

JJAC Quarterly Meeting

MINUTES

MARCH 20, 2014

10:00 AM - 2:00 PM

5100 2ND ST. NW, ABQ, NM

MEETING CALLED BY	Sharon Stover
BOARD MEMBERS ATTENDING	Helen, Cheromiah, Alma Cortez, Todd Heisey, Ron Lucero, Erica Padilla, Sasha Pellerin, John Richmond, David Schmidt, Douglas Mitchell, Monica Garcia, (Amy Orlando, Wilson Quintana and Judge Angie Schneider-Cook participated by phone)
BOARD MEMBERS NOT ATTENDING	Deborah Bogosian, Judge Freddie Romero, Anna Marie Loughead
OBSERVERS	Richard Lindahl, Rachel Benally, Michele Sandoval, Elisa Alford, Patti Vowell, Christiann Stapf, Linda Kennedy, Tamera Marcantel, Steve Brooks, Kathy Swope

II. Roll Call: It was determined that a quorum was present

III. Welcome and Introductions

IV. Public Comment: None made

V. Approval of Agenda: The agenda was unanimously approved

VI. Approval of Minutes: The minutes of the previous meeting were approved as distributed

VII. CONSIDERATION OF RECOMMENDATION ON CONTRACTS

STOVER

DISCUSSION	<ul style="list-style-type: none"> • It was decided to review all four contracts separately and then do one vote. • Two issues with the contracts were brought up: 1) we contract out but don't really know what services are being provided and 2) only someone with a law degree can understand the contracts. • These contracts we are reviewing today were at the request of the JJAC and have been reviewed by the JJAC board in previous years. • DFA may increase the amount awarded to contractors next year to \$60,000, but three written quotes will be needed. • Federal funding cuts are coming. There is no allocation to JABG this year, Title 5 is gone and EUDL is gone. Title II Formula Funds is all that is left (max \$400,000 yearly). The amount of work needed to maintain funds is not equal to the amount of funding that can be received. • It was suggested that it would make more sense for Richard Lindahl's funding to come out of continuum funds. Staff explained that the Continuum Statute is specific on what is considered an allowable cost. • Staff has until 3/28/14 to get contracts to the legal department. • The Board needs to be consistent with their recommendations and offer contractors gross receipts tax. Gross receipts can be added on top of a \$50,000 award. • <u>Richard Lindahl</u> (\$49,000: \$45,000 professional services, \$4,000 travel) – helps new sites walk through the process and makes recommendations to the Board. He attends as many continuum meetings as possible monthly and is invaluable in helping sites succeed. He is a mentor to the JJS Specialists and he needs to be used more. He has been consistent and dedicated. Concerns were raised about signing a contract that could be in violation of IRS laws. Additional concerns were that he was not able to answer questions the committee had during the Grant Review Sub-Committee meeting and that there has not been a work product submitted to the board or JJAC unit. It was noted that he is a contractor and the agency cannot direct his work. (Received \$53,375 last year. He only expended \$40,199.48) • Bob Cleavall (\$53,286: \$45,000 professional services, \$5,000 travel, \$3,286 gross receipts tax) – lends technical assistance and guidance with OJJDP state and federal laws. There are 103 adult facilities that must be inspected at least once every three
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years for sight and sound separation. (Received \$50,000 plus gross receipts last year).

- Terri Turner (\$50,000: \$45,000 professional services, \$5,000 travel) – had a dual purpose. In July she was directed to cease inspections as this should be a CYFD position. She is now just doing compliance monitoring; she is being paid through OJJDP to assist Bob Cleavall with work logs, but not inspections. It was suggested that her contract should reflect this and be cut in half. It was reported that her compliance monitoring is 64% of her work thus cutting her contract in half may not be appropriate. If there are violations with OJJDP, Ms. Turner follows up. In July 2013, Director Stewart directed that Terri Turner no longer conduct unannounced inspections of the State's juvenile detention centers as CYFD has a detention compliance monitor position that is responsible for such duties. These reduced responsibilities represent about half of her current scope of work which has also been verified through conversations with Bob Cleavall and through work logs Ms. Turner submits with her monthly invoices. It was suggested that staff speak to her directly about how much work she is doing. As of this year she has begun turning in a work log and it appears she is working approximately 50 hours per month. The board raised the question if they were just trying to find a purpose to give Terri Turner a contract? She received \$47,707.21 last year.
- Life Link – is a small contract for \$5,000 a year to support the Youth Sub-committee. These funds help with the youth sub-committee's retreat, mileage for trainings and conferences since young people's finances are so tight. Life Link maintains a detailed spreadsheet for accountability.
- With the exception of one board member, the overall consensus of the board was that the contracts with Mr. Lindahl, Mr. Cleavall, and Ms. Turner were crucial to the work of the state, to JJAC, and to the OJJDP core requirements and that each of these contracts should be modified so that they are equitable in pay and that they each include the provision of payment of gross receipts tax. JJAC/CYFD staff presented the following information for consideration by the board:
- In the past, CYFD has received federal funding from Title II, Title V, JABG and Enforcement of Underage Drinking Laws (EUDL). Title V and EUDL have been eliminated and for FFY14, there were no appropriations made to the JABG grant. Therefore, our only federal funding we will receive will be from Title II and we were notified on March 18, 2014 that our allocation will remain at the current level of \$400,000. Approximately 38% of our total federal funding available would be allocated to these contracts.
- CYFD has frozen one of the program manager positions within the JJAC unit. State employees have not received any substantial raise since 2008. During the recent program update, with the exception of one coordinator, the JJAC board did not recommend pay increases for coordinators and questioned the amount that was being paid for service providers. To increase payment for these contractors would be contradictory.

