

NCCC  
**WIB AND GOVERNING BOARD**

**APPROVED**  
**MINUTES**

Yuba County Government Center  
915 8<sup>th</sup> Street, Marysville, CA  
Thursday, April 29, 2010  
2:30 p.m.

**ROLL CALL**

**Governing Board Members Present**

Roger Abe	Tom Indrieri	Tracey Quarne
Carol Huchingson	Larry Munger	

**Governing Board Members Absent**

None

**Workforce Investment Board Members Present**

Diana Barry	Selenia Moseley	Joe Pelaez
Andre Carrao	Suzanne Nobles	Henry Sanchez
Beatriz Espinoza	Ralph Newlin	Don Schrader
Ben Felt	Bill Padgett	Doug Sloan
Armando Guerrero	Randy Page	Ric Teagarden
Mickey Harrington	Chris Paige	Tom Walther
Gary Lewis		

**Workforce Investment Board Members Absent**

Ron Campbell	David Darling
John Coots	Rich Gabel

**WELCOME**

Francene Kennedy introduced Gabriel Garcia, NCCC's new EDD Regional Advisor. Mr. Garcia replaces Linda Beattie who was reassigned to another local area.

**REPORT OUT ON EARLIER GOVERNING BOARD MEETINGS**

Governing Board Chair Larry Munger reported out on the Governing Board meetings held January 27<sup>th</sup> and April 29<sup>th</sup>.

*WIB Appointments:* The Governing Board made the following WIB membership appointments: Gary Lewis reappointed to represent Lake County Business; Tim Cook to represent Title V Older Americans Act programs; Chris Paige reappointed to represent Migrant/Seasonal Farmworker programs and community based organizations; Bill Padgett reappointed to represent community based organizations and Yuba County Business; Henry Sanchez reappointed to represent vocational rehabilitation; John Fleming to represent economic development; and Angel Reynoso to represent Sutter County Business. These appointments are effective July 1, 2010.

*Consideration of December 10, 2009 Motion:* The Governing Board considered their December 10<sup>th</sup> motion regarding the 2010 RFP that disqualified one of the bidders. This issue would be discussed under a later agenda item.

*NCCC Employee Handbook:* The Governing Board accepted the NCCC Employee Handbook.

### **PUBLIC COMMENT**

There were no comments from the public.

### **WIB CHAIR OPENING REMARKS**

WIB Chair Doug Sloan commented on this year's RFP process. Mr. Sloan expressed his appreciation to NCCC staff, WIA Consultant John Chamberlin and special thanks to the RFP Review Committee members for their time and efforts in the proposal review and rating process.

### **APPROVAL OF MINUTES – DECEMBER 10, 2009 MEETING**

WIB Chair Doug Sloan noted that Suzanne Nobles was not listed on the Roll Call list. The minutes were corrected to reflect that Ms. Nobles was absent at the December 10<sup>th</sup> meeting.

*WIB Action:* On a motion by Don Schrader and seconded by Joe Pelaez, the WIB approved the minutes of the December 10, 2009 meeting as corrected. *Motion Carried.*

### **DIRECTOR'S REPORT**

*NAWB/CWA Conference:* Francene Kennedy said the main topic of conversation at the NAWB Conference was legislation around training and reauthorization. Word on funding for this year's summer youth program is still pending. Ms. Kennedy commented about our area's high unemployment rates and how NCCC and its partners can work together to address training programs and the job situation in our area. She also spoke about literacy and how it correlates to unemployment. At the CWA Conference, Francene and other California Directors met with Minnesota Congressman John Kline. Ms. Kennedy spoke about their discussion which centered on our area's unemployment and reauthorization. Other topics at the conference included a video presentation on Yuba College's Welding program, John Chamberlin's plenary session, and the integrated learning lab model. NCCC will be tweaking the learning lab model to better fit our community and make it more of a customer service model that's driven by a new data system. It is hoped that a new data system will be up by October-November.

Monitoring: Outcomes from the state's monitoring visits were very good. A few documentation issues based on the learning lab were found, but all monitoring issues have been cleared. Francene Kennedy commended the staffs at the One Stops for working with NCCC on the data issues.

Grants Update: Francene Kennedy gave an overview of grant projects currently underway:

- Two grants have been submitted to DOL for \$5 million each in partnership with multiple community colleges. One grant is for an After School Training Program Teacher Track with Yuba College, Butte College and CSU, Chico and Los Angeles Community College. The other grant is with West Valley College for the Auto Hybrid Training at Yuba College to partner with PG&E and Butte College. These are very competitive grants.
- The state is putting forth two National Emergency Grants on public sector employment and On-the-Job Training.

