



**SOUTH FLORIDA WORKFORCE INVESTMENT BOARD  
EXECUTIVE COMMITTEE MEETING  
THURSDAY, JULY 13, 2023  
8:15 A.M.**

CareerSource South Florida Headquarters  
7300 Corporate Center Drive  
Conference Room 2  
Miami, Florida 33126

The public may view the session online. **Registration is required:**  
[https://us02web.zoom.us/webinar/register/WN\\_ISSH7LAzTdywsrtfD2Q3IA](https://us02web.zoom.us/webinar/register/WN_ISSH7LAzTdywsrtfD2Q3IA)

**AGENDA**

1. Call to Order and Introductions
2. Approval of Executive Committee Meeting Minutes
  - A. June 8, 2023
3. Information – New SFWIB Agenda Item Model
4. Information – Revised SFWIB Bylaws
5. Recommendation as to Approval of an External Independent Audit Firm
6. Recommendation as to Approval of New Board Members

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"Members of the public shall be given a reasonable opportunity to be heard on a specific agenda item, but must register with the agenda clerk prior to being heard."



## SFWIB EXECUTIVE COMMITTEE MEETING

**DATE:** 7/13/2023

**AGENDA ITEM:** 2A

**AGENDA TOPIC:** MEETING MINUTES

### SFWIB EXECUTIVE COMMITTEE MEETING MINUTES

**DATE:** June 8, 2023

**LOCATION:** Via Zoom: [https://us02web.zoom.us/webinar/register/WN\\_gKA-m86nSZSxCXUhvjFhIg](https://us02web.zoom.us/webinar/register/WN_gKA-m86nSZSxCXUhvjFhIg)

1. **CALL TO ORDER:** Vice-chair Mr. del Valle called to order the regular meeting of the SFWIB Executive Committee Meeting at 8:18AM on June 8, 2023.
2. **ROLL CALL:** 7 members; 4 required; 7 present: Quorum established.

SFWIB EXECUTIVE COMMITTEE MEMBERS PRESENT	SFWIB MEMBERS ABSENT	SFWIB STAFF
Canales, Dequasia del Valle, Juan-Carlos, Vice-Chairman Chi, Joe Ferradaz, Gilda Gibson, Charles, Chair Loynaz, Oscar, M.D. Roth, Thomas "Tom"	None	Beasley, Rick Bennett, Renee Morgan, Ebony Perrin, Yian Smith, Robert  <b>ADMINISTRATION/IT</b> Almonte, Ivan
<b>OTHER ATTENDEES</b>		
Cooper, Jamie, TechLaunch		

Agenda items are displayed in the order they were discussed.

## 2A. Approval of Executive Committee Meeting Minutes – May 11, 2023

Chairman Gibson presented agenda item 2A. May 11, 2023 Executive Committee Meeting minutes for approval.

No questions or comments were presented for consideration.

**Motion** by Mr. Chi to approve the SFWIB Executive Committee meeting minutes from May 11, 2023.

Vice-Chair del Valle seconded the motion; **item is passed without dissent.**

## 3. Information – Florida House Bill (HB) 5 – Economic Programs

Chairman Gibson introduced the item; Mr. Beasley further presented.

Mr. Beasley wanted to inform the Executive Committee that Florida House Bill 5 has passed. He summarized a number of the upcoming modifications that will result from its passage.

In addition, he provided a brief account of his conversation with Mr. Rod Miller, CEO of the Beacon Council, regarding the impact of the proposed changes on local workforce boards.

No further comments or suggestions were submitted from the members. Item closed.

## 4. Information – Florida Senate Bill 240 Update

Chairman Gibson introduced the item; Mr. Beasley further presented.

Mr. Beasley discussed the changes that will occur due to the passage of Florida Senate Bill 240, an extension of Senate Bill 1507, the REACH Act.

Mr. Roth wanted to know if there would be any changes to the budget as a consequence of this bill, and if Mr. Beasley had any additional information regarding the consortium requirement. Mr. Beasley reported that there are no modifications to the budget and that consortium-related guidance is forthcoming.

Mr. Roth concurred that the consortium appears redundant in relation to the Board and supported the notion that LWDBs provide commentary as soon as possible to reduce the likelihood of redundancy. Mr. Beasley stated that he was considering collaborating with the Chamber's educational workforce committees (rather than creating something new) to fulfill this requirement and presenting this concept to the State as an example of how it can be handled in the future.

No further questions or comments were presented for consideration. Item closed.

## 5. Information – CareerSource Florida Recommended PY2023-24 In-State Allocations

Chairman Gibson introduced the item; Mr. Beasley further presented the PY 2023-24 in-state allocations by region, which reflected an overall reduction 1%.

There was continued discussion regarding allocations to various regions.

No further questions or comments were presented for consideration. Item closed.

## 6. Information – Florida Gap Map

Chairman Gibson introduced the item; Mr. Beasley further presented.

Mr. Beasley described two recent events in which he took part, namely his trip to Jacksonville to meet with all state workforce executives prior to the state board meeting and his attendance at the Florida Chambers Prosperity Campaign Summit, where he was exposed to the Florida Gap Map, which illuminates concentrations of childhood poverty in various zip codes.

Mr. Beasley reviewed the Gap Map and Opportunity Metrics with Executive Committee members highlighting and discussing areas that fall within Miami-Dade/Monroe Counties (28 total, which account for 1.1M ppl).

Mr. Roth reported that Mr. Miller of the Beacon Council expressed an interest in implementing an urban strategy program with an emphasis in these particular areas. Mr. Beasley stated that he has the chart because he forwarded the data to the mayor and several other business executives in the community for review.

Ms. Ferradaz remarked that the data is excellent and permits us to target specific locations. She also mentioned there are 13 facilities throughout Miami-Dade County that the Mayor's office intends to transform into one-stop centers. This would be valuable information for the team working on that initiative for the mayor.

Mr. Chi remarked that he was born and raised in the 33142 area, so he is intimately acquainted with the information shared. He described the numerous ways he has observed individuals in these regions shift their financial situations. There is a wonderful opportunity for us to utilize our resources to assist those in the area and lend them a hand.

