

Proclamation



Yavapai County One Stop System

WHEREAS, the Yavapai County Workforce Development Board is uniquely qualified to be the catalyst for business and labor attraction and retention, and plays a vital role in contributing to healthy regional economies; and

WHEREAS, the County's Workforce Board is led by local business leaders and service providers in partnership with State and Federal funding partners who dedicate their time to developing strategies to build a sustainable and talented workforce in our service area; and

WHEREAS, the Workforce Development Board thru the YAVAPAI@WORK One Stop System provides direct client services including: career counseling, tuition assistance, paid on-the-job skills training, apprenticeships and support services for job placement; and

WHEREAS, the Yavapai County YAVAPAI@WORK One Stop System has successfully executed workforce development activities, demonstrating positive outcomes during the Program Year 2018-19 by serving 8,953 clients, and partnering in creating 554 jobs with a 97% job retention rate.

NOW, THEREFORE, be it resolved that the Yavapai County Board of Supervisors hereby proclaim, in concert with the Northern Arizona Council of Governments, their support for the YAVAPAI@WORK One Stop System and the benefits it provides to residents of Yavapai County.

IN WITNESS THEREOF, the Chairman of the Board on behalf of the Yavapai County Board of Supervisors sets his hand and causes the seal of the County of Yavapai, Arizona, to be affixed on the 18th day of December 2019.





Randall W. Garrison, Chairman
Yavapai County Board of Supervisors

ATTEST:



Kim Kapin
Yavapai County, Clerk of the Board

ARIZONA DEPARTMENT OF ECONOMIC SECURITY

REQUEST FOR TRANSFER OF TITLE 1-B GRANT FUNDS


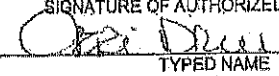
1. CONTRACTOR (Name and address) Yavapai County Board of Supervisors	2. CONTRACT ID NUMBER DR19-002209
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4. THE PARTIES AGREE TO THE FOLLOWING TRANSFER(S):

WIOA section 133 (b)(4) provides the authority for workforce investment areas, TRANSFER AUTHORITY.—A local board may transfer, if such a transfer is approved by the Governor, up to and including 100 percent of the funds allocated to the local area under paragraph (2)(A) or (3), and up to and including 100 percent of the funds allocated to the local area under paragraph (2)(B), for a fiscal year between—(A) adult employment and training activities; and (B) dislocated worker employment and training activities.

The purpose of this request is to increase and decrease the funds usable respectively between Adult and Dislocated Worker programs as detailed below. This does not change the amount of the allocation only the use of funds for respective programs:

Adult PY 2019	Original Allocation of <u>\$67,234</u>	To New Allocation of <u>\$151,680</u>
DW PY 2019	Original Allocation of <u>\$96,470</u>	To New Allocation of <u>\$11,024</u>

ARIZONA DEPARTMENT OF ECONOMIC SECURITY	NAME OF CONTRACTOR Yavapai County/ Northern Arizona Council of Governments
SIGNATURE OF AUTHORIZED INDIVIDUAL 	SIGNATURE OF AUTHORIZED INDIVIDUAL 
TYPED NAME Maha Madhanakumar	TYPED NAME Teri Drew
TITLE WIOA Financial Manager <i>Hunter Griffin on behalf of</i>	TITLE Regional Director
DATE 11/12/19	DATE

**REQUEST FORM
TRANSFER OF ADULT AND DISLOCATED WORKER FORMULA FUNDING**

Date: 10/30/19

Local Workforce Board: Yavapai County

Funding Source of Transfer		Amount of Transfer Requested	% of Transfer Requested
<input type="checkbox"/> Adult	<input checked="" type="checkbox"/> Dislocated Worker	\$84,446.00	75%

1) Describe the situation that necessitates transferring funds. Include labor market and other economic conditions that contributed to the need for this transfer request.

Yavapai County expenditures are based on the local demand. We have a significantly greater volume of Adults coming through our door than Dislocated Workers, therefore, the demand for Adult funding is considerably greater than the demand for Dislocated Worker. Our current UI rate is 4.8%-5% which represents full employment. New client service demand is weighed heavier on the hard to serve and those seeking skills gain for self- sufficiency. Our youth population is also being Served under Adult programing because youth are not meeting new barrier requirements causing Adult demand in excess of funding opportunities.

