

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

5A-2

Meeting Date: June 5, 2012 ☐ Consent ☒ Regular
 ☐ Ordinance ☐ Public Hearing

Department: Administration

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida approving the Workforce Alliance, Inc. Fiscal Year 2012-2013 Budget in the amount of \$21,718,968 for its programs under public law 105-220 enacted by Congress effective August 1998 which act is known as the Workforce Investment Act.

Summary: The Board of County Commissioners (BCC) of Palm Beach County has designated Workforce Alliance as the Workforce Development Board to design, coordinate, and direct the local workforce development system for Palm Beach County. Workforce Alliance (WA) receives federal funding through the State Department of Economic Opportunity (DEO). Funds are received by the DEO from the US Department of Labor and US Department of Health & Human Services. These are formula funds which are based on the Federal budget and the local population statistics.

This year the Florida Legislature passed House Bill 7023, also known as the Workforce Accountability Act. This Bill, which strengthens the accountability and transparency of regional workforce boards, requires the BCC to approve the WA budget by June of each year.

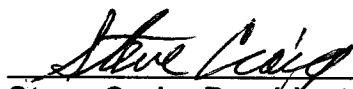
The Fiscal Year 2012-2013 Budget in the amount of \$21,718,968 includes anticipated revenues from the US Department of Labor of \$18,444,339 of which \$17,118,718 is from the Workforce Investment Act, \$2,995,439 from US Department of Health and Human for Temporary Assistance for Needy Families, and \$279,190 from a grant with the US Department of Education. Countywide (TKF)

Background and Justification: In 2007 the Palm Beach Workforce Development Consortium was created as an independent special district with no taxing or bonding authority in order to enhance the local workforce development activities. Pursuant to Section 163.01(7) of the Florida Statutes and Senate Bill 428 of 2008 the Consortium will employ staff which comprise Workforce Alliance, Inc. as the Administrative entity and the Direct Provider of Services to operate and implement workforce programs including One-Stop Direct Services and related programs in the Workforce Development Area (Region 21).

Attachments:

1. Resolution of the Palm Beach County Board of County Commissioners approving the Workforce Alliance, Inc. Fiscal Year 2012-2013 Budget
2. Workforce Alliance Inc. Budget
3. Board Minutes approving the Budget
4. Interlocal Agreement Creating the Palm Beach Workforce Development Consortium (#R2007-1220)/Amendment 1(#R2007-1446)/Amendment 2 (#R2008-1268)

Recommended by:



Steve Craig, President/CEO Workforce Alliance, Inc.

5-10-12
Date

Approved by:


Assistant County Administrator

5/18/12
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2012	2013	2014	2015	2016
Capital Expenditures	\$0	\$0	\$0	\$0	\$0
Operating Costs	0	0	0	0	0
External Revenues	0	0	0	0	0
Program Income (County)	0	0	0	0	0
In-Kind Match (County)	0	0	0	0	0
NET FISCAL IMPACT	\$0	\$0	\$0	\$0	\$0
# Additional FTE Positions (Cumulative)	0	0	0	0	0

Is Item Included in Current Budget: Yes _____ No _____

Budget Account No:

Reporting Category _____

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

NO FISCAL IMPACT

Departmental Fiscal Review: Erica J. Scarpato

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development & Control Comments:

OFMB N. Harris 5/16/2012
5/15/12 5/14/12 5/10/12

Dr. J. Jacobson 5/17/12
Contract Development & Control
5-17-12 Beech

A. Legal Sufficiency:

[Signature]
Assistant County Attorney

A. Other Department Review:

Department Director

This summary is not to be used as a basis for payment.

RESOLUTION NO.

