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**CALIFORNIA VENDORS  
POLICY COMMITTEE  
(CVPC)**

**Meeting Minutes  
December 8, 2005**

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## CALIFORNIA VENDORS POLICY COMMITTEE

Location: Department of Rehabilitation in Sacramento, California

Meeting commenced at 9:34 am, Thursday, December 8, 2005.

### ROLL CALL

Delegate Joe Murphy called the meeting to order at 9:35 am. Delegate Murphy explained to attendees that Chair Rompal was unable to attend the meeting. Delegate Murphy assumed the role of Vice-Chair of the CVPC and facilitated the meeting. He began the meeting by taking a roll call of attendees.

The meeting was in compliance with November 1995 Motion 95.212 disclosure requirements for delegates.

There were **seven (7) delegates** in attendance, which satisfied the requirements of a Quorum.

#### Delegates in Attendance:

District	Delegate	Location
District 1	Tom Evans – <b><i>elected to serve the next 2006-2007 term.</i></b>	Agnes Developmental Center and Main Processing Center (Post Office) in San Jose.
District 2	Joe Murphy	Turlock Roadside Rest Area, Vending Machine Facility.
District 3	Paul Patche	Carol Miller Justice Center, 301 Bicentennial Way, Sacramento. Vending Machine Facility Interim: Post Office – vending machines
District 5	Michael Hatch	Corcoran State Prison
District 6	Jeana Martin-Hanlon	California State Prison, Lancaster (Vending Machines and Personnel Cafeteria)

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District 9	Max Duarte	California State Prison for Men in Chino, California
District 10	David Hanlon	Dave's Snack Bar in Spawar (San Diego)
<b>Absent</b>		
District 4	Frank Rompal, Jr.	East End Project, Sacramento Restaurant/Cafeteria Interim: Ventura County Government Center.
District 7	Al Barnes	LA County Superior Courthouse Interim: Pasadena Superior Court
District 8	Naresh Balani	Norwalk Superior Court in Norwalk (Snack Bar) and Metropolitan State Hospital (Vending Machines)

## INTRODUCTION OF STAFF

**John Westbrook** – BEP Program Manager

**Stephen Miller** – Assistant BEP Program Manager

**Tony Candela** - new Deputy Director for the Specialized Services Division at the Department of Rehabilitation. The Division includes the BEP, the DOR field services counselors and the Orientation Center.

**Janis Friesen** - CVPC Executive Secretary

## INTRODUCTION OF GUESTS

Each guest introduced themselves and their locations:

**Roy Harmon** - BEP vendor operating the Alisio Creek Roadside Rest Area. He was accompanied by his wife, Mrs. Hazel Harmon.

**Michael Dowling** – BEP Vendor operating a roadside rest area location (Phillip Raine Roadside Rest Area)

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**Jim Howie** - BEP Vendor located in the Sacramento area. He has returned to California and is currently looking for a new BEP location.

**Frank Maestas** – vendor at the Water Resource Building.

**Andy Brown** – new BEP vendor with a cafeteria location at the Resource building.

**Arthur Culbert** – vendor recently awarded the BEP location at the DOR.

**Reece Griffith** - a vendor newly elected and will serve in the next 2006-2007 CVPC term.

**Nicole Smith** - contractor taking the CVPC Meeting Minutes.

## **MINUTES – Recommended Action**

**Approve the minutes of the CVPC meeting held on August 18, 2005. Responses to CVPC Motions of August 18, 2005**

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**MOTION 2005.037.** Moved that the committee accept the minutes of the August 18, 2005 California Vendors Policy Committee meeting and the Responses to the motions for the August 18, 2005 distributed

Moved: Delegate Patche  
Seconded: Delegate Martin-Hanlon  
Vote: Passed Unanimously.

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*(See Attachment 1 – Motions from the August 18 Meeting with DOR Responses)*

## **EXECUTIVE OFFICERS REPORTS**

### **Report of the Chair**

Chair Rompal was not present at the meeting. No report given.

### **Report of the Vice Chair**

No report given.

