

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date:	September 11, 2007	<input checked="" type="checkbox"/>	Consent	<input type="checkbox"/>	Regular
		<input type="checkbox"/>	Public Hearing		
Department:	Administration				
Submitted By:					

I. EXECUTIVE BRIEF

Motion and Title: Staff Recommends Motion to approve execution of the first amendment to the Interlocal Agreement creating the Palm Beach Workforce Development Consortium, authorizing the execution of such other documents as may be necessary to complete the transactions contemplated hereby; and providing an effective date.

Summary: Public Law 105-220 enacted by the Congress of the United States effective August 1998, which Act is known as the Workforce Investment Act ("WIA"), established a program to provide universal access to workforce development services for the businesses and citizens of Palm Beach County.

The State of Florida's Workforce Development Board ("WDB") Workforce Florida, Inc. (WFI) created by the Legislature in 2000, has been designated by the Governor to take the lead in designing and directing Florida's workforce development strategy and to designate Workforce Development Areas. The County of Palm Beach has been designated by the Governor of the State of Florida as a Workforce Development Region (Region 21).

Background and Policy Issues: Workforce Alliance, Inc. (Alliance) currently operates as the County's administrative entity pursuant to Interlocal Agreement #R2007-1220 dated July 10, 2007 to provide policy guidance for implementing and exercising oversight with respect to job training activities under the Workforce Innovation Act of 2000 (Florida Statutes, Section 455) and the WIA. The Interlocal Agreement #R2007-1220 designates Alliance as the fiscal agent, grant recipient and administrative entity to administer such funding sources as may be available to support workforce development activities for Region 21, Palm Beach County, Florida.

The proposed first amendment to the Interlocal Agreement encompasses language that was requested by the Florida Department of Community Affairs which inserts language stating the requirements of the Independent Special District charter in accordance with Sections 189.416(1) and 189,418(1), Florida Statutes by adding sections "J" to Article 9. of the Interlocal Agreement.

Pursuant to the authority under Section 163.01, Florida Statutes Alliance respectfully requests approval by the Palm Beach County Board of County Commissioners authorizing the execution of the first amendment to the Interlocal Agreement Creating the Palm Beach Workforce Development Consortium; authorizing the execution of such other documents as may be necessary to complete the transactions contemplated hereby; and providing an effective date.

Attachment:

1. First Amendment to the Interlocal Agreement Creating the Palm Beach Workforce Development Consortium

Recommended by: *Steve Craig for Kathryn Schmidt* 8-14-07
 Department Director Date

Approved By: *Sharon G. L. Brown* 8-17-07
 Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>
Capital Expenditures					
Operating Costs					
External Revenues					
Program Income (County)					
In-Kind Match (County)					

NET FISCAL IMPACT As Alliance is designated as the grant recipient and administrative entity in the Interlocal Agreement there is no fiscal impact.

**No. ADDITIONAL FTE
POSITIONS (Cumulative)**

Is Item Included In Current Budget? Yes _____ No _____
Budget Account No.: Fund _____ Department _____ Unit _____
Object _____ Reporting Category _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

_____ OFMB	_____ Contract Dev. and Control
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B. Legal Sufficiency:

Assistant County Attorney

C. Other Department Review:

Department Director

**FIRST AMENDMENT TO THE
INTERLOCAL AGREEMENT CREATING
THE
PALM BEACH WORKFORCE DEVELOPMENT CONSORTIUM**

WITNESSETH:

WHEREAS, Palm Beach County and the municipalities of Delray Beach, Palm Beach Gardens, and South Bay, all of the State of Florida pursuant to the authority under Section 163.01, Florida Statutes, and each passing resolutions to that effect entered into an Interlocal Agreement Creating The Palm Beach Workforce Development Consortium.

WHEREAS, Palm Beach County and the municipalities of Delray Beach, Palm Beach Gardens, and South Bay, wish to revise the Interlocal Agreement and insert language stating the requirements of the Independent Special District charter in accordance with Sections 189.416(1) and 189.418(1), Florida Statutes.

WHEREAS, the effective date of this First Amendment shall be August 1, 2007.

