#### **MLJT Board of Directors**

Amador Co: Supervisor Lynn Morgan
Mariposa Co: Supervisor Marshall Long
Tuolumne Co: Supervisor Randy Hanvelt
Calaveras Co: Supervisor Chris Wright
MLWIB Chair: Rosetta Bannwarth

## MOTHER LODE JOB TRAINING BOARD OF DIRECTORS



## **Meeting Agenda**

Monday, January 25, 2016 (10:00 a.m. – 12:00 p.m.) Mother Lode Job Training

197 Mono Way, Suite B, Sonora CA 95370 Questions: (209) 533-3396 – Jeff Dickason

### CALL TO ORDER AND ROLL CALL

#### **PUBLIC COMMENT**

The Mother Lode Job Training Board of Directors welcomes public comments. A member of the public may comment on agenda items or any item that is within the subject matter jurisdiction of the Board, even though subject matter may not be on the agenda. The Chair will limit the time allocated to each individual public speaker to no more than five (5) minutes.

#### **ACTION ITEMS**

A1: Acceptance of October 19, 2015 MLBOD meeting minutes

A2: MLWIB Membership

A3: Identification of representatives and alternates from each of the Boards of Supervisors in the JPA and annual election of Officers of the Mother Lode Job Training Board of Directors

**A4:** WIOA Planning and Implementation Benchmarks

**A5:** Second Reading: Update Joint Powers Agreement between the four counties

**A6:** Second Reading: Update to the Board of Director's By-Laws

A7: Second Reading: Update Agreement between the Local Elected Officials and the Workforce Board

**A8:** Consideration of a Memorandum of Understanding between Mother Lode Job Training and Delta Launch Charter School

**A9:** Executive Director's Report

#### **INFORMATION ITEMS**

11: 2016 Meeting Calendar

**NEXT MEETING:** Monday, April 18, 2016 from 10:00 a.m. to 12:00 p.m.

#### **ADJOURN**

## MATERIALS SUPPORTING ACTION ITEMS

Acceptance of the October 19, 2015 MLBOD meeting minutes. A1:

#### **MLJT Board of Directors**

Amador Co: Supervisor Lynn Morgan Mariposa Co: Supervisor Marshall Long Tuolumne Co: Supervisor Randy Hanvelt

Calaveras Co: Supervisor Chris Wright

MLWIB: Chair Vacant

## MOTHER LODE JOB TRAINING **BOARD OF DIRECTORS**



## **Meeting Minutes**

Monday, October 19, 2015 (10:00 a.m. - 12:00 p.m.) **Mother Lode Job Training** 197 Mono Way, Suite B, Sonora CA 95370

## **CALL TO ORDER AND ROLL CALL**

R. Hanvelt declared it 10:00 a.m. in Tuolumne county and called the meeting to order.

V. Long completed roll call and a quorum was determined to be present.

<b>Board Member</b>		Others Present
Amador County:	Lynn Morgan	Jeff Dickason, Executive Director
Tuolumne County:	Randy Hanvelt	Vicki Long, Tuolumne Manager
Calaveras County:	Chris Wright	Karen Puccio, Amador Manager
Mariposa County:	Absent	Mark Eiserer, HR/Program Analyst
ML WIB Chair:	Absent	

#### **PUBLIC COMMENT**

The Mother Lode Job Training Board of Directors welcomes public comments. A member of the public may comment on agenda items or any item that is within the subject matter jurisdiction of the Board, even though subject matter may not be on the agenda. The Chair will limit the time allocated to each individual public speaker to no more than five (5) minutes.

R. Hanvelt asked for public comment and there was none.

A1: Acceptance of July 20, 2015 MLBOD meeting minutes.

> **Action:** A motion to accept the minutes from the July 20, 2015 of the Mother Lode Board of Directors was made by C Wright with a second by L Morgan. Motion carried with M Long and R Bannwarth absent (3-0-0 with 2 absent).

A2: MLWIB Membership

> LEO Agreement: "The Board shall appoint members to the WIB in accordance with Section 117 of the [Workforce Investment] Act."

Consideration of approving WIB membership changes including:

M1: Resignations

> Cornelio Gomez **EDD Wagner Peyser** Heather Farris Private Sector **Private Sector** Lynn Nolte Steve Yanez Private Sector / Labor/Apprenticeship

M2:	Appointments	Mary Ruiz	EDD Wagner Peyser
M3:	Extensions	Ben Saldana	Private Sector
M4:	Status Changes	Jeff Dickason Shelly Hance Rebecca Mendibles Rebecca Espino Velma Whitebear	For Option 2 Make Ex-Officio Make Ex-Officio Make Ex-Officio Make Ex-Officio Make Ex-Officio

Members discussed WIOA membership requirements and strategies to meet these, as well as vacancies, meeting schedules, county representation, industry sectors from which we are seeking membership and the benefits to business of membership. J Dickason suggested that his membership should be ex-officio to avoid real or perceived conflicts of interest. Members made suggestions for contacts for recruitment and agreed to follow-up within their counties to recruit private sector membership.

**Action:** A motion to accept membership changes was made by L Morgan with a second by C Wright. Motion carried with M Long and R Bannwarth absent (3-0-0 with 2 absent).

**A3:** WIOA Planning and Implementation Benchmarks

J Dickason presented a WIOA planning and implementation time line and benchmarks based on the latest information and direction from the state of California Workforce Investment Board and Employment Development Department. J Dickason reviewed the time line and when each item would be required to be in place.

**Action:** Members discussed time lines, priorities and transition, and accepted the report by consensus.

**A4:** First Reading: Update Joint Powers Agreement between the four counties

J Dickason presented a first reading of a draft of the Joint Powers Agreement between the four counties that was updated to reference and conform to the new Workforce Innovation and Opportunity Act. Members were asked to review the draft in preparation for adoption at a following meeting.

**Action:** Members accepted the initial draft for later consideration by consensus.

**A5:** First Reading: Update to the Board of Directors Bylaws to conform with WIOA requirements

J Dickason presented a first reading of a draft of the Board of Directors Bylaws that were updated to reference and conform to the new Workforce Innovation

and Opportunity Act. Members were asked to review the draft in preparation for adoption at a following meeting.

**Action:** Members accepted the initial draft for later consideration by consensus.

**A6:** First Reading: Update the Agreement between the Local Elected Officials and the Workforce Board

J Dickason presented a first reading of a draft of the Agreement between the Local Elected Officials and the Workforce Board that was updated to reference and conform to the new Workforce Innovation and Opportunity Act. Members were asked to review the draft in preparation for adoption at a following meeting.

**Action:** Members accepted the initial draft for later consideration by consensus.

A7: Consideration of policy adjustment to the MLJT Paydays Policy

J Dickason and M Eiserer presented and responded to questions by members regarding a draft policy to adjust the MLJT Paydays Policy from the current 26 pay periods per year to a bi-monthly schedule.

**Action:** A motion to accept the recommended changes to the MLJT Paydays Policy was made by L Morgan with a second by C Wright. Motion carried with M Long and R Bannwarth absent (3-0-0 with 2 absent).

**A8:** Consideration of policy adjustments to the MLJT Holiday Policy

J Dickason presented and responded to questions by members regarding possible adjustments to the MLJT Holiday Policy.

**Action:** No action was taken.

**A9:** Executive Director's Report

J. Dickason provided a report on activities of the Executive Director and the Agency, and discussed accomplishments and challenges of the organization, WIOA transition and fielded questions from members

Action: Members discussed and accepted the report by consensus.

#### **INFORMATION ITEMS**

**I1:** 2016 Meeting Calendar:

J. Dickason presented the 2016 meeting calendar to members.

### **NEXT MEETING**

Members were reminded that the next meeting of the Board is scheduled for Thursday, January 25, 2016 from 10:00 a.m. to 12:00 p.m. as a joint meeting with the Mother Lode Workforce Investment Board.

#### ADJOURN

R. Hanvelt thanked members for their time and attention, and adjourned the meeting at 11:30 a.m.

## A2: Mother Lode Workforce Investment Board Membership

**Action:** Consideration of approval of WIB membership changes conforming to WIOA requirements and, additional actions related to Workforce Board membership sought by members.

M1: Resignations None

M2: Appointments None

M3: Extensions None

M4: Status Changes None

#### **Discussion:**

The Workforce Opportunity and Innovation Act (WIOA) requires the following representatives:

- 1) 50% + Businees majority and Chair;
- 2) 20% Labor/Workforce representatives;
- 3) Mandatory core One-Stop Partners partners:
  - Wagner Peyser
  - Title I Vocational Rehabilitation
  - Adult Education and Literacy
  - Higher Education
  - Government, Economic & Community Development.
- 4) A member may represent one or more required sectors.

The Membership Report in this agenda packet includes the current membership of the Mother Lode Workforce Board, effective October 19, 2015.

