

On Wednesday, July 20, 2022, at 6:00 p.m., the Dayton City Commission met in regular session in the Commission Chambers of City Hall.

**CALL TO ORDER**

Mayor Mims called the meeting to order. He asked for a moment of silence to commemorate the passing of former Dayton Police Sergeant Rick Oakley.

Mr. Parlette said Sgt. Oakley was a retired Dayton Police Sergeant and former FOP President. He said he passed away unexpectedly at the age of 56.

**INVOCATION**

Commissioner Turner-Sloss gave the invocation.

**PLEDGE OF ALLEGIANCE**

Mayor Mims led the public in the Pledge of Allegiance.

**ROLL CALL**

Roll call was taken, and Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss were present. The Clerk of Commission, Ms. Regina Blackshear and the Acting City Manager, Mr. Joe Parlette were also present.

**APPROVAL OF MINUTES**

**Commissioner Shaw made a motion to approve the minutes from the July 13, 2022, meeting. Commissioner Fairchild seconded the motion. The previous meeting minutes were unanimously approved.**

**COMMUNICATIONS AND PETITIONS**

There were no communications or petitions.

**SPECIAL AWARDS/PRESENTATIONS**

There were no special awards or presentations.

**DISCUSSION OF CALENDAR ITEMS**

**Calendar Item No. 4. Siena Consulting, Inc. (formerly Yusko Group, Inc.)-Service Agreement and Calendar Item No. 5. Siena Consulting, Inc. (formerly Yusko Group, Inc.)-Service Agreement.**

The Acting City Manager, Mr. Joe Parlette, said these service agreements are for interview development process. He said they revisit the testing every couple year to make sure the test is still effective.

Commissioner Shaw said coming out of a recommendation in former Mayor Whaley's Police reform group on recruitment to add an interview with community representation to the pre-employment screening process. He said this contract will support Siena in doing a content validation study to support interview development and the validation process for the police recruit examination. He thanked the Civil Service Staff for working on this recommendation which was challenging but their dedication got it done. Commissioner Shaw said the Police Department is in the process of recruiting and would love for Dayton residents to apply. He said thus far there is good mix of diversity in the applications. Commissioner Shaw said the application process closes on July 31 for the April 2023 class but will open again on August 1

**Calendar Item No. 6. Great Lakes Construction Co. -Award of Contract**

The Acting City Manager, Mr. Joe Parlette, said the contract is for a 54,000 square yard terminal apron with \$13.5M from a FAA grant.

**Resolution No. 6654-22- Authorizing the City Manager to Accept Federal Fiscal Years 2023 and 2024 Federal Aviation Administration Airport Infrastructure Grants (AIG) from the United States Department of Transportation for Airport Infrastructure and Terminal Improvements at the James. M. Cox Dayton International Airport and Dayton-Wright Brother Airport on Behalf of the City of Dayton in an Amount Not to Exceed Fourteen Million Sixty-Seven Thousand Dollars and Zero Cents (\$14,067,000.00).**

The Acting City Manager, Mr. Joe Parlette, said the resolution is an ask of \$14M plus from the FAA and the funding source is Airport Infrastructure Grant which is part of the Bi-Partisan Infrastructure Bill.

Mayor Mims said he toured the Dayton Airport with Senator Sherrod Brown who gave the City of Dayton \$4M for the hanger and for classroom space.

Commissioner Turner-Sloss congratulated Mr. Gil Turner, Director of the Airport, for all the projects that are going on at the Dayton International Airport.

