

MAR 23 2017

BY Lupeita Ramirez  
DEPUTY CLERK OF THE BOARD

RESOLUTION NO. 17-35

RESOLUTION OF THE YOLO COUNTY BOARD OF SUPERVISORS REVISING THE YOLO COUNTY WORKFORCE INNOVATION BOARD BYLAWS

WHEREAS, the Workforce Innovation and Opportunity Act ("WIOA") of 2014, public Law 113-128, signed into law on July 22, 2014, and effective July 1, 2015, superseded the Workforce Investment Act ("WIA"); and

WHEREAS, on March 27, 2015, the Board of Supervisors of the County of Yolo adopted Resolution 15-28, which provided for, among other things, the establishment of the Yolo County Workforce Development Area; and

WHEREAS, on December 15, 2015, the Board of Supervisors of the County of Yolo adopted Resolution 15-146, which provided for, among other things, the establishment of the Yolo County workforce development board known as the Workforce Innovation Board ("WIB") and adoption of the Yolo County Workforce Innovation Board Bylaws; and

WHEREAS, the Yolo County Workforce Innovation Board Bylaws are being revised to comply with section 679.360 of the WIOA which states, in part, that standing committees may be established by the local board and that the committee must include other individuals appointed by the local board who are not members of the local board that have demonstrated experience and expertise as determined by the local board.

NOW, THEREFORE IT IS HEREBY RESOLVED, ORDERED, AND FOUND by the Board of Supervisors of the County of Yolo as follows:

1. The foregoing recitals are true and correct.
2. The Bylaws for the Yolo County Workforce Innovation Board are hereby revised as reflected in Exhibit A to this Resolution.

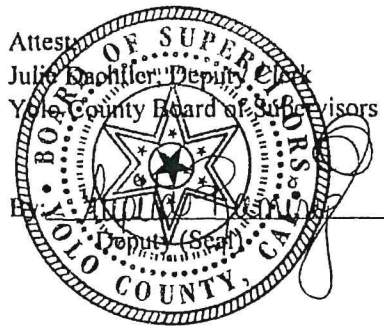
PASSED AND ADOPTED by the Yolo County Board of Supervisors this 21st day of March, 2017 by the following vote:

AYES: **Villegas, Saylor, Rexroad, Provenza, Chamberlain.**  
 NOES: **None.**  
 ABSENT: **None.**  
 ABSTENTION: **None.**

Duane Chamberlain  
 Duane Chamberlain, Chair  
 Yolo County Board of Supervisors

Approved as to Form:  
 Philip J. Pogledich, County Counsel

By: Hope P. Welton  
 Hope P. Welton  
 Senior Deputy County Counsel



Attest:  
 Julie Daehler, Deputy Clerk  
 Yolo County Board of Supervisors

## EXHIBIT "A"

### YOLO COUNTY WORKFORCE INNOVATION BOARD BYLAWS

#### 1. Created.

The State of California, pursuant to the Federal Workforce Innovation and Opportunity Act of 2014 (WIOA), under section 107(c)(4)(B)(i), has designated the Yolo County Workforce Innovation Board as the entity responsible for the direction and oversight of employment and training programs at the local level. Federal and State rules and regulations provide for program activities and require the Yolo County Board of Supervisors, as Chief Local Elected Officials, for the Yolo County Workforce Development Area to appoint a local workforce development board, known as the Workforce Innovation Board (WIB).

#### 2. Duties and Responsibilities.

The WIB shall have the following duties and responsibilities, specified as functions in Section 107(d) of WIOA, subject to the approval of the Yolo County Board of Supervisors:

- a) Develop a local plan to be approved by the Yolo County Board of Supervisors and submitted to the Governor of California and collaborate with other local boards in the planning region in the preparation and submission of a regional plan.
- b) Conduct workforce research and regional labor market analysis to assist in the development and implementation of the local plan.
- c) Convene, broker and leverage stakeholders to assist in the development of the local plan and identify non-Federal expertise and resources to leverage support for the workforce development activities.
- d) Lead efforts to engage with a diverse range of employers and entities in the region.
- e) Lead efforts in the local area 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, particularly individuals with barriers to employment.
- f) Lead efforts in the local area to identify and disseminate information on proven and promising strategies and initiatives for meeting the needs of employers and workers and jobseekers (including individuals with barriers to employment) in the local workforce development system, including providing physical and programmatic accessibility, in accordance with section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990, to the one-stop delivery system.
- g) Develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, and workers and jobseekers.
- h) Conduct program oversight in partnership with the Yolo County Board of Supervisors.
- i) Negotiate and reach agreement on local performance accountability measures in partnership with the Yolo County Board of Supervisors and the Governor.
- j) Select operators and providers with the approval of the Yolo County Board of Supervisors.
- k) Coordinate activities with education and training providers in the local area.

l) Develop a budget subject to the approval of the Yolo County Board of Supervisors for the activities of the local board in the local area, consistent with the local plan and duties of the local board.

m) Assess the physical and programmatic accessibility of the one-stop centers annually in accordance with applicable nondiscrimination provisions under Title I of the WIOA and the Americans with Disabilities Act.

**3. Membership: Composition.**

Membership of the WIB shall be appointed by and serve at the discretion of the Yolo County Board of Supervisors, as the governing body of the local workforce development area, and met all requirements of Section 107(b)(2) of WIOA, including, but not limited to:

a) **Business Representatives.** At least the majority (51%) of the WIB membership must be representatives of business in the local area, who:

- (i) Are owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority;
- (ii) Represent businesses, including small businesses, or organizations representing businesses described in this clause, 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; and
- (iii) Are appointed from among individuals nominated by local business organizations and business trade associations.

b) **Workforce/Labor Representatives.** Not less than 20% of the WIB membership must be from the workforce of the local area, of which 15% must be from labor organizations. Workforce/labor membership must be representatives in the local area, who:

- (i) Shall include representative of labor organizations (for a local area in which employees are represented by labor organizations), who have been nominated by local labor federations, or (for a local area in which no employees are represented by such organization) other representatives of employees;
- (ii) Shall include a representative, who shall be a member of a labor organization or a training director, from a joint labor-management apprenticeship program, or if no such joint program exists in the area, such a representative of an apprenticeship program in the area, if such a program exists;
- (iii) May include representatives of community based organizations that have demonstrated experience and expertise in addressing the employment needs of individual with barriers to employment, including organizations that serve veterans or that provide or support competitive integrated employment for individuals with disabilities; and
- (iv) May include representatives of organizations that have demonstrated experience in addressing the employment, training, or education needs of eligible youth, including representatives of organization that serve out-of-school youth.

c) **Adult Education and Literacy Representatives.** The WIB shall include representatives of entities administering education and training activities in the local area, who:

- (i) Shall include a representative of eligible providers administering adult education and literacy activities under title II;
- (ii) Shall include a representative of institutions of higher education providing workforce investment activities (including community colleges);

(iii) 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.

d) Governmental, Economic and Community Development Representatives. WIB membership shall include representatives of governmental and economic and community development entities serving the local area, who:

- (i) Shall include a representative of economic and community development entities;
- (ii) Shall include an appropriate representative from the State employment services office under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) serving the local area;
- (iii) Shall include an appropriate representative of the programs carried out under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.) other than section 112 or part C of that title (29 U.S.C. 732, 741), serving the local area;
- (iv) May include representatives of agencies or entities administering programs serving the local area relating to transportation, housing, and public assistance; and
- (v) May include representatives of philanthropic organizations serving the local area; and

e) The WIB may include such other individuals or representative of entities as the chief elected official in the local area may determine to be appropriate.

f) Members shall, to the extent possible, have optimum policy making or hiring authority within their organizations, agencies or entities.

6. Membership: Appointment.

The Yolo County Board of Supervisors shall make all appointments to the WIB after considering recommendations by the WIB and other interested parties.

