

MEMORANDUM

Agenda Item No. 10(A)(1)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners


DATE: June 15, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution authorizing the County Mayor to execute the Fourth Amendment to the Interlocal Agreement between Miami-Dade County and Monroe County that created the South Florida Workforce Investment Board for Workforce Area 23 of the State of Florida ("SFWIB"); pursuant to section 445.007, Florida Statutes, authorizing the SFWIB to conduct meetings using telecommunications; and requiring the use of communications media technology and compliance with Chapter 28-109, Florida Administrative Code, in any SFWIB meeting conducted using telecommunications

Resolution No. R-604-21

The accompanying resolution was prepared by the CareerSource South Florida Department and placed on the agenda at the request of Prime Sponsor Public Housing and Community Services Committee.


Geri Bonzon-Keenan
County Attorney

GBK/uw

Memorandum



Date: June 15, 2021

To: Honorable Chairman Jose “Pepe” Diaz
and Members, Board of County Commissioners

From: Daniella Levine Cava *Daniella Levine Cava*
Mayor

Subject: Resolution Authorizing the Execution of the Fourth Amendment to the Interlocal Agreement that created the South Florida Workforce Investment Board for Workforce Area 23

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached resolution relating to the Fourth Amendment to the Interlocal Agreement (Fourth Amended Interlocal) that created the South Florida Workforce Investment Board for Workforce Area 23 of the State of Florida d/b/a CareerSource South Florida (SFWIB). Additionally, it is further recommended that the Board authorize the County Mayor or the County Mayor’s designee to execute the Fourth Amended Interlocal between Miami-Dade County and Monroe County that created the SFWIB and pursuant to section 445.007, Florida Statutes, authorize the SFWIB to conduct meetings using telecommunications. It is also recommended that the Board require the SFWIB to use communications in media technology as defined in section 120.54(5), Florida Statutes, as may be amended, and in compliance with chapter 28-109, Florida Administrative Code, as may be amended, in any SFWIB meeting conducted using telecommunications.

Scope

The impact of this Fourth Amended Interlocal Agreement is countywide.

Delegation of Authority

The County Mayor or County Mayor’s designee is authorized to execute the Fourth Amended Interlocal.

Fiscal Impact/Funding Source

Adoption of this resolution does not create an additional fiscal impact to the County.

Track Record/Monitor

Rick Beasley, Executive Director of the SFWIB, will monitor the Fourth Amended Interlocal.

Background

Pursuant to Resolution No. R-315-06, the Board approved an Interlocal Agreement between Miami-Dade and Monroe Counties that created the SFWIB. The Interlocal Agreement was executed by the Chief Elected Officials of the respective counties and authorized improvements to the administrative structure of the SFWIB as a means to enhance employment and training services, as well as the organization's operating model. The SFWIB is comprised of members who reside or work in Miami-Dade and Monroe Counties.

In January of 2014, pursuant to the Regional Workforce Board Accountability Act of 2012, the SFWIB changed its business name from the South Florida Workforce Investment Board to CareerSource South Florida. Thereafter, on July 22, 2014, President Barack Obama signed the Workforce Innovation and Opportunity Act (WIOA) (Pub. L. 113-128) into law. The WIOA is landmark legislation designed to strengthen and improve our nation’s public workforce system and help get Americans, including youth and those with significant barriers to employment, into high-quality jobs and careers, and to help employers hire and retain skilled workers. In accordance with WIOA, local workforce development boards are required to develop, approve, and implement a service delivery plan to resolve employment issues.

The SFWIB approved the current local service delivery plan on February 20, 2020. The 2020-24 Local Workforce Service Plan includes the following programs: (1) Job Corps; (2) Wagner-Peyser Act; (3) Veteran; (4) Migrant and Seasonal Farm Worker; (5) and Trade Adjustment Assistance. The Local Workforce Service Plan also includes the Welfare Transition/Temporary Assistance to Needy Families and the Food Stamp Employment and Training Programs. The development of the local Workforce Services Plan is critical to having a comprehensive plan consistent with the requirements of WIOA.

Over the past 15 years, the SFWIB has demonstrated fiscal accountability by producing clean audits with no adverse findings and no material weaknesses. The SFWIB has also made considerable investments in both Miami-Dade and Monroe Counties. During Fiscal Year 2019-2020, a total of 11,706 South Floridians were placed in jobs as a result of employment and training services provided by the SFWIB and its contractors. For every dollar invested to employ and train jobseekers, the community received a \$42.69 return on investment. A total of \$276,910,346 in salaries were generated within the counties.

