

Executive Committee Meeting  
Wednesday, June 7, 2023 1:30 PM Mountain

NALWDB Conference Room  
525 Camino De Los Marquez  
Suite 250  
Santa Fe, NM 87505

Floyd Archuleta	Present
Rebecca Estrada:	Present
Vince Howell:	Present
Pablo Lujan	Present
Sean Medrano:	Excused
David Romero	Present
Jon Paul Romero:	Excused
Joseph Weathers:	Present

Present:6, Absent:2.

**Also in attendance: NALWDB Staff:** Lisa Ortiz – Executive Director, Barney Trujillo – Operations Manager, Kevin Boyar – Program Monitor, Brittany Valencia – Program Specialist, Amber Gomez – Project Specialist/Communications **Guests:** Ericka Van Eckhoutte – One-Stop Operator, Rebecca Ramirez – HELP NM, Cheri Lujan – HELP NM, Evangeline Touchine – HELP NM, Raughn Ramirez – HELP NM, Keith Sorensen – Zlotnick & Sandoval, Rick Sandoval – Zlotnick & Sandoval, Julio Garcia – Legal Counsel, Kristen Krell – Board Member

#### 1. Call Meeting to Order

The meeting was called to order by Chairman Weathers at 1:31PM.

#### 2. Roll Call and Determination of a Quorum

Rollcall was done by NALWDB Project Specialist Amber Gomez who indicated that a quorum was present.

#### 3. Pledge of Allegiance

The pledge of allegiance was recited by all in attendance.

#### 4. Approval of Agenda

Motion to approve the agenda. This motion was made by Floyd Archuleta, seconded by David Romero, and passed unanimously.

#### 5. Approval of Executive Committee Meeting Minutes

Motion to approve the May 2, 2023, meeting minutes. This motion was made by David Romero, seconded by Floyd Archuleta, and passed unanimously.

#### 6. Informational Reports

##### 6.1 Financial Report

Madam Executive Director asked Keith if we've received all of our reimbursements from our partners up to the third quarter. She noted that every quarter we bill our partners in the One Stop Centers and they reimburse the board for those costs.

Keith informed her that the only reimbursement we've received was from DVR in Santa Fe.

Madam Executive Director mentioned that Deonna was processing quarter three. She then informed the committee that she will follow up with our partners so that we can get those reimbursements.

Keith mentioned that we still have about \$30,000 outstanding from the third quarter.

Chairman Weathers announced for the record that Board Member Pablo Lujan had joined the meeting at 1:40PM.

Keith stated that currently he's working on the May financials so that they are ready for the next Full Board Meeting.

Madam Executive Director stated, based on our projections of what HELP NM has provided to us, we will show expanded all of youth because we did give them that increase of \$150,000 which will go towards the Summer Youth Academy. We also transferred \$520,000 from dislocated worker to adult, and based on our projections adult will be expended as well. She mentioned that they will be meeting with HELP NM and the Fiscal agent on Monday to go over those numbers to make sure we're on target.

Chairman Weathers asked how much our contract is with the fiscal agent.

Madam Executive Director informed Chairman Weathers that our fiscal agent contract is \$190,000 which breaks down to about \$14,000 a month.

Chairman Weathers asked Keith to relay a message to Rick. He stated that he would like Rick to attend in person for meetings to give the reports.

Chairman Weathers addressed Madam Executive Director to inform her that there were some emails between himself and board member Kristen Krell who had come up with a dollar amount. He then asked for what the actual amount is.

Madam Executive Director informed Chairman Weathers, based on the amount that was given, she believes it was \$600,000. Currently she has it budgeted by program and what we've expended by program. For dislocated worker, currently we've expended about \$666,000, with a projection for May and June of \$271,000, leaving a balance of about 142 to carry over. For adult expenditure, we've expended about \$191,000 with a projection of \$733,000 which includes our transfer, leaving a balance of about \$94,000 that will carry over. For youth, we have expended \$674,000, and project a little over \$300,000, because that includes the addition funds we gave them for the Summer Youth Academy, leaving very little to carry over to the new program year.

