

CONSOLIDATED PLAN ADVISORY BOARD (CPAB) MINUTES

WEDNESDAY, JANUARY 16, 2019

SAN DIEGO CIVIC CONCOURSE – NORTH TERRACE ROOMS 207–208
202 'C' STREET, SAN DIEGO, CA 92101

BOARD MEMBERS PRESENT	BOARD MEMBERS ABSENT
- Ken Malbrough, Council District 4 - Zaheen Chowdhury, Council District 1 - Sara Berns, Council District 2 - Richard Thesing, Council District 7 - Claudia Dunaway, Council District 8 - Peter Dennehy, Council District 9	- VACANT, Council District 6 - Claudia Dunaway, Council District 8 - Eileen Gonzales, Council District 3 - Valerie Brown, Council District 5

STAFF PRESENT	ATTENDANCE SHEET
- Stephen Maduli-Williams, Community Development Division Program Manager - Leonardo Alarcon, Community Development Specialist - Michelle Harati, Community Development Project Manager	10 people signed the attendance sheet

Call to Order

Mr. Ken Malbrough called the meeting to order at 9:04 a.m. with six board members present. Quorum was achieved this time.

Approval of Minutes

Mr. Malbrough called for a motion to approve the November 07, 2018, meeting minutes. Mr. Richard Thesing moved to approve the minutes. Ms. Sara Berns seconded the motion. The November minutes were approved 3-0-2.

Mr. Malbrough called for a motion to approve the October 10, 2018, meeting minutes as there was a lack of quorum at the time minutes were reviewed at the November CPAB meeting. Mr. Zaheen Chowdhury moved to approve the minutes. Ms. Claudia Dunaway seconded the motion. The October minutes were approved 5-0-1.

Board Announcements

N/A

Staff Announcements

- Ms. Michelle Harati announced that the Economic Development Department's 2018 Annual Report had been released in early January. The report highlights key accomplishments and community impact; it is available on the Economic Development Department's [website](#).
- Ms. Harati stated that the City of San Diego's Nonprofit Academy will be hosting a Spring Workshop Series. This series will provide an opportunity to explore topics in marketing, strategy, and program design. These workshops are free and open to any nonprofit serving the City of San Diego. Individuals and organizations interested in registering to attend may do so [here](#).
- Ms. Harati stated that Project Homeless Connect, a one-day recourse fair individuals and families experiencing homelessness, would occur on Wednesday, January 30, 2019. Ms. Harati explained that the event needs volunteers and donations. Additional information can be found on the San Diego Housing Commission's [website](#).

Non-Agenda Public Comment

N/A

Agenda Item(s)

Discussion Item: 6a:

Office of Boards & Commissions

Mr. Joel Day, Director of the Office of Boards & Commissions, provided an overview and introduced the goals of the newly established Office of Boards & Commissions. Mr. Day stated that the aim of his office is to increase civic participation and further the concept of shared governance by providing Board members with a direct point of contact within the Mayor's office. Mr. Day also introduced the Standardized Report of City Boards & Commissions, which will inform a uniform report that will be submitted to City Council. *Please see the attached Handout for additional details.*

Discussion Item: 6b:**Conflict of Interest Policies.**

Ms. Marguerite E. Middaugh, Deputy City Attorney with the City Attorney's Office, provided a brief presentation on the City's conflict of interest policies pertaining to CPAB members and staff. *Please see the attached PowerPoint for additional details.*

Discussion Item: 6c:**Fiscal Year (FY) 2020 CDBG Application Status & CPAB Handbook**

Staff delivered a presentation with an update on the FY 2020 Request for Qualifications (RFQ) & Request for Proposals (RFP) CDBG application process and next steps. Staff also provided a review of key elements within the CPAB Scoring Handbook, which will be utilized in the review and scoring of FY 2020 RFP responses. *Please see the attached PowerPoint for additional details.*

Discussion Item: 6d:**FY 2020 CDBG Category: Catalytic Neighborhood Investment**

Stephen Maduli-Williams, Community Development Division Program Manager, provided an overview of the requirements and expectations for a new FY 2020 Notice of Funding Availability (NOFA), Catalytic Neighborhood Investment (CNI). The aim of the CNI program is to implement Community Facility Projects or Affordable Housing Initiatives that provide a significant impact to low- and moderate-income communities and/or individuals. *Please see the attached PowerPoint and [CNI RFP](#) for additional details.*

CPAB Member Comments Received:

- Mr. Malbrough expressed concern that this program was not previously brought to the CPAB's attention and discussed in detail. Mr. Malbrough requested that the time and scope of work for CPAB volunteer members be provided greater consideration in the future, as this program launch will increase the number of applications members will be required to review.

Adjournment

- Meeting adjourned at 10:06 a.m.

