

A meeting of the City of Orlando Certification Board was held on Wednesday, August 27, 2014 at City Hall, 400 S. Orange Avenue, 2nd Floor Agenda Conference Room, Orlando, Florida 32801.

Board Members Present: Brikena Tomasic, Vice-Chairperson [10, 1], Charles Hawkins II (1, 0), Chris Carmody [10, 2], Maria G. Turk [1, 0] and Ramesh Panchal [1, 0]

Board Members Absent: Mi Hoshino [10, 1]

Staff Members Present: Kevin Walsh, MBE Official, Gina Bernard, Certification Officer III and Susana Black, Recording Secretary

Brikena Tomasic, Vice Chairperson called the Certification Board meeting to order at 9:15 a.m.

The minutes from the July 30, 2014 Board meeting were approved as written with the following corrections: include Terminations (non-Responsive), 1 – 17, to be tabled for review pending a quorum of voting members.

M/WBE RULINGS

Florida Stainless Fabricators, Incorporated – Jacqueline AmRhein, President appeared before the Board. Discussion ensued. It was moved by Chris Carmody, seconded by Brikena Tomasic and vote carried unanimously to deny WBE status to Florida Stainless Fabricators, Incorporated based on:

1. The company is not considered an independent women-owned enterprise because the husband and/or other male principal:
 - a) Provides the expertise to perform line(s) of business or has the greater experience in the industry.
 - b) Receives equal or greater compensation than the woman-owner, not commensurate with ownership.
2. When the husband or other male family members contribute to the above characteristics, the firm may be considered a family-owned firm rather than a Women-Owned Business Enterprise, as defined in Rule 111.1 and WBE status may be denied.

The applicant was advised of her right to appeal the Board's decision.

GME Global, Inc. – Emil Parada, President and Mariel Hidalgo, Representative appeared before the Board. Discussion ensued. It was moved by Brikena Tomasic, seconded by Charles Hawkins II and vote carried unanimously to deny MBE status to GME Global, Inc., based on:

1. The firm has not demonstrated that it is a functioning business enterprise which:
 - a) Has the capability (i.e., employees, equipment, facilities, supplies, etc.) to perform a line of business for which MBE status is requested.

- b) Provides a commercially useful business function according to customs and practices of the industry.
 - c) Is a for-profit business which has been in business for not less than six (6) months prior to the submittal of the application.
2. The Company has not demonstrated that it is a "regular dealer" of the commodities for which M/WBE status is requested, as characterized by:
- a) Owns, operates, or maintains a store, warehouse or other establishment in which commodities or goods of the general character as those identified in the M/WBE application are brought, kept in stock, and sold to the public in the usual course of business.
 - b) Has an established or leased or assigned space in which it regularly maintains a stock of goods in which it claims to be a supplier/distributor.
 - c) While not required that all sales be made from stock, the Company must maintain a stock of goods of the general character as those identified on the M/WBE Application, and as a regular course of business dealings, makes sales from such stock.

The applicant was advised of his right to appeal the Board's decision.

Tierra, Inc. – Luis Mahiquez, President appeared before the Board. Discussion ensued. It was moved by Chris Carmody, seconded by Brikena Tomasic and vote carried unanimously to re-certify Tierra, Inc as an MBE in Engineering Consulting-Geotechnical, Environmental and Material Testing & Inspection.

Joseph Smith PLLC – Divinne Smith, Owner appeared before the Board. (Charles Hawkins II presented Memorandum of Voting Conflict – Form 8b). Discussion ensued. It was moved by Brikena Tomasic, seconded by Chris Carmody and vote carried unanimously to re-certify Joseph Smith PLLC as an M/WBE in Legal Services: Real Estate (Title Searches, Litigation and Transactional), Probate and Estate, Guardianship, and Civil Litigation (Professional Law Firm).

JWP Iron and Fence LLC – Iris Nater Padro, Representative appeared before the Board. Discussion ensued. It was moved by Brikena Tomasic, seconded by Charles Hawkins II and vote carried unanimously to re-certify JWP Iron and Fence LLC as an MBE in Fencing Installation - Chain Link, Wood, Vinyl and Ornamental Wrought Iron; and Metal Fabrication/Welder (Well Steel Beams, Columns, Railings, Stairs, Security Gates, and Customized Designs).

QRS The Shield LLC – Stephen Lang, Representative appeared before the Board. Discussion ensued. It was moved by Chris Carmody, seconded by Charles Hawkins II and vote carried unanimously to certify QRS the Shield LLC as an MBE in Staffing, Security, Guest Services, Valet, and Ticket Takers.

Vistra Communications LLC – The applicant did not appear before the Board. Discussion ensued. It was moved by Chris Carmody, seconded by Brikena Tomasic and vote carried unanimously to certify Vistra Communications LLC as an MBE in Public Relations; Marketing;

Social Media; Management Consultant, Strategic Planning, and Crisis Preparedness Planning and Training.

Eminent Valuations, PLLC– The applicant did not appear before the Board. Discussion ensued. It was moved by Chris Carmody, seconded by Brikena Tomasic and vote carried unanimously to certify Eminent Valuations, PLLC as a WBE in Real Estate Appraisal and Real Estate Consulting.

