



Monthly Coalition Meeting

2/9/2007

8:30 AM

6301 NW 5th Way, Suite 3400

Ft. Lauderdale, FL 33441

Members in Attendance:

Harry Duncanson, Chair, Robyn Perlman, Treasurer (arrived 8:50), Mason Jackson, Secretary, Stacy Angier, Robin Bartleman, Shukree Cha Jua, Irma Hunter Wesley, Larry Rein, Dr. Barbara Weinstein, Cindy Arenberg Seltzer, Anita Byer, Jeffrey Dwyer, Desorae Giles-Smith, Patricia Good (arrived 8:55) Deborah Hill, Mason Jackson, Dr. Devin Keating, Maria Kuhn Brotton, Shawn Lamarche, Alan Levy, Jack Moss.

Members Absent:

Sidney Calloway, Vice Chair, Corey Hicks, Latha Krishnaiyer, Dr. Steven Ronik, Cindy Stoddart

Staff in Attendance:

Penny Westberry, Executive Director, Ainsworth Geddes, Director of Finance, K. Lee Tirpak, Director of Program Operations, Leticia Boswell, ECE Program Specialist, Janice Carter, ECE Program Specialist, Sandra Gonzalez, Staff Accountant, Deborah David, Director of CRRD, Debbie Bainton, Executive Assistant, Marcie Westover, CRRD Assistant, Inez Webb, Administrative Assistant

Others in Attendance:

Ann de las Pozas, Ken Dresner, Doreen Moskowitz, Claudia Dean, Nancy Lieberman, Jennifer Gottlieb, Skip Johnston

Welcome and Call to Order

Harry Duncanson, Chair, called the meeting to order at 8:35 am
Roll Call – quorum established.

Chair Report

The Chair indicated that he was in Tallahassee last month and met with Gladys Wilson and Gov. Charlie Christ. He indicated that there seems to be some openness to look at the 5% VPK admin money. He further stated that the Senate has filed a “Shell” bill and inquired what it contained and learned that there is no content, that it is done so that they have a vehicle to add whatever comes out of Committees.

The Chair stated that if there was no objection he would like to proceed with the Procurement items so that Special Counsel does not have wait until that item comes up on the agenda. There was no objection.

Executive Committee

Mr. Duncanson asked Mel Wilson to briefly go over the conflict of interest issue that was discussed at the Procurement meeting and to comment on the opinion that was provided to the Committee. Mel Wilson indicated that the two particular questions asked were:

1. If a Coalition member’s organization provides funding or donations to any of the vendors submitting replies to the Invitation to Negotiate (ITN) may the Coalition member participate and vote during the procurement process?
2. Is the Coalition member required to disclose the relationship with any such vendor?

Mr. Wilson responded “yes” to the first question if such measure would not inure to the private gain or loss of the Coalition member, his or her organization, relative or business associate. Mr. Wilson stated the answer to the second question is two fold. He indicated that as it relates to the statute the Coalition member does not have to disclose in the absence of an actual conflict of interest. However, he stated that according to the Coalition’s by-laws Section 3.8 the Coalition member should disclose an apparent or possible conflict of interest before the meeting starts as opposed to discussing the issue and then disclosing the apparent or possible conflict at the time of the vote. He also stated that a member has an obligation to follow-up within 15 days to put the conflict of interest in writing.

Mr. Wilson stated that the Commission on Ethics is the official State agency that answers conflict of interest questions. Specific questions should be addressed to them or to individual counsel. Harry Duncanson asked that all Coalition members pick up the conflict of interest memo.

Desorae Giles-Smith asked if a government does business or give donations to a vendor, then the person is not required to disclose a conflict of interest. Mr. Wilson responded that the Statute says that unless there is a real conflict one does not have to disclose. He pointed out that the Coalition’s By-laws require a higher standard that if there is a possible or apparent conflict that it must be disclosed. Harry Duncanson stated that you should disclose, but you can still vote. Ms. Giles-Smith asked if the question should go to the Commission on Ethics for a final determination. She further commented that what happened in the past someone was trying to do the right thing and someone else determined it was a conflict and filed a complaint. Mel Wilson stated that in his experience it is very important that the question is fact specific. Desorae Giles-Smith asked if anyone who may feel if they have an issue can present the facts to the Commission. Mr. Wilson indicated that individuals do submit their questions to the Commission. Burnadette Norris-Weeks, General Counsel, stated that the Commission on Ethics does

not answer global questions pointing out that they would probably refer the person to the Statute. Ms. Norris-Weeks further commented that an individual can submit a question or the Coalition can submit a question on behalf of an individual to the Commission on Ethics. Jeffrey Dwyer commented that if a person works for an organization that funds another organization but does not receive personal gain from it, then there is no conflict, however, based on the Coalition's by-laws one should disclose. Mr. Dwyer asked if someone has a conflict and disclosed, he questioned whether that person could participate and lastly what would happen if a person does not disclose. Mr. Wilson stated that the person should abstain from participating and voting if there is a real conflict.

