



**MBE/WBE and Small Business Advisory Committee
Minutes**

**Regular Meeting
Tuesday April 5, 2011**

The MBE/WBE and Small Business Advisory Committee convened in a regular meeting on Tuesday, April 5, 2011 at 301 W. 2nd Street Room 1101 in Austin, Texas.

Chair Adrian Neely called the Board Meeting to order at 5:40 p.m.

Board Members in Attendance:

Adrian Neely, Ed Lowenberg, Barbra Boeta, Anne Harutunian, Brian Walters and Andy Ramirez

1. APPROVAL OF MINUTES

Minutes from the March 1, 2011 regular meeting were approved on 6-0 vote, on a motion by Mr. Ramirez and seconded by Mr. Lowenberg.

2. CITIZEN COMMUNICATION

There were no citizens signed up to speak.

Carol Hadnot, Austin Black Contractors Association (ABCA) was recognized by the chair to speak. Ms. Hadnot stated that she respectfully requests the board not go into executive session at the beginning of the meeting or they would lose the audience in the room.

Paul Saldaña, US Hispanic Contractors Association (USHCA) said they are tracking the Formula One project and have concerns with the City providing economic development incentives.

Mr. Neely stated that items on the agenda would be moved to allow the community input prior to going into executive session

3. OLD BUSINESS

For discussion and possible action, per authority to make recommendations to City Council (2-1-163(B)) **Discussion and possible action on amendments to the City's Third Party Resolution.**

The committee requested that staff provide the current language in of the Third Party Resolution to the service providers to allow them to provide input.

The committee also discussed the possibility of establishing a Working Group to review Third Party Resolution recommendations., The committee requested that staff provide a brief overview of the resolution.

Lino Mendiola, Andrews & Kurth, provided the committee with an overview of the current resolution, the purpose, language in the resolution and intent. He suggested that a new policy be adopted to address situations that aren't addressed by the current resolution.

Mr. Saldaña, USHCA, questioned the definition of “economic incentives” and also suggested an economic impact study by the City.

Ms. Hadnot, ABCA, said penalties need to be applied to firms that don’t comply and agrees with Mr. Saldaña regarding the economic impact study.

4. NEW BUSINESS

a. Presentation regarding a Small Business Enterprise (SBE) Program.

Veronica Briseño Lara, Director Small and Minority Business Resources (SMBR) Department and Rosie Truelove, Director Contract and Land Management Department (CLMD) provided a presentation of the program.

The committee had the following concerns and also requested additional information:

- Allow more time for community input.
- Speed of which this program is being implemented.
- Invite Colette Holt, Holt & Associates to hear from her directly regarding this program.
- How this program compares to the federal program.
- Update on what’s going on around the country with these type programs.
- Concerned that staff would not be able to handle extra workload.
- Concerned that this program seems like a set aside.
- Investigate which firms were not awarded contracts and why, to evaluate if this type of program would help them. Suggested a survey to gather this information.
- Would like an update from staff regarding the programs progress.

Ms. Lara said SMBR has been consulting with Ms. Holt on the program, will monitor staffing needs and would take all concerns and suggestions from the committee into consideration.

Ms. Hadnot, ABCA, this is the first step to getting rid of MBE/WBE programs and will be monitoring it closely, suggest performance measures be established.

Cloteal Davis-Haynes, Haynes-Eaglin-Waters, said the intent is good, asks that program is monitored closely and is concerned the SBE program would compete with the MBE/WBE program.

Mr. Saldaña, USHCA, suggested before the program is implemented establish expectations and performance measures, City Council should approve the contracts.

b. Update from the Weatherization Committee regarding the Austin Energy Weatherization project.

Karl Rabago and Fred Yebra, Austin Energy updated the committee on the progress of the weatherization program, provided a handout regarding work assignments and discussed the recommendations given to them by the weatherization committee.

Ms. Lara, Director SMBR provided a handout to the committee regarding the recommendations that were related to SMBR.

Ms. Hadnot, ABCA said they submitted a new set of recommendations at the last weatherization committee meeting in an effort for the community to have a fair shot.

Ms. Haynes, Haynes-Eaglin-Waters, said only two items on the first set of recommendations were applied and if the program cannot be administered equitably then maybe we shouldn’t go after these funds.

The committee said they would give their report to the MBE/WBE Council Subcommittee and asked that Austin Energy continue to look at the recommendations for the possibility of incorporating them and also asked that SMBR email the recommendations to City Council.

On a motion by Andy Ramirez and seconded Mr. Walters, the committee voted 6-0 to take their recommendations to the next City Council meeting and sign up for citizen communication.

5. EXECUTIVE SESSION

The MBE/WBE & Small Business Advisory committee went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss the City's Third Party Resolution and the Small Business Enterprise (SBE) program as listed on the agenda.

Executive Session ended and Chair Neely called the Committee Meeting back to order at 9:01 p.m.

Mr. Neely stated that they discussed only the Small Business Enterprise (SBE) program and requested that the committee send any issues with staff reports or items to discuss to Ms. Lara by next week.

6. AGENDA ITEMS

- Creation of Working Group: Third Party Resolution.
- Update from Formula One
- Update from the Weatherization Committee
- Small Business Enterprise program

7. ADJOURNMENT

The meeting was adjourned at 9:12 p.m. on a motion by Ms. Boeta, seconded by Mr. Lowenberg.