

**INTERLOCAL AGREEMENT BETWEEN ALACHUA
COUNTY AND BRADFORD COUNTY REGARDING THE ALACHUA/BRADFORD
LOCAL WORKFORCE DEVELOPMENT BOARD D.B.A. CAREERSOURCE NORTH CENTRAL
FLORIDA**

THIS AGREEMENT is made and entered into pursuant to the authority of the Florida Interlocal Cooperation Act of 1969, Section 163.01 (the "ACT"), and is by and between the counties of Alachua and Bradford, of the State of Florida.

WITNESSETH:

WHEREAS, the United States has enacted the Workforce Innovation and Opportunity Act, Pub. L. No. 113-128 ("US-WIOA") and the State of Florida has subsequently enacted conforming provisions to Chapter 445, the Workforce Innovation Act of 2000, ("FL-WIOA"). Collective or joint reference to both the US-WIOA and FL-WIOA is referred to herein as the "WIOA". The goals of the WIOA are to increase the employment, retention, and earnings of participants, and increase occupational skill attainment by participants, and, as a result, improve the quality of the workforce, reduce welfare dependency, and enhance the productivity and competitiveness of the United States and Florida; and

WHEREAS, the State of Florida's approach to implementing the US-WIOA contains the following elements:

- Streamlining services - Florida's employment and training programs must be coordinated and consolidated at locally managed one-stop delivery system centers,
- Empowering individuals - Eligible participants will make informed decisions, choosing the qualified training program that best meets their needs,
- Universal access - Through a one-stop delivery system every Floridian will have access to employment services,
- Increased accountability - The state, localities, and training providers will be held accountable for their performance,
- Local board and private sector leadership - Local workforce development boards will focus on strategic planning, policy development, and oversight of the local system, choosing local managers to direct the operational details of their one stop delivery system centers, and
- Local flexibility and integration - Localities will have exceptional flexibility to build on existing reforms. Unified planning will free local groups from conflicting micromanagement, while waivers will allow local innovations; and

WHEREAS, as required by the WIOA, the Governor of the State of Florida designates local areas to promote the effective delivery of services; and

WHEREAS, the Boards of County Commissioners of Alachua and Bradford Counties, Florida, desire that their counties continue to be designated a local area ("local area") to avail their citizens of the benefits of the WIOA; and

WHEREAS, the Governor has designated Alachua and Bradford Counties as a local area for the purposes of the WIOA; and

WHEREAS, the WIOA requires the establishment of a Local Workforce Development Board to provide policy guidance for, and exercise oversight with respect to, activities under the WIOA program of its local workforce development area in "partnership" with the units of general local government within its local area; and

WHEREAS, it is the responsibility of each county in the local area to appoint members to the Alachua/Bradford Local Workforce Development Board d.b.a CareerSource North Central Florida ("CareerSource NCFL") that meet the requirements of a Local Workforce Development Board in accordance with the WIOA and this Interlocal Agreement; and

WHEREAS, the CareerSource NCFL Board meets the requirements of a Local Workforce Development Board in accordance with the WIOA, the State of Florida, the Chief Elected Officials (as defined in 7.1 below), and this Interlocal Agreement; and

WHEREAS, the CareerSource NCFL Board has developed and received approval by the Chief Elected Officials and the State of Florida for a Local Workforce Services Plan, which meets the requirements of a "local plan" as this term is defined in section 3(35) of the US-WIOA, and

WHEREAS, this Agreement does not create a separate 'administrative entity' as this term is defined and described in the ACT; and

WHEREAS, the CareerSource NCFL Board has competitively procured and selected a fiscal agent and administrative entity to administer its Local Workforce Services Plan and provide other contracted services (the "CareerSource NCFL administrative entity").

NOW THEREFORE, the parties hereto agree as follows:

1. Establishment of Alachua/Bradford Interlocal Agreement

1.1 There is hereby established a multi-jurisdictional arrangement among the parties hereto for the express purpose of collectively carrying out the individual responsibilities of each party to this Agreement under the WIOA. Upon its complete execution, this Agreement replaces the previous Interlocal agreement between the parties.

