

Full Board Meeting  
Thursday, June 24, 2021, 8:00 AM Mountain

Pendaries Village & Golf Resort  
31 Lodge Road  
Rociada, NM 87742

Full Board Attendance	
Floyd Archuleta:	Present
Krutik Bhakta:	Present
Jane Clements	Excused
Rebecca Estrada:	Present
Zane Fischer:	Present
Mark Gallegos	Absent
Joseph Garcia:	Present
Rudy Garcia:	Excused
Thomas Garcia:	Excused
Maria Herrera:	Present
Vince Howell:	Present
Mario Lucero:	Present
Chris Madrid:	Excused
Patricia Maule	Present
Sean Medrano:	Excused
Jolene Nelson:	Excused
Nani Rivera:	Present
Jon Paul Romero:	Excused
Kevin Romero:	Excused
Arthur Sparks:	Excused
Joseph Weathers:	Present
Eileen Yarborough	Excused

Present: 11, Absent: 11.

**Also in attendance: NALWDB Staff:** Lisa Ortiz - Executive Director/Financial Specialist, Barney Trujillo - Operations Manager, Elena Maestas - Program Support, Amber Gomez – Project Specialist/Communications **Guests:** Veronica Alonzo - DWS, Rick Sandoval – Zlotnick & Sandoval, Eric Vasquez – One-Stop Operator, Teresa Quintana – HELP NM, Ericka Van Eckhoutte – HELP NM

1. Call Meeting to Order

The meeting was called to order at 8:18 AM by Chairman Joseph Weathers.

2. Roll Call and Determination of a Quorum

Rollcall was done by NALWDB Project Specialist/Communications, 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, made by Vince Howell and seconded by Rebecca Estrada, passed by unanimously.

#### 5. Approval of Joint CEO & Full Board Meeting Minutes May 13, 2021

Motion to approve 5/13/21 Joint CEO and Full Board meeting minutes. This motion, made by Rebecca Estrada and seconded by Vince Howell, passed by unanimously.

#### 6. Action Items

##### 6.1 Service Provider Contract - HELP NM

Chairman Weathers requested that this Item be tabled because there is going to be an increase in the contract numbers. He informed everyone that this Item will go to the Executive Committee for approval.

Motion to table item 6.1 Service Provider Contract – HELP NM. This motion, made by Floyd Archuleta and seconded by Mario Lucero, passed unanimously.

##### 6.2 One Stop Operator Contract - HELP NM

Madam Executive Director made a recommendation for approval of the One Stop Operator Contract – HELP NM.

Motion to approve the One Stop Operator Contract – HELP NM. This motion, made by Floyd Archuleta and seconded by Vince Howell, passed unanimously.

##### 6.3 Attorney Contract - Advise a Law Firm

Madam Executive Director recommended that we move forward with the contract amendment for the new year.

Motion to approve the attorney contract. This motion, made by Rebecca Estrada and seconded by Vince Howell.

Floyd Archuleta asked what the contract amount is?

Madam Executive Director informed Mr. Archuleta that the contract amount is \$10,000.

##### 6.4 Fiscal Agent Contract

Madam Executive Director made a recommendation for approval of the Fiscal Agent Contract. She mentioned that there was an evaluation of the current fiscal agent by the CEOs, and his contract renewal was approved at the last CEO Board Meeting.

Floyd Archuleta commented that he believes that the fiscal agent has done an excellent job. Chairman weathers agreed with Mr. Archuleta.

Motion to approve the Fiscal agent contract. This motion, made by Floyd Archuleta and seconded by Vince Howell, passed unanimously.

##### 6.5 Grant Award PY 2021

Madam Executive Director made a recommendation for approval of the new grant award.

Chairman Weathers mentioned that the new grant award for PY21 was reviewed by the Board's attorney.

Motion to approve the new grant award. This motion, made by Vince Howell and seconded by Patricia Maule, passed unanimously.

Mario Lucero asked if there were any penalties on the new grant based on the money that was reverted from the previous year?

