

## Workforce Connections

### Board Meeting

### MINUTES

February 28, 2012

10:00 a.m.

Culinary Academy of Las Vegas

710 W. Lake Mead Blvd.

Parlors C&D

North Las Vegas, NV 89030

#### Members Present

Charles Perry	Commissioner Butch Borasky	Commissioner Dominic Pappalardo (phone)
Commissioner Lawrence Weekly	Commissioner Tommy Rowe	Councilman Bob Coffin
Councilwoman Peggy Leavitt	Councilwoman Anita Wood	Dan Gouker
Dan Rose	Dennis Perea	Dr. David Lee
Hannah Brown, Chair	Ken LoBene	Michelle Bize
Mujahid Ramadan	Sonja Holloway	Valerie Murzl, Vice-Chair
William Bruninga (phone)		

#### Members Absent

Alex Garza	Councilwoman Gerri Schroder	F. Travis Buchanan
Mark Edgel	Pat Maxwell	

#### Staff Present

John Ball	Suzanne Potter	Ardell Galbreth	Sylvia Spencer
Rick Villalobos	Kimberly Colagioia	Jim Kostecki	Celia Diaz
Lauren Stewart	Tom Dang	Chris Shaw	Cornelius Eason
Kenadie Cobbin Richardson	Janice Greer	Jaime Cruz	Jeannie Kuennen
Kelly Ford	Jennifer Padilla	Chanda Cook	Byron Goynes
MaryAnn Avendano	Beth Rubins	Bridget Shaney	Clentine January
Emilio Pias	Scott Steinbach	Cynthia Edwards	Terrell Roberts
Carol Polke	Linda Yi		

#### Others Present

Matt Cecil, Board Counsel	Latanya Runnells, Nevada Partners, Inc.
Vincent Miller, Goodwill	Helicia Thomas, GNJ Family Life Center
Lynda Parven, DETR	Wendy Villanueva, ISIS Connections
Trnee Stephenson, ISIS Connections	Les Lazareck, Home Energy Connection
Bishop James M. Rogers, Sr., GNJ Family Life Center	Annette Bubak, Better Building Performance
LeVerne Kelley, DETR	Earl McDowell, DETR
Rene Cantu, LCC-CF	Sharon Morales, LCC-CF
Ron Fletcher, DETR – ESD	Mae Worthey, DETR
Trnee Stephenson, ISIS Connections	B. Thompson, So. Nevada Gang Task Force
Janice M. Rael, Nevada Partners, Inc.	Ed McGuire, City of Henderson
Thresea Kaufman, Nevada Hospital Association	Jake McClelland, FIT
Marie Flores, BCA	Vickie Henry, HUD
Jon D. Ponder, Hope for Prisoners	Norma Zamora, BCA
Dr. Tiffany Tyler, Nevada Partners, Inc.	Douglas Geinzer, SNMIC
Denise Gee, HELP of Southern Nevada	Stacy Smith, NYE CC
Nield Montgomery, The Learning Center	

(It should be noted that not all attendees may be listed above)

1. **Call to order, confirmation of posting, and roll call**

The meeting was called to order by Chair Hannah Brown at 10:05 a.m. Staff confirmed the meeting had been properly posted in accordance with the Nevada Open Meeting Law. Roll call was taken and a quorum was present.

2. **ACTION: Approve the Agenda with the inclusion of any emergency items and deletion of any items**

*A motion was made to approve the Agenda as presented by Charles Perry and seconded by Valerie Murzl. Councilman Bob Coffin opposed. Motion carried.*

3. **FIRST PUBLIC COMMENT SESSION:**

Annette Bubak, Vice-President and Co-Owner of Better Building Performance, Les Lazarek, Owner and Founder, Home Energy Connection commented on how the funds from the SESP grant have provided them the opportunity to grow their business and train their workforce in the green energy sector.

Ed McGuire, Facility Maintenance Manager, City of Henderson Public Works Department, commented on his involvement with the BEST program to which he was introduced to by Scott Steinbach of Workforce Connections. Mr. McGuire enrolled a number of his employees in the BEST program and 15 completed the training and received their certifications. Mr. McGuire said the BEST program has been a huge success and has benefitted the employees tremendously.

Douglas Geinzer, CEO, Southern Nevada Medical Industry Coalition, distributed a letter to the Board (attached) and made comments about SNMIC not being an item on today's agenda. Mr. Geinzer asked the Board to call an emergency meeting and make SNMIC the only item on the agenda. Mr. Geinzer commented on the success of the Healthcare 20/20 program.

