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## Florida Advisory Council on Small and Minority Business Development

### MEETING MINUTES

Thursday, September 11, 2014, 1:00 p.m. – 4:00 p.m.

Hosted by ENTERPRISE FLORIDA, INC.

800 North Magnolia Avenue, Suite 1100, Orlando, Florida 32803

#### **WELCOME & INTRODUCTIONS:**

Chair Gonzalez welcomed everyone to the meeting. **IN ATTENDANCE:** Cheryl Gonzalez, **Chair** - (University of North Florida), Carlos Rodriguez (Maverick Constructors, Inc.), Augusto Sanabria (Hispanic Business Initiative Fund of Florida), George Owen (Independent Consultant), Jay Narang (GDKN Corporation).

**CALL IN:** Barbara Rhodes Melvin (Wells Fargo Bank), Rhett Frisbie (The Florida Bar), Samuel Newby (PepsiCo.), Anne Marie Richards (Office Depot) and Wendy Grey (Wendy Grey Land Use Planning LLC). Also, on the call were the DMS/OSD Staff; Thad Fortune-MBE Administrator, Bruce Conroy-Interim General Counsel and Denise Wright, Administrative Assistant who recorded the minutes.

**NOT IN ATTENDANCE:** Malik Ali (FMSDC), Pamela Hart Frazier (Palm Beach County), Julius Davis (VoltAir Consulting Engineers), Ben Harris (City of Tallahassee), Christine McMillon (Ensync Diversified Management Services), Dale Coxwell (Coastal Steel, Inc.) and James Sanders (Nationwide Insurance Company).

**GUESTS:** Peter Harris and Bill Spivey.

**Adoption of Minutes from the July 2, 2014 Meeting:** Mr. Owen moved to adopt the minutes. The motion was seconded by Ms. Melvin. The minutes were accepted and approved by the Council.

#### **Department of Management Services, OSD'S Update, Thad Fortune:**

- Mr. Fortune stated he was informed by the State Attorney's Office the number needed for a quorum is half of what the Statutes call for (which is 19 members-plus 1). If there is a vacancy on the Council, you still need to count that vacant seat, meaning you would need **10 members** for a quorum to vote on anything, but you can have a meeting without a quorum.
- Mr. Fortune reported one of the upgrades OSD will be getting very soon is the on-line OSD Directory.
- Over the last 30 days, OSD Certified **149 companies**, Recertified **57 companies**, Administratively Closed **24 companies** and **21 companies** have withdrawn their application.
- OSD has reached an agreement with the University of North Florida in Jacksonville to hold the Northeast Florida's Regional MatchMaker on March 12, 2015. Also, February 12, 2015 has been confirmed for the Northwest Florida's Regional MatchMaker in Pensacola, Florida.
- OSD representative attended the Women's Business Conference in Boca Raton, Florida providing educational components about the procurement process for the State of Florida.
- OSD staff is working with the Big Bend Med Week Committee and will be conducting on-site certification as well as participating in the Workshops and Trade Fair for that week.

#### **Sunshine Law Refresher, DMS Interim General Counsel, Bruce Conroy:**

- Mr. Conroy stated the Florida Sunshine Law emanated from a constitutional provision. In the Florida Constitution, its article 1 section 24 and it applies to all State Agencies. He also said you should pay attention to the Sunshine Law because of its significant ramification of failure to comply. Mr. Conroy stated the fact that any action or recommendation or action based upon a recommendation can be declared

null and void as a result of a Sunshine Law violation. Civil Injunctions are potential ramifications as well as payment of attorneys fees for anyone who challenges an action or recommendation based on a Sunshine Law violation.

- There are non-criminal penalties involved in the Sunshine Law and criminal penalties for knowing violations as well as administrative penalties including removing from office.
- Mr. Conroy stated there three basic requirements of Council meetings: **1)** the meetings should be opened to the public, **2)** the meetings have to be noticed properly (normally 24 hours or more) and **3)** that minutes are kept. Please note that people attending the meetings are entitled to record or video tape the meetings. A recent requirement added is the public's right to comment during a meeting and the ability of boards of commissions to adopt reasonable rules and requirements for the presentation of public input.
- Mr. Conroy stated what the Sunshine Law comes down to is that it prohibits 2 or more members of the same board, body or commission from meeting together to discuss matters that are foreseeable to come before them in their position as a member of the body.
- Mr. Conroy will get information on the Council having a blog to Denise Wright or Thad Fortune by the Council's next meeting, October 1, 2014. Also, Mr. Conroy reiterated that Council Members *should not* email other members or copy members when sending an email to OSD, they should email Denise Wright and she will forward to members.

