



COUNTY OF HUMBOLDT

AGENDA ITEM NO.
C-2

For the meeting of: September 27, 2005

Date: September 2, 2005

To: Board of Supervisors

From: Kirk Girard, Community Development Services Director

Subject: **Separation of Duties Assignment establishing duties for the Local Workforce Investment Area** and delegation of signature authority to Community Development Services Department Director and the Workforce Investment Board Executive Director.

RECOMMENDATION(S):

That the Board of Supervisors:

1. Receive the staff report.
2. Review and approve Separation of Duties Assignment establishing duties for the Local Workforce Investment Area between the Economic Development Division of the Community Development Services Department and the Employment Training Division of the Social Services Branch of the Department of Health and Human Services.
3. Adopt resolution delegating signature authority to the Community Development Services Director for all contracts flowing from all workforce grants covered by the annual Sub-Grant Agreement.
4. Adopt resolution delegating signature authority to the Workforce Investment Board Executive Director for administrative items.

SOURCE OF FUNDING:

Formula funds and project grants through the Workforce Investment Act, U.S. Department of Labor, California Employment Development Department and other workforce-related funding sources.

Prepared by Jacqueline Debets, WIB Executive Director *JPD*

CAO Approval *[Signature]*

REVIEW:

Auditor _____ County Council *AK* Personnel _____ Risk Manager _____ Other *LH*

TYPE OF ITEM:

- Consent
- _____ Departmental
- _____ Public Hearing
- _____ Other _____

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT
Upon motion of Supervisor **NEELY**
Seconded by Supervisor **GEIST**
And unanimously carried by those members present.
The Board hereby adopts the recommended action contained in this report.

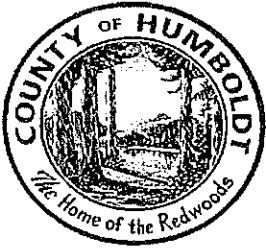
PREVIOUS ACTION/REFERRAL:

Board Order No. None

Meeting of: _____

Dated: 9-27-05
Lora Canzone, Clerk of the Board

[Signature]



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Kirk Girard

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REVIEW:	Auditor _____	County Counsel _____	Personnel _____	Risk Manager _____	Other _____
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TYPE OF ITEM:

Consent

Departmental

Public Hearing

Other _____

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor

Seconded by Supervisor

And unanimously carried by those members present,

The Board hereby adopts the recommended action contained in this report.

PREVIOUS ACTION/REFERRAL:

Board Order No. None

Meeting of: _____

Dated: _____
Lora Canzoneri, Clerk of the Board

DISCUSSION:

On April 27, 2004, this Board established a plan for transition of the workforce investment area fiscal agency to the Economic Development Division of the Community Development Services Department, and for WIA-funded program services to continue to be provided by Health and Human Services "through a sub-recipient agreement with the CDS Department." The two departments have executed this transition, and have been operating according to your directive to collaborate. The Separation of Duties Assignment provides specific direction in writing for clarity and state monitoring purposes. Additionally, certain delegation of signature authority is needed to carry out the fiscal and administrative duties for oversight of Workforce Investment Act (WIA) funds.

The Separation of Duties Assignment, included here as Attachment 2, lays out the roles and duties of the two County divisions: the Economic Development Division of Community Development Services Department, and the Employment Training Division of the Social Services Branch of the Department of Health and Human Services. This Separation of Duties Assignment describes the effective working relationship that has developed between the division, as well as, the required roles under state and federal guidelines and WIA law.

Regarding signature authority, three factors inform this request:

1. In its role as the Chief Elected Official for the Local Workforce Investment Area, this Board takes several actions annually to establish policy direction and contractual responsibility for WIA funds.
 - a. Review, approval and signing of the annual sub-grant agreement from the State of California. This sub-grant agreement covers all the terms and conditions for receipt of WIA funds. Review of the sub-grant agreement is a non-transferable responsibility, and typically comes before this Board in May each year. Periodically, the State will unilaterally amend the sub-grant agreement to add or reduce funds based on new grants approved or funding allocation changes. This is a state required role of this Board, and no delegation of signature authority is requested or appropriate on this over-arching contractual relationship with the funding source.
 - b. Review, approval and signing of the local area strategic plan and modifications. This plan lays out the annual budget, participant levels and strategic policies related to fulfillment of local workforce area responsibilities and use of funds. This is a WIA-required role of this Board. No delegation of signature authority is requested or appropriate for local area strategic plan and modifications.
 - c. Review and approval of the annual budgets for both the Workforce Investment unit of the Economic Development Division and the Employment Training Division.
2. Carrying out the duties in fiscal and administrative oversight that flow from the above-referenced Board actions requires delegated signature authority. The range of items includes administrative forms for the State, simple to more complex grant applications, grant reports, reports for the State WIB, contracts to execute the programs and strategic initiatives, etc. The State typically requests delegated authority to the position in charge of day-to-day activities. That position is usually the WIB Executive Director.
3. The Community Development Services Department, Economic Development Division has an established history for delegation of signature authority to the Department Director for contracts and other duties in the execution of grant-funded programs approved by this Board. That delegation typically flows from the action to apply for the grant or to accept the contract from the grantor.
4. In case of WIA funds, there are a couple of important differences. The state does not require Board approval for grant application submission, nor a special contract for acceptance of the funds. The

contract governing workforce grants is the sub-grant agreement that comes before this Board annually in May. All additional workforce funds are unilaterally added into that agreement by the state.