2) Explain how the transfer of funds will impact the participant levels in both the Adult and Dislocated Worker Programs. Provide an estimate of the number of Adult and Dislocated Workers expected to be served if the transfer is granted.

The transfer of funds will allow us to continue to meet local demands for adult populations and increase total enrollment and expenditures by at least 60%. We have projected expenditures for current Dislocated Worker activity and we are confident we have sufficient funds to meet our need for Dislocated Workers in these last two months of the program year.

- 3) Explain the effect of the transfer on current providers of training and other services. Include the impact on jointly funded employment and training programs in the local One-Stop system.

There will be no negative effect on current providers of training. The local area is being impacted with higher numbers of eligible Adults that Dislocated Workers. There will be no effect on jointly funded programs at the One-Stop.

- 4) Describe the expected improvement (%) in WIOA performance outcomes for both funding streams, if funding is better aligned with participants' needs in your LWIOA.

There will be no percentage change in performance outcome related to this transfer. The Adult Program will expand greater number of participants, and we expect to meet or exceed our current performance percentage. Dislocated Workers are eligible for Adult services should we have an influx of Dislocated Workers.

ASSURANCES

- (1) The transfer of funds requested herein will not adversely affect individuals needing services provided by the program subject to reduced funding.
- (2) The transfer of funds will not reduce the required rate of expenditure by the end of the program year, for the funding source to which funds are transferred.

TERI DREW
Name (Please Print)
LWIA Director

Teri Drew
Signature
LWIA Director

10-31-19
Date

ANITA PAYNE
Name (Please Print)
LWIB Chairperson

Anita Payne
Signature
LWIB Chairperson

11/21/19
Date

SUBMITTAL INSTRUCTIONS

The completed form must be submitted electronically *and* in hard copy to the Department of Economic Security/WIOA Section for review.

Electronic Copy to: MMadhanakumar@azdes.gov

Hard Copy to: Maha Kumar
WIOA Financial Manager
DERS Finance and Budget
Department of Economic Security
1789 West Jefferson, MD 5112
Phoenix, Arizona 85007



**Shared Governance Agreement
Between
Yavapai County Board of Supervisors and the
Yavapai County Workforce Development Board**

Preamble:

This Shared Governance Agreement is entered into between the Yavapai County Board of Supervisors (BOS), and the Yavapai County Workforce Development Board (WDB) to recognize the shared governance responsibility and specify the relationship between these two entities as required by the Workforce Innovation and Opportunity Act of 2014 (Public Law No. 113-128) herein after referred to as “WIOA” (the “Act”).

WHEREAS, the purpose of this agreement is to provide a basis for cooperation and a partnership between the Yavapai County Board of Supervisors (BOS) and the WDB, which will lead to the success of the employment and training system ARIZONA@WORK-Yavapai County. This agreement envisions a future of cooperation and partnership that will contribute to the overall economic prosperity of the region and its residents; and

WHEREAS, the purpose of a local workforce development area is to serve as a jurisdiction for oversight of workforce development activities under WIOA Adult, Dislocated Worker, and Youth funds allocated by the State and to coordinate efforts related to the other core programs at a local community level; and

WHEREAS, Yavapai County has been designated as the local Grant Recipient and Fiscal Agent of the Yavapai County Local Workforce Development Area with liability for said funds, pursuant to Section 107 of the Workforce Innovation and Opportunity Act (WIOA); and

WHEREAS, the local government’s chief elected official(s) in a local area is liable for any misuse of the WIOA grant funds allocated to the local area under WIOA Secs. 128 and 133, unless the chief elected official(s) reaches an agreement with the Governor to bear such liability, and

WHEREAS, the Yavapai County Board of Supervisors and the WDB mutually agree to designate Northern Arizona Council of Governments (NACOG) as the Administrative Entity (Title I-B service provider) and as the designated One Stop Operator through a competitive process of the Yavapai County WIOA Adult, Dislocated Worker and Youth provider as designated through separate competitive processes as described in Exhibit A, and

WHEREAS the WDB is appointed by the BOS in accordance with State criteria established under WIOA sec. 107(b), and is certified by the Governor every 2 years, in accordance with WIOA sec. 107(c)(2), and

