



## Minutes

### Board of Directors Meeting

July 26, 2018 – 3:00 p.m.

1301 Broadway, Suite 201~ Lubbock, TX 79401

#### Board Members in Attendance

Adrienne Cozart, Chair  
Wesley Anderson  
Denver Bruner  
Chris Carpenter  
Angela Evins  
Nancy Kernell

Jeff Malpiede  
Willis McCutcheon  
Beth Miller  
John Osborne  
Esther Pena  
Barry Pittman

Leonard Valderaz  
Tom Vermillion  
Dr. Kyle Wargo  
Sharla Wells  
Adele Youngren

#### Board Members not in Attendance

Rob Blair  
Dela Esqueda  
Kimberley Harrel  
Kenneth Hill

Eddie McBride  
David Quintanilla  
Gilbert Salazar  
Chuck Smith

Joe Thacker

#### Chief Elected Officials, Staff and Guests Present

Martin Aguirre  
Rocky Brown  
Diana Gatlin  
Rosa Hernandez  
Sandra Hester  
Bobbie Howard

Sandra Mendoza  
Erin Rea  
Lisa Rivera  
Danny Soliz  
Richard Waite  
Don Hill

Christy Colley  
Roger Cardenas  
Whitney Quick  
Sam Harper

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

Chair Adrienne Cozart called the meeting to order at 3:02 p.m.

#### **II. Public Comments/Open Session**

#### **III. Review & Approve Minutes Dated April 26, 2018**

**John Osborne moved to approve the minutes. Barry Pittman seconded, and the motion passed.**

#### **IV. Committee Reports**

1. Executive (May 16, 2018)

Adrienne Cozart, Committee Chair reported. Information and action items are documented in the committee meeting minutes.

2. Oversight

Adrienne Cozart, Board Chair reported. Information and action items are documented in the committee meeting minutes.

#### **V. Consent Agenda Approval**

1. Reasonable Accommodations Policy (Executive)
2. FY 18-19 Preliminary Operating Budget (Oversight)
3. FY 18-19 Cost Allocation Plan (Oversight)
4. Audit Services Procurement (Oversight)

**John Osborne moved to approve the consent agenda items. Chris Carpenter seconded, and the motion passed.**

## **VI. Discussion, Consideration & Possible Action**

### **1. Income Eligibility & Assessing Parent Share of Cost – Change 1**

Rosa Hernandez presented the item and discussed the policy change required by changes in the TWC Child Care Services rule §809.19(a) that requires Boards to set a policy that assesses the parent share of cost (PSOC) in a manner that results in it “being an amount determined by a sliding fee scale based on the family’s size and gross monthly income, and also may consider the number of children in care.”

The original policy was approved by the Child Care Committee 09/22/16.

On June 14, 2018, Texas Workforce Commission’s three-member Commission adopted amendments to Chapter 809 Child Care Services rules, to be operationally effective August 1, 2018 and it has a major change to nonpayment of PSOC.

The amended Child Care Services rule §809 state Boards may terminate child care services during an eligibility period due to the following program violations:

- Unexplained absences in excess of 40 days in a 12-month eligibility period
- Nonpayment of parent share of cost (PSOC) when the provider has reported the nonpayment to the Board

Termination of child care services due to the above program violations applies to all eligibility periods that begin on or after August 1, 2018.

**Angela Evins moved to approve Board Staff requests that the Board of Directors approve the Child Care Income Eligibility & Assessing Parent Share of Cost Policy – Change 1. Sharla Wells seconded, and the motion passed.**

### **2. Child Care Services Program Violations Policy.**

Rosa Hernandez presented the item to the Board. The Child Care and Development Block Grant Act required states to demonstrate compliance with the 12-month eligibility requirements by October 1, 2016. TWC adopted rules on September 6, 2016, effective October 1, 2016, to comply with the federally required deadline.

Given that TWC’s rules predated the CCDF final rules, ACF’s new limited circumstances for ending care during a 12-month eligibility period were not included in current Chapter 809 rules. To be consistent with federal law and to ensure that Texas receives the benefits of any additional federal flexibility, TWC is adding the new criteria for ending care during a 12-month eligibility period in Chapter 809 rules.

On June 14, 2018, Texas Workforce Commission’s three-member Commission adopted amendments to Chapter 809 Child Care Services rules, to be operationally effective August 1, 2018.

The amended Child Care Services rule §809 state Boards may terminate child care services during an eligibility period due to the following *program violations*:

- Unexplained absences in excess of 40 days in a 12-month eligibility period
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Termination of child care services due to the above program violations applies to all eligibility periods that begin on or after August 1, 2018.

