



VIRGINIA CAREER WORKS

PIEDMONT REGION

A proud partner of the  americanjobcenter® network

DRAFT

Chief Local Elected Officials Agreement Amendment

Local Area Re-designation: PY17 – PY19

VCW - Piedmont Region

Local Workforce Development Area 6 (LWDA 6)

Updated: March 14, 2019

CHIEF LOCAL ELECTED OFFICIALS AGREEMENT

AMONG LOCAL GOVERNMENTS IN LWDA 6:

**ALBEMARLE COUNTY
CITY OF CHARLOTTESVILLE
CULPEPER COUNTY
FAUQUIER COUNTY
FLUVANNA COUNTY
GREENE COUNTY
LOUISA COUNTY
MADISON COUNTY
NELSON COUNTY
ORANGE COUNTY
RAPPAHANNOCK COUNTY**

Area Designation

The localities named above agree to re-designate as Local Workforce Development Area 6 (LWDA 6) in the Commonwealth of Virginia, also known as the Virginia Career Works - Piedmont Region (VCW-Piedmont). Each of the localities named above is a party to this Agreement.

Purpose

The purpose of this agreement is to reaffirm the creation of the Consortium of Chief Local Elected Officials (CLEOs) of the above-named local governments, and to set forth the process, procedures, and responsibilities for continuing to implement the Workforce Innovation and Opportunity Act (WIOA) for Local Workforce Development Area 6 (LWDA 6). The WIOA requires Chief Local Elected Officials (CLEOs) to take certain responsibilities and actions which are enumerated in this document and to appoint and form a working relationship with a local Workforce Development Board.

Consortium of CLEOs formed

As stated in the original WIOA CLEO Agreement effective July 1, 2015, the consortium shall be known as the VCW-Piedmont (Council) for the purpose of implementing the tasks and performing the continuous oversight responsibilities set forth in the WIOA. Each party to this Agreement authorizes its representative to participate in the consortium and designates its representative as its authorized representative for purposes of this Agreement.

Grant Recipient

The City of Charlottesville has been designated by the Council as the Grant Recipient of WIOA funds allocated to LWDA 6.

Fiscal and Administrative Agent

The Council has designated the Central Virginia Partnership for Economic Development as the Fiscal and Administrative Agent (“Agent”) for WIOA funds allocated to LWDA 6. The Council shall require the Agent to make quarterly financial reports to the Council, in writing. An annual financial audit will be conducted in coordination with the Partnership’s audit, according to the requirements of all OMB and federal regulations. Further duties and responsibilities of the Agent will be outlined in the VCW-Piedmont Fiscal and Administrative Agent Agreement.

From time to time hereafter, the Council may designate a different agent, by affirmative majority vote of members of the Council. In the event a different agent is designated, the Council shall enter into a written Fiscal and Administrative Agent Agreement with the new agent. Once approved as set forth in this paragraph, the new designation and new Agreement shall supersede the designation referenced within this document, without the need for an amendment hereof.

Responsibility for use of funds and implementation of the Workforce Innovation and Opportunity Act:

Under the WIOA, the final responsibility for use of the federal funds and for carrying out the tasks set forth in the Workforce Innovation and Opportunity Act rests with the CLEOs. The CLEOs, through the Council, shall enter into a contract with the Agent designated herein above, to perform certain tasks on behalf of the Consortium. Liability insurance will be provided by the Agent, with costs of such insurance to be paid out of the WIOA Administrative funds. The Council shall require that, prior to distribution of any funds under the WIOA, the Agent will obtain liability insurance satisfactory to the Council, providing coverage for each of the local governments and CLEOs forming the Consortium as additional insureds. Coverage shall be no less than \$1,000,000 per occurrence and \$2,000,000 in the aggregate.

