

Workforce Development Board (WDB) Agenda

Date: Thursday, January 11, 2024
Time: 12:00 p.m. — 2:00 p.m.
Place: 9246 Lightwave Ave, Suite 100, San Diego, CA 92123
Via Zoom: <https://workforce-org.zoom.us/j/89108280116>
Meeting ID: 891 0828 0116

Instructions for Public Meetings

- Members of the public – Please complete a “Request to Speak” form

Welcome and Introductions

- Chair calls the meeting to order
- Non-agenda public comment

Agenda Items – Open Session:

Action Item:

Item 1: Approval of the December 7, 2023 Minutes

Information Item:

Item 2: SDWP Organizational Updates

Item 3: Program Spotlight & Faces of Workforce: Peer Support Specialist Program

Action Item:

Item 4: Adult and Dislocated Worker WIOA Funding Transfer

Item 5: Live Well Southeastern Internship Program Contract Renewal

Item 6: Conrad Prebys – Healthcare Program Contract

Item 7: Proposal to Adopt a Resolution to Clarify Contractual Authority & Scope

Information Item:

Item 8: Proposed Conflict of Interest Policy

Item 9: Brown Act Clarification Re: Virtual Participation

Item 10: 2024 WDB Calendar

Agenda Items – Closed Session:

Item 11: CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph 2 of subdivision
(d) of Government Code Section 54956.9: (one or More Potential Cases)

Next Meeting: February 15, 2024 12:00 p.m. – 2:00 p.m.

PUBLIC COMMENT: Members of the public may address the Board on issues on this agenda (three minutes per subject) and/or other items within the Board's scope. To speak, please complete a public comment form. The Workforce Partnership will provide accommodations to persons who require assistance. Questions: (619) 228-2900.

Item 1: Approval of the December 7, 2023 Minutes

Minutes of the December 7, 2023 WDB Meeting

Members Present

- | | | |
|------------------|---------------------|------------------------|
| 1. Annie Taamilo | 5. Jeremy Vellon | 9. Rick Vaccari, Chair |
| 2. Danene Brown | 6. Kevin Johnson | 10. Ricky Shabazz |
| 3. Gina Lee | 7. Kurling Robinson | 11. Tina King |
| 4. Jamie Gardner | 8. Phil Blair | 12. Veronica Dela Rosa |

Members Absent

- | | | |
|---------------------|------------------|------------------------|
| 1. Aida Rosa | 5. Dora Mendivil | 9. Matt Doyle |
| 2. Brisa Johnson | 6. Ed Hidalgo | 10. Matt Martin |
| 3. Carol Kim | 7. Efrem Bycer | 11. Nancy Smith-Taylor |
| 4. Christina Bibler | 8. Jeffrey Noyes | |

Staff Members Present

Tony Young, Interim President, and CEO
Alejandra Aceves, Director of Workforce Development
Khaleda Atta, COO
Daniella Molina, Manager of Training Services
Parina Parikh, VP of Sector Initiatives
Miguel Vasquez, VP of Clients Services

Call to Order

The meeting was called to order by Rick Vaccari at 12:02pm with a quorum.

Non-Agenda Public Comment

None

Action Item

- Item 1: **Minutes of the November 9, 2023 Meeting**
Motion: WDB approves the meeting minutes
Moved (J. Gardner), Seconded (K. Robinson), Motion carried,
A. Taamilo and R. Shabazz abstained.

Information Item

- Item 2: **SDWP Organizational Updates**
- SDWP's organizational updates covered various topics including the structure of reporting lines within the organization, the eligibility criteria for the SDWP programs, programmatic updates on new

grants awarded (Prebys Foundation, CWDB HIRE, and Google Initiative), and the upcoming 40th Annual Economic Roundtable event.

K. Atta highlighted the SDWP organizational structure updates, emphasizing the decisions made following the Intake & Eligibility retreat.

K. Johnson inquired about the organization's structure. P. Blair asked about the names of the current VP of each department. T. King requested more clarification regarding the transition in People and Culture department from VP to manager level and whether there will be an assessment to the functionality of the department.

