



City of Pflugerville

Minutes - Final

Equity Commission

Monday, September 13, 2021

6:30 PM

100 E Main Street Suite 500

Regular Meeting

Equity Commission Members:

James Matlock - Chair

Shawn Douglas - Vice-Chair

Elizabeth Guillory-Medina

Daisy Delgado Castillo

Virginia Rogers

Pat Epstein

Elizabeth Montoya - Alternate

1. Call to Order

2. Citizen Communication

In accordance with the Texas Attorney General's Opinion, any public comment that is made on

an item that is not on the published final agenda will only be heard by the Equity Commission.

No formal action, discussion, deliberation, or comment will be made.

None

3. Approval of Minutes

- 3A. [2021-0960](#) Approval of the August 23, 2021 minutes
Jennifer Griswold, Library Director

Chair Matlock thanked commission members for being there for the first in-person meeting. The Chair moved the minutes for the August 23rd meeting be approved as written, Vice-Chair Douglas motioned, minutes passed.

4. Discuss Only

- 4A. [2021-0961](#) City Council Agenda Process and the role of the Commission
City staff

City Manager Breland stated the setting of the Council agenda was a lengthy process. There are rules and charters in place on how to set an agenda. For

example, the next Council meeting is on the 28th, and the first draft of the agenda comes out 11 days prior (in this case the 17th) to that. Staff convenes on approximately the fifth day after that for a walkthrough and finalization. A draft is created the next day and by law the final agenda is posted on the 72 hours before the meeting date. It takes over an hour to post an agenda and it is rare it is met perfectly before the final posting. City Manager Breland said she thought about presenting a list to the Commission in the last hour before posting, but it is dependent on many factors. It is often on Friday that the agenda is posted they are scrambling to get finalization on the items. Most items staff set, such as contracts, etc. The lengthier parts of the agenda are generally set by staff. There is an item on the Council agenda for future agenda items, where council can state what they would like to see on the next agenda. That is how they get to the process.

Chair Matlock asked when is the agenda posted. City Manager Breland said the Friday prior at 3 p.m.

Chair Matlock stated that City Manager Breland had said staff sets agenda, he then asked what is the timeframe that she gets that information before the first reviews?

City Manager Breland said some of the broader things she will know in advance, but some she will not. The final agenda can be drastically different from the posted.

Vice-Chair Douglas asked if there were usually additions or deletion of items before the meeting. City Manager Breland stated that the only reason staff would pull something, is if it was not ready for Council. Vice-Chair Douglas stated that he asked to better understand when the Commission should be reviewing the information. He stated he was trying to see when the best time to review information would be so the Commission could make recommendations.

City Manager Breland asked for clarification about when the commission wanted to review and meet about the agenda.

Vice-Chair Douglas stated he was trying to find when the best time to weigh in would be.

Chair Matlock agreed and said every item may not need to go before the commission. Only those that fall under the items the commission brought forth.

Ms. Montoya asked if they are proposing that they meet as often as the council meets only before the Council for the Commission to decide whether items on the agenda impact the mission?

Vice-Chair Douglas said the logistics are challenging.

Ms. Epstein stated much is driven by what the Council must do because of the calendar. Such as setting the tax rate, approving the budget, etc.

Chair Matlock said items can be pulled the day before they go to Council. He stated he was trying to get an understanding of the process and thanked City Manager Breland for the overview.

Chair Matlock stated if they are going to review some of these items, it needs to be a longer timeline for the process, but they also need to focus on those things that fall under the pillars because he does not want to stall the governmental process.

Ms. Montoya related a concern about the Commission making decisions without being fully knowledgeable of the agenda item, and asked for an example of an item they would want to review. Chair Matlock stated he has been highlighting the number of contracts awarded to minority and women owned businesses, and that the city staff should look like the city of Pflugerville.

Ms. Montoya asked if the city keeps up with that information. She stated said her concern is there is a level of nuance in everything that the Commission may not be aware of. Ms. Montoya said they should focus on what they need to do and not create another level of administration.

Chair Matlock reminded the Commission that the mission is to leverage data to make ongoing recommendations and monitor city leadership on policies, systems, programs, and initiatives that identify and eliminate racism, bias, and discrimination, and to measure, promote, and increase diversity, equity, and inclusion. So, the Commission's duty is before and after the Council decisions.

Vice-Chair Douglas stated he felt one of the missions, governmental oversight, was open for discussion, but still wanted to know when the best time was, to have impact. He said he understood how much the agenda is changing before it goes to Council, and explained the Commission was still working out the process.