To address the questions why SNMIC is not on the agenda Matt Cecil, Board Counsel, stated that the item is not on the agenda due to pending legal matter that must first be addressed by the Local Elected Consortium.

Discussion ensued regarding the procedure to put items on the meeting agenda.

4. **Adult and Dislocated Worker Committee ~ Valerie Murzl**

a. **ACTION: Approve the recommendations of Adult and Dislocated Workers Committee and Youth Council to publish a Request for Re-Entry Proposals for Adult and Youth Services in an amount not to exceed a total of \$1,000,000**

Sylvia Spencer provided background on this item wherein staff is requesting approval to publish a Request for Re-Entry Proposals for both Adult and Youth Services to continue the re-entry programs and services currently being run successfully in-house. Workforce Connections staff believe the re-entry program can now be sustained through the community partnerships.

Dan Gouker stressed the importance that the re-entry participants have access to a computer as the Nevada system of higher education does all enrollment, financial aid, etc. online.

Councilman Bob Coffin stressed the importance of a counseling component in the program.

After some discussion,

*A motion was made to approve the recommendations of Adult and Dislocated Workers Committee and Youth Council to publish a Request for Re-Entry Proposals for Adult and Youth Services in an amount not to exceed a total of \$1,000,000 as presented by Mujahid Ramadan and seconded by Dan Rose. Motion carried.*

b. **INFORMATION: RFP 101 Workshop.** Information on upcoming workshop to educate interested parties in the process of responding to a Request for Proposals released by Workforce Connections.

Workforce Connections is holding an RFP 101 Workshop on February 29, 2012 from 9am – 4pm in the Amaryllis Room at the Texas Station. The workshop will cover all aspects of the RFP processes including the Statement of Qualifications, the funding procurement process, and responding to the RFP.

**c. INFORMATION: Regional Sector**

**Healthcare update:** Linda Yi, Project Director, Nevada Healthcare Sector Council provided an update on the Future of Nursing: Campaign for Action grant. In January, the Nevada Healthcare Sector Council submitted their second Nevada Action Coalition Application provided and recently received confirmation designating Nevada at an Action Coalition. The coalition will be looking at the eight submitted recommendations to improve healthcare in Nevada. This is a great opportunity for Nevada; it will bring together the nursing professions and nursing organizations to really look at how to improve the lives in Southern Nevada. The Nevada Action Coalition Application is provided on page 9-18 of the agenda packet.

Debra Collins provided an overview of the Health Care Innovation Challenge application to enable the development of a new model of care delivery in Nevada through Telehealth Outreach and Care Coordination. The Culinary Health Fund submitted a proposal wherein they requested Workforce Connections to administer and oversee the programmatic aspects of the project, including the cooperative agreement and financial management. The awards will be announced in March 2012. The proposal is provided on page 19-30 of the agenda packet.

Ms. Collins was selected to be one of the Health Care Innovation Challenge proposal evaluators.

**Green Economy update:** Jaime Cruz provided an update on the “What’s it mean to be Green” Program and Incumbent Worker Program.

David McKinnis, VP of Facilities for MGM Resorts and Ed McGuire, Facilities Maintenance Manager for the City of Henderson presented on the impact the Incumbent Workforce Program has had on their organizations.

**d. INFORMATION: ADW/Emerging Markets Update**

Janice Greer and Kenadie Cobbin Richardson provided an overview of the ongoing strategies and mechanisms for the Layoff Aversion program. The full update is provided on page 33 of the agenda packet. A Dr. CEO Roundtable will be held at Workforce Connections on Thursday, January 26, at 6:00 p.m. The topic will be overcoming barriers to selecting implementing, and optimizing HER/PM systems.

**5. Operations Update ~ Ardell Galbreth, Deputy Director**

**a. ACTION: Amendment to the Board's By-Laws**

Article VII of the Board's current by-laws states: "These By-Laws shall be revised or amended at a regular meeting by a two-thirds vote of the members present, provided previous notice has been sent to board members and the proposed amendment has been announced in the business agenda of the scheduled meeting. Notice of the proposed amendment must be provided to members *at least thirty calendar days prior to the meeting date at which the amendment will come before the Board for vote.*" A copy of the proposed amended Board By-Laws has been distributed to the Board members and is attached to this Agenda. The Board will discuss the proposed amended By-Laws and will vote on them during the next Board meeting, which will be February 28, 2012. Board members may contact staff or legal counsel if they have any questions about the proposed By-Laws before the next meeting.