K. Atta responded with more clarifications and discussed the implementation of the ADP platform in facilitating People and Culture tasks.

Promoted by inquiries from Board Member P. Blair in the last WDB meeting, eligibility criteria for SDWP programs was discussed. The focus was primarily on WOIA-funded programs which constitute 80% of the funding. The eligibility criteria was divided into three fundamental categories: dislocated workers, youth, and general criteria applicable to all.

For general criteria, it was emphasized that individuals need data validation and a unique personal identifier such as a Social Security Card. Other general requirements include proof of age and work authorization. K. Atta mentioned that immigration status is not a requirement for programs eligibility.

Additionally, K. Atta outlined the specific eligibility criteria for adults, dislocated worker, and youth. For adults, considerations include income, public assistance receipt, and basic skills deficiencies. Industry impact and the likelihood of returning to participant's previous industry are additional considerations related to dislocated worker eligibility criteria. Youth eligibility criteria varied based on age, education status, selective service registration, and hardship barriers.

WDB members discussed the prioritization of veterans and their spouses with a query from J. Vellon about time limitations for eligibility. J. Gardner suggested further exploring and clarifying specific aspects of eligibility for veterans and their families within the veterans working group.

T. Young recognized the complexity of eligibility criteria and suggested the board members review the provided eligibility chart. T. Young shared SDWP's new grants awarded by the Conrad Prebys Foundation. He mentioned that the Conrad Prebys Foundation has reengaged with the organization after a period of stepping away. The foundation awarded \$400,000 to provide programming and opportunities to overburdened youth aged 16 to 26 who are interested in healthcare careers. The term for this program is from January 1, 2024 to November 30, 2025.

Additionally, the Conrad Prebys Foundation awarded \$250,000 in unrestricted funds to support organizational capacity building efforts, personnel development, and team building.

After inquiring by G. Lee, P. Parikh clarified the overburdened youth as referring to youth experiencing excessive physical, mental, or psychological pressure beyond what is considered normal or healthy for their age.

A. Aceves overviewed Prison to Employment awarded grant. SDWP has been awarded \$4.8 million by the California Workforce Development Board (CWDB).

The Prison to Employment program is designed to provide post-release services, connecting with individuals while they are still in prison and continuing to support them after release.

SDWP collaborates with various partners, including law enforcement departments, to offer career services workshops, housing assistance, transportation support, and more.

A. Aceves added that this program has a flexible funding structure with no cap on support services, allowing for individualized assistance based on specific needs. The goal is to assist 150-250 individuals successfully reintegrate into society, addressing various challenges such as housing, transportation, and education.

Board members inquired about the average amount of money participants might receive, the timeline of the grant, and the criteria for partnership with California Workforce Development Board (CWDB).

A. Aceves mentioned that CWDB overall grant budget is \$4.8 million, CWDB retains 7.15% of the grant budget, SDWP receives an additional 10% for administration, and that the support is based on individual needs which can range widely.

P. Parikh presented the Outcomes-Based Loan (OBL) program. The new OBL program focuses on a true fee-for-service opportunity within SDWP. SDWP aims to enroll 400 participants in the program

over 36 months which potentially generate up to \$2.2 million in revenue. Generated revenue will be reinvested into the program. The OBL program has a three-year contract with Social Finance with the possibility of a seven-year extension based on milestones. SDWP has signed 20 contracts to date and plans to efficiently launch the program with the help of the Google Marketing team.

P. Parikh added that the OBL program is not entirely self-funded and SDWP continues to raise philanthropic dollars to cover costs. Google compensates the organization with \$4,400 per signed contract leaving a 20-30% gap that requires additional fundraising efforts.

P. Parikh highlighted the new consulting agreement between SDWP and Social Finance to replicate the model with other workforce boards nationally. She mentioned that Google has allocated \$100 million over the next 10 years for this initiative. The Board discussed the participants demographics, ISA model replacement, and the eligibility criteria for this program.

Finally, T. Young announced the upcoming event of the 40th Annual Economic Roundtable for San Diego County on January 19, 2024. He shared that he will be a guest speaker and invited all WDB members to join the event at the University of San Diego.