Welding Project: A video on Yuba College's Welding program was presented. The video was done by one of our youth participants and we hope to do a series of videos on other NCCC projects as well.

Legislative Update: Lettie Seaver commented on legislation that's making its way through Congress.

## **ONE STOP/SERVICE PROVIDER PROGRAM REPORTS**

NCCC One Stop Centers, Upward Bound and EDD gave brief presentations on their current training and program activities.

Yuba One Stop: Conducting networking workshops; New Start workshop for formerly incarcerated individuals; partnering with local banks in offering a Personal Finance workshop on May 13<sup>th</sup>; a Starting Over workshop; participated in the recent Job Fair; 19 enrolled in Green Corps program, developing worksites for summer internships; Microsoft Elevate America program; Rapid Response services to Fremont-Rideout hospitals; organizing meetings with MJUSD, Yuba College and the postal service facility in Olivehurst to address those layoffs when they occur; presented a Business Resource Seminar; participating in the Business Expo; disability awareness training for One Stop partners.

Colusa One Stop: Held 3<sup>rd</sup> Youth Career Conference in March in partnership with Yuba College with about 150 students attending; placed 16 clients in subsidized work experience programs throughout the county with a goal of 20; working with Behavioral Health Services in placing 6 of their clients in paid work experience in the county.

Lake One Stop: Providing training for about 120 jobs for a new casino that will open in the fall; focusing on business services and developing relationships with community businesses for work experience and OJTs; opened a new office in Clearlake; strengthening relationships with economic development agencies; preparing for summer youth program; the Stars of Lake County recognized Lake One Stop's Jill Hoeffler as outstanding Professional Youth Advocate.

*Sutter One Stop:* Coordinating Rapid Response activities with Yuba One Stop for Fremont-Rideout layoffs; sponsored Administrative Assistants' Day event; Live Oak Depot project; participated in recent Job Fair with over 675 participants, 28 employers and about 1,500 open jobs available; participated in Homeless Consortium; continue to participate in business expansion and retention efforts with Yuba-Sutter EDC and the Business Consortium; Elevate America program; participating in the Business Expo; ongoing workshops and trainings.

*Glenn One Stop:* 242 Glenn County high school seniors and 45 adults participated in the annual Reality USA event; surpassed goal of 100 OJTs in TANF subsidized employment program -50% of hires in private sector and 50% in county or public sector, 65% from CalWORKs families and the remaining qualifying as needy families.

*EDD:* Hired an additional EDD staff person at Lake One Stop; UI claims and referrals; reemployment accounts goal of 144 individuals per month attend and receive services; participating in Governor's Welcome Home Vets program.

*CSUC Upward Bound:* Academic accomplishments – serving 220 high school students from 18 high schools, of those 76 are graduating seniors who will all enroll in college in the fall; first young woman from the program accepted into Stanford; 5 seniors awarded the Gates Millennium Scholarship; 2 students received the Dell Scholarship.

## **FINANCE COMMITTEE REPORT**

Ben Felt reported on the April 22<sup>nd</sup> Finance Committee meeting. The Committee reviewed the third quarter expenditure report and the One Stop audits. NCCC Fiscal Officer Nancy Crooks gave an update on grant funding. Ms. Crooks noted three grants ended in March – WAVE 3, CalGRIP and Construction Talent. The Construction Talent was replaced with an ARRA Construction grant for \$450,000. STARRS also concluded on March 31<sup>st</sup>; however, funds were not fully expended and that money was recaptured and reallocated back to the providers. It is anticipated that funds will be fully expended by June 30<sup>th</sup> so a new grant application can be submitted for STARRS funding. ARRA funds expended through March were 85% for the Adult program, 92% for the Youth program and 45% for Dislocated Worker. Allocations for next program year were received yesterday with funding decreases of 9% in Adult, 9% in Youth and 19% in Dislocated Worker. These funding decreases will impact contract negotiations in that service providers will need to utilize their carry-in funds next program year. Contract letters will go out in mid May, negotiations are scheduled to start the first week of June and contracts are hoped to be in place by July. NCCC's Administrative Office budget will be presented at the next board meeting as receipt of disaggregated figures from the state is still pending. Ms. Crooks noted that NCCC is scheduled for a state monitoring visit in June therefore she hopes to have fiscal monitoring visits with the counties completed prior to the state's visit.

## **ACCEPTANCE OF FY 2008/2009 SINGLE AUDIT REPORT**

Kathrine Wright of Tenney & Co. CPAs reviewed NCCC's audit report for the period of July 1, 2008 through June 30, 2009. NCCC was again given an unqualified report, which is a good report. Ms. Wright noted that all prior year findings have been cleared and NCCC had no findings in this report.

