

**State of Texas
County of Bexar
City of San Antonio**



**FINAL
Meeting Minutes
City Council B Session
City Hall Complex
114 W. Commerce
San Antonio, Texas 78205**

Wednesday, October 9, 2013

2:00 PM

Municipal Plaza Building

Meeting will begin at 2:30 PM

The City Council of San Antonio convened in the “B” Room of the Municipal Plaza Building at 2:30 P.M. with the following Councilmembers present: Bernal, Taylor, Viagran, Gonzales, Lopez, Medina, Nirenberg, Soules, and Mayor Castro. ABSENT: Saldaña and Chan.

1. A briefing on High Profile Contract Request for Proposals – Disparity Study Consultant. [Carlos Contreras, Assistant City Manager; Rene Dominguez, Director, Economic Development]

Rene Dominguez presented a Power Point regarding the Disparity Study Request for Proposals (RFP). He reported that the last Disparity Study had resulted in changes to the Small Business Economic Development Advocacy (SBEDA) Program. These changes include the creation of a Goal Setting Committee; Race Conscious and Race Neutral Tools; and implementation of Mentorship and Bonding Assistance Programs. He stated that there had been a significant increase in the utilization of Small, Minority, and Women-Owned Business Enterprises (SMWBE) from June 2012 through August 2013. He highlighted the SMWBE Utilization by category, noting that the FY 2013 Aspirational Goal was 34% and they had reached 31% utilization. Within Architecture & Engineering, he reported that they had exceeded the Aspirational Goal of 23% and had reached a 42% utilization rate. He mentioned that they had also exceeded the Aspirational Goals within the Professional Services, Other Services, and Goods & Supplies Categories.

Mr. Dominguez highlighted the SMWBE Utilization Dashboard available online via the Economic Development Department Website. He outlined the Capacity Building Programs that include the Small Business Boot Camp; Bonding Assistance; and Mentor Protégé Programs. He reported that 9 individuals had participated in the Bonding Assistance Program, while 73 individuals participated in the Mentor Protégé Program.

Mr. Dominguez explained the FY 2014-2015 Disparity Study RFP, noting that they were required to conduct a Disparity Study prior to establishing goals for disadvantaged businesses. He stated that Race Conscious Programs must be based upon compelling government interest and narrowly tailored to achieve that interest. He noted that the purpose of a Disparity Study was to establish whether there is a factual basis for a Minority and Women-Owned Business Program. Additionally, it will evaluate whether barriers prevent Minority and Women-Owned Businesses from participating in city and private sector contracting opportunities. He added that the SBEDA Ordinance requires that an RFP be issued every four years.

Mr. Dominguez stated that data collection and analysis was one of the most critical components of any Disparity Study Process. He provided examples that include: Determination of business availability; Analysis of City Utilization Data; and Anecdotal and Qualitative Research. He outlined the Evaluation Criteria and noted that the Disparity Study would be conducted over FY 2014 & FY 2015. He stated that the total projected cost was \$750,000 and that the Panel would include City Staff and a Citizen Member. He added that their intent was to propose a recommendation to the City Council in April 2014.

Mayor Castro thanked staff for the presentation and asked of any collaboration on the RFP Process. Mr. Dominguez replied that the city would not collaborate with anyone else on this RFP due to the previous challenges. Mayor Castro asked how this Disparity Study would be different from the last one. Mr. Dominguez replied that the study would be narrowed to the City of San Antonio and would not include the San Antonio Metropolitan Statistical Area (SAMSA). Mayor Castro asked of the progress being made on the Mentor Protégé Program. Mr. Dominguez indicated that he had been meeting with Mentors and Protégés and believed that they were making great progress. He stated that they establish a work plan and ensure that the plan is being adhered to. Mayor Castro stated that it would be helpful to compare San Antonio to other big cities across the country. He spoke of the integration with Café Commerce and asked for an update on the participation of African American Firms. Mr. Dominguez explained that they were working with the Fair Contracting Coalition and the CIMS Department on same. He reported that their goals were to increase utilization for minorities in underutilized categories and increase the number of firms registered in the Central Vendor Registry (CVR). Mayor Castro asked of availability. Mr. Dominguez stated that as part of the Disparity Study, additional analysis would be conducted to ensure that the Small,

Minority, and Women-Owned Businesses that have not registered in the CVR are captured. Mayor Castro spoke of the importance of registering Small, Minority, and Women-Owned Businesses in the CVR. Mr. Dominguez highlighted outreach efforts that include print, billboards, and radio.