R. Shabazz requested to revisit the discussion about online and in-person board meeting participation. He highlighted the need to explore options for remote attendance. Additionally, he suggested reconsidering the timing of future meetings.

R. Vaccari and T. Young suggested setting attendance guidelines for future meetings to be brought and discussed at the next meeting.

Additionally, in collaboration with the general counsel, T. Young shared that a process of selecting the WDB Chair, Vice Chair, and committee members will be shared at the next WDB meeting. This process will allow WDB members to vote on these positions and contribute to a democratic and reflective committee structure.

R. Vaccari announced his intention to step down as the board chair in the spring. He clarified that it was meant to be interim when he accepted this role. R. Vaccari emphasized his commitment to remaining on the board despite stepping down from the chair position. The Board acknowledged and thanked him for his leadership during a challenging time.

Action Item

Item 3: Client Services – Licensed Vocational Nurse (LVN) Contracted Education Training (CET) Program

M. Vasquez presented the proposal to enter a contract with Internal Health Group DBA Dalrada Career Institute for \$222,000 for the Licensed Vocational Nurse (LVN) program. The term of the contract is one year starting on February 5, 2024 through February 28, 2025.

He also provided background information on the allocation of training funds, emphasizing the need for a minimum of 30% utilization of Dislocated Workers funds.

The LVN program focusses on upskilling Certified Nursing Assistants (CNAs) and Medical Assistants (MAs) to become Licensed Vocational Nurses, providing them the training and education necessary to advance their careers in the healthcare fields.

R. Shabazz inquired about the process of allocation of funds and selection of training providers, as well as the communication with community colleges and the importance of reaching the right points of contact within these institutions.

T. Young shared that he is working with the program team to review the process and the eligibility criteria for accepting new providers within the ETPL list to ensure transparency and alignment with all applicable laws and regulations.

K. Johnson raised his concern about the selection process of the training provider, its track record, and accreditation.

M. Vasquez clarified that the school has provided successful training in the past, boasting 100% completion and placement rate.

The Board highlighted the importance of obtaining detailed information about the accreditation and history of training providers in the future. The Board additionally, acknowledged the necessity for further conversations regarding partnerships with organizations and the vetting process for training programs.

Motion: WDB approves new contract proposal with Internal Health Group DBA Dalrada Career Institute and authorize SDWP Staff to execute the contract.

Moved (A. Taamilo), Seconded (J. Vellon), Motion carried
K. Johnson opposed and R. Shabazz abstained.

Item 4:

Client Services – Heating, Ventilation, and Air Conditioning (HVAC) Contracted Education Training (CET) Program

M. Vasquez presented the proposal to enter a contract with ATA College for \$174,000 for the Heating, Ventilation, and Air Conditioning (HVAC) training program. The term of the contract is one year starting on February 5, 2024 through December 20, 2024.

M. Vasquez added that the WIOA HVAC program targets individuals seeking employment in the heating, ventilation, and air conditioning (HVAC) industry by providing training and support in acquiring the necessary skills and certification.

The discussion concluded with the cost of training programs and the significance of community colleges, commitment to revisiting internal policies to ensure more in-depth future discussions on contracts with entities, and the need for further conversation regarding partnerships and vetting process for training programs.

Motion: WDB approves new contract proposal with ATA College and authorize SDWP Staff to execute the contract
Moved (A. Taamilo), Seconded (P. Blair), Motion carried
K. Johnson opposed and R. Shabazz abstained.

Information Item

Item 5:

Proposal to Adopt a Resolution to Clarify Contractual Authority and Scope

A. de Castro discussed the need to clarify the scope of management's authority to enter into contracts. He mentioned that there is a past practice that all contracts exceeding \$100,000 are supposed to be presented to the Board for approval. But there has been inconsistency in following the practice the past due to lack of clear documentation on delegated contractual authority to management under the Partnership Agreement with the Policy Board.

T. Young emphasized the importance of addressing this to avoid putting the organization at risk.

Due to the lack of time, A. de Castro encouraged the Board members to review the details in item 5 and contemplate ahead of time to discuss on it during the next WDB meeting.

Item 6: **Veterans Working Group Update**
Deferred to next meeting.