Kristen Krell asked Madam Executive Director if the funds she was discussing are WIOA Title I funds?

Mrs. Ortiz informed her that those funds she was referring to are the WIOA funds for our service provider for adult, dislocated worker, and youth.

Kristen Krell asked if we are able to carry over those funds to the next year.

Madam Executive Director explained that we are able to carry over those funds because they don't expire until June 30, 2024.

Kristen Krell stated that she has some questions to the projections of expenditures for the last two months. From her understanding those funds can only be used for training purposes at universities or colleges.

Chairman Weathers informed Ms. Krell that in addition to those funds being used for training at colleges and universities they can also be used for on-the-job training, transitional job training, and work experience.

She then asked if students had to go through a process to qualify for those funds.

Chairman Weathers stated, yes there's a process to qualify. He mentioned that WIOA funds are the last course of action, and our current provider is doing a great job ensuring that students can qualify for Pell Grants or other forms of Financial Aid prior to applying for WIOA. He mentioned that our previous service provider ran things a little differently and it was brought to our attention during an audit finding that we weren't using the funds to Code of Federal Regulations. Chairman Weathers informed Ms. Krell that often students can apply for the program and not qualify based on our standards.

Ms. Krell stated, during yesterday's meeting, one of the Deans approached her and asked what the criteria is to qualify and if there have been any changes to the criteria.

Kevin Boyar stated, there has been no changes to the criteria for adult, dislocated worker, and youth criteria. However, the only thing that is different in youth criteria is now they can use self-attestations as an eligibility item. Whereas they couldn't use that before. Which is part of the DOL's program Yes WIOA Can, to help get students who don't have access to traditional support structures, access to WIOA dollars when they would have been unable to qualify prior to that.

Vice Chairman Howell asked if there was a way for Ms. Krell to easily access a list of the qualifications.

Chairman Weathers informed Mr. Howell that yesterday there was a meeting yesterday with Madam Executive Director, Ms. Krell, the Deans, and the HELP NM staff. His hope is that they now have a better understanding and access to that information.

Kristen Krell stated that they came up with great solutions on how to solve some of the challenges they have encountered in the past. She also mentioned that having the updated qualifications list would be helpful so they can help support students as they're trying to qualify for those funds.

Chairman Weathers informed Ms. Krell that typically during board/committee meetings we don't discuss particular institutions. Usually that line of communication is done through our service provider who communicates with all of the training institutions we serve. He informed Ms. Krell that as a board member who represents adult education on the board, she represents all colleges/adult education not just SFCC. He mentioned that she's doing a great job as member of this board, however, there needs to be a line between her role as a board member and an employee of a community college. He then asked to continue with the financial report.

Rick Sandoval mentioned, he met with Lisa to go through the administrative budget and they had to move some money around to accommodate some of the line items particularly in the travel area and subscriptions. He added that those will be reflected in the May report which

should be available later this month. Mr. Sandoval stated that currently they're trying to develop next year's budget, however, they haven't received the allocation from the State on next years grant. Once they receive that it'll have to be approved by the Board and CEO's before the end of the month.

Madam Executive Director mentioned that they haven't received anything on the allocation from Mr. Aragon. She added that it'll have to be approved by the Executive Committee because it won't be ready by the next Full Board Meeting.

Mr. Sandoval stated that they're anticipating that all of the funds that expire this year will be expended. He mentioned that they received a refund of about \$150,000 indirect costs from HELP NM which can still be expend.

Chairman Weathers asked if those funds could be moved to administrative.

Mr. Sandoval informed Chairman Weathers that those funds can't be moved to administrative because they were given to HELP NM across the adult, dislocated worker, and youth funding streams, which was used to cover indirect training costs. And it was determined that they couldn't charge us those funds and they had to reallocate them back. He stated that this adjustment will be reflected in the May report.