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA APPROVING THE WORKFORCE ALLIANCE, INC. FISCAL YEAR 2012-2013 BUDGET IN THE AMOUNT OF \$21,718,968 FOR ITS PROGRAMS UNDER PUBLIC LAW 105-220 ENACTED BY CONGRESS EFFECTIVE AUGUST 1998 WHICH ACT IS KNOWN AS THE WORKFORCE INVESTMENT ACT

WHEREAS, Public Law 105-220, the Workforce Investment Act of 1998, Sec. 116, Local Workforce Investment Areas, states the Governor of the State shall designate local workforce investment areas within the State after consultation with Chief Elected Officials;

WHEREAS, the State of Florida's Workforce Development Board, 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;

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

WHEREAS, the Palm Beach County Board of County Commissioners has designated Workforce Alliance, Inc. as the fiscal agent, grant recipient and administrative entity to administer WIA, Welfare Transition, Wagner-Peyser Act and such other funding sources as may be available to support workforce development activities for Palm Beach County, Florida;

WHEREAS, the Workforce Boards Accountability Act, House Bill 7023, approved by the Florida Legislature effective July 1, 2012 requires that Workforce Alliance, Inc. develop a budget for certain purposes, subject to the approval of Palm Beach County, Florida as Chief Elected Official;

WHEREAS, Workforce Alliance, Inc. approved its proposed Fiscal Year 2012-2013 budget on April 19, 2012;

WHEREAS, the Palm Beach Workforce Development Consortium approved Workforce Alliance, Inc.'s proposed Fiscal Year 2012-2013 budget on April 25, 2012; and

WHEREAS, Workforce Alliance has submitted the approved budget to the Board of County Commissioners for its review and approval.

NOW, THEREFORE, BE IT RESOLVED BY THE PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS THAT:

1. Workforce Alliance, Inc. has recommended to the Palm Beach County Board of County Commissioners that the proposed Budget for Fiscal Year 2012-2013 as submitted by Workforce Alliance, Inc. be approved.
2. The Palm Beach County Board of Commissioners hereby approves the Budget as submitted.
3. This Resolution shall take effect immediately upon adoption.

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and being put to a vote, the vote was as follows:

SHELLEY VANA, Chair	-
STEVEN L. ABRAMS, Vice Chairman	-
BURT AARONSON	-
KAREN T. MARCUS	-
PAULETTE BURDICK	-
JESS R. SANTAMARIA	-
PRISCILLA A. TAYLOR	-

The Chair thereupon declared the Resolution duly passed and adopted this _____ day of June, 2012.

PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

**ATTEST: SHARON R. BOCK,
Clerk and Comptroller**

By: _____
County Attorney

By: _____
Deputy Clerk

WORKFORCE ALLIANCE, Inc.
2012-2013 Budget

Revenues:

US Dept of Labor	18,444,339
US Dept of Health & Human Services	2,995,439
US Dept of Education	279,190

Total Revenues	<u>21,718,968</u>
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Expenditures:

Program Services	20,556,600
Administration	1,162,368

Total Expenditures	<u>21,718,968</u>
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Draft-WORKFORCE ALLIANCE BOARD OF DIRECTORS MEETING SUMMARY

THURSDAY, April 19, 2012, 12:00 PM

315 S. Dixie Hwy, Ste. 102, WPB, FL 33401

Attending: Peter Applefield; Amy Dean; Tana Ebbale; Dorothy Ellington; Dr. Dennis Gallon; Ed Gruvman; Roger Hudspeth II; Thomas Lynch; Dwight Mattingly; Steven M. Parrish; Richard Radcliffe; Dr. Melody Sangar; David Talley; Commissioner Priscilla Taylor; Gary Vonk; Mary Watford; Mary Wong and David Baker/Legal Counsel

Telephonic: Robert Alt; Dr. Mel Coleman; Michael Faby and Dr. Deepak Mandy for Charleen Szabo.

Staff: Steve Craig; Paul Hederman; Gerry Genovese; Tom Veenstra; Erica Scarpati; Don Scantlan; Ike Powell; Douglas Sáenz; Mimi Coenen; Rich Medel; Sharon Brea; Huntley Miller; Chuck Hunter and Holly Finch.

Guests: Vern Crawford/Schoolhouse Consulting; Greta von Unruh and Dr. William B. Stronge/Economic Development Research Institute.

I. CALL TO ORDER AND WELCOME

Steven Parrish called the meeting to order.