**REPORTS**

**1. Purchase Orders, Agreements and Contracts:**

**(All contracts are valid until delivery is complete or through December 31<sup>st</sup> of the current year).**

**WATER**

- A1. Kelden Equipment, Inc.** (monthly maintenance service and related items) **\$50,000.00**
  - A2. Motorola Solutions, Inc.** (three Motorola portable radios and charging stations) **\$10,488.78**
  - A3. Moodys of Dayton, Inc.** (four submersible vertical well pumps as needed through 12/31/25) **1,222,600.00**
  - A4. Badger Meter, Inc.** (new water meters as needed through 12/31/22) **92,500.00**
  - A5. Everett J. Prescott, Inc.** (fire hydrants as needed through 12/31/22) **52,500.00**
- Department Of Water. **Total: \$1,428,088.78**

- 2. Central State University – Lease Agreement** – for leased space located at 951 Washington Street - Department of Public Works/Property Management. **\$115,003.98**  
**(Thru 12/31/26)**

- 3. Hammock Expeditions LLC dba STEM Study Tours – Service Agreement** – to provide tour services as part of the Four Cities Young Leader Academy Program – Department of Planning, Neighborhoods and Development/Mediation Center. **\$35,000.00**  
**(Thru 11/30/22)**

4. **Siena Consulting, Inc. (formerly Yusko Group, Inc.) – Service Agreement** – third amendment for the firefighter recruit examination - Civil Service Board. **\$80,000.00**  
(Thru 07/01/24)
5. **Siena Consulting, Inc. (formerly Yusko Group, Inc.) – Service Agreement** – third amendment for the police recruit examination - Civil Service Board. **\$132,500.00**  
(Thru 07/01/25)

**B. Construction Contract:**

6. **Great Lakes Construction Co. – Award of Contract** – for Phase 4 of the Dayton International Airport Terminal Apron Rehabilitation (FAA 7/9) 23% DBE Participation Goal (23.35% Achieved) – Department of Aviation/AP Admin & Finance. **\$15,169,790.00**  
(Thru 09/30/25)

**E. Other – Contributions, etc.:**

7. **Rumpke of Ohio, Inc. – Payment of Voucher** – for payment of January 2022 invoices for the disposal of solid waste ad recyclables from the Dayton International Airport - Department of Aviation/AP Facilities & Ops Terminal. **\$3,391.06**
8. **JJR Solutions, LLC & Tangram Flex, Inc. – Other** – annual Dayton Economic Attraction Program (DEAP) payments – Department of Planning, Neighborhoods and Development/Development. **\$124,681.43**  
(Thru 12/31/22)
9. **Federal Aviation Administration US FAA - Legal Settlement** – for settlement of FAA Case No. 2020GL800067 – Department of Law/Civil. **\$100,000.00**

**CITIZENS’ COMMENTS ON CALENDAR ITEMS**

There were no citizens’ comments on calendar items.

**APPROVAL OF CITY MANAGER’S REPORTS**

**Commissioner Joseph made the motion to approve the City Manager’s Reports. Commissioner Turner-Sloss seconded the motion. The City Manager’s Reports were approved with a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss.**

**LEGISLATION**

**ORDINANCE- FIRST READING**

**Ordinance No. 31981-22-** Authorizing the Grant of Temporary and Permanent Sanitary Sewer Easements to the Board of County Commissioners of Montgomery County, Ohio on land located at the Dayton-Wright Brothers Airport.

**Ordinance No. 31982-22-** Appropriating Property Designated as Parcel 89 WD&T in Connection with the Salem Avenue Reconstruction Phase 3.

**RESOLUTIONS – FIRST READING**

**Resolution No. 6654-22-** Authorizing the City Manager to Accept Federal Fiscal Years 2023 and 2024 Federal Aviation Administration Airport Infrastructure Grants (AIG) from the United States Department of Transportation for Airport Infrastructure and Terminal Improvements at the James. M. Cox Dayton International Airport and Dayton-Wright Brother Airport on Behalf of the City of Dayton in an Amount Not to Exceed Fourteen Million Sixty-Seven Thousand Dollars and Zero Cents (\$14,067,000.00).

**Resolution No. 6655-22-** Declaring the Intention of the Commission to Vacate the Second Alley North of West Norman Avenue from Rugby Road to 30 Feet East of the Alley West of Rugby Road.

**THIS ITEM WAS ADDED**

**EMERGENCY RESOLUTION – FIRST AND SECOND READING**

**Emergency Resolution No. 6656-22-** Objecting to the Issuance of Liquor Permit No. 2304590, Dream Event Hall LLC, 229 Riverside Drive, Dayton, OH 45405, and Declaring an Emergency.