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## Report of the Secretary-Treasurer

Delegate Patche reported that the CVPC account balance was \$6343.90. Three (3) checks were written since the last 8/18/05 meeting and they were as follows:

- **\$290.00** to Lee Cole for 4 plaques and engraving. Plaques were given to Dan Kysor and several individuals at NATSO for their support of CVPC against Senate Bill (SB) 468 – Privatization of Roadside Rest Areas.
- **\$150.00** to the Board of Minutes and Resolutions for review of the CVPC meeting minutes as part of the requirement for non-profit status.
- **\$46.00** to the Secretary of State to establish and complete the CVPC non-profit status.

Delegate Patche mentioned that the account situation has been resolved. The next CVPC treasurer for the 2006-2007 term will be responsible for the CVPC account and will need to place the remaining funds in the non-profit account.

Delegate Patche also reported on the last BAC (Blind Advisory Council) meeting that he was able to attend. He mentioned that the one item that was discussed at length was the Bagley-Keene Open Meeting Act. Because the CVPC was established under statute, the CVPC and its meetings therefore are governed by the Bagley-Keene Open Meeting Act. Subsequently, all CVPC meetings, including subcommittee meetings consisting of 2 or more delegates, should be held in public or be publicly accessible.

The essence of the Bagley-Keene Open Meeting Act is to ensure the decision making process of a committee has public input. Under this Act, a council or committee must post all scheduled meetings and notify the public of these meetings. An agenda must be posted 10 days before the meeting. The agenda must be closely followed and any amendments to the agenda must have a majority vote by committee members. It is the responsibility of the Chair to maintain the Robert's Rules of Order for the meeting.

All decisions, activities and/or pending actions made in the smaller subcommittees must be brought to the primary or larger committee for open discussion and further action or vote by committee

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members. This is to prevent any “back room” dealings or activities without public discussion or input.

Anthony Candela added that the BAC is still investigating other issues regarding the Bagley-Keene Open Meeting Act and its restrictions. There are several interpretations of the law that may affect how subcommittees conduct business. He concluded that the CVPC subcommittees should continue working as usual until further notice. In conclusion, the essence of the law is to notify the public of all meetings, bring everything to the open for discussion and take further action and/or vote in the open. There are heavy fines if the law is violated.

January 30, 2006 is the next BAC meeting. Delegate Hanlon will attend this meeting.

## **EXECUTIVE COMMITTEE REPORT**

No Executive Committee meeting with DOR staff was held this quarter.

Vice-Chair Murphy introduced Anthony Candela, Deputy Director for the Specialized Services Division for the Department of Rehabilitation. Mr. Candela gave a brief overview of the basic structure of the Blind Services Division and how it is intertwined with the BEP.

In the Field Services Division, there are about 70+ counselors located throughout California that work directly with blind clients. The Field Services counselor recommends those interested clients to the BEP training program which accepts about 12 students each program year. Roughly 9 out of the 12 selected trainees successfully complete the program. After completing the program, a new licensee can now apply for BEP locations.

Mr. Candela described a new pilot program that targets visually impaired teenagers. It would be a 6-8 week summer long program for teenagers to learn about managing and operating a food service business. Participating vendors would hire a teenager for the summer, showing him or her how to operate a business. The teenager in turn would get hands-on experience and a glimpse at the opportunities available to be business owners. Participating vendors

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would get a training stipend and the teenage worker's salary is paid through the BEP program. Mr. Candela and Mr. Westbrook will inform the CVPC of the exact start date and other details of the program.

**Action Item:** Once the details of the pilot program has been finalized, John Westbrook will distribute to all vendors a communication about the program and get vendors interested in participating. Interested vendors should contact John Westbrook.

Roy Harmon recalled his experience with a similar pilot program in 1968. He worked with a vendors in the Bay Area for two summers and it introduced him to the program. He alluded that he would be interested in participating.

The delegates commended the program for introducing and implementing this program for visually impaired teenagers.

