



AGENDA

October 27, 2016
2:00 p.m.

Meeting will be held at:

***Madera County Workforce Assistance Center
Conference Room
441 E. Yosemite Avenue
Madera, CA 93638
(559) 662-4589***

REASONABLE ACCOMMODATION FOR ANY INDIVIDUAL WITH A DISABILITY Pursuant to the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, any individual with a disability who requires reasonable accommodation to attend or participate in a meeting or function of the Madera County Workforce Investment Corporation, may request assistance by contacting the Executive Assistant at Madera County Workforce Investment Corporation office, 441 E. Yosemite Avenue, Madera, CA 93638; Telephone 559/662-4589; Fax 559/673-1794.

This agenda and supporting documents relating to the items on this agenda are available through the Madera County Workforce Investment Corporation (MCWIC) website at http://www.maderaworkforce.org/?page_id=736. These documents are also available at the Madera County Workforce Assistance Center – office of the Executive Director.

1.0 Call to Order

1.1 Pledge of Allegiance

2.0 Additions to the Agenda

Items identified after preparation of the Agenda for which there is a need to take immediate action. Two-thirds vote required for consideration (Government Code Section 54954.2(b)(2))

3.0 Public Comment

This time is made available for comment from the public on matters within the Board's jurisdiction. The comment period will be limited to 15 minutes. Each speaker will be limited to 3 minutes and only one speaker per subject matter.

4.0 Introductions and Recognitions

5.0 Adoption of Board Agenda

6.0 Consent Calendar

6.1 Approve Madera County Workforce Investment Corporation (MCWIC) meeting minutes – August 25, 2016.

6.2 Approve MCWIC meeting minutes – September 19, 2016

7.0 Action Items

7.1 Approve appointment of Lindsay Callahan, United Way of Fresno and Madera Counties, to the MCWIC.

7.2 Consideration of determination of termination date for Out-of-School Youth (OSY) services contract.

7.3 Approval of final 2016-17 budget.

7.4 Approve financial reports through September 30, 2016.

7.5 MCWIC Chair Election

7.6 MCWIC Vice Chair Election

8.0 Information Items

8.1 Grants/Projects Update

8.2 Facilities Update

8.3 Update on AJCC One Stop Operator Procurement

8.4 2015-16 Audit

8.5 Facilitated Workforce Development Board (WDB) Session – October 31, 2016

8.6 Workforce Innovation and Opportunity Act (WIOA) Board Roles and Responsibilities

9.0 Written Communication

9.1 Madera County Fall Job Fair

10.0 Open Discussion/Reports/Information

10.1 Committee Members

10.2 Staff

11.0 Next Meeting

November 24, 2016

12.0 Adjournment



MINUTES

August 25, 2016

***Convened at Madera County Workforce Assistance Center - Conference Room
441 E. Yosemite Avenue, Madera, CA 93638
(559) 662-4589***

PRESENT: Debi Bray, Victor Gonzalez, Mattie Mendez

ABSENT: Bob Carlson, Robyn Smith

GUEST:

OTHERS: Elaine Craig, Tracie Scott-Contreras, Jessica Roche, Gail Lopez, Maiknue Van, Nicki Martin, Tara Acuna

1.0 Call to Order

Meeting called to order by MCWIC Chair Debi Bray at 2:02 p.m.

1.1 Pledge of Allegiance

2.0 Additions to the Agenda

None

3.0 Public Comment

None

4.0 Introductions and Recognitions

Board members and staff introduced themselves. Staff introduced Tara Acuna to the Board. Tara was hired as the Accountant Technician after the position was left vacant when the previous technician did not return to work after maternity leave.

5.0 Adoption of Board Agenda

Mattie Mendez moved to adopt the agenda, seconded by Victor Gonzalez.

Vote: approved – unanimous

Yes: Debi Bray, Victor Gonzalez, Mattie Mendez

6.0 Consent Calendar

6.1 Approve Madera County Workforce Investment Corporation (MCWIC) Minutes – June 24, 2016

Victor Gonzalez moved to approve, seconded by Mattie Mendez.

Vote: approved – unanimous

Yes: Debi Bray, Victor Gonzalez, Mattie Mendez

7.0 Action Items

7.1 Approve letting a Request for Proposals (RFP) for the One Stop Procurement.

2/3 of California One Stops are run by local workforce development boards. Workforce development boards have sole responsibility of procuring and designating the One Stop Operator. Previously, staff had hoped to bring in a 3rd party facilitator that would work with staff in order to apply and submit a proposal for the One Stop Operator role. Due to Workforce Innovation and Opportunity (WIOA) Firewall mandates, staff are unable to apply. The Workforce Development Board (WDB) Executive Committee has considered and approved letting a Request for Proposal (RFP) for the Madera One Stop and has directed staff to let the RFP. WIOA identifies Business Services as a WDB role and so the WDB will keep and provide business services and lay-off aversion services. Once identified, the One Stop Operator will provide Adult and Dislocated Worker services which total approximately \$400-\$500,000. Staff will most likely be affected and laid off. 15 of the 23 MCWIC staff will most likely be affected. The remainder of staff will remain employed to provide the business, lay-off aversion, and youth services as well as fiscal department staff and management and the executive assistant. Staff have been advised and are aware of the situation. If the RFP is let and there is not a successful proposal, MCWIC will continue to operate the One Stop until such a time that a successful RFP and proposal is awarded. An RFP will be let in October with an award announcement in April. The One Stop must be procured by July 1, 2017.

Mattie Mendez moved to approve, seconded by Victor Gonzalez.

Vote: approved – unanimous

Yes: Debi Bray, Victor Gonzalez, Mattie Mendez

7.2 Approve the MCWIC providing Out-of-School Youth (OSY) services as an in-house program at the conclusion of the current provider's contract.

Under the previous workforce law – Workforce Investment Act (WIA), youth services must have been competitively procured. The WIOA allows non-procurement of youth services and also allows local workforce boards to run and provide youth services. The WDB Executive Committee has approved running an in-house youth services program. An RFP for youth services will not be let at the end of the current youth provider's contract. Staff will take to the full WDB for approval and ratification in September.

Mattie Mendez moved to approve, seconded by Victor Gonzalez.

Vote: Approved – majority

Yes: Mattie Mendez, Victor Gonzalez

No: Debi Bray

7.3 Approve the MCWIC year to date Financial Reports for the period ending June 30, 2016.

Staff provided financial reports as of June 20, 2016. The reports are preliminary to the audit and don't include fixed assets in the document. New servers were recently installed but are not included in the documents. Mattie Mendez suggested that staff provide future documents using only ID numbers for identification and not names.

Mattie Mendez moved to approve as presented, seconded by Victor Gonzalez.

Vote: Approved – unanimous

Yes: Debi Bray, Victor Gonzalez, Mattie Mendez

8.0 Information Items

8.1 Grants/Projects Update

Information provided in agenda packet.

8.2 Facilities Update

A lease has still not been signed as there is still too much uncertainty with the other tenant. The move in date has been moved to (approximately) January 8, 2017. Staff will be meeting with the owner to discuss the lease and increase in the CPI percent in the rent. An ADA report has been fully completed. The owner will be doing/updating all ADA improvements on the outside of the building. Madera Unified will do the ADA improvements inside the building. At this time, staff are unaware of whether Madera Unified will be using hard construction or modular walls.

8.3 Regional Planning Update

Information provided in agenda packet.

8.4 MCWIC Board of Directors Recruitment

Elaine contacted Chinayera Black-Hardaman regarding her joining the MCWIC board. She is unable to join the board at this time due to constraints from her job. Board members suggested that staff recruit members from organization such as the United Way or faith based organizations. The Board also needs to consider holding elections for a MCWIC Vice Chair at one of their upcoming meetings.

8.5 Final Budget 2016-17 Update

Staff will bring a final budget to the Board in September.

8.6 Update on MOUs

Information provided in agenda packet.

9.0 Written Communication

None

10.0 Open Discussion/Reports/Information

10.1 Committee Members

None

10.2 Staff

MCWIC has partnered with California Employers Association (CEA) on providing an HR Hotline to Madera County businesses at no charge. The hotline will be available for 18 months and is funded through the Disability Employment Accelerator Phase II grant.

11.0 Next Meeting

September 22, 2016

12.0 Adjournment

Mattie Mendez moved to adjourn the meeting, seconded by Victor Gonzalez. Meeting adjourned at 3:42 p.m.



MINUTES

SPECIAL MEETING September 19, 2016

***Convened at Madera District Chamber of Commerce - Conference Room
120 North E Street, Madera, CA 93638
(559) 673-3563***

PRESENT: Debi Bray, Victor Gonzalez, Mattie Mendez, Robyn Smith

ABSENT: Bob Carlson

GUEST: Eugene Bell

OTHERS: Elaine Craig, Nicki Martin

1.0 Call to Order

Meeting called to order by MCWIC Chair at 11:11 a.m.

1.1 Pledge of Allegiance

2.0 Additions to the Agenda

None

3.0 Public Comment

None

4.0 Introductions and Recognitions

None

5.0 Adoption of Board Agenda

Mattie Mendez moved to adopt the agenda, seconded by Robyn Smith.

Vote: Approved – unanimous

Yes: Debi Bray, Victor Gonzalez, Mattie Mendez, Robyn Smith

6.0 Consent Calendar

7.0 Action Items

- 7.1 Approve utilizing the termination clause in the youth services contract effective December 31, 2016 rather than June 30, 2017 in order to provide Out-of-School Youth (OSY) services as an in-house program.**

Staff recommended and are asking for approval to utilize the exit clause in the youth provider contract as of January, 2017 instead of at the end of the contract on June 30, 2017. After staff were able to close out the fiscal year, they came to the conclusion that it may be necessary to lay-off staff in order to have enough cash on hand to pay for the costs associated with the relocation of the One Stop to its new location. In addition to moving expenses, MCWIC will have to carry Employment Development Department's (EDD) portion of the lease until the State approves and signs off on their lease. Once approved by the State,

MCWIC will be reimbursed for the funds that were paid on their behalf. In the past, EDD's process has been very time consuming. Placing and paying for staff out of the youth funds will allow for saving formula fund monies in the amount equivalent to the assigned staff salaries. Staff could also consider not complying with SB734 training requirements and use those funds that would have been spent on training towards staffing and relocation costs. Eugene Bell, Skills4Success Director, addressed the MCWIC regarding the success of their program. MCWIC will no longer procure a youth provider and will provide youth services as an in-house program once the current contract is concluded. Young adults will be provided services in the same way Adults and Dislocated Workers are. Discussion held as to the specifics of the advantages and reasons for taking youth services in January, 2017 as opposed to July, 2017. MCWIC board members asked that staff provide more fiscal information and details to better understand the reasoning for the early out clause.