Councilmember Bernal asked how Aspirational Goals were set. Mr. Dominguez replied that it was a percentage based on actual companies that have identified themselves by National Industry Code to perform work in the Construction Industry. Councilmember Bernal spoke of the importance of Small, Minority and Women-Owned Businesses to register in the CVR. He stated that he would like for San Antonio to be a leader in this arena. He asked of adding goals for Veterans to the SBEDA Ordinance. Michael Bernard stated that they could add Veterans to the SBEDA Ordinance but did not need to include them in the Disparity Study.

Councilmember Viagran asked how Small Businesses were defined. Mr. Dominguez explained that Small Business Standards differed within each of the five Categories which were set by the Small Business Administration. Councilmember Viagran asked of the number of Small Businesses in San Antonio. Mr. Dominguez replied that there were 57,000 Small Businesses last year that had less than 100 employees. Councilmember Viagran asked of the number of participants in the Capacity Building Programs. Mr. Dominguez replied that there were 82 participants enrolled in the Programs.

Councilmember Taylor stated that she appreciated the progress but there is still a long way to go. She requested a comparison of what other cities are doing and asked what had been learned from the 2010 Process. Mr. Dominguez replied that the new Study would provide Prime and Subcontractor utilization rates. He noted that an Annual Report would be provided in November that would drill down the Prime and Subcontractor Data. Councilmember Taylor asked how information from the Annual Report would be incorporated into the RFP Process. Mr. Dominguez replied that the data would allow the RFP Committee to see how the city was doing within specific Ethnicities and to be more aggressive with the Goal Setting Process.

Councilmember Medina asked of any lessons learned from the previous Disparity Study. Mr. Dominguez replied that they had experienced challenges with data collection in the first Study and had since addressed all of the issues. Councilmember Medina stated that he appreciated the opportunity to help Veterans.

Mayor Castro thanked staff for the presentation and recessed the meeting into Executive Session at 3:46 pm to discuss the following:

- A. Discuss legal issues related to Lisandro Ramirez v. Joe Casteneda and City of San Antonio, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

- B. Deliberate the purchase, exchange, lease or value of real property and discuss related legal issues pursuant to Texas Government Code Sections 551.072 (real property) and 551.071 (consultation with attorney).
- C. Deliberations regarding economic development negotiations and discuss related legal issues pursuant to Texas Government Code Sections 551.087 (economic development) and 551.071 (consultation with attorney).
- D. Deliberations regarding the deployment of security personnel and/or devices pursuant to Texas Government Code Sections 551.071 (consultation with attorney) and 551.076 (security devices).

CITIZENS TO BE HEARD

Mayor Castro reconvened the meeting at 6:00 pm and announced that no action was taken in Executive Session. He called upon the citizens registered to speak.

Dario Chapa expressed concern that he could not talk to Councilmembers regarding a previously submitted proposal and the contract had not yet been presented to the City Council.

Angela Garcia, Vice Chair of the Our Casas Resident Council stated that they had submitted a proposal for minor repairs but were not awarded the contract. She noted that they would like the opportunity to Subcontract with the selected Vendor.

Henrietta LaGrange read a letter from a constituent in District 4 thanking Councilmember Medina and the Sponsors for providing School Supplies to Low-Income Families. She stated that she served as the Treasurer of Our Casas Resident Council and had contacted several Councilmembers, Assistant City Managers, and a Deputy City Manager and her calls had not been returned. She requested that someone return her calls.

Nazirite Ruben Flores Perez stated that not all Holidays are considered Holy such as Halloween. He noted that he is campaigning for a place on the Board of Directors at the San Antonio River Authority.

Mark Perez expressed concern that the City has violated Zoning Laws and that many businesses were in violation of City Code. He noted his concerns with various city staff.

Juan Macias expressed concern with the crime in his neighborhood and asked when the City would address same. He stated that he was struggling to pay his bills while City Staff were receiving promotions and large salaries.

Faris Hodge, Jr. submitted written testimony regarding the design and construction award for Hemisfair Park Projects. He referenced the \$200 million that would be spent by Bexar County on concrete work in the Mission Reach. He wrote that it was unfair for Police Officers and Firefighters to receive Longevity Pay. He expressed concern that vehicles were the main source of the City's polluted air. He wrote of the drilling that was occurring by the Environmental Protection Agency in Donna in search of the origin of cancer-causing chemicals. He expressed concern that some Bexar County and City Park Restrooms do not have doors.

ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 6:15 pm.

APPROVED


JULIÁN CASTRO
MAYOR

ATTEST:


LETICIA M. VACEK, TRMC/MMC
CITY CLERK