VCW-Piedmont Council Organization

- The term “Chief Local Elected Official” means the mayor of a city or the chair of the Board of Supervisors of a county or another elected official, as designated by the Board of Supervisors or City Council. Documentation of the appointment to the VCW-Piedmont Council will be collected from each City Council or Board of Supervisors’ record clerk.
- The Council shall elect a Chair and Vice-Chair from its members. One officer shall be from each Planning District.
- The Chair shall serve on the PWD Board Executive Committee.
- The Council will meet as a body, at least quarterly during each fiscal year.
- A quorum of at least 30% of the Council’s members will be required for any action to be taken. No action shall be taken by the Council except at a meeting at which a quorum is present.
- Council members shall communicate the activities of the Council and Local Workforce Development Board (LWDB) to their respective governing bodies.

VCW-Piedmont Council Responsibilities

The duties performed solely by the Council include, but are not limited to the following:

- Designate the Grant Recipient for LWDA6;
- Designate the Fiscal/Administrative Agent, if applicable, for LWDA6;
- Accept fiscal liability for the use of WIOA funds;
- Appoint LWDB members and maintain local Board Membership Certification every 2 years;
- Accept annual A-133 audit ;
- Approve annual budget submitted by the LWDB and any subsequent modifications through the fiscal/program year;
- Approve the LWDB By-laws;
- Oversee funds contributed to LWDA6 by localities in this agreement for additional projects and services in the region; and
- Any other functions, responsibilities or actions referred to within this Agreement as requiring action by the Council.

In partnership with the LWDB, the Council's responsibilities include, but are not limited to the following:

- Developing a vision and goals for the local workforce development system that are aligned with both the economic development mission(s) for the local area and Virginia Board of Workforce Development's goals
- Development of the 4-year local strategic plan to include a workforce demand plan and a plan for business engagement;
- Selection of One-Stop Operator(s) and locations, including operators of career services if the one-stop operator does not provide career services as described in Section 134 (c)(2) of WIOA;
- Selection of training providers;
- Approval of the local One-Stop Operation(s) budget;
- Conduct oversight of the local programs of youth, adult and dislocated worker activities authorized under Title I of WIOA;
- Negotiate and reach agreement on local performance accountability measures with the VBWD on behalf of the Governor ;
- Any other activities as required by the Workforce Innovation and Opportunity Act, Section 107(d), or by the Governor;

Establishment of the Workforce Development Board

The Council hereby establishes the Local Workforce Development Board (LWDB) for LWDA 6, which will be known as the Piedmont Workforce Development Board (PWD Board). The duties, membership composition, and staff structure will be outlined in the CLEO-Board Agreement. The membership of the PWD Board shall be determined and appointed by the Council, in accordance with the requirements of WIOA Section 107(b)(2) and Virginia Board of Workforce Development Policy 200-02 in an effort to

ensure the most effective, regional participation in the WIOA implementation for LWDA 6 by all participating jurisdictions, partners, and businesses.

Composition of the Workforce Development Board

Mandatory Members

- The membership composition of the PWD Board will follow the requirements set forth in WIOA law and Virginia Board of Workforce Development Policy 200-02.
- The detailed composition of the PWD Board shall be listed in the VCW-Piedmont Policy titled *Workforce Development Board Composition*.

Membership Terms

- Members of the PWD Board must be individuals with optimum policy making authority within the organizations, agencies, or entities they represent.
- Members of the PWD Board should be appointed for staggered terms.
- Private sector representatives should be an appropriate mix of small, medium, and large employers that reflect the local labor market, i.e. the business representation should reflect the industry mix in the local labor market.
- Individuals serving on the PWD Board who subsequently retire or no longer hold the position that made them eligible Board members may continue to serve on the PWD Board; however, if their membership category changes as a result of their retirement or change in employment status, the PWD Board must account for that change when evaluating overall membership composition.
- Vacancies resulting from resignations or removal of mandatory members must be filled within 90 days.

Local Board Appointment Process

Nominations and Selection

- The VCW-Piedmont Council shall contact the appropriate entities in the local area for nominations to appoint members and/or to fill vacancies on the PWD Board from business, local educational entities, and labor representatives. The VCW-Piedmont Council may also design a process for nominations of individuals and other types of representation the officials would like to include on the PWD Board. Vacancies subsequent to the establishment of the PWD Board must be filled in the same manner as the original appointments.
- Private sector representatives are to be selected from individuals nominated by local business organizations (ex. Business trade associations, chambers of commerce, economic development agencies). Individuals businesses may also nominate themselves or provide nominations of other businesses to the VCW-Piedmont Council. Private sector representatives can include owners of businesses, chief executives or operating officers of businesses, and other business executives with optimum policy making or hiring authority (ex. Vice President of Human Resources).

