



21           **WHEREAS**, the City of Austin’s Strategic Direction 2023 includes Economic  
22 Opportunity & Affordability and Government That Works for All as two of six strategic  
23 outcomes to guide effective City policies; and

24           **WHEREAS**, the disparity study was authorized by Council on January 23, 2020,  
25 and the initial recommendations are expected by March 2021; **NOW THEREFORE**,

26 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

27           No later than two weeks following the release of the disparity study, the City  
28 Manager is directed to convene an Inclusive Procurement Working Group (Work Group)  
29 comprised of, at a minimum, the Small and Minority Resources Department (SMBR)  
30 Director or representative of the Department, a representative from the MBE/WBE/Small  
31 Business Enterprise Procurement Program Advisory Committee, the City Controller or a  
32 representative from Financial Services, the Capital Contracting Office Director or  
33 representative, the Purchasing Office Director or representative, the City’s Equity Officer  
34 or a representative, local minority- and women-owned businesses enterprise stakeholders,  
35 and a representative from the City of Austin’s Law Department for consultation purposes.

36           The City Manager will ensure the Working Group receives a presentation of the  
37 findings of the 2021 disparity study.

38           The Working Group will review and assess programmatic and administrative issues  
39 related to the existing MBE/WBE procurement ordinance and recommend ways that the  
40 City could improve the function of the program to better meet the needs of the community

41 while remaining within the bounds of the City's legal authority. Issues to be reviewed  
42 should include:

- 43 • Reciprocity of the City of Austin's MBE/WBE certification with the State of Texas'  
44 HUB certification or other regional certifications;
- 45 • Eligibility criteria for certification, including economic disadvantage criteria such  
46 as limit on personal wealth;
- 47 • Whether existing certification types are sufficient to cover the need for gender- and  
48 race-conscious remedies to demonstrated local industry disparities;
- 49 • Whether the four sections of the MBE/WBE ordinance sufficiently reflect the  
50 procurement methods used by the City;
- 51 • Best practices used by other cities in Texas and other cities outside Texas with  
52 populations and business environments comparable to those of Austin, both with  
53 respect to ordinances and the structure and functioning of comparable inclusive  
54 procurement programs;
- 55 • What methods could improve transparency in decision-making regarding  
56 MBE/WBE procurement policies in general and goals on individual projects;
- 57 • How communications and functions between SMBR and relevant contract  
58 management divisions within the Financial Services Office can be improved;

- 59 • Effective methods of outreach to improve participation among the MBE and WBE  
60 business communities, as well as to improve knowledge and information among the  
61 larger business community;
- 62 • What, if any, additional resources and services may be helpful for the City to offer  
63 to support MBE and WBE firms;
- 64 • Whether payment policies are effective in ensuring that both prime and  
65 subcontractor MBE/WBE firms are paid quickly and in full; and
- 66 • Prioritization of local businesses.

67 **BE IT FURTHER RESOLVED:**

68 The Working Group will meet monthly and present its first update to City Council  
69 no later than 3 months after its first meeting with a second presentation 2 months later.  
70 The Working Group will present its final recommendations to City Council 6 months  
71 following the eventual adoption of the disparity study that was authorized by City Council  
72 on January 23, 2020.

74 **ADOPTED:** \_\_\_\_\_, 2020

**ATTEST:** \_\_\_\_\_

Jannette S. Goodall  
City Clerk