WHEREAS the purpose of the WDB is to—

- a. Provide strategic and operational oversight in collaboration with the required partners as identified in the WIOA and other workforce stakeholders to help develop a comprehensive and high-quality workforce development system in the local area and larger planning region;
- b. Assist in the achievement of the State’s strategic and operational vision and goals as outlined in the Arizona’s Unified Workforce Development Plan; and
- c. Maximize and continue to improve the quality of services, customer satisfaction, effectiveness of the services provided, and

WHEREAS, the WDB desires to deliver services to businesses, veterans and other individuals that will lead to maximum employment opportunities and enhance the self-sufficiency of the economically disadvantaged in the region; and

WHEREAS, the WDB is established in accordance with the requirements of WIOA Section 107 (b) and (c) and receives its authority from the Act; the WDB sets policy for the local workforce area in partnership with the BOS, per 20 CFR § 679.310(b), and actions of the WDB are subject to agreement of the BOS following final approval and legal review by Yavapai County; and

WHEREAS, the WDB has the authority to appoint a Director to oversee administrative and operational compliance services to the WDB; The BOS will be consulted in the selection of board staff; Staff to the WDB will assist the WDB fulfill the required local board functions found at WIOA Sec. 107(f);

NOW, THEREFORE, Yavapai County Board of Supervisors and the WDB agree on the following terms and conditions:

Section 1: Role of the Yavapai County Board of Supervisors (BOS)

- A. Per WIOA Section 107(c) (1) the BOS is authorized to appoint the members of the WDB in accordance with the criteria established by the Governor in partnership with the State Board (WIOA 107(b) (1)).
 1. The BOS shall determine the size of the Yavapai County Workforce Development Board consistent with WIOA Section 107(b) (2). The WDB may submit a request to the BOS for consideration of the change in the size of the WDB. Any approved changes must be consistent with WIOA Section 107(b) (2).
 2. The members of the WDB must be selected by the BOS consistent with criteria established under WIOA Sec. 107(b)(1) and criteria established by the Governor, and must meet the requirements of WIOA Sec. 107(b)(2).

3. The membership shall be categorized as such based on the definitions outlined in the Act and includes only individuals with optimum policy authority:
 - More than 50% majority Local Business Representatives
 - At least a 20% minimum of Local Workforce, Labor and apprenticeship representatives and other youth-related organizations are optional
 - Title II and higher education required. Local education and Community Based Organizations helping barriered individuals are optional
 - Government, Economic and Community Development-Economic Development, Wagner-Peyser, and Vocational Rehabilitation required; philanthropic and others are optional

- B. The WDB will establish by-laws for BOS approval, consistent with all State policy for WDB membership, that at a minimum address:
 1. The nomination process used by the BOS to select the WDB chair and members. Appointments to the WDB will be made by the Yavapai County Board of Supervisors by the following process:
 - a. Each nominee must submit an application for membership on the WDB to the Executive Committee of the WDB for review. Applications will include a letter of recommendation from the Board of Directors or industry leader of the nominee's employment sector.
 - b. Each application will include a demonstration of how the nominee meets the criteria for membership in the applicable category (Business, Workforce, etc.); including a resume or curriculum vitae that shows work history and level of optimum policy & authority or qualification.
 - c. The appointments must be made by the BOS and submitted to the WDB, evidenced within minutes of the meetings and other official communication;

 2. The term limitations of the WDB members are as follows:
 - a. The terms of the members shall be for two years. Term start date is the date the member was approved by the Yavapai County Board of Supervisors. Members may serve multiple terms, but must be re-appointed by the Yavapai County Board of Supervisors. Such re-appointments will take place in the month of June of the year the term will expire, and will remain effective beginning in June for each subsequent two year term.