II. AGENDA APPROVAL

Steve Parrish asked if there were any changes to the agenda. Steve Craig said there is an update on item IV. g. pertaining to the membership of the Youth Council. He also said there is new information added to item IV. a. 1 and that he would like to pull item V.4. In addition, Steve Craig said under consent agenda that he wanted to include two hospitality courses, one each from Florida Atlantic University and one from Palm Beach State College that were not on the agenda. David Baker said the courses could be added if a general description was provided. David Talley made a motion to approve the agenda. Commissioner Taylor seconded the motion and the revised agenda was approved by unanimous vote.

III. CONSENT APPROVAL

Commissioner Taylor made a motion to approve the consent agenda. David Talley seconded the motion and the consent agenda was approved by a unanimous vote.

IV. OLD BUSINESS

- a. Workforce Accountability Act – Steve Parrish said this new state legislation passed at the end of the legislative session and was signed into law by the Governor. Under the act, he said most federal funds will continue to flow straight to Workforce Boards and the measure was viewed as a step in the right direction towards increased accountability. David Baker provided the overview of the legislation and how the changes may reduce the size of the board. David Baker said under the new legislation, the governor has the ability to remove the board chair, CEO and any board member for lack of performance. He said board members must disclose any conflicts between the board member and any relative prior to contract approvals. The Workforce Accountability Act also requires that the full budget be reviewed and approved by the board of directors and the Board of County Commissioners before going to Tallahassee for review by the state. Board members also must file financial disclosure documents with the state. Steve Parrish asked if there were any questions and asked if anyone is considering dropping off the board to let him know.
- b. Financial Disclosure – David Baker asked the board to review page 47 form 1, the state disclosure form. He said the form will need to be filed this year for any board member that was on the board as of December 2011. In addition, he said if any board member had questions, to e-mail him and he would share the response with the full board e-mail list for clarification. David Baker encouraged board members to review the instructions and note the examples. Richard Radcliffe asked about the disclosure of property. David Baker said the disclosure is if you own or purchase property whether you have an interest in, or retain part ownership. Richard Radcliffe said the late fee for filing the form is \$25 per day. Steve Parrish asked for board members to be certain to disclose any and all conflicts. David Baker asked to be made aware when each board member has filed the form or if anyone has already filed by July. Steve Craig asked for the board to send the completed forms to Sharon Brea.

