



NORTH CENTRAL TEXAS WORKFORCE DEVELOPMENT BOARD OF DIRECTORS MEETING

Meeting Agenda

January 30, 2024

9:30 a.m.- Noon

Transportation Council Room

616 Six Flags Drive

Arlington, TX 76011

Meeting Videoconference: <https://nctcog.zoom.us/j/86409856929>

The North Central Texas Workforce Development Board may conduct this meeting by videoconference call in accordance with Section 551.127 of the Texas Open Meetings Act. The presiding officer of the meeting will be physically present at the address listed above and the public may attend the meeting at the same location.

1. **Call to Order** – Kenny Weldon, Vice Chair, Workforce Solutions for North Central Texas

2. **Public Comment**

The Workforce Board invites the public to speak on any topic listed on the agenda. Anyone wishing to speak should sign-in with the Board's Secretary before the beginning of the board meeting. In consideration for everyone's time who is in attendance at the meeting, a time limit of three (3) minutes is allotted for each person wishing to address the Board.

3. **Declare Conflicts of Interest**

4. **Approval of Consent Agenda Items**

a. Approval of the Minutes from the November 12, 2023, meeting.

5. **Discussion, Consideration and Possible Action Regarding**

a. Committee Updates

i. Oversight & Accountability Committee – Carlton Tidwell

1. EOY23 Financial Update – Lisa Sack

2. EOY23 Performance Update – Michael Nicholas

ii. Executive Committee – Vice Chair Kenny Weldon

1. New Board Member Introductions

2. Workforce Development Board Member Roles & Responsibilities – Carvan Adkins

b. Executive Director's Report

i. Workforce Development Board Business

1. Solicitation of Topics for Lunch & Learn Meetings

2. CEO Agreement Amendments

ii. TWC Commissioner Esparza Visit, January 19

iii. Regional Law Enforcement Recruitment and Retention Symposium, February 23

iv. Annual CEO/WD Board Meeting / Awards Luncheon, March 7

- v. Target Occupations List Update
- vi. Texoma Semiconductor Tech Hub Grant
- vii. Be Pro Be Proud
- viii. Governor Abbott's Task Force on Consolidation of Workforce and Social Services

6. Announcement of Executive Session

- a. As authorized by Section 551.071 to consult with the Board's attorney for legal advice on any matter listed on the agenda, pending or contemplated litigation, settlement offers, or any matter in which the duty of the Board's attorney to the Board under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflict with the provisions of Chapter 551 of the Texas Open Meetings Act.

7. Action as a Result of Executive Session

8. Future Agenda Items

9. Adjourn

Board Attendance Report 2023

	NAME	COUNTY	1.25.23	3.21.23	5.23.23	7.25.23	9.12.23	11.14.23
1	Amy Crippen	Parker	X	✓	✓	X	✓	✓
2	Barbara Batista	Collin	✓	✓	X	✓	✓	✓
3	Bindu Adlakha	TWC	X	✓	X	✓	✓	✓
4	Brian Bondy	Hood	X	✓	X	✓	✓	✓
5	Carlton Tidwell	Kaufman	✓	✓	X	✓	X	✓
6	Cheri Moseley	THHS	✓	✓	X	✓	✓	X
7	Chip Evans	Parker	✓	✓	✓	✓	✓	✓
8	Craig Driggers	Hunt	✓	X	✓	✓	✓	✓
9	Chris Watts	Denton						✓
10	David Bristol	Collin	✓	✓	✓	✓	✓	✓
11	Gary Henderson	Denton/CBO	✓	X	✓	✓	X	✓
12	Jason Gomez	Kaufman	✓	✓	X	✓	✓	✓
13	John Rattan	Collin	✓	✓	X	✓	✓	✓
14	Joshua Worthey	Organized Labor				✓	✓	✓
15	Kelly Holloway	Denton VR/TWC	✓	✓	X	✓	✓	✓
16	Ken Peters	Private Sector	X	X	✓	X	X	X
17	Kenneth Thom	Palo Pinto	X	✓	X	✓	X	✓
18	Kenny Weldon	Erath	✓	✓	✓	✓	✓	✓
19	Kevin Strength	Ellis	✓	✓	X	✓	✓	✓
20	Kristin Grammar	Collin	X	✓	X	✓	X	
21	Mercedes Bolen	Denton	✓	X	X	✓	✓	✓
22	Mickey Hillock	Navarro	✓	X	✓	✓	X	X
23	Mindy Wooley	Erath/CBO	✓	✓	X	✓	✓	✓
24	Roger Harris	Private/Collin	✓	X	✓	✓	✓	✓
25	Rolanda Macharia	Private/Collin	✓	✓	✓	✓	✓	X
26	Romney Guy	Denton/CBO	✓	X	✓	✓	X	✓
27	William "Bill" King	Collin/CBO	✓	✓	X	✓	✓	✓

Current quorum is 14

Attendance at Meetings

Board members are expected to attend Board and Committee meetings. An attendance problem occurs if any of the following conditions exist:

- The member has two (2) un-notified absences in a row (Committee and/or Board);
- The member has three (3) notified absences in a row (Committee and/or Board); or
- The member misses three (3) Board meetings in a twelve (12)-month period.

Example: An attendance problem occurs, if a Board Member has an un-notified October Committee meeting absence, and an un-notified November Board meeting absence.