- b. Appointments will be staggered to the extent possible to ensure only one-third (1/3) of the membership expires in a given year.
3. The WDB will notify the BOS of a WDB member vacancy to ensure a prompt nominee as follows:
 - a. In order to comply with Workforce Arizona Council Local Governance Policy, WDB vacancies must be filled within 120 days of the vacancy. All vacancies will be addressed using the process identified in Article IX of the Bylaws.
 - b. Appointments and reappointments must be made within 120 days that the vacancy is created.
 - c. In the event a vacancy cannot be filled within 120 days, the WDB must request a waiver in writing to the Director of the State Workforce Development Board with an explanation of why a vacancy was not filled in the 120-day timeframe and a description of the process underway to fill the vacancy.
 - d. The WDB must maintain written approval of the waiver request by the Director of the State Workforce Development Council and will be monitored according to the process outlined in the approved waiver request.
 - e. If a vacancy occurs other than by expiration of term, the vacancy shall be filled by appointment of the Yavapai County Board of Supervisors for the unexpired portion of the term. The nomination process will be the same as outlined in the Bylaws under Article V – Appointment to the WDB. The new member filling the vacancy shall represent the same board category as the outgoing member;
4. Members who no longer hold the position or status that made them eligible to serve as WDB members must resign or be removed by the Yavapai County Board of Supervisors immediately upon notification to the WDB chair of the change of status as a representative of that entity;
5. Board members must be removed by the Yavapai County Board of Supervisors if any of the following occurs:
 - a. Documented violation of conflict of interest;
 - b. Failure to meet WDB member representation requirements defined in the WDB Bylaws Article IV – Membership/Composition of the WDB;
 - c. Documented proof of malfeasance, fraud or abuse; and
 - d. The State Administrative Entity reserves the right to conduct an investigation regarding allegations of wrongdoing that result in the removal of a board member.

The Yavapai County Board of Supervisors and the WDB Chair will be formally notified in advance of any such investigations and of the results.

6. WDB members may also be removed for other reasons as determined by the WDB.
 - a. The WDB will provide ten days written notice to the member being considered for removal from the WDB before a recommendation for removal is placed on a WDB meeting agenda. The member under consideration for termination may appeal the decision in writing to the Chair and request a special meeting in executive session with the Executive Committee before any action is taken.
 - b. Should the Executive Committee determine that it is in the best interest of the WDB to remove a member; a recommendation for removal will be presented to the WDB for official action to remove the member. The recommendation must receive a majority vote.
 - c. Recommendations for removal of WDB members will be forwarded to the Yavapai County Board of Supervisors for final action to remove the member;
 - d. The State Administrative Entity reserves the right to conduct an investigation regarding allegations of wrongdoing that result in the removal of a board member. The Yavapai County Board of Supervisors and the WDB Chair will be formally notified in advance of any such investigations and of the results.
7. The WDB will use technology, such as telephone conferencing, to promote WDB member participation and public access. All WDB members may attend meetings in person or telephonically. A cell phone call to a member's telephone may be used when a conference call is not available for the meeting, as long as the caller is accessible to the public. Web-based meetings will not be available.
8. The process to ensure WDB members actively participate in convening the workforce development system's stakeholders, brokering relationships with a diverse range of employers, and leveraging support for economic and workforce development activities.
9. A description of any other conditions governing appointment or membership on the WDB as deemed appropriate by the WDB.
10. In consultation with the BOS, the WDB may amend such by-laws as it deems necessary as follows:
 - a. Any proposed changes to the Bylaws must be presented to and approved by a majority vote of the WDB.
 - b. At a regular meeting of the WDB, the Chair will announce the need to open the Bylaws with stated changes.

- c. The amended Bylaws will then be presented to the Yavapai County Attorney and Board of Supervisors for final approval.
 - d. Each time the Bylaws are amended, a copy of the updated Bylaws will be distributed to all WDB members and the Yavapai County Board of Supervisors, and posted on the ARIZONA@WORK Yavapai County website and the Yavapai County Website.
- C. The BOS will be in agreement on the Memorandum of Understanding (MOU) and Infrastructure Funding Agreement between the workforce system partners and the WDB.
- D. Approve an annual budget developed by the WDB consistent with the local plan and the duties of the WDB under WIOA sec 107(d), for the purpose of carrying out the duties of the WDB. Such a budget will be made based on the annual WIOA allocation received by Yavapai County. The WDB will approve in a joint meeting with the BOS such a budget and submit to the BOS for approval as identified in WIOA 107(d) (12)(A).
- E. The BOS delegates to the WDB the development of the WIOA 4-year local plan for the local area, and modifications of the plan as may be required by WIOA Sec. 108 and applicable state policies. The WDB will vote to approve such plan and forward to the BOS for approval.
- F. As stated in WIOA 107(d) and 20 CFR 679.370, the BOS and the WDB share governance responsibility for WDB functions such as local planning, program oversight, negotiating local performance accountability measures, selection of One Stop Operators and providers, and approving a budget for WDB activities.
- G. The WDB will negotiate with BOS and required partners on the methods for funding the infrastructure costs of one-stop centers in the LWDA in accordance with § 678.715 and State Workforce Policy #5 MOU and Infrastructure Costs policy.

