

RESOLUTION ACCEPTING AND APPROVING THE FY 2012-FY 2016 DISPARITY STUDY AND ITS RECOMMENDATIONS TO REMOVE IDENTIFIED BARRIERS TO THE PARTICIPATION OF MINORITY AND WOMEN-OWNED BUSINESSES IN CITY CONTRACTING PROCEDURES AND POLICIES

WHEREAS, the City of Greensboro, hereinafter referred to as City, since 1986, has operated a Minority and Women Business Enterprise (M/WBE) Plan to provide minorities and women equal opportunity for participating in all aspects of City contracting, including but not limited to construction, procurement, and professional services consistent with federal, state and local laws;

WHEREAS, consistent with legal standards established by the U.S. Supreme Court in the case of City of Richmond v. J. A. Croson, and its progeny, the City of Greensboro has periodically sought to update the factual predicate for its M/WBE Plan, and by way of its most recent disparity study completed by Griffin & Strong P.C. in March 2018, has once again established a strong basis in evidence to support consideration of narrowly tailored race- and gender-conscious remedies for the ongoing effects of marketplace discrimination upon the contract participation of M/WBE firms on City contracts;

WHEREAS, the Disparity Study Final Report dated March 12, 2018, was thereafter presented to City Council in 2018, and after full consideration of the Disparity Study, the City hereby accepts the Disparity Study which established a factual predicate and compelling interest for action by the City to remedy the ongoing effects of marketplace discrimination adversely affecting the participation of ready, willing, and able M/WBE firms on City contracts;

WHEREAS, the Disparity Study recommended numerous race- and gender-neutral and race- and gender-conscious remedial policy elements to enhance the participation of small, minority, and women-owned businesses on City contracts;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby accepts the FY 2012-FY 2016 Greensboro Disparity Study and its recommendations;
2. Further, the City Council authorizes the City Manager to seek additional public and internal City staff input regarding the Disparity Study Recommendations and the best, most efficient and effective implementation of these recommendations, and based upon such feedback, to draft an Ordinance for City Council's consideration that incorporates these recommendations into the City's M/WBE Program Plan to enhance opportunities for small, minority, and women-business enterprises in City contracts as are legally defensible, effective, and feasible; and
3. Finally, that the City Council shall convene a public hearing for purposes of receiving the Amended Ordinance revising the City of Greensboro M/WBE Plan, for publicly disseminating such draft Ordinance, and for receiving additional public comment for a period of 30 days prior to final action by City Council.