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Title: Authorize the City Manager or his designee to execute an amendment to the Joint Powers Agreement (JPA) between the City of Fresno (City) and the County of Fresno (County) for purposes of providing Federal Workforce Innovation and Opportunity Act Services within Fresno County.

Sponsors: Office of Mayor & City Manager

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Attachments: 1. Agreement A-16-050 with First Amendment to JPA.PDF, 2. Exhibit A-1.pdf, 3. Exhibit B.PDF

Date	Ver.	Action By	Action	Result
3/3/2016	1	City Council	approved	Pass

REPORT TO THE CITY COUNCIL

March 3, 2016

FROM: BRUCE RUDD, City Manager
City Manager's Office

BY: RENENA SMITH, Assistant City Manager
City Manager's Office

SUBJECT

Authorize the City Manager or his designee to execute an amendment to the Joint Powers Agreement (JPA) between the City of Fresno (City) and the County of Fresno (County) for purposes of providing Federal Workforce Innovation and Opportunity Act Services within Fresno County.

RECOMMENDATION

Staff recommends approval and execution of the First Amendment to Joint Exercise of Powers Agreement: Workforce Investment Act of 1998 Development Services between the City of Fresno ("City") and the County of Fresno ("County").

EXECUTIVE SUMMARY

Approval of the recommended action will allow the City and the County to amend the Joint Exercise of Powers Agreement: Workforce Investment Act of 1998 Development Services (the “JPA”) to reflect changes in federal law under the Workforce Innovation and Opportunity Act of 2014.

BACKGROUND

The federal Workforce Investment Act of 1998 (Public Law 105-220, 29 U.S.C. § 2801, et seq.), as amended, (“WIA”) provided funding to train unemployed workers and disadvantaged youth.

In order to access these WIA funds, local jurisdictions had to apply and be designated as a Local Workforce Investment Area (“LWIA”). The County originally sought and received such designation.

In May of 2009, to better serve local businesses and create the strongest possible governance structure for the LWIA, the City and the County jointly established a Workforce Investment Board (“WIB”) through the JPA. The JPA created an agency separate from the City and County - the Fresno Regional Workforce Investment Board.

The federal Workforce Innovation and Opportunity Act of 2014 (Public Law 113-128, 29 U.S.C. § 3101, et seq.) (“WIOA”) supersedes and amends the WIA to, among other things, 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.

The WIOA provides that, when a local area includes more than one unit of general local government, the chief elected officials (the “CLEOs”) of such units may execute an agreement that specifies the respective roles of the individual CLEOs for overseeing, planning, developing, and monitoring a comprehensive delivery system. Also, under the WIOA, LWIAs have been replaced by “Local Workforce Development Areas” and local WIBs have been replaced by local “Workforce Development Boards.”

Approval of the recommended action will allow the following revisions to be made to the JPA:

- References to WIA will be replaced with references to WIOA;
- References to “local Workforce Investment Areas” will be replaced with references to “local Workforce Development Areas”;
- References to “local Workforce Investment Boards” will be replaced with references “local Workforce Development Boards”;
- References to the joint powers agency name “Fresno Regional Workforce Investment Board” (“FRWIB”) will be replaced with “Fresno Regional Workforce Development Board” (“FRWDB”); and
- On a more substantive level, the recommended revisions will affect the composition of the workforce development board. If the current JPA is left in place, in order to be in compliance with the new WIOA, the FRWDB would have to grow to a size of 58 minimum members. This in a circumstance in which the new federal law (WIOA) allows for a board with a minimum size of 19 overall members. The recommended action, listed as “Option 3” on the new Exhibit A, proposes an overall board composition of 29 members. The recommended action revises the agency’s board composition by replacing the current Exhibit “A” to the JPA with a new Exhibit “A.”

Under the proposed model, out of a total board composition of 29, the City of Fresno will appoint members as outlined below:

Mayoral Appointees:

- Business: Seven (7) appointments will be proposed by the Mayor and confirmed by the City Council.
- CLEO: One (1) appointee will be proposed by the Mayor and confirmed by the City Council. This seat is limited to an elected official or a representative of the Administration.

City of Fresno and Fresno County Joint Appointees: Procedurally, all joint appointments should be coordinated through the Council President and City Clerk's Office and confirmed by the City Council.

- Business: One (1) appointee will be approved by both the City and County.
- Labor: Six (6) appointees will be approved by both the City and County.
- Education: Two (2) appointees will be approved by both the City and County.
- Economic Development: Three (3) appointees will be approved by both the City and County.
- One-Stop Partners: One (1) appointee will be approved by both the City and County.

Eight (8) remaining appointees are handled solely by Fresno County.

ENVIRONMENTAL FINDINGS

By the definition provided in the California Environmental Quality Act ("CEQA") Guidelines, Section 15378, this hearing does not qualify as a "project" and is therefore exempt from CEQA requirements.

LOCAL PREFERENCE

Local preference does not apply because this item does not involve a bid or award of a construction or services contract.

FISCAL IMPACT

This is a policy document with no fiscal impact to the City associated with the recommended action.

Attachment:

First Amendment to Joint Exercise of Powers Agreement (including Exhibits A-1 and B)