STANDARDIZED REPORT OF CITY BOARDS & COMMISSIONS



ADVISORY BOARD NAME:

1. MISSION AND DUTIES OF THE ADVISORY BOARD

i What are the Mission and Duties of the Advisory Board, as established by the Municipal Code?

2. ACTIONS TAKEN BY THE ADVISORY BOARD

i Please write a brief summary of the actions taken by the Advisory Board that year.

3. ADVISORY BOARD MEETINGS

i What were the number of Advisory Board meetings and what were the issues discussed?

4. MEETING CANCELATIONS

i What were the number of meetings cancelled and what was the reasoning?

5. AVAILABLE OPPORTUNITIES

i What are the number of vacant positions on the Advisory Board?

6. EXPIRED MEMBERSHIP

i What are the number of members serving on expired terms?

7. CONCERNS OR SUGGESTIONS TO BRING TO THE COUNCIL

i Do you have any suggestions or concerns that you would like to bring to the Council's attention?

8. ASSISTANCE TO THE BOARD

i Please provide an estimate of the City staff hours assisting in administering the Board.

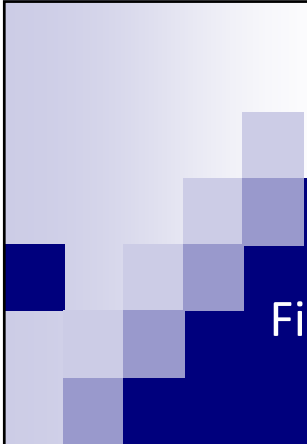
9. VOLUNTEER HOURS

i Please provide an estimate of the volunteer hours by commissioners.

ADVISORY BOARD ACTIVITIES

Please provide 4-5 pictures of the Advisory Board Activities

PDF Files	Title of Activity	Date of Event



Overview of Financial Conflicts of Interest

Consolidated Plan Advisory Board

Presented by the Office of the City Attorney
January 16, 2019



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.

Federal, State and Local Laws Regulating Conflict of Interest

- Federal CDBG Regulations, 24 C.F.R. § 570.611
- California Political Reform Act (PRA)
- California Government Code 1090
- San Diego Municipal Code §§ 26.2108-26.2109
- CPAB Conflict of Interest Code

Federal Conflict of Interest Regulations

24 C.F.R. § 570.611

- No persons having any responsibility with respect to CDBG activities or who participate in any CDBG related decisionmaking 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 who they have immediate family or business ties, during their tenure and for one year after. (24 C.F.R. 570.611)
- Even **apparent** conflicts of interest are prohibited

California Political Reform Act (PRA)

Cal. Gov't Code §§ 87100-87500

- Prohibits public officials from participating in governmental decisions in which they have a financial interest.
- 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, and upon leaving office

Economic Interests

- **Income** (including loans) aggregating \$500 or more within the 12 months prior to the decision.
- **Gifts** from a single source aggregating to \$470 or more within the 12 months prior to the decision.
- A measurable financial benefit or loss to your **personal finances** or an immediate family member's personal finances would result from the decision.

Economic Interests

Direct Investments

- A **business entity** in which you have an investment of \$2,000 or more and 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 including leaseholds (not month to month leases)

Economic Interests

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

Criminal Penalties

- A knowing and willful violation of the PRA is a misdemeanor
- Punishable by a 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

Civil Penalties

- Civil fine for violating reporting requirement (not more than the value that was not reported)
- Greater of either \$1,000 or three times what was not properly reported for the giving or receiving of a gift
- Liability for an amount of up to three times the value of the economic benefit realized as a result of the violation
- A civil penalty of up to \$5,000 per violation may be imposed (where no specific civil penalty is provided)

Administrative Penalties

- Order to:
 - (1) cease and desist violation of the PRA;
 - (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

California Government Code 1090

- Applies only 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 interest or Non-interest

Penalties for Violating Section 1090

- Contract is void and unenforceable
- Willful violation is a crime
 - Potential fine
 - Imprisonment
 - Forever disqualified from holding office in California

Local Regulations of Conflict of Interest

- 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.
- San Diego Municipal Code section 26.2109 requires CPAB members to recuse themselves from participating in any decision in which she or he has any personal or financial interest.

CPAB Conflict of Interest Code

Disclosure Categories (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.

