

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

231A



FROM: Economic Development Agency

SUBMITTAL DATE:
December 1, 2011

SUBJECT: Workforce Investment Board Bylaws

RECOMMENDED MOTION: That the Board of Supervisors adopt Resolution No. 2011-172, endorsed by the Workforce Investment Board (WIB), amending the WIB Bylaws.

BACKGROUND: On June 23, 2009, the Board of Supervisors approved Resolution No. 2009-214 where the Workforce Investment Board sought out the incorporation of amendments in the Responsibilities of the WIB; appointment, reappointment, and disqualification of members; functions of WIB officers; committee structure; staff, office and budget sections of the WIB bylaws to operate at an optimal level; and name change to the Workforce Investment Board for branding purposes.

(Continued)

Robert Field

Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2011/12

COMPANION ITEM ON BOARD OF DIRECTORS AGENDA: No

SOURCE OF FUNDS: N/A

Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

Jennifer L. Sargent
By _____
Jennifer L. Sargent

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Buster, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: December 13, 2011
xc: EDA, COB, Board

Kecia Harper-Ihem
Clerk of the Board
By: *Kecia Harper-Ihem*
Deputy

Prev. Agn. Ref.: 3.23 of 6/23/09

District: ALL

Agenda Number: **3.14**

FORM APPROVED COUNTY COUNSEL
 BY: *Anita C. Willis*
 ANITA C. WILLIS
 DATE: 12-1-11
 Departmental Concurrence

Dept Recomm.: Consent
 Policy
 Per Exec. Ofc.: Consent
 Policy

BACKGROUND: (Continued)

The WIB, operating in its tenth year under the provisions of the Workforce Investment Act, seeks approval to amend: Section II of the bylaws pertaining to the appointment of members and board composition to ensure compliance with all federal and state regulations and that the size and membership of the board is conducive for carrying out the role and responsibilities of the WIB; to include the WIB's Council for Youth Development (CYD) committee members in Section II of the bylaws pertaining to the conflict of interest; Section IV of the bylaws to expand and clarify the function and responsibilities of the CYD committee and, strengthen the leadership role of the CYD chair by having the chair serve on the Executive Committee.

Staff recommends that the Board adopt Resolution No. 2011-172 amending the WIB Bylaws. The amended Bylaws are attached as Exhibit A to the Resolution.

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3 RESOLUTION NO. 2011-172

4 A RESOLUTION OF THE BOARD OF SUPERVISORS APPROVING THE
5 AMENDMENT OF THE BYLAWS WHICH PROVIDE FOR THE DESIGNATION AND
6 OPERATION
7 OF THE WORKFORCE INVESTMENT BOARD

8 WHEREAS, the Workforce Investment Act (WIA) of 1998, Public Law 2011-172
9 (hereinafter the Act), the expenditure of federal funds for workforce development programs in
10 designated local Workforce Investment (LWIAs);

11 WHEREAS, the State of California has designated the County of Riverside (County) as
12 a local Workforce Investment Area, hereinafter referred to as LWIA;

13 WHEREAS, the Act required the establishment of a Workforce Investment Board to
14 provide policy guidance and oversight of the workforce development system for the LWIA;

15 WHEREAS, the Board of Supervisors of the County (Board) established the Workforce
16 Investment Board (WIB) to serve in accordance with the provisions of the Act;

17 WHEREAS, the Board approved Resolution No. 2009-214 amending the Bylaws of the
18 WIB; and

19 WHEREAS, the Board now intends to amend the Bylaws of the WIB and set forth such
20 Bylaws in a separate document entitled "Bylaws of the Riverside County Workforce Investment
21 Board" which is attached hereto and incorporated herein by this reference as Exhibit "A."

22 NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County
23 of Riverside assembled in regular session on this 13th day of December 2011 as follows:

- 24 1. The Board hereby finds and declares that the foregoing recitals are true and correct.
- 25 2. The Board hereby approves the amended WIB Bylaws as set forth in Exhibit "A" to
- 26 this resolution.

