

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
BOARD APPOINTMENT SUMMARY**

Meeting Date: June 7, 2011

Department: County Administration

Advisory Board: Workforce Alliance, Inc. Board

I. EXECUTIVE BRIEF

Motion/Title: Staff recommends motion to approve: reappointment of the following individual to the Workforce Alliance, Inc. Board (Alliance Board) for the term June 7, 2011, to January 31, 2014:

<u>Nominee</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated by:</u>
REAPPOINT George T. Elmore	18	Private Sector/PBC Resident	Comm. Marcus Comm. Burdick Comm. Vana Comm. Abrams Comm. Aaronson Comm. Taylor

Summary: The Alliance Board is comprised of a minimum of 35 members, of which at least 5% of the representatives are from the private sector with an emphasis on CEO's or the highest level of management positions. Other representatives are local educational entities, labor organizations, community-based organizations, economic development agencies, etc. Per the County's Agreement with Workforce Alliance, Inc., the BCC appoints 17 of the private sector representatives. On May 3, 2011, a memo was distributed to the BCC requesting support for the reappointment of Mr. Elmore. Mr. Elmore has served on the Alliance Board since August 2003 has expressed a desire to be reappointed. No other nominations were received. Mr. Elmore has disclosed that he has an ownership position in a business, Hardrives Construction, Inc. that contracts with the County for highway construction and repaving. The Alliance Board provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contract(s). Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. Countywide (TKF)

Background and Justification: The Alliance Board is charged with developing a more efficient system to prepare Floridians for high skilled and high wage jobs, and to oversee welfare reform, school-to-work and adult/literacy educational training. The Authority currently has 32 representatives with a diversity count of: 23 males; 9 females of which 26 are Caucasian; 4 African-American; and 2 are other.

Attachments:

1. Board Appointment Information Form
2. Biography for Mr. Elmore
3. Palm Beach County Code of Ethics Form
4. Guide to Sunshine Amendment Form
5. Attendance Record
6. Memo dated May 3, 2011 requesting nominations
7. Current List of Board Members
8. Agreement w/Workforce Alliance, Inc.

Recommended by:

[Signature]
Assistant County Administrator

5/11/11
Date

Legal Sufficiency:

[Signature]
Assistant County Attorney

5/13/11
Date

II. REVIEW COMMENTS

A. Other Department Review:

Department Director

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
ADVISORY BOARD NOMINEE INFORMATION FORM

The information provided on this form will be used by County Commissioners and/or the entire Board in considering your nomination. This form MUST BE COMPLETED IN FULL. Answer "none" or "not applicable" where appropriate. Further, please attach a biography or résumé to this form.

Part I (to be filled out by Department): (Please Print)

Board Name: Workforce Alliance, Inc.

At Large Appointment or District Appointment

Term of Appointment: 3 Yr./1 Mo. Years. From: 1/1/11 To: 1/31/14

Seat Requirement: Private Sector / Economic Development Agency Seat #: 18

*Reappointment or New Appointment

or to complete the term of _____ Due resignation other to: _____

Completion of term to expire on: _____

***When a person is being considered for re-appointment, the number of previous disclosed voting conflicts shall be considered by the Board of County Commissioners.**

0 Number of previously disclosed voting conflicts during the previous term

Part II (to be filled out and signed by Applicant): (Please Print)

APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT

Name: Elmore George T
Last First Middle

Occupation/Affiliation: Hardrives, Inc. / President

Business Name: Hardrives, Inc.

Business Address: 2101
2350 South Congress Avenue

City & State Delray Beach, FL. Zip Code: 33445

Residence Address: N/A

City & State N/A Zip Code: N/A

Home Phone: () N/A Business Phone: (561) 278-0456 Ext.

Cell Phone: () N/A Fax: (561) 278-2147

Email Address: N/A

Mailing Address preference: Business Residence

Have you ever been convicted of a felony: Yes _____ No X
If Yes, state the court, nature of offense, disposition of case and date: N/A

Minority Identification Code:

- IF (Native-American Female) IM (Native-American Indian Male)
- AF (Asian-American Female) AM (Asian-American Male)
- BF (African-American Female) BM (African-American Male)
- HF (Hispanic-American Female) HM (Hispanic-American Male)
- WF (Caucasian Female) WM (Caucasian Male)

Applicant's Signature: [Signature] Date: 4-14-11

Part III (to be filled out by Commissioner):

Appointment to be made at BCC Meeting on: _____

Commissioner's Signature: Cindy L De Filippo for Date: 5/4/11
Comm. Karen T. Marcus

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BOARD OF COUNTY COMMISSIONERS
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Minority Identification Code:

- | | |
|--|---|
| <input type="checkbox"/> IF (Native-American Female) | <input type="checkbox"/> IM (Native-American Indian Male) |
| <input type="checkbox"/> AF (Asian-American Female) | <input type="checkbox"/> AM (Asian-American Male) |
| <input type="checkbox"/> BF (African-American Female) | <input type="checkbox"/> BM (African-American Male) |
| <input type="checkbox"/> HF (Hispanic-American Female) | <input type="checkbox"/> HM (Hispanic-American Male) |
| <input type="checkbox"/> WF (Caucasian Female) | <input checked="" type="checkbox"/> WM (Caucasian Male) |

