

GENERAL BOARD MEETING

Workforce Development Board Conference Room
Workforce Development Department Administration Office
290 North "D" Street, 6th Floor, San Bernardino, California

WEDNESDAY, MARCH 23, 2016, 12:00 p.m.

This agenda contains a brief description of each item of business to be considered at today's meeting. In accordance with the Brown Act, this meeting agenda is posted at least 72 hours prior to the regularly scheduled meeting on the Workforce Development Board website and on the official Workforce Development Board Bulletin Board outside of the Workforce Development Department Administration Office at 290 North "D" Street, 6th Floor, San Bernardino, CA. The agenda, its supporting documents and all writings received by the Board related to these items are public records and available for review during regular business hours at the WDD Administration Office at 290 North "D" Street, 6th Floor, San Bernardino, CA, Suite 301. The agenda and its supporting documents can be viewed online at <http://cms.sbcounty.gov/wib/Home.aspx>. However, the online agenda may not include all available supporting documents nor the most current version of documents. Items listed on the Consent Calendar are expected to be routine and non-controversial and, unless the Board directs that an item be held for further discussion, the entire Consent Calendar will be acted upon as the first item of business on the Discussion Calendar.

Members of the public may address the Board on any item on the agenda and on any matter that is within the Board's jurisdiction. To address the Board regarding an item that is on the agenda, complete and submit the purple form entitled "Public Comment". These requests must be submitted to the Executive Secretary to the Board prior to the time the item is called for consideration or prior to the public comments section on the agenda. The Chair will call speakers forward to present their comments at the appropriate time.

Conflict of Interest Advisement

WIB members please be advise: If an item on the Agenda relates to the provision of services by you, your immediate family, the entity you represent, or any person who has made \$250 in campaign contributions to you during the last twelve months, or if approval or disapproval of an Agenda item would have a foreseeable material effect on an economic interest of you, your immediate family, or the entity you represent, **then please follow these procedures:**

"When the Agenda item is first introduced, please immediately announce that you are recusing yourself from participating in the agenda item, and then refrain from discussing, voting on, or otherwise influencing the Board's consideration of the Agenda item."

AGENDA

12:00 PM CONVENE MEETING OF THE WORKFORCE DEVELOPMENT BOARD

OPENING

- 1) Interim Chair Call Meeting to Order
- 2) Presentation and Adoption of the Agenda
- 3) Success Stories
 - a) Business
 - b) AJCC Client
 - c) Youth

CONSENT

- 4) Approval of Minutes from the January 20, 2016 Workforce Development Board meeting
 - a) Report(s) on Action Items from Meeting Minutes
 - i) Upon recommendation of board member Jon Novack copy of WIOA, section 107 was distributed to board members
 - ii) WDB By-laws approved by Board of Supervisors on March 1, 2016
- 5) Approval of On-the-Job Training Contract Form Revisions and Updates
- 6) Consideration and approval of Transfer of Funds Request
- 7) Consideration and approval of Workforce Development Board Fiscal Year 2016-17 Projected Budget

DISCUSSION

- 8) Consideration and approval of Funding Recommendations for Workforce Innovation and Opportunity Act Youth Programs for Program Years 2016 through 2018

- 9) Consideration and election of Workforce Development Board Officers: Chair, Vice-Chair, and Second Vice-Chair.

INFORMATION

- 10) Chair Report
- 11) County Report given by Staff
- 12) Special Presentation: Jeff Critchley, Regional Advisor, EDD
- 13) Special Presentation: Joe Xavier, Director, Department of Rehabilitation

PUBLIC COMMENT

ADJOURNMENT

In conformity with Government Code section 54957.5, any writing that is a public record, that relates to an item listed on the Agenda, and that will be distributed to all or a majority of the Board less than 72-hours prior to this meeting (or is distributed at this meeting), will be available for public inspection at the time the writing is distributed. This inspection may be made at the office of the Workforce Development Department, 290 North "D" Street, 6th Floor, San Bernardino, California 92415-0041, or during this meeting.

The Workforce Development Board meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or services are needed in order to participate in the public meeting, requests should be made through the Staff Aide at least three (3) business days prior to the Board meeting. The Staff Aide's telephone number is (909) 387-9886 and the office is located at 290 North "D" Street, 6th Floor, San Bernardino, California 92415-0041. California Relay Service 711

This WIOA Title –I financially assisted program or activity is an equal opportunity employer/program. Auxiliary aides and services are available upon request to individuals with disabilities.