- c. Impact on Budget - Steve Craig said that under the new Title 1 regulations, 50% of dislocated worker funds must shift to training costs which may not include allocations for overhead and rent. Currently, training costs are 29% of these funds and next year we anticipate increasing to 37%. In the meantime, we are filing for waivers and working on opportunities to achieve 50% within two years.
- d. H2B VISA/Hospitality Update – Steve Craig said that he has been working closely with the Country Club managers, Education Commission, higher education partners and staff to address the needs of employers. He said that one in eight employed workers in Palm Beach County are in the hospitality/tourism industry and it will take a number of solutions to address the need for workers. He said we are working with the School District to recruit seniors graduating from high school who do not plan to attend college or vocational school. He said we are participating in an “on-call” program to fill hospitality jobs for special events. Steve Craig said we are also working with Florida Atlantic University and Palm Beach State College to provide summer courses that will lead to seasonal jobs. The Youth Hospitality Occupations Service Training (H.O.S.T.) program links youth to jobs and the Veteran’s representatives are working to identify hospitality career options for vets. He said we now offer education events to present the many options and benefits of working in hospitality occupations. He said we will be having two recruiting and 30-day training sessions throughout July and September prior to the start of the season. Steve Craig said he also attended meetings in Washington D.C. with the Undersecretary of Labor to discuss the extensions of the H2B program to provide time for the new local recruiting and training programs to grow. Steve Parrish said the hospitality program is one of the best new opportunities we have identified to link a true demand for job seekers to open positions. He said this is a huge undertaking and we are focused on what works, and what doesn’t work to create success for employers and youth. Tana Ebbale asked if the projects are data driven and if the need is evidence based. She said she wants to know more about the need and have a way to know that we are measuring what is working and not working and making adjustments. Commissioner Taylor asked if we are reaching out to High Schools. Steve Craig said that we have produced flyers for May graduation and are working closely with contacts at two high schools with plans to expand at the opening of the school year. Commissioner Taylor asked when employers begin hiring. Steve Craig said September to October prior to the winter season. Commissioner Taylor said she is hosting a job fair and wants to know who the point of contact is for the open jobs. Steve Parrish said that we are the point of contact for hospitality recruitment and hiring is a priority for Workforce Alliance moving forward.
- e. CEO Strategic Imperatives and Goals 2012-2013 – Steve Craig asked the board to review the Imperatives and Goals that are due in July. He said that Evaluating Bench Strength is complete, the Vision and Mission is on the agenda today and the budget completion due in April is complete. He said seven items (shaded) on pages 68, 69 and 70 that are due July 1 are all complete.
- f. State’s Daily Job Placement Report – Steve Parrish asked Gerry Genovese to give an update on the Governor’s Daily report. He said that over the past seven years, goals and measurements were divided up by program and our region was among the top-performing regions in the state. Gerry Genovese asked everyone to review the placement report and note that 11 regions listed above our region had fewer actual placements. There is agreement that there are flaws in the calculations of how many duplicate jobs are listed as available in Palm Beach County when all online job listings are counted separately. He noted that six days prior to the current report, Workforce Alliance was number 11 and is now at 18. Gerry Genovese said that the staff is building placements by increasing the number of mass hiring events, such as a recent screening for 350 telemarketing sales positions where 150 were hired in one day. He said we determined that we are doing everything possible to drive placements and we are on target for the goal of a record 15,000 placements for the year. Mary Watford asked how the daily report reflects on the board. Steve Parrish said we are taking the report very seriously and we identified the flaws in the formula. He added that we are getting better at looking at other regions and how they achieve results. Steve Parrish said we are making improvements in the way we are tracking and obtaining verifiable results. Gary Vonk asked if we are working with other regions. Mary Watford said she has concerns about the public perception of the report. Steve Parrish said we have prepared a

response and the response will be sent to the board. Tana Ebbole said any action taken must be ethical and guidelines or criteria for counting must be consistent. Steve Parrish said we are working with Miami to review best practices. Amy Dean recommended staff build a report that the board would like to have created to track the real numbers with wages and the duration of how a job is defined. Gary Vonk asked where the jobs are and what is available. He said that it would be nice to dissect the local job market to know what changes are taking place. Don Scantlan said that we know there are 9,000 jobs open in health/education/hospitality and retail occupations. Thomas Lynch asked if how the numbers change in the season. Gerry Genovese said we can put a report together. Steve Parrish said that would be helpful for the business outreach committee in the event the media contact board members for comment. Mel Coleman said we would like to see a matrix with information that can be shared with the Legislature and to promote at the state level as a better way to track placements for all regions. Gary Vonk said he would like to see the staff spend as much time on offense as defense. He suggested staff review this as an opportunity to work on a solution. Steve Parrish said the executive committee will continue the discussion at the June 1st meeting. Amy Dean suggested staff review other local dashboards for ideas and options to build an accurate reporting tool.