## **MEMBERSHIP REPORT**

# Mother Lode Workforce Investment Board WIOA Composition/Membership Effective October 19, 2015

Total Seated*: 17	Total Business: 9	Workforce: 4	Mandated Partners*: Meets
(*Members fill multiple requirements)	Percent: 53	Percent: 24%	
Have 17 / Need 0	Have 9 / Need 0	Have 4 / Need 0	Have 5 / Need 0

WIOA Membership Sec. 107(b)(2)	Name	Company/Organization	
Business Representation (Majority)			8
Hospitality	Rosetta Bannwarth	Banny's Restaurant and Catering	1
Hospitality/Tourism	Michelle Watkins	Black Oak Casino	2
Hospitality/Tourism	Ben Saldana	Delaware North Corporation	3
Technology/Communications	Tim Hildabrand	HSTAR, Inc.	4
Technology/Communications	Ben Hulet	Mother Lode Internet	5
Technology/Communications	Frank Leschinsky	Volcano Telephone	6
Technology/Energy	Sue Westgate	MRL Industries	7
Construction/Retail Trade	Mark Borchin	The Glass Doctor	8
Health/Medical	Tyler Newton	Sonora Regional Medical Center	9
Workforce Representation (20%)			4
Labor	Debra Rockwood	UNITE-HERE! Local 19	1
Labor	Bill Petrone	Service Employees International Union 1021	11
Labor	James Wood	Laborers Local 1130	12
Youth Education & Employment	Margie Bulkin	Tuolumne Superintendent of Schools	13
Education (2 Required)			2
Higher Education	Klaus Tenbergen	Columbia College	14
Adult Educaton	Klaus Tenbergen	Columbia College	*
Economic Development (1 Required)			1
Economic Development	Larry Cope	Central Sierra Economic Development District & Tuolumne Economic Development Authority	15
One-Stop Partners (2 Required)			2
Title III Wagner-Peyser	Mary Ruiz	Employment Development Department	16
Title IV Vocational Rehabilitation	Mahalia Gotico	Vocational Rehabilitation Department	17
Optional Partners (Ex-Officio)			
Title I WIOA Programs	Jeff Dickason	Mother Lode Job Training	0
TANF/Welfare-to-Work	Rebecca Espino	Tuolumne County Department of Social Services	0
CBO - HUD/CSGB	Shelly Hance	Amador-Tuolumne Community Action Agency	0
Title V Older Americans	Rebecca Mendibles	SER Jobs for Progress National, Inc.	0
Native American Programs	Velma Whitebear	California Indian Manpower Consortium	0

## **WIOA - Local Board Membership Criteria**

Section 107(a) of WIOA authorizes the Governor, in partnership with the State Board, to establish criteria for chief elected officials to use to appoint members of the local boards. The following table provides the composition requirements for membership on local workforce development boards which are stipulated in Section 107(b)(2) of WIOA and the criteria developed by the Governor.

## **General Provisions**

- Members of the board that represent businesses must be individuals with optimum policymaking authority within the organizations, agencies, or entities.
- Members of the board shall represent diverse geographic areas within the local area.
- CEOs have the option of appointing additional members as deemed appropriate; however, officials are advised to keep in mind that appointing additional members will increase the overall size of the board. In particular, if the additional appointees are not business representatives, then additional business appointments may be required to maintain a business majority.
- CEOs should make board appointments with staggered term durations if possible to ensure continuity and stability for board operation.
- Members that would normally require nomination for appointment by the CEO (business, labor union, higher education, Title II) may be "grandfathered" onto Local Workforce Development Boards if they fit within the WIOA compliant membership.
- Appointees may represent more than one membership category.
- Representatives from local chambers of commerce (e.g., an executive director of a
  local chamber of commerce) may be appointed to serve on local boards to represent
  economic development agencies, business membership, community-based
  organizations, or as additional members whom CEOs may determine to be
  appropriate. These representatives must comply with all criteria from the
  category(ies) they seek to represent.
- The LWDB Chair shall be elected from among business representation.

Category	Composition & Nomination Process Criteria			
BUSINESS REPRESENTATION – MUST BE MAJORITY OF BOARD COMPOSITION				
Business (includes chairperson)	<ul> <li>Business members must be owners, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority.</li> <li>Members must represent organizations which provide employment opportunities including high quality, work relevant training and development in in-demand industry sectors or occupations.</li> <li>At least two business members must be representative of small business as defined by the U.S. Small Business Administration.</li> </ul>			

	<ul> <li>Unless grandfathered, business nominations must be made by local business organizations or business trade organizations.</li> <li>Businesses must have at least 2 employees other than the owner or partners.</li> <li>Each business may have only one representative on the local board.</li> </ul>
WORKFORCE REPRESENTA	ATION – 20% OF BOARD COMPOSITION
Labor Organizations	Labor organization representatives, unless grandfathered, must have been nominated by local labor federations or by other representatives of employees if in a local area in which no employees are represented by such organizations.
Apprenticeship Programs	<ul> <li>A representative of a labor organization or training director from a joint labor-management apprenticeship program, or if no such joint program exists in the area, a representative of an apprenticeship program, if one exists.</li> </ul>
Community-based Organizations (optional)	<ul> <li>Representatives of CBOs that have demonstrated experience and expertise in addressing employment needs of individuals with barriers to employment including those that serve veterans or that provide or support competitive integrated employment for individuals with disabilities.</li> </ul>
Youth Organizations (optional)	<ul> <li>Representatives of organizations that have demonstrated experience and expertise in addressing the employment, training or education needs of eligible youth, including representatives that serve out-of-school youth.</li> </ul>

Category Composition & Nomination Process Criteria				
OTHER REPRESENTATIVES – ADDITIONAL REQUIRED REPRESENTATION AND OPTIONAL MEMBERS				
Title II Adult Education and Literacy (required)	<ul> <li>A representative of eligible providers administering adult education and literacy activities under WIOA Title II.</li> <li>If there is more than one Title II provider in the local area, member must be nominated by these providers.</li> </ul>			
Higher Education (required)	<ul> <li>A representative of institutions of higher education providing workforce investment activities (including community colleges).</li> <li>If there is more than one higher education provider in the local area, member must be nominated by these providers).</li> </ul>			
Economic and Community Development (required)	<ul> <li>A representative of economic and community development entities.</li> </ul>			

Title III Wagner-Peyser	EDD will designate one representative.
Program (Required)	
Title IV Vocational Rehabilitation Program (required)	<ul> <li>A representative of the programs carried out under Title I of the Rehabilitation Act of 1973 (other than section 112 or Part C of that title).</li> </ul>
Local Education Agencies and Community-Based Organizations (optional)	<ul> <li>Includes 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.</li> </ul>
Other programs/Organizations (optional)	<ul> <li>Includes representatives of entities administering programs serving the local area relating to transportation, housing and public assistance.</li> <li>Includes representatives of philanthropic organizations serving the local area.</li> </ul>
Discretionary Appointments (optional)	<ul> <li>Includes other representatives of entities as the chief elected official in the local area may determine to be appropriate.</li> </ul>

A3: Identification of representatives and alternates from each of the Boards of Supervisors in the JPA and annual election of Officers of the Mother Lode Job Training Board of Directors

**Action:** Identify representatives and alternates from each of the Boards of

Supervisors in the JPA and conduct an election for Chair and Vice-

Chair of the Mother Lode Job Training Board of Directors.

Discussion: Each year the Boards of Supervisors of each of the four counties in

the JPA identifies representatives and alternates to the Mother Lode Job Training Board of Directors and provides contact

information for each.

**Please confirm:** Mother Lode Job Training Board of Directors

Representing	Member:	Alternate:
Amador	Lynn Morgan	Louis Boitano
	Amador County BOS	Amador County BOS
	810 Court Street	810 Court Street
	Jackson, CA 95642	Jackson, CA 95642
	(209) 223-6470	(209) 223-6470
	(209) 257-0619 FAX	(209) 257-0619 FAX
	Imorgan@amadorgov.org	Iboitano@amadorgov.org
Calaveras	Christopher Wright	Michael Oliveira
	Calaveras County BOS	Calaveras County BOS
	891 Mountain Ranch Road	891 Mountain Ranch Road
	San Andreas, CA 95249	San Andreas, CA 95249
	(209) 304-3729	(209) 754-6308
	cwright@co.calaveras.ca.us	mcoliveira@co.calaveras.ca.us
Mariposa	Marshall Long	Rosemary Smallsombe
	Mariposa County BOS	Mariposa County BOS
	P.O. Box 784	P.O. Box 784
	Mariposa, CA 95338	Mariposa, CA 95338
	(209) 966-3222	(209) 966-3222
	(209) 966-5147 FAX	(209) 966-5147 FAX
	mlong@mariposacounty.org	rsmallsombe@mariposacounty.org
Tuolumne	Randy Hanvelt	Sherri Brennan
	Tuolumne County BOS	Tuolumne County BOS
	2 S. Green Street	2 S. Green Street
	Sonora, CA 95370	Sonora, CA 95370
	(209) 533-5521	(209) 533-5521
	(209) 533-6549 FAX	(209) 533-6549 FAX
	rhanvelt@co.tuolumne.ca.us	sbrennan @co.tuolumne.ca.us
WIB	Rosetta Bannwarth, WIB Chair	Tyler Newton, WIB Vice-Chair
	197 Mono Way, Suite B	Employment Supervisor
	Sonora CA 95370	Sonora Regional Medical Center
	(209)533-3396	1000 Greenley Road
	(209)533-1079 FAX	Sonora CA 95370
	Bannyscafe@sbcglobal.net	(209)536.5032
		NewtonTC@ah.org

## **Election of Officers:**

Officers of the Board are elected, as provided for under the Mother Lode Board of Director's Bylaws, Article IV: Officers

Section I: The officers of the Board shall include a chairperson and vice-

chairperson.

Section II: The officers shall be elected by a majority vote of the Board

members.

