

**Lee County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20051118

1. ACTION REQUESTED/PURPOSE:

Approve the Interlocal Agreement for the Southwest Florida Job Training Consortium.

2. WHAT ACTION ACCOMPLISHES:

Allows continuation of the Southwest Florida Job Training Consortium.

3. MANAGEMENT RECOMMENDATION:

Recommend approval.

4. Departmental Category: /

CIA

5. Meeting Date:

08-23-2005

6. Agenda:

- Consent
- Administrative
- Appeals
- Public
- Walk-On

7. Requirement/Purpose: (specify)

- Statute FED P.L. 105-220
- Ordinance
- Admin. Code
- Other

8. Request Initiated:

Commissioner _____
 Department Economic Development
 Division _____
 By: *Regina Smith*
 Regina Smith, Director

9. Background:

The Workforce Investment Act of 1998, Federal Public Law 105-220, replaced the Job Training Partnership Act, which was established under Federal Public Law 97-300. Under the initial law, the Southwest Florida Job Training Consortium was established under a five-county Interlocal Agreement to assist with local business employment opportunities.

Adoption of this Agreement will supersede and replace the Interlocal Agreement for the Southwest Florida Job Training Consortium approved on June 1, 1999. Each county chairman (or his designee) will still be responsible for making his or her county's private sector appointments, in accordance with the Act as amended, to the local Southwest Florida Workforce Development Board.

No local tax dollars are required for this program.

10. Review for Scheduling

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
<i>Ryze</i>					<i>CF 8/8/05</i>	<i>OK 8/8/05</i>	<i>8/8/05</i>	<i>8/8/05</i>	<i>8-10-05</i>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
 COUNTY ADMIN: *[Signature]*
 8-8-05
 1 pm MP
 COUNTY ADMIN
 FORWARDED TO:
[Signature]
 9:10 AM

REC'D. S.S.
 by CO. ATTY.
 CO. ATTY.
 FORWARDED TO:
[Signature]

**WORKFORCE INVESTMENT ACT
INTERLOCAL AGREEMENT
FOR THE
SOUTHWEST FLORIDA JOB TRAINING CONSORTIUM**

This Agreement is made and entered into between the Boards of County Commissioners for Charlotte, Collier, Glades, Hendry, and Lee Counties, political subdivisions of the State of Florida, for continuation of the Southwest Florida Job Training Consortium.

WHEREAS, the Workforce Investment Act of 1998, hereinafter referred to as the Act, federal Public Law 105-220, replaced the Job Training Partnership Act as amended in 1996, and restructured a multitude of workforce development programs into an integrated workforce investment system and authorized the expenditure of federal funds for allowable services and activities in local workforce investment (development) areas, and;

WHEREAS, the counties of Charlotte, Collier, Glades, Hendry, and Lee were designated by the Governor of the State of Florida, as recommended by the Jobs and Education Partnership in 1996, to form a five county workforce development area, Region 24, and this designation has been automatically approved by the current Governor to continue under the Workforce Investment Act;

WHEREAS, the five participating counties had previously entered into an interlocal agreement in 1996 creating the Southwest Florida Job Training Consortium and had entered into agreement with a Private Industry Council acting as grant recipient and administrative entity until such time as the Southwest Florida Workforce Development Board, Inc. was formed, and continued under that agreement;

WHEREAS, the Region 24 Workforce Investment Area is required to submit a Workforce Investment Act plan pursuant to Section 118 of the Act;

NOW THEREFORE, in consideration of the mutual covenants herein, the parties agree as follows:

- I. Continuation of the Southwest Job Training Consortium.
 - A. By virtue of the earlier Interlocal Agreement, the participating five counties agree to accept the Governor's designation of the five county local area as Workforce Investment Area for Region 24 for purposes of programs promulgated under the Act;
 - B. By virtue of the earlier Interlocal Agreement, the five counties agree to continue the Southwest Florida Job Training Consortium (the "Consortium") which is composed of the Chief Local Elected Official (Chair) from each of the participating County Commissions, or a designee, who shall be an elected County Commissioner. These five Chairs will

elect one member of the Consortium to serve as Chair of the Consortium. This position may then rotate each year according to procedures developed by the Consortium.

II Authority and Responsibilities of the Southwest Florida Job Training Consortium.

