

-MINUTES
FROM THE
COMMUNITY DEVELOPMENT & CAPITAL IMPROVEMENT PROJECTS
BOARD MEETING (CDCIP)
Monday, November 18th, 2024
5:00pm

1. **Board Members**

Board Members Not Present

Heidi Steed (online)
Brad Christensen
Joseph Murphy (aka Jurphy)
Jake Skog, Chair
Andrea Schaefer
Devon Schechinger
Jenny Bonk
Dallin Jones

Staff Present

Tony Milner (online)
Tyler Durfee
Kerry Thomas
Dennis Rutledge
Sarah Neilsen
Alexandra Hall
Sara Montoya
Amanda Best

Also Present

Ryan Kristoff – ICAST
Katherine Fuentes (WeeCare – Online)
Holly Yocom (Online)
Mary T. Calhoon (First House – Online)
Jason Wheeler – Assist
Mariah Mellus – Utah Film Center
Megan Horner – Utah Film Center

2. **Terms**

OPMA - Utah Open and Public Meetings Act

Anchor Location – Physical location of the meeting

CDCIP – Community and Development & Capital Improvement Projects

Quorum – the minimum number of members of an assembly or society that must be present at any of its meetings to make the proceedings of that meeting valid

GRAMA – Government Records Access and Management Act

HSD – Housing Stability Division

NIH – Neighborhood Improvements and Housing

CDBG – Community Development Block Grant

3. Welcome and Introductions

Jake Skog calls the meeting to order. Kerry Thomas summarizes the agenda and mentions two applicants will be excluded from the application review discussion due to being ineligible.

4. OPMA Training

i. OPMA Requirements

Ms. Montoya introduces OPMA and its purpose to increase a public body's transparency to the public. It requires that every meeting must, no less than 24 hours prior, be: 1) posted as a notice at the meeting's anchor location, 2) published on the Utah Public Notice website, and 3) include agenda, date, time, and place; regularly scheduled meetings require an annual notice. She also mentions that a member of a public body should not engage in business during social gatherings where another member happens to attend as it would violate OPMA.

Q. Ms. Thomas asks for clarification CDCIP board meetings and whether they need an annual or a 24 hour notice. She says it is unknown what specific days the board may meet and what month they start, but the meeting takes place weekly.

A. Ms. Montoya advises to err on the side of caution and to publish one of each with what is known of the meeting and a note that the dates may be subject to change.

Q. Mr. Rutledge asks if you can combine the 24-hour meeting and annual meeting notice.

A. Ms. Montoya clarifies they must be published separately.

ii. Emergency and Electronic Meetings

Ms. Montoya talks about the exception of emergency meetings. Majority of board members must approve the emergency meeting. Notice requirement does not apply in this situation, and a final action can be taken during one.

Q. Mr. Murphy asks to define a final action.

A. Ms. Montoya answers that it is taking a vote.

Ms. Montoya describes two types of electronic meetings that do not violate OPMA: 1) with anchor location for public to join, and 2) Without anchor location due to a safety risk, but open to public electronically. She highlights that these meetings must have a written resolution, rule or ordinance in the body's policy to be allowed. Ms. Thomas mentions that the CDCIP does have one as of last December. Ms. Montoya continues to say that electronic messages are permitted without public notice unless a quorum is convened electronically. She advises to use the 'reply all' button sparsely.

Q. Mr. Skog asks what happens when an individual ‘replies all’ but doesn’t have the authority to convene a meeting.

A. Ms. Montoya answers that it would still be a violation of OPMA if a discussion takes place as a result and advises to err on the side of caution.

Q. Mr. Skog asks about who is responsible for CDCIP meeting notice and Agenda.

A. Ms. Thomas replies she writes the agendas and puts together the pre-meeting documentation. She continues to say that Rae Steinke – though the task may be delegated to Ms. Hall sometime in the future – publishes the notice publicly.

iii. Closed Meetings and Violations

Ms. Montoya informs the board that closed meetings require quorum present, 2/3 board present and vote to approve closing, and a public notice of who voted to close the meeting and their reason. Closed meetings generally require a recording, protected records under GRAMA, and a sworn statement by members that they closed the meeting to discuss official matters.

Q. Ms. Thomas asks about NANO sessions – a special event where applicants come to meet the board in tables of 2 – which is typically not recorded and is considered a closed session; however, a meeting convenes at the end and is recorded and documented in minutes to be published.

A. Ms. Montoya answers that the NANO sessions do not violate OPMA because a quorum is not convening due to the participants being separated at the beginning of the event.

Q. Mr. Skog and Mr. Rutledge discuss allowing applicants to attend CDCIP board meetings for the board to ask the applicant directly a question about their application; they ask if this is within legal bounds.

A. Ms. Montoya answers yes and highlights that public comment is often at the discretion of the Board Chair.

Ms. Montoya discusses enforcement, saying that a violation is a Class B misdemeanor, and if a violation is found in a lawsuit, then the body’s final action may be voidable and undone. For example, awarded funds may have to be returned and the body would have to start over with its work through a public process.

