



City of
OAKLAND California

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**OAKLAND ARMY BASE
COMMUNITY JOBS
OVERSIGHT COMMISSION**

MEETING AGENDA PACKET

DATE: November 21, 2019
TIME: 4:00 pm to 6 pm
LOCATION: **HEARING ROOM #3**
First Floor City Hall
#1 Frank Ogawa Plaza,
Oakland, CA 94612

✓ **Please check location.** *Room assignments are
subject to change.*

Office of the City Administrator,
Contracts & Compliance 250 Frank Ogawa Plaza Suite 3341.

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CLERK OF THE CITY CLERK
OAKLAND
2019 NOV 15 PM 1:19

**CITY OF OAKLAND
COMMUNITY JOBS OVERSIGHT COMMISSION
Thursday November 21, 2019
4:00 p.m. – 6:00 p.m.
Oakland City Hall - Hearing Room 3**

Commissioners: Brian Beveridge (Vice Chairperson), Margaret Gordon, Megan Morodomi, Kate O'Hara (Chairperson), Art Shanks, Len Turner, Doug Bloch, Larry Gallegos, Saabir Lockett

Commission Staff: Deborah Barnes, Director, Contracts and Compliance Division, City Administrator's Office, Mary Mayberry, Administrative Services Manager, Joyce Guy, West Oakland Job Resource Center

City Attorney Staff: Julian Gross, Counsel to the City

MEETING AGENDA

AGENDA ITEM	PAGE	TYPE
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4. Consideration of the Minutes for the meeting held on September 19, 2019 (Meeting cancelled October 17, 2019)	6	Action
5. Update on California Waste Solutions (CWS) at the OAB (Presentation by Betsy Lake, Assistant City Administrator)	13	Action
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A. Workforce Updates		
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7. Meeting Adjournment		

The meeting will adjourn upon the completion of the Commission's business.

A member of the public may speak on any item appearing on the agenda. Speakers must complete a speaker's card prior to being recognized by the Chair. All speakers will be allotted a maximum of three minutes unless the Chairperson allocates additional time.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in the meeting of the Community Jobs Oversight Commission or its committees, please contact the Contracts and Compliance Division of the City Administrator's Office at (510) 238-3970. Notification two full business days prior to the meeting will enable the City of Oakland to make reasonable arrangements to ensure accessibility.

Should you have any questions or concerns regarding this agenda, or wish to review any addenda-related material, please contact the Contracts and Compliance Division of the City Administrator's Office at (510) 238-3970

AGENDA ITEM 3

MEETING AGENDA

November 21, 2019

AGENDA ITEM 4

Meeting Minutes

SEPTEMBER 19, 2019

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MEETING MINUTES

**CITY OF OAKLAND
COMMUNITY JOBS OVERSIGHT COMMISSION
Thursday September 19, 2019
4:00 p.m. – 6:00 p.m.
Oakland City Hall - Hearing Room 3**

In Attendance

Present	Excused	Absent
Art Shanks		Doug Bloch
Len Turner		Larry Gallegos
Megan Morodomi		Margaret Gordon
Kate O'Hara		
Brian Beveridge		
Saabir Lockett		

MEETING AGENDA

Meeting called to order at 4:10 pm

- 1. Roll Call and Determination of Quorum** – no quorum present at call to order
New Member Saabir Lockett
Commissioner Beveridge joined at 4:14 pm – quorum present
- 2. Open Forum** – No speakers
- 3. Review of Agenda** – No changes noted.
- 4. Consideration of the Minutes for the meetings held on September 19, 2019**
Motion to approve the minutes from the meeting held on September 19, 2019
Moved – Commissioner Morodomi
Second- Commissioner Beveridge
Motion carried by consensus
- 5. Update on California Waste Solutions (presentation by Betsy Lake, Assistant City Administrator)** Ms. Lake was unable to attend. She will be invited to present at the next meeting.

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6. Update on Citywide Project Labor Agreement/Community Workforce Agreement – Jonothan Dumas, Employment Services Supervisor, City of Oakland

Participant agenda was to get feedback from what have been identified as underrepresented sectors of the community in terms of businesses and residents. Three formal sessions were conducted after the initial town hall meeting. The reason for the sessions was to provide an understanding of the City Council Resolution 87293. for the residents that would attend the session.

The purposes and provisions of the project labor agreements (PLA) and the Community Workforce Agreements (CWA) and related equity issues, identify barriers to training and employment, retention in construction related jobs, careers, opportunities for small contractors and offer suggestions on how existing equity policies can be strengthened or expanded through the CWA ordinance.

Overviews were presented where Community Workforce Agreements/project labor agreement were reviewed in terms of policy benefits around local employment and local contracting. We did bifurcate those in terms of what a community workforce agreement versus project labor agreement internal documents and how they might function.

Community workforce agreements are where the goals are identified by the given the community. This is what we would want to have happen with local employment and whether there's apprentice usage hiring whether there is going to be local contracting and what type of contracting opportunities are generated. And then a PLA would be a mechanism for how you would secure those desired outcomes.