Section 2: Role of the Yavapai County Workforce Development Board (WDB)

As provided in WIOA Sec. 107(d) and in compliance with current State policies, the WDB must:

- A. Elect a chairperson from among the business representatives on the WDB.
- B. Develop, approve and submit a local plan and subsequent modifications to such plan for the local area to the BOS for their approval. The WDB will then submit the approved local plan to the designated State Administrative Entity and Workforce Arizona Council.
- C. If the local area is part of a designated planning region as defined in Sec. 106 of the WIOA that includes other local areas, develop and submit a regional plan in collaboration with other local areas. If the local area is part of a planning region, the local plan must be submitted as a part of the regional plan. Approval and subsequent modifications will follow the same protocol as outlined in Section 2(A) of this agreement. The Yavapai County Local Area has been designated as a single planning region.

- D. Conduct workforce research and regional labor market analysis to include:
1. Analyses and regular updates of economic conditions, needed knowledge and skills, workforce, and workforce development (including education and training) activities to include an analysis of the strengths and weaknesses (including the capacity to provide) of such services to address the identified education and skill needs of the workforce and the employment needs of employers. The WDB directs the AE to provide regular updates on economic conditions. The AE uses Wanted Analytics and Duns & Bradstreet to monitor and report significant changes in the area. Staff also relies on Office of Economic Opportunity data research and reports.
 2. Assistance to the Governor in developing the statewide workforce and labor market information system under the Wagner-Peyser Act for the region; and
 3. Other research, data collection, and analysis related to the workforce needs of the regional economy as the WDB, after receiving input from a wide array of stakeholders, determines to be necessary to carry out its functions.
- E. Convene local workforce development system stakeholders to assist in the development of the local plan under § 679.550 and in identifying non-Federal expertise and resources to leverage support for workforce development activities. Such stakeholders may assist the WDB and standing committees in carrying out convening, brokering, and leveraging functions at the direction of the WDB;
- F. The WDB will lead efforts to engage with a diverse range of employers and other entities in the region in order to:
1. Promote business representation (particularly representatives with optimum policy-making or hiring authority from employers whose employment opportunities reflect existing and emerging employment opportunities in the region) on the WDB.
 2. Develop effective linkages (including the use of intermediaries) with employers in the region to support employer utilization of the local workforce development system and to support local workforce investment activities.
 3. Evaluate that workforce investment activities meet the needs of employers and support economic growth in the region by enhancing communication, coordination, and collaboration among employers, economic development entities, and service providers; and
 4. Develop and implement proven or promising strategies for meeting the employment and skill needs of workers and employers (such as the establishment of industry and sector partnerships), that provide the skilled workforce needed by employers in the region, and that expand employment and career advancement opportunities for workforce development system participants in in-demand industry sectors or occupations.

