



## Travis County Commissioners Court Agenda Request

**Meeting Date:** February 21, 2012

**Prepared By/Phone Number:** David A. Salazar, 854-4107

**Elected/Appointed Official/Dept. Head:** Sherri E. Fleming,  
County Executive for Health and Human Services and Veterans Service

**Commissioners Court Sponsor:** Judge Samuel T. Biscoe

### **AGENDA LANGUAGE:**

Consider and Take Appropriate Action on Proposed Amendment,  
Ratification and Renewal of:

- 1) the Partnership Agreement Setting Forth the Functions, Responsibilities, Roles, and Relationships of the City of Austin, Travis County, and Workforce Solutions – Capital Area Workforce Board in Delivery of Workforce Development Services; and
- 2) the Interlocal Cooperation Agreement between the City of Austin and Travis County Setting forth the Relationship between the Chief Executive Officers and for the Establishment of a Local Workforce Development Board.

### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

State and Federal regulations require formal agreement between the City of Austin and Travis County to establish and maintain the local Workforce Development Board to administer state and federal funding for workforce development. The Partnership Agreement and associated Interlocal Cooperation Agreement were last updated in 2006. The last renewal term under this agreement is expiring. The attached amendments will provide for the automatic renewal of the 2006 Agreement for up to four (4) additional one-year periods, or through July 31, 2015. The City of Austin had previously approved, but not executed, the attached versions of these proposed agreements on July 28, 2011. Staff recommends approval of both items.

**AGENDA REQUEST DEADLINE:** All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, [Cheryl.Aker@co.travis.tx.us](mailto:Cheryl.Aker@co.travis.tx.us) by **Tuesdays at 5:00 p.m.** for the next week's meeting.

**STAFF RECOMMENDATIONS:**

Staff recommends approval of proposed amendment, ratification and renewal of the Partnership Agreement and Interlocal Cooperation Agreement.

**ISSUES AND OPPORTUNITIES:**

This agreement is required for the continued operation of the local workforce development board. The board is responsible for administration of multiple state and federal funding streams for workforce development and early childhood services. In addition, other entities are frequently required to secure support from the board to pursue other funding from the US Department of Labor. As such, continuation of the Board is necessary to ensure continuation of significant funding for workforce services a various types across the County.

The central role for Travis County under this agreement is appointment of board members. The County Judge and Mayor of Austin, as the two Chief Elected Officials for the board area each appoint half of the board.

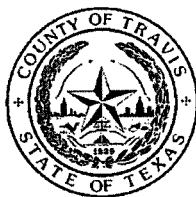
**FISCAL IMPACT AND SOURCE OF FUNDING:**

This item will not increase the County Budget.

**REQUIRED AUTHORIZATIONS:**

Mary Etta Gerhardt

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, [Cheryl.Aker@co.travis.tx.us](mailto:Cheryl.Aker@co.travis.tx.us) by Tuesdays at 5:00 p.m. for the next week's meeting.



**TRAVIS COUNTY HEALTH and HUMAN SERVICES  
and VETERANS SERVICE**  
502 E. Highland Mall Blvd.  
P. O. Box 1748  
Austin, Texas 78767

**Sherri E. Fleming**  
County Executive for HHS&VS  
(512) 854-4100  
Fax (512) 279-1608

**DATE:** January 9, 2012

**TO:** MEMBERS OF THE COMMISSIONERS COURT

**FROM:**

*Sherri E. Fleming*  
Sherri E. Fleming, County Executive for  
Travis County Health and Human Services and Veterans Service

**SUBJECT:** Amend Partnership Agreement establishing Workforce Solutions – Capital Area Workforce Development Board.

**Proposed Motion:**

Approve amendments to:

- 1) the Partnership Agreement Setting Forth the Functions, Responsibilities, Roles, and Relationships of the City of Austin, Travis County, and Workforce Solutions – Capital Area Workforce Board in Delivery of Workforce Development Services and
- 2) the Interlocal Cooperation Agreement between the City of Austin and Travis County Setting forth the Relationship between the Chief Executive Officers and for the Establishment of a Local Workforce Development Board.

**Summary and Staff Recommendations:**

State and Federal regulations require formal agreement between the City of Austin and Travis County to establish and maintain the local Workforce Development Board to administer state and federal funding for workforce development. The Partnership Agreement and associated Interlocal Cooperation Agreement were last updated in 2006. The last renewal term under this agreement has expired and the City of Austin had previously approved, but not executed, the attached versions of these proposed agreements on July 28, 2011. The attached amendments will provide for the automatic

renewal of the 2006 Agreement for up to four (4) additional one-year periods, or through July 31, 2015. Staff recommends approval of both items.

**Budgetary and Fiscal Impact:**

There is no budgetary or fiscal impact on Travis County.