Mr. Candela discussed hiring people with disabilities and mentioned that the recruitment practice must be fair. He highly recommends using the field service counselors who work directly with clients who are interested in working and currently seeking employment. There are ways to advertise internally and get the information out to interested clients when there is a job opening. Delegate Hanlon commented that he contacted a RCB in San Diego who highly recommended a client. Delegate Hanlon remarked that the employee has done very well and he has been very pleased with his work performance.

**Action Item:** Mr. Candela will present the feedback to the BAC about hiring persons with disabilities and what is the recommended procedures on communicating a job opening and who to contact when a vendor is interested in hiring an employee.

Delegate Martin-Hanlon commented that it would be great if Mr. Candela could streamline the process because people with disabilities, especially the visually impaired, usually have a difficult time finding employment. Mr. Candela added that usually these employees, once hired, are very loyal and will oftentimes stay with an employer for a long time. Loyalty and longevity are selling points used when outreaching to potential employers about hiring persons with disabilities.

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Vice-Chair Murphy clarified that if a person qualifies for services from the DOR, they are considered handicapped or disabled.

John Westbrook read an excerpt from his Program Manager's report indicating the importance of listing disabled employees on monthly P & L's (particularly sections #9, 10 and 11) in order to accurately document the number of disabled employees working at a vendor's location. Mr. Westbrook indicated that ***"with certification from a Rehabilitation Counselor or licensed physician, you can deduct 10% of a blind or disabled employee's gross earnings from your monthly set-aside fee."*** The form is available through a BEC or by calling a local field office.

Mr. Candela gave some current updates about the vendors' pension program. Great West, the current company that manages the fund in the pension program, will no longer be offering their services once the contract has ended, which is March 31, 2006. Therefore, the DOR will have to procure the services of another financial firm to not only manage the funds, but to also address the needs and concerns of the investors. Some of the concerns expressed were (1) offering the investors (vendors) the opportunity to invest their own money into the pension fund account, and (2) because there has been decreasing contributions to the retirement fund, there should be a major effort or plan to grow the existing money in the fund.

In order to find the right company to manage the vendor retirement fund, the DOR has procured the services of a consultant, Marketing Matrix. The contract has been awarded and the services rendered will be paid by the DOR. The consultant has until the beginning of March to submit a recommendation of the company to the DOR. There must be a company in place by April 1, 2006.

Mr. Candela remarked that the company will be in contact with the CVPC and vendors as part of their market research and in an effort to get an accurate assessment of the true needs and concerns.

Delegate Hatch mentioned the option of potentially hiring an outside consultant or company to collect vending machines commissions. In the past the issue was debated and placed on hold. The DOR has indicated that there is staff, although limited, to conduct this business. Delegate Hatch concluded that it would be beneficial to

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the DOR, vendors and the retirement fund if there was an outside company whose expertise is in this type of collection activity and who was solely focused on collecting commissions owed to the program.

Mr. Candela remarked that it is a “delicate political issue” because of the relationships involved and one that should be revisited. It is on his action list and he will research the issue further and update the delegates at the next CVPC meeting. Mr. Candela also requested that if the delegates have any information and/or examples of successful programs in other states, to please forward them to him.

**Action Item:** Vice- Chair Murphy indicated that it should be part of the agenda for when the Executive Committee meets with the DOR.

Delegate Martin-Hanlon recommended that there be a representative from the CVPC on the Retirement Committee; the representative should report to the CVPC on recent developments regarding the retirement fund. Reece Griffith added that there be some vehicle for communicating to all vendors any upcoming meetings that concern the vendor’s retirement fund.

**Action Item:** Vice-Chair Murphy recommended that this issue be placed in the Vendor Benefit subcommittee for further action. The subcommittee should discuss the best possible ways to communicate participation on the special retirement panel and on announcing upcoming meetings.

Delegate Hanlon expressed his desire to “get things done” in the upcoming year and would like to see more progress. The turnaround times on certain projects have been disappointing. It is extremely important that the CVPC and DOR have a partnership and commitment to the success of the program. He also expressed that the program’s priority could be in jeopardy in California and nationally with the Randolph-Sheppard Act. It is critical that the vendors are well-informed and the CVPC is actively involved.