- G. The WDB will solicit representatives of secondary and postsecondary education programs, and lead efforts to develop and implement career pathways within the local area by aligning the employment, training, education, and supportive services that are needed by adults and youth, especially individuals with barriers to employment.
- H. The WDB will lead efforts in the local area to identify and promote proven and promising strategies and initiatives for meeting the needs of employers, workers and job seekers, and identify and disseminate information on proven and promising practices carried out in other states or local areas for meeting such needs.
- I. Yavapai County WDB will develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, workers and job seekers, by:
 - 1. Facilitating connections among the intake and case management information systems of the one-stop partner programs to support a comprehensive workforce development system in the local area.
 - 2. Facilitating access to services provided through the one-stop delivery system involved, including access in remote areas.
 - 3. Identifying strategies for better meeting the needs of individuals with barriers to employment, including strategies that augment traditional service delivery, and increase access to services and programs of the one-stop delivery system, such as improving digital literacy skills; and
 - 4. Leveraging resources and capacity within the local workforce development system, including resources and capacity for services for individuals with barriers to employment.
- J. Negotiate and reach agreement on local performance measures with the applicable state guidelines. Title I performance negotiations will include the Executive Director for the WDB working with the State to review past performance and current economic conditions that may influence future performance together with state goals for performance.
- K. Negotiate with BOS and required partners on the methods for funding the infrastructure costs of one-stop centers in the local area in accordance with 20 CFR §678.715 or notify the Workforce Arizona Council if they fail to reach agreement at the local level and will use a State infrastructure funding mechanism;
- L. Select the following providers in the local area, and where appropriate, terminate such providers in accordance with 2 CFR part 200:
 - 1. Providers of youth workforce investment activities through competitive grants or contracts based on the recommendations of the youth standing committee (if such a committee is established); however, if the WDB determines there is an insufficient

number of eligible training providers in a local area, the WDB may award contracts on a sole-source basis as per the provisions at WIOA Sec. 123(b).

- a. The Yavapai County Youth Council is appointed by the Executive Committee of the WDB and is comprised of members with youth involvement activities within Yavapai County. These may include WIOA partners, labor, education, public safety, housing, public/private sector, juvenile justice and other organizations. Youth Council responsibilities include coordinating youth activities in Yavapai County, development of the youth portion of the local plan, recommending and conducting oversight of eligible youth service providers focusing on older out-of-school youth, establishing linkages with educational agencies and other youth service providers, and other duties as assigned by the Executive Committee.
2. Providers of training services consistent with the criteria and information requirements established by the Governor and WIOA Sec. 122.
3. Through a competitive process the WDB will recommend to BOS a selection of One Stop Operator to coordinate the service delivery of required one-stop partners and service providers in accordance with § 678.600 through 678.635.
4. Reviewing applications to provide adult education and literacy activities under WIOA Title II for the local area to determine whether such applications are consistent with the local plan.

The fiscal agent shall maintain fiscal oversight of contracted providers including but not limited to conducting financial monitoring and annual financial audits of such providers. The result of the monitoring and audits will be reported to the WDB during regularly scheduled meetings and made available to the State administrative entity.

- M. In accordance with WIOA Sec. 107(d)(10)(E) work with the State to ensure there are sufficient numbers and types of providers of career services and training services serving the local area and providing the services in a manner that maximizes consumer choice, as well as providing opportunities that lead to competitive integrated employment for individuals with disabilities.
- N. Coordinate activities with education and training providers in the local area, including:
 1. Making recommendations to the eligible agency to promote alignment with such plan; and
 2. Replicating and implementing cooperative agreements to enhance the provision of services to individuals with disabilities and other individuals, such as cross training of staff, technical assistance, use and sharing of information, cooperative efforts with employers, and other efforts at cooperation, collaboration, and coordination.

- O. Develop a budget for the activities of the WDB, with approval of the BOS and consistent with the local plan and the duties of the WDB.
 - 1. The budget shall include all activities of the WDB including administrative expenses for the Board, Board operational costs associated with the One Stop Operator, the Title I budget amounts to be allocated for Youth, Adult and Dislocated Worker Program career services as well as Rapid Response Program.
 - 2. The WDB will determine how much of the budget to allocate for these services and how to procure these services; and,
 - 3. The Administrative Entity shall immediately disburse the grant funds for workforce investment activities at the direction of the WDB, as defined in the approved budgets, pursuant to the requirements of WIOA.
- P. Assess, on an annual basis, the physical and programmatic accessibility of all one-stop centers in the local area, in accordance with WIOA sec. 188, as applicable, provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et seq.*).
- Q. The WDB shall certify ARIZONA@WORK Job Centers in accordance with 20 CFR § 678.800 and as approved by the Workforce Arizona Council.