27 /// ROLL CALL:

28 /// Ayes: Buster, Tavaglione, Stone, Benoit, and Ashley
 Nays: None
 Absent: None

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.
KECIA HARPER-IHEM Clerk of said Board

By _____ Deputy

FORM APPROVED COUNTY COUNSEL
BY: ANITA C. WILLIS
DATE: 12-1-11

EXHIBIT I

1 **BYLAWS**
2 **OF THE**
3 **COUNTY OF RIVERSIDE**
4 **WORKFORCE INVESTMENT BOARD**

5 **WHEREAS**, the Workforce Investment Act (WIA) of 1998, Public Law 2011-172
6 (hereinafter the Act), the expenditure of federal funds for workforce development programs in
7 designated Local Workforce Investment Areas (LWIAs);

8 **WHEREAS**, the State of California has designated the County of Riverside (County) as
9 a Local Workforce Investment Area, hereinafter referred to as LWIA; and

10 **WHEREAS**, the Act required the establishment of a Workforce Investment Board to
11 provide policy guidance and oversight of the workforce development system for the LWIA.

12 **NOW, THEREFORE**, the Board of Supervisor of the County (Board of Supervisors)
13 hereby established the Workforce Investment Board (WIB) to serve in accordance with the
14 provisions of the Act as follows:

15 **I. RESPONSIBILITIES OF THE WIB**

16 The WIB shall have the following responsibilities:

- 17 A. Provide policy guidance in the development of the 5-year local workforce investment
18 plan (Local Plan) and Provide oversight on the One-Stop system , youth activities,
19 employment and training activities under the Title I of WIA, in partnership with the
20 chief elected official;
- 21 B. Select One-Stop operators with the agreement of the chief elected official;
- 22 C. Develop a budget for the purpose of carrying out the duties of the WIB, subject to the
23 approval of the Board of Supervisors;
- 24 D. In cooperation with the Board of Supervisors, appoint a Youth Council as a subgroup of
25 WIB and coordinate workforce and youth plans and activities with the Youth Council;

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- 1 E. Select eligible youth service providers based on the recommendations of the Youth
2 Council, identify eligible providers of adult and dislocated worker intensive services and
3 training services, and maintain a list of eligible providers with performance and cost
4 information, as required in 20 CFR part 663, subpart E;
- 5 F. Negotiate and reach agreement on local performance measures with the Board of
6 Supervisors and the Governor;
- 7 G. Assist the Governor in developing the statewide employment statistics system under the
8 Wagner-Peysner Act;
- 9 H. Coordinate workforce investment activities with economic development strategies and
10 developing business linkages;
- 11 I. Promote private sector involvement in the county-wide workforce investment system
12 through effective connecting, brokering, and coaching activities through intermediaries
13 such as the One-Stop operator in the local area or through other organizations to assist
14 businesses in meeting hiring needs; and
- 15 J. Serve in an advisory capacity to the Board of Supervisors on all matters relating to
16 workforce development and training not covered by Title I of the WIA.

17 **II. APPOINTMENT, REAPPOINTMENT AND DISQUALIFICATION OF MEMBERS**

- 18 A. The WIB shall consist of at least 37 members appointed by the Board of Supervisors in
19 accordance with the provisions of Section 117 of the Act.
- 20 B. The WIB shall be a business-led board with at least 51% members from the private
21 sector with the Board of Supervisors appointing at least 20 representatives from their
22 combined districts. At their discretion, each Board of Supervisor may appoint as many
23 additional private sector members as such Board of Supervisor may consider
24 inappropriate.
- 25 C. Public Sector, education, labor and community based organization member
26 appointments shall be made by the Board of Supervisors, and such appointments shall
27 represent mandated WIA Title I partners and other optional partners as follows:

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- 1 1. At least one representative from the community college system
- 2 2. Two representatives from community-based organizations, (i.e., private non-profit
- 3 organizations which are representative of communities or significant segments of
- 4 communities)
- 5 3. At least four representative from organized labor;
- 6 4. Two representatives from the public or non-profit economic development entities.
- 7 5. One representative from each of the following organizations:
- 8 - Office on Aging – Title V of the Older Americans Act;
- 9 - State Department of Rehabilitation;
- 10 - Riverside County Department of Social Services
- 11 - State Employment Development Department representing WIA programs:
- 12 Wagner-Peysner, North America Free Trade Act, Trade Adjustment Act, Migrant
- 13 Seasonal Farm Workers, Unemployment Insurance and Veterans;
- 14 - Job Corps;
- 15 - Operator of Housing and urban development training programs in such programs
- 16 are available in the County;
- 17 - Native American Program;
- 18 - Small Business Development Center; and
- 19 - Riverside County Office of Education representing adult education and literacy
- 20 6. Optional partners may include but are not limited to: University of California
- 21 Riverside, Department of Community Action; Chamber of Commerce and other
- 22 organizations beneficial to the achievement of the WIB's vision, missions, goals, and
- 23 purpose.