Ardell Galbreth commented that one critical committee, Adult & Dislocated Worker (ADW), is not included in the Bylaws as a standing committee and must be submitted in the amendment.

Matt Cecil, Board Counsel, commented that under 4.2(c) the bylaws address how individuals may place matters on to the Board agenda. Discussion ensued regarding getting items on the agenda.

Councilman Bob Coffin made a motion to add to section 4.2(c): *The following may place a matter onto one of the Committees' agenda (v) An item proposed by at least 25% of the voting members of the Board can propose an agenda item. There being no second the motion dies.* Discussion ensued.

Hannah Brown commented that the LEOs and Board should work in concert and the Board Chair should be involved in the hiring process of the executive director. Valerie Murzl suggested that all the Chairs from the various committees also be involved in the hiring process, as they work closely with the executive director position.

Hannah Brown requested language regarding a cooling off period be added to the Bylaws.

To address the issues of hiring an executive director, Matt Cecil commented that the current Bylaws state:

*One of the responsibilities of the Board is hiring an executive director to be responsible for daily operations, policy implementation, techniques, and methods to be employed in attaining the Southern Nevada Workforce Investment Board's goals and objectives.*

Mr. Cecil stated that in 2007 the Southern Board executed an agreement with the LEOs that transferred all responsibility to the LEOs. The agreement stated that the executive director is hired by and works for the sole pleasure of the LEOs. The agreement is provided on page 89 of the agenda packet. The proposed Bylaws include the same language.

The LEOs present confirmed that they have reviewed the amended Bylaws. Matt Cecil stated that the suggestions made today can be written into the Bylaws which would have to go back to the LEOs to be vetted then approved by the Board.

*Councilwoman Anita Wood made a motion directing the attorney to add language to the Bylaws that states any Board member who would like to request an item be added to the agenda should go through the Chair. Upon the Chair's approval, the request is passed on to the ED and staff to be included on the next Board meeting agenda and during the meeting any requests for an item to be added to the next agenda as long as it is approved by the Chair and not opposed by other members of the Board also to be added to the agenda. The motion was approved by Commissioner Lawrence Weekly and seconded by Councilwoman Peggy Leavitt. Motion carried.*

*Dan Gouker made a motion to table any further discussion on the amendment and refer it back to Legal Counsel, Chair, and staff for review and bring it back to the LEO Consortium and the Board for approval. Councilman Bob Coffin seconded the motion. Motion carried.*

**b. ACTION: Approve Revised PY2011 Budget Revision – February 2012**

*A motion was made to Approve Revised PY2011 Budget Revision – February 2012 as presented by Councilwoman Peggy Leavitt and seconded by Councilman Bob Coffin. Motion carried.*

**6. Youth Council Update ~ Ken LoBene, Chair**

**a. INFORMATION: Ready for Life Graduate Advocate Initiative**

Kimberly Colagioia, RFL GAI Director, provided a brief overview of the mentor update provided on page 110 of the agenda packet.

**b. INFORMATION: Year-Round Youth Funded Partner Update**

Clentine January provided a brief overview of Year Round Youth Program report provided on page 119 of the agenda packet.

**7. INFORMATION: DETR Unified Workforce Investment Board Statewide Proposal**

Director Frank Woodbeck and Lynda Parven from The Nevada Department of Employment, Training, and Rehabilitation (DETR) provided a presentation titled *Moving Nevada Forward: A Plan for Excellence in Workforce Development*. The presentation is an introduction to DETR's proposed plan for a unified state-wide Workforce Investment Board. A copy of the PowerPoint presentation was distributed to the Board.

Hannah Brown asked if DETR's proposal is a "done deal" wherein Director Woodbeck replied "No, it can't be a done deal first of all because it has to be petitioned by the Department of Labor and the Department of Labor has to decide that finally and we (DETR) have to present a case, a compelling case that would make sense." Discussion ensued.

Director Woodbeck commented that this matter is not a legislative matter rather it is part of the State Plan that will go to the Department of Labor. Discussion ensued.

Commissioner Lawrence Weekly commented that he is vehemently opposed to DETR's proposal and asked the LEOs to agendize the matter at the next meeting. Discussion ensued.

Ardell Galbreth asked, with DETR's State plan and the timeline presented today, has any consideration been given to the local plan or will the local plan become exempt. Dennis Perea, DETR staff and Board member, replied that the local plan is supposed to reflect the State's plan and should be developed at the same time. Mr. Galbreth commented that the Board needs to know what the State's plan is in order to align the local plan with the State plan.