Section III: The officers shall serve for a term of 12 months from the date of

election.

2015 Officers:		2016 Officers:	
Chair:	Randy Hanvelt	Chair:	
Vice-Chair:	Chris Wright	Vice-Chair:	

## **A4:** WIOA Planning and Implementation Benchmarks

Action: At the discretion of the Board.

USDOL and EDD have been working diligently to release WIOA related guidance, and staff is reviewing and working to incorporate the new requirements into our internal guidance, policies and processes as direction is given.

CWIB and EDD leadership have provided insight into the implementation time lines that are being adopted by the state. These timelines have changed and will continue to evolve as implementation continues.

Updates to critical benchmarks for our current purposes include:

ITEM	LEAD	STATUS	DUE	COMPLETE
Initial Local Area Designation	BOD	Complete	Mar 2015	Mar 2015
Final Local Area Designation	BOD			Jul 2017
<ul> <li>Update Joint Powers Agreement for WIOA</li> </ul>	BOD	In Process	Jul 2016	
<ul> <li>Update BOD By-Laws for WIOA</li> </ul>	BOD	In Process	Jul 2016	
Regional Area Designation	BOD	Complete	Mar 2015	Mar 2015
Local Board Recertification				Mar 2017
- BOD Identifies Membership Configuration	BOD	Complete	Jul 2016	Oct 2015
- Membership Recruitment	ALL BOD	Ongoing		
<ul> <li>Update WIB/LEO Agreement for WIOA</li> </ul>	BOD/WIB	In Process	Jul 2016	
<ul> <li>Update WIB By-Laws for WIOA</li> </ul>	WIB	In Process	Jul 2016	
Procure WIOA Youth Services	WIB	Complete	Jul 2015	May 2015
Procure WIOA One-Stop Operator				Jul 2017
<ul> <li>Authorize staff to develop RFQ/RFP</li> </ul>	WIB	Complete		
- Approve RFQ/RFP	WIB	Apr 2016		
- Run Procurement	TCEDA	Jun 2016		
- Evaluate Applications	WIB	July 2016		
- Select Provider	WIB	Aug 2016		
- Approve Provider/Address Appeals	BOD	Oct 2016	Jan 2017	
- Transition program (as necessary)	WIB	Jan 2017 - Jun		
		2017		
Procure WIOA Career Services Provider	WIB	As warranted	Not Required	Jul 2017
WIOA Policy Guidance				
- Youth expenditure requirement - 75% (Budget)	BOD/WIB	Complete	May 2015	Budgeted
<ul> <li>Youth Work-Based Learning set-a-side (Budget)</li> </ul>	BOD/WIB	Complete	May 2015	Budgeted
- Youth Program Elements (Youth Provider RFP)	BOD/WIB	Complete	May 2015	Procured
- Priority of Service Provisions	WIB	In Process	Feb 2016	
- Selective Service Registration	WIB	In Process	Feb 2016	
- Transitional Jobs	WIB	In Process	Feb 2016	
- Incumbent Worker Training	WIB	In Process	Feb 2016	
- On-the-Job Training	WIB	In Process	Feb 2016	
- Work Experience	WIB	In Process	Feb 2016	
Re-Negotiate Performance for WIOA	WIB	CWIB	Unknown	
Accounting & Fiscal Management				
- Change Chart of Accounts	MLJT	Complete	Jul 2015	Jul 2015
- Updates to Staff time-sheets	MLJT	Complete	Jan 2016	Jan 2016
- Change to 24 Pay Periods per Year	BOD	Complete	Jan 2016	Jan 2016
- WIA Closeout	MLJT	In Process	Jul 2016	Jul 2016
				_

MLJT Re-Organization for WIOA				Jul 2017
<ul> <li>Separation of WIB from Service Provider</li> </ul>	BOD/WIB	In Process	Jul 2017	
<ul> <li>Update position descriptions for WIOA</li> </ul>	BOD	In Process	Jul 2017	
- Update salary classifications	BOD	In Process	Jul 2017	
- Update Personnel Policies	BOD	In Process	Jul 2017	
Staff Training				
- WIOA Program Flow	MLJT	Complete	Oct 2015	
		/Ongoing		
- WIOA Service Delivery	MLJT	Complete	Oct 2015	
		/Ongoing		
Local Area and Regional Strategic Plan	WIB	CWIB Mar	Mar 2017	
		2017		
Executive Director Search	BOD	Planning		
- LEO Agreement on Timeline and Process		3	Jan 2016	
- Identify organizational structure and needs			Apr 2016	
- Select recruitment method (County/Firm-RFP)			Apr 2016	
- Update job description			Apr 2016	
- Post job (begin recruitment)			Jul 2016	
- Candidate screening			Aug 2016	
- Initial interviews			Sep 2016	
- Final interviews			Oct 2016	
- Employment offer			Nov 2016	
• •				
On-board new Executive Director			Dec 2016	

Under the Joint Powers Agreement among the member counties of the Mother Lode Consortia (Amador, Calaveras, Mariposa, Tuolumne) Mother Lode Job Training (MLJT) is created and is designated as the Fiscal and Administrative Entity for the receipt of grant and contract funds supporting the delivery of workforce services within the local area. In keeping with this responsibility, MLJT staff are currently engaged in further refining and documenting the implementation of WIOA through written procedure and engagement of the Mother Lode Job Training Board of Directors and Mother Lode Workforce Board, as appropriate to establish policy guidance. Currently this work includes:

- 1. Re-write of the state of California EDD Technical Assistance Guide (TAG) for WIA to conform with new WIOA requirements (note: EDD has not updated its TAG or published a release date for a WIOA compliant guide, and the existing guide is being re-written by MLJT staff as a stop gap measure).
- 2. Policy revisions in process for WIOA:
  - a. Priority of Service
  - b. Selective Service Registration
  - c. Transitional Employment
  - d. Work Experience
  - e. Incumbent Worker Training
  - f. On-the-Job Training
- 3. Accounting and Fiscal Management Updates including:
  - a. Revisions to the Chart of Accounts to conform with new WIOA set-a-side and reporting requirements

- b. Revisions to staff time sheets to address WIOA, grant and contract reporting requirements
- c. Changes to MLJT pay day schedule from 26 per year to 24 per year to create significant accounting and fiscal management efficiencies
- d. Closeout of WIA grants as carry-over funds from the prior year are expended
- MLJT Re-organization for WIOA supporting
  - a. Clarification of roles, responsibilities and authorities of
    - i. Mother Lode Job Training Board of Directors
    - ii. Mother Lode Workforce Board
    - iii. Designated Fiscal and Administrative Entity: Mother Lode Job Training
    - iv. One-Stop Operator
    - v. Provider of WIOA Adult & Dislocated Worker Career Services
    - vi. Provider of WIOA youth services
  - b. Updates to foundation governance documents
    - i. Joint Powers Agreement among member counties
    - ii. Board of Directors By-Laws
    - iii. LEO agreement with the Workforce Board
    - iv. Workforce Board By-Laws
- 5. Research supporting the procurement of the One-Stop Operator
  - a. Establishing One-Stop Operator roles, responsibilities and authorities
  - b. Defining One-Stop Operator performance expectations and core accountabilities
  - c. Establishing Request for Proposals criteria and procurement methodologies
  - d. Defining contract management methodologies

**A5:** Second Reading: WIOA update to the Joint Powers Agreement

**Action:** Update JPA agreement to conform with WIOA requirements

**Discussion:** Staff has reviewed the existing JPA agreement which was last updated in April 2008 and is suggesting the following updates which are highlighted in redline and strikeout in the JPA agreement. This is a first reading to begin the discussion and to collect initial input. Final action on the JPA agreement is scheduled for January or April.

## JOINT EXERCISE OF POWER AGREEMENT FOR THE CREATION OF THE MOTHER LODE JOB TRAINING AGENCY

**WHEREAS**, the Congress of the United States has enacted the Workforce Investment Innovation and Opportunity Act, hereinafter referred to as the ACT to consolidate, coordinate, and improve employment, training, literacy, and vocational rehabilitation programs in the United States, and for other purposes; and

**WHEREAS**, such legislation provides that units of general purpose government may join with other such units in a consortium to qualify as a Workforce Investment

Development Area, hereinafter referred to as the WIA; and

**WHEREAS**, Article I, Chapter 5, Division 7, Title I of the California Government Code commencing with Section 6500 permits units of local government to enter into agreements for such purposes; and

WHEREAS, the Local Elected Officials of the Counties of Amador, Calaveras, Mariposa and Tuolumne are in agreement that workforce preparation and related services can best be provided and administered within the WIA Workforce Development Area comprised of the said Counties by the Mother Lode Job Training Agency created hereunder;

**NOW, THEREFORE**, the parties to this Agreement hereby jointly establish the Mother Lode Job Training Agency, hereinafter referred to as the AGENCY, to be governed by the following articles:

#### I. PURPOSE

The purpose of the AGENCY is to develop and implement workforce preparation programs within the WIOA utilizing funds including, but not limited to, grants under the ACT from/with private firms, non-profit organizations, local governments, the State of California and/or the United States for the alleviation of unemployment or underemployment in the aforementioned Counties of California and to address the needs of job seekers and employers.

The purpose of this Agreement is to create a separate public entity, separate and apart from the parties hereto, which will exercise the powers enumerated in the agreements. The entity, to be known as the Mother Lode Job Training Agency, shall administer this Agreement.

