

MINUTES

SOLID WASTE AUTHORITY OF PALM BEACH COUNTY SMALL BUSINESS ADVISORY COMMITTEE

APRIL 6, 2021

9:00 A.M.

Present: Michelle DePotter, Chair (District 3)
Junaid Akther, Vice Chair (District 2)
Karen Lau (District 1)
John Rourke (District 4)
Patricia Leonaggeo (District 6)
Maria Antuna (At-Large)
Bruce Lewis (At-Large)
Selena Samios (At-Large)

ABSENT: Tina White (District 7)
Angeleta Gray (At-Large)

STAFF: Colleen Robbs, Director, Equal Business Opportunity Office
Hattie Asberry, Outreach Specialist
Tim Thompson, Contract Compliance Specialist
Myra Piper, Administrative Assistant
Kendrick Jackson, Contract Compliance Specialist

CALL TO ORDER

Ms. DePotter called the Small Business Advisory Committee (SBAC) meeting to order at 9:04 a.m. Having attended the SWA Board Regular Meeting on February 10, 2021, she was pleased to report the recommended SBAC appointments were Board approved.

ROLL CALL

Ms. Piper called the roll. Each member in attendance stated they were present, and indicated if they were interested in serving as the SBAC's Chair or Vice Chair.

AGENDA

The agenda was carried out as presented.

APPROVAL OF MINUTES

Ms. DePotter asked the Committee for a motion to approve the minutes of the February 2, 2021 meeting. A motion was moved by Mr. Lewis to accept the minutes, as presented, and seconded by Ms. Antuna. The minutes were adopted with no objections.

ELECTION OF OFFICERS

In preparation for the Election of Officers, Ms. DePotter asked Ms. Piper to read the **SBAC Rules and Procedures, Rule 7: Officers, and Rule 8: Presiding Officer**. Thereafter, Ms. Robbs provided a brief overview of the Chair and Vice Chair election process.

During the roll call, Ms. DePotter expressed an interest in serving as Chair, and Mr. Akther and Ms. Lau as Vice Chair of the SBAC.

Chair: Ms. Samios made a motion to nominate Ms. DePotter as Chair, and Mr. Lewis seconded. With an 8-0 vote, the motion passed unanimously.

Vice Chair: With two members expressing interest in serving as Vice Chair, Ms. DePotter began by asking for a motion to elect Mr. Akther. Ms. Samios made a motion to elect Mr. Akther, and Mr. Lewis seconded. With a 6-2 vote, the motion carried to elect Mr. Akther as Vice Chair, therefore, it was not necessary for further voting.

The motions made herein elected Ms. DePotter as Chair, and Mr. Akther as Vice-Chair.

ETHICS & FLORIDA SUNSHINE TRAINING

Mr. Mugavero reviewed the handout on Ethics and Florida Sunshine training, wherein he stressed the importance of adhering to the Florida Public Records and Florida Sunshine Law. Mr. Mugavero discussed Persons Governed by the Ethics Laws, Voting Conflicts of Interest, Financial Disclosure and Ethical Questions, Public Records, and Florida Sunshine Law. He encouraged Committee Members to abstain from voting when a conflict of interest existed, and provide a full disclosure as to why (e.g. personal financial gain) because it is a misdemeanor to violate the Sunshine Law; or complete and submit Form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers, prior to a meeting.

After Mr. Mugavero's presentation, Committee members inquired about his/her own individual circumstances and how it may/may not be a conflict of interest. In closing, Mr. Mugavero encouraged Committee members to work through Ms. Robbs on any concerns which may arise.

DISCUSSION OF OTHER MATTERS

Mr. Lewis brought forth the Florida Legislature's pending legislation, **S/HB 53 and SB 1076: Public Works Projects**, and how it could possibly impact the local business community in Palm Beach County if passed. A discussion ensued, and as a reference for the Committee, Ms. DePotter read the first paragraph of the SBAC Rules and Procedures, "*It is the purpose of the Small Business Advisory Committee (SBAC) to act in an advisory capacity to the Solid Waste Authority. In this capacity, the Committee shall assist the Equal Business Opportunity (EBO) Program Director, Executive Director, and SWA Governing Board in reviewing the administration of the various programs and policies that promote S/M/WBE participation in SWA prime contract and subcontract opportunities; assist in the coordination of activities and actions involving the EBO Office, and other committees and working groups designated by the Board or the Executive Director; and make recommendations concerning modifications of such programs, policies and procedures established pursuant to the Economic Inclusion Policy.*"

DISCUSSION OF OTHER MATTERS (Continued)

Subsequently, Ms. DePotter asked Ms. Robbs if the Economic Inclusion Policy specifically references local preference. In response, Ms. Robbs stated that the EBO Mission is to ensure that small, local, minority, and women business enterprises have an equitable opportunity to participate in SWA's contracting and procurement activities; the very core of the program is based on availability of certified firms; and the Policy requires that the certifying firms be located in Palm Beach County (PBC), therefore, every point of the program is based on a company having a significant business presence (PBC location, not P.O. Box). The PBC's Commission, who comprise the SWA's Governing Board, established and approved the Policy. In conclusion, Ms. Robbs indicated that if the proposed legislation passes, an amendment to the Economic Inclusion Policy would be required. She further stated, the EBO department is in its third year of operations as a business and is here to encourage all businesses to register with SWA (PBC agencies certify S/M/WBE firms, SWA does not certify).

