



THE CITY OF SAN DIEGO

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

**CD of Recorded Minutes available upon request*

MINUTES

Wednesday, June 2, 2010 - 6 P.M. – 8 P.M.
City Administration Building
Council Committee Room
202 C Street – 12th Floor
San Diego, CA 92101

Commissioners Present:

Brad Barnum

Eileen Chaske

Ron Cho

Stampp Corbin (Vice Chair)

Debbie Day

Juan Gallegos

Shirley Weber (Chairperson)

Maurice Wilson

Sarah Young

Absent Commissioners: NONE

MAYOR'S STAFF:

Debra Fischle-Faulk, Director Administration

Hildred Pepper, Director, Purchasing & Contracting

Sanna Singer, Deputy City Attorney

Christian Silva, Associate Analyst;

- I. **CALL TO ORDER:** The meeting was called to order at 6:00 p.m. by Chairperson Shirley Weber.
- II. **APPROVAL OF MINUTES AND AGENDA:** Agenda was unanimously approved. Minutes from March 3rd, 2010 approved unanimously approved.
- III. **PUBLIC COMMENT:** Roz Winstead – Communicated her concerns regarding the Disparity Study, SLBE, SCOPE Audit, Local Hiring Preference Program, the inadequate tracking levels, and the delay of the new software.
- IV. **ACTION ITEMS:**

- a. New Commissioners Welcomed – Juan Gallegos and Ron Cho
- b. Stamm Corbin was unanimously nominated and voted as Vice Chair

V. ATTORNEY'S REPORT: Sanna Singer, Deputy City Attorney

- a. Local Hiring Preference Program considered by Rules Committee and forwarded to Council for review by Council on 6/28/2010.

Option 1: Address local hiring through Project Labor Agreements (PLA). (Currently being used by Los Angeles)

Option 2: Enact an Ordinance imposing local hiring requirements on all Public Works projects within a certain dollar amount and if an Ordinance is put forward by Council and brought before an advisory committee and that the contractor must hire a professional hiring firm.

Option 3: Enact an Ordinance imposing mandatory hiring goal.

- There was heavy discussion regarding legal issues and details surrounding the Local Hiring Preference Program procedures.
- There was substantial comparing of compliance and non-compliance of a contract.
- There was heavy discussion regarding a contractors and their reputation.
- Comments were made regarding the tracking process and lack of it.
- Concerns were brought forth regarding the software and it's "go live" date.
- The City Attorney is writing a legal opinion, all policy decisions will be left to the Mayor and Council.
- The City Attorney strongly encouraged the Commission to give advice and express concerns to the Mayor and Council regarding the program.

VI. SCOPE Audit Report: Debra Fischle-Faulk – Administration Director: *(Hand-Outs Provided)*

The City Attorney gave 14 recommendations and we agreed on all but 2. We disagreed on the Disparity Study and on recommendation number 11.

It was requested that the City Attorney's office look at the Airport Disparity Study and possibly request some help from them in running the study. The report has and copies can be provided to the commission if requested.

Dr. Weber (Chair): Are you not supporting the study solely because of the budget issues?

Debra Fischle-Faulk: That is one reason but I would like to look into piggybacking with another program. There was a recommendation made that we create policy and procedures for collecting and reporting on data. We currently have these documents in draft formant. All other recommendations were agreed upon. I would like to inform all of you that the Audit Committee is meeting on June 14th and that all you are welcome to express your concerns; if you cannot make it you can send your letters to me and I will ensure that they are taken to the Audit Committee meeting.

Dr. Weber (Chair): Expressed her concern regarding the disparity study not being done and the lack of data that we have due to it not being done.

Debra informed the Commissioners that the SLBE is not doing away with the SCOPE document. There will not be any construction contracts that go out without some form of action on it. It may be less but it depends on the pool of small local businesses that we have. There will be a gap.

Vice Chair Corbin: Asked how many applications have been received for the SLBE program.

Debra Fischle-Faulk: There are currently 49 applications turned in, 22 approved, 26 pending, and 1 is denial. Out of those there are 14 Female, 6 African American, and 10 Hispanic applicants. It is not available for viewing until July 1st of 2010.

Vice Chair Corbin: Expressed his concern regarding the lack competition of single contract commodities and the low numbers of applicants.

Debra Fischle-Faulk: That is why SCOPE can't go away because if there aren't any comparable commodities then we will use SCOPE.

Dr. Young: Asked if Debra would consider having an enrollment workshop?

Debra Fischle-Faulk: We have been conducting workshops and have been attending events to recruit contractors. We brought applications and informed the applicants of what they needed to turn in with their application.

Roz Winstead: Voiced her distrust and expressed her views regarding politics playing a big role in the program.

Debra Fischle-Faulk: **Announced that,** thanks to all of you (Committee) and Roz Winstead we have all of the final summary reports, and have been able to make progress in collecting and getting people paid that hadn't been paid.

Dr. Young: Suggested that we use the Towne Council Meetings to advertise the program.

Debra Fischle-Faulk: Carl DeMaio was invited (as requested) and the soonest he could make it would be August at our regular scheduled meeting.

Dr. Weber (Chair): Announced that a Special Meeting would be requested for 6/10/2010, all will be notified via e-mail regarding any changes as well as time and location.

VII. STAFF REPORT: NONE

VIII. DISCUSSION ITEMS: NONE

IX. SUBCOMMITTEE REPORT: NONE

X. COMMISSIONERS ANNOUNCEMENTS: NONE

XI. VICE CHAIR'S REPORT:

XII. ADJOURNMENT: 7:54 P.M

***Materials Provided

- I. Minutes of March 2010
- II. Staff Report plus attachments