



MBE/WBE and Small Business Enterprise Procurement Program Advisory Committee Meeting Minutes **Regular Meeting**
Tuesday, November 5, 2013

The MBE/WBE and Small Business Enterprise Procurement Program Advisory Committee convened in a regular meeting on Tuesday, November 5, 2013 at 301 W. 2nd Street, Boards & Commissions Room 1101, in Austin, Texas.

Chair Ed Lowenberg called the Board Meeting to order at 5:40 p.m.

Board Members in Attendance:

Ed Lowenberg, Anne Harutunian, Barbra Boeta, Channy Soeur, Schiller Liao, Sheri Marshall

1. APPROVAL OF MINUTES

The minutes for the regular meeting of October 1, 2013 were approved on motion made by Member Barbra Boeta, seconded by Member Schiller Liao, on a 4-0 vote.

Committee Member Anne Harutunian joined the dais.

2. CITIZEN COMMUNICATION: GENERAL

There were no speakers signed.

3. NEW BUSINESS

- a.** Presentation from Apple Inc. regarding compliance with the City's Third Party Resolution (Resolution No. 20120112-058) and terms of their chapter 380 economic development agreement with the City.

Representatives from Apple, Inc., Cadence McShane, and Studio 8 Architects provided a briefing on the project.

Committee Member Channy Soeur joined the dais.

- b.** Presentation from Contract Management Department on the Contractor/ Consultant Evaluation Form and Process

Rosie Truelove, Contract Management Department Director, provided a presentation on the Contractor/ Consultant Performance Evaluation Process.

Committee Member Liao left the dais.

- c.** Election of Officers

The Committee unanimously elected Ed Lowenberg as Chair on a motion by Committee Member Boeta, second by Committee Member Harutunian; Barbra Boeta as Vice Chair on a motion by Anne Harutunian, second by Chair Lowenberg; and Sheri Marshall as Secretary on a motion by Committee Member Boeta, second by Chair Lowenberg, on a 5-0 vote.

d. Set 2014 Regular Meeting Schedule

The Committee approved the 2014 Regular Meeting Schedule

- e. Discuss and make recommendations on a guaranteed loan program, including a collateral pool for small businesses and minority- and women owned businesses (MBE/WBEs) that contract with the City directly, or through companies that contract with the City or have chapter 380 economic incentive agreements with the City.**

The Committee requested clarification on the parameters of the program and an extension to allow for discussions, stakeholder input, and recommendations.

4. OLD BUSINESS

- a. Discussion on terms and language in City of Austin's Third Party Resolution, SMBR's Third Party Agreement Guidebook, and Chapter 380 economic development agreements. Item 4a was postponed by the Committee.**

5. STAFF BRIEFINGS

- a. Monthly report and update from SMBR regarding the Small Business Construction Program (SBCP), Request for Change (RFC) and Council Awards reports.**
b. Monthly report and update from SMBR regarding Third Party Agreement reports

Items 5a and 5b were postponed by the Committee.

6. EXECUTIVE SESSION

- a. Discuss legal issues related to the Public Information Act and City release of information regarding a third party (Private consultation with legal counsel - Section 551.071 of the Government Code).**
b. Discuss legal issues related to the application and requirements of the City's MBE/WBE Program to chapter 380 economic development agreements (Private consultation with legal counsel - Section 551.071 of the Government Code).

The Committee went into Executive Session to discuss items 5a and 5b at 8:21pm and adjourned at 9:05 pm.

7. AGENDA ITEMS

- a. Presentation from National Instruments, Inc.**
b. Presentation from Legalzoom, LLC
c. Development of guidelines for Third Party presentations; add as item 4a
d. The Committee requested a rotation list report from Contract Management Department
e. The Committee requested a briefing regarding San Antonio and Fort Worth ordinance language

8. ADJOURN

Chair Ed Lowenberg adjourned the meeting at 9:10 p.m. without objection.