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General Board Meeting

Date: Thursday, March 30, 2023

Time: 12:00 p.m. MST

Location: Workforce Solutions Borderplex, Inc.
304 Texas Avenue, 1st Floor Conference Room, El Paso, Texas 79901

Board Members Present

Frank Spencer III, Chair
Rafael Adame
Dr. Armando Aguirre
Robert Alcala
Satish Bhaskar
Joseph Biernacki
Bobby Blanco

Chrystal Davis
Dan Dunlap
Ernestina Fauntleroy
Bob Gear
Christina Gonzalez
Leonard Goodman
Randall Kinzie

Ruby Maldonado
Lili Mireles
Carmen Perez
Mica Short
Ruben Torres

Board Members Absent

Dr. Jose Manuel De la Rosa
Art Garza

Mary Jo Ochoa
Emma Schwartz

Dr. William Serrata

Board Legal Council

Bob Blumenfeld

Staff Members Present

Leila Melendez
Abigail Ruiz
David Cuellar
Diana Velazquez
Eduardo Anaya

Gisela Guzman
Jeanette Alvarado
Kandolite Carson
Laura Avalos
Lucio Glenn

Mariel Soto
Myriam Guerrero
Nick Muñiz
Rogelio Luna

MINUTES

1. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Board Chair, Frank Spencer called the meeting to order at 12:03 pm. Quorum was cited.

2. PUBLIC COMMENT: *No one signed up for public comment.*

3. CONSENT AGENDA

The following consent agenda is slated for action as one item without discussion, unless a request for discussion is made by a Board Member.

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- A:** Approval of the General Board Meeting Minutes of January 25, 2023, as prepared and presented (*Frank Spencer III, Board Chair*)
- B:** Approval of the Disability Subcommittee Meeting Minutes of February 2, 2023, as prepared and presented (*Frank Spencer III, Board Chair*)
- C:** Approval of the Industry and Economic Development Committee Meeting Minutes of February 15, 2023, as prepared and presented (*Frank Spencer III, Board Chair*)
- D:** Approval of the Rural Subcommittee Meeting Minutes of February 22, 2023, as prepared and presented (*Frank Spencer III, Board Chair*)
- E:** Approval of the Education and Youth Committee Meeting Minutes of February 24, 2023, as prepared and presented (*Frank Spencer III, Board Chair*)
- F:** Approval of the Finance/Executive Committee Meeting Minutes of March 6, 2023, as prepared and presented (*Frank Spencer III, Board Chair*)
- G:** Ratification of the approval of increasing and appointing committee membership to include non-board members to the Education & Youth Committee (as approved by the Governance Committee on March 23) (*Mica Short, Governance Committee Chair and Leila Melendez, CEO*)
- H:** Acceptance of the update on monitoring activities report for the period ending March 15, 2023 (Support Services Review) (*Jeanette Alvarado, Financial Analyst*)
- I:** Acceptance of the Report on TWC Performance Measures for the period ending January 2023 (*Karina Castillo, Research Analyst*)
- J:** Contracts over \$250,000 executed during the period of January 15, 2023, to March 15, 2023 (*Diana Velazquez, Purchasing & Contracts Manager*)
 - i. NONE.

Motion (Perez/Aguirre) to approve all Consent Agenda Items 3A through 3J. Motion carried 17-0.

4. REGULAR AGENDA

A: EXECUTIVE & FINANCE COMMITTEE RECOMMENDATION

Discussion and action to approve the financial reallocation as recommended by staff and to accept the Financial Report for the period through January 2023. (*Frank Spencer III, Board Chair; Laura Avalos, Fiscal Manager*)

Motion (Dunlap/Perez) to approve the financial reallocation as recommended by staff and to accept the Financial Report for the period through January 2023.

- B:** Discussion and action to give the CEO authority to negotiate childcare contract negotiations (*Diana Velazquez, Purchasing & Contracts Manager*)

Motion (Blanco/Aguirre) to give the CEO authority to negotiate childcare contract negotiations. Motion carried 18-0.

- C:** Discussion and action to approve a recommendation for a new Board Member for Economic Development Representative (*Frank Spencer III, Board Chair*)

Motion (Goodman/Gear) to approve Eddie Garcia as a new Board Member for Economic Development Representative. Motion carried 18-0.