7. Membership: Expectation.

- a) Regularly attend meetings of the WIB and/or WIB committee to which they are appointed.
- b) Be prepared for meetings by staying informed about board matters and reviewing materials sent in advance of the meetings.
- c) Accept committee assignments or other tasks in a cooperative spirit.
- d) Keep the WIB informed of the status and progress of their relevant activities as a WIB member.
- e) Maintain a professional and business-like approach to all WIB matters.
- f) Recuse themselves from influencing, voting or otherwise participating in any WIB decisions in which they have a conflict of interest.
- g) Represent the WIB as authorized, in the local community, before bodies of elected and appointed officials, and in the media.
- h) Refrain from intervening directly in the administrative implementation (application) of the WIB's and County's policies.
- i) Participate in strategic and/or business planning sessions.



- j) Make timely updates of member information records.
  - k) Desire to make a positive contribution to the region's economy by helping shape a workforce development system that meets the needs of employers and job seekers.
8. Membership: Terms of Office.
- a) The term of office for each WIB member is four years from the date of appointment by the Board of Supervisors.
  - b) Members who are no longer actively involved in the work of his/her membership category within the County of Yolo shall be required to resign from his/her WIB seat.
  - c) Members shall immediately inform the WIB of a change in employer or employment status, or other change in membership category, at which time it shall be determined if the member is eligible to continue serving on the WIB.
9. Membership: Absence.
- The term of office of a WIB member who has three consecutive unexcused absences from the regular meetings of the WIB and/or WIB committee meetings may be terminated by the Board of Supervisors upon the recommendation of the WIB Chair. The WIB Chair shall only recommend removal of a WIB member upon a majority vote of the WIB. Upon adoption of such a recommendation, the WIB Chair shall forward the recommendation to the Board of Supervisors. The vacancy thereby created shall be filled by appointment in the same manner as the member being replaced.
10. Officers.
- At the first meeting of the WIB, and annually thereafter, the members shall elect a Chair, Vice- Chair, Second Vice-Chair, and such other officers as the WIB may deem necessary.
11. Officers: Chair.
- a) The Chair shall be elected from among local business representatives for a one-year term, and shall serve no more than two consecutive one-year terms in the position.
  - b) The duties of the Chair are to:
    - (i) Preside at all meetings of the WIB;
    - (ii) Represent the WIB at public functions whenever the occasion demands;
    - (iii) Call special meetings with appropriate advance notification to all members;
    - (iv) Establish the agenda for each WIB meeting in partnership with the WIB administrative entity;
    - (v) Execute necessary documents on behalf of the WIB; and
    - (vi) Act as the official representative of the WIB.
    - (vii) The Chair shall also serve as the Chair of the Executive Committee.
    - (viii) If the Chair position becomes vacant prior to the expiration of the term of office, the Vice-Chair shall succeed as Chair for the remainder of the term of office, and the WIB shall elect another of its local business members to succeed the Vice-Chair for the remainder of that term of office.
12. Officers: Vice-Chair.
- a) The Vice-Chair shall be elected from among local business representatives for a one-year term, and shall serve no more than two consecutive one-year terms in the position.