Summary

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

Resources

- *Fair Political Practices Commission (FPPC)*, <http://fppc.ca.gov>
- *City's Ethics Commission webpage*,
<http://www.sandiego.gov/ethics/about/help.shtml>
- *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

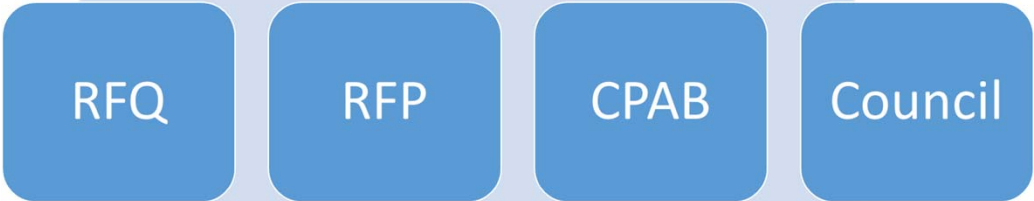
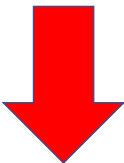
FY 2020 CDBG Competitive Application Process Overview

Consolidated Plan Advisory Board Meeting
January 16, 2019



 Economic Development

Sequence



Economic Development

FY 2020 CDBG RFQ Process

RFQ Workshops

- *Are You CDBG-Ready?*
- August 29, 2018
- 56 Attendees

RFQ Release

- September 4, 2018

RFQ Submittal Deadline

- October 19, 2018

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Economic Development

RFQ Applicant Support



Technical Assistance

14 – half-hour (30-minute) appointments



Questions & Answers

71 – questions asked and answered via CDBG@sandiego.gov



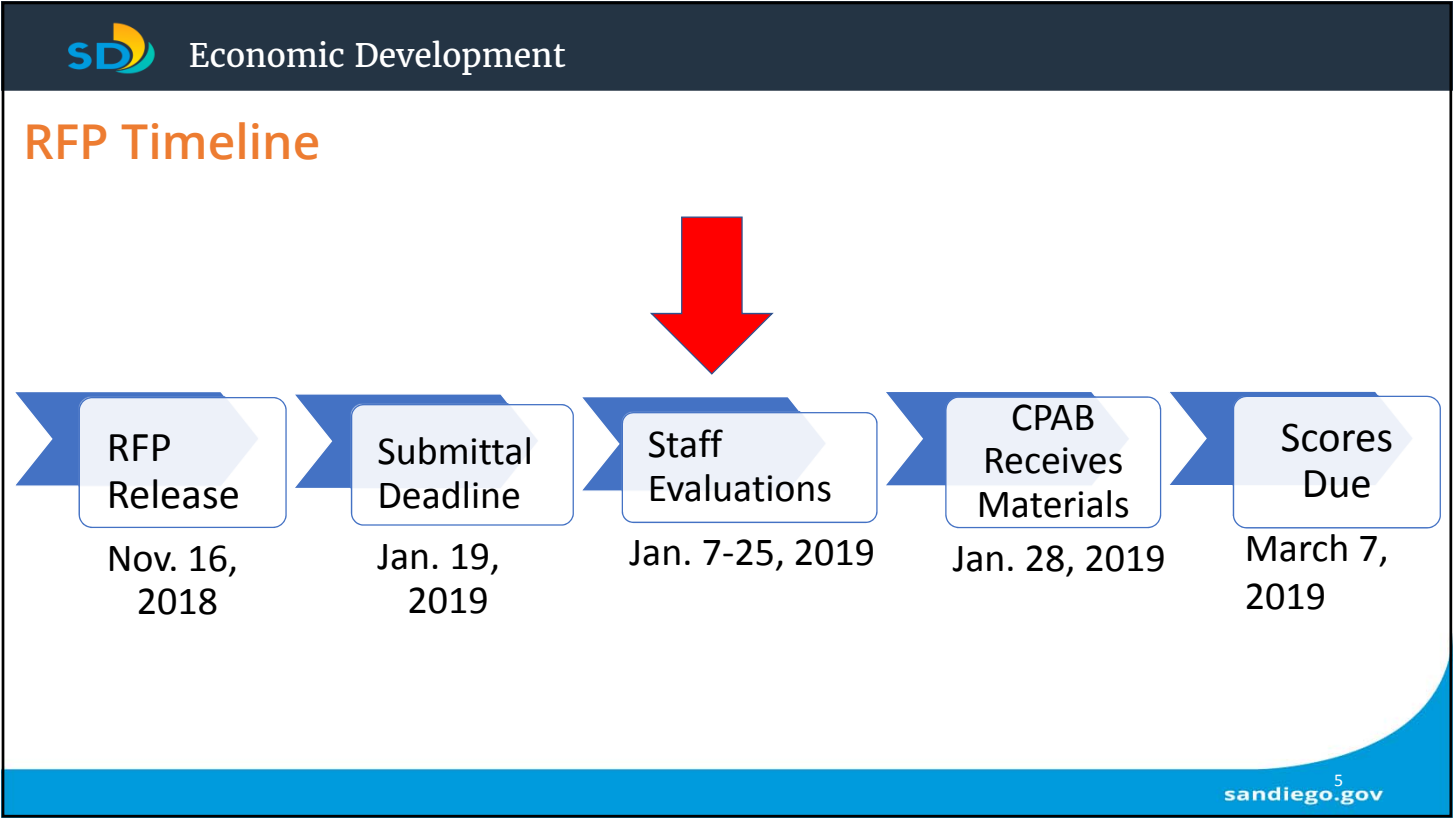
FAQs Published

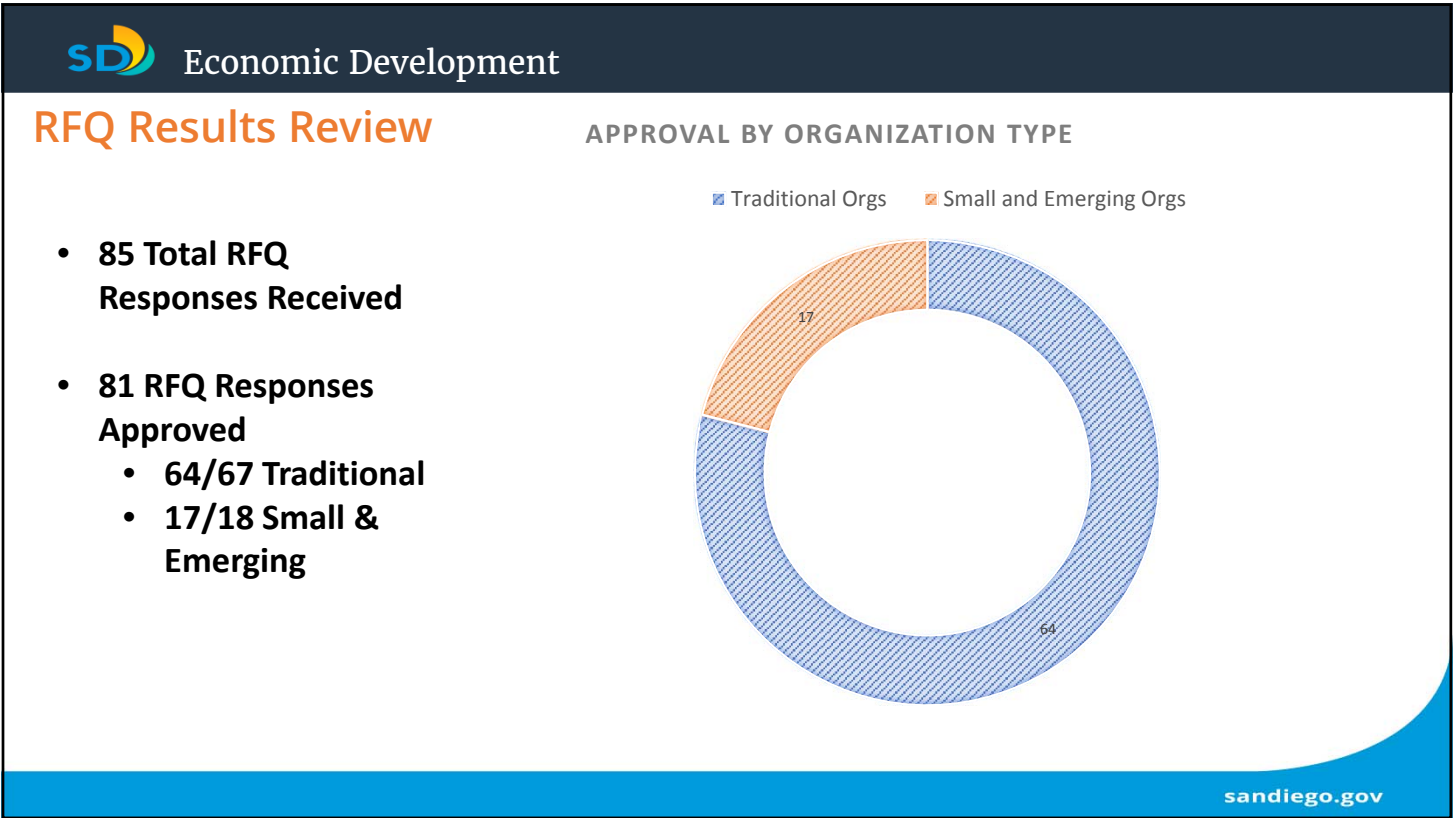
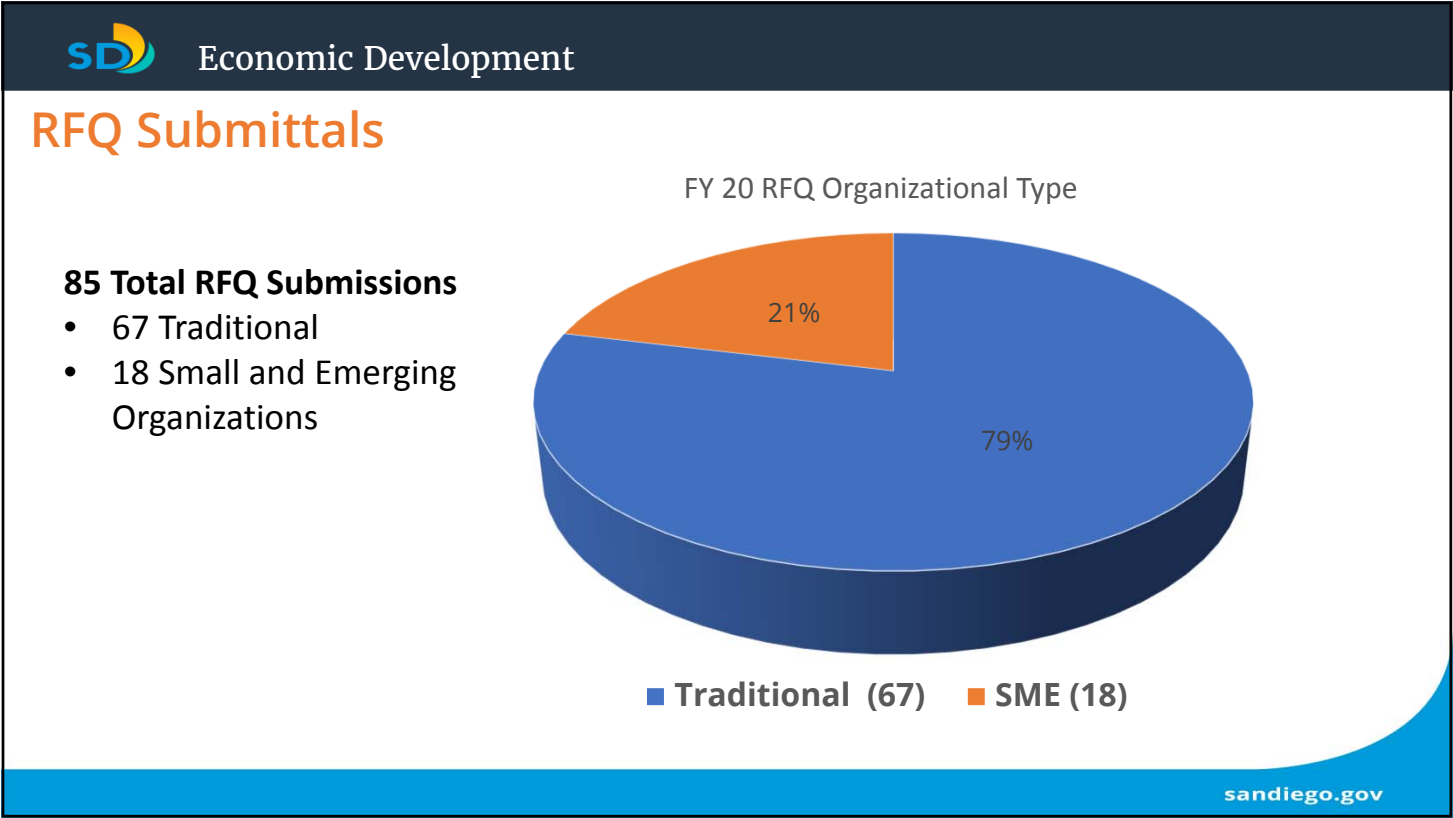
7 **New** questions

