



City of Greensboro

Melvin Municipal Building
300 W. Washington Street
Greensboro, NC 27401

Meeting Minutes - Final City Council Work Session

Tuesday, August 21, 2018

4:30 PM

Plaza Level Conference Room

I. Call To Order

This City Council work session of the City of Greensboro was called to order at 4:30 p.m. on the above date in the Plaza Level Conference Room of the Melvin Municipal Office Building with the following members present:

Mayor Nancy Vaughan, Mayor Pro-Tem Yvonne Johnson, Councilmembers Marikay Abuzuaiter, Sharon Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm, and Goldie Wells.

II. Presentations

1. [ID 18-0529](#) Minority and Women Enterprise (M/WBE) Disparity Study Update

City Manager Parrish introduced the first item and recognized Assistant City Manager Barbara Harris.

Assistant City Manager Barbara Harris gave a handout on the staff preliminary response to the M/WBE Disparity Study (Study) Recommendations; spoke to the recommendations to be accepted by Council, and incorporated into the program; to the amendment for the Study; to the feedback from the review committees; to continued conversations going forward as part of the M/WBE program; and to holding a public hearing to receive the amended ordinance for the program plan.

City Attorney Tom Carruthers introduced experts from Griffin & Strong, P.C. (GSPC): Michele Clark Jenkins, Vincent Eagan, Rodney Strong, David Maher, and Ted Edwards from The Banks Law Firm, P.A. City Attorney Carruthers continued to speak to the rough draft sent to GSPC; to the M/WBE committee and staff submitted input for the Study; to the revision of the goal setting program; and to an effective way to raise the level of expertise to determine goals to make the program more defensible.

Ms. Jenkins spoke to the process of goal setting being challenged 13 times; to how the Federal Disadvantaged Business Enterprise (DBE) program worked; to aspirational goals; to setting contract goals; to contract availability; to the Business-to-Government Now (B2Gnow) software used; and to having commodity codes to be used in the B2Gnow software.

Councilmember Hightower asked if the software was being used now; and how contracts were monitored.

Assistant City Manager Harris gave an update to the B2Gnow software upgrade; spoke to getting the Lawson system fully integrated with the new software; and to how contracts were monitored.

Ms. Jenkins spoke to the importance of updated information for vendors in the B2Gnow software; and to incentives for firms for accurate updated vendor information.

City Attorney Carruthers voiced concerns of the fifty point system, and good faith efforts used by contractors when negotiating with sub-contractors.

Mr. Edwards spoke to the City's ability to add additional requirements to the fifty point system.

Councilmember Hightower expressed how strong the good faith effort program for the Guilford County School Board was.

City Attorney Carruthers stated he would reach out to the school board; spoke to compared cities successes; and to the bidding process for the state Historically Underutilized Businesses (HUB).

Discussion took place on delayed bid packages from major contractors; inequality practices toward M/WBEs with internal deadlines; a timeline for bid package submission; the state law in reference to bid advertisements; concerns with bid shopping from contractors; strengthening the M/WBE program; and the quality of outreach to M/WBE firms.

Ms. Jenkins gave examples of best practices in other cities that worked; and spoke to having an effective program.

Councilmember Outling inquired about the timeline for the draft for the Study; and to recommendations not approved by the City.

City Attorney Carruthers stated that the draft would be ready within 30 days; and spoke to feedback received from the community and the M/WBE committee.

Councilmember Hightower voiced concern with the progress made for the Study; and the need for the program to be robust.

Mr. Strong spoke to having a defensible program; the concerns with good faith efforts; to compliance from contractors; and to having a robust plan put in place.

City Attorney Carruthers highlighted a recommendation to adopt a small business plan with authority from the general assembly; to finishing the final draft; and to moving forward with the recommendations.

Ms. Jenkins highlighted how all recommendations were being incorporated to the new program plan; and spoke to turning recommendations into policies.

Discussion took place regarding the current ten county program; the relevant market place; promoting firms; availability of firms in the twenty four county region; where the majority of money was coming from; and concerns of supporting local contractors.

Ms. Jenkins highlighted how the twenty four county suggestion was only for the purpose of the Study; and stated GSPC suggested to have a local preference with incentives to use local M/WBE firms.

Councilmember Hightower asked what the outcome would be without the twenty four county region; and to counties without M/WBEs.

Ms. Jenkins suggested two ways to choose counties without manipulation; and spoke to the Metropolitan Statistical Areas (MSA) established.

Councilmember Kennedy inquired about the oversight for M/WBE programs; the appeal process of good faith efforts; and spoke to expanding the capacity of monitoring sites.

City Manager Parrish stated the appeal process would have to meet certain criteria.

Mr. Strong spoke to auditing firms; and doing field monitoring.

Councilmember Kennedy stated how desk monitoring was different than field monitoring; and spoke to what was needed to provide quality monitoring.

Mr. Strong spoke to providing criteria for conducting monitoring; and to increasing resources for outreach.

Councilmember Outling voiced concern with expanding the ten county region; its effect on local businesses; and asked what the impact would be.

Mr. Eagen spoke to the negative effect of the new competition; and stated the positive effect of being more engaged with local firms

Assistant City Manager Harris stated that GSPC did not make a recommendation to change the market place.

Councilmember Hightower spoke to the relevant market place expansion; to the requirements for companies to have a certain amount of employees that were minorities; to firms with no availability; and to potential opportunities to open new firms in Greensboro.

City Attorney Carruthers referenced requirements under House Bill 2 (HB2) .

Mayor Pro-Tem Johnson voiced concern for local businesses; and asked if local contractors would have preference.

Councilmember Thurm spoke to identifying where there was not capacity for the M/WBE office; to assisting potential local entrepreneurs; and to have a reporting mechanism to identify potential areas to conduct business with.

Ms. Jenkins spoke to certificate programs for firms to be more available for contractors.

Councilmember Kennedy suggested having a wider scope of availability as a part of forecasting.

Councilmember Hightower asked if departments in the City had a budget; if they knew about future projects; and spoke to outreach and HUB certification.

Assistant City Manager Harris responded in the affirmative; and stated that they were considering programs for firms.

(A copy of the handout is filed in Exhibit Drawer A, Exhibit No. 19 which is hereby referred to and made a part of these minutes)

III. Adjournment

Moved by Councilmember Outling, seconded by Councilmember Hoffmann, to adjourn the meeting. The motion carried by voice vote.

THE CITY COUNCIL WORK SESSION ADJOURNED AT 5:31 P.M.

MARY S. BROOKS

ASSISTANT CITY CLERK

NANCY VAUGHAN

MAYOR