- b) The duties of the Vice-Chair are to:
    - (i) Assume all the powers and duties of the Chair in the absence of the Chair.
    - (ii) Serve as a member of the Executive Committee.
    - (iii) If the Vice-Chair position becomes vacant prior to the expiration of the term of office, the WIB shall elect another of its local business members to succeed the Vice-Chair for the remainder of that term of office.
13. Officers: Second Vice-Chair.
- a) The Second Vice-Chair shall be elected from among the Workforce/Labor representatives for a one-year term, and shall serve no more than two consecutive one-year terms in the position.
  - b) The duties of the Second Vice-Chair are to:
    - (i) Serve as a member of the Executive Committee.
    - (ii) If the Second Vice-Chair becomes vacant prior to the remainder of the term of office, the WIB shall elect another of its workforce/labor members to succeed the Second Vice-Chair for the remainder of that term of office.
14. Executive Committee.
- a) There shall be a steering committee of the WIB called the Executive Committee.
  - b) The Executive Committee shall consist of, at a minimum, the WIB Chair, Vice Chair, and Second Vice-Chair.
  - c) The Executive Committee shall be chaired by the WIB Chair.
  - d) The Executive Committee may appoint other WIB members from among the Adult Education/Literacy, Vocational Rehabilitation, Higher Education, Wagner-Peyser, Economic Development, and/or Business representatives, provided that the total Executive Committee membership shall be less than a majority of the full WIB membership.
  - e) The Executive Committee may make such recommendations to the WIB as it deems necessary and appropriate.
  - f) The Executive Committee may act on behalf of the entire WIB in those situations where immediate action is required to address WIB business and there is insufficient time for such action to be taken at the next regularly scheduled WIB meeting or where delay would be detrimental to the local workforce investment system, subject to the following:
    - (i) A majority of the members of the Executive Committee shall constitute a quorum of the Executive Committee for action to be taken pursuant to this subsection.
    - (ii) A majority vote of those present and constituting a quorum shall be required for any action by the Executive Committee pursuant to this subsection.
    - (iii) Such meetings shall be subject to the provisions of the Ralph M. Brown Act.
    - (iv) Notification of such a meeting shall be sent to all WIB members, who may attend and whose views will be taken into consideration before the Executive Committee may take action on an item.
    - (v) Approval of expenditures may be made only when there is a need for immediate action, and shall not exceed a total of \$5,000 per occurrence.
    - (vi) Any action by the Executive Committee pursuant to this subsection shall include a notation that it is subject to review, and ratification or rejection, by the entire WIB at its next regular or special meeting.

(vii) The Executive Committee will provide written notice of any such action taken at the next regularly scheduled meeting of the full WIB.

(viii) Any such action will be brought to the WIB for consideration at its next regular or special meeting. The WIB shall either ratify or disapprove the Executive Committee's action pursuant to this subsection. If the WIB ratifies the Executive Committee's action, such action shall be considered to have been approved by the WIB as of the date of the Executive Committee's action and shall be in full force and effect. If the WIB disapproves the Executive Committee's action, such action shall be considered null and void, and of no force or effect.

15. Standing Committees.

- a) Standing committees may be established to provide information and assist in carrying out WIB responsibilities under WIOA sec. 107.
- b) Standing committees must be chaired by a member of the Executive Committee, may include other members of the WIB, and must include other individuals appointed by the WIB who are not members of the WIB but who have demonstrated experience and expertise in accordance with § 679.340(b) and as determined by the WIB.
- c) Standing committees may include each of the following:
  - (i) A standing committee to provide information and assist with operational and other issues relating to the one-stop delivery system, which may include representatives of the one-stop partners.
  - (ii) A standing committee to provide information and to assist with planning, operational, and other issues relating to the provision of services to youth, which must include community-based organizations with a demonstrated record of success in serving eligible youth.
  - (iii) A standing committee to provide information and to assist with operational and other issues relating to the provision of services to individuals with disabilities, including issues relating to compliance with WIOA sec. 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) regarding providing programmatic and physical access to the services, programs, and activities of the one-stop delivery system, as well as appropriate training for staff on providing supports for or accommodations to, and finding employment opportunities for, individuals with disabilities.
- d) The WIB may designate other standing committees in addition to those specified in paragraph (c) of this section.
- e) The WIB may designate an entity in existence as of the date of the enactment of WIOA, such as an effective youth council, to serve as a standing committee as long as the entity meets the requirements of WIOA sec. 107(b)(4).

16. Ad hoc workgroups.

- a) The Executive Committee of the WIB may appoint ad hoc workgroups as it deems appropriate and necessary for the fulfillment of its duties and responsibilities to make recommendations in connection with any subject pertaining to the matters within the jurisdiction of the WIB.
- b) Such ad hoc workgroups shall be chaired by a member of the Executive Committee.
- c) Ad hoc workgroups may include other WIB members as long as the total number of WIB members is less than the number that constitutes a WIB quorum.

d) Ad hoc workgroups may include Executive Committee members as long as the total number of Executive Committee members is less than the number that constitutes an Executive Committee quorum.