Mr. Candela reported on the status of the BEP Regulations and the current process. The first section that is on the list to be worked on is the Teaming Partners Regulations. He asked the legal team and the BEP staff to draft a proposal or broad outline of the regulation on Teaming Partners to present to the CVPC for additional input. Before any writing of the regulation, Mr. Candela envisions that this

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should be the first step in the process – create a broad outline of the regulation first. He will present each draft to the CVPC for input and get agreement on what the regulation should or should not cover.

One of the recommended changes to the Teaming Partners Regulations is that the DOR will pre-qualify Teaming Partners; a vendor could then choose from a select list of about 2 to 3 teaming partners to work with at their location. RSI and Blackstone were two teaming partners mentioned in the meeting as companies commonly used by vendors.

Some delegates expressed their frustration with the slowness of getting the BEP regulations established. Some have worked on the Regulations in the past, devoting many man-hours to it without any results.

Mr. Candela responded that he completely understood the frustrations and that is why he is proposing a new way of approaching the project: (1) take one piece or section at a time (following a prioritized list), (2) create a broad outline of the regulation, (3) present it to the project team members involved including the CVPC and obtain agreement, (4) present a timeline with reasonable deadlines, and then (5) begin writing the details of the regulations.

Vice-Chair Murphy also noted that the SB87 Vendor Loan Program has not been openly communicated to vendors. It was addressed four (4) years ago by the CVPC which gave some recommendations on how the program should work but there has been no further action on this program. There is \$100,000 that is available for BEP Vendors once the Regulations are changed.

Delegate Martin-Hanlon appreciated Mr. Candela for his “sense of urgency” to these pending projects and for his willingness to hear the CVPC’s concerns and suggest some solutions. Mr. Candela agrees that there should be some pressure and accountability in order to prevent projects from losing priority, getting lost or placed on hold.

## **EXECUTIVE SECRETARY’S REPORT— Janis Friesen**

Janis Friesen reported on the following items:

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- **CVPC Website.** Mrs. Friesen reported that since 8/20/05 to 12/6/05, there has been 1,537 hits to the website. The page with the second most hits have been the Facility's page, and then next in line was the CVPC information - Healthy Foods, Delegates, and Contacts. The most hits have come from California with other hits coming from other part of the U.S., such as Virginia and the District of Columbia.

Mrs. Friesen also created a message board. There was a small concern regarding the change of servers because the new LINUX server does not recognize Word documents. Because of this, Mrs. Friesen will place all facility announcements in a PDF format. The announcements will be the same as if it were mailed to a vendor's home. The announcements will be grouped on the website according to closing date.

Vendors have submitted feedback that the announcements were not placed on the website in a timely manner. There has been a disclaimer placed on the website that the CVPC is placing the facility announcements on the website "as a courtesy". The official notification of the facility announcement is the ***mailed copy from the BEP.***

**Action Item:** John Westbrook will notify Jenny to email Janis Friesen a copy of the announcements once they have been completed.

Mrs. Friesen created a CVPC forum on the website where vendors could send messages to other registered members and exchange information. Vendors would be able to share useful information about products, prices, food vendors, etc. with other vendors. The CVPC forum is a great tool for sending mass e-mails out to registered members. Mrs. Friesen challenged delegates to explore the website and give her feedback on ways to improve the site.

- **CVPC Budgets.** Janis Friesen reported that the DOR would like all units to be under a budget. The last few budget reports indicated that Mrs. Friesen was continually exceeding the budget for travel and communication. There was a meeting to discuss the budget and one of the issues that arose was the mandated rule of "***one meeting a year***" for all committees.

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CVPC wrote Lynda Bardis directly and indicated that CVPC could not conduct business with just one meeting a year and that CVPC is federally mandated to conduct more than one meeting per year. The letter indicated that the funds for CPVC were not budgeted under the general fund but rather with federally matched funds. No response was given by the DOR and the CVPC continued business as usual. The head of Budgets will continue the conversation with Director Campisi.

Most delegates agreed to be proactive, forecast expenditures for 2006 and create a CVPC budget which will be submitted to the DOR Accounting for review. Delegate Hanlon remarked that it should be made clear that CVPC expenditures should be taken out of the set-aside fund and not the general fund. Vice-Chair Murphy suggested submitting the issue to the Budget and Finance subcommittee for further review and recommendation.