84 Lumber Company – The applicant did not appear before the Board. Discussion ensued. It was moved by Chris Carmody, seconded by Brikena Tomasic and vote carried unanimously to deny WBE status to 84 Lumber Company based on:

1. The minority or the women owner(s) must possess independent power to direct or cause direction of management and policies of the firm, as characterized by:
 - a) Not controlled by any other contractual or financial relationship, which would subject minority/women owners to control by non-minority and/or non-women group members.
2. The company is not considered an independent women-owned enterprise because the husband and/or other male principal:
 - a) Is Chief Executive Officer or President.
 - b) Contributes to the capitalization of the firm. Ownership gifted to women owners, equipment or other assets gifted to women owners, and/or funds gifted to purchase ownership or to establish a new business will be considered contributing to the capitalization of the firm. Inherited capital or assets will not be considered as gifted for purposes of these rules.
 - c) Assists in obtaining credit, loans, bonding, leases, etc.
 - d) Transferred ownership to the woman-owner for less than fair market value. (Not an arms length transaction). Ownership gifted to women owners will not be considered an arms length transaction. Inherited ownership will not be considered as gifted for purposes of these rules.

Deep Klean Inc. - The applicant did not appear before the Board. Discussion ensued. It was moved by Chris Carmody, seconded by Brikena Tomasic and vote carried unanimously to deny M/WBE status to Deep Klean Inc., based on:

1. Failure to provide sufficient information to the Certification Board on which a determination of eligibility can be based.

Palencia Financial, LLC - The applicant did not appear before the Board. Discussion ensued. It was moved by Chris Carmody, seconded by Brikena Tomasic and vote carried unanimously to deny MBE status to Palencia Financial LLC based on:

- 1) Failure to provide sufficient information to the Certification Board on which a determination of eligibility can be based;
- 2) Refusal to comply with a reasonable City request for information, data, or access to records pertinent to the application for certification or recognition within the time period specified by either the Certification Board or City MBE staff.

Jolita, Inc. - The applicant did not appear before the Board. Discussion ensued. It was moved by Chris Carmody, seconded by Brikena Tomasic and vote carried unanimously to deny WBE status to Jolita, Inc., based on:

- 1) Failure to provide sufficient information to the Certification Board on which a determination of eligibility can be based.
- 2) Refusal to comply with a reasonable City request for information, data, or access to records pertinent to the application for certification or recognition within the time period specified by either the Certification board or City MBE staff.

Whatever Pilgrim - The applicant did not appear before the Board. Discussion ensued. It was moved by Chris Carmody, seconded by Brikena Tomasic and vote carried unanimously to deny M/WBE status to Whatever Pilgrim based on:

1. The firm has not demonstrated that is a currently functioning business enterprise which:
 - a) Has the capability (i.e., employees, equipment, facilities, supplies, etc.) to perform a line of business for which M/WBE status is request for.
 - b) Is a for-profit business which has been in business for not less than six (6) months prior to the submittal of the application.
2. The firm must not be affiliated or associated with another non-minority or non-women owned firm to a degree which could prevent or inhibit an independent status, as characterized by:
 - a) Relationship between owners, directors, officers, or key employees or their relatives and non-minority/non-women owned firms in a similar line of business.
3. A company must provide a commercially useful function within the normal industry practices. Contractors must demonstrate the independent capability to perform line(s) of business, as characterized by:
 - a) Has sufficient labor force and/or the independent capability of obtaining such a force.
 - b) Has sufficient equipment, tools, etc., and/or the independent capability of obtaining such items.

Re-Certifications

Ruye H. Hawkins, P.A. - The applicant did not appear before the Board. (Charles Hawkins II presented Memorandum of Voting Conflict – Form 8b). Discussion ensued. It was moved by Chris Carmody, seconded by Brikena Tomasic and vote carried unanimously to re-certify Ruye H. Hawkins, P.A., as an MBE in Legal Services.

The applicants did not appear before the Board. Discussion ensued. It was moved by Chris Carmody, seconded by Brikena Tomasic and vote carried unanimously to re-certify the following companies: A.I.W., Inc., Allen Masonry & General Contractor, Inc., B & L Construction, Celectsys, Inc., Computer Merchandise Corporation, Comsketch, LLC, Covington & Associates CPA, Inc., Faith Amon, French Designs, Georgiana K. Tynes Consulting Services LLC, Geraldine Williamson, Inc., Hymon's Property Maintenance, Inc., Mars Contractors, Inc., Metzger & Willard, Inc., Mike's Iron Works and Industrial Services, Inc., P.A. Wallace & Associates, Inc., Paradise Island Café, Inc., Pro-Med Services Group, Siles and Sons, Inc., Tropical Ford, Inc., Walker Miller Equipment Co., Inc., Y.A.L.C. Painting, LLC.

Terminations/Non-Responsive

The applicants did not appear before the Board. Discussion ensued. It was moved by Chris Carmody, seconded by Brikena Tomasic and vote carried unanimously to terminate the following companies for non-responsiveness: Archis, Inc., C & M Environmental and Geotechnical, CJDELJAK, Inc., Construemax Corp, Corlee Water Corporation, ERP Anaylsts Inc., Filthy Clean Cleaning Services, LLC, Florida Lemark Corporation, Four Star Plumbing, Inc., Gotcha Graphics, Inc., Granger & Associates, Inc., Griffith Photographers, H.A. T. Construction, Inc., Herbert/Halback, Inc., Indianapolis Woodworking, Inc., Kanbar Consultants, Inc., Kings Service Solutions, LLC, LAM Civil Engineering, Inc., Land Design of South of Florida, Inc., MDH Enterprises, Inc., MPR Engineering Corp, Inc., Page One Consultants, Inc., Real Painting Company, LLC, Research Inc., SpatialSoft, LLC, Sunrise Hauling & Excavating, Inc.

The meeting was adjourned at 10:03 a.m.

The next regularly scheduled meeting will be held on Wednesday, September 24, 2014.

S. Black

Susana Black, Recording Secretary