**Barry Pittman moved that the Board approve Board Staff requests to approve the Child Care Services Program Violations Policy. Sharla Wells seconded, and the motion passed.**

3. Recommendation to Enter into Negotiations with Contractor (s) for Workforce Career Center Services, Workforce Innovation Opportunity Act Youth Program Services, and Childcare Services.

Erin Rea presented a report to the Board of Directors outlining the results from a review of Request for Proposals (RFP) 2018-60-2000 Procurement of Workforce Career Center Services, Workforce Innovation and Opportunity Act Youth Services and Childcare Services. The RFP was issued on April 5, 2018 and was due on May 25, 2018. RFPs were received from the Communities in Schools (CIS), Southwest Key Workforce Development, LLC (SWK), and South Plains Community Action Association, Inc. (SPCAA). CIS, SWK, and SPCAA submitted proposals for WIOA Youth Services, SWK and SPCAA submitted proposals for Workforce Services, SPCAA submitted a proposal for Childcare Services.

Ms. Rea presented information for CCS first. SPCAA presented the only proposal max score possible from profile and operating narrative was 270. SPCAA's average score was 230.64. The budget was \$873,585 for operating and \$61,425 for Indirect Cost total budget of \$935,000 with 17 FTEs. Performance ratings Good to Excellent, Disallowed Cost over two years \$397.83. A recommendation was made that the Board execute a non-competitive procurement for management of Child Care Services and enter negotiations with SPCAA for these services.

Ms. Rea presented information from the WIOA Youth Services proposals. The maximum points were 230. SPCAA average score 200.29; SWK 174.61; CIS 166.62.  
SPCAA budget operating \$375,893, Indirect Cost \$39,595 total budget \$415,488, 3 FTEs  
SWK budget operating \$328,151 Management Fee \$34,976 Profit \$55,961 total budget \$419,088, 3, FTEs  
CIS budget operating and total \$714,851 FTEs incomplete  
SPCAA ratings Good to Excellent Disallowed Cost 2 years \$1,332  
SWK ratings Good to Excellent Disallowed Cost 2 years \$2,262  
CIS Good to Excellent

The Recommendation was made that based upon the information presented SPCAA be selected as the successful offeror for the WIOA Youth Services Contract.

Ms. Rea presented the results for Workforce Career Center Services. The maximum points were 387 SPCAA average score 333.5; SWK 317.67.  
SPCAA budget operating \$1,540,844, Indirect Cost \$154,613 total budget \$1,695,475, 37 FTEs  
SWK budget operating \$1,414,800 Management Fee \$132,948 Profit \$212,717 total budget \$1,760,465, 36, FTE  
John Osborne asked about profit and if SPCAA was able to get profit, Ms. Rea stated that SPCAA is non-profit and can only receive Indirect Cost, and SWK is a for profit. Non-profits are only allowed to receive Indirect Cost payments and that SWK as a for profit could ask for up to 6% based on federal guidelines. Mr. Osborne stated that a non-profit can make money, but it must go back into operations. Ms. Rea continued the presentation and stated that SPCAA ratings were Good to Excellent Disallowed Cost 2 years \$6,131  
SWK ratings Good to Excellent Disallowed Cost 2 years \$0

The Recommendation was made that based upon the information presented SPCAA be selected as the successful offeror for the Workforce Career Center Services Contract.

Ms. Rea asked the Board of Directors if there were any additional questions and there were none.

**Denver Bruner moved that the Board of Directors provide authorization to Board staff to enter into Contract Negotiations with South Plains Community Action Association, Inc, for the provision of Workforce Center Career Services, Workforce Innovation Opportunity Act Youth Services, and Childcare Services. The Contract period for each Service will begin on October 1, 2018 through September 30, 2019 for year one with three (3) one (1) year renewable options. Nancy Kernell seconded, and the motion passed with Adele Youngren abstaining.**

**VII. Report and Update by the Board CEO**

Martin Aguirre provided information about the High Demand Job Training Grant that was received in Partnership with the Lubbock Economic Development Alliance. The Grant will serve more than 700 students at the participating schools. Mr. Aguirre spoke about the Annual Employer Awards Banquet and the scholarship given this year. The Board will receive a Rural Initiative Grant of \$240,000 to provide services to 12 rural counties in the South Plains Board area.

**VIII. Adjourn**

The meeting was adjourned at 3:48pm.