Mr. Beasley explained additional means by which we could assist the community through training and other educational opportunities facilitated by prior learning assessments administered by colleges. In addition, staff members are working to identify the career centers



with which these regions are affiliated so that we can make a concerted effort to reach those who have not yet been registered in our system.

Dr. Loynaz indicated that Prior Learning Assessments (PLA) can be extremely beneficial for international students who have held professions in their home countries. Via the PLA, they can receive credit for that.

Mr. Beasley advised that this will be presented to the Global Talent and Competitiveness Committee in order to discuss the data and develop strategies for the desired direction of the staff.

No further questions or comments were presented for consideration. Item closed.

With no further business presented to the Committee, the meeting adjourned at 9:25 am.

DRAFT



## **SFWIB EXECUTIVE COMMITTEE**

**DATE:** 7/13/2023

**AGENDA ITEM NUMBER:** 3

**AGENDA ITEM SUBJECT:** SFWIB AGENDA FORMAT UPDATE

**AGENDA ITEM TYPE:** **INFORMATIONAL**

**RECOMMENDATION:** N/A

**STRATEGIC GOAL:** **STRONG WORKFORCE SYSTEM LEADERSHIP**

**STRATEGIC PROJECT:** **Strengthen workforce system accountability**

### **BACKGROUND:**

The SFWIB Agendas are designed to provide the board member and the public with all of the pertinent information necessary to make sound decisions on workforce activities. The agendas state the subject, the agenda type, recommendation, the SFWIB strategic goal, the SFWIB project and provide a background of the item. In an effort to improve meeting efficiencies and meeting flow, SFWIB staff are seeking input from the SFWIB members.

In the current agenda meeting format, each respective SFWIB Council reviews and approves an agenda item. The agenda item is presented to the full board, where the item is heard a second time, and voted on individually. SFWIB Staff recommends a consent agenda format. A consent agenda (also known by Roberts Rules of Order as a “consent calendar”) groups routine meeting discussion points into a single agenda item. In so doing, the grouped items can be approved in one action, rather than through the filing of multiple motions.

The following are agenda items that could be included as a consent approval:

- Approval of Funding Allocations
- Approval of accepting new funding

The following are agenda items that are excluded from consent approval:

- Approval of SFWIB Budget
- Approval of SFWIB Audit
- Approval of Related Party
- Approval of SFWIB Policies
- Approval of implementation of new programs
- Approval of Procurement Process and Recommendation

SFWIB Staff are presenting the consent agenda format for discussion and feedback.

**FUNDING:** N/A

**PERFORMANCE:** N/A

*NO ATTACHMENT*



## **SFWIB EXECUTIVE COMMITTEE**

**DATE:** 7/11/2023

**AGENDA ITEM NUMBER:** 4

**AGENDA ITEM SUBJECT:** SOUTH FLORIDA WORKFORCE INVESTMENT BOARD BYLAWS

**AGENDA ITEM TYPE:** **INFORMATIONAL**

**RECOMMENDATION:** N / A

**STRATEGIC GOAL:** **STRONG WORKFORCE SYSTEM LEADERSHIP**

**STRATEGIC PROJECT:** **Strengthen workforce system accountability**

### **BACKGROUND:**

In accordance to Section 679.310(g) of the Workforce Innovation and Opportunity Act sets certain requirements of the Chief Elected Official (CEO). One of those requirements is to establish by-laws, consistent with State policy for Local WDB membership, that at a minimum address:

1. The nomination process used by the CEO to select the Local WDB chair and members;
2. The term limitations and how the term appointments will be staggered to ensure only a portion of membership expire in a given year;
3. The process to notify the CEO of a WDB member vacancy to ensure a prompt nominee;
4. The proxy and alternative designee process that will be used when a WDB member is unable to attend a meeting and assigns a designee as per the requirements at § 679.110(d)(4);
5. The use of technology, such as phone and Web-based meetings, that will be used to promote WDB member participation;
6. 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 workforce development activities; and
7. A description of any other conditions governing appointment or membership on the Local WDB as deemed appropriate by the CEO.



The Bylaws are the provisions by which the local area is governed and the LWDB and its operations are managed. They provide consistency and clarification on the roles and responsibilities of the various representatives governing the local workforce development system. The LWDB must ensure that its bylaws are up- to-date and in alignment with requirements of WIOA and state policy. At a minimum, the following should be reflected in the local area's bylaws:

- (a) Purpose and Responsibilities (Functions)
- (b) Membership
- (c) Authority of LWBD
- (d) Duties and Terms of the Members
- (e) Officers
- (f) Committees
- (g) Meetings and Minutes

In accordance with Section 679.310(g) of the Workforce Innovation and Opportunity Act (WIOA) and CareerSource Florida policies 91 & 110, SFWIB staff have updated the existing Bylaws to ensure compliance. A draft copy is submitted for Committee review.

**FUNDING:** N/A

**PERFORMANCE:** N/A

*ATTACHMENT*

**AMENDED AND RESTATED BYLAWS  
OF  
THE SOUTH FLORIDA WORKFORCE INVESTMENT BOARD  
d/b/a CAREERSOURCE SOUTH FLORIDA**

**ARTICLE I**

**NAME, CREATION AND AUTHORITY, TAX EXEMPT STATUS, PURPOSE AND POWERS**

**Section 1.1 Name** - The provisions of this document constitute the By-Laws of the South Florida Workforce Investment Board (hereinafter sometimes referred to as the "SFWIB" or "Board"), a separate public body, corporate and politic, and a governmental agency and governmental instrumentality of both Miami-Dade County and Monroe County, for the governance of the SFWIB.

**Section 1.2 Creation and Authority** – The SFWIB is created and authorized pursuant to the Interlocal Agreement Creating The South Florida Workforce Investment Board For Local Workforce Development Area 23 (hereinafter referred to as "LWDA" or "Area 23" of the state of Florida as may be amended or renewed from time to time (hereinafter the "Interlocal Agreement"), chapter 445, Florida Statutes, and applicable state and federal law.