Shukree Cha Jua asked how this pertains to non-voting members. Mr. Wilson indicated that non-voting members should also disclose any possible or apparent conflicts. Jack Moss stated that he has an apparent conflict sitting on the Children's Services Council. Harry Duncanson asked if anyone else has something to disclose. He started to ask individual board members if they had any conflict. Mr. Wilson stressed that this can not be a blanket disclosure for any item that may come before the Board. The question on the table is the Procurement issue. Cindy Arenberg Seltzer stated that if one organization gives to another organization the individual giving does not benefit from that situation.

Harry Duncanson stated that when an item comes before the Board and one feels that they may have a conflict, they need to disclose that information prior to any discussion. He indicated that he would like to move forward on the agenda.

Dr. Kevin Keating outlined his possible conflict as a training institution and will abstain from items involving the School Board and Family Central.

Motion from Executive Committee to ratify the Executive Committee's immediate action to approve Addendum #1 to the Coalition's Invitation to Negotiate, as per attached document (which has the approval of Procurement Counsel), such that said addendum could be released on January 25, 2007. Seconded by Mason Jackson. Unanimously approved.

Desorae Giles-Smith abstained from voting.

Motion from Executive Committee to ratify the Executive Committee's immediate action to approve the release of the "Notice of Clarification to Potential Service Providers" stating that a notice of intent to submit a competitive sealed reply received after the date called for in the ITN will be considered by the Coalition as a minor irregularity. Seconded by Cindy Arenberg Seltzer. Unanimously approved. Desorae Giles-Smith abstained from voting. Burnadette Norris-Weeks stated that one can not abstain unless one has a conflict and must state the conflict up front.

Cindy Arenberg Seltzer emphasized that the two previous votes were general procurement items for process and does not affect any particular organization.

Motion from Executive Committee to approve an increase in the Procurement Committee's spending authority for Procurement Counsel to \$20,000.00. Seconded by Jack Moss. Unanimously approved.

Robyn Bartleman, School Board Member, introduced Jennifer Gottlieb, School Board Member.

Procurement Committee

Motion made by Jeffrey Dwyer to endorse the Second Notice of Clarification to Potential Service Providers. Seconded by Jack Moss. Unanimously approved.

Jack Moss, Chair of the Procurement Committee, informed the Coalition that the following responses were received:

- Family Central ELC 1 – passed fatal flaw test
- Family Central ELC 2 – passed fatal flaw test
- Family Central ELC 3 – passed fatal flaw test
- Family Central ELC 5 – passed fatal flaw test
- School Board of Broward County ELC 3 – TBD
- School Board of Broward County ELC 5 – TBD

Robin Bartleman disclosed that she represents the School Board. Shukree Cha Jua disclosed that he represents the School Board. Dr. Barbara Weinstein disclosed that she represents Family Central.

Mr. Moss stated that there were some questions regarding the omission of the most recent Financial Audit from the School Board’s response. Mason Jackson stated that he is disclosing that Workforce has a contractual relationship with both the School Board and Family Central. Shawn Lamarche also disclosed Broward County Licensing’s relationship with the two entities. Cindy Arenberg Seltzer asked if everyone should just raise their hands.

Motion from Procurement Committee to request the vendor to forward the missing information, continue the evaluation of replies and defer the ELCBC’s final determination regarding the fatal flaw review of this Vendor until later in the procurement process. Seconded by Alan Levy. Unanimously approved.

Mr. Moss stated that the Committee will be meeting on February 27, 2007 at 10:00 am at 201 West Broward Blvd., Fourth Floor Conference Room.

