

CITIZENS' EQUAL OPPORTUNITY COMMISSION

MINUTES

MEETING DATE: Wednesday, October 1, 2008
TIME: 6:00 P.M.
PLACE: City Administration Building
202 C Street, 12th Floor Committee Room
San Diego, CA 92101

ATTENDANCE: Commissioners:
Rebecca Llewellyn, Debbie Day, Alden Salcedo, Eileen Chaske, Dr. Shirley Weber, Bradford Barnum, Dr. Patricia Hsieh, Daniel Salas.

MAYOR'S STAFF: James Nagelvoort – E&CP Deputy Director, Jo Ann SawyerKnoll – Office of Ethics & Integrity DCOO, Sanna Singer-City Attorney, Michael Calabrese-City Attorney, Michelle Haines-E&CP Sr. Management Analyst, Debra Fischle-Faulk-EOC Director, Hildred Pepper-P&C Director, Beryl Rayford-EOC Program Manager, Ramone Lewis-EOC Sr. Management Analyst, Laura Davis-EOC WPO.

PUBLIC SPEAKERS:
Monica Montgomery.

Item 1. CALL TO ORDER:

The meeting was called to order at 6:04 p.m. by Chairperson Dan Salas

Item 2. APPROVAL OF September 3, 2008 MINUTES & TODAY'S AGENDA:

MOTION: To approve the September 3, 2008 Minutes

Made by: Dr. Pat Hsieh
Second by: Eileen Chaske

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

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Item 3. PUBLIC COMMENT:

Speaker 1

Ms. Monica Montgomery expressed:

Her concern over the City's Pre-Qualification Program. She stated her concern that the E & CP Department held a meeting to review Program; however, she was unaware of this meeting. She requested to be informed on the pre-qualification process. Ms. Montgomery additionally requested that the Commissioners look into bonding programs to assist construction businesses locally, as the Airport Authority does.

Commissioner Brad Barnum announced:

Tuesday, October 7, 2008 from 5-7 p.m. the Airport Authority is holding an event.

Item 4. ACTION ITEMS: NONE.

Item 5: STAFF REPORT:

Jo Ann SawyerKnoll presented:

Hand-out entitled "City of San Diego-Expectation of Ethical Business Conduct", outlining a summary of the City's expectations concerning the ethical business conduct of contractors. Ms. Sawyer-Knoll mentioned a proposed document being created for city-wide distribution.

Commissioner Weber requested:

That the proposed document be available to Commissioners prior to their next meeting.

Jo Ann SawyerKnoll stated:

She will provide this document to EOC or the commission prior to the next CEOC meeting.

Various questions were asked of Ms. SawyerKnoll and Deputy City Attorney Michael Calabrese assisted in answering questions.

Commissioner Llewellyn requested:

That the CEOC Chairperson, and contracting stakeholder agencies and associations be notified when issues regarding contracting are about to change or take place or hearings are conducted.

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Sanna Singer agreeded:

To report, at a future meeting, Anti-Lobby Provisions in Contracting.

James Nagelvoort-Deputy Director of Project Implementation- Tech-Svcs. presented:

City's Pre-qualification Program and provided a handout on the following:

- 1) Background
- 2) Rules and Procedures of Program

Commissioner Llewellyn mentioned:

Her concern over a Staff member making a determination on capacity of a contractor applying to pre-qualify for bidding on City Contracts.

Commissioner Salas suggested:

An Equal Opportunity Contracting stakeholders list be obtained to invite those on the list to future proposed-revision program meetings.

Commissioner Llewellyn requested:

The pre-qualification requirements, in terms of insurance coverage required, be examined so small businesses are not discouraged from participating.

Commissioner Weber recommended:

Trial-runs be conducted to explore scenarios when determining changes to the current pre-qualification program will either enhance or hinder the current participation levels. Dr. Weber further suggested that the CEOC make suggestions to the city for realigning the pre-qualifications program, and EOC into one department for better effectiveness.

Commissioner Llewellyn requested:

Funding sources of projects to be made clearer in contracts for better transparency on funding-agency-requirement compliance.

James Nagelvoort stated:

Project Managers are typically the individuals who hold funding-source information on various contracts.

Beryl Rayford reported on EOC-related issues:

- EOC in process of hiring 3 Assistant Management Analyst (interviews being conducted on October 9, 10, 2008)
- On September 22nd SCOPe recommendations were approved and on October 21, 2008, EOC will conduct a Scope Training for interested contractors on updates to the program.

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- 2 site visits (one of which was on a Federally-funded job site) were made recently by EOC Staff, with other site visits scheduled.
- Capacity Development is currently being explored.

Commissioner Pat Hsieh requested:

To be excused at 7:30 pm. Chairman Salas approved her request.

Debra Fischle-Faulk presented:

An update on the SCOPe Program changes approved by the City Council. She provided a referenced-handout entitled "Attachment F." She disseminated a copy of the Presentation to Council on SCOPe recommendations.

Ms. Fischle-Faulk mentioned her plan to report to CEOC monthly on the status of the SCOPe Program. Ms. Fischle-Faulk promised to take a look at the local small business program and have the consultant come to report at a future CEOC Meeting.

Item 6: CITY ATTORNEY REPORT:

Sanna Singer, City Attorney reported:

And referenced informational Memos that were e-mailed prior to tonight's meeting regarding:

- LGBT and Disabled categories being included on city forms
- Further discussion was deferred to a time when the commissioners for the disabled and LGBT communities are present.
- Direct payments to subcontractors upon Final Summary Report submittals.

Item 7: CHAIRS REPORT:

NO ACTION.

Note: Special Session scheduled for October 8, 2008 was discussed and Commissioners agreed to not conduct this meeting.

Item 8: ADJOURNMENT:

MOTION: Motion to adjourn at 7:40 p.m.

Made by: Dr. Shirley Weber
Second by: Rebecca Llewellyn

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