- Non-mandatory educational entity representatives must be selected from among individuals nominated by regional or local educational agencies, institutions, or organizations representing such local educational entities including local school boards, entities providing vocational education, and postsecondary educational institutions. Labor representatives must be selected from among individuals nominated by local labor federations (or in a local area in which no employees are represented by such organizations, other representatives of employees, such as employee organizations and/or the state AFL-CIO).

For all other members, the VCW-Piedmont Council should consult with the appropriate groups in the local area for possible individuals to serve including:

- Representatives of community-based organizations, including organizations representing individuals with disabilities and veterans where such organizations exist in the area.
- Representatives of local economic development agencies, including private sector economic development entities.

Public Participation

The VCW-Piedmont Council must provide public notice of the intent to solicit nominations for PWD Board membership, including the process to be used for nominations and selection.

Sunshine Provisions

The VCW-Piedmont Council shall share information regarding its meetings and activities with the public subject to the provisions of the Virginia Freedom of Information Act (FOIA).

The VCW-Piedmont Council shall make available to the public, on a regular basis through open meetings, information regarding the activities of the VCW-Piedmont Council, including information regarding the Local Plan prior to submission, membership, the designation and certification of one-stop operator(s) consistent with the State Plan, and the award of grants or contracts to eligible providers of youth activities, and the minutes of formal meetings of the VCW-Piedmont Council.

In order to comply with (FOIA), the VCW-Piedmont Council shall do the following:

- Take official action and engage in deliberations only at meetings open to the public. "Official action" includes making recommendations, establishing policy, making decisions, and/or voting on matters of VCW-Piedmont Council business. "Deliberations" are discussions of VCW-Piedmont Council business necessary in order to reach decisions.
- Ensure that all meetings are held in locations accessible to individuals with disabilities and that all information is available in accessible and alternate formats.
- Give public notice of meetings in accordance with applicable state code provisions, including public notice in advance of any special meeting or rescheduled regular meeting. No public notice need be given of an emergency meeting called to deal with a real or potential emergency involving a clear and present danger to life or property.

- Ensure that votes of VCW-Piedmont Council members be publicly cast and, in the case of roll call votes, recorded.
- Keep written minutes of all public meetings, including date, time and place of the meeting, members present, the substance of all official actions, a record of roll call votes, and the names of any citizens who appeared and gave testimony.
- Closed executive sessions may be used according to the provisions of the Virginia Freedom of Information Act. Such sessions may be held during or after an open meeting, or may be announced for a future time. If closed session is not announced for a specific time, VCW-Piedmont Council members must be notified 24 hours in advance of the date, time, location and purpose of the session. The reason for holding an executive session must be announced at the open meeting either immediately prior or subsequent to the executive session.
- Official action on any matter discussed at an executive session must be taken at an open meeting.

Shared Responsibility among Members of LWDA 6

While the City of Charlottesville is the Grant Recipient for LWDA 6, all of the local governments named in this Agreement hereby agree to share any and all responsibility for administration and implementation of the WIOA. Nothing herein shall be construed as a waiver of sovereign immunity of or by any participating member locality.

Effective Dates of this Agreement

This agreement shall take effect on July 1, 2017 and shall remain in effect until June 30, 2019.

Amendment of the Agreement

This agreement may be modified by a written amendment approved by a majority vote of all members of the Council, following notice of (i) the specific language of the proposed amendment, and (ii) of the date, time and location of the meeting at which the amendment will be presented to Council for a vote. Notice shall be given in writing to the CLEO of each party to this Agreement.

SIGNATURES

County of Albemarle

City of Charlottesville

County of Culpeper

County of Fauquier

County of Fluvanna

County of Greene

County of Louisa

County of Madison

County of Nelson

County of Orange

County of Rappahannock

Fiscal and Administrative Agent
Central Virginia Partnership for Economic Development