

CEO Meeting  
Friday, June 10, 2022 11:00 AM Mountain

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

Cibola County:	Absent
Colfax County:	Present
Los Alamos County:	Present
McKinley County:	Present
Mora County:	Present
Rio Arriba County:	Absent
Santa Fe County:	Present
San Juan County:	Present
San Miguel County:	Absent
Taos County:	Present

Total Present: 7, Absent: 3.

**Also in attendance:** NALWDB Staff: Joseph Weathers - NALWDB Chairman, Lisa Ortiz – Executive Director, Kevin Boyar – Program Monitor, Brittany Valencia – Program Specialist, Amber Gomez – Project Specialist/Communications **Guests:** Rick Sandoval – Zlotnick & Sandoval, Eric Vasquez – One-Stop Operator, Jessica Hudson – One-Stop Operator Assistant, Julio Garcia – Advise a Modern Law Firm, Ericka Van Eckhoutte –HELP NM

#### 1. Call Meeting to Order

The meeting was called to order at 11:09AM by Chairman Henry Roybal.

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

Roll Call was done by NALWDB Project Specialist/Communications, Amber Gomez.

Madam Executive Director indicated that a quorum was not present.

Because there was not a quorum at that time Chairman Roybal suggested covering the items on the agenda first that don't require action while waiting to see if a quorum is met. Once a quorum is met then we can return to the action items. He requested that we start with the pledge of allegiance and follow with the financial report.

#### 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 Commissioner Moore – McKinley County, seconded by Commissioner Trujillo – Mora County, and passed unanimously by rollcall vote. 6 Yays

#### 5. Approval of CEO Meeting Minutes

Motion to approve the December 3, 2021, CEO Meeting Minutes. This motion was made by Commissioner Trujillo – Mora County, seconded by Chairman Roybal, and passed unanimously by rollcall vote. 6 Yays

## 6. Action Items

### 6.1 CEO Partnership Agreement - Lisa Ortiz

Madam Executive Director stated, during the last CEO meeting the shared liability agreement was on the agenda as an action item however, there wasn't a quorum present for approval. She then gave a brief recap about the agreement. She informed the CEO's that the NALWDB has had an agreement in place between all the CEOs since 2019. Since then, there has been some revisions. She added, in March of 2021, the State held WIOA, roles and responsibilities training to all CEOs, and then shortly after that, the NMAC rule 11.2.4.9 was revised and put into place. That being said those changes needed to be reflected in the NALWDB shared liability agreement. Section 1: Parties - states that the parties involved consists of 10 counties: Colfax, Los Alamos, Mora, Rio Arriba, San Miguel, Santa Fe, Taos, Cibola, McKinley, and San Juan. Section 2: CEO Meetings, Duties and Responsibilities – states that the CEOs shall have equal standing and shall have one vote in all matters of business that come before the CEOs. Voting by proxy is permitted as long as the proxy is in writing and pertains only to the meeting specified. Also, the CEOs are required to meet at least twice per year, or more frequently as necessary. Quorum for CEOs, there are 10 counties within the northern area, and that includes county commissioners. In order to meet quorum, there needs to be (6) of those (10) counties present. Section 3: Liability Debt and Obligations - it is understood that WIOA designates the CEOs as the grant recipient for WIOA federal funds. The NALWDB shall function as the grant recipient and shall receive and administer all the WIOA Title One funds on behalf of the CEOs. So we just want to remind everyone the importance of this revised CEO agreement that must be signed, I believe it's annually. I'm not quite sure if it's, I believe it's annually, this form needs to be signed. So it's just making sure that the CEOs understand the responsibility. She then asked if there were any questions.

Motion to approve the CEO Partnership Agreement. This motion was made by Commissioner Trujillo - Mora County, seconded by Commissioner Moore – McKinley County, and passed unanimously by rollcall vote. 7 Yays.

