

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

5A-3

Meeting Date: April 15, 2014      ☐ Consent      ☒ Regular  
   ☐ Ordinance      ☐ Public Hearing

Department: Administration

I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to: **A) adopt** a Resolution of the Board of County Commissioners of Palm Beach County, Florida approving the CareerSource Palm Beach County (CSPBC) Fiscal Year 2014-2015 Budget in the amount of \$14,128,808 for its programs under Public Law 105-220 enacted by Congress effective August 1998 which act is known as the Workforce Investment Act; and **B) approve** a waiver from the Statutory Individual Training Account (ITA) requirement.

**Summary:** The Board of County Commissioners (BCC) of Palm Beach County has designated CSPBC as the Workforce Development Board to design, coordinate, and direct the local workforce development system for Palm Beach County. The agency 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.

The Adult and Dislocated Workforce Investment Act (WIA) requires at least 50% of the WIA funds to be spent on individual training activities. Due to continued decrease in funding, CSPBC is concerned that the 50% criteria may not be met and is requesting a waiver from the requirement. Although a waiver will be sought, CSPBC will strive to meet the 50% requirement.

The Fiscal Year 2014-2015 Budget, in the amount of \$14,128,808, includes anticipated revenues from the US Department of Labor of \$11,209,119; \$2,516,544 from US Department of Health and Human Services for Temporary Assistance for Needy Families; \$240,200 from a grant with the School District of Palm Beach County; \$100,000 from Palm Beach State College; and \$62,945 from Planned Parenthood. Approval of this budget includes an approval to request a waiver of the statutory Individual Training Account (ITA) requirement from CareerSource Florida. Due to decreased funding, approval for a waiver is necessary to ensure that overall services to participants are not reduced. Countywide (TKF)

**Background and Justification:** In 2012 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 CSPBC budget by June of each year. 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 CareerSource Palm Beach County 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 CareerSource Palm Beach County Fiscal Year 2014-2015 Budget
2. CareerSource Palm Beach County Budget
3. Board Minutes of February 27, 2014, approving the Budget
4. Interlocal Agreement Creating the Palm Beach Workforce Development Consortium (R2007-1220)/Amendment 1(R2007-1446)/Amendment 2 (R2008-1268)

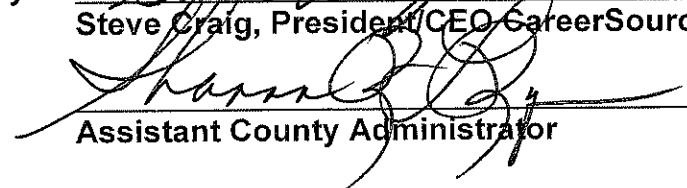
Recommended by:

  
Steve Craig, President/CEO CareerSource PBC

4-2-14

Date

Approved by:

  
Assistant County Administrator

4/8/14

Date

## II. FISCAL IMPACT ANALYSIS

### A. Five Year Summary of Fiscal Impact:

Fiscal Years	2014	2015	2016	2017	2018
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 <sup>3</sup>	\$0	\$0	\$0	\$0
# Additional FTE Positions (Cumulative)	0	0	0	0	0

Is Item Included in Current Budget: Yes \_\_\_\_\_ No X

Budget Account No: \_\_\_\_\_

Reporting Category \_\_\_\_\_

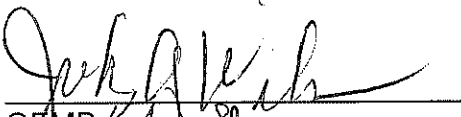
### B. Recommended Sources of Funds/Summary of Fiscal Impact:

\* NO FISCAL IMPACT

Departmental Fiscal Review: \_\_\_\_\_

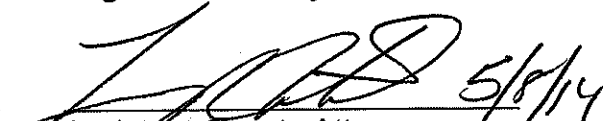
## III. REVIEW COMMENTS

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

  
OFMB <sup>4/2</sup> <sub>4/2</sub>

 4/17/14  
Contract Development & Control  
4-7-14 B. K. K. K.

