

**Business Enterprise Program Council for Minorities,
Females and Persons with Disabilities Meeting**

MONTHLY COUNCIL MEETING MINUTES

100 W. Randolph
Room 2-025
Chicago, IL 60602

401 S. Spring St.
Room 500 1/2
Springfield, IL 62706

Monday, October 29, 2012 - 1:30 P.M

COUNCIL MEMBERS IN ATTENDANCE

Joan Archie	Richard R Boykin	Florence Cox	Beth Doria
Fred Coleman	Alesia Hawkins	Larry D Ivory	Rodney Lewis
Jesse Martinez	Perry Nakachi	Hedy Ratner	Lynne Turner
Charisse Witherspoon	Nelida Smyser-DeLeon		

COUNCIL MEMBERS NOT IN ATTENDANCE

Omar Duque Samantha Hufnagel

COUNCIL CHAIR

Malcolm Weems, Chairman, CMS Director

COUNCIL SECRETARY

Paul Cerpa, BEP Deputy Director

CMS STAFF IN ATTENDANCE

Tasha Cruzat	Harry Reinhard	Elias Ricks Ngwayah II
Philina King	Chimaobi Enyia	Phil Kaufman
Susan Hartman	Daymon Rittenberg	Kevin Lanson
Sharla Roberts	Carlos Gutierrez	Jim Shadid
Ellen Daley	Agueda Corona	Tom Mikrut
Ngozi Okorafor	Matt Runyen	Kevin Connor
Ashley Hooks		

OTHERS IN ATTENDANCE

Ben Bagby Darryl Harris Matt Brown Art Moore Dr. Ewa Ewa

Margaret Van Dijk Carlos Charneco Kevin Krass Ruddy Ortiz Jaci Vaughn
Stephanie Stephens Vir Doshi Andrew Vaughn Georgina Blakemore
Georgina Syas Gustavo Giraldo

AGENDA

October 29, 2012 - 1:30 p.m.

- I. Welcome
- II. Call to Order
- III. Roll Call
- IV. Approval of the Minutes of the Council Meeting held on September 24, 2012
- V. Chair's Report
- VI. Posted Business
- VII. Unfinished Business
 - Sheltered Market Rules-Discussion/Vote
- VIII. Committee Updates
 - Procurement Committee
 - Business Development Committee
 - Capital Access and Banking Committee
 - Certification Committee
 - Policy, Rules and Enforcement Committee
- IX. New Business
 - 2013 BEP Council Schedule
- X. Vendors' Testimony
- XI. Adjournment
 - Next Council Mtg. – November 26, 2012

Welcome

Chairman Weems called the May Business Enterprise Program (BEP) Council meeting to order at 1:42 on July 25, 2012.

Roll Call

Council Secretary Paul Cerpa took the roll and announced that a quorum has been obtained.

Approval of the Minutes of the Council Meeting held on September 24, 2012

Chair's Report

- Chairman Malcolm Weems, points out that a letter was sent to all agencies from the senate president about the contract dollars subject to goal. Chairman Weems further stated that the senate president is watching the progress of dollar subject to BEP goal.

Posted Business

Unfinished Business

- Sheltered Market Rules-Discussion/Vote
 - Member Larry Ivory raises the question as to what is the definition of "egregious" which is referenced on Section 10.10. Which sets a high bar standard on the diversity community. Recommendation was made by member Richard R Boykin to remove the word "flagrant" out the definition of egregious.
 - Member Larry Ivory points out that the rules on the Sheltered Market uses the word "may" when the BEP statute uses the word "shall". Recommendation to remove the word "may" and be replaced with the word "shall" adhering to the BEP act.
 - Item C on public hearing may facilitate public hearing within 3 calendar months. The recommendation was to keep the same language that is standing on the document. But with modification to keeping a timeline

- Member Larry Ivory raises the question on the process of implementation. BEP legal counsel Philina King points out that this process is vague and serves as a guide.
- Member Dr. Fred Coleman raises the question on remedial action as what each CPO would provide a narrowly tailor set of actions or whether there is a standard. BEP legal counsel Philina King points out that the BEP council would be able to provide some parameters as to the scope and boundaries of a shelter market. The BEP statute gives the authority to establish a shelter market and it does not indicate implementation. The implementation portion subject to Senate Bill 51 is under the jurisdiction of the CPOs.
- Member Richard R Boykin motions to strikeout out the word “flagrant” second by member Larry Ivory, pass by a majority.
- Member Larry Ivory motions to accept the changes second by Member Richard R Boykin. The Sheltered Workshop Rules were voted on by the Council and passed by a majority of the Council. The approved Rules will be sent to JCAR .

Committee Updates

- Procurement Committee – No Report
- Business Development Committee—No Report
- Capital Access and Banking Committee
 - a. Meeting took place Oct. 12 with two items focused to understand the bonding program with other state agencies and educational programs.
 - b. Federal level HUD and SBA to established a surety bonding for construction to enable constructions firms to compete on constructions projects. The Illinois Hispanic Chamber of Commerce has funding from USDOT on a bonding program.
- Certification Committee
 - a. Meeting took place Oct. 22nd, 2012. Three appeals were reviewed and two denials were upheld. The final appeal was reversed and given approval.
 - b. Member Beth Doria recommends that all the denials be reviewed by Legal as a standard process before reaching the Certification Committee moving forward not after or on day of appeal as not to cause any delay for the applicant who has travel a long distance.
 - c. Member Florence Cox questions as what is consider a site-visit and the procedure process.
- Policy, Rules and Enforcement Committee
 - a. Meeting took place on Oct. 8 to review two waivers. The meeting was postponed until after the general BEP council to make final determination on the two waivers.
 - b. Member Richard R Boykin will not be granting waivers without proper documentation support.

New Business

- 2013 BEP Council Schedule

Vendors' Testimony

- Member of the public, Gorge Blakemore, points out that the report should be broken down by race. According to Mr. Blakemore, this would be more transparent to the public. Mr. Blakemore points out that all handouts should be available to the public including the minutes from the sub-committees. He said they should be passed out to the public regardless if they have a business or not. Furthermore, Mr. Blakemore stated that the agenda has item vendors' testimony it should be public testimony since its public money.

Adjournment

- Next Council Mtg. – November 26, 2012