Other differences include:

- a) The Chair of the Workforce Investment Board (WIB) is sometimes a designated signatory by the State or WIA. For example the Chief Elected Official *and* the Chair of the WIB sign the strategic plan submitted to the State. Delegation would not affect these actions.
- b) Statewide there is a common practice, and community of, WIB executive directors to whom a wide range of administrative duties would be delegated most economically.

Our request today is aligned with our Department history, established County policy on grant submission, and reflective the statewide practice in workforce programs.

With this background, staff requests that signature authority be delegated to the Community Development Services Director and to the WIB Executive Director as follows:

A. Delegated Signature Authority to the Community Development Services Director:

- 1) Contracts to execute programs and strategic initiatives in accordance with WIB strategic plans and approved grants, after review and approval by county counsel and risk management.
- 2) Grant reports for fiscal accounting.

B. Delegated Signature Authority to the WIB Executive Director:

- 1) Administrative reports and forms for the State; and
- 2) Grant applications, with approval by CAO according to established County policy (July 13, 2004)

The Chief Elected Official (this Board) and WIB Chair signatures would remain in place where that is the practice and policy level of authority, as per the WIA and state guidance. For instance the Board of Supervisors would continue to review and directly approve the annual Workforce Investment Sub-Grant Agreement and all Memoranda of Understanding with the One-Stop Partners.

FINANCIAL IMPACT:

All costs are covered by annual formula allocations and project grants in Workforce Investment Act funds and workforce-related grant funds.

OTHER AGENCY INVOLVEMENT:

Department of Health and Human Services, Employment Training Division

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board of Supervisors could choose request changes to the Separation of Duties Assignment, and/or choose not to delegate signature authority or delegate it differently.

ATTACHMENTS:

Attachment 1: Resolution

Attachment 2: Separation of Duties Assignment

Attachment 1: Resolution

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting of _____

RESOLUTION NO. 2005-_____

A RESOLUTION DELEGATING SIGNATURE AUTHORITY TO THE COMMUNITY DEVELOPMENT SERVICES DEPARTMENT DIRECTOR FOR ALL MATTERS PERTAINING TO LOCAL WORKFORCE INVESTMENT AREA (WIA) CONTRACTS FOR THE EXECUTION OF LOCAL WIA PROGRAMS AND GRANT-FUNDED PROJECTS; AND FURTHER, DELEGATING SIGNATURE AUTHORITY TO THE WORKFORCE INVESTMENT BOARD EXECUTIVE DIRECTOR FOR ALL ADMINISTRATIVE AND FISCAL DUTIES OF THE LOCAL WIA, INCLUDING SIGNING GRANT APPLICATIONS AFTER APPROVAL BY THE COUNTY ADMINISTRATIVE OFFICER, ACCORDING TO ESTABLISHED COUNTY POLICY.

WHEREAS, the Board of Supervisors is the Chief Elected Official for the Local Workforce Area according to the Workforce Investment Act (WIA) and California Governor's designation; and

WHEREAS, the Board of Supervisors reviews and approves annually the sub-grant agreement for the receipt of WIA formula funded grants and workforce project grants; and

WHEREAS, the Board of Supervisors reviews and approves the Local Area Strategic plan and modifications, along with the appointed Workforce Investment Board (WIB), which establishes policy and programmatic direction for the Local Workforce Investment Area; and

WHEREAS, the Board of Supervisors appoints the local Workforce Investment Board; and

WHEREAS, the Board of Supervisors has designated the Community Development Services Department, Economic Development Division to be the fiscal and administrative agent for the Local Workforce Investment Area, and staff to the Workforce Investment Board; and

NOW, THEREFORE, BE IT RESOLVED that the Community Development Services Director is hereby authorized and directed to sign and act on behalf of the County in all matters pertaining to contracts (after review and approval by the County Risk Manager and County Counsel) for the execution of Local Workforce Investment Area programs and grant-funded projects; and

BE IT FURTHER RESOLVED that the Workforce Investment Board Executive Director is authorized and directed to sign and act on behalf of the County to carry out the administrative and fiscal duties of the Local Workforce Investment Area, including signing grant applications after approval of the County Administrative Officer, according to established County policy; and signing administrative forms, reports and grant reports as required by the State.

