



MINORITY & WOMEN BUSINESS ENTERPRISE (MWBE) COMMISSION

MINUTES

The regular meeting of the MWBE Commission was called to order by Walter Soto, Chairperson, on Thursday, July 17, 2008, at 5:32 p.m., in the Office of Equal Opportunity Programs (OEOP) and Independent Police Review (IPR) Conference Room, 100 North Stone Avenue, Suite 109, Tucson, Arizona.

1. Check-in/Roll Call

Members Present:

Marlene Ashton
Noell Rodriguez
Andee Leisner *
Deborah Muñoz-Chacon
Vacancy
Walter Soto
Clarence Boykins **

Appointed by:

Mayor
Ward 1
Ward 2
Ward 3
Ward 4
Ward 5
Ward 6

* (Arrived at 5:35 p.m.)

** (Arrived at 5:38 p.m.)

Members Absent:

None

Appointed by:

Others Present:

Liana Perez, Director, OEOP and IPR
Robert Barton, Senior Equal Opportunity Specialist, OEOP and IPR
Michelle Flanagan, Administrative Assistant, OEOP and IPR
Marcheta Gillespie, Deputy Director, Procurement Department
Jennifer Gillaspie, Administrator, Procurement Department

Mr. Barton was introduced by Ms. Perez as he will attend future meetings on behalf of Ms. Perez in the event she is unable to attend.

2. Approval of Minutes

Motion by Commissioner Rodriguez and seconded by Commissioner Ashton to approve the minutes of May 15, 2008, as submitted, passed by a vote of 4 to 0.

3. Draft – City of Tucson DBE Goal 2008-2009 (Taken out of order and discussed after Item 5)

Ms. Perez gave an overview of the DBE Goal which is produced on an annual basis for all Federal Transit Administration (FTA) and Federal Highway Administration (FHWA) funded projects. She stated the City of Tucson is required to have a DBE Goal in place to receive federal funding. She advised in order to meet compliance to receive the funds from the FTA and FHWA, the DBE plan must be submitted annually by August 1st. A public notice is published via the City of Tucson's website and local newspapers to give the Commission and the public an opportunity to respond.

No action was taken.

4. Arizona Civil Rights Initiative – Noell Rodriguez (Taken out of order and discussed after Item 10)

Commissioner Rodriguez gave an overview of a handout given to the Commission regarding the Arizona Civil Rights Initiative. The handout included a copy of the actual application for the initiative. She said the initiative received enough signatures to be added to the ballot. She stated if the initiative were to pass, it would amend the State's constitution to prohibit preferential treatment in the areas of employment, education and public contracting. Ms. Perez said the initiative would most likely affect the MWBE or local program as opposed to the DBE or federally funded program. The Commission agreed to invite a representative from the City Attorney's office to the next meeting to discuss the initiative.

Motion by Commissioner Rodriguez and seconded by Commissioner Leisner to inform Mayor and Council of the MWBE Commission's opposition of the Arizona Civil Rights Initiative, passed by a vote of 6 to 0.

Discussion followed. No further action was taken.

5. P-Card Overview – Walt Soto (Taken out of order and discussed after Item 8)

Commissioner Soto stated the Commission received P-Card reports from Procurement Department at the May meeting. The reports contained information regarding vendors paid by P-Card over a period of one year as confirmed by Ms. Gillespie. Commissioner Soto advised the Commission to review the report. He advised of the numerous transactions for a single vendor. Commissioner Ashton stated the Commission should request information related to creating more opportunities for people who wish to do business with the City of Tucson. She stated they must first take the initiative to register as a vendor with the City in order to receive opportunities.

Ms. Perez advised the Commission that at a prior meeting, Brenda Stopani gave a presentation outlining the policies and procedures of P-Card. Ms. Perez stated a high level of security was put in place to avoid any discrepancies. She said the initial idea was to eliminate excessive paperwork. Ms. Gillespie stated the P-Card is not a source selection tool or a substitute. She stated the P-Card is an additional mechanism for payment. She said the parameters that govern source selection do not change due to P-Card. No action was taken.

