

CITY OF SAN DIEGO, CALIFORNIA
COUNCIL POLICY

CURRENT

SUBJECT: CITY COUNCIL FUNDING OF COMMUNITY PROJECTS,
PROGRAMS, AND SERVICES

POLICY NO.: 100-06

EFFECTIVE DATE: July 1, 2023

PURPOSE:

It is the purpose of this policy to establish guidelines and uniform eligibility requirements for the annual appropriation and expenditure of funding for each City Council Office for Community Projects, Programs, and Services (CPPS) to be expended at the discretion of each Councilmember during the fiscal year. The CPPS appropriation is included in the City's annual budget as approved by the City Council.

POLICY:

It is the policy of the City Council that:

1. CPPS funding may be provided to City departments, public agencies, and non-profit organizations for projects, programs, or services that serve a lawful public purpose in order to benefit the City's neighborhoods and communities.
2. CPPS funding shall not be used for any purpose prohibited by laws governing the use of public funds, including for private, political, religious, or fundraising purposes or activities.
3. CPPS funding requests to supplement City departmental expenses or existing City capital improvement projects shall be made of the Department of Finance Director and City Comptroller via transfer memorandum.
4. CPPS funds granted to other public agencies or non-profit organizations may be used for the following:
 - a. Capital Improvements: CPPS funds may be awarded to pay for items or services needed to design, process, and build capital improvements, including materials, contracted labor, contracted consultants, and professional services. Capital improvements include the construction or acquisition of buildings and recreational facilities or other community betterments, such as landscaping, refurbishment, preventive maintenance, or other work designed to improve, enhance, or extend the useful life of a facility. CPPS funds shall only be used for capital improvements on private property. Private capital improvement projects that are funded, in whole or in part, with CPPS funds may be considered a public work under the California Labor Code requiring the payment of prevailing wages.

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- b. Equipment, Materials, Goods, or Supplies: CPPS funds may be awarded to create, purchase, install, remove, maintain, or repair equipment, materials, goods, or supplies. These tangible items include expenses related to technology and educational services.
 - c. Community Programming or Events: CPPS funds may be awarded for social, environmental, cultural, or recreational programming or events. CPPS funds may be awarded to support ticketed programming or events, provided the awarded CPPS funds are used consistently with the requirements of this Council Policy, the program or event is open to the public, and the program or event is not exclusive to the organization's membership.
 - d. Food or Beverages: CPPS funds may be awarded to pay for food or beverages only if the food or beverages are provided to individuals or families in need through organizations, such as food banks.
 - e. Operational Expenses: CPPS funds may be awarded to support recurring operational expenses of a non-profit organization.
5. City Council Offices may prioritize applications requesting CPPS funding for one-time uses. Awarding funds for one-time uses avoids service interruptions or employee impacts if CPPS funding is not awarded or discontinued in subsequent funding cycles.
 6. CPPS funding shall not be used for administrative expenses of City Council Offices.
 7. City Council Offices may recommend CPPS funding awards annually per the application schedule published by the Council Administration Department (Council Administration).
 8. If CPPS funds are not spent as described in the CPPS Grant Agreement, the public agency or non-profit organization shall repay the City in an amount equal to the CPPS grant award.
 9. Each City Council Office shall recommend funding recipients based on the application materials and supporting documentation from all applicants who have complied with the requirements herein, including the requirements in the standard CPPS application.
 10. Funding awarded to public agencies or non-profit organizations under this Council Policy may only be done by City Council resolution.
 11. City Council Offices shall encourage applicants to seek matching funds outside of CPPS funding. The availability of matching funds shall be considered by City Council Offices when considering an application for funding.

Procedure for funding availability:

12. Each year, the Mayor shall include in the Mayor's proposed budget any aggregated, proposed appropriation for City Council Office CPPS fund allocations as a department expenditure. The actual appropriation shall be included in the City's annual budget as approved by the City Council.
13. The total amount of funding budgeted for annual City Council Office CPPS fund allocations shall be distributed evenly amongst the City Council Offices.
14. Upon a Councilmember's request to the Department of Finance, a City Council Office may supplement its annual CPPS fund allocation with estimated non-personnel savings related to the administration of the City Council Office within the current fiscal year.
15. Unexpended CPPS appropriations shall be returned to the General Fund at the end of the fiscal year and shall not be carried forward to the following fiscal year.

Procedure for establishing funding eligibility:

16. To be eligible for CPPS funding, a public agency or non-profit organization shall:
 - a. Be a tax exempt or non-profit organization in good standing or be a public agency located or functioning within the City.
 - b. Be financially solvent and provide the most current Internal Revenue Service Form 990, other annual information return, or proof of exemption at the time of application. Public agencies are not required to provide Form 990.
 - c. Disclose all sources of funding to the non-profit organization, including all existing and anticipated funding for the specific CPPS request. Private funding may be listed as "Private Funding" and the specific source does not have to be identified. Public agencies shall disclose all sources of funding only as it relates to the specific CPPS request.
 - d. Enter a CPPS Grant Agreement with the City that specifies the responsibilities of the public agency or non-profit organization with respect to the use of CPPS funds awarded and stipulating that all expenses shall be documented pursuant to the CPPS Grant Agreement.
 - e. Acknowledge that all documents related to the CPPS funding request, including application materials, the CPPS Grant Agreement, and expenditure documentation are a matter of public record and may be provided to members of the public in compliance with the California Public Records Act.