### A. Legal Sufficiency:

 5/8/14  
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 CAREERSOURCE PALM BEACH COUNTY FISCAL YEAR 2014-2015 BUDGET IN THE AMOUNT OF \$14,128,808 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; and

**WHEREAS**, the State of Florida's Workforce Development Board, CareerSource Florida, 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 Palm Beach County Board of County Commissioners has designated CareerSource Palm Beach County as the fiscal agent, grant recipient and administrative entity to administer Workforce Investment Act, Welfare Transition, Wagner-Peyser Act and such other funding sources as may be available to support workforce development activities for Palm Beach County, Florida; and

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

**WHEREAS**, CareerSource Palm Beach County approved its proposed Fiscal Year 2014-2015 budget on February 27, 2014 which includes an approval to request a waiver of the statutory Individual Training Account (ITA) requirement from CareerSource Florida.; and

**WHEREAS**, the Palm Beach Workforce Development Consortium approved Workforce Alliance, Inc.'s proposed Fiscal Year 2014-2015 budget on March 24, 2014 which includes an approval to request a waiver of the statutory Individual Training Account (ITA) requirement from CareerSource Florida.; and

**WHEREAS**, CareerSource Palm Beach County 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. CareerSource Palm Beach County has recommended to the Palm Beach County Board of County Commissioners that the proposed Budget for Fiscal Year 2014-2015 as submitted by CareerSource Palm Beach County be approved.

2. The Palm Beach County Board of Commissioners hereby approves the Budget as submitted.
3. The Palm Beach County Board of County Commissioners hereby approves CareerSource Palm Beach County to request a waiver of the statutory Individual Training Account (ITA) requirement from CareerSource Florida.
4. 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:

<b>PRISCILLA A. TAYLOR, Mayor</b>	-
<b>PAULETTE BURDICK, Vice Mayor</b>	-
<b>HAL VALECHE</b>	-
<b>STEVEN L. ABRAMS</b>	-
<b>SHELLEY VANA</b>	-
<b>MARY LOU BERGER</b>	-
<b>JESS R. SANTAMARIA</b>	-

The Mayor thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_ day of May, 2014.

**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

CareerSource Palm Beach County  
2014-2015 Budget

Revenues:

US Department of Labor passed through the State DEO	11,209,119
US Department of Health and Human Services passed through the State DEO	2,579,489
US Dept of Education passed through SDPBC	240,200
Other Direct Grants	100,000

Total Revenues	<u>14,128,808</u>
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Expenditures:

Program Services	12,975,854
Administration	1,152,954

Total Expenditures	<u>14,128,808</u>
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**CAREERSOURCE PALM BEACH COUNTY BOARD OF DIRECTORS MEETING SUMMARY**

THURSDAY, February 27, 2014, 12:00 PM

3400 Belvedere Road, WPB, FL 33406

**Attending:** Dr. Mel Coleman; Amy Dean; Tana Ebbale; Dorothy Ellington; Michael Faby; Laurie George; Ed Gruvman; Roger Hudspeth II; Kenneth Kirby; Kimberly Lea; Steven M. Parrish; Elio Patino; Richard Radcliffe; David Talley; Jamie Titcomb; Javin Walker and David Baker/Legal Counsel.

**Telephonic:** Peter Applefield; Mark Bryan; Christopher Cothran; Dr. Dennis Gallon; Jim Martini; Charleen Szabo; and Mary Watford.

**Staff:** Steve Craig; Tom Veenstra; Gerry Genovese; Erica Scarpati; Don Scantlan; Mimi Coenen; Norm Cushon; Helen Ott; Vicky Jackson; Sharon Brea; Ernesto Passarini and Holly Finch.

**Guests:** James Lincoln Finch, Administrator, Department of Economic Opportunity and Ernesto Navarrete, Marketing Representative, Sheet Metal Workers International Association/Local Union #32.

**I. CALL TO ORDER AND WELCOME**

Jamie Titcomb called the meeting to order at 12:02 pm.