**Commissioner Joseph moved that this being an emergency measure for the immediate consideration of the Resolution. Commissioner Shaw seconded the motion. The motion was passed with a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss. The question being shall Emergency Resolution No. 6656-22 be adopted. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph, Shaw, Fairchild and Turner-Sloss. The Emergency Resolution was adopted.**

**PUBLIC HEARING**

Mayor Mims opened the Public Hearing regarding the Automatic Licensee Plate Reader (ALPR). He asked Mr. Parlette to proceed. Mr. Parlette invited Chief Kamran Afzal, and Major Paul Saunders, Dayton Police Department, to present.

Chief Afzal said there is no panaceas that is going to resolve crime, but this is just another tool in that effort. He said this tool will help with domestic violence, stolen cars, and amber alerts. He said there are strict guidelines that must be followed based on LEADS.

Major Saunders said the Dayton Police Department (DPD), through genuine community partnerships, utilizes comprehensive crime reduction strategies, supported by innovative technology, to provide effective and efficient service that enhances quality of life and safety for our community. A primary function of the Dayton Police Department is to protect the community by apprehending criminals who have committed serious crimes and preventing crimes before they occur. There is no single solution to crime and disorder, but the Dayton Police Department is always seeking tools that enhance its capacity to safeguard our community.

ALPRs can be mounted to a building, utility pole, or vehicle. ALPRs send real-time alerts to law enforcement. – Stolen vehicles, used in a robbery or shooting etc. ALPRs are designed to read the license plates of vehicles that pass by them. These images create a searchable temporary database that can be used by law enforcement. There are two deployment methods –Mobile ALPRs - mounted on vehicles. Technology currently in use is mounted on police cruisers. This type of device has been in use by DPD since 2008. Fixed Site (FSALPR) is the latest technology that is now in widespread use throughout the region Tried by DPD.

Major Saunders said if Commission approves, fixed site ALPRs would be deployed as part of a Neighborhood Safety Plan. Neighborhood Safety Plans are developed by citizens and the City of Dayton to combat crime or quality of life issues. He said this hearing only approves the ALPR technology in general. – additional community engagement and Commission notice is required as a part of each deployment

Major Saunders said the new in-car camera system installed in April 2022 is equipped with ALPRs (not currently activated). He said upon activation, the older ALPRs, which are at end of life, will be de-commissioned. He said these alerts are regulated by the Ohio Revised Code (ORC): Amber Alert vehicles – a child is in imminent danger of serious bodily injury or death. Silver Alert vehicles – an adult is 65 years of age or older or has a mental impairment and is missing and in imminent danger. Stolen vehicles, owners wanted for crimes of violence, vehicles identified as being used in a crime and terrorist alerts

Major Saunders said the Dayton Police Department policy prohibits officers from checking immigration status the vendor that was used for the trial period in the Twin Towers neighborhood prohibits the use of its cameras for immigration enforcement. Officers must acknowledge a warning that the information may not be used for immigration enforcement every time they sign into the system

Major Saunders said all data obtained by the ALPRs is the sole property of the Dayton Police Department. He said alerts are only shared with other law enforcement agencies by request. He said requests for sharing alerts with other departments are reviewed and approved by DPD's Strategic Planning Bureau. Major Saunders said data is stored in "the cloud". He said there are policy limits access to LPR data for investigations (similar to LEADS) for criminal investigations. He said data is retained for 30 days unless crime related.

Major Saunders said ALPR's benefit neighborhoods by real-time notifications to law enforcement. Most crime incidents involve a vehicle, increased clearance rates, potential for crime deterrence and focuses resources.

Major Saunders said the City Commission is being asked to consider the following question: Whether or not to approve the use by Dayton Police of ALPR's in accordance with the law enforcement surveillance technology ordinance.