Section 3: Joint Roles of the BOS and WDB:

- A. Adopt a Job Description for WDB staff and provide oversight and direction, to include:
 - 1. Assignment of duty to the WDB
 - 2. Reporting at least quarterly to the County Administrator and BOS
- B. The WDB has oversight authority for Youth workforce investment activities authorized under WIOA Sec. 129(c), Adult and Dislocated Worker/Rapid Response employment and training activities under WIOA Sections 134(c) and (d), and the entire ARIZONA@WORK Yavapai County service delivery system. The WDB will report to the BOS at least one joint meeting during the program year on the current WDB budget initiatives and workforce investment performance and activities designed to further Yavapai County workforce development goals as outlined in the local plan.
- C. Evaluate the appropriate use, management, and investment of funds to maximize performance outcomes under WIOA Sec. 116. Use of available funds will be outlined in the local plan. The WDB will report to the BOS as the Fiscal Agent no less than one time per program year the status of the expenditure of funds allocated to Yavapai County for Youth workforce investment activities authorized under WIOA Sec. 129(c), Adult and Dislocated Worker/Rapid Response employment and training activities under WIOA Secs. 134(c) and performance outcomes of the entire ARIZONA@WORK Yavapai County service delivery system.

D. The WDB, with the agreement of the BOS:

1. Shall designate or certify one-stop operators as described in section 121(d) (2) (A); One-stop operators in accordance with 20 CFR §§ 678.600 through 678.635 and applicable state policies;
2. May terminate for cause the eligibility of such operators as defined within the Yavapai County WDB Bylaws.
3. The WDB shall procure contracts or obtain written agreements utilizing WDB approved procurement policies; the BOS shall conduct financial monitoring of the Administrative Entity (NACOG) and ensure audits of service providers are complete; NACOG shall conduct independent audits and present final reports to the WDB for review and comment on an annual basis.

E. The WDB Bylaws Article XVI - Conflict of Interest documents a clear separation of duties and required firewalls between staff that perform governance functions and operation functions within the Yavapai County One Stop service delivery system.

The Yavapai County Local Workforce Development Area has taken significant actions to ensure effective firewalls are in place. Yavapai County serves as the Fiscal Agent and annually monitors the expenditures of WIOA Title I-B. The Yavapai County WDB has appointed an Executive Director. The WDB Executive Director serves as the primary staff for the WDB and carries out duties and responsibilities as defined in WIOA Section 107 (f). The WDB Executive Director reports directly to the Chairman of the WDB and coordinates with the Yavapai County Administrator. The Executive Director employer of record is NACOG, who the WDB and the Yavapai County BOS mutually designated as the Administrative Entity for the LWDA. Accordingly, the Executive Director is not present and does not participate with procurement or selection of service providers. The WDB retains contractual services from outside parties to ensure appropriate firewalls are in place.

NACOG acts in the capacity of the Administrative Entity and was selected by the WDB as the One Stop Operator and Youth Service Provider through a procured process. The NACOG Operations Manager is responsible for direct Title I-B services, One Stop operations and staffs the Youth Council. The Operations Manager reports directly to the Executive Director of NACOG. The Executive Director and NACOG are responsible for carrying out the provisions of WIOA in each of these roles. Title I (NACOG) is not a member of the WDB. Titles I-IV report to the WDB in terms of reporting respective activities and partnership negotiations with the board. All staff and members of the board are required by Yavapai County to sign annual Conflict of Interest statements and declare any potential or perceived conflicts.

Please reference attachments Exhibit A Scope of Work Memorandum and the Yavapai County Local Workforce Development Area Organizational Chart.



Section 4: Amendments, Change or Election

This Agreement shall take effect upon signature of both parties, and shall remain in effect until terminated in accordance with this paragraph or until the Yavapai County WIOA is otherwise amended or dissolved. Either party may amend or terminate this Agreement by giving a 90 day written notice to the other party.

An election of a new CLEO or WDB Chairman will not require a new Governance Agreement. When either party signs this agreement, it is considered relevant throughout the term of the agreement unless there are amendments or modifications. Amendments and modifications will require a majority vote of the BOS and WDB respectively.

IN WITNESS THEREOF, the parties hereto have affixed their signatures to this Agreement on the dates written below.