Mattie Mendez moved that staff prepare data to show information related to closing the contract as of December 31, 2016 with information for the 2 staff that could be laid off due to the relocation and that another meeting be scheduled to consider approval, seconded by Victor Gonzalez.

Vote: Not Approved

Yes: None

No: Debi Bray, Victor Gonzalez, Mattie Mendez, Robyn Smith

8.0 Information Items

None

9.0 Written Communication

None

10.0 Open Discussion/Reports/Information

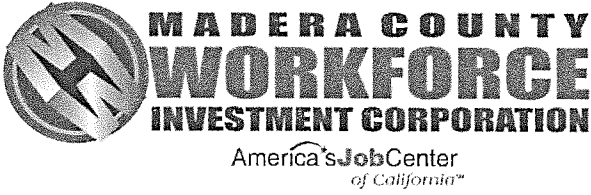
None

11.0 Next Meeting

October 27, 2016

12.0 Adjournment

Mattie Mendez moved to adjourn the meeting, seconded by Robyn Smith. Meeting adjourned at 12:35 p.m.



Board of Directors Application

NAME: Lindsay Callahan	TITLE: President and CEO
EMPLOYER: United Way Fresno and Madera Counties	
ADDRESS: 4949 E. Kings Canyon Road Fresno, CA 93727	
PHONE: 559-246-7171	FAX: 559-228-8159
EMAIL: lcallahan@uwfm.org	ALTERNATE EMAIL:

ORGANIZATIONS YOU BELONG TO:	HOW LONG?
1. Junior League of Fresno	8 years
2. Central Valley Children's Partnership	6 years
3. The Children's Movement	4 years
4. Business Council	1 year
5. Fresno First Steps Home	1 year

REFERENCES:	PHONE:
Greg Baker	
Kathy Woods	
Enrique Lopez	
Angela Grim	
Kim Boyer	

WHY DO YOU WANT TO BE A MEMBER OF THE MADERA COUNTY WORKFORCE INVESTMENT CORPORATION?

Under my leadership, United Way has shifted to focus on helping working families thrive. Key to this is access to and preparation for jobs/careers. The organizations are well-aligned.

DO YOU HAVE ANY RELEVANT EXPERIENCE WITH WORKFORCE DEVELOPMENT, ECONOMIC DEVELOPMENT, EDUCATION, TRAINING PROGRAMS, NON-PROFIT, COMMUNITY BASED OR PRIVATE SECTOR ORGANIZATIONS?

YES NO

IF YES, PLEASE EXPLAIN:

I have 16 years of experience in non-profit management, fund development, organizational development, and public policy. I've developed wide-scale training systems and been in the education field for decades.

PLEASE LIST ANY OTHER INFORMATION THAT YOU FEEL WOULD BE PERTINENT.

I'm committed to the mission of the Madera Workforce Investment Corp. and the advancement of the Madera Community.

Lindsay Callahan
SIGNATURE

September 16, 2016

DATE

Madera County Workforce Investment Corporation

Balance Sheet - Board Report FY 2016-2017

As of 9/30/2016

(In Whole Numbers)

	Current FY 2016-2017	Beginning Year Balance
Assets		
Cash		
Cash in BA - Main	67,449	212,267
Cash in BA - Payroll	14,510	13,374
Total Cash	<u>81,959</u>	<u>225,641</u>
Accounts Receivable	32,327	448,016
Prepaid Expenses	0	2,502
Fixed Assets		
Computer & Software	75,489	75,489
Office Equipment	12,904	12,904
Vehicles	2,125	2,125
Furniture & Fixtures	229	229
Accumulated Depreciation	(64,431)	(64,431)
Total Fixed Assets	<u>26,317</u>	<u>26,317</u>
Total Assets	<u><u>140,603</u></u>	<u><u>702,476</u></u>
Liabilities and Net Assets		
Accounts Payable	(128,041)	401,709
Employee Payroll Payable	36,775	46,962
Employee Vacation Payable	0	33,561
Payroll Taxes Payable	14,003	17,003
Workers Compensation Payable	378	0
Dependent Benefits Payable	(292)	(572)
457 Plan Payable	5,097	6,395
Net Income and Expenditures		
Fund Balance	132,969	132,969
Net Assets - Capital Assets	64,448	64,448
Grant Revenue	577,091	0
Other Income	64,763	0
Interest Revenue	0	0
Other	(626,589)	0
Total Net Income and Expenditures	<u>212,683</u>	<u>197,417</u>
Total Liabilities and Net Assets	<u><u>140,603</u></u>	<u><u>702,476</u></u>

Madera County Workforce Investment Corporation

Statement of Cash Flows

As of 9/30/2016

	<u>Current Month</u>	<u>Current Year 2016-2017</u>
Cash Flows from Operating Activities		
Increase in Net Assets	42,221.12	15,265.55
Increase in accounts receivable		
Accounts Receivable	<u>6,470.20</u>	<u>415,688.80</u>
Total Increase in accounts receivable	6,470.20	415,688.80
Increase in accounts payable		
Accounts Payable	<u>(177,617.24)</u>	<u>(529,750.49)</u>
Total Increase in accounts payable	(177,617.24)	(529,750.49)
Increase in accrued payroll and related expenses		
FIT Withholding Payable EE	4.02	(727.20)
Medicare Withholding Payable EE	(12.89)	(185.24)
Medicare Payable ER	(12.89)	(185.24)
Social Security Tax Payable ER	(55.01)	(792.11)
SIT Withholding Payable EE	3.47	(106.89)
CA SDI Payable EE	(8.02)	(114.98)
CA SUI Payable ER	(44.41)	(188.87)
CA Training Tax Payable ER	(0.59)	(5.72)
Social Security Withholding Payable EE	(55.01)	(792.09)
Worker's Compensation Payable	(382.08)	377.81
457 Withholding Payable	(13.76)	(1,298.49)
Payroll Payable	(824.69)	(10,186.92)
Vacation Payable	0.00	(33,560.89)
Dependent Medical Payable	521.82	286.75
Dependent Dental Payable	50.60	101.27
Dependent Vision Payable	0.11	(108.20)
EE Withholding Order	<u>18.28</u>	<u>99.04</u>
Total Increase in accrued payroll and related expenses	<u>(811.05)</u>	<u>(47,387.97)</u>
Total Cash Flows from Operating Activities	<u>(129,736.97)</u>	<u>(146,184.11)</u>
Cash Flows From Investing Activities:		
Purchase of property and equipment		
Prepaid Expense	<u>0.00</u>	<u>2,502.08</u>
Total Purchase of property and equipment	<u>0.00</u>	<u>2,502.08</u>
Total Cash Flows From Investing Activities:	<u>0.00</u>	<u>2,502.08</u>
Net Cash used in investing activities	<u>0.00</u>	<u>2,502.08</u>
Cash Flows from Financing Activities	<u>(129,736.97)</u>	<u>(143,682.03)</u>
Cash and Cash Equivalents at the Beginning of Year		
Cash in BA - Main	146,056.99	212,266.83
Cash in BA - Payroll	<u>65,639.04</u>	<u>13,374.26</u>
Total Cash and Cash Equivalents at the Beginning of Year	<u>211,696.03</u>	<u>225,641.09</u>
Cash and Cash Equivalents as of Current Period End Date	<u>81,959.06</u>	<u>81,959.06</u>

Madera County Workforce Investment Corporation
 Statement of Revenues and Expenditures - Board Report
 From 7/1/2016 Through 9/30/2016

(In Whole Numbers)

	Total	WIOA Grants	NEG/Prop 39	Rapid Response Layoff Aversion	Disability Employment Grants	Veterans Grant
Operating Revenue						
Federal Revenue	577,091	409,060	87,049	99	68,347	4,490
Other Local & State Revenue	64,763	0	0	0	788	0
Other Income	0	0	0	0	0	0
Total Operating Revenue	<u>641,854</u>	<u>409,060</u>	<u>87,049</u>	<u>99</u>	<u>69,135</u>	<u>4,490</u>
Total Revenue	<u>641,854</u>	<u>409,060</u>	<u>87,049</u>	<u>99</u>	<u>69,135</u>	<u>4,490</u>
Expenditures						
Salaries	(295,455)	(205,286)	(45,572)	0	(28,408)	(3,239)
Payroll Taxes	(29,165)	(18,386)	(3,544)	(1)	(2,579)	(255)
Benefits	(57,792)	(41,685)	(9,140)	0	(5,803)	(177)
Materials & Supplies	(21,680)	(9,735)	(10,518)	0	(1,275)	(480)
Advertising	0	0	0	0	0	0
Overhead/Operating Expenses	(106,980)	(61,339)	(12,719)	(99)	(24,225)	(1)
Client Program Contracts (SS, ITA, OJT, Contracts, etc.)	(115,516)	(101,334)	(7,767)	0	(5,098)	0
Total Expenditures	<u>(626,589)</u>	<u>(437,765)</u>	<u>(89,260)</u>	<u>(100)</u>	<u>(67,387)</u>	<u>(4,152)</u>
Net Revenue Over Expenditures	<u>15,266</u>	<u>(28,704)</u>	<u>(2,211)</u>	<u>(1)</u>	<u>1,748</u>	<u>338</u>
Fund Balance	<u>154,927</u>	<u>(150)</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total Balance	<u>170,192</u>	<u>(28,854)</u>	<u>(2,211)</u>	<u>(1)</u>	<u>1,748</u>	<u>338</u>