**WIB Action:** On a motion by Chris Paige and seconded by Joe Pelaez, the WIB accepted the FY 2008/2009 audit report as presented. *Motion Carried.*

**Governing Board Action:** On a motion by Tracey Quarne and seconded by Carol Huchingson, the Governing Board accepted the FY 2008/2009 audit report as presented. *Motion Carried.*

### **APPROVAL OF 2009/2010 LOCAL PLAN MODIFICATION**

**WIB Action:** On a motion by Don Schrader and seconded by Armando Guerrero, the WIB accepted the 2009/2010 Local Plan Modification and authorized the Chairperson to sign the document. *Motion Carried.*

**Governing Board Action:** On a motion by Tracey Quarne and seconded by Carol Huchingson, the Governing Board accepted the 2009/2010 Local Plan Modification and authorized the Chairperson to sign the document. *Motion Carried.*

### **STRATEGIC PLANNING RETREAT OUTCOMES**

Doug Sloan thanked all members who participated in the boards' strategic planning retreat in February. Mr. Sloan asked members if they wished to serve on a particular board committee to notify him or Francene Kennedy by the next board meeting. Depending on members' response, the Chair may make additional committee assignments. Francene Kennedy noted that two additional board committees were established – a Business Services Committee and a Community Outreach Committee. Members are being asked to volunteer to serve on the two new committees. Each committee's chair will be a part of an executive committee who will deal with various board related issues.

At this time, NCCC's legal counsel Andrew Compoginis spoke to the boards about potential and actual conflict of interest in government boards. Mr. Compoginis noted that two areas of the California Government Code address conflict of interest – sections 1090 and 87100 – which say that no public official at any level of state or local government shall make, participate in making or in any way attempt to use his official position to influence a governmental decision in which he knows or has reason to know he has a financial interest.

If board members find they may have conflicts of interest concerning any of the next three agenda items, they should: 1) Publicly identify the financial interest that gives rise to the conflict of interest or potential conflict of interest; 2) Recuse himself or herself from discussing and voting on the matter; and 3) Leave the room until after the discussion, vote, and any other disposition of the matter is concluded. It was noted that members of county boards of supervisors and city councils are excluded.

### **APPROVAL OF 2010 RFP FUNDING RECOMMENDATIONS FOR ONE STOP OPERATORS IN EACH OF THE COUNTIES OF COLUSA, GLENN, LAKE, SUTTER AND YUBA WITH EACH CONTRACT TO BE NEGOTIATED PER DIRECTION OF BOARD WITH SERVICES TO BEGIN JULY 1, 2010**

A handout was distributed to members that listed the number of proposals that were received and rating scores for each. John Chamberlin, NCCC's WIA Consultant, stated that a review

committee of 5 individuals rated the proposals; they had no conflicts of interest, 3 of them were from outside the NCCC area, all of them had an excess of 20 years of experience with workforce type activities, and there was unanimity among the panel in the ranking of the proposals and the recommendations for funding. The proposals for One Stop Operators were considered a county at a time.

Colusa County: One bid was received from the Colusa One-Stop Partnership with a score of 71 points. The Committee's unanimous consensus was this was a very good proposal and recommended it for funding. An issue to be addressed in negotiations is to attempt to direct more resources to the extent possible to participant services. Ralph Newlin asked what if the operator could not meet the goal of 50% of funding to participant services, which was approved by the boards on December 10<sup>th</sup>. John Chamberlin stated that in negotiations with each county he along with NCCC Fiscal Officer Nancy Crooks would work with each provider to maximize the percent of funding spent on participant services. This issue is somewhat situational with each provider since carry-in, adjusted allocations and individual circumstances need to be considered. Mr. Chamberlin said that if he is unable to negotiate successfully to comply with the December 10<sup>th</sup> motion, this proposal would be brought back before the boards for consideration. He anticipated that negotiations would succeed. It was noted that the contract period is for one year with an extension to three years based on participation. Each year the contracts would be reviewed to see if the negotiated guidelines have been met and if an extension is warranted.

**WIB Action:** On a motion by Don Schrader and seconded by Henry Sanchez the WIB accepted the RFP Review Committee's recommendation and authorized negotiations with Colusa One-Stop Partnership and if successful to execute a contract for One Stop operation and the delivery of adult, dislocated worker and youth program services and other special grants for Colusa County. Motion Carried.

**Governing Board Action:** On a motion by Tracey Quarne and seconded by Tom Indrieri, the Governing Board accepted the RFP Review Committee's recommendation and authorized negotiations with Colusa One-Stop Partnership and if successful to execute a contract for One Stop operation and the delivery of adult, dislocated worker and youth program services and other special grants for Colusa County. Motion Carried.