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Economic Development Department

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Economic Development

RFP Categories in FY 2020

Nonprofit Capital Improvement Facilities Traditional & Sustainability Improvements

Public Services – Traditional & Small Emerging Organizations

Multi-Family Housing Rehabilitation

Single-Family Housing Rehabilitation-1 *awardee*

CED – Micro-Loan Capital-1 *awardee*

CED – Neighborhood Business Improvement-1 *awardee*

CED-Technical Assistance

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Economic Development

RFP Applicant Support



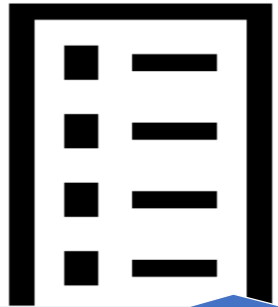
Technical Assistance

40-half-hour
(30-minute)
appointments



Questions & Answers

127 – questions asked
and answered via
CDBG@sandiego.gov
and workshops



FAQs Published

9 New Posted

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RFP Responses Received – Preliminary Overview

- 70 Responses Received
- 62 Unique Organizations

Nonprofit Academy (NPA) Highlights

- 27/62 (44%) applicants attended the NPA in the last year
- 33 (53%) of RFP applicants attended the NPA some time in the past
- 16 (26%) of 62 RFP applicants attended the Spring 2018 Workshop Series