It was also indicated that PLA serve as the vehicle and that there are additional options with respect to how to secure those outcomes and local existing contracting local hire policies were referenced as additional potential vehicles for delivering the type of outcomes that were identified during the community workforce agreement discussions.

We received approximately 120 participants during the three sessions, with the largest session was the first one with approximately 70 participants. Many of the issues that have historically been identified were again identified during the session: issues around transportation, housing, expenses associated with accessing the trades, the remote nature of some of the training locations relative to Oakland residents.

Concerns about observations that a project here in Oakland specifically the participants were unable to identify particular African American workers essentially on any of the projects that they have identified and if they were there were so few as to not indicate any parity with Oakland Community and the diversity that exists here.

There were concerns around trying to secure data from the trades, which is one of the things that has been asked for by the city in terms of moving forward. Specifically related to the ethnic race and gender makeup of the respective halls.

The intent was to first identify what the current status of participation is, Secure some understanding of what has caused those numbers to be what they are and identify steps that could be taken to address any disparities that may present themselves during the course of the review of the documents. Some of the discussions were pretty lively, a lot of historical referencing around the relationship between Building Trades and minority communities in general and women more broadly.

So as of this date we have been informed that approximately 6 to 7 of the crafts have responded with the demographic data. That information is actually not being directly submitted to us initially but to Steven Pitts at UC Berkeley. He is going through all of the data related to the various agreements, city policies and from that is going to present us what his assessment is relative to participation in the various categories in terms of residency and by ethnicity and gender. It's actually dual pronged because there is a broader effort and that was referenced when Julina Bonilla was here from the Port. There are a series of public entities that are pooling funds along with San Francisco Foundation and East Bay Foundation is providing some funding. Specifically, around identifying what is causing shortfalls in the achievement of targeted hiring goals within area PLAs. Port, OUSD, Peralta, the City of Oakland, and City of San Leandro and one or two other entities are participating. Those that have implemented PLAs were indicating that are they were falling short on targeted hiring that's related specifically to both resident and then more specifically to disadvantaged hiring, the goals that they may have set within their respective agreements. And so the effort is to identify what is consistent in terms of efforts on the part of the various agreements and what if any efforts have resulted in better outcomes. The intent is to ultimately come up with a set of best practices that could be applied to subsequent project labor agreements so that they can benefit from the experiences of these larger entities who have had in some cases multi-year exposure to achieving compliance with their respective goals in PLAs. It's essentially what we've been doing The concerns were largely around African-American utilization. As concerns were cited in terms of the Union's being sort of Gatekeepers through these agreements for who actually gets to work on projects one of the participants in conveying her understanding of how the project labor agreements work likened the unions to fraternities who have control over who subsequently becomes a member of the fraternity and then securing an agreement that essentially allowed only fraternity members to be employed on a project. That was an accurate understanding of the process of deploying workers on a project. Then they were very much concerned that the city would consider establishing an agreement that would reflect that in terms of how residents ultimately accessed employment.

Just to kind of give you a sense of what was going on in those session, some of you may have been reading the articles in the Post related to the community workforce agreement outreach sessions, One of them heading I don't know exactly what the gist of it was, project labor agreements reflect current day slavery for African American workers and businesses, and individuals referenced what their historical experiences have been, what they anticipate to be issues and all of that has been collated into a report that would be

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submitted to Council. Staff's understanding the purpose was to inform a decision on the part of council as to whether or not a project labor agreement would be attached to a public lands policy and also applied to Citywide projects that the City facilitates.

Commissioner Shanks question: Did the trades not give you the information you needed?

Dumas: Oh, well, it's the forthcoming. Dr. Pitts is receiving data from the respective halls. Hi has been our contact and the contact with the City was related to a query comparing City policy to existing PLA. We are presuming that that is to assess the relative outcomes associated with the target hiring goals that established within each and put us able to assess the efficacy of one versus the other, as well as identify any potential limitations or downsides to respective agreements.

Commissioner Beveridge question: Dr. Pitts is contracted with the City to perform some action or was Dr. Pitts contracted by the unions to collate materials, or what is the relationship there?

Dumas: Well, there's a body that may have approached the labor entity at UC Berkeley to assist with the collection and assessment of data. Our understanding is that the building trade spoke with Mr. Pitts. As we understand it the Building Trades on behalf of the city asked to have to Mr. Pitts look at our data associated with local employment versus local agreements. We're still trying to understand the relationship, but it doesn't affect the exchange of information. Our records are public records as so if you ask for certified payroll summaries you receive them. The question was related to what prompted the participation of Mr. Pitts in the process did we through a contract or some solicitation of Mr. Pitts, that's what I'm explaining.

Commissioner O'Hara: That was separate from this outreach process, that several public agencies and the building trades were put together.

Dumas: And there was a separate effort from that. Mr. Pitts has met with us regarding our data for contracting and employment, largely focused on employment. We did not solicit Mr. Pitts or the labor entity at Cal to come to the City to do an assessment of our data and provide us with some assessments. That is not what's happening.

