



MUNCIE CITY COUNCIL
ORDINANCE 1 **-21**

**AN ORDINANCE ADDING SECTION 39.05 TO CHAPTER 39 OF THE CITY OF
MUNCIE CODE OF ORDINANCES**

WHEREAS, the public policy of the City of Muncie is to provide all of its residents with equal employment opportunities and to promote diversity among its citizens and businesses; and

WHEREAS, the City of Muncie recognizes that effective government operations should reflect the diversity of the individuals and entities the City serves; and

WHEREAS, the City of Muncie should actively promote the increased utilization of minority-owned, women-owned, veteran-owned and disability-owned businesses in contracting for public works projects; and

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MUNCIE, DELAWARE COUNTY, INDIANA THAT:

Section 1. Section 39.05 shall be added to the City of Muncie Code of Ordinances to read as follows:

Sec. 39.05 - Utilization of Minority-Owned, Women-Owned, Veteran-Owned, and Disability-Owned Business Enterprises for Public Work Projects.

(A) The following definitions shall apply for purposes of Section 39.05:

- (1) "Disability-Owned Business Enterprise" shall mean any business enterprise that is at least fifty-one percent (51%) owned and controlled by an individual or individuals with a disability as defined by the Americans With Disabilities Act,
- (2) "Minority-Owned Business Enterprise" shall mean any minority-owned business which has been certified by the Indiana Department of Administration's Minority and Women's Business Enterprises Division under the requirements of I.C. 4-13-16.5 and 25 I.A.C. 5.
- (3) "Public Work" shall have the meaning set forth in Indiana Code § 36-1-12-2, as it may be amended from time to time.
- (4) "Woman-Owned Business Enterprise" shall mean any woman-owned business which has been certified by the Indiana Department of Administration's Minority and Women's Business Enterprises Division under the requirements of I.C. 4-13-16.5 and 25 I.A.C. 5.
- (5) "Veteran-Owned Business Enterprise" shall mean any veteran-owned business which has been registered with the U.S. Department of Veterans Affairs' Office of Small & Disadvantaged Business Utilization or certified by the Indiana

Department of Administration under the requirements of I.C. 5-22-14.5-3.5 and 25 I.A.C.

- (B) It is the policy of the City of Muncie to strive to achieve the following goals with respect to Public Work Projects:
- (1) To utilize Minority-Owned Business Enterprises in a dollar amount equal to at least ten percent (10%) of monies spent by the City of Muncie on Public Work Projects.
 - (2) To utilize Woman-Owned Business Enterprises in a dollar amount equal to at least five percent (5%) of monies spent by the City of Muncie on Public Work Projects.
 - (3) To utilize Veteran-Owned Business Enterprises in a dollar amount equal to at least three percent (3%) of monies spent by the City of Muncie on Public Work Projects.
 - (4) To utilize Disability-Owned Business Enterprises in a dollar amount equal to at least two percent (2%) of monies spent by the City of Muncie on Public Work Projects.
- (C) On August 1st of each year, the Mayor or the Mayor's designee shall provide a report summarizing Minority-Owned Business Enterprise, Woman-Owned Business Enterprise, Veteran-Owned Business Enterprise, and Disability-Owned Business Enterprise participation in Public Work Projects during the current and prior fiscal year to the Common Council.

Section 2. That this Ordinance shall be in full force and effect from and after its passage by the Common Council and its approval by the Mayor of the City of Muncie, Indiana, and such publication as may be required by law.

Passed by the Common Council of the City of Muncie, Indiana, this ____ day of _____, 2021.

	Yeas	Nays	Abstained	Absent
Ralph Smith	_____	_____	_____	_____
Jeff Robinson	_____	_____	_____	_____
Ray Dudley	_____	_____	_____	_____
Bradley Polk	_____	_____	_____	_____
Jerry D. Dishman	_____	_____	_____	_____
Anitra Davis	_____	_____	_____	_____
Aaron Clark	_____	_____	_____	_____
Troy A. Ingram	_____	_____	_____	_____
Ro Selvey	_____	_____	_____	_____

 President
 City Council, City of Muncie

ATTEST:

 Belinda Munson, City Clerk

This resolution is proposed by Council Member

Anitra Davis

This resolution is approved in form by Legal Counsel

Jeff
Paul (Don)