Madera County Workforce Investment Corporation
Statement of Revenues and Expenditures - Board Report
From 7/1/2016 Through 9/30/2016

	Dept. of Social Service Contracts	Foundation Grants	Realignment Grants	Unrestricted Corporate
Operating Revenue				
Federal Revenue	0	0	0	8,046
Other Local & State Revenue	34,734	20,000	7,505	1,736
Other Income	0	0	0	0
Total Operating Revenue	<u>34,734</u>	<u>20,000</u>	<u>7,505</u>	<u>9,782</u>
Total Revenue	<u>34,734</u>	<u>20,000</u>	<u>7,505</u>	<u>9,782</u>
Expenditures				
Salaries	(28,279)	(630)	(8,218)	24,176
Payroll Taxes	(2,971)	(48)	(638)	(742)
Benefits	(526)	(143)	(1,330)	1,012
Materials & Supplies	(60)	(11)	(130)	528
Advertising	0	0	0	0
Overhead/Operating Expenses	(5,269)	(673)	(1,185)	(1,470)
Client Program Contracts (SS, ITA, OJT, Contracts, etc.)	(833)	(482)	0	0
Total Expenditures	<u>(37,937)</u>	<u>(1,987)</u>	<u>(11,503)</u>	<u>23,503</u>
Net Revenue Over Expenditures	<u>(3,204)</u>	<u>18,013</u>	<u>(3,998)</u>	<u>33,285</u>
Fund Balance	0	<u>14,797</u>	0	<u>140,280</u>
Total Balance	<u>(3,204)</u>	<u>32,810</u>	<u>(3,998)</u>	<u>173,565</u>

Madera County Workforce Investment Corporation
 Encumbrance Budget - Budget Report - Budget Balance
 From 7/1/2016 Through 9/30/2016

		Preliminary Budget -				
		Board Approved	Revenue &		Budget Balance	
GL Code	GL Account Title	6/14/16	Expenditures	Encumbrances		Notes
Revenue						
4000	Federal Grant Revenue	2,820,426	577,091	0	2,243,335	
4100	Contribution Revenue	0	0	0	0	
4300	State/Local Grant Revenue	948,258	64,763	0	883,495	
4500	Interest Revenue	0	0	0	(0)	
Total Revenue		3,768,684	641,854	0	3,126,830	
Expenditures						
5100	Staff Salaries	1,212,750	312,212	0	900,538	
5111-5180	Taxes and Benefits	381,322	70,200	105,357	205,765	
5200	Materials and Supplies	41,462	4,645	6,823	29,994	
5300	Rent Expense	199,426	25,460	52,374	121,592	
5320	Telephone Expense	6,492	2,407	4,076	9	
5330	Utilities Expense	36,300	7,585	20,075	8,640	
5400	Postage Expense	1,544	60	167	1,317	
5410	Printing Expense	3,100	482	1,117	1,501	
5420	Advertising Expense	8,072	0	0	8,072	
5430	Bank Charges	0	18	0	(18)	
5440	Dues and Membership Expense	10,880	4,675	930	5,275	
5450	Publications Expense	146	985	4,359	(5,198)	correct PO's that s/b in 5420
5500	Auditing Fees	15,000	0	14,750	250	
5510	Legal Fees	10,000	341	0	9,659	
5520	Consulting Fees	76,959	9,699	9,986	57,274	
5530	Taxes and Fees	394	6	415	(28)	
5600	Office Equipment	10,000				
5610	Equipment Maintenance	10,106	3,353	10,663	(3,910)	addtl Barracuda equipment
5620	Equipment Rental	11,112	1,640	4,908	4,564	
5630	Software Expense	0	0	25	(25)	
5631	Software Maintenance	4,894	8,702	3,627	(7,435)	add Kasperksy and Barr Energizer to budget
5640	Internet Expense	2,481	1,012	5,114	(3,644)	needed to correct Comcast budget/po
5650	Computer Hardware	10,000	929	0	9,071	
5660	Furniture & Fixtures	10,000	205	0	9,795	
5700	Client Transportation Assistance Expense	10,000	6,118	18,620	(14,738)	offset to training budget
5710	Employee Education Expense	3,199	75	199	2,925	
5720	Staff Travel Expense	11,440	4,437	1,509	5,493	

Madera County Workforce Investment Corporation
 Encumbrance Budget - Board Approved Report - Budget Balance
 From 7/1/2016 Through 9/30/2016

		Preliminary Budget -				
GL Code	GL Account Title	Board Approved	Revenue &	Encumbrances	Budget Balance	Notes
		6/14/16	Expenditures			
5730	Conference, Conventions & Meetings	3,000	7,411	1,931	(6,342)	need to increase budget
5800	Subcontracted Program Services	1,477,280	109,399	344,458	1,023,424	
5810	General Outside Services	184,255	42,031	59,157	83,067	
5900	Insurance Expense	8,285	2,502	5,785	(2)	
Total Expenses		<u>3,759,899</u>	<u>626,589</u>	<u>676,427</u>	<u>2,456,884</u>	
Balance Revenue less Expenses		<u>8,785</u>	<u>15,266</u>		<u>669,946</u>	

Note: Encumbrances do not include any increase move costs to new facility (rent/utilities/contracted services, etc.) estimated at this point to be approx. \$309,506.00



MADERA COUNTY WORKFORCE INVESTMENT CORPORATION

Agenda Item 8.1

Consent

Action

Information

To: Madera County Workforce Investment Corporation

From: Elaine Craig, Executive Director

Date: October 27, 2016

Subject: Grants/Projects Update

Information:

- CCP/AB109: This contract was renewed for 2016-2017 with a decrease in funding from the Department of Corrections. We continue to provide in custody job readiness workshops at the Madera County Department of Corrections facility however the staffing has been reduced and is only available to conduct the workshops. Evaluations from the participants, and DOC staff, have been excellent, and some of the participants have started to come into the Center after they are released from the facility and are ready to begin training or job search. We are also conducting specialized, 3 hour orientation sessions four times per month for individuals referred from County Corrections and Probation. The sessions assist these customers to access the services they need to become employed.
- Dislocated Worker – Additional Assistance Grant: This funding expired May 31, 2016 and we were successful in expending the entire amount. We are also continuing to assist Chukchansi since they have reopened with their workforce needs.
- Wells Fargo Grants: We continue to provide resources and assistance to veterans in the community with the second round of funds from Wells Fargo in the amount of \$10,000. The intent for use of this second round of funding is to continue with the work started last year. We will continue to recruit Veteran Mentors, increase advertising and outreach to the Veteran community, participate in all Veteran-oriented community events, and continue to add resources and options to improve our web-based Veteran Resource Center, including the addition of an on-line interest form. We were provided with a showcase window at the County Government Center and provided a veteran display specific to veterans with a sign that thanked Wells Fargo for the opportunity to serve veterans with their funding. We have also received \$15,000 to assist single parent female households, now extended to single parent male households, with a staff navigator and mentor to identify community resources and navigate barriers and challenges faced by this particular population. We have mentors assisting us with focus groups and surveys as well as outreach into the community to better determine the needs of this particular population. We were again invited to submit a letter of interest and subsequently an application for a rural workforce development \$75,000 grant (this is invitation only) and though we were a finalist, ultimately we were not one of the successful

applicants. We were recently contacted by Wells Fargo and asked to submit a proposal for up to \$20,000. A discussion ensued about the scope of work that would be considered and we have submitted a proposal to fund a dedicated HiSET class, with instructor and clerical support and flexible hours for customers and we were recently notified that we were successful for that amount and project and will be receiving funds in the near future.

- Staff have also reached out to PG&E in order to apply for grant monies for their 2016 award period and received a positive response for us to be an applicant for community education and training. We have subsequently held a conference call with PG&E and have identified an area where there is mutual interest for an application and project working with Individuals with a Disability. We are waiting for PG&E to post their application online to complete and submit our project for consideration. We continue to check the PG&E website for open applications but have recently been advised that they are in the process of re-vamping their grant program and that applications would most likely not be available until 2017. However, because we have worked with PG&E on a number of very successful projects, we were asked about any other projects we would like to fund and we have suggested a Veterans Resource Center in the new facility and that is being considered with the potential for up to \$20,000 funding.
- Disability Employment Initiative: We have successfully completed this project and continue to increase our Ticket to Work assignments and revenue. We received funding to provide Technical Assistance to Merced County, as they are a recent DEI grant recipient. We have since been awarded another round of Disability Employment Accelerator funds, while these funds will continue to assist customers with disabilities the focus is employer/business services to include an HR Hotline and a new website for the local system.
- Disability Employment Accelerator Grant: We have been awarded funds through this grant of approximately \$166,000 to assist individuals with a disability gain employment and/or receive upgrade skills training for retention or advancement and to educate, inform and engage employers. We are currently completing the application for 2016-2017 funds for submission to EDD. We have been awarded these funds as indicated in the DEI.
- Community Development Block Grant: We received \$13,000 from the City of Madera for 2015-16 to serve adult low-income City of Madera residents. We are to enroll at least ten (10) participants. This is third year we have been awarded these funds. We have submitted a 2016-17 application and presented at both the Review Advisory Committee and the City Council and have tentatively been awarded \$10,000. Final approval is scheduled on August 2, 2016. These funds will assist with the dedicated HiSET class with Madera Adult School. The City is still pending receipt of these funds from HUD.
- We are constantly searching for funding opportunities through various Foundations and other institutions due to our non-profit status. We are building a system in that we are notified of grant opportunities and the deadline dates so we do not miss appropriate and viable opportunities.
- The Central California Workforce Collaborative, with Madera as the lead, received \$20,000 for the Governor's Office Slingshot Initiative which is being administered by the State Board for the planning phase of this project, which has been successfully developed. Fresno will be the lead for the \$1m implementation phase. This initiative is to regionalize and enhance collaboration and partnerships with stakeholders for training and employment of valley residents. While the Valley is known for its collaboration and regional efforts around workforce development, the approach of this initiative is unique in that it encourages and allows for out of the box and risk taking projects to enhance access to

career pathways and self-sufficiency. The planning phase brought numerous partners together such as EDC, Community Colleges and manufacturing employers to determine the need of the workforce specific to manufacturing, advanced manufacturing, value added manufacturing with the intent to utilize the \$1m funds to implement and/or resolve the challenges and needs identified by the Compact with strategies such as prior learning assessment and reciprocity for demand curriculum across community college campuses. Fresno WIB is the lead on the \$1m project.

