



THE CITY OF SAN DIEGO

**CITIZENS' EQUAL OPPORTUNITY COMMISSION
REGULAR BUSINESS MEETING**

MINUTES

Wednesday, January 07, 2009

6:00 p.m.

City Administration Building

Council Committee Room

202 C Street – 12th Floor

San Diego, CA 92101

ATTENDANCE:

Commissioners Rebecca Llewellyn, Debbie Day, Eileen Chaske, Bradford Barnum, Patricia Hsieh, Daniel Salas, Maurice Wilson, Dr. Shirley Weber

MAYOR'S STAFF: Sanna Singer-City Attorney, Deborah Fischle-Faulk-City Administration Department Director, Beryl Rayford-EOC Program Manager, Terrell Breaux-EOC Supervisor, Ramone Lewis-EOC Sr. Management Analyst, Laura Davis-EOC WPO

PUBLIC SPEAKERS:

Item 1: CALL TO ORDER

The meeting was called to order at 6:15 p.m. by Chairperson Dan Salas

Item 2: APPROVAL OF October 1, 2008 MINUTES & TODAY'S AGENDA:

MOTION: To approve the October 1, 2008 Minutes

Made by: Debbie Day

Second by: Dr. Shirley Weber

VOTE: PASSED (Yea- 8; Nay-0)

CITIZEN'S EQUAL OPPORTUNITY COMMISSION
Minutes from January 7, 2009

Commissioner Day requested:

A master list of all Commissioners and contact information.

Item 3: PUBLIC COMMENT

Speaker #1

Ms. Roz Winstead informed:

The Commission of some information secured through a PRA initiated in mid-October of 2007. Handout provided titled: REMARKS RE: OCT, 17, 2008 PUBLIC RECORD ACT REQUEST RESPONSE SCOPE Outreach, Advisory Goal Setting & "Good Faith" Effort Analysis.

Commissioner Rebecca Llewellyn asked:

Ms. Winstead if she felt money to firms outreached on City projects stayed within the City. Ms. Llewellyn stated her concern that money spent on contracts should be spent locally as much as possible.

Commissioner Wilson asked:

Ms. Winstead to recommend what actions for the Commission to take regarding outreach issues and asked what authority and role the Commission has. Does the Commission have monitoring responsibility to report back to the City what's happening in the outreach area of contracting.

Ms. Winstead: Stated that the City needs to put together a viable outreach list of firms that are registered as DBE's, etc, using NAICS Codes and the contractors should be required to use the same information. She stated the Commission should demand transparency from EOC. Ms. Winstead feels that a rigorous review of outreach documents should be conducted by City Staff.

Item 4: ACTION ITEMS: None

Item 5: PRESENTATION:

Overview of Certification Levels, Rachel Fischer, SDCOC.

Public Comment:

Ms. Dee Stanford commented:

The Small Business Certification Program and asked why she was not notified of bidding opportunities as a local small business owner in San Diego for approximately fourteen years when other businesses outside the City are being solicited.

Item 6: STAFF REPORT:
Department Update by Beryl Rayford, EOC Program Manager.

EOC Program Manager Rayford stated:

Commissioner Wilson will be provided format utilized for reports to the Mayor's Office and updated the Commission on the City's policies regarding PRA's.

Ms. Rayford also gave brief overview of outreach goal-setting procedures conducted by Engineering and Capital Projects. Ms. Rayford offered to have E&CP come in and clarify goal-setting methodology to the Commission. Ms. Rayford updated the Commission on positions filled within EOC. She further spoke on methodology of SCOPE program changes made. Ms. Rayford clarified the purpose of providing contractors Outreach Lists to contractors. Ms. Rayford then announced EOC's scheduled EXPO designed for construction, consultants, and vendors of goods and services that will take place on February 5, 2009.

Commissioners had a discussion on Staff Report.

Dr. Weber mentioned she would like to know who is ultimately responsible for EOC and what barriers prevent equal opportunity contracting from occurring.

Mr. Wilson asked has the Commission ever done an annual review of what is being done in contracting, what the issues are and recommendations to Council to move things forward.

Ms. Day requested an update on the Bidder Registration system. She was referred to Mr. Hildred Pepper who is not present. She asked if Mr. Pepper could come to next month's meeting and update the Commission on the status of the Bidder Registration Form.

Ms. Llewellyn asked that since State's funds are included in some contracts and money is being withheld from the State, how local projects will be affected.

Mr. Salas requested E&CP to come in and answer how many projects are being tabled in '08 and '09 due to the State's funding shortfall.

Mr. Barnum asked that with all the certification processes underway, is the City eventually going to have a list available with all the different companies and their specific certification status? He requested that the

CITIZEN'S EQUAL OPPORTUNITY COMMISSION

Minutes from January 7, 2009

City work with CALTRANS and request information on their new community outreach measures to identify varying certified subcontractors.

Dr. Weber requested that the Commissioner place on the Agenda as an ACTION ITEM for the next meeting the feasibility of having the City prepare a list of certified firms.

Ms. Rayford requested Commissioners to refer interns to EOC.

Item 7: CITY ATTORNEY REPORT:

Sanna Singer briefly commented on Commissioner Wilson's question on whether the CEOC provides feedback or direction. She stated that there is a determined method for such input.

Atty. Singer will provide PDF of Council Policy and City Attorney's Memo of Law to EOC to distribute to Commission on responsibilities. Information on the Croson decision can also be provided at a later meeting, in the interest of time.

In regards to Lobbying Provisions (Restrictions on Lobbying) regarding funding use, there is no specific language in the contracts except for CDBG (HUD) contract that prohibit lobbying. This language is in specific agreements used for Cultural Arts that monies not be used for political activity.

Item 8: CHAIR'S REPORT:

The Commission adopted by-laws in 2002-2003 that were discussed and voted on. The last draft had some limitations and there was discussion on how they were to be finalized. However the final draft doesn't appear to have been done and filed with the City clerk's Office.

Commissioner Salas will place on the Agenda for the next meeting the discussion of the by-laws.

The monthly morning planning session for next week was discussed. The decision was made to have a workshop meeting in February on a Saturday morning. The Commission will provide various possible dates to determine best date for workshop. Sanna Singer mentioned that she would have representative from Attorney's office to attend the Saturday meeting once scheduled.

Dr. Weber mentioned that every year at least one planning session at the beginning of the year should be conducted to discuss what the goals and objectives are for the current year and assess if accomplishments are being

CITIZEN'S EQUAL OPPORTUNITY COMMISSION

Minutes from January 7, 2009

achieved.

Commissioner Day requested inviting Maggie Taylor from the City to come to the Commission and facilitate a planning workshop.

Item 9: ADJOURNMENT:

MOTION: Motion to adjourn at 8:25 p.m.
Made by:
Second by:

VOTE: PASSED (Yea-; Nay-0)