



GOVERNING COUNCIL

Special Meeting of the Southwest Primary Learning Center Governing Council on
Thursday, April 6th, 2017

BOARD MEMBERS PRESENT

Leah Graham, Meredith Winters, Ken Chapman, Amber Romero, Marvin Larsen

BOARD MEMBERS ABSENT

None

ALSO IN ATTENDANCE

Kirk Hartom and Barry Berenberg, Esq.

PUBLIC

None

These minutes were approved on _____

By a vote of ___ yes ___ no ___ absent ___ abstained

_____ President

_____ Secretary

I. Call to Order

Leah called to order the Special Meeting of the Governing Council for the Southwest Primary Learning Center on **Thursday, April 6th, 2017 at 5:00 PM in the Conference Room at Southwest Learning Center, 10301 Candelaria Road Northeast, Albuquerque, New Mexico.**

A. Designation of Backup Secretary and Recorder

As there was no need for a Backup Secretary it was stricken from the Agenda.

B. Roll Call

Leah asked for Tasha to call roll. Tasha called Leah Graham, Meredith Winters, Amber Romero, Marvin Larsen, and Ken Chapman arrived later at 5:05, leaving no one absent.

C. Pledge of Allegiance

Leah led the Pledge of Allegiance. Thank you, Leah.

D. Adoption of Agenda

Leah called for a motion to adopt the agenda. Meredith made a motion to adopt the agenda. Marvin seconded the motion. Leah called for a voice vote to approve the agenda, all board members present approved. The motion carried.

II. Ongoing Governing Body Business Matters

A. New Board Attorney and Attorney Contract

Leah stated that the reason for the special meeting is to hire Barry's firm as long as we can get a contract signed by Paul Aguilar. We brought him to the meeting before the board to vote to approve the contract, send up the contract to Paul Aguilar and to introduce him to the board. She informed the board, before he was to introduce himself, that no legal questions are to be asked at this point because we do not have a contract with him, yet. We are just asking questions about the contract and him.

Barry Berenberg introduced himself as an attorney with the firm Welsh Gallegos. There are about 70 or so attorneys in the firm. There are 6 in New Mexico, all in Albuquerque. We represent 37 districts around the state. This would be 38. The rest of the attorneys are in Texas, that is where the firm is head-quartered. All we do is school law. We do all different aspects of it.

Amber asked if this included charter schools.

Barry answered that just recently we have gotten into charter schools. We have talked with one other charter school in New Mexico, he does not know if they are yet under contract with them, so SPLC will either be the first or second in New Mexico. There are a few in Texas.

Amber inquired if he was local to Albuquerque.

Barry responded yes, he lived right up the road from the school.

Amber requested what the policy was for phone calls consultations or email.

Barry replied that he tends to group things together. If it is something quick, he doesn't tend to mark it down. If it is back and forth on emails, he doesn't charge for every email, there is a program with timers running, so he would just start a timer, then stop it until the second email. Billing for this, he would write: Email Correspondence With...not individual emails. Leah clarified it would be like a running total.

Leah pointed out, for the record, that he was not billing us for tonight.

Barry made note that this contract is limited representation just for the consolidation and we have talked about once it is done having the firm come on as more of a general representation. He will have to check on a retainer program. It is not a traditional attorney retainer program. We charge \$1,000/year and that gets you essentially unlimited phone calls. The way it works is, if you would call up with a question that can be answered on the phone then there is no charge for that other than the \$1,000/year. Something that takes more work to do, then we would open up a matter for it, which you will be informed of.

Meredith was excited about him being familiar with school law.

Barry added that everyone specializes in the firm with general school law and a distinct specialization. There are two attorneys that do a lot of Special Education work. Another specializes in governments. Barry's area is primarily litigation, all different aspects of it and contracts, that type of thing. There is another attorney who does a lot of employment.

Meredith probed if the contract was not specifically with Barry, but with his firm.

Barry rejoined affirmatively. We don't say you are my client, you are the firm's client. We only have one office number, we don't have voicemail. The idea being that you call and you get the receptionist, you can ask for him, but if he is not around then whoever is available will answer your questions.

Leah summed up that we will be hiring the firm, not Barry himself, even though the board is very fond of him personally. The board asked about billing practices and experience with school law. She asked if there were any other questions for Barry. There were none.

Leah asked for a motion to approve the contract and to send it up to Paul Aguilar for a signature. **Amber** motioned to approve the contract and send it up to Paul Aguilar for a signature. **Meredith** seconded the motion. **Leah** asked for a voice vote, and hearing no opposition, the motion carried.

III. New Business Matters

A. Date for Next Regular SPLC Governing Council Meeting- scheduled for Thursday, April 27th, 2017, 5:00PM

IV. Public Comment

None

V. Adjournment

Leah called for a motion to adjourn. **Meredith** made a motion to adjourn, **Amber** seconded the motion. **Leah** called for a voice vote and after hearing no objection, the motion carried.

The special meeting for SPLC on Thursday, April 6th, 2017 ended at 5:08 pm.