#### II. AREA OF SERVICE

- A. The geographical areas to be served are the entire counties which are signatories to this Agreement notwithstanding modification by future amendment.
- B. The parties to this Agreement hereby certify that state and local law permit services to be provided within the entire geographical areas of the WIA Workforce Development Area.
- C. Services will be provided throughout the counties within the WIA Workforce

  Development Area Services will not be provided in counties not signatory to this

  Agreement. No units of general local government within the area to be served within the WIA have informed the AGENCY that they do not wish to have services provided in their area.

#### **III. ORGANIZATION**

#### A. Board of Directors

- 1. The AGENCY shall be governed by a Board of Directors, hereinafter referred to as the BOARD, consisting of the Chairperson of the Board of Supervisors of each member County, or his/her designee who must also be a local elected official; and of the Chair of the WIOA Workforce Investment Board. Each member County's Board of Supervisors shall designate their County's representative to the BOARD and one alternate representative not later than January 31 of each year.
- 2. Each Director shall have one (1) vote in matters before the BOARD.
- 3. The BOARD shall meet at least quarterly. Meetings shall be conducted in public pursuant to the provisions of the Brown Act. Notice of BOARD meetings shall be made not less than ten (10) days in advance. A quorum of the BOARD shall consist of a simple majority of the membership.
- 4. The BOARD may meet in special session at the request of two or more BOARD members. Notice of special meetings may be given by telephone seventy-two (72) hours in advance with at least 24-hour written confirmation to follow.
- A Chair and Vice Chair shall be selected by the BOARD from among its elected officials. The WIB Workforce Board Chair shall not be eligible to serve as Chair or Vice Chair, but shall be eligible to participate in their selection.
- 6. The BOARD shall have the following powers and responsibilities:
  - Administrative policy direction/formulation and supervision of the AGENCY central operations unit hereafter referred to as the operations unit, including hiring and firing authority over the Director(s);
  - b. Acting upon proposed Agreement amendments;
  - c. Making all appointments of the Workforce Investment Board, which shall be made according to State and Federal law;
  - d. Review and approval action on the WIOA Strategic Five Year Local

#### Plan;

- e. Allocating new funds from the ACT for programs in member Counties using the formula method imposed on the Governor by the ACT for allocating funds to WIAs Workforce Development Areas in California;
- f. Reallocating under-expended program funds based on policies devised by the WIOA Workforce Investment Board;
- g. Review and approval of AGENCY budget.

#### B. Workforce Investment Board

- The Workforce Investment Board, hereinafter referred to as the WIB, shall be selected by the BOARD in the manner prescribed by law. The WIB Workforce Board shall consist of:
  - a. A majority of members No more than seven (7) members from each County who shall represent private sector business. In each County, These members shall have been nominated by the local business organizations and trade associations and will meet the requirement of section 107(b)(2) of the Act.
  - b. Twenty (20%) percent or more of A sufficient number of representatives from labor, apprenticeship, workforce, and community based organizations with demonstrated experience and expertise in addressing the employment, training or education needs of individuals with barriers to employment, each of the following community sectors as required by Federal and State regulations:
    - i. Local educational entities
    - ii. Labor organizations (2 or more)
    - iii. Economic development agencies Apprenticeship Programs, if present in the local area (1 or more)
    - iv. Community based organizations (optional)
    - v. Youth providers (optional)
  - c. A sufficient number of Rrepresentatives from each of the following public sectors as required by Federal and State regulations (Note: an individual may represent more than one sector if so authorized):
    - i. Adult Education and Literacy Services
    - ii. Higher Education including Community Colleges
    - iii. Economic and Community Development
    - iv. Wagner Peyser Programs
    - v. Vocational Rehabilitation Programs under Title I of the Rehabilitation Act of 1973

- d. Other representatives as appropriate to provide representation and input from critical stakeholders, these members may be afforded voting rights or may be ex-officio, and may include but are not limited to:
  - i. WIA Title 1 (adult, youth and dislocated workers)
  - ii. Native American Programs
  - iii. Welfare to Work (DOL Funded)
  - iv. Employment Services (EDD, Wagner-Peyser Act)
  - v. Adult Education and Literacy Services
  - vi. Vocational Rehabilitation
  - vii. Veterans Employment Services
  - viii. Older American Act
  - ix. Postsecondary Vocation Education
  - x. Voc. And Applied Technology Education Act
  - xi. Trade Adjustment Assistance
  - xii. Unemployment Insurance
  - xiii. Community Services Block Grant
  - xiv. HUD Employment and Training

Workforce Investment in welfare department.

- 2. Members from the community sectors enumerated in paragraph b. and c. shall be selected on a geographically equitable basis by the BOARD.
- 3. All vacancies on the The WIB Workforce Board shall be filled by majority vote of the BOARD.
- 4. The WIB Workforce Board shall meet at least quarterly to conduct its business. Notice of WIB meetings shall be made 10 days in advance. A The WIB Workforce Board quorum shall consist of one-third (1/3) of the seated membership.
- 5. The WIB Workforce Board may meet in special sessions at the request of four or more of its members. Notice of special meetings may be given by telephone at least 72 hours in advance with 24-hour written confirmation to follow.
- 6. At its initial meeting, and annually thereafter, the WIB Workforce Board shall elect a Chair and Vice-Chair, selected from among its private sector members who shall serve a one-year term,
- 7. The WIB Workforce Board shall have the following functions and

## responsibilities:

- a. Provide program policy guidance for and exercise oversight of activities under the Strategic Five Year Plan for the WIOA.
- b. Review and approve the selection of grant recipients and program operators in the member County programs.
- c. Design and develop the WIOA Strategic Five Year Plan.
- d. Such other duties and responsibilities specifically delineated in the Federal and/or State regulations implementing the ACT.

## C. Operations Unit Mother Lode Job Training

- 1. The Director of the Operations Unit Mother Lode Job Training shall be directly responsible to the BOARD of the AGENCY and shall be delegated the following powers and responsibilities:
  - a. To enter into contracts, sub grants and agreements for the performance of such services as may be required by the terms of any program authorized by the BOARD.
  - b. To enter into modifications of grants previously approved by the BOARD.
  - c. To sign state and federal grants and modifications as authorized by the BOARD.
  - d. To receive and expend funds.
  - e. To adopt a personnel system that shall meet Federal and State regulations.
  - f. To employ and manage personnel. All staff shall be employees of the AGENCY.
  - g. To organize and train staff.
  - h. To develop and implement procedures for personnel management, program planning, program operations and program assessment.
  - i. To monitor and conduct evaluations of program performance.
  - j. To determine the need and recommend to the BOARD the reallocation of resources.
  - k. To furnish staff support to the BOARD and to the WIB Workforce Board.
  - I. To have custody and charge of all AGENCY property, other than money.
  - m. To prepare and maintain documents required of the AGENCY in accordance with federal regulations and adopted AGENCY

policies.

- n. To authorize payments by the AGENCY Controller to contractors, employees, and suppliers.
- o. To provide fiscal and property management systems. p. To provide a management information system.
- p. To operate programs according to the Strategic Five Year Plan.
- q. To receive and disseminate to affected parties changes and amendments in the ACT and other government regulations affecting the activities of the AGENCY.
- r. To perform additional functions and assume additional responsibilities as determined by the BOARD.
- s. To cause minutes to be taken of all meetings of the WIB
  Workforce Board and BOARD, and to distribute copies thereof to
  each member of said groups and to other interested parties
  making a request therefore.

### IV. DEBTS, LIABILITIES, AND OBLIGATIONS

Pursuant to Section 6509 of the California Government Code the debts, liabilities and obligations of the AGENCY shall be those of the AGENCY and not of the parties to this Agreement. General liability, automobile, and workers' compensation insurance coverage shall be maintained by the AGENCY in at least the amounts that one of the parties to this Agreement provides for its own insurance coverage. Should any debts, liabilities, or obligations of the AGENCY not be waived or allowed payable through the assets of the AGENCY, the parties to the Agreement shall each not be liable.

#### V. MAINTENANCE OF THE AGREEMENT

- A. This Agreement shall become effective immediately upon execution by all parties hereto and shall continue in full force until a motion to dissolve the AGENCY is accepted by a two-thirds vote of the Board of Directors.
- B. Parties to this Agreement must express their intention regarding withdrawal for the next program fiscal year at least one hundred and twenty (120) days prior to the start of that year.
- C. Parties to this Agreement may withdraw from the AGENCY for the program fiscal year in progress at any time by giving sixty (60) days notice. Withdrawal does not affect responsibility for previous action.
- D. Additional counties may petition the BOARD for membership. Petitions for membership in the program fiscal year must be given in sufficient time prior to the start of that year as required by the State of California and California Workforce Investment Board.

- E. Agreement amendments for the purpose of adding additional counties, or for any other purpose of modification, shall be referred to the Board of Directors for voting. This may be accomplished by mail. Amendments must be approved by a two-thirds vote of the BOARD.
- F. Upon termination of this Agreement, any money or other property, real or personal, in the possession of the AGENCY Operations Entity after the payment of all costs, expenses, and charges incurred under this Agreement shall be distributed first to the United States Government, or the State of California, if such is required by those agencies. After such required distribution, and after the satisfaction of all encumbrances, outstanding expenses and costs chargeable to the AGENCY, surplus funds or other property remaining in the possession of the AGENCY shall be distributed in the manner and in the order as follows:
  - 1. Funds and other property contributed directly by any party shall be distributed back to such party, in whole or as a pro-rata share, as dictated by available funds or other property.
  - Any further funds or other property remaining in the possession of the AGENCY shall be distributed among the parties to the agreement based on the pro-rata share of federal, state or other grants the parties hereto would have otherwise been entitled to in their individual and separate capacities.

