

**ITEM I B – ACTION**  
**ALAMEDA COUNTY**  
**WORKFORCE INVESTMENT BOARD**

**MINUTES**

**MEMBERS PRESENT:**

James Smith, Chairperson  
Deborah Bellush, Vice-Chairperson  
Ann Bauman  
John Billheimer  
Curtis Brooks  
Charles Brown  
Robert Chipley  
Ken Crosswell  
Joseph Diaz  
Lillian Hack  
George Herring  
Kathleen Kelly  
Bruce Kern

Henry Leng  
Debby Leung  
Rodger Lum  
Deana Medinas  
Helen Meyer  
Duane Mongerson  
Melissa Pedroza  
Manuel Perry  
Robert Peyton  
Frank Tucker  
Samuel Wallace  
Mike White  
Felicia Woytak

**MEMBERS ABSENT:**

Ophelia Basgal  
Matthew Craven  
Christian D’Andrade  
John Eddy  
John Garcia  
David Johnson

Sheila Jordan  
Raquel Karls  
Jerry Keating  
Justino Lapuz  
William Lee  
Suzanne Shenfil

The meeting of the Alameda County Workforce Investment Board (WIB) was called to order at 9:05 A.M. on Thursday, July 13, 2000 by James Smith, Chairperson. A quorum was present.

**ITEM I B – MINUTES OF ALAMEDA COUNTY WIB FOR THURSDAY, JULY 13, 2000.**

A motion to approve the minutes of Thursday, July 13, 2000 was made by **White/Leng/carried.**

**ITEM I C – CHAIRPERSON’S REPORT.** Chairperson Smith introduced new WIB member, Melissa Pedroza of the Employment Development Department (EDD), who replaced Magda Calderon. Erlina Rusty of PeopleSoft has resigned from the WIB.

**ITEM I D – DIRECTOR’S REPORT.** Dorothy Chen, Director, stated that the California Workforce Association (CWA), which represents the 52 WIBs, announced that the Governor has blue penciled out the Summer Youth Employment & Training Program (SYETP). There was \$10 million set-aside, so approximately 800-1000 youth will not be served in our area for this year.

Per WIA requirement, the 18 mandated partners of Alameda County at the One-Stop need to put together an umbrella Memorandum of Understanding (MOU). Once the draft is completed, we will bring it to the September, or at the latest, December board meeting, so that the MOU will be in place. A national consultant has been hired to work with us and has conducted two well-attended training sessions.

An employer focused symposium was held on June 21, 2000 for the training providers of Eastbay Works (which is comprised of four different WIBs). The session for training providers attracted attendees throughout the Eastbay region and individuals from outside the area. Three of our WIB members gave excellent presentations. Bruce Kern gave a very insightful and detailed information about the economic landscape of the Eastbay region (handouts were presented). Frank Tucker gave a very humorous and insightful perspective from the employer's perspective on the kinds of skills people applying for jobs should be aware of, role of the CBOs and contributions they make to the employers. Matthew Craven gave an interesting overview on some of the focus that Washington Mutual Bank has towards hiring the disabled, minorities and welfare-to-work clients. Labor representative, Mike White, was also in the audience. We had a very good representation from our WIB, and D. Chen thanked the WIB members for their participation.

All WIB members are required to fill out Form 700 as stated by County Counsel. The Form needs to be returned to D. Chen as soon as possible.

D. Chen introduced Cyndi Berck, an attorney who was also an Aide to Supervisor Keith Carson. C. Berck assisted us in putting our Conflict of Interest Policy together. She has also been working on the Bylaws, which is an item that will be brought to the WIB in September, and is still being reviewed by County Counsel. Finally, there will be a MOU between the County Board of Supervisors (BOS) and this WIB, in terms of its roles and responsibilities. These are the key issues we have hired the consultant to work with us on. C. Berck was present to answer any questions, but no questions were asked.

**ITEM II – PUBLIC FORUM.** Chairperson Smith was given one public speaker card and will hold on to it until the Action Items are presented, as it pertains to an action item. No public comments were made.

**ITEM III.A. – CONFLICT OF INTEREST POLICY.** C. Berck stated she was hired as a contractor to County Counsel and working through County Counsel. Calvin James, who is the WIB's representative in the County Counsel process, was not able to be here today. In terms of process, if there are concerns or clarifications the WIB members have, she would like to take them to the Chairperson and work with him before getting the final response.

There will probably be future amendments made to this Policy (WIB and staff are subject to federal statutes and State regulations at different levels). A substantive issue that WIB members should be made aware of is the issue that has not been resolved or clarified by federal regulations – what would be the exact description on participation and decisions that affect one-stops. With the collaborative model in the one-stop process, there are multiple partners that come together to provide services for the one-stop centers.

The manner in which State and federal regulations are written, at this point, there may be some limitations on which board members can participate in decisions affecting the operation and the funding of the one-stop.

