

## **Meeting Minutes - Elected Committee of Managers (E C M)**

The **May 14, 2022**, E C M second quarter meeting was conducted in person at SpringHill Suites Marriott Alamo Plaza in San Antonio, Texas, and via phone through the E C M conference call line.

### **Instructions to access the conference call line were distributed as follows:**

Conference number: 1-832-917-1510 access code: 172170 (after the voice prompt press \*)

Press 5\* to be recognized for questions or comments (This will let the conference manager know you have raised your hand and you will be recognized by the E C M Chairman.)

Press 4\* to mute or unmute

NOTE: conference call was recorded

Attendees were urged to register the phone number they would be calling in with in advance with Mr. Tommy Crawford by calling him at 254-654-0119 or calling Mr. Tom Chepey at 210-789-3191. This helps the E C M recognize who is attending the meeting and helps to make communications more efficient.

**Call to order at 9:00 a.m. by Chairman, Zach Davis**

## **Roll call of E C M, Guests and State Licensing Agency (S L A) Staff**

Mrs. Kim Chepey read a list of audience members names; named each of the E C M Representatives that were present and S L A staff.

## **Business Enterprises of Texas (B E T) Staff Attending**

Lizet Hinojosa, B E T Director; Field Operations Supervisor, Cynthia Gonzalez

## **Texas Workforce Commission (T W C) Executive Director Comments – Ed Serna**

Mr. Serna talked about the changes in the workforce that were accelerated by the pandemic as he encouraged the program to consider an open mindset towards changes and allowing for adjustments to different business models. Mr. Serna reflected on the formal process with filing grievances while reminding everyone that open communication is key to developing a partnership that may help prevent grievances. Mr. Serna addressed the S L A's optimism towards fostering a relationship with the licensed managers that promotes the well-being of the program.

Mr. Serna opened the floor for comments and questions; various managers addressed concerns and gave suggestions that are pertinent to timely issues affecting their facilities and the program.

## **Approval of Minutes for January 22, 2022, 1<sup>st</sup> Quarter Meeting**

Chairman Davis announced approval of the E C M meeting minutes for the last quarter.

### **Director's Report**

B E T Director Lizet Hinojosa's presentation of the Director's Report is as follows:

#### Facilities Information

B E T closed out the second quarter with 114 facilities. No new facilities have opened during the second quarter; no facilities closed during the second quarter.

B E T has two pending facilities:

1. 1601 N. Congress Facility (or Capital Mall) projected opening date in July or August 2022; will encompass a cafeteria and vending.
2. 1801 Congress projected opening date in July or August 2022; will encompass a micro market and vending.

Director Hinojosa reminds everyone that the advertisement for 1801 has been published online; the S L A is working on the draft for the 1601 advertisement. Ms. Hinojosa pointed out that the advertisements are a Level II.

During the second quarter, B E T had thirteen facilities that received upgraded vending or kitchen equipment.

At the end of the quarter, we had ninety-nine assigned managers and two unassigned managers.

During the second quarter there were 139 business visitations completed by the B E T Business Consultants.

Value of equipment ordered and delivered in support of businesses during the first quarter was \$148,000.

The number of employees whose disability is blindness in B E T Businesses: 32

Number of employees with other disabilities in B E T businesses: 152

Number of employees with no disability in B E T: 1,501

Ms. Hinojosa announced the conclusion of the B E T Director's Report.

### **Q and A after Director's Report**

A question was presented concerning the La Salle advertisement. Director Hinojosa discussed the timeline that surrounds the interview as it is dependent on an upcoming grievance hearing.

Mr. Tommy Crawford asked who the two unassigned managers are and Mr. Manny Sifuentes asked about the status of the Rehabilitation Services Administration (R S A) 15 Report.

Director Hinojosa affirmed that Jay Wolf and Sophia Sparks are the two unassigned managers; Ms. Hinojosa also addressed the

reporting issues that are being looked at concerning the R S A 15 Report involving the input of information and how the system does not allow input of any negative numbers. R S A is aware and has extended the deadline to May 31<sup>st</sup>.

Chairman Davis asked about Jay Wolf being assigned to a temporary facility and Director Hinojosa commented that Mr. Wolf turned down the assignment.