**Section 1.3 Tax Exempt Status** - The SFWIB is a governmental body in all respects and shall be an organization eligible to exclude income under Section 115 of the Internal Revenue Code of the United States and contributions to which are deductible under Section 170(c)(1) of the Internal Revenue Code of the United States.

**Section 1.4 Mission** – The SFWIB's mission is to improve the quality of life through a workforce well equipped to meet industry demand. The SFWIB values:

- Integrity and ethical behavior in all of our actions and dealings
- Fiscal and personal accountability
- Excellent service delivery
- Forward thinking, and innovation
- Passion and commitment to both internal and external customers
- Diversity in experiences and thinking

**Section 1.5 Purpose** - The purpose of the SFWIB is to perform any and all duties necessary for the accomplishment and purpose of the WIOA and the Interlocal Agreement creating the SFWIB. The SFWIB shall provide public policy guidance, strategic and operational oversight of WIOA programs. The SFWIB shall assist in the achievement of the state's strategic and operational vision and goals, and maximize and continue to improve quality of services, customer satisfaction, and effectiveness of services provided. An emphasis shall be placed on services to individuals with barriers and other individuals as identified in the SFWIB Strategic Plan.

**Section 1.6 Powers** - The Board shall have and exercise all rights and powers granted to Local Workforce Development Boards (under the WIOA, as amended from time to time, Chapter 445.007(5), Florida Statutes and amendments thereto, the SFWIB Bylaws, the Interlocal Agreement between Miami-Dade County and Monroe County, and as permitted by the laws of the state of Florida, including but not limited to, the power to do all acts necessary or proper for the administration of its affairs and the attainment of its purposes, provided however, that when dealing directly with the state of Florida, the exercise of said rights and powers by the Board shall not be inconsistent with the provisions of the WIOA.

## **ARTICLE II OFFICES**

**Section 2.1 Principal Office** - The principal office of the Board, shall be located in Miami-Dade County, Florida.

**Section 2.2 Other Offices** - The Board may establish additional offices as it may from time to time determine necessary.

## **ARTICLE III LIMITATIONS OF METHODS**

**Section 3.1 Limitation of Methods** - The Board shall be non-partisan, non-sectional, and non-sectarian and shall take no part or lend its influence or facilities to the nomination, election, or appointment of any candidate for public office.

## **ARTICLE IV MEMBERSHIP AND DUTIES**

**Section 4.1 Function** - The members of the SFWIB shall serve in accordance with state criteria established under the WIOA, and in the Interlocal Agreement (ILA). The SFWIB members are vested with the management of the business and affairs of the Board to provide public policy guidance, strategic and operational oversight of the WIOA adult, dislocated worker and youth local workforce programs and activities delivered through the One-Stop delivery system, hereinafter CareerSource centers. The SFWIB shall assist in the achievement of the state's strategic and operational vision and goals, and shall exercise all powers by or under the authority of the Board subject to law; and when dealing directly with the state of Florida, the provisions of Chapter 445.007, Florida Statutes.

**Section 4.2 Representation** - The SFWIB members shall be representative of the population of the service area. The membership shall be based on the diversity of the economic and demographic composition of the county to assure equitable representation.

**Section 4.3 Categories of Membership** - Pursuant to Pub. L. No. 113-128, WIOA, Sections 107; 20 Code of Federal Regulations 679.320; and Section 445.007, Florida Statutes, the Board shall include members that represent entities in the categories provided below. Members must be individuals with optimum policy-making authority within the entities they represent.

## **A. Business**

A majority of the members shall represent businesses in the local workforce development area (LWDA) as individuals who:

- a. Are owners of a business, chief executive officers, chief operating officers, or other individuals with optimum policymaking or hiring authority; and
- b. Represent businesses, including small businesses, or organizations representing businesses that provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in in-demand industry sectors or occupations in the LWDA (at least two representatives of small businesses must be included); and
- c. Are appointed from individuals nominated by local business organizations and business trade associations such as chamber of commerce or economic development organizations.

## **Labor / Apprenticeships**

Not less than 20 percent of the members must be representatives of the workforce within the LWDA who:

- a. Include at least two representatives of labor organizations nominated by local labor federations. For a LWDA in which no employees are represented by such organizations, at least two other representatives of employees shall be included.
- b. Include at least one representative of a joint-labor management, or union affiliated, registered apprenticeship program who must be a training director or member of a labor organization. If no union affiliated registered apprenticeship program exists in the LWDA, at least one representative of a registered apprenticeship program with no union affiliation in the LWDA must be appointed, if such a program exists.
- c. May include one or more representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment, training or education needs of individuals with barriers to employment, including organizations that serve veterans or provide/support competitive integrated employment for individuals with disabilities.
- d. May include representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth.

## **B. Education**

Must include representatives of entities administering education and training activities in the LWDA who:

- a. Include a representative of eligible providers administering adult education and literacy activities under Title II of WIOA.
- b. Include a representative of institutions of higher education providing workforce investment activities (including state/community colleges).
- c. Include a private education provider, if a public education or training provider is represented on the Board. The CareerSource Florida Board of Directors may waive this requirement if requested by a Board if it is demonstrated that such representative does not exist in the LWDA.
- d. May include representatives of local educational agencies and of community-based organizations with demonstrated experience and expertise in addressing the education or training needs of individuals with barriers to employment.

When there is more than one institution in each of the types of educational entities listed above, nominations are solicited from representatives of each of these entities. When requesting to waive the requirement for private education provider representation, the Board must demonstrate that such a provider does not exist in the LWDA. The Board shall describe, in a locally defined process, how private education providers will be identified and efforts to include those representatives on the Board. If through the local process the Board finds that a private education provider representative of an entity administering education and training activities in the LWDA does not exist, the Board shall submit a request to waive the requirement as outlined in CareerSource Florida Administrative Policy 91.