Applicant's Signature: [Signature] Date: 4-14-11

Part III (to be filled out by Commissioner):

Appointment to be made at BCC Meeting on: _____

Commissioner's Signature: Paulette Burdick Date: 5-7-2011

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Applicant's Signature: [Signature] Date: 4-14-11

Part III (to be filled out by Commissioner):

Appointment to be made at BCC Meeting on: _____
Commissioner's Signature: Shelley Yana Date: 5/11/11

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BOARD OF COUNTY COMMISSIONERS
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 WF (Caucasian Female) WM (Caucasian Male)

Applicant's Signature: [Signature] Date: 4-14-11

Part III (to be filled out by Commissioner):

Appointment to be made at BCC Meeting on: _____

Commissioner's Signature: Steven L. Abrams (16) Date: 5/4/11

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 WF (Caucasian Female) WM (Caucasian Male)

Applicant's Signature: [Signature] Date: 4-14-11

Part III (to be filled out by Commissioner):

Appointment to be made at BCC Meeting on: _____

Commissioner's Signature: [Signature] Date: 5/2/2011

**GEORGE ELMORE, PRESIDENT
HARDRIVES OF DELRAY, INC.
2101 South Congress Avenue
Delray Beach, FL. 33445**

George T. Elmore came to Florida in 1947 from New Castle, Pennsylvania. He attended the University of Miami and later served in the Korean Conflict. He founded Hardrives, Inc. in 1953. Currently he serves as the President of this highway construction and land development company.

Mr. Elmore is currently serving as a Director on the Boards of United Way, Boy Scouts of America, WPBT-Channel 2, Kravis Center, Palm Beach County Council of the Arts, Economic Council of Palm Beach County, Palm Beach Community College Foundation Palm Beach County Criminal Justice Commission, Palm Beach Historical Society. And Workforce Alliance, Inc. Mr. Elmore is past President and Director of the Florida East Coast Chapter of Associated General Contractors of America, past President of the FAU Foundation, and past President of Crisis Line Information and Referral Services, Inc. He is a Founding member and past Chairman of the Economic Council of Palm Beach County.



TO: ADVISORY BOARD MEMBERS
 FROM: ROBERT WEISMAN
 COUNTY ADMINISTRATOR
 RE: PALM BEACH COUNTY CODE OF ETHICS

Effective May 1, 2010, contractual relationships between Palm Beach County government and advisory board members, their employers, or businesses, are prohibited conflicts of interest as set forth in the Palm Beach County Code of Ethics, Ordinance 2009-051. This conflict of interest must be waived by an affirmative vote of five (5) members of the Board of County

Commissioners upon full disclosure at a public meeting in order to accept appointment to an advisory board. In the space provided below, please identify any such contractual relationships, or verify that none exist at this time. The Ordinance (2009-051) and the training requirement can be found on the web at: <http://palmbeachcountyethics.com/training.htm>

<u>Type of Contract</u>	<u>Which Department/Division</u>	<u>Effective Date</u>	<u>Term</u>
Annual Materials	Engineering	10/1/10	9/30/11
Road (# 1997511 AC)	Engineering	5/19/09	Completed
_____	_____	_____	_____
_____	_____	_____	_____

Yes, submit a waiver to the Board of County Commissioners, since I or my employer have/has the above named contract(s);

OR

At this time, I nor my employer have contract(s) with the Board of County Commissioners

As a (current or potential) advisory board member you are required to receive training on the PBC Code of Ethics and acknowledge that you have read and understand the PBC Code of Ethics Ordinance.

If you are unable to access the training and/or Ordinance on the web, please contact Board Member Liaison to the County Commissioners, Sharon Brea, Workforce Alliance, Inc. Manager Contracts at (561) 340-1061 Ext. 2219 for other arrangements.

Acknowledgment of Receipt

NAME: George T. Elmore
 Print or Type

FIRM/COMPANY/ORGANIZATION: Hardrives, Inc.

ADVISORY BOARD(S): Workforce Alliance, Inc.

I acknowledge that I have taken the required training; and read and understand the Palm Beach County Code of Ethics Ordinance, the provisions of which are effective May 1, 2010. I understand that as an advisory board member of the above-mentioned board(s) that I am bound by it.

Signature: Date: 4-14-11

Please sign and return this FORM to Board Member Liaison to the County Commissioners, Sharon Brea, Workforce Alliance, Inc. Manger Contracts, 315 South Dixie Highway, Suite 102, West Palm Beach, Florida 33401.



County Administration

P.O. Box 1989

West Palm Beach, FL 33402-1989

(561) 355-2030

FAX: (561) 355-3982

www.pbcgov.com



**Palm Beach County
Board of County
Commissioners**

Karen T. Marcus, Chair

Shelley Vana, Vice Chair

Paulette Burdick

Steven L. Abrams

Burt Aaronson

Jess R. Santamaria

Priscilla A. Taylor

County Administrator

Robert Weisman

TO: ADVISORY BOARD MEMBERS
FROM: ROBERT WEISMAN
COUNTY ADMINISTRATOR
RE: STATE GUIDE TO THE SUNSHINE
AMENDMENT & CODE OF ETHICS

As an appointee to a Palm Beach County Advisory Board, you must familiarize yourself with the State Guide to the Sunshine Amendment and Code of Ethics. The purpose of this guide is to ensure adherence to the highest standards of ethics, protect the integrity of County government and foster public confidence.