Action items:	Person responsible:	Deadline:
Procurement Committee to proceed with ITN process requesting information from School Board	Executive Director	2/27/07

Executive Director Report

Penny Westberry, Executive Director, indicated that there were two months' utilization reports in the meeting packet since the Coalition did not meet in January. She stated that everything is on track with School Readiness and VPK. She stated that the Key Indicators are self-explanatory pointing out the number of new enrollments from the waiting list for October was 290 and 185 for November. She stated that Family Central is working very hard to get children off the wait list.

Deborah Hill requested a written report be presented to the Board at the next meeting regarding those who enrolled and did not attend and what is being done. She voiced her on-going concern regarding infants and toddlers. She noted that there are more of those children on the waiting list. Ms. Hill requested an improvement plan or other document showing how the Coalition can get these children into care be prepared (previous doesn't make sense) noting that she might be able to understand what efforts are being made if it is writing. Penny Westberry responded that those enrolled and not entered does not mean that they will not attend, they just have not shown up on the attendance sheets. Ms. Westberry stated that a hand study was done to find out what happened to the children and indicated she would pull that information. Ms. Westberry stated that as she and Ms. Hill had discussed, the Coalition has prioritized ages 0-5 and may want to look at prioritizing ages 0-1. She stated that it is not that the Coalition does not want to enroll the children, but that there is not enough funding. Ms. Westberry also stated that the Coalition has decided to maintain children in care once they are enrolled. Ms. Westberry also stated that the Coalition can look at this again to change the policy pointing out that other Coalitions have policies of disenrolling children once they reach a certain age. Deborah Hill noted that if all this information was in a written report, the Coalition would be able to make a decision regarding this matter. Ms. Westberry stated that staff would provide that.

Jeffrey Dwyer asked for an update on what happened with the additional children being placed in slots with unspent funding that was discussion at a previous Coalition meeting. Ken Dresner responded that the children are in care and Family Central has enrolled more children then originally projected.

Harry Duncanson informed the Coalition that the funding formula has been filed and asked Coalition members to contact their legislators urging them to support the formula. Robyn Perlman asked for a report on the issues.

Penny Westberry stated that a survey will be going out to find out what the Coalition members would like to see done at a retreat. She stated that a retreat will be scheduled for some time after the procurement process. Ms. Westberry also informed the Coalition that the City of Lauderhill has provided funding to take some children off the waitlist and thanked Desorae Giles-Smith. Dr. Barbara Weinstein shared with the Coalition that her husband just had a birthday and in lieu of gifts, he requested money to put children and care and her father-in-law donated \$5,000.00

Penny Westberry indicated that the State is releasing money for VPK monitoring. She stated that staff is looking at how to combine this with our volunteer peer monitoring. Ms. Westberry also stated that a

bill has been filed on QRS and Broward has been chosen to be a pilot. She indicated that she would keep the Board posted.

Harry Duncanson asked if there was no objection he would like to take another item out of order on the agenda. There were no objections.

By-Laws

Burnadette Norris-Weeks gave a summary of the changes that are being proposed to the By-laws.

Motion made by Jeffrey Dwyer to approve the amended by-laws. Seconded by Alan Levy

Desorae Giles-Smith questioned the amended language pointing out that she thought that it was the intent to allow people to volunteer to serve on a committee other than standing committees. **Ms. Giles-Smith made a motion to amend the motion to allow any member to serve on any committee that is not a standing committee. Seconded by Anita Byer.** There was some discussion of whether or not she could do that. Jeffrey Dwyer stated that General Counsel did an admirable job with regards to the amendments in the by-laws. **Anita Byer withdrew her second. Alan Levy Seconded.**

Shukree Cha Jua agreeing with Mr. Giles-Smith voiced his concern that the language presented still leaves the possibility of someone wanting to serve on a committee but not being permitted to do so. Mason Jackson stated that neither the original language nor the amendment addresses his concerns with regards to having some rules on whether one can show up at the last minute on an ongoing process to vote and not being a part of the deliberations. He stated that even with the 60 day notice, it does not alleviate that problem. He stressed that one needs to be a part of the deliberations from the beginning. Burnadette Norris-Weeks stated that there could only be two meetings before the 60 days. Jeffrey Dwyer asked if the motion needs to be passed by 2/3 vote. Harry Duncanson responded "yes".

Motion made by Anita Byer to call the question. Seconded by Jeffrey Dwyer. Motion to call the question passed.