NORTH CENTRAL TEXAS WORKFORCE DEVELOPMENT BOARD OF DIRECTORS MEETING

Meeting Minutes

November 14, 2023

10:00 a.m.- Noon

Transportation Council Room

616 Six Flags Drive

Arlington, TX 76011

Meeting Videoconference: <https://nctcog.zoom.us/j/82043350999>

Board Members Present: David F. Bristol, Amy Crippen, Barbara Batista, Bindu Adlakha, Brian Bondy, Carlton Tidwell, Chip Evans, Craig Driggers, Chris Watts, Gary Henderson, Jason Gomez, John Rattan, Joshua Worthey, Kelly Holloway, Kenneth Thom, Kenny Weldon, Kevin Strength, Mercedes Bolen, Mindy Wooley, Roger Harris, Romney Guy, William King

Board Members Not Present: Cheri Moseley, Ken Peters, Mickey Hillock, Rolanda Macharia

Chief Elected Officials Present: Mayor TJ Gilmore, Judge Todd Little

WSNCT Staff Present: Mike Eastland, Monte Mercer, Phedra Redifer, Kelley Fontenot, Laurie Gillispie, D. Kay Schroeder, Tammy Davis, Vickie Nicksion, Dana Buckholt, Annie Thompson, Eric Shanks, Debra Reyna, Nicole Nelson, Julie Schilling, Kim Vaughn, Jacob Jimenez, Brandi Harrison Trotter, Te'sha Johnson, Michael J. Nicholas, Pam McFadden, Diana Carranza, Danielle Davis, Kirsten Jakowitsch, Mary Ford, Stephanie Roberts, Cadie Allen, April Frederick, Chanell Hunter-Gordon, Joe Gonzales, Fatima Parson, Randy Richardson, Reba Bacon, Deidre Hamid, Linda Hernandez, Kelli Halle, Ada Gonzales, Kimberly Curry, Lupita Montero, Tina Hunter, Lesley Beckmann, Renee Jimenez, Lachelle Brooks, Sheneé Bagsby, Kathy Oleszkowicz, Angelina Fuchs, M. Erin Young-Guzowsky

Others Present: Carvan Adkins, Jim Cigan, Paroo Mueglich, Cherisa Price-Wells, Patricia Looper, Stephanía Whitehurst, Grace Peninger

1. **Call to Order** – David F. Bristol, Chairman, Workforce Solutions for North Central Texas
Chair David Bristol called the meeting to order at 10:00 a.m. and announced that a quorum for the North Central Texas Workforce Development Board is present.
2. **Public Comment**
There were no public comments.
3. **Declare Conflicts of Interest**
There were no conflicts of interest declared.
4. **Approval of Consent Agenda Items**
 - a. Approval of the Minutes from the September 12, 2023, Board Meeting

A motion to approve the minutes from the September 12, 2023, meeting was made by Gary Henerson and seconded by Kenny Weldon. Minutes approved.

5. Discussion, Consideration and Possible Action Regarding

Prior to Committee Updates Chair Bristol introduced the newest member Chris Watts representing the private sector from Denton County.

a. Committee Updates

i. Strategic Leadership Committee Update – Mercedes Bolen

Mercedes Bolen provided the committee update discussing board membership of now 27 committee members with several reappointments filed with TWC to be placed on the docket for review and approval before the end of the year. The accelerator sessions continue to occur across the 14-county region with 3 of the last sessions covering 9 of the 14 counties. A fourth session recently occurred in Collin County to be discussed during Phedra Redifer's Executive Director's report.

a. Recommendation to Approve Target Occupations List

Mercedes handed over the presentation of the Target Occupations List to Jacob Jimenez who explained the methodology of creating the updated list. Mercedes Bolen then presented the recommendation to approve the updated Target Occupations List. Because this was a committee recommendation, a second was not required, and a vote was taken. Recommendation passed.

ii. Workforce Development Committee Update– Chip Evans

Chip Evans provided the committee update discussing several initiatives. First the Child Care team shared their Quality Child Care initiatives for FY23 while Curantis provided an overview of quality initiatives to provide an increase, sustain and improve quality early learning programs. The Child Care team also provided an update on the TWC rules requiring all child care agreement providers to be Texas Rising Stars certified by October 1, 2024. Chip next discussed the Be Pro, Be Proud initiative that was presented at the committee meeting featuring a 78-foot trailer that allows for hands on simulation and virtual reality demonstrations of in demand occupations. A private showing at the NCTCOG campus occurred in October and was attended by TWC Commissioners Emerson and Trevino as well as industry and education stakeholders. Meta has pledged \$300,000 towards the funding of this effort while staff continues to work to secure additional funding to bring this initiative to Texas. Chip also presented that October was National Disability Employment Awareness Month. Board staff shared with the committee the initiatives that occurred during the month including a weekly professional development series for employers and a job shadowing event held at Weatherford College. And finally, Chip discussed the initiative that Board Member Rolanda Macharia heads that Workforce Solutions participated in the Lift RR – Another Man's Treasure which connects non-profit organizations with families living in poverty to provide a hand up not just a hand out.

iii. Oversight & Accountability Committee Update – Carlton Tidwell

Carlton Tidwell introduced the financial update would be provided by Randy Richardson followed by the performance update provided by Michael Nicholas.

a. FY 2023 Financial Update – Lisa Sack

Randy Richardson provided the financial update for Lisa Sack regarding the spending for each of the categories through the month of August with the

final expenditures and savings through September 2023 to be presented at the January board meeting.

b. FY 2023 Performance Update – Michael Nicholas

Michael Nicholas provided a brief overview of performance for the month of July 2023. Per the handout North Central Texas met or exceeded 17 of the 19 formally contract performance measures. Kenny Weldon requested a clarification of the average number of children served per day which Michael provided.

iv. Executive Committee Update – David F. Bristol

Chair Bristol provided the committee update presenting the topics discussed.

a. Child Care

Chair Bristol discussed that two experts, Reagan Miller, TWC Child Care Division Director and Kara Wadell, Child Care Associates CEO, attended the committee meeting and presented insights. Chair Bristol encouraged all board members to review the packet presented at the Executive Committee meeting that is included with their meeting packet. Chair Bristol then turned the reporting over to Phedra Redifer to touch on the highlights of the presentation. Phedra explained the child care COVID dollars that are going away were temporary when sent down from the federal government. The Biden-Harris has requested from congress a \$16 billion dollars in additional child care funding as part of a larger bill for priority spending called the Child Care Stabilization Grant. Phedra briefly covered the topics in the handout and discussed a one-day conference at Harvard that she and Kelley Fontenot will be attending regarding child care.

