirect Investments

- Indirect investments are any 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



Disqualification

- A public official is prohibited from participating in a particular decision in which the official has an economic interest

Criminal Penalties

■ Criminal

- ☐ A knowing and willful violation of the Act is a misdemeanor
- ☐ Punishable by a fine equal to the greater of \$10,000 for each violation or three times the amount improperly reported
- ☐ Conviction also makes a person 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

Civil Penalties

■ Civil

- If violating reporting requirement: Civil fine not more than the value that was not properly reported
- Cash distribution or giving or receiving a gift/honorarium: greater of either \$1,000 or three times what was not properly reported
- For a designated employee or public official, who realizes an economic benefit as a result of a violation is liable in a for an amount of up to three times the value of the benefit
- Where no specific civil penalty is provided for violation of the Act, a civil penalty of up to \$5,000 per violation may be imposed

Administrative Penalties

■ Administrative

- ☐ Order 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
- ☐ Fine of \$10 per day for late filing of statements or reports may be imposed



Cal. Gov't Code Section 1090

- 1090 specifically governs contracts
 - Cannot have any financial interest in any contract made by you, in your official capacity
 - You are also not allowed to aid or abet anyone in violating the statute



Penalties for Violating Section 1090

- Contract is void
- Civil Penalties:
 - \$1,000 fine or imprisonment
 - Prohibited from holding any office in California



CPAB Local Conflict of Interest Code Disclosure Categories

- 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.



Summary

- Remember to annually disclose all required economic interests
- Abstain from decisions affecting your economic interests

Resources

- *Providing Conflict of Interest Advice* (2016) League of California Cities
- <https://www.cacities.org/Resources-Documents/Resources-Section/Open-Government/Providing-Conflict-of-Interest-Advice>

Questions?