This guide addresses conflict of interest, disclosure, acceptance and reporting of gifts, use of position or property, voting conflicts, political activities, prohibition against misuse of the code, and enforcement. This Guide also addresses conflicts, prohibitions on doing business with the County or having conflicting employment or contractual relationships. The Guide can be found on the web at: <http://palmbeachcountyethics.com/training.htm>

Please read and make yourself familiar with the Guide and return the acknowledgment form below to: **Board Member Liaison to the County Commissioners, Sharon Brea, Workforce Alliance, Inc. Manager Contracts 315 South Dixie Highway, Suite 102, West Palm Beach, Florida 33401.** If you cannot access this document on the web, please contact Sharon Brea at (561) 340-1061 Ext. 2219 for other arrangements.

Acknowledgement of Receipt

NAME: GEORGE T. ELMORE
Print or Type

ADVISORY BOARD(S): WORKFORCE ALLIANCE, INC.

I acknowledge that I have read the State of Florida Guide to the Sunshine Amendment and the Code of Ethics. I understand that as an advisory board member of the above-mentioned board(s) that I am bound by it.

Signature: [Signature] Date: 4/21/11

Please sign and return to Board Member Liaison to the County Commissioners, Sharon Brea, Workforce Alliance, Inc. Manager Contracts 315 South Dixie Highway, Suite 102, West Palm Beach, Florida 33401.

"An Equal Opportunity
Affirmative Action Employer"

Official Electronic Letterhead

Revised 3/15/10

Patty Hindle

From: Sharon Brea [sbrea@pbcalliance.com]
Sent: Monday, May 02, 2011 9:31 AM
To: Patty Hindle
Subject: George Elmore Attendance Roster

Patty:
Per your request please find below the attendance roster for George Elmore. He attendee 20 out of 22 meetings.

2008	
21-Feb	yes attended
17-Apr	yes attended
19-Jun	yes attended
24-Jul	yes attended
21-Aug	yes attended
16-Oct	yes attended
11-Dec	yes attended
2009	
16-Apr	yes attended
5-Mar	yes attended
18-Jun	yes attended
20-Aug	yes attended
22-Oct	yes attended
17-Dec	yes attended
2010	
18-Feb	yes attended
29-Mar	no
15-Apr	yes attended
6-Jun	yes attended
19-Aug	yes attended
21-Oct	yes attended
16-Dec	yes attended
2011	
17-Feb	no
21-Apr	yes attended
	20

From: Patty Hindle [mailto:PHindle@pbcbgov.org]
Sent: Friday, April 29, 2011 8:46 AM
To: Sharon Brea
Subject: RE: Workforce Alliance Membership History (January 2005 - December 2010)

Anytime. We're you able to get together an attendance record for Mr. Elmore for me?

From: Sharon Brea [mailto:sbrea@pbcalliance.com]
Sent: Friday, April 29, 2011 7:15 AM



**PALM BEACH COUNTY
COUNTY ADMINISTRATION**

County Administration

P.O. Box 1989
West Palm Beach, FL 33402-1989
(561) 355-2030
FAX: (561) 355-3982
www.pbcgov.com

DATE: May 3, 2011
TO: Commissioner Karen T. Marcus, Chair and Members of the Board of County Commissioners
FROM: Patty Hindle, Agenda Coordinator
County Administration
RE: **WORKFORCE ALLIANCE, INC. BOARD**

**Palm Beach County
Board of County
Commissioners**

Karen T. Marcus, Chair
Shelley Vana, Vice Chair
Paulette Burdick
Steven L. Abrams
Burt Aaronson
Jess R. Santamaria
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Robert Weisman

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Mr. George T. Elmore has served on the Alliance Board since August 2003, and has expressed a desire to be reappointed. Mr. Elmore attendance record has been exceptional since his last reappointment in February 2008. Mr. Elmore has satisfactorily completed all the appropriate Ethics training and Sunshine Law training requirements. Pursuant to the Code of Ethics, Mr. Elmore has disclosed that his company, Hardrives, Inc. has a contractual relationship with the Board of County Commissioners and will be requesting a waiver under Section 2-443(d) of the Code.

If you support the reappointment of Mr. Elmore, please sign and return the enclosed Board Nominee Information Form. If you wish to have another nominee considered for appointment, please provide the nominee's contact information.

Staff intends to bring the nominations forward for Board consideration at its May 17, 2011 meeting. If you have any questions, please contact me at 355-3229.

C: Shannon LaRocque-Baas, Assistant County Administrator

**Board Section
CURRENT BOARD MEMBERSHIP ROSTER CERTIFICATION**

TOTAL NUMBER OF BOARD MEMBERS 38 32

Of the total number of members, NUMBER OF NON-VOTING MEMBERS _____

MANDATORY MEMBERS 18 (54.55%)

PRIVATE SECTOR MEMBERS 19 (57.58%)

NUMBER OF BOARD MEMBERS COUNTED IN BOTH PRIVATE AND MANDATORY 4

NUMBER OF VACANCIES 0

DATE FORM COMPLETED January 5, 2011

**CURRENT MEMBERSHIP
REGIONAL WORKFORCE BOARD (RWB)**

NAME: WORKFORCE ALLIANCE, INC.