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Economic Development

RFP Responses Received – Preliminary Overview

RFP Category	Number of Applications	Preliminary RFP Budget	Total CDBG Amount Requested	Over/Under-Subscribed	Difference Amount
CED-Technical Assistance	8	\$1,000,000	\$1,571,058	Oversubscribed	(\$571,058)
CED-NBI	1	\$2,500,000	\$2,500,000	-	0
CED-Microloan	0	\$1,500,000		0 Undersubscribed	\$1,500,000

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SD Economic Development					
RFP Responses Received – Preliminary Overview					
RFP Category	Number of Applications	Preliminary RFP Budget	Total CDBG Amount Requested	Over/Under-Subscribed	Difference Amount
NCIP-Multifamily	0		0		0
NCIP-Facilities	6	\$1,500,000	\$1,967,750	Oversubscribed	(\$467,750)
Sustainability-Facilities	3	\$1,500,000	\$877,986	Undersubscribed	\$622,014
Single Family Rehab	2	\$2,500,000	\$5,000,000	Oversubscribed	(\$2,500,000)
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SD Economic Development					
RFP Responses Received – Preliminary Overview					
RFP Category	Number of Applications	Preliminary RFP Budget	Total CDBG Amount Requested	Over/Under-Subscribed	Difference Amount
Public Services	36	\$1,000,000	\$4,011,840	Oversubscribed	(\$3,011,840)
SME-Public Services	14	\$500,000	\$700,000	Oversubscribed	(\$200,000)
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Economic Development

CPAB Considerations

Confidentiality

Conflict of Interest

CPAB Judgement

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Economic Development

Application Review Considerations

Answer the question?

Clear and specific response?

Proposed outcome possible/measurable?

Outcomes match funding requested?

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EDGrants

- Economic Development Grants Management System (EDGrants) → <https://edgrants.force.com>
- Completion of registration process
 - Pledge of Confidentiality
 - Acceptance of Conflict of Interest
 - All other relevant information
 - Approval link from ED Grants

FY 2020 Key Points

Partnerships

- Allowable for all RFP categories except small and emerging organizations, and construction projects

Single Awardees

- A single awardee will be awarded the entire RFP category budget for Neighborhood Business Improvement and Single Family Housing Rehabilitation