### **Committee Work Roundtable:**

- A. Communications:** Ms. Gonzalez stated the Council has talked about having business cards. She said although the Council does not have a budget, statutorily there is some language that speaks about some type of budget for the Council for certain things. Ms. Gonzalez asked Mr. Fortune if he would prepare a report on the part of the statutes that outlines the budget for the Council.
- B. Research and Emerging Trends (RET):** Ms. Melvin stated the RET Committee has not had a meeting lately and she was waiting for tomorrows working group meeting to go over what the RET Committee have been working on.
- C. State's Comprehensive and Strategic Plan (SCSP):** Ms. Grey stated she has taken the recommendations that were approved by the Council in the SCSP and prepared a series of action items for each policy item. Also, she has identified a lead Council member for each of the actions. Ms. Grey asked the Council members if they would please review the SCSP document for further work to be done then the Council can take action at a future meeting. The Council discussed the action plan recommendations and voted.
  - ✓ **Policy 1-Lead Council Member Ms. Gonzalez** - Mr. Owen made a motion to adopt Policy 1. The motion was seconded by Ms. Melvin and passed unanimously by the Council.
  - ✓ **Policy 2-Lead Council Member Ms. Gonzalez** - Mr. Narang made a motion to adopt Policy 2. The motion was seconded by Mr. Rodriguez and passed unanimously by the Council.
  - ✓ **Policy 4-Lead Council Member Mr. Sanabria** - Mr. Owen made a motion to adopt Policy 4. The motion was seconded by Ms. Richards and passed unanimously by the Council.
  - ✓ **Policy 12-Lead Council Member Ms. Grey** - Mr. Sanabria made a motion to adopt Policy 12 with the revisions by Ms. Grey. The motion was seconded by Mr. Frisbie and passed unanimously by the Council.
  - ✓ **Policy 13- Lead Entity OSD and Lead Council Member Mr. Frisbie** - Mr. Rodriguez made a motion to adopt Policy 13. The motion was seconded by Mr. Sanabria and passed unanimously by the Council.
  - ✓ **Policy 14-Lead Council Member Ms. Grey** - Mr. Narang made a motion to adopt Policy 14. The motion was seconded by Ms. Richards and passed unanimously by the Council.
  - ✓ **Policy 5-Lead Entity OSD and Lead Council Members Ms. Melvin and Mr. Frisbie** - Mr. Rodriguez made a motion to adopt Policy 5. The motion was seconded by Mr. Owen and passed unanimously by the Council.
- D. Legislation & Policy:** Ms. Gonzalez stated the Executive Committee met and has been following through on a piece of legislation dealing with micro finance. She said last year the Council was successful in developing legislation on a Direct Support Organization (DSO) but not successful in the DSO being passed.
- E. Internal Procedures and Bylaws:** No Update
- F. Working Group Report:** Ms. Gonzalez stated the Council has gotten feedback from several different entities. She said the report is nearly finished and they will be discussing it at length at tomorrow's meeting to see what else is needed to tweak it.

**G. Annual Report:** Ms. Gonzalez stated the Council will start pulling together the annual report. Also, she said if the Council members have any awards, accolades, outstanding accomplishments they need to put them in the annual report.

**Other Business:**

**A. 2014-15 Meeting Schedule.** Ms. Gonzalez asked if the Council wants to continue having monthly meetings. Mr. Rodriguez made a motion to continue having monthly meetings. The motion was seconded by Mr. Frisbie and passed unanimously by the Council. Ms. Gonzalez stated the committees need to get back on schedule with their monthly meetings. The Committee Chairs need to get with Denise Wright to schedule their committee meetings.

**Announcements**

- Beatrice Louissaint has invited the Council to their 30<sup>th</sup> and 40<sup>th</sup> Anniversary.
- Bill Spivey will send the Council members the hand out that was given out at the G6 Meeting, 9-11-14. Denise Wright will give Mr. Spivey the contact information for the Council Members.
- Ms. Gonzalez had members wish Ms. Melvin and Ms. Richards a happy birthday.

**Adjournment**

Meeting Adjourned at 3:00 p.m.

**Next Scheduled Meeting: Wednesday, October 1, 2014, 2:00 p.m. – 3:00 p.m.**