GENERAL BOARD MEETING

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WEDNESDAY, JANUARY 20, 2016, 9:00 a.m.

MINUTES

- 1) Interim Chair Called Meeting to Order at 9:09 AM. At the direction of the Interim Chair, Dale Marsden led the board in the pledge of allegiance. Members introduced themselves. In attendance:

WDB Members Present

Tony Myrell
Phil Cothran
Jon Novack
B.J. Patterson
Terry Klenske
Jonathan Weldy
Henry Shannon
Robert Loeun
Cheri Greenlee
Laurie Stalnaker
Rene Castellanos
John Andrews
Ken Boshart
Dale Marsden
Joseph Williams
William Sterling
Mike Gallo- arrived 9:28 am
John Gauthier- arrived 11:50 am

WDB Members Absent

Anita Tuckerman

Staff and Special Guests

Sandy Harmsen- Executive Director
Sophie Akins- Deputy County Counsel
Kristi Sandberg- Executive Secretary

Stephanie Murillo- Staff Analyst II
Fred Burks- Administrative Supervisor II
Miguel McQueen- Deputy Director
Brad Gates- Deputy Director

- 2) Chair called for the adoption of the agenda. Motion made by Terry Klenske. Second made by Joseph Williams. Motion approved.
- 3) Workforce Development Board Orientation Training
- Executive Director Greeting given by Sandy Harmsen. Sandy presented the WIB Accomplishments power point reviewing recent work and achievements of the WIB.
 - Review of the Brown Act, Conflict of Interest Policy, Ethics Training, and Meeting Protocol presented by Sophie Akins, San Bernardino County Counsel. Reference power point- "New Board Member Training: Open Meeting, Ethics, and Conflicts of Interest". Important points:
 - Form 700 / Assuming Office Statement due February 26, 2016
 - AB1234 Training due within the first year of appointed office and every two years thereafter

10:30 BREAK

10:37 RECONVENE MEETING

- Review of the Workforce Innovation and Opportunity Act Program presented by Brad Gates and Miguel McQueen, Deputy Directors, Workforce Development Department. Reference: Workforce Innovation and Opportunity Act power point
- 4) Review of Workforce Development Board By-laws presented by Stephanie Murillo, Staff Analyst II, Workforce Development Department. Reference Workforce Development Board By-laws
- Jonathan Weldy asked about possibility of including teleconferencing or electronic meeting participation for board members in the future. Recommends adding clarification that "Standing committees and ad hoc committees must be chaired by WDB board members". Members discussed wording for Section 10.01 with County Counsel input.
 - Mike Gallo asked about clause that the WDB "hires" the director and staff and if that function actually exists within board direction since WDD staff are county staff. Members discussed relevance of hiring clause and importance related to board responsibility. Members recommend replacing "shall" with "may" in Section 3.01 S.
 - William Sterling pointed out revisions to be made on pages 10 and 12.
- 5) Revisions made to draft by-laws:

- a) Section 3.01, S- remove two instances of "shall" and replace with "may". S shall now read, "The WDB may establish objective qualifications for and hire a director, and may hire other staff to carry out the duties assigned it through the Act and these By-laws, in accordance with the Act, Section 107(f)"
 - b) Section 5.06 opening paragraph- remove "standing" on third line. Opening paragraph shall now read, "Attendance by members at regularly scheduled meetings is critical for the WDB to fulfill its functions. Members are expected to attend regularly scheduled general WDB and committee meetings of which they are a member."
 - c) Section 5.06, B- remove "standing" in first sentence. B. shall now read, "Committee members who are absent, from one half (1/2) of the committee meetings during a twelve (12) month period or more than three (3) consecutive regularly scheduled committee meetings may be subject to dismissal by the Committee Chairperson pursuant to Section 10.01 herein.
 - d) Section 7.03, vii- remove "9.03" and replace with "10.01". vii shall now read, "Annually appoint a chairperson for each standing committee set forth in Section 10.01 of these By-laws and fill by appointment any vacancies in such positions."
 - e) Section 10.01, opening paragraph- remove "After the annual appointment of chairpersons pursuant to Section 7.02 of these By-laws" and insert, "The Chair shall appoint the chair of each standing committee from amongst members of the WDB in good standing." The opening paragraph shall now read, "The standing committees of the WDB are: the Youth Committee, the Economic Development and Business Resource Committee, and the Special Populations Committee. The Chair shall appoint the chair of each standing committee from amongst members of the WDB in good standing. The chair of each standing committee shall, with the concurrence of the Chair of the WDB, appoint the members of each standing committee. The chair of a standing committee (Committee chair), with the concurrence of the Chair, may also dismiss any member of the standing committee."
 - f) Section 10.02, paragraph- insert, "from amongst members of the WDB in good standing,". Paragraph shall now read, "Ad-hoc committees may be created and dissolved at the discretion of the Chair pursuant to Section 7.03 of these By-laws. Upon the creation of an ad-hoc committee and appointment of a chair from amongst members of the WDB in good standing, the chair of the ad-hoc committee shall, with the concurrence of the Chair, appoint the members of the committee. The chair of an ad-hoc committee, with the concurrence of the Chair, may also dismiss any member of the ad-hoc committee.
- 6) Chair Tony Myrell called for consideration and approval of WDB By-laws with revisions as noted. Motion by William Sterling, second by Mike Gallo. Motion approved 18-0. Absent: Anita Tuckerman

12:15 PM BREAK FOR LUNCH

12:45 PM RECONVENE MEETING OF THE WORKFORCE DEVELOPMENT BOARD

- 7) Success Stories
- a) Business- BSR Sal Monica introducing Richard Lopez, Jr. from Universal Protection Service
 - i) Universal Protection Service is the second-largest protection service in the nation. Richard is the Senior over this region. Richard shared that the High Desert business staff are very responsive in helping Richard serve his clients. They have supported by sending resumes, helping to fill jobs, and great applicant referrals.
 - b) AJCC Client- Randy Ponce (works at Victorville Day Reporting Center) introducing Edwin Sylvester from the Re-entry AB109 Program
 - i) Edwin had over 25 years of incarceration and met Randy at the Day Reporting Center. By Randy believing in him and Dina giving him tools and the team teaching him about resumes, giving him clothes, and helping, Edwin was able to get a job in fiber optics. He has continued to advance and even was released from probation early.
 - c) Youth- Ariel Nievas from First Institute introducing Debonee Aguilera
 - i) Debonee shared about how First Institute assisted her in training and obtaining a job in healthcare as a medical office assistant. The provider helped with the financial costs including babysitting. Funding for her training was provided through a Grant. Debonee is now on unsubsidized employment and making \$1.25 above minimum wage.

CONSENT

- 8) There are no consent items.

DISCUSSION

- 9) Consideration and approval of Workforce Development Board By-laws occurred during the By-laws workshop.

INFORMATION

- 10) County Report given by Sandy Harmsen, Executive Director
 - a) Tony Myrell invited by State Workforce Board to represent the state at a National panel regarding workforce boards
 - b) Emily Petrus represented the board at the CWA Youth Conference by presenting about best practices and partnerships in the Youth program.
 - c) Human Centered Design project- the SBWDD team in conjunction with EDD has been selected to go to the White House and present about their project
- 11) Interim Chair Report given by Tony Myrell
 - a) Update about elections in March for Chair, Vice-chair, and Second Vice-chair. Nomination Ad Hoc committee to be chaired by Jon Novack with Ken Boshart and B.J. Patterson.

There are no public comments at this time.

Ken Boshart asked if San Bernardino City has been designated as a local WDB area. Mike Gallo reports that the city has been reinstated but the cash hold is still in place. County one-stops are providing services to City residents. Terry Klenske appreciates being on the board again and will continue to make a contribution.

ADJOURNMENT

William Sterling motioned to adjourn. Mike Gallo second. Motion carried. Meeting adjourned at 1:25 pm. The next WDB general meeting is scheduled for Wednesday, March 23 from 12:00 – 2:00 pm to be held at WDD Admin, 290 N. "D" Street, 6th Floor, San Bernardino, Ca 92401.

