

**AGREEMENT ON THE ROLES AND RESPONSIBILITIES
BETWEEN THE
NOVA WORKFORCE BOARD AND THE SUNNYVALE CITY COUNCIL**

THIS AGREEMENT is made and entered into by and between the NOVA Workforce Board, hereinafter referred to as “NOVA WB”, and the City Council of the City of SUNNYVALE, hereinafter referred to as “CITY”.

WHEREAS, the Workforce Innovation and Opportunity Act of 2014 (29 USC 3101 Et. Seq., Public Law 113-128, 128 Stat. 1425), hereinafter referred to as WIOA, authorizes expenditure of federal funds for job training programs in locally determined Workforce Development Areas; and

WHEREAS, the State of California has designated a Consortium of Public Agencies as a Workforce Development Area (“CONSORTIUM”); and

WHEREAS, the CONSORTIUM, via a Joint Powers Agreement, has vested the CITY to act on behalf of the CONSORTIUM; and

WHEREAS, the Act requires the CONSORTIUM to establish a workforce investment board to provide policy guidance for, and exercise oversight with respect to activities under the Strategic Local Plan for the Workforce Development Area; and

WHEREAS, it is a joint authority and responsibility of both the NOVA WB and the CITY to ensure effective programs which provide the most beneficial mix of services to eligible residents and employers of the Workforce Development Area; and

WHEREAS, it is further the shared responsibility and authority of the NOVA WB and the Workforce Development Area to stimulate the active, effective participation of all sectors of the community in the provision of workforce development services; and

WHEREAS, the Act requires a partnership between the NOVA WB and the consortium agencies; and

WHEREAS, the Act requires the NOVA WB and the CITY to define the scope of the partnership by means of an agreement;

NOW, THEREFORE, be it resolved that this Agreement, pursuant to the Act, be made and entered into by and between the NOVA WB and the CITY.

A. Grant Recipient.

The CITY is designated as the grant recipient and shall receive and disburse funds.

B. Administrative Entity.

The CITY will administer the activities described by the Strategic Local Plan, subject to the terms of this Agreement.

C. Roles and Responsibilities of the NOVA Workforce Board.

1. Jointly, with the concurrence of the CITY and assistance of its staff, the NOVA WB shall:
 - a. Identify employment and training opportunities for eligible individuals served by the Workforce Development Area, and translate those opportunities into programs, which meet the labor needs of employers;
 - b. Determine overall program goals, objectives and policies, and design programs to meet them;
 - c. Develop and approve the Strategic Local Plan, and subsequent modifications, for submittal to the Governor;
 - d. Prepare and implement an annual budget, subject to the restrictions of the various cost categories of the various grants received through NOVA;
 - e. Approve contracts in excess of \$50,000;
 - f. Develop appropriate standards for programs funded by the WIOA;
 - g. Participate in the development and submission of any regional plans as required under the WIOA.

2. The NOVA WB shall:
 - a. Select a one-stop operator(s), with the agreement of the Sunnyvale City Council, annually review the operations and, when warranted, terminate for cause the eligibility of such operator(s);
 - b. Elect a chairperson(s) and vice chairperson from among those NOVA WB members representing the private sector, and a vice chairperson from among those WB members representing the public sector;
 - c. Conduct public meetings and solicit public input on appropriate issues related to the Strategic Local Plan and funding of programs;
 - d. Establish criteria for the acceptance of proposals from groups, which desire to submit such proposals to the NOVA WB for funding consideration;
 - e. Evaluate proposals submitted to the NOVA WB for funding, and select service providers, with the agreement of the CITY, consistent with its adopted criteria;
 - f. Annually evaluate program effectiveness of programs funded by the Workforce Development Area, based on negotiated performance measures, and the performance of the Workforce Development Area itself;
 - g. Solicit public and private support for and participation in the employment and training programs and other programs designed to meet the purposes of the Workforce Development Area;
 - h. Solicit direct involvement in the operation of employment and training projects from private sector organizations and companies and public agencies which can increase the effectiveness of the employment and training program; encourage active participation from these same sectors in statewide workforce development efforts;

- i. Solicit direct involvement from businesses and employers in forging collaborative relationships and partnerships with other businesses, professional associations and community organizations;
- j. Identify and disseminate key economic development and labor market trends that impact the Silicon Valley economy;
- k. Disseminate information to the private sector on other supporting activity such as Targeted Jobs Tax Credits, On-the-Job Training, and supportive services which can further increase the participation of the private sector in employment and training activities for eligible persons;
- l. Appoint standing committees as necessary, such as a youth, one-stop partner, or others, as a subgroup of the NOVA WB.

D. Roles and Responsibilities of the Sunnyvale City Council.

1. Subject to other terms of this Agreement, the CITY shall:
 - a. Serve as the Chief Local Elected Official for the Workforce Development Area being authorized to speak and act on behalf of the NOVA consortium through a joint powers agreement;
 - b. Appoint members to the NOVA WB;
 - c. As Chief Local Elected Official, review the NOVA WB's selection of one-stop operators(s);
 - d. Provide an appropriate level of staff support to the NOVA WB such that it may carry out its designated functions;
 - e. Recommend policies and procedures to the NOVA WB in order to carry out the Strategic Local Plan;
 - f. Carry out all administrative functions necessary to ensure sound management of programs and program funds;

- g. Approve the annual budget;
- h. Comply with and enforce all additional provisions under the WIOA.

E. Resolution of Disagreements.

All issues between the NOVA WB and the CITY shall be negotiated by both parties until a mutually satisfactory agreement is reached.

F. Period of Agreement.

This Agreement shall become effective July 1, 2015, and shall remain in full force and effect until June 30, 2020, or upon expiration of WIOA, whichever comes later. It may be amended or extended in writing at any time upon mutual consent of the parties.

G. Interpretation of Agreement.

This agreement has been reached in furtherance of the parties respective obligations under the WIOA and federally-adopted regulations enacted thereunder. The terms used herein shall be interpreted consistently with the definitions contained therein, in accordance with the purposes of said Act and regulations, as the same hereafter may be amended, which are hereby incorporated by this reference

CITY OF SUNNYVALE

NOVA WORKFORCE BOARD

Jim Griffith,
Mayor

Dennis Cima, Co-Chairperson

Steve Van Dorn, Co-Chairperson