The coronavirus disease 2019 pandemic has severely impacted several industries in the state and led to increased demand for services provided by the SFWIB. Approval of the Fourth Amended Interlocal will eliminate the requirement for SFWIB members to meet in person and allow the SFWIB to take advantage of statutory authorization for members to meet using telecommunications. Specifically, section 445.007, Florida Statutes, authorizes local workforce development boards, such as the SFWIB, to use telecommunications to conduct meetings, including establishing a quorum, provided that the public is given proper notice of the telecommunications meeting and reasonable access to observe and, when appropriate, participate. In an effort to ensure the SFWIB meetings are open and accessible to the public, all meetings using telecommunications will also be required to use communications media technology as defined in section 120.54(5) and comply with chapter 28-109, Florida Administrative Code.



Morris Copeland
Chief Community Services Officer



MEMORANDUM
(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: June 15, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 10(A)(1)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 10(A)(1)
6-15-21

RESOLUTION NO. _____ R-604-21

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR’S DESIGNEE TO EXECUTE THE FOURTH AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND MONROE COUNTY THAT CREATED THE SOUTH FLORIDA WORKFORCE INVESTMENT BOARD FOR WORKFORCE AREA 23 OF THE STATE OF FLORIDA (“SFWIB”); PURSUANT TO SECTION 445.007, FLORIDA STATUTES, AUTHORIZING THE SFWIB TO CONDUCT MEETINGS USING TELECOMMUNICATIONS; AND REQUIRING THE USE OF COMMUNICATIONS MEDIA TECHNOLOGY AND COMPLIANCE WITH CHAPTER 28-109, FLORIDA ADMINISTRATIVE CODE, IN ANY SFWIB MEETING CONDUCTED USING TELECOMMUNICATIONS

WHEREAS, this Board desires to accomplish the purposes set forth in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Approves the foregoing recital, which is incorporated herein by reference.

Section 2. Approves the Fourth Amendment to the Interlocal Agreement (“Fourth Amended Interlocal”) between Miami-Dade County and Monroe County that created the South Florida Workforce Investment Board for Workforce Area 23 of the State of Florida (“SFWIB”), in substantially the form attached hereto as Exhibit A and incorporated herein by reference, which authorizes the SFWIB to conduct meetings using telecommunications pursuant to section 445.007, Florida Statutes, as may be amended.

Section 3. Requires the use of communications media technology, as defined in section 120.54(5), Florida Statutes, as may be amended, and compliance with chapter 28-109, Florida Administrative Code, as may be amended, in any SFWIB meeting conducted using telecommunications.

Section 4. Authorizes the County Mayor or the County Mayor’s designee to execute the Fourth Amended Interlocal.

The foregoing resolution was offered by Commissioner **Oliver G. Gilbert, III** , who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

	Jose “Pepe” Diaz, Chairman	aye	
	Oliver G. Gilbert, III, Vice-Chairman	aye	
Sen. René García	absent	Keon Hardemon	aye
Sally A. Heyman	aye	Danielle Cohen Higgins	nay
Eileen Higgins	aye	Joe A. Martinez	aye
Kionne L. McGhee	absent	Jean Monestime	aye
Raquel A. Regalado	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 15th day of June, 2021. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS



HARVEY RUVIN, CLERK

Melissa Adames

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to be "SAG", is written over a horizontal line.

Shanika A. Graves

**FOURTH AMENDMENT TO INTERLOCAL AGREEMENT
CREATING THE SOUTH FLORIDA WORKFORCE INVESTMENT BOARD FOR
WORKFORCE AREA 23 OF THE STATE OF FLORIDA**

WHEREAS, on March 7, 2006, the Miami-Dade County Board of County Commissioners (“Board”) approved an Interlocal Agreement between Miami-Dade County and Monroe County creating the South Florida Workforce Investment Board for Region 23 of the State of Florida, and the parties thereto subsequently executed such agreement; and

WHEREAS, on February 5, 2013, the Board approved an Amendment to the Interlocal Agreement creating the South Florida Workforce Investment Board for Region 23 of the State of Florida that, among other things, extended the operation of the South Florida Workforce Investment Board for Region 23 of the State of Florida until June 30, 2016, and the parties thereto subsequently executed such amended agreement (“Interlocal Agreement”); and