**Issues and Opportunities:**

This agreement is required for the continued operation of the local workforce development board. The board is responsible for administration of multiple state and federal funding streams for workforce development and early childhood services. In addition, other entities are frequently required to secure support from the board to pursue other funding from the US Department of Labor. As such, continuation of the Board is necessary to ensure continuation of significant funding for workforce services a various types across the County.

The central role for Travis County under this agreement is appointment of board members. The County Judge and Mayor of Austin, as the two Chief Elected Officials for the board area each appoint half of the board.

**Background:**

The first iteration of this agreement was required to establish the local workforce development board and has been renewed periodically, with the most recent taking place in 2006. This agreement will continue in effect through July 2015.

**AMENDMENT OF INTERLOCAL COOPERATION AGREEMENT BETWEEN  
CITY OF AUSTIN AND TRAVIS COUNTY  
SETTING FORTH THE RELATIONSHIP BETWEEN  
THE CHIEF EXECUTIVE OFFICERS AND FOR THE ESTABLISHMENT OF A  
LOCAL WORKFORCE DEVELOPMENT BOARD**

This Amendment of Interlocal Cooperation Agreement ("Amendment") is entered into by and between the City of Austin, a municipal corporation and a political subdivision of the State of Texas ("City"), by and through its Chief Executive Officer, Lee Leffingwell, Mayor, and Travis County, a political subdivision of the State of Texas ("County") by and through its Chief Executive Officer, County Judge Samuel T. Biscoe.

**RECITALS**

WHEREAS, City and County were designated by the Governor of the State of Texas as a Local Workforce Development Area for the City of Austin/Travis County ("Area") for the planning and delivery of workforce development programs under the Workforce and Economic Competitiveness Act, Chapter 2308, GOVERNMENT CODE, V.T.C.A. ("WEC Act"), as amended, and

WHEREAS, City and County, through their respective CEO's, entered into an Agreement in 2006 to support and provide for the creation of a Local Workforce Development Board ("LWDB"), as provided for under the Act ("2006 Agreement"); and

WHEREAS, the Mayor of the City of Austin and the Travis County Judge are the chief elected officials ("CEOs") who represent units of general local government meeting the populations and representation requirements of the Area; and

WHEREAS, the CEOs represented in the Agreement and designated for the purpose of establishing a Local Workforce Development Board meet the requirements detailed in Title 40, Social Services and Assistance, Part XX, Texas Workforce Commission, Chapter 801, Local Workforce Development Boards, Part 801.1(d), as amended from time to time, and other applicable statutes;

**NOW, THEREFORE, BE IT RESOLVED THAT WE THE UNDERSIGNED DO HEREBY AGREE TO AMEND THE AGREEMENT AS FOLLOWS:**

1.0 **Previous Agreements.** City and County agree that this Amendment applies to the 2006 Agreement which replaced previous agreements between the Parties related to this matter; and that the 2006 Agreement, as amended in this Amendment, acts to continue the ongoing work of the CEOs in supporting the creation and efforts of the Local Workforce Development pursuant to all applicable statutes.

2.0 **LWDB Appointment.** City and County agree to amend Section E, "LWDB Appointment" subsection 4, "Other Expertise," by deleting the current subsection 4 and substituting the following:

4. Other Expertise
  - a. At least one of the categories of representatives listed Section E.3 must have child care or early childhood education expertise.

- b. At least one of the categories of representatives listed in Section E.3 must:
- (1) also be a veteran
  - (2) have served in federal armed forces, U.S. public health services, state military forces, or auxiliary service of one of the branches of the armed forces; with an honorable discharge; be actively engaged in veterans' affairs or services and maintain a policy or decision-making role as a voting member or officer in a veterans' organization or association.
  - (3) serve the interests of veterans as well as those in the other category capacity in which he/she serves.

3.0 **Other Changes.** City and County agree to amend the 2006 Agreement as necessary to reflect any and all changes in the Act and any other applicable laws, statutes, rules and regulations, including:

- 3.1 those changes related to veterans' services;
- 3.2 those changes related to foster youth;
- 3.3 those changes related to the Texas Open Meetings Act (TX. GOVT. CODE, Ch. 551);
- 3.4 all other changes and updates imposed by applicable laws, statutes, rules and regulations.

4.0 **Incorporation.**

4.1 City and County agree that all provisions of the 2006 Agreement not specifically changed in this amendment remain in full force and effect.

4.2 County and City hereby incorporate this Amendment into the 2006 Agreement and hereby incorporate the 2006 Agreement into this Amendment for the purposes of interpretation of both. Except for the changes made in this Amendment, County and City hereby ratify all terms and conditions of the 2006 Agreement as amended. The 2006 Agreement, with the changes made in this Amendment, constitutes the entire agreement between the parties and supersedes any prior undertaking or written or oral agreements or representations between the parties.