Chair Matlock recognized Ms. Epstein. Ms. Epstein said she was hearing multiple things, a governmental oversight function, an advisory function, etc. She asked if City Manager Breland ever had a DEI study done. She said it would be helpful to see where they are, so they can evaluate and make recommendations.

Chair Matlock said he wanted to speak to the data. He said he had information on how many businesses were there but not on how many received City contracts.

Ms. Epstein stated she was talking about government and Chair Matlock was talking about business.

Chair Matlock said one initiative he is proposing is that we don't know how many minority businesses are registered to do business in Pflugerville. He asked if the city has reached out to those businesses, and do they need to create a database and segment it by type of business, then use that to reach out to businesses.

Ms. Epstein asked for clarification if they were talking about businesses for city government or in general.

Chair Matlock said it is more than city contracts, but he used that as an example because it was the biggest item. He relayed a story about an earlier Council that wanted to do traffic stops on people for no reason. He said that

concerned citizens came out and explained this was not a good idea because it targeted minorities. But there are certain things of that nature that he would like to look at and review. Again, he said he is not trying to usurp the authority of the Council. He further stated if the Commission is inserted in the process, it will create change, change in the process and how things are reviewed. He asked them to think outside the box and lengthen the process in order to allow for review.

Secretary Castillo asked how they as a Commission, address Council with concerns. She asked if it was only during public comment.

City Manager Breland said it is generally public comment and limited to 3 minutes, but the mayor can extend that time. She stated there was opportunity for a conversation under public comment.

Secretary Castillo stated that she did not think the Commission can give input without listening to other community members. Secretary Castillo asked if the Commission could ask for an agenda item to be put on hold for another week or two.

City Manager Breland said what Secretary Castillo is describing is what Council does. She brought up the transit authority, and if the Commission came forward and made an argument for transit and asked if they could postpone the decision, the Council could, but it is their right to choose.

Ms. Montoya said the nuance on the public transit item is so high they would not be able to understand it in one meeting. She said the staff spend a lot of time understanding the nuances of each issue.

Chair Matlock said he wanted to keep to the agenda items for that evening's meeting, but he enjoyed the discussion he said we need to take note size chunks of information. He said the Commission does not have the manpower to address everything, but as things are fleshed out, they will have a better understanding and narrow those down. He said it will take more than 2 weeks.

Ms. Epstein said she would also want to know the role of the city staff in the Commission. She said the city staff should be defining the Commission and there should be some reciprocal relationship. Ms. Epstein said they could do an ordinance review which would take years, but she feels there should be some direction coming from the city staff.

City Manager Breland said the only direction she has had from the Council was the ordinance. The Council tasked the Commission with staff as support only. The role the staff has taken is the data gathering. City Manager Breland asked if they were looking at the city government as the organization, or were they looking at the community.

Ms. Epstein said that explanation of the role of city staff regarding the Commission clarified a lot, but there is still confusion.

Chair Matlock said there has been a lot of turnovers in commission members because they moved and that also contributed to the confusion.

Chair Matlock said he wanted to use the remaining time to focus on the agenda items.

5. Discuss and Consider Action

5A. [2021-0963](#)

Goals discussion under first three pillars of Economic Equity, Health and Wellness and Social Justice

James Matlock, Chair

Economic Equity: Chair Matlock said we do not have the percentage of minority contracts awarded by the city, but we do know we have how many minorities and women owned business as of the latest data available (2012).

Ms. Rogers asked where the data came from. Ms. Griswold brought up the Census Quick Facts for Pflugerville. She reminded them the 2020 data has not been made available yet.

Chair Matlock said the city gives contracts to the same people over and over. He stated the city doesn't even keep data on minority contracts awarded.

Ms. Epstein asked him to clarify if he meant businesses doing business with City of Pflugerville.

Vice-Chair Douglas said they need to finish their discussions and they cannot leave one item to go to another if they've not decided on anything. Vice-Chair Douglas further asked Commission members to focus on the goal discussion and consider action, then move down the row.

Chair Matlock stated that when a business contract goes to council they are working internally as a contractor, and when the Commission talks about percentages, they are talking about internally. The internal staff.

City Manager Breland says that when she interviews developers, contractors, etc. and she wished there was a rubric but there isn't. When she interviews a project manager who may not be from an underrepresented group, but the team that makes decisions on the product may be. She said if they look at the make-up of the staff, they will see that it is reflective of the community. She stated that Council must approve the new purchasing policy, and the policy will include tracking more information.