24 D. Members shall be appointed for two-year terms and serve at the pleasure of the Board of
25 Supervisors.

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1 E. Each member of the WIB shall be entitled to one vote during a regular or called meeting
2 in which said member is present and provided a quorum, as set forth in Section VI (C.), is
3 present at the time the vote is taken, except that no matter which has direct bearing on
4 services to be provided by that member on their parent organization; this agreement shall
5 not provide for alternate membership.

6 F. Membership on the WIB shall cease in case of death, resignation, disqualification, failure
7 to be reappointed, and may cease based on attendance. The right of a member to vote and
8 all of his/her rights, title, and interest in and to the WIB shall cease based on the above
9 mentioned.

10 Removal or resignation may be a result of:

- 11 1. A member not being reappointed after completion of a term;
- 12 2. A member resigning. Members shall offer their resignation in writing to the WIB
13 chairperson, with a copy of the Chairman of the County Board of Supervisors;
- 14 3. A member does not attend meetings (WIB, Executive Committee and Regional
15 Adhoc Committee meetings);
- 16 4. Members may be removed by action of the Board of Supervisors.

17 G. All members must attend at least one-half of the meetings (50%). There are at least three
18 meetings held each calendar year. Each board member is to join Regional Adhoc
19 Committee; each Regional Adhoc Committee meets up to six times annually.

20 H. WIB public sections members are permitted to designate a non-voting representative to
21 attend the Regional Adhoc Committee (West, East, Mid-County and Southwest) meeting
22 in their place.

23 I. Executive Committee members, who are also members of Regional Adhoc Committees,
24 must attend 60% of the Adhoc committee meetings.

25 J. In the event of the occurrence of a vacancy in the membership of the WIB Staff, the
26 following procedure shall be followed:

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- 1 1. The WIB shall immediately inform the County, through the WIB Staff, of the
2 occurrence of such vacancy;
- 3 2. The staff assigned to the WIB will assist the County to solicit nominations for
4 membership as defined in the Act;
- 5 3. Nominations to fill any such vacancy, together with appropriate disclosure statements
6 and documentation, shall be submitted to the Board of Supervisors for considerations
7 and appointment;
- 8 4. The county shall proceed to fill such private sector representative vacancies within 60
9 days in accordance with the provisions of Section 102 (d) of the Act, CUIC Code
10 Section 15031(e) and the California Government Code, Sections 54970 through
11 54975. In addition, a WIB member resigning from the board may nominate their
12 organization's replacement.

13 K. Notwithstanding any provisions of law to the contrary, WIB and Council for Youth
14 Development (CYD) members, as public officials, shall be fully subject to any and all
15 provisions of conflict of interest law, whether state, federal or local, including but not by
16 way of limitation, the provisions of Government Code Section 1090 et seq., Government
17 Code Section 87100 et seq., and Riverside County Ordinance No. 440.

18 **III. FUNCTIONS OF WIB OFFICERS**

19 The presiding officers of the WIB shall be called Chairperson and Vice Chairperson and
20 shall serve a one-year term. The Chairperson and a Vice Chairperson shall be elected by the
21 WIB from the private sector membership. In no instance shall a Chairperson serve more
22 than four consecutive terms or four consecutive years as Chairperson.

23 A. Functions and responsibilities of the Chairperson shall be as follows:

- 24 1. Shall be the official representative and spokesperson of the WIB;
- 25 2. Shall preside at all meetings of the WIB and the Executive Committee of the WIB
26 (as established in Section 1);

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- 1 3. Shall coordinate with the Riverside County Economic Development Agency
- 2 (EDA) Director of the Workforce Divisions (WD) and/or WIB assigned staff in
- 3 preparing the agency for the WIB meetings;
- 4 4. Shall call regular and special meetings of the WIB Executive Committee;
- 5 5. Shall appoint Adhoc committee(s) of the WIB to include the Chairperson and
- 6 Vice Chairperson;
- 7 6. Shall sign on behalf of the WIB all necessary documents; and
- 8 7. Perform other responsibilities as determined by the WIB.