After a lengthy discussion, Mr. Lewis made a motion for staff to assist the Committee in drafting a letter in opposition of the pending legislation for the purpose of protecting the integrity, structure, processes, procedures and protocols of the small business program currently in place. Mr. Akther seconded the motion. Following further discussion, the conversation closed and with a 4-3 vote the motion failed to pass.

SBAC Rules and Procedures. Rule 2: Removal of Committee Members

Ms. DePotter raising concern with vacancies on the Committee, and stated that in order to be effective all seats need to be filled; the District 5 Commissioner, Commissioner Sachs, is in the process of making an appointment, and the District #7 Commissioner, Commissioner Bernard, has been notified by Mr. Pellowitz of his appointee's absences.

Fiscal Year 2020 EBO Annual Report

Ms. Robbs notified the Committee that staff will bring forth and present the EBO Annual Report FY 2020 (10/1/19-9/30/20) to the Governing Board on April 14, 2021, and invited all to attend the 9 a.m. meeting. The EBO staff is pleased to present the report, has achieved great gains with participation, and looks forward to continuing to increase participation with small, minority, women-owned and local business owners. Ms. DePotter encouraged the Committee members to attend the Board meeting in support of the EBO staff's good job and efforts.

A quorum was lost at this time.

EBO PROGRAM MONTHLY REPORT & UPDATE

Ms. Robbs informed the Committee that the EBO Program Office's Monthly Report is produced and presented to Mr. Pellowitz, Executive Director. Each month, the EBO report is compiled with other SWA departmental reports into the "Board Monthly Status Report" which is presented to the Governing Board.

EBO PROGRAM MONTHLY REPORT & UPDATE *(Continued)*

In summarizing the January 2021 report, Ms. Robbs indicated that there were almost 950 registered firms, of which, 300 were certified; EBO's goal is to increase the number of registered and certified businesses to ensure a pool of firms to do business with SWA as well as greater availability.

After highlighting the B2G Vendor Registration section, specifically the breakdown of certification types (e.g. SBE and M/WBE), Ms. Robbs reviewed and explained the following sections of the report:

1. Solicitations Advertised with APIs Applied: lists projects with goals (e.g. Affirmative Procurement Initiatives (API) are used to set preference goals);
2. Solicitation Reviews: indicates the number of formal or informal procurement requests received from various SWA departments which are reviewed by the Contract Compliance Specialists, and APIs applied if availability;
3. Contract Type Summaries: contracts being monitored, contracts awarded, and payments; and
4. Contract List: includes all formal contracts (with or without goals) being monitored for contract compliance.

OUTREACH UPDATE

Ms. Asberry stated that staff is proud of its accomplishments and excited for what is yet to come. With a Guest Speaker each month, Transformational Tuesdays (a monthly training opportunity for vendors) have been excellent; everyone is encouraged to view the recordings at www.facebook.com/SolidWasteAuthority. Other ongoing initiatives include reaching outside SWA to bring in new business and reach new vendors; a mass postcard mailing ("Get Ready to Do Business with the SWA!") was sent to nearly 750 certified vendors not currently registered with SWA. Additionally, a digital campaign is underway through September 2021 with MIA Media Group (Legacy South Florida), el Latino, Florida Trend, Caribbean Today, and Haiti Open.

Ms. Asberry was enthusiastic to present a flyer for SWA's upcoming Business PowerNet, in partnership with the Florida State Minority Supplier Development Council, City of West Palm Beach, Palm Beach County, PBC School District, and South Florida Water Management District. On May 6, 2021 (8 a.m.-11 a.m.), the virtual event will offer vendors the opportunity to meet and learn how to do business with local government agencies.

MEETING ADJOURNMENT

With no quorum, the meeting ended at 10:43 a.m.

Announced Future Meeting Dates: 6/1/21, 8/10/21, 10/5/21 and 12/7/21.

Attest:



Colleen Robbs, Director, EBO Office



Myra Piper, Administrative Assistant

SMALL BUSINESS ADVISORY COMMITTEE

April 6, 2021

ATTENDANCE LIST

MEMBER	DISTRICT	6/30/2020	8/11/2020	10/6/2020	12/1/2020	2/2/2021	4/6/2021	ABSENT
Karen Lau	1	Present	Excused	Present		Present	Present	1
Junaid Akther	2	Present	Present	Present		Present	Present	0
Michelle DePotter	3	Present	Present	Present		Present	Present	0
John Rourke	4	--	--	--		Present	Present	0
Vacant	5	--	--	--		--	--	--
Patricia Leonaggeo	6	Present	Excused	Present		Present	Present	1
Tina White	7	Excused	Excused	Absent		Absent	Absent	5
Maria Antuna	At-Large	Present	Present	Present		Present	Present	0
Angeleta Gray	At-Large	--	--	--		Present	Excused	1
Bruce Lewis	At-Large	Present	Present	Present		Present	Present	0
Selena Samios	At-Large	Present	Present	Present		Present	Present	0

Next Scheduled Meetings: June 1, 2021
 August 10, 2021
 October 5, 2021
 December 7, 2021
 February 1, 2022
 April 5, 2022