



Gavin Newsom  
Mayor

Theresa Sparks  
Executive Director

# HUMAN RIGHTS COMMISSION MINUTES OF October 8, 2009 MEETING

1. ORDER OF BUSINESS

Call to Order and Roll Call

Chair Chung called the meeting to order at 4:30 p.m. A quorum was present.

Commissioners Present:

Cecilia Chung, Chair  
Douglas Chan  
Jamal Dajani  
Faye Woo Lee  
Linda Fadeke Richardson  
Victoria Ruiz  
Michael Sweet, Vice Chair  
Julius Turman

Commissioners Not Present:

August J.P. Longo  
Nazly Mohajer

Staff Present:

Doreen Arevalo, Lupe Arreola, Larry Brinkin, Boris Delepine, Bayard Fong, Ed Ilumin, Zula Jones, Deborah Lucero, Masood Ordikhani, Theresa Sparks, Preston Tom, Tamra Winchester

Guests:

Alicia Cabrera, City Attorney

Public Comment on Items Not on the Agenda

There were no public comments.

2. APPROVAL OF MINUTES

Adoption of Minutes dated September 24, 2009

Approval to adopt the September 24, 2009 minutes was moved, seconded and passed with the following vote:



Ayes: 6 - Chan, Chung, Dajani, Lee, Ruiz, Sweet

**3. REPORT OF THE CHAIR**

**A. Commissioners Activities in the Community**

Commissioner Dajani reminded everyone to attend a celebration for Arab Heritage Month tonight from 5:00 p.m. - 7:00 p.m. at City Hall.

Chair Chung reported that the kick off celebration of Filipino American History Month is scheduled for Wednesday, September 30, 2009 at 6:30 p.m. at the California Academy of Science in Golden Gate Park. Chair Chung also informed the Commission that she will represent the HRC tomorrow in Washington, DC at the National Equality March where she will speak at a special HIV rally.

**B. Discussion about the Agenda, Invited Guest Presenters, and Outreach for HRC's October 22, 2009 Commission Meeting at the Bayview Opera House**

Director Sparks informed the Commission that the Bayview Opera House is not ADA accessible, therefore the October 22 commission meeting will not be held at that location. Commissioner Richardson will look into possibly securing the Southeast Community Facility in the Bayview for the December 10 meeting.

**C. Letter to the family of Ms. Elizabeth Jamerson, a Community Activist who Recently Passed Away, Honoring her Memory and Leadership in the Community**

The commission was presented with a draft resolution honoring community activist Ms. Elizabeth Jamerson. This item will be added to the agenda for approval at the next meeting.

**4. REPORT OF THE DIRECTOR**

**A. Report of Current Activities of the Director, including Meetings with Staff, Commissioners and Supervisors on HRC Organization, Budget, Funding and Mission**

Director Sparks reported that she continues to meet with members of the Board of Supervisors, department heads, and key people with which the HRC has work orders.

**B. Update on Waivers: the 12B and 14B Ordinances, Rules and Procedures and Implementation Process**

*Presenters: Boris Delepine, Preston Tom, Tamra Winchester*

Boris Delepine introduced the waiver reports, informing the Commission that regulations require routine reports on the 12B and 14B waivers. He stated that future reports will be presented on a monthly basis. Mr. Delepine explained what information the reports will include and how the data was determined. He then introduced HRC staff Tamra Winchester and Preston Tom to present their reports.

Tamra Winchester explained the 12B Equal Benefits Ordinance and then reported on the types of waivers, the waiver process and how the HRC tracks and reports these waivers. Commissioners asked questions and discussed possible ways to amend the waiver provisions of this ordinance. Commissioner Chan requested that comparison information be included in future reports to determine if approved waivers are increasing or decreasing.

Preston Tom explained the two primary benefits of the 14B Local Business Enterprise Ordinance. He then reported on the types of waivers requested by City departments and gave a summary of waiver activity from January 1 to June 30, 2009. Commissioners asked questions regarding specific waivers and requested that comparison information be included in future reports to show if the dollar amount is increasing or decreasing. In addition, Commissioner Chan requested that future reports include the number of pending waivers.

Saphronia R. Johnson of Project Equilibrium made a public comment questioning why a waiver was issued thereby allowing a Canadian software company to attain a contract when the San Francisco Bay Area is known for having outstanding software companies that can provide the same services. She stated that this contract will result in millions of dollars being sent to Canada when they could remain local.

**C. Significant Items of Interest to the Community Within the Jurisdiction of the Commission Identified After the Publication of the Agenda**

There were no items to report.

**5. OLD BUSINESS**

**Update on Community Social Data Strategy (CSDS) Procurement Waiver and Discussion Related to 12B and 14B Compliance**

*Presenters: Preston Tom and Larry Brinkin*

Larry Brinkin gave an update stating that Community Social Data Strategy (CSDS) is doing what is necessary to become compliant with the Chapter 12B ordinance. Preston Tom stated that the Department of Building Inspection was granted a 14B subcontracting goal waiver for its Request for Proposals. The City has not yet signed a contract with the selected contractor, CSDS. Commissioners asked questions and requested that this item be continued at the next commission meeting.

Saphronia Johnson made a public comment reiterating that local bids for this contract were submitted yet millions of dollars will now be sent to Canada rather than kept in the City and County of San Francisco. She stated that this situation must be further reviewed to consider the possibility of a local developer customizing the software for the City.

**6. COMMITTEE REPORTS**

**Equity Advisory Committee**

**A. Update on Sanctuary City Project and Update of Presentation for the October 5, 2009**

**Public Safety Committee of the Board of Supervisors**

*Presenter: Lupe Arreola*

Lupe Arreola presented a statement of possible impact on the Rapid Re-Housing Program that provides a limited subsidy of up to \$500 for families that are under-housed in San Francisco. As of now, families are able to use the subsidy for two years while working to increase income in order to be self-sufficient. The possible impact of imposing a two year time limit on families as part of a rental subsidy program is that it may deter families from entering the program or may terminate families before they reach their goals and be self-sufficient long term. Ms. Arreola explained that current legislation would make this either a five year program or an as-needed basis program, which would give subsidies to families as long as they need it. The program includes communication with a case worker to plan ways to increase their income and includes job development, education opportunities, etc.

**B. Lesbian Gay Bisexual Transgender Advisory Committee**

**Approval of Letter to KCBS Expressing Concern about Interview with Anti-Gay Activities in Response to Awarding of Presidential Medal of Freedom**

Chair Chung stated that this letter was approved by the Commission at the September 24, 2009 meeting.

**7. MATTERS OF INTEREST FOR POSSIBLE INCLUSION ON FUTURE AGENDA**

Commissioner Chan stated that he is interested in taking up the 12B equal benefits ordinance and begin a process where the HRC could craft a solution for those companies who continue to evade the ordinance.

Commissioner Chan requested that HRC staff report to the full commission on a proposal made by Supervisor Alioto-Pier that would require mandatory bidder pre-qualification for all public works contracts and set minimum requirement for pre-qualification that would specifically amend Chapter 6 subsection 6.20F and 6.220 requiring apprentices to be registered in a federal or state approved apprenticeship program and that these journeymen comply with all applicable state and federal labor laws.

Commissioner Richardson commended Boris Delepine and staff for the new HRC newsletter. Director Sparks requested that Commissioners submit newsletter items for future issues.

**8. ADJOURNMENT**

With no further business to discuss, Chair Chung adjourned the meeting at 7:05 p.m.

**RESPECTFULLY SUBMITTED BY: Doreen Arevalo**