David Romero asked what the reason was for the refund of the \$150,000.

Mr. Sandoval explained to Mr. Romero that HELP NM was charging the Board indirect costs on training costs and he informed HELP NM that they can't charge those costs because he pays those costs and handles the payments to the participants, ITA's, and OJ T's. Mr. Sandoval explained, after Mr. Aragon agreed that it was allowable, he paid it essentially under protest, and when it got to HELP NM's CEO, they said no, we can't charge that fee, so they returned the money.

Chairman Weathers asked Mr. Sandoval, why some of the costs for the workforce conference held in February were pulled out of administrative when there were speakers and discussion on youth, adults, and dislocated workers.

Mr. Sandoval stated that there needs to be at direct benefit to the youth, dislocated worker, and adult population. He added that the conference focused more on the awareness of the programs and the state of the workforce in our region. Had the conference included a training portion for individuals in the program then the costs could have been pulled from other funding streams rather than just admin.

Chairman Weathers expressed that he disagrees that there wasn't a direct benefit to participants. He feels that this needs to be looked into further and suggested that Mr. Sandoval, Madam Executive Director, and Mr. Aragon have a meeting to better understand the rules for those funding streams and better define them. He stated, had Mr. Sandoval attended the conference himself then he may have a different perspective on what the conference encompassed.

Mr. Sandoval stated that typically conferences are covered with administrative funds.

Chairman Weathers stated that this was the first time we've held a conference in this capacity, and we need to look at how it benefited the participants in our programs.

Mr. Sandoval stated that he doesn't disagree that there may have been an indirect benefit. However, he is willing to revisit and look into it further.

Chairman Weathers mentioned that there was an attendance of about 250 including youth, adults, and dislocated workers.

Rebecca expressed that she understands Mr. Sandoval's reasoning when defining direct service to participant. However, during this sector convening data was presented that helped our partners and providers to better assist/serve participants. Which is a direct service to those students. She mentioned that we had representation from our institutions, students who were either participating in certain WIOA training programs, as well as those who might be interested. In the high sector areas, we also had adults, who were looking at re-careering, who therefore wanted to understand the process, and where those high demand jobs were going to be. So, it was a mix of multiple, not just sectors in terms of the high impact areas, sectors that were identified, but also the different populations that needed that information in order to serve those participants. She added, it sounds like perhaps there's a narrow definition of direct service to participants being included here, and it might just be worth exploring whether or not there's a broader definition that could be used.

Mr. Sandoval suggested that the executive committee write a justification letter that indicates the purpose of the letter, how the conference benefited the population, and then we can see if it's possible to get it allocated.

Barney Trujillo suggested equally pulling funds from each account youth, adult, dislocated worker, and admin. He expressed his concern for the admin budget because this conference took a huge amount from that account and we're currently working with dollars under admin.

Rebecca Estrada agreed with Mr. Trujillo.

Chairman Weathers also expressed his concern for the low balance in our administrative funds. He mentioned that the fiscal agent contract takes almost half of our administrative funds. He stated, it's important that we have enough admin funds to hold trainings, conferences, and board meetings, because each board member is required to complete 10 hours of continued education each year.

Barney mentioned, the conference was very beneficial however it costed us an employee because we looking to hire a Financial Specialist and no longer have the funds for that extra help.

Chairman Weathers stated that Lisa is the Executive Director and is also acting as our FSO when we have budgeted a position for a finance person. He stated that we need to make sure that we're examining our expenditures of our administrative funds, and our allocation of it in our budgets.

Madam Executive Director informed the Committee that we've shifted some of those duties to Brittany as well to help with financial payment vouchers, reimbursement for board members, and review of ITA's and OJT's.