#### VI. DEPOSITORY/ACCOUNTABILITY/BONDING

- A. The County of Tuolumne, hereinafter referred to as Fund Recipient, shall be the Controller and Depository of the AGENCY. As Depository, the Controller shall have custody of all monies received by the AGENCY, and the Controller shall:
  - Receive and receipt for all said money of the AGENCY and place it in the Treasury of the Fund Recipient to the credit of the AGENCY;
  - 2. Be responsible upon his/her official bond for safekeeping and disbursement of all money of the AGENCY so held by him/her;
  - 3. Pay, when due, out of said money of the AGENCY so held, all sums due from AGENCY money, only upon warrants of or checks issued by said Controller;
  - 4. When allowable under law, the Controller shall credit interest earnings due on said money to the credit of the AGENCY. All interest earned is to be kept in a reserve account. The purpose of the reserve account is for the payment of the AGENCY's disallowed expenditures, if any, as determined by the granting authority. Interest earnings over and above a reserve limit, as established by the Board of Directors, shall be used in the same manner as program money.
  - 5. Verify and report in writing on the 25th day of July, October, January,

and April of each year to the Board of Directors, to the parties of this Agreement, and to the WIB Workforce Investment Board the amount of said money held for the AGENCY, the amount of receipts since the last report, the amount credited for interest earnings, and the amount paid out since the last report.

B. The Controller shall establish and maintain such funds and accounts as may be required by good accounting practice. All of the books and records of the AGENCY, including those in the custody of the BOARD Chair, WIB Workforce Board Chair, Controller or Director(s), shall be open to inspection at all reasonable times by representatives of the parties.

### VII. SEVERABILITY

Should any part, term, portion, or provision of this Agreement be decided to be in conflict with any law of the federal government or State of California, or otherwise be unenforceable or ineffectual, the validity of remaining parts, terms, portions, or provisions can be construed in substance to constitute the agreement that the parties intended to enter into in the first instance.

## CERTIFICATION OF AGREEMENT

WITNESS THE EXECUTION HEREOF the date set opposite our respective names:

CVEOLITED

County of Amador, a political subdivision:

Ву	EXECUTED	
Board of Supervisors	on	
County of Calaveras, a political sub	odivision:	
By Board of Supervisors	EXECUTED on	
County of Mariposa, a political subo		
Ву	EXECUTED	
Board of Supervisors	on	
County of Tuolumne, a political sub	division:	
Ву	EXECUTED	
Board of Supervisors	on	

**A6:** Second Reading: WIOA update Board of Directors By-Laws

**Action:** Update the By-Laws of the Board of Directors to conform with WIOA requirements

**Discussion:** Staff has reviewed the existing By-Laws of the Board of Directors which was last updated in February 2007 and is suggesting the following updates which are highlighted in redline and strikeout. This is a first reading to begin the discussion and to collect initial input. Final action on the By-Laws is scheduled for January or April.

Rev. 02-15-07

## MOTHER LODE JOB TRAINING BOARD OF DIRECTORS BYLAWS

**Article I: Name** 

The name of this body shall be the Mother Lode Job Training Board of Directors.

## **Article II: Purpose**

**Section I:** The purpose of the MLJT Board (hereinafter referred to as the Board), is to increase the involvement of the business community, including small business, minority business enterprises, and labor organizations in employment and training activities under the Workforce Investment Innovation and Opportunity Act (WIOA), and to increase employment opportunities for residents of the member counties. The Board shall appoint members and alternates to the Workforce Investment Board of the Mother Lode Workforce Investment Development Area (hereinafter referred to as the WIB Workforce Board).

### **Article III: Membership**

**Section I:** Membership shall consist of the Chairperson of the Board of Supervisors (or his/her designee) from each participating county, and the Chairperson of the WIB Workforce Board.

**Section II:** An alternate or designee may attend meetings and have full membership rights including voting privileges.

**Article IV: Officers** 

**Section I:** The officers of the Board shall include a chairperson and vice-chairperson. **Section II:** The officers shall be elected by a majority vote of the Board members. **Section III:** The officers shall serve for a term of 12 months from the date of election.

## **Article V: Meetings**

**Section I:** Meetings of the Board shall be held at least four (4) times per year. Additional meetings may be called whenever deemed necessary by the Chairperson, Vice-Chairperson or the Mother Lode Job Training Executive Director.

**Section II:** The MLJT staff shall send written notice of each regular meeting to Board members at least seven (7) days prior to the scheduled meeting. The written notice shall specify the time, date, location and agenda for the meeting.

**Section III:** Special meetings shall require a three (3) day notice. The Board Chairperson or a Director may call a special meeting. Section IV: Minutes shall be kept of each meeting, regular and special, and shall be available in the MLJT Administrative Office for anyone who requests to see them. Minutes shall be reviewed and approved at the subsequent Board meeting.

#### **Article VI: Committees**

**Section I:** The Board shall act as a committee of the whole, for all matters pertaining to concurrence with <a href="WHB-Workforce Board">WHB-Workforce Board</a> on budgets, programs and policy matters.

#### **Article VII: Quorum**

**Section I:** A quorum shall be a simple majority of the Board membership. A motion shall be passed or defeated by a majority of those members voting where a quorum has been established.

**Section II:** Alternate members may be counted toward a quorum as long as the total number of alternates does not exceed two-fifths of those present.

### **Article VIII: Amendment of Bylaws**

**Section I:** These bylaws may be amended at any regular meeting of the Board by a majority vote of those members present and eligible to vote.

## **Article IX: Parliamentary Authority**

All Board and committee meetings shall comply with The Brown Act.

A7: Second Reading: WIOA update to the Agreement between the Local Elected Officials and the Workforce Board

**Action:** Update the agreement between the Local Elected Officials and the Workforce Board (LEO/WIB Agreement) to conform with WIOA requirements

**Discussion:** Staff has reviewed the existing LEO/WIB Agreement which was last updated in October 2007 and is suggesting the following updates which are highlighted in redline and strikeout. This is a first reading to begin the discussion and to collect initial input. Final action on the WIB/LEO Agreement is scheduled for January or April.

## Workforce Investment Board / Local Elected Official Agreement

This Agreement is	made and entered into on this <mark>17<sup>th</sup></mark> day of <del>May,</del>
<del>2001</del>	, by and between the Workforce Investment Board of the
Mother Lode Cons	sortium Workforce <mark>I<del>nvestment</del> Development</mark> Area, hereinafter referred
to as the WIB Wo	kforce Board, and the Board of Directors of the Mother Lode
Consortium, herei	nafter referred to as the Board.

WHEREAS, the Workforce Investment <u>and Opportunity</u> Act, hereinafter referred to as the Act, authorizes the expenditure of federal funds for workforce <u>investment</u> programs in locally determined Workforce <u>Investment</u> <u>Development</u> Areas (<u>WIAsWDAs</u>); and

WHEREAS, the State of California has designated the Counties of Amador, Calaveras, Mariposa and Tuolumne as a Workforce Investment-Development Area known as the Mother Lode Consortium; and

WHEREAS, the Act requires the establishment of the Workforce Investment Board to provide guidance and oversight with respect to a Five Year Strategic Plan for the local WIDA; and

WHEREAS, a joint powers agreement has been entered into by and between each of the above-named counties which provides in part for the creation of a Workforce Investment Board and establishes the Mother Lode Job Training Agency as the Fiscal Agent and Operation Entity for the WIDA; and

WHEREAS, the Act requires a partnership between the Workforce Investment Board and the elected officials (Board) of the Mother Lode Consortium; and

WHEREAS, the Act requires the WIB Workforce Board and the Board to define the scope of this 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 WIB Workforce Board and the Board of the Mother Lode Consortium.

Be it further resolved through this mutual agreement that the WIB Workforce Board and the Board designate the County of Tuolumne as the Fund Recipient and the Mother Lode Job Training Agency as the Fiscal Agent and Operations Entity.

## I Authorities and Responsibilities of the Workforce Investment Board

- A. The WIB Workforce Board shall annually elect a chairperson and vice-chairperson from among those members representing the private business sector.
- B. The Workforce Board shall provide oversight and guidance to the Board on all matters pertaining to the provision of services under the Workforce Investment Innovation and Opportunity Act (WIOA), Welfare to Work (WtW), and other Area workforce preparation and related plans.
- C. The WIB Workforce Board shall review and approve the 5-year Strategic Plan developed by staff pursuant to the Act, and send it to the Board for its concurrence.
- D. The WIB Workforce Board shall establish performance expectations for the area's workforce investment development system in cooperation with the Board.
- E. The WIB Workforce Board shall certify and designate or terminate with cause, with agreement of the Board, the One-Stop operator in accordance with Section 121 of the Act.
- F. The WIB Workforce Board shall develop, modify and enter into a Memorandum of Understanding with the ML Consortium One Stop Center partners.
- G. The WIB Workforce Board shall assess the performance of and evaluate the benefit, productivity and impact of all programs funded.
- H. The WIB Workforce Board shall solicit the input and participation of the local business community in the provision of program services to eligible residents of the Workforce Investment Development Area.
- I. The WIB Workforce Board shall establish and maintain a process to secure public input and comment on the recommendations it formulates on the Strategic Plan and programs to be funded.
- J. The WIB Workforce Board shall identify the employment needs of the area's unemployed; the labor force needs of the area's employers; appropriate linkages between funds made available under the Act and economic development activities of the area; and other such analyses as are required by the Act, as well as those which the WIB Workforce Board determines to be appropriate and necessary to discharge its responsibilities.
- K. The WIB Workforce Board shall identify eligible providers of training services in accordance with Section 122 of the Act.
- L. The WIB Workforce Board shall appoint a Youth Council selected from individuals meeting requirements set forth in the Act. The Workforce Board shall establish standing or adhoc committees as necessary to assure representation and input from critical stakeholders and address operational needs.
- M. The WIB Workforce Board shall review and approve the allocation and reallocation

of resources recommended by Agency staff, and forward to the Board for concurrence.

