

Meeting Agenda
State College Borough
LGBTQ Advisory Committee
January 16, 2020
Room 241 / Noon

- I. Call to Order**
- II. Roll Call**
- III. Election of Chair, Vice-Chair and Secretary**
- IV. Approve Meeting Minutes**
- V. Public Hour**
- VI. 2020 LGBTQ Pride Month**
 - A. Pride Parade and other Pride Events
 - B. Pride Month Kick Off
- VII. Pride Banners**
 - A. Additional Banners
 - B. Placement
- VIII. Other Business Matters**
 - A. 2020 Conflict of Interest Memorandum
- IX. Adjournment**

Documents:

[Complete LGBTQ Advisory Committee Agenda - January 16, 2020.pdf](#)

**Meeting Agenda
State College Borough
LGBTQ Advisory Committee
January 16, 2020
Room 241 / Noon**

I. Call to Order

II. Roll Call

| | |
|-------------------|-----------------------------------|
| Greg Brauser | Lane LaBelle |
| Kirsten Burkhart | Susan Marshall |
| Brian Patchcoski | Celest Good |
| Fred Purnell | Borja Gutierrez, Vice-Chairperson |
| Barbara Welshofer | Michele Hamilton |
| Alina Wong | Karen-Elizabeth Moroski |
| Mark Hayes | Monica Himes |

III. Election of Chair, Vice-Chair and Secretary

IV. Approval of Minutes – *October 17, 2019*

V. Public Hour – Hearing of Citizens

VI. 2020 LGBTQ Pride Month

A. Pride Parade and other Pride Events

Susan Marshall will be giving updates on the Pride Parade as well as other events for Pride month.

B. Pride Month Kick Off

Discuss and gauge interest in potentially having a performance to kick off Pride Month on June 1st (pending Council's approval of Summers on Allen Street on Monday January 13th).

VII. Pride Banners

A. Additional Banners

Discuss purchasing of about 10 new, more inclusive banners to add to last year's.

B. Placement

Discuss placement the placement of the additional banners with the suggestion to place them at the crosswalks on Allen and Calder Way as they were done two years ago.

VIII. Other Business Matters

A. 2020 Conflict of Interest Memorandum

The 2020 Conflict of Interest Statement, along with an email from Ed LeClear, explaining the purpose of the statement are attached for review.

IX. Adjournment

**Meeting Minutes
State College Borough
LGBTQ Advisory Committee
October 17, 2019**

The LGBTQ Advisory Committee met on Thursday, October 17, 2019, in the State College Borough Municipal Building, 243 S. Allen Street. Kevin Kassab, State College Borough (SCB) Community Engagement Manager, called the meeting to order at 12 p.m.

Members Present

Kirsten Burkhart; Borja Gutierrez, Vice-Chairperson; Mark Hayes; Monica Himes; Brian Patchcoski; and Barbara Welshofer

Members Absent

Greg Brauser, Jessica Diplan, Stacy Jarvis, Lane LaBelle, Michele Hamilton, Susan Marshall, and Karen-Elizabeth Moroski

Others Present

Kevin Kassab, Community Engagement Manager; Thomas R. King, Assistant Borough Manager for Public Safety; Autumn Busbee, Community Engagement Specialist; Freddie Purnell, Pennsylvania State University; Esther Matthews, Administrative Assistant; and Denise Dobo, Senior Administrative Assistant

Public Hour

No members of the public were present.

Approval of Minutes

After reviewing the July 18, 2019 minutes, Ms. Welshofer motioned to approve the meeting minutes from the July 18, 2019 meeting as submitted. Ms. Himes seconded the motion, which was unanimously approved.

Annual Report to Council – November 18, 2019

- Mr. Kassab explained the annual report to council would be submitted November 18, 2019. Mr. Kassab explained staff prepares and submits the report to Council. Mr. Kassab also suggested a representative from the committee attend to present the Human Rights Campaign the same evening.

2020 Pride Month

Additional Activities

- Discussion was held regarding making a connection with State Theatre to screen LGBTQ movies and documentaries.
- Mr. Kassab asked for suggestions of what materials could be presented.
- Vice-Chairperson Gutierrez inquired if the Borough would subsidize the cost of the tickets. Mr. Kassab suggested working with State Theatre regarding ticket cost.
- Mr. Patchcoski mentioned Indiana-Bloomington does a gathering when students return which allowed persons to be prideful as well as utilize community resources. Food trucks and performers were invited, and he feels there was a need for it in this community. He said it could be a part of pride events.
- Mr. Kassab suggested forming a committee to aid in developing the event.
- Mr. Kassab also suggested using Martin Luther King Plaza for the event.