Adopted on motion by Supervisor _____, second by Supervisor _____ and the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

STATE OF CALIFORNIA

County of Humboldt

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

LORA CANZONERI

Clerk of the Board of Supervisors of the County of Humboldt, State of California

By _____

Attachment 2:
Separation of Duties Assignment for the Local Workforce Investment Area

**Separation of Duties Assignment for the
Local Workforce Investment Area
between
Community Development Services Department, Economic Development Division
and
Department of Health and Human Services, Social Services Branch,
Employment Training Division**

I. DUTIES of the ECONOMIC DEVELOPMENT DIVISION

A. Will serve as fiscal and administrative agency for workforce funding in the local workforce area, fulfilling all fiscal and administrative responsibilities as prescribed in the Workforce Investment Act (WIA), by the Department of Labor and the State of California.

1. Fiscal Agent Duties

- a. Will prepare annual budget for workforce area funding, based on the annual allocation of funding from the State of California and any project grants. Will develop budget in cooperation with the EMPLOYMENT TRAINING DIVISION, present annual budget to Workforce Investment Board (WIB) for review, and submit the annual budget and supplemental budgets to the Board of Supervisors (BOS) for approval.
- b. Will develop in cooperation with EMPLOYMENT TRAINING DIVISION and One-Stop Operators the cost allocation plan for the One-Stop System.
- c. Will maintain and implement approved cost allocation plan for the use of WIA funds.
- d. Will prepare and file required grant reports with the state through the Job Training Automation (JTA) system.

2. Administrative Agent Duties

- a. Will insure compliance with all applicable regulations governing WIA funds.
- b. Will conduct procurement and prepare contracts with contractors.
- c. Will conduct regular monitoring of all agencies utilizing WIA funds as necessary, including but not limited to the EMPLOYMENT TRAINING DIVISION, youth program operators, etc.
- d. Will serve as staff to the Workforce Investment Board (WIB), facilitating and carrying out strategic direction of the WIB.
- e. Will employ the WIB Executive Director and other staff as needed.
- f. Will prepare reports for BOS, WIB and any committees as needed for conducting business of WIB, establishing workforce policy and execution of the strategic plan, State-required plans and working documents.
- g. Will prepare agendas and supporting documents for WIB meetings. Will establish and manage standard procedures for information and action items to reach WIB committees, the WIB and the BOS.
- h. Will represent WIB on matters of program, policy and resource development and implementation.

- i. Will develop strategic plans for state and local area with direction from the WIB and in cooperation with the EMPLOYMENT TRAINING DIVISION.
- j. Will write and apply for workforce related grants, working with the EMPLOYMENT TRAINING DIVISION and other community partners on the scope of grant applications to best further the implementation of the WIB strategic plan, respond to workforce-related events, and workforce-related priorities.
- k. Will facilitate collaboration and alignment of resources with education, economic development and workforce development agencies throughout the county.
- l. Will seek to resolve concerns at the lowest level of authority quickly and in alignment with the WIB strategic plan.
- m. Will actively participate in the on-going development of the Humboldt County workforce development system and the One Stop System.

II. DUTIES of the EMPLOYMENT TRAINING DIVISION

- A. Will deliver the workforce training programs, including eligibility, case management, core and intensive services for Adult and Dislocated workers as prescribed WIA, by the Department of Labor and the State of California, and delineated in most current budgets, the adopted Strategic Plan submitted to the state, and the WIB strategic action plan.
- B. Will deliver all Rapid Response services in cooperation with the greater local Rapid Response team, which may include contractors.
- C. Will deliver all other employment and training program activities as assigned to the local area by the State and/or delegated by the WIB or BOS.
- D. Will maintain complete case files for all enrolled participants.
- E. Will ensure that all policies and procedures related to program delivery are executed in compliance with applicable regulations governing WIA funds.
- F. Will prepare and file required program participant reports with the state through the Job Training Automation (JTA) system.
- G. Will work with the ECONOMIC DEVELOPMENT DIVISION to develop, deliver and execute required documents for the State of California in a timely manner, including but not limited to strategic plans, monitoring responses, grant reports, etc.
- H. Will prepare reports and agenda items as needed for information to and action of the WIB. Works with WIB staff and standard procedures for moving information and action items through WIB committees, to the WIB and to the BOS.
- I. Will actively participate in the on-going development of the Humboldt County workforce development system and the One-Stop System. Provide staff within One-Stop System for coordination of service delivery, training and vocational services.
- J. Will provides technical assistance to contractors as needed to fulfill WIA requirements and WIB strategic plan.
- K. Will invoice the ECONOMIC DEVELOPMENT DIVISION at least monthly and at least five (5) working days prior to the grant report deadline for all WIA-related and grant-related costs in the period eligible for reimbursement.

- L. Will maintain and implement the cost allocation plan for use of WIA funds and One-Stop System, as approved by state and the ECONOMIC DEVELOPMENT DIVISION.
- M. Will facilitate collaboration and alignment of resources with education, economic development and workforce development agencies throughout the county.
- N. Will seek to resolve concerns at the lowest level of authority quickly and in alignment with the WIB strategic plan.