- After the board was presented with this information, there was a motion by Sasha Pellerin and seconded by Erica Padilla to fund Mr. Lindahl, Mr. Cleavall, and Ms. Turner each at \$50,000 + gross receipts tax (estimated at 7%) and Life Link at \$5,000. CYFD/JACC staff pointed out that with Ms. Turner's reduced scope of work, it would be questioned as to why full funding was recommended for her. Staff inquired if the board had other responsibilities that they wanted to add to her contract and there were none. The board did stipulate at this time that contractors must submit quarterly reports to the JJAC unit.
- A substitute motion was made by Todd Heisey to reduce her contract by 50% but the motion died for lack of a second.
- Another motion was made by Todd Heisey and seconded by John Richmond to give Ms. Turner 60% of her current contract and that was also unsuccessful.
- Motion to award Richard Lindahl \$50,000, Bob Cleavall \$50,000 plus gross receipts tax and Terri Turner at \$34,775 which represented \$32,500 in professional fees and \$2,275 based upon a 7%

gross receipts tax and to fund Life Link at \$5,000 was made by Dave Schmidt and seconded by Ron Lucero

VOTE: All approved but Amy Orlando.

ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE
Inform Continuum sites that Mr. Lindahl is available to help them and support Mr. Lindahl in prioritizing sites that need to be visited since the number of sites has increased.		
Wording should be added this year stipulating that Mr. Lindahl will visit each site at least once a year and a written report should be turned in monthly. It does not need to be lengthy, but should clarify what he does at meetings. His SOW needs to be tightened up. A reporting system needs to be improved on next year.		
It was suggested that Terri Turner's SOW be reworked to define deliverables and to reflect the amount of money she is to be paid		
There should be a clause added to all contractors' contracts that reads that gross receipts tax is included in the funding they are awarded.		
There needs to be more accountability next year; contracts need to be tightened up.	The Executive Committee	

VIII. JJAC SUB-COMMITTEE UPDATE

DISCUSSION	<ul style="list-style-type: none"> No new information. 	
VOTE: N/A		
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE

STOVER

IX. CJJ CONFERENCE

DISCUSSION	<ul style="list-style-type: none"> There is \$7,200 left to do this – not enough to pay for everyone who wants to go to the conference. It will cost approximately \$2,500 for each person to go. Possibly money from Life Link can be used to help send a youth representative so three people can go. The youth sub-committee would like two young people to go. It was suggested that maybe continuum sites that have youth members could do a BAR to help send a youth from their area. Continuum sites can raise funds outside of JJAC money. The group that goes needs to send a message of concern about funding cuts. They need to be well prepared. It was requested that \$20,000 be set aside to pay for people to go to the conference at the last JJAC meeting, but there is no longer any carry over money and what money is left needs to go to the Native American Initiative. Additionally, the staff expressed concerns that even if there were monies available, this would not be allowable. JJAC asked staff to research the feasibility of this.
<p>An initial motion made to set aside \$20,000 depending for board training for one year <u>was made by</u> Sasha Pellerin <u>and seconded</u> by Dave Schmidt, but <u>was retracted by</u> Sasha Pellerin.</p>	
<p>A motion to spend any remaining money on sending members to the CJJ conference <u>was made by</u> Doug Mitchell <u>and seconded by</u> Dave Schmidt</p>	

VOTE: The motion was passed unanimously.		
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE
The feasibility of setting aside \$20,000 to pay for people to attend the CCJ Conference will be looked into.	Staff	

