

RESOLUTION NO. RES-07-0149

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH ESTABLISHING THE PACIFIC  
GATEWAY WORKFORCE INVESTMENT BOARD AND  
RESCINDING RESOLUTION NO. C-27763

WHEREAS, the City Council of the City of Long Beach on October 24, 2000, adopted Resolution No. C-27763 establishing the Greater Long Beach Workforce Development Board pursuant to 29 U.S.C. 2832 as a policy and planning body for programs funded by the United States Department of Labor in and for the Greater Long Beach local workforce investment area (local area); and

WHEREAS, the State of California had designated the cities Long Beach and Signal Hill as the local area for the purpose of implementing federally funded training and employment programs under the Workforce Investment Act (WIA); and

WHEREAS, the State of California has now designated the local area to include the cities of Lomita, Long Beach, Signal Hill, and Torrance; and

WHEREAS the WIA provides for the establishment of a local workforce investment board in each local area, to be appointed by the Chief Elected Official in the local area and certified by the Governor of California, which will set policy and develop a local workforce development plan in partnership with the Chief Elected Official; and

WHEREAS, the WIA requires, at a minimum, that the membership of the local workforce investment board include a majority of businesses, as well as representatives of local educational entities, labor organizations, community-based organizations, economic development agencies, as well as representatives of each of the partners participating in the operation of the local area's one-stop workforce development system; and

WHEREAS, California Senate Bill 293 amended the California

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1 Unemployment Insurance Code to require that at least 15 percent of the local workforce  
2 investment board be representatives of labor organizations, and that small business  
3 development centers be included as required partners in the local one-stop system; and

4 WHEREAS, the WIA and California Unemployment Insurance Code require  
5 the local workforce investment board and Chief Elected Official to share certain  
6 responsibilities with regard to WIA;

7 NOW, THEREFORE, the City Council of the City of Long Beach resolves as  
8 follows:

9 Section 1. The above recitals are true and correct and are incorporated  
10 by this reference.

11 Section 2. The Pacific Gateway Workforce Investment Board (hereinafter  
12 WIB) is established pursuant to 29 U.S.C. 2832 as a policy and planning body for  
13 programs funded by the United States Department of Labor and for the local area.

14 Section 3. The WIB shall consist of approximately forty-five (45) member  
15 slots as identified below, 37 of whom who shall be appointed by the Mayor of Long  
16 Beach, subject to confirmation by a majority vote of the Long Beach City Council. Each  
17 member shall serve for a term of up to two (2) years with the Mayor of the City of Long  
18 Beach reserving the right to re-appoint. Any member of the WIB may be removed at any  
19 time by the Mayor of Long Beach with the approval of a majority of the Long Beach City  
20 Council.

21 The membership of the WIB shall be comprised as follows:

22 A. Approximately twenty-three (23) shall be representatives of  
23 businesses in the local area appointed from among individuals nominated  
24 by local business organizations and trade associations and that reflect  
25 employment opportunities of the area. Business representatives shall be  
26 owners of businesses, chief executives or operating officers of business or  
27 other business executives, including human resources executives, or  
28 employers with optimum policymaking or hiring authority. Individuals

1 appointed will represent businesses as follows: Long Beach - thirteen (13)  
2 members; Torrance - five (5) members; Lomita - two (2) members; Signal  
3 Hill - one (1) member; area-wide industries - two (2) members. Business  
4 representatives from the cities of Lomita, Signal Hill and Torrance shall be  
5 appointed by their respective chief elected officials;

6 B. Two (2) representatives of local educational entities, including  
7 representatives of local educational agencies, local school boards, entities  
8 providing adults education and literacy activities, public and private  
9 postsecondary educational institutions, including representatives of  
10 community colleges, selected from among individuals nominated by  
11 regional or local educational agencies, institutions, or organizations  
12 representing local educational entities;

13 C. Approximately seven (7) representatives of labor  
14 organizations nominated by local labor federations, including a  
15 representative of an apprenticeship program;

16 D. Two (2) representatives of community-based organizations  
17 from the local area, including organizations representing individuals with  
18 disabilities and veterans, and organizations that serve populations with  
19 barriers to employment, such as the economically disadvantaged, youth,  
20 farmworkers, homeless, and immigrants;

