



Sacramento  
Employment and  
Training  
Agency

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**APPROVED**  
BY THE CITY COUNCIL

**MAR 23 1999**

OFFICE OF THE  
CITY CLERK

March 5, 1999

Sacramento City Council  
Sacramento, California

Honorable Members in Session

**SUBJECT:** Approval of Workforce Investment Act Transition Resolution

**CONTACT PERSONS:**

**Kathy Kossick**, Executive Director (263-2810)

**Robin Purdy**, Division Chief, Planning & Community Development (263-3860)

**FOR THE AGENDA OF: March 23, 1999 (Consent Calendar)**

**BACKGROUND:**

On August 7, 1998 the Workforce Investment Act (WIA) of 1998 was signed into law by President Clinton. The WIA is effective on July 1, 2000. WIA provides the framework for a workforce preparation and employment system designed to meet both the needs of business and the needs of job seekers and those who want to further their careers. **The WIA repeals the Job Training Partnership Act and replaces it with Title I - Workforce Investment Systems.**

- ▶ Service Delivery Areas will be replaced with **Workforce Investment Areas**
- ▶ Private Industry Councils will be replaced with **Workforce Investment Boards.**

SETA staff has been working with the SETA Governing Board's Legal Counsel, the Private Industry Council's Legal Counsel, the Private Industry Council's Futures Committee and John Chamberlin, a national workforce development consultant, to identify key decision points and develop a transition time line for the SETA Governing Board.

March 5, 1999  
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Attached are sections of the act pertaining to Workforce Investment Area designation and local Workforce Investment Boards.

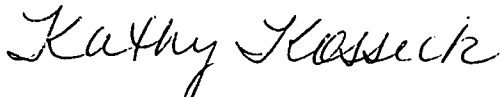
On Thursday, March 4, 1999, the SETA Governing Board approved a resolution approving the Workforce Investment Act Transition..

Staff requests that **one certified copy of the attached resolution be returned to SETA** to be forwarded to the State of California when requesting designation of the Workforce Investment Area.

**RECOMMENDATION:**

Approve the Workforce Investment Act Transition Resolution.

Respectfully submitted,



Kathy Kossick  
Executive Director

KK:nt

Approval Recommended:



William Edgar  
City Manager

**APPROVED**  
BY THE CITY COUNCIL

**MAR 23 1999**

OFFICE OF THE  
CITY CLERK

**RESOLUTION NO. 99-124**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

JOINT RESOLUTION  
of the  
SACRAMENTO EMPLOYMENT & TRAINING AGENCY GOVERNING BOARD,  
the SACRAMENTO PRIVATE INDUSTRY COUNCIL, INC., the SACRAMENTO  
COUNTY BOARD OF SUPERVISORS and the SACRAMENTO CITY COUNCIL

DESIGNATING A LOCAL WORKFORCE INVESTMENT AREA,  
DESIGNATING THE SACRAMENTO EMPLOYMENT & TRAINING  
AGENCY GOVERNING BOARD AS THE ADMINISTRATIVE  
ENTITY AND GRANT RECIPIENT AND DESIGNATING THE  
SACRAMENTO PRIVATE INDUSTRY COUNCIL, INC. AS THE  
TRANSITIONAL WORKFORCE INVESTMENT BOARD  
UNDER THE WORKFORCE INVESTMENT ACT OF 1998

WHEREAS, the Sacramento Employment & Training Agency (SETA) is a joint powers agency of the County of Sacramento and the City of Sacramento formed, in part, to serve as the Grant Recipient and Grant Administrator for the service delivery area comprised of the County of Sacramento and City of Sacramento pursuant to the Job Training Partnership Act of 1982, as amended (JTPA); and,

WHEREAS, the SETA Governing Board, comprised of two members of the Sacramento County Board of Supervisors, two members of the Sacramento City Council and one public member, acts as the Chief Elected Official or Chief Elected Officials as that term is used in JTPA; and,