Request for clarification of amendment was made. Burnadette Norris-Weeks read that the following language would be stricken from the original amendment: "The Chair shall appoint from a list of members who volunteer and, within the discretion of the Chair may publicly solicit the service of any other Coalition board member(s). To the greatest extent possible, the Chair shall appoint any member volunteering to serve on an advisory committee." Jeffrey Dwyer stated that the motion maker should be stating what the language of the amendment is. Desorae Giles-Smith stated her amendment that the Chair shall appoint all members who volunteer.

Roll Call Vote

Cindy Arenberg Seltzer	No
Anita Byer	No
Sidney Calloway	Absent
Harry Duncanson	No
Jeffrey Dwyer	No
Desorae Giles-Smith	Yes
Patricia Good	No
Corey Hicks	Absent
Deborah Hill	Yes
Mason Jackson	No
Kevin Keating	No
Latha Krishnaiyer	Absent
Maria Kuhn-Brotton	No
Shawn Lamarche	No
Alan Levy	Yes
Jack Moss	No
Robyn Perlman	Yes
Steven Ronik	Absent
Cindy Stoddart	Absent

Motion failed.

Harry Duncanson proposed a motion to amend the language to say 30 days rather than 60 days. **Motion made by Robin Perlman to amend the language to 30 days. Seconded by Anita Byer.**

Roll Call vote

Cindy Arenberg Seltzer	yes
Anita Byer	yes
Sidney Calloway	absent
Harry Duncanson	yes
Jeffrey Dwyer	yes
Desorae Giles-Smith	no
Patricia Good	yes
Corey Hicks	absent
Deborah Hill	no

Mason Jackson	yes
Kevin Keating	yes
Latha Krishnaiyer	absent
Maria Kuhn-Brotton	yes
Shawn Lamarche	yes
Alan Levy	yes
Jack Moss	no
Robyn Perlman	no
Steven Ronik	absent
Cindy Stoddart	absent

Motion Failed

Vote on motion to approve the originally proposed changes.

Roll Call Vote

Cindy Arenberg Seltzer	yes
Anita Byer	yes
Sidney Calloway	absent
Harry Duncanson	yes
Jeffrey Dwyer	yes
Desorae Giles-Smith	no
Patricia Good	yes
Corey Hicks	absent
Deborah Hill	no
Mason Jackson	yes
Kevin Keating	yes
Latha Krishnaiyer	absent
Maria Kuhn-Brotton	yes
Shawn Lamarche	yes
Alan Levy	yes
Jack Moss	no
Robyn Perlman	yes
Steven Ronik	absent
Cindy Stoddart	absent

Motion failed.

Cindy Arenberg Seltzer indicated that there were two parts to the by-laws amendment. She noted that on page 7 there was added language which read “execute all contracts duly approved by the Coalition; and”. Penny Westberry stated that the way the motion read was to approve the attached by-laws. Burnadette Norris-Weeks indicated that this issue was not noticed and was not brought up at the last meeting and indicated she believed it should be noticed for the next meeting. Cindy-Arenberg Seltzer noticed that the change was highlighted and explained and there is no reason why they can not vote on it at the present time. Ms. Norris-Weeks agreed.

Motion made by Cindy Arenberg Seltzer to approve the amended language on page 7 of the by-laws which adds “d. execute all contracts duly approved by the Coalition; and”. Seconded by Jeffrey Dwyer.

Roll Call Vote

Cindy Arenberg Seltzer	yes
Anita Byer	yes
Sidney Calloway	absent
Harry Duncanson	yes
Jeffrey Dwyer	yes
Desorae Giles-Smith	yes
Patricia Good	yes
Corey Hicks	absent
Deborah Hill	yes
Mason Jackson	yes
Kevin Keating	yes
Latha Krishnaiyer	absent
Maria Kuhn-Brotton	yes
Shawn Lamarche	yes
Alan Levy	yes
Jack Moss	yes
Robyn Perlman	yes
Steven Ronik	absent
Cindy Stoddart	absent

Unanimously approved.

Motion made by Jeffrey Dwyer to approve the minutes of December 8, 2007. Seconded by Cindy Arenberg Seltzer. Unanimously approved.

Action items:	Person responsible:	Deadline:
Place written report regarding enrolled children not attending on next Coalition Agenda in addition to report on prioritization of children.	Director of Program Operations	3/9/07
Send a summary report to Coalition members on the funding formula	Executive Director	3/9/07
Change By-laws according to action taken and distribute to Coalition members	Executive Assistant	3/9/07
Keep Minutes on File	Executive Assistant	2/15/07

Finance Committee

Ainsworth Geddes, Director of Finance, stated that the financial statements are included in the meeting packet and asked if there were any question. Mr. Geddes then gave a brief overview of the funding formula pointing out that Broward will gain approximately 4 million with this formula. Penny Westberry indicated that the Legislative Committee Members re: the funding formula are included with the Tab for Board members to do with what they would like.

