

## **Region IV, Chief Elected Officials**

### **Special Virtual Meeting Via Zoom or Phone**

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**Friday, April 30, 2021 at 10:00 a.m.**

### **MEETING MINUTES**

#### **I. Call to Order**

- a. Mayor Miyagishima called the meeting to order at 11:06 a.m.

#### **II. Pledge of Allegiance**

- a. Mayor Miyagishima asked everyone to join him in the Pledge of Allegiance

#### **III. Welcome, Introductions, Roll Call, and Abstentions**

- a. Mayor Miyagishima asked Ms. Longovia to call roll and asked members to state their representation. There were no abstentions.

##### **Present:**

Commissioner Manuel Anaya  
Mayor Nora Barraza  
Mayor Richard Bauch  
City Councilor Irene Galvan  
Commissioner Anita A. Hand  
Mayor Pro Tem Gordy Hicks  
Mayor Benny Jasso  
Mayor Hilda Kellar  
Mayor Ken Ladner  
Mayor Ken Miyagishima  
Mayor Andy Nuñez  
Mayor Javier Perea  
Commissioner Chris Poncé  
Mayor Richard Rumpf  
Commissioner Manny Sanchez  
Commissioner Linda Smrkovsky  
Mayor Deb Stubblefield  
Mayor Sandra Whitehead

##### **Absent:**

Chapter Vice-President Jeremiah Apachito  
Mayor Chon Fierro  
Mayor Rulene Jensen  
Commissioner Art Malott  
Commissioner Jim Paxon  
Mayor Esequiel Salas  
Mayor Ed Stevens  
Mayor Edna Trager  
Mayor Diana Trujillo

##### **Staff:**

Jay Armijo, SCCOG Executive Director  
Steve Duran, WIOA Administrator  
Angela Longovia, Communications Manager  
Jaymi Simms, Program Manager

##### **Guests:**

Inez Apachito  
Margarito Aragon  
Yvette Bayless  
Tracey Bryan  
Concha Cordova  
Mary Gandara  
Nicole Ganier  
Christina Garcia-Tenorio  
Darleen Lopez  
Camille Padilla  
Marcos Peña

#### IV. Public Comment

- a. No public comment

#### V. Approval of Agenda

- a. Mayor Nuñez made **a motion to approve the agenda; seconded by** Commissioner Sanchez. **Motion carried unanimously.** Roll call vote was as follows:

Commissioner Manuel Anaya – Yes	Mayor Andy Nuñez – Yes
Mayor Nora Barraza – Yes	Mayor Javier Perea – Yes
Mayor Richard Bauch – Yes	Commissioner Chris Poncé – Yes
City Councilor Irene Galvan – Yes	Mayor Richard Rumpf – Yes
Commissioner Anita A. Hand – Yes	Commissioner Manny Sanchez – Yes
Mayor Pro Tem Gordy Hicks – Yes	Commissioner Linda Smrkovsky – Yes
Mayor Benny Jasso – Yes	Mayor Deb Stubblefield – Yes
Mayor Hilda Kellar – Yes	Mayor Sandra Whitehead – Yes
Mayor Ken Miyagishima – Yes	

#### VI. Discussion, Consideration and Possible Action Regarding

- a. Approval of the March 19, 2021 meeting minutes. Commissioner Smrkovsky stated there was quite a bit of discussion about the board composition on March 19. None of her comments are in the minutes and she would like them included. The minutes for the March 19, 2021 meeting will be modified and brought back to the board for approval at the next meeting. **No action was taken on this item.**
- b. Resolution 20 – 30 opposes the proposed changes to NMAC 11.2.4, which is proposing to remove units of local governments, mayors, or their designees, from the Chief Elected Officials board; and directs the administrative entity to submit this resolution for public comment and to Governor Michelle Lujan Grisham, as well as other stake holders. Mr. Duran shared that one issue supporting the proposed changes is that the Eastern Board, with over 50 Chief Elected Officials in their membership, has had difficulty assembling and engaging. That is not an issue in the Southwestern area. In the previous program year, the Region IV, Chief Elected Officials considered and reviewed over 60 resolutions. The proposed change does not fit well with this region because the CEOs are active and engaged. Mr. Duran went on to explain that the State is trying to get more representation throughout the state and proposing to do this through the County Commission Chairs or their designees. The possible impact is that mayors and the President of the Alamo Navajo Chapter would essentially not have a vote on the CEO board. Mr. Duran is proposing some options for the CEOs to review and recommend what they would like to do and include in the submittal for public comment. Public comment will be received no later than May 24, 2021 for recommended changes to the NMAC.