17. Recommendations.

Recommendations of the WIB shall be submitted to the Director of the Yolo County Health and Human Services Agency (HHS) or her/his designee, Employment Development Department, California Workforce Development Board, and/or the Yolo County Board of Supervisors, as appropriate.

18. Meetings: Date.

a) Meetings of the WIB shall be held bi-monthly (January, March, May, July, September, and November) on a regular date set by the WIB at the HHS or at such other facility as the Chair shall determine.

b) Meetings of the Executive Committee of the WIB shall be held bi-monthly (February, April, June, August, October, and December) on a regular date set by the Executive Committee at the HHS or at such other facility as the Chair shall determine.

c) Either the Chair or a majority of the appointed members may call special meetings as necessary

19. Meetings: Quorum.

a) A minimum of one more than one-half (1/2) of the currently appointed members of the WIB shall constitute a quorum for the transaction of business.

b) A minimum of one more than one-half (1/2) of the currently appointed members of the Executive Committee of the WIB shall constitute a quorum for the transaction of business.

c) A majority of the votes of the members present and voting on any issue shall be required for any action.

20. Meetings: Conduct.

a) Meeting shall be conducted by the Chair.

(i) The Chair shall recognize every motion made by a member, or call for a motion should a request come from outside the membership.

(ii) A lack of a second shall cause the motion to fail.

(iii) A vote shall be taken if there is a second and a quorum as required herein.

A motion shall pass if it is approved by a majority of the members present, provided that the necessary quorum and notice requirements are met.

(iv) Any motion not receiving a second or failing to receive a majority vote shall be noted in the minutes as having failed to pass.

(v) By proper motion, any defeated motion may be placed on a future agenda for new motions and presentation of further information.

(vi) There shall be no absentee voting.

(vii) A member shall declare a conflict of interest and shall abstain from voting on any motion or consideration that (a) has direct bearing on services to be provided by the member or any organization with which that member is associated, (b) if that member or that member's spouse or minor child is an employee, administrator, board member, or likely to garner personal gain from the motion or issue under consideration or (c) would otherwise be the basis for a conflict of interest, as outlined in these Bylaws in Section 23.



(viii) All meetings of the WIB and Executive Committee of the WIB shall have a posted agenda, shall be open to the public and in all ways adhere to the Ralph M. Brown Act (the Brown Act), California Government Code section 54950—54963.

21. Meetings: Minutes.

a) The Director of the HHSA or her/his designee shall designate a staff member to serve as secretary to the WIB, Executive Committee, and Standing Committees.

b) Minutes shall include a record of attendance, a listing or reports received, and all action taken and recommendations adopted.

c) The secretary shall file a copy of all minutes with the Clerk of the Board of Supervisors.

22. Staff.

The WIB will receive professional, financial, technical and clerical staff support from the HHSA. The HHSA shall also serve as the fiscal agent for the WIB. The Director of the HHSA or her/his designee shall act as a County Liaison to the WIB.

23. Conflict of Interest.

No member of the WIB shall vote on any matter before the WIB if he or she has a legal conflict of interest. A legal conflict of interest means a conflict as defined by applicable statutory and case law. Any possible legal conflict of interest on the part of a member shall be declared before discussion commences on the agenda item in question. If it is unclear whether a member has a legal conflict of interest the question shall be referred to County Counsel for determination of whether the member has a legal conflict of interest, and if so, to what extent the member may participate, if at all, in the discussion and voting on the agenda item.

24. Economic Interest.

Each member of the WIB shall file a Statement of Economic Interest promulgated by the Fair Political Practices Commission as a condition of assuming membership, annually while serving as a member, and upon leaving membership of the WIB, in compliance with applicable law.

25. Severability.

If any part of these Bylaws is held to be null and/or void, the validity of the remaining portion of the Bylaws shall not be affected.

26. Enactment.

These Bylaws shall become effective upon adoption by a majority vote of the WIB and approval of the BOS, and shall remain in effect until dissolution of the WIB.