



**City of San José
Small Business Advisory Task Force**

**VIRTUAL MEETING MINUTES & SUMMARY
Thursday, October 8, 2020**

Consistent with the California Governor’s Executive Order No. N-29-20, Resolution No. 79450 from the City of San José and the Santa Clara County Health Officer’s March 16, 2020 Shelter in Place Order, the Task Force meeting was not physically open to the public and Members participated via teleconference from remote locations.

Members of the Public were noticed to submit comments during or before meeting via zoom or email to raania.mohsen@sanjoseca.gov

Call to Order & Order of the Day

PRESENT: Chair Chappie Jones, Vice Chair Dennis King, Members Carl Davis Jr, Ken Kelly, Allie Lopez, Bettie Owen, Helen Wang

ABSENT: Eddie Truong

ASSOCIATE MEMBERS PRESENT: Nga Nguyen

OTHERS PRESENT:

James Duran	Alternate Member, Hispanic Chamber of Commerce Silicon Valley
Sam Washington	Alternate Member, Silicon Valley Black Chamber of Commerce
Christopher Hickey	Office of Quality Assurance, City of San Jose
Nasrine Lakabi	Intern, District 1, City of San Jose
Raania Mohsen	Deputy Chief of Staff, City of San Jose

Public Comment

There was no public testimony or email received.

Consent Calendar

ACTION: Motion to approve Consent Calendar and Minutes of September 8, 2020 with amendment to note request and response for list of Construction Academy Registrants. Motion made by Vice Chair Dennis King and seconded by Member Ken Kelly. Motion passed unanimously (6:0:2. Absent:Truong, Wang).

Old Business

A. Proposed Bylaws Amendments for Discussion

1. Attachment A: Code of Conduct

- It was noted that there is no code of conduct currently included; the proposed Code of Conduct will be amended to the bylaws as an attachment.
- The code of conduct is essentially an official statement of the expectations of behavioral norms when attending and participating in task force meetings.

ACTION: Motion to approve Code of Conduct as Attachment A to the Bylaws was made by Member Ken Kelly and seconded by Member Carl Davis Jr. Motion passed unanimously (7:0:1. Absent: Truong).

2. Duration of Chair and Vice Chair Term: 1 or 2 years?

According to Bylaws, each term shall last for the duration of one year from the December in which they are sworn in to the following December in which they are sworn out or resworn in.

3. Chair and Vice Chair Term Limite: 1 or 2 years?

According to Byalws, there are no term limits for the Chair and Vice Chair officer positions.

- The option of terms lasting two years and setting a term limit to 1 or 2 years is based on previous discussion and interest in extending the term from one to two years and providing opportunities for others to lead.
- A motion to revise bylaws to change the term for chair and vice chair to two years was made by Member Carl Davis Jr and seconded by Vice Chair Dennis King and then withdrawn after discussion as follows.
 - There is value in providing consistency in leadership and allowing time for the Chair and Vice Chair to learn and grow in their roles.
 - Without the Council Member of Distict 1, there would not be a task force, and thus the Council Member should always be chair.
 - What happens when either officer resigns or is not able to fulfill their duties? According to Bylaws:
 - If the Chair resigns then the Vice Chair will assume the role and there will need to be a special election for a new vice chair.
 - If neither chair or vice chair is present at a meeting, the present members will be able to decide who will be their officers of that particular meeting.
 - It was suggested to defer items A (2) and A (3) and discuss further at a future study session, e.g. December, to address the leadership and structure of the Task Force. A consensus of the Task Force agreed.

- The goal is to establish and structure the Task Force so that it reflects the diversity of our community.

New Business

A. Local Hire Presentation

- An update on Council Priority Local Hire was reviewed.
- The direction from Council was to create policies encouraging the hiring of local workers and contracting of local and small businesses using the City of Sunnyvale's recent program as a model.
- There are two efforts that need to be addressed: 1) how do we get more local workers to participate in our local construction projects (road work, building community centers, etc)?; and, 2) how do we get more local businesses to help build our city?
- There is a project Labor Agreement where any project over \$3million for construction will require unions to use local hiring halls for their employees.
- If the City can train local businesses and give them the information that they would need on how to get past some of the barriers on working with the City, we would be able to have more local participation in either our pre-qualified contractor pools and/ or being a subcontractor for larger companies.
- Currently, we have found that 30% of the City's constructions workers are from San Jose; in comparison, in San Francisco, their local hire goal is 36%.
- Currently the City cannot mandate a local hire policy due to Proposition 209; it has removed our ability to create contract goals on preference of race, ethnicity, gender, and other classifications.
- If Proposition 16 passes, it would would allow the City to implement a disparity study and potentially support why the City should provide preferences based on race, ethnicity, gender, sexual orientation, etc.
- However, we need to be mindful that a local and small business enterprise goal (LBE and SBE) may conflict with a minority-owned business enterprise (MBE).
- The City currently has small and local business preference for contracts up to \$600,000.
- It has been suggested to wait until after November 3, 2020 to determine next steps.
- If proposition 16 passes, we should combine the local hire and disparity study efforts together to ensure both policies are examined at the same time and do not conflict with each other.
- A disparity study could take 12-18 months and may cost approximately \$400,000 - \$600,000.

B. Chair & Vice Chair Nominations (Chair) *According to the Task Force Bylaws, nominations shall take place at the regularly scheduled October meeting annually; nominations must be made by a Task Force Member (including self-nominations) or their designated representative(s) and requires a second. Task Force Members or their designated representative(s) must be present to choose whether or not to accept the nomination by the end*

of the same meeting. Elections shall occur at the November Meeting.

- It was noted that according to Bylaws, nominations are supposed to occur this month (October).
- Members agreed to defer nominations until after discussion on structure of Task Force in December.

ACTION: Motion to defer nominations was made by Member Carl Davis Jr. and seconded by Vice Chair Dennis King. Motion passed unanimously (6:0:2; Absent: Ownes, Truong).

C. Update on San José Small Business Rent Relief Program (Vice Chair)

No update provided.

D. Member Check-In Re: COVID-19 Crisis (All)

No updated provided.

Adjournment

ACTION: Motion to adjourn meeting made by Chair Chappie Jones and seconded by Vice Chair Dennis King. Motion passed unanimously (6:0:2; Absent: Owens, Truong).

Meeting was adjourned at 5:08 pm.



HON. CHAPPIE JONES, CHAIR

ATTEST:

ADVISORY TASK FORCE SECRETARY



RAANIA MOHSEN, DEPUTY CHIEF OF STAFF