Sutter County: Randy Page recused himself and left the room at this time because of potential conflict of interest concerning the proposal submitted for the Sutter County program. One bid was received from the Sutter County One Stop with a score of 68 points. The Committee considered this to be a good proposal and unanimously recommended it for funding. An issue to be addressed in negotiations is to attempt to the extent possible to increase the percentage of funds for participant services.

**WIB Action:** On a motion by Ric Teagarden and seconded by Tom Walther the WIB accepted the RFP Review Committee's recommendation and authorized negotiations with Sutter County One Stop and if successful to execute a contract for One Stop operation and the delivery of adult, dislocated worker and youth program services and other special grants for Sutter County. Motion Carried.

**Governing Board Action:** On a motion by Tom Indrieri and seconded by Roger Abe, the Governing Board accepted the RFP Review Committee's recommendation and authorized negotiations with Sutter County One Stop and if successful to execute a contract for One Stop operation and the delivery of adult, dislocated worker and youth program services and other special grants for Sutter County. *Motion Carried.*

**Glenn County:** Two bids were received; one from Glenn County Human Resource Agency (HRA) with a score of 60 points and one from PIC of Butte County with a score of 43 points. The Committee considered the Glenn County HRA proposal to be an adequate bid and unanimously recommended it for funding. The chief reasons for lost points were on the percent of funds devoted to training and the administrative amount of 5.2%. The proposal's description of programs and performance was very good. Two primary points to be addressed in negotiations would be to attempt to increase the percentage of funds for participant services and clarify the administrative rate. It appears the proposal reflects some costs classified as administrative may instead be program costs. John Chamberlin noted that the RFP asked bidders not to exceed a cap of 5% on administrative costs.

**WIB Action:** On a motion by Ric Teagarden and seconded by Don Schrader the WIB accepted the RFP Review Committee's recommendation and authorized negotiations with Glenn County HRA and if successful to award a contract for One Stop operation and the delivery of adult, dislocated worker, youth program services and other special grants for Glenn County. *Motion Carried.*

Tracey Quarne asked John Chamberlin to define whether negotiate meant to encourage or mandate. Mr. Chamberlin replied a little of both. He explained that first the new allocations have to go out to the service providers; second try to estimate how much might be carried in from the different fund streams; and third look at the original proposal and talk through what budget the provider would like to propose with the adjusted dollars. The budget would then be reviewed line by line to see if there is any reasonable way to direct more money to participant and training services without adversely impacting the proposal. Mr. Quarne asked if the Boards would be awarding this contract today. Mr. Chamberlin said no, the Boards would be authorizing to negotiate a contract with the service provider and if successful then to execute a contract. It was clarified that negotiations mean working with the service provider to come to reasonable administrative and participant cost levels based on the boards' 50% goal action of December 10<sup>th</sup>.

**Governing Board Action:** On a motion by Tracey Quarne and seconded by Carol Huchingson, the Governing Board accepted the RFP Review Committee's recommendation and authorized negotiations with Glenn County HRA and if successful to award a contract for One Stop operation and the delivery of adult, dislocated worker, youth program services and other special grants for Glenn County. *Motion Carried.*

**Yuba County:** Ric Teagarden and Randy Page recused themselves and left the room at this time because of potential conflicts of interests concerning a proposal submitted for the Yuba County program. Three proposals were received; one from the Yuba County Office of Education, one from Crossroads Diversified Services Inc., and one from PIC of Butte County. The Committee considered the Yuba County Office of Education proposal to be a very good bid and

unanimously recommended it for funding. The primary issue to be addressed in negotiations would be to attempt to increase the percentage of funds for participant services. The Committee thought the administrative cost rate of 1.3% might be slightly higher and appreciated Yuba County Office of Education's efforts to keep administrative costs low.

**WIB Action:** On a motion by Don Schrader and seconded by Joe Pelaez the WIB accepted the RFP Review Committee's recommendation and authorized negotiations with Yuba County Office of Education and if successful to award a contract for One Stop operation and the delivery of adult, dislocated worker, youth program services and other special grants for Yuba County. *Motion Carried.*

**Governing Board Action:** On a motion by Tracey Quarne and seconded by Roger Abe, the Governing Board accepted the RFP Review Committee's recommendation and authorized negotiations with Yuba County Office of Education and if successful to award a contract for One Stop operation and the delivery of adult, dislocated worker, youth program services and other special grants for Yuba County. *Motion Carried.*

**Lake County:** Carol Huchingson recused herself and left the room at this time because of potential conflict of interest concerning a proposal submitted for the Lake County program.

