

Executive Committee Meeting
Monday, September 14, 2020 10:00 AM
Mountain

Zoom
525 Camino De Los Marquez
Suite 250
Santa Fe, NM 87505

Rebecca Estrada:	Present
Rudy Garcia:	Present
Tomas Garcia:	Present
Vince Howell:	Present
Sean Medrano:	Absent
Jon Paul Romero:	Present
Rock Ulibarri:	Absent
Joseph Weathers:	Present

Present:6, Absent:2.

Also in attendance: NALWDB Staff: Lisa Ortiz - Acting Executive Director/Financial Specialist, Barney Trujillo - Operations Manager, Deborah Wildenstein – Program Monitor, Amber Gomez – Project Specialist/Communications **Guests:** Veronica Alonzo – DWS, Eric Vasquez – One-Stop Operator, Rick Sandoval– Zlotnick Laws Sandoval PC

1. Call Meeting to Order

The meeting was called to order at 10:05AM by Chairman Joseph Weathers.

2. Roll Call and Determination of a Quorum

Roll call was made by NALWDB Project Specialist/Communications, Amber Gomez. Lisa Ortiz 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 unanimous vote.

5. Approval of Meeting Minutes August 17, 2020

Motion to approve 8/17/2020 meeting minutes. This motion, made by Jon Paul Romero and seconded by Vince Howell

6. Action Items

6.1 Legal Services Contract

Madam Executive Director informed the committee that we recently received 3 proposals for Legal RFP. One we received from Conklin Woodcock and Ziegler for \$225 per hour, German Burnette and Associates for \$180 an hour and Advise a Modern Law Firm for \$150 an hour. She announced that they decided to go with the lowest bid, which is Advise a Modern Law Firm. She stated that she has prepared a contract for the committee's approval.

Chairman Weathers clarified that the Legal RFP was reviewed by a committee of three and Advise a Modern Law Firm was the committee's choice. He stated that they were trying to lower the Boards administrative costs from what the previous attorney was charging.

Motion to approve the Legal Services Contract. This motion, made by Rebecca Estrada and seconded by Jon Paul Romero, passed by unanimous vote.

6.2 Letter of Support - NM Highlands University (Northern NM Consortium Partners)

Last week the Dean of New Mexico Highlands University, reached out to the northern board and Roger and his team and Mrs. Ortiz. Madam Executive Director mentioned that Highlands University is submitting a Grant called the Technology Learning Support Specialists which is building and sustaining technology connected communities. The purpose of the GEER Program is to make funds available to institutions of higher education, to transition to online learning higher education that can lead the state early childhood K-12, higher education, and small businesses to more fulfilling participate in online learning. The Dean asked us to provide a letter of support from the Board and HELP New Mexico.

Roger Gonzales informed the committee that HELP NM has already issued their letter of support. Mr. Gonzales expanded on their proposal. He stated that one of the details that was appealing to them was that the proposal offers both a traditional and non-traditional track.

Mr. Gonzales explained that the first table is the non-traditional track or what would be considered an ETPL approved program. The second one would be if someone actually had the credentials, and they wanted to apply for an ITA under a project. Both options basically help individuals get jobs within the early childhood, home health, and educational sectors.

Roger mentioned that they had a meeting several weeks back with Deputy Secretary Serna and UNM Taos to figure out methods to get folks credentialed as it relates to childcare because, that's going to be one of the biggest barriers we're seeing now under COVID.

Motion to approve the writing of the letter of support for the Governor's Emergency Education Relief Fund Consortium with New Mexico Highlands University. This motion made by Rebecca Estrada and seconded by Jon Paul Romero, passed by unanimous vote.

Chairman Weathers asked Mr. Gonzales if we're working on this with any of the other colleges.

Roger Gonzales stated that in the Dean's proposal, she ensured that all of the colleges/institutions of higher learning were included in the consortium. She informed Mr. Gonzales that she is still working with administration to get UNM Taos on the consortium. He mentioned that this will go live on January 1st, and we won't know for four weeks if they're awarded. He suggested, even if they aren't awarded, this may be something to consider using other funds or resources. Mr. Gonzales stated that as of right now they're hoping that the governors GEER pot of money will fund this initiative. He informed Mr. Chairman once this goes live, any individual can benefit whether they're registered with a college or not. The first track is an online module that is self-paced to receive that credential for a college or university for resume purposes. For the second track if that individual wants to receive credit for higher education, they must be registered with that with one of the colleges within the consortium.