- **Exit Reports.** Mrs. Friesen appreciated working with all the delegates this term and made a special note of appreciation to Delegate Paul Patche for settling the CVPC account situation and to the newly elected Delegate Tom Evans for his enthusiasm, responsiveness and valuable feedback.

The delegates also thanked Janis Friesen for her dedication and all her work in support of the CVPC.

## COMMITTEE REPORTS

Vice-Chair Murphy thanked everyone for creating an exit report detailing the action items and pending projects for the next subcommittees. The exit reports are very important and serves as a guideline for the upcoming term.

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**GRIEVANCE—Delegate Kishida (Tom Evans was present at the meeting and is a newly elected delegate for the next 2006-2008 term)**

**A. Exit Report**

Tom Evans, alternate for Delegate Kishida, reported that there were no new grievances filed since the last meeting.

No report given.

**BUDGET AND FINANCE—Delegate Patche**

**A. Exit report**

Delegate Patche reported that the following items should be worked on by the next subcommittee:

- Follow-up on the revised P&L instructions (which are currently in Legal)
- Revised Fee Schedule. The subcommittee should research the financial impact, positive or negative, on the set-aside fund and report back to the CVPC. Make additional recommendations, if changes are necessary.
- Create a CVPC budget to present to the DOR's Accounting department. The subcommittee will need to submit a motion or recommended action to the CVPC.
- Try to obtain the list of expenditures taken from the set-aside fund. The DOR had agreed to submit a quarterly report of these set-aside expenditures to the CVPC for review.

**STANDARDS AND PROCEDURES— Delegate Hatch**

**A. Exit Report**

Delegate Hatch recommended that the next subcommittee work on the following items:

- **Special elections.** Delegate Hatch mentioned that handling Special Elections are referenced in the BEP Regulations but not in the CVPC bylaws. He wanted the CPVC to know that Special Elections are treated like General Elections. However, in a special election,

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a candidate must have more than one vote to be elected. No further action or recommendation is necessary because special elections are already referenced in the Regulations.

- **Multi-site locations.** When a vendor has several BEP locations in different districts, which location is considered the primary location. The current subcommittee recommended that the primary location should be the one with the highest gross sales. The subcommittee will need to make a recommended action and present to the CVPC.
- **New BEP Locations.** As new locations are added to the program, the next subcommittee should inquire from the DOR an opportunity to review which district the location has been placed in. The subcommittee should submit a recommended action in the next term requesting the DOR to submit a list of newly added locations to the Executive Committee which will review each new BEP location and the district placement. The subcommittee should ensure all locations are being placed in the right districts.
- **Alternates to the CVPC.** The next subcommittee should review whether each delegate, at the beginning of the new term, should submit the name of an alternate, along with a signed letter, to attend the CVPC in his or her absence. In cases when the delegate is unable to attend, the CVPC will already have on file the name and contact information of the alternate and a signed authorization letter from the delegate.
- **Priority List for BEP Regulations.** The subcommittee should work on developing a priority list to submit to Mr. Candela for BEP Regulations.
- **SB87 – Vendor Loan Program.** The subcommittee should follow-up on this loan program set aside for vendors and see to its full implementation. There are no regulations in place that governs how the program will be managed and regulated.

## **TRAINING/UPWARD MOBILITY—Delegate Murphy**

### **A. Exit Report**

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Vice Chair Murphy thanked Delegate Hatch and Ricardo Green for their participation on the subcommittee.

- **Exit Interview.** The Training and Upward Mobility subcommittee has been working on an exit interview for new graduates of the BEP Training program in an effort to get feedback on what worked and what did not and submit some ideas on improving the training program. The subcommittee created a 20-question interview. Mrs. Friesen read the questions to the CVPC. (**See Attachment 2 – Exit Interview**). The next subcommittee will review the exit interview and make a recommended action to the CVPC. Some delegates wanted to know how does the subcommittee intend to make the exit interview process anonymous and confidential.
- **Healthy Food Training.** The subcommittee was given the task of helping vendors incorporate healthy food choices into their menus. The subcommittee met with Steve Miller on the issue but there has been no further action taken on this project.