Item 7: **Program Spotlight & Faces of Workforce: P2E**

A. Aceves introduced Nashid Mateen, a participant in the Prison 2 Employment program. N Mateen shared his positive experience with the program. He discussed his journey from being incarcerated for six years to utilizing the services provided by the program for reintegration into the society.

N. Mateen expressed gratitude for the support he received, particularly highlighting the assistance in learning Python programming language and the help with his documentary project titled "Prison to Success". He emphasized the positive impact of the program on his vision, goals, and aspirations, including the intention to start a business to teach coding skills.

The Board discussed the challenges faced by individuals reentering society after incarceration such as the lack of financial resources and the difficulties in finding immediate support. N. Mateen acknowledged the importance of addressing these challenges and shared insights into initiatives including pre-release services and support for housing.

Overall, the participant's testimonial underscored the value of the program in providing essential support for those seeking to rebuild their lives after incarceration. This item concluded with appreciation for the participant's achievements and a recognition of the need for continued efforts to assist individuals in their reintegration journey.

Adjournment

R. Vaccari adjourned the meeting to closed session at 1:45 pm.

Item 2: SDWP Organizational Updates

SDWP management to provide key operational and staffing updates. General Counsel to provide and review recommendations on nomination process for 2024 WDB Chair and Officer positions with the Board.

Item 3: Program Spotlight & Faces of Workforce: Peer Support Specialist Program

INFORMATION ITEM – NO VOTE REQUIRED:

Peer Support Training Project (PSTP) program overview:

The no-cost Peer Support Training Project embraces unique stories, by certifying individuals with lived experience with mental health or substance use challenges. This Program provides 80-hours of Medi-Cal Peer Support Specialist Training, covers the cost of the CalMHSA certification fees, and presents the opportunity to apply for paid internships with our partner organizations.

- Initiated: FY24
- Total Value of the Program: \$5M
- Funded by: Assembly Member Maienschein via the California Workforce Development Board (CWDB)
- Participants year to date: 44

Peer Support Training Project Goal: With a current behavioral healthcare workforce shortage of 8,000 workers, as identified through the [2022 report on San Diego's Behavioral Healthcare Workforce](#), this program aims to increase the number individuals trained and certified with lived experience working in behavioral healthcare.

What is a peer support specialist?

A peer support specialist is someone with lived experience in overcoming mental health or challenges, either as a recipient of services or as a family member or caregiver of someone who has received services. They receive specialized training to offer support and assistance to others facing similar struggles.

Peer Support in mental health services has been found to reduce hospitalization rates, reduce duration of in-patient care, increase use of out-patient services, increase quality of life outcomes, and lower overall costs of services ([Mental Health America, 2019](#)).

Faces of Workforce: Michael Henning

Peer Support Training Project participant Michael Henning will share his ongoing journey in receiving a state-certified certificate as a peer support specialist and how the Workforce Partnership helped further his career in behavioral health.



Michael's path toward becoming a state-certified peer support specialist began with his battles against long-term addiction. Inspired by the impactful support he received from a peer support specialist during his recovery, Michael found a renewed sense of purpose.

It was through the Workforce Partnership's Peer Support Training Project team that he found a supportive environment to further a career where he could connect with others who "felt sick and tired of being sick and tired" and use his experience strength and hope to help others in need or experiencing the similar struggles that he did.

Joining the Peer Support Training Project, Michael sought to leverage his lived experience in substance use recovery. His goal was clear - to relate to others and guide them towards positive change. The program provided the necessary support, eliminating barriers like training costs, exam fees, and technological hurdles.

Currently, Michael is preparing for his peer support specialist state exam and continues to hone his job readiness skills with the assistance of the Learning and Peer Support Training Project teams. His determination shines through as he works towards securing an official position as a peer support specialist.

Michael's journey exemplifies the transformative power of peer support and the crucial role played by our programs. Join us in celebrating Michael's achievements and drawing inspiration from his remarkable story of growth, resilience, and creating a brighter future for himself and others.