Ms. Aloha Cook asked why the S L A is having so many temporary assignments? A lengthy discussion was held on the topic.

Mr. Mike Sparks posed a question as to the Point of Sale (P O S) systems; he requested that the S L A make a final decision with input from the committee. Director Hinojosa referenced the POS unit from Three Square Market as a possible replacement to the Yoke system. Ms. Cecilia Wilson suggested the S L A set-up a test run be made available to all licensed managers and the committee.

Mr. Arnold Sanchez requested to be acknowledged as the third un-assigned licensed manager.

Break taken at 10:20 am; meeting resumed at 10:30 am

### **Chairman's Report - Zach Davis**

Chairman Davis highlighted topics that were discussed in multiple national conference calls, and during the January E C M meeting which are in processing status. Mr. Davis referenced the Technical Assistance Circular (T A C) 21-02, Federal unassigned vending, which has been discussed in brevity during multiple sessions; the committee has been pleased with those discussions and the S L A

has been resourceful with looking at ways to address the 300 plus locations with an estimated additional 1000 vending machines. However, a mutual decision was made to place this topic on pause as more pressing issues were discovered that necessitated prompt attention. The T A C 21-02 will be revisited once the committee addressed issues with certain forms such as the B E 132 and the Manager Annual Performance Review (M A P R). Chairman Davis gave a glimpse of the forms work that was completed but did not want to go into too much detail as the forms sub-committee will provide details during their report. The E C M submitted to the S L A their final draft of the M A P R while Chairman Davis reflected on the difference of meeting in person versus doing revisions via online. Mr. Davis transitioned into the topic of “augmented vending” and how there are two types, B E T initiated, and vendor initiated. Several conference calls have transpired over this topic and its logistics; the E C M’s final draft of proposals were submitted to the S L A at the end of April. Chairman Davis touched on the topic of DocuSign, the electronic process of signing a document. He gave an example of the process and thanked the S L A for being responsive to this need as it is very helpful for the blind community.

Director Hinojosa gave some information about the instructions on how to use DocuSign and how it functions as being available online by T W C; she assured the E C M that this information would be sent and made available to the committee. Another resource that was addressed was an idea provided by Jennifer Colehower regarding the automation of numbers within a form; for example the M A P R, therefore resulting in precise data and less time going back and forth addressing calculation errors.

Mr. Manny Sifuentes gave some informative insights about the DocuSign timetable for storing saved documents longer than 6 months which would involve a subscription fee.

A question was presented by Ms. Cecilia Wilson about a concern involving emails, specifically the agenda for the meeting, from B E T Central Office staff, Sharon Hubbard, that she was unable to open and may have been sent in a format called “windmill”? Other managers cited their inability to open the attachment as well. Director Hinojosa was not familiar with this possible format but promised to investigate it.

Mr. Harvey Stavinoha gave a commentary concerning the idea of acquiring additional sites; Chairman Davis explained the concept as he gave examples that were instrumental in the Alabama program with garnishing success for their blind vendors.

Mr. Mike Sparks inquired as to what the status is on the Rules; Chairman Davis’ response was that an update will be addressed during the Rules sub-committee report.

Ms. Aloha Cook asked for clarification about adding an additional site to her facility. Chairman Davis provided an example; another manager asked whether the Alabama program has a rule in place for adding sites to existing facilities.

Director Hinojosa gave an update on the augmentation project and the M A P R project.

An audience member, former licensed B E T manager, Mr. Mark Russell, asked what is the size that the S L A is considering

regarding augmenting a facility – does the S L A want smaller or larger scale companies? Director Hinojosa conveyed the S L A's current focus is on the improvement of existing facilities for the next biennium. She also reminded everyone about the program's current shortage of managers as there are 114 facilities and only 99 managers.

### **Sub Committees Reports:**

#### **Rules and By-Laws Sub Committee – Chairman Zach Davis**

Chairman Davis provided details on the work that he and Mr. Manny Sifuentes have done that are non-clerical type changes. They developed a way to streamline the review and approval process by submitting 14 proposed changes that they consider as “final tweaks” via the use of Google forms to the E C M therefore eliminating the back and forth of emails and numerous revisions. Committee members commented that this format was very helpful and is very efficient.