## **C. Governmental / Economic / Community Development**

Must include representatives of economic and community development, as well as, governmental entities serving the local area who:

- a. At least one individual representing economic and community development entities serving the LWDA.
- b. At least one individual representing the State Employment Service office under the Wagner-Peyser Act serving the local area.
- c. At least one individual representing the programs carried out under title I of the Rehabilitation Act of 1973, other than sec. 112 or part C of that title.

## **D. Other Entity Representation**

Members may include other individuals or representatives of entities including: (1) entities administering education and training activities who represent local educational agencies or community based organizations with demonstrated expertise in addressing the education or training needs for individuals with barriers to employment; (2) governmental and economic and community development entities who represent transportation, housing and public assistance programs; (3) philanthropic organizations serving the LWDA; and (4) other appropriate individuals as determined by the Chief Elected Official in the LWDA..

**Section 4.4 Board Member Recruiting, Vetting and Nominating** - The Board, in consultation with the Chief Elected Official shall recruit, vet, and nominate prospective SFWIB members as detailed in **Article V**. The members shall represent diverse geographic areas with the LWDA. The importance of minority and gender representation must be considered when making appointments to the Board.

### **Recruitment Process Instructions**

When a SFWIB vacancy exists, the Executive Director will notify the Board, as well as, Chief Elected Official of the Board of the vacancy. The Executive Committee, subject to Board approval, will work with the Executive Director to solicit potential members to fill the vacancy.

The Chief Elected Official or Executive Committee will refer potential candidates to fill the vacancy to the Executive Director. Once the Executive Director has determined the nomination(s) are consistent with the membership requirements of federal and state laws, as well as, local board requirements, the nominee will be referred to the SFWIB Agenda Clerk. The SFWIB Agenda Clerk will provide the nominee a Membership Nomination and Reappointment Form and Recruitment Brochure (i.e., Become a Leader for the South Florida Workforce Investment Board).

If the CLEO/Executive Committee is filling a vacancy from the business, education, labor or economic development Board membership categories, the following process shall be followed:

1. Business – local business members must be nominated by business organizations and or business trade associations and then submitted for review.
2. b. Education – members must be nominated by local educational agencies, institutions or organizations representing such local educational entities and then submitted for review.
3. Labor – the CLEO/Executive Committee will solicit nominations for labor representatives from local labor federations.
4. Economic Development – the CLEO/Executive Committee shall solicit nominations from both public and private local economic development agencies.

**Section 4.5 Appointment of Directors** - The Chief Elected Official is authorized to appoint SFWIB members who meet the criteria outlined in **Section 4.3**. The Chief Elected Official may not delegate the responsibility of appointing members to the SFWIB or to the Executive Director. A SFWIB member may not assign or designate their board position on the SFWIB and/or a Council. Upon appointment, the SFWIB members must be trained on federal, state and local conflict-of-interest policies.

### **Appointment Process Instructions:**

Once the CLEO/Executive Committee refers a potential SFWIB member to the Executive Director and that nominee satisfies legal, regulatory and local requirements, the following activities commence:

1. Nominated individual completes a Membership Nomination and Reappointment Form, including a career biography/resume.
2. Nominee submits the Membership Nomination and Reappointment Form and career biography/resume to the SFWIB Executive Director.
3. The Executive Director forwards submitted documents to SFWIB Agenda Clerk.
4. For private sector nominees, the Agenda Clerk will verify the nominee's status in the business community (i.e., whether the nominee is in good standing with a Chamber of Commerce and/or economic development organizations).
5. The Agenda Clerk will scan and file the submitted documents. The original hard copy is placed in folder labeled Pending Nomination.
  - a. The Agenda Clerk will e-mail scanned documents to the Executive Director for the director to submit to the Executive Committee for review and recommendation to the Board for approval. If the nominee is not approved, the Agenda Clerk prepares a notification letter to the nominee for the Executive Director's signature
  - b. Where the Executive Committee approves the nomination, the nomination is included on the SFWIB Agenda for the Board to consider. If not approved, the Agenda Clerk prepares a notification letter to the nominee for the Executive Director's signature.
  - c. Where the SFWIB approves the nominee, the Agenda Clerk prepares a memo to Chief Elected Official recommending the review and approval for board appointment. The Membership Nomination and Reappointment Form, including the career biography/resume is included with the memo.
6. If the mayor appoints the Board's approved nominee, the following activities commence:
  - a. The new Board member is registered for new member training.
  - b. The new member receives a congratulatory letter from the Chief Elected Official with instructions for Board Member Orientation conducted by the Executive Director.

- c. Agenda Clerk completes bottom portion of Membership Nomination and Reappointment Form, indicating date of mayoral appointment/reappointment, adds the member to the Board Member Directory and Board Member Distribution List, and ensures that the new member's name is included in appropriate section of the website.
- d. Once the new member receives a committee assignment, the Agenda Clerk will add the member to the appropriate committee distribution list.

**Section 4.6 Terms/Term Limits** – SFWIB members shall be appointed for fixed and staggered terms and shall serve until their successors are appointed. All appointments shall be for a term of four (4) years. Members may be reappointed for one (1) additional term. A member's service shall not exceed a total of two (2) consecutive terms or eight (8) consecutive years. Appointed members who represent governmental entities are exempt from term limit definition.

SFWIB members shall be appointed for staggered terms and serve until their successors are appointed. To establish staggered terms, members shall be divided into three (3) groups, the first of which will be new SFWIB members, which will serve an initial term of two (2) years. The second group, consisting of those that are finalizing their initial term, will serve an additional term of three (3) years. The third group will be those that are finalizing their board appointment and will serve final term of three (3) years.

Members are eligible for reappointment for a maximum of three (3) terms. A member may not serve for more than three (3) consecutive terms or eight (8) consecutive years.

**Section 4.7 Vacancies** – SFWIB members who no longer hold the position or status that made them eligible appointees must resign or be removed by the Chief Elected Official. Vacancies must be filled within a reasonable amount of time, but no more than twelve (12) months from the original vacancy occurrence. All appointments to fill vacancies must follow the same process as that used to initially fill the appointment and all vacancies shall be filled by the Chief Elected Official. New SFWIB members must be appointed to fill the same category of membership as that in which the vacancy occurred; however, new members do not have to be from the same educational entity, organization or business as the members being replaced. All appointments for vacancies shall begin a new term.