21 E. Two (2) representatives of economic development agencies,  
22 which may including a private sector economic development entity;

23 F. One (1) representative of each of the following one-stop  
24 partner programs:

25 1. State Job Service (Wagner Peyser), Trade Act  
26 Assistance (Trade Act of 1974), State Unemployment Compensation, and  
27 Veterans (Chapter 41 of Title 38 of the U. S. Code);

28 2. Adult Education and Literacy (WIA Title II);

- 1    3.        Vocational Rehabilitation (Title I of the Rehabilitation
- 2        Act of 1973);
- 3    4.        Older Workers (Title V of the Older Americans Act of
- 4        1965)
- 5    5.        Postsecondary Vocational Education (Perkins Act)
- 6    6.        Local CSBG Operator (Community Services Block
- 7        Grant Act)
- 8    7.        Job Corps
- 9    8.        Small Business Development Centers

10    G.        The Community Development Department Director of the of

11        the City of Long Beach or designee who shall represent the following:

- 12    1.        Title I of WIA
- 13    2.        Employment and Training Programs Authorized under
- 14        U.S. Department of Housing and Urban Development
- 15    3.        Economic Development

16    H.        One (1) representative of the local Temporary Assistance for

17        Needy Family Program authorized under Part A of title IV of the Social

18        Security Act (42 U.S.C. 601 et seq).

19    The provisions of Section 2.18.050(B) of the Long Beach Municipal Code

20        relating to the residence of members of City boards, commissions and committees and

21        Section 2.18.050(C) relating to the term of office shall not be applicable.

22    Whenever a member ceases to be a member of the representation

23        category from which he or she was appointed to the WIB, of if for any reason the member

24        desires to resign from membership of the WIB, he or she will immediately so inform the

25        presiding Chairperson of the WIB in writing.

26    Section 4.    No member of the WIB shall receive any compensation for his

27        or her services thereon; however, members may be reimbursed for actual, necessary and

28        reasonable expenses as provided by applicable laws and regulations and authorized by

1 the City of Long Beach acting in its capacity as a grant recipient for federal funds.

2           Section 5. No later than ninety (90) days following their appointment, the  
3 WIB members shall meet at a regular session and shall organize by electing from their  
4 membership a Chairperson, who shall be elected from among the business  
5 representatives, and Vice Chairperson, and other such officers as a deemed necessary  
6 in accordance with WIA Section 117(b)(5). The officers shall serve in such capacity for a  
7 period of one (1) year with the option for re-election. A vacancy in any office of the WIB  
8 shall be filled by election from among the WIB members. The officers of the WIB shall  
9 perform the duties that are usually and customarily performed by such officers. At such  
10 initial meeting, the WIB members shall adopt a regular meeting schedule and shall inform  
11 the City Council thereof. A regular meeting shall be held at least once in each calendar  
12 quarter. Special meetings may be called by the Chairperson or by any three (3)  
13 members of the WIB. Notice of any meeting of the WIB shall be published prior to the  
14 meeting in accordance with the Ralph M. Brown Act. A majority of WIB members shall  
15 constitute a quorum for the transaction of business, but a less number may adjourn from  
16 time to time to a day certain. The WIB may adopt by-laws, which are consistent with  
17 federal, state, and city laws, rules and regulations. Robert's Rules of Order shall  
18 constitute the parliamentary rules for the transaction of the WIB's business. All meetings  
19 shall be open to the public in accordance with the Brown Act and other open meeting  
20 laws.

21           Section 6. Members of the Youth Council who are not members of the  
22 WIB must be voting members of the youth council and nonvoting members of the WIB.

23           Section 7. If a member is absent without the consent of the WIB from  
24 four (4) consecutive meetings, regardless whether said meetings are regular, special, or  
25 of a committee to which the member is assigned, the retirement of said member from the  
26 WIB may be effected by a note of the WIB. In the event a vacancy thus created, it shall  
27 immediately be filled in the same method and manner by which such member was  
28 nominated and appointed.