Kristi Sandberg, Executive Secretary II

**San Bernardino County
Workforce Development Board
Agenda Item**

MEETING DATE: March 23, 2016

ITEM: (5)

SUBJECT: On-the-Job Training Contract Template

PRESENTED BY: Sandra Harmsen, Director
Workforce Development Department (WDD)

CONSENT X **DISCUSSION** **INFORMATION**

RECOMMENDATION: Approve the updated standard template for On-the-Job Training Contracts for utilization between the Workforce Development Department (WDD) and San Bernardino County employers for the Workforce Innovation and Opportunity Act (WIOA) On-the-Job Training (OJT) Program.

BACKGROUND: As defined under WIOA, OJT is provided under a contract with an employer in the public, private non-profit, or private sector. Through the OJT contract, occupational training is provided for the WIOA participant in exchange for the reimbursement, typically up to 50 percent of the hourly wage, for the extraordinary costs of providing training and supervision related to the training. The OJT contract is limited to the period of time required for a participant to become proficient in the occupation, in consideration of skill requirements of the position, the academic and occupational skill level of the participant, prior work experience, and the participant's individual employment goal. The recommended OJT Contract template will allow WDD to enter into temporary agreements with employers in San Bernardino County to administer the WIOA OJT program, providing job-driven workforce services to County residents and meeting the needs of businesses.

**San Bernardino County
Workforce Development Board
Agenda Item**

MEETING DATE: March 23, 2016

ITEM: (6)

SUBJECT: Transfer of Funds – Workforce Innovation and Opportunity Act
Adult/Dislocated Worker Programs

PRESENTED BY: Sandra Harmsen, Director
Workforce Development Department (WDD)

CONSENT **DISCUSSION** **INFORMATION**

RECOMMENDATION: Approve the request to the Employment Development Department to transfer of Workforce Innovation and Opportunity Act funds from the Dislocated Worker Program to the Adult Program in the amount of \$2,000,000, to ensure the continued provision of requested services to Adult customers.

BACKGROUND: Adult participants compose approximately 80 percent of Workforce Innovation & Opportunity Act (WIOA) enrolled customers at the three San Bernardino County America's Job Centers of California (AJCC). The WIOA allows the transfer of funds between the adult and dislocated worker funding streams in order to maximize customer service and provide Local Workforce Development Boards (Local Boards) with greater flexibility to provide services in areas of greatest need. The WIOA Section 133(b)(4) authorizes Local Boards to transfer up to 100 percent of funds between Dislocated Worker and Adult Grants with approval from the Governor. The Employment Development Department (EDD) has been delegated the authority to approve transfers on behalf of the Governor, however, the request to EDD to approve the transfer of funds requires prior approval by the Local Board. EDD reviews certain factors for approval, including the impact of transferring funds on the employment and training needs of eligible participants in the Local Area and changes in planned services to eligible participants.

**San Bernardino County
Workforce Development Board
Agenda Item**

MEETING DATE: March 23, 2016

ITEM: (7)

SUBJECT: Recommended Budget for Fiscal Year 2016-17

PRESENTED BY: Sandra Harmsen, Director
Workforce Development Department (WDD)

CONSENT **DISCUSSION** **INFORMATION**

RECOMMENDATION:

Approve the Recommended Budget for Fiscal Year 2016-17 to be submitted to the County Board of Supervisors for adoption.

BACKGROUND:

As part of the County budgetary process, the Workforce Development Department (WDD) staff developed a preliminary budget that was reviewed and approved by a Workforce Development Board (WDB) Ad Hoc committee on February 17, 2016. This budget was then presented to the full WDB at a budget workshop on March 23, 2016.

This item will authorize WDD staff to submit the WDB Recommended Budget to the County Administrative Office for consideration and adoption by the Board of Supervisors.

**San Bernardino County
Workforce Development Board
Agenda Item**

MEETING DATE: March 23, 2016

ITEM: (8)

SUBJECT: Funding Recommendations for Workforce Innovation and Opportunity Act Youth Programs for Program Years 2016 through 2018

PRESENTED BY: Sandra Harmsen, Director
Workforce Development Department (WDD)

CONSENT _____ **DISCUSSION_X** _____ **INFORMATION** _____

RECOMMENDATION: Approve recommendations for allocation of funding in the amount of \$3,716,947.80 to ten County agencies for the purpose of providing academic enhancement, employment skills, and occupational training services to 540 eligible youth, under the Workforce Innovation and Opportunity Act, for the period of July 1, 2016, through June 30, 2018.