## II <u>Authorities And Responsibilities of The Board of Directors of The Mother</u> <u>Lode Consortium</u>

- A. The Board shall annually elect a Chairperson and Vice-Chairperson from among its elected officials.
- B. The Board shall maintain, to the U.S. Department of Labor and the State of California, financial accountability for the proper administration of funds received pursuant to the requirements of the Act.
- C. The Board shall appoint members to the WIB Workforce Board in accordance with Section 117 107 of the Act.
- D. The Board shall approve the WIB appointments to the Youth Council.
- E. The Board shall approve the 5-year Strategic Plan and modifications thereof in partnership with the WIB Workforce Board.
- F. The Board shall approve the performance expectations established by the WIB Workforce Board for the area's workforce investment system.
- G. The Board shall allocate and reallocate resources in partnership with the WIB Workforce Board.
- H. The Board shall approve or terminate for cause the WIB Workforce Board selected One-Stop Operator.
- The Board shall be responsible for operational policy direction and formulation of the <u>Fiscal Agent and Operations Entity</u> <u>Agency central operations unit</u>, including selection of the Director(s).
- J. The Board shall approve the MOU's established between the WIB Workforce Board and One-Stop Partners.

The Mother Lode Consortium Job Training Agency, as established through the MLJT Joint Powers Agreement, shall be the grant recipient, Fiscal Agent and operations entity for the Area, and shall provide staff support to both the WIB Workforce Board and the Board.

## III Authorities and Responsibilities of the Agency Administration Department

The WIB Workforce Board Director shall be directly responsible to the Board and WIB Workforce Board to execute the programs and strategic plan approved by the Workforce Board and the Board and shall be delegated the following authority and responsibilities:

A. To enter into contracts, subgrants and agreements for the performance of such services as may be required by the terms of any program authorized by the Workforce Board and the Board.

- B. To enter into modifications of grants previously approved by the WIB Workforce Board and the Board.
- C. To sign state and federal grants and modifications thereof as authorized by the Board.
- D. To monitor and conduct evaluations of program performance.
- E. To determine the need and recommend to the WIB Workforce Board and Board the allocation and reallocation of resources.
- F. To furnish staff support to the Board and to the WIB Workforce Board.
- G. To prepare and maintain documents required of the <u>LWIA</u> <u>Workforce Development</u> <u>Area</u> in accordance with federal regulations and adopted Agency policies.
- H. To develop the Strategic Plan for review and approval of the WIB Workforce Board and the Board.
- I. To enter into and execute Strategic Plans.
- J. To cause minutes to be taken of all meetings of the WIB Workforce Board and Board, and to distribute copies thereof to each member of said groups and to other interested parties making a request therefore.
- K. To take action against subcontractors of the Agency when necessary to eliminate abuse in programs funded by the Act, and to prevent any misuse of funds by such subcontractors.
- L. To perform additional functions and assume additional responsibilities as determined by the WIB Workforce Board or the Board.

## IV <u>Authorities and Responsibilities of the Agency Operations Department</u>

The Director of the Operations Department shall be directly responsible to the Board to operate the agency in order to execute the programs approved by the WIB and the Board and shall be delegated the following authority and responsibilities:

- A. To enter into contracts and agreements for the performance of such services as may be required by the terms of any program authorized by the WIB Workforce Board and the Board.
- B. To develop and maintain a personnel system that meets federal and state regulations.
- C. To provide payroll, accounting and other support services to the administration department.
- D. To employ and manage all personnel of the Operations Department.
- E. To organize and train staff.
- F. To develop and implement procedures for personnel management, program

planning, program operations and program assessment.

- G. To have custody, responsibility and charge of all Agency property, other than money.
- H. To authorize payments by the Agency fiscal department to contractors, employees and suppliers.
- I. To provide fiscal and property management systems.
- J. To provide a management information system.
- K. To prepare and maintain documents required of the <u>LWIA</u> <u>Workforce Development</u> <u>Area</u> in accordance with federal regulations and adopted Agency policies
- L. To receive and disseminate to affected parties changes and amendments in the Act and other government regulations affecting the activities of the Agency.
- M. To establish and implement procedures for determining the eligibility of persons applying for programs funded by the Act and other programs, and where appropriate, to delegate this responsibility under reasonable safeguards to subcontractors of the Agency.
- N. To perform additional functions and assume additional responsibilities as determined by the Board.

Approved for the Governing Board	Approved for the Workforce Investment Board			
Ву:	Ву:			
Chairperson	Chairperson			
Governing Board	Workforce Investment Board			

**A8:** Consideration of a Memorandum of Understanding between Mother Lode Job Training and Delta Launch Charter School

**Action:** Consider establishing a memorandum of understanding between

Mother Lode Job Training and Delta Launch Charter School.

**Discussion:** Staff was approached by staff from the Delta Launch Charter School regarding the opportunity to expand on-line high school diploma programs for WIOA participants in Amador and Calaveras counties.

## **DRAFT Memorandum of Understanding**

Between

Mother Lode Job Training

And

Delta Launch Charter School

This Memorandum of Understanding (MOU) sets for the terms and understanding between Mother Lode Job Training and Delta Launch Charter School (Delta) where Delta works together with Mother Lode Job Training staff in Amador County and Calaveras County to ensure any Workforce Investment and Opportunity Act (WIOA) qualified adult who wishes to earn a high school diploma (or equivalent) can do so.

### Background

Delta can provide services to support Mother Lode Job Training in Amador County and Calaveras County in achieving its goals for providing educational services to those individuals who qualify under the Workforce Investment and Opportunity Act of 2014. Delta Charter Schools, a series of California public charter schools, have been serving K-12 students since 2001. Delta Charter Schools specialize in working with students who have struggled in school due to any one of life's many challenges. Delta Charter Schools' motto is "One student at a time, where success is the only option."

## **Purpose**

- California Education Code Section 47612.1 provides charter schools with the ability to work with Workforce Investment and Opportunity Act eligible high school dropouts regardless of their age.
- Individuals who qualify and are high school dropouts may enroll with Delta Launch Charter School to receive educational services with the goal of earning a high school diploma or its equivalent.

## The Opportunity

- Delta works alongside Mother Lode Job Training staff in Amador County and Calaveras County to identify and enroll eligible adult high school dropouts.
- Delta provides teachers, administrators, and support personnel to provide instruction leading toward a high school diploma from Delta; and/or, to provide instruction to prepare for the California High School Proficiency Exam (CHSPE); and/or, to provide instruction to prepare for the General Educational Development (GED) exams.
- If necessary, Delta employs Mother Lode Job Training staff in Amador County and/or Calaveras County to provide tutoring services aligned with this MOU.

## The Solution

- With assistance from Mother Lode Job Training staff in Amador County and Calaveras County, Delta will identify eligible adult students and enroll them in a personalized educational program.
- Delta will provide California-aligned education services to students utilizing its personalized learning approach to ensure success for each student.

## Reporting

An annual report on the program's effectiveness will be presented to the Mother Lode Job Training Board of Directors and the Delta Launch Charter School's governing board (New Jerusalem Elementary School District Board of Trustees) at their respective June Board meetings.

## **Funding**

Delta will receive funding via California's Local Control Funding Formula (LCFF) and, based on its assigned funding, Delta will reimburse Mother Lode Job Training 20-percent per Average Daily Attendance (July 1-April 15) earned from Mother Lode Job Training-identified students for Mother Lode Job Training's tutoring expenses. By mutual agreement, other Mother Lode Job Training associated expenses will also be covered by Delta.

#### **Duration**

This MOU is at-will and may be modified by mutual consent of authorized officials from Mother Lode Job Training and Delta. This MOU shall become effective upon signature by the authorized officials from Mother Lode Job Training and Delta and will remain in effect until modified or terminated by any one of the partners by mutual consent or if the law changes to stifle such programs. In the absence of mutual agreement by the authorized officials from Mother Lode Job Training and Delta, this MOU shall renew automatically on July 1 of each year.

#### **Contact Information**

MOTHER LODE JOB TRAINING
Jeff Dickason
Executive Director
197 Mono Way, Suite B, Sonora, CA 95370
209.533.3396
jdickason@mljt.org

DELTA CHARTER SCHOOLS
Jeff Tilton
Superintendent, Delta Charter Schools
31400 S. Koster Road, Tracy, CA 95304
209.830.6363
jtilton@njes.org

	Date:	
Jeff Dickason, Executive Director, Mothe	er Lode Job Training	
	Date:	

Jeff Tilton, Superintendent, Delta Charter Schools

## A9: Executive Director's Report

**Action:** Accept Executive Director's report and provide appropriate direction.

## 1. Status Report - EDD Monitoring

No Change from the October 2015 report.