#### **Finance Sub Committee – Tommy Crawford**

Mr. Crawford gave a report on the account summaries and balances; he informed everyone that no transactions took place. Mr. Crawford concludes his report by mentioning that he created a new annual spreadsheet that will keep a running transaction list; this spreadsheet is available to all via the Dropbox or by contacting any E C M or Mr. Crawford directly.

#### **Training of Potential Managers Sub Committee – Aloha Cook**

Ms. Cook reports on recent graduate, Mr. Michael Chandler, as doing well with managing the TxDOT Camp Hubbard facility. She conveyed that there will be two trainees, Mr. Scott Magee, and Mr.

Daryl Razor, with a projected graduation date of June or July 2022. Ms. Cook reports sending a letter of concern to the S L A staff requesting to add specific curriculum to the B E T training program such as incorporating the Code of Federal Regulations (C F R) and increased Randolph Sheppard training. A suggestion is being considered to possibly increase the training to six months.

### **Vending Sub Committee – Jerry House**

Mr. House reports on upcoming plans to launch a vending newsletter with a projected date of June 2022 and welcomed participation by all with any proposed topic ideas. Mr. House also touched on the future pricing list project as he named previous committee members that have worked and been instrumental with this endeavor in previous years.

### **Meeting and Conference Planning – Tom Chepey**

Mr. Chepey talked about the benefits of the call in phone line that was used in the previous conference as it tracks those in attendance and call duration. Mr. Chepey asked for input, ideas, and feedback for the forthcoming conference. However, no date has been officially selected for 2023.

Director Hinojosa talked about the S L A establishing a minimum requirement for participation during the conference via the phone line; a discussion proceeded with examples of how the S L A and the E C M can agree on a time stamp for attendance.

### **Forms – Tom Chepey**

Mr. Chepey reminds everyone that the form known as M A P R is now V A P R for Vendor Annual Performance Review. Mr. Chepey also commented on the BE 132 Temporary Assignment form and how that form has been revised in conjunction with the V A P R.

The objective was to modify and make the forms very clear with no ambiguity. Mr. Chepey announced that the final forms will be introduced soon. Mr. Chepey also gave some insight on the Statewide Average (S W A) as being removed although Mr. Chepey shared his opinion that the S W A's may be re-introduced in the future.

A discussion ensued related to the re-introduction of the V A P R.

### **Strategic Planning/Improvement – Manny Sifuentes**

Mr. Sifuentes provided information as to why this committee was started and its purpose. He addressed the sub-committee's objective as assisting the E C M with developing ideas, monitoring, and updating the continuation of projects while working on four goals that this committee identified as follows:

1. Finding new funding revenues for the program
2. Working on the future of un-manned vending opportunities
3. Roadside electric vehicle charging stations
4. Looking at what T W C needs for equipment and to review the total dollar amount for facility's equipment projected expenditures

### **District Reports**

Each representative provided a report on events occurring in their district. Chairman Davis reminded everyone to adhere to a 2-minute or less time frame per each representative's report.

### **District 1 – Harvey Stavinoha and Manny Sifuentes**

Mr. Stavinoha reports communicating with a few managers. Manager Mac Cantu will be temporarily managing the VA Café/Snack Bar; manager Keith Turner and manager Ruben

Aguilar are both operating at 45% volume of business as compared to previous years. Clayton Hell is managing Guadalupe and continues to temporarily manage the La Salle facility. Mr. Stavinoha announced that manager Robert Jones is retiring from the program not resigning. Calvin Shepherd has been dealing with medical issues and his facility was closed for 2 months due to water issues. Mr. Stavinoha mentioned touch screen credit card readers that Mr. Calvin Shepherd had issues with and replaced because they are not compatible to outdoor/roadside use as they require a different antenna and get exposed to the elements. Carnell Pardue reports slow business; Ms. Tammy Nowell has resigned from her facility, I R S; Jake Saldana reports drawing a "check". Mike Sparks will be taking over the temporary Lyndon Baines Johnson State Office Building (L B J) assignment and reports low sales volume with vending. Mr. Stavinoha addressed his facility as a possible future opportunity if he is mandated to move to a nightshift schedule; he announced that he would not manage the I R S cafeteria in a nightshift schedule as staffing shortages are exacerbated, and he is not interested in taking on a nightshift operation. Mr. Stavinoha concludes his report by mentioning that his vending is doing okay and cites 45% of sales volume as compared to prior pre-COVID years.