1           Section 8.    A member of the WIB shall not vote, or participate in any  
2 discussions, or in any way attempt to influence and vote, on any matter under  
3 consideration by the WIB:

4           A.        regarding any program, project or part thereof which will then  
5 be provided by such member or any organization with which such member  
6 is associated or affiliated; or

7           B.        that would provide direct financial benefit to such member or  
8 the immediate family of such member.

9           Section 9.   The City of Long Beach is the grant recipient and  
10 administrative entity for the consortium's job training programs, and the appropriate  
11 officials of the City shall make the formal appointments, exercise final approval, make  
12 final determination and take final action in any matter involving WIB programs. The WIB  
13 shall provide policy guidance for the City's workforce development system in accordance  
14 with applicable federal laws, rules and regulations that are not inconsistent with state and  
15 city laws, rules and regulations. The duties of the WIB, consistent with the WIA and  
16 California Unemployment Insurance Code, shall include the following:

17                   Coordinate workforce investment activities in the local area with economic  
18 development strategies;

19                   Promote participation of private sector employers in the local workforce  
20 investment system;

21                   Develop and submit a local workforce investment plan to the Governor;

22                   Select one-stop operators, with the agreement of the Mayor of Long Beach,  
23 annually review their operations, and terminate for cause the eligibility of such operators;

24                   Execute memoranda of understanding with one-stop partners;

25                   Award grants or contracts to eligible providers of youth activities in the local  
26 area on a competitive basis, consistent with the WIA, based upon the recommendations  
27 of the Youth Council;

28                   Identify, consistent with the WIA, eligible providers of training services;

1 Identify eligible providers of intensive and, when the one-stop operator does  
2 not provide intensive services to the local area, award contracts to those providers;

3 Develop local policy on the amount and duration of individual training  
4 accounts based upon the market rate for local training programs, and process for  
5 identification of individuals who should be referred immediately to training services;

6 Conduct program oversight over workforce investment activities in the local  
7 area;

8 Negotiate with the Mayor of Long Beach and the Governor on local  
9 performance measures for the local area;

10 Assist in the development of a statewide employment statistics system,  
11 which shall be developed in conjunction with and shall utilize to the fullest extent  
12 possible, the California Employment Development Department's labor market information  
13 system;

14 Establish and appoint, in cooperation with the Mayor of Long Beach, as a  
15 subgroup within the WIB, a youth council with special interest or expertise in youth policy,  
16 to provide planning guidance to the WIB regarding youth workforce development  
17 activities, as required by the WIA;

18 Prepare a budget for the purpose of carrying out the duties of the WIB as  
19 specified under this section, subject to the approval of the Mayor of Long Beach.

20 Section 10. Reasonable staff support services and technical data may be  
21 provided to the WIB by the City Manager acting through the Community Development  
22 Department.

23 Section 11. Nothing contained in any provisions of this resolution shall be  
24 construed as investing the WIB or any member thereof with supervisory powers over the  
25 actions or duties of the City or its officers, agents or employees or the operations of City  
26 departments.

27 Section 12. A WIB Advisory Committee shall be formed, comprised of one  
28 elected official, or designee, representing each of the four (4) cities of the designated

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1 local workforce investment area, who shall serve as ex-officio, non-voting members of the  
2 WIB.

3 The Advisory Committee shall:

4 A. Provide input on the strategic direction of the WIB; and

5 B. Meet a minimum of twice per year in conjunction with the WIB

6 Executive Committee.

7 Section 13. That Resolution No. C-27763 is hereby rescinded and is  
8 superseded by this resolution.

9 Section 14. This resolution shall take effect immediately upon its adoption  
10 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

11 I hereby certify that the foregoing resolution was adopted by the City  
12 Council of the City of Long Beach at its meeting of November 6, 2007, by the  
13 following vote:

14 Ayes: Councilmembers: B. Lowenthal, S. Lowenthal, DeLong,  
15 O'Donnell, Schipske, Andrews,  
16 Reyes Uranga, Gabelich, Lerch.

17  
18 Noes: Councilmembers: None.

19  
20 Absent: Councilmembers: None.

21  
22  
23   
24 City Clerk

25  
26  
27 HAM:fl  
10/18/07  
28 #07-05082