- National Emergency Jobs Driven Grant: The Central California Workforce Collaborative have been successfully implementing this grant for long-term unemployed customers across the region, with Madera as the lead. This project requires 30% of the total funds, which is approximately \$3m for the region, to be spent on work-based learning activities such as OJT, Intern/Extern, PWEX, Job Shadow. This grant will also fund a regional economic and skills gap analysis with local data also being provided. This will assist in the local and regional plans that are required but also will benefit employers and partners to determine needs and gaps in the local communities. We have recently requested an extension of six months and a modification to the eligibility criteria in order to expend the dollars associated with this grant and to increase the number of participants regionally. The request for six months was ultimately denied by DoL but EDD provided us with a three month extension to September 31, 2016 and has now provided an extension through March 31, 2017.
- The California Workforce Investment Board has approved our application to be designated a High Performing Workforce Board. We were required to reapply for Board Certification by March 31, 2016. We believe at this time that we have received a conditional certification due to not meeting the required percentage for labor representation. Since then, we have received a nomination from the local labor council, along with additional private sector members, which will bring us compliant with membership and will receive full certification.
- The California Workforce Investment Board has also approved our application for designation as a local workforce investment area under WIOA as well as certification of the Workforce Development Board under WIOA. This is a requirement of WIOA and will be for a two year period for the local area and we will be required to reapply in March 2016 for continued certification of the WDB. We have recently received the Directive to begin the process for recertification of the WDB with the application due to EDD by March 31, 2016. The recertification application was approved by the Board of Supervisors at their meeting on March 15, 2016 and has been submitted to EDD and the State Board. We received conditional certification due to a lack of the required labor representative percentage. This was due to a misunderstanding/interpretation of the law. This has since been resolved and we recently received notification from the state board that the WDB will be fully certified.
- Under the auspices and umbrella of the WDB, staff will be facilitating and hosting employer resource events. In October staff will be facilitating an employer event sponsored by PGE and SBDC/Fresno State with a number of partner agencies such as EDC and GoBiz, where in information and resources will be provided to local employers. This was a very successful event with over 30 employers attending. We have since collaborated with the Madera Chamber of Commerce and the California Employer Association to co-host/co-sponsor employer training events. We have also successfully contracted for an HR Hotline made available to Madera County employers at no cost. This was made possible from the DEA funds.
- We have submitted a grant application to the Department of Labor under the Strengthening Working Families Initiative solicitation. The grant application was developed in partnership

with SCCCD/Madera Community College Center, the Community Action Partnership of Madera County, and the Greater Madera County Industry Association via the Economic Development Commission. The program, if funded, will serve unemployed and underemployed residents of Madera County who are parents, and for whom child care creates a barrier to training and employment. The grant will focus on the provision of training in the Advanced Manufacturing sector and provides resources for child care costs. A portion of the grant will also be provided to SCCCD/Madera Community College Center to increase student capacity in the Advanced Manufacturing programs through the addition of faculty, counseling time, and the provision of updated equipment and tools for the program. We have been notified that we were not a successful award for these funds. Only one workforce development area in California received these funds and it was in San Diego.

- We have also submitted a grant application for Veterans Employment Assistance Program (VEAP) funds in partnership with Merced County WIB. We have received these funds in the past and have identified manufacturing as the sector for training. We have been notified that we have indeed been awarded these funds and we will be the lead on this project. We are currently enrolling eligible veterans under this grant focused in Manufacturing.
- We have applied for America's Promise Grant as a region with Fresno as the lead. This is a four year, \$6 million application with manufacturing training identified as the targeted industry. This grant, if received, will build capacity at the community colleges and allow for more advanced training in manufacturing related trades.
- We will also be submitting an application to the State Board for the Workforce Accelerator Grant with the intent to serve individuals who are limited English proficiency by providing, through contract ed, a customized and dedicated class for the participants. Potentially we would target incumbent workers and provide the class at the worksites or at a central location with flexible days and times to accommodate the participants. We are still pending notification of awards for these funds.
- Staff submitted an application for a technology grant in which only non-profit organizations could apply. This was due to a court settlement with the Attorney Generals office related to technology infractions by a private company. We collaborated with the Library and submitted the grant application to replace and provide technology equipment and software to the main library branch and the outlying branches. We still have not received notification of the status of awarded funds.
- Staff continue to work on WIOA Transitional activities such as Regional Planning. The Central California Workforce Collaborative, which comprises the eight local workforce development areas and Boards, will be contracting for a consultant to provide a one day facilitation on beginning the planning and logistics of regional planning. Ultimately, the CCWC will also consult for assistance and facilitation through the development of the required regional plan. The Central Valley Region participated in a full day facilitated regional planning process two weeks ago and will begin the process with bi-weekly webex, conference calls, and when possible, in person meetings.

Financing:

Workforce Innovation and Opportunity Act



MADERA COUNTY WORKFORCE INVESTMENT CORPORATION

Agenda Item 8.2

Consent

Action

Information

To: Madera County Workforce Investment Corporation
From: Elaine Craig, Executive Director
Date: October 27, 2016
Subject: Facilities Update

Information:

There has been some significant movement on the possibility of leasing a portion of the old RMA facility near Walmart. Madera Unified School District (MUSD) presented the proposed facility relocation for their programs to the school board at their regularly scheduled meeting on March 22, 2016. Their Board approved the concept and the ability to hire an architect to provide a schematic and costs associated with the move. Their Board meets on Tuesday, April 26, 2016 to decide on the relocation based on the submitted costs from the architect and their staff. The MUSD Board approved the Adult School relocation at their May 24, 2016 meeting. MUSD will be requesting bids for construction of ten classrooms for the Adult School in the new building. Bids will be received through June 13, 2016 with the intent to request an award at the MUSD Board Meeting on June 14, 2016. Bids that were ultimately received were well over budget. MUSD has since reduced the number of classrooms and construction materials have been changed to reduce costs. The owner of the property will be accomplishing the tenant improvements to further reduce costs. A contractor has since been selected by the owner and MUSD with a meeting scheduled for Monday, September 19th to determine costs and timelines. MUSD has since been in the building and has begun construction.

MCWIC staff have also been working on preparing a project plan in preparation for the possible relocation of facilities. This plan will include costs, timeframes, procurement of services, partner agency location/relocation, etc.

Current leaseholder for the 441 E. Yosemite facility has also been contacted regarding the potential move and is not only very understanding, but very flexible and willing work with us in regards to the timeline of the move. A Special meeting of the MCWIC Board of Directors was held on June 14, 2016 to approve the lease and relocation of the Job Center. We were hoping to relocate in August/September timeframe but it is now currently January 2017. It will depend on the construction progress and completion. We have yet to sign a lease until we have a level of certainty that we are, and when, moving into the facility along with issues specific to ADA compliance and completion of those items as well as financial constraints if partners are not moving in with us at the same time and paying their portion. We do not have the financial means to cover other partners costs without potentially laying off staff, freezing training and/or supportive services and/or closing the Job Center for some period of time. As of this date, the projected move – in is January 2017. We believe we have the partners to fully occupy our side of the building but still have the concern about timing of their occupancy and our ability to pay for them pending sub-leases and payments.

Financing:



Agenda Item 8.3

Consent

Action

Information

To: Madera County Workforce Investment Corporation

From: Elaine Craig, Executive Director

Date: October 27, 2016

Subject: Update on AJCC One Stop Operator Procurement

Information:

Staff let an RFP on Thursday, September 29, 2016 and On Friday, September 30, 2016 EDD posted a Draft Information Notice WSD-153 "Selection of AJCC Operators and Career Services Providers. This Notice provides us with the opportunity to apply for a Governor waiver in order to retain delivery of services. The One Stop Operator will still have to be procured and we are looking at sub-regional procurement and the sharing of a designated Operator. We held the Mandatory Bidders Conferences and advised the agencies that were present that this Information was posted and is open for comments until Friday, October 21, 2016 but it would be our intent to retract the RFP in its entirety and we would avail ourselves of the opportunity to seek the Governor waiver, with approval of the CLEO Board of Supervisors, to retain the delivery of services and that another procurement would be let either for the Operator just in Madera or a sub-regional procurement with Northern Local Workforce Development Areas, possibly Merced, Stanislaus and/or San Joaquin.

Financing:

Workforce Innovation and Opportunity Act

SELECTION OF AJCC OPERATORS AND CAREER SERVICES PROVIDERS

GENERAL INSTRUCTIONS

The attached directive is being issued in draft to give the Workforce Development Community the opportunity to review and comment prior to final issuance.

Submit any comments by email or mail no later than Friday, October 21, 2016.

All comments received within the comment period will be considered before issuing the final directive. Commenters will not be responded to individually. Rather, a summary of comments will be included with the final directive.

Comments received after the specified due date will not be considered.

Email MelissaM.Williams@edd.ca.gov

Include "Draft Directive Comments" in the e-mail subject line.

Mail Employment Development Department
Attn.: Melissa Williams/Policy Unit
P.O. Box 826880 / MIC 50
Sacramento, CA 94280-0001

If you have any questions, contact Melissa Williams at 916-654-0205.

SELECTION OF AJCC OPERATORS AND CAREER SERVICES PROVIDERS

EXECUTIVE SUMMARY

This policy provides guidance and establishes the procedures regarding the selection of America's Job Center of CaliforniaSM (AJCC) Operators and Workforce Innovation and Opportunity Act (WIOA) Title I Adult and Dislocated Worker Career Services Providers. This policy applies to all Local Workforce Development Boards (Local Boards), and is effective on date of issuance.