2. Identification of Parties to this Agreement

2.1 Each of the parties to this Agreement is a county of the State of Florida, and as such is a general-purpose political subdivision, which has power to levy taxes and spend funds, as well as general corporate and police powers. The governing body of each of the parties to this Agreement is its Board of County Commissioners, and each party to the Agreement is identified as follows:

<u>Name</u>	<u>Address</u>
Board of County Commissioners Alachua County, Florida	P.O. Box 2877 Gainesville, FL 32602
Board of County Commissioners Bradford County, Florida	P. O. Drawer B Starke, FL 32091

3. Geographical Area to be served by this Agreement

3.1 The local area that will be served by this Agreement is the entire geographical area of each of the two (2) member counties, which geographical areas are legally described in Chapter 7, Florida Statutes.

4. Agreement not Prohibited by Law

4.1 This Agreement is not prevented by State or local law from taking effect in the entire local area that it serves.

5. Local Workforce Development Area Designation

5.1 Pursuant to the designation by the Governor, the CareerSource NCFL Board shall be the Local Workforce Development Board for the local area (Area #9 as provided for in Title I, Section 106 of the US-WIOA).

6. Size of Population to be Served

6.1 The population of the area served by this Agreement is 286,890 based upon the 2015 estimated population count by the United States Census Bureau.

7. Chief Elected Officials

7.1 For Alachua County "Chief Elected Official" means the Chair of the Alachua County Board of County Commissioners and for Bradford County Chief Elected Official means the Chair of the Bradford County Board of County Commissioners, unless otherwise specified by either board (collectively, the Chief Elected Official of each County are referred to as the "Chief Elected Officials"). In the circumstance where a dual appointment is required to be made to the CareerSource NCFL Board by both counties, then a four-member consortium comprised of two members of each county commission (the "Dual County Consortium"), shall make the appointment and conduct other business as may be required.

7.2 Dual County Consortium meetings will be prescheduled in July of each year to ensure that all Dual County Consortium meetings are on both counties' calendars every three months (quarterly) or at such other times as may be agreed upon by all the Dual County Consortium members. If all Dual County Consortium members agree, a Dual County Consortium meeting may be cancelled or its date changed. CareerSource NCFL's administrative entity will notify all Dual County Consortium members of any requests for a cancellation or date change.

7.3 The parties to this Agreement hereby authorize the Chief Elected Officials to exercise all decision-making powers, including those related to overall plans, programs, and agreements pursuant to the WIOA. More specifically the Chief Elected Officials are hereby authorized to:

- (1) Appoint the members of the CareerSource NCFL Board, in accordance with Title I, Section 107(b)(2) of the US-WIOA, Chapter 445.007(1), F.S. as amended (FL-WIOA), and Section 8 of this Agreement, who shall serve the functions as described in Title 1, Section 107 of the US-WIOA; and
- (2) Enable the CareerSource NCFL Board to administer the Local Workforce Services Plan as approved by Alachua and Bradford Counties and the State and Florida; and
- (3) Select the CareerSource NCFL Board as the local grant sub-recipient as authorized in Title I, Section 107 (d)(12)(B)(II) of the US-WIOA; and
- (4) Review and approve all plans prepared under Title I, Section 108 of the US-WIOA and jointly submit, along with the CareerSource NCFL Board, said plans to the State of Florida; and
- (5) Perform any other appropriate duties necessary for the accomplishment of and consistent with the purposes of this Agreement and the WIOA.

8. Establishment, Composition, and Appointment of the CareerSource NCFL Board

8.1 There is hereby established a Local Workforce Development Board (hereinafter called the CareerSource NCFL Board), which shall be constituted in accordance with the requirements of Title I, Section 107 of the US-WIOA, Chapter 445, F.S. as amended (FL-WIOA), and this Agreement. As of the Effective Date of this Agreement, the designations of members of the CareerSource NCFL Board are listed in Attachment 1, which is made part of this Agreement.

8.2 Members of the CareerSource NCFL Board are nominated by various agencies as mandated under WIOA. Those nominations are to be approved by the Chief Elected Officials for selection and appointment and then will be submitted to the appropriate Board of County Commissioners. Attachment 1, which is made a part of this Agreement, defines which Board seats represent which county(ies). Either County may choose to solicit member nominations directly from the appropriate agencies. Members shall be appointed for fixed or staggered terms and may serve until their successors are appointed. Terms of CareerSource NCFL Board members shall be three (3) years and may be renewed for one or more additional three (3) year terms.