- f. Recognize that applying for CPPS funding does not guarantee in any way that a public agency or non-profit organization will receive CPPS funding.

Procedure for the application process:

17. Council Administration shall make a standard application for CPPS funding available on an annual basis. Each public agency or non-profit organization requesting funding (an Applicant) shall submit the standard CPPS application to Council Administration for each individual project, program, or service.
 - a. Council Administration shall post the standardized application on the City's website and each City Council Office website.
 - b. Each Applicant's application and supporting documentation shall comply with all requirements of Council Policy 100-06 and the requirements listed in the standard CPPS application and its instructions.
 - c. Council Administration shall not accept any request for CPPS funding for less than \$1,500, and City Council Offices shall not allocate less than \$1,500 per request.
 - d. Applicants shall adequately describe the project, program, or service and how it serves a public purpose that benefits the City's neighborhoods and communities.
 - e. Applicants shall disclose all prior funding received from the City in the previous three years, including a brief project description, amount of funds received, and the source of funding.
 - f. Non-profit organizations shall submit the following to Council Administration with the standard CPPS application: (i) proof of non-profit status; (ii) proof of active status from the California Secretary of State; and (iii) proof of current registration with the California Office of the Attorney General.
 - g. City Council Offices or Council Administration may ask for more documentation from an Applicant but may not waive any requirements under this Council Policy.

Procedure for the execution of CPPS Grant Agreements:

18. CPPS funds shall be spent or applied to expenses incurred within the same fiscal year the funds are awarded. Documentation of CPPS grant expenditures shall be submitted to Council Administration no later than 30 days after the end of the fiscal year in which the CPPS funds were awarded to verify the CPPS funds were spent for the public purpose for which they were awarded.

19. Public agencies or non-profit organizations awarded CPPS funds (Grantees) shall provide all documentation required by this Council Policy and all documentation required by the CPPS Grant Agreement to Council Administration, including a CPPS grant reporting form, proof of payment, and proof of purchase, within 30 days of the end of the fiscal year in which the funds were awarded. Grantees shall timely return any unspent or undocumented CPPS funds to the City within 30 days of the end of the fiscal year in which funds were awarded.
20. If Grantee has not returned documentation required by this Council Policy, or a CPPS Grant Agreement, or has not repaid unspent or undocumented funds to the City within 30 days of the end of the fiscal year in which the CPPS funds were awarded, the Grantee's name will appear on a Delinquency List maintained by Council Administration. Council Administration shall provide the Delinquency List to each of the City Council Offices.
21. If a Grantee appears on the Delinquency List, the Grantee may not apply for future CPPS funding until the Grantee has submitted the outstanding documentation or returned the unspent or undocumented CPPS funds. The City reserves all rights to pursue collection of CPPS funds that are not spent in accordance with this Council Policy or a CPPS Grant Agreement.
22. The Mayor, or designee, will administer the CPPS Grant Agreements with assistance from Council Administration.
23. If the Grantee chooses to give written recognition for the CPPS funding received, Grantee shall recognize the City of San Diego, not any individual Councilmembers or individual Council Districts.

Responsibilities of the Council Administration Department:

24. Council Administration shall:
 - a. Work closely with City Council Offices to ensure that CPPS grants are timely administered by managing the application process, gathering necessary information, establishing deadlines, processing grant payments, and determining whether CPPS Grant Agreement provisions and business terms are fulfilled.
 - b. Help organizations navigate the standard CPPS application and reporting processes required by this Council Policy and in the CPPS Grant Agreement.
 - c. Provide consistent and accurate public information regarding the CPPS program.

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- d. Request additional information from the sponsoring City Council Office if the recommendation is not clear.
- e. Provide general guidance on how Grantees shall document expenditures of CPPS funds and the required filing deadlines to help ensure Grantees understand the requirements under this Council Policy and the CPPS Grant Agreement.
- f. Determine whether Grantees are delinquent in providing the documentation required by this Council Policy or the CPPS Grant Agreement, or failed to return unspent or undocumented CPPS funds, and maintain a Delinquency List of those Grantees.
- g. Review and follow up on documentation submitted by Grantees to ensure CPPS funds were spent in accordance with this Council Policy and the terms of the CPPS Grant Agreements.
- h. Contact Grantees as the deadline to submit documentation required under this Council Policy or a CPPS Grant Agreement nears.
- i. Maintain an annual list of the projects, programs, and services that were funded in a fiscal year, including the amount of CPPS funding, the Council District from which funds were awarded, and the name of the funding recipient.
- j. Provide public outreach prior to the opening of an application period.

HISTORY:

“City Council Funding of Community Projects,
Programs and Services”

Adopted by Resolution R-306903 – 07/7/2011

Amended by Resolution R-307189 – 12/08/2011

Amended by Resolution R-314820 – 07/01/2023