Three proposals were received for One Stop operator in Lake County; one from Lake One Stop Inc., one from Mendocino PIC, and one from Lake County Department of Social Services (DSS). John Chamberlin stated the Lake One Stop Inc. proposal was disqualified by the Governing Board based upon its December 10<sup>th</sup> motion which states that no person could submit or participate in a proposal who voted on the December 10<sup>th</sup> motion regarding the 50% participant services goal and how that was administered. Mr. Chamberlin noted that Lake One Stop Inc. received all 10 points based upon that motion for participant services; the other two bidders received zero or the lowest possible point. This was a factor in the scoring of the proposals. Mr. Chamberlin said the Lake One Stop Inc. proposal may not be considered for funding regardless of the score based upon that disqualification. Therefore, two proposals were left to be considered – Mendocino PIC and Lake DSS.

Don Schrader asked if the individual who voted on the motion was aware of a proposal's possible disqualification when the vote was made. Tracey Quarne answered the person was present when the vote was made. NCCC's legal counsel Andrew Compoginis said the Governing Board's December 10<sup>th</sup> motion read in part, "*The Governing Board further insisted that any person who participated in voting on the previous or in the current motion from the WIB or Governing Board not be allowed to participate in the RFP process or submit a proposal to provide services.*" Mr. Compoginis explained the previous motion mentioned was relative to the 50% participant services goal. John Chamberlin noted that the Governing Board discussed this issue and made the motion on December 10<sup>th</sup> in the full meeting of both boards. At their meeting held immediately prior to this meeting today, the Governing Board upheld their motion, and the effect of that action was to disqualify the Lake One Stop Inc. proposal leaving two proposals rather than three proposals to consider.

John Chamberlin referred to page 7 of the December 10<sup>th</sup> WIB and Governing Board meeting minutes and restated the motion and action made by the Governing Board. Mr. Chamberlin said

the Lake One Stop Inc. proposal was submitted by Dan Obermeyer who made the WIB's motion on page 6. NCCC's legal counsel addressed Don Schrader's question if Mr. Obermeyer knew that the proposal would be disqualified upon making the motion because the Governing Board's motion came afterwards. Mr. Compoginis said it is unknown if Mr. Obermeyer had an actual conflict at that time but Dan Obermeyer moved as a WIB board member to become affiliated with the Lake One Stop Inc. knowing that the Governing Board motion had passed in between those two events. Diana Barry noted that at the time the Board's motion was made Dan Obermeyer was not affiliated with the Lake One Stop Inc., and she felt the series of events was not quite right. Andrew Compoginis clarified that Tracey Quarne's intent when he brought this motion to the Board may have been that someone intimately involved in setting the parameters and guidelines for completing a bid and procuring a contract for the One Stop could not later participate and submit a bid for that contract. Mr. Quarne said it's ok to participate in the conversation that established the parameters by which the RFPs would be judged but it is not ok to participate in that conversation as to whether the parameters of those RFPs and later become a participant. NCCC's legal counsel stated the Governing Board has affirmed its motion and the effect of the motion is clear. Don Schrader said that motion was made by the Governing Board and not the WIB. Francene Kennedy clarified that it was a Governing Board action only so therefore, today it went back to the Governing Board to affirm their motion knowing its effect; the effect being that motion would in fact disqualify a bidder. The decision before the WIB was either to move forward with the two remaining bids and make an award or determine if there was an alternative. Ms. Kennedy further clarified that the scoring of the proposals was done independently of the conflict. The Review Committee reviewed and scored the proposals on merit without any knowledge of conflict. Unfortunately, the top bidder had conflict; if that top bidder did not have conflict and Lake One Stop Inc. would have been the bottom bidder the WIB would have to acknowledge the conflict was there.

The question was asked if Lake One Stop Inc. would still be disqualified if the RFP was reissued. John Chamberlin was of the opinion that they would be disqualified so long as the Governing Board motion stands, and any individual who participated in the vote and participated in and submitted a proposal. If it went back out for bid and Dan Obermeyer did not participate in or submit a proposal, Mr. Chamberlin did not think there would be a bar. Extensive discussion continued among the members.

John Chamberlin stated there are two choices:

1. To go with the second bidder – Mendocino PIC. The Review Committee considered this to be an adequate proposal. Three issues were noted:
  - not enough money devoted to participant services
  - did not understand the integrated learning lab model
  - lacked ability to describe the dynamic and fabric of Lake County
2. Throw out the procurement and let another one ensuring a similar situation does not arise.