REGION NUMBER: 21

NAME OF RWB MEMBERS	AREA(S) OF REPRESENTATION	QUALIFICATIONS	NOMINATING ORGANIZATION	DEMOGRAPHICS	APPOINTMENT EXPIRES
Steven M. Parrish	Private Sector BU (Chair)	Partner Broad and Cassel	Chamber of Commerce of the Palm Beaches	M,W	01/31/2012 *
Robert Alt ****	Organized Labor OL	Training Director Ironworker LU 402 Apprenticeship	Palm Beach / Treasure Coast AFL/CIO	M,W	01/31/2012 *
Roger Amidon	Private Sector BU	Executive Director Tourist Development Council PBC	Business Development Board	M,W	01/31/2012 *

Attachment # 7

NAME OF RWB MEMBERS	AREA(S) OF REPRESENTATION	QUALIFICATIONS	NOMINATING ORGANIZATION	DEMOGRAPHICS	APPOINTMENT EXPIRES
Perry Borman ****	OSPO	Circuit 15 Administrator Dept. of Children & Families	Department of Children & Families	M,W	01/31/2014 **
Mel Coleman, Ed.D.	Private Sector BU (Chair Elect)	Program Professor Education Leadership Program Nova Southeastern University	Nova Southeastern University	M,W	01/31/2013 *
Max Davis	Private Sector BU Palm Beach Gardens Consortium	Appointee City of Palm Beach Gardens	City of Palm Beach Gardens Appointment representing Private Sector Businesses as Consultant	M,W	01/31/2014 **
Amy Dean	Private Sector BU	VP of Strategic Programming & Policy Palm Healthcare Foundation, Inc.	Chamber of Commerce of the Palm Beaches	F,W	01/31/2012 *
Gaetana Ebbole ****	Community Based Organization CBOD	CEO Children's Services Council	Children's Services Council	F,W	01/31/2012 *
Dorothy Ellington ****	HUD E&T OSPM	President/CEO Delray Beach Housing Authority	Delray Beach Housing Authority	F,B	02/28/2013 *

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George T. Elmore	Private Sector BU	President Hardrives, Inc.	Economic Council of Palm Beach County	M,W	01/31/2014 ***
Michael J. Faby ****	Welfare/Workforce Services WS	VP of Finance Dyadic International, Inc.	Dyadic International, Inc.	M,W	02/28/2013 *
Patrick Franklin ****	Community Based Organization CBOV	President/CEO Urban League of Palm Beach County	Urban League of Palm Beach County	M,B	01/31/2012 *
Dennis Gallon, Ph.D. ****	Local Public Educational Entities Adult Literacy Carl Perkins Voc EA/NPEAC	President Palm Beach State College	Palm Beach State College	M,B	01/31/2012 *
Eduardo Gruvman	Private Sector BU	CEO Nutrition S'Mart	Nutrition S'Mart	M,O	01/31/2012 *
Roger Hudspeth II ****	Organized Labor OL	Business Representative S.M.W.I.A. L.U. #32 West Palm Beach	Palm Beach / Treasure Coast AFL/CIO	M,W	01/31/2013 *
Arthur Johnson, Ph.D. ****	Local Public Educational Entities EA	Superintendent School District of Palm Beach County	School Board of Palm Beach County	M,W	01/31/2012 *
Kenneth Kirby	Private Sector BU	President TransDermal Technologies, Inc.	Business Development Board	M,W	01/31/2014 **

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Thomas Lynch, CPCU	Private Sector BU City of Delray Consortium	President/Owner/ Producer Plastridge Insurance Agency	City of Delray Appointment representing Private Sector Businesses as Consultant	M,W	01/31/2012 *
Dwight Mattingly ****	Organized Labor OL	President/Business Agent Amalgamated Transit Union, Local 1577	Palm Beach / Treasure Coast AFL/CIO	M,W	01/31/2013 *
Troy McLellan **** & *****	1. Economic Development Agency ED 2. Private Sector BU (Counted in both categories)	President & CEO Greater Boca Raton Chamber of Commerce	Greater Boca Raton Chamber of Commerce	M,W	01/31/2012 **
Christopher M. Perez **** & *****	1. Private Sector BU 2. Private Certificate & Diploma Granting Institution with ITAs NPEAC (Counted in both categories)	President The Academy of South Florida	The Academy of South Florida	M,W	02/28/2013 *
Charles Rutherford	Private Sector BU	Rutherford Mulhall, P.A.	Business Development Board	M,W	01/31/2014 **

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Edward Sabin	Private Sector BU	Corporate VP Biomet 3i	Biomet 3i	M,W	01/31/2014 **
Thomas L. Stinson, Sr. (Second Term Replacement)	Private Sector BU South Bay Consortium	South Bay Pallets	City of South Bay Appointment representing Private Sector Businesses as Consultant	M	1/31/2014 **
Melody Sanger	Private Sector BU	Chief Executive Officer Drug Study Institute	Business Development Board	F,W	01/31/2012 *
LaFaye Sharp ****	Title V Older Worker OSPM	Employment & Training Coordinator Experience Works	Experience Works	F,W	02/28/2013 *
Kelly Smallridge **** & *****	1. Economic Development Agency ED 2. Private Sector BU (Counted in both categories)	President Business Development Board	Business Development Board	F,W	01/31/2012 *
Charlene Szabo ****	OSPO	Director Veterans Administration VA Medical Center West Palm Beach	Palm Beach Workforce Development Consortium (PBWDC)	F,W	01/31/2012 *
David H. Talley	Private Sector BU	Consultant	Chamber of Commerce of the Palm Beaches	M,W	01/31/2012 **