Q. Mr. Skog asks if a private individual is the only who can bring a lawsuit for a violation of OPMA.

A. Ms. Montoya answers that a Class B misdemeanor is considered criminal, but generally, yes.

5. Application Review: CDBG – NIH

Ms. Thomas opens the agenda item by summarizing the board's general intentions as voiced in the last meeting, such as going over the application questions and applicant programs. Mr. Rutledge addresses attending applicants saying the purpose of inviting them to the CDCIP meetings is so that they may answer any potential questions the board has for their application, and they have 2 minutes to answer questions posed to them. Furthermore, the two applicants that were considered ineligible were ICAST and NeighborWorks. He says the staff will send the board more information as to why.

i. Scoring System

Before reviewing the specific applications, Ms. Schaefer asks about the two-point extra credit question and how it converts to the new 3-12 scale. Mr. Rutledge answers that an applicant can score up to 98 on the application questions and the extra points can be awarded to add to 100. Ms. Schaefer points out in response that those two points are then not the same weight as the other questions, and it should be corrected to 3 to maintain the weighted score as the previous year. It is agreed the points should be corrected to 3. Mr. Rutledge is assigned to make a note to change the scoring scale.

Ms. Bonk adds that the system may be too complicated and asks Mr. Durfee to change the scoring system to something simpler (such as 1-5). Mr. Rutledge asks if this is possible for the current round of applicants, and Mr. Durfee answers it is, but all the data would have to be reentered.

ii. Application Reviews

As the board begins application reviews, Mr. Murphy asks how the board should consider programs that have a more specific target population vs. programs that are broader so that the board has a common understanding of the intent of the question and how to apply the 3-12 scale. Ms. Schaefer interprets the question as being more about the efficiency of the program in addressing the needs of its target population. Ms. Bonk adds that the wording of the question seems to measure the knowledgeability of the applicant to serve their target population, broad or otherwise.

Mr. Skog says the questions are wordy and hard to understand and will be subjective to all of them. He then asks board members to bring specific discussion points to the next meeting.

Ms. Thomas introduces the HSD Neighborhood Improvement and Stabilization program and its 3 avenues of rehabilitation: Home Repair, Handyman, and Fix the Bricks. Upon general request, HSD employee Amanda Best talks about programs outlook and future estimates of the program.

Q. Mr. Jones asks if the age of the home is considered in the Fix the Bricks

program.

A. Ms. Best answers yes, and Fix the Bricks deals with very specific, brick homes. The other two programs fix more than just bricks.

Q. Mr. Skog asks why there are three applications for HSD's programs.

A. Ms. Best answers that it is because they are competing with themselves and if they are awarded at least once they can split the money amongst the three programs.

Ms. Thomas moves on to the second HSD application and its Neighborhood Business Improvement Program.

Q. Mr. Skog asks how long the program been in place, and whether there has been intentional damage to a property to gain funding for improvements.

A. Ms. Amanda Best answers it started as a pilot program in 2015, but has grown significantly in the last 3 years, and that the beneficiaries of the program generally own properties with a record of longstanding damage.

Q. Ms. Bonk asks how this program is different from the others.

A. Ms. Best answers that this program requires more outreach and will employ a full-time employee, versus the other positions which are primarily made of part-time employees.

Ms. Thomas introduces the Housing Authority of Salt Lake City's Riverside Apartments Project. Mr. Skog comments that he feels positive about this application due to it having a clear end goal.

Q. Mr. Jones asks about pricing for units/unit renovations and how to know if the numbers given in the application are accurate.

A. There is no representative of the Housing Authority at the meeting, so Mr. Rutledge responds that part of the cost estimate takes into account that there is a federal bidding requirement for these applications. Mr. Durfee adds that there is a section of the application that asks about the applicant's compliance with the Davis-Bacon Act which also contributes to the number estimate.

Ms. Thomas introduces the Habitat for Humanity's Critical Home Repair Program. Since there is no representative from the Habitat for Humanity present, Mr. Christiansen asks Ms. Thomas to reach out to Habitat for Humanity to clarify what part of the budget serves the 50 beneficiaries and whether the requested budget will also be used for the rest of the organization's target group.

Ms. Thomas introduces ASSIST Inc.'s Emergency Home Repair, Accessibility, and

Community Design program.

Q. Ms. Bonk questions whether the request applies to the beneficiaries listed or includes the organization's overall reach.

A. Jason Wheelera answers that they listed only the beneficiaries in SLC, but the larger budget is for the program's overall reach. Mr. Rutledge adds that, during the applicant training, they instructed that the number of beneficiaries should be for the total amount the applicant is asking for, and that he will reach out to the applicants for clarification.

Ms. Thomas introduces Odyssey House's Neighborhood Housing Improvement program.