Banners

- Ten additional banners were discussed which would be more inclusive for Pride Month (April – June), this would be added to the current banner supply.
- Ms. Burkhardt explained First Energy would be willing to donate \$1,000 but the donation must be made to a 501-3C.
- Mr. Kassab suggested having the amount to go to Aids Resource which would pay for the 10 additional banners.
- Mr. Patchcoski asked if banners could be added on campus and Mr. Kassab noted they were waiting until poles are replaced on the University side of College Avenue.
- Mr. Patchcoski asked if there was a need for more than 10 and Mr. Kassab said it was possible. He explained the time frame is already reserved. He also noted there are 120 possible banner slots although some must leave some for the Downtown Improvement District (DID).

2019 Human Rights Campaign Scorecard

2019 Scorecard

- Mr. Kassab thanked everyone for their input on the changes needed for submission of the scorecard. He further explained a score of 100 was attained. Human Rights Campaign was impressed with group's work and State College would be highlighted in their newsletter. The domestic partners and gender-neutral restroom policies pushed the score higher. State College was tied with Pittsburgh, Philadelphia and Allentown.

Draft a 2020 Work Plan

- Mr. Kassab noted work would continue with Pride.
- Discussed adding more banners to be more inclusive and visible.
- Mr. Kassab also said work would continue with the MEI scorecard.
- Ms. Welshof discussed the possibility of a parade. Mr. Kassab suggested a parade use some of the secondary streets and cross over to the University. Mr. King noted using College Avenue would be a significant expense.

- Mr. King explained the Borough may be adding an equity position in 2020.
- Vice-Chairperson Gutierrez asked if efforts were being made to inquire if needs were being met and Mr. Kassab replied a survey could be compiled with assistance from the LGBTQ Advisory Committee and SCB's Communications Director.
- Mr. King said a national survey would be sent out to borough residents in 2020 which contains questions regarding safety and Mr. Patchcoski explained he would like to see additional questions on the local portion of the survey. Mr. King would check with the national research center to find out what could be changed.

Proposed 2020 Meeting Schedule

- The meetings for 2020 were proposed to be scheduled on the third Thursday during the months of January, April, August, and October. Mr. Patchcoski suggested using the July date for a sub-committee meeting to aid in planning the fall event. The date set for the August meeting would be held August 27, 2020.

Other Business Matters

Proclamation – LGBT History Month & Proclamation – Transgender Day of Remembrance

- Mr. Kassab noted the proclamations were sent to the media and would be read by the Mayor at the next Council meeting. Vice-Chairperson Gutierrez asked that members would be made aware of any proclamations in the future to be read at Council.

2020 Census – State College Complete Count Committee

- Ms. Busbee reported on the State College Complete Count Committee for the 2020 Census regarding the LGBTQ community. She noted the partners selected for the committee were chosen for the reach they would have within the community. She also noted PSU has their own complete count committee as well.
- Outreach would be to the primary messengers who would then look to the secondary messengers to reach more specific audiences. She suggested everyone look at the link for the census online and noted there were links specifically for the LGBTQ community.
- Mr. Kassab explained the barriers which included lack of trust with government, how the census data would be used, and how LGBTQ members identified. Ms. Busbee added concern was on how each individual identifies and what the options would be for choosing on the form.
- Mr. Kassab further explained the idea for the count committee was to increase participation in the census which in turn aids in funding.

Vacancies – LGBTQ Advisory Committee

- Two applicants were presented to BC and were currently awaiting approval. Mr. Kassab noted there were persons interested in serving on the committee and someone would be reaching out to these individuals.

- Mr. Patchcoski suggested reaching out to the aging community and Mr. King did note a presentation was held at Foxdale to recruit volunteers for all vacancies on the authorities, boards, and commissions.

Office of Aging

- Mr. Kassab explained he cancelled a meeting with the Office of Aging and would be meeting with them soon to discuss what existed in the Office of Aging in relation to LGBTQ.
- He reached out to the County Commissioners for additional outreach.

Governor's LGBTQ Commission

- Mr. Patchcoski noted the Commission would be holding their quarterly meeting in May in State College. He further explained as part of those meetings, community representation would be included which would consist of highlighting what is happening in State College. He noted many of the members lived in urban environments and believed it would expose them to the geographic diversity in the state.

Day of Remembrance Community Vigil

- Mr. Patchcoski announced the vigil would be held November 12, 2019. Mr. Kassab requested material for outreach and suggested placing information on the Borough's website.