The Workforce Connections Board will assemble a committee that will work with DETR regarding this plan and DETR will keep the Board and staff informed accordingly. Mujahid Ramadan requested to be on this committee.

Director Woodbeck commented that he is attempting to keep everyone informed on this "thought" before it goes further and thanked the Board.

The following is John Ball's response to DETR's presentation, written into the minutes verbatim at the request of Council Bob Coffin:

*Thank you Madam Chair, I can't respond to the specifics because this is the first time we've seen this as well but I do appreciate the fact that we are taking a look at it now and we're open for dialogue. So it new to us; however, it is not a new idea across the country or in Nevada. I've been in Nevada five years and Mr. Woodbeck will be the third DETR Director who's advanced this idea and Governor Sandoval will be the second Governor that has advanced the idea. So it has been looked at in a variety of ways. This is farther than it has been contemplated before at least in a public session, so we're making progress in that regard and I appreciate that.*

*Just to start off in answering Councilman Coffin's question, there is obviously not a set process for this because the Federal Act does not anticipate this direction; in fact, the Workforce Investment Act is unique in its heavy reference to independence upon local process, local boards, and local elected officials and business people making these decisions. So it is swimming about 180 miles upstream against that legislative intent in history. There are a small number of States, in essence, small States that have implemented one version or another of one Board and one State Plan. It is a handful of the 50 that have considered it. It is also true that major States have gone in the other direction and some of the most successful Workforce Investment States why they recognize as such they've gone in the other direction that is all the State functions and assets have been transferred to the local board, that would include Michigan, Colorado, Massachusetts, Texas, which Nevada has looked very closely at as a model, and Florida. So there are a variety of ways at looking at this but mostly States pretty much follow legislation.*

*There are over a hundred, substantially over a hundred clear references in the Workforce Investment act to the primacy of the local decision making process. So we start off from that fundamental foundation of how the Workforce Investment Act works. To go around that, I think part of the process you (Councilman Coffin) may have been asking about doesn't require action at the State level, I understand, but it would require action outside the State plan. It would require waivers of all those instances in the Federal Legislation that call for local elected officials and local business people in local workforce boards to make the decisions. Let me just note very quickly of those hundred let me point out ten here:*

- *Section 112(b)(6) is the section that requires the local elected officials to carry out even the State's idea how you appoint workforce boards at the local level; so that's a requirement in the Act*
- *Section 112(b)(18)(b) requires that the State Plan identify the criteria to be used by local boards in awarding youth grants; so the assumption is that local boards make that award*
- *Section 116(a)(1)(b) talks about how the Governor must designate local areas. Local areas and the criteria that they have to use to do that. In this case, I think the early indications are that the intention is to keep the service delivery areas. In the absence of local boards that receive those assets and distribute those, those are simply lines on a map at the State's discretion.*
- *Section 117 A long section describing how local boards are established, what their membership looks like, what their authority and functions are; so that would have to be waived.*
- *Section 117(d)(3) describes how all the local budget and grant administration works; the stuff that has turn my hair the color that it is and that we spend some time, sometimes an inordinate amount of time, kicking around this table.*
- *Section 117(d)(3)(b) talks about how the local board, not the State board, employs staff in conjunction with the Local Elected Officials to oversee and operate the budget.*
- *Section 117 (d)(5) provides for local performance measures, not State performance measures but local performance measures.*
- *Section 117 (d)(6)(7)(8) describes how local boards involve businesses at the local level; all the kind of work that you see Cornelius' staff doing at the local level because the intent of the legislation is these decision be made as close to the frontline of the workforce needs as possible.*
- *Section 117 (h) is the section that describes youth councils and how they're comprised and operated*
- *Section 121(a) talks about our partnership in the One-Stop system with the State providers and other partners. We, in this Board, have delegated that operating responsibility to DETR under an operating agreement, but it's your Board that is the party that makes that decision and about how that gets allocated.*
- *Section 122 talks about the eligible training provider process that is the basis of how we fund all of our training; that's a local decision process.*
- *Section 123 talks about the youth service providers and how they're expected to be picked out.*

*So just a small indication of how replete the Federal Legislation is with the primacy of local boards. The budget notes that Senator Murray has introduced over the last several sessions in our budget, in the Federal budget, has language that specifically tries to discourage or prevent Governors from going down this path. It's not that they can't do it but the sense of the Senate Committee is very clear that it is not the preferred model.*