Steve Miller announced that there will be Healthy Food Training Workshops specifically for vendors and will be conducted throughout the state in San Francisco, Sacramento, Fresno, Los Angeles and San Diego. It will be a half day class and facilitated by Steve Miller and Bill Shirah.

## **VENDOR BENEFITS AND REVENUE ENHANCEMENTS—**

### **Delegate Barnes**

#### **A. Exit Report**

Delegate Barnes was not in attendance to the meeting. No exit report was given.

- **Retirement Plan.** The subcommittee should make some recommendations to the CVPC next term on who should sit on the Retirement Committee. The recommendation(s) will be presented to Director Campisi for approval.

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## **QUALITY LOCATION DEVELOPMENT—Delegate Rompal**

### **A. Exit Report**

Chair Rompal was not in attendance to the meeting. An exit report was not submitted.

Vice-Chair Murphy mentioned that several vendors had questions regarding the status of the East End location, Joey B's. John Westbrook remarked he cannot go into details of the situation but that it is currently an interim location for Chair Rompal. He has not resigned from Joey B's restaurant and has an open ended interim agreement. There were serious complications stemming from the liquor license and the vendor have subsequently endured financial loses.

Delegate Hatch inquired whether the DOR is following the standard procedure or practice in this situation. Some delegates were concerned about the DOR's involvement when a vendor suffers financial loses. In this case, it appears that the vendor has two primary locations. Although each situation is different, Delegate Hanlon and Delegate Hatch reminded Mr. Westbrook that the DOR's response has to be equal and fair for all vendors. There seems to be apparent inconsistencies.

One vendor asked about the DOR's policy regarding owing outstanding fees and the ability to apply for a BEP location. Mr. Westbrook replied that if a vendor has a written payment agreement with the DOR, a vendor can still apply for a location.

Mr. Westbrook remarked that the DOR made a decision to support Chair Rompal who tried to open up new opportunities for the BEP program. Chair Rompal's primary location is Fort Irwin and is a temporary contract for 1 year.

## **LEGISLATION—Delegate Rompal**

### **A. Exit Report**

Janis Friesen reported that all state legislation that can potentially affect the program have been placed on hold.

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Federal legislation is still pending and she continues to closely monitor any new developments or movement. The legislation concerning Healthy Foods and Roadside Rest Areas are both currently in an ***inactive status***.

All information will be given to the next Legislation subcommittee to follow-up and track.

## **PUBLIC RELATIONS AND CONVENTION—Delegate Hanlon**

### **A. Exit Report**

### **B. Status report on 2005 CVPC Educational Conference**

The goal for the 2006 CVPC Educational Conference is to have it sponsored from the set-aside fund account so expenses such as travel, hotel and banquet are paid and reimbursed. It is scheduled to be in October 2006.

Janis Friesen will have the contractual agreement with the outside consultant/event organizer prepared and ready to present to the CVPC at the next scheduled meeting. The consultant will find local hotels and facilities that meet the special needs and requirements of the vendors and the conference. The contract and the selected consultant are anticipated to be in place by March 2006. All the needs, services and expectations of the CVPC have been incorporated and detailed in the contract.

### **C. Status report on CVPC web site**

Delegate Hanlon highly recommended having information on the CVPC website regarding groups that support visually impaired persons such as the Randolph Sheppard Vendors of California (RSVC) and the National Federation for the Blind. He suggested posting their meetings and other information in an effort to encourage participation and membership.

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**MOTION 2005.038.** Moved that the organizations of Randolph-Sheppard Vendors of California and the National Federation for the Blind Merchants Division be allowed to announce general information on meetings and also to allow application for membership to said organizations.