Kevin Boyar asked Mr. Sandoval if he could send him the regulations he's working with as far as direct benefit. He stated that he's also going to look at the WIOA Act as well to identify the correct language for the justification.

David Romero mentioned that that if staff can receive that ASAP so that they can determine what can be charged and what can't.

Mr. Sandoval then gave a brief report on the allotments and when they expire and asked if there were any questions from the committee.

## 6.2 HELP NM Update

Chairman Weathers asked Madam Vice Chair if she would like to give an update on the HELP NM status with Chicanos Por La Casa and any other updates.

Vice Chair Rebecca Ramirez of the HELP NM Executive Board informed the committee that they sent out a notice to their auditor, employees and staff to let them know that they have ceased their relationship with CPLC. They appreciate the assistance CPLC provided however they are with full intent to move forward as HELP New Mexico as it originally stood and operated. During the next couple of weeks, they'll be working on budget, and ensuring that they are going to be steadfast in the legacy of helping New Mexicans achieve their success. They also have a line of credit and an insurance. She mentioned that they need to do some updating of some platforms that they use for operations. By July 1, 2023 everything should be separated from the management agreement with Chicanos Por La Casa.

Chairman Weathers asked if they've received any affirmation from Chicanos Por La Casa in regard to their willingness to sever the relationship.

Ms. Ramirez informed Chairman Weathers, as of today their lawyer is working with Chicano Por La Casa's lawyer to make sure that this dissolution is done correctly and that any loose ends are taken care of. Currently there has been no push back from CPLC in the process.

Chairman Weathers stated that he understands they have asked permission to separate from CPLC however, the board needs some type of document to prove that HELP NM will be an independent organization.

Ms. Ramirez asked if we need a letter stating from Chicanos Por La Casa that they received our notification and that they are aware and moving forward in the separation.

Rebecca Estrada stated we're requiring, from HELP NM's legal representation, a written document, a letter that you're in conversation with severing with CPLC.

Ms. Ramirez stated Yes, she believes that they're in a position to provide that and they can work on getting that documentation to the board.

Chairman Weathers than asked, at this point do you see any litigation?

Ms. Ramirez stated not at this point. She added, their auditor just wants to ensure that HELP NM can function in the next few months as their own independent fiscal agent. CPLC also expressed concern if HELP NM stepped away, would HELP NM be able to run for the next 12 months as an organization to uphold to all their funders and stakeholders to make sure the entity will stay alive?

Chairman Weathers expressed his appreciation for the clarification.

Ms. Ramirez then thanked CPLC for helping them through this setback. But at this point, she believes it's the opinion of the executive board that the entity of HELP NM for the last 60

years remain true to its heritage, and its legacy. It was nice having that extra support but it's not in the best interest for HELP MM or anyone whom they represent to move forward with this agreement.

Chairman Weathers stated that Roger Gonzalez was doing an outstanding job as the leadership of our provider, and when he was terminated by CPLC, it was a huge concern to the Northern Board. He then asked when they plan to find a permanent replacement for Rogers position.

Ms. Ramirez agreed that Roger being terminated was an indicator in their relationship that red flags were going up. As far as filling that position, Madam chair is going to hold that role until they can find a replacement. She believes June 17<sup>th</sup>-24<sup>th</sup>. There are some rolling meetings that they're having to work on budget and some other personnel matters. She's hopeful within the next couple of months they can conduct some interviews and figure out the direction of the agency. She stated until then Madam Chair is doing an excellent job. They understand that Roger was an asset and one thing that is benefiting them is the fact that Roger handpicked his VP's and some of the people who are on the current Executive Board. Roger was very transparent with them and allowed them to see this entity and how it worked. So hopefully, we can step up and be able to take that diamond in the rough and continue to make it what it is. But hopefully we can take care of that. She stated that she will get the board a firm information with that along with the letter of solid proof from their attorney.