Mr. Sifuentes reports on managers that are managing temporary assignments in the district as doing well; he mentioned working with Business Consultant, Ren'ee Britt, in a collaborative effort to transition part of the Disability Determination Services (D D S) facility into a micro market. Mr. Sifuentes added that the D D S building population has positively embraced the micro market. Mr. Sifuentes went on to give an update on the TxDOT facility, status

of the dining areas, micro market and coffee shop; he affirmed that TxDOT has been a collaborative endeavor with B E T, T W C and Accent staff and is looking forward to this facility being 100% operational. However, Mr. Sifuentes acknowledged that there are staffing issues, some equipment such as the digital menu boards for the coffee shop are still pending set-up, and TxDOT experiencing some funding issues that they are working on.

Mr. Stavinoha gave additional information concerning his I R S facility; he explained how the General Services Administration (G S A) presented the idea of adding a micro market. Mr. Stavinoha added that the micro market discussions with G S A then came to a stop as he addressed G S A and their request for him to open on April 11<sup>th</sup> from 4:00 pm to 9:00 pm due to an increase in nightshift staff. However, Mr. Stavinoha responded no but decided to add carousel type food machines that he and his staff stock with sandwiches that are produced inhouse along with other frozen food items. Mr. Stavinoha did confirm that these food machines were approved by G S A staff and are doing vey well sales wise.

## **District 2 – Zachary Davis and Larry Watson**

Chairman Davis gave an update concerning manager Mr. Steve Saltzman as re-opening soon but is waiting on some equipment to be delivered. Manager Scott Smith is doing well but reports that he is having issues with getting his old equipment removed. Chairman Davis talked about manager Chung Ahn presenting some ideas about prospective manager's wanting to tour a facility that they are interested in bidding on as opposed to the current manager not being open to granting tours. Chairman Davis concludes his report by announcing no other issues were brought to his attention.

Mr. Watson was not available to provide a report.

### **District 3 – Cecilia Wilson and Ashley Edwards**

Ms. Cecilia Wilson announced that she would report for all the district as Mr. Edwards is not present. Ms. Wilson mentioned contacting everyone and most managers report doing well. She talked about the Mickey Leland facility that departed manager Greg Stavinoha ran as Ms. Edwards is helping with the vending management portion as she is looking forward to the building population increasing soon. However, the food service portion at the Mickey Leland Building is still on hold. Ms. Wilson commented on behalf of other vending managers at prisons as doing well due to an increase in business along with roadside managers, they are doing well too. Ms. Wilson request to address an important issue involving manager Arnold Sanchez; she encouraged all managers to remember that Mr. Sanchez is still a manager and that everyone should refrain from making conclusions of what happened on May 3<sup>rd</sup> as an investigation has not been concluded and Mr. Sanchez has not had a hearing. She suggested that managers reach out to Mr. Sanchez and offer their support. Ms. Wilson transitioned into discussing her vending route along with some medical challenges she has faced. She addressed issues with vending drink machines but is hopeful for a bright future and announced that she has been working with Pepsi on a deal for acquiring drink machines; said she is working with vendor Cantaloupe on credit card readers that have a “booster” needed for better signal transmission and is also working with TxDOT for an alternative solution if needed in case the new credit card readers are not operating at full capacity because of the steel

framed buildings at rest stops. Ms. Wilson says she looks forward to accomplishing these goals and have them in place before Memorial Day. Ms. Wilson concludes her report by acknowledging the new Business Consultant in Houston, Mr. Louis White.

