



Florida Advisory Council on Small and Minority Business Development

MEETING MINUTES

May 01, 2013

2:00 p.m. – 3:00 p.m.

Welcome & Introductions:

Chair Gonzalez welcomed everyone to the meeting. **IN ATTENDANCE:** Cheryl Gonzalez, **Chair** - (University of North Florida), Barbara Rhodes Melvin (Wells Fargo Bank), George Owen (Regions Bank), Malik Ali (FMSDC), Dale Coxwell (Coastal Steel, Inc.), Pamela Hart Frazier (Palm Beach County), Wendy Grey (Wendy Grey Land Use Planning LLC), Anne-Marie Richards (Office Depot), James Sanders (Nationwide Insurance Company), Samuel Newby (PepsiCo), Jay Narang (GDKN Corporation) and Augusto Sanabria (Hispanic Business Initiative Fund of Florida). Also in attendance were DMS Staff, Kelly Loll (Director-State Purchasing) and Office of Supplier Diversity staff Thad Fortune (MBE Administrator) and Denise Wright (Administrative Assistant I), who recorded the minutes.

NOT IN ATTENDANCE: Y. Lisa Colon Heron (Smith Currie & Hancock); Rhett Frisbie (Department of Lottery), Christine McMillon (Ensync Diversified Management Services, Inc.), Carlos Rodriguez Maverick Constructors, Inc.) and Ben Harris (City of Tallahassee),

Call in Guest(s): Debra Thompson (Jacksonville)

Agenda Modification/Adoption: Ms. Gonzalez stated on the agenda under Old Business, she would like to add item **(I) Priorities for Enterprise Florida**. Also, on item **(H) she would like to change conference call to Webinar** and under New Business she would like to **delete Legislative Update** and will review information sent to members after the Session is over. Mr. Owen moved to adopt the agenda with the modifications. The motion was seconded by Ms. Frazier. The agenda was accepted and approved by the Council.

Adoption of Minutes from the March 6, 2013 Meeting: Mr. Sanders moved to adopt the minutes. The motion was seconded by Ms. Frazier. The minutes were accepted and approved by the Council.

Department of Management Services, OSD's Update: Thad Fortune, MBE Administrator

- Mr. Fortune thanked the members that had an opportunity to attend one of OSD's Regional MatchMakers that was conducted the last sixty days. The OSD staff conducted on-site certification at the University of Florida's Small Business Tradefair in Gainesville, OSD conducted and attended the Northeast Florida's Regional MatchMaker in Jacksonville, which Ms. Gonzalez attended and gave greetings. Mr. Fortune stated OSD is in the process of preparing to travel to Tampa, to conduct on-site certification at the University of South Florida's Small Business Development Center's Annual Small Business Tradefair and Conference to be held May 1-2, 2013. Also, on May 23rd, OSD will be partnering with Florida A&M University's Small Business Development Center, Florida State University's (FSU) Office of Supplier Diversity, the City of Tallahassee's Minority Business Enterprise Program, Leon County's Small and Minority Business Program and Leon County's School Board Minority Business Program to conduct the Tallahassee Regional MatchMaker. This event will be a week-long full of activities starting on Monday-May 20th with an Imagine Tallahassee Community open house, on Tuesday-May 21st there will be a Breakfast of Champions at Tallahassee's City Hall and that evening there will be a Small Business Week kick-off reception at Hotel Duval, Thursday-May 23rd will be the Tallahassee Regional MatchMaker at FSU's Turnbull Center. There will be concurrent workshops that morning, a luncheon with Keynote Speaker Ronald Busby, Sr., Chairman of the Board of Directors of the Black Chamber of Commerce, the One-On-One Appointments that afternoon, 1:15pm-4pm. Also, June 7th, OSD will partner with Florida

Gulf Coast University (FGCU) to conduct the Ft. Myers Regional MatchMaker. OSD is working with Ms. Class of FGCU to get the eQuote Webinar set-up as well as the One-On-One Sessions.

- Over the last sixty days, OSD certified and recertified **158** companies, **28** companies were given the opportunity to withdraw, which means they did not meet the criteria for certification, **19** files were administratively closed because they did not respond to the request for additional information.
- Mr. Fortune briefly mentioned the **DRAFT** Action Plan that is being set up by OSD that was sent to members and he asked that they mark draft on it because it is a project in the workings. He asked members to send any feedback or comments they have to OSD about this plan.