8.3 Any vacancy in the membership of the CareerSource NCFL Board shall be filled in the same manner as the vacating member's appointment.

8.4 All members of the CareerSource NCFL Board are subject to having their membership terminated for failure to attend three (3) CareerSource NCFL Board meetings per year. It shall be the responsibility of the CareerSource NCFL Executive Committee to review each individual case and determine whether the member should be removed or whether extenuating circumstances justify the member's retention.

8.5 While the Board members representing the public and private sectors may be appointed and personally serve, it is permissible for them to send designees to those meetings that they are not able to attend. In such instances, the attendance of all designees shall satisfy attendance and quorum requirements but does not extend voting privileges to the designee.

8.6 An individual may be appointed as a representative of more than one entity if the individual meets all criteria for such representation. An individual who represents more than one area must be appropriately nominated by the organizations or entities they will represent, must have optimum policy making authority and must be able to speak affirmatively on behalf of each entity represented.

8.7 Private sector nominations and the individuals selected by each Chief Elected Official shall reasonably represent the industrial and demographic composition of the business community. Whenever possible, at least one-half of such business and industry representatives shall be representatives of small business (500 employees or less), including minority business.

8.8 The number of nominations made by the organizations specified in this Section 8 should be at least equal to the number of seats that are vacant; however, nominations may be as many as the nominating organizations deem appropriate.

9. Positions on the Local Workforce Development Board

The Governor, in partnership with CareerSource Florida, Inc., shall establish criteria for use by the Chief Elected Officials for appointment of members to the CareerSource NCFL Board. The positions on the Board shall require that, at a minimum:

9.1 Business - A majority of the CareerSource NCFL Board member positions must represent local businesses in the local area. Members who fill these positions will:

- (1) Be owners of a business, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority;
- (2) Represent businesses, including small businesses, or organizations representing businesses that provide employment opportunities that, at a minimum, include high quality, work-relevant training and development in in-demand industry sectors or occupations in the local area (at least two representatives of small businesses must be included); and
- (3) Be appointed from among individuals nominated by local business organizations and business trade associations [§ 107(b)(2)(A), US-WIOA].

9.2 Labor/Apprenticeships/Community Based Organizations - No less than 20% of the positions shall be representatives of the workforce within the local area and:

- (1) Include at least two representatives will represent labor organizations nominated by local labor federations. For a local area in which no employees are represented by such organizations, at least two representatives of employees will be included.
- (2) Include at least one representative of a labor organization or a training director from a joint labor-management apprenticeship program. If no such joint program exists in the area, at least one representative of an apprenticeship program in the area, if such a program exists.
- (3) May include representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment needs of individuals with barriers to employment, including organizations that serve veterans or provide/support competitive integrated employment for individuals with disabilities.
- (4) May include representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives or organizations that serve out-of-school youth [§ 107(b)(2)(B), US-WIOA].

9.3 Education - Each local board shall include representatives of entities administering education and training activities in the local area and:

- (1) Include a representative of eligible providers administering adult education and literacy activities under Title II of WIOA.
- (2) Include a representative of institutions of higher education providing workforce investment activities (including community colleges).
- (3) Include a private education provider. CareerSource Florida may waive this requirement if requested by the CareerSource NCFL Board if it is demonstrated that such representatives do not exist in the local area.
- (4) May include representatives of local educational agencies, and of community-based organizations with demonstrated experience and expertise in addressing the education or training needs of individuals with barriers to employment. When there is more than one institution in each of the types of educational entities listed above, nominations are solicited from representatives of each of these entities [§ 107(b)(2)(C), US-WIOA, § 445.007(1), F.S., FL-WIOA].

9.4 Economic/Community Development and Other Entities – the CareerSource NCFL Board shall include representatives of governmental and economic and community development entities serving the local areas and:

- (1) Include a representative of economic and community development entities serving the local area. An economic agency is defined as including a local planning or zoning commission or board, a community development agency, or another local agency or institution responsible for regulating, promoting, or assisting in local economic development.
- (2) Include a representative of Vocational Rehabilitation serving the local area.
- (3) May include representatives of agencies or entities serving the local area relating to transportation, housing, and public assistance.
- (4) May include representatives of philanthropic organizations serving the local area.
- (5) May include other individuals or representatives of entities as the Chief Elected Officials determine to be appropriate. [§ 107(b)(2)(D) & (E), § 3(17) US-WIOA].