**Section 4.8 New Member Orientation and Annual Training** -

- A. SFWIB members appointed to the Board are required to participate in orientation and annual training to ensure they understand the purpose of the participation on the Board. The purpose of orientation and training is to provide SFWIB members with information that empowers them to effectively serve. All new members, within six (6) months of appointment, will complete a new member orientation. The Executive Director is responsible for and shall develop Member Orientation.
- B. SFWIB members will complete annual refresher training to remind them of the purpose of their appointment as a member of the Board.



- C. New member and refresher training may be offered in-person and/or virtually at the discretion of the Board. Using the Board Engagement Matrix, the Board will monitor member participation in convening stakeholders, brokering relationships with employers, and leveraging support. On request, attendance records and course completion dates will be provided.

**Section 4.9 Removal** – A member, executive director or the designated person responsible for operational and administrative functions may be removed from the Board as follows:

- A. **For Cause** - SFWIB members, executive director or the designated person responsible for operational and administrative functions may be removed for cause by the Governor, the Chief Elected Official or by 2/3 vote of the Board. The following grounds for removal for cause shall include, but not be limited to:

- a. Disclosure of confidential information;
- b. Misuse of position;
- c. Failure to disclose conflict of interest;
- d. Incapacity or unfitness to fulfill the duties of the Board;
- e. Engaging in fraud or other criminal acts while a member of the Board;
- f. Gross dereliction of Board responsibilities;
- g. Infractions of misfeasance (willful inappropriate action or intentional incorrect action or advice), malfeasance (willful and intentional action that injures a party), or nonfeasance (the failure to act where action is required—willfully or in neglect);
- h. Other causes as may be determined by the Board and/or defined by the Governor and Chief Elected Official.

B. **Resignations**

1. Voluntary resignations shall be those occurring when a member, for his or her own reasons, elects to leave Board and gives due notice of such intent.
2. Involuntary resignations (de-facto resignations) shall occur when a member misses one-half of the regularly scheduled Board or Board Committee/Council meetings in a twelve (12) month period. An involuntary resignation may be set aside at the request of the member followed by a majority vote of the Board.
  - i) The Executive Director of the SFWIB shall send a letter to any member who fails to attend two or more meetings, excluding committee and task force meetings, in any twelve-month period without an acceptable explanation.
  - ii) The Executive Director shall notify the Chief Elected Official who appointed the member and recommend that the member be removed from the SFWIB if the member fails to attend three or more meetings, excluding committee and task force meetings, in any twelve-month period without an acceptable excuse. The SFWIB defines "Acceptable Excuse" as a medical, business travel, or other reason approved by a majority vote.

**Section 4.10 *Financial Disclosure*** – Financial disclosure is required of appointed members because it permits the public to evaluate potential conflicts of interest, discourages corruption, and boosts public confidence in government.

- a. Financial disclosure Form 1 is due July 1 of each year for the preceding calendar year.
- b. Notifications will be sent to all members at least 30 days in advance of the deadline.
- c. Forms should be submitted to the Supervisor of Elections in the member's county of permanent residence.
- d. A grace period is in effect until September 1. If the disclosure is not filed or postmarked by September 1, an automatic fine of \$25 per day will begin to accrue, and will continue to build until the disclosure is filed, or the fine reaches \$1,500.
- e. Failure to submit Financial Disclosure Form 1 by the deadline could result in a finding for the SFWIB.

## **ARTICLE V OFFICERS**

**Section 5.1 *Appointed Officers*** - The officers shall consist of a Chairperson and Vice-Chairperson ratified by the Board.

**Section 5.2 *Duties*** - The officers of the Board shall have the following duties:

- A. **Chairperson.** The Chairperson shall be the chief appointed officer of the Board and shall preside at all Board and Executive Committee meetings. The Chairperson shall appoint **council** and **council** vice-chairpersons, subject to the approval or ratification of the SFWIB. All such **council** and task force chairs and members shall serve at the pleasure of the Chairperson. The Chairperson may remove the chair of any such council or task force and any and all such council members or task force members without cause at any time.

The Chairperson shall serve as an ex-officio member of all standing committees and shall perform such other duties as set forth in the Bylaws or as determined by the Board. The chairperson shall be a "Business" representative.

- B. **Vice Chairperson.** The Vice-Chairperson shall, in the absence of the Chairperson or in the event of his or her inability, perform the duties of the Chairperson. The Vice Chairperson serves as the chair of the Board members membership committee and shall perform such other duties as are assigned by the Chairperson. The Vice-Chair may be removed from office as Vice-Chair without cause at any time upon the affirmative vote of a majority of the then appointed members of the SFWIB who are empowered to vote.

In the event that the office of the Chair of the SFWIB is vacant, the Vice-Chair shall assume the duties and powers set forth in (A)(1), (3) and (4) hereinabove until such time as the office of the Chair of the SFWIB is no longer vacant. The Vice Chairperson shall be a "Business" representative.

- C. Qualifications. All officers appointed after the first annual meeting of the Board must have been a member of the Board for at least one (1) year prior to being appointed to office.
- D. Appointment. The Chairperson and Vice-Chairperson shall be appointed by the Board and shall serve a one (2) year term commencing January 1. The Chairperson's and the Vice-Chairperson's terms shall be limited to two (2) consecutive one terms. There are no limitations on the number of terms not in sequence or in different offices.