### **CITIZENS' COMMENTS ON THE PUBLIC HEARING**

Citizens' comments on the public hearing were received from the following:

1. **Mr. Barry Hall, 6404 Palmer Road**– spoke in support of the Automatic Licensee Plate Reader (ALPR).
2. **Ms. Leslie Sheward, 428 Clover St.**– spoke in support of the Automatic Licensee Plate Reader (ALPR).
3. **Mr. Mark Wogoman, 60 Heid Ave.**– spoke in support of the Automatic Licensee Plate Reader (ALPR).
4. **Dr. Kimaru Wa-Tenza, 1200 W. Grand Ave.** – spoke in opposition of the Automatic License Plate Reader (ALPR).
5. **Mr. Gail Kookan, 1619 Kuntz Road**– spoke in support of the Automatic Licensee Plate Reader (ALPR).

6. **Mr. Matthew Tepper, 702 Troy St.**– spoke in support of the Automatic Licensee Plate Reader (ALPR).
7. **Ms. Kathleen Kersh, 6310 Harvest Meadows Drive**– spoke in opposition of the Automatic License Plate Reader (ALPR).
8. **Ms. Destiny Brown, 130 W. Second St.**– spoke in opposition of the Automatic License Plate Reader (ALPR).
9. **Ms. Melissa Bertolo, 1137 Harvard Blvd.**– spoke in opposition of the Automatic License Plate Reader (ALPR).
10. **Ms. Alejandra Espino, 147 S. June St.**– spoke in opposition of the Automatic License Plate Reader (ALPR).
11. **Mr. Bob Lewis, 9377 Wood Ledge Point**– spoke in opposition of the Automatic License Plate Reader (ALPR).
12. **Mr. Mark Dennis Fritz, 420 S. Smithville Road**– spoke in support of the Automatic Licensee Plate Reader (ALPR).
13. **Mr. Jacob Davis, 1219 Mount Vernon**– spoke in opposition of the Automatic Licensee Plate Reader (ALPR).
14. **Mr. Richard Halderman, 865 Vintage**– spoke in support of the Automatic Licensee Plate Reader (ALPR).

Mayor Mims closed the Public Hearing and asked the pleasure of the Commission. Commissioner Joseph and Shaw said to move forward. Commissioner Fairchild and Turner-Sloss said to remand. Commissioner Fairchild said people should learn from their mistakes and its best to learn from other's mistakes. He said he values people who have spoken on all parts of the issue and concerns around crime; however, there is no evidence that this technology will address those issues. He said there are a lot of opinions, statements of conjecture and assertions, but no evidence this is effective and for that reason and others he would like to remand the case to continue the conversation.

Commissioner Turner-Sloss said after reading the report she feels that it was not objective. She said there are several concerns. She thanked the coalition of public protection and said the case should be remanded to make a sound decision.

**Commissioner Joseph made a motion to move forward with the Automatic Licensee Plate Reader (ALPR). Commissioner Shaw seconded the motion. The question being shall the Dayton City Commission implement the Automatic Licensee Plate Reader (ALPR). A roll call vote was taken resulting in a 3-2-0 vote. Voting in the affirmative were Mayor Mims, Commissioners Joseph and Shaw. Voting in the negative were Commissioners Fairchild and Turner-Sloss. The motion was passed.**

#### **CITIZENS' COMMENTS**

Citizens' comments were received from the following:

1. **Ms. Nancy Keihl, 309 Hacker Road**– spoke about the town hall meeting with CEO of Premier Health Network Mr. Michael Riordan and the YMCA facility at the Old Good Samaritan Hospital site.
2. **Rev. Merritt Worthen, 716 Cleary Drive** - spoke in opposition of the YMCA facility at the Old Good Samaritan Hospital site.
3. **Mr. Reid Dotson, 34 Missouri Ave.** - spoke about the demolition of his property.
4. **Mr. Jacob Blankenship, 1425 Taitwood Road** – spoke about the Pride flag being displayed on city property.

#### **COMMENTS BY THE ACTING CITY MANAGER**

The Acting City Manager, Mr. Joe Parlette, had no closing comments.