John Chamberlin was asked what the major issues with the Lake DSS proposal were. Mr. Chamberlin replied that primarily a lack of an operational understanding about how WIA worked, understanding the integrated learning lab approach and while having more money in participant services than Mendocino PIC they still lost most of the points on that. Mr. Chamberlin said the Review Committee's consensus was that Lake One Stop Inc. was the top

bidder, Mendocino PIC was a clear cut below and Lake DSS was lower than that. The Committee felt the Lake DSS proposal was not fundable, the Mendocino PIC proposal was viable and the Lake One Stop Inc. proposal was the best. Doug Sloan asked if John Chamberlin could address the issues in negotiations with the second bidder. Mr. Chamberlin said he could attempt to negotiate a viable contract with Mendocino PIC. One of the things he would attempt to do if they were awarded the contract is to encourage them to hire from the current Lake One Stop staff, which would address the issues of the integrated learning lab and lack of familiarity with Lake County. Increasing the amount for participant services would also be addressed. Tracey Quarne asked if there was any notion to negotiate with Lake DSS as well. John Chamberlin replied if that's the Board's decision he would negotiate with both bidders and could come back with a recommendation within a month. Francene Kennedy inquired if because of the situation before us is there a precedent being set in re-negotiating with two bidders and bringing them to almost a new competitive process for the best deal. John Chamberlin said organizations have done this in procurement where negotiations are held with the top two or three bidders and then come back with a recommendation based on negotiations. Mr. Chamberlin believed this would not violate the procurement. He stated the WIB's choices are whether to re-let or authorize him to negotiate with Mendocino and/or Lake DSS. They may not, however, disregard the Governing Board's action and go negotiate with Lake One Stop Inc. The Review Committee's comments on why Lake DSS's proposal was not a viable proposal may need to be reviewed also.

Dan Obermeyer addressed the membership at this time. Mr. Obermeyer stated that on December 10<sup>th</sup> he had no intention of becoming affiliated with the Lake One Stop. In late February early March the Lake One Stop Inc. board approached Mr. Obermeyer about filling in as One Stop Director and he accepted the position. The proposal had already been largely written. Mr. Obermeyer stated he did edit the proposal at the end because it was a few pages too long and he physically delivered the proposal. Mr. Obermeyer's recollection of the motion at the time was the motion was made that any WIB member who voted for the motion could not submit a proposal. He stated the One Stop's volunteer director Nick Summerfield drafted the proposal and Mr. Obermeyer handled the day-to-day operations. He commented that it was not his intent to become a WIB Director but his goal was if the One Stop would have been awarded the program his first responsibility would have been to hire a full-time long term Director. Given that Lake One Stop Inc. wrote such a good proposal, Mr. Obermeyer was saddened that the proposal was rejected because of his involvement in this process. He asked the Board if they believed his economic conflict is significant enough to reject the proposal, that they consider sending it back for bid and he would resign his position. Mr. Obermeyer felt that he did not think this conflict arises to the significant level of disqualifying the proposal. Discussion followed.

John Chamberlin stated the WIB now had three options to consider:

1. To go with the second bidder – Mendocino PIC, which the Review Committee considered to be an adequate proposal.
2. Authorize negotiations with Mendocino PIC and Lake DSS.
3. Throw the RFP out and start over.

Ric Teagarden made a motion to disqualify all three proposals and re-bid the Lake County program in an expedient manner so that proposals can be reconsidered without conflict. Don Schrader second.

Tracey Quarne spoke on the WIB’s motion and asked the WIB to consider withdrawing the motion and re-introduce a different one that would authorize John Chamberlin to negotiate with the next two bidders and report back to the Board within one month for issuance of a contract. Ric Teagarden said he would not like to withdraw and would like the WIB to vote on his motion. Don Schrader concurred with Mr. Teagarden.

Doug Sloan acknowledged members’ sentiments and comments. However, three bidders participated in a fair process and the proposals were reviewed independently. Mr. Obermeyer was the mover of the motion that influenced the RFP and he admitted that he edited the proposal. Mr. Sloan felt that going back to re-bid the program would not be fair to the other two bidders. Members continued to comment on this issue.