Because the information in Resolution 20-31 is relevant to Resolution 20-30, Mayor Miyagishima requested a motion to suspend the rules so both agenda items can be discussed at the same time. Mayor Whitehead **made a motion to suspend the rules so Resolutions 20-30 and 20-31 can be discussed at the same time; seconded by** Commissioner Anaya. Roll call vote was as follows:

Commissioner Manuel Anaya – Yes	Mayor Andy Nuñez – Yes
Mayor Nora Barraza – Yes	Mayor Javier Perea – Yes
Mayor Richard Bauch – Yes	Commissioner Chris Poncé – Yes
City Councilor Irene Galvan – Yes	Mayor Richard Rumpf – Yes
Commissioner Anita A. Hand – Yes	Commissioner Manny Sanchez – Yes
Mayor Pro Tem Gordy Hicks – Yes	Commissioner Linda Smrkovsky – Yes
Mayor Benny Jasso – Yes	Mayor Deb Stubblefield – Yes

Mayor Hilda Kellar – Yes  
Mayor Ken Miyagishima – Yes

Mayor Sandra Whitehead – Yes

Concerning submitting a letter for public comment, Mr. Duran presented four options for the members to consider for the content of the letter. Option A is to keep the existing requirement. Option B is to require a county commissioner from each county plus any mayors and President who opt to be a Chief Elected Official on the CEO board. Option C states that per the CEO bylaws, Option A or B can be selected. Option D is to require a county commissioner from each county, excludes President and mayors unless the county agrees to have a President or mayor represent the entire county.

Mayor Miyagishima asked Mr. Duran to show the maps provided in Resolution 20-31 where the first map shows the Current Four-Local Area Designation Model and the second map shows the Recommended Two-Local Area Designation Model with 4 metro counties and 29 rural counties. Mayor Pro Tem Hicks asked if cities are not represented, are they still responsible for the WIOA board, still responsible for the WIOA funding. Mr. Aragon with NMDWS stated that the direct grant recipients are the counties. The CEO's contract with a fiscal agent to administer the funds including to sub-recipients. If misappropriations of funds occur with sub-recipients, the boards can try to recoup those funds from that sub-recipient. If the sub-recipient is unable to pay back those funds, the responsibility then lies with the counties to pay back those funds with non-federal funds. Ms. Garcia-Tenorio stated that the U.S. Department of Labor directed NMDWS to strengthen this part of the NMAC so this understanding is there.

Mr. Aragon stated that with the current representation, all mayors and commissioners have a vote, 27 votes: Catron County has two votes (one from Village of Reserve, one from Catron County), Doña Ana County has six votes (City of Anthony, City of Las Cruces, City of Sunland Park, Town of Mesilla, Village of Hatch, and Doña Ana County), and so on. With the proposed rule, all the mayors and county commissioners can stay on the board, but each county would get only one vote which is a total of 7 votes for the region instead of 27 votes. Mr. Aragon also stated that with the current representation, if a county or two got together, they could overpower the vote. Mr. Duran stated that the Open Meetings Act prohibits rolling polls and overpowering the vote could not happen. Mr. Aragon also acknowledged that the Southwestern region has not had an issue with engagement and meeting quorum.