NOW, THEREFORE, in consideration of the mutual covenant and agreement expressed herein, Palm Beach County and the municipalities of Delray Beach, Palm Beach Gardens, and South Bay, hereby agree that the Interlocal Agreement Creating The Palm Beach Workforce Development Consortium is amended as follows:

1. Insert and add the following "Section J." to "Article 9. DUTIES AND RESPONSIBILITIES OF THE PALM BEACH WORKFORCE DEVELOPMENT CONSORTIUM" of the Interlocal Agreement as follows:
 - J. The following provisions for the requirements of the Workforce Alliance Independent Special District (ISD) Charter are provided herewith:
 - a) The purpose of the ISD is to develop a readily available workforce of skilled workers which is mandatory to attract new businesses to the ISD and to retain and expand existing businesses within the ISD. This in turn will increase the wealth of the ISD, grow the economic "pie", ensure jobs for our citizens, expand the tax base, improve the quality of life and ensure the district's economic future.
 - b) The powers, functions and duties of the ISD will not be used for the purpose of ad valorem taxation, bond issuance or other revenue-raising capabilities within the district. Nor will tax deeds and tax certificates for non-ad valorem assessments as well as liens or the foreclosure of liens be used. The budget and its approval as well as contractual agreements will be in parallel with the provisions set forth in this Interlocal Agreement.

- c) The method of establishing the ISD is by this Interlocal Agreement between the governing bodies of Palm Beach County and the municipalities of Delray Beach, Palm Beach Gardens and South Bay, all located within the boundaries of Palm Beach County. The ISD shall be established by the concurrence and signing of all participants of this Interlocal Agreement.
- d) The ISD Charter will be amended as required upon recommendation by any member of The Palm Beach Workforce Development Consortium/ISD providing thirty days written notice prior to a scheduled meeting of the members.
- e) The membership and organization of the ISD will parallel that of The Palm Beach Workforce Development Consortium.
- f) There will be no compensation for members of the governing board other than for travel and meeting expenses.
- g) The administrative duties of the governing board are as follows:
- Determine the procedures for the development of the Workforce Investment Plan and the strategy to implement Florida's workforce development initiative within the ISD.
 - Together with Workforce Alliance, Inc., to approve the workforce development plan for the ISD and modifications thereto.
 - Provide oversight and guidance in conjunction with the Workforce Alliance Inc. Board of Directors.
 - Perform any other appropriate duties necessary for the accomplishment, and consistent with the purposes of the ISD.
- h) The applicable financial disclosure, noticing, and reporting requirements will be followed as required by and in accordance with all applicable Florida Statutes for publicly elected officials, in accordance with Florida's Government-in-the Sunshine Law (FS Chapter 286) and reporting will be in parallel with The Palm Beach Workforce Development Consortium and Workforce Alliance, Inc. as required for federal and state reporting.
- i) Members of the ISD governing board will be a duly elected County commissioner or a city Councilperson appointed to the ISD by their respective commission or council.
- j) The ISD will be financed through the allocation of federal funds from the United States Department of Labor or the United States Department of Health and Human Services or through any other Federal, State or Local source. Other funds in the form of public and/or private grants or awards may be available from time to time.

- k) The ISD will not tax, issue bonds, nor collect non ad valorem assessments, fees or service charges.
 - l) Planning to meet federal and state requirements is the submission of a strategic workforce development plan every two years which is process oriented in nature. Therefore, a local plan which will be tailored to the ISD and which will focus on the outcomes necessary to meet the goals and objectives of the ISD will be developed and reviewed on an annual basis.
 - m) The geographic boundary of the ISD is limited to the confines of the legal description of Palm Beach County Florida.
 - n) The creation of this ISD is consistent with local government approved comprehensive plans.
2. All other provisions of the Interlocal Agreement Creating The Palm Beach Workforce Development Consortium and attachments thereto in conflict with this First Amendment shall be and are hereby changed to conform with this First Amendment. All other provisions of the Interlocal Agreement and attachments thereto not in conflict with this First Amendment are still in effect and are to be performed as specified in the Interlocal Agreement.

[The remainder of this page is intentionally left blank.]

EXECUTION PAGE [Page 1 of 1]

COUNTY OF Palm Beach

BY: _____ Chair

DATE: _____

ATTEST: _____ Clerk

CITY OF DELRAY BEACH

BY: _____ Mayor

DATE: _____

ATTEST: _____ Corporation Secretary

CITY OF PALM BEACH GARDENS

BY: _____ Mayor

DATE: _____

ATTEST: _____ Corporation Secretary

CITY OF SOUTH BAY

BY: _____ Mayor

DATE: _____

ATTEST: _____ Corporation Secretary