Suggestions and comments made by WIB members:

- Add information in the form of an Appendix.
- Add a couple of definitions in the Policy – “immediate family” and “substantial” (page 8, #7), 2) having plain language (put out a scenario of a typical conflict of interest and a typical no conflict of interest, i.e. one-stops). Ms. Berck stated she would clarify the examples.
- As much information to be shared with the WIB for decisionmaking purposes. C. Berck stated that input may be barred (need more clarification on how the regulations could be interpreted). We need to obtain the interpretation of the regulations that give more latitude. To protect board members from the consequences of unintentional violation of Conflict of Interest laws, it would probably be a good idea to read it conservatively.
- We should not be shutting the WIB off, should have as much latitude as we possibly can and not be so conservative. C. Berck stated it is very much in the interest of board members to proceed conservatively in terms of tying the hands of board members and in terms of getting their input into the decision making process. The avenue to address that is through advocacy.
- What about quorum requirements? C. Berck answered because the board is composed of 51% private sector members and the direct provision of services is by public sector members, generally you will have a quorum. It may be an issue where the WIB needs to keep track over a period of several months the effect of these policies and explain what parts of the policies are not working for you.
- Are there differences in terms of public representation and what role they can play? Many WIB members have no influence of agencies and staff. C. Berck’s understanding is that public sector members will also be barred (will discuss with County Counsel before final opinion).

A motion to adopt the Conflict of Interest Policy for its board members and staff was made by **Bellush/Hack/carried.**

**ITEM III.B. – FUNDING FOR THE WORKFORCE INVESTMENT ACT, JULY 1, 2000 – JUNE 30, 2001.** Mike White, Operations Committee Chairperson, presented the item and stated the Committee met on June 29, 2000 with items being extensively discussed – reserves are there for plant closures, customized employer training set-asides, incremental reporting back to Operations Committee (mid-year report) to see how these funds are being spent, extra dollars there, overexpenditures, etc. and then see what kind of recommendation the Committee would go from there. We then need to look to changes that would be necessary, how we can move money around if that was a problem within the one-stop areas, specific grant requests that had to go to the State or federal government and try to address that. Motion was made and passed unanimously by the Committee.

Patti Castro stated that after the last Executive Committee meeting, ideas of how some of the marketing activities for the WIB were going to be handled. It will come out of the systems development with monies being set-aside for system-wide activities, which marketing is. When it is appropriate to charge it to admin., we will, but most of the activities, because of marketing of programs, as well as the WIB, will come from the systems level support (Page 15 of Board packet).

A motion to approve the percentage share of each category of the funding allocations for the Workforce Investment Act Adult, Youth and Dislocated Worker funds for the Program Year 2000/2001 was made by **White/Perry/carried** (Lum/Pedroza/Herring/Brown recused).

**ITEM III.C. – WELFARE-TO-WORK FORMULA GRANT COMMUNITY PROJECTS.**

Mike White, Operations Committee Chairperson, presented the item. The speaker card presented to the WIB Chairperson was from Barbara Bernstein of Eden I & R, who was available for any questions, but no questions were asked of her. This item is the result of two-year funding which we allocated to two programs – Eden I&R and Valley Community Health Center. Eden I & R provided great services and Valley Community Health Center’s program was a little slow starting because of numerous reasons, i.e. placements. Situation has been corrected and there are job commitments. The Committee unanimously approved the item.

In reference to results, they are basically the number that hit the hotline and records have been kept of how many people have been assisted. The goal of work will be achieved at the Valley Community Health Center program. Eden I & R does not have jobs into it. A question was asked if there were statistics for the Valley in reference to the hotline. A brief numbers update (setting up OJTs with Sears within next few months) was given by Sandra Oubre. M. White added that the Committee had some statistics in their packet that are not in today’s board packet. There is a big commitment from Sears, and Supervisor Haggerty is also involved. The program needs to catch up with first half and serve second half. Statistics will be available for the next board meeting.

A motion to approve \$125,000 for Eden I & R to continue their Work Solutions Hotline and approve \$85,000 for the Valley Community Health Center’s Reaching Independence through Sustainable Employment program for second year funding was made by **White/Croswell/carried** (Leung recused)

**ITEM III.D. – APPROVAL OF REGIONAL TRAINING PROVIDERS APPLICATION PROCESS, POLICY, PROCEDURES AND CRITERIA.**

Ann Bauman, Economic Development and Employer Services Committee Member, presented the item and stated the Committee’s purpose is to connect economic development in order to prepare a prepared skilled workforce and from the employer’s perspective, what is needed.

Key points discussed at the Committee meeting were:

- Eastbay Works regional center application and process, procedures and policies.
- Only change proposed on the regional center application was to add language covering sexual orientation.