NAME OF RWB MEMBERS	AREA(S) OF REPRESENTATION	QUALIFICATIONS	NOMINATING ORGANIZATION	DEMOGRAPHICS	APPOINTMENT EXPIRES
Priscilla Taylor	1. AWI/WP • Trade Act • Community Services Block Grant (CSBG) (Emergency Support Weatherization)	Palm Beach County Commissioner	Local Elected Official (LEO) Consortium	F,B	01/31/2012 *
Jamie Titcomb *****	Private Sector BU	Executive Director Palm Beach County League of Cities	Palm Beach County League of Cities	M,W	01/31/2014 *
Gary B. Vonk **** & *****	1. Local Educational Entities Conferring Degrees NPEAD 2. Private Sector BU (Counted in both categories)	President West Palm Beach Keiser University	FL. Association of Postsecondary Schools & Colleges Granting Degrees & Certificates	M,W	1/31/2013 *
Mary L. Watford ****	Voc Rehab/ Education EA	Area Director Division of Vocational Rehab, FDOE	Florida Department of Education	F,W	01/31/2012 *

- * First Term (which includes partial previous terms in some cases)**
- ** Second Term**
- *** Third Term**
- **** Mandatory Partner**
- ***** Currently four (4) Board members are counted in two categories; however the main category for identifying them and their representation is under the Private/Business Sector.**
- ***** The League of Cities is not a mandatory member; however they do represent all the Municipalities in Palm Beach County and are a vital member of the Workforce Board.**

R2007.1220
JUL 10 2007

**INTERLOCAL AGREEMENT CREATING
THE
PALM BEACH WORKFORCE DEVELOPMENT CONSORTIUM**

This Agreement, to create the Palm Beach Workforce Development Consortium ("Consortium") is made and entered into pursuant to the authority under Section 163.01, Florida Statutes, by and between Palm Beach County and the Cities of Delray Beach, Palm Beach Gardens, and South Bay, all of the State of Florida, each passing resolutions to that effect.

WITNESSETH THAT:

WHEREAS, 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; and,

WHEREAS, 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; and

WHEREAS, the County of Palm Beach has been designated by the Governor of the State of Florida as a Workforce Development Region (Region 21); and,

WHEREAS, the Workforce Investment Act of 1998, allows that an agreement may be entered into between the general purpose governmental jurisdictions which comprise the workforce development/investment area; and

WHEREAS, the governing body of each of the parties to this Agreement desire that its county or city be included in regional workforce development initiatives to avail its businesses and citizens of the benefits of Florida's workforce development strategy, including those programs funded through the Workforce Investment Act of 1998 (WIA), the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWOR), the Wagner-Peyser Act (WP), the Florida Workforce Innovation Act of 2000 (FWIA), and such other funding sources as may be available to support workforce activities.

WHEREAS, the above governing bodies in the WDB Region 21 have come together to form the Consortium to carry out their separate and independent functions described herein in a coordinated and cooperative fashion; and

WHEREAS, a readily available workforce of skilled workers is mandatory to attract new businesses to the region and to retain and expand existing businesses which will increase the wealth of the region, support strong economic development, ensure jobs for our citizens, expand the tax base, improve the quality of life and ensure the region's economic future.

WHEREAS, the Consortium intends to establish an independent district with no taxing or bonding authority to enhance local workforce development activities in Palm Beach County, Florida.

NOW, THEREFORE, in consideration of the promises and mutual covenants and obligations contained herein and for other good and valuable consideration, the parties agree and understand as follows:

1. ESTABLISHMENT OF THE PALM BEACH WORKFORCE DEVELOPMENT CONSORTIUM

a. Is hereby established a multi-jurisdictional consortium hereinafter called the "Palm Beach Workforce Development Consortium" or "Consortium" for the express purpose of carrying out the individual responsibilities of each party to this Agreement under the Workforce Investment Act of 1998 (WIA), the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWOR), the Wagner-Peyser Act (WP), the Florida Workforce Innovation Act of 2000 (FWIA), and such other funding sources as may be available to support workforce activities.

b. The Consortium shall consist of four (4) members. The Chairman of the Board of County Commissioners of Palm Beach County shall serve as that County's representative on the Consortium; however, the Board of County Commission Chairman may appoint a replacement member of the County Commission to the Consortium and any such Commissioner shall have full voting rights and privileges. Likewise, the Mayor of the City of Delray Beach, the Mayor of the City of Palm Beach Gardens, and the Mayor of the City of South Bay shall serve as those cities representatives on the Consortium; however the Mayors may appoint any member of their respective City Councils to the Consortium and any such Council Member shall have full voting rights and privileges in accordance with "Attachment 1 Workforce Alliance, Inc. Board Composition" of this Agreement.