Ms. Ashley Edwards was available via phone and confirmed that she is temporarily running the Mickey Leland Building for a contract of six months with a re-evaluation at the end; she said the building occupancy as not even hitting 1500 and talked about some of the building entities that have not given a definitive answer regarding the return of staffing. Ms. Edwards addressed the need to promptly assist Mr. Arnold Sanchez with moving his food products; said that he has an array of food items from vendor Ben E Keith that he must move to avoid their loss. Ms. Edwards stressed that Mr. Sanchez must have these items picked up soon.

Director Hinojosa gave a shout out to the hard work and dedication from Business Consultant, Mr. Louis White, as he took public transportation to preform facility inspections due to his own personal vehicle being in the shop and the two state vehicles as being out of commission because of vandalism. Director Hinojosa praised the level of commitment demonstrated by Mr. White.

#### **District 4 – Jerry House and Dave Corbett**

Mr. Jerry House reports on issues and challenges that manager Edgar Mendez has experienced concerning access to his Corpus Christi facility, however, the S L A stepped in to assist with contact information to help Mr. Mendez update his badge with the feds; manager Kristin Pattison reports equipment, cappuccino machine, issues that are being resolved by the S L A. Mr. House mentioned manager Gay Nimitz and her temporary assignment at the new V

A facility in San Antonio and as anticipated, sales have been slow during the startup due to the low building population. Mr. House concludes his report by pointing out that he has nothing further to add.

Mr. Corbett acknowledged the report given by Mr. House and reflected on his own experience with low sales volume as influenced by a gradual climb “northward”. He shared how he works with several hosts within the vending route that he manages and commented on a slow process when it comes to dealing with hosts. Mr. House shared his focus has been to maintain adequate products and fresh inventory while striving to do the best.

### **District 5 – Tommy Crawford and Paul Parker**

Mr. Crawford began his report by giving credit to the stellar and professional work demonstrated by Business Consultants, Julia Rodriguez, and Carlos Aguirre. Mr. Crawford said that he reached out to the managers in his district via email and remarked on only getting one response – manager Kenneth Landtroop who inquired about the process concerning the vending augmentation. Director Hinojosa gave insight to possible stand alone federal sites that may qualify for vending augmentation. Mr. Crawford also asked the S L A about a vending rest area site that is located outside of EL Paso; the B E T Field Operations Supervisor, Cynthia Gonzalez, acknowledged the location as Culberson County and confirmed that this site has vending machines that were purchased by the S L A and that the process to select a manager is underway. However, Ms. Gonzalez emphasized that this location would not be a stand alone facility; it will be attached to a manager’s existing facility/route. Mr. Crawford concludes his report by offering insight as to the contracts in place at Fort Bliss

and addressed the staffing shortages that took place previously; he announced the staffing shortage challenge was overcome by offering pay raises to non-managerial staff.

Mr. Parker said that he does not have much to add based on Mr. Crawford's report.

### **District 6 – Aloha Cook and Tom Chepey**

Ms. Cook conveyed talking to a few managers. She addressed a phone call from manager Clarence Williams with information about an escaped convict. This dilemma would impact all prison facilities, halting visitation, within the area. Ms. Cook reports on behalf of manager Cha Cha Lima, experiencing about a 75% sales increase from the previous month. Manager Jerry Ramirez contacted Ms. Cook to voice a concern about an email from a North Austin Business Consultant, Nancy Greely, detailing the requirement by TxDOT to remove card readers for American with Disabilities Act (A D A) non-compliance, adding that Mr. Ramirez wants to know if the S L A is going to be proactive to help vendors that find themselves in the same situation by purchasing new card readers or converting the existing ones to meet A D A standards? Ms. Cook mentioned Mr. Ramirez as possibly having two vending machines with card readers that may be non-A D A compliant. B E T Field Operations Supervisor, Cynthia Gonzalez, addressed this concern and said the S L A would look at each case individually, facility by facility, to determine an appropriate form of action and solution. A discussion took place by E C M members and S L A staff as to the specifics of the TxDOT inspections at rest stops and what the A D A requirements are for credit card readers on vending machines. Ms. Cook concludes her report by addressing the increased sales volume within the Post Office facility that she manages; she

attributed this increase due to the new technology available to customers by using a pay app via cell phones which allows for contactless purchasing by simply standing in front of a vending machine. Ms. Cook noted that using a pay app on cell phones to make vending purchases may solve the TxDOT issue with non-compliant credit card readers.

