



Business Enterprise Program Council
COMPLIANCE SUBCOMMITTEE MEETING MINUTES

Wednesday, March 28, 2018

1:30 pm – 3:30 pm

James R. Thompson Center

100 W. Randolph Street, Suite 4-404

Chicago, IL 60601

SUBCOMMITTEE COUNCIL MEMBERS IN ATTENDANCE

Denise Barreto, Sharla Roberts, Jesse Martinez, Sheila Hill-Morgan (Ph)

SUBCOMMITTEE COUNCIL MEMBERS NOT IN ATTENDANCE

Edward McKinnie, Denise Barreto, Beth Doria, Larry Ivory

Staff Assistant

Leslie Taylor

COUNCIL SECRETARY

Amiel Harper

CMS MEMBERS IN ATTENDANCE

Ben Jones

OTHERS IN ATTENDANCE

Scott Kinsell, Jeanetta Cardine



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COMPLIANCE SUBCOMMITTEE MEETING**

Wednesday, March 28, 2018

1:30 pm – 3:30 pm

Room 4-404 JRTC

Via Teleconference Number - 888-494-4032

Access Number - 2587213722

AGENDA

- I. Welcome
- II. Call to Order
- III. Roll Call
- IV. Posted Business
 - Review Exemptions
 - House State Government Committee Meeting – April 4, 2018
- V. Define Action Items
- VI. Suggestions for BEP Council meeting agenda item(s)
 - Next Council Meeting – April 23, 2018
 - Next Subcommittee Meeting – May 31, 2018
- VII. Public / Vendor Testimony
- VIII. Adjournment

I. Welcome

Chair Roberts welcomes all.

II. Call to Order

Secretary Harper called the meeting to order at 1:36pm and proceeded with roll call.

III. Roll Call

Roll call conducted, and quorum was not established.

IV. Posted Business

- **Review Exemptions**

Assistant Director Harper said we cannot vote on the exemption review because we have no quorum and also because there's been a short hiccup. He explained that in one of our prior meetings, this committee voted to remove the restriction on Financial Management from the exempted list. Later, we were made aware that the BEP authorizing statute in the definition of state contract specifically exempts anything involving pension funds management. He said it does not make sense to go to JCAR if it is going to be contrary to the statute. He said we have a legislative agenda that we will be seeking a first round of revision to. He further said in order to make the exemptions that the subcommittee voted on valid, we have to edit or move the change to change the BEP Act in the definition of state contract.

Chair Roberts wants to know whether it is in the Rules or the Act. Assistant Director Harper said it is in the Act. He said it is found at 30ILS575/2 sub5. He said because of this, CMS is coordinating right now with impacted to get their input on making the change as is recommended by the subcommittee before we submit revisions for our proposed legislation.

Chair Roberts wants to know the title on the exemption sheet that we want to exempt. Assistant Director Harper said he does not remember the exact number of-hand, but he does remember we specifically went thru and eliminated the exemption for pension fund management for the Financial Management that will be covered under the investment board.

- **House State Government Committee Meeting – April 4, 2018**

Assistant Director Harper said the Illinois State Government Affairs Committee is holding a hearing on April 4, 2018 in the Bilandic Building specifically to inquire about BEP. He said according to his knowledge, CMS has not been invited to testify at the hearing but some members of the BEP Council have been individually contacted and asked to testify. He said it is unclear as to whether these members are being called to testify because of

their role with BEP or because of their engagement with minority, women, and person with disability business owners in the community. He said later today he will be sending an email to the entire BEP Council informing them about the limited details that we have on the event and that it will be occurring. He said this is not something that will be spearheaded by BEP. He asked whether there are members present that have been asked to testify. Member Martinez said he was asked to testify but he declined because he is on Spring break.

Ms. Ngozi Okorafor asked Assistant Director Harper to please send her an email on how all have been invited and who plan to comply. Assistant Director Harper said yes. He named the people who have been contacted as members Beth Doria, Hedy Ratner, Emilia DiMenco, and Jesse Martinez. He said according to his knowledge, Emilia DiMenco is attending but not testifying; Jesse Martinez is not attending nor testifying; Beth Doria and Hedy Ratner will be attending and testifying. Ms. Okorafor wants to know in what capacity was Jesse Martinez asked to testify. Member Martinez said he received a phone call and was asked to testify at this hearing and he declined because he would be on vacation. He said there was no detail conversation.

Assistant Director Harper asked Ms. Okorafor if they could talk offline about whether she wants CMS to be present at this hearing. Ms. Okorafor said because the sole topic of the meeting is about BEP, and CMS administers BEP, they should be present and testify. She also said she is on her way back to Springfield and would give Assistant Director Harper a call.

V. Define Action Items

Chair Roberts asked whether any member have an item that would like to be presented or discussed at the next subcommittee meeting. Chair Roberts said she does have an item that she would for the subcommittee to look at. She said she would like the subcommittee to look at JCAR Rules as it relates to the new legislation that was just passed: Public Act 0391. Assistant Director Harper said CMS is working on a guidance memo for how we see it. He said CMS does not have authority over those agencies but our expectation is that thru their legal counsel they are complying with the law. He said the guidance memo will be provided within the next couple of weeks.

Chair Roberts wants to know what is the update regarding the proposal from some committee members to have the meetings back to back. Assistant Director Harper said to do that, it would require a vote because of AMA. He said this would require a vote in the full council meeting in April. He promised to put it on the agenda for the April meeting.

VI. Suggestions for BEP Council Meeting Agenda (Items)

- Next Council Meeting – April 23, 2018
- Next Subcommittee Meeting – May 31, 2018

VII. Public / Vendor Testimony

None

VIII. Adjournment

Member Barreto motioned to adjourn. It was seconded by members Hill Morgan and Martinez. Meeting adjourned at 2:20pm.