Madam Executive Director informed Mr. Lucero that there were no penalties based on the grant award.

Vince Howell asked what the amount was for the grant award?

Madam Executive Director stated that the award is \$5,002,885

Rick Sandoval added that the award is about half a million less than the prior year.

Chairman Weathers asked Rick if we're anticipating reverting any money to the State.

Mr. Sandoval stated that, the projections show that there is an overage of unspent funds and DWS stated that they won't touch the expired money because HELP NM is developing a plan to utilize those funds within the first quarter. However, HELP NM's plan must support the expenditure of about \$220,000. He mentioned that they requested a transfer for the Dislocated Worker funds. If that transfer is approved, he believes that all of the expiring funds will be utilized. He stated that it appears that all the funds will be expended and won't be reverted to the State.

Chairman Weathers stated that this is really good news and a major improvement from the previous year. He commended HELP NM, the Fiscal Agent, the One-Stop Operator, and the Administrative Team for the dynamic work they have done in the last fiscal year.

Mario Lucero added that he's worked with both the One-Stop Operator and HELP NM on a daily basis, and it has been a pleasure to work with them. He stated that they're very professional and he really appreciates the work they're doing.

## 6.6 San Juan College MOU

Eric Vasquez informed everyone that this is another MOU from the American Job Center for one of our Higher ED institutions.

Madam Executive Director added that this MOU will eliminate one of the findings on our PY19 monitor report.

Motion to approve the San Juan College MOU. This motion, made by Vince Howell and seconded by Rebecca Estrada, passed unanimously.

Rebecca Estrada asked if this MOU is separate from the MOU for Adult Education? She mentioned that about six months ago there was a request to the Board to have separate MOAs with each education division in each of the institutions. She recalled the Board passing one with the Santa Fe Community College. Mr. Vasquez added that SFCC was the first and subsequent to that there was Luna, Taos, and Northern.

## 6.7 Gallup Lease Agreement Renewal

Eric Vasquez informed the Board that the renewal for the One Stop center in Gallup is a one-year renewal for the current location. He stated that they are still looking for a new location because the mall location is no longer available.

Chairman Weathers expressed that we're disappointed that we were unable to move into the mall location.

Motion to approve the Gallup Lease Agreement Renewal. This motion, made by Vince Howell, seconded by Rebecca Estrada, and passed unanimously.

#### 6.8 Marquez Plaza Tenant Estoppel Certificate

Madam Executive Director informed the Full Board that the landlord Weinstein gave us this Marquez Plaza Tenant Estoppel Certificate and asked us to complete this form. She stated that we had our attorney review it and complete the form. Madam Executive Director stated that she believes that they're going to sell the building, and this form is to let them know that we have a lease with them, and we have workers from DWS, DVR, and HELP NM occupying the space. She stated that we need to sign the certificate.

Mario Lucero asked if this certificate ensures that the new landlord can't evict us from the space?

Barney Trujillo informed Mr. Lucero that that the lease agreement is for seven years for both spaces. He stated that he doesn't have any concerns of the new landlord evicting us because for prequalification they look at the Boards finances for the past five-six years, and they understand that we're dependent on the Department of Labor's funding.

Vince Howell asked if our attorney has any concerns. MRS. Ortiz informed Mr. Howell that our attorney has reviewed this, and he does not have any concerns.

Motion to approve the Marquez Plaza Tenet Estoppel Certificate. This motion, made by Vince Howell and seconded by Rebecca Estrada, passed unanimously.

### 7. Informational Reports

#### 7.1 Financial Report

Rick Sandoval stated that he has no new information to report to the Board at this time. However, he is available to answer any questions from the Board.

### 8. Public Comments

There were no public comments

### 9. Next Meeting Date Week of July 12<sup>th</sup>

Chairman Weathers suggested that the next Full Board Meeting be held in person.

### 10. Adjournment

Motion to adjourn at 9:10 AM. This motion, made by Floyd Archuleta and seconded by Vince Howell, passed by unanimous vote.

- 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.