

Small Business Regulatory Advisory Committee Minutes May 10, 2011

ATTENDEES:

Beverly Chavez
Larry Garcia
Don Kaufman
Larry Rainosek
Alex Romero
Scott Throckmorton

STAFF:

John Garcia
Cheryl Rein Borunda
Donna Griffin
Dolores Amaya

John Garcia, Directory of Economic Development, called the meeting to order at 7:35 am

Introductions were made.

John welcomed the new board members.

John provided an overview of the Small Business Impact Ordinance and duties of the Commission. He summarized the duties stated in the Ordinance as:

- (1) Develop internal procedures for soliciting comments from the small business community relating to existing or proposed rules/legislation of the City; and for considering requests from small business owners to review rules/legislation adopted by the City.
- (2) Notify associations or owners and officers of business which are likely to be affected by proposed rules/legislation that may have an adverse effect on small businesses and advise them that they may submit data or position papers to the Commission or its designee as to how the proposed rules/legislation will adversely affect them.
- (3) Prior to adoption of proposed rules/legislation that might have an adverse effect on small business, the Commission shall prepare small business impact statements and present to the governing body or appropriate department.
- (4) Conduct ongoing reviews of existing City rules that effect small business to determine if the rules/legislation negatively affects small business.
- (5) Provide quarterly reports to the Mayor and City Council with recommendations concerning rules/legislation that should be amended to minimize adverse impact on small business.

John reminded the Commission that the health and safety of citizens would be critical in reviewing rules and legislation.

Scott Throckmorton asked what the Commission could do to make the City more vibrant.

John responded by advising the Commission to review rules and legislation as a means to help promote and encourage small business and be more responsive to the costs and burdens that small business encounter.

Scott asked since the Commission is a new venture, what decision will it be allowed to make?

John said that the Commission can be an incredibly powerful group or it can be innocuous. It is up to the group to be credible and not become political. The group should be non-partisan in its work and has full mayoral support. The group will also need to be aware of County, State and Federal rules/legislation that trump City rules/legislation..

John advised the first order of business for the Commission would be the election of officers:

Larry Garcia nominated Alex Romero as Chairman, Scott seconded.
Ayes were unanimous.
Motion carried.

Larry Garcia nominated Don Kaufman as Vice Chair, Scott seconded.
Ayes were unanimous.
Motion Carried

John Garcia turned the meeting over to the new Chairman, Alex Romero.

The second order of business was to review the first draft of By-Laws .

It was noted that the Ordinance called for a Commission not a Committee, this change will be reflected in the revised By Laws

The meeting date was discussed and the Commission agreed to meet the 3rd Tuesday of every month at 0730 AM which will be reflected in the revised By Laws .

It was noted all meetings are open to the public and a meeting notice will be posted.

The third order of business was to review the Ordinance and develop procedures for soliciting comments from the small business community relating to existing or proposed rules/legislation of the City and for considering requests from small business owners to review rules/legislation adopted by the City.

The Commission had open discussion on how to develop procedures and agreed the best tool would be to establish a new page on the City's web site for the Small Business Regulatory Advisory Commission and solicit comments. It was also agreed that the Commission would post a calendar on the web page with meetings and which rules/legislation would be discussed at the meetings.

The fourth order of business was to develop a process for notifying associations or owners and officers of business which are likely to be affected by proposed rules/legislation that may have an adverse effect on small business. The Commission decided in addition to postings on the web page, notification would be provided to the Albuquerque Greater Chamber of Commerce, Hispano Chamber of Commerce, Albuquerque Economic Development and any other agency who agrees to communicate proposed rules and legislation.

The fifth order of business was to develop a process for the Commission to prepare impact statements. Cheryl Rein-Borunda advised that Donna Griffin, Assistant City Attorney, would be working with the Commission on the statements and provide legal advice.

The sixth order of business was open discussion regarding ongoing reviews of existing City rules/legislation that effect small business to determine if the rules/legislation negatively affects small business. It was agreed that the Commission would need to work with Environmental Health, Planning and other City departments on controversial rules and legislation that currently exist. In addition it was agreed that the Commission will need pre-advise from the Administration and City Council on upcoming legislation that may have an adverse effect on small business.

The last order of business was open discussion regarding the quarterly reports due to the Mayor and City Council. It was agreed that the first report would be presented in October summarizing activities for the first quarter of the City's 2012 fiscal year.

Prior to adjourning the meeting, Chairman Romero opened discussion to agenda topics for the following meeting. He asked the Commission what issues they personally are dealing with that impact small business.

Don advised that with the slow economy there are more city inspectors handling permitting and it is much slower.

Beverly concurred stating that federal label approval is now taking three months when prior to the slow down in the economy they could get approvals in a week.

Chairman Romero announced that that next meeting would be June 21st at 0730 a.m. on the 9th Floor of City Hall and an agenda would be posted prior to that date.

Scott advised he would not be able to attend the next scheduled meeting.

Chairman Romero adjourned the meeting 8:55 a.m.

Submitted by: _____
Cheryl Rein-Borunda Date

Approved by: _____
Alex O. Romero, Chairman Date