9.5 Members of the CareerSource NCFL Board shall represent diverse geographic areas within the local area. The importance of minority and gender representation shall be considered when making appointments to the CareerSource NCFL Board.

9.6 The Chair of the CareerSource NCFL Board must be from the business community and serve for a term of no more than two years and serve no more than two terms as chair. [§ 107(b)(3)], US-WIOA, § 445.007(2)(a) F.S., FL-WIOA]

10. Responsibilities of the CareerSource NCFL Board

10.1 The CareerSource NCFL Board, in addition to any responsibilities specified elsewhere in this Agreement, shall:

- (1) Focus on strategic planning, policy development, and oversight of the local system, choosing local managers to direct the operational details of the one-stop delivery system centers;
- (2) Govern its meetings by the provisions of Chapter 286, F.S., (the "Government in the Sunshine Act");
- (3) Manage all documents in its custody consistent with the requirements of Chapter 119, F.S. (the Florida Public Records Law);
- (4) Provide to the Chief Elected Officials, within thirty (30) days of completion, copies of all outside audits and monitoring reports of the CareerSource NCFL Board, the CareerSource NCFL administrative entity, or its contracted service providers;
- (5) Collaborate with CareerSource Florida, Inc. and appropriate state agencies and local public and private service providers to establish uniform performance accountability measures that apply across the core programs to gauge the performance of the state and local workforce development boards in achieving the workforce development strategy. The performance accountability measures consist of the primary indicators of performance, any additional indicators of performance, and a local level of performance for each indicator pursuant to Pub. L. No. 113-128. The local level of performance is determined by the CareerSource NCFL Board, the Chief Elected Officials, and the Governor pursuant to Pub. L. No. 113-128, Title I, s. 116(c);
- (6) Develop, submit, ratify, or amend the local plan pursuant to Pub. L. No. 113-128, Title I, s. 108;
- (7) Conclude agreements necessary to designate the fiscal agent and administrative entity;

- (8) Complete assurances required for the charter process of CareerSource Florida, Inc., and provide ongoing oversight related to administrative costs, duplicated services, career counseling, economic development, equal access, compliance and accountability, and performance outcomes;
- (9) Designate all local service providers;
- (10) Adopt a committee structure consistent with applicable federal law and state policies established by CareerSource Florida, Inc.; and
- (11) Oversee the one-stop delivery system in Alachua and Bradford Counties.

11. Removal of a Board Member for Cause

11.1 The Governor may remove a member of the CareerSource NCFL Board and its Executive Director or the designated person responsible for operational and administrative functions for the CareerSource NCFL Board for cause. Cause includes, but is not limited to, engaging in fraud or other criminal acts, incapacity, unfitness, neglect of duty, official incompetence and irresponsibility, misfeasance, malfeasance, nonfeasance, or lack of performance [s. 445.007(2)(b), F.S. FL-WIOA].

12. One-Stop Partners (as defined in section 3(42) of the US-WIOA)

12.1 Required Partners - An entity that carries out a program referred to in Pub. L. No. 113-128, Title I, s. 121(b)(2)(B) shall be included as a required one-stop partner unless the Governor provides the notification described in Pub. L. No. 113-128, Title I, s. 121(b)(2)(C)(ii).

12.2 Additional (Optional) Partners - With the approval of the CareerSource NCFL Board and the Chief Elected Officials, other entities that carry out workforce development programs described in Pub. L. No. 113-128, Title I, s. 121(b)(2)(B) may be one-stop partners and carry out the responsibilities described in Pub. L. No. 113-128, Title I, s. 121(b)(1)(A).

13. Liability and Indemnification

13.1 The Chief Elected Officials of Alachua County and Bradford County serve as the grant recipients for, and shall be liable for any misuse of the grants funds allocated to the local area under Title 1, Sections 128 and 133 of the US-WIOA.

13.2 CareerSource Florida, Inc., may provide indemnification from audit liabilities to Local Workforce Development Boards that act in full compliance with state law and board policy.

