

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

3A-1

Meeting Date: November 18, 2014 Consent Regular
 Ordinance Public Hearing

Department: County Administration

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: the Third Amendment to Interlocal Agreement creating the Palm Beach Workforce Development Consortium (Consortium) (R2007-1220).

Summary: CareerSource Palm Beach County, Inc. currently operates as the County's administrative entity to provide policy guidance for implementing and exercising oversight with respect to job training activities under the Workforce Innovation Act of 2000 (Florida Statutes, Chapter 445). The Interlocal Agreement designates CareerSource as the fiscal agent, grant recipient and administrative entity to administer such funding sources as may be available to support workforce development activities for Region 21, Palm Beach County, Florida. The Third Amendment adds the City of West Palm Beach as a Consortium member and establishes the Board of County Commissioners as Chief Elected Official (CEO) of the Consortium. Countywide (TKF)

Background and Justification: Public Law 105-220 enacted by 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 businesses and citizens of Palm Beach County.

The State of Florida's Workforce Development Board CareerSource Florida created by the Legislature in 2000, has been designed by the Governor to take the lead in designing and directing Florida's workforce development strategy.

Attachment:

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

Approved by: 
Assistant County Administrator

10-29-14
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2015	2016	2017	2018	2019
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:

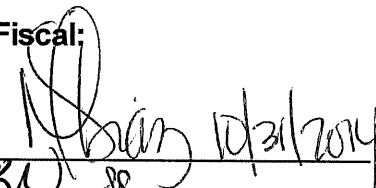
Reporting Category:

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

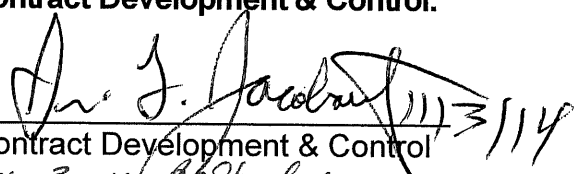
Departmental Fiscal Review: _____

III. REVIEW COMMENTS

OFMB Fiscal:


 OFMB *KU* *JP*
 10/31 10/31

Contract Development & Control:


 Contract Development & Control
 11-3-14 *Blucher*

Legal Sufficiency:


 Assistant County Attorney 11/3/14

Other Department Review:

 Department Director

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

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

This Third Amendment modifies the Interlocal Agreement that created the Palm Beach Workforce Development Consortium ("Consortium") and 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, South Bay and West Palm Beach, all of the State of Florida.

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") 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 was 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; and

WHEREAS, the above governing bodies in the WDB Region 21 with the exception of the City of West Palm Beach came 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; and

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

WHEREAS, the above governing bodies with the exception of the City of West Palm Beach entered into an Interlocal Agreement, which was designated by the County as R2007-1220, dated July 10, 2007 creating the Palm Beach Workforce Development Consortium which Agreement was modified by the First Amendment to the Interlocal Agreement dated September 11, 2007 and designated as R2007-1446 by the County, and Amendment 002 to Agreement Creating the Palm Beach Workforce Development Consortium dated July 22, 2008 and designated R2008-1268 by the County which are collectively herein referred to as the "Interlocal Agreement"; and

WHEREAS, the above governing bodies desire to amend the Interlocal Agreement to add the City of West Palm Beach as a Consortium member; and

WHEREAS, the above governing bodies wish to amend the Interlocal Agreement to make clear that the Chief Elected Official (CEO) is the Board of County Commissioners of Palm Beach County, Florida, and is the fiscal agent, grant recipient and administrative entity to administer the programs and funds in Region 21 with the power and authority to delegate such responsibility to Workforce Alliance, or any other appropriate entity, as its sub-grant recipient to perform the responsibilities as fiscal agent and administrative entity.

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. Delete in its entirety Section 1.b. of the Interlocal Agreement and replace it with the following:
 - b. The members, representatives and officers of the Consortium are specified in Sections 8.a. and 8.b. of this Interlocal Agreement.
2. The following is inserted at the end of Section 2 of the Interlocal Agreement:

Mayor, City of West Palm Beach
West Palm Beach, Florida

401 Clematis Street
West Palm Beach, FL 33401

3. Delete in its entirety Section 8.a. of the Interlocal Agreement and replace it with the following:
 - a. The Consortium shall consist of representatives of the five (5) member governments who shall be elected officials designated to serve by their respective Commission, or Council with the exception of the City of West Palm Beach from which the representative shall be the Mayor. Each municipality shall have one (1) representative, entitled to one vote each. The County shall have one (1) representative entitled to a total of five (5) votes. The elected officials or, in the case of the City of West Palm Beach, the Mayor may designate an alternate to serve in the elected official's or Mayor's absence. The alternate shall be an elected official to the Commission or Council.

