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**AGREEMENT ON ROLES AND RESPONSIBILITIES
BETWEEN THE PACIFIC GATEWAY WORKFORCE INVESTMENT BOARD
AND
THE CHIEF ELECTED OFFICIAL OF THE CITY OF LONG BEACH
("The Parties")**

**Under the
WORKFORCE INVESTMENT ACT**

WHEREAS, California has determined that workforce development is critical to the long-term economic health of the state; and

WHEREAS, the driving force for the envisioned workforce development system should be local, employer driven partnerships focused upon continuous improvement of customer services; and

WHEREAS, cost effective grant management, oversight and strategic planning for the local partnerships, is best provided through intergovernmental collaboration; and

WHEREAS, the State of California Workforce Investment Board ("State Board") established pursuant to the Workforce Investment Act of 1998 ("WIA") is required to designate Workforce Investment Areas ("Areas") as expeditiously as possible; and

WHEREAS, each Area shall have a local Workforce Investment Board ("WIB") appointed by Local Chief Elected Officials in accordance with the WIA and State criteria; and

WHEREAS, the City Council of the City of Long Beach ("City Council") on November 6, 2007 adopted Resolution No. RES-07-0149 establishing the Pacific Gateway Workforce Investment Board pursuant to 29 U.S.C. 2832; and

WHEREAS, each Area shall execute an agreement between the Local Chief Elected Official(s) and the local WIB to specify the joint roles, responsibilities and powers; and

WHEREAS, the WIA and California unemployment Insurance Code require the local WIB and CEO to share certain responsibilities with regard to WIA; and

WHEREAS, the cities of Lomita, Long Beach, Signal Hill, and Torrance have agreed to form a WIB Advisory Committee to provide input on the strategic direction of the WIB; and

WHEREAS, the City of Long Beach serves as the grant recipient and administrative entity and is liable for any misuse of the grant funds allocated to the Area under Sections 128 and 133 of the WIA;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. AREA DESIGNATION

The State of California has designated Pacific Gateway as the Local Workforce Investment Area for the communities of Lomita, Long Beach, Signal Hill, and Torrance.

2. AREA NAME

The Area shall be known as the Pacific Gateway Workforce Investment Network.

3. THE LOCAL CHIEF ELECTED OFFICIAL

The Mayor of the City of Long Beach serves as the Local Chief Elected Official (CEO) in the Area. Whereas the City of Long Beach is a Council-Manager form of government, the City Manager or his designee of Assistant City Manager are the only officials designated to sign documents on behalf of the Local CEO and the City Council.

4. LOCAL CHIEF ELECTED OFFICIAL (CEO) AND LOCAL WORKFORCE INVESTMENT BOARD (WIB) FUNCTIONS

A. The parties to this agreement shall jointly perform the following functions:

1. As outlined in Section 117(d)(1) of the WIA, develop and submit a local workforce investment plan to the Governor;
2. As outlined in Section 117(d)(2) of the WIA, designate and terminate one-stop operators and identify eligible providers of youth, training, and intensive service activities by awarding contracts on a competitive basis;
3. As outlined in Section 117(d)(3) of the WIA, develop a budget for the purpose of carrying out the duties of the WIB;
4. As outlined in Section 117(d)(4) of the WIA, conduct oversight with respect to local programs of youth activities, local employment and training activities, and the one-stop delivery system;
5. As outlined in Section 117(d)(5) of the WIA, negotiate local performance measures for the Area with the Governor;

B. The CEO shall perform the following functions to fulfill the requirements of the WIA:

1. In conjunction with the City Council, approve all contracts entered into with the exception of Individual Training Account (ITA);
2. To the extent feasible, align all investments in workforce development in the Area, whether WIA or other resources, under the policy umbrella of the WIB;

