

Small Business Regulatory Advisory Con

CITY OF ALBUQUERQUE



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

Commissioners:
Romero

Alex

Don

Kaufman

Beverly Chavez

Larry

Rainosek

Scott

Throckmorton

MINUTES
19, 2016

ATTENDEES:

from July

EXCUSED:

STAFF:

GUESTS:

Steven Garcia
Environmental Health

Anthony Trujillo

Gary Oppedahl

Mark DiMenna, City

Larry Rainosek
Chamber

Scott Throckmorton

Dora Dominguez

Synthia Jaramillo, Hispano

Alex Romero

Jennifer Walters

Beverly Chavez

Donna Griffin, Legal

Don Kaufman

The meeting was called to order by Steven Garcia, Vice Chairman at 7:37 a.m.

Note: Steven Garcia chaired the meeting on behalf of Chairman Trujillo who was unable to attend.

Additions/deletions to the agenda- Dora Dominguez, SBRAC Staff, noted revision to agenda was the addition of Mark DiMenna as providing the update on the City's Noise Ordinance proposal - (Item VI)

MOTION TO APPROVE THE AGENDA - APPROVED

APPROVAL OF JUNE 21, 2016 MINUTES - Approved by the Commission.

MOTION BY COMMISSIONER ROMERO

SECOND BY COMMISSIONER RAINOSEK

MOTION CARRIED UNANIMOUSLY

Approval of May 17, 2016 minutes

CITY PROCUREMENT PROCESS AND ACTION ITEMS MOVING FORWARD/DEMOCRACY COLLABORATIVE PRESENTATION

- The City continues to move forward to collect and report baseline data on the amount of goods and services procures annually. The City Budget Office is discussing the use of a department survey that would capture data on what the forecast for procurement would be one year out. This measure would allow for small businesses to identify and address any capacity issue that would position them to secure City procurement contracts.
- New City purchasing software is expected to have a greater reporting capacity and produce reports that will not only detail by commodity codes exactly what is purchased but also allow the City to identify what is purchased from small and local companies.
- The focus remains the acquisition of the baseline data moving forward. Question regarding how much of the task would require manual systems to achieve was asked by Steven Garcia, Board Member. Gary Oppedahl, City EDD Director, outlined the City's three prong approach to address the issue of small business procurement. First; let's begin to measure it. Secondly; once the baseline is achieved then what can the City do to improve its small

and local procurement efforts and spending. Finally; the City is working to make it easier to access the City's procurement process. Until the full reporting phase of the software is implemented the possibility of sorting existing data to reach a baseline average of what the City procures is being discussed.

- Alex Romero introduced Synthia Jaramillo, Hispano Chamber Director, who provided SBRAC with information on a new small business procurement effort the Chamber is working to finalize and implement with Bernalillo County.
- Hispano Chamber is working on an effort with Bernalillo County titled "HUB Legislation". Being utilized in other states, that focuses on small businesses a greater opportunity to respond to RFPs by creating opportunities to subcontract alongside larger contractors. Bernalillo County will vote on the adoption of the HUB Business Initiative in August. SBRAC will continue to track the host of efforts in place including the Democracy Coalition effort being spearheaded by UNMH that also includes a major component of increasing local procurement.
- The City has an annual operating budget of approximately \$900M in its general and special revenue funds. City methods of procurement include: Small Purchases, Exempt Purchases; and Sole Source Purchases and Emergency Purchases. NOTE: *Each preference has a separate requirement*

CITY BUSINESS REGISTRATION PROCESS AND ACTION ITEMS MOVING FORWARD

- Moving Business Registration from Treasury Department to Planning Department has been fully implemented. This step will allow for businesses to be next door to the Planning Office and will allow the business know if what they are proposing to provide with respect to business services, products and location. City is also looking at other processes to streamline including the different business inspection requirements. Gary Oppedahl stressed the importance of all input by SBRAC. "Everything discussed here is appreciated and suggestions for action are heard and action is taken."