### 6.2 Fiscal Agent Contract Amendment - Lisa Ortiz

Madam Executive Director informed the CEOs that before them is the contract for our fiscal agent, Rick Sandoval from Zlotnik & Sandoval. She noted that she realized there was an error on the first paragraph, it says amendment 1 and it should say amendment 2. The original contract. Madam Executive Director stated, this contract amendment is for our upcoming year beginning July 1, 2022, through June 30, 2023, and the amount of funds is \$189,893.50 for next year's contract amendment. She then made a recommendation for approval for this contract amendment with the one change.

Commissioner Moore – McKinley County requested the correction of the line that says July 2021 to be changed to July 2022.

Madam Executive Director informed Commissioner Moore that she believes that's the date of the original document. She then asked our legal counsel if the date needs to reflect what Commissioner Moore mentioned.

Julio Garcia stated that the date on the document is the date of the original agreement.

Chairman Roybal asked if it's okay to keep that original date, even if the CEOs are approving it today?

Mr. Garcia informed Chairman Roybal yes, that's fine. He added, essentially, it's just in reference to the original agreement, therefore clarifying what the amendment is for.

Chairman Roybal asked if there were any other

County Manager Mike Stark - San Juan County stated that he assumes this has previously gone through the RFP process because it's over the \$60,000 professional services amount.

Madam Executive Director informed Mr. Stark that he's correct. She stated that we submitted an RFP and Zlotnik in Sandoval we're the only ones to submit the bid. They were awarded the contract, and this is year three of their four-year term.

Chairman Roybal asked if there were any questions from the board. And thanked those who asked clarifying questions.

Motion to approve the Fiscal Agent Contract Amendment. This motion was made by Commissioner Trujillo – Mora County, seconded by Commissioner Moore - McKinley County, and passed unanimously by rollcall vote. 7 Yays

## 7. Financial Report

### 7.1 Financial Report- Rick Sandoval Fiscal Agent

Rick Sandoval gave a brief financial report to the CEOs, his report included the NALWDB Budget to Actual report and the NALWDB Actual Expenditures.

The Budget to Actual Report displayed the comparison for revenues and expenses for the period July 1, 2021-May 31, 2022. The expenses included the following elements: board operations, program, and unrestricted. He informed the CEOs that currently the board is within their overall budget. The board operations cover the administrative staff and all of the related expenditures for running the office. He stated that the total budget for the board operations is \$1,010,000 and the total expended is about \$646,400 with a budget savings of \$250,000. He stated that they're currently working on projection to figure out what the carryover money is as they develop a budget for next year. Under the actual program costs, it covers the provider contract with HELP NM for Adult, Dislocated Worker, and Youth. He informed the CEOs that there's an over expenditure on the adult side because HELP NM is currently meeting the need for adult services. He mentioned that the board is allowed to transfer dislocated worker funds into adult and currently we're looking at HELP NM's projection to submit a request for a transfer. The other items under program include the One Stop Operator and the One Stop Locations. There's a negative variance of about \$265,000 reflected under the One Stop Locations however, that does not account for the reimbursements from the partners that they share in the cost of those centers. Once they apply the reimbursements for the year, that negative variance will disappear. He stated that they're actually going to end up with about

\$100,000 positive variance. That savings then gets transferred into next year to cover the expenditures for that year. Mr. Sandoval stated, overall, there's an overall budget of about \$5.2 million for expenses, about \$3.9 million in expenditures, and a variance of approximately \$500,000. He informed the CEOs that he is currently working with HELP NM and staff to get anticipated expenditures for the month of June, and they should have carryover estimates by next week. He then asked if there were any questions.

Amber Gomez stated for the record that commission chair Bobby LeDoux from Colfax County had joined the meeting.

Mr. Sandoval then presented the Expenditure by Allocation report. This report reflects the allocation by fiscal year for Admin, Adult, Dislocated Worker, and Youth. The dates in red located at the top of the spreadsheet represent when those funds will expire. If they're not expended by the date shown, then those funds will revert back to the State and reallocated to the other boards within the State. He mentioned that an item under adult isn't reflected in the report. This item is the transfer of \$383,000 from dislocated worker into adult. Therefore, the remaining balance for adult should increase. Under dislocated worker he explained that we are required to expend 40% by the third quarter and currently we have not met that requirement. He explained that historically dislocated worker funds have been a challenge to expand. After the transfer occurs the percentage will change.