**Section 5.3 Executive Director** - The Executive Director shall be the chief executive officer for the Board. The Executive Director shall serve as Secretary to the Board and charged with preparing notices, agendas, minutes of the meetings of the Board and Committees and shall serve as the custodian for all minutes and voting records of official Board business. The Executive Director shall be a non-voting member of the Board, Executive, Finance and Efficiency Council, Global Talent & Competitive Council, Performance Council and any Ad-Hoc committees. The Executive Director shall serve as advisor to the chairperson and all council chairpersons and shall assemble information and data and cause to be prepared special reports as directed by the Board. Board functions that are the responsibility of the Executive Director are as follows but not limited to:

- A. Coordinating with the Chief Elected Official regarding the identification and nomination of Members to the Board and ensuring membership is compliant with WIOA and Florida Statutes.
- B. Organizing Board meetings and ensuring meetings are held according to the Bylaws and Florida's Sunshine Laws.
- C. Developing and submitting the local and regional workforce development plan.
- D. Conducting oversight of the WIOA adult, dislocated worker, youth programs and the entire One-Stop delivery system including development of policies and monitoring the administration of the programs.
- E. Negotiating and reaching agreements on local performance metrics.
- F. Negotiating with the Chief Elected Official and required partners for the Memorandum of Understanding (as prescribed in CareerSource Florida Administrative Policy 106).
- G. In compliance with Board's procurement policy, provide oversight of the competitive procurement process for procuring or awarding contracts for providers of youth programs services, providers of workforce services (if applicable), and the One-Stop Operator as required in 20 CFR 679.370.
- H. Developing an annual budget of South Florida Workforce Investment Board each program year.
- I. Certifying the One-Stop career centers per the CareerSource Florida Administrative Policy 93.

In the event that the office of the Secretary is vacant, the Chair, or in the event of a vacancy in the office of the Chair, the Vice-Chair, shall appoint a member of the staff of the SFWIB to serve as the Secretary Pro Tem of the SFWIB until such time as the office of the Secretary of the SFWIB is no longer vacant.

An equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. All voice telephone numbers may be reached by persons using TTY/TDD equipment via the Florida Relay Service at 711.

**ARTICLE VI**  
**BOARD MEMBER/COMMITTEES (COUNCILS)**

**Section 6.1** Regular Meetings - The Board shall hold regular meetings at least **six times** during a Program Year. The number of meetings may be amended at the discretion of the Chairperson.

**Section 6.2** Special Meetings - Special meetings may be called by the Chairperson or by a majority of the members of the Board.

**Section 6.3** Place of Meeting - The Chairperson in coordination with the Executive Director shall designate the place of meeting.

**Section 6.4** Notice of Meeting - All meetings will be advertised and open to the general public. Written/electronic notice of the date, time and place of regular and special meetings shall be emailed to all members at least seven days before such meetings, together with an agenda of the business to be conducted. If the Chairperson or a majority of the membership of the Board determines that an emergency situation requires that a special meeting be called, the seven-day notice requirement may be waived.

**Section 6.5** Communication Media Technology - Members may attend only two of the six board meetings by means of communications media technology, defined in section 28-109.002 of the Florida Administrative Code to mean the electronic transmission of printed matter, audio, full-motion video, freeze frame video, compressed video, and digital video by any method available and shall include, but not be limited to, telephone conference, video conference or similar communications equipment.

Members using communications media technology to attend meetings must be: (i) allowed to participate in Board discussions; (ii) able to be heard by other Board members; and (iii) able to be heard by the public. Although SFWIB members are permitted to use communications media technology to virtually attend two meetings, physical attendance at all Board and committee meetings is required. If a member is unavailable to be physically present due to an emergency or circumstances beyond their control and would like to participate in the meeting using communications media technology, said member shall notify the Chair and Executive Director no later than 48 hours prior to the start of said meeting so that such communications media technology may be established for said meeting.

These bylaws shall not be construed to authorize any proceeding otherwise subject to the provisions of section 286.011, Florida Statutes, to be held exclusively by means of communications media technology without making provision for the attendance of any member of the public who desires to attend unless expressly authorized by law. SFWIB meetings conducted using communications media technology shall comply fully with section 120.54, Florida Statutes, and Chapter 28-109, Florida Administrative Code, as may be amended from time to time.

**Section 6.6 Attendance** - Members of the SFWIB must be physically in attendance at four of the six board meetings in a fiscal year, July 1-June 30; only two of the six meetings may be through communications media technology. Meetings held only through communications media technology for all members shall not count toward the two SFWIB meeting maximum for the year. Any member who is absent from more than two of the six SFWIB meetings within a fiscal year, shall be deemed to have voluntarily resigned from the SFWIB unless the member's absences were excused in advance for cause by the Chair.

**Section 6.7 Quorum** - A majority of the membership qualified and sitting shall constitute a quorum for the transaction of business at meetings of the Board, including those members attending virtually. In the absence of a quorum, the Executive Committee can take official action on the agenda, which shall be ratified at the next Board meeting.

**Section 6.8 Voting** - All matters before the board (except amendments to Bylaws-See **Section 8.2**) shall be determined by a majority vote of members present at the meeting with a quorum present. Each member, shall be able to cast one vote, and must vote on any business of the Board or any Council(s) to which he/she is assigned unless a conflict of interest, or appearance thereof, exists. Whenever a conflict of interest exists, or is thought to exist, shall refrain from voting or otherwise participating in the proceedings related to that matter and shall leave the public meeting room or other place of the public meeting until the consideration of that matter is concluded. Any such person who does not leave the public meeting room or other place of the public meeting shall be deemed absent for purposes of constituting a quorum, counting the vote or for any other purpose.

**Section 6.9 Conflict of Interest** - A member shall not cast a vote on or participate in any decision-making capacity regarding the provision of services by said member or any organization that the member directly represents or on any matter that would provide any direct financial benefit to the member or who have any relationship with the contracting vendor. Refer to CareerSource Florida Strategic Policy 2012.05.24.A.2-State and Local Workforce Development Board Contracting Conflict of Interest Policy. Any contract awarded to a SFWIB member or a contracting vendor related to a SFWIB member that is equal to or greater than \$10,000 is subject to DEO approval and requires the completion of a Contract Information/Related Party Form that has been certified by the Chairperson or Vice Chairperson as correct and true.

**Section 6.10 Procedure at Meetings**

- A. Robert's Rules of Order shall govern the procedure of Board meetings except when inconsistent with provisions of the Bylaws.
- B. All business shall be conducted in accordance with an agenda.
- C. Participation in meetings shall be limited to SFWIB members, Board staff and other invited guests and speakers.
- D. All business of the Board shall be conducted in accordance with the Florida government in Sunshine Law.