Each year the California Employment Development Department (EDD) completes on-site monitoring of Mother Lode Job Training program, administrative and fiscal processes. The goal of EDD is to issue a draft report within 60 days of the monitoring and provides the grantee 30 days to submit a response to any findings. The process may include a number of iterations to support a clear understanding of issues and their resolution.

The last EDD monitoring was completed April 27 – May 1 with a focus on Fiscal and Administrative Systems and internal controls. No findings from this monitoring are anticipated however a number of recommendations were made to strengthen internal controls in the areas of petty cash management, use of the corporate credit card, and consistency in participant file management processes. Staff is working to review and incorporate these recommendations into our policy and process, as appropriate.

Discussion with the EDD Monitor indicates that with the exception of the CAT related to non-compliant WIB membership, a recommendation will be made to close the open findings held over from the PY13-14 Fiscal monitoring. In addition, any recommendations for closure of the open\* PY11-12 and PY12-13 program findings will await the successful conclusion of the next EDD youth program monitoring which will likely occur in September or October.

EDD Monitoring	Status
PY10-11 Program Monitoring	Closed
PY11-12 Program Monitoring	*Open pending acceptance of proposed resolution
PY11-12 Fiscal Monitoring	Closed
PY12-13 Youth Monitoring	Closed
PY12-13 Fiscal Monitoring	Open pending acceptance of EDD Audit closure recommendation
PY12-13 Program Monitoring	*Resolution accepted pending on-site verification
PY13-14 Fiscal Monitoring	CAT – WIB Membership not compliant
PY13-14 Program Monitoring	CAT – WIB Membership not compliant
PY14-15 Fiscal Monitoring	Completed April 27 – Mary 1

## 2. Fiscal Management/Annual Audit

The MLJT Board of Directors selected Morse, Wittwer, Sampson LLP as the auditor for the 2013-14 annual audit and the contract was renewed for the 2014-15 annual audit. The on-site portion of the 2014-15 audit is scheduled to begin on January 13 and is anticipated to be completed by the end of January.

## 3. Human Resources/Personnel

On October 29, 2015 Karen Puccio, One Stop Manager for the Amador and Calaveras offices resigned. This position has been left vacant and Vicki Long has assumed management and oversight responsibilities for the four One Stop Centers.

In early December Danica Bland, Fiscal Technician, resigned to accept employment with the Tuolumne Utility District. This position will be refilled and recruitment is underway.

Amy Torres, Career Counselor I and Kelly Harris, Career Counselor II have both completed and earned recognition as certified workforce professionals by the National Association of Workforce Professionals. Additional staff are pursuing their certifications.

## 4. Leases and location for Mother Lode Job Training Career Centers No changes in office locations.

## 5. Lay-off Aversion Services

Rapid response and layoff aversion services were provided to the employees and management of Delaware North in support of the contract transition to Aramark. This work in on-going.

#### 6. Other News

## a. Health Lit Now (Healthcare Workforce Development)

An initiative to increase awareness of career options in healthcare is underway and workshops have been presented in a number of Tuolumne County schools. The Sonora Area Foundation has helped to fund a grant writer supporting the expansion of this initiative for another year.

## b. Coach and Learn (Computer Literacy Workshops)

The Sonora Area Foundation, ATCAA, Mother Lode Job Training, Tuolumne County Superintendent of Schools, and the Tuolumne County Library have formed a partnership to provide basic computer classes for Tuolumne County residents. An advisory committee has been formed to develop curriculum, recruit volunteer instructors and support workshop enrollment. Workshops will start in January 2016 at various locations across the county.

## c. Hospitality Apprenticeship Partnership

Columbia College has received a grant of \$960,000 to create an apprenticeship program for hospitality workers in partnership with Black Oak Resort, Evergreen and Rush Creek Lodges and Mother Lode Job Training. Planning and curriculum development will occur over the next few months supporting a launch of the program in the Fall. The program will provide learn and earn opportunities for about 48 apprentices. Successful completers will earn an Associates of Science degree.

## 7. WIOA Policy Updates

To assure compliance with the new Workforce Innovation and Opportunity Act and guiding regulation and policy, MLJT staff has drafted the following policy revisions to support compliant program delivery. These policies will be presented to the Workforce Board in February.

## a. Priority of Provision of Services

This policy adopts prescribed guidance related to priority provision of services from the Act, regulation and guiding policy without change from requirements.

## b. Selective Service Registration

This policy adopts prescribed guidance related to selective service registration from the Act, regulation and guiding policy without change from requirements.

## c. Transitional Jobs

This policy adopts prescribed guidance related to transitional jobs (e.g. work experience for Adult and Dislocated Worker populations) from the Act, regulation and guiding policy without change from requirements. In compliance with this guidance the draft policy provides that the Workforce Board may expend up to 10% of available formula Adult and Dislocated Worker funds in support of Transitional employment activities.

## d. Incumbent Worker Training

This policy adopts prescribed guidance related to the provision of incumbent worker training services from the Act, regulation and guiding policy without change from requirements. In compliance with this guidance the draft policy provides that the Workforce Board may expend up to 20% of available formula Adult and Dislocated Worker funds in support of Incumbent Worker Training.

In establishing this policy the Workforce Board <u>must</u> establish:

- 1) Eligibility Criteria for businesses that wish to apply for funding, may include
  - a) Characteristics of the participants in the program
  - b) Relationship of the training to the competitiveness of a participant and the employer; and
  - c) Other factors such as
    - i. Number of employees participating in the training;
    - ii. The wage and benefit levels of training participants before and after the training;
    - iii. Existence of other training and advancement opportunities provided by the employer.
- 2) Limits for reimbursement to employers.

## e. On-the-Job Training

This policy adopts prescribed guidance related to the provision of on-the-job training services from the Act, regulation and guiding policy without change from the requirements.

## f. Work Experience

This policy adopts prescribed guidance related to the provision of work experience services from the Act, regulation and guiding policy without change from the requirements.

## PY2015 Service Levels, Expenditure & Performance



## SERVICE LEVEL & EXPENDITURE REPORT for Program Year 2015-16

Better Skills - Better Jobs - Better Economy

#### **SERVICE LEVELS**

Performance against service level goals for the program year, period July 1, 2015 to December 31, 2015 is as follows:

CUSTOMER TRAFFIC	PY13/	14	PY14/	15	PY15/16 (for Period: July 1 to December		31)		
Career Center	Unique Customers	Total Visits	Unique Customers	Total Visits	Unique Customers	Total Visits	Return Rate	Ave. Visits / Month	Ave. Visits / Day
Amador	705	1,875	531	1,4195	243	587	2.4	98	6
Calaveras	578	1,919	452	1,410	229	450	2.0	75	5
Mariposa	553	1,802	490	1,948	166	410	2.5	68	4
Tuolumne	1,582	4,643	1,382	4,198	544	1314	2.4	219	14
Total	3,418	10,239	2,855	8,975	1,157	2,761	2.4	460	29
Prior Year (same time period)				1,626	4,091	2.5	682	44	

Between July 1, 2015 and December 31, 2015 the unique unduplicated customer count was 1,157. Total customer visits were 2,761. This is an average customer return rate of 2.4 visits per customer, and breaks down into 460 customer visits each month or 29 customers each business day. The 1,157 unique customer visits represent about 71% of first quarter distinct customers served last year. Please note that the system and tracking methodology used to compile the PY2015-16 customer counts is different than used in prior years and the numbers are not directly comparable.

MLJT transitioned to the state's CalJOBS system in July while maintaining our local system to maintain access to our client records and history. At this point in the transition we are still waiting for state staff and the contractor, Geographic Solutions Inc., to validate system reports to assure accuracy and consistency.

#### WIOA ENROLLMENTS

SERVICE LEVELS	ACTUAL	ACTUAL	ACTUAL
(counts may not be unique)	PY12/13	PY13/14	PY14/15
Adult	123	173	137
- Training	38	70	50
Dislocated Worker	164	132	88
- Training	75	72	47
JD NEG	-	-	18
- Training / Work-Based	-	-	5
Youth	49	63	69
- In-School	34	40	39
- Out-of-School	15	23	30

GOAL	ACTUAL	PERCENT
PY15/16	(12/31/15	GOAL
148	118	80%
60	49	82%
105	95	90%
61	39	64%
25	27	108%
5	9	180%
59	38	64%
8	8	100%
51	30	59%

As part of the annual planning and budgeting process Mother Lode Job Training in consultation with Mother Lode Workforce Investment Board and Board of Directors establishes service level targets. These are reflected in the table, above.

Participants carried in from the previous year included 57 Adults, 37 Dislocated Workers and 26 Youth. With the addition of new enrollments, a total of 118 participants are currently enrolled into the Adult program, 95 participants into the Dislocated Worker program and 38 participants into the Youth program. All together there are 239 individuals enrolled into WIOA services.