Adjournment

With no further business to discuss, Vice-Chairperson Gutierrez adjourned the meeting at 1:15 p.m.

Respectfully submitted,

Denise Dobo, Sr. Administrative Assistant

Borough of State College MEMORANDUM

To: ABC Secretaries and Staff Assistants
From: Ed LeClear
Re: Conflict of Interest Policy and Code of Conduct with Regard to HUD Programs
Date: December 3, 2019

A Conflict of Interest Policy and Code of Conduct with regard to HUD Programs was adopted by the State College Borough Council in 2005. Elected and appointed officials are to receive a copy of the policy at a regular meeting of their respective council, authority, board or commission annually. Members who are absent should receive a copy by mail.

A copy of the policy is attached. Please include it as an agenda item or as an attachment to the agenda at the first meeting of the ABC in 2020. Also, please be sure to note distribution of the policy in the meeting minutes.

BOROUGH OF STATE COLLEGE

Conflict of Interest Policy and Code of Conduct With Regard to HUD Programs

SECTION 1 NON-PROCUREMENT CONFLICTS OF INTEREST

A. COVERED INDIVIDUALS:

Any employee, agent, officer, elected official, appointed official or consultant of the Borough of State College (Participating Jurisdiction) or; any member of an employee's, agent's, officer's, elected official's or appointed official's immediate family; an employee's, agent's, officer's, elected official's or appointed official's partner; or an organization that employs or is about to employ any of the above.

CONFLICTS PROHIBITED:

No person(s) described in Paragraph 1 of section 1 who exercises or has exercised any functions or responsibilities with respect to activities assisted with HOME Investment Partnerships Program (HOME) or Community Development Block Grant (CDBG) or other U.S. Department of Housing and Urban Development (HUD) funds, or who is in a position to participate in a decision-making process or gain inside information with regard to these activities, may obtain a real or apparent financial interest or financial benefit from a HOME, CDBG, or other HUD-assisted activity, or has a real or apparent financial interest in any contract, subcontract, or agreement with respect to HOME, CDBG, or other HUD-assisted activity, or the proceeds from such activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter. Immediate family ties include (whether by blood, marriage or adoption) the spouse, parent (including a stepparent), child (including stepchild), brother, sister (including a stepbrother or stepsister), grandparent, grandchild and in-laws of a covered person. Occupancy of a HOME-assisted unit by a covered person constitutes a financial interest.

EXCEPTIONS:

Threshold Requirements – Upon the written request of the participating jurisdiction, the U.S. Housing and Urban Development (HUD) or its successor, may grant an exception to the provisions of the CONFLICTS PROHIBITED of section 1 on a case-by-case basis when it determines that the exception will serve to further the purpose of the HOME, CDBG or other HUD program and the effective and efficient administration of the Borough's program or project. An exception may be considered only after the participating jurisdiction has provided the following:

1. A disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure* of the conflict and a description of how the public disclosure was made; and
2. An opinion from the Borough's attorney that the interest for which the exception is sought would not violate state or local laws.

*The requirements for public disclosure include publication in a local newspaper or disclosure during an advertised public hearing.

Factors to be considered for Exceptions – In determining whether to grant a requested exception after the participating jurisdiction has satisfactorily met the requirements of paragraphs a. and b. above, HUD, or its successors, will consider the cumulative effect of the following factors, where applicable:

1. Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project which would otherwise not be available;
2. Whether the person affected is a member of a group or class of low-income persons intended to be the beneficiary of the assisted activity, and the exception will permit such person(s) to receive generally the same interests or benefits as are being made available or provided to the group or class;
3. Whether the affected person(s) has withdrawn from his/her functions or responsibilities or the decision-making process with respect to the specific assisted activity in question;
4. Whether the interest or benefit was present before the affected person was in a position as described in the COVERED PERSONS Paragraph of this section
5. Whether undue hardship will result either to the participating jurisdiction or the person affected when weighed against the public interest served by avoiding the prohibited conflict; and
6. Any other relevant considerations.

B. OWNERS AND DEVELOPERS:

Any owner, developer or sponsor of a project assisted with HOME, CDBG or other HUD funds (or officer, employee, agent, elected or appointed official or consultant of the owner, developer or sponsor or immediate family member of an officer, employee, agent, elected or appointed official, or consultant of the owner, developer or sponsor) whether private, for-profit or non-profit (including a community development organization (CHDO) when acting as an owner, developer or sponsor)

CONFLICTS PROHIBITED:

No person(s) described in Paragraph 2.A of section 2 may occupy, or appear to occupy, a HOME, CDBG or other HUD-assisted affordable housing unit in a project during the required period of affordability specified in §92.252(e) or §92.254(a)(4). This provision does not apply to an individual who receives HOME, CDBG or other HUD funds to acquire or rehabilitate his or her principal residence or to an employee or agent to the owner or developer of a rental housing project who occupies a housing unit as the project manager or maintenance worker.