9 B. Functions and responsibilities of the Vice Chairperson shall be as follows;

- 10 1. Shall assume all responsibilities of the Chairperson in his/her absence;
- 11 2. Shall serve a member-at-large on the Executive Committee; and
- 12 3. Perform other responsibilities as directed by the Chairperson.

13 **IV. COMMITTEE STRUCTURE**

14 The Chairperson may create Adhoc Committees as deemed necessary and appropriate to

15 conduct the process for nominating and electing officers to the WIB; review and make

16 recommendations for amendments to the bylaws; and for other purposes. The

17 Chairperson may also create Regional Adhoc Committees addressing specific programs,

18 strategic initiatives, and issues of concern to the Board, unless specified otherwise,

19 Regional Adhoc Committees shall serve in an advisory capacity only. The Chairperson

20 shall appoint a private-sector member for Chairperson and a private-sector or public-

21 sector member or non-member for Vice-Chairperson of the Regional Adhoc Committees.

22 The Chairperson may appoint individuals, including board members and non-members,

23 to various Regional Adhoc Committees of the WIB, as appropriate. A staff member of

24 the Administrative Entity/Staff will be assigned to work with the respective committees.

25 Regional Adhoc Committees shall report on their activities to the WIB Executive

26 Committee on a regular basis and may be dissolved at any time by the Chairperson of the

27 WIB.

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A. Executive Committee

The Executive Committee shall be composed of the Chairperson, and Vice Chairperson of the WIB, the Chairpersons of the Regional Adhoc Committees, the Chairperson of the CYD, the past Chairperson and three at-large WIB members (one labor, one education and one at-large representative) appointed by the Chairperson. In the event that one individual is qualified to hold two seats on the Executive Committee, the WIB Chairperson will appoint a private sector replacement from the WIB.

The functions and responsibilities of the Executive Committee shall be as follows:

1. Shall act on behalf of the WIB on matters needing action during the time between the WIB meetings;
2. Shall, in absence of the Chairperson and Vice Chairperson, designate a member of the Executive Committee meetings;
3. Shall receive standing and Adhoc Committee reports and act on recommendations for the WIB;
4. Shall assist the Chairperson in setting agendas for regularly scheduled WIB meetings;
5. Shall coordinate WIB activities with the County through the WIB Coordinator;
6. Shall oversee the participation of WIB members and recommend to the WIB those members who should be removed for cause as outlined herein;
7. Fulfill legislative requirements of the Workforce Investment Act; and
8. Perform other responsibilities as may be designated by the WIB.

B. Council for Youth Development (CYD)

1. The WIA Section 117(g) of the Act requires the CYD (a Youth Council) to be established as a subgroup of the WIB. The Chairperson of the WIB, in consultant with the Executive Committee, shall appoint the members of the CYD.

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2. The Chairperson and Vice Chairperson for the CYD shall be elected from the membership of the CYD. If the Chairperson if the CYD leaves their organization or otherwise resigns from his or her elected office, the Chairperson of the WIB, in consultation with the Executive Committee may appoint a replacement to fill out the remainder of the officer's term.

3. The CYD is comprised of members with special interest or expertise in youth policies and other representatives. CYD members who are not members of the WIB shall be voting members of the CYD only. The CYD consists of at least 20 members; at least two members of the WIB, one of which being the Job Corps representative, and at least 18 other members representing the following:

- Youth Participants
- Youth service agencies;
- Juvenile justice and law enforcement agencies;
- Public Housing Authority;
- Parents of eligible youth seeking service under Title I of WIA;
- Organizations having expertise relating to youth activities;
- Representative(s) from the Board of Supervisors Youth Commission and/or Legislative Intern Program;
- Current or form customers of youth programs; and
- Apprenticeship Labor Organization;

4. The functions and responsibilities: The functions and responsibilities are as follows:

- a. Develop the portions of the local WIA Title I-B relating to eligible youth, as determined by the CYD Chairperson. Ensure that parents, participants, and other interested community members are involved in the design and implantation of these programs.
- b. Subject to the approval of the WIB:

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- i. Recommend eligible providers of youth activities to be awarded grants or contract on a competitive basis by the local WIB to carry out the youth activities.
 - ii. Conduct oversight with respect to the providers of youth activities in the local area, coordinating with the Quality Assurance Committee.
 - c. Coordinate WIA Title I-B youth activities in the area. .
 - d. Other duties determined to be appropriate by the WIB Chairperson, such as establishing linkages with educational agencies and other youth entities.
 - e. Provide a forum for initial discussion or emerging issues affecting youth and the workforce development system.
 - f. Responsible for Customer Satisfaction analysis of youth program/services including recommending goals for improvement and increased accountability.
 - g. Coordinates with the WIB Executive Committee for future program development needs.
 - h. Oversee strategic initiatives of the CYD that address broad issues related to youth workforce and education issues and that catalyze change within a community development context that may go beyond WIA.
5. Terms of Office: Terms of the CYD Chair and Vice-Chair shall be one year. In no instance shall a Chairperson serve more than four consecutive terms or four consecutive years as Chairperson.
6. Adhoc Committees: The Chairperson of the CYD may appoint Adhoc Committees, as deemed necessary, to implement and support activities of the CYD. Adhoc Committees will function as task forces to the CYD. The authority of Adhoc Committees shall be contained in the committees charge. At no time may an Adhoc Committees act on the behalf of the CYD or WIB without the consent of the CYD or the WIB.

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1 All Adhoc Committees shall be comprised of CYD members and may include non-
2 CYD members. Non-CYD members may vote on the committees; however. Nothing
3 in their committee membership shall be construed as bestowing membership on the
4 CYD. Every Committee shall be chaired by a voting member of the CYD.

5 **V. STAFF, OFFICE AND BUDGET**

6 A. The following EDA WD positions will be designated as staff to the WIB:

- 7 1. WIB Executive Director
- 8 2. Community Partnerships Manager
- 9 3. WIB Coordinator
- 10 4. CYD Coordinator
- 11 5. Secretary to the WIB

12 B. County shall establish the staff positions for the WIB, designating such positions as
13 County may deem appropriate. The County may solicit applications for employment
14 and hire and employ persons to fill such positions in accordance with the established
15 personnel procedures of the County.

16 C. The Assistant Director of County's EDA also known as the WIB Executive Director
17 shall direct said WIB staff and office support, in accordance with the personnel
18 policies and procedures County, shall select and hire said staff, the members of which
19 shall be employees of County.

20 D. The County shall annually adopt an operational budget that shall provide for the
21 necessary staff, office and material support for grant administration and program
22 support.

23 E. Such operational budget shall provide the necessary staff, office and material support
24 determined by the County and the WIB to be necessary for the proper and effective
25 discharge of the WIB functions and duties as contained herein.

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1 **VI. OPERATIONAL PROCEDURES**

2 A. WIB as a Public Entity

3 The County is a public entity created and existing under California law, and the WIB
4 shall, therefore, operate as a public body, consistent with the laws of the State of
5 California which govern public meetings and State conflict of interest laws, and
6 specifically including the provisions of the Ralph M. Brown Act (Government Code
7 Sections 54950 et seq.);

8 B. Meeting Schedules of Actions

9 The WIB shall meet no less than two times a year at such place as the Chairperson may
10 designate on the date set by resolution for the transaction as may properly come before
11 the meeting. All meetings of the WIB, the WIB Executive Committee and the CYD
12 including and without limitations, regular, adjourned regular and special meetings shall
13 be called, noticed, held and conducted in accordance with the provisions of the Ralph
14 M. Brown Act, California Code 54960 et seq., as amended.

15 C. Quorum for the WIB

16 The Executive Committee and the CYD (Youth Council) shall be at least 51%, and
17 action may be taken provided such a quorum preserved.

18 D. The Administrative of Grants and Funds

19 The administration of all grants or other funds awarded to the County shall be the
20 responsibility of the County, whose responsibility shall include expressing grant
21 interest and submission of grant applications, preparation and submittal of grant
22 documents, receipt of funds or awards, dispersal of funds, auditing of funds, audit
23 resolutions, reporting, monitoring, evaluation, and the closing out of programs.

24 E. Reimbursement of Expenses

25 WIB members shall be entitled to mileage reimbursement to and from all WIB
26 activities, and for all other reasonable expenses incurred while on WIB business. Said
27 reimbursement shall be in the form and manner of reimbursement to County
28 department heads.