Chairman Weathers stated, as we consider what we're going to do with HELP NM's contract whether we extend it or go out for RFP, we want a clearer understanding as to timelines when all this is going to happen. He expressed that we understand that litigation or severing of organizations takes time. However, the Board needs to make sure they're being fiscally responsible.

Vince Howell asked if CPLC is still functioning as the hiring and firing authority of human resource.

Ms. Ramirez stated, until June 30<sup>th</sup>, this is their last month they gave them a 30-day notice.

Chairman Weathers reiterated, on July 1<sup>st</sup> HELP NM will be taking their human resources back. He then stated that the board needs that in documentation from their attorney.

Ms. Ramirez asked for clarification on what should be included in the letter.

Ms. Estrada stated, we're requesting a written documentation regarding the current state of the severance with CPLC, where HELP NM is in the process of that, outstanding item includes confirming HELP NM's ability to serve as its own fiscal entity, that it has the budget in order to survive, also confirming that the HR functions will cease with CPLC on June 30<sup>th</sup> and it will begin with HELP NM on July 1<sup>st</sup>, and any timeline that the legal representation can provide regarding steps taken towards the severance.

Julio Garcia informed the committee that he's been in contact with HELP NM's attorney as well, and he has assured him that he will get us a lot of those details in writing.

Chairman Weathers stated that the boards only concern yes starting the new fiscal year while looking at the renewal of the contract.

Mr. Garcia informed Chairman Weathers that he would follow up with HELP NM's lawyer.

Raughn Ramirez, informed the committee that they have notified all of their staff and that she believes it'll be an easy transition. She also mentioned that they have positions filled except for one.

Chairman Weathers asked Raughn when the summer youth academy will begin.

She informed him that Title I is open and a bulletin will be out on Friday with the start dates for the CSBG. She also mentioned that they should be getting the PED soon.

Chairman Weathers asked if they are serving ages 14-24.

Raughn stated that serving 14 and 15 affects the performance.

Madam Executive Director stated that it's required to serve those individuals.

Raughn stated that they do serve that population if they qualify for the program, they just haven't had any who have qualified yet.

Chairman Weathers and Mr. Archuleta spoke about the benefits this program has to the community and the youth.

## 7. Discussion Items

### 7.1 Renewal of NALWDB Professional Service Contracts for FY 2024

Madame Executive Director presented two options, option A let HELP NM'S contract expire June 30, 2024, or option B do a six-month allotment and go out for RFP next year.

Mr. Howell asked if we would have an option to extend the six months.

Madam Executive Director stated yes, on June 30<sup>th</sup> when their contract expires, and we will go out for RFP next year for another four years.

Mr. Archuleta expressed his concerns with the current status of the service provider and suggested going with the six months.

David Romero asked if we would RFP early if there are issues with the service provider at the six-month point.

Madam Executive Director stated if the provider is still performing well then it might be best to continue with the contract until it expires, because switching providers may hurt the board's performance.

Barney Trujillo stated if we decided to give them six months that would give us an opportunity to see how they're performing and to DRAFT an RFP.

Mr. Howell asked at what point during the six months could the board decide to extend for another six months.

Chairman Weathers stated once the board has a better picture of the status of HELP NM and their severance from CPLC and based on their performance there should be no reason to not extend for another six months.



Mr. Howell suggested going with the six months with the option to extend for another six months.

Rebecca Estrada suggested letting HELP NM finish their last year of the contract.

Kristin Krell agrees with Ms. Estrada.

Chairman Weathers stated that he believes had CPLC not fired Roger this wouldn't even be a question moving forward with HELP NM.

Ms. Ramirez informed the committee if the board decided to go out for RFP again, HELP NM would apply again. She also stated that yes, it's awful that they let go of Roger, however, that shouldn't impact how the board views HELP NM as an entity and service provider.

Barney mentioned that one of the issues we've ran into with HELP NM is the fact that their numbers aren't always accurate when they project.