He stated that if there are any carryover for FY 22/PY21 for youth, those funds can be used in next year's operations. Mr. Sandoval noted that currently there's no risk of losing any unspent funds at this point. She then asked if there were any questions.

Chairman Roybal asked if there were any questions

At 11:21 Chairman Weathers announced that he had Commissioner Johnny Trujillo on the phone from Mora. Commissioner Trujillo then confirmed he was present for the meeting

Madam Executive Director and Chairman Roybal asked Ms. Gomez to verify that we had a quorum through rollcall.

Amber Gomez announced that she just spoke with Commissioner Darlene Vigil from Taos County who will be joining the meeting shortly. She then did rollcall and determined that a quorum was present.

Chairman Roybal thanked Ms. Gomez and announced to those who joined us late that we went over the financial report. He then asked Mr. Sandoval if he could send an email with the items discussed during the financial report. Since there was a quorum Chairman Roybal asked that we return to the approval of the agenda.

#### 8. Next Meeting Date September 7<sup>th</sup> and December 7<sup>th</sup>

Chairman Roybal asked if there were any announcements. He noticed that public comments weren't listed as an item on the agenda and asked the legal department if public comment needs to be an item. I believe it should be.

Julio Garcia informed Chairman, yes, and recommend that there be an item for public comment.

Chairman Roybal requested that public comment be added to every agenda.

Chairman Weathers thanked and expressed his appreciation to the counties that helped the Mora community during the fire.

Chairman Roybal Thanked Chairman Weathers for his comment and also expressed his gratitude. He extended his thoughts and prayers for the communities affected and offered his help in any way he can.

Chairman Roybal then suggested the next two meetings take place on September 6<sup>th</sup>, and December 6<sup>th</sup>. He then informed the CEOs that during the December meeting there will be an action item for an election of a new Lead CEO. His term will end as of December 31<sup>st</sup> and there needs to be a nomination and election executed.

Chairman Weathers informed Chairman Roybal that there may be a conflict with that date because new commissioners will be coming in as of January 1<sup>st</sup> for most counties.

Chairman Roybal asked if there were any suggestions.

Chairman Weathers suggested that the election take place during the first meeting in the new year.

Chairman Roybal asked, since his term will be over in the new year who will facilitate the meeting in his absence. He mentioned that he can work with Santa Fe County to see if someone can facilitate or if Chairman Weathers from the NALWDB can run the meeting.

Chairman Weathers stated that he can run the meeting and once the election takes place, the new Lead CEO can take over as the chairman and continue to run the meeting after that

Chairman Roybal asked if there were and comments or concerns from the board in regard to moving forward in the direction, and having the officer elected in January?

Both Commissioner Moore and Commissioner Vigil agreed to moving forward in that direction.

Chairman Weathers asked the legal department if this would need to be brought up as an action item.

Julio Garcia asked if Chairman Roybal was referring to the substitution of the chairman?

Chairman Roybal clarified and asked if it would be acceptable to have Chairman Weathers facilitate the January meeting to elect a new officer?

Mr. Garcia informed Chairman Roybal that he believes that would be the proper process to fulfill that role. However, he wanted to confirm that coincides with the bylaws and the regulations in terms of fulfilling that role.

Chairman Roybal then asked the CEOs if there were any issues with the proposed dates.

Commissioner Vigil – Taos County informed Chairman Roybal that they hold their commission meetings on the first Tuesday of the month.

Chairman Roybal stated that Santa Fe holds theirs on the second Tuesday of each month and suggested Wednesday September 7<sup>th</sup> and December 7<sup>th</sup>.

Both Commissioner Moore and Commissioner Vigil indicated that there were no conflicts with those dates.

## 9. Adjournment

Motion to adjourn at 11:41 AM. This motion was made by Commissioner Moore – McKinley County, seconded by Commissioner Vigil – Taos County. 5 Yays