



# Minutes

Executive Committee Meeting  
June 2, 2010; 8:00 a.m.  
Conference Call

**Committee Attendees:** Octavio A. Verdeja; Yvonne Johnson; Gerald Schwartz; Dabney Park; Yesenia Perkins

**Staff Attendees:** Evelio C. Torres, CEO; Tabatha Cullen; Angelo Parrino; Leeana Pena; Trish Alonso; Melody Thelwell

**General Attendees:** Santiago Echemendia; Charlotte, YMCA; Linda Carmona-Sanchez, AECE; Alfred Sanchez, YMCA

<b>I. Welcome and Introductions</b>	<b>Octavio A. Verdeja, Jr., Chair</b>
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- O. Verdeja welcomed everyone to the Executive Committee meeting.

<b>II. Approval of Minutes</b>	<b>Octavio A. Verdeja, Jr., Chair</b>
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- G. Schwartz moved to approve the minutes from 04/28/2010.
- Motion seconded by D. Park.
- Motion unanimously passed.

<b>III. Strategic Planning Process</b>	<b>Octavio A. Verdeja, Jr., Chair</b>
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- E. Torres stated that the Executive Committee packet included a timeline of the Children's Trust strategic planning process that was recently completed. His recommendation is to undertake the strategic planning process to allow the ELC to set priorities. This would be an opportunity for the Board to get together and have discussions on prioritizing funding and prepare for 2011-2012 where there would be less funding. The biggest issue being the funding priorities with school age children. The Board should undertake a process that will allow for data analysis, Board and public comment. Community members are eager for this process. If the ELC hosts some community forums, the opportunity is available to listen to concerns that are important considerations. The ELC will have to make some difficult decisions and have a plan in case the budget does not get restored after using the stimulus dollars. A plan to reduce some of the children being served may have to be created.
- O. Verdeja stated he met with YMCA, YWCA, and Centro Mater and they all have the same concerns. He told them he will give them an opportunity to voice their opinions and comments and requested they be added to the August Board meeting agenda.
- E. Torres stated the ELC received over 4000 signatures from the YMCA and other providers. He agreed it's important to listen to everyone that has something to say. He will coordinate some dates to start the planning process.



#### **IV. Funding Priorities (0-5 or 0-8)**

**Evelio C. Torres, CEO**

- E. Torres stated this will be addressed as part of the Strategic Planning Process.

#### **V. Annual Board Retreat**

**Octavio A. Verdeja, Jr., Chair**

- E. Torres stated that the ELC was looking into hosting the Annual Board Retreat in Miami this year and then host a regular Board meeting in Monroe sometime later. This would help reduce the expenses (hotel, overnight stay, etc) usually associated with the retreat in Monroe.

#### **VI. Board Grievance Procedure**

**Octavio A. Verdeja, Jr., Chair**

- E. Torres stated this was now an AWI requirement. This arose because one coalition chair had a conflict with a board member so AWI asked to establish a grievance procedure and a formal process for it. This is now part of the audit checklist.
- D. Park stated he disagrees with this request and thinks the ELC should go back to AWI.
- S. Echemendia stated he agrees with D. Park. This requirement seems a little unusual and looks more like a personnel grievance policy.
- O. Verdeja asked for an example of why this occurred.
- E. Torres stated that a board member was chair of a committee. The board chair decided to reappoint another chair to the committee and the board member was very upset and went to AWI.
- S. Echemendia stated he would look into this with AWI and get back to the ELC.

#### **VII. TAPP Program**

**Evelio C. Torres, CEO**

- E. Torres stated the Miami-Dade County Public School System verbally agreed with the next set of proposals to include language with some conditions. C. Lederman felt strongly about accreditation being a requirement.
- S. Echemendia suggested that the MDCPSS agree in writing. He has been in touch with their board counsel. The most important point is that the current resolution from the Board prohibits the ELC from accepting dollars from them until this is resolved.
- S. Echemendia stated he spoke to the board attorneys at MDCPSS and he's setting up a discussion with C. Lederman. MDCPSS will memorialize the agreement and articulate what the exceptions are. He stated that the ELC was seeking guidance on what to do in the interim, as the current resolution gives a deadline of August 1<sup>st</sup>.
- O. Verdeja stated the next Board meeting is August 2<sup>nd</sup> and asked when the ELC will have an answer.