b. Recommendation to Approve Board Bylaws Amendments

Chair Bristol differed to Phedra regarding the reason for the Bylaw change. A recently enacted State law, House Bill 1615, necessitates further revision of the North Central Texas Workforce Development Board Bylaws. House bill 1615 requires the addition of one child care representative category to the makeup of the board membership. Now an official category. This new law also states the workforce boards are now required to have a minimum of 27 board members. The current Chief Elected Officials (CEO) agreement lists a minimum of 25 members so the CEO agreement must also be amended to meet the State law requirements. Also, the current language in the Bylaws is the language that needs to be in the CEO agreement so by making these changes the two items will be cleaned up for future reference. Once approved, will work with the lead CEO and alternate CEO to amend the agreement where size and board minimum needs to be listed. Chair Bristol presented the recommendation from the Executive Committee to approve the revision of the Board Bylaws. Motion passed unanimously.

b. Executive Director's Report

i. Board Staff Introductions

Phedra Redifer introduced the new staff Cadie Allen, April Frederick, Teresa Wilson, Lupita Montero, and Erin Young-Guzowsky.

ii. Board Administrative Items

a. 2024 Board Calendar

Included in the packet is the 2024 Board Calendar. To enable Board members to add the dates to their schedules, Laurie will be sending out meeting invites. There will be two lunch and learns with in-person board meetings on May 7th and September 3rd. The joint Workforce and CEO

board meeting will be moving to March 7th. The committee meetings for Strategic Leadership, Workforce Development, and Oversight & Accountability will all be held on the same day starting in January 2024. Strategic Leadership held at 10:00a.m.-11:30a.m. Workforce Development held at 1:00p.m.-2:30p.m. Oversight & Accountability held at 3:00p.m.-4:00p.m. The Executive committee meetings will be held on Tuesday two weeks later.

b. Board Portal Update

Phedra next turned over the presentation to Diana Carranza to explain the new and updated sections of the dfwjobs.com/boardportal to be able to access the meeting information, strategic plan, governing documents, resources and monitoring reports as well as required training and forms to provide a more user-friendly experience.

iii. Noteworthy Workforce Development Activities

a. Collin County Accelerator Session

Phedra extended her appreciation for the attendance of Judge Hill, Chair Bristol, Roger, Rolanda, Dr. King, and Jason. This accelerator session was attended by 28 guests where Workforce was able to share information regarding where Workforce Development fits in to assisting to meeting needs of the county. A lot of information has been gleaned to help determine where to focus resources to meet the needs of the community.

b. Red, White, & You! Hiring Events

Brandi Harrison Trotter presented the update on the Plano Red, White, & You! event that occurred November 9, 2023. At the event were 108 employers with an active wait list, 6 resource agencies, and 250+ career seekers despite the rain that day. On November 15, 2023, tomorrow from 10:00a.m. to 2:00 p.m. the Midlothian Red, White, & You! Event will happen. There are 39 employers scheduled with 6 resource agencies for this event.

c. Apprenticeship Week

Brandi Harrison Trotter next presented the National Apprenticeship Week, November 13-19, 2023, which is promoted throughout the nation to continue provide the education and awareness of the apprenticeship education model regarding how it can affect industry and career seekers. Workforce Solutions for North Central Texas developed social media content creating awareness around this training model and feature information in the external e-newsletter as well as participated in the October 26th DFW Apprenticeship Accelerator with the Department of Labor, Tarrant, and Dallas boards where employers and educator were invited to discuss how to use this model to meet industry needs.

iv. Workforce Development Conferences

a. TWC Conference, Houston, TX

Phedra presented the upcoming TWC Conference the week after Thanksgiving. There are currently 8 board members attending: Chips Evans, Mercedes Bolen, Craig Driggers, Amy Crippen, Jason Gomez, Joshua Worthey, and Cheri Moseley with Rolanda Macharia attending virtually.

b. NAWB Forum 2024, Washington, DC

The National Association of Workforce Boards Conference will be held March 23 -26, 2004. If you are interested in attending, contact Laurie

Gillispie regarding lodging and travel arrangements.

6. Announcement of Executive Session

- a. As authorized by Section 551.071 to consult with the Board's attorney for legal advice on any matter listed on the agenda, pending or contemplated litigation, settlement offers, or any matter in which the duty of the Board's attorney to the Board under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflict with the provisions of Chapter 551 of the Texas Open Meetings Act.

7. Action as a Result of Executive Session

8. Future Agenda Items

Chair Bristol asked Phedra to mention the new TWC Employer Commissioner Esparza replacing the outgoing Commissioner Demerson.

9. Adjourn

A motion for adjournment was recommended by Roger Harris and seconded by Joshua Worthey. The meeting adjourned at 10:22 a.m.



December 18, 2023

David F. Bristol, Chairman
Workforce Solutions for North Central Texas

Dear Chair Bristol,

On November 20, 2023, the North Central Texas Council of Governments (NCTCOG) was notified that the Texas Workforce Commission (TWC) had completed their review of the Child Care Services, Choices (employment services for Temporary Assistance for Needy Families), Employment Services, Trade Adjustment Assistance, and Workforce Innovation and Opportunity Act programs administered by Workforce Solutions of North Central Texas. The review covered the period January 1, 2022, through November 30, 2022, and was conducted in March 2023.

Please see the attached letter for our response to TWC which has affirmatively addressed the noted findings. We will ensure you are informed of TWC's response to the corrective actions outlined in this letter.

NCTCOG will continue to demonstrate a commitment to following local, federal, and state guidelines and requirements.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Phedra Redifer".