#### **COMMENTS BY THE CLERK OF COMMISSION**

The Clerk of Commission, Ms. Regina Blackshear, had no closing comments.

#### **COMMENTS BY THE CITY COMMISSION**

##### **Commissioner Turner-Sloss**

Commissioner Turner-Sloss thanked the residents as well as business leaders of the City of Dayton for coming to the meeting and sharing their concerns.

Commissioner Turner-Sloss thanked staff for their attendance at tonight's City Commission meeting.

Commissioner Turner-Sloss asked for clarification from Mr. Todd Kinskey, Director of Planning, if there will be a public hearing on the proposed construction at the old Good Samaritan Hospital site.

Mr. Parlette said to his understanding there would not be a public hearing. Mr. Kinskey said there would not be a public hearing because the use was permitted under the code.

Commissioner Turner-Sloss urged her colleagues to address the concerns of the Coalition of Public Protection (COPP) and to work with them regarding the Automatic License Plate Readers (ALPRs).

##### **Commissioner Fairchild**

Commissioner Fairchild thanked the residents as well as business leaders of the City of Dayton for coming to the meeting and sharing their concerns.

Commissioner Fairchild said there are examples of bad apples within any profession, but he has not known anyone in the department who has done anything that would approach the egregious examples that Mr. Davis shared.

Commissioner Fairchild highlighted the community event in Westwood area. He highlighted the upcoming Blues festival at the Levitt on Sunday, July 24, 2022.

##### **Commissioner Shaw**

Commissioner Shaw thanked Commissioner Turner-Sloss for her comments and said he would be glad to continue the discussion about the Automatic Licensee Plate Reader (ALPR).

Commissioner Shaw highlighted the event on gun violence at Corinthian Baptist Church.

**Commissioner Joseph**

Commissioner Joseph said, “we proved today that our new process, our cutting-edge process for discussing surveillance technologies works.” He said they heard from proponents and opponents, neighborhood leaders and concerned citizens. He said this is what he and Commissioner Shaw and community partners had in mind when they started this process two and a half years ago. He said they wanted to avoid new technology popping up unannounced and undiscussed. He said they can safely say this technology is neither unannounced nor undiscussed.

Commissioner Joseph told residents to look on the second page of their AES bill and if the supplier does not say AEP Energy, then they are not on the list for savings and they should contact 877-648-1937 to enroll.

**Mayor Mims**

Mayor Mims said there were two things that were considered about the Automatic Licensee Plate Reader (ALPR) safety around protection and lives. He said they will revisit this topic as more data is received and adjustments will be made.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 9:01 p.m.

---

**Jeffrey J. Mims, Jr.**  
**Mayor**

**Attest:** \_\_\_\_\_  
**Clerk of Commission**

**WORK SESSION**

A copy of prepared material has been recorded as Communication & Petition Number 21700 dated July 20, 2022

**The Dayton City Commission met in a Work Session on July 20, 2022, at 4:39 p.m., prior to the regularly scheduled City Commission meeting. Mayor Mims and Commissioners Shaw, Joseph, Fairchild and Turner-Sloss were present. Regina D. Blackshear, Clerk of Commission and Torey Hollingsworth, Director, City Commission office were also in attendance.**

**Mr. Joseph Parlette, Deputy City Manager and Ms. LaShea Lofton, Deputy City Manager were present. Ms. Erica Fields, Executive Director, Human Relations Council, Mr. Cato Mayberry, MBAC Director, Donerik Black, Business and Technical**



**Assistance Administrator, Michael Perry, Senior Contract Compliance Officer and Bernard Jones, Contract Compliance Officer were the presenters.**

Ms. Fields provided a PEP background. She said that the City has long recognized the importance of small business enterprises to its economic vitality. It is in the best interest of the City to promote the equitable utilization of small business enterprises, minority business enterprises, and women business enterprises in City contracting to combat the lingering effects of past discrimination. She said that in 1991 the City Commission adopted findings and recommendations in the first-Generation Disparity Study for enacting programs to remedy past and ongoing discrimination against minority and women owned businesses. She noted that in 2010 the City Commission approved the findings and recommendations of second-Generation Disparity Study to determine whether minority and women owned businesses were underutilized in procurement activities and in 2020 the Dayton City Commission adopted the findings of the Third Generation Disparity Study to provide authorization for the continuation of the City's Procurement Enhancement Plan to ensure full and equitable participation in City procurement activities.