14. Other Necessary and Proper Matters Agreed Upon by the Parties - Administrative Responsibilities, Contractual Authority, and Instruments of Debt

14.1 The Chief Elected Officials shall utilize the CareerSource NCFL Board for the provision of staff services to assist in carrying out the Board's responsibilities pursuant to this Agreement. In particular, the CareerSource NCFL contracted administrative entity and fiscal agent, procured by the CareerSource NCFL Board, shall make arrangements for meeting locations, send meeting notices to Board members, maintain minutes of the meetings, and perform other related administrative duties for the Chief Elected Officials and the Board.

14.2 Pursuant to s. 445.007 F.S., for purposes of procurement, the Board and the CareerSource NCFL administrative entity are not state agencies and are exempt from chapters 120 and 287, F.S. The Board shall apply the procurement and expenditure procedures required by federal law and policies of the

Florida Department of Economic Opportunity and CareerSource Florida, Inc., for the expenditure of federal, state, and non pass-through funds.

14.3 The CareerSource NCFL Board and/or its Executive Committee may execute contracts deemed necessary to facilitate and achieve the objectives and goals of the WIOA and the Local Workforce Services Plan.

14.4 A quorum having been established and upon a majority vote of the CareerSource NCFL Board members in attendance, the CareerSource NCFL Board may execute instruments of debt provided it has or foreseeably will have funds to allowably repay the debt plus any interest. Any such debt shall be necessary and proper and shall not constitute the debts of either county.

15. Duration of Agreement

15.1 This Agreement shall remain in effect for three (3) years, may be amended upon the written consent of the parties, and may be renewed for additional three (3) year periods upon the written consent of the parties.

16. Effective Date

16.1 This Agreement and any amendments hereto shall be effective between and among each county passing a resolution adopting this Agreement and any amendments hereto upon filing said resolution and this Agreement and any amendments hereto with the Clerk of the Circuit Court in their county.

[signatures page follows]

IN WITNESS THEREOF, the parties have caused this Agreement to be executed for the uses and purposes therein expressed on this 9th day of November, 2016.

ALACHUA COUNTY, FLORIDA

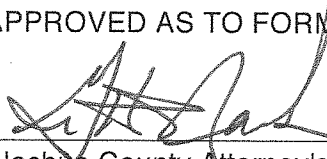
By: 
Robert Hutchinson, Chair
Board of County Commissioners

ATTEST:


J. K. Irby, Clerk

(SEAL)

APPROVED AS TO FORM


Alachua County Attorney's Office

BRADFORD COUNTY, FLORIDA

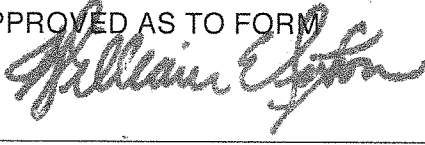
By: 
Chair, Board of County Commissioners

ATTEST:


Clerk

(SEAL)

APPROVED AS TO FORM


Bradford County Attorney

Attachment 1

ALACHUA/BRADFORD LOCAL WORKFORCE DEVELOPMENT BOARD

Local Workforce Development Area Number 9

Board Seat	Category per DEO Guidance	Representation Code	Seat Description	Governing Law	County
1	Business	BU	Business Seat	§ 107(b)(2)(A), US-WIOA	Alachua
2	Business	BU	Business Seat	§ 107(b)(2)(A), US-WIOA	Alachua
3	Business	BU	Business Seat	§ 107(b)(2)(A), US-WIOA	Alachua
4	Business	BU	Business Seat	§ 107(b)(2)(A), US-WIOA	Alachua
5	Business	BU	Business Seat	§ 107(b)(2)(A), US-WIOA	Alachua
6	Business	BU	Business Seat	§ 107(b)(2)(A), US-WIOA	Alachua
7	Business	BU	Business Seat	§ 107(b)(2)(A), US-WIOA	Alachua
8	Business	BU	Business Seat	§ 107(b)(2)(A), US-WIOA	Alachua
9	Business	BU	Business Seat	§ 107(b)(2)(A), US-WIOA	Alachua
10	Business	BU	Business Seat	§ 107(b)(2)(A), US-WIOA	Alachua
11	Business	BU	Business Seat	§ 107(b)(2)(A), US-WIOA	Alachua
12	Business	BU	Business Seat	§ 107(b)(2)(A), US-WIOA	Alachua
13	Business	BU	Business Seat	§ 107(b)(2)(A), US-WIOA	Bradford
14	Business	BU	Business Seat	§ 107(b)(2)(A), US-WIOA	Bradford
15	Business	BU	Business Seat	§ 107(b)(2)(A), US-WIOA	Bradford
16	Business	BU	Business Seat	§ 107(b)(2)(A), US-WIOA	Bradford
17	Business	BU	Business Seat	§ 107(b)(2)(A), US-WIOA	Bradford
18	Labor/Apprenticeships (20%)	LO/CBO	Labor	§ 107(b)(2)(B), US-WIOA	Alachua
19	Labor/Apprenticeships (20%)	LO/CBO	Labor	§ 107(b)(2)(B), US-WIOA	Alachua
20	Labor/Apprenticeships (20%)	LO/CBO	Joint Labor-Management Apprenticeship Program -	§107(b)(2)(B)(ii), US-WIOA	Alachua/Bradford