Challenge Grant - Small Emerging Nonprofits

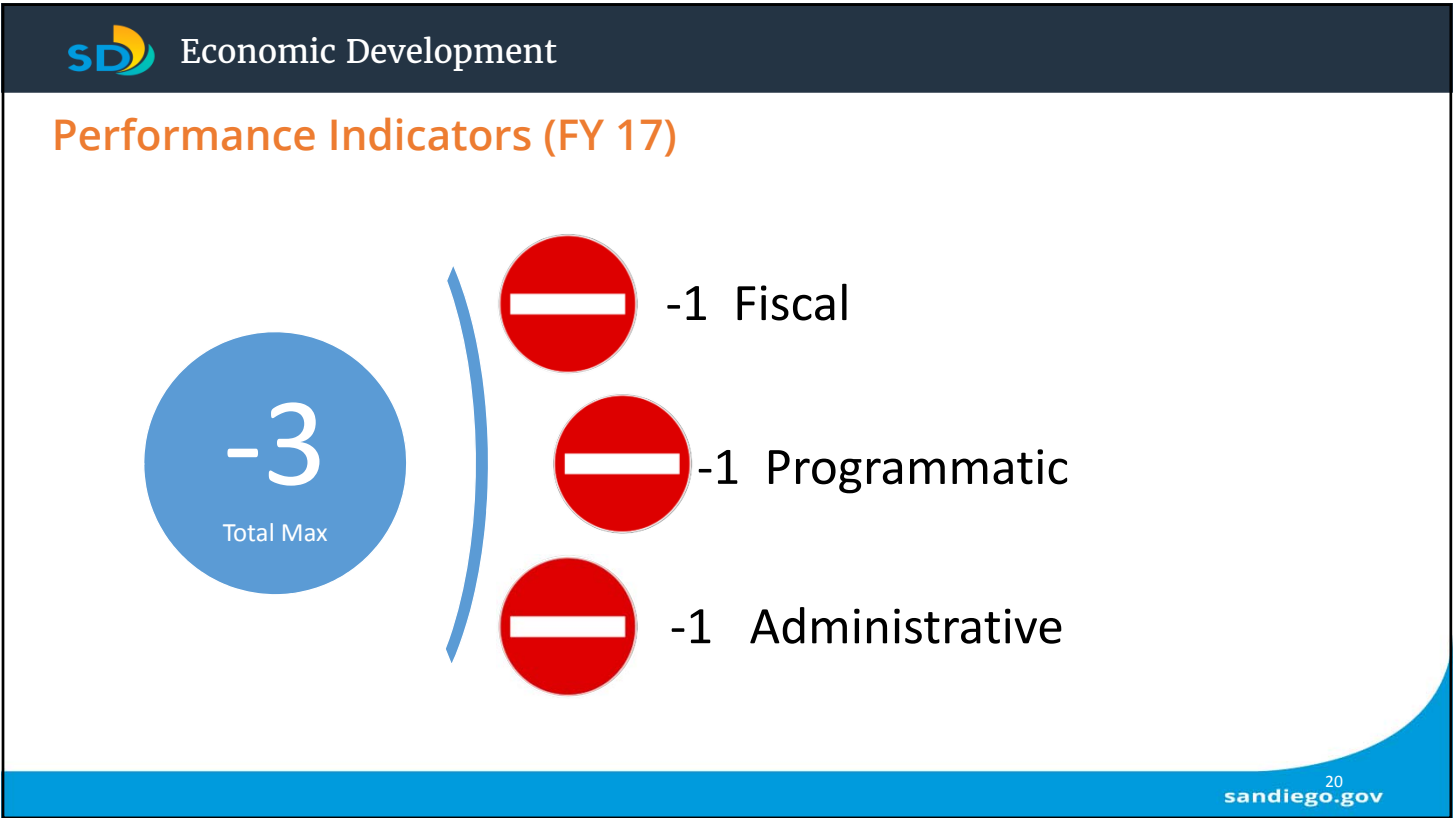
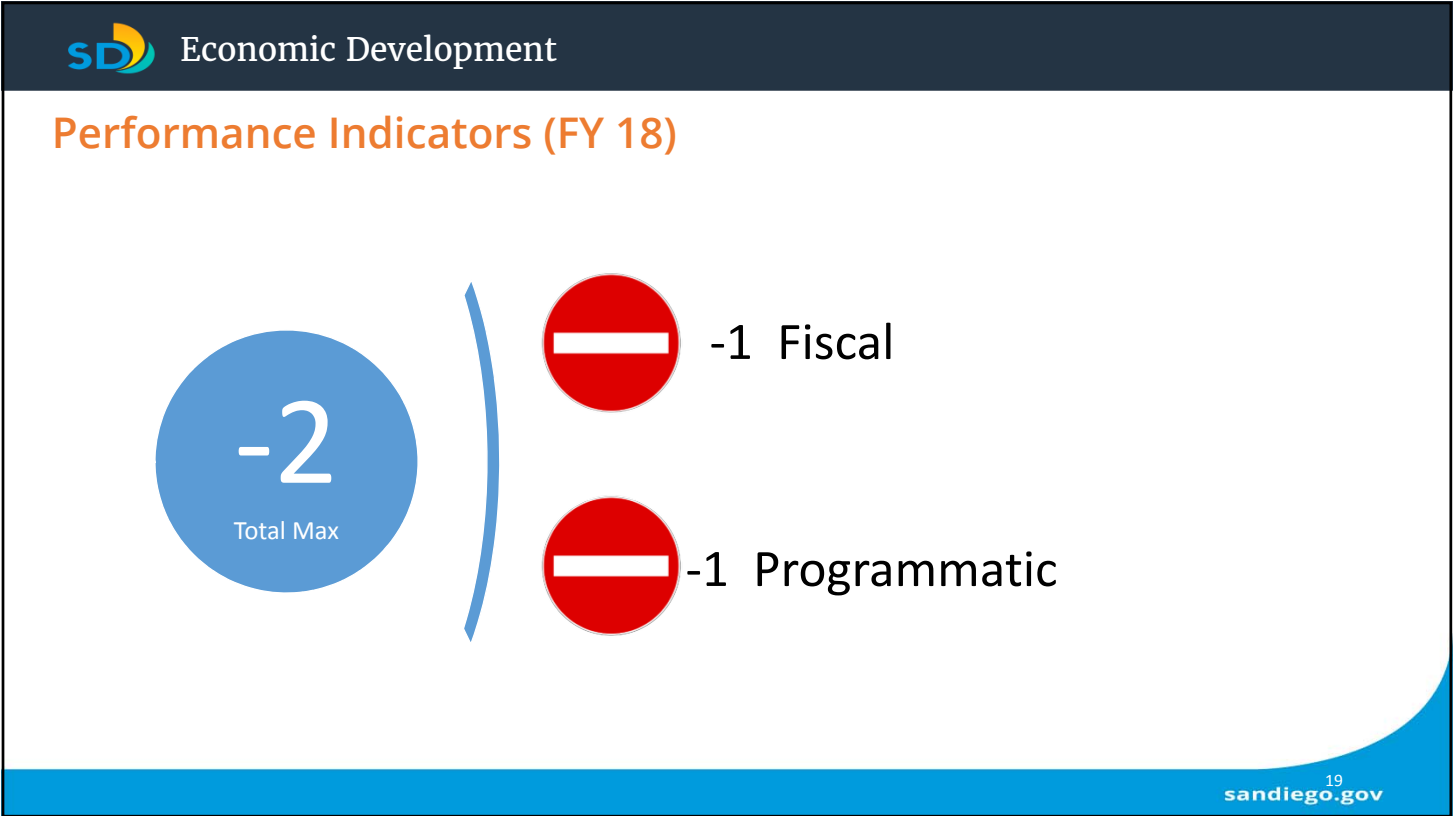
- Only 10 allocations available – will likely be competitive category

