

SPECIAL MEETING

Minutes

City of Tacoma Equity in Contracting Advisory Committee

Date: Wednesday, March 27, 2024

Time: 7:30am – 9:30am

Location: Tacoma Municipal Building, Room 243, 747 Market Street, Tacoma Washington 98402

Zoom Information

Dial: 253-215-8782

Meeting Link: <https://zoom.us/j/96293137247?pwd=Zm1PMVMYUjY3YnVxUEEx6U2k0anFGUT09>

Webinar ID: 962 9313 7247

Passcode: 372097

CALL TO ORDER

Kacee Woods, Equity in Contracting (EIC) & Workforce Programs Manager called the meeting to order at 7:35AM

STATEMENT OF PURPOSE

Kacee Woods stated the City of Tacoma’s mission with the purpose of this meeting

LAND ACKNOWLEDGEMENT

Linda Cerna stated the Land acknowledgement

ROLL CALL – EIC Advisory Committee

Present: Michael Jordan, Clint Myers, Scott Lundt, Rahsaan Freeman, Larry Hutchinson, Angela Michaelis

Absent: Timothy “Tim” Pinckney (unexcused), Jai Briar (unexcused), Trena Payton (excused)

Consent Agenda & Minutes

Approval of February 21, 2024 Meeting Minutes

- Motion to approve made by Larry Hutchinson, seconded by Angela Michaelis
- No added comments or discussion
- All in favor; Motion passes and minutes of the February 21, 2024 meeting are approved

Approval of Meeting Agenda

- Motion to approve the March 27, 2024 Meeting Agenda made by Larry Hutchinson, seconded by Angela Michaelis
- No added comments or discussion
- All in favor; Motion passes and agenda for the March 27, 2024 meeting are approved

City Staff Updates

- 2023 Disparity Study
- Chair/Vice Chair Election
- Bylaws and establishment of subcommittees
- Discussion of Annual Work Plan
- Discussion of Meeting Topics for 2024

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2023 Disparity Study Updates

- 1st round internal & external stakeholder meetings complete
- Kicked off Availability Survey March 20, 2024
- Have had discussions with City of Tacoma Legal team following recent court cases that challenge equity and diversity programs and any potential impacts to the city's EIC program. There are no current challenges to the City's EIC Program.

Review of Committee Bylaws and Advisory Member Feedback

Kacee Woods reviewed each section of the draft bylaws and had discussion with EIC Advisory Committee Members on suggested edits.

- Article I (Purpose)- Sections 1-3: No Comments from Advisory Committee Members
- Article II (Functions & Duties)- Section 1: a-f
 - o Larry Hutchinson: How does monitoring happen?
 - o Kacee Woods: Working on a dashboard to monitor compliance and non-compliance
 - o Michael Jordan: Is there space for education, conducted a study with Economic Development Dept on behalf of Minority Business Development Agency- Black owned businesses represent only .06% of the businesses in the state.
 - o Kacee Woods: Tacoma Municipal Code (TMC 1.07) updated regarding review of the program prior to Jan 2024 the language stated could repeal EIC program, so modified language for review of program and will make sure it gets added.
 - o Scott Lundt: Who determines the metrics?
 - o Kacee Woods: Currently by Staff but open to discussion with EIC Advisory Committee, also have dashboards that will be discussed later on agenda, and developing KPIs, vendor demographic database
 - o Scott Lundt: Are we determining how they are being penalized?
 - o Kacee Woods: Not by EIC committee, staff is determining by progress meeting updates, check points, and discussions with the Project Managers and Primes
 - o Scott Lundt: Do they (Prime contractors) have an education component here, aside from just a financial penalty. Something that can explain the landscape of what they are missing out on?
 - o Kacee Woods: Publish noncompliance internal or external, debar, if we wanted to add an education component, we could but would come through adding to the code with the legal dept.
 - o Scott Lundt: Monitoring seems like it is primarily transparency?
 - o Kacee Woods: Yes, looking to focus on that now and dashboards would support that
 - o Larry Hutchinson: Section 1 a&b indicates an action that is being taken by the members that we are out there monitoring compliance which per language does not seem like we are monitoring but commenting on compliance via dashboards and offering feedback on compliance issues
 - o Kacee Woods: Can add- providing feedback or input on equity and contracting compliance and provide a stipulation to what that means
 - o Michael Jordan: I think monitoring is different than acting and the ability to impact outcomes, checking for blind spots in the space for what EIC does as a whole
 - o Larry Hutchinson: Promoting awareness, is this a type of advertisement, or is this word of mouth?
 - o Kacee Woods: Future meetings we will share a Project Forecast list-ask you to help promote that as well as upcoming events. We would email committee with upcoming events and projects
- Article III (Membership & Term Structure)
 - o Sections 1-5
 - o Kacee Woods: Requested feedback on Section 5 – Should Members missing more than half of the meetings in the given year be asked to resign from the EIC committee by City staff, or the EIC Chair?
 - o Rahsaan Freeman: Chair makes the most sense
 - o Michael Jordan: Staff