Board Seat	Category per DEO Guidance	Representation Code	Seat Description	Governing Law	County
21	Labor/Apprenticeships/ CBO (20%)	LO/CBO	CBO working with persons with disabilities, veterans, or other barriers to employment or other organizations working with employment, training and education of eligible youth including out of school youth	§107(b)(2)(B)(iii), US-WIOA	Alachua/Bradford
22	Labor/Apprenticeships/ CBO (20%)	LO/CBO	CBO working with persons with disabilities, veterans, or other barriers to employment or other organizations working with employment, training and education of eligible youth including out of school youth	§107(b)(2)(B)(iv), US-WIOA	Alachua/Bradford
23	Labor/Apprenticeships/ CBO (20%)	LO/CBO	CBO working with persons with disabilities, veterans, or other barriers to employment or other organizations working with employment, training and education of eligible youth including out of school youth	§107(b)(2)(B)(iii), US-WIOA	Alachua/Bradford
24	Labor/Apprenticeships/ CBO (20%)	LO/CBO	CBO working with persons with disabilities, veterans, or other barriers to employment or other organizations working with employment, training and education of eligible youth including out of school youth	§107(b)(2)(B)(iii), US-WIOA	Alachua/Bradford
25	Education	LEA	Adult education and literacy	§107(b)(2)(C)(i), US-WIOA	Alachua/Bradford
26	Education	HE	Institution of Higher Education	§107(b)(2)(C)(ii), US-WIOA	Alachua/Bradford
27	Economic/Community Development and Other Entities	EC/D/O	Vocational Rehabilitation	§ 107(b)(2)(D)(iii), US-WIOA	Alachua/Bradford

Board Seat	Category per DEO Guidance	Representation Code	Seat Description	Governing Law	County
28	Economic/Community Development and Other Entities	EC/DO	Representative of economic and community development entities serving the local area. Local planning or zoning commission or board, community development agency, or other local agency responsible for regulating, promoting or assisting in local economic development.	§ 107(b)(2)(D), US-WIOA	Alachua
			Private education provider	§ 445.007(1), Fla. Stat., FL-WIOA	Alachua/Bradford
29	Education	PE		§ 107(b)(2)(D), US-WIOA	Bradford
			Representative of economic and community development entities serving the local area. Local planning or zoning commission or board, community development agency, or other local agency responsible for regulating, promoting or assisting in local economic development		
30	Economic/Community Development and Other Entities	OAE			
			Organization representing public assistance	§ 107(b)(2)(D), US-WIOA	Alachua/Bradford
			Housing	§ 107(b)(2)(D), US-WIOA	Alachua/Bradford
31	Other Entities	OAE	Economic Development & Higher ED	§ 107(b)(2)(D) & (E), § 3 (17) US-WIOA	Alachua/Bradford
32	Other Entities	OAE			
33	Other Entities	OAE			

M – Mandatory O – Optional	Representation Codes
M	BU – Business
M	EC/D/O – Economic/Community Development & Other Entities
M	HE – Higher Education
M	LEA – Local Education Agency
M	LO/CBO – Labor Organization or Community-Based Organization
M	PE – Private Education provider
O	OAE – Other Authorized Entities