V. NEW BUSINESS

- a. Board Member Contracts – Steve Parrish said that in addition to increasing efforts for placements the focus on training is increasing under the upcoming year. He asked for a motion to approve the contract with the Academy of South Florida. (Note for the record: Christopher Perez was not present at the meeting.)
 1. Academy of South Florida – Tana Ebbole made a motion to approve the contract, Dorothy Ellington seconded the motion. The approval carried by unanimous vote.
 2. Keiser Career College – Mary Watford made a motion to approve the contract and Ed Gruvman seconded the motion. The motion to approve the contract was approved by unanimous vote with Gary Vonk abstaining.
 3. Palm Beach State College – Thomas Lynch made a motion to approve the contract and Gary Vonk seconded the motion. The motion was approved by unanimous vote with Dennis Gallon abstaining.
 4. *(Palm Beach Gardens Medical Center Contract was removed from the agenda.)*
- b. Draft Mission and Vision Statements – Steve Craig asked the board to review the mission and vision statements on page 62. Steve Parrish said the previous mission and vision statements were revised and reviewed by staff. David Talley made a motion to approve the draft mission and vision statements. Dennis Gallon seconded the motion and the motion passed by unanimous vote.
- c. Proposed 2012-2013 Budget – Steve Parrish thanked Mike Faby for agreeing to serve as the chair of the Finance Committee. He said the appointment was approved on the consent agenda. Mike Faby said the Finance Committee reviewed an advance copy of the proposed budget. He said staff did a great job preparing the budget. Thomas Lynch asked about leases and the breakdown of salaries. Steve Parrish said federal law prohibits the board from owning a building. He also said the salaries are included in the Consortium budget which was provided in detail to the Finance Committee. Steve Parrish said if the budget is approved today, then the Board of County Commissioners will review the budget before it is sent to the state for review. Dennis Gallon made a motion to approve the proposed budget. David Talley seconded the motion and the board unanimously approved the proposed budget.
- d. Programmatic Monitoring – Mimi Coenen described the monitoring process and said last year there were 25 findings or observations and this year there were 17. Mimi Coenen said we are working to follow-up on a few systemic elements, but the notable observations included recognition of the intake process. She added that Steve Craig was also commended on the efforts to promote and increase employment in hospitality and in the western communities. Steve Craig said we are monitored by the state and Taylor, Lombardi, Hall & Wydra to verify the corrective actions and address findings.

- e. Emergency Unemployment Compensation Reemployment Services Program – Mimi Coenen said that we have been notified of a program which will bring 19,000 job seekers who are collecting unemployment back into the career centers to verify their job searches. The program is to eliminate erroneous payments and to offer orientation, assessments, labor market information to assist with their job search. If job seekers do not participate, we are required to alert the unemployment compensation office for action. Dorothy Ellington asked if funds were provided to support the program. Mimi Coenen said yes, for staff salary and operations to cover the remainder of this fiscal year, we were given \$988,000. Peter Applefield asked if the program is a significant departure from the mission statement. Steve Craig said the intent is to limit unemployment compensation for individuals who are not actively searching for jobs. He said the program will increase the pool of applicants for the many on-site hiring events.
- f. Business Services Video – Steve Parrish said that in the interest of time, the video would be played after the meeting adjourned.

VI. LEAD REPORT (Handout)

VII. COMMITTEE REPORTS

- a. Executive Committee – Steve Parrish asked the board to review the minutes. He said the actions included the appointment of Mike Faby to chair the Finance Committee; David Talley to serve as an at-large member and continue to chair the Legislative Committee; and Ken Kirby to serve as an at-large member. Tana Ebbole made a motion to approve the minutes. Ed Gruvman seconded the motion and the board approved by unanimous vote.
- b. Finance Committee – Mike Faby said the Finance Committee met to review actual versus budget. He said we are planning a \$2 million carryover for the year. Mike Faby asked the board to review the budget and the minutes for further details.
- c. Youth Outreach – Steve Parrish said Max Davis will no longer serve as chair and he recognized Tana Ebbole for accepting the role to chair the Youth Council. Ike Powell gave an overview of the minutes. He said the Youth Council membership was adjusted to meet the federal requirements and the new members were approved under the consent agenda. Ike Powell thanked Tana Ebbole for agreeing to chair the Youth Council. Tana Ebbole said she is looking to create core outcomes and strategies to achieve goals. She said the council is creating structure to build career pipelines and the council will be reaching out to board members to help with the career pipelines.
- d. Business Outreach – David Talley asked the board to review the minutes in the board package. He said the committee was provided with an update on the Glades, the Summer Internships program and the Business Services video.
- e. Legislative Committee – David Talley said Vern Crawford provided an update on the changes from the state and more changes at the federal level.
- f. Governance Committee – No report/current.