Ms. Fields discussed the Disparity Study Findings. She said that minorities and women continue to show disparities in entry into self-employment, after controlling for age, wealth, and other variables. She noted that minorities and women that were self-employed earned significantly less than non-minority males, after controlling for other factors, and that past discrimination in the private sector and in the City's overall contracting process in construction and goods and services has had the effect of underutilization of minority and woman owned business enterprises in contracts awarded by the City and has contributed to the underdevelopment of such businesses. Ms. Fields said the present effects of such past discrimination continue to impede the development of businesses owned by minorities and women and certain issues, such as difficulties in the financing and bonding markets and problems obtaining credit and insurance, impede the development of minority and woman owned businesses, as well as certain non-minority small business enterprises.

#### **Statement of Policy**

Ms. Fields said it is the policy of the City of Dayton to promote full and equal business opportunity to all persons doing business with the City. She explained it will apply to all expenditure of City public funds, irrespective of source, it will apply to all private sector economic development projects receiving City public funds and/or tax incentives utilized in part or in total, and it will also apply to all projects where City funds are used with other governmental or quasi-governmental agencies.

#### **Non-Discrimination Policy**

Ms. Fields stated the City of Dayton is committed to a policy of non-discrimination pursuant to Section 1 of the Fourteenth Amendment to the United States Constitution, which guarantees equal protection of the laws to all citizens. She said it is the policy of the City that its purchasing and contracting practices do not implicate the City as a passive participant in discriminatory practices engaged in by private contractors or vendors who seek to obtain business with the City. In furtherance of these policy objectives, the City seeks to afford to its citizens equal opportunities to do business on City contracts and to ensure that all bidders, proposers, vendors, and contractors (collectively referred to herein as "bidders") doing business with the City provide to businesses owned and controlled by minorities, women, and others whom it considers to be disadvantaged, opportunities to participate on contracts which are paid, in whole or part, with monetary appropriations from the City.

**PROCUREMENT ENHANCEMENT PROGRAM**

Ms. Fields explained the Procurement Enhancement Program ensures that businesses seeking to participate in contracting and procurement activities with the City are not prevented from doing so on the basis of the race or gender of their owners and the City’s commitment to ensuring that it is not a passive participant in any form of discrimination. Ms. Fields said the Procurement Enhancement Plan (PEP) Program establishes aspirational goals to overcome barriers identified in the Disparity Study (“A Third-Generation Disparity Study for the City of Dayton, Ohio” final report dated November 6, 2019) for minority-owned, woman-owned, small, and local companies. She stated that these goals serve to enhance the percentage of minority-owned, woman-owned, small, and local companies working with the City.

Ms. Fields discussed the 2022 City of Dayton Annual Aspirational Goals:

Construction:

Minority Business Enterprises	13%
Female Business Enterprises	3%
Small Business Enterprises	20%

Goods and Services:

Minority Business Enterprises	6.5%
Female Business Enterprises	1.5%
Small Business Enterprises	10%

Ms. Fields discussed the following PEP Program Elements – Certification

Ms. Fields said that Small Business Enterprise (SBE) all companies must meet the SBE definition and requirements which include, but are not limited to a business that is for profit; has been in existence for not less than one (1) year, meets the industry size standards as approved by the SBA, certifies that its individual owner(s) whose ownership and control are relied upon for SBE certification has a personal net worth that does not exceed seven hundred fifty thousand dollars (1,402,500.00); and has less than 100 employees.