## TRAINING ENGAGEMENT

Center	PY13/1	PY14/15	PY15/16	Actual	(%) Plan
Amador	20	11	30	15	50%
Calaveras	23	37	29	19	66%
Mariposa	14	11	20	19	95%
Tuolumne	49	50	42	35	83%
Total	106	109	121	88	73%

For PY2015-16 the budget for the MLWIB Scholarship program is \$291,557. Based on available training resources for the Adult, Dislocated Worker and JD NEG

programs, a goal of 121 training slots was established. Included within total are funds for on-the-job training (OJT). Between July and December 31<sup>st</sup> a total of 44 scholarships were funded including the continuation of 20 scholarships from the previous year.

Scholarships funded in PY2015-16 include (July to **October**):

Field of Study	Paid	Obligated	Total	JCA	JCC	JCM	JCT	Total
Accounting / Bookkeeping	6,433		6,433	1	0	0	0	1
Admin. Assistant (Computer Software Skills Training)	8,775		8,775	1	0	0	0	1
Alcohol & Drug Counseling	2,265	2,730	4,995	1	1	0	0	2
Dental Assistant		7,683	7,683	0	0	1	0	1
EMT	1,100		1,100	0	0	0	1	1
GED Preparation	20		20	0	0	0	1	1
General Study	653	1,108	1,761	0	3	0	2	5
Glazier (OJT)		5,625	5,625	0	1	0	0	1
Line Cook (OJT)	3,563	6,758	10,320	0	0	0	2	2
Lineman		10,000	10,000	0	1	0	0	1
Machinist (OJT)	1,402		1,402	0	0	0	1	1
Massage Therapist	5,462		5,462	0	1	0	0	1
Medical Office Assistant	12,284		12,284	1	0	0	5	6
Medical Assistant (OJT)		4,200	4,200	0	1	0	0	1
Nurse	58	310	368	0	1	0	0	1
Office Manager (OJT)	989		989	0	0	0	1	1
PC Support Specialist		5,508	5,508	1	0	0	0	1
Phlebotomy	3,915	8,815	12,730	0	1	1	3	5
POST Academy (Law Enforcement)	20		20	0	0	0	1	1
Project Manager (OJT)		15,600	15,600	0	0	0	1	1
Truck Driver/Tractor Trailer Operator	37,436	4,600	42,036	1	3	4	2	10
Wastewater Treatment		912	912	0	1	0	0	1
Welder		8,500	8,500	0	1	0	0	1
TOTALS	84,374	82,348	166,722	6	15	6	20	47
2014-15 Program Year Total	271,083	41,893	312,976	10	35	11	46	102
2013-14 Program Year Total			297,269	20	21	14	44	99

November and December scholarship detail is not available at this time.

#### **WORK-BASED LEARNING**

FUNDING	ACC	CCC	MCC	TCC	TOTAL
WIOA Youth	1	5	5	5	16
WIOA Adult (OJT)	0	3	0	4	7
WIOA DW (OJT)	2	0	0	5	7
JD NEG	1			4	5
Cal-Works			3	5	8
US Forest Service				5	5
TOTAL	4	8	8	28	48

Mother Lode Job Training works with employers to develop work-based learning opportunities supporting the development of job and work readiness skills of participants placed into these positions. Work experience and on-the-job training may be funded using WIOA, JD NEG or Cal-Works contract

funds, based on the eligibilities of the participant. In general, each opportunity is 30 to 40 hours per week with a duration based on the needs of the participant and availability of the employer. Each opportunity includes an individualized work and training plan detailing the skills and competencies to be learned. Following the work-based learning opportunity, every effort is made to transition the participant into employment with the host employer or to place the participant into other unsubsidized work.

### **BUSINESS SERVICES**

PY15-16 (Jul-Sep)	Employers Contacted	Employers Added to VOS	Jobs Posted to VOS	OJT				
ACC	55	4	24	2				
CCC	69	7	21	3				
MCC	34	2	14	0				
TCC	169	13	69	5				
Total	327	26	128	10				
PY14-15	E07	400	643	7				
	587	123	643					
PY13-14	482	138	381	14				

Outreach and expanding services for employers is a staff priority. Metrics were created for PY13/14 to measure staff engagement related to this work. Metrics include the numbers of employers contacted and offered services, new employers added to the CalJOBS labor exchange system, new jobs posted, and On-the-Job Training contracts written with employers. For

PY2015-16, through the end of December, 327 employers have been contacted, 26 new employers added to VOS and 128 jobs posted, and seven (7) OJT contracts were written. No incumbent worker training contracts have been funded.

## EXPENDITURE (July 1, 2015 to December 31, 2015)

MOTHER LODE JOB	ACTUAL	ACTUAL	ACTUAL	BUDGET	ACTUAL	PERCENT
WIOA EXPENDITURE	PY12/13	PY13/14	PY14/15	PY15/16	12/31/2015	BUDGET
Adult Program	480,490	494,923	524,053	557,187	205,210	37%
Dislocated Worker Program	547,127	618,649	505,601	522,647	230,773	44%
Rapid Response	327,439	398,316	309,697	254,130	93,522	37%
Layoff Aversion / Gov 25%	<del>385,152</del>	-	-	70,230	12,588	18%
NEG – PY14-15	26,349	-	41,170	35,000	37,403	107%
Youth Program	413,595	517,759	397,498	549,306	238,136	43%
- In-School Youth	218,418	278,176	191,578	109,861		0%
- Out-of-School Youth	195,177	239,583	205,920	439,445		0%
Cal-WORKS Mariposa	26,020	26,345	26,255	184,783	21,612	12%
Cal-WORKS Tuolumne	17,327	97,932	71,028	100,000	40,499	40%
HHS Amador		1,824		-		
CMCAA Calaveras	50,624	-		-		
CDBG Calaveras	137,956	26,515	100,000	64,000	21,589	34%
CDBG Mariposa		52,913	39,084	-		
US Forest Service	26,556	4,594	6,213	15,500	9,195	59%
TOTAL	2,562,156	2,239,770	2,020,599	2,352,783	910,527	39%

In the first six months of the program year, July thru December, a total of \$910,527 was expended against a budget of \$2,352,783. The represents an expenditure of 39% of budgeted funds in 50% of the budget year. The expenditure rates of the individual funds vary based on staff time recorded and allocated and direct costs charged to each fund.

The new Workforce Innovation and Opportunity Act and state of California directives include specific benchmarks for expenditure of certain funds, as follows:

- 1. Administrative expense is capped at 10% for all funds;
- 2. A minimum of 75% of youth program funds must be expended on out-of-school youth;
- 3. A minimum of 20% of youth program funds must be expended on work-based learning;
- 4. A maximum of 10% of adult and dislocated worker program funds may be expended on Transitional Employment Opportunities (work experience).
- 5. A maximum of 20% of adult program funds may be expended on incumbent worker training.
- 6. A minimum of 25% of Adult and Dislocated Worker program funds must be expended on training, including transitional employment.

The PY15/16 budget includes and addresses each of the fund limitations and set-a-sides. We anticipate bringing a budget adjustment to the MLJT Board in April.

#### **CUSTOMER SATISFACTION**

Each quarter a random survey of customers is completed by each Career Center. The cumulative survey, below, shows a high level of satisfaction with services among the customers surveyed. Job search assistance continues to be the primary reason provided by customers coming into the Career Centers although significant numbers of customers do take advantage of other services. The primary age group served is 22 – 54, and 70% of customers returned for additional services. The overall customer satisfaction rating across all questions is 93% and 94% would recommend the service to others.

PY201-16 (July 1, 2015 to December 31, 2015)	On a S	atisfact	ion Sca	ale of 1	0 to 1	with 1	l0 bei	ng very	satisf	ied.	
Customer Satisfaction - Survey Quarters 1 - 4	Satis	fied	<				>	Dis-s	-satisfied		Overall
No. of Responses: 113		9	8	7	6	5	4	3	2	1	
How satisfied were you with services?	75	17	11	7	0	2	0	0	0	1	93%
To what extent did services meet your expectations?	69	14	11	10	6	3	0	0	0	0	91%
How well do services compare with an ideal set of services?	65	18	19	7	0	3	0	1	0	0	91%
How likely would you be to recommend services to others?	72	25	9	5	0	2	0	0	0	0	94%
Career Center was easily accessible and staff welcoming?	79	14	9	6	4	1	0	0	0	0	94%
Staff members were knowledgeable and helpful?	87	18	3	1	2	2	0	0	0	0	96%
Services needed were provided in a timely manner?	79	21	3	6	2	2	0	0	0	0	94%
OVERALL SATISFACTION: (100% Possible with all quest	tions eq	ually w	eighte	d)	•	•		•			93%

Type of Assistance:		
Job Search	86	76%
Cal JOBS	49	43%
Resume Development	30	27%
Office Equipment Support	38	34%
Telephones	18	16%
Resource Information	31	27%
Other:	11	10%
	3	3%

Age:		
14-17	3	5%
18-21	16	25%
22-54	25	38%
55 & Up	6	16%
Total	65	100%
Visit:		
First	21	26%
Repeat Customer	23	70%

## **INFORMATION ITEMS:**

11: 2016 Meeting Calendar



## 2016 Board Meetings

197MonoWay,SuiteB Sonora, CA95370 Phone:(209)533-3396 Fax:(209)533-1079

## MLJTBoardofDirectorsMeeting

## WorkforceInvestmentBoardMeeting

<u>January</u>								
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If you require reasonable accommodation in order to participate in any of these meetings please contact Vicki Long, 72 hours in advance, at (209)588-1150