



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Social Services
Department No.: 044
For Agenda Of: 8/22/2017
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Daniel Nielson, Social Services Director
Director(s) (805) 346-7101
Contact Info: Raymond L. McDonald, Executive Director, Workforce
Development Board (805) 681-4446

SUBJECT: Memorandum of Understanding for Cost Sharing between Santa Barbara County
Workforce Development Board and each of the Santa Barbara County America's Job
Center of CaliforniaSM One-Stop System Partners

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: Risk Management

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

- a) Approve and authorize the Santa Barbara County Chief Elected Official and the Santa Barbara County Workforce Development Board Executive Director to execute the Memorandum of Understanding (MOU) for Cost Sharing with each of the America's Job Center of CaliforniaSM (AJCC) One-Stop System partners;
- b) Approve and authorize the Santa Barbara County Chief Elected Official and the Santa Barbara County Workforce Development Board Executive Director to execute the MOU, on behalf of the WIOA Title I Adult, Dislocated Worker, and Youth Programs, with the Santa Barbara County Workforce Development Board; and
- c) Approve and authorize the Santa Barbara County Department of Social Services (DSS) Director, or designee, to execute the MOU, on behalf of the Temporary Assistance for Needy Families

(TANF)/CalWORKs Program, with the Santa Barbara County Workforce Development Board;
and

- d) Determine that the approval and execution of the MOU is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3), finding that the execution of the MOU is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment, the activities are not subject to CEQA.

Summary Text:

This item is on the agenda in order to approve and authorize the Santa Barbara County Chief Elected Official, and the Santa Barbara County Workforce Development Board Executive Director, signing on behalf of the Santa Barbara County Workforce Development Board, to execute a MOU for Cost Sharing between Santa Barbara County Workforce Development Board (WDB) and each AJCC One-Stop System partner.

It is the recommendation of DSS to authorize:

1. The Santa Barbara Chief Elected Official, and the WDB Executive Director to execute the MOU with each of the AJCC One-Stop System partner;
2. The Santa Barbara Chief Elected Official, and the WDB Executive Director to execute the MOU, on behalf of the WIOA Title I Adult, Dislocated Worker, and Youth Programs, with the WDB;
3. The Santa Barbara County DSS Director, or designee, to execute the MOU, on behalf of the Temporary Assistance for Needy Families/CalWORKs Program, with the WDB.

Background:

The Workforce Innovation and Opportunity Act (WIOA) was signed into law on July 22, 2014. It repeals the Workforce Investment Act of 1998 and replaces it with new authorization language that is in effect from July 1, 2015 through June 30, 2020.

The WIOA requires that a MOU be developed and executed between the WDB, with the agreement of the Santa Barbara County Chief Elected Official, and each of the AJCC One-Stop System partners. The MOU addresses how the WDB and AJCC One-Stop System partners will arrive at an infrastructure funding agreement, and will identify other systems costs such as the costs incurred to provide applicable career services. The State of California Employment Development Department (EDD), in Directive WSD 16-09 provides local workforce development boards throughout California the following guidance regarding the required memorandum of understanding for cost sharing (that is to be completed by September 1, 2017):

- Currently, only AJCC One-Stop System partners that are physically colocated in an AJCC One-Stop center (full-time or part-time) must contribute their proportionate share towards infrastructure costs. Currently, there is not a statewide data tracking system that can provide accurate and reliable data for allocating the benefit received by non-colocated partners. In order to remain in compliance with federal Uniform Guidance and cost allocability rules, the

requirement to contribute to infrastructure costs at this time only applies to those partners that are physically colocated in the job centers.

- The State is in the process of implementing the requisite statewide data tracking system, and once such data are available, all non-colocated partners that are receiving benefit from the job centers will also be required to contribute their proportionate share towards infrastructure costs. ***Consequently, the MOU must include an assurance from all non-colocated partners that they agree to pay their proportionate share of infrastructure costs once sufficient data is available.***
- Non-colocated partners are still required to contribute to other system costs based on their proportionate share of applicable career services.

	Must sign both budget agreements	Must contribute to infrastructure costs	Must contribute to other system costs, including applicable career services
Partner who is colocated	Yes	Yes	Yes
Partner who is non-colocated	Yes	No	Yes

The AJCC One-Stop System required partners under WIOA are identified in the federal statute by the type of federal funding received. Entities receiving the federal funding can change. Each required AJCC One-Stop System partner enters into an MOU with the WDB. Entities/individuals are designated by the WIOA statute as MOU signatories because they currently receive federal funding that results in being designated a required AJCC One-Stop System partner under the WIOA statute. These include:

- Santa Barbara County Chief Elected Official, and WDB Executive Director
 - WIOA Title I Adult, Dislocated Worker, and Youth federal funding
- Allan Hancock College
 - WIOA Title II Adult Education and Literacy federal funding, and
 - Carl Perkins Career Technical Education federal funding
- Santa Barbara City College
 - WIOA Title II Adult Education and Literacy federal funding, and
 - Carl Perkins Career Technical Education federal funding
- Lompoc Unified School District
 - WIOA Title II Adult Education and Literacy federal funding
- State of California Employment Development Department (“EDD”)
 - WIOA Title II Wagner-Peyser federal funding
 - Veterans federal funding
 - Trade Adjustment Assistance Act federal funding
 - Unemployment Compensation federal funding
- State of California Department of Rehabilitation
 - WIOA Title IV Vocational Rehabilitation federal funding
- Asociacion Nacional Pro Personas Mayores; National Association for Hispanic Elderly
 - Title V Older Americans Act (Senior Community Service Employment Program) funding
- Center for Employment Training
 - Migrant Seasonal Farmworkers (Section 16) federal funding
- Santa Barbara County Department of Social Services
 - TANF/CalWORKs federal funding

Performance Measure: Each federal program operated either by the WDB or by each AJCC One-Stop System partner continues to comply with the federal statutory performance measures for its own federal program. The MOU imposes no new performance measures.

Fiscal and Facilities Impacts:

Pursuant to EDD Directive WSD16-02, this MOU addresses resources and costs that are already included in current approved program budgets funded by existing allocations, and existing leases. There is no requirement for any additional funding or expenditures. No new facilities will be required under this MOU. The WDB and each non-colocated AJCC One-Stop System partner will continue to operate their programs in their current existing facilities.

Key Contract Risks:

Section XI of the MOU requires a party to indemnify, defend and hold harmless the other parties. The MOU limits the indemnification obligations for acts or omissions that arise from the MOU obligations.

Staffing Impacts:

Legal Positions:

None

FTEs:

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Special Instructions:

Please email and send one (1) duplicate original of the minute order to:

DSS Contracts Unit

C/O Emma Duncan

2125 S. Centerpointe Parkway, 3rd Floor

Santa Maria, CA 93455

Attachments:

Attachment 1 – MOU between WDB and each of the AJCC One-Stop System Partners

Authored by:

Raymond L. McDonald, WDB Executive Director

Linda Hillman, WDB Deputy Director

Emma Duncan, Contracts Coordinator