Ms. Fields explained Minority Business Enterprise (MBE) is at least fifty-one percent (51 percent) owned by one or more members of one or more minority groups (African-Americans or Black Americans, Hispanic Americans, Asian-Americans, and Native Americans), or, in the case of a publicly held corporation, at least fifty-one percent (51 percent) of the stock of which is owned by one or more members of one or more minority groups, whose management and daily business operations are controlled by one or more members of one or more minority groups.

Ms. Fields stated Women Business Enterprise (“WBE”) is at least fifty-one percent (51 percent) owned by one or more women, or, in the case of a publicly held corporation, fifty-one percent (51 percent) of the stock of which is owned by one or more women, whose management and daily business operations are controlled by one or more women.

Ms. Fields said Dayton Local Small Business (“DLSB”) are certified by the Executive Director of the Council, or his/her designee, as a MBE, WBE, and/or SBE; and is a Dayton local business; and is a general construction contractor which has annual average gross receipts for each of the preceding three (3) years of not more than fifteen million dollars (\$15,000,000); or, is a business engaged in specialty trade and services which has annual

average gross revenue for each of the immediately preceding three (3) years of not more than five million dollars (\$5,000,000).

Ms. Fields explained the PEP Program Elements – Contract Compliance and those elements consist of (1) goal setting (for publicly bid Goods and Services and Construction projects) (2) bid review and assessment/good faith efforts (3) site visits/CUF Reports (4) payment monitoring (5) mediation (grievances) and (6) noncompliance remedies.

Ms. Fields said PEP Elements – Review and Oversight consist of the following:

PEP Oversight Committee, quarterly reporting to Commission, department scorecards, determination of annual aspirational including goals, policy and procedure review and city staff training. Ms. Fields explained the PEP Construction Goal/Recommendation Process. She said as part of the goal setting process, the department submits a goal request to HRC. HRC assess adequate MBE/WBE companies, reviews scope of work and estimate, creates an appropriate goal, and submits to requesting department. The department includes equity goals and submits an RFP/BID invitation to procurement for public approval. Ms. Fields said in the pre-work (pre-bidding) stage the Public Invitation to Bid is released and the Pre-Bid Meeting held with HRC, primes, subs, and departments. She said the vendor submits bids for review and in the recommendation process, HRC performs bid review for participation and if necessary HRC reviews waiver requests submitted for good faith efforts and HRC then makes a determination based on participation/ commitment to inclusion goal. She noted that HRC performances contractor verification (must be approved bidder in AAA program and commitment fair employment practices) and HRC prepares recommendation memo to awarding department.

**Procurement Enhancement Program Update**

Ms. Fields said that of the 2022 processed certifications there were four new applicants and four renewals. She noted that of the 2022 active certifications there were 135 SBE, 76 MBE, 53 WBE, 45 DLSB 38 HUD S3 and 100DBE. Ms. Fields said that the 2022 projects requiring compliance monitoring include 15 PEP, 2 HUD S3 and 8 DBE.

**PEP Construction Project Specific Goal Achievement YTD**

Ms. Fields said the 2022 publicly bid construction awards amount to \$18,314,203.00 with PEP Eligible: \$17,411,163.00, Open Market (2 Projects)

\$903,040.00 and the goal amount awarded to PEP Firms is \$11,853,000 (64 percent).

Ms. Fields highlighted the following:

**2022 MBE Firms Utilized to date:**

Ewol Trucking & Construction	\$ 710,400
W C Jones Asphalt Paving Company INC	\$ 1,060,781
Ebony Construction Company Inc	\$ 197,000
Tall View Palladium INC	\$ 41,452
New Industry Standard LLC	\$ 68,000
	<b>10.9% \$2,007,633</b>

**2022 WBE Firms Utilized to date:**

AKA Construction, Inc	\$	1,027,925
L J DeWeese Company Inc	\$	628,964
Ebony Construction Company Inc	\$	197,000
First Star Safety	\$	82,262
Grissom Construction LLC	\$	148,100
Mad River Construction	\$	89,799
Brahan LLC	\$	98,655
Oakley Blacktop	\$	36,771
Security Fence Group Inc	\$	525,698
JLM Trucking INC	\$	4,500
	<b>15.5%</b>	<b>\$ 2,839,670</b>