Phedra Redifer, Executive Director
Workforce Solutions for North Central Texas



December 18, 2023

Rudolfo Ortiz
Audit Resolution
Division of Fraud Deterrence and Compliance Monitoring
101 E. 15th Street
Austin, TX 78778

Dear Mr. Ortiz,

The North Central Texas Council of Governments (NCTCOG) appreciates the opportunity to respond to TWC's letter dated November 20, 2023, regarding the review of the Child Care Services, Choices (employment services for Temporary Assistance for Needy Families), Employment Services, Trade Adjustment Assistance, and Workforce Innovation and Opportunity Act programs administered by Workforce Solutions of North Central Texas.

This review identified opportunities to strengthen management controls and support compliance with contract requirements. The two (2) findings noted are outlined below:

1. Prior Year Finding – Ensure Procurements are Properly Conducted

The following error was noted for the Board's procurement of Risk & Compliance Audit Services:

- No documentation of an independent estimate was provided. Standards require that an independent cost estimate be performed before receiving bids or proposals. The absence of an independent estimate may lessen the effectiveness of the required cost/price analysis in determining whether the costs/price of the bids/proposals received are reasonable.

The following errors were noted for the Board's procurement of Single Audit services:

- No documentation of an independent estimate prior to the procurement issuance was provided.
 - The Request for Qualifications document is missing the evaluation criteria.
 - No documentation was provided to support that bids were received timely.
- **NCTCOG Response:** The NCTCOG Purchasing Division has implemented the following controls to ensure procurement requirements are met:
- Workforce-related procurements have been centralized utilizing the NCTCOG Purchasing Division for enhanced quality control and adherence to requirements specific to TWC. This transition began in June 2023.



- The NCTCOG Purchasing Division has developed a new Determination of Cost Reasonableness Form to meet the Independent Cost Estimate requirements. This form was implemented in FY 2022.
 - **Reference:** Attachment 1 – Determination of Cost Reasonableness Form
- A new Workforce Procurement Request Form has been developed to gather preliminary information and enhance the centralized Workforce procurement process. This form was implemented in FY 2024, beginning in October 2023.
 - **Reference:** Attachment 2 - Workforce Procurement Request Form
- A new Initial Procurement Memo template has been developed for Workforce-related procurements to document a need statement/determination of allowability, brief description of scope of work, independent estimate, and rationale for the method of procurement to be used. This form was implemented in FY 2024, beginning in October 2023.
 - **Reference:** Attachment 3 – Initial Procurement Memo
- A new Formal Procurements Checklist and Noncompetitive Procurements Checklist has been developed which align with the new Board Procurement Checklist included in the revised TWC Agency Board Agreement (ABA) dated October 11, 2023. The checklists were implemented in FY 2024, beginning in October 2023.
 - **Reference:** Attachment 4 – Formal Procurements Checklist
Attachment 5 – Noncompetitive Procurements Checklist
- A formalized training is in development and will be implemented in January 2024. The training will be provided to staff of the Workforce Development Department and will be facilitated by the NCTCOG Purchasing Division. The training will include a walkthrough of the new procurement forms noted above, as well as an overview of procurement requirements specific to TWC funding and general requirements that apply to all funding.
- NCTCOG Purchasing is dedicated to ensuring a transparent and fair procurement process. To uphold this commitment, each formal procurement issued includes outlined evaluation criteria in Section 3: Evaluation and Award. These criteria serve as a comprehensive framework for assessing proposals, ensuring a fair and thorough evaluation process.



- NCTCOG Purchasing employs the Public Purchase eProcurement service as a medium for distributing and collecting public sector procurement documents. Vendors leverage the Public Purchase submission portal to submit their technical proposals, price proposals, and any other specified documents. The vendor's submission is securely encrypted, and decryption for viewing is only feasible after the submission deadline has elapsed. This precautionary measure is implemented to maintain a fair competition environment, emphasizing transparency and adherence to established protocols.

The following attachments are saved to each procurement file:

- Public Purchase Transcription of the Public Opening
- Bid/Proposal Opening and Read Aloud Form
- Public Purchase Public Opening Attendance Report
- Microsoft TEAMS Recording of the Public Opening

2. Finding – Ensure MOUs Contain All Required Elements

The Board did not ensure its Memoranda of Understanding (MOU) agreement with the Adult Education & Literacy (AEL) partner contained all the required elements. Although quarterly meetings are held with the Workforce Subrecipient and all AEL partners to ratify the conditions of the Regional Coalition MOU, the MOU was lacking the following elements required by the WIOA Guide to Texas Workforce Systems Operations:

- The MOU was missing the beginning and end date.
- A review of the MOU agreement at least once every three years.
- **NCTCOG Response:** Workforce Solutions for North Central Texas is in the process of reviewing and revising all MOU agreements to ensure they contain all required elements set forth in the WIOA Guide to Texas Workforce System Operations (July 2023).

Specifically, as noted in the TWC monitoring review, the Adult Education Literacy (AEL) Regional Coalition MOU has been revised to address the following:

- a beginning and end date
- the requirement to review the MOU agreement at least every three years.

To ratify the conditions of the Regional Coalition MOU, Workforce Solutions for North Central Texas continues to hold quarterly meetings with the Workforce Subrecipient and all AEL partners as identified in the MOU.



Workforce Solutions for North Central Texas staff have implemented internal controls to ensure that all MOUs are developed and revised to include required elements, as directed in Section C (Memoranda of Understanding) of the WIOA Guide to Texas Workforce System Operations, July 2023 and in Appendix B: WIOA MOU Provisions Checklist. Internal controls that have now been implemented include:

- Creation of an MOU checklist to be completed when all MOUs are created, reviewed and revised.
- Revised MOU tracking spreadsheet that lists all MOUs, start and end dates, and compliance with all elements of the WIOA Guide to Texas Workforce System Operations.
- Additional level of review by the Senior Manager of Workforce Programs prior to the distribution of all MOUs for signature.