Commissioner Smrkovsky wanted to confirm that regardless who is on the board, having the counties responsible for WIOA funding is in a statute. Mr. Aragon replied that is correct. Commissioner Smrkovsky also asked if the NMAC is federal, state, or local. Mr. Duran replied it is a state code. Commissioner Smrkovsky asked if the code will change because of WIOA. Mr. Duran replied that this resolution is regarding submitting public comment opposing changes the state wants to make to the NMAC. With confirmation from Mr. Aragon, Mayor Miyagishima clarified for the members that the counties having fiscal responsibility is not new. It has been that way under WIOA. Commissioner Smrkovsky asked how long that has been in place. Ms. Garcia-Tenorio replied it has been in effect since WIOA was enacted in 2014.

Ms. Garcia-Tenorio clarified that through an audit done in 2018, the U.S. Department of Labor requested that NMDWS strengthen county engagement. The proposed changes in the NMAC are how NMDWS plans to comply with USDOL.

Commissioner Smrkovsky stated that at the last CEO meeting, we were waiting to receive additional information from the state to have for this meeting and asked if this information is what we were waiting for, if this is what the State sent to us. Mr. Duran replied that at the last meeting, we didn't know what the information was going to be. This NMAC is what we are presenting. The State did not send this to us. This was presented at the last State Workforce Board meeting. Staff pulled this from that meeting and is sharing it with the CEOs because staff has an obligation to keep the members informed. Commissioner Smrkovsky asked if each county only has one vote, how do we determine that one vote for each county. Mr. Duran shared that process is yet to be determined.

Mayor Miyagishima clarified that these changes are brought forth by the state. It has not taken place yet. He believes federal guidelines were sent to the State and the State created this plan, that this plan is not coming from the federal government. Mayor Miyagishima stated he sent a text to the Secretary of Labor Marty Walsh asking for the contact information for the Assistant Secretary in charge of workforce development so he can get more information. Commissioner Smrkovsky stated that she wants to be sure we are doing things right so we don't get our funding cut.

Commissioner Smrkovsky stated that Option B sounds like the best option because she does not want mayors to be off the board. She suggested having in-person meetings with work sessions to go over some of these items.

Mayor Miyagishima stated that if the state wants to redesign the designation, we can also request to just leave our region alone. Mayor Perea agreed and asked for the option to allow the other workforce boards to change but keep us the same because if we have a system that works for us, there's no reason to change.

Commissioner Poncé stated that Grant County has a lot of communities and he would not feel comfortable speaking for all its mayors. He would not want to step on their toes and asked if the State took into consideration not being able to represent someone the way they should be represented by their own board. Ms. Garcia-Tenorio replied that it's not just the county commissioners coming to the table and one county commissioner is not speaking for the entire county. All the mayors are welcome to attend and voice any concerns. That collaboration is encouraged.

Mayor Ladner commented that he agrees with Mayor Miyagishima and said that he is unaware of any issues with the current board structure and asked why the change.

To clarify, Ms. Garcia-Tenorio and Mr. Aragon added that the proposal presented by the State Board is for regions, urban and rural. The Southwest is a local area. The region is for economic planning. Each region can have multiple areas and multiple boards. In the proposal, they recognize that urban areas have different needs than rural areas. Once a region is designated, then we can look at the areas and the board structures and see what is the most optimum way to meet the economic needs for each region.

Mayor Miyagishima asked about the audit that Ms. Garcia-Tenorio mentioned earlier in the meeting. Mr. Aragon stated that it was not an audit. It was an annual review by their State Monitors.

At this time, Ms. Longovia informed Mayor Miyagishima that some members left the meeting and that there is no longer a quorum. Mayor Miyagishima stated that we can not have any further discussion and informed Mr. Duran we will have to have another special meeting to move and vote on these items.

## **VII. Adjournment**

- a. Mayor Miyagishima adjourned the meeting at 11:42 a.m. due to a lack of quorum.

### **ATTESTED**

*Kenneth Miyagishima*

06/16/2021

**Date**

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