EXCEPTIONS:

Upon written request of a housing owner or developer, the Borough may grant an exception to the provisions of the above paragraph of this section on a case by case basis when it determines that the exception will serve to further the purposes of the HOME, CDBG or other HUD program and the effective and efficient administration of the owner's or developer's HOME, CDBG or other HUD-assisted project. In determining whether to grant a requested exception, the Borough shall consider the following factors:

1. Whether the person receiving the benefit is a member of a group or class of low-income persons intended to be the beneficiaries of the assisted housing, and the

- exception will permit such person to receive generally the same interest or benefits as are being made available or provided to the group or class:
2. Whether the person has withdrawn from his or her functions or responsibilities, or the decision-making process with respect to the specific assisted housing in question;
 3. Whether the tenant protection requirements of Sec. 92.253 are being observed;
 4. Whether the affirmative marketing requirements of Sec. 92.351 are being observed and followed; and
 5. Any other factor relevant to the Borough's determination, including the timing of the requested exception.

SECTION 2 PROCUREMENT CONFLICT OF INTEREST

COVERED INDIVIDUALS:

Any employee, officer, or agent of the Borough of State College (Participating Jurisdiction).

CONFLICTS PROHIBITED:

The CDBG, HOME and other HUD Programs follow the procurement policy of the Borough of State College located in the Borough of State College Code of Ordinances, Chapter 1, Part N. If any provisions of 2 CFR 200.318, 24 CFR 570.611, and 24 CFR 92.356 are not included or conflict with the Borough's Procurement Policy, the provisions of 2 CFR 200.318, 24 CFR 570.611, and 24 CFR 92.356 shall supersede the Borough's Procurement Policy.

No Covered Individuals in section 2 may participate in the selection, award or administration of a contract supported by HOME, CDBG or other HUD Program if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when any of the following parties has a financial or other interest in the firm selected for award:

- employee, agents, or officer of the Borough of State College;
- any member of an employee's, agent's or officer's immediate family;
- an employee's, agent's or officer's partner; or
- an organization that employs or is about to employ any of the above

No employee, officer, or agent of the Borough or subrecipient may solicit or accept gratuities, favors or anything of monetary value from contractors, potential contractors or parties to sub-agreements.

EXCEPTIONS:

There are no exceptions for real or apparent procurement conflicts of interest.

A request for a regulatory waiver can be submitted pursuant to 24 C.F.R. § 5.110

Upon determination of good cause, the Secretary may, subject to statutory limitations, waive any provision of this title and delegate this authority in accordance with section 106 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3535(q)).

SECTION 3 CODE OF CONDUCT:

Persons covered in section 2, paragraph 1, are expressly forbidden from soliciting or accepting money, gifts, gratuities, services, favors, or anything of monetary value (excepting unsolicited calendars, pens, or other items of nominal value used as an advertising medium) from any person, company, firm, or corporation to which any purchase order or contract is, or might, be awarded or from a party to any potential subcontract.

The Borough shall also take disciplinary action in accordance with the Borough Personnel Rules and Regulations against any covered persons in section 2 paragraph 1 who violate this conflict of interest policy.

Employees will receive a copy of the conflict of interest policy on an annual basis as a mailer included in a paycheck. Elected and appointed officials will receive a copy of the policy at a regular meeting of their respective council, authority, board or commission. Distribution of the policy will be noted in the minutes of the meeting. Members who are absent will receive a copy by mail. Consultants and agents will be provided a copy of the policy as part of their contracts.

SECTION 4 SUB-RECIPIENTS:

Applicable Conflict of Interest and Procurement Policies for the Borough's subrecipients are covered under CFR 200.318, 24 CFR 570.611 and 24 CFR 92.356. Each subrecipient has developed its own Conflict of Interest Policy and Procurement Policy in accordance with the applicable regulations.

Authorized Official: Ed LeClear, Director of Planning and Community Development
243 S. Allen Street
State College, PA 16801
814-234-7109

Summary of Revisions:

Adopted by the State College Borough Council on April 18, 2005.

Revised by staff on April 30, 2015.

Revised policy adopted by the State College Borough Council on November 26, 2019.