

**INTERLOCAL AGREEMENT
BETWEEN PASCO COUNTY AND HERNANDO COUNTY
FOR THE CONTINUATION OF A REGIONAL WORKFORCE BOARD**

WHEREAS, the State of Florida has identified the need for a consolidated workforce development system and both the legislative and executive branches have adopted a uniform policy to guide education, training, and employment programs within the State; and

WHEREAS, the Florida Statutes; Chapter 445, designates Workforce Florida, Inc. as the principal workforce policy organization with the responsibility of planning and accountability for the State's workforce development strategy; and

WHEREAS, the Governor has identified the Inter-local Agreement as the method for establishment of the community board, also known as the Regional Workforce Board (RWB) in a multi-county area; and

WHEREAS, the Workforce Investment Act (WIA), herein referred to as the Act (29 USC § 2732, Public Law 105-220, Section 117), authorizes the expenditure of federal funds for the job training programs within designated service delivery areas; and

WHEREAS, the counties of Pasco and Hernando constitute a designated region (Region 16) under the Act and a region for workforce development activities under the Workforce Florida Act; and

WHEREAS, Section 163.01 of the Florida Statutes permit local governmental units to make the most efficient use of their powers by enabling them to cooperate on a basis of mutual advantage under the Florida Inter-local Act of 1969; and

WHEREAS, the State of Florida has identified the Regional Workforce Boards as the local entities to implement the policy which guides the education, training and employment programs.

NOW, THEREFORE, BE IT RESOLVED:

1. That the local elected officials of Pasco and Hernando Counties acknowledge the need for maximization of education, training and employment resources and the need for a local workforce development board charged with the responsibility for implementing federal and state policies at the local level and hereby express their desire to continue this agreement for a workforce development board.
2. We hereby designate the Workforce Development Board of Pasco and Hernando Counties, *d.b.a.* the Pasco Hernando Workforce Board, Inc., as the local Workforce Development Board, administrative entity, and fiscal agent for workforce development activities within the counties of Pasco and Hernando. The Board, hereinafter referred to as the Workforce Development Board of Pasco and Hernando Counties, Inc. *d.b.a.* the Pasco Hernando Workforce Board, Inc., shall serve as the community board under Workforce Florida, Inc., the Workforce Investment Board under the Act, and be the local entity that guides the education, training, and employment programs within the two-county area.
3. The local elected officials of Pasco and Hernando Counties further wish to state their desire for the two-county area to receive Workforce Investment Act funds and to that end, it is

hereby resolved that we, the undersigned, do hereby designate the Workforce Development Board of Pasco and Hernando Counties, Inc. *d.b.a.* the Pasco Hernando Workforce Board, Inc. as the grant recipient/administrator, and program planner for all programs funded under the Workforce Investment Act (29 USC § 2832, Public Law 105-220, Sec 117) with all the responsibilities and liabilities associated therewith.

4. The Workforce Development Board of Pasco and Hernando Counties *d.b.a.* the Pasco Hernando Workforce Board, Inc. shall be composed of representatives of the two counties. Each county shall appoint representatives to the Board in accordance with criteria established by the State Workforce Board and Section 117 of the Workforce Investment Act and as further set forth in this section and in Exhibit A to this Agreement, which is attached hereto and incorporated herein as reference:
 - a. Each county shall have one representative of county government. These representatives shall be either the Chairs of the County Commission or their designee, who shall be an elected County Commissioner.
 - b. The majority of the appointed representatives shall consist of members of the private sector as defined in Section 117 of the Workforce Investment Act and criteria established by Florida Statutes, and Workforce Florida Inc., the State's designated workforce investment board.
5. Funds shall be allocated on behalf of each county on the same formula basis as funds are allocated by the State. Funds may be reallocated within the two-county area for a specific time and purpose, only by mutual agreement of the counties affected by the reallocation.
6. To clarify how the county of a Board Member is designated, there are several factors to be considered. The first is that personal residence is not listed as a factor, nor is residence a requirement of Florida law or the enabling federal law. In order to be designated to either Pasco or Hernando County, it is suggested that the potential member either reside in that county or be associated with a business in that county. Although residence is not a legal requirement, since the statutes refer only to "representatives of businesses," it should be noted that the federal legislation specifies that other than certain categories that must be filled, the chief elected officer of each area has the authority to determine the appropriateness of "other individuals or representatives."
6. This agreement shall be effective immediately when fully executed by the duly authorized representatives of both Pasco and Hernando Counties and filed with the clerk of the circuit court for each county and replaces and supersedes the former Inter-local Agreement and Exhibit A approved in 2006. This agreement may be executed in multiple counterparts each of which may be deemed an original.
7. This agreement shall have the duration equal to the period that the service delivery area designation remains in effect for the geographical area covered by this agreement or upon either party giving the other party at least ninety (90) days written notice of their intent to terminate this Agreement.