BACKGROUND: This action will allow the Workforce Development Board (WDB) to serve 540 at-risk youth under the Workforce Innovation and Opportunity Act (WIOA) Youth Program for the 2016-18 program cycle. In the first year of the program cycle, the contractors provide youth with occupational training, work experience, counseling, tutoring, and supportive services in order to place youth in employment or higher education, earn credentials, and improve basic skills. In the second year of the program cycle, the contractors provide youth with follow-up services to ensure success utilizing the skills obtained during the prior year.

Under the terms of the WIOA Youth program contracts, agencies will provide the 14 WIOA elements to enrolled youth including; academic enhancement with tutoring and study skills training, alternative secondary school services, paid and unpaid work experiences, occupational skills training, education offered concurrently with workforce preparation activities, leadership development opportunities, supportive services, adult mentoring, follow-up services, comprehensive guidance and counseling, financial literacy education, entrepreneurial skills training, labor market and employment information, and activities that help youth prepare for and transition to postsecondary education and training.

These recommendations for allocation of funding for WIOA Youth Program Services for 2016 through 2018 are the result of a Request for Proposals (RFP) approved by the Workforce Investment Board Executive Committee on November 4, 2015 and issued by the Workforce Development Department on January 15, 2016. Twenty proposals were received, reviewed, and rated in accordance with the evaluation terms and conditions outlined in the RFP. On March 9, 2016 an Ad Hoc Committee of the WDB met and reviewed the results of this evaluation.

It is recommended that the WDB approve making a recommendation to the Board of Supervisors to approve the following contracts:

Contractor	Contract Amount	Youth to Serve	Cost Per Participant
Apple Valley Unified School District	\$390,000.00	60	\$6,500.00
Career Institute	\$1,175,625.00	165	\$7,125.00
Chino Valley Unified School District	\$178,125.00	25	\$7,125.00
Colton Redlands Yucaipa ROP	\$415,000.00	65	\$6,400.00
First Institute Training and Management	\$498,750.00	70	\$7,125.00
Goodwill Industries Southern California	\$226,851.80	35	\$6,781.48
Hesperia Unified School District	\$325,346.00	50	\$6,506.92
Inland Empire Healthcare Training Institute	\$213,750.00	30	\$7,125.00
Mental Health Systems, Inc.	\$150,000.00	20	\$7,500.00
Reach Out	\$142,500.00	20	\$7,125.00
Total	\$3,716,947.80	540	\$6901.34

Under the terms of the WIOA these agencies will provide WIOA Youth Program services to 540 eligible youth for the 2016-2018 program cycle.

ATTACHMENTS:

1. Appeals

WORKFORCE INNOVATION AND OPPORTUNITY ACT TITLE I YOUTH

PY 2016-2020 Request for Proposal

Disputes Relating to Proposal Process and Award

In the event a dispute arises concerning the proposal process prior to the award of the contract, the party wishing resolution of the dispute shall submit a request in writing to the WDB Chairperson. Proposer may appeal the recommended award or denial of award, provided the following stipulations are met:

1. Appeal must be in writing,
2. Must be submitted within ten (10) calendar days of the date of the recommended award or denial of award letters.

An appeal of a **denial of award** can only be brought on the following grounds:

- ◆ Failure of the County to follow the selection procedures and adhere to requirements specified in the RFP or any addenda or amendments.
- ◆ There has been a violation of conflict of interest as provided by California Government Code Section 87100 et seq.
- ◆ A violation of State or Federal law.

Appeals will not be accepted for any reasons other than those stated above. All appeals must be sent to:

San Bernardino County
Workforce Development Board
Attn: WDB Chairperson
290 North D Street, Suite 600
San Bernardino, CA 92415-0046

Accepted appeals will be processed and reviewed by a panel convened by the Chairperson of the WDB and the Director of WDD. The WDB and WDD will consider only those specific issues addressed in the written appeal. The WDB Chairperson shall make a decision concerning the appeal, and notify the Proposer making the appeal, within a reasonable timeframe prior to the tentatively scheduled date for awarding the Contract. The decision of the WDB Chairperson shall be deemed final.