- A. Section 117, 118, and 121 of the Workforce Investment Act is hereby incorporated within this Agreement as is set out herein.
- B. The Consortium shall request any change in the number of local board members of the Southwest Florida Workforce Development Board, Inc. that will represent each county, identify which sector they will represent, identify the length of term, and request certification from the Governor should any changes to the current representation be required, ensuring that 51% of the membership represent the private sector.
- C. Each County Chair, or designee Commissioner, shall be responsible for making his/her County's private sector appointments, in accordance with the Act, to the Board for the participating counties. The nomination process for these appointments must adhere to the following criteria:
 - 1. Representatives of business in the local area who are owners of businesses, chief executives or operating officers of business, and other business executives or employers with optimum policymaking or hiring authority;
 - 2. Representatives of businesses with employment opportunities that reflect the employment opportunities of the local area; and
 - 3. Representatives are appointed from among individuals nominated by local business organizations and business trade associations.
- D. The nomination process for these private sector appointments shall be as follows:
 - 1. Private sector representatives shall be selected from among individuals nominated by general purpose business organizations after consulting with and receiving recommendations from other business organizations in the workforce development region.
 - 2. General purpose business organizations are defined as those organizations which admit to membership any for-profit business operation within the workforce development region, or any entity that represents or serves as an umbrella organization that includes membership from for-profit businesses.
 - 3. Such nominations, and the individuals selected from such nominations, shall reasonably represent the industrial and demographic composition of the business community.

4. The Chair of the Southwest Florida Workforce Development Board, Inc. is selected from the private-for-profit sector.
- E. Ensure through its appointments that the Southwest Florida Workforce Development Board includes required public sector representatives, as required under the Act and State of Florida definitions, regardless of County, with optimum policymaking authority within the organizations, agencies, or entities:
1. Representatives of local educational entities, including local educational agencies, local school boards, entities providing adult education and literacy activities, and postsecondary educational institutions (including representatives of community colleges, where such entities exist), selected from among individuals nominated by regional or local educational agencies, institutions, or organizations representing such local educational entities;
 2. Representatives of labor organizations, nominated by local labor federations, or (for a local area in which no employees are represented by such organizations), other representatives of employees;
 3. Representatives of community-based organizations (including organizations representing individuals with disabilities and veterans, for a local area in which such organizations are present);
 4. Representatives of economic development agencies;
 5. Representatives of each of the one-stop partners; and
 6. May include such other individuals or representatives of entities as the chief elected official(s) in the local area may determine to be appropriate.
- F. Share with the Southwest Florida Workforce Development Board the responsibility for the following:
- approval of the Workforce Investment Act plan which shall be prepared for the Region by the designated administrative entity, and provided to the Workforce Development Board and the Consortium for joint approval;
 - approval of the local Workforce Development Board budget submitted with the plan;
 - oversight of activities and services including designation, certification, or termination of One Stop Operators.

III. Terms of Agreement.

- A. None of the parties hereto shall be liable for any claims, damages, injuries, losses or expenses arising out of or resulting from any act, omission, or negligence of the others, their officers, employees or agents, related to the parties' respective authorities and responsibilities under this Agreement.

- B. The terms of the Agreement shall commence on or retroactively to the 1st day of July 2005, and shall run through June 30, 2007, and thereafter shall automatically be renewed for the dates of each Workforce Investment Plan, unless any party notifies the others of its intention not to renew at least 90 days prior to the expiration of the original term or any five-year renewal term.
- C. Upon proper execution, the Agreement shall be legally valid and binding, and supersedes other agreements of the Southwest Florida Job Training Consortium. This Agreement shall be recorded in the public records of the counties of Charlotte, Collier, Glades, Hendry, and Lee.
- D. This Agreement may be amended or modified upon the written request of any party hereto. Any alterations, amendments, modification or waivers in the terms and conditions of this Agreement shall not be effective unless reduced to writing, approved by all parties, signed by their duly authorized representatives and filed with the Clerks of the Circuit Courts of the participation counties.

IN WITNESS WHEREOF, the parties have executed this Agreement as indicated on the attached pages.

PASSED AND DULY ADOPTED THIS 1st DAY OF JULY, 2005.

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____
Signature of CHAIR OR COMMISSIONER DESIGNEE

Attest:

By: _____

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: _____
Signature of CHAIR OR COMMISSIONER DESIGNEE

Attest:

By: _____

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____

BOARD OF COUNTY COMMISSIONERS
OF COLLIER COUNTY, FLORIDA

By: _____
Signature of CHAIR OR COMMISSIONER DESIGNEE

Attest:

By: _____

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____

BOARD OF COUNTY COMMISSIONERS
OF GLADES COUNTY, FLORIDA

By: _____
Signature of CHAIR OR COMMISSIONER DESIGNEE

Attest:

By: _____

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____

BOARD OF COUNTY COMMISSIONERS
OF HENDRY COUNTY, FLORIDA

By: _____
Signature of CHAIR OR COMMISSIONER DESIGNEE

Attest:

By: _____

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____

SOUTHWEST FLORIDA WORKFORCE DEVELOPMENT BOARD, INC.

By: _____
(Signature)

Witness: _____

Steve Personette, President/Chairperson
(Name and Title)

Date