**II. AGENDA APPROVAL**

Steve Craig said under new business item a., the board would vote to approve seven courses instead of five. Under the budget, item b., he said there is a new budget page in the package. In addition, he asked to add a discussion item on future community partners under item b.i, and to start the meeting by showing the branding launch video. Steve Craig said Tom Veenstra served on the statewide branding project, and we have met the criteria for the initial \$77,000 award to cover the cost of rebranding plus a \$55,000 incentive for meeting additional criteria for specific brand requirements. Ken Kirby made a motion to approve the revised agenda and Tana Ebbale seconded the motion. The revised agenda was approved by unanimous vote. The branding video was presented to the board.

**III. PUBLIC COMMENTS**

Jamie Titcomb asked if there were any public comments for the board and there were none requested or presented.

**IV. CONSENT APPROVAL**

- a. Minutes – December 5, 2013
- b. Approval of the Targeted Occupations List Policy
- c. Approval of New Individual Training Providers:

- i. Dade Institute of Technology
- ii. Great Lakes Truck Driving School

- d. Board of Directors Membership

- i. New - Edmund Rosario, Youth and Young Adult Outreach Committee/Youth Council
- ii. Resignation - Christopher Perez

Following a brief discussion, Ken Kirby made a motion to approve the consent items. Dr. Mel Coleman seconded the motion, and the approval carried by unanimous vote.

**V. OLD BUSINESS**

- a. Metrics for the Board of Directors – Gerry Genovese presented the performance metrics overview. During the past two years, the increased number of placements (almost 30,000) resulted in a considerable regional economic growth representing an estimated \$489 million in annual wages. He said we are working toward keeping the cost per placement low and we are tracking training activity and cost by training program. Gerry Genovese said the business services team is working toward a goal of engaging 1,000 new businesses by June 30th, and we have already met with 465 new businesses this year. Michael Faby asked for details on the process and for the definition of business penetration. Gerry Genovese said we are gathering intelligence, entering the company's base information into our system and providing services, which includes hiring assistance and completing a needs analysis. Steve Craig said the state is offering a \$33,000 incentive if we meet the new business engagement goal and that we expect to meet the goal.
- b. Program/Department Goals – Gerry Genovese presented a status update on department goals and our progress. Roger Hudspeth recommended the staff research "Helmets for Hardhats" which is a veterans' program to transition returning vets into construction occupations. He offered to link staff to the program.

**VI. NEW BUSINESS**

- a. Approve ITA Amendment - Palm Beach State College tuition increase - Sharon Brea outlined the request for the increase and the courses. David Talley and Dr. Dennis Gallon both abstained from the vote. Steve Parrish asked about the demand for jobs for network administrators and aeronautical science. Sharon Brea said the occupations are on the targeted occupations list for our region. Roger Hudspeth made a motion to approve the tuition increase. Ken Kirby seconded the motion and the motion passed by unanimous vote.
- b. Budget/ Waiver - Erica Scarpati presented an overview of the proposed budget for 2014/2015 and the anticipated \$5 million decrease from 2013/2014. Steve Craig discussed the previous 11 community partnership programs to target job seekers with multiple barriers to employment. He reminded everyone of the presentation and performance outcomes at a previous board meeting and said we

would like to continue two partners based on performance outcomes from previous years (APNHO and The Lord's Place) and recommended that VITA Nova and Gulfstream Goodwill expire as scheduled on June 30, 2014. Steve Craig said he is recommending a stakeholders meeting to present the option of shifting toward a role as collaborator on larger grants or matching funds. After further discussion, Steve Parrish made a motion for staff to report after convening stakeholders to explore options to leverage funding and seek opportunities for matching grants and/or joint funding. Ken Kirby seconded the motion, and the motion passed by unanimous vote. Following that, Ken Kirby made a motion to approve the 2014-2015 budget and Waiver and Dr. Mel Coleman seconded the motion. The motion carried by a unanimous vote.

- c. WIA Presentation - Norm Cushon presented an overview of the Workforce Investment Act Online Training Applications process. He said the system was developed by staff and is unique to CareerSource Palm Beach County. At the conclusion of his presentation, he read a success story from the perspective of a person who trained as an LPN and is now a Director of Nursing.
- d. Region 21 Performance - James Lincoln Finch from the state presented an overview of program year 2013 regional and state funding and program performance. He also presented anticipated changes in funding and new performance incentives offered for employer penetration and branding.