**WIB Action:** On a motion by Ric Teagarden and seconded by Don Schrader the WIB voted to disqualify all three proposals and re-bid the Lake County program in an expedient manner.  
*Motion Carried.*

*Roll Call Vote: Ayes – 10; Nays – 7; Abstentions – 1; Absent - 1*

<i>Diana Barry</i>	<i>Aye</i>	<i>Bill Padgett</i>	<i>Aye</i>
<i>Andre Carrao</i>	<i>Aye</i>	<i>Randy Page</i>	<i>Nay</i>
<i>Beatriz Espinoza</i>	<i>Nay</i>	<i>Chris Paige</i>	<i>Nay</i>
<i>Ben Felt</i>	<i>Aye</i>	<i>Joe Pelaez</i>	<i>Nay</i>
<i>Armando Guerrero</i>	<i>Aye</i>	<i>Henry Sanchez</i>	<i>Nay</i>
<i>Mickey Harrington</i>	<i>Nay</i>	<i>Don Schrader</i>	<i>Aye</i>
<i>Gary Lewis</i>	<i>Aye</i>	<i>Doug Sloan</i>	<i>Nay</i>
<i>Selenia Moseley</i>	<i>Aye</i>	<i>Ric Teagarden</i>	<i>Aye</i>
<i>Suzanne Nobles</i>	<i>Aye</i>	<i>Tom Walther</i>	<i>Absent</i>
<i>Ralph Newlin</i>	<i>Abstain</i>		

Tracey Quarne made a motion that the Governing Board not ratify the WIB’s motion and rather send John Chamberlin to the two remaining bidders to negotiate and to report back to the Board within one month.

Tracey Quarne sought Andrew Compoginis’ legal opinion on what is the safest, legal option whether to throw out the RFP or to go into negotiations with the other two bidders. Mr. Compoginis stated there are two bidders without conflict and one with conflict, the safest being no conflict. Mr. Quarne re-stated his motion and added that should Mr. Chamberlin not reach a satisfactory conclusion with the other two bidders then the option as suggested by the WIB’s motion would be pursued.

Diana Barry asked what if there are no satisfactory negotiations with the two remaining bidders. It was noted that if negotiations fail, the program would be put back out for bid.

Roger Abe expressed concern about a situation where on very technical grounds could have the best and most qualified bidder been disqualified? Who is going to provide the best services for the residents in Lake County? If negotiations are held with just the two remaining bidders there doesn't seem to be any question that those are not going to be the best services that could be provided to Lake County residents. If the RFP is thrown out and a new one is reissued, that disqualified bidder can remove the obstacles and causes that disqualified them, then an operator could be available that can provide services that may be above what the remaining two bidders could provide. Mr. Abe didn't believe it was right to deny that opportunity for those residents. Mr. Abe felt that the Governing Board should not pass the motion and instead follow the WIB's motion and send the program back out for RFP.

Tracey Quarne acknowledged Mr. Abe's opinion but the bidding rules are what they are. Mr. Quarne stated it is acceptable per those bidding rules to negotiate with the remaining bidders to find an acceptable winner. Mr. Abe stated that it is also within bidding rules to reject and not award the RFP at all. Mr. Quarne asked what would be the reason to reject bidder #2. Mr. Abe replied not being satisfied with the level of services they propose to provide. Mr. Quarne stated that throwing out all bids when John Chamberlin has said for the record that Mendocino PIC's bid is an acceptable bid, could invite potential litigation.

**Governing Board Action:** On a motion by Tracey Quarne and seconded by Larry Munger, the Governing Board did not ratify the WIB's action and rather assigned John Chamberlin the task of negotiating with the two remaining bidders – Lake County DSS and Mendocino PIC – and to report back to the Board within 30 days. Further, should Mr. Chamberlin not reach a satisfactory conclusion with the other two bidders then the option as suggested by the WIB's motion would be pursued. *Motion Carried.* Roger Abe opposed.

*Roll Call Vote: Ayes – 3; Nays – 1*

<i>Roger Abe</i>	<i>Nay</i>	<i>Larry Munger</i>	<i>Aye</i>
<i>Tom Indrieri</i>	<i>Aye</i>	<i>Tracey Quarne</i>	<i>Aye</i>

**APPROVAL OF 2010 RFP FUNDING RECOMMENDATIONS FOR SPECIAL YOUTH PROVIDER(S) WITH EACH CONTRACT TO BE NEGOTIATED PER DIRECTION OF BOARD WITH SERVICES TO BEGIN JULY 1, 2010**

**Special Youth Providers:** Three proposals were received for Special Youth Providers; one from CSU, Chico Research Foundation Upward Bound Projects, one from Crossroads Diversified Services Inc., and one from Northern California District Council of Laborers. The Committee considered the CSU, Chico Research Foundation's proposal to be a very good bid and unanimously recommended it for funding.

**WIB Action:** On a motion by Henry Sanchez and seconded by Don Schrader the WIB accepted the RFP Review Committee's recommendation and authorized negotiations with CSU, Chico Research Foundation Upward Bound Projects and if successful to award a contract for Special Youth Provider. *Motion Carried.*

**Governing Board Action:** On a motion by Tracey Quarne and seconded by Carol Huchingson, the Governing Board accepted the RFP Review Committee's recommendation and authorized negotiations with CSU, Chico Research Foundation Upward Bound Projects and if successful to award a contract for Special Youth Provider. *Motion Carried.*

### **APPROVAL OF RFP FUNDING RECOMMENDATIONS FOR NON-OPERATOR LABOR MARKET AND WIA TRAINING PROJECTS**

**Labor Market Information Focusing on Growth & Emerging Business:** Cheryl Riley referred to the staff report in the board packet, which included the recommendation that the top three bidders be funded for non-operator labor market information projects to provide effective Rapid Response services to laid off workers. Five proposals were received from the bidders listed in the staff report. During the review process, one Review Panel member recused himself from reviewing a proposal from Economic Modeling Specialists Inc. The top three bidders were Golden Capital Network, Craft Consulting Group and Yuba-Sutter Economic Development Corporation. The available ARRA Rapid Response funding for this project is \$138,000 and the total combined funding requested for the above bidders' projects is \$105,215.

**WIB Action:** On a motion by Don Schrader and seconded by Armando Guerrero the WIB accepted the RFP Review Panel's recommendation to fund the proposals received from the top three bidders pending negotiations and allow the NCCC Executive Director to conclude negotiations and award contracts. *Motion Carried.*

**Governing Board Action:** On a motion by Tracey Quarne and seconded by Roger Abe, the Governing Board accepted the RFP Review Panel's recommendation to fund the proposals received from the top three bidders pending negotiations and allow the NCCC Executive Director to conclude negotiations and award contracts. *Motion Carried.*

**WIA Training for Growth & Demand Occupations:** Ric Teagarden and Mickey Harrington recused themselves and left the room at this time because of potential conflicts of interests concerning proposals submitted for WIA training projects. John Chamberlin referred to the staff report in the board packet. Five proposals were received from the bidders listed in the staff report.

The Review Panel's unanimous recommendation was to negotiate a contract with Marysville Adult School Dental Hygienist/Dental Assistant program. Two issues to be addressed in negotiations are 1) to predict when the number of trainees will exceed employer demand – how many group sized classes will it take to saturate the market, and 2) whether enough dislocated workers will want to become dental workers.

Secondly, the Review Panel recommended NCCC staff explore the viability of the PIC of Butte County Lineman/Utility Worker project, and based upon the exploratory findings authorize NCCC staff whether or not to negotiate a contract with the PIC of Butte County for a considerably reduced amount, if deemed appropriate and to the extent dislocated worker funds remain available.

Lastly, the Review Panel recommended against funding the remaining three proposals. The proposed training programs could be selected on a one-by-one basis from the Eligible Training Providers List.

**WIB Action:** On a motion by Chris Paige and seconded by Randy Page the WIB accepted the RFP Review Panel’s recommendations for WIA training for growth and demand occupations as presented. *Motion Carried.*

**Governing Board Action:** On a motion by Tracey Quarne and seconded by Carol Huchingson, the Governing Board accepted the RFP Review Panel’s recommendations for WIA training for growth and demand occupations as presented. *Motion Carried.*

**NCCC PERFORMANCE OVERVIEW**

There were no areas of concern related to program performance outcomes for the third quarter.

**RAPID RESPONSE UPDATE**

NCCC Consultant Rob Gamble stated that NCCC and its One Stops underwent a process to enhance our Rapid Response capacity and developed a Rapid Response Assessment Tool. Mr. Gamble mentioned that NCCC was invited to the NAWB Conference to showcase how the tool might work on a local level. Mr. Gamble referred to NCCC’s Rapid Response Self-Evaluation form which will be reviewed with each of the One Stops beginning tomorrow. The outcome of the reviews will give us a registry of our ability. Francene Kennedy noted that DOL has acknowledged NCCC’s activities relative to Rapid Response and Rob Gamble’s contributions. Rob Gamble commented on Yuba and Sutter One Stops’ activities in assisting with Fremont-Rideout’s recent layoffs. The membership commended Mr. Gamble for his efforts. Cheryl Riley mentioned that the next meeting of the Northern California Rapid Response Roundtable will be May 6<sup>th</sup> at the Operating Engineers Office in Yuba City.

**OTHER BUSINESS**

The next WIB/Governing Board meeting is scheduled for July 29<sup>th</sup> at the Glenn County Board of Supervisors Chambers in Willows.

There were no other matters brought before the WIB or the Governing Board.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 6:00 p.m.

**ATTEST:**

\_\_\_\_\_  
Larry Munger, Chairperson  
Governing Board

\_\_\_\_\_  
Doug Sloan, Chairperson  
Workforce Investment Board

**APPROVED ON:** \_\_\_\_\_

**APPROVED ON:** \_\_\_\_\_