Economic Development

FY 2019 CDBG RFP Status Update

Consolidated Plan Advisory Board
February 14, 2018

The City of

SAN
DIEGO

SD

Economic Development

Sequence

RFQ

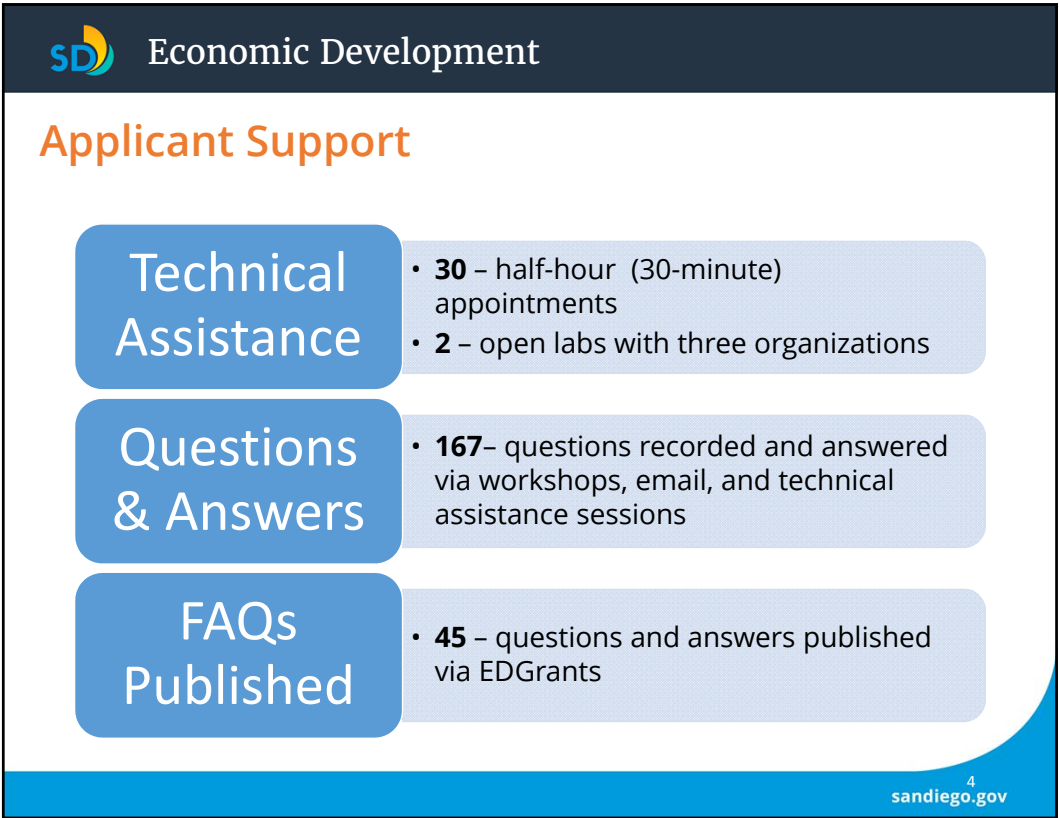
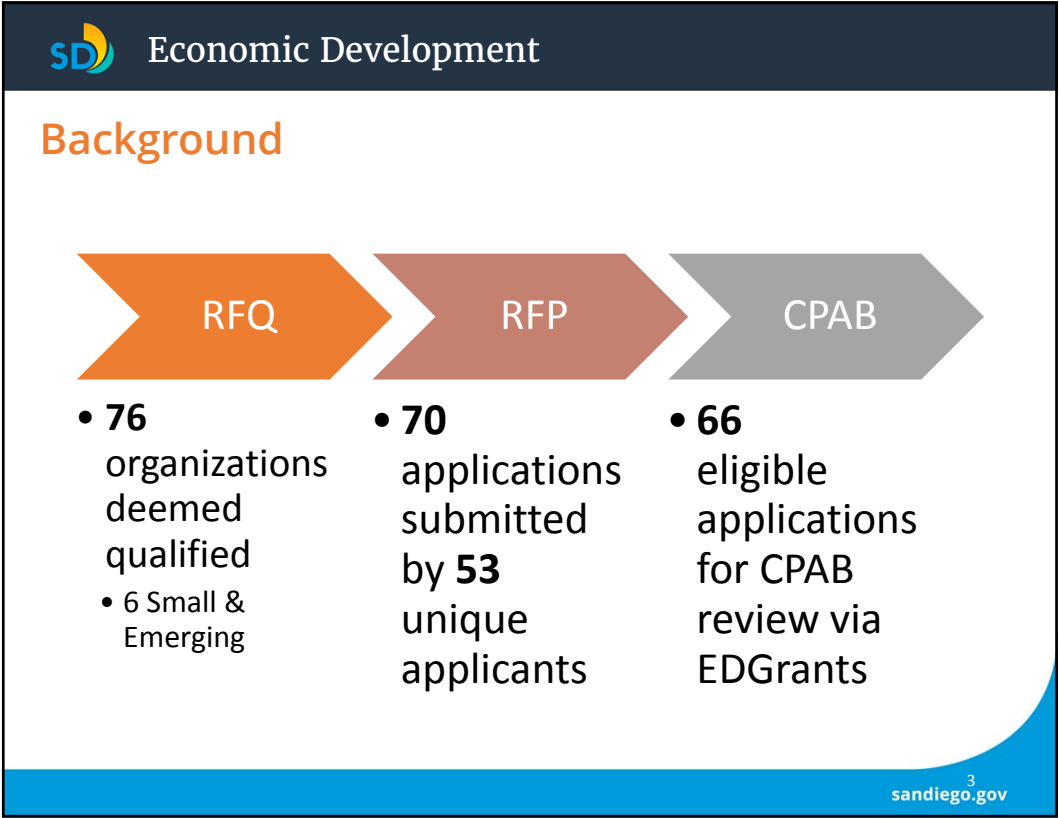
RFP

