



THE CITY OF SAN DIEGO

CITIZENS' EQUAL OPPORTUNITY COMMISSION

MEETING MINUTES

Wednesday, April 1, 2015

6:00 – 8:00 p.m.

City Administration Building

12th Floor Committee Room

202 C Street – 12th Floor

San Diego, CA 92101

CALL TO ORDER at: 6:04 pm by Chair Corbin

ROLL CALL:

Stampp Corbin, Chair	Laura Warner
Gregg Torwick, Vice Chair	Monte Jones
Dan Ortiz	Lan Jefferson
Kristine Custodio	

EXCUSED:

Rafael Perez
Jon Cloud

STAFF & GUESTS:

Henry Foster III, Program Manager, Equal Opportunity Contracting
Claudia Abarca, Supervising Management Analyst, Equal Opportunity Contracting
Christian Silva, Senior Management Analyst, Equal Opportunity Contracting
Kymeshia Morris, Associate Management Analyst, Equal Opportunity Contracting
Abdur-Rahim Hameed, President/CEO, National Black Contractors Association

APPROVAL OF: Meeting Minutes of March 4, 2015
Minutes approved unanimously (7/0)

Motion made by Vice Chair Torwick to approve March 4th Meeting Minutes, seconded by Commissioner Ortiz. Minutes approved unanimously.

NON AGENDA PUBLIC COMMENT: None.

DISCUSSION/ACTION ITEM: Abdur-Rahim Hameed, President/CEO, National Black Contractors Association. (Attachment A)

Mr. Hameed provided the commission with a detailed report claiming a gross disparity of people of color and women in the City of San Diego's contracting community. Mr. Hameed presented his findings regarding an in-depth analysis of City contractor's workforce makeup and concluded that several firms do not hire minorities and women. He identified contractors that are primarily awarded City contracts and their lack of diversity in their workforce.

In addition to the lack of diversity in the workforce, Mr. Hameed stated that black and women owned construction companies are not awarded contracts in comparison to their white counterparts. Mr. Hameed also presented information regarding discriminatory practices regarding the hiring of women and minorities by unions. Mr. Hameed claimed that companies who recruit minorities and women from unions have a low retention rate. He would like for the commission to become more educated on issues of discrimination regarding the local construction industry. Mr. Hameed requested that the Commission review the data of contractor's workforce reports on a quarterly basis and to review contractor's past hiring practices between 2011- 2014, in order to determine if discriminatory practices are occurring amongst City contractors and to take appropriate action to remedy the issue.

Mr. Hameed is currently revising his report and working with additional organizations to provide more input tailored towards specific items. He seeks to paint a picture of exclusionary practices and race exclusion. Mr. Hameed would like the final report to be taken to the Economic Development & Intergovernmental Relations Committee for further discussions and to continue working with the Commission in order to make progress.

Commissioner Warner informed Mr. Hameed that the Commission would like the City to conduct a disparity study to quantify the pool of available applicants in different categories and address issues of potential discrimination in City contracting. Commissioner Warner stated that the City needs to focus on underrepresented groups.

Commissioner Jefferson recommended for a revised more detailed report regarding the issues Mr. Hameed raised. Commissioner Jefferson also raised concerns regarding the legal implications that may arise regarding the alleged discriminatory practices within City contracting. Commissioner Jefferson stated that the commission will need to have additional conversations before moving forward with the report.

Chair Corbin requested for Mr. Hameed's current report to be discussed by Commissioners in detail at the next meeting (May 6, 2015) and that Mr. Hameed submit a revised report as well. This would provide the Commissioners with more time to review his findings in order to make recommendations on how to proceed.

DISCUSSION/ACTION ITEM: Mayoral Meeting with Marshall Anderson (Attachment B)

The Commissioners discussed the Mayoral Meeting with Marshall Anderson (Policy Advisor). At the meeting, the Commissioners requested a disparity study to be conducted for City contracting, the inclusion of unrepresented minority groups in staffing the Commission per SDMC §26.16, and the lack of data regarding the purchasing of goods & services.

- Disparity study: Commissioners expressed concerns regarding the lack of baseline data to dutifully carry out its chare in evaluating the efficiency of the EOCP. Data must be collected to establish benchmarks for the complete review from advertising to award of the EOCP contracting process.

Concerns regarding the expense of the disparity study were raised.

- Municipal Code Section 26.16 (b): The Commissioners re-requested changes to Municipal Code Section 26.16 to include both women and disabled veterans. In particular, the Commission previously sent a letter to the Mayor and City Council in July of 2014 requesting the same addition of women and disabled veterans.
- Improvements to Bid & Contracting Process: Commissioners would like to obtain data on Purchasing & Contracting small local business participation for goods and service contracts awarded by the City from FY 12 to present.
- Marshall Anderson will follow-up with the Commissioners by mid-April.

Chair Corbin requested for this action item to be placed on the next meeting agenda for further discussion.

STAFF UPDATES: Christian Silva, Equal Opportunity Contracting (EOC) Program Update

Staff gave an update on the SLBE program, contracting updates, training attended by employees, and outreach events (Attachment C). EOC continues to work with PW to develop contracting workshops focused on complying with EOC program provisions. EOC is preparing a diversity newsletter to send to City contractors and has recently created a Facebook Page to inform the public of upcoming events.

CHAIR ANNOUNCEMENTS: None.

SUBCOMMITTEE REPORTS:

- **Data Subcommittee**
Commissioner Custodio (Subcommittee Chair) provided an update to the commission (Attachment D). Briefly discussed a recap of the meeting with Marshall Anderson and requested EOC staff to provide a copy of the 2012 annual report.
- **Public Relations Subcommittee**
Commissioner Perez (Subcommittee Chair) was not present. Commissioner Lan Jefferson requested an update on the status of the PlanetBids training. P&C staff will provide training at future CEOC meeting.

- **Bidding & Contracting Subcommittee**

Commissioner Warner (Subcommittee Chair) would like the Department of Public Works to provide information regarding complaints about SLBE prime contractors and the implementation of more stringent qualifications for participation on City contracts. Commissioner Warner would also like more information on what works and doesn't work regarding the As-Needed Consultant rotation list. Commissioner Warner would like PWC to provide a presentation regarding the rotation list procedures (Attachment E).

ADJOURNMENT: 8:00 pm

NEXT MEETING: May 6, 2015

MATERIALS PROVIDED:

- [Attachment A](#) – Special Report to the Citizens of San Diego Citizens' Equal Opportunity Commission
- [Attachment B](#) – Mayoral Meeting Agenda
- [Attachment C](#) – EOC Program Update
- [Attachment D](#) – Data Subcommittee Subcommittee Update
- [Attachment E](#) – Bidding & Contracting Subcommittee Update