Item 4: Client Services: WIOA Adult and Dislocated Worker Funding

ACTION ITEM – VOTE REQUIRED

Recommendation: Authorize a transfer request with the EDD for a revised WIOA award allocation of 75% Adult funds and 25% Dislocated Worker based on shift in funds from: Grant 502, Subgrant AA411033 (DW) to: Grant 500, Subgrant AA411033 (AD).

Allocations	Amount	Amount	Transfer
Current	Adult: \$5.7 M (52%)	DW: \$5.3 M (48%)	
Requested	Adult: \$8.5 M (75%)	DW: \$2.5 M (25%)	\$2.8M
Needs assessment:			
1. Enrollment Patterns: Higher demand in Adult vs. Dislocated Workers.			
2. Low Unemployment: The unemployment rate has been consistent and low.			

We have seen fewer individuals qualifying for our services under the dislocated worker definition. Cumulatively for Q1 and Q2 of FY24, only 27% of the clients we enrolled at our career centers were enrolled as a dislocated worker, as compared to 73% enrolled as Adults. This follows previous years' patterns.

Several factors are considered when requesting a transfer of funds. Among these factors, the Local Board specifically highlights the changes in the labor market, the Local Workforce Board is experiencing a high number of clients seeking adult services, including training, resulting in a lower number of dislocated workers seeking services.

The unemployment rate in San Diego County is also contributing to the need for this request. The unemployment rate in San Diego County in November was 4.2 percent, unchanged from a revised 4.2 percent in October 2023, and above the year-ago estimate of 3.3 percent.

This rationale aligns with SDWP's strategic approach to allocating resources efficiently and addressing pressing needs within the adult community based on current economic conditions.

The current economy and job market require more support for career transition, or to obtain more education and/or occupational/upskilling training.

EDD allows for transfer requests throughout the year between the Adult and DW funds. You can transfer up to 100%. We are requesting that we reallocate our funds to be 75% Adult and 25% DW to better accommodate the community needs we are seeing.

Item 5: Live Well Southeastern San Diego Internship Program

ACTION ITEM – VOTE REQUIRED

Recommendation: Authorize the **renewal** of the sub-recipient agreement in the **amount of \$208,135** for the “Live Well Southeastern San Diego Internship” program with Access, Inc. If approved, the agreement will not exceed this amount.

Contractor	Funding Source	Amount	# Served	Cost Per Participant
Access, Inc.	County of San Diego: Health and Human Service Agency	\$208,135	65 Youth (18-24)	\$3,202
Contract Outcomes				
<ul style="list-style-type: none">65 participants will attend no less than one day of the Job-Readiness Training.65 participants will complete no less than 80% of the hours of the assigned training course				

Contract Term: January 1, 2024 – June 30, 2024 (4th year of a 5-year procurement cycle)

New contract or renewal: Sole Sourced Renewal (funder approved continuity)

Scope of Work:

- Recruitment and assessment
- Job readiness training
- Classroom training
- Paid internships
- Career support services

Contract Payment Terms: Pay for Performance

Deliverables	Reimbursement
Recruitment and Assessment: 150 are recruited for the program	\$11,250
Training Initiation: 65 participants complete at least one day of training	\$13,000
Training Completion: 65 participants complete at least 80% of the training	\$49,400
Evaluation Creation: create 1 outcomes-based exit evaluation	\$1,995
Evaluation Completion: 50 complete outcomes-based exit evaluation	\$3,750
Follow-up Case Management: Conduct at least 1 follow-up service to 50 participants after program participation	\$12,500
Open House: facilitate 2 open houses for prospective participants	\$3,000
Case Management: conduct 180 case management touchpoints during the program year	\$59,940

Reimbursable Costs: wages paid to clients during the training stage and associated payroll taxes; supportive services provided to clients	\$53,300
Total:	\$208,135

Future Option Years: 5th and final option year in a 5-year procurement cycle.

Contractor Selection: Small Purchase \$100,000 to \$250,000

Through building one-on-one relationships with participants and providing tailored training and relevant resources, Access, Inc provides participants with the tools they need to achieve their education and employment goals, no matter where they are on their career journeys or what barriers they may face due to circumstances.