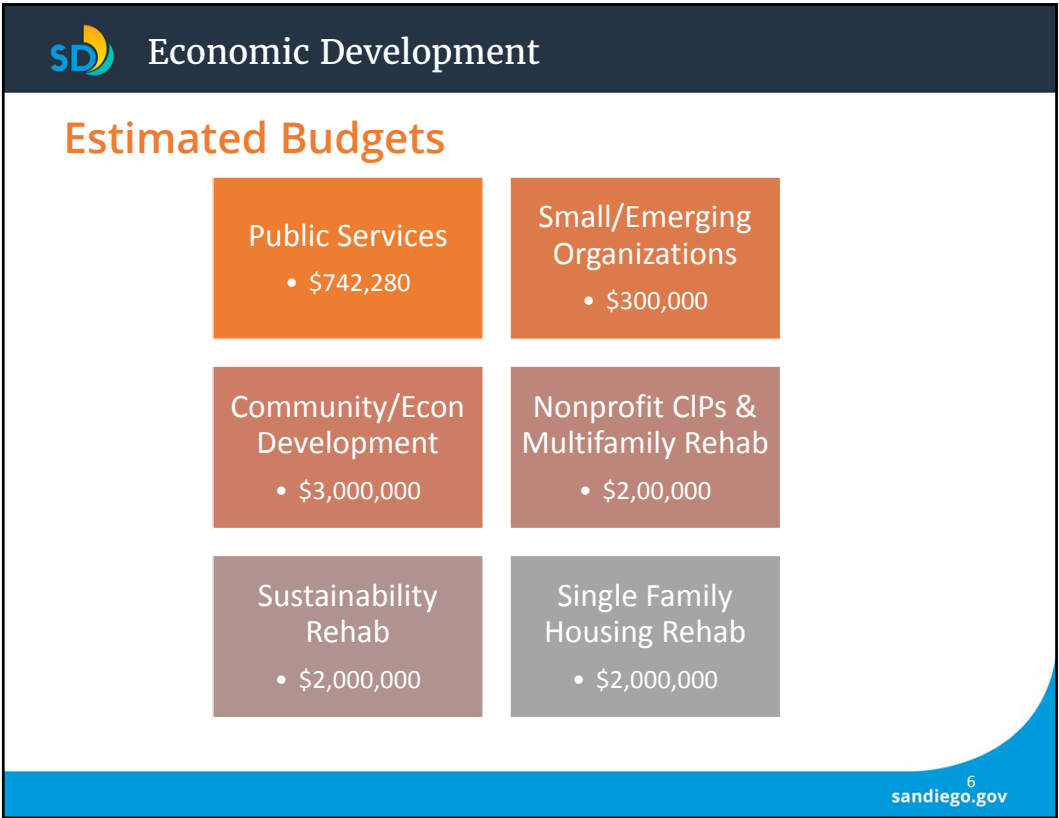
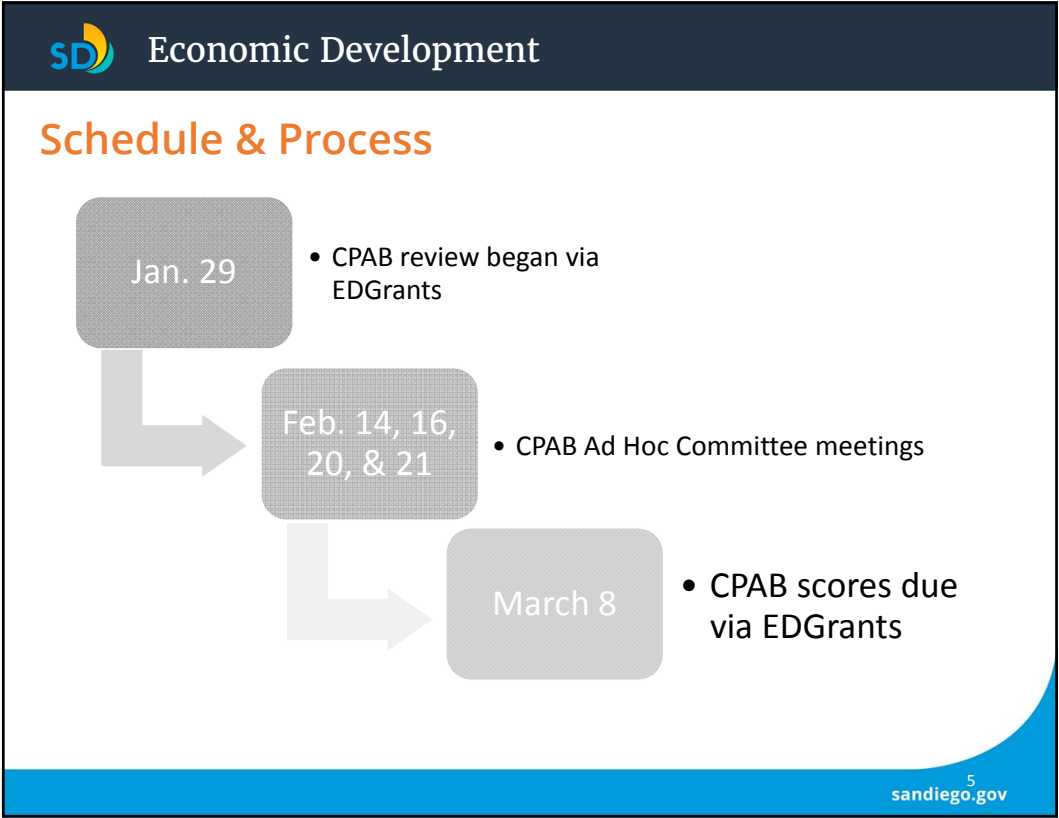
CPAB


Council

2

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Economic Development

FY 2019 CDBG RFP Responses

37 Public Services

8 Community/Econ Development

8 Nonprofit CIPs & Multifamily Rehab


6 Small/Emerging Organizations

4 Sustainability Rehab

3 Single Family Housing Rehab

7

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Economic Development

Next Steps

Meeting/Event	Date*
CPAB FY 2019 CDBG RFP Scoring Results Submitted to CDD	March 8
Applicants Notified of Results and Posted Online	March 9
CPAB Meeting: FY 2019 scores and funding recommendations approved by CPAB	March 14
Public Safety & Livable Neighborhoods Council Committee: FY 2019 AAP	March 21
Public Comment Period: Annual Action Plan	April 6 – May 6
City Council Hearing	April 23
Annual Action Plan and Substantial Amendment submitted to HUD	May 15

*Public hearing dates are tentative and are subject to change

8

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 Economic Development

Thank you.

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