

1 [Resolution urging the Human Rights Commission to continue to collect evidence regarding
2 discrimination against minority and women owned businesses in private contracting markets
3 in the Bay Area.]

4 **Resolution urging the Human Rights Commission to continue to collect evidence**
5 **regarding discrimination against minority and women owned businesses in private**
6 **contracting markets in the Bay Area.**

7 WHEREAS, In upholding the City and County of Denver's remedial contracting
8 program in *Concrete Works of Colorado v. City and County of Denver* (10th Cir. 2003) 321
9 F.3d 950, the Tenth Circuit Court of Appeals recognized in February 2003 that disparities in
10 private markets in the region provide a strong indicator of the extent to which minorities and
11 women would be used in a public entity's contracting program absent any remedial affirmative
12 action programs; and,

13 WHEREAS, This Board recently passed legislation extending the
14 Minority/Women/Local Business Utilization Ordinance ("MBE/WBE Ordinance") to June 30,
15 2008 to continue to remedy identified discrimination against MBE and WBE prime contractors
16 and subcontractors in city contracting; and,

17 WHEREAS, The evidence on which this Board relied to reauthorize the MBE/WBE
18 Ordinance included, among other things, compelling statistical and anecdotal evidence
19 obtained by the San Francisco Human Rights Commission that establishes the ongoing
20 discrimination against minority and women owned businesses in the Bay Area private sector;
21 and,

22 WHEREAS, By continuing to obtain evidence regarding discrimination against minority
23 and women owned businesses in the Bay Area private sector, as well as other evidence of
24 discrimination against MBEs and WBEs, the Board will continue to ensure that the MBE/WBE
25

1 Ordinance is narrowly tailored to remedy identified discrimination against MBEs and WBEs in
2 City contracting; now, therefore, be it

3 RESOLVED, That, in light of the Tenth Circuit's decision in *Concrete Works*, the Board
4 urges the Human Rights Commission to continue to collect evidence regarding discrimination
5 against minority and women owned businesses in private contracting markets in the Bay
6 Area.

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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails
Resolution

File Number: 031289

Date Passed:

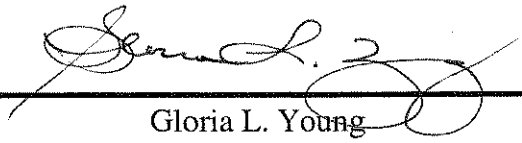
Resolution urging the Human Rights Commission to continue to collect evidence regarding discrimination against minority and women owned businesses in private contracting markets in the Bay Area.

July 29, 2003 Board of Supervisors — ADOPTED

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

File No. 031289

I hereby certify that the foregoing Resolution was ADOPTED on July 29, 2003 by the Board of Supervisors of the City and County of San Francisco.

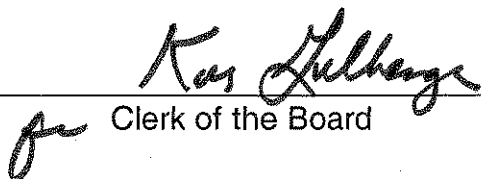

Gloria L. Young
Clerk of the Board

Date Approved

Mayor Willie L. Brown Jr.

Date: August 8, 2003

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.


Clerk of the Board

File No.
031289