- E. Torres stated that he has spoken to Mark Zayer at MDCPSS, but he is the liaison, not the decision maker. He also spoke to Freddy Woodson, who is considering amending the next RFP to include the requirement but has made no firm commitment as of yet.
- O. Verdeja asked what the worse case scenario would be.
- E. Torres stated that the worse case scenario would be that we reach August 2<sup>nd</sup> and don't have a commitment. The ELC would have to make other arrangements. Things can be done on our side in less than 24 hours; the bigger concern is getting their commitment. He stated he will provide an update if it becomes a real issue or is heading towards a crisis situation.
- S. Echemendia stated that he will send a letter in mid June as we are not having a meeting in July. He will look at the resolution to see the specific language that it says. The resolution may have to be amended.
- L. Carmona-Sanchez stated that the issue is that we have strong leadership encouraging TAPP clients to go exclusively to accredited centers. Less than 25% of the centers are accredited and predominately do not exist where there is the most need. Those teenagers that are parents do not have access to accredited facilities. TAPP is a high school completion program and MDCPSS has many of these centers in their high schools. The program is going to be that in order for them to comply with the request, kids will have to be taken out of high school centers, and then nothing is being achieved. The ELC should be encouraging parents to complete high school instead of creating another barrier for them.
- O. Verdeja agreed that the decision is a double edged sword, which of two is worse?
- D. Park asked why MDCPSS are not accredited.
- L. Carmona-Sanchez stated they don't have to reach the same guidelines and don't have DCF licenses.
- Y. Perkins asked if they are registered.
- E. Torres stated they are exempt.
- Y. Perkins stated that C. Lederman was concerned with the children of these teenagers being left with neighbors or someone else.
- E. Torres stated that her concern is more about children in centers that are licensed but not accredited. She has visited a number of centers and while accreditation doesn't solve all of the problems, she strongly feels it is an indication of quality. He stated that there aren't the same concerns in a MDCPSS site because it is an environment where there is a principal and teachers have a certain level of education. The concern is with children in homes or non accredited centers.
- S. Echemendia stated that C. Lederman suggested that she would appear in front of the MDCPSS Board to address them and see if there is some deliberation. This



was her suggestion and with time constraints she hopes to do so before the July gap and the effective date of the resolution.

- D. Park moved to allow C. Lederman to appear in front of the MDCPSS Board meeting and have S. Echemendia work on amending the resolution.
  - Motion was seconded by Y. Perkins.
  - Motion was unanimously passed.

<b>VIII. CEO Performance Goals</b>	<b>Evelio C. Torres, CEO</b>
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- E. Torres stated that the Board had previously agreed to focus on 5 goals. There has already been some progress in several of them.
- E. Torres stated that the ELC foundation is well on its way to being established. Steven Hayworth of Gibraltar Bank has accepted his position on the Board of the foundation. Y. Perkins and him met and the meeting was very successful.
- O. Verdeja thanked Y. Perkins for her help in getting the foundation started.
- E. Torres stated that the ELC continues to work on the advocacy piece. Lobbying will be on an upcoming Executive Committee meeting agenda.
- E. Torres stated the ELC is looking into applying for additional grants. There are opportunities to apply with other partners and we're looking at high dollar amount grants. The ELC is also looking into hiring a grant writer. There won't be a return on investment in the first year but is definitely an asset and will help to establish good partnerships.
- E. Torres stated that the focus for the next few months should be strategic planning.

<b>IX. Conduct at Board Meetings</b>	<b>Santiago Echemendia, Board Attorney</b>
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- O. Verdeja stated he was caught off guard with the issue at the May Board meeting. He doesn't like that he's always allowed public to address the Board during meetings as opposed to at the end. He asked S. Echemendia for his opinion.
- S. Echemendia stated that most boards that take public comments have policies for rules of decorum. The Executive Committee packet includes a draft of a Board Meeting Conduct Policy which is pretty standard with boards. This can be adopted with slight modifications. Any person attending a Board meeting that goes against the policy will simply be removed from the room.
- Y. Perkins noted that policy #3 should read "exiting" the Board room and not existing.
- D. Park stated that the line regarding the agency not able to take pictures, should be struck.
- O. Verdeja stated that the issue is whether or not the Board should decide to take public comments at all unless at the very end.