**PEP Goods and Services Project Specific Goal Achievement YTD**

2022 Spend to Date:	\$	88,456,967.76
MBE Spend:	\$	1,711,663.15
WBE Spend:	\$	10,264,508.38
SBE Spend:	\$	11,714,550.17
DL Spend:	\$	5,494,792.21

Total awarded to PEP Firms: \$ 29,185,513.76 (33%)

**PEP IN THE COMMUNITY**

Ms. Fields stated at the Small Business Opportunity Forum that was held earlier this year, 82 companies registered and/or attended the event and that 15 percent of the companies at attended were already PEP certified.

**2022 PEP FOCUS**

Ms. Fields said PEP will focus on the following in 2022: (1) increase number of certified companies in PEP program by hosting PEP certification tours, and promoting new Cross Certification program/Senate Bill 105. In addition, the program will increase capacity building opportunities for our certified firms by conducting workshops with existing or potential PEP companies to build access to capital opportunities with local banking institutions, providing online training courses in small business development and working with local workforce development programs to connect our PEP firms with Dayton residents seeking employment. She said that PEP will increase the amount of PEP companies bidding as Prime Contractors by 10 percent by collaborating with departments to identify projects that can be broken down into smaller projects and ensuring smaller project bonding requirements are obtainable for smaller firms.

Ms. Fields said the program will also increase certified firms in goods & services (non construction) by promoting new Cross Certification program by collaborating with departments to recruit smaller, minority, and/or women owned firms into the PEP program,

collaborating with Purchasing on tailored outreach and leveraging opportunities via Senate Bill 105.

Ms. Fields hopes to increase opportunities for PEP companies in development agreements by collaborating with the Economic Development and other city departments working on project to discuss inclusion opportunities and solicit PEP companies at earlier phases of project by establishing formal guidelines for developers (one pager), review and assessment of internal data systems and the Development of Doing Business with the City/Supplier Diversity handbook in conjunction with Purchasing.

**Senate Bill 105**

Ms. Fields explained the passage of Ohio Senate Bill 105 (SB 105) requires all Ohio political subdivisions, (cities, counties, Townships, villages, school districts, authorities, and utilities) to recognize any State of Ohio certified minority, women-owned, or veteran-friendly business enterprise. She said the impact of Ohio Senate Bill 105 would be the immediate and positive impact of rapid adoption of the provision of SB 105 is a dramatic and self-sustainable increase in the pool of eligible MBE/WBE and VFBE\* firms as shown by the following certification table:

As of 3/18/2022 PEP, Ohio MBE/EDGE certification numbers are:

PEP	134 businesses
Ohio MBE	1,103 businesses
Ohio EDGE	1,047 businesses
Total	2,284 businesses
Adjusted for Duplication	1,555 businesses

**SB 105 Implications**

Ms. Fields said with the expansion of the MBE/WBE/VFBE database, a multi-fold improvement will be realized as follows: (1) the potential that a sufficient number of MBE/WBE/VFBE Certified firms responding to prime, subcontracting and material supplier bids, will always be available. (2) trade expertise among MBE/WBE/VFBE Certified firms will be increased to meet project requirements;(3) recruitment of new state certified firms will expand as greater awareness of state and local contracting opportunities increase; (4) additional financial resources from government and private banking institutions will become available; and Dayton (and other political subdivisions) will become seen as regions of economic growth and prosperity.

**Dayton Recovery Plan (Equity and Inclusion) Update**

Ms. Fields said that HRC is finalizing Scope of Work and Budgets for PMB and HRC to review to set MBE goals on each viable project. She explained that HRC is creating a database of MBE Vendors for grantee reference and all bids for internal projects will have HRC review and be placed on the City’s Bid website with HRC also looking to link to the [www.daytonohiogov/arpa](http://www.daytonohiogov/arpa) website as well. She said all grantees and internal project owners have been trained with specific focus on the push to maximize MBE vendors in this work.

The Work Session concluded at 5:38 p.m.