Vice-Chairman Chepey reports emailing managers and talking to some managers via phone. He shared information provided by manager Brandi Bengler at the V A, concerning low building population as employees have a choice as to which day, one per week, they choose to work in office. Mr. Chepey reports on manager Myra Escalante's facility, Texas Commission on Environmental Quality (T C E Q), as still unopen; along with manager Tim Dawson, the Winter's Convenience Store, is also not open. Same scenario with manager Debra Weston at the Texas Department of State Health Services (D S H S), she has no intention to re-open soon. Mr. Chepey conveyed information from the building host given to new licensee Michael Chandler, confirming the permanent return of only a few entities in the building which contribute to very low sales. Mr. Chepey outlined different circumstances with manager John Latigo at Camp Mabry as sales have increased now that more folks know he is there and is open. Manager, Karla Martinez, at the Brown Heatly Building has re-opened but under a possible micro market model. However, Ms. Martinez is also temporarily managing the Travis Building, run by manager Ronnie Watson who resigned from the facility; Mr. Chepey announced the changeover taking place. Mr. Chepey reports speaking at length with manager John De Simone at the Stephen F Austin (S F A) Building, who reports better business and

is somewhat satisfied. Vice-Chairman Chepey concludes his report by sharing his experience at the John H Winters Building, that he is temporarily managing; talked about “horrific” low building population, staffing issues and the continuous changes affecting the building population.

Mr. Harvey Stavinoha shared remarks about a conversation with manager, Karla Martinez, detailing her plight with managing the Brown Heatly and the Travis Building in relationship to dealing with staffing shortages, low business transactions that can be attributed to low and inconsistent building population.

A discussion took place about the term of temporary assignments. B E T Field Operations Supervisor, Cynthia Gonzalez, reminded everyone that the decision was transparently made with the E C M’s involvement and ultimately, the E C M decided that a temporary assignment would range from six months or a year therefore allowing the manager to choose which timeframe.

Mr. Manny Sifuentes asked Director Hinojosa for feedback concerning what her knowledge is when it comes to agencies and their decisions about staff returning to offices. Director Hinojosa’s response was each agency makes their own decision based on their employees. She also commented how that can change and gave an example of working at the Criss Cole Rehabilitation Center (C C R C), B E T Central Office, to avoid a COVID-19 infection spread, staff was instructed to go home after returning from lunch recently, when multiple students/staffs tested positive.

Additional commentary took place referencing the City of Austin and its similarities to employees having the option to a hybrid schedule or more staff having the option to work remotely fulltime.

**Open floor for discussion, questions, comments, and concerns.**

There were no additional comments, discussions, or questions.

**Presentation on Grab-and-Go's – Tom Chepey**

Vice-Chairman Chepey outlined the differences between a Micro Market and a Grab-and-Go as follows:

A micro market has all food and beverages totally pre-packaged with zero onsite preparation; note, no brewed coffee or tea and no pre-compartment sink or the ability to create such items. An advantage to this model is that it can be a stand-alone facility that can be operated with no onsite employee or management. However, the packaging of items must contain very detailed information about product name, description, etc.

A grab-and-go also uses pre-packaged foods. However, does require onsite staff and does not require details on the food product labels as there is staff in place to answer any questions from customers.

Vice-Chairman Chepey shared his insight based on his years in the food service/restaurant industry; he discussed the countless research he and his spouse have done with sourcing food products, refrigeration equipment, surveillance cameras and developing and managing both business models. Mr. Chepey offered his opinion and preference towards a grab-and-go business model but stressed the importance of having quality products

offering a variety of options and in an aesthetically pleasing environment.

A discussion emerged concerning hours of operation for a grab-and-go and other details were discussed concerning the operation of a grab-and-go.

Vice-Chairman Chepey offered his help to any manager that is interested in converting to a grab-and-go concept. He is available as a resource for those interested.

**Location for Next Meeting or Workshop -**

Location selected was Fort Worth, TX in August 2022; T W C Conference Department will make hotel arrangements and select a date in August.

**Adjournment -**

Motion to adjourn was made and seconded.