*One current example of how heavily the Federal Government and the Congress rely on local boards is that you recall the continuing resolution process in this past year, in the budget year, where all agencies received cuts; the Department of Labor is not immune to those, but what the Congress did is when they took the cuts they made it very clear that they wanted to keep the local boards and their processes as intact as possible. So they went to the Governor's funding, and let me point out that the Governors are allowed to keep 15% of the State's allocation, the Governor's Reserve that came up in Lynda's remarks, what the Congress did is say we would rather have these cuts taken at the Governor's level rather than at the local level so we are going to take 10% of that 15%, essentially 67% of the Governor's set-aside and transfer that to the local boards to try and keep their operations and contracts intact. That's what Lynda is pointing out when she says the reduction of funds is making it hard to maintain a statewide infrastructure. A piece of that is because a majority of the Governor's funding by Congressional intent just got transferred to the local level.*

*We were with Dennis in front of the Board of Equalization and the Governor a couple of weeks ago, I think they transferred to our Board about \$1.2M out of the Governor's fund into the local Board's fund and you are allocating that, those dollars, into programs at the local level. So there has been a tension between what the role of the Governor's Board is and what the Local Board is but there is not any question about what the history and legislative intent of the Legislation is – and that is to empower local businesses, local elected officials, local education, and social service folks to make local decisions.*

*I just wanted Lynda to point out that the State's auditors claim a 32% overhead in our process. We are audited every year to make sure that we stay below the Federal definition of 10% administrative costs, 10%. We haven't exceeded that since I've been here.*

*We also have a category where the Federal Government allows us and actually encourages us to do, which is a program support or system support budget. We limit that in this budget to about 16%. That is a very lean amount for metropolitan WIBs across the country. It's a large amount for rural WIBs for small states; that's a lot of activity, but for metropolitan WIBs you can see that number at 20, 25, 35, and 40 percent depending on what activities they are undertaking. For example, the work that we've done very successfully over the last few years, under Cornelius' leadership reaching out to businesses. The work that we pioneered and continue to pioneer in this State, setting up sector council, and moving all of our assets into a sector-based approach. The State talks about that - we are happy to be partners in that but everyone knows that primarily that work is taking place out of our Board's staff.*

*Okay, I'll shut up very quickly here, but let me just say that the 32% overhead includes things like the IT costs that Dennis raised at the LEO meeting, where I think everybody on this Board is aware of the fact that our data processing system was not a high enough priority at the State*

*level to get it improved. It's hopelessly out of date; you've seen all the problems we've had with it. We funded a team to work with DETR to create a new system, an open source system that we think, I think everyone would agree at this point, is a superior way of moving forward.*

*So that while Lynda has said that budget savings are the primary goal of this, all I can say is we can accomplish these budget savings in a variety of ways. A statewide plan might be one, but also alignment as Ardell was saying under the State plan where we co-fund these processes that now are somewhat duplicative is another approach to it.*

*I think we have the opportunity Madam Chair following on Mr. Ramadan's remarks to take a good look at this process and see the benefits because I believe there are some. I think we can go farther than we have in the aligning of the processes across the State and making sure that we support the Governor's plan and also the local reality. So I look forward to at least a brief participation in that process. I encourage the Board and Elected Officials to keep an eye on their ability to require answers about what the possibilities are and at the staff level we'll do the best we can working with the DETR staff for whom we have a great degree of respect and professional communication to get you all the information you need to make a good decision.*

**8. CONSENT AGENDA**

- a. Approve the meeting minutes from the *workforce*CONNECTIONS Board of Director's Meeting on January 24, 2012

***A motion was made to approve the meeting minutes from the workforceCONNECTIONS Board of Director's Meeting on January 24, 2012 as presented by Dan Rose and seconded by Michelle Bize. Councilman Bob Coffin opposed. Councilwoman Anita Wood abstained as she was not present at the January 24<sup>th</sup> meeting. Motion carried.***

**9. SECOND PUBLIC COMMENT SESSION**

Renee Cantu, Latin Chamber of Commerce Community Foundation commented that the funded partners would like to be kept informed regarding any further discussion around the DETR's State Plan. Mr. Cantu also commented that the Latin Chamber is anxious to see the process for awarding incentive dollars move forward so that they can use the funds this fiscal year to place more people into employment. Hanna Brown commented that the Board is waiting for staff to bring to the Board a new proposal for awarding these incentive funds.

John Ball congratulated Mr. Cantu for getting in the finals list for the State's Superintendents position.

Latanya Runnells, Nevada Partners, Inc. thanked the Board for allowing NPI to provide services in Southern Nevada and distributed a report on agency's progress.

**10. Adjournment**

The meeting adjourned at 1:08 p.m.

*Attachment: SNMIC letter dated February 27, 2012*