- D:** Discussion and action to establish an Ad Hoc Committee on Operating Budget FY24 within the Board of Directors to include:
(*Frank Spencer III, Board Chair*)

The Budget Ad Hoc Committee will consist of six members:

- a. Board Chair
- b. Board Vice-Chair
- c. A Past Board Chair
- d. one additional member of the Executive Committee
and two at-large members of the Board; to the extent feasible, one of the members will represent the rural communities served by the Board

Motion (Goodman/Dunlap) to establish an Ad Hoc Committee on Operating Budget FY24 within the Board of Directors to consist of: Board Chair – Frank Spencer III; Board Vice-Chair – Bobby Blanco; A Past Board Chair – Mica Short; one additional member of the Executive Committee – Dr. Armando Aguirre; and two at-large members of the Board; to the extent feasible, one of the members will represent the rural communities served by the Board – Randall Kinzie and Ralph Adame. Motion carried 18-0.

- E:** Discussion and action to approve the annual performance evaluation and any updated terms of employment (compensation) for the Chief Executive Officer (*Frank Spencer III, Board Chair*)

Motion (Short/Blanco) to move into executive session. Motion carried 17-0.

The Board entered into Executive Session at 12:06 pm.

Ms. Ernestina Fauntleroy arrived at 12:07 pm.

Mr. Ralph Adame arrived at 12:15 pm.

Motion (Adame/Kinzie) to return from Executive Session. Motion carried 19-0.
The General Board meeting reconvened at 12:51 pm.

Motion (Short/Bhaskar) to approve the performance evaluation of the CEO and to adjust the salary and incentive rate as discussed in executive session and to reclass the position to a director VII. Motion carried 19-0.

Mr. Satish Bhaskar left the meeting at 12:53 pm.

5. REGULAR AGENDA- ACTIVITY REPORTS

Information items are not posted for action, but may be discussed by the Board during the meeting. The presentation of informational items will normally be limited to five minutes per item. However, additional time may be granted by the Board for information items that merit additional time or need further discussion.

A: CEO Report (Leila Melendez, CEO)

- Sub-Recipient Monitoring Update
- Legislative Update
- City of El Paso proposal
- West Texas Spaceport Development Corporation
- Pathway for Heroes Grant
- NAWB Conference
- Tik Tok Ban
- General Board Meeting in the Rural Area – Thursday, May 18, 2023
- Other General Updates

Ms. Leila Melendez, CEO, announced that this has been the best Sub-Recipient Monitoring audit the Board has ever had with no findings. Ms. Melendez provided Board Members with information regarding the legislative update. Ms. Melendez discussed that she sent Mayor Leeser a proposal to do a comprehensive partnership agreement with all the City's departments. Ms. Melendez mentioned that she has been appointed to the West Texas Spaceport Development Corporation Board. Ms. Melendez announced that Workforce Solutions Borderplex received a \$4.7 million Pathway for Heroes Grant from the Department of Labor to serve 400 transitioning soldiers in two years. Ms. Melendez mentioned that she and other Board Members just returned from the NAWB Conference in Washington DC. All staff has been asked to remove the app due to the Tik Tok Ban regulations. The next General Board meeting on May 18th will be held in the rural area.

6. EXECUTIVE SESSION

The Board may vote to enter Executive Session – or a closed private session without public attendance – to take up the following item(s) in accordance with Chapter 551 of the Texas Government Code. No voting may take place in Executive Session. Any possible course of action discussed by the Board in Executive Session must be taken up and voted on in the open, public session.

A: Discussion regarding personnel matters (551.074 of the Texas Government Code)

B: Consultation with legal counsel on a matter(s) which legal counsel is obligated to keep confidential (551.071 of the Texas Government Code)

- Discussion regarding the performance evaluation of the Chief Executive Officer (§§ 551.071 and 551.074 of the Texas Government Code) (*Frank Spencer III, Board Chair*)
- C:** Discussion regarding personnel, possible claims, litigation matters, appeals, or other matters requiring advice of legal counsel (551.071 of the Texas Government Code)
 - Discussion and advice of counsel on legal matters
- D:** Discussion regarding pending or threatened litigation (551.071 of the Texas Government Code)

7. ADJOURN

Motion (Adame/Goodman) to adjourn the meeting was made at 1:24 pm. MST. Motion carried 18-0.