**HERNANDO COUNTY BOARD OF COUNTY
COMMISSIONERS**

John Druzbeck, Chairman Date

ATTEST:

Karen Nicolai, Clerk of the Circuit Court

Approved as to Legal Form and Content:

By: _____
County Attorney's Office

ARTICLE II. MEMBERS

The Corporation shall have no members and shall be governed by the Board of Directors.

ARTICLE III. DIRECTORS

Section 1. Function. All corporate powers shall be exercised by or under the authority of the Board of Directors. The business and affairs of the Corporation shall be managed under the direction of the Board of Directors.

Section 2. Composition and Number. The Board shall be comprised of directors who are appointed by the respective County Commissions of Pasco and Hernando County as set forth in the Workforce Investment Act [29 USC §2832(b)], Florida Workforce Innovation Act of 2000 (F.S. §445.007) and the Inter-local Agreements between the respective Commissions as they exist from time to time. This Corporation shall have a minimum of 33 directors which shall be its fixed number until changed by resolution of the Board. 51% of the Board members shall be representatives of businesses and industries in the Region. The categories of representation required by the foregoing Statutes and Agreements include the following:

- (A) Representatives of local educational entities, including the local school boards, entities providing adult education and literacy activities, post secondary educational institutions (which shall include representatives of community colleges); and shall include at least one representative from a nonpublic postsecondary educational institution that is an authorized individual training account provider in the region which confers certificates and diplomas, and one representative from a nonpublic postsecondary educational institution that is an authorized individual training account provider in the region which confers degrees; and
- (B) Representatives of economic development agencies, including private sector economic development agencies; and
- (C) Representatives from each mandatory one-stop partner; and
- (D) Representatives of three labor organizations; and
- (E) Representatives of Community-based organizations (including organizations representing individuals with disabilities and veterans); and
- (F) Representatives of business in the local area who are owners or chief operating officers representing businesses that reflect the employment opportunities in the Region; and
- (G) The Chair of the Pasco and Hernando County Commissions, or their designee, who shall be an elected commissioner.

Section 3. Election and Term. Directors appointed by the respective County Commissions shall be confirmed by The Board and shall hold office for a term of four (4) years running from the date of appointment, and until a successor shall have been elected and qualified or until an earlier resignation, removal from office or death. Directors are eligible to serve for three consecutive four year terms and shall be required to have a break-in-service of one year before again becoming eligible for appointment to the Board. The terms of Directors serving at the time these Bylaws are adopted shall not count against their three term limit. A Board member shall be entitled to complete an appointed term regardless of whether he or she continues to meet the condition or classification under which first appointed unless removed earlier by the appointing Commission.

Section 4. Board Membership. A member who resigns, or is removed by an appointing County Commission, or otherwise fails to serve shall be replaced by an appointment of the responsible County Commission. The Executive Committee of The Board may make recommendations to the respective County Commissions on Board replacements.