7. New Business

7.1 Negotiated Performance Measures PY 2020-2021

Madam Executive Director informed the committee that recently, we submitted our performance measures for PY20 and PY21 which includes the measures for Adult, Dislocated Worker, Wagner Peyser, and Youth. The adult stayed the same. Because there is a need to focus on Dislocated Worker this year the measures were slightly increased. Wagner Pizer and Youth performance measures were also increased because there is a need and we'd like to meet these performance measures. These have been submitted and we're just waiting for approval.

Veronica Aragon added that this is being handled by Michael Yang and Mags. She believes once Michael receives all of the negotiated performances, he will review and then the actual negotiation will take effect. Then he will schedule a negotiation call with the Board's Lead CEO, the Board Chair, and the Executive Director.

7.2 Annual Report- October 30th

Madam Executive Director informed the committee that our annual report is due October 30th. The annual report is a narrative, and it's an opportunity for the Local Board to inform the public and State Workforce Board on how well it was implemented in its Local Plan for PY19.

7.3 PY 2020-2023 Local Plan

Madam Executive Director informed the committee that our PY20 - PY23 Local Plan is due November 1st. She mentioned that we will probably have a working group review the full document before submitting because it does have to be posted for 30 days for a public comment period.

Chairman Weathers asked Miss Wildenstein if there is any information regarding monitoring?

Miss Wildenstein stated that she is currently in the process of doing 25% monitoring review of both of the records from SER Jobs for Progress as well as the summer youth academy. That is ongoing, and we plan to have everything completed by October 31 to be included in the annual report.

Chairman Weathers asked Madam Executive Director if the Board can offer her any assistance.

Mrs. Ortiz stated that we always appreciate feedback from board members Rebecca, Zane, and Mario when preparing these reports, and we welcome any board members willing to assist.

Rebecca Estrada asked if the public comment period needs to come before or after the Local Plan is due on November 1st. Mrs. Alonzo clarified to Mrs. Estrada that public comment needs to happen before the Local Plan is due to the state.

8. Old Business

8.1 Discuss SER Audit

Madam Executive Director gave the committee a brief update on the SER audit. Recently Deborah, Lisa, Veronica and Evangeline have been reviewing all the ITAs and financial documents that SER has prepared. Instead of providing those financial documents on Laser

Fiche SER has been asked to bring those documents into the NALWDB office to be reviewed. Mrs. Ortiz mentioned that Margarito Aragon spoke with Alex and Sandy and asked that those records are delivered by noon on Wednesday. Madam executive director informed the committee that they assured SER that they're not being harassed. She stated that they're only making sure SER is in compliance for the reason that those documents are the Board's property.

Rebecca Estrada asked if there will be any consequences if SER doesn't provide those documents by Wednesday.

Veronica Alonzo stated that on the call with SER last week Margarito Aragon was very clear that there needed to be a deadline, and there would be consequences if that deadline was not met.

Chairman Weathers asked Mrs. Alonzo to clarify what those consequences will be. Mrs. Alonzo replied and informed Chairman Weathers that she doesn't know specifically what the consequences would be.

Chairman Weathers stated that Mr. Martinez has been portraying SER as the victim and stated that he wants to make sure that doesn't continue. Mrs. Alonzo stated that she wasn't on the call with Mr. Martinez and asked if Mr. Aragon was on the call.

Madam Executive Director stated that Mr. Aragon was not on the call that it was a separate call that we had in regards to the program monitoring, and Alex brought that up. She mentioned that they told Mr. Martinez that they need those documents. Mr. Martinez said that he had no problem and that he would make Sandy present those financial documents to the Board, and there was no reason for them to be holding those documents because their audit was complete.

Mrs. Alonzo stated that the point that Margarito was trying to make with Sandy was, regardless of whether they were in a single audit or not, throughout this whole transition, it was made very clear that SER was to turn over all WIOA documents to the Board, and then their auditor could receive access to all of that information at the Board. Mrs. Alonzo mentioned that one of her concerns from the beginning of this transition is that later down the road, the Board will find out that something still hasn't been turned over.

Madam Executive Director explained that for months Alex Martinez has stated that he will provide these documents to the Board and then he requests clarification on the requirements of the financial documents.

Chairman Weathers stated that if there will be consequences for SER, those consequences must be clearly identified.

Veronica Alonzo asked Mrs. Ortiz if SER has submitted their final cash request? Mrs. Ortiz informed Mrs. Alonzo that SER has not submitted their final cash request.

Mrs. Alonzo mentioned that one way to ensure that all the information is provided and accurately uploaded into Laser Fiche is having the Board staff upload it manually.

Mrs. Ortiz stated, as of right now only Adult and Dislocated Worker ITA's have been uploaded to Laser Fiche, Youth still needs to be uploaded.