RFP Application Limitations

- Applicants were limited to proposing one RFP response for each RFP category

RFP Program Guidelines

- Provision of recommended guidelines for applicants to consider while compiling responses





Economic Development

Next Steps – FY 2020 CDBG RFP

January 25, 2019	Optional CPAB member training on navigating ED Grants
January 28, 2019	FY 20 CDBG RFP proposals available to CPAB members for review and scoring
February 07 – March 01, 2019	Potential CPAB Ad-Hocs to discuss proposals
February 13, 2019	CPAB meeting with mandatory proposal presentations for Single Family Housing Rehabilitation, Neighborhood Business Improvement, and Catalytic Neighborhood Improvement RFP categories
March 07, 2019	CPAB deadline to submit FY 20 scoring results through ED Grants



Economic Development

Next Steps – FY 2020 CDBG RFP

March 08, 2019	Applicant notification, scores posted online and emailed to interest list
March 13, 2019	CPAB Meeting to ratify CDBG RFP scores and make funding allocation recommendations to be forwarded to City Council for approval
April 2019	FY 20 Allocations incorporated with FY 20 Annual Action Plan and Fiscal Year 2020-2024 Consolidated Plan presented to City Council

Economic Development

Catalytic Neighborhood Investments

Consolidated Plan Advisory Board
Wednesday, January 16, 2019

The City of

SAN DIEGO

 Economic Development

Catalytic Neighborhood Investments

- New RFP Category for FY 2020
 - o Purpose
 - o Submittal Requirements
 - o Schedule
- Scoring Criteria

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Economic Development

Purpose of Catalytic Neighborhood Investments

Create impactful community facilities

Provide affordable housing opportunities

Increase community-changing projects in LMI neighborhoods

Stimulate outside investments in LMI communities

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Economic Development

Objectives

Identify, design and launch a well-managed project

Develop criteria for tenant recruitment

Develop programming and success metrics

Encourage collaborations to attract resources

Develop a self-sustaining project by the time City funds expire

Emphasize and implement diversity

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 Economic Development

Funding and Budget

Minimum Request
\$100,000

RFP Budget
\$7,000,000

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Submittal Requirements: Consolidated Plan Goals

1

- Increase and preserve **affordable rental and homeowner housing** to improve access to **housing** opportunities that reflect community needs, including, but not limited to, opportunities in close proximity to transit, employment, and community services.

2

- Enhance the City's economic stability by investing in inclusive economic growth initiatives that develop and strengthen **small businesses and support local entrepreneurs**.

3

- Foster individual and household resiliency by **investing in employment and workforce development** programs and improving access to job opportunities.

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Submittal Requirements: Consolidated Plan Goals

4

• Support the development of vibrant, equitable, and adaptable neighborhoods by investing in **public facilities and critical infrastructure**.

5

• **Assist individuals and families to gain stable housing after experiencing homelessness or a housing crisis** by providing appropriate housing and service solutions grounded in best practices.

6

• **Invest in community services that promote equity and serve vulnerable populations** including, but not limited to, refugees and recent immigrants, previously incarcerated, veterans, youth, seniors, and food insecure households.

7

• Finance **impactful nonprofit facility improvements** to provide new or increased access to programs that serve vulnerable populations or implement sustainability measures.

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 Economic Development

Submittal Requirements: Proposal

 Project Description and Timeline

 Measuring Impacts: Neighborhood, Site and Population

 Implementation Plan and Sustainability Plan

 Management and Operations Strategy

 Financial Capacity // Equal Opportunity Contracting

 Statement of Qualifications and Relevant Experience

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Economic Development

Schedule

Milestone	Date
Pre-Submittal Workshop	01/16/2019
Submittal Deadline	02/01/2019
Presentations to the CPAB	02/09/2019
Preliminary Scoring Results Posted Online	03/08/2019
CPAB Recommendations to City Council	03/13/2019
Funding Recommendations Presented to PSLN	03/2019
Funding Recommendations Presented to City Council	04/2019
Contract Term Begins	07/01/2019

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Scoring Criteria

Category	Max Points
1. Project Feasibility and Timeline	20
2. Anticipated Impact	25
3. Verbal Presentation	10
4. Organizational Financial Capacity and Demonstrated Leverage Funding	25
5. Organizational Experience with Similar Projects	20
Total	100

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 Economic Development

Thank you

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