WHEREAS, the Workforce Investment Act of 1998 (WIA) replaces the JTPA and provides for a transition period ending on June 30, 2000; and

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

WHEREAS, Section 116(a)(2) of the WIA requires the Governor of the State of California to approve the request for designation as a Workforce Investment Area from any unit of general local government with a population of 500,000 or more; and

WHEREAS, the County of Sacramento and the City of Sacramento jointly satisfy all of the criteria for designation as a Workforce Investment Area under Section 116(a)(2) of the WIA; and

WHEREAS, the County of Sacramento and the City of Sacramento jointly desire to designate the County of Sacramento and the City of Sacramento as the Sacramento Workforce Investment Area: and

WHEREAS, Section 101(6)(B) authorizes the units of general local government in a Workforce Investment Area that includes more than one unit of general local government to designate the Chief Elected Official for such Workforce Investment Area; and

WHEREAS, Section 117(d)(3) of the WIA provides that the chief elected official shall serve as the local grant recipient and the fiscal agent for the Workforce Investment Area; and,

WHEREAS, the County of Sacramento and the City of Sacramento desire to designate the SETA Governing Board as the Chief Elected Official, grant recipient and fiscal agent for the Sacramento Workforce Investment Area; and

WHEREAS, the Sacramento Private Industry Council, Inc. (PIC) was established as a private industry council pursuant to Section 102 of the JTPA and Section 117(i) of the WIA authorizes such a private industry council to constitute a local Workforce Investment Board; and

WHEREAS, the parties desire PIC to constitute the local Workforce Investment Board for the Sacramento Workforce Investment Area during the transition period; and

WHEREAS, as evidenced below, the SETA Governing Board has approved this joint resolution:

NOW, THEREFORE, BE IT RESOLVED JOINTLY BY THE COUNTY OF SACRAMENTO AND THE CITY OF SACRAMENTO that:

1. The County of Sacramento apply to the Governor of the State of California for designation as the Sacramento Workforce Investment Area pursuant to the WIA;

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RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

2. The Joint Exercise of Powers Agreement between the County of Sacramento and the City of Sacramento be amended to authorize SETA to administer funds pursuant to the WIA and that the SETA Governing Board be designated as the Chief Elected Official, grant recipient and fiscal agent for purposes of implementing any requirement under the WIA and the State of California;
3. The PIC be designated as the transitional Workforce Investment Board (WIB) and be reconstituted as necessary and desired to meet the requirements of the WIA and the State of California;
4. SETA be designated as the administrative entity and be designated to staff the WIB pursuant to the WIA; and
5. The SETA Executive Director is authorized to execute all WIA plans, modifications, adjustments, grants, grant applications, subgrant agreements or any other WIA documents required by the State of California or the United States Department of Labor, subject to the policies and procedures of the SETA Governing Board, unless such authorization be revoked by the SETA Governing Board or jointly by the Sacramento County Board of Supervisors and the Sacramento City Council.

APPROVED BY THE PARTIES HERETO ON THE DATES IDENTIFIED BELOW.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Mayor, City of Sacramento

ATTEST:

\_\_\_\_\_  
Clerk, City of Sacramento

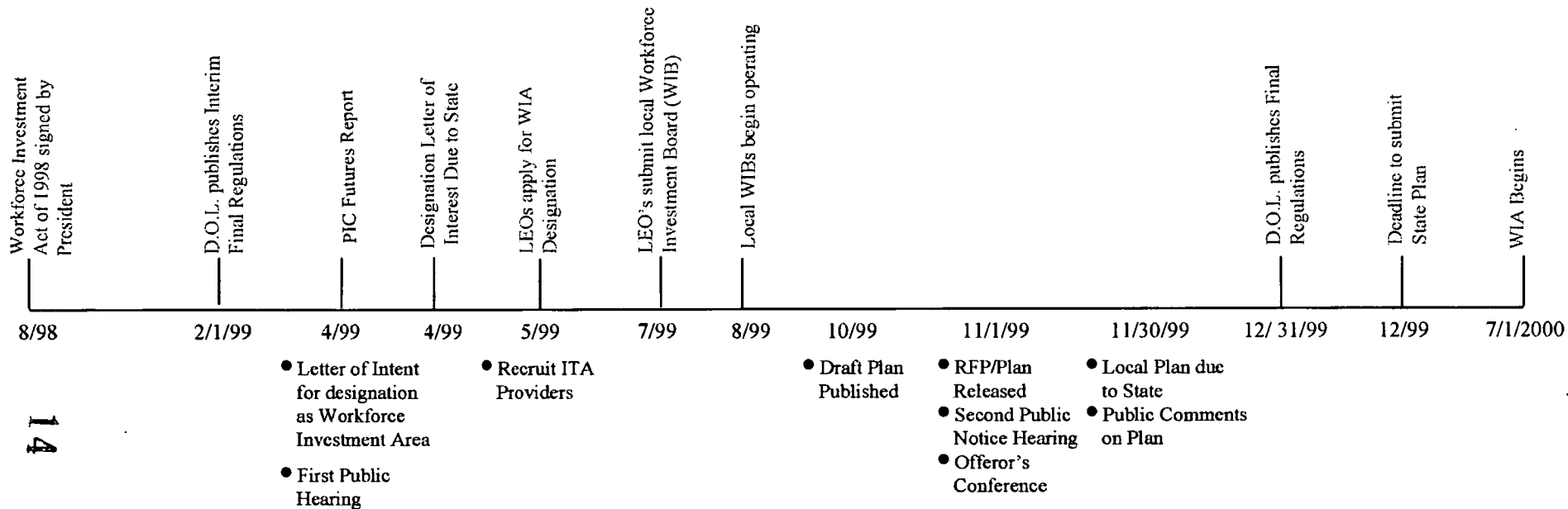
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RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

# WIA Transition and Implementation Timeline



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- Local Transition Decisions**
- Designation of Workforce Investment Area
  - Composition and design of Local Board
  - Responsibilities of local board and local elected officials
  - Selection of Fiscal Agency/Staffing
  - Appointment of Local Board
  - Strategic Plan/Public Hearings
  - Memorandum of Understanding

- ✓ 8/98 - 4/99 = Education Period
- ✓ 4/99 - 10/99 = Planning Period
- ✓ 10/99 = Implementation Begins

BLUE Print = Transition Benchmarks

9 RED Print = Implementation Deadlines

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## Workforce Investment Act of 1998

(Act available at <http://usworkforce.org>)

### CHAPTER 2--LOCAL PROVISIONS

#### SEC. 116. LOCAL WORKFORCE INVESTMENT AREAS.

(a) Designation of Areas.--

(1) In general.--

(A) Process.--Except as provided in subsection (b), and consistent with paragraphs (2), (3), and (4), in order for a State to receive an allotment under section 127 or 132, **the Governor of the State shall designate local workforce investment areas within the State-- (i) through consultation with the State board; and (ii) after consultation with chief elected officials and after consideration of comments received through the public comment process as described in section 112(b)(9).**

(B) Considerations.--In making the designation of local areas, the Governor shall take into consideration the following: (i) Geographic areas served by local educational agencies and intermediate educational agencies. (ii) Geographic areas served by postsecondary educational institutions and area vocational education schools. (iii) The extent to which such local areas are consistent with labor market areas. (iv) The distance that individuals will need to travel to receive services provided in such local areas. (v) The resources of such local areas that are available to effectively administer the activities carried out under this subtitle.

(2) Automatic designation.--**The Governor shall approve any request for designation as a local area--**

**(A) from any unit of general local government with a population of 500,000 or more; (B) of the area served by a rural concentrated employment program grant recipient of demonstrated effectiveness that served as a service delivery area or substate area under the Job Training Partnership Act, if the grant recipient has submitted the request; and**

**of an area that served as a service delivery area under section 101(a)(4)(A)(ii) of the Job Training Partnership Act (as in effect on the day before the date of enactment of this Act) in a State that has a population of not more than 1,100,000 and a population density greater than 900 persons per square mile.**

(3) Temporary and subsequent designation.--

(A) Criteria.--Notwithstanding paragraph (2)(A), the Governor shall approve any request, made not later than the date of submission of the initial State plan under this subtitle, for temporary designation as a local area from any unit of general local government (including a combination of such units) with a population of 200,000 or more that was a service delivery area under the Job Training Partnership Act on the

day before the date of enactment of this Act if the Governor determines that the area-- (i) performed successfully, in each of the last 2 years prior to the request for which data are available, in the delivery of services to participants under part A of title II and title III of the Job Training Partnership Act (as in effect on such day); and (ii) has sustained the fiscal integrity of the funds used by the area to carry out activities under such part and title.

(B) Duration and subsequent designation.--A temporary designation under this paragraph shall be for a period of not more than 2 years, after which the designation shall be extended until the end of the period covered by the State plan if the Governor determines that, during the temporary designation period, the area substantially met (as defined by the State board) the local performance measures for the local area and sustained the fiscal integrity of the funds used by the area to carry out activities under this subtitle.

(c) Technical assistance.--The Secretary shall provide the States with technical assistance in making the determinations required by this paragraph. The Secretary shall not issue regulations governing determinations to be made under this paragraph.

(D) Performed successfully.--In this paragraph, the term "performed successfully" means that the area involved met or exceeded the performance standards for activities administered in the area that-- (i) are established by the Secretary for each year and modified by the adjustment methodology of the State (used to account for differences in economic conditions, participant characteristics, and combination of services provided from the combination assumed for purposes of the established standards of the Secretary); and (ii)(I) if the area was designated as both a service delivery area and a substate area under the Job Training Partnership Act (as in effect on the day before the date of enactment of this Act)-- (aa) relate to job retention and earnings, with respect to activities carried out under part A of title II of such Act (as in effect on such day); or (bb) relate to entry into employment, with respect to activities carried out under title III of such Act (as in effect on such day); (II) if the area was designated only as a service delivery area under such Act (as in effect on such day), relate to the standards described in subclause (I)(aa); or (III) if the area was only designated as a substate area under such Act (as in effect on such day), relate to the standards described in subclause (I)(bb).

(E) Sustained the fiscal integrity.--In this paragraph, the term "sustained the fiscal integrity", used with respect to funds used by a service delivery area or local area, means that the Secretary has not made a final determination during any of the last 3 years for which data are available, prior to the date of the designation request involved, that either the grant recipient or the administrative entity of the area misexpended the funds due to willful disregard of the requirements of the Act involved, gross negligence, or failure to observe accepted standards of administration.

(4) Designation on recommendation of state board.--The Governor may approve a request from any unit of general local government (including a combination of such units) for designation (including temporary designation) as a local area if the State board determines, taking into account the factors described in clauses (i) through (v) of paragraph (1)(B), and



recommends to the Governor, that such area should be so designated.

(5) Appeals.--A unit of general local government (including a combination of such units) or grant recipient that requests but is not granted designation of an area as a local area under paragraph (2) or (3) may submit an appeal to the State board under an appeal process established in the State plan. If the appeal does not result in such a designation, the Secretary, after receiving a request for review from the unit or grant recipient and on determining that the unit or grant recipient was not accorded procedural rights under the appeal process established in the State plan or that the area meets the requirements of paragraph (2) or (3), as appropriate, may require that the area be designated as a local area under such paragraph.

## **Workforce Investment Act of 1998**

(Act available at <http://usworkforce.org>)

### **SEC. 117. LOCAL WORKFORCE INVESTMENT BOARDS.**

(a) Establishment.--**There shall be established in each local area of a State, and certified by the Governor of the State, a local workforce investment board, to set policy for the portion of the statewide workforce investment system within the local area (referred to in this title as a "local workforce investment system").**

(b) Membership.--

(1) **State criteria.**--**The Governor of the State, in partnership with the State board, shall establish criteria for use by chief elected officials in the local areas for appointment of members of the local boards** in such local areas in accordance with the requirements of paragraph (2).

(2) **Composition.**--Such criteria shall require, at a minimum, that the membership of each local board-- (A) shall include-- (I) representatives of business in the local area, who-- (I) are owners of businesses, chief executives or operating officers of businesses, and other business executives or employers with optimum policymaking or hiring authority; (II) represent businesses with employment opportunities that reflect the employment opportunities of the local area; and (III) are appointed from among individuals nominated by local business organizations and business trade associations; (ii) representatives of local educational entities, including representatives of local educational agencies, local school boards, entities providing adult education and literacy activities, and postsecondary educational institutions (including representatives of community colleges, where such entities exist), selected from among individuals nominated by regional or local educational agencies, institutions, or organizations representing such local educational entities; (iii) representatives of labor organizations (for a local area in which employees are represented by labor organizations), nominated by local labor federations, or (for a local area in which no employees are represented by such organizations), other representatives of employees; (iv) representatives of community-based organizations (including organizations representing individuals with disabilities and

veterans, for a local area in which such organizations are present); (v) representatives of economic development agencies, including private sector economic development entities; and (vi) representatives of each of the one-stop partners; and (B) may include such other individuals or representatives of entities as the chief elected official in the local area may determine to be appropriate.

(3) **Authority of board members.**--Members of the board that represent organizations, agencies, or other entities shall be individuals with optimum policymaking authority within the organizations, agencies, or entities.

(4) **Majority.**--A majority of the members of the local board shall be representatives described in paragraph (2)(A)(I).

(5) **Chairperson.**--The local board shall elect a chairperson for the local board from among the representatives described in paragraph (2)(A)(I).

(c) **Appointment and Certification of Board.**—

(1) Appointment of board members and assignment of responsibilities.-- (A) **In general.**-- **The chief elected official in a local area is authorized to appoint the members of the local board for such area, in accordance with the State criteria established under subsection (b).** (B) **Multiple units of local government in area.**-- (I) **In general.**--**In a case in which a local area includes more than 1 unit of general local government, the chief elected officials of such units may execute an agreement that specifies the respective roles of the individual chief elected officials**-- (I) in the appointment of the members of the local board from the individuals nominated or recommended to be such members in accordance with the criteria established under subsection (b); and (II) in carrying out any other responsibilities assigned to such officials under this subtitle. (ii) **Lack of agreement.**--If, after a reasonable effort, the chief elected officials are unable to reach agreement as provided under clause (I), the Governor may appoint the members of the local board from individuals so nominated or recommended. **Concentrated employment programs.**--In the case of a local area designated in accordance with section 116(a)(2)(B), the governing body of the concentrated employment program involved shall act in consultation with the chief elected official in the local area to appoint members of the local board, in accordance with the State criteria established under subsection (b), and to carry out any other responsibility relating to workforce investment activities assigned to such official under this Act.

(d) **Appointment and Certification of Board.**-- (1) Appointment of board members and assignment of responsibilities.-- (A) **In general.**--The chief elected official in a local area is authorized to appoint the members of the local board for such area, in accordance with the State criteria established under subsection (b). (B) **Multiple units of local government in area.**-- (i) **In general.**--In a case in which a local area includes more than 1 unit of general local government, the chief elected officials of such units may execute an agreement that specifies the respective roles of the individual chief elected officials-- (I) in the appointment of the members of the local board from the individuals nominated or recommended to be such members in accordance with the criteria established under subsection (b); and (II) in carrying out any other responsibilities assigned to such officials under this subtitle. (ii) **Lack of agreement.**--If, after a reasonable effort