

Region IV, Chief Elected Officials

Special Meeting Agenda

Virtual Meeting Via Zoom or Phone

To join meeting by phone, dial: (346) 248-7799, then enter Meeting ID: 882 4556 0801

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

*Mayor Ken Miyagishima— Chair
Trustee Carlos Arzabal—Vice Chair*

I. Call to Order

II. Pledge of Allegiance

III. Welcome and Introductions

IV. Roll Call and Abstentions

V. *Public Comment (3-Minute Limit)

VI. Approval of Agenda

VII. Discussion, Consideration, and Possible Action Regarding

- a. Approval of the March 19, 2021 meeting minutes **pg. 3**
- 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 stakeholders. **pg. 7**
- c. Resolution 20 – 31 recommends to Governor Michelle Lujan Grisham that the existing Four Local Area Designation Model, not change due to the current economic recovery conditions, lack of a comprehensive analysis on the proposed models, stakeholder input, and transparency. **pg. 16**

VIII. Reports and Information Items

- a. Update from DWS Liaison – Christina Garcia-Tenorio

IX. Other

- a. Member Input

X. *Public Comment (3-Minute Limit)

XI. Next Meeting

- a. Friday, June 11, 2021, at 11:00 a.m.

XII. Adjournment

*Public comments can be emailed to angela1@sccog-nm.com before April 30, 2021 at 10:00 a.m. All public comments will be read at the meeting in the order received.

1 **Region IV, Chief Elected Officials**

2 **Virtual Meeting Via Zoom or Phone**

3 To join meeting by phone, dial: (346) 248-7799, then enter Meeting ID: 893 7117 0117

4 To join meeting online via Zoom, go to: <https://us02web.zoom.us/j/89371170117>

5 **Friday, March 19, 2021 at 11:00 a.m.**

6 **DRAFT OF MEETING MINUTES**

7 **I. Call to Order**

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

9 **II. Pledge of Allegiance**

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

11 **III. Moment of Silence for Kathleen Mrozek and all affected by COVID-19**

12 a. Mayor Miyagishima asked for a moment of silence for Kathleen Mrozek and all those
13 affected by the COVID-19 pandemic.

14 **IV. Welcome, Introductions, Roll Call, and Abstentions**

15 a. Mayor Miyagishima asked Ms. Longovia to combine introductions with roll call and
16 abstentions of members. There were no abstentions.

17 **Present:**

18 Commissioner Manuel Anaya
19 Trustee Carlos Arzabal
20 Mayor Richard Bauch
21 City Councilor Irene Galvan
22 Mayor Pro Tem Gordy Hicks
23 Mayor Ken Ladner
24 Commissioner Art Malott
25 Mayor Ken Miyagishima
26 Commissioner Jim Paxon
27 Mayor Javier Perea
28 Mayor Richard Rumpf
29 Mayor Esequiel Salas
30 Commissioner Manny Sanchez
31 Commissioner Linda Smrkovsky
32 Mayor Edna Trager
33 Mayor Diana Trujillo
34 Mayor Sandra Whitehead

17 **Absent:**

Vice Chapter President Jeremiah Apachito
Mayor Chon Fierro
Commissioner Anita Hand
Mayor Benny Jasso
Mayor Rulene Jensen
Mayor Hilda Kellar
Mayor Andy Nuñez
Commissioner Chris Poncé
Mayor Ed Stevens
Mayor Deb Stubblefield

36 **Staff:**

37 Jay Armijo, SCCOG Executive Director
38 Skylar Arnold, Fiscal Administrator
39 Steve Duran, WIOA Administrator
40 Angela Longovia, Communications Manager
41 Joe McClintock, Project Manager
42 Jaymi Simms, Program Manager

36 **Guests:**

37 Josh Orozco
38 Christina Garcia-Tenorio
39 Margarito Aragon
40 Veronica Alonzo
41 Darleen Lopez
42 Cindy Quillin
43 Concha Cordova

44 Eric Rivera
 45 Yvette Bayless
 46 Marcos Peña
 47 Louise Marquez

48 **V. Public Comment**

49 a. No public comment

50 **VI. Approval of Agenda**

51 a. **Approval of the agenda includes approval of the Consent Agenda Items.** Mayor Pro
 52 Tem Hicks made a motion to approve the agenda; seconded by Commissioner Sanchez.
 53 **Motion carried unanimously.** Roll call vote was as follows:

54 Commissioner Manuel Anaya – Yes	Commissioner Jim Paxon – Yes
55 Trustee Carlos Arzabal – Yes	Mayor Javier Perea – Yes
56 Mayor Richard Bauch – Yes	Mayor Richard Rumpf – Yes
57 City Councilor Irene Galvan – Yes	Mayor Esequiel Salas – Yes
58 Mayor Pro Tem Gordy Hicks – Yes	Commissioner Manny Sanchez – Yes
59 Mayor Ken Ladner – Yes	Commissioner Linda Smrkovsky – Yes
60 Commissioner Art Malott – Yes	Mayor Diana Trujillo – Yes
61 Mayor Ken Miyagishima – Yes	Mayor Sandra Whitehead – Yes

62 **Consent Agenda Items – (These items were approved when the agenda was approved)**

- 63 a. *Approval of the December 11, 2020 meeting minutes
- 64 b. *Resolution 20 – 25 concurs with the Southwestern Area Workforce Development Board to
 65 ratify the Executive Committee’s resolution authorizing an exemption to Section W of the ITA
 66 Policy 17-08.5 to pay for ITA contracts on a prorated basis for contracts signed after the start
 67 of classes through May 31, 2021
- 68 c. *Resolution 20 – 26 concurs with the Southwestern Area Workforce Development Board to
 69 ratify the Executive Committee’s resolution approving an amendment to a lease agreement
 70 with Loretto Associates L.P. for workforce office space at 505 S. Main St., Suite 134 in Las
 71 Cruces, NM
- 72 d. *Resolution 20 – 27 concurs with the Southwestern Area Workforce Development Board to
 73 amend the Customized Training Policy No. 19-01
- 74 e. *Resolution 20 – 28 concurs with the Southwestern Area Workforce Development Board to
 75 ratify the Executive Committee’s resolution approving the Four-Year Plan for submission to
 76 the NM Department of Workforce Solution

77 **VII. Discussion, Consideration and Possible Action Regarding**

- 78 a. Resolution 20 – 29 approves nominations for current Southwestern Area Workforce
 79 Development board members to also represent Workforce in their current term. Ms.
 80 Longovia shared that in accordance with the Workforce Innovation and Opportunity Act, the
 81 Chief Elected Officials are responsible for appointments to the Southwestern Area Workforce
 82 Development Board. At least 20% of the SAWDB’s membership must represent Workforce.
 83 A nomination form and résumé were presented for two board members who currently
 84 represent another area, but qualify to represent Workforce. Supporting documentation and
 85 approval from the CEOs must be completed to solidify their Workforce representation.
 86 Trustee Arzabal **made a motion to approve Resolution 20 – 29; seconded by** Mayor Pro
 87 Tem Hicks. **Motion carried unanimously.** Roll call vote was as follows:
- 88 Commissioner Manuel Anaya – Yes Commissioner Jim Paxon – Yes

89	Trustee Carlos Arzabal – Yes	Mayor Javier Perea – Yes
90	Mayor Richard Bauch – Yes	Mayor Richard Rumpf – Yes
91	City Councilor Irene Galvan – Yes	Mayor Esequiel Salas – Yes
92	Mayor Pro Tem Gordy Hicks – Yes	Commissioner Manny Sanchez – Yes
93	Mayor Ken Ladner – Yes	Mayor Diana Trujillo – Yes
94	Commissioner Art Malott – Yes	Mayor Sandra Whitehead – Yes
95	Mayor Ken Miyagishima – Yes	

96 b. Chief Elected Officials Composition and Representation

97 Mr. Duran presented that at a bi-weekly call with the NM Department of Workforce Solutions
 98 (DWS), local board administrators, and One-Stop Operators, DWS indicated that they were
 99 working on proposing a change to the Chief Elected Officials (CEO) composition where
 100 mayors or their designees would no longer be serving on this CEO board. This CEO board
 101 would be comprised of a representative from each county to promote engagement and
 102 representation for their geographic area. For the record, Mayor Trager joined the meeting
 103 during this presentation at 11:25 a.m. Ms. Garcia-Tenorio, CEO and Local Workforce Board
 104 Liaison from DWS stated she thinks there was a misunderstanding. She stated that the goal
 105 is to create a workforce representative for each county and this will not exclude mayors for
 106 each area. They want to continue having mayors on the CEO board. Ms. Garcia-Tenorio
 107 provided some background stating that when USDOL did a recent audit, they noted that New
 108 Mexico had a lack of CEO engagement and tasked the State with creating more of an
 109 engagement. The State will request that each county have a designated commissioner be
 110 the go-to person for workforce. Mr. Duran shared that he and his counterparts in the other
 111 regions all understood the message to be that the mayors would no longer be included in
 112 this re-structuring and thanked Ms. Garcia-Tenorio for the clarification. Mr. Duran requested
 113 that Ms. Garcia-Tenorio send information that has already been created so we can share it
 114 with the CEO board and keep them updated about this new structure. She replied that she
 115 has been tasked with putting items together to illustrate the steps that will be taken to move
 116 forward with the new design. It will take some time to implement and she will send
 117 information to keep this process transparent. Mayor Miyagishima asked about submitting
 118 other model ideas that may work for our region instead of going with what DWS creates. Ms.
 119 Garcia-Tenorio said if they have their own model that they feel would work best in their
 120 region, DWS would like to hear about it. Mr. Duran proposed that staff gather information
 121 from Ms. Garcia-Tenoria including the report from USDOL to the State, work with Mayor
 122 Miyagishima to package it, and then send it to the CEO members. Mayor Miyagishima asked
 123 the members to share this information with their community and consider other ideas if they
 124 feel this is not a workable solution and provide a letter or resolution we can send to the
 125 State. Mr. Duran added that the intent of this agenda item is to inform the members of this
 126 discussion from the State. With the information that Ms. Garcia-Tenorio shared, this design
 127 is in the preliminary stages at their level and they intend to engage more with the CEO
 128 members. Mr. Duran suggests that we review the information, understand the objective, and
 129 then provide DWS with feedback. During this discussion, Commissioner Anaya and Trustee
 130 Arzabal (Vice-Chair), left the meeting.

131 Ms. Garcia-Tenorio informed the members that DWS is doing a CEO training with Maher &
 132 Maher on March 29, 30, and April 1 and encouraged the CEOs to attend one of the trainings.
 133 She will send the information to staff to pass on to the CEO members.

134 At this time, Mayor Ladner, Mayor Salas, and Chair Mayor Miyagishima lost internet
 135 connection and the board lost quorum. Quorum was re-established when Chair Mayor
 136 Miyagishima returned.

137 c. Local Area Designation.

138 Mr. Duran presented an update on the Local Area Designation request that this CEO board
 139 made through a resolution on June 2020 to keep the same counties within the Southwestern
 140 service delivery area. The NM State Workforce Development Board (State Board) also
 141 received a request from each of the four boards for their respective areas. The State Board
 142 is scheduled to make its recommendation to the Governor at their meeting on April 1, 2021,

143 based on information they received from a Transformation Committee. Mr. Duran shared the
 144 four options the State Board is considering: four region workforce area with county
 145 modifications, three workforce areas, or two workforce areas. This would potentially lead to
 146 new areas, new boards, and new providers beginning July 1, 2022. The CEO Chair provided
 147 a letter to the State Workforce Board members to retain the current four-workforce board
 148 model and to work together to address the issues cited by the Transformation Committee
 149 rather than revamp the entire workforce structure and assets. During this discussion, Mayor
 150 Ladner and Mayor Salas returned to the meeting. At this time, Mayor Miyagishima lost his
 151 internet connection. The meeting paused. Upon Mayor Miyagishima's return, we moved to
 152 the next item.

153 VIII. Reports and Information Items

154 a. One-Stop Operator Report

155 Ms. Lopez, One-Stop Operator for the region, presented information about Re-Start New
 156 Mexico, an initiative Governor Lujan Grisham has dedicated to the workforce system to get
 157 the economy restarted and selected the Southwestern region to get it launched. Some of the
 158 key components include job seeker and employer focus, large push for training while
 159 receiving UI benefits, large commercial advertising campaign providing by the State,
 160 dedicated statewide phone lines, and a new website to help New Mexicans get back to work.
 161 Ms. Lopez shared the steps needed at the local level to include developing strategies around
 162 intake, continuous quality improvement mechanisms, partnering with higher education,
 163 reporting systems, and drafting staffing plans.

164 b. Administrative & Financial Reports

165 i. Mr. Duran shared a graph showing a two-year comparison of expenditures and
 166 services for the Title I programs. For the WIOA Adult program, expenditures for on-
 167 the-job training, classroom training, and supportive services decreased significantly
 168 because of the pandemic. For the WIOA Dislocated Worker program, we saw
 169 expenditure increases for the on-the-job training and classroom training services.
 170 For the WIOA Youth program, expenditures increased despite the pandemic. Mr.
 171 Duran provided background information about how this service provider had a rocky
 172 start when their contract began two years ago with hiring new staff, staff training,
 173 and getting acclimated. Mr. Duran shared a Performance Activities Schedule for this
 174 provider showing items such as Outreach/Recruitment Activities, New Paid Work
 175 Experience, New Enrollments, Participant Retention, and more.

176 At this time, Ms. Longovia informed the Chair that some members left the meeting
 177 and that the board no longer had a quorum.
 178

179 IX. Adjournment

180 a. Mayor Miyagishima adjourned the meeting at 12:41 p.m. due to a lack of quorum.

181 **ATTESTED**

182
 183

_____ **Date** _____

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 make every effort to provide reasonable accommodations for people with disabilities who wish to attend a public meeting.
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AGENDA ITEM SUMMARY

Special Region IV, Chief Elected Officials Meeting

April 30, 2021

Agenda Item

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 stakeholders.

SUMMARY OF AGENDA ITEM

The purpose of this item is to inform the Chief Elected Officials (CEO) of a proposed change to New Mexico Administrative Code 11.2.4 and to gather CEO input to submit a public comment for consideration on the proposed changes. The NM Department of Workforce Solutions will review the public comments received no later than May 24, 2021, to consider changes to the NMAC.

At the previous CEO meeting in March, the staff informed the board of the proposed changes to the composition to the CEO board but had yet to receive any documentation and could only provide a verbal report. We have now received documentation. The proposed changes, as written, would reduce the number of CEOs from 27 to seven CEO members on the board – one per county. Our NM Department of Workforce Solutions (DWS) Liaison indicated that a county commissioner could work with mayors within their respective counties to discuss workforce matters and represent their interests at CEO meetings. The DWS liaison also indicated that the county commission could identify a mayor as the county's representation instead of a county commissioner, but there would still be one CEO per county.

At the New Mexico State Workforce Development Board meeting on April 1, 2021, the state board voted to approve changes to the composition as shown on the attached NMAC 11.2.4.7. The NMAC reads (underlines are additions; strikethroughs are deletions),

“ Chief elected official (CEO) is the chief elected executive officer of a unit of general local government in a local area. CEOs shall consist of one county commissioner from each county located in the area [; and in a case in which a local area includes more than one unit of general local government, the individuals designated under the agreement described in WIOA Section 107] In a case in which a local area includes more than one unit of general local government, the points of contact shall only be the recognized CEOs for each county located in that area.”

Accordingly, attached is a draft document for your review and input that opposes the proposed changes to the NMAC. We are not experiencing quorum and engagement issues with our CEOs, as is the Eastern Area of New Mexico, with over 50 CEOs in their membership. We believe that applying this proposed one size fits all solution to the Southwestern area will harm our workforce system with fewer experienced, engaged, and active CEOs in their responsibilities.

The attached CEO Letter for Public Comment offers a recommendation stating that:

1. CEOs shall consist of one county commissioner from each county located in the area and any other unit of general local government, such as a mayor or their designee, who opts to serve as a CEO.

DEPENDING ON ACTION TAKEN, ITEM MAY BE REFERRED OR REPORTED TO

- Staff or committee, as directed.

THIS ITEM SUPPORTS STRATEGIC PLAN GOAL(S)

- Supports all strategic plan goals

LIST OF SUPPORTING INFORMATION FOR YOUR REVIEW

- CEO Letter for Public Comment
- NMAC 11.2.4 with proposed changes

Region IV, Chief Elected Officials
 Southwestern Workforce Development Area
 PO Box 1072
 Elephant Butte, NM 87935
 (575) 744-4857

**New Mexico
 Workforce Connection**
 A Proud Partner of the American Job Center Network

April 30, 2021

Attn: Andrea Christman
 New Mexico Department of Workforce Solutions
 P.O. Box 1928
 Albuquerque, NM 87103

Re: Public Comment on NMAC 11.2.4

Dear Ms. Christman:

As stated in your legal notice in the Albuquerque Journal dated April 15, 2021, we are providing public comment for your consideration of the amendment to New Mexico Administrative Code 11.4.2.

The Chief Elected Officials for the Southwestern Workforce Development Area approved Resolution 20 – 30 on April 30, 2021, which opposes the amendment. The amendment as proposed will adversely impact the workforce system of New Mexico because it only permits county commissioners to be on the Chief Elected Officials board.

During the past 20 years, New Mexico's Chief Elected Officials (CEOs) in the Southwestern Area have built a strong working board, having gained the active participation of mayors and commissioners who perform their duties as prescribed under the Workforce Innovation and Opportunity Act. In addition, county commissioners and mayors have represented the interests of their constituents within their jurisdictions. As a result, they have an equal voice and vote on the CEO board and are essential to understanding each of their communities' unique needs.

Our recommendation is to change Section 11.2.4.7 of the administrative code so that mayors and commissioners can continue to work together to find the best solutions for their communities. The highlighted text in yellow shows our recommended changes. Additions in RED and deletions as highlighted strikethroughs.

“ Chief elected official (CEO) is the chief elected executive officer of a unit of general local government in a local area. CEOs shall consist of one county commissioner from each county located in the area and any other unit of general local government, such as a mayor or their designee, who opts to serve as a CEO. [~~and in a case in which a local area includes more than one unit of general local~~

government, the individuals designated under the agreement described in WIOA Section 107] In a case in which a local area includes more than one unit of general local government, the points of contact shall only be the recognized CEOs for each county located in that area."

If you have questions, please contact me at your earliest convenience.

Sincerely,

Steve Duran
WIOA Administrator

xc: Honorable Michelle Lujan Grisham
Region IV, Chief Elected Officials
File

TITLE 11 LABOR AND WORKERS' COMPENSATION
CHAPTER 2 JOB TRAINING
PART 4 WORKFORCE INNOVATION AND OPPORTUNITY ACT LOCAL GOVERNANCE

11.2.4.7 DEFINITIONS:

A. Chief elected official (CEO) is the chief elected executive officer of a unit of general local government in a local area. CEOs shall consist of one county commissioner from each county located in the area [; and in a case in which a local area includes more than one unit of general local government, the individuals designated under the agreement described in WIOA Section 107] In a case in which a local area includes more than one unit of general local government, the points of contact shall only be the recognized CEOs for each county located in that area.

B. ~~[Lead chief elected official]~~ Chief Lead Elected Official (CLEO) is the individual selected by the participating chief elected officials who may act on behalf of the other chief elected officials in a given local workforce development area (local area).

C. Local administrative entity means the entity designated by the local board for the administration of WIOA in the local area.

D. Local area means a workforce development area assigned to a region by the governor for the administration of workforce development activities; and the area within which local boards oversee their functions.

E. Local board grant agreement means the grant agreement between the recipient of WIOA funding (DWS), and the sub-recipient of WIOA funding (local board), to fund and direct the administration of WIOA in the local area.

F. Local workforce development board (state local board) means the state workforce development board established by the governor under WIOA section 107.

G. One-stop delivery system means a one-stop delivery system, as described in WIOA section 121.

H. One-stop operator means a public, private, or nonprofit entity, or a consortium of entities designated or certified under WIOA section 121.

I. One-stop partner means an entity described in WIOA section 121 that is participating in the operation of a one-stop delivery system.

J. State workforce development board (state board) means the state workforce development board established by the governor under WIOA section 101.

K. Technical assistance guidance means technical advisories issued by state or federal government authorities to aid in the implementation of WIOA.

L. Unit of general local government means any general purpose political subdivision of a state that has the power to levy taxes and spend funds, as well as general corporate and police powers.

M. Workforce connection center means a physical one-stop center within the one-stop delivery system, as described in WIOA section 121, and partner of the American job center network.

N. Workforce solutions department means the state administrative agency designated by the governor for the administration of WIOA in New Mexico, commonly referred to as the department of workforce solutions (DWS). DWS is also the agency designated by the governor as the pass-through entity for WIOA funding.

[11.2.4.7 NMAC - N, 7/1/2018]

11.2.4.9 [CEO] SHARED LIABILITY AGREEMENT: Per WIOA section 107, if a local area includes more than one unit of general local government, the CEOs of such units must execute a written agreement that specifies the respective roles and liability of the individual CEOs. If the CEOs are unable to reach agreement after reasonable effort, the governor may appoint the members of the local board from individuals nominated or recommended.

A. Required inclusions. CEOs must enter into an agreement with each other that, at a minimum, includes the following sections:

(1) Liability of funds. The agreement must acknowledge financial liability per WIOA section 107, and outline the process for determining each CEO's share of responsibility as laid out in the CEO agreement. This determination could be based on allocation, population, expenditures, and other criteria determined by the CEOs.

(2) Grant recipient and signatory. The agreement must acknowledge the CEOs are the grant recipient for all local WIOA funds or have designated grant recipient authority to the local board. If the CEOs will serve as the grant recipient, they must outline the process they will use to sign contracts and enter into agreements

related to WIOA. This may be accomplished by designating signatory authority to a [lead-CEO] Chief Lead Elected Official (CLEO).

(3) Fiscal agent designation. To assist in the administration of the grant funds, the CEOs may designate an entity to serve as a local fiscal agent and describe the process for designating a local fiscal agent within the guidelines required by state and local procurement laws and policies.

(4) Local board budget approval. The agreement must describe the process for reviewing and approving the local board annual budget.

(5) Participating CEOs. The agreement must contain the name, representation, contact information, and signature of each participating CEO in the local area.

(6) Election of a new CEO. Within ~~120~~ 90 days of when a new CEO is elected within the local area, either participating as a signatory on the agreement or as a participating CEO, the local board must ensure the individual submits to the local board a written statement acknowledging that he or she:

(a) has read, understands, and will comply with the current CEO agreement; and
 (b) reserves the option to request negotiations to amend the CEO agreement at any time during the official's tenure as a CEO.

(c) Amendment or change to the CEO agreement. The agreement must outline the process that will be used for amendments or changes to the CEO agreement. All amendments or changes must be maintained at the local administrative entity office and available for monitoring by DWS.

B. Recommended inclusions. To improve the coordination and functionality of the local workforce system, CEOs should also address the following items in their agreement:

(1) Designation of a [lead-CEO] CLEO. CEOs are liable for all WIOA funds in the local area and are required by WIOA to approve or provide guidance on a number of local board activities. DWS encourages CEOs to select a [lead-CEO] CLEO who will act on behalf of the other CEOs. If a [lead-CEO] CLEO is appointed, the following information must be sent to the local administrative entity and kept on file for review by DWS:

- (a) appointment process and term of [lead-CEO] CLEO;
- (b) designation of the [lead-CEO] CLEO to serve as the signatory for the CEOs;
- (c) outline of decisions that may be made by the lead on behalf of the CEOs; and
- (d) inclusion of the name, title, and contact information of the appointed [lead-CEO]

CLEO.

(2) Local board member representation. The agreement should outline how CEOs will ensure local board representation is fair and equitable across the local area.

(3) Communication. The agreement should describe how the CEOs will communicate with each other regarding local board activities, determining how many times a year the CEOs will meet, and how often a joint meeting with the local board will be held. CEOs should meet at least once a year just as CEOs and once a year with the local board.

[11.2.4.9 NMAC - N, 7/1/2018]

11.2.4.15 Planning Regions

A. Background

(1) WIOA envisions a workforce development system that is customer-focused on both the job seeker and business, and is able to anticipate and respond to the needs of regional economies. Strong collaboration among government, local employers and industry, training providers and educational institutions, service and advocacy organizations, philanthropy and other local organizations is often needed to support and deliver effective workforce services. It requires Chief Elected Officials (CEOs) and local workforce development boards (LWDB) to design and govern the system regionally, to align workforce policies and services with regional economies, and to support service delivery strategies tailored to these needs. To support this regional approach, WIOA requires States to identify planning regions. Per section 106 (a)(2) of WIOA, the State shall identify:

- (a) Which regions are comprised of one local workforce development area (local area) that is aligned with the region;
- (b) Which regions are comprised of two or more local areas that are collectively aligned with the planning region; and
- (c) Which, of the planning regions, are interstate areas contained within two or more states, and consist of labor market areas, economic development areas, or other appropriate contiguous sub-areas of those States.

(2) As part of the identification of planning regions, New Mexico also uses the following criteria:

- (a) A single labor market;
- (b) A common economic development area;
- (c) Possessing of the Federal and non-Federal resources to administer workforce development activities;
- (d) Commuting patterns, which shows movement of workers from their residence to their workplace;
- (e) Population centers;
- (f) Similar economic bases, including percentage of employment in a particular industry;
- (g) Labor force conditions, including labor force data and unemployment data; and
- (h) Industrial composition, including industry employment patterns (jobs by industry and share of total employment by industry).

(3) Planning regions are areas identified by the State and the purpose of a planning regions is to promote alignment of workforce development activities and resources with larger regional economic development areas and available resources to provide coordinated and efficient services to both individuals and employers. The development of comprehensive regional partnerships facilitates this alignment and provides support for the execution and implementation of sector strategies and career pathways. Identification of planning regions is important, because regional economic development areas are established in order to ensure that training and employment services:

- (a) Support economic growth and related employment opportunities;
- (b) Meet the needs of individuals, including those with barriers to employment;
- (c) Meet the skill competency and unique cultural requirements of the region; and
- (d) Meet the specific needs of regional employers and the skills they require.

B. State Requirements

(1) The State is required to identify regions in consultation with local CEOs and LWDBs. In New Mexico, consultation will entail one or more of the following activities:

- (a) Collaboration with the State Workforce Development Board;
- (b) Collaboration with the New Mexico Department of Economic Development;
- (c) E-mail notification of proposed planning regions to the CEOs and LWDB directors with the opportunity to provide comment at least 30 days prior to any final action;
- (d) Public notice of proposed planning regions to allow affected businesses, institutions of higher education, labor organizations, other primary stakeholders and the general public the opportunity to provide public comment at least 30 days prior to any final action;
- (e) Dialogue with one or more of the following associations which provide support and guidance to the CEOs and LWDBs:
 - (i) New Mexico Municipal League; and
 - (ii) New Mexico Association of Counties;
- (f) In-person meetings and/or teleconferences with individual CEOs and LWDBs;
- (g) Presentations at training events and/or at CEO or LWDB meetings; and
- (h) Through legal public comment processes for workforce policies.

(2) CEOs and affected LWDBs shall be provided opportunity for consultation throughout the designation process. Consultation shall include

- (a) Collaboration with the State;
- (b) Notice of proposed planning regions and opportunity to provide comment at least 30 days prior to final action;
- (c) Dialogue with one or more of the following associations which provide support and guidance to the CEOs and LWDBs;
- (d) In-person meetings or teleconferences with the State; and
- (e) Through legal public comment processes for workforce policies.

(3) In addition to WIOA law and the State's criteria for identification of planning regions, the following guidelines have been used to identify and designate planning regions for New Mexico:

- (a) A single local area may be split across two planning regions;
- (b) Local areas must be contiguous in order to be a planning region;
- (c) A local area may share part of one planning region (interstate planning); and

(d) Alignment with statewide economic development regions.

(4) Planning regions shall be identified using the state criteria and the associated WIOA guidelines. Announcements of planning regions shall be included in correspondence and guidance documents issued by NMDWS and communicated to the local areas when regional and local planning is conducted.

(5) NMDWS may identify interstate planning regions if necessary. Announcements regarding interstate planning regions shall be communicated to the local areas when regional and local planning is conducted. If interstate planning regions have not been identified by NMDWS, New Mexico may still plan with other states for the purposes of that state's regional or local planning requirements.

(6) The identified regions are required to be included in local area planning. Local Workforce Development Boards are required to coordinate and include regional plans into their local plan every four years; additionally, LWDBs will be required to address and include activities with planning regions who share common labor markets. Regional and local planning activities will include but are not limited to the following:

(a) The preparation of a regional plan;

(b) The establishment of regional service strategies, including use of cooperative service agreements;

(c) The development and implementation of sector strategies for in-demand industry sectors or occupations for the planning region;

(d) The collection and analysis of regional labor market data;

(e) The coordination of administrative cost arrangements, including the pooling of funds for administrative costs, as appropriate;

(f) The coordination of transportation and other supportive services as appropriate;

(g) The coordination of services with regional economic development service, partners and providers;

(h) Development of strategies to serve common employers;

(i) Coordination of rapid response and/or layoff aversion activities; and

(j) Identification, development and coordination of training programs and providers to support job seekers and employers;

(7) The State Workforce Development Board will review or modify the identification of single local areas and planning regions when local area designation is reviewed or modified, including local area subsequent designation, ongoing review of local area subsequent designation, and local area re-designation. NMDWS will assist the planning regions and local areas in obtaining the necessary labor market data, operational data elements, and any other data that will support the process of regional and local planning. NMDWS will also provide ongoing support to meet the purpose of the regional and local planning.

(8) Each planning region, including the individual local workforce development board, in partnership with CEO's, shall prepare, submit and obtain approval of a local plan that includes a description of the policies, procedures, and local activities that are carried out in the regional area that contains all the requirements outlined in 679.560 of Title 20 the Federal Regulations.

C. **Public comment**

(1) Public notice shall be issued for any contemplated actions concerning changes to proposed planning regions or workforce policies;

(2) Notice shall be provided by email notification to the CEOs and LWDB directors and published in a newspaper of general circulation in the local affected area at least 30 days prior to any final action

(3) Notice to interested parties shall include the method by which comments will be accepted and any applicable deadlines.

C. **Technical Assistance**

(1) Ongoing support, guidance, training and technical assistance on development of local and regional planning is available to all local areas.

(2) Requests for technical assistance may be sent to NMDWS to the attention of the WIOA Department at 401 Broadway NE, PO Box 1928, Albuquerque, NM 87103.

[11.2.4.15 NMAC - N, xx/xx/2020]

HISTORY OF 11.2.4 NMAC:

History of Repealed Material:

11.2.4 NMAC, Workforce Investment Act (WIA) Policy/Program Issuance and State Information Notice (SIN) System, filed 6-16-2000 - Repealed effective 7-1-2003.

11.2.4 NMAC, Workforce Investment Act (WIA) Program Policies and State Technical Assistance Guide (STAG) System, filed 6-13-2003 - Repealed effective 12-31-2005.

11.2.4 NMAC, Workforce Investment Act (WIA) Rulemaking Procedures, filed 12-15-2005 - Repealed effective 8-15-2012.

11.2.4 NMAC, Workforce Investment (WIA) Act Local Boards, filed 6-16-2000 - Repealed effective 8-15-2012.

11.2.4 NMAC, Workforce Investment Act Local Governance, filed 8-15-2012 - Repealed effective 7-1-2018.

DRAFT

AGENDA ITEM SUMMARY

Special Region IV, Chief Elected Officials Meeting

April 30, 2021

Agenda Item

Resolution 20 – 31 recommends to Governor Michelle Lujan Grisham that the existing Four Local Area Designation Model, not change due to the current economic recovery conditions, lack of a comprehensive analysis on the proposed models, stakeholder input, and transparency.

SUMMARY OF AGENDA ITEM

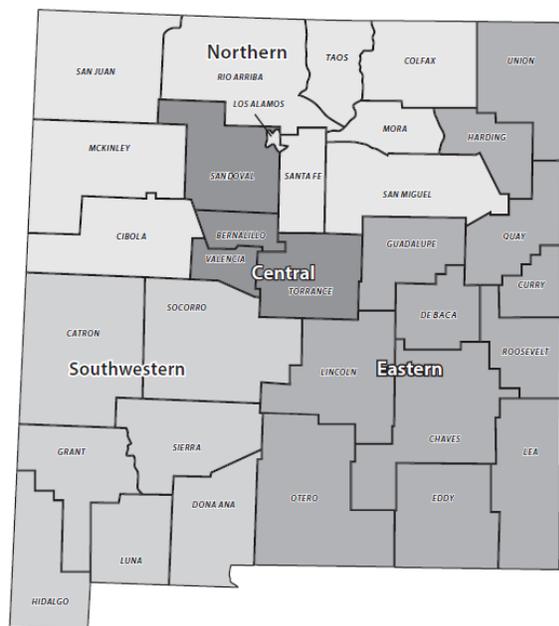
On April 1, 2021, the New Mexico State Workforce Development Board recommended a change to the Governor of New Mexico on local area designations. The recommendation is to transition from a four-area model to a two-area model (as shown below). The Governor has yet to make a decision on the recommendation. In June 2020, this Chief Elected Officials board passed a resolution and submitted its request to the state workforce board to keep the existing four-area model.

Please read the attached letter that imparts various concerns for the Governor to consider. The state board recommended having new local areas that have severe implications as it would seek to establish new local workforce boards and new service providers. New service providers typically take one to two years to establish themselves within the system, much less, having new areas, local boards, and service providers.

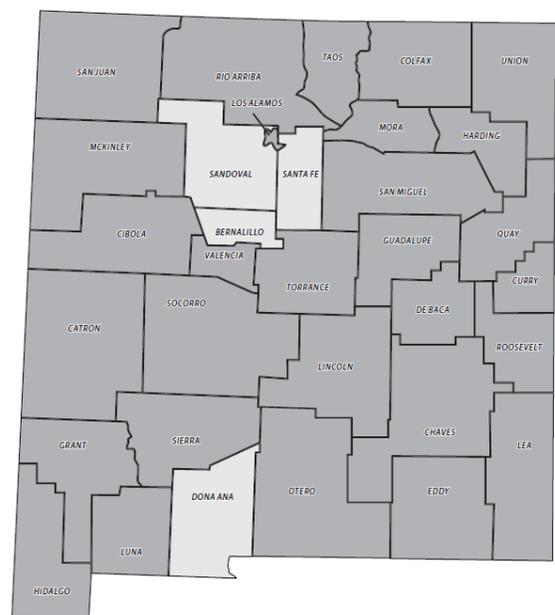
The following information contains various concerns over the:

1. Lack of a comprehensive analysis
2. Lack of input and transparency
3. Current economic condition
4. Overhaul not necessary, and excessive

CURRENT FOUR-LOCAL AREA DESIGNATION MODEL



RECOMMENDED TWO-LOCAL AREA DESIGNATION MODEL: 4-Metro Counties; 29 Rural Counties



DEPENDING ON ACTION TAKEN, ITEM MAY BE REFERRED OR REPORTED TO

- Staff or committee, as directed.

THIS ITEM SUPPORTS STRATEGIC PLAN GOAL(S)

- Supports all strategic plan goals

LIST OF SUPPORTING INFORMATION FOR YOUR REVIEW

- Letter to Governor

Region IV, Chief Elected Officials
Southwestern Workforce Development Area
PO Box 1072
Elephant Butte, NM 87935
(575) 744-4857

New Mexico
Workforce Connection
A Proud Partner of the American Job Center Network

April 30, 2021

Honorable Michelle Lujan Grisham
Office of the Governor
490 Old Santa Fe Trail Room 400
Santa Fe, NM 87501

Re: WIOA Local Area Designation

Dear Honorable Michelle Lujan Grisham:

As the Chief Elected Officials for the Southwestern Workforce Development Area, we are writing to express the importance of keeping the existing four local area model as opposed to the two area model for the local area designation recommended to you by the State Workforce Development Board.

LACK OF A COMPREHENSIVE ANALYSIS – The recommended local two area designation model or other models considered did not have a comprehensive analysis. The Transformation Committee's recommendation provided surface-level information that spoke to the issues but did not comprehensively analyze such a model's implications. It did not provide information on the Department of Workforce Solutions or state workforce board's responsibility in the issues cited. It appeared to only focus on the local boards and not the entire system.

LACK OF INPUT & TRANSPARENCY – Workforce partners, local workforce boards, stakeholders, or the public were not provided access to the State Workforce Board's Transformation Committee's meetings. As a result, it left minimal opportunity for the workforce system to provide input or comment before the State Workforce Board voted on the local area designation agenda item on April 1, 2021. They also did not afford public comment at the State Workforce Development Board meeting on this item before the vote.

CURRENT ECONOMIC CONDITIONS – An essential item is the state's economic condition as it recovers from the pandemic. Now is not the time to change the public workforce system, new workforce boards, or new service providers. Now more than ever, the need for experienced workforce professionals and partnerships within the workforce system is imperative.

OVERHAUL NOT NECESSARY AND EXCESSIVE – The state's public workforce system issues can be improved or resolved through collaborative efforts among the local and state boards under our existing four-board model. Unfortunately, the state and local workforce boards have not worked together to develop strategic initiatives to address them. As a result, a costly overhaul to the entire workforce system is excessive of what is needed.

The message in this letter is that collectively, the issues are solvable through a teamwork approach between the state board and local workforce boards. Our employers and citizens in the state of New Mexico need the most experienced workforce professionals as our economy recovers from the pandemic.

Sincerely,



DWS Liaison Updates

Christina Garcia-Tenorio



Member Input



Public Comment



Next Meeting

*Friday, June 11, 2021
at 11:00 a.m.*

2021

JANUARY

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Meeting Adjourned

***Thank You for
Attending***

Have a great day!