2. PARTIES TO THIS AGREEMENT

Each of the parties to this Agreement is a county or city of the State of Florida and as such is a general-purpose political subdivision, which has the power to levy taxes and expend funds, as well as general corporate and police powers. These parties are more particularly identified as follows:

<u>Name</u>	<u>Address</u>
Board of County Commissioners Palm Beach, Florida	301 North Olive Avenue West Palm Beach, FL 33401
Mayor, City of Delray Beach Delray Beach, Florida	100 NW First Avenue Delray Beach, FL 33444
Mayor, City of Palm Beach Gardens	10500 North Military Trail

Palm Beach Gardens, Florida

Palm Beach Gardens, FL 33410

Mayor, City of South Bay
South Bay, Florida

335 SW 2nd Ave
South Bay, FL 33493

3. **CONSIDERATION**

In order to establish the background, context, and frame of reference for this Agreement and to generally express the objectives and intentions of the respective parties hereto, the following are the predicates underlying the undertakings and commitments included within the provisions which follow and shall be constructed as the essential elements of the mutual considerations upon which this Agreement is based.

4. **GEOGRAPHICAL AREA TO BE SERVED BY THIS AGREEMENT**

- a. The geographical area to be served by this Agreement is the combined geographical area of each of the four members' county area and city limits that are parties to this Agreement, whose geographical areas are contained in the legal description found in Chapter 7, Florida Statutes.
- b. Pursuant to the designation by the Governor, the four members constituting the Palm Beach Workforce Development Consortium and Workforce Alliance, Inc. shall be the WDB Region as provided for in Section 116 of Title 1 of the WIA, PRWOR, WP, FWIA and Florida's workforce development initiatives as designated by WFI and the Governor for the geographical area covered by this Agreement.

5. **FEDERAL AND STATE REQUIREMENTS**

It is the intent of the Consortium to incorporate into this Agreement the duties and obligations governing programs under WIA, PRWOR, WP, and the Workforce Florida Act programs as well as any other rules and regulations both State and Federal, applicable to these initiatives.

6. **CREATION OF ADMINISTRATIVE ENTITY**

The Consortium, pursuant to Section 163.01(7) of the Florida Statutes will employ staff which comprise Workforce Alliance, Inc. and the Workforce Alliance One-Stop Advisory Committee to operate and implement workforce programs including one-stop direct services as well as related programs in the workforce development area (Region 21).

7. **JOINT UNDERSTANDING**

The terms and conditions, which follow, reflect the joint understanding between the parties.

8. MEMBERSHIP

- a. The Consortium shall consist of the four (4) member governments represented by elected officials designated to serve by their respective Commission, or Council. The elected official may designate an alternate to serve in the elected official's absence. The alternate shall also be either the chief elected official or an elected official to the Commission, or Council of the member government.
- b. The officers of the Consortium shall include a chair and a vice chair. These officers shall be elected from among and by the membership of the Consortium for a term of one year, consistent with the state fiscal year, but shall hold office until their successors are duly elected.

9. DUTIES AND RESPONSIBILITIES OF THE PALM BEACH WORKFORCE DEVELOPMENT CONSORTIUM

- a. To appoint the members of Workforce Alliance Inc, in accordance with the WIA, FWIA, and Attachment 1 of this Agreement. The Workforce Alliance Inc. Board shall consist of 35 members as provided for under the Workforce Investment Act, and the Florida Workforce Innovation Act.
 - i. As per Attachment 1 each unit of local government will appoint their respective number of private sector members to the Workforce Alliance, Inc. board of directors as listed in Attachment 1. Mandatory appointments will be approved by the Consortium.
 - ii. The Consortium may add individual organizational representatives to the membership of Workforce Alliance Inc. Board of Directors as provided for under the WIA and the FWIA, provided that sufficient additional private sector appointments are made to assure a 51% private sector majority.
 - iii. Nominations to Workforce Alliance Inc. Board of Directors shall be made in accordance with the WIA, FWIA and such instructions as may be received from the Governor of the State of Florida.
- b. To designate Workforce Alliance, Inc. as the fiscal agent, grant recipient and administrative entity to administer WIA, PRWOR, Wagner-Peyser Act and such other funding sources as may be available to support workforce development activities for Region 21, Palm Beach County, Florida as chartered by WFI. The Board of County Commissioners can review this section (9b) on an annual basis and amend it as described under section 15 of this agreement.

- c. To enter into agreements with each other regarding the workforce development area, including the selection of one of the parties to the agreement to serve as the chief elected official for the area.
- d. To determine the procedures for the development of the workforce investment plan as described in Section 117 of the WIA and the strategy to implement Florida's workforce development initiative within the area designated in Section 4 of this Agreement.
- e. Together with Workforce Alliance, Inc., to approve the workforce development plan for the Region and modifications thereto.
- f. To provide oversight and guidance in conjunction with the Workforce Alliance Inc. Board of Directors.
- g. To accept responsibility for compliance and accountability for State and federal funds. Any disallowed costs will remain the responsibility of Palm Beach County as currently exists.
- h. To perform any other appropriate duties necessary for the accomplishment, and consistent with the purposes, of this Agreement, the WIA, PRWOR, WP, and FWIA.
- i. To establish an independent special district (to create through an interlocal agreement offering staff the ability to participate in the Florida Retirement System), with no taxing or bonding authority, to enhance workforce development activities in Palm Beach County, Florida.