YAVAPAI COUNTY BOARD OF SUPERVISORS

YAVAPAI COUNTY WORKFORCE DEVELOPMENT BOARD

Chairman, Board of Supervisors

Anita Payne, Chairman

Date

Date

ATTEST

Kim Kapin, Clerk of the Board

Date

APPROVED AS TO FORM

Yavapai County Attorney

Date

Exhibit A

SCOPE OF WORK MEMORANDUM

THIS MEMORANDUM, dated January 15, 2020 and effective January 1, 2020 through December 31, 2025, sets forth the understandings of the Yavapai County Board of Supervisors (the Board), the Yavapai County Workforce Development Board (WDB) and the Administrative Entity Northern Arizona Council of Governments (NACOG) with respect to the local workforce development activities in Yavapai County, Arizona pursuant to Public Law 113-128, or any amendment made hereto the Workforce Innovation and Opportunity Act (the Act).

Statement of Purpose. The purpose of this Memorandum is to specify roles, procedures and responsibilities attendant to the designation of NACOG as the “Administrative Entity (Direct Service Provider of Title I-B) and One Stop Operator” (OSO) assigned through a competitive procurement process as required by the Workforce Innovation and Opportunity Act (WIOA) in order to provide staff and other resources as required to establish and maintain the programs and services required by the Act. The Parties understand that the Board has entered into an Intergovernmental Agreement (see Attachment 1) with the Arizona Department of Economic Security (DES) dated August 8, 2018 with an effective date of July 1, 2019 whereby the Board has assumed direct responsibility for local workforce development activities and for receipt and disbursement of funds to NACOG as required to carry out such activities as defined in WIOA. The Parties intend that NACOG, to the greatest feasible extent, will assume financial and programmatic responsibility for local workforce development activities while the Board and their designated staff will maintain general oversight of the activities and will establish and maintain such fiscal and operational controls as it deems necessary to ensure efficient and effective service delivery.

The scope of work, roles and responsibilities of the Parties shall be as set forth herein:

- 1. WIOA Service Delivery.** The relationship of the various entities participating in the delivery of funds and services pursuant to the Act is depicted in the WIOA Service Delivery Organization Chart, attached hereto as Attachment 2, and incorporated by reference herein.
- 2. Roles and Responsibilities; General.** The general roles and responsibilities of the Parties to this memorandum are set forth in the Yavapai County WIOA Roles, Responsibilities and Duties Summary attached hereto as Attachment 3 and incorporated by reference herein.
- 3. Roles, Responsibilities and Duties; Yavapai County – Department of Economic Security Intergovernmental Agreement.** Except as expressly provided herein, the Northern Arizona Council of Governments (NACOG), as the designated AE/OSO, shall discharge all direct service duties and responsibilities assigned to the Board pursuant to the Intergovernmental Agreement between the Board and the Arizona Department of Economic Security (DES) dated July 1, 2019 or renewals thereof. WIOA Title I-B services include career, individualized, and training services identified in WIOA Sec.

134(c) (2) (A) (i)-(xi) and § 678.430(a) (b). These services are provided through a One Stop Delivery system at two Comprehensive Centers and one Affiliate Center. Online accessibility is available on the www.azjobconnection.gov data system.

Title I B Budgets are developed annually following state allocation distribution for WIOA Title I B Adult, Youth, Dislocated Worker and Rapid Response services. The WDB review/approves these annual budgets. The County pass through all Title I B funds to NACOG. NACOG does direct drawdowns from the State following approved expenditure reports. NACOG receives payment on a cost reimbursement basis only.

- 4. Performance of Duties and Responsibilities.** The Parties understand that the designation of NACOG as the AE/OSO is conditioned on NACOG's satisfactory performance of the duties and responsibilities as set forth in the Memorandum and attachments thereto. In the event that the Board and/or the WDB determines that such duties and responsibilities are not being provided in a satisfactory manner, i.e., meeting WIOA negotiated performance rules, the Board and/or the WDB may provide written notice of deficient performance to NACOG specifying the particular deficiencies noted and the corrective action required. In the event that the deficiencies noted are not corrected within 30 days of transmittal of such notice, the Board may direct that NACOG's designation as AE/OSO be revoked.

APPROVED AND ACCEPTED

Yavapai County Board of Supervisors

Chairman, Board of Supervisors

Date _____

Attest:

Kim Kapin, Clerk of the Board

Date _____

Yavapai County Workforce Development Board

By _____

Title _____

Date _____

Northern Arizona Council of Governments

By _____

Title _____

Date _____

Yavapai County Workforce Development Area

Organizational Chart