X. PROCESS FOR NEW SITES TO START A CONTINUUM

LINDAHL

DISCUSSION	<ul style="list-style-type: none"> Mr. Lindahl at the request of Judge Schneider-Cook and the JPOs in Otero County is helping them to start a site there. Carlsbad (Eddy County) would also like to start a site. Both areas have about 30 people interested and they are working on developing an assessment and strategic plan. In the past it has taken approximately \$20,000 - \$25,000 to start up a new continuum site. An assessment can cost up to \$10,000. JJAC needs to take a look at Roosevelt and San Juan counties and decide if they want to start continuums there. Is there enough money? It was suggested that a sub-committee be formed to create an assessment collection form. What does the board want to see; best practices, strategic plan and local support? JDAI has done several assessments in New Mexico that are very thorough and have not cost much. They may have a template. There will be \$150,000 left over next year that can go towards setting up new sites. It was suggested that a onetime \$5,000 be awarded to potential new sites for assessments and core requirements. CYFD will send out an RFI for potential sites. Since these are government to government contracts the process could possibly be similar to the recent proposals. 	
VOTE: N/A		
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE
<ul style="list-style-type: none"> A report needs to be compiled to present to the board in order to move forward with these potential new sites. 		

XI. FEDERAL APPLICATION/STRATEGIC PLAN FOR FY14

STAFF

DISCUSSION	<ul style="list-style-type: none"> We need a strategic plan to submit with the Formula II application. The last three year strategic plan was done on 4/12/12. It will need to be redone next year. The board met in October of 2013 to update. There is some question as to whether it was sufficient; there are still incomplete parts of the matrix. It was suggested that we get OJJDP to help update the plan. Sub-committees were formed in October, but we still have no reports from them. The biggest struggle right now is membership. Amy Orlando has names and is working on this. 	
VOTE: N/A		
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE
A report from each of the sub-committees needs to be requested with a deadline for submission. Mr. Lindahl has a template.		
An OJJDP trainer has been requested for the next board meeting to help with the strategic plan and updates.		

XII. CONTINUUM SITE UPDATE

MARCANTEL

DISCUSSION	<ul style="list-style-type: none"> • Staff has pretty much been caught up with invoicing for all sites. The fiscal unit is cracking down on invoicing and will no longer be as inclined to pay invoices that are not properly submitted. • Additional funding amendments have gone downstairs. Five are done and four still need to be completed. <ol style="list-style-type: none"> 1) Santa Fe – Their contract is very clear that they are to bill monthly for their Day Reporting Center. However, in the past they have billed the entire amount the last month of the fiscal year. We have notified their fiscal person and will notify their board next. 2) Raton – it was found that JJAC has been paying for service providers and then an additional administrative fee of approximately \$2,400-\$3,300/month. 3) Socorro – With the additional funding, they have \$41,000 yet to spend on their Multi-Purpose Youth Center They have been asked for a spending plan. They have mentioned paying for a rock climbing wall and choir bells, but we do not pay for equipment. We wanted to present this to the board so we understand what your intent was when you awarded the funding. 		
VOTE: N/A			
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE	

XIII. COORDINATOR UPDATE

DISCUSSION	<ul style="list-style-type: none"> • Michele Sandoval - Good things are happening in Sandoval County. • Kathy Swope – Their 1st group began yesterday and they are getting a lot of referrals. They are now in two school districts and they are working on a third. 		
VOTE: N/A			
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE	

XIV. LEGISLATION IMPACTING JJAC

STOVER

DISCUSSION	Judge Vigil would like to meet with Ms. Stover. She will report back after the meeting.		
Motion to _____ was made by _____ and seconded by _____			
VOTE: N/A			
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE	

XV. FY15 CONTINUUM FUNDING ALLOCATION

STOVER

DISCUSSION	<ul style="list-style-type: none"> • The allocation was \$2,690,000 which was the same as last year. 		
VOTE: N/A			
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE	

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XVI. JJAC WEBSITE AND BROCHURE

MARCANTEL/KENNEDY

DISCUSSION	<ul style="list-style-type: none"> The external website on cyfd.org is up. A JJAC brochure is in the works. Ideas and photos to be included in the brochure are needed. We will try and have them ready for the JJC conference in June. 		
VOTE: N/A			
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE	

XVII. DISCUSSION ON HOW TO CONDUCT BUSINESS IN BETWEEN MEETINGS

DISCUSSION	Not Discussed.		
VOTE: N/A			
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE	

XVIII. NEW BUSINESS/AGENDA ITEMS FOR NEXT MEETING

STOVER

DISCUSSION	<ul style="list-style-type: none"> The next meeting will be held in Las Cruces on July 10th. 		
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE	
Agenda Items for the next meeting should be e-mailed to Ms. Marcantel.			

XIX. ADJOURNMENT

Minutes Approved by JJAC Committee on: _____

Sharon Stover, Chair