

EQUAL BUSINESS OPPORTUNITY COMMISSION

April 04, 2017

AGENDA ITEM

DISCUSSION

ACTION

	Nathaniel Alston called the meeting to order.	Meeting called to order at 9:15 a.m.
Minutes: November 17, 2016	Nathaniel Alston called for approval of the Minutes. Steven Joss moved that the Minutes be approved; the motion was seconded by Margaret Kim.	Unanimously approved
Certifications: November 17, 2016 through April 04, 2017	Roger Barnes moved that the applications be approved; the motion was seconded by Nancy Briguglio. Discussions: Barry Curtis mentioned that he reviewed five applications and he declined three since they were either incomplete or did not have a current certificate of good standing.	Unanimously approved
Purchasing Reports	Discussions (Purchasing Report) Mahesh presented the Purchasing Report which included statistics for the 2 nd Quarter of FY 2017. Various sections of the report to include: EBO participation, waivers, certification and outreach were discussed.	
EBOC Retreat	<u>EBOC Retreat</u> <u>Discussions and Reports:</u> Mahesh mentioned that since this was the first meeting after the EBOC Retreat held in December 2016; he requested that any recommendations arising out of the retreat be sent to him or Dean in a report or email format, which he could then forward to the County’s Chief Administrative Officer, Lonnie Robbins for review. Constance added that post that the Commissioners could also meet with Lonnie Robbins, if needed. Mahesh added that recommendations can also be incorporated in the study report for the County Council Proposed Resolution. Mahesh presented the reports that were requested at the EBOC Retreat: <ul style="list-style-type: none"> • A report, requested by Roger Barnes on a breakdown of all waivers granted, sorted by Invitation for Bids and Requests for Proposals for FY2016 was presented. • A Certification Eligibility Questionnaire was presented. This questionnaire is used in the event further information is needed from an applicant to determine eligibility. 	

	<p>Barry Curtis mentioned that there had been lot of discussion about waivers at the retreat and Commissioners need to get a better understanding of policing that going forward. Nathaniel Alston and Steven Joss mentioned that the EBOC Retreat was quite productive with good topics being discussed. Nancy Briguglio concurred and added that she would like to see some new topics on future retreats in order to utilize everyone’s time effectively. Mr. Curtis suggested that once a year at a regular meeting we can dedicate an entire hour to discuss strategic initiatives which might be more efficient and more effective.</p>	
<p>County Council Proposed Resolution Pertaining to the EBOC</p>	<p><u>County Council Proposed Resolution Pertaining to the EBOC</u></p> <p><u>Reports Handouts and Discussions:</u></p> <p>In reference to CR181, Mahesh shared various data reports on the EBO program. This is data for the most recent fiscal year (FY 2016).</p> <p>In reference to the resolution, Mahesh mentioned that he had a discussion with Mr. Alston about the data to see if he needs to share either one fiscal year or three fiscal years’ data for the commissioners to review to assist them with the study report. Mr. Alston was fine with only one recent fiscal year of data. The Commission concurred that one year data was sufficient. Mahesh added that he would also email a copy of the reports presented.</p> <p>List of Reports presented:</p> <ol style="list-style-type: none"> 1. EBO Report - Annual Statistics FY 2016 <ul style="list-style-type: none"> • EBO Utilization • EBO Participation - Comparative Summary • EBO Certification • EBO Waivers • EBO Outreach 2. EBO Waivers - FY 2016 3. Report on Formal Purchases - FY 2016 4. Contracts with EBO Firms – June 2016 	

5. EBO Eligibility Certification Questionnaire
6. EBO Program Outreach Materials

Discussions:

Nathaniel Alston mentioned that he would like to see more Howard County firms certified and benefit from the EBO Program. He added that Howard County firms should get first preference in the EBO program, and that other jurisdictions are giving preferences to their minority businesses. He added that local MBE firms need to benefit first and foremost from the EBO program.

Mr. Barnes mentioned that the District of Columbia gives preferences to local minority businesses. He also gave another example of the East Baltimore Business District wherein again there was strong local preferences in place.

Constance said that the Commissioners can make these recommendations in their study report they send pertaining to the resolution. Constance also reminded the commissioner about the County having a Local Business Initiative in place.

Roger Barnes discussed whether there was a possibility to increase and mandate the 10% EBO goal. Constance mentioned a disparity study would give a legal predicate for making changes to a program. Constance mentioned that implementation of the EBO program must be in a way that it stands legal sufficiency if challenged, referring the supreme court case law.

Mr. Alston requested that he would like to see the disparity studies that have been conducted by other jurisdictions. Mr. Alston said that one of the purpose of the resolution was that the commission would like to know more about the programs in surrounding jurisdictions. Mahesh mentioned that he would request his counterparts for copies of their disparity studies and send it electronically to the commissioners.

Barry Curtis also requested that a copy of the County Council Proposed Resolution be emailed to him. Mahesh will email a copy to all the Commissioners.

	<p>Mahesh mentioned that he has an excel report on Regional Preference Programs, which includes information on MWDBE/SLBE programs (their goals, certification, geographic boundaries etc.) of surrounding jurisdictions, which he can email to the Commissioners. This data will help the commissioners in preparing their study report.</p> <p>Barry Curtis questioned that if there was an internal goal that the commission can have and whether the Commission can have a different and higher goal than the 15% goal, as this too low a goal. Constance mentioned that we must follow the goals in the EBO program manual, we have to go by what the law says.</p> <p>Nancy Briguglio mentioned that often is seen in the data that more percentage of the goal is met with utilization of woman-owned businesses. Barry Curtis asked if businesses need to recertify in the program. Mahesh mentioned that EBO firms need to recertify every two years by submitting a new application. Mr. Curtis mentioned that more scrutiny needed to be done for certifying woman-owned business and we need to refocus on these applications.</p> <p>Mahesh mentioned that the commissioners could email Mr. Alston any comments they had about the proposed resolution.</p>	
<p>Member Comments:</p>	<p><u>Member Comments:</u></p> <p><u>Roger Barnes and Nathaniel Alston</u> Howard Hughes Corporation Downtown Columbia Development:</p> <p>Mr. Barnes and Mr. Alston shared some information on the work they have done with the Howard Hughes Corporation Downtown Columbia Development. Both, Mr. Alston and Mr. Barnes were instrumental in the development having a higher goal of 30%, considering the fact that initially there were no plans to incorporate a MBE goal. They also made it a point to see participation of local Howard County members on the diversity team.</p> <p>Mr. Curtis mentioned that the Howard Hughes Corporation should hire an outside MBE firm to monitor the MBE participation, similarly as other such development projects have done in Baltimore. He cited the Port Covington project as one example. Constance shared that she and Mahesh had an opportunity to review the MOU.</p>	

Adjournment of Meeting at 10:45 am	Motion to adjourn by Nathaniel Alston; seconded by Steven Joss. Next regular EBOC Meeting scheduled for June 06, 2017 at 9:00 a.m.	
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EBOC MEMBER ATTENDEES:

1. Nathaniel Alston
2. Nancy Briguglio
3. Steven Joss
4. Roger Barnes
5. Margaret Kim (conference call)
6. Barry Curtis (conference call)

ABSENT:

7. Tajuddin Sabree
8. Shahan Rizvi
9. Matthew Lee
10. Jason Peay

NON-MEMBER ATTENDEES:

1. Dean Hof
2. Mahesh Sabnani
3. Constance Tucker

ABSENT:

1. Robin Fewell