- One-stops are supposed to look at every available dollar before using WIA monies, which helped clarify to members of the Committee a lot of the processes that clients in order to get training have to go through.
- The criteria are very strict for the vendors.
- Students must be tracked for over a year and their incomes. Tracking requirements are a great barrier in terms of our public institutions, i.e. State colleges, community colleges, adult schools because of issues of confidentiality. The question then becomes – can our public institutions really participate in the system as it is developed right now at the State level. Therefore, one of the recommendations that the Committee has (even if our public institutions don't qualify at this present time to be on the State list) is that the public schools could be allowed to post classes on I-Train, which is Eastbay Works training classes, for informational purposes only.
- Suggested that the WIB direct staff to write a letter expressing the concerns of the WIB of State requirements for extensive tracking will have major financial impacts on public institutions that want to enroll WIA clients using WIA forms. There is not enough financial aid to go around for everybody, and it puts the WIA clients at a serious disadvantage. This will probably discourage public institutions from using WIA funds and raise the confidentiality issue both in terms of State and federal law (State tracking procedures seem to indicate that confidentiality would have to be violated for every single person signing up for class and would have to do a waiver of confidentiality).

A question was asked if whether prior performance history for 3 to 5 years would preclude small businesses who are new to training from actually being able to participate on the eligible training list. Roy Bertuccelli stated no it does not, and there will be a list of criteria that the State is supposed to define for schools that have just started and want to get on the eligible training provider list. We will probably look at one year performance because you have to demonstrate financial stability, solvency and some kind of record of at least placing people over a certain period of time, but no one will be excluded. If it's specific customized training for an employer, that would totally exempt them from the eligible training provider list and is another category. A majority of the applicants are private-for-profit, very few public schools and CBOs. The numbers will be provided by staff. The State does have their list only through the JTA system, which is a State reporting system that has to be printed through a printer that has access to the State reporting system. It would be nice to see those same things for the entire State which staff will also provide.

In reference to how other parts of the State are handling these same issues discussed above. Staff stated the first I-Train partners meeting will be held and staff will raise that question then. There are concerns throughout the State about the reporting requirements for public schools. The issue has been resolved in Florida, which is a different situation from us, but we are hoping that the State will allow public agencies only to end up just tracking WIA clients only in a classroom situation. This is something the WIB would have to act on.

A motion to approve the Eastbay Works Regional Training Vendor Application process, policies, procedures and criteria, allow public schools to post classes on I-Train for informational purposes only and add a third recommendation to write a letter to the State was made by **Perry/Kern/carried** (**Herring/Peyton abstained**).

B. Kern stated that the Economic Development Committee will be working on marketing materials for the WIB with public relations firms participation.

**ITEM III.E. – ADDITIONAL REPRESENTATION ON THE YOUTH POLICY COUNCIL.**

Manuel Perry, Youth Policy Council Chairperson stated there two recommendations being presented to the WIB which Don Coykendall, City of Berkeley and David Korth, City of Hayward highlighted.

Comments made by WIB members in reference to youth participation were:

- Not just have one youth present.
- Youth need to speak for themselves and be present, have incredible skills, and need to be given an opportunity to participate completely.
- Their voice needs to be there, especially when it deals with decisionmaking.
- This is a learning process.
- We need to provide the opportunity and set the tone for youth to feel welcome.

A motion to approve the recommendations of the Ad Hoc “Youth Policy Formation” Committee was made by **Mongerson/Croswell**.

An amendment to the motion that the Council include six (6) youth or one quarter (1/4) of the representation on the Board, whichever is larger, and increase the membership of the Youth Committee to fifteen (15) was made by **Bellush/Wallace/carried (No - Croswell)**.

For point of clarification, Andrea Peixoto stated that it is the Chairperson’s responsibility to add or delete seats from the Youth Council, so the motion probably should ask the Chairperson to do that (not the whole Board approve it). By law, the Board will appoint the people on the Committee, but the Chairperson determines the number of seats and who represents.

M. Perry stated that if the number of seats doesn’t change (25-26), then we have diluted the number of designated seats as were required in the law; therefore, we have to increase.

WIB members and the Ad Hoc Youth Policy Council Formation Committee agree that youth who are participating either on the Youth Policy Council and/or the Committee be compensated for their time (based on precedent set in other like youth organizations).

A second amendment to the motion that there be a limit, for the time being, of compensation to the six or so members of the Youth Council and then determine what resource we have for compensation of the balance of the Youth Committee was made by **Wallace/Billheimer/carried.**

A. Peixoto stated there is \$1 million coming to the youth and it is estimated for an 11-member board to be approximately \$300-\$400/month @ \$25/person. A suggestion for the Advisory Committee is if those who nominated youth would also sponsor them, that the compensation would come from that. The compensation would have to come out of the \$1 million unless we can have sponsorship, some foundation money or other sources to pay for it. Bruce Kern added that his organization would come up with some contribution for compensation.

A third amendment was withdrawn in agreement of adding the words “as long as we get contributions” to the end of the second amendment.

An amended motion to approve the recommendations of the Ad Hoc “Youth Policy Council Formation” Committee; that the Council include six (6) youth or one quarter (1/4) of the representation on the board, whichever is larger and increase the membership of the Youth Committee to fifteen (15); that there be a limit for the time being, of compensation to the six or so members of the Youth Policy Council and then determine what resource we have for compensation of the balance of the Youth Committee as long as we get contributions was made by **Mongerson/Crowell/carried.**

M. Perry stated that WIB members are encouraged, who have a strong interest in youth, to start and consider nominees for participation on the Youth Policy Council.

The meeting adjourned at 11:00 A.M.