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- Kacee Woods: Suggested language to be used: City Staff in consultation with the Chair-. City Staff will follow up with those that have several absences to check on their status
- Kacee Woods: Recommended moving timeframe of election of officers (or saying 1st quarter) so not so specific. Meetings currently quarterly but has been discussion on moving them to be more frequent.
- Michael Jordan: It would be good to shift that from Feb to 1st quarter
- Article X (Miscellaneous)
 - Section 2 (Vote) and Section 3 (Conflict of Interest)
 - Kacee Woods: updated section 2 language confirm accuracy per legal department
 - Larry Hutchinson: What happens in violation of these rules?
 - Kacee Woods: Members would be asked to resign from the advisory committee
 - Kacee Woods: Requested a motion to forward the draft bylaws to City of Tacoma Legal team for review.
 - Motion to forward the draft bylaws to City of Tacoma Legal team for review made by Larry Hutchinson, seconded by Scott Lundt
 - No added comments or discussion
 - All in favor, none opposed; motion passes

Chair/Vice Chair Election

- Larry Hutchinson nominated Scott Lundt to serve as Chair of the EIC Advisory Committee; term effective
- Scott Lundt accepted the nomination
- Clint Myers nominated Michael Jordan to serve as Vice Chair of the EIC Advisory Committee; term effective
- Michael Jordan accepted the nomination
- Michael Jordan made a motion to appoint Scott Lundt as the Chair of the EIC Advisory Committee, seconded by Larry Hutchinson
- All in favor, none opposed; motion passes
- Clint Myers made a motion to appoint Michael Jordan as the Vice Chair of the EIC Advisory Committee, seconded by Larry Hutchinson
- All in favor, none opposed; motion passes

City Staff Updates – Kacee Woods

EIC Advisory Members discussed potential areas to outline for future meetings. Prioritization was done to outline meeting topics and identify intended outcomes.

- Future Meeting Topics:
 - Training and Workshops
 - Access to Capital + Managing Cash Flow
 - OMWBE Certification
 - How to Do Business with the City of Tacoma
 - Technical Assistance Resources
 - Mentorship Programs
 - Prompt Payment (Net shorter payment terms, i.e. Net 15)
 - Veteran Owned Business Designation
 - Use of contract + contract compliance; monitoring and ensuring subcontractors are utilized throughout project and not merely at the end
 - Education to contractors-not a penalty to utilize EIC contractors; educating others so they can understand EIC program

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- Larry Hutchinson: Made a motion to have special meeting in April to continue discussion on future meetings
- Michael Jordan: Recommended using the May regular meeting to outline a subcommittee to bring structure to how to best tackle the topics
- Kacee Woods: Requested a motion to schedule Special Meeting in April for Prompt Payment and to utilize the May regular meeting to include an agenda topic on subcommittees that will move forward the work of the prompt payment topic
- Motion made by Larry Hutchinson, seconded by Clint Myers
- All in favor, none opposed; motion passes

Public Comment

- We received no public comment; no one communicated in writing, and no one appeared for public comment online or in-person.

Action Items

1. Provide City of Tacoma Legal with bylaws for review and feedback
2. Identify date in April for next special meeting on Prompt Payment
3. Regular May meeting will discuss subcommittee and move forward the work and identify subcommittee members.

Adjournment: 9:33am

Minutes taken by City of Tacoma (Linda Cerna)

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