This policy contains some state-imposed requirements. All state-imposed requirements are indicated by ***bold, italic*** type.

Retain this directive until further notice.

REFERENCES

- WIOA (Public Law 113-128)
- Title 2 Code of Federal Regulations (CFR) Part 200: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance)
- Title 2 CFR Part 2900: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Department of Labor Exceptions)
- Title 20 *Code of Federal Regulations* (CFR) Workforce Innovation and Opportunity Act; Final Rule (WIOA DOL Final Rule)
- Title 34 *Code of Federal Regulations* (CFR) WIOA, Joint Rule for Unified and Combined State Plans, Performance Accountability, and the One-Stop System Joint Provisions (WIOA Joint Final Rule)
- United States Government Accountability Office (GAO) Publication GAO-14-704G: Standards for Internal Control in the Federal Government (September 10, 2014)

BACKGROUND

America's Job Center of CaliforniaSM (AJCC) locations are the core of California's workforce system. The AJCC Operators and Title I Adult and Dislocated Worker Career Services Providers play a critical role in ensuring that AJCCs are serving as an all-inclusive access point to education and training programs for a wide range of customers.

Local Boards must conduct an open and competitive process in order to select their AJCC Operators as stated in WIOA Section 121(d)(2)(A). Although not required, Local Boards are also strongly encouraged to use a competitive process to select their Adult and Dislocated Worker Career Services Providers as stated in WIOA Section 107(d)(10)(D). Undergoing a competitive process promotes efficiency and effectiveness of the AJCC Operator and Adult and Dislocated Worker Career Services Providers by regularly examining performance and costs.

POLICY AND PROCEDURES

The AJCC Operators and the Adult and Dislocated Worker Career Services Providers fulfill two distinct and separate roles within the local AJCC system. These roles may be filled by the same entity or different entities based on what the Local Board determines best for meeting the needs of its customers and demographic area, but, these must be clearly articulated as part of the competitive procurement and selection process.

In California, AJCC Operators are only responsible for coordinating service delivery among all AJCC partners and service providers within the Local Workforce Development Area (Local Area). By having the AJCC Operator act as the local service delivery coordinator, it allows Local Boards to focus on strategic planning and developing partnerships at the local and regional level.

Roles and Responsibilities

The role of the AJCC Operator is limited to:

- Coordinating the service delivery of required AJCC partners and service providers.
- Ensuring the implementation of partner responsibilities and contributions agreed upon in Memorandums of Understanding - Phase I and Phase II.

The role of the Adult and Dislocated Worker Career Services Provider includes:

- Providing basic career services including but not limited to participant intake, orientations, initial assessments, employment services, referrals to other partners and services.
- Providing individualized career services including but not limited to comprehensive and specialized assessments, case management, individual employment plans, career planning, and vocational counseling.
- Managing the daily operations in coordination with local fiscal agents for the lease, utilities, and other property activities in support of AJCC premises.
- Managing the hours of operation for AJCCs.

The responsibilities of both the AJCC Operator and Adult and Dislocated Worker Career Services Provider include:

- Reporting to Local Boards on operations, performance, and continuous improvement recommendations.
- Implementing policies established by Local Boards.
- Adhering to all applicable federal and state guidance.

To further support regional planning efforts, Local Boards may also choose to regionally select an AJCC Operator or Adult and Dislocated Worker Career Services Provider if operational conditions make it feasible. Selecting one AJCC Operator or Adult and Dislocated Worker Career Services Provider for all of the Local Boards in a Regional Planning Unit may help align, coordinate, and integrate programs and services on a regional basis. However, please note that there are certain restrictions Local Boards must adhere to when defining the AJCC Operator role. Within the defined roles and responsibilities, the AJCC Operator may not perform any of the following:

- Convene system stakeholders to assist in the development of the local plan.
- Prepare and submit local plans.
- Be responsible for oversight of itself.
- Manage or significantly participate in the competitive selection process for AJCC operators.
- Select or terminate AJCC Operators, Adult and Dislocated Worker Career Services Providers, and Youth Service Providers.
- Negotiate local performance accountability measures.
- Develop and submit budget for activities of the Local Board in the Local Area.

If the entity serving as the AJCC Operator also serves in a different capacity within the AJCC service delivery system (e.g. Local Board support), it may perform some or all of the functions listed above only when acting in its other role as long as there are clearly established firewalls and conflict of interest policies and procedures in place that conform with Title 20 CFR Section 679.430 (Title 20 CFR Section 678.620).

Definitions

For the purposes of this directive, the following definitions apply:

Conflict of Interest – An employee, officer, agent, or any member of the organization that has interest in a financial gain or tangible benefit and who participates in the selection, award, or administration of a contract supported by a federal award (Uniform Guidance Section 200.318[c][1]).

Firewall – An established policy or procedure that acts as a barrier or protection against an undesirable influence, outcome, or authority. Examples of firewalls include but are not limited to organizational arrangements that provide clear separation of duties and responsibilities, reporting hierarchy of managers and staff that provide clear separation between job duties and responsibilities, and conflict of interest/confidentiality/disclosure agreements.

Administrative entity – a unit of local government, corporation, or agency designated by a Chief Elected Official (CEO) to oversee and administer WIOA in the Local Area.

Internal Control – A process designed to provide reasonable assurance regarding the achievement of objectives in the following categories:

- Effectiveness and efficiency of operations.
- Reliability of reporting for internal and external use.

- Compliance with applicable laws and regulations.

(Uniform Guidance Section 200.61)

Competitive Process for Selection of AJCC Operator

Local Boards must select their AJCC Operator through a competitive process at least once every four years (WIOA Section 121[d][2][A]). As part of that competitive process, Local Boards are required to clearly articulate the expected role(s) and responsibilities of the AJCC Operator (Title 20 CFR Section 678.620[a]).

AJCC Operators may be a single public, private, or non-profit entity or consortium of entities. However, if a consortium of entities consists of AJCC partners, it must include a minimum of three of the required AJCC partners listed in WIOA Section 121(b)(1).

The types of entities eligible to be an AJCC Operator include (WIOA Section 121[d][2][B]):

- An institution of higher education
- An employment service state agency established under the Wagner-Peyser Act
- A community-based organization, nonprofit organization, or workforce intermediary
- A private for-profit entity
- A government agency
- Another interested organization or entity, which may include a local chamber of commerce or other business organization, or a labor organization

Local Boards must ensure that, in carrying out WIOA programs and activities, AJCC Operators adhere to the following (Title 20 CFR Section 678.600):

- Disclose any potential conflicts of interest arising from the relations of the AJCC operator with particular training service providers or other service providers in accordance with Uniform Guidance Section 200.318.
- Do not establish practices that create disincentives to providing services to individuals with barriers to employment who may require longer-term services, such as intensive employment, training, and education services.
- Comply with federal regulations and procurement policies relating to the calculation and use of profits as outlined in Uniform Guidance.
- Adhere to any applicable firewalls or internal controls.

When selecting an AJCC Operator, Local Boards are required to fully adhere to the federal procurement standards outlined in Uniform Guidance Section 200.318-200.326, as well as their local procurement policies.

Although the intent of WIOA is for all Local Boards to procure their AJCC Operators through a full and open competitive process, the Uniform Guidance allows for very limited instances in which alternate procurement methods may be allowed, if substantial justification is provided.

The following are allowable procurement processes under Uniform Guidance:

1. Sealed Bid - Uniform Guidance Section 200.320(c)
2. Competitive Proposals - Uniform Guidance Section 200.320(d)
3. Sole Source - Uniform Guidance Section 200.320(f):
 - a) The AJCC operator services are only available from a single source.
 - b) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation.
 - c) After solicitation from a number of sources, competition is determined to be inadequate.

Whichever procurement method is used, Local Boards must retain extensive written documentation of the procurement process from beginning to end. Local Boards must also make available to the public, through electronic means and open meetings, information regarding their selection of AJCC Operators (WIOA Section 107[e]).

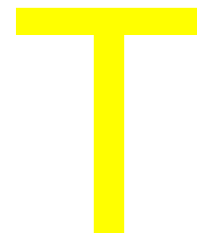
If a Local Board or administrative entity wishes to participate in the competitive process then the appropriate internal control, conflict of interest, and firewall policies must be put in place and adhered to throughout the duration of the procurement process. This includes, but is not limited to, the requirement that solicitation and scoring be managed by a fair and impartial third party who is free of any conflict of interest (real or perceived). In other words, Local Board staff or the agency that employs such staff cannot in any way be involved with or connected to the development of the solicitation, the facilitation of the scoring process, or the scoring of proposals.

All AJCC Operators must be in place and operating in the AJCCs no later than July 1, 2017 (Title 20 CFR Section 678.635).

Request for Approval to be AJCC Operator

If a Local Board or administrative entity competes to serve as the AJCC Operator and is chosen through an appropriate procurement process, they may be designated as an AJCC Operator only with the agreement of the CEO and the Governor [WIOA 107(g)(2)]. In order to be considered by the Governor for designation as an AJCC Operator, the CEO must submit a Request for Approval to be AJCC Operator application (Attachment 1) along with the required supporting documentation to the State Board **by March 1, 2017**, through one of the following methods:

Mail:	California Workforce Development Board P.O. Box 826880 Sacramento, CA 94280-0001
Overnight Mail/ Hand Deliver:	California Workforce Development Board 800 Capitol Mall, Suite 1022 Sacramento, CA 95814



The local CEO will be notified in writing by May 1, 2017, regarding the approval or denial of the proposed Request for Approval. If approved, the designation will be effective immediately upon approval.

Title I Adult and Dislocated Worker Career Service Providers

Local Boards are responsible for identifying eligible Adult and Dislocated Worker Career Services Providers. The WIOA Section 107(d)(10)(D) states that if the AJCC Operator does not provide the Adult and Dislocated Worker Career Services described in Section 134(c)(2), the Local Board must identify eligible providers of those Adult and Dislocated Worker Career Services in the Local Area by awarding contracts. Procurement of Adult and Dislocated Worker Career Services Providers must follow the appropriate competitive selection process based on local procurement policies and the policies and principles of competitive procurement specified in Uniform Guidance Section 200.318-200.326.

