



THE CITY OF SAN DIEGO

CITIZENS' EQUAL OPPORTUNITY COMMISSION

Wednesday, October 2th, 2013
6:00 p.m. – 8:00 p.m.
City Administration Building
Committee Room
202 C Street, 12th floor
San Diego, CA 92101

COMMISSIONERS PRESENT:

Ron T. Cho
Jon Cloud

Stampp Corbin, Chair
Monte Jones

Gregg Torwick, Acting Chair

COMMISSIONERS ABSENT:

Laura Warner

MAYOR'S STAFF & Guests:

Denise Sandoval, Administration Department Executive Secretary
Darren Greenhalgh, Deputy Director, Project Implementation
Kris Schackelford, Senior Civil Engineer, Architectural, Engineering and Parks

CALL TO ORDER: ROLL CALL 6:05 PM

APPROVAL OF: Today's Agenda, and Meeting Minutes for August 7, 2013

Minutes were approved unanimously as amended Vote: (4/1 abstention), Motion passes

- *Addition to Today's Agenda: Letter to Interim Mayor Todd Gloria regarding appointee*

NON-AGENDA PUBLIC COMMENT: NONE

STAFF UPDATE:

- Darren Greenhalgh and Kris Shackelford of the Public Works Department gave an update on BPI's complaint that the Prime Contractor did not pay them as a subcontractor.

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Citizens' Equal Opportunity Commission
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- Public Works Staff offered an explanation of what the issue was and being that there was a lot of clarification needed during a process by process summary Ms. Shackelford was not able to finish her explanation.
- Multiple Commissioners gave several examples and personal experiences of payment situations with the City.
- Commissioner Cho expressed that this is the problem with not having any recourse. He suggests that Staff pursue the City Attorney's Office so that the recourse has consequences.
- Commissioner Jones asked if Public Works Staff has access to statistics regarding timely submissions of invoices.
- Public Works Staff indicated that they did not have the information with them but could provide it. They believe that they are reaching 80-90% invoices paid on time.
- Ms. Shackelford proceeded to try to explain the process of a payment but was not able to finish her explanation. There are many anomalies but, In order for her to address the anomalies Ms. Shackelford would need to know the specifics.
- Commissioner Torwick questions Labor Compliance issues as having an impact on the billing cycle.
- Chair Corbin requested the Contractors to be surveyed via "Survey Monkey" to find out how quickly the Primes get paid.
- Staff to look into a "Contractor's Report Card" type document.
- Staff will request Equal Opportunity Contracting to provide the measures are in place to make sure that the subcontractors are paid when the Prime is paid.
- Staff will request an Audit Report that provides payment statistics (on time, over 60 days, and invoice dates changed).
- Commissioner Jones requested that at the next meeting he would like to see statistics he also thanked the Public Works Staff.
- Public Works announced that at the last Infrastructure Committee Meeting the following was discussed:
 - A/E (consultants) Language Recommendations Were Made
 - Job Order Changes and Raising Limits
- Chair Corbin requests that this information should be brought back to the Commission for discussion and information at the next meeting.

- Commissioner Cloud requested that Prevailing Wage be put on the next agenda.

ADDITION TO THE AGENDA:

- Chair Corbin presented a draft letter to Interim Mayor Todd Gloria, in which Chair Corbin formally requests a meeting with him to discuss the Commissions' concerns with the lack of membership on the Commission.
- Staff will format the letter and prepare it for the Interim Mayor's meeting.
- Staff will contact the Interim Mayor's Office on October 7th and request a meeting date for the Chair and Vice Chair.

All Other Agenda Items Below Were Tabled To the Next Meeting

~~SUB-COMMITTEE UPDATES:~~ *(Pending until there is further appointment of Commissioners)*

- ~~Recognition Sub-Committee~~
- ~~Contracting Issues Sub-Committee~~
- ~~Mentor Protégé Sub-Committee~~

ACTION ITEMS:

- Firing of Filner's Direct Reports by Todd Gloria
 - New Complaint a possibility – will wait for formal complaint.
- Review Revised Bylaws
- 2011 Annual Equal Employment Opportunity Report
- Review Roberts Rules

CHAIR ANNOUNCEMENTS: None

COMMISSIONER ANNOUNCEMENTS: None

ADJOURNMENT: 8:16 PM

NEXT MEETING: November 6, 2013

MATERIALS PROVIDED:

- Minutes from August 7, 2013 & October 2, 2013
- Draft Letter to the Interim Mayor re: Lack of appointees
- Revised Bylaws
- 2011 Annual Equal Employment Opportunity Report
- Roberts Rules