

MEMORANDUM OF UNDERSTANDING

By and Between

THE BREVARD WORKFORCE DEVELOPMENT BOARD, INC.

And

THE BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

THIS AGREEMENT, made and entered into by and between the BREVARD WORKFORCE DEVELOPMENT BOARD, INC., and the BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS.

WHEREAS, the Workforce Investment Act of 1998 authorizes the expenditure of public funds for job training programs and economic development activities in locally determined service delivery systems, and

WHEREAS, Brevard County is a workforce development region designated by the governor of the State of Florida to administer the services described in the Workforce Investment Act of 1998, and

WHEREAS, the Workforce Investment Act of 1998 requires an agreement by and between the parties hereto to address the Brevard Workforce Development Board's administration of the one-stop delivery system in Brevard County, and

NOW THEREFORE, Be it Resolved, that this Agreement, pursuant to the requirements of the Act, be made by and between the Brevard Workforce Development Board, Inc. and the Brevard County Commissioners.

1. Appointment of Brevard Workforce Development Board Members.

The Brevard Workforce Development Board shall forward to the Brevard County Board of County Commissioners a list of nominees for appointment to the Brevard Workforce Development Board. The nominees will be selected and presented to represent local workforce board membership as required pursuant to Sec. 117 (2)(a) of the Workforce Investment Act of 1998, and 445.007 F.S. of the Workforce Innovation Act of 2000. The Brevard County Board of County Commissioners shall

appoint or reject the nominees in accord with the provisions of the Federal and State legislation.

2. Fiscal Agent.

The Brevard Workforce Development Board, in accord with the provisions of the Workforce Investment Act of 1998, is designated as the fiscal agent and the sub-grant recipient of the funds received pursuant to said act. As sub-recipient of the funds and as fiscal agent, it shall be the responsibility of the Workforce Development Board to assure that the funds received are expended and accounted for in accordance with the terms of the Workforce Investment Act, generally accepted accounting principles, OMB Circulars and State of Florida Cash Management Policies. The Brevard Workforce Development Board shall provide the Brevard County Board of County Commissioners a copy of its annual audit. It is understood by both parties that the involvement of the Brevard County Board of County Commissioners is to fulfill the requirements of the Workforce Investment Act by serving the role as local elected officials. While this role does include fiscal responsibility, the Brevard Workforce Development Board pledges that all corporate resources and assets would be made available to repay the funding agency in the event of any claim resulting from the misuse of grant funds including damages arising from the administration of the program, negligence or omissions. The Brevard Workforce Development Board also agrees to notify the Board of County Commissioners immediately upon receipt of notification by the State, Federal Government or other organization, which would result in a claim or request for repayment of funds.

3. Local Workforce Investment Plan.

The Brevard Workforce Development Board shall forward to the Brevard County Board of County Commissioners its Local Workforce Investment Plan for receipt and approval by the Brevard County Board of County Commissioners in accord with the provisions of the Workforce Investment Act of 1998.

4. Youth Council.

The First Jobs/First Wages Committee of the Brevard Workforce Development Board serves as the Youth Council as allowed under the Workforce Innovation Act and no action is required by the Brevard County Board of Commissioners.

5. One-Stop Operator.

The parties acknowledge that the Brevard Workforce Development Board and the Brevard County Board of County Commissioners, pursuant to the Act, are to mutually agree on the designated operators of the Brevard Job Link One-Stop Career system. The One-Stop Career Operators shall be designated by a resolution approved by the Board of County Commissioners.

6. Local Performance Measures.

In accord with the provisions of the Workforce Investment Act of 1998, the Brevard Workforce Development Board shall develop and present to the Brevard County Board of County Commissioners for review and approval, local performance measures as part of the Five (5) year plan.

7. Brevard County Representative.

In accord with the terms of the act, the Brevard County Board of County Commissioners shall have a representative of the county serve on the Brevard Workforce Development Board as a liaison to the Commission, to assure that the Local Elected Officials' input and partnership meets the required participation in and oversight of the one-stop system.

8. Term.

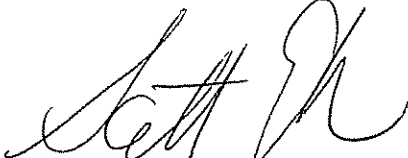
This MOU shall be and become effective immediately upon the execution of this MOU by all parties and shall remain in effect until such time as any party wishing to withdraw from this MOU provides 120-day written notice to the other party of its withdrawal, in which event this MOU shall terminate and the parties shall not have any further obligations hereunder. This agreement may be modified by mutual agreement of the parties upon 120 days written notice.

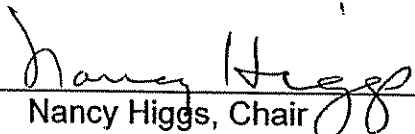
The Brevard Workforce Development Board, Inc. having signed this agreement on the date indicated below and the Brevard County Board of County Commissioners, having signed this agreement on the date indicated below do hereby agree to be bound by the terms hereof.

IN WITNESS WHEREOF, the parties have hereunto set their hands on the dates indicated below.

Date: _____

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

Attest: 
By: Scott Ellis, Clerk

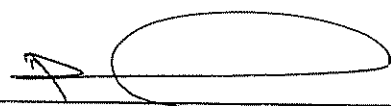
By: 
Nancy Higgs, Chair

Approved by the Board 5-18-04

Date: 6-2-04

BREVARD WORKFORCE DEVELOPMENT BOARD, INC.

Attest: 
By: Linda H. South, Executive Director

By: 
Doug Mead, Chair

STATE OF FLORIDA
COUNTY OF BREVARD

This is to certify that the foregoing is a true and current copy of Agreement
_____ witness my hand
and official seal this 20th day of
May 2004

SCOTT ELLIS
Clerk Circuit Court
BY  P.C.