#### **VII. COMMITTEE REPORTS**

- a. Executive Committee – Jamie Titcomb said the minutes were provided in the board package.
- b. Finance Committee – Mike Faby said the committee reviewed the financial statements and noted the Taylor, Lombardi, Hall and Wydra monitoring was completed with no findings.
- c. Business Outreach – Steve Parrish said there was a discussion regarding the purpose of the committee. Jamie Titcomb commended the committee for the discussion and said he observed renewed energy to engage board members to participate.
- d. Legislative Committee – David Talley described the joint meeting with the Treasure Coast Workforce Board to prepare for a meeting with Senator Joe Negron.
- e. Youth and Young Adult Committee – Tana Ebbole said they had an exciting meeting and staff presented an overview of the program, funding sources and status of the annual goals. She said there would be additional follow-up to the Youth Symposium and the outcomes of previous meetings.
- f. Consortium - Steve Craig said the next meeting is scheduled in March and they will be reviewing the budget and a new interlocal agreement.

Steve Craig invited board members to tour the new facility after the meeting. Ken Kirby said Amy Dean apologized for leaving the meeting due to a family medical issue. Mary Watford thanked staff for participating in the STARS Conference for youth with disabilities.

#### **VIII. ADJOURNMENT**

With no further business, Ken Kirby made a motion to adjourn the meeting. Roger Hudspeth seconded the motion, and the motion carried by unanimous vote.

**Next Board Meeting Date – April 17th, 2014 -- 3400 Belvedere Road, West Palm Beach**

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.]**

COUNTY OF Palm Beach

R2007 1220

BY: Addie L. Greene

Chairman

**ADDIE L. GREENE**  
**CHAIRPERSON**

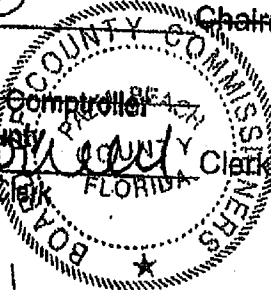
DATE: JUL 10 2007

Sharon H. Bock, Clerk & Comptroller

ATTEST: Sharon H. Bock

Palm Beach County

Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

COUNTY ATTORNEY

CITY OF DELRAY BEACH

BY: Rita Ellis

Mayor

DATE: 6/19/07

ATTEST: Donald D. Nolin

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\*\*

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.

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- 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.

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- 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.]**

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**R2007 1446**

COUNTY OF Palm Beach R2007 1446 SEP 11 2007

BY: Addie L. Greene Chair  
Addie L. Greene, ChairpersonDATE: SEP 11 2007ATTEST: Sharon R. Bock Clerk & Comptroller  
James P. Bock Deputy Clerk

CITY OF DELRAY BEACH

BY: Rita Ellis MayorApproved as to form and  
legal sufficiency:DATE: 08/10/2007ATTEST: James K. Whipple Deputy City Clerk Corporation Secretary

CITY OF PALM BEACH GARDENS

BY: [Signature] MayorDATE: 9/4/07ATTEST: [Signature] City Clerk Corporation Secretary

CITY OF SOUTH BAY

BY: [Signature] MayorDATE: 8-7-07ATTEST: Virginia K. Walker Corporation Secretary

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R2007 1446

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.

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

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**R2008 1268**



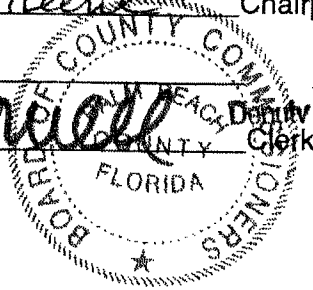
R2008 1268  
COUNTY OF PALM BEACH

Addie L. Greene

BY: Addie L. Greene Chairperson

DATE: JUL 22 2008

ATTEST: Nancy Procell Deputy Clerk



CITY OF DELRAY BEACH

BY: Rita Ellis Mayor

DATE: 8-5-08

ATTEST: Chantelle D. Nubari Corporation Secretary  
City Clerk

Approved as to form and  
legal sufficiency:

By: [Signature]  
Att. City Attorney

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

[Signature]  
COUNTY ATTORNEY

0229

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