Chairman Weathers thanked Raughn for all her hard work.

Kevin Boyar stated, based on past performance, we should anticipate 12 to 14 performance measures on a yearly basis. He informed the committee that he has no concerns because he's spent a lot of time and energy training HELP NM's staff and they're doing an excellent job. He added that recently did some monitoring and everything they're doing looks good.

## 7.2 Board Members Duties & Responsibilities

Chairman Weathers informed the committee that the reason board members duties and responsibilities is listed as an item for today's meeting is because of some dialog himself and board member Ms. Krell have had via email and her bringing up a personal issue during an open meeting. He wanted to wait to have the discussion with the entire executive committee. The other purpose was to inform her of her role as a board member. The personal issue brought up was about two previous employees from HELP NM who both no longer there. He mentioned that one of those employees' family members had sent threatening messages to multiple individuals. He informed Ms. Krell that typically only Teresa, Evangeline, and Raughn report to the board not individual employees.

Another topic Chairman Weathers wanted to discuss was the WIN project and Ms. Krell's involvement as a possible conflict of interest.

Can I do at some point? Want to address the personnel? Don't need to go back?

JD - No, of your personnel. Go ahead All right. Okay, um, where we're talking about it, but not talking about it. But address it right. All right.

Ms. Krell first addressed the personal issue. She stated that she was caught off guard when this individual contacted her, and she knows now that there are boundaries for discussing such information. She then asked, when she has concerns would she bring it to the executive committee or what is the correct process.

Madam Executive Director informed Ms. Krell to bring the issue to her attention then madam Executive Director can bring it to the executive committee. Anyone with a concern whether they're a board member or not would address those concerns to Madam Executive Director.

He informed Ms. Krell that it's important that she separates her roles as a board member and an employee of a college.

Ms. Krell explained that the WIN project, written into the grants is a program called iBest. She stated that she was written in as the lead on this project and her role is to work with all five of the WIN colleges and their adult education programs to provide support to implement iBest (IBT) programs. She then gave a brief explanation of the program and its purpose. She informed the committee that a lot of their students don't have access to other sources of financial aid and WIOA is requiring them to implement these IBT programs. She also mentioned that the legislative finance committee recently, allocated a million dollars of reoccurring funds to implement these IBT programs across the state. She stated that there's a lot of systemic barriers including the partnership between the college and the workforce system.

Madam Executive Director asked if the WIN grant only covers the infrastructure cost not the cost for students.

Ms. Krell stated that the WIN grant can't provide funding and tuition for students however the TANIF grant can. She mentioned that she wrote the proposal yesterday and they can access \$1,500 of scholarship money for students entering into IBT programs. She stated that not all increase their numbers.

Chairman Weathers stated that the executive committee consists of business members and typically when there is a direct benefit to one of their businesses with a participant, they have to sign a conflict of interest. He then asked Julio Garcia his opinion on Ms. Krell's position and the WIN project getting direct funds from the boards budget according to the bylaws.

Ms. Estrada stated, the conflict of interest that that needs to be addressed, is the performance measures at Ms. Krell's place of employment being tied to participants who are granted WIOA funds.

Ms. Krell spoke about the WIOA legislation and her understanding. She informed the committee that if they'd like further discussion, we could ask Camila Bustamante and Amber Gallup.

Chairman Weathers stated that his concern is that her place of employment will be benefited by receiving our funds.

Rebecca Estrada explained that Camila is the WIN Project Director, she oversees the entire project. iBest rep is one of many positions under the WIOA org chart.

Chairman Weathers stated that he just wants to ensure that er don't get an audit finding.

Ms. Krell suggested seeking input from the Title I and Title II rep Mr. Aragon and Amber Gallup.

Madam Executive Director mentioned that the bylaws do mention disclosure when voting on action items that may be of conflict of interest.

Ms. Krell Kristen stated that Mr. Howell had asked if she had received a Board Orientation. She indicated that she hadn't however she is interested and believes that it would be helpful.