4. Delete in its entirety Section 8.b. of the Interlocal Agreement and replace it with the following:
 - b. The officers of the Consortium shall include a chair which is the Representative of the Board of County Commissioners of Palm Beach County. The vice chair shall be elected from among the mayors of the four (4) participating cities by the membership of the Consortium for a term of one (1) year, consistent with the state fiscal year, but shall hold office until a successor is duly elected.

5. Delete in its entirety Section 9.b.-h. of the Interlocal Agreement and replace it with the following:
 - b. The Board of County Commissioners is designated as the CEO, 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 CareerSource Florida.

 - c. The Board of County Commissioners shall designate the subgrant recipient, initially Workforce Alliance, Inc. (to be renamed CareerSource Palm Beach County, Inc. and to be known as CareerSource Palm Beach County), whose responsibility it is to administer workforce development services and the Board of County Commissioners and the subgrant recipient shall enter into a formal agreement.

 - 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 the subgrant recipient to approve the workforce development plan for the Region and modifications thereto.
 - f. To provide oversight and guidance in conjunction with the subgrant recipient.
 - 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 the CEO.
 - 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.
6. The following is inserted at the end of Section 16 of the Interlocal Agreement:
- | | |
|--------------------------------|---------------------------|
| Mayor, City of West Palm Beach | 401 Clematis Street |
| West Palm Beach, Florida | West Palm Beach, FL 33401 |
7. Attachment 1 to the Interlocal Agreement is replaced by the Attachment 1 attached hereto.
8. All other provisions of the Interlocal Agreement and attachments thereto in conflict with this Third Amendment shall be and are hereby changed to conform with this Third Amendment. All other provisions of the Interlocal Agreement and attachments thereto not in conflict with this Third 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.]

CITY OF DELRAY BEACH

BY: [Signature] Mayor

Cary D. Glickstein

DATE: _____

ATTEST: [Signature] City Clerk

Approved as to form and legal sufficiency:

By: [Signature]
I. McLean City Attorney 5/14/14

CITY OF PALM BEACH GARDENS

BY: [Signature] Mayor

DATE: 6/2/14

ATTEST: [Signature] City Clerk

CITY OF SOUTH BAY

BY: [Signature] Mayor

DATE: 4/24/14

ATTEST: [Signature] City Clerk

CITY OF WEST PALM BEACH

BY: [Signature] Mayor

DATE: 5/13/2014

ATTEST: [Signature] City Clerk

CITY ATTORNEY'S OFFICE
Approved as to form and legality
By: [Signature]

**ATTEST:
SHARON R. BOCK
CLERK AND COMPTROLLER**

**PALM BEACH COUNTY BOARD OF
COUNTY COMMISSIONERS:**

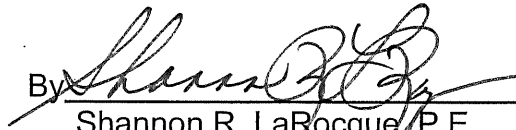
By: _____
Deputy Clerk

By: _____

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

**APPROVED AS TO TERMS
AND CONDITIONS**

By _____
Tammy K. Fields
Chief Assistant County Attorney

By  _____
Shannon R. LaRocque, P.E.
Assistant County Administrator

Attachment 1

CareerSource Palm Beach County, Inc. Board Composition

<u>Private Sector*</u>	
Appointed by:	
Palm Beach County Commission	14
City of South Bay	1
City of Delray Beach	1
City of Palm Beach Gardens	1
City of West Palm Beach	1
Total Private Sector	18
<u>Mandatory Appointments**</u>	
<u>Local Educational Entities</u>	1
<u>Postsecondary Educational Institution/Community Collage</u>	1
<u>Labor or Employee Representatives</u>	2
<u>Community-Based Organizations: Disabled</u>	1
<u>Community-Based Organizations: Veterans</u>	1
<u>Economic Development Agencies</u>	2
<u>One-Stop Partners: TANF/DCF</u>	1
<u>One-Stop Partners: Senior Community Service Employment Program</u>	1
<u>One-Stop Partners: Vocational Rehabilitation</u>	1
<u>CSBG</u>	1
<u>HUD</u>	1
<u>Job Corps</u>	1
<u>Migrant & Seasonal Farmworkers Programs</u>	1
<u>Private Non-Profit Training Provider</u>	1
<u>Private For-Profit Training Provider</u>	1
Total Mandatory	17

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

Mandatory appointments are specified by Federal Law/State Statutes **