6. Monthly Contract and Purchase Order Reports from Procurement (Taken out of order and discussed after Item 2)

Commissioner Soto addressed the Commission advising that at the May meeting reports were requested from Procurement Department. Ms. Perez advised OEOP shall provide the Construction Reports and Procurement the Goods and Services Reports. Commissioner Soto stated the information would give the Commission an opportunity to evaluate the City's performance in the area of disparity.

Discussion followed. No action was taken.

7. MWBE Construction Reports – Liana Perez (Taken out of order and discussed after Item 6)

Ms. Perez stated the construction reports were originally provided annually and contained after-the-fact information. The reports have since been modified and are now provided to the Commission on a quarterly basis. They are an accurate reflection of the closed contract information including what the goals were, the commitments to the M/WBE firms and the outcome. Ms. Perez continued with an overview of two construction handouts given to the Commission. The handouts included MWBE Subcontractor and JOC opportunities by trade area.

Discussion followed.

Commissioner Boykins stated the reports would give the Commission an opportunity to observe if MWBE firms receive fair opportunities to conduct business with the City of Tucson. Ms. Gillespie advised Procurement made changes to their contract database approximately one year ago. The database now includes fields such as the number of MWBE certified bidders per project and contracts which fall within the ordinance parameters at which time the price preference could be applied. Ms. Gillespie clarified with the Commission what specific information should be included in the reports. The reports will include whether or not an award was based on price preference, whether or not a solicitation fell within the parameters of the ordinance and certified firms who submitted a bid. The Commission requested the reports be provided on a monthly basis.

Ms. Gillespie said Procurement updated their website and would be available to the public within a few days. The new website will include three pages: bid opportunities, bids and evaluation, and recent awards. Ms. Gillespie stated a few co-operative partners were able to access contracts online and Procurement will be migrating towards making the awarded contracts available to the community as well as vendors. Ms. Gillespie will provide a draft report to Liana to be presented at the next scheduled Commission meeting. No action was taken.

8. Notification of Bid Opportunities for MWBE Firms (Taken out of order and discussed after Item 7)

Ms. Gillespie said vendors are able to register at Procurement's website and have the option to register for certain categories. She stated when the City puts out a solicitation, a notification process ensues. She said the solicitations will soon be submitted electronically as opposed to a physical notice.

No action was taken.

9. City of Tucson's Outreach to MWBE Primes – Walt Soto

Discussion to table Item 9 to next regularly scheduled meeting. No action was taken.

10. Disparity Study Update – Liana Perez (Taken out of order and discussed after Item 3)

Ms. Perez stated the consultants would have the final draft in a week or no later than July 31st as committed by contract. Ms. Perez said the consultants will give a presentation at a Mayor and Council study session to discuss the Disparity Study and any recommendations they may have. Dependent on Mayor and Council's review, the Item may be referred to the Economic and Development Workforce Subcommittee, the MWBE Commission and ultimately back to OEOP to rewrite or implement a new Ordinance.

Motion by Commissioner Ashton and seconded by Commissioner Rodriguez to receive a copy of the Disparity Study draft upon its release to Mayor and Council, passed by a vote of 6 to 0.

11. Call to the Audience

No one spoke.

12. Future Agenda Items

- Arizona Civil Rights Initiative and its effects on the City's and County's ability to do business with M/WBE Firms.
- Monthly Contract and Purchase Order Reports from Department of Procurement
- M/WBE Construction Reports
- City of Tucson's Outreach to M/WBE Primes
- Disparity Study Update

13. Adjournment

Motion by Commissioner Boykins and seconded by Commissioner Leisner to adjourn, passed by a vote of 6 to 0.

Adjournment at 7:21 p.m.

Next Meeting: August 21, 2008