10. MEETINGS

- a. The Chair shall preside at all Consortium meetings and shall perform all duties incident to that office. The Vice Chair shall preside in the absence of the Chair and shall have the power to exercise and perform all duties of the Chair.
- b. Meetings shall be held at least twice annually.
- c. Meetings shall be noticed and declared public meetings, open to the public, in accordance with the Sunshine Law, Section 286.011, Florida Statutes.
- d. A quorum at any Consortium shall consist of any Three (3) members or their designated alternates. A quorum is required to transact Consortium business.
- e. At all meetings of the Consortium at which a quorum is present, all matters shall be decided by the majority vote of said members.

11. FINANCIAL SUPPORT

- a. The Consortium shall support its programs and any costs incidental to the operation of its programs by grant funds appropriated to it by the United States Department of Labor or the United States Department of Health and Human Services for the following programs: the Workforce Investments Act, the Personal Responsibility and Work Opportunity Reconciliation Act, the Wagner-Peyser Act or other Workforce Development, Welfare Legislation or related grants provided by Workforce Florida, Inc. or through any other Federal, State or Local source. In addition, the Consortium is authorized to accept any other grants in aid or assistance funds, from the United States Government or to accept appropriations from any of its members, or any other organization or person, including the acceptance of gifts, grants, or bequests whether it be in the form of tangible or intangible property.
- b. No funds will be required from the treasuries of any of the parties to this Agreement for implementation of workforce development initiatives, including programs funded by WIA, PRWOR or WP, it being the intent hereof that all funding of the workforce development initiatives and the Consortium shall be accomplished by grants and funds available pursuant to workforce development initiative programs, including any other State and Federal grants or other funding which will further the purpose of the program. The above language does not preclude units of local government from expending funds under their jurisdiction on workforce development programs.
- c. The Consortium is a governmental entity as defined in Chapter 768.28 Florida Statutes, and agrees to be fully responsible for acts and omissions of its agents or employees to the extent permitted by law. Nothing herein is intended to serve as a waiver of sovereign immunity by the Consortium for which sovereign immunity is applicable. Nothing herein shall be construed as consent by a member of the Consortium as a political subdivision of the state of Florida to be sued by third parties in any matter arising out of this or any other contract, this agreement or any part thereof. The Consortium shall assume equal liability to the extent allowed and/or required by law for the operation of Federal and State Workforce Development programs.
- d. The Consortium shall purchase Insurance to indemnify itself and/or any of its members and any separate legal entity or contractors from any liability, which may attach due to its operation of WIA, PRWOR, WP or other Federal or State workforce development programs.

12. POWERS DELEGATED TO THE CONSORTIUM

The Consortium shall make all policy decisions except those which must be made in partnership with the Workforce Alliance Inc. pursuant to the authorizing legislation under which grants are made available. Policy decisions shall include, but not be limited to those powers enumerated at Section 163.01(5), (6), and (7) of the Florida State Statutes, such as, but not limited to:

- a. The power to appoint a separate legal administrative entity to carry out Consortium policies and perform as described in Chapter 163 of the Florida State Statutes, Sections 163.01(7) (b). The initial designation shall be the Workforce Alliance, Inc.
- b. The manner in which accountability for fund expenditures shall be provided for including an independent audit to be done accordance with the Florida Statutes, and Federal OMB Circular A133.
- c. The acceptance of grants, gifts, or other types of financial assistance as allowed by law.
- d. Authorization of the Consortium Director who shall also be the President and CEO of Workforce Alliance, Inc., to negotiate, enter into and execute agreements following the approval of Workforce Alliance, Inc. Board policy as appropriate to carry out the operational and administrative requirements and functions of the strategic plan and for day to day operations.
- e. Authorization of the said Consortium Director to make purchases in accordance with the procurement and purchasing guidelines approved as a part of the Workforce Alliance, Inc. Administrative Plan filed with the State. Purchases shall include services, supplies, consultant agreements, materials, equipment and leased space.
- f. Authorization of the said Consortium Director to make and issue policies and procedures as determined by the CEO limitations of the Carver Board Policy Governing model.
- g. Authorization of the said Consortium Director to make emergency decisions which may include the acceptance or application for grants or the entry into contracts or the expenditure of funds in emergency situations where a meeting of the Consortium and or the Workforce Alliance Inc. as appropriate cannot be called prior to the time that an action must be executed. Such actions shall be placed on the agenda of the next meeting of the Consortium and Workforce Alliance Inc. for ratification by the appropriate entity. All such contract, purchasing and expenditures shall be in accordance with established rules and governing State and federal policies and circulars.