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Moved: Delegate Hanlon  
Seconded: Delegate Martin-Hanlon  
Vote: Motion Failed  
District One: No  
District Two: Chair did not vote  
District Three: No  
District Four: Absent  
District Five: No  
District Six: Yes  
District Seven: Absent  
District Eight: Absent  
District Nine: No  
District Ten: No

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The delegates agreed after some discussion to keep the website non-political and to avoid any conflict of interest. Some delegates agreed to having a direct link to these special interest groups. Visitors to the CVPC website have the option to click on these links if they would like more information about special interest groups that service the blind. They would be directed to the homepage of these groups and could obtain information. It was agreed that the website should remain dedicated to CVPC information only

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**MOTION 2005.039.** Moved that in reference to the CVPC Web site having links to nationally recognized professional organizations that are related to Randolph-Sheppard Act.

Moved: Delegate Evans  
Seconded: Delegate Hanlon  
Vote: Passed Unanimously

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## **DEPARTMENT REPORTS**

### **Financial Report**

The financial and legislation/regulations reports are detailed in the Program Manager's newsletter that is distributed to all vendors.

Steve Miller reported that the set aside account would have roughly \$1,207,000 by the end of 2005, (encumbrances have been taken into account). Over 2005, there was a total of \$1,092,000 in expenditures

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which includes items such as liability and health insurance, service agreements, equipment, Worker's Compensation, etc). Mr. Miller reported that the DOR has gained momentum in collecting fees and have been keeping expenditures down.

**Action Item:** Steve Miller will give Janis Friesen a copy of the latest Financial Report to distribute to BEP vendors.

Mr. Westbrook noted that the next BAC meeting will be on January 30, 2006.

### **Legislation/Regulations Report Program Manager's Report**

Mr. Westbrook reported that the next section of the Regulations which the DOR would like to begin work on is the section regarding handling **BEP Interim Locations**. He challenged the subcommittee for the next term to begin with submitting some recommendations to the DOR regarding this topic.

#### **Pending Projects:**

Steve Miller reported that there are two new projects that the program will begin developing. Location surveys will be sent out by Monday, December 12, 2005.

Currently, BEP locations that are almost finished developing and will be ready soon are:

- Fresno City Hall
- Federal Court Building in Fresno
- San Francisco Federal Building – Dry Stand location
- State Building in San Francisco – Dry Stand location
- Salinas – Monterey County Building
- Sacramento: Cal Trans Building -1120 N Street (finalizing plans and drawings).
- Sacramento: working on the preliminary concept for a location in the East End Complex. It has not been determined whether or not the DOR will decide to make the new venture as two separate locations or combine it with the existing location for one vendor. The BEP gave an initial proposal of what the BEP could do with the location. Steve Miller envisioned the location to be “deli-

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style with seating, coffee cart, formal banquet room (shared between Joey B's and this facility) and vending machines". The vendor would be in charge of the banquet room.

Delegate Hanlon remarked that the new location at the East End Complex, if it generates a "good income for a vendor, the DOR should consider making it two separate locations and put it out to bid."

- Sacramento: West End Complex. Mr. Westbrook attended preliminary meeting.
- Ventura County Government Center - submitted drawings for location. They are requesting the facility to be more like a "food court style location". The BEP is currently developing a plan for this location.
- San Diego – Mission Valley State Building is complete.
- Spawars – Point Loma - The architect is finishing the drawings (electrical, plumbing, counter elevations, etc.) on this location and Mr. Miller expects to send them out by Monday, December 12.
- San Diego – Caltrans Building is complete. It will be a cafeteria/vending machine location. Building population is 900+ with visitors.
- San Luis Obispo – Fort Hunter. It is a new location that will be on a military base. A teaming partnership will be involved. Expected to be available around May 2006.

Mr. Westbrook also added that the location in Los Angeles – LA County Superior Courthouse will be going out to bid soon. The selection committee for the Ventura location will be December 19<sup>th</sup>, 2005.

Mr. Westbrook remarked on how different the program was when he first started. Today, for a location to be financially viable for a vendor, the building population must be at least 1000+. Times are changing.

### **Personnel issues:**

The BEC I examination will be occurring in January 2006. The DOR will be hiring at least two (2) BECs. One will be located in Sacramento and the other position will be in Central California.

