

SMALL BUSINESS REGULATORY ADVISORY COMMISSION CITY OF ALBUQUERQUE

Chair: Anthony Trujillo
Vice Chair: Steven Garcia
Ex-Oficio Mbr: Synthia Jaramillo, Director

Commissioners: Alex Romero
Don Kaufman
Beverly Chavez
Larry Rainosek
Scott Throckmorton



MINUTES from March 20, 2018

ATTENDEES:	STAFF	Guest
Anthony Trujillo	Synthia Jaramillo	
Steve Garcia	Dora Dominguez	
Beverly Chavez	Jenny Walters	
Larry Rainosek		
Don Kaufman		

The meeting was called to order by Anthony Trujillo, Chairman at 7:36 a.m.

- I. **Additions/deletions to the agenda** – None Heard
MOTION TO APPROVE THE AGENDA – APPROVED
- II. **APPROVAL OF FEBRUARY 20, 2018 MINUTES** - Approved by the Commission.
MOTION BY COMMISSIONER GARCIA
SECOND BY COMMISSIONER RAINOSEK
MOTION CARRIED UNANIMOUSLY
- III. **WELCOME – Chair**
- IV. **Introduction and Welcome** – Synthia R. Jaramillo, New ED Director
- V. **Healthy Neighborhoods Albuquerque (HNA) – A Community Wealth Building Collaboration** – Dora Dominguez, City Staff
 - Update to the City’s As part of the City’s HNA work which requires all anchor institution partners to create and/or enhance its “buy local,” “hire local” and efforts to support small business is working to catalogue it’s supplier information by different ownerships.

The tool created and implemented almost a year ago was a “Substitute W-9 Form.” The new W-9 Form is an effort to communicate with City vendors more efficiently as well as better track the types of companies we do business with, the City of Albuquerque. The new information required on the form includes: an email address, the New Mexico CRS Tax ID Code, and information on whether a business doing business with the city is a local business (self-certification using criteria listed on the form). Compliance to the submission of the W-9 Form remains at less than 30% compliance with renewed efforts in the last month to reach 100% compliance. At just less than 30% compliance the City’s Finance Dept is pleased to have been able to analyze the City local procurement amounts with a positive degree of performance. With 20 separate ways to procure products and services – the City procurement processes continue to present challenges with respect to data collection. The substitute W-9 tool will serve as a model for other anchors to utilize as well as the data/reports generated of the list of local vendors the city data and reports generated will create.

A full report of the data and preliminary reporting of the City local procurement activity is scheduled for an upcoming SBRAC presentation.

- General discussion on how local procurement efforts must be intentional and directed by new policies verses suggested/only practices.
- Synthia Jaramillo, ED Director, is working to create a best practice policy of recommendations based on city procurement models currently in place with the City of San Antonio, TX.

VI. **Albuquerque Sick Leave Ordinance 0-17-1 Update** – Dora Dominguez, Staff

- In addition to Ordinance 0-17-1 (Sanchez & Harris) ordinance a new sick leave bill Ordinance 0-18-10 (Councilor Davis) Amending Article 12, Chapter 13... “Enforcing Minimum Wage and Sick Leave Requirements” was introduced on February 21, 2018 and scheduled to be heard at Finance and Government Operations Meeting on March 12, 2018.
- The Ordinance was referred by City Council for further fiscal review (feasibility analysis) for up to but not to exceed 90-days. SBRAC requested more information regarding the feasibility analysis process and how best to provide input to the process was discussed.

Concern remains with regards to the Ordinance as proposed. The Ordinance as proposed continues to raise concerns it would serve to deter new businesses from locating in Albuquerque. SBRAC will continue to work with City state to on tentative calendar meeting dates submitted to Councilor Sanchez for meeting with SBRAC Chair to discuss. Per SBRAC action item - a SBRAC Impact Statement on the Ordinance framed as rule/regulation that would serve to provide added regulatory barriers to small business owners is being reviewed by City Legal assigned to SBRAC, Chris Tebo. An updated draft of the SBRAC Impact Statement is to be sent to SBRAC for final review on April 17, 2018.

- Ordinance 0-18-10 (Davis) Ordinance represented concerns has been removed for Council action at this time. This Ordinance as reviewed by City Legal and discussed by SBRAC allows for trial lawyers to sue employers before the city complaint process is complete...without any attempt to mediate at the business level. Both the employee and the employer could be hurt by a “fix” of something that may or may not be broken. No reason exists to encourage unnecessary lawsuits before the employee and the employer have a chance to resolve differences through the administrative process.
- SBRAC prior meeting action item was a **MOTION** by SBRAC Commissioner to oppose Ordinance 0-17-1 (Sanchez & Harris) ordinance a new sick leave bill Ordinance 0-18-10 (Councilor Davis) Amending Article 12, Chapter 13... “Enforcing Minimum Wage and Sick Leave Requirements”

As newly proposed regulations both serve to implement and enforce a precedent setting level of government oversight of sick leave compliance which places an added regulatory burden on small business owners. SBRAC remains tasked with identifying and opposing unnecessary regulations viewed as creating entry barriers to existing and outside industries looking to locate in Albuquerque.

VII. **SBRAC Board Seat Vacancy** - Dora Dominguez, City Staff

- With the appointment of Synthia Jaramillo as ED Director created an open commission seat Board action approved at the meeting was to inform the office of the Mayor of the vacancy and requests guidance on how the seat should be filled. The recommendation

by SBRAC was to fill the seat with a representative of MiABQ (millennial business association).

VIII. **City News & Updates** – Synthia R. Jaramillo, Director

- New administration focus is Public Safety – to include support of enhance APD security/resources.
- Opportunity for SBRAC to provide proactive stance on issues with the most impact and positive results for small business owners.
- New opportunities to support increase local business procurement.

IX. **New Business:** General discussion regarding SBRAC support of the City's new IDO Comprehensive Plan and Zoning Redo as being proposed by City Planning Department was introduced by Scott Throckmorton. Uncertainty or delay in the adoption of the IDO, which included a two year public input process as to uncertainty in the market place and could serve to delay new development projects. Given the breath of public input, Scott Throckmorton, SBRAC Commissioner encouraged SBRAC to voice its support for the process and advise City Council in its advisory capacity to pass the IDO. There is currently City Council consideration being given to grant an additional year of public input.

MOTION by Commissioner Throckmorton to issue an Impact Statement of Support of the passage of the current IDO Comprehensive Plan and Re-Zoning as pending City Council Approval.

SECOND by Commissioner Rainosek
MOTION PASSED UNANIMOUSLY

X. **ANNOUNCEMENTS:** None

Meeting adjourned at 9 a.m.

Minutes submitted by: Dora Dominguez Date April 17, 2018
Dora Dominguez, EDD Staff

Minutes approved by: Anthony Trujillo Date April 17, 2018
Anthony Trujillo, Chairman