Jon Paul Romero recommend that Madam Executive Director send an email to Alex outlining exactly what we're looking for from them once again, and tell them that until this will be delivered that we're not going to pay any outstanding invoices till we receive what we were promised and that were owed for the contract.

Chairman Weathers asked the Board and the Executive Committee if they feel we're at a point where we need to send SER a letter from our attorney. Mr. Romero replied to Mr. Weathers and stated that he thinks that we're not there yet.

Deborah Wildenstein stated as the program monitor, if SER doesn't provide the fiscal files it will affect the completion of PY19 monitoring.

Mrs. Alonzo mentioned that DWS is also conducting their monitoring and if the Board doesn't receive those documents it will reflect in the DWS monitoring as well. She stated that it would be most likely noted as a finding on the Board because, the Board would be lacking the documentation required to complete their monitoring. She suggested that a letter be issued to SER informing them what the Board still needs and include a deadline. If the deadline is not met legal action should take place.

Rebecca Estrada asked what type of legal action should take place. Chairman Weathers replied to Mrs. Estrada's question and stated that before determining the Legal action the Board needs to review the damages and findings that SER has done to the Board and speak with an attorney

Deborah Wildenstein commented that we have been very clear with SER and what's included in their contract. They have been informed verbally and through writing that they are responsible for anything that occurs within their contract regardless if they are going through any audits.

Rick Sandoval also made a reference to SER's contract and stated that they have an obligation to provide a closeout within a certain amount of time to the Board with their final expenditures. And that deadline has also passed. He suggested reviewing the contract and pointing out what they haven't delivered and for Mrs. Ortiz to send them a letter. He stated that the close out that reports the final expenses is due 45 days after the fiscal year, and that deadline has already passed. This jeopardizes their reimbursement, because it says if it's not turned in within a certain month, those expenditures will not be paid.

Madam Executive Director brought up PY18 close up package and stated that SER is requesting cash owed to them of \$36,000, which was not submitted in a timely manner either. Mr. Sandoval replied and stated that if funds that we use to pay that have already been used up, we can't use current money to pay for old expenses.

Roger Gonzales mentioned that SER also left HELP NM with 597 follow ups that they're having to do for March of 2020 and June of 2020. He stated that HELP NM is helping Lisa and the team catch up for annual report.

Chairman Weathers stated that he believes that we have a clear direction on what should be included in the letter that Mrs. Ortiz will DRAFT. He suggested that the Board takes Mrs. Alonzo's advice and contact an attorney if SER continues not to comply.

Rudy Garcia suggested that the letter be addressed to the Director of SER and their Board so that they are informed about the situation and cc the State of New Mexico.

9. Informational Reports

Roger Gonzales presented a website that his team has been working on that will drive all of the Board's WIOA clients. This site is intended for all three contracts including One Stop. He mentioned that the website is about 85-90% complete. Under the Employers Tab, employers, business leaders or individuals who need to be engaged can go to this tab and it will direct them to who their relation managers are for each respective region. This is the same if you select the Job Seekers Tab. Mr. Gonzales stated that the State requested one central location for when they issue press releases. He explained that this website is the virtual central location and there is also a telephone number provided as well. Under the One Stop Operators Contract there is plans to have a receptionist/clerical support at the Santa Fe office to screen these calls and direct them to the appropriate manager. Mr. Gonzales informed the committee that at the request of Chairman Weathers, they have secured the domain and created this website as part of their deliverables as One Stop Operator.

Mr. Gonzales encouraged Chairman Weathers and Members of the Board to visit the website. He stated that there will be a meeting today at 2:00PM with the design team, his team, and Lisa and her team to review the site to ensure that everything is functioning. He stated that they're preparing for a second wave in November/December, before the Spring semester. By having online platforms available there will be no disruption of services with COVID-19.

Rebecca Estrada asked Mr. Gonzales if the website was ready to share with the institutions on the ETPL or other regional institutions? Mr. Gonzales stated that the website is ready to start sharing with institutions and by doing so they can start building relationships with their managers.

Mrs. Alonzo asked Mr. Gonzales if the website has a link for We Cost?

Roger Gonzales informed Mrs. Alonzo that they've included some links for Labor Market statistics and to ensure that the data is correct for We Cost they've included a link that connects individuals to a case manager. Mr. Gonzales also mentioned they have a system that keeps a log of individuals contact information for when the State decides to issue their next press release HELP NM is prepared for those calls and intakes.

Chairman Weathers thanked Mr. Gonzales and complimented the website his team has designed.

10. Next Meeting Date _____

11. Adjournment

Motion to adjourn at 10:55AM. This motion, made by Thomas Garcia and seconded by Rudy Garcia, passed by unanimous vote.