Q. Mr. Skog points out a discrepancy in the budget request, stating that a different application has the exact same number listed.

A. Ms. Thomas and Mr. Rutledge respond there may have been a mistake that mixed up the two programs.

Ms. Thomas introduces WeeCare, Inc's. DBA Upwards program.

Q. Because part of the budget expense includes staffing, Ms. Schaefer asks how many employees the budget request is to cover and if WeeCare can provide a breakdown of their positions and salaries.

A. Ms. Fuentes responds that the budget is for child, in home day care providers and the request is for the team that supports the providers. She says she can provide a breakdown of salaries of people of interest. Ms. Thomas tells Ms. Fuentes to send it to her to give to the board.

Q. Ms. Schechinger asks Ms. Fuentes to elaborate on what they mean by 'technical assistance.'

A. Ms. Fuentes says the program is designed for providers to come up with their own business plan and WeeCare designs a team to accomplish the plan through coaching, with the goal of digitizing their operation such as electronic communications and website building.

Q. Ms. Schaefer asks for clarification on whether WeeCare is a for profit company supporting non-profits.

A. Ms. Rutledge clarifies it is a for-profit company supporting other micro-startups.

Q. Mr. Murphy comments that most of WeeCare's programs are in California and asks about the success of the one listed in Utah.

A. Ms. Fuentes clarifies that WeeCare is a nationwide company that applies

for CDBG funding to run local programs. As for the program Mr. Murphy referred to, it is successful since its launch in August and has already succeeded its first quarter outcomes (Sept. – Oct.). She also offers to provide contacts from the city of West Jordan and will send them to Ms. Thomas.

Q. Ms. Schaefer asks how long the subrecipients will receive program benefits.

A. Ms. Fuentes clarifies the program is for 12 months and aims to turn its subrecipients into sustainable operations but offers the opportunity to stay on the Boost program for an additional year if they are still within the low-moderate income household bracket.

Q. Ms. Schaefer asks a follow up question about whether the recipients have to purchase equipment from WeeCare for the program.

A. Ms. Fuentes answers that the program is more like a license. If the recipient chooses to stay on after graduating out of the Boost program, they will pay a subscription fee. Otherwise, no additional technology is needed for the Boost program. Ms. Schaefer asks Ms. Fuentes to provide data on their California operations and on how many recipients choose to stay on the program. Ms. Fuentes replies that the number is 98% nationwide but will provide the numbers through Ms. Thomas.

Q. Ms. Bonk asks about the cost of subscription after graduating from the program.

A. Ms. Fuentes describes the cost as a profit share model. For example, if a business makes 350,000/week they would pay 3% to WeeCare.

Ms. Thomas introduces the First Step House's Hard Cost Building Renovations program.

Q. Mr. Skog comments that the building looks new and asks what year the building was built.

A. Ms. Calhoon replies that she doesn't know, and that the Housing Authority owns the building but via contract they are responsible for repairs, running it since 2016. Ms. Thomas asks Ms. Calhoon to send her the information on when the building was constructed.

Q. Mr. Skog asks if this application was also introduced last year.

A. Ms. Calhoon answers that the renovations of their buildings are ongoing, and it is possible they have applied before, albeit possibly for something else.

Ms. Thomas introduces the Utah Film Center's program application.

Q. Mr. Rutledge asks if the people who primarily use Utah Film's Center's buildings are low income.

A. Ms. Horner answers they primarily serve the community in the area where their building is located.

Q. Ms. Schechinger asks about how they came up with their number of beneficiaries as it was relatively high (88,200)

A. Ms. Horner answers that that number is made up of projections that consider the expansion of the program and programs they are currently running.

Q. Mr. Murphy asks if they have an estimate for the number of beneficiaries that would specifically be benefiting from the professional development program.

A. Ms. Horner answers that a similar program is serving about 500, but over the course of time the number will increase, so she can't make an accurate estimate at the moment.

Q. Mr. Durfee asks where else they are seeking funding.

A. Ms. Horner answers they have also requested funds from the state, county, and other private sources. Mr. Rutledge adds that the program qualifies for CDBG funding because it is open to the public.

Q. Mr. Skog asks what would happen to their program if the funding wasn't provided by the city.

A. Ms. Horner answers that the timeline for funding will be extended.

iii. Closing Remarks

Ms. Thomas requests board members to email further questions to her and reminds the board the next meeting will be Dec. 2nd. Mr. Jones asks when the reviews need to be finished, and Mr. Rutledge and Ms. Thomas answer that there will be a final funding night on the Sunday before the deadline which is Feb. 3rd.

6. Approval of Minutes

Jake Skog and Joseph Murphy call for a motion to approve the minutes from the Nov 4th meeting. Dallin Jones seconds the motion.

7. **Adjourn**

The meeting was adjourned at 6:59 P.M.

X

CDCIP Board Chair

This document along with the digital recording constitute the official minutes of the CDCIP Board meeting held November 18th, 2024.