WHEREAS, on August 17, 2016, this Board approved the Execution, Renewal, and Extension of the Second Amendment to the Interlocal Agreement creating the South Florida Workforce Investment Board for Workforce Area 23, which, among other things, renewed the Interlocal Agreement and extended the operation of the South Florida Workforce Investment Board for Workforce Area 23 of the State of Florida through June 30, 2020; and

WHEREAS, on May 5, 2020, this Board approved the Third Amendment to the Interlocal Agreement creating the South Florida Workforce Investment Board for Workforce Area of the State of Florida, which, among other things, revised the percentage of financial liability the parties would be responsible for under certain circumstances, deleted dissolution language, and authorized the continued existence of the South Florida Workforce Investment Board for Workforce Area 23 of the State of Florida; and

WHEREAS, other amendments to the Interlocal Agreement are needed,

NOW, THEREFORE, based on valuable consideration, this Fourth Amendment to the Interlocal Agreement is made and entered into by and between the Chief Elected Official of Miami-Dade County, a political subdivision of the State of Florida, and the Chief Elected Official of Monroe County, a political subdivision of the State of Florida, pursuant to the Florida Interlocal Cooperation Act, the Miami-Dade County Home Rule Charter, and applicable federal and state laws and regulations. In consideration of the covenants, conditions, mutual obligations, and other good and valuable consideration, on _____(date) the parties hereto agree as follows¹:

1. Paragraph No. 1 of the Interlocal Agreement is hereby amended to read as follows:

* * *

i. >>Pursuant to section 445.007, Florida Statutes, the SFWIB, its committees, subcommittees, and any other subdivision or unit of the SFWIB that currently exists or may exist in the future, may use any method of telecommunications to conduct meetings, including establishing a quorum, participating, voting, or taking any other action at such meetings, through telecommunications, provided that the public is given proper notice of the meetings and reasonable access to observe and, when appropriate, participate in such meetings. The SFWIB shall use communications media technology as defined in section 120.54(5), Florida Statutes, in meetings conducted using telecommunications. Meetings conducted using communications media technology shall comply with chapter 28-109, Florida Administrative Code.<<
~~[[Notwithstanding any provision of State or federal law, majority of the appointed members of the SFWIB or a majority of the appointed members of any committees of the SFWIB, who are physically present in the public meeting room or other place the public meeting shall constitute a quorum necessary for taking any action at the public meeting. Notwithstanding any provision of State or federal law, only appointed members of the SFWIB or appointed members of a committee of the SFWIB who are physically present in the public meeting room or other place~~

~~of the public meeting shall constitute a quorum necessary for taking any action at the public meeting. Notwithstanding any provision of State or federal law, only appointed members of the SFWIB or appointed members of a committee of the SFWIB who are physically present in the public meeting room or other place of the public meeting shall be permitted to participate in such meeting, take any action at such meeting, or vote at such public meeting. Any such appointed member of the SFWIB or any such appointed member of a committee the SFWIB who is not physically present in the public meeting room or other place of the public meeting and who, nevertheless, participates in such public meeting, or takes any action at such public meeting or votes at such public meeting, while not being physically present in the public meeting room or other place of the public meeting, shall automatically, by operation of this Interlocal Agreement, be deemed to have thereupon forthwith from membership on the SFWIB, if a member of the SFWIB and from membership on any and all committees of the SFWIB.]]~~

* * *

2. Other than those provisions amended hereby, the remaining provisions of the Interlocal Agreement are in effect and remain unchanged.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


IN WITNESS HEREOF, the parties have executed this Fourth Amendment to Interlocal Agreement Creating the South Florida Workforce Investment Board of Workforce Area 23 of the State of Florida as of the date first written above.

MIAMI-DADE COUNTY

MONROE COUNTY

By: *Daniella Levine Cava*
Daniella Levine Cava
Mayor

By: *Michelle Coldiron*
Michelle Coldiron
Mayor



ATTEST

ATTEST

By: *[Signature]*
Deputy Clerk



By: *[Signature]*
Deputy Clerk

Approved for form and legal sufficiency

Approved for form and legal sufficiency

By: *[Signature]*
Assistant County Attorney

By: *[Signature]*
Assistant County Attorney 9/16/21