Chair Matlock said that all he is asking is that these firms that give contracts should have numbers.

Vice-Chair Douglas again said that they need to finish an agenda topic.

Ms. Epstein said that this could be a recommendation in the Request for Proposal (RFP).

Ms. Montoya said we need to understand what is already being done first.

Chair Matlock said right now we do not have data. So, one of the initiatives is that we need to have the ability to get the data.

City Manager Breland said the new Enterprise Resource Planning (ERP) system will give us that ability, and that the Commission can put the purchasing policy overview on the agenda. She said she can bring in the finance director but

right now she does not have the exact numbers.

Chair Matlock said yes, it is a good idea to bring someone in on the next agenda. He stated that he wanted to make sure he was hearing Vice-Chair Douglas because he felt his issue was not being address.

Chair Matlock asked if there was a motion from the floor. Ms. Rogers said she did not have a motion but wondered if the commission could decide on 2 or 3 things they want to work on for the because they are getting nowhere.

Ms. Montoya said the city has a bunch of data and info and it would be good to know what they are already doing.

Vice-Chair Douglas asked if contracts and purchasing are under the same umbrella.

City Manager Breland said yes, when you sign up for the agenda info you will see everything that is coming up. She asked Vice-Chair Douglas for clarification, if he was asking about how they procure contracts. Vice-Chair Douglas said yes. City Manager Breland said it would fall under purchasing.

Vice-Chair Douglas said that is one item, perhaps the other is transportation.

Chair Matlock said he wants to make sure they are doing something.

City Manager Breland said she would like to bring her team in to do a purchasing talk. She suggested the Commission should watch the Council meetings because they are already presenting these things to Council.

Chair Matlock said he has not seen any minority goals. City Manager Breland said she thought he was talking about transportation, but that she will bring her purchasing person in to speak with the Commission.

Chair Matlock said he would like to move on to the action item. He asked for someone from purchasing, and someone from Cap Metro to speak to the Commission.

City Manager Breland said tomorrow is the Council vote on the transit pilot program, but that they could still have a conversation.

Ms. Montoya said the transit issue is a cost issue to some people not an equity issue. City Manager Breland asked Ms. Griswold to note for the next agenda, a presentation on the transit program, and a presentation on the purchasing policy for the meeting following that.

Chair Matlock asked about any other items from the Commission.

Hearing none, Chair Matlock asked how the commission want to move forward. He asked if they wanted to table the pillar conversation and focus on these two items.

Ms. Epstein said sometimes the information will help them define the goals and lead to new ideas.

Vice-Chair Douglas said he did not think they are ready to have a goals discussion today maybe the way the Commission operates, is that they have pillars but they work on one thing at a time.

Ms. Epstein agreed.

Chair Matlock recognized Ms. Rogers.

Ms. Rogers moved that they focus their attention for half of the meeting for the next 4 meetings for either or both, on the transportation issues or purchasing issues.

Ms. Epstein seconded.

Vice-Chair Douglas asked if they could do one and then the other rather than half the meeting on each item.

Chair Matlock asked if they are saying that all the other items identified will sit undone.

Ms. Rogers said half of the meeting must be on those two issues.

Chair Matlock said he agreed but they need to work on the other items also.

Ms. Epstein moved that they focus each meeting on one item, to start addressing the issues as a Commission.

Secretary Castillo asked if Chair Matlock's concern was that by focusing on transportation, they would not address the other items.

Chair Matlock said he wanted to flesh out goals, pillars, and objectives while they are working on the two pillars of contracts and transportation.

Ms. Rogers said they aren't pillars but go under the pillars. Chair Matlock corrected himself.

Ms. Epstein said that would give us an activist role with the Council.

Ms. Montoya said the ERP implementation would be 18 months or more.

Chair Matlock said they also don't know how many contracts are coming through, and that should be addressed.

Ms. Epstein explained that you can state within your RFP x number of subcontracts need to be to minority owned businesses. Ms. Montoya said she didn't think that happens yet.

Vice-Chair Douglas said that is why he wanted to table the discussion.

Ms. Montoya said there is a motion and a second.

Ms. Rogers again stated they should focus on one thing.

Ms. Epstein said she withdrew her amendment.

Chair Matlock said right now they will focus on those two items of transportation and purchasing. He asked if there was an emergency item, they would address it and discuss other things also.

Ms. Epstein seconded Ms. Rogers motion, motion passed by acclamation.

6. Adjourn

7:54 p.m.

Respectfully submitted,

Jennifer Coffey Griswold
Library Director

Approved as _____ on September 27, 2021