- E. SFWIB members may attend meetings in-person or virtually except for the annual meeting where in-person attendance is required for all Directors.
- F. Minutes shall be kept of all meetings, which shall be reviewed, amended, corrected as necessary and approved at the next regularly scheduled or calling meeting. Following approval of the Board, minutes shall serve as the official record of the business transacted at the meeting to which they pertain. Copies of approved minutes shall be posted to the CareerSource South Florida website within 15 calendar days of Board acceptance.

**Section 6.11 Executive Committee** - The Executive Committee shall be comprised of the Chairperson, Vice Chairperson, Council Chairpersons and Vice-Chairpersons. The Executive Committee shall serve as a committee with administrative oversight responsibilities and is empowered to act and take necessary interim action to implement the plans and programs of CareerSource South Florida between meetings of the Board. All restricted assets shall be managed by the Executive Committee of the Board. An Executive Committee report will be made at each Board meeting at which time the actions of the Executive Committee may be reviewed and ratified by the Board.

**Section 6.12 The Finance and Efficiency Council (FEC)** – The FEC shall be comprised of SFWIB members appointed by the Chairperson. The FEC oversees the development of annual budget and ensure accurate tracking, monitoring and accountability for funds. The FEC ensures adequate financial controls, financial monitoring, and shall review the Executive Director's recommended budget and make recommendations, regarding the budget to the Board. The FEC is responsible for the review and approval of the annual audit and audit firm.

**Section 6.13 Global Talent and Competiveness Council (GTCC)** - The GTCC shall be comprised of SFWIB members appointed by the Chairperson. The GTCC is responsible for developing and delivering talent (youth and adult) to meet marketplace needs to grow South Florida's legacy and infrastructure industries, as well as, those industries that hold promise and have been identified as economic development priorities for diversifying the regional economy with high-wage jobs. GTCC also focuses on the area's economic development agenda and common strategic target. The council advises the Board on the development and implementation of policies, strategies, programs, and activities affecting workforce development by focusing on Opportunity Miami (One Community One Goal) identified seven targeted sectors.

**Section 6.14 Performance Council**- The Performance Council shall be comprised of SFWIB members by the Chairperson. The Performance Council is responsible for ensuring compliance with the USDOL Federal common measures, the REACH Act Letter Grades and SFWIB Performance Goals. This includes both programmatic and financial outcomes on measures such as job placements, cost per placement and return-on-investment. The council provides oversight and accountability for positive outcomes of Florida's federal common measures.

**Section 6.15 Ad Hoc Committees** - Ad Hoc Committee(s) shall be established as temporary committees to address a specific issue and shall terminate upon completion of the matter of concern for which it was created. Membership of Ad Hoc Committee(s) may include SFWIB members, non-Board members, as appropriate, provided that the Chairperson and Vice Chairperson are Board members.

**ARTICLE VII  
INDEMFICATION**

**Section 7.1 Indemnification** - The Board shall indemnify, defend, save, and hold harmless each member from personal liability to the maximum extent authorized by law as same may exist from time to time. It is specifically understood that each member is serving in a volunteer capacity and without compensation. It is the intent of this Article that no member shall have personal liability for his or her acts or omissions except in those instances where the Board is prohibited, by law, from indemnifying, defending, saving, and holding harmless such member.

**ARTICLE VIII  
ENACTMENT/AMENDMENT**

**Section 8.1 Enactment** - These Bylaws shall become effective upon approval of the Board. Approval for enactment shall require two-thirds vote of the membership voting thereon, after notice to the membership. Said notice shall be made no later than ten (10) days prior to the meeting at which they are placed on the agenda. These Bylaws shall not be construed to take precedence over Federal, State, or local laws or regulations or to limit or constrain the rights and obligations of the Board in their agreement.

**Section 8.2 Amendments** - The Bylaws may be altered, amended, or repealed and new Bylaws adopted by the affirmative vote of a two-thirds (2/3) majority of the membership of the Board in attendance at any meeting, provided that any proposal to alter, amend or repeal Bylaws.

**ARTICLE IX  
STAFF SUPPORT AND PROFESSIONAL ASSISTANCE**

**Section 9.1 Staff Support and Professional Assistance** - The Board and its committees shall be provided administrative, clerical, and technical support by the Board's staff. It shall be the Executive Director's responsibility to assure such support is available as necessary or as requested by any Board/Committee. If determined necessary, the Board may hire professional consultants, including legal counsel, to assist in carrying out its responsibilities.

*Board Engagement Matrix 2023-24*

	<b>Engagement</b>	
	<b>Participant</b>	<b>Demonstration</b>
<b>GOALS</b>	90 % of Board Membership	80 % of Board Membership
<b>DESCRIPTONS</b>	<ul style="list-style-type: none"> <li>* Board Meeting</li> <li>* Council Meeting</li> <li>* Board Orientation</li> <li>* Board Conference Travel</li> <li>* Workforce Development-Related Meetings &amp; Events</li> </ul>	<ul style="list-style-type: none"> <li>* Attending Company Sponsored / Industry Events</li> <li>* Participate in Media Interviews / Events</li> <li>* Speaking Engagements (Internal / External)</li> <li>* Sharing the CSSF Story: Inclusion of New/Information in Company's Communication Channels (Internal / External)</li> <li>* CSSF Miscellaneous Business Activities</li> <li>* Career Center Visits</li> <li>* CSSF Newsletter</li> </ul>
<b>KPI</b>	Participate for 24 Hours, Per Year	Participate in One Occurance, Per Year





## **SFWIB EXECUTIVE COMMITTEE**

**DATE:** 7/13/2023

**AGENDA ITEM NUMBER:** 5

**AGENDA ITEM SUBJECT:** PUBLIC INTERVIEW FORUM EXTERNAL INDEPENDENT AUDIT FIRM

**AGENDA ITEM TYPE:** **APPROVAL**

**RECOMMENDATION:** The SFWIB Finance and Efficiency Council recommends to the Executive Committee the approval to authorize SFWIB Staff to negotiate a contract for external independent auditing services with BCA Watson Rice LLP., as set forth below.

