

**Phoenix Business and Workforce Development Board
Meeting Minutes
January 12, 2023 ~ 8:30 a.m.**

VIRTUAL MEETING

Board Members Present:

Jesus Love	Daniel Barajas
Nick Bielinski (Vice Chair)	Alli Benezra
Karen Carter	Jeff Clark
Scott Holman	Jon Ellerston
Patrick Fitzhugh	Meghan McGilvra
Dean Sheinert	John Soto
Sam Wolo	Allison Rapping
Dawna Cato	Steven Cramer

Board Members Absent:

Latasha Causey (Chair)	Adam Hawkins
Karen Hartson	Kaaren-Lyn Graves
Luke Tate	

Public Attendees:

LaSetta Hogans (Executive Director)	Laura Whitehead
Ariadna Valentin	Matalie Hastings
Eric Johnson	Jovanna Parkhouse
Steven Bennett	Alyson Donnelly
Dustion Panoff	Tracee Spire
Royce Kawabata	Reeta Nongmaithem
Deb Furlong	Ginger Spencer
David Welch	Amy Schofield
Kandi Tilman	Stacey VanEmst
Eddie Barojas	Al Jernigan
Amanda Taylor	Christina Quijada
Demitria Robles	Hayden Maynard
Elizabeth "E" Cole	Genie Usher

1. Call to Order:

Phoenix Business and Workforce Development (PBWD) Board Vice Chair, Nick Bielinski, called the January 12, 2023 PBWD Board Meeting to order at 8:31 a.m. Roll call was completed and a quorum of 16 members were present.

2. Approval of November 10, 2022 PBWDB Meeting Minutes:

A motion to approve the November 10, 2022 PBWDB Meeting Minutes was made by PBWD Board Member, Dean Sheinert, and seconded by PBWD Board Member, Meghan McGilvra.

Approved: Nick Bielinski, Daniel Barajas, Steven Cramer, Alli Benezra, Karen Carter, Jeff Clark, Scott Holman, Claudia Reilly, Patrick Fitzhugh, Jesús Love, Suzanna Armijo, John Soto, Sam Wolo, Alison Rapping

Opposed: None

Abstained: None

Motion passed

3. Chair Update:

PBWD Board Vice Chair, Nick Bielinski, provided an update to PBWD Board members. Vice Chair thanked members for their participation and meeting with the Board Strategic Planning consultants, Sheila Murphy and Tracey Regenold as part of the Needs Assessment planning. The Vice Chair also suggested returning to in-person Full Board meetings two or three times per year.

4. Open Meeting Law Training for PBWD Board Members:

David Welch, Management Assistant II with Phoenix City Clerk provided the annual Open Meeting Law training to the Board, in accordance with WIOA requirement.

THE ARIZONA OPEN MEETING LAW (OML)

City of Phoenix

City of Phoenix



Arizona Open Meeting Law

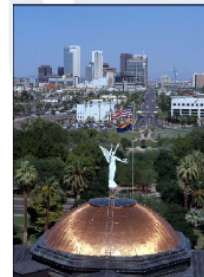
The business of the public should be conducted in public

Arizona Revised Statutes (A.R.S)

- A.R.S. § 38-431 through 38-431.09

Purpose

- Open deliberations & proceedings
- Decisions made in public
- Public access to governmental process





Applicability

Applies to All Public Bodies

- All multimember governing boards of all political subdivisions
- All committees & advisory bodies appointed by those bodies
 - City Council & Subcommittees
 - City Boards, Commissions, Committees
 - Advisory Committees and Subcommittees

A.R.S. § 38-431(6)

3



Applicability

Applies to All “Meetings”

- A gathering, in person or through technological devices, of a *quorum* of members of a public body at which they *discuss, propose or take legal action, including any deliberations by a quorum with respect to that action*

Quorum

- Majority of appointed members OR
- As specified by the ordinance, charter, bylaws

Note: Executive Sessions for specific purposes are not “open”

A.R.S. § § 38-431(3), 38-431(4)





“Meeting” Electronic Communications

1. An exchange of electronic communication among a quorum is a meeting if:
 - exchange involves discussion, deliberation, or taking action by the body concerning a matter likely to come before the body
 - includes an exchange between two members if a quorum is copied, even if no other members respond
2. A one-way electronic communication is a meeting if:
 - sent by one member to quorum of public body
 - and communication proposes legal action

A.R.S. § 38-431(4)(b)

5



“Legal Action”

- Includes discussions, deliberations, consultations among a majority of the members of the public body on matters that may require final action or decision

A.R.S. § 38-431(3)



6



What Must a Public Body Do?

- Provide notice
- Have an agenda
- Meet in public
- Permit public to attend
(Exception: authorized executive sessions)
- Take all action in public
- Create/prepare meeting minutes or a recording



Meeting Notices & Agendas

Posting

- Must be posted at least *24 hours in advance* of meeting time
- On official posting board (legal) (City Hall on 3rd Ave)
- Also required to post on website
- If notice not posted – meeting cannot be held

Notice

- Name of body, date, time, place
- Include specific agenda items to be discussed, considered, or decided, or where to get copy of agenda
- Reasonable description to inform public of what will be discussed



A.R.S. § 38-431.02

8



Communication & Discussion

Discussion at the Meeting

- Allowed
 - Discussion of an item listed on the agenda
 - Action on an item that was listed for action on the posted agenda

- Prohibited
 - Discussion or action on matters not listed on the agenda
 - Discussion or action without a quorum present
 - Cannot conduct a meeting without a quorum
 - Note: Quorum can be lost during meeting



Public Comments

Agenda Items

- OML does not give the public the right to speak on agenda items – but public may expect it

Non-Agenda Items – “Call to the Public”

- The public may comment on non-agenda items
- The Body cannot discuss or respond, but can:
 - Have speaker fill out a card
 - Impose time restrictions
 - Ask staff to follow up or place on future agenda
 - Respond to personal attacks
- Public comment is allowed at Phoenix City Council meetings – therefore public may expect at other meetings



Communication & Discussion

Communication Outside the Meeting

- OML intended to make discussions among members on board business occur in public meetings, not privately
- Allowed:
 - Communication with staff for clarification or information about an agenda item (other members should not be included)
- Prohibited:
 - Communication among members of the Body on current or potential action items
 - Requesting staff to poll other members for opinions
 - Separate or serial discussions with a majority of the members of the body on a potential action item



Protocol for Board Members to Relay & Transmit Information

- A member who wishes to share information with others should send it to the board liaison
 - The information must not be a member's position on a matter or a proposal for action
- The liaison will distribute information to other board members as appropriate
- Conflict of Interests (actual or potential) must be disclosed to board liaisons and forms submitted
 - They must be declared at the meeting
 - A member with a conflict may not discuss or vote on the item
 - A member with a conflict is not counted towards quorum on that item



Record of Meetings

- A statement describing legal actions, minutes or a recording must be posted to Web and available to the public within 3 working days after the meeting
- Minutes are required of every meeting even if only discussion occurred on items with no action taken
 - If quorum lost then minutes must reflect up to that point
- All public meetings require minutes that include:
 - date, time, place, members present and absent
 - a general description of matters considered
 - names of persons making statements
 - description of legal actions taken (including motions and votes,) as well as a presentation/discussion only
 - conflict of interest if declared
- Approved minutes must be posted to Web within 2 working days after approval

A.R.S. § 38-431.01(B)

13



Violations of Open Meeting Law

- Individual members who *knowingly* violate and any persons who aid, attempt, or agree to aid
- Penalties may include:
 - Rescind actions taken at the meeting
 - Civil penalty up to \$2,500 (3rd offense)
 - Attorney fees
 - Removal from office
- Monetary penalties cannot be paid by the City

A.R.S. § 38-431.07(A)

14



Attending Other Meetings



- Official vs. Individual Capacity
 - Official Duties
 - Personal Opinions
- Things to remember when acting in individual capacity
 - Usually best not to identify as board member
 - Not speaking on behalf of board
 - Vital to note when your position is in conflict with board decision



Resources

- [Arizona Revised Statutes – Title 38](#)
- [Arizona Open Meeting Law Handbook](#)
- [City of Phoenix Public Meeting Notices](#)

For questions or to post meeting
Notices, Agendas, Results or Minutes,
email: OML@phoenix.gov

Questions?

City of Phoenix

5. One Stop Operator Update:

Stacey VanEmst, One Stop Operator Project Director provided the Board an update on the West Job Center Remodel as well as the new OSO Outreach Coordinator.

The team received a notification from the Office of Facilities Management at the last week of December that staff could start moving into the West job center. Stacey hopes to have an opening date to the public shared out with the Board as soon as possible but doesn't have that date at this time.

The next announcement was that of the new Outreach Coordinator, who will be responsible for raising awareness of Arizona@Work City of Phoenix. Stacey promoted one of their internal team members, Cynthia Vega. She has over 14 years of experience in workforce development. Cynthia previously worked with Goodwill and came over as a volunteer to help when the team was trying to serve thousands of customers during the pandemic and at the height of unemployment. She took an extra opportunity to come join her team at that time. Cynthia will be attending networking events and working with more community based and faith based organizations that are not aware of our services to get

more exposure. Cynthia will also be focusing on creating job center tours, where guests can learn about services offered. Finally, she will be working closely with the Board and the Committees. Sheila hopes to introduce Cynthia in person at the next meeting.

6. PBWD Board Program Operations Supervisor Update:

Deb Furlong, City of Phoenix Board Program Operations Supervisor provided updates to the Board on the following:

- The Re-Opening of all Job Centers on Fridays
- DES Monitoring of our Fiscal Agent
- Title 1B Provider Performance Monitoring
- Q1 Data Validation Audit

Deb announced that the Job Centers will be open to the public on Fridays. She announced that this upcoming Friday is the Training Expo, which is organized and developed by the local boards and provides a way for service providers and other partners to learn about best practices. This will push the the Job Center to be open next Friday, and every Friday after that the Centers will be open.

Deb also shared that fiscal monitoring was scheduled and will be occurring January 23 through January 25, 2023 and that her team will be sharing the findings with the Board.

Also, the Title IB provider yearly performance monitoring started on January 2nd, and her team is awaiting the results of that monitoring. And again, they will share that data with the Board.

Lastly, Deb shared that the data validation audit has been closed with zero findings.

7. Committee Reports:

Business and Workforce Engagement Committee (BWEC):

BWEC Member, Jesús Love shared that the 'Bagels and Business' event will be held at Paradise Valley Community College on February 22, 2023, and Committee Member, Jesús Love will be hosting.

Program Excellence Committee (PEC):

Daniel Barajas, PEC Chair, reported on the January 5 meeting. he recognized One-Stop-Operator partner, Stacey VanEmst for providing an update on the Job Centers, particularly the re-opening of the West Job Center, making a suggestion that a PEC Committee meeting be held in-person at the new center. Daniel also

mentioned the presentation given by Valley of the Sun YMCA's Dustin Panoff and Tracee Spire for their attendance at Youth Symposium. He also recognized DES's Patrick Brown for his presentation on Title II, Adult Education. Lastly, Daniel gave an update on the Strategy Team assignment updates and the work they've been accomplishing together to meet their Goal.

Branding and Engagement Strategy Team (BEST):

BEST Group member Patrick Fitzhugh announced that the group is planning to receive additional data and reports to better position the work group to provide strategic direction in marketing and branding. BEST Group member Steven Cramer echoed Mr. Fitzhugh's contribution.

8. Matters for Future Discussion:

PBWD Board Member, Meghan McGilvra asked if staff or Board attendee could report out after the March NAWB Forum 2023, taking place the 25 through 28th.

9. Call to The Public:

A call to the public was made. None was made.

10. Adjournment:

A motion to adjourn the meeting was made at 9:06 a.m. by PBWD Board Member, Steven Cramer, and seconded by PBWD Board Member, Daniel Barájas.

Approved: Nick Bielinski, Alli Benezra, Karen Carter, Jeff Clark, Claudia Reilly, Patrick Fitzhugh, Meghan McGilvra, Dean Sheinert, John Soto, Sam Wolo, Scott Holman, Jesús Love, Suzanna Armíjo, and Allison Rapping

Opposed: None

All were in favor and the meeting adjourned at 9:06 a.m.