- h. The manner in which funds shall be disbursed or paid by the administrative entity charged with operating the programs of providing services contemplated by this Agreement which is Workforce Alliance, Inc.
- i. The acquisition, ownership, custody, operation, maintenance, lease or sale of real or personal property subject to federal and State rules.
- j. The disposition, diversion or distribution of any property acquired.
- k. The composition, membership appointments, and organizational approval of any advisory bodies to the Consortium.
- l. The manner in which staff shall be employed to carry out and serve Consortium and Workforce Alliance, Inc. objectives.
- m. The appointment of the Director of the Consortium upon recommendation of Workforce Alliances Inc., and authorization of the Workforce Alliance, Inc. President and CEO to draft personnel rules and policies which shall be approved by the Consortium upon recommendation of the Workforce Alliance Inc. and which shall provide for the hiring of such staff as is necessary to carry out the duties and responsibilities of the Consortium and Workforce Alliance, Inc. The Workforce Alliance, Inc. President and CEO shall be responsible for the hiring and termination of staff in accordance with those policies.
 - i. Every other year a pay and classification study shall be initiated by the Workforce Alliance, Inc. President and CEO through an independent third party in accordance with purchasing and procurement guidelines or through the Florida Workforce Development Association bi-annual salary survey which shall examine the responsibilities and salaries of the staff to assure that they meet community norms and that they are competitive so as to attract skilled personnel to accomplish the purposes of the Consortium and Workforce Alliance, Inc.
 - ii. A committee of Workforce Alliance Inc. may be established to review and make recommendations for staffing, pay and classification studies and benefits for Consortium staff.
- n. To develop procedures and/or administrative rules to effectively carry out the Consortium's policies and decisions so long as they do not conflict with governing federal and state rules and regulations, and the Workforce Florida Inc./Agency for Workforce Innovation policies, rules and regulations.
- o. Any other necessary and proper matters as they may arise and as agreed upon by the Consortium members and member governments.

13. SIGNATORY

The chair shall act as signatory for the Consortium. In the absence of the chair, any of the other members may sign for the Consortium in the chair's stead.

14. ALL PRIOR AGREEMENTS

It is understood and agreed that this document incorporates and includes all prior negotiations, correspondence, conversations, agreements, or understandings applicable to the matters contained herein and the parties agree that there are no commitments, agreements, or understandings concerning the subject matter of this Agreement that are not contained in this document. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior representation or agreements whether oral or written.

15. AMENDMENT

It is agreed that no modification, amendment, or alteration of the terms or conditions contained in this Agreement shall be effective unless contained in a written document executed with the same formality and of equal dignity herewith.

16. TERM; TERMINATION

This Agreement shall be automatically renewed annually without action of any party. Should any party to this Agreement wish to terminate their participation, a 60-day written notice shall be provided to all parties hereunder and to the President/CEO of Workforce Alliance, Inc., 326 Fern Street, West Palm Beach FL 33401. Notice must be given in writing sent by Certified United States Mail with Return Receipt Requested.

FOR:

Board of County Commissioners
Palm Beach, Florida

301 North Olive Avenue
West Palm Beach, FL 33401

Mayor, City of Delray Beach
Delray Beach, Florida

100 NW First Avenue
Delray Beach, FL 33444

Mayor, City of Palm Beach Gardens
Palm Beach Gardens, Florida

10500 North Military Trail
Palm Beach Garden 33410

Mayor, City of South Bay
South Bay, Florida

335 SW 2nd Ave
South Bay, FL 33493

17. CONSTRUCTION

This Agreement shall be deemed to be a binding contract and shall be construed in accordance with and governed by the laws of the State of Florida.

18. INVALID PROVISION/SEVERABILITY

In the event that any provision of this Agreement or the application of any such provision to any party or circumstances be held invalid or unenforceable or the application of such provision to parties or circumstances be unenforceable, the remainder of this Agreement shall not be affected thereby and shall remain in full force and effect.

19. WAIVER OF RIGHTS

Any waiver at any time by any party hereto of its rights with respect to any matter arising in connection with this Agreement shall not be considered a waiver with respect to any subsequent default or matter.

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EXECUTION PAGE [Page 1 of 1]

COUNTY OF Palm Beach

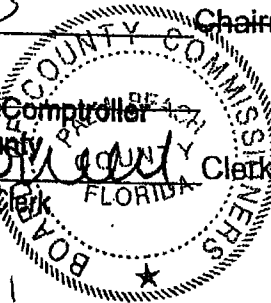
R2007 1220

BY: Addie L. Greene Chairman

**ADDIE L. GREENE
CHAIRPERSON**

DATE: JUL 10 2007
Sharon H. Bock, Clerk & Comptroller

ATTEST: [Signature] Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

[Signature]
COUNTY ATTORNEY

CITY OF DELRAY BEACH

BY: Rita Ellis Mayor

DATE: 6/19/07

ATTEST: [Signature] Corporation Secretary

CITY OF PALM BEACH GARDENS

BY: [Signature] Mayor

DATE: 6/21/07

ATTEST: [Signature] Corporation Secretary

CITY OF SOUTH BAY

BY: [Signature] Mayor

DATE: 6/26/07

ATTEST: Virginia K. Walker Corporation Secretary

Attachment 1

Workforce Alliance, Inc. Board Composition

Private Sector

Appointed By:

Palm Beach County Commission	17 (85%)
City of South Bay	1 (5%)
City of Delray Beach	1 (5%)
City of Palm Beach Gardens	<u>1 (5%)</u>
Total Private Sector	20 (57%)*

Mandatory Appointments**

Organized Labor	3
Department of Children and Families	1
Division of Vocational Rehabilitation	1
Private Degree Granting Institution	1
Private Certificate Granting Institution	1
Former Welfare Participant	1
Community Based Organization	4
Education	<u>3</u>
Total Mandatory	15 (43%)

Minimum of 51% required by Federal Law/State Statutes*

Mandatory appointments by Federal Law/State Statutes**