All Adult and Dislocated Worker Career Services Providers must be in place and operating in the AJCCs no later than July 1, 2017.

Request for Approval to be Adult and Dislocated Worker Career Services Provider

A Local Board or administrative entity may be designated as an Adult and Dislocated Worker Career Services Provider only with the approval of the CEO and the Governor (WIOA Section 107[g][2] and Title 20 CFR 679.410[b]). Approval under this provision would serve as the agreement by the Governor and would exempt the Local Board from selecting Adult and Dislocated Worker Career Service Providers through a competitive process by allowing them to fulfill the role themselves. In line with the time period of selecting of AJCC Operators, if a Local Board receives approval to provide Adult and Dislocated Worker Career Services that approval will be valid for a maximum of four years, after which time another request must be submitted.

If a Local Board or administrative entity wants to provide Adult and Dislocated Worker Career Services, the local CEO must submit the Request for Approval to be Adult and Dislocated Worker Career Services Provider application (Attachment 2) and the required supporting documentation to the State Board by March 1, 2017, through one of the following methods:

Mail: California Workforce Development Board
P.O. Box 826880
Sacramento, CA 94280-0001

Overnight Mail/
Hand Deliver: California Workforce Development Board
800 Capitol Mall, Suite 1022
Sacramento, CA 95814

The local CEO will be notified in writing by May 1, 2017, regarding the status his/her request. If approved, the designation will be effective immediately upon approval.

ACTION

D

Please bring this directive to the attention of the Local Board and other relevant parties.

INQUIRIES

If you have any questions, contact you assigned [Regional Advisor](#) at 916-654-7799.

R

/S/ JOSÉ LUIS MÁRQUEZ, Chief
Central Office Workforce Services Division

Attachments are available on the internet:

1. [Request for Approval to be America's Job Center of CaliforniaSM Operator](#)
2. [Request for Approval to be Adult and Dislocated Worker Career Services Provider](#)

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**MADERA COUNTY
WORKFORCE
INVESTMENT CORPORATION**

Agenda Item 8.4

Consent

Action

Information

To: Madera County Workforce Investment Corporation

From: Elaine Craig, Executive Director

Date: October 27, 2016

Subject: 2015-16 Audit

Information:

The Corporation had auditors on site last week, October 17-21, 2016 for the annual 15-16 single audit. They continue to perform audit functions while off site but once the audit is finalized staff will provide the report and the auditor will be scheduled to present at a MCWIC meeting.

Financing:

Workforce Innovation and Opportunity Act



**MADERA COUNTY
WORKFORCE
INVESTMENT CORPORATION**

Agenda Item 8.5

Consent

Action

Information

To: Madera County Workforce Investment Corporation

From: Elaine Craig, Executive Director

Date: October 27, 2016

Subject: Facilitated WDB Session – October 31, 2016

Information:

Staff have contracted with John Baker, Core Factors for a facilitated Board session scheduled for Monday, October 31, 2016. Breakfast will be available beginning at 7:30 and the session will begin at 8:00 am until 12:30 pm. Lunch will be served. John facilitated the strategic goals session a year ago. The purpose of the session is to review the WIOA required roles and responsibilities and to review the strategic goals to determine alignment both with WIOA and the current environment. Staff invited both the Workforce Development Board and the Madera County Workforce Investment Corporation Board members.

Financing:

Workforce Innovation and Opportunity Act



Agenda Item 8.6

Consent

Action

Information

To: Madera County Workforce Investment Corporation

From: Elaine Craig, Executive Director

Date: October 27, 2016

Subject: WIOA Board Roles and Responsibilities

Information:

With the implementation of WIOA, the final regulations and continued direction and guidance from EDD and the CWDB, the roles and responsibilities of the WDB are very specific and have been more clearly defined, as noted in the back-up documentation to this agenda item. The required contract with the Chief Local Elected Official (CLEO), also attached as back-up documentation to this agenda item, further clarifies and enumerates the roles and responsibilities of the CLEO, MCWIC and WDB. The facilitated session scheduled for Monday, October 31, 2016 was scheduled and developed with these new roles and responsibilities, and the expectations of WIOA on the WDB, in mind. Legal counsel has reviewed, vetted and intends to provide a legal memo further clarifying these roles and responsibilities for each Board.

Financing:

Workforce Innovation and Opportunity Act

Required Functions of the Board

- ▶ Enter into an agreement with the Madera County Board of Supervisors establishing the respective roles and responsibilities of the Board and the Local WDB, for implementation of the WIOA at the local level.
- ▶ Develop and submit, in conjunction with the Madera County Board of Supervisors, the 4-year local plan for the local workforce development area, as required by Section 108 of the WIOA and collaborate with other local areas in the planning region designated by the State of California to submit the local plan as part of the regional plan (20 CFR 679.370(b)).

Required Functions (cont.)

Conduct workforce research and regional labor market analysis, including:

- Analyses and regular updates of economic conditions, needed knowledge and skills, workforce and workforce development activities including an analysis of the strengths and weaknesses of such services to address the identified education and skill needs of the workforce and the employment needs of employers;
- Assistance to the Governor in developing the statewide workforce and labor market information system under the Wagner-Peyser Act for the region; and
- Other research, data collection, and analysis related to the workforce needs of the regional economy as the board, after receiving input from a wide array of stakeholders, determines to be necessary to carry out its functions (20 CFR 679.370(c)).

Required Functions (cont.)



- ▶ Convene, through the local board and standing committees, workforce development system stakeholders to assist in the development of the local plan under Section 108 of the WIOA and in identifying non-Federal expertise and resources to leverage support for workforce development activities (20 CFR 679.370(d)).
- ▶ Lead efforts to engage with a diverse range of employers and other entities in the region to promote business representation on the local board, develop effective linkages with employers to support employer utilization and support of the local workforce development system and activities, and ensure that workforce investment activities meet the needs of employers and support economic growth in the region by enhancing communication, coordination and collaboration among employers, economic development and services providers (20 CFR 679.370(e)).

Required Functions (cont.)



- ▶ Lead efforts, in collaboration with secondary and post-secondary education program representatives, to develop and implement career pathways within the local area by aligning the employment, training, education, and supportive services needed by adult and youth, particularly those with barriers to employment (20 CFR 679.370(f)).
- ▶ Identify and promote proven and promising strategies and initiatives for meeting the needs of employers, workers, and job seekers, and identify and disseminate information about such practices used in other areas for meeting such needs (20 CFR 679.370(g)).

Required Functions (cont.)



- ▶ Use technology to maximize the accessibility and effectiveness of the local workforce development system for employers, workers, and job seekers by facilitating connections among the information systems of the one-stop partners, facilitating access to services including in rural areas, identifying strategies for better meeting the needs of individuals with barriers to employment, and leveraging resources and capacity within the local system (20 CFR 679.370(h)).
- ▶ Conduct oversight of Adult, Dislocated Worker, and Youth services and of the entire one-stop delivery system in the local area (20 CFR 679.370(i)(1)).

Required Functions (cont.)



- ▶ Ensure the appropriate use and management of the funds provided under WIOA Subtitle B for the youth, adult, and dislocated worker activities and one-stop delivery system in the local area, and ensure that these investments maximize the performance outcomes under WIOA Section 108 (20 CFR 679.370(i)(2-3)).
- ▶ Negotiate and reach agreement on local performance measures with the chief local elected official and the Governor (20 CFR 679.370(j)).
- ▶ Select providers for youth services, training services, career services, and the one-stop operator; terminate such providers in accordance with 2 CFR 200, if appropriate (20 CFR 679.370(l)).

Required Functions (cont.)

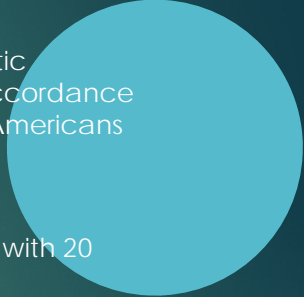
- ▶ Work with the State in accordance with WIOA Section 107(d)(10)(E) to ensure that there are sufficient numbers and types of providers of career and training services serving the local area and providing the services in a manner that maximizes consumer choice, as well as providing opportunities that lead to competitive integrated employment for individuals with disabilities (20 CFR 679.370(m)).
- ▶ Develop a budget for the activities of the Local Board, with the approval of the chief elected official and consistent with the local plan and the duties of the Local Board (20 CFR 679.370(o)).

Required Functions (cont.)

- ▶ Coordinate activities with education and training providers in the local area, including reviewing applications to provide adult education and literacy activities under Title II to determine whether such applications are consistent with the local plan, making recommendations to the eligible agency to promote alignment with such plan, and replicating and implementing cooperative agreements to enhance the provision of services to individuals with disabilities and other individuals (20 CFR 679.370(n)).

Required Functions (cont.)



- ▶ Assess, on an annual basis, the physical and programmatic accessibility of all one-stop centers in the local area in accordance with WIOA Section 188 and applicable provisions of the Americans with Disabilities Act of 1990 (20 CFR 679.370(p)).
 - ▶ Certify one-stop centers in the local area in accordance with 20 CFR 678.800 (20 CFR 679.370(q)).
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MADERA COUNTY CONTRACT NO. 10561-C-2016
(Agreement for Administration of the Workforce Innovation and Opportunity Act)

This agreement for administration of WORKFORCE INNOVATION AND OPPORTUNITY ACT (this "Agreement") is made and entered into this 26 day of January, ²⁰¹⁶ 2015, by and between the COUNTY OF MADERA, a political subdivision of the State of California, hereinafter referred to as "COUNTY," the MADERA COUNTY WORKFORCE INVESTMENT CORPORATION, a California public benefit corporation, hereinafter referred to as "MCWIC," and the WORKFORCE DEVELOPMENT BOARD OF MADERA COUNTY, hereinafter referred to as "WDB" for the purpose of defining roles and responsibilities for the administration and operation of the WORKFORCE INNOVATION AND OPPORTUNITY ACT of July 2014 (Public Law 133-128) and its regulations, hereinafter also referred to as the "WIOA"; and any and all directives as may be prescribed by the Governor of the State of California regarding administration of the WIOA of 2014.

