



Approved 4.2.2013

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

**Regular Meeting
Tuesday, February 5, 2013**

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

CALL TO ORDER

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

Board Members in attendance were Ed Lowenberg, Barbra Boeta, Anne Harutunian, Schiller Liao and Regina Adams.

1. APPROVAL OF MINUTES

The Committee approved the January 2, 2013 regular meeting on a motion by Mr. Liao and seconded by Ms. Adams. Motion passed 4-0.

2. CITIZEN COMMUNICATION

Mr. Aly Knox, Small Business Owner, expressed concerns regarding small businesses participating due to financial constraints and technical abilities. He also stated concerns that the super prompt pay program is not effective.

Mr. Paul Saldana, US Hispanic Contractors Association (USHCA) stated personal concerns regarding shams, pass-throughs and fronts and how to strengthen the ordinance and rules to remedy these practices. He also expressed the contractor's concerns regarding other city departments involved in enforcing components in ordinance. He also mentioned that a meeting will be held this week regarding Stanley Consultants consistently not meeting minority participation on contracts.

Mr. Juan Oyervides, US Hispanic Contractors Association (USHCA) inquired about participation reports after contract closeout for Council to review prior to awarding contracts, full minutes of Committee meetings and information on Purchasing hearings.

Ms. Carol Hadnot, Austin Area Black Contractors Association (ABCA) requested full version of this Committee's meeting minutes. Also expressed concerns about Stanley Consultants participation on contracts. She also agrees that a participation report should be created for Council to review at award. She also asked the Committee to revisit Purchasing conducting hearings.

3. NEW BUSINESS

Item 3a. Update from the Weatherization Committee regarding their 2012 annual report and 2013 meeting schedule.

Ms. Boeta provided the Committee with the Weatherization Committee's accomplishments for calendar year 2012.

Item 3b. Discussion regarding a possible resolution to support the creation of a City program to mitigate the impacts of the new economic incentives policy requiring a mandatory wage floor on construction projects related to Third Party Agreements.

The Committee requested information from staff regarding the economic incentives program including a history and a timeline of when the program will be going to the full Council for review. In addition, the Committee requested meeting information on the Council Special Committee on Economic Incentives.

Item 3c. Discuss possible MBE/WBE Procurement Program Ordinance and Rule changes.

The Committee requested information at the next meeting regarding the evaluation process of panelists and firms chosen for projects.

Item 3d. Update from SMBR staff regarding certification guidelines.

Mr. Elton Price, Certification Division Manager, SMBR provided a PowerPoint presentation of the SMBR site visit process, and requirements. The Committee requested information to improve language regarding pass-throughs and commercial useful functions related to the certification process in the ordinance and rules.

4. STAFF REPORTS

Item 4a. Monthly report and update from Small & Minority Business Resources Department (SMBR) regarding the Small Business Construction Program (SBCP).

Ms. Lara briefed the Committee that there were no changes since the previous report.

Item 4b. Monthly report and update from Small & Minority Business Resources Department (SMBR) regarding Request for Change.

Ms. Lara briefed the Committee on the RFC report.

Item 4c. Monthly report and update from Small & Minority Business Resources Department (SMBR) regarding Council Awards.

Ms. Lara briefed the Committee on the Council Award report.

5. AGENDA ITEMS

- CMD's evaluation process on selecting both panelists and firms.
- EGRSO to discuss the wage floor on Third Party Projects.
- Discussion regarding Super Prompt Pay program.
- Discussion regarding Committee's Annual Work Plan.
- Discussion regarding Rules Changes regarding pass through's and commercially useful function.

6. ADJOURNMENT

The meeting was adjourned at 7:23 p.m. on a motion by Mr. Lowenberg.