Personnel Committee

Jeffrey Dwyer, Chair of the Personnel Committee, deferred the report to Penny Westberry and legal counsel. Ms. Westberry stated a Personnel Committee meeting was now scheduled since verbal approval has been received to utilize the VECHS fingerprint background screening. She pointed out that the FYI section contains an ED Evaluation form. Ms. Westberry indicated that the evaluation form will be sent to Board members by e-mail today with responses due back by February 23, 2007. Cindy Arenberg Seltzer asked if Survey Monkey was going to be used. Ms. Westberry stated that it was not going to be used at this point due to the timeline.

VPK Update

Lee Tirpak, Director of Program Services, started to give an update. Mr. Duncanson asked that action items under new business be taken first.

FLKRS was deferred to the next meeting. Harry Duncanson indicated it will be brought up at the beginning of the next meeting.

CRRD

Penny Westberry stated that an update is in the meeting packet. She urged that the Board Members encourage business contacts to become sponsors of the Health Fair.

Action items:	Person responsible:	Deadline:
Send ED Evaluation to Coalition members	Executive Director	2/9/07

FYI

Executive Director Evaluation mentioned under Personnel Committee report will be e-mailed to all members today.

Unfinished Business

By-Laws Address earlier in the meeting with no objections from Members.

New Business

General Counsel Fees for State Attorney Investigation

Harry Duncanson stated that he is bringing this to the Board because he believed that he or Penny did not have the authority to approve it. General Council distributed a memo outlining her basis for billing the Coalition. Mr. Duncanson stated that he checked with the State and they indicated that the Coalition should approve this because it was a defensive move. Penny Westberry stated for the record that this was not her IG Complaint as noted in the bill.

Motion made by Cindy Arenberg Seltzer to approve attorney fees. Seconded by Robyn Perlman. Unanimously approved.

Child Care Executive Partnership Mid-Year Funding

Motion made by Cindy Arenberg Seltzer to approve the allocation of the additional business dollars and CCEP match, \$132,625 to Family Central, Inc. for use in slots. The projected number of additional children served in slots this year is: 168. Seconded by Maria Kuhn Brotton. Unanimously approved.

Shukree Cha Jua reported that the Head Start program is currently in the application process. He passed out brochures and flyers with more detailed information regarding the Head Start program. Funding for the Head Start program is currently being discussed in legislative committees. Ms. Westberry asked Mr. Cha Jua to keep the Coalition posted.

Desorae Giles-Smith inquired if there is a by-laws committee. Penny Westberry stated that it is an advisory committee that is formed when it is needed, noting that the last time there was a by-laws committee was when VPK was established. Ms. Giles-Smith asked where by-laws changes would

come from. Ms. Westberry stated that at this point changes could be put on the table by any member at any point. Ms. Giles-Smith asked what she would need to do to ask for a by-laws committee to be formed. Harry Duncanson stated that he forms the Committee but feels that there is no need for a by-laws committee at this time.

Dr. Barbara Weinstein invited the Board Members to Family Central during a time when Family Central is enrolling. Penny Westberry indicated that would be a good experience for the Members but would be best to wait until after the procurement process.

Action items:	Person responsible:	Deadline:
Process payment to General Counsel	Director of Finance	2/15/07
Allocate additional business dollars and CCEP match to slots	Director of Finance	2/15/07

Public Comment

Stacy Angier stated her disappointment of the Board fighting over infrastructure issues and not spending enough time on children’s issues and challenged the Board to come back with a new attitude with a spirit of working together and partnership for the benefit of the kids. She indicated that if this continues she will resign.

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Next Meeting

March 9, 2007 – 8:30 am

Adjourn

Meeting adjourned at 10:37 am

These minutes contain the action items of the meeting of the Early Learning Coalition. They do not include all facets of each issue discussed. A tape recording of the meeting is held in the Coalition office. Corrections from the Coalition members will be taken prior to approval at the next meeting.

Submitted by
Debbie Bainton

Reviewed by
Penny Westberry, Executive Director
Harry Duncanson, Chair
Mason Jackson, Secretary