The purpose of this Agreement is to establish the administrative and fiscal roles and responsibilities between the COUNTY and MCWIC.

RECITALS

WHEREAS, WIOA H.R. 803, was signed into law on July 22, 2014. The Act takes effect on July 1, 2015 and supersedes titles I and II of the Workforce Investment Act of 1998. As stated within Employment and Training Administration (ETA) Training and Employment Guidance Letter (TEGL) 38-14, "a series of WIOA Operating Guidance documents will be provided to inform the workforce system how to begin the important

planning and reorganization necessary to comply with new WIOA statutory requirements for the upcoming Program Year 2015 (beginning July 1, 2015). The Operating Guidance TEGs will provide a framework for program activities until the regulations are finalized”; and

WHEREAS, Madera County has met the eligibility requirements for designation of a Local Workforce Delivery Area, hereinafter referred to as “LWDA”, for the two (2) year period of July 1, 2015, through June 30, 2017; and

WHEREAS, under this agreement the Chief Local Elected Official (CLEO) of Madera County shall be the Chairperson of the Board of Supervisors; and

WHEREAS, Madera County Board of Supervisors, by Resolution No. 2000.178, dated August 22, 2000, designated the Madera County Private Industry Council as the INVESTMENT BOARD, carried into the Workforce Investment Act of 1998, and now per the requirements of the new WIOA, the word Investment is to be stricken and replaced with the word Development, and Employment Development Department (EDD) directive WSD14-10 states “The existing local board will be automatically initially certified through PY 2015-16 upon approval of initial designation of local area”; and

WHEREAS, the WIOA amends the Workforce Investment Act of 1998, to strengthen the United States workforce development system through innovation in, and alignment and improvement of, employment, training, and education programs in the

United States, and to promote individual and national economic growth, and for other purposes; and

WHEREAS, the WIOA requires COUNTY and WDB to establish standing committees as deemed appropriate and necessary, develop a Local Workforce Development Plan, and define a local one-stop delivery system for the LWDA; and

WHEREAS, the WIOA requires the local board, in partnership with the CLEO, shall develop and submit a local plan to the State that meets the requirements in WIOA Section 108. If the local area is part of a planning region that includes other local areas, the local board shall collaborate with the other local boards and CLEO's from such other areas in the preparation and submission of a regional plan as described in WIOA Section 106(c)(2); and

WHEREAS, the WDB has been designated by the COUNTY to provide policy guidance for administration and operations, while exercising oversight with respect to activities under the Local Workforce Investment Plan for the LWDA; and

WHEREAS, the WIOA requires that the scope and specific nature of the partnership in the LWDA be defined and determined by local agreement between the CLEO, and WDB; and

WHEREAS, the parties, including the MCWIC as the administrator of the WDB, have previously entered into an agreement, Madera County Contract No. 9716-C-2012,

dated October 2, 2012, for the purposes described herein and said Contract is hereby superseded in full by this Contract

AGREEMENT

NOW THEREFORE, in consideration of the recitals set forth above, which are incorporated herein by reference, and the mutual covenants and undertaking set forth herein, the mutual receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. **Roles and Responsibilities of County**: The CLEO, on behalf of the COUNTY, shall serve as the local grant recipient for, and shall be liable for any misuse of, the grant funds allocated to the local area under WIOA sections 128 and 133, unless the CLEO reaches an agreement with the Governor for the Governor to act as the local grant recipient and bear such liability. As grant recipient, COUNTY shall fulfill, or cause to be fulfilled, the following responsibilities:

1.01 COUNTY shall designate MCWIC to serve as the local fiscal agent/local grant recipient. Such designation shall not relieve the County of any misuse of grant funds as described in WIOA Section 107 (d)(12)(B)(i)(1); COUNTY shall confirm adequate accounting, auditing, management information and reporting systems are in place to comply with the WIOA, and any and all regulations and/or those directives as may be prescribed by the Governor, and all other applicable, associated federal and state laws and regulations; COUNTY will provide a point of contact from the COUNTY Auditor/Controllers

office for submission of administrative and fiscal related compliance and oversight documentation from MCWIC. COUNTY will maintain oversight documentation and record keeping for COUNTY audit purposes.

- 1.02 COUNTY shall in partnership with the WDB, approve a local plan that meets the requirements in WIOA section 108.
- 1.03 COUNTY shall designate one of the Board of Supervisors members as a liaison with the WDB, which will enhance COUNTY Board of Supervisors' familiarity with WIOA, programmatic oversight, and commitment to the WIOA, WDB activities, and encourage communication between the parties to this Agreement. This WDB member shall have the same rights as any other member. This member shall be responsible for keeping the COUNTY Board of Supervisors apprised on the programs/systems operating under the direction/administration of the WDB and report out to the COUNTY Board of Supervisors meeting following each WDB meeting.
- 1.04 COUNTY shall comply with the provisions of the California Unemployment Insurance Code 14000-14004.5, fiscal controls established by the State as outlined in the WIOA section 184, and any and all regulations and/or directives that may be prescribed by the Governor, without compromise of its remedies against the WDB AND MCWIC, including but not necessarily limited to indemnification and contribution.
- 1.05 COUNTY shall, consistent with the WIOA, appoint a chairperson for the WDB every two (2) years following the WDB's biennial certification by the Governor. The CLEO shall be responsible for appointing all members of the WDB.

1.06 COUNTY's obligations under this Agreement shall be limited to making available to the MCWIC the funding that COUNTY receives from other agencies, entities, or jurisdictions, including federal and state funding sources, and which funds are intended for use in carrying out the intent and purpose of this Agreement. Under no circumstances shall COUNTY be responsible for providing funding under this Agreement that is unrelated to the WIOA purposes.

2. **Roles and Responsibilities of MCWIC:** MCWIC shall be designated herein as the administrative and fiscal agent and local grant recipient for programs and systems initiated pursuant to the WIOA and any and all regulations and/or those directives as may be prescribed by the Governor during the term of this Agreement. As the administrative and fiscal agent, MCWIC is hereby granted the authority to:

2.01 To carry out the functions and direction as determined by MCWIC and the WDB.

2.02 Negotiate and enter into separate agreements related to the provision of WIOA related services and other professional services consistent with, and deemed by MCWIC to be necessary to carry out its responsibilities and contained in the approved Local Workforce Development Plan for the LWDA without further approval of COUNTY, except as provided in this Agreement.

2.03 Expend funds sub-vented to MCWIC by COUNTY under the WIOA for the purpose of carrying out the approved Local Workforce Development Plan for the LWDA, as well as such other funds as may, from time to time, be

made available to MCWIC, without further approval of COUNTY, except as provided for in this Agreement.

2.04 Take responsibility for the day-to-day planning, management, and evaluation of the WIOA programs and the Local Workforce Development Plan for the LWDA. In carrying out these responsibilities, MCWIC hereby agrees to:

2.04.1 Establish and maintain an adequate fund accounting, auditing, and management information and reporting system on operations and expenditures.

2.04.2 Provide written reports to COUNTY, pursuant to its request, regarding program operations, performance, and expenditures, as well as other activities being conducted in furtherance of the approved Local Workforce Development Plan; Reports shall include program performance reports, monthly MCWIC financial reports approved by the MCWIC Board, quarterly expenditure reports submitted to EDD, annual monitoring guide and reports (completed by EDD and/or all other agencies as applicable to the WIOA), annual Schedule of Expenditures of Federal Awards, annual MCWIC Single Audit Report, and annual MCWIC 990 Financial report. Additional year end reports may be requested by the COUNTY auditor and will be provided upon request.

2.04.3 Carry out its responsibilities in administering local programs/system and implementing the Local Workforce Development Plan for the LWDA in full compliance with both the WIOA, as amended, and any

and all regulations and/or directives prescribed by the Governor, and all other applicable, associated federal and state laws and regulations.

2.04.4 Procure audits of funds and program activities as required by the WIOA and work to resolve any questions or irregularities identified through such audits.

2.04.5 Develop and manage a system to hear and resolve grievances, which may be brought by participants, contract service providers, vendors/training providers, and interested parties, as required by the WIOA.

2.05 Develop a Local Workforce Plan for the LWDA as required by the WIOA, in accordance with the following conditions:

2.05.1 MCWIC shall identify the employment needs of the LWDA's unemployed, the labor force needs of area employers and economic development activities in the area while conducting such other analyses as are required by the WIOA, which MCWIC determines to be appropriate and necessary in order to discharge its responsibilities that qualify for funds made available under the WIOA.

2.05.2 MCWIC shall solicit the input and participation of the local business community regarding the provision of activities and workforce development system services to customers of the LWDA.

2.05.3 MCWIC shall develop and maintain a process to secure public input and comment on the Local Workforce Development Plan and programs to be funded and provided under the WIOA, which shall be

submitted to COUNTY for review sufficiently in advance of the required date of submission to the Governor, to enable meaningful COUNTY input regarding form and content. The local plans for the LWDA shall be approved by COUNTY Board of Supervisors prior to such plans being submitted to the Governor by MCWIC.

2.05.4 MCWIC shall, upon approval and signature of the WDB and COUNTY, be responsible for submittal of the Local Plan to the Governor for approval.

3. **Purpose of the WDB:** The WDB shall be organized to serve as Workforce Development Board of Madera County as established by the WIOA sec. 107 (d). It shall function in accordance with the provisions of the WIOA and any and all associated enabling legislation, regulations, and/or executive orders, to carry out the primary purposes of the WDB as follows:

- 3.01 Increase the involvement of the business community, educational institutions, organized labor, government agencies, community-based organizations and economic development agencies in WIOA activities authorized by the WDB.
- 3.02 Identify, implement and administer effective approaches to increase employment opportunities for job seekers or anyone who wants to advance his or her career, including targeted populations.
- 3.03 Operate as the primary agency for implementation of various transitional needs as mandated by the WIOA prior to local designation by the State of California as a LWDA.