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John Westbrook asked the delegates that if they know of anyone that would be interested, to have them apply. The DOR is recruiting for highly qualified candidates. A copy of the application can be obtained from John Westbrook. Steve Miller also added that interested candidates could obtain details of the position along with information on how to apply, by logging on [www.spb.ca.gov](http://www.spb.ca.gov), then go to the **Exams and New Job Postings** link and look for the BEC job listing. Interested candidates could be emailed information of when the job exam date has been posted.

Delegate Hanlon reported that several vendors have expressed their concerns regarding the lack of responsiveness from Jeff Dierks at the Office of Risk Management. A vendor in San Diego made several attempts to contact him to ask him benefit questions regarding the different Kaiser health plans and options.

John Westbrook will contact him directly and have him come to the next scheduled CVPC meeting. Delegates agreed that they would like him to present information before each open enrollment and to answer specific benefit questions.

## **DISTRICT REPORTS**

**District 1** – no report given.

**District 2** – Vice Chair Murphy commented that all of his concerns were expressed earlier in the meeting. He did notice that his district is pretty small with only 12 locations.

**District 3** – Delegate Patche reported that he has not received any comments from vendors in his district. He thanked the CVPC and remarked that it was a pleasure being on the committee.

**District 4** – Chair Rompal was not present for the meeting. No report given.

**District 5** – Delegate Hatch felt that the meeting was comprehensive and many of the vendors' concerns were expressed, especially the conversation regarding the retirement program and the direction it is going.

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**District 6** – Delegate Martin-Hanlon reported that the new BEC has a driver.

**District 7** – Delegate Barnes was not present for the meeting. No report given.

**District 8** – Delegate Balani was not present for the meeting. No report given.

**District 9** – Delegate Duarte reported no major issues in his district. He thanked the CPVC for being able to participate on the committee and he looks forward to participating on several subcommittees for the next term.

**District 10** – Delegate Hanlon expressed his sentiments about the lack of communication with the Office of Risk Management (ORM).

## **NEW BUSINESS**

No Discussion during this section.

## **OPEN FORUM**

Andy Brown asked where could a vendor find instructions for completing the MOR form. He had a situation about paying Worker's Compensation when he used hired contract/temporary labor. He wanted to ensure the MOR is correctly completed in order to prevent double payment for Worker's Compensation. In this situation, John Westbrook instructed that a vendor should not include any calculations for Worker's Compensation for temporary labor and to also include additional notes explaining the situation on the MOR.

A copy of the fee schedule can be obtained from the CVPC website or ask a BEC.

**Action Item:** Janis Friesen could place Worker's Compensation rates on the CVPC but will need additional input and direction from the subcommittee on how the CVPC would like these rates presented on the website.

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Delegate Evans recommended that the Executive Committee create a priority list of 3 goals or major projects that should be achieved or completed by the end of the new term.

Delegate Martin-Hanlon would like to see the committee keep abreast of legislation that can affect the BEP priority status. She would like to see the new committee and vendors get more involved and take action against legislation that could potentially jeopardize the Randolph-Sheppard Act.

Roy Harmon commented that this is the only legislation that helps the visually impaired to be business owners and managers which is extremely important for a population with a high unemployment rate. The BEP could lose contracts if the law is circumvented. Mr. Harmon reported that it is very interesting to hear the political movements and ideas against the Randolph-Sheppard Act. There has been talks about moving the program under another federal department such as the Department of Commerce. He remarked that the situation is "getting very serious" where some groups feel that the Randolph-Sheppard Act gives special treatment to the blind and would like to see the blind treated as equals and not have priority status.

## **ADJOURNMENT**

Vice-Chair Murphy announced that the next scheduled CVPC meeting will be Thursday, January 19<sup>th</sup>, 2006.

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**MOTION 2005.040.** Moved to adjourn at 3:45 p.m.

Moved: Delegate Patche  
Seconded: Delegate Duarte  
Vote: Passed Unanimously

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# **Attachement 1**

***Motions from the August 18<sup>th</sup>, 2005 Meeting  
With DOR Responses***

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# **Attachment 2**

## ***BEP Training Program Exit Interview Questionnaire***

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