Chairman Weathers asked if Julio Garcia had any input.

Mr. Garcia stated that it's important that all members act in accordance with, article 10, which is the code of conduct of the bylaws and in accordance with the Open Meetings Act. Whether the board member is representing a business or higher ed, what matters is avoiding anything bias. He recommended that when there's any appearance of actual bias, or any actual conflict, that board members abstain, or not participate in any vote or act in which would relate to that bias/conflict. This is to avoid violating the code of conduct, the Open Meetings Act, or governmental conduct act in any way. He stated that if Ms. Krell is representing that institution, as a board member, and a program that may benefit from the actions of this board, he recommends that she abstain and not participate in any action that would benefit such program or anything of that nature.

Mr. Romero asked Mr. Garcia if that would apply anytime WIOA funds are discussed?

Mr. Garcia stated no, only if there are items specifically related to, the institution or business that such board member represents. Whereas here, it seems that, you know, if the board were to take action on that certain program, or proposal, which would result in, you know, those funds benefiting that program.

Ms. Estrada mentioned that serving on the ETPL Committee may also be a conflict.

Mr. Howell suggested that we schedule a board orientation for Ms. Krell.

Chairman Weathers stated that typically we include that in our two-day board retreat. However, we haven't had the opportunity to have this year due to available funds.

Lisa Ortiz stated that we'll schedule orientation for board members who need it.

Lastly Ms. Krell informed the committee that she wants to support the board however she would also like to bring up concerns to have an honest dialogue.

## 8. Public Comments

There were no public comments.

## 9. Next Meeting Date week of the 20th

## 10. Adjournment

Motion to adjourn at 3:38PM. This motion was made by Vince Howell, seconded by Pablo Lujan, and passed unanimously.

- An Executive Session may be called at any time during the meeting. Pursuant to New Mexico Open Meetings Act Section 10-15-1 (H) Subsections; (1) Meetings pertaining g to issuance, suspension, renewal or revocation of a license, except that a hearing at which evidence is offered or rebutted shall be open. All final actions on the issuance, suspension, renewal or revocation of a license shall be taken at an open meeting; (2) Limited personnel matters; provided that for purposes of the Open Meetings Act, "limited personnel matters" means the discussion of hiring, promotion , demotion, dismissal, assignment or resignation of or the investigation or consideration of complaints or charges against any individual public employee; provided further that this paragraph is not to be construed as to exempt final actions on personnel from being taken at open public meetings, nor does it preclude an aggrieved public employee from

demanding a public hearing. Judicial candidates interviewed by any commission shall have the right to demand an open interview; (3) Deliberations by a public body in connection with an administrative adjudicatory proceedings For purposes of this paragraph, "administrative adjudicatory proceeding" means a proceeding brought by or against a person before a public body in which individual legal rights, duties or privileges are required by law to be determined by the public body after an opportunity for a trial-type hearing. Except as otherwise provided in this section, the actual administrative adjudicatory proceeding at which evidence is offered or rebutted and any final action taken as a result of the proceeding shall occur in an open meeting; (4) The discussion of personally identifiable information about any individual student, unless the student or the student's parent or guardian requests otherwise; (5) Meetings for the discussion of bargaining strategy preliminary to collective bargaining negotiations between the policymaking body and a bargaining unit representing the employees of that policymaking body and collective bargaining sessions at which the policymaking body and the representatives of the collective bargaining unit are present; (6) that portion of meetings at which a decision concerning purchases in an amount exceeding two thousand five hundred dollars (\$2,500) that can be made only from one source is discussed and that portion of meetings at which the contents of competitive sealed proposals solicited pursuant to the Procurement Code are discussed during the contract negotiation process. (7) Meetings subject to the attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become participant; (8) Meetings for the discussion of the purchase, acquisition or disposal of real property or water rights by the public body.