**APPROVED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.**

BY: \_\_\_\_\_  
Samuel T. Biscoe, Travis County Judge

BY: \_\_\_\_\_  
Lee Leffingwell, Mayor, City of Austin

**AMENDMENT OF AGREEMENT SETTING FORTH  
THE FUNCTIONS, RESPONSIBILITIES, ROLES, AND RELATIONSHIPS OF  
THE CITY OF AUSTIN, TRAVIS COUNTY, AND  
WORKFORCE SOLUTIONS - CAPITAL AREA WORKFORCE BOARD  
IN DELIVERY OF WORKFORCE DEVELOPMENT SERVICES**

THIS AMENDMENT OF AGREEMENT ("Amendment") is entered into by and between Workforce Solutions - Capital Area Workforce Board ("Board"), the City of Austin, a municipal corporation and a political subdivision of the State of Texas ("City"), and Travis County, a political subdivision of the State of Texas ("County").

**RECITALS**

WHEREAS, the City and County were designated by the Governor of the State of Texas as a Local Workforce Development Area ("Area"); and

WHEREAS, the Texas Workforce and Economic Competitiveness Act, GOVT. CODE, Section 2308 et seq. ("Act") provides for the coordination of efforts in order to develop the most comprehensive, effective and efficient delivery of local workforce development services to residents of the Area; and

WHEREAS, pursuant to applicable laws, statutes, rules and regulations ("Laws"), it is necessary that the Board, the City, and the County ("Parties") enter into a partnership agreement setting forth the functions, responsibilities, roles and relationships of each party hereto, including the selection of a Grant Recipient/Fiscal Agent and Administrative Entity, and the procedures for the development of the local workforce development plan ("Plan"); and,

WHEREAS, City, County and Board entered into such agreement effective July 1, 2006 ("2006 Agreement").

NOW, THEREFORE, in consideration of the above premises, the Parties hereto agree to amend the 2006 Agreement setting forth functions, responsibilities, roles and relationships as follows:

**1.0 STATUTORY AUTHORITY AND PURPOSE OF AGREEMENT**

1.1 Statutory Authority. This Amendment is entered into pursuant to the Workforce and Economic Competitiveness Act, GOVT. CODE Section 2308 et seq. and all other applicable Laws, as amended from time to time.

**2.0 TERM OF AGREEMENT**

2.1 Extended Term. The Parties agree to amend Section 2.3, "Renewal Term," to provide for the automatic renewal of the 2006 Agreement for up to four (4) additional one-year periods, or through July 31, 2015. Written notice of termination prior to any renewal term shall be given by the terminating party to the other party at least ninety (90) days prior to the termination date.

**3.0 BOARD**

3.1 The Parties agree to amend Section 3.2, Roles and Responsibilities, by adding the following:

3.6 Additional Roles and Responsibilities. The Board acknowledges the additional responsibilities regarding services as required under amendments to the Laws in the following areas:

- (a) preferential services for veterans.

- (b) federal priority of services.
- (c) services to meet the needs of current and former foster youth.
- (d) development of the required MOU with the Texas Department of Family and Protective Services.
- (e) compliance with the Texas Open Meetings Act (TX. GOVT. CODE, Ch. 551).
- (f) other changes and updates as set forth in the Laws as amended.

4.0 CITY/COUNTY

4.1 The Parties agree to amend Section 4.3, "Board Appointment," as set forth in the Amendment to the Interlocal Cooperation Agreement Setting Forth the Relationship Between the Chief Elected Officials for the Establishment of a Local Workforce Development Board attached hereto as Exhibit "A" and incorporated herein.

5.0 INCORPORATION

5.1 City and County agree that all provisions of the 2006 Agreement not specifically changed in this amendment remain in full force and effect.

5.2 County and City hereby incorporate this Amendment into the 2006 Agreement and hereby incorporate the 2006 Agreement into this Amendment for the purposes of interpretation of both. Except for the changes made in this Amendment, County and City hereby ratify all terms and conditions of the 2006 Agreement as amended. The 2006 Agreement, with the changes made in this Amendment, constitutes the entire agreement between the parties and supersedes any prior undertaking or written or oral agreements or representations between the parties.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the day and year next to their respective signatures.

CITY OF AUSTIN

BY: \_\_\_\_\_ Date: \_\_\_\_\_  
 Lee Leffingwell, Mayor

TRAVIS COUNTY

BY: \_\_\_\_\_ Date: \_\_\_\_\_  
 Samuel T. Biscoe, County Judge

WORKFORCE SOLUTIONS - CAPITAL AREA WORKFORCE BOARD

BY: \_\_\_\_\_ Date: \_\_\_\_\_  
 \_\_\_\_\_, Chairperson



**EXHIBIT A**

**AMENDMENT TO INTERLOCAL AGREEMENT**  
**(CITY OF AUSTIN AND TRAVIS COUNTY)**