3. When applicable, ensure that policies of the WIB for workforce development, become integrated into the City's overall policies for economic development, education, and workforce investment;
 4. Subject to confirmation by a majority vote of the City Council, appoint members to the WIB in accordance with the WIA, implementing federal regulations, criteria established by the State, and Resolution No. RES-07-0149;
 5. Designate one elected official for the City of Long Beach, or designee, to serve on the WIB Advisory Committee;
 6. Procure the of audit of funds as required by the Act and resolution of any questions arising from said audits;
 7. Develop and manage a system to hear and resolve grievances brought by participants, vendors and other interested parties;
 8. Provide staff to the WIB, Youth Council and other committees;
 9. Select and hire staff to provide the administrative and programmatic support necessary to carry out the WIB's plans and policies;
 10. Disburse all funds under WIA and related to program operations; and
 11. Other functions as assigned by agreement between the CEO and the WIB, by this Agreement, by the WIA, by the State or by the parties.
- C. In partnership with the CEO, the WIB shall perform the following functions to fulfill the requirements of the WIA:
1. As outlined in Section 117(d)(7) of the WIA, coordinate the workforce investment activities carried out in the local area with economic development strategies;
 2. Promote participation of private sector employers in the local workforce investment system;
 3. Recommend grants or contracts to eligible providers of youth activities in the local area on a competitive basis, consistent with the recommendations of the Youth Council;
 4. Identify, consistent with the WIA, eligible providers of training services;
 5. Identify eligible providers of intensive services and, when the one-stop operator does not provide intensive services to the local area, recommend to City Council contract awards to those providers;
 6. Develop local policy on the amount and duration of Individual Training Accounts based upon the market rate for local training programs;
 7. As outlined in Section 117(d)(6) of the WIA, assist in the development of a statewide employment statistics system, which shall be developed in conjunction with all and shall utilize to the fullest extent possible, the Employment Development Department's labor market information system; and
 8. Other functions as assigned by agreement between the CEO and the WIB, by this Agreement, by the WIA, by the State or by the parties.

5. LIABILITY

The WIB, Youth Council, officers, members and volunteers are provided indemnification coverage under City of Long Beach General Liability Insurance for negligent acts or omissions in the performance of those functions within the course and scope of their duties as stated in this agreement.

6. TERM

This Agreement shall take effect upon signature of both parties, and shall remain in effect until terminated in accordance with this paragraph or until the Workforce Investment Act is otherwise dissolved. Any party may terminate this Agreement by giving advance written notice to each of the other parties on or before January 1 of the year in which termination is to occur. Termination shall be effective June 30. Termination of this Agreement shall not affect the liabilities incurred prior to the termination date.

7. AMENDMENT

This Agreement may be amended at any time by the written, signed consent of all the parties. Amendments to this agreement shall require a majority approval of both the local WIB and City Council.

8. DECISIONS

Except where prohibited by the Long Beach Municipal Code, decisions shall be approved by a majority of the local WIB members as specified in the Bylaws with concurrence of the City Council, except as otherwise established in this Agreement, by the State or, from time to time, by resolution of the CEO and City Council.

In the event of a disagreement on approval of the Plan or for funding of a specific contract, program, project or activity, the local WIB will select representatives to meet with the CEO to seek resolution of the disagreement. It is the intent of both representative parties to ensure that their joint responsibilities of developing an integrated service delivery system are fully carried out. Toward that end, both parties will work in good faith to resolve all differences. In the event that agreement cannot be reached, a hearing will be set at a session of City Council. The City Council may overrule the recommendation of the local WIB by a majority vote.

9. SEVERABILITY

Should any part of this Agreement be invalidated otherwise rendered null and void, the remainder of this Agreement shall remain in full force and effect.

10. AUTHORITY

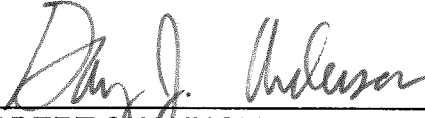
The undersigned are authorized to execute this Agreement on behalf of the parties.

CITY OF LONG BEACH

By: 
Name: PATRICK H. WEST
Title CITY MANAGER

Date 11/29/10

Approved as to Form:

By:  for
Name: ROBERT SHANNON
Title CITY ATTORNEY / Deput

Date November 22, 2010

PACIFIC GATEWAY WORKFORCE INVESTMENT BOARD

By: 
Name: SHAUN LUMACHI
Title WIB CHAIR

Date 12/3/10