**STRATEGIC GOAL:** **STRONG WORKFORCE SYSTEM LEADERSHIP**

**STRATEGIC PROJECT:** **Strengthen workforce system accountability**

### **BACKGROUND:**

On February 3, 2023, staff released a Request for Qualifications (RFQ) for External Independent Audit Services to the public. The RFQ solicited responses from experienced and capable Certified Public Accounting firms to provide a single audit of the SFWIB in accordance with the Federal Single Audit Act, Office of Management and Budget Circular A-133, Florida Single Audit Act, and Department of Economic Opportunity Final guidance 05- 019.

The proposals submitted were evaluated based on the criteria detailed in the RFP. A Technical Public Review Forum was held on June 15, 2023 and Public Review Interview Forum was held on June 22, 2023 wherein respondents' technical and interview scores were disclosed. The attached table indicates the combined results of both forums. As per the results the highest scoring respondent was BCA Watson Rice LLP. The SFWIB Finance and Efficiency Council (FEC) voted unanimously to select BCA Watson Rice LLP as the winner of the RFP. The FEC recommends to the Executive Committee to authorization for staff to negotiate a contract with BCA Watson Rice, LLP.

**FUNDING:** N/A

**PERFORMANCE:** N/A

*ATTACHMENT*

Requesting Firm	<b>External Independent Audit Services</b>		
	Oral Presentation Score	Technical Review Score	Average Score
MKA CPA's	91.60	89.50	90.55
S Davis & Associates	90.40	89.75	90.08
WatsonRice	98.20	97.50	97.85

Requesting Firm	External Independent Audit Services																		
	Organizational Experience and Capabilities (50 points)						Proposed Scope of Services (25 points)						Proposed Fees and Cost Effectiveness (25 points)						Final rating Score (Average Score of Raters)
	Raters						Raters						Raters						
	Tom Roth	Camela Glen-Jones	Roberto Datorre	Kenneth Scott	Jeff Bridges	Average Score Across Raters	Tom Roth	Camela Glen-Jones	Roberto Datorre	Kenneth Scott	Jeff Bridges	Average Score Across Raters	Tom Roth	Camela Glen-Jones	Roberto Datorre	Kenneth Scott	Jeff Bridges	Average Score Across Raters	
MKA CPA's	45.00	50.00	31.00	50.00	45.00	44.20	25.00	21.00	23.00	25.00	23.00	23.40	25.00	25.00	20.00	25.00	25.00	24.00	
S Davis & Associates	45.00	50.00	40.00	50.00	44.00	45.80	25.00	25.00	25.00	25.00	25.00	25.00	20.00	25.00	5.00	25.00	23.00	19.60	90.40
WatsonRice	45.00	50.00	50.00	50.00	47.00	48.40	25.00	25.00	25.00	25.00	25.00	25.00	25.00	25.00	25.00	25.00	24.00	24.80	98.20



Requesting Firm	TECHNICAL REVIEW SCORES				
	Tom Roth	Camela Glen-Jones	Roberto Datorre	Kenneth Scott	Average Score
MKA CPA's	95.00	97.00	71.00	95.00	89.50
S Davis & Associates	80.00	99.00	80.00	100.00	89.75
WatsonRice	95.00	100.00	100.00	95.00	97.50



## **SFWIB EXECUTIVE COMMITTEE**

**DATE:** 7/13/2023

**AGENDA ITEM NUMBER:** 6

**AGENDA ITEM SUBJECT:** SOUTH FLORIDA WORKFORCE INVESTMENT BOARD MEMBERSHIP RECOMENDATIONS

**AGENDA ITEM TYPE:** **APPROVAL**

**RECOMMENDATION:** SFWIB Staff recommends to the Executive Committee to recommend to the board the approval of new members of the SFWIB to be recommended to the Chief Elected Official Mayor Daniella Levin-Cava for appointment, as set forth below.

**STRATEGIC GOAL:** **STRONG WORKFORCE SYSTEM LEADERSHIP**

**STRATEGIC PROJECT:** **Strengthen workforce system accountability**

### **BACKGROUND:**

The Workforce Innovation and Opportunity Act requires each local area of the State to establish a regional workforce investment board to set policy for the local workforce investment system within said region. The board is responsible for aligning workforce policies and services with regional economies and support service delivery strategies tailored to those needs. The composition of the local board must include the following:

1. Business
2. Labor/Apprenticeships
3. Education
4. Government/Economic/CommunityDevelopment
5. Other Entity Representation

The qualifications of LWDB members must be documented, align with the requirements of WIOA, and be compliant with all federal and state laws, rules and regulations, and applicable state policies. In addition to criteria outlined above, the members of the board shall represent diverse geographic areas within the local area. The importance of minority and gender representation must be considered when making appointments to the local board.

The Chief Elected Official, must develop and implement written processes and procedures for recruiting, vetting and nominating LWDB members. South Florida Workforce Investment Board's (SFWIB) procedures are such that when there is a vacancy on the Board, Board members will review and approve candidates to recommend to Mayor Daniella Levin-Cava for appointment.

The list below announces the recommended additions to the SFWIB Board:

<b>Membership Category</b>	<b>SFWIB Member (Resigned)</b>	<b>Organization</b>	<b>Nominated Member</b>	<b>Organization</b>
Business	Mr. Al West	Greater Miami Convention and Visitors Bureau	David Whitaker	Greater Miami Convention and Visitors Bureau

A majority of the local board members must represent businesses in the local area as individuals who:

1. Are owners of a business, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority;
2. Represent businesses, including small businesses, or organizations representing businesses that provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in in-demand industry sectors or occupations in the local area (at least two representatives of small businesses must be included); and
3. Are appointed from individuals nominated by local business organizations and business trade associations..

**FUNDING:** N/A

**PERFORMANCE:** N/A

*NO ATTACHMENT*