

Full Board Meeting
Monday, September 9, 2024 10:00 AM
Mountain

Santa Fe Community College Conference
Room
6401 Richards Ave
Santa Fe, NM 87508

Floyd Archuleta:	Present
Krutik Bhakta:	Excused
Sarah Boisvert	Present
Rebecca Estrada:	Present
Rudy Garcia	Present
Katherine Harvie	Present
Maria Herrera:	Present
Vince Howell:	Present
Kristen Krell	Excused
Mario Lucero:	Present
Pablo Lujan	Present
Sean Medrano:	Absent
Jolene Nelson:	Present
Dr. Lorenzo Reyes	Present
David Romero	Present
Jon Paul Romero:	Present
Kevin Romero:	Excused
Art Sparks	Present
Joseph Weathers:	Present
Eileen Yarborough	Excused

Present: 14, Absent: 5.

Also in attendance: NALWDB Staff: Lisa Ortiz - Executive Director, Barney Trujillo - Operations Manager, Kevin Boyar – Program/Policy Monitor, Brittany Valencia – Program Specialist, Amber Gomez- Program Assistant **Guests:** Veronica Alonzo – DWS, Chanin Kelly-O'Rourke – DWS, Michelle Velarde – DWS, Crystal Hollon – DWS, Margaret Walsh – DWS, Waldy Salazar – DWS

1. Call Meeting to Order

The meeting was called to order by Chairman Joseph Weathers at 10:12AM.

2. Roll Call and Determination of a Quorum

Rollcall was done by NALWDB Program Assistant Amber Gomez who indicated 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 Board Member Art Sparks, seconded by Board Member Pablo Lujan, and passed unanimously.

5. Approval of Board Meeting Minutes

Motion to approve the 6/27/24 meeting minutes. This motion was made by Board Vice Chair Vince Howell, seconded by Board Member David Romero, and passed unanimously.

6. Action Items

6.1 Ratify decision of Title I Service Provider

Madam Executive Director informed the board that we are asking for a rapid decision of the Title I service provider. The removal of our service provider Southwest Key took place on August 12th during our last executive committee. She made a recommendation approval to ratify that decision by full board.

Chairman Weathers mentioned, himself, DWS, DOL, and Madam Executive Director came to an agreement that the Northern Area Local Workforce Development Board would be the our own service provider until we can find a new service provider.

Motion to approve the ratification based on the recommendation of the Executive Director. This motion was made by Board Member Floyd Archuleta, seconded by Board Member David Romero, and passed unanimously by rollcall vote.

6.2 Approval to waive ITA Policy Requirement

Madam Executive Director stated that we are requesting to waiver the IT policy requirements at this time.

NALWDB Program Monitor Kevin Boyar informed everyone that our ITA policy has a very strict timeline, and all of the paperwork has to be in prior to the start date of classes. Unfortunately, after the termination of the service provider contract, there wasn't enough staff to get all the ITA's that were currently in the system processed and out to the colleges. We were able to get some of the students on the do not drop list. However, we were not able to get their paperwork in on time. He recommended waiving the requirement that states the ITA's need to be in prior to classes starting. This will prevent any disallowed costs for the students that had classes this semester.

Board Member Jolene Nelson asked if there was an award letter that went with that to guarantee payment.

Kevin Boyar informed Board Member Jolene Nelson, the was that the situation was handled included himself calling the colleges directly and requesting that those student be placed on a do not drop list while we get the paperwork in order. He stated that there's an email stating that the Northern Board will be responsible for this semester, however, there's no award letter.

Board Member Mario Lucero asked if that is a requirement to have the payments processed prior to classes starting, or a DOL requirement?

Kevin Boyar stated, yes, that comes straight out of the Teagle.

NMDWS Veronica Alonzo stated, the reason that the paperwork, which is an ITA contract, has to be in place prior to the start of classes is very similar to procurement. It's not a payment that's being dispersed, instead it's a contract stating that the North board is obligating to pay this amount of money towards that individual students cost of tuition fees.

Board Member Mario Lucero asked, if it's a requirement of DOL to have the contract in place prior to classes starting, how can we as a board override that rule?

Kevin Boyar explained that we are requesting to waive the specific paperwork to confirm our obligation towards the student's tuition.

Board Member Mario Lucero asked Veronica if she could confirm that DOL would accept the email as a form of confirmation that we are going to obligate to these payments.

Veronica Alonzo stated that the email and the action that's taken today is what's going to help with the review of those participants files. She stated that the motion needs to clearly state the reason why there is a request to waive the policy and include the fact that there was not a service provider contract in place.