Additionally, training was conducted on December 18, 2023 by the Senior Manager of Workforce Programs and Manager of Continuous Improvement for all board staff that support the MOU creation and review process. The training will provide direction and guidance related to:

- MOU Overview
- WIOA Guide to Texas Workforce System Operations, July 2023
 - Section C - Memoranda of Understanding
 - Appendix B: WIOA Mou Provisions Checklist.
- Required MOUs
- Optional MOUs
- MOU Required Elements
 - EO Assurance
- TWC Monitoring Letter
- WSNCT Internal MOU Processes

The NCTCOG is confident the corrective actions noted above will adequately resolve TWC's concerns, will ensure proper adherence to procurement standards, and will ensure MOUs contain all required elements. NCTCOG will continue to demonstrate a commitment to following local, federal, and state guidelines and requirements.

Should you have any further questions, please do not hesitate to contact me.

Sincerely,

Phedra Redifer, Executive Director

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the Public

Alberto Treviño, III
Commissioner Representing
Labor

Vacant
Commissioner Representing
Employers

Edward Serna
Executive Director

November 20, 2023

Ms. Phedra Redifer, Executive Director
Workforce Solutions for North Central Texas
616 Six Flags Drive, Suite 300
Arlington, Texas 76011

Dear Ms. Redifer:

This letter is regarding findings identified in the Texas Workforce Commission (TWC) Monitoring Report #23.04.0001. This report included a review of the Child Care Services, Choices (employment services for Temporary Assistance for Needy Families), Employment Services, Trade Adjustment Assistance, and Workforce Innovation and Opportunity Act programs administered by Workforce Solutions for North Central Texas (Board).

Prior Year

Finding: Ensure Procurements are Properly Conducted

For the second year in a row, the Board did not ensure procurements were properly conducted and support documentation was maintained.

The following error was noted for the Board's procurement of Risk & Compliance Audit Services:

- No documentation of an independent estimate was provided. Standards require that an independent cost estimate be performed before receiving bids or proposals. Absence of an independent estimate may lessen the effectiveness of the required cost/price analysis in determining whether the costs/price of the bids/proposals received are reasonable.

The following errors were noted for the Board's procurement of Single Audit services:

- No documentation of an independent estimate prior to the procurement issuance was provided.
- The Request for Qualifications document is missing the evaluation criteria.
- No documentation was provided to support that bids were received timely.

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With the identified deficiencies, the Board cannot demonstrate whether the affected procurements fully complied with the respective federal and state procurement requirements.

Documentation Required:

The recommendation in the monitoring report states the Board should strengthen its controls over procurements to ensure they are properly documented. Please provide implemented controls which address the weakness identified and meet state and federal requirements as outlined in TWC FMGC Supplement on Procurement – Version 1.0. If recent training was conducted in this area, please provide agenda and sign-in sheets.

Finding: Ensure MOUs Contain All Required Elements

The Board did not ensure its Memoranda of Understanding (MOU) agreement with the Adult Education & Literacy partner contained all the required elements. Although quarterly meetings are held with the Workforce Subrecipient and all AEL partners to ratify the conditions of the Regional Coalition MOU, the MOU was lacking the following elements required by the WIOA Guide to Texas Workforce Systems Operations:

- The MOU was missing the beginning and end date.
- A review of the MOU agreement at least once every three years.

Without meeting all requirements set in the WIOA Guide to Texas Workforce System Operations, the Board cannot ensure all MOUs are appropriately reviewed.

Documentation Required:

The recommendation in the monitoring report states the Board should ensure that AEL MOU agreement is revised with the required elements. Please provide a copy of the revised MOU for AEL partner (Regional Coalition) to include the beginning and end date, as well as the frequency of the review for the MOU agreement. In addition, please provide implemented controls which ensure MOUs are developed, and include all required elements as indicated in the WIOA, Guide to Texas Workforce System Operations, TWC, July 2023. Lastly, if recent training was conducted in this area, please provide agenda and sign-in sheets.

Please provide the above information within 45 calendar days from the date of this letter to Rudy Ortiz, via email rudolfo.ortiz@twc.texas.gov. Additional documentation may be requested at a future date based on the documentation submitted.

Thank you in advance for your cooperation and assistance. Should you have any questions or concerns, please contact Rudy Ortiz at (512) 463-2943 or me at (512) 354-9616 or judy.ohn@twc.texas.gov.

Ms. Redifer
Page 3
November 20, 2023

Sincerely,

Judy Ohn

Judy Ohn
Director of Fiscal Services and Audit Resolution

EXECUTIVE SUMMARY

September 2023 Financial Update

Workforce Board, Staff, and Centralized Functions

The Board approved a budget for the Workforce Board, its staff, and centralized functions for FY 2023 in an amount totaling \$17,172,645. As of September (final month of FY 2023) the Board's expenditures were approximately 9.3% or \$1.6 million below benchmarks for this point in the fiscal year.

Staffing Update

Personnel costs (including salaries, fringe, and indirect costs) were approximately 3.5% or \$268,000 behind targets as of September.

Travel/Staff Development

Travel and staff development budgets that were included within the FY 2023 workforce budget totaled \$390,495. These categories ended the fiscal year behind target cumulatively by approximately 43.3% or \$169,000.

Professional Services

Included in the FY 2023 budget is \$2,856,486 for professional services which includes legal, network support, and contracted services. Also included is \$741,000 for Apprenticeship Texas Expansion (ATG) partners MasTec (the company which purchased Velex) and Bombardier. This category ended the fiscal year behind target approximately 22.0% or \$629,000.

Other

The FY 2023 budget includes \$983,983 for other items such as supplies, printing, postage, equipment repair and maintenance, membership dues, advertising, and subscriptions. As of September, this category was behind target by approximately 18.5% or \$182,000. The majority of this variance is due to lower than anticipated expenditures for printing, membership dues, subscriptions, advertising, and meeting expenses.

Communications

The FY 2023 budget includes \$453,157 for communications including Workforce Center data lines and other RIS-related communications technology, MiFi devices, and staff cell phone allowances. This category is approximately 43.6% or \$198,000 behind targets. During FY 2023, RIS implemented new technology that allows the use of lower cost Internet connections while improving connection quality and adding redundancy. Additionally, RIS moved from high-cost analog fax and security services to lower cost digital fax and cellular security services. This reduced the monthly recurring cost significantly and eliminated long-distance fees, resulting in budget savings.