Access' historic performance & partnership with SDWP on training components and case management on County programs, and Access' ability and willingness to leverage other funding sources to support program enhancement make them uniquely qualified to execute this service agreement.

Target Populations: Youth in low-to-moderate income households residing in the Southeastern San Diego catchment area aged 18-24.

Background: With over 41,000 young people aged 16-24 in San Diego County who are not in school or working, it's critical to address issues of education and career early in a student's life to change this outcome from disconnection to opportunity. The development of a skilled workforce is vital for improving a region's economy. Individuals unprepared to enter the workforce due to a lack of education or training are more likely to live in poverty.

This program supports work readiness and increased job opportunities specifically for youth residing in the catchment areas of Southeastern San Diego to develop a pipeline of prepared candidates for the workforce. The program advances the vision of creating self-sufficient, safe, and healthier communities by the creation and administration of impactful job readiness training and employment programs that support personal and community economic growth opportunities.

Item 6: Conrad Prebys Healthcare and Youth Workforce Initiative – Welcome to Healthcare Careers Program

ACTION ITEM – VOTE REQUIRED

Recommendation: Authorize the execution of a new sub-recipient agreement in the amount of \$200,000 for the “Welcome to Healthcare Careers” youth program with Access, Inc. If approved, the agreement will not exceed this amount.

Contractor	Funding Source	Amount	# Served	Cost Per Participant
Access, Inc.	Conrad Prebys Foundation	\$200,000	75 Youth (16-26)	\$2,667
Contract Outcomes				
<ul style="list-style-type: none">• Enrollment – enroll 75 youth participants, with focus on BIPOC & Lived Experienced• Work Readiness Training – at least 50 participants complete an intensive healthcare-focused work readiness training• Case Management – at least 50 participants receive intensive case management with at least 3 touchpoints per month• Placement – at least 50 participants are placed in direct employment, subsidized internships, occupational trainings, and/or healthcare programs & educational opportunities• Follow-up Services – at least 50 participants receive follow-up services				

Contract Term: February 1, 2024 – October 31, 2025

New contract or renewal: Sole Sourced New (Approved by Funder)

Scope of Work: “Welcome to Healthcare Careers” (WHC) will help opportunity and overburdened youth across under-resourced communities in San Diego County find and sustain meaningful employment in the healthcare field. WHC will place 50 opportunity and overburdened youth in healthcare direct employment, subsidized internships, occupational training, and/or educational opportunities. Diverse youth are not well represented in the healthcare industry. WHC will introduce youth to healthcare careers leading to more diversity while creating pathways to self-sufficiency.

Contract Payment Terms: Pay for Performance

Deliverables	Reimbursement
Enrollment: 75 youth enter the program	\$25,000
Work readiness trained: 50 complete healthcare focused training	\$50,000
Case managed: 50 participants receive regular case management	\$25,000
Placed: 50 participants enter employment, internship, occupational training, or education	\$100,000
Total:	\$200,000

Contractor Selection: Small Purchase \$100,000 to \$250,000

Through building one-on-one relationships with participants and providing tailored training and relevant resources, Access, Inc. provides participants with the tools they need to achieve their education and employment goals, no matter where they are on their career journeys or what barriers they may face due to circumstances.

Access, Inc. is uniquely qualified to execute this contract as they hold 2 (including the largest) SDWP funded WIOA Youth contracts including the Youth Career Center contract. These WIOA Youth contracts will be braided and leveraged to holistically serve opportunity and overburdened youth. Access, Inc. also runs specific programming in the Southeastern San Diego area and is well-connected to youth and other community-based organizations in this region.

Target Populations: 16-26-year-old opportunity and overburdened youth with a focus on the BIPOC community and specific populations (WIOA Youth programming populations) including: Black opportunity youth, foster youth, justice-impacted youth, unstably housed youth, and ELL, refugee, and immigrant youth. At least 25% of participating youth will reside in Southeastern San Diego.

Background:

The healthcare workforce shortage has been well documented, with employee burnout and fewer new workers entering the field being major contributing factors. There is a need to expose youth to possibilities in healthcare, develop emerging professionals, and train those currently in the field to meet the needs of an increasingly diverse patient population. There is a critical need in San Diego for greater investments in the future of our healthcare workforce, specifically focused on:

- Exposing, recruiting, expanding, and deepening high-quality job training, bridge, and certification programs that retain and create pathways for youth from historically marginalized communities to needed healthcare careers.
- Addressing some of the critical barriers to a more diverse, culturally competent, high-quality workforce, including reducing the disconnect between training programs and placements.

Item 7: Proposal to Adopt a Resolution to Clarify Contractual Authority & Scope

ACTION ITEM – VOTE REQUIRED

Section 5.e. of the Partnership Agreement states that the responsibilities of the Consortium include...“Approve contract actions or delegate to SDWP the authority to approve contract actions for services provided pursuant to this Agreement, in accordance with Consortium policy.” In short, this provision appears to require the approval of one of *either* the Consortium or SDWP (not both) and is unclear as to the *type* of contract requiring approval (i.e. whether it is limited to a contract for “services” *only* or relate to all contracts for the “services provided pursuant to this Agreement”).

Furthermore, current management found that SDWP has been inconsistent in its past practices in entering into contracts. For example, it appears the accepted practice has been that contracts under \$100,000 were not submitted to either the Consortium or the Workforce Development Board (WDB) for approval. Yet, some contracts over \$100,000 appeared to not have been approved by the Consortium and/or WDB for unknown reasons.

Although management has located internal policies with respect to contractual authority, it is uncertain to what extent the Consortium has delegated any authority to the SDWP under Section 5.e. As a result of these uncertainties, current management has erred on the side of caution by obtaining approval for contracts in excess of \$100,000 from both the Consortium and the WDB. Management has also reviewed the procurement policies of other organizations for additional guidance.

With respect to the current approval process, management believes that the practice of obtaining approval from both governing boards can be inefficient and possibly inconsistent with the intent of Section 5.e. A possible solution is for the WDB Consortium to formally adopt a resolution *expressly* delegating limited authority to the SDWP to enter into contracts up to a certain amount to be determined. The Directive on Procurement of Equipment and Related Services adopted by the California Employment Development Department (EDD) on March 14, 2018 (WSD17-08), applicable to WIOA subrecipients, contains a limit of \$250,000+ to be considered “formal”. This possibility was discussed at the last Policy Board meeting.

Formal and express delegation of authority and adoption of a higher threshold, in line with the related EDD Directive, will provide more certainty to SDWP management and staff. This will likely improve management’s efficiency in achieving its WIOA objectives. Such express delegation by the Consortium will not preclude the WDB from independently exercising its own board oversight duties.

Lastly, Section 5.e. is unclear as to what *types* of contracts are subject to approval. It appears intended to only apply to contracts that involve the use of government funds

obtained under WIOA, but also apply to goods (and not just services). While this interpretation would exclude contracts that are non-WIOA funded, it would also expand the scope of Section 5.3. to include contracts for goods that involve WIOA funds.

Proposals to Consider

Pursuant to Section 5.3. of the Partnership Agreement, the Consortium has been asked to consider expressly delegating to the SDWP the authority to enter into contracts for goods and services that involve the use of WIOA funding of amounts below \$250,000 (or whatever threshold the Consortium elects) without prior approval from the Consortium. The Consortium is considering the threshold but has indicated it may require approval for contracts that involve non-WIOA related funds.

Management is also requesting clarification from the WDB on:

- (1) whether it desires to adopt a parallel or similar resolution authorizing SDWP management to enter into contracts under a threshold (perhaps similar to one adopted by the Consortium); and/or
- (2) whether WDB wishes to continue approving contracts that must also be approved by the Consortium.

Specifically, management respectfully requests the following resolutions be adopted:

- (1) The Board delegates to management, under the supervision of the Chief Executive Officer, the authority to enter into contracts up to a value of \$250,000 each.
- (2) Any single contract or series of related contracts that exceed \$250,000 shall require the vote of the Board.
- (3) The vote of the Board shall [still] be [or not be] required for any contract that is required to be or has been approved by the Policy Board.

Management believes adoption of a formal resolution by the Consortium and the WDB will remove uncertainty in management's ability to enter into contracts, allow SDWP to take actions under the WIOA more expeditiously, and reduce the workload and time spent by the WDB in approving smaller contracts.

Until such formal resolutions are adopted by Consortium and the WDB, management will continue to seek approval from both governing boards for all contracts over \$100,000, without exception.

Item 8: Proposed Conflict of Interest Policy

INFORMATION ITEM – NO VOTE REQUIRED:

Audie de Castro, SDWP's General Counsel, to provide an overview on the proposed Conflict of Interest Policy. Draft Conflict of Interest Policy attached for reference.

Item 9: Brown Act Clarification Re: Virtual Participation

INFORMATION ITEM – NO VOTE REQUIRED:

SDWP General Counsel to also clarify Brown Act requirements as it pertains to virtual participation in Board meetings.

Item 10: Proposed 2024 WDB Calendar

INFORMATION ITEM – NO VOTE REQUIRED:

- WDB 2024 Proposed Meeting Calendar below
- Monthly Meetings to be held from 12.00 p.m. to 2:00 p.m.
- No Meetings to be held in July & August due to Policy Board recess

Yellow = WDB Meetings

Green = Policy Board Meetings (not confirmed yet)

Red = Holidays

January							February							March							April						
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S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
			1	2	3	4							1		1	2	3	4	5	6					1	2	3
5	6	7	8	9	10	11	2	3	4	5	6	7	8	7	8	9	10	11	12	13	4	5	6	7	8	9	10
12	13	14	15	16	17	18	9	10	11	12	13	14	15	14	15	16	17	18	19	20	11	12	13	14	15	16	17
19	20	21	22	23	24	25	16	17	18	19	20	21	22	21	22	23	24	25	26	27	18	19	20	21	22	23	24
26	27	28	29	30	31		23	24	25	26	27	28	29	28	29	30	31				25	26	27	28	29	30	31
							30																				
September							October							November							December						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7			1	2	3	4	5						1	2	1	2	3	4	5	6	7
8	9	10	11	12	13	14	6	7	8	9	10	11	12	3	4	5	6	7	8	9	8	9	10	11	12	13	14
15	16	17	18	19	20	21	13	14	15	16	17	18	19	10	11	12	13	14	15	16	15	16	17	18	19	20	21
22	23	24	25	26	27	28	20	21	22	23	24	25	26	17	18	19	20	21	22	23	22	23	24	25	26	27	28
29	30						27	28	29	30	31			24	25	26	27	28	29	30	29	30	31				

Jan 1 • New Year's Day
Jan 11 • WDB Meeting
Jan 15 • Martin Luther King Jr. Day
Feb 14 • Valentine's Day
Feb 15 • WDB Meeting
Feb 19 • Presidents' Day
Feb 22 • Policy Board Meeting
Mar 14 • WDB Meeting
Mar 17 • St. Patrick's Day
Mar 21 • Policy Board Meeting
Mar 31 • Easter Sunday

Apr 1 • Easter Monday
Apr 15 • Tax Day
Apr 18 • WDB Meeting
Apr 25 • Policy Board Meeting
May 5 • Cinco de Mayo
May 12 • Mother's Day
May 16 • WDB Meeting
May 23 • Policy Board Meeting
May 27 • Memorial Day
Jun 13 • WDB Meeting
Jun 14 • Flag Day

Jun 16 • Father's Day
Jun 19 • Juneteenth
Jun 20 • Policy Board Meeting
Jul 4 • Independence Day
Sep 2 • Labor Day
Sep 5 • WDB Meeting
Sep 12 • Policy Board Meeting
Oct 14 • Columbus Day
Oct 17 • WDB Meeting
Oct 24 • Policy Board Meeting
Oct 31 • Halloween

Nov 5 • Election Day
Nov 11 • Veterans Day
Nov 14 • WDB Meeting
Nov 21 • Policy Board Meeting
Nov 28 • Thanksgiving Day
Nov 29 • Black Friday
Dec 5 • WDB Meeting
Dec 12 • Policy Board Meeting
Dec 24 • Christmas Eve
Dec 25 • Christmas Day
Dec 31 • New Year's Eve