Commissioner Beveridge: So I'm primarily interested in the other side of it, does the relationship in this research done at the University represent what you would consider adequate response on the part of the unions to your request for demographic data. Our requests. We've been asking for this for almost 10 years.

Dumas: As I said earlier when I referenced the issue of demographic data Mr. Pitts indicated that approximately 6 of the crafts have provided demographic data. He is still waiting for that information from the remaining crafts. Somewhere is the vicinity of twenty additional crafts. I need to provide that data so that he can submit it to us.

Barnes: And in fact suggested that it would be very sparse.

Dumas: That he did he did indicate that based on the rate of return as of the date we met he did not anticipate receiving much more of the data but whatever he has received he would generate a report based on that information referencing the lack of data from the other crafts.

Commissioner Beveridge: So we have a situation where one side can claim they cooperated and did a study and the other side can say it wasn't much of a study. It may not have gone very far here in the spirit of collaboration

Dumas: We remain optimistic that the crafts will provide the data that was requested. It's demographic information that should make the case that has been presented by the trades which is the issue is not as bad as we collectively think it is. We would then anticipate that evidence would be submitted to substantiate the assertion that our concerns are not founded.

Commissioner Beveridge: You mentioned that there are several large entities that we're looking at aggregating best practices, is the city of Oakland on of those?

Dumas: Yes. The Port, The City, OUSD, Peralta College. San Leandro, BART,

Commissioner Beveridge: Someone will be aggregating those best practices?

Dumas: Yes, there's a grant that has been secured by the coalition, and contributions from the participating entities So the Port is contributing, OUSD, BART San Leandro, each is contributing funds towards the study anchored by grants secured from San Francisco Foundation and I believe East Bay Foundation has also contributed.

Commissioner Beveridge: What is the completion timetable? When can we expect

Dumas: Well, that's sort of contingent on when the baseline data can be secured. There will be an assessment of best practices that may not be held up by a need for data in terms of demographics because it'll be an assessment of various strategies applied toward meeting goals. In some agreements, there's a new apprentice sponsorship requirement in others there is not. How did those do relative to addressing any of the target hiring goals? And is the inclusion of a new Apprentice sponsorship have an impact and if it did and it was deemed significant then the recommendation would be that it be a fixed component of any PLA that moves forward where it's establishing goals like the ones we're trying to measure.

And go through a series of those components within each of the PLAs and identify what the outcome for the efficacy of that strategy and then trying to pull those into the recommended if you were going to do a p l a these are the kinds of things that this group of entities believe will assist you in achieving the goal set for your respective community

Commissioner O'Hara: Just a question of Steven Pitts involvement. I don't know and I haven't been involved at all. But I would guess that and you for the crafts that can pull the data in their capacity to put that together in a way that's usable with the zero, so I would

guess that Dr. Pitts or someone who is an expert in workers and the economy was brought in to help with that, taking a bunch of raw data and making it useful.

I just had a couple questions. Also Jonathan was wondering in terms of these sessions. Was there a representative from any of the trades to hear the concerns or offer

Dumas: There was representation at the first session. It was conveyed to me that they felt that they were disrespected and not afforded an opportunity to make whatever case that they wanted to make at the public session and elected to not participate in the subsequent sessions. That was conveyed directly to me by the carpenters union, conveying the response from the building trades on a broader basis so their interpretation as I understood it was that it was only going to be a session for individuals who were not supportive of project labor agreements. What I took from the assertion based on who participated at the sessions. The trades indicated through Carpenters, it would not participate and we did not have Union representation at the subsequent Community forums.

Commissioner O'Hara: And then what's the timeline for the report from the sessions to go to City Council?

Dumas: Well, there was a race and Equity that's part of what is supposed to be submitted in addition to collecting the Drake feedback was also to provide assessment relative to equity impacts of potential project labor agreement and a significant piece of that is an understanding of current circumstances which relies heavily on the provision of the demographic data, so that current circumstances can be identified and then recommendations would be incorporated in whatever report to address the identified disparities. So Without knowing what the disparities are or current capacity to deploy workers that would address the diversity of Oakland. We're not in a position to do that through the race and equity committee so I would not be in a position to give a commitment of the timeline on its production. If there is some determination that the information is not irrelevant or sufficiently needed to move forward with an assessment of the potential impacts.

It did seem reasonable that you want to sort of establish what baseline capacity was so that you have any community here in Oakland is expressed concerns that if such an agreement went through that our community within Oakland would not benefit. Then our intent is to be able to provide a response indicating that your concerns or not founded because these are the numbers of your community within this labor pool that would be available to be deployed to projects if those projects are subject to these types of agreements.

Just trying to understand and respond to concerns that are voiced to us as it relates to developing policies around local employment info Contracting

7. Compliance Reports

A. Workforce Updates

B. West Oakland Job Resource Center Update

8. Meeting Adjournment

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