

# Small Business Regulatory Advisory Commission

## CITY OF ALBUQUERQUE

**Chair:**  
Anthony Trujillo  
**Vice Chair:**  
Steven Garcia  
**Ex-Officio Commissioner:**  
Gary Oppedahl

**Commissioners:**  
Romero

Kaufman

Beverly Chavez

Rainosek

Throckmorton

Scott Throckmorton

Alex

Don

Larry

Scott



**MINUTES FROM**  
September 20, 2016

### **ATTENDEES:**

Anthony Trujillo  
Steven Garcia  
Alex Romero  
Don Kaufman  
Beverly Chavez  
Larry Rainosek

### **STAFF:**

Gary Oppedahl  
Dora Dominguez  
Jenny Walters  
Chris Tebo

The meeting was called to order by Anthony Trujillo, Chairman at 7:36 a.m.  
Additions/deletions to the agenda  
MOTION TO APPROVE THE AGENDA - APPROVED

APPROVAL OF AUGUST 16, 2016 MINUTES - Approved by the Commission.  
MOTION BY COMMISSIONER THROCKMORTON  
SECOND BY COMMISSIONER GARCIA

MOTION CARRIED UNANIMOUSLY

## **WELCOME & INTRODUCTIONS**

Proposed/Pending City Ordinance(s) Update

- Healthy Workforce Initiative (also referred to as the Sick Leave Bill) Update - Gary Oppedahl, EDD Director, Dora Dominguez, SBRAC Staff
  - Update - Bernalillo County Commission voted not include the ordinance on the November 2016 ballot. Deadline to print the ballot was Friday, August 26, 2016. The ordinance in its entirety (seven pages) will appear on the October 2017 City Election Ballot. There was board discussion regarding what if any option there would be between now and October 2017 to revise the ordinance as written. Commissioner Kaufman state the ordinance cannot be revised because it has to be voted upon exactly as it was circulated for signatures.
  - The judge's ruling was that according to the current referendum process that the proposal in its entirety needs to be on the ballot. Options to review the referendum process for the City are being discussed by the City for options for limiting the size of a referendum issue or vet a referendum for its legality before placing it on a ballot before signatures are secured.
  - County Commission will meet August 23, 2016 to decide whether to include the Ordinance on the November ballot.
  - Moving forward options the business groups opposed to the ordinance are exploring include:
    - Education campaign to educate voters on the onerous nature of the ordinance
    - Mount a legal challenge to the ordinance stating that it is covering more than one issue (log rolling)
    - Present voters with an alternative ordinance/option - written by City Council

**SBRAC Options moving forward** - Participate/join the more than 30 business advocate groups organized to oppose the ordinance.

- Chairman Trujillo encouraged SBRAC as individual business owners to participate, support the organized efforts of the separate business groups opposed to the ordinance, and actively work to educate their own employees about the ordinance and the negative impact it will have on especially small business owners. Those groups include ACI, NAIOP and local Chambers of Commerce. All these groups overwhelmingly agree this Ordinance will negatively affect businesses should the ordinance be approved by the voters
  - Commissioner Kaufman reminded Commissioners of a State effort to introduce a bill (supported by the Governor) that would not allow (preempt) local municipalities to pass its own local labor laws- known currently as a State Preemption Bill
    - The Association Of Commerce and Industry (ACI) is taking the lead on drafting of a Preemption Bill.

- Discussion to include a letter on behalf of the preemption bill on behalf of SBRAC was introduced by Chairman Trujillo as an SBRAC action item.
- City/SBRAC Role - It is important to stress that SBRAC understands the City Council of Albuquerque is not permitted to change the language of the Healthy Workforce Ordinance as written. The Commission also has no interest in obstructing the path this initiative-legislation must navigate nor does City staff.
- The SBRAC Letter of Concern was submitted to City Council and County Commission. A copy of the letter was also provided to NAIOP
  - o General discussion by the Commission took place about the advantages of presenting the SBRAC concern to the State Jobs Council as an Action Item.
    - Action item - to provide a copy of the SBRAC letter (modified) to the Jobs Council set to meet October 24, 2016.

APPROVAL TO MODIFY LETTER

MOTION BY COMMISSIONER THROCKMORTON

SECOND BY COMMISSIONER CHAVEZ

MOTION CARRIED UNAANIMOUSLY

PROPOSED/PENDING CITY ORDINANCES UPDATE - Noise Ordinance - Dora Dominguez

- Update deferred to October next meeting agenda item

OTHER BUSINESS - General discussion about what if any role SBRAC should initiate to review the City's Charter and the referendum ballot process as an issue for continued discussion.

- OTHER BUSINESS - Chairman Trujillo referenced the City's Anchor Institution effort and its effort to increase the City's local procurement. Chairman Trujillo requested the opportunity to review the City's vendor list as defined as local businesses once it is finalized. No motion required with the task noted.
- A recommendation was made by Chairman Trujillo to schedule City Planning Department on the new IDO and City Comprehensive Plan for the next SBRAC meeting.

Meeting adjourned at 8:55 a.m.

MOTION BY COMMISSIONER GARCIA

SECOND BY COMMISSIONER KAUFMAN

MOTION CARRIED UNANIMOUSLY

Minutes submitted by: Dora Dominguez Date 11/8/16  
Dora Dominquez, EDD Staff

Minutes approved by: Anthony Trujillo Date 11/8/16  
Anthony Trujillo, Chairman