- D. Park stated that the policy doesn't put the Chair in the position to be able to decide if someone should leave.
- O. Verdeja stated asked for the opinion on allowing public to speak at times other than the public comment portion. He's afraid a situation like the last one may happen again.
- D. Park stated that he supports public comment to be taken because for example, L. Carmona-Sanchez's comments were pertinent. He thinks public comments should be at the discretion of the Chair.
- G. Schwartz agreed with D. Park.
- O. Verdeja stated that he would like to do away with the public comment cards. By the time they get to him they are no longer relevant. Using cards doesn't allow anyone to react to what's taking place. Comments that are pertinent will be addressed on the spot. He won't penalize everyone for one emotional outburst in the whole time he's served as Chair.
- Y. Perkins agreed with D. Park, O. Verdeja, and G. Schwartz.
- L. Carmona-Sanchez stated she was most directly affected by the situation at the last meeting. She stated the real issue is public safety. People are under the presumption that they are safe when they attend Board meetings. Aggression can take place in many different ways, verbal and physical. There is no mechanism in place to control these things. After the Board meeting, she was left scared, personally intimidated and wasn't sure whether to call the police or not. She is grateful for the Board reviewing a policy for public decorum and that the Chair has always been so transparent. She strongly suggests continuing to allow public comments but maybe adopt a policy that comments can't exceed a certain amount of time. Boards sometimes don't know what goes on in centers, so public comment is important for voting.
- O. Verdeja stated he will continue to allow public comment at his discretion.
- S. Echemendia stated that is one issue. The second issue is how to address the Board and revise the rules of decorum.
- O. Verdeja stated that S. Echemendia can revise the proposed policy and present again to the Committee at the next meeting.

<b>X. RFP Process Chart &amp; Recommendations</b>	<b>Santiago Echemendia, Board Attorney</b>
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- S. Echemendia stated that this process had been reviewed thoroughly at the last Executive Committee meeting. He asked the Committee to review the redlined version.
- D. Park stated S. Echemendia did a very good job on this process and it was greatly appreciated. He asked if outside reviewers are allowed.
- E. Torres stated that outside reviewers are allowed.



- L. Carmona-Sanchez asked that the language include that providers be listed as committee members.
- O. Verdeja asked for an example where a provider wouldn't be relevant.
- D. Park stated on an RFP on auditing.
- E. Torres recommended that the language state outside reviewers but not specific to providers.
- S. Echemendia agreed with E. Torres.
- D. Park stated the language should read to include providers when appropriate.
- G. Schwartz stated this isn't necessary.
- D. Park moved to accept the proposed RFP Process chart & recommendations.
  - Motion was seconded by G. Schwartz.
  - Motion was unanimously passed.

<b>XI. Revisions to Conflict of Interest Questionnaire</b>	<b>Santiago Echemendia, Board Attorney</b>
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- S. Echemendia reviewed the conflict of interest questionnaire that is given to committee selection members. He stated language was added to include business partners, relatives, etc. He stated this is the form that M. Thelwell uses for selection of committee members to sign before embarking on the selection process.
- D. Park moved to take the conflict of interest questionnaire directly to the Board.
  - Motion was seconded by Y. Perkins.
  - Motion was unanimously passed.
- S. Echemendia stated that part of the AWI grant agreement now requires safeguards to prohibit employees and Board members from using their position for personal gain. He stated the 88 form is the voting conflict of interest form which the ELC already uses and Board members are required to sign if a conflict of interest arises. He stated a good idea would be to place possible conflict of interests on the agenda and go around the room and ask if there is a conflict.
- D. Park moved to take the conflict of interest issue to the Board.
  - Motion was seconded by G. Schwartz.
  - Motion was unanimously passed.

<b>XII. Employee Morale &amp; Retention</b>	<b>Evelio C. Torres, CEO</b>
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- E. Torres stated T. Alonso has been creative in finding ways to keep employee morale up since there are no raises for staff and won't be for a number of years. Vacant positions have not been filled in an effort to reduce expenses, and staff has been asked to do twice the work with no additional compensation. Also, the cost of living continues to go up with no raises for staff.



- T. Alonso stated Option A would be an 80 hour work week offering staff the opportunity to utilize their flex schedule. Option B would be the 9-80 work week. Staff would work 9 hour days for 9 out of the 10 day work period and then have every other Friday off. Staff will work a full 80 hours every pay period but every other week they'll have a day off.
- O. Verdeja stated that coming from the private sector he may view it differently but doesn't like 9 hour days because it just seems like an extra day off. With an extra hour of work every day, at some point you get tired and produce as much as you did in an 8 hour work day. The way to approach this is to not tell staff they won't be getting raises for the next 3 years. The ELC can't go under premise that they're not going to. He stated an analysis should be done to determine what ELC staff is paid in comparison with other non-profits.
- T. Alonso stated that Orange County implemented a 9-80 work week and Palm Beach does a 4-10 work week.
- D. Park stated that while he doesn't have the same concerns as O. Verdeja, in reality these people still have jobs. If raises aren't available that's just the reality of the situation. He does believe in flex time but thinks it's not wise to close the office every other Friday.
- T. Alonso stated that the office would not close, staff would alternate their schedules.
- T. Alonso stated another option is the vacation payout policy. This would offer staff the opportunity twice a year to cash out up to half the balance of their current vacation by submitting a form to HR. Vacation is always a liability on the books, but this would allow an employee to cash out what they're already owed. This would also give more of a balance of liability on the books. There would be limitations on the policy, staff could only cash out 50% of the value owed and employees must take one week of vacation. Currently, staff is given 10 days and directors are given 15 days. Federal holidays, personal days, and sick days are not up for payout, this would only apply to the vacation days.
- O. Verdeja stated he doesn't like the idea of employees not taking all their vacation time.
- T. Alonso stated that the KPMG audit suggestion was that employees take a minimum of one week at a time; this was added to the policy as strongly recommended.
- O. Verdeja requested a comparison of salaries in relation to other coalitions.
- E. Torres stated that T. Alonso has made a number of calls but unless served with a public records request they are very hesitant.
- O. Verdeja stated that if staff is paid low in comparison with other non for profits then he might understand a moral booster.
- E. Torres stated that T. Alonso will do an analysis and report at the next Executive Committee meeting.

**XIII. Provider Agreement****Evelio C. Torres, CEO**

- E. Torres stated that 48 providers haven't submitted their provider agreements. The deadline was May 13<sup>th</sup>. The ELC sent certified letters, fax blasts, and robo calls every 3 days for 3 weeks as a reminder. Of all these providers that haven't submitted their agreements, only a few are the same ones as last year. At this point, even if they submit the agreement by June 30<sup>th</sup> they will get paid late. The ELC must be strict on their deadlines because we are very concerned that if providers find out other providers aren't getting penalized or don't get paid, there will be picketing similar to last year. Calls will be made again to the 48 providers that haven't turned in their agreements and L. Carmona-Sanchez and the AECE are helping in sending out blasts. E. Torres stated he wanted to bring this to the Board's attention because providers will request meetings with Board members if they don't get paid.
- O. Verdeja stated there should be a penalty and these providers should not be treated the same as those that submit their agreements on time. The ELC has done their part by providing a first notice, a second notice, and then that's it.

**XI. Public Comments****Octavio A. Verdeja, Jr., Chair**

- D. Park stated he has served on the ELC Board of Directors since the beginning. He has felt greatly honored and privileged to do so. He stated that his term will be coming to an end and it is time for him to step aside and allow someone to take his place. He stated that his intention is to recommend Rafael Saldana to the Nominating Committee. Mr. Saldana is the president at BBU bank and has a heart for education. D. Park stated that he does not expect to be completely out of sight. He plans to attend ELC meetings from time to time and expects to offer his services.
- O. Verdeja thanked D. Park for all his years of service to the ELC and although is sad to hear he's stepping aside, he understands. He appreciates D. Park always being involved and keeping the ELC's mission in mind. On behalf of all the Board members he thanks him.
- G. Schwartz stated he appreciates D. Park and he will be missed.
- B. Park stated he won't attend the Board meeting but will tune in via conference call to formally announce his resignation to the Board.

**XI. Adjourn****Octavio A. Verdeja, Jr., Chair**