Leasehold Improvements

The FY 2023 budget includes \$115,000 for the leasehold improvements of our Workforce Centers. This category is approximately 59.3% or \$68,000 behind targets, primarily due to delays that caused materials ordered in FY 2023 to be received and paid for in FY 2024.

Child Care Subrecipient

The Board currently has a contract with Curantis Group, LLC, to operate its child care services in the amount of \$79.4 million. As of September (final month of Curantis contract), expenditures were behind targets by approximately 21.1% or \$16.8 million. Below is a summary of grant noteworthy information:

- Child Care (Direct Care and Local Match, Non-COVID) – Expenditures are currently behind target by approximately 23.0% or \$15.7 million. Local match funds were fully expended in FY 2023. Unspent FY 2023 direct care funds will not be carried over into FY 2024.
- COVID-19 Service Industry Recovery (SIR) - SIR funding was designated for children of employees working within the arts, entertainment, recreation, food service, and retail industries. Enrollment for this program closed in March 2022 and funding served existing participants through the end of the grant period (March 2023). Approximately \$1.3 million of the available SIR funding was unspent after the close of the grant and will be utilized by TWC for future designated projects.

Workforce Subrecipient

The Board currently has a contract with Equus to operate its workforce center services in the amount of \$19.2 million. As of September (final month of Equus contract), expenditures

are behind targets by approximately 16.6% or \$3.2 million. Below is a summary of grant noteworthy information:

- WIOA – Overall WIOA (Adult, Dislocated, and Youth grants) expenditures through September are approximately 17.5% or \$2.2 million behind target levels. Unspent FY 2023 funds for both Equus and the Board (Board, staff, and centralized functions) totaling approximately \$4.7 million will be carried over into FY 2024 primarily for program delivery purposes.
- SNAP/TANF – Through September, FY 2023 SNAP and TANF expenditures for Equus were behind target by approximately 13.7% or \$468,000. Total unspent funds at the end of FY 2023, including both the Workforce Board and Equus, total approximately \$852,000 for TANF and \$335,000 for SNAP. Only the TANF funding affords an opportunity for carry over due to the SNAP grant only lasting one year and ending on September 30, 2023.
- Trade Act Services (TAA) - These funds are utilized to address customer lay-offs due to jobs being transferred outside of the U.S. Expenditures are behind target by approximately 60.1% or \$176,000. The Trade Adjustment Assistance Reauthorization Act of 2015 (TAARA 2015) terminated the TAA program on July 1, 2022, and phase-out activities began. However, TWC will continue to determine eligibility and provide services to workers covered under certified petitions.

The NCTCOG staff will continue to closely monitor expenditure rates of both the workforce and child care service delivery contractors. Additionally, NCTCOG staff will work diligently with our subrecipients, Curantis and Equus, to ensure that the workforce programs are operating as effectively and efficiently as possible.



FY 2023 Financial Update

Lisa Sack, Fiscal Manager, NCTCOG | December 19, 2023



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Workforce Board, Staff & Centralized Functions

Budget Year

- Budget Year is October 1, 2022 through September 30, 2023

Approved Budget

- Approved Budget totals **\$17,172,645**

Expenditures

- Behind targets by **9.3%** or **\$1.6 million**



Workforce Board, Staff & Centralized Functions

- Categories Under Consideration:

Category	Budget	Target	Expenditures	Ahead/ (Behind) Target
Personnel	\$7,672,810	100.0% \$7,672,810	96.5% \$7,404,321	-3.5% (\$268,489)
Travel/Staff Development	390,495	100.0% 390,495	56.7% 221,320	-43.3% (169,175)
Professional Services	2,856,486	100.0% 2,856,486	78.0% 2,227,679	-22.0% (628,807)
Other	983,983	100.0% 983,983	81.5% 802,339	-18.5% (181,644)
Communications	453,157	100.0% 453,157	56.4% 255,445	-43.6% (197,711)
Leasehold Improvements	115,000	100.0% 115,000	40.7% 46,760	-59.3% (68,240)
Total	\$12,471,932	\$12,471,932	\$10,957,864	(\$1,514,068)

Child Care Services Subrecipient

Contract Year

- Contract year is October 1, 2022 – September 30, 2023

Contract Amount

- Contract amount totals **\$79.4 million**

Expenditures

- Behind targets by **21.1%** or **\$16.8 million**



Child Care Services Subrecipient

- Categories Under Consideration:

Program	Budget	Target		Expenditures		Ahead/(Behind) Target	
Child Care (Non-COVID) + Local Match	\$68,054,813	98.2%	\$66,817,860	75.2%	\$51,144,810	-23.0%	(\$15,673,050)
Service Industry Recovery (COVID)	2,200,000	100.0%	2,200,000	52.2%	1,148,934	-47.8%	(1,051,066)
Total	\$70,254,813		\$69,017,860		\$52,293,744		(\$16,724,116)

Workforce Services Subrecipient

Contract Year

- Contract year is October 1, 2022 – September 30, 2023

Contract Amount

- Contract amount totals **\$19.2 million**

Expenditures

- Behind targets by **16.6%** or **\$3.2 million**



Workforce Services Subrecipient

- Categories Under Consideration:

Program	Budget	Target		Expenditures		Ahead/(Behind) Target	
WIOA	\$12,802,291	98.0%	\$12,544,296	80.5%	\$10,300,649	-17.5%	(\$2,243,647)
TANF/SNAP	3,423,323	100.0%	3,423,323	86.3%	2,955,568	-13.7%	(467,755)
TAA	292,226	100.0%	292,226	39.9%	116,685	-60.1%	(175,541)
Total	\$16,517,840		\$16,259,845		\$13,372,902		(\$2,886,943)



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Questions?