Kevin Boyar explained that this would only apply to about 30 ITA's and this waiver will be temporary and be treated as an emergency order due to critical staffing issues.

Board Member Mario Lucero expressed that he's ok moving forward with the waiver as long as the staff feels confident that it wouldn't come up as an auditing issue.

Veronica Alonzo recommended including the time frame for this waiver.

Kevin Boyar made a estimated that time frame taking place between August 12th and August 31st.

Board Member Dr. Lorenzo Reyes asked if students were notified that there should be no interruption of training.

Kevin Boyar informed Dr. Reyes, yes, the students were notified and considering the circumstances he was able to get over 90% of the students in. Unfortunately, there were a few student that he was unable to locate their file, therefore they were not able to participate in this semester. However, we asked them to come back in the spring semester.

Dr. Reyes requested contact information to refer students to that are inquiring about WIOA.

Board Member David Romero asked if there were any compliance issues.

Kevin Boyar assured Board Member David Romero that there shouldn't be any issues. He stated that the email will be included in their file along with any case notes, and the board meeting minutes will be used as supplemental documentation that this was a period of time that was waived.

It was collectively agreed on that the time frame for the waiver would be from August 12th-September 7th.

Board Member Jolene Nelson asked Kevin to look into if the students that couldn't get WIOA funding this semester could pay for their classes on their own and get reimbursed.

Motion to approve the waiver (action item 6.2) to use emails provided by the Program Monitor in lieu of the original paperwork requirements set forth In the Board's ITA policy for the time period of August 31st-September 7th due to the untimely termination of the contract with our previous service provider during a time when ITA enrollments were due. This motion was made by Board Member David Romero, seconded by Board Member Art Sparks, and passed unanimously by rollcall vote.

6.3 Approval of New Board Members

Madam Executive Director stated that two individuals have been nominated by our CEOs to be members of the NALWDB. Katherine Harvie who is from Farmington and has joined San Juan Regional Medical Center, and Rudy Garcia who is from the Santa Fe area. She then requested that each individual introduce themselves to the Board prior to reciting their Oath of Office.

Katherine Harvie and Rudy Garcia each gave a brief introduction. Chairman Weathers then requested that Board Member/Mayor David Romero administer the Oath. After they introduced themselves, Katherine Harvie and Rudy Garcia raised their right hand and recited the Oath of Office after Board Member Romero.

Motion to approve Katherine Harvie and Rudy Garcia as members of the board. This motion was made by Chairman Joseph Weathers, seconded by Board Member Floyd Archuleta, and passed unanimously by rollcall vote.

Chairman Weathers thanked Board Member Patricia Mall for her participation, excellent attendance, and dedication to the board.

7. Informational Reports

7.1 Executive Director Update - Lisa Ortiz

Madam Executive Director gave a brief report to the Board. She informed everyone that unfortunately we had to remove our service provider Southwest Key. Madam Executive Director mentioned that in the meantime, the board requested permission from USDOL and NMDWS to be the interim service provider. On August 29th DWS provided a waiver to allow the Board to be the interim service provider which was approved by our CEOs. She mentioned that we have hired the previous case managers to continue the outreach and enrollments in our communities and expressed that we are confident that in the next two months the Northern Board can provide those Title I Services until a new provider is selected sometime in October. Madam Executive Director also mentioned, as of August 21st a new RFP for Title One services has been released, and proposals are due on September 25th. Once those proposals are received, an evaluation committee will be selected by our board chair, the proposals will be evaluated, and a selection to be made hopefully by October 1st.

Chairman Weathers addressed the board members who felt there may have been a lack of transparency with the letting go of our service provider Southwest Key and asked them to contact himself or Madam Executive Director if they have any questions. He stated that they worked with USDOL and NMDWS to ensure all services were being provided to our participants. He then asked if there were any volunteers for the RFP evaluation committees.

The following review committees were decided during the meeting:

Youth – Sarah Boisvert, Pablo Lujan, and Katherine Harvie

Adult/Dislocated Worker – Dr. Lorenzo Reyes, Pablo Lujan, and Jolene Nelson

One-Stop – Maria Herrera, David Romero, and Floyd Archuleta

8. Public Comments

There were no public comments.

9. Next Meeting Date TBD

10. Adjournment

Motion to adjourn at 11:01AM. This motion was made by Board Member Rudy Garcia, seconded by Board Member David Romero, 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.