- 3.04 Provide WIOA activities, through statewide and local workforce development systems, that increase the employment, retention, and earnings of participants, while increasing occupational skills of participants, resulting in the improvement of the quality of the workforce, reduction of welfare dependency, and enhancement of the productivity and competitiveness of COUNTY.
- 3.05 Act as a catalyst for workforce retention and expansion, while a forum for all workforce policy.

4. **Roles and Responsibilities of the WDB:** In partnership with COUNTY in the implementation of the WIOA, WDB, in conjunction with MCWIC, shall assume the following responsibilities:

- 4.01 To establish the respective roles and responsibilities of the COUNTY and the WDB, for implementation of the WIOA at the local level.
- 4.02 To develop, in partnership with the CLEO, a local plan to the Governor that meets the requirements in section 108. If the local area is part of a planning region that includes other local areas, the local board shall collaborate with the other local boards and CLEO's from such other areas in the preparation and submission of a regional plan as described in section 106(c)(2).
- 4.03 Carry out workforce research and regional labor market analysis to assist in the development of analyses of economic conditions in the region, assist in the developing of statewide workforce and labor market information, and assist in conducting research, data collection and analysis related to the workforce needs of the regional economy as the board.

- 4.04 The local board shall convene local workforce development system stakeholders to assist in the development of the local plan under section 108 and in identifying non-Federal expertise and resources to leverage support for workforce development activities.
- 4.05 The local board shall lead efforts to engage with a diverse range of employers and with entities in the region involved to promote business representation on the local board, develop effective linkages with employers in the region to support employer utilization of the local workforce development system, ensure local workforce activities meet the needs of the employers and support economic growth, and to develop and implement proven or promising strategies for meeting the employment and skill needs of the workers and employers, that provide the skilled workforce needed by employers in the region, and that expand employment and career advancement opportunities for workforce development system participants in in-demand industries and sectors or occupations.
- 4.06 The local board shall identify and promote proven and promising strategies and initiative for meeting the needs of employers, workers, and job seekers, such as physical and programmatic accessibility, in accordance with section 188.
- 4.07 The local board shall develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, workers, and job seekers.

- 4.08 The local board, in partnership with the CLEO, shall conduct oversight for local youth workforce development activities, and ensure appropriate use and management of funds for the activities and system.
- 4.09 The local board, the CLEO and the Governor shall negotiate and reach agreement on the local performance accountability measures as described in section 116(c).
- 4.010 The local board, with the agreement of the CLEO shall designate and certify one-stop operators as described in section 121(d)(2)(A).
- 4.011 The local board shall identify eligible providers of youth workforce development activities in the local area by awarding grants or contracts on a competitive basis, and identify eligible training providers in the local area that provide the individuals with consumer choice options for training.
- 4.012 The local board shall develop a budget for the activities in the area, consistent with the local plan and the duties of the local board under this section, subject to the approval of the CLEO. The CLEO shall assist in the designation of the administration of grant funds and disbursement of grant funds.
- 4.013 The local board shall access the physical and programmatic accessibility, in accordance with section 188, if applicable and applicable provisions of the Americans with Disabilities Act of 1990, of all one-stop centers in the local area.
- 4.014 The local board shall make available to the public, on a regular basis through electronic means and open meetings, information regarding the activities of the local board, including information regarding the local plan, regular membership, designation and certification of one-stop operators,

and award of grants or contracts to eligible providers of youth workforce development activities.

4.015 The local board may hire a director and other staff to assist in carrying out the functions using funds available under sections 128(b) and 133(b) as described in section 128(b)(4). The board shall ensure the individuals selected as the requisite knowledge, skills, and abilities, to meet identified benchmarks and to assist ineffectively carrying out the functions of the local board. The director and staff shall be subject to the limitations on the payment of salaries and bonuses described in section 194(15).

4.016 A local board may provide career services described in section 134(c)(2) through a one-stop delivery system or be designated or certified as a one-stop operator only with the agreement of the CLEO in the area and the Governor.

5. **Resolution of Disagreements:** It is the joint authority and responsibility of all parties to this Agreement to ensure effective delivery of WIOA activities to employers and job seekers. In the event the MCWIC and COUNTY cannot reach a mutually satisfactory agreement on approval of the Local Workforce Development Plan, WDB, MCWIC, and COUNTY shall meet and attempt to resolve such disagreement. When one or more parties to this Agreement concludes that consensus between MCWIC, WDB, and COUNTY cannot be reached, any and all unresolved issues pertaining to the plans shall be submitted for a binding determination made by a four-member panel consisting of one representative of the MCWIC, one representative of COUNTY, one representative of the

WDB, and one impartial representative of the Governor's office, or a designee, who is acceptable to the parties.

6. **Receipt of Other Funds**: This Agreement does not preclude or limit the receipt by MCWIC of other governmental or non-governmental funds, either directly or indirectly. Any funds received directly by MCWIC shall be accounted for in the same manner as, and subject to the same financial procedures and control as the WIOA funds expended by MCWIC, except that private funds may be accounted for separately by using accepted accounting procedures.

7. **Term of Agreement**: This Agreement, and its force and effect on the activities, responsibilities and relationships defined herein, shall be effective commencing with its execution by the parties and shall continue until terminated as provided for herein.

8. **Termination**: COUNTY, MCWIC or the WDB may terminate this Agreement upon one hundred-eighty (180) calendar day's prior written notice to all parties specifying the date of termination. Any party may terminate this Agreement for cause by giving all parties five (5) calendar day's prior written notice of its intent to so terminate. Cause shall include, but not be limited to, the material breach of this Agreement by any party hereto or the immediate loss of significant governmental or grant funding (greater than 50% of the total WDB budget) by any party hereto. The breaching party shall have five (5) days from receipt of written notice by the non-breaching party to cure all material breaches of this Agreement.

9. **Amendments**: COUNTY, MCWIC, or the WDB may propose amendments to this Agreement at any time. Any amendment to this Agreement shall be in writing and require the written consent of each party hereto.

10. **Notices:** All notices hereunder shall be in writing served either by personal delivery or by first class mail (postage pre-paid) as follows:

County of Madera

Chairman, Board of Supervisors
200 West 4th Street
Madera, CA 93637

Madera County Workforce Investment Corporation

Executive Director
441 East Yosemite Avenue
Madera, CA 93638

Workforce Development Board of Madera County

Board Chair
441 East Yosemite Avenue.
Madera, CA 93638

11. **Indemnification/Hold Harmless:** To the fullest extent permitted by law, each party shall indemnify, defend (at the indemnifying party's sole cost and expense), protect and hold harmless the other parties and each of their officers, employees, agents, and volunteers, and all representatives, successors, and assigns, from and against any and all claims (including, without limitation, claims for bodily injury, death or damage to property), demands, obligations, damages, actions, causes of action, suits, losses, judgment fines, penalties, forfeitures, liabilities, costs and expenses (including, without limitation, attorneys' fees, disbursements and court costs, and any and all other professional, expert or consultants' fees and costs and general and administrative expenses) of every kind and nature whatsoever (individually, a "claim;" collectively, "claims"), which may arise from or in any manner relate (directly or indirectly) to, and only to the extent of, the negligent and/or willful acts, errors and/or omissions of the indemnifying party, its officers, officials, agents, employees, person(s) under the

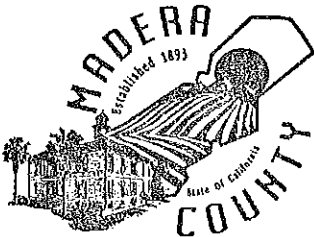
supervision of the indemnifying party, vendors, suppliers, contractors, subcontractors, consultants, anyone employed directly or indirectly by any of them or for whose acts they may be liable, or any or all of them, in performing any work or services to be provided under this Agreement.

12. **Governing Law.** This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of California. Venue for the purposes of the filing of any action regarding the enforcement or interpretation of this Agreement and any rights and duties hereunder shall be Madera County, California.

13. **Severability:** Should any part, term, portion, or provision of this Agreement be in conflict with any law of the United States or of the State of California, or otherwise unenforceable or ineffectual, the validity of the remaining parts, terms, portions or provisions shall be deemed severable, enforceable and in effect, provided that such remaining portions or provisions can be construed in substance to constitute the intended Agreement of the parties.

* * * * *

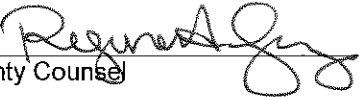
IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written:



Attest
By: Shonda M. Caracci
Clerk, Board of Supervisors

County of Madera
By: [Signature]
Chairman, Board of Supervisors

Approved as to Legal Form:

By: 
County Counsel

Madera County Workforce Investment
Corporation

By: 
Elaine M. Craig, Executive Director

Workforce Development Board of Madera
County

By: 
Chair

Pan American Center holds fall job fair

By Donald A. Promnitz
THE MADERA TRIBUNE

Employers and job-seekers alike came out in force for a Fall Job Fair at the Pan American Community Center.

The fair, held Thursday by the Madera County Workforce In-

vestment Corporation, was a chance for Madera County residents to see what job opportunities are available, with nearly 30 employers, ranging from county jobs to casinos.

"That's really the purpose of the job

SEE JOB FAIR, PAGE A3

Madera, California

MADERA TRIBUNE

Job fair

Continued from Page A2 fair," said Maiknue Vang of the Investment Corporation. "It is to get jobseekers connected to employers, and help the employers fill that employment need at their local place of employment."

According to Vang, another fair is scheduled for April.



DONALD A. PROMNITZ/
THE MADERA TRIBUNE
Elaine Lopes of the California Conservation Corps. describes her organization's work to David Legaria. Lopes' booth was one of almost 30 at the Fall Job Fair held at the Pan American Community Center on Thursday.