BCY23 Year End Performance Report

Manager of Workforce Development Information Systems | Michael J. Nicholas | January 30, 2024





All Performance Measures Performance Status Summary

“Meeting Performance (MP)” or “Positive Performance (+P)” within 19 of 22 formally contracted performance measures for which we have all available data:

Performance Status	# of Measures
Positive Performance (+P)	2
Meeting Performance (MP)	17
Negative Performance (-P)	3

Performance Measures With a Negative Performance Status

PERFORMANCE MEASURE	TARGET	CURRENT PERFORMANCE	PERCENT OF CURRENT TARGET	PERFORMANCE STATUS	PERFORMANCE CHANGE FROM PREVIOUS MONTH
Claimant Reemployment Within 10 Weeks	60.00%	53.88%	89.80%	-P	-0.08%
Credential Rate - Youth	71.60%	52.80%	73.74%	-P	-2.00%
Avg # Children Served Per Day - Combined	7,591	6,141	80.90%	-P	+66



Questions?

Michael J. Nicholas, Manager of Workforce Development Information Systems

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Workforce Board Membership: Role & Responsibilities

Carvan Adkins | January 2024



What is North Central Texas Workforce Board

- Created under Section 2308.252 of the Texas Government Code.
- One of **28 local Workforce Development Boards** working under the direction of the Texas Workforce Commission (TWC).
- NCTWDB is a **unit of local government** and its **board members public officials**.
- Tasked with responding to the **needs of Texas employers** and work through locally-designed, **market-driven workforce development initiatives**.
- The North Central Texas Workforce Development Board oversees the **planning, oversight, policy guidance and design of services** in 12 Texas Workforce Centers located across the 14-county workforce development area.

What is North Central Texas Workforce Board

Government Code Sec. 2308.303. Board Duties.

A board shall:

- (1) Serve as a single point of contact for local businesses to communicate their skill needs and to influence the direction of all workforce development programs in the workforce development area;
- (2) Serve as a private industry council under the Job Training Partnership Act (29 U.S.C. Section 1501 et seq.);
- (3) Develop a local plan to address the workforce development needs of the workforce development area that:
 - (A) is responsive to the goals, objectives, and performance standards established by the governor;
 - (B) targets services to meet local needs, including the identification of industries and employers likely to employ workers who complete job training programs; and
 - (C) ensures that the workforce development system, including the educational system, has flexibility to meet the needs of local businesses;

What is North Central Texas Workforce Board

- (4) Designate the board or another entity as the board's fiscal agent to be responsible and accountable for the management of all workforce development funds available to the board;
- (5) Create local career development centers under Section 2308.312;
- (6) Review plans for workforce education to ensure that the plans address the needs of local businesses and recommend appropriate changes in the delivery of education services;
- (7) Assume the functions and responsibilities of local workforce development advisory boards, councils, and committees authorized by federal or state law, including private industry councils, quality workforce planning committees, job service employer committees, and local general vocational program advisory committees;

What is North Central Texas Workforce Board

(8) Monitor and evaluate the effectiveness of the career development centers, state agencies and other contractors providing workforce training and services, and vocational and technical education programs operated by local education agencies and institutions of higher education to ensure that performance is consistent with state and local goals and objectives; and

(9) Promote cooperation and coordination among public organizations, community organizations, charitable organizations, religious organizations, and private businesses providing workforce development, in a manner consistent with the nondiscrimination principles and safeguards stated in 42 U.S.C. Section 604a.

What is North Central Texas Workforce Board

- (b) The board shall ensure that employment services are provided for persons seeking employment in the local workforce development area. The board shall contract with an appropriate entity for the provisions of services, or, if all necessary waivers are granted, the board may provide the services directly.
- (c) In performing its duties under this section, a board may provide to the division relevant labor market information and information regarding the availability of existing workforce development.
- (d) A provider must respond to a change recommended by the board under Subsection (a)(6) not later than the 30th day after the date the provider receives the recommendation.
- (e) A board shall educate the public about the plumbing professional and the resources available to employers for the recruitment and training of plumbers as provided by Section 1301.652, Occupations Code.
- (f) These educational efforts may be conducted to the extent that the plumbing profession is designated as an occupation in demand by a board.

“Lobbying” and “Education”

- Government Code Chapter 556 defines a local workforce board as a **state agency**
- A state agency **may not use appropriated money to attempt to influence the passage or defeat of a legislative measure.**

LOBBYING	EDUCATION
<ul style="list-style-type: none">• Any attempt to influence specific legislation.• Involves communication with a policymaker that takes a position on specific, pending legislation.• Lobbying can be done in two ways:<ul style="list-style-type: none">• (1) Contacting or urging the public to contact policymakers for the purpose of proposing, supporting, or opposing legislation, or• (2) By advocating for the adoption or rejection of legislation	<ul style="list-style-type: none">• Providing basic information about a particular organization or issue.• Gives information about who is affected, number of people served, budget or proven impacts and accomplishments.• Does not provide value judgments or ask people to take a particular stance.• <i>There is no limit on the amount of educating you can do!</i>

Education Activities Examples

- Inviting legislators to visit your site and get firsthand knowledge of your service and its impact
- Providing a fact-driven pamphlet to the public about a particular topic
- Giving a fact-driven presentation about a topic to a legislator
- Creating a video with a client about how THEY have benefited from a particular program
- Education can be influential, but it cannot be perceived as being persuasive to a particular piece of legislation – otherwise that is lobbying!

Conflict of Interest Gov't Code Section 2308

Sec. 2308.257. RECUSAL.

(a) A member of a board shall avoid the appearance of conflict of interest by **not voting in, or participating in, any decision by the board regarding the provision of services** by such member, or any organization which that member directly represents, or on any matter which would provide direct financial benefit to that member, the member's immediate family, or any organization which that member directly represents.

(b) *Subsection*

(a) **shall serve as a minimum standard** and shall not be construed as to limit the board's authority for more restrictive governance to prevent real and/or apparent conflict of interest.