Stakeholder Commentary: George Close, Financial Specialist, Florida Office of Financial Regulation

- Mr. Close stated currently small companies have two options to raise capital. One is to borrow and the other is to sell securities. He also stated for a small company to raise money and offering securities, they must comply with both the State Law and the Federal Law. In Florida there are five requirements: **1)** There can be no general solicitations or general advertising; **2)** There can be no more than thirty five non-accredited investments; **3)** Florida requires full and fair disclosure of all material information; **4)** No person who is defined as a **devour???** in Florida is paid a commission or other compensation for the sale of the securities and **5)** In the event there are five or more purchases in Florida, they must provide a three day window after the sale to **resend???** the sale. Mr. Close stated in 2012 Congress passed what's known as the Jobs Act. It will not go into effect until the Securities and Exchange Commission adopts rules and regulations governing the perimeters disallowing general solicitation or general advertising which currently is not allowed. Mr. Close stated this information can be found in the Florida Statutes, Chapter 517.061(11).

Council Chair Update: Cheryl Gonzalez, Diversity Officer, University of North Florida

- Ms. Gonzalez stated in terms of the Council Chair's Report; she would like the work of the Executive Committee to count for that. She stated there has been a lot of work happening with respect to the Legislative front and asked Mr. Fortune if OSD staff is allowed to attend Legislative meetings at the Capitol. Ms. Kelly Loll stated what occurs is they look at the agenda and ask people to attend with subject matter expertise based on the agenda if they have that incite as to what's going to be discussed. She also stated this is coordinated with DMS's Legislative Affairs Director.

Old Business:

- A. Change Name of Current Budget and Legislative Committee:** Ms. Gonzalez stated in the Executive Committee meeting they agreed to bring forward to the Council Meeting changing the name of the current Budget and Legislative Committee to **Legislative and Policy Committee**. Ms. Frazier moved to change the name of the Budget and Legislative Committee to **Legislative and Policy Committee**. The motion was seconded by Ms. Melvin. The motion was approved by the Council.
- B. Confirmation of Committee Chairs:** State Agency Vendor Diversity-**Rhett Frisbie**; Research & Emerging Trends-**Barbara Melvin**; Outreach & Communications-**Dale Coxwell**; Internal Procedures & Bylaws-**Pam Frazier**; Legislative & Policy-**Samuel Newby** and State Comprehensive & Planning-**Wendy Grey**. Mr. Sanders moved to accept the Committee Chairs. The motion was seconded by Ms. Richards. The motion was approved by the Council.
- C. Confirmation of Council Vice Chair:** Mr. Jay Narang has agreed to serve as Vice Chair. Mr. Owen moved to accept Mr. Narang as Vice Chair. The motion was seconded by Ms. Frazier. The motion was approved by the Council.
- D. Committee Memberships:** Ms. Gonzalez asked Council Members to please connect with Ms. Wright of the Office of Supplier Diversity and let her know within the next week, which committee you would like to serve on and you can serve more than one committee.
- E. Change of Meeting Schedule:** Ms. Gonzalez stated it was discussed in the Executive Committee Meeting and they agreed that as of the September meeting, the Council will resume monthly meetings. Mr. Owen moved to change the meetings to monthly starting September 2013. The motion was seconded by Ms. Melvin. The motion was approved by the Council.
- F. Affirm Changes in Bylaws:** Ms. Gonzalez stated the change of name for a committee would need to be changed within the Bylaws. Ms. Richards moved to make changes based on today's actions in the Bylaws. The motion was seconded by Mr. Sanders. The motion was approved by the Council.

- G. Committee Reports:** Ms. Gonzalez asked what is the protocol for Council recommendations. Ms. Loll stated any recommendations must go through DMS Secretary. Also, she stated members should have received the Executive Committee Report which they have moved forward on. Ms. Gonzalez mentioned that Ms. Melvin has been moving forward with preparing for the Webinar titled “The Definition of a Small Business” scheduled June 18, 2013, 2:00p.m. to 3:00p.m.
- H. Priorities for Enterprise Florida:** Ms. Gonzalez stated this information was sent to the Council Members and Mr. Narang has responded with some of his feedback.

Next Scheduled Meeting: Wednesday, July 3, 2013, 2:00 p.m.-3:00 p.m.

Adjournment: 3:02 p.m.