Steve Parrish asked for a motion to adjourn. Tana Ebbole made a motion to adjourn and Roger Hudspeth II seconded the motion. The motion carried by unanimous vote. The Business Services video was shown for board members who were available to stay.

VIII. Next Board Meeting Date – June 21st, 2012

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.

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

R2007: 1446 SEP 11 2007

**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 R2007*1446 SEP 11 2007

BY: Addie L. Greene Chair

Addie L. Greene, Chairperson

DATE: SEP 11 2007

ATTEST: Sharon R. Bock Clerk & Comptroller
Nancy Prindle Deputy Clerk

CITY OF DELRAY BEACH

BY: Rita Ellis Mayor

DATE: 08/10/2007

ATTEST: James Whipple Deputy City Clerk Corporation Secretary

Approved as to form and
legal sufficiency:

[Signature]
City Attorney

CITY OF PALM BEACH GARDENS

BY: [Signature] Mayor

DATE: 9/4/07

ATTEST: [Signature] City Clerk Corporation Secretary

CITY OF SOUTH BAY

BY: [Signature] Mayor

DATE: 8-7-07

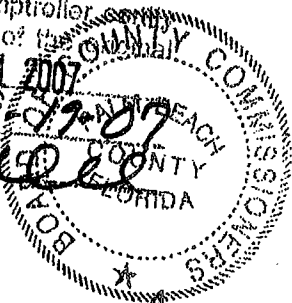
ATTEST: Virginia K. Walker Corporation Secretary

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, SHARON R. BOCK, Clerk & Comptroller, certify

this to be a true and correct copy of the original
filed in my office on SEP 11 2007

dated at West Palm Beach, FL on 9-11-07

By: Nancy Prindle Deputy Clerk



R2008 1268 JUL 22 2008
AMENDMENT 002 TO
AGREEMENT R2007-1220 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 incorporating language that was signed by Governor Crist pursuant to Senate Bill 428 which authorizes the designation of a Regional Workforce Board as a One-Stop Operator and Direct Provider of certain services by agreement of the Chief Elected Official and the Governor.

WHEREAS, the effective date of this Second Amendment shall be July 22, 2008.

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. Delete in its entirety "Article 6. CREATION OF ADMINISTRATIVE ENTITY" found on page 3 of the Agreement and replace with the below revised "Article 6. CREATION OF ADMINISTRATIVE ENTITY AND DIRECT PROVIDER OF SERVICES".

6. CREATION OF ADMINISTRATIVE ENTITY AND DIRECT PROVIDER OF SERVICES

The Consortium, pursuant to Section 163.01(7) of the Florida Statutes and Senate Bill 428 will employ staff which comprise Workforce Alliance, Inc. as Administrative entity and the Direct Provider of Services to operate and implement workforce programs including One-Stop Direct Services and related programs in the Workforce Development Area (Region 21).

2. All other provisions of Agreement R2007-1220 Creating The Palm Beach Workforce Development Consortium and attachments thereto in conflict with Amendment 002 shall be and are hereby changed to conform with Amendment 002. All other provisions of the Interlocal Agreement and attachments thereto not in conflict with Amendment 002 are still in effect and are to be performed as specified in the Interlocal Agreement.

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EXECUTION PAGE [Page 1 of 1]

R2008: 1268

COUNTY OF PALM BEACH

Addie L. Greene

BY: Addie L. Greene Chairperson

DATE:

JUL 22 2008

ATTEST:

Nancy Powell

Deputy Clerk

CITY OF DELRAY BEACH

BY:

Rita Ellis

Mayor

DATE:

8-5-08

ATTEST:

Donald D. Nelson
City Clerk

Corporation Secretary

CITY OF PALM BEACH GARDENS

BY:

[Signature]

Mayor

DATE:

8/21/08

ATTEST:

[Signature]

Corporation Secretary

CITY OF SOUTH BAY

BY:

Shirley Walker-Turner

Mayor

DATE:

9-3-08

ATTEST:

Virginia K. Walker

Corporation Secretary

Approved as to form and legal sufficiency:

By:

[Signature]

City Attorney

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

[Signature]
COUNTY ATTORNEY