Conflict of Interest: LGC 171

A member has a conflict of interest, pursuant to Section 171.001 of the Texas Local Government Code, if:

- **Business Entity:** the action will have a special economic effect on a business entity in which the member has a “substantial interest” that is distinguishable from the effect on the public; or
- **Real Property:** it is reasonably foreseeable that an action on the matter will have a special economic effect on the value of real property in which a member has a “substantial interest” that is distinguishable from the effect on the public
- A person has a substantial interest in a business entity if the person:
 - owns 10% or more of the voting stock or shares of the business entity
 - owns 10% or more of the fair market value of the business entity
 - owns \$15,000 or more of the fair market value of the business entity
 - receives funds from the business that are in excess of 10% of the person’s gross income for the previous year
- A person has a substantial interest in real property if the interest is an equitable or legal ownership with a fair market value of \$2,500 or more

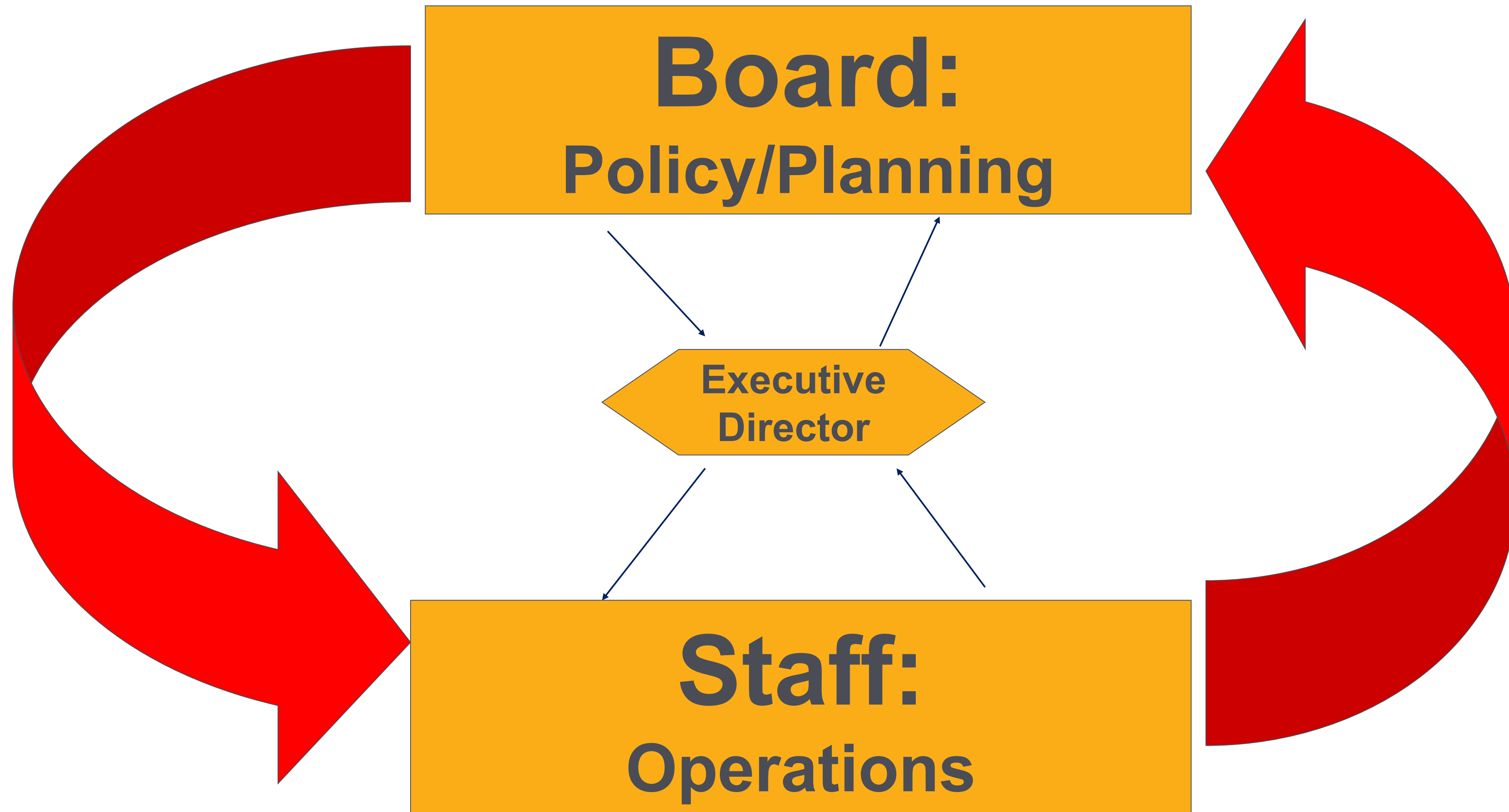
Board Action

- The Board acts only by majority vote at a meeting posted in accordance with the Texas Open Meetings Act in which a quorum of the Board is present.
- Actions, or votes, may only be taken on properly posted items.
- Executive Director implements policy and budgetary directives of full Board as expressed by majority vote at properly posted meetings.
- Individual Board members, including the Chair, have no express authority to direct the ED or Board staff.
- **Executive Director**
 - **Serves as the liaison between Board and Staff**
 - Responsible for employment of all other employees.
 - Generally serves as spokesperson for the Board.

Attendance at Meetings

- Board members are expected to attend Board and Committee meetings. An attendance problem occurs if any of the following conditions exist:
 - The member has two (2) un-notified absences in a row (Committee and/or Board);
 - The member has three (3) notified absences in a row (Committee and/or Board); or
 - The member misses three (3) Board meetings in a twelve (12)-month period.
- *Example: An attendance problem occurs, if a Board Member has an un-notified October Committee meeting absence, and an un-notified November Board meeting absence.*
- If an attendance problem exists regarding a member, the Chair will contact the member to discuss the problem to determine if any further action is necessary. Any disciplinary action will be reviewed and decided by the Board.

Stay Out of The Red Zone





Questions?

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