PROPOSED/PENDING CITY ORDINANCES UPDATE - Healthy Cities Initiative Overview - Dora Dominguez

- Healthy Cities Initiative (also known as the Sick Leave Bill) - The Initiative would impose mandatory paid sick leave for all Albuquerque employees. We have now analyzed the propose ordinance and consulted with the small business community and business advocacy groups. Those groups include ACI, NAIOP and the local Chambers of Commerce. All these groups overwhelmingly agree this Ordinance will negatively affect businesses should the ordinance be approved by the voters.
- If adopted, the Ordinance would not be subject to revision or compromise, and would go into effect as is... Every employer subject to the Ordinance would be required to provide every eligible employee with one hour. Most employers' existing paid time off policies will not be in compliance with the strict requirements of the Ordinance.
 - o **What we know** - The initiative submitted the required number of signatures for placing the ordinance on the November 2016 Voter Ballot. Signatures have been verified by the City Clerk's office. Ordinance supporters are working to have the General Election Ballot in November. Approval to appear on the ballot will require action by the County Commission.
 - o The Ordinance is City issue with the November Election Ballot is a City & County Ballot. That means the County Commission can choose to choose whether or not to place the item on the ballot.
 - o 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.

- o The Commission believes that to not advise the City and community of the Ordinance's onerous regulatory burdens would be a contradiction of the role and responsibility of the Commission.
- o General discussion for SBRAC continues to focus on the onerous nature of the ordinance in addition to creating an added city level department of labor.
- o Based on the information provided and the public information available on the Initiative the SBRAC voted to compile a letter of concern regarding the Healthy Cities Initiative. A draft of the letter will be sent to the Commission this week for review and final approval
- o The distribution of information about the Ordinance was asked. General discussion and ideas where business groups gather to get the information out. SBRAC Commissioner, Steven Garcia voiced an interest in speaking to local business groups. Gary and Dora agreed work to create a communications plan for the dissemination of the information on behalf of SBRAC.

PROPOSED/PENDING CITY ORDINANCES UPDATE - Noise Ordinance

- Mark DiMenna, Deputy Director of Environmental Health provided an overview and summary of the proposed ordinance. An overview of the current ordinance was described as difficult in use and implementation. The current proposal intent is to create an ordinance that is able to provide clearer guidance for City staff and community alike. Buildings that would not provide for added sound buffers would be addressed within the ordinance as information that would support City redevelopment efforts. Trending toward mix-use; the City will need to have a sound ordinance that provides greater clarification than what is provide in the current ordinance. The Launch Pad was the project used as an example and of a project that has provided great lessons learned. The City's existing commercial areas that develop with residential that comes along later has posed a host of challenges. The Noise Ordinance proposed would provide assurances that residential development will know in advance they must build in added noise buffers given the existing noise areas... All of which would be addressed in the project planning phase.
- The proposed ordinance overall allows for design plans that could include acoustic engineered designs to meet the development site can anticipate. City Environment Dept. will not be charged with scrutinizing sound designed portion of a construction plan but instead wants to know the acoustic design in a project was designed. SBRAC agreed the City needs to support density and growth and identify an ordinance that works to support these needs in a reasonable manner. Areas such as Downtown would fall into a different a commercial sound classification verses residential levels.
- Status of the Ordinance remains in a legislative draft phase and not yet introduced for Council action. SBRAC requested as an action item the Ordinance as proposed will continue to be tracked. Recommendations on the Ordinance should be referred to Mark DiMenna.

OTHER BUSINESS;

- Donna Griffin, Legal Staff, departure/retirement. Farewells and thank you on behalf of SBRAC. Chris Tebo will now assume SBRAC duties on behalf of the City. Donna will work with EDD staff to introduce staff to Chris Tebo.
- NOTE- Donna Griffin has staffed SBRAC when it was implemented. Her guidance and expertise in guiding SBRAC in learning its role was touted as an invaluable and much respected asset was touted by Steven Garcia, Alex Romero and Commission in total. She will be missed.
- Regulatory Burden Index introduced by Gary Oppedahl. More information on how to explore the idea was supported by the Commission. The Healthy City Ordinance was used to demonstrate as a regulatory issues with a calculated cost as an example of how a baseline of how a proposed rule or regulation could be measure against a Regulatory Burden Index. More information on the idea to come...

Meeting adjourned at 9:10 a.m.

MOTION BY COMMISSIONER KAUFMAN
SECOND BY COMMISSIONER RAINOSEK
MOTION CARRIED UNANIMOUSLY

Minutes submitted by: *Dora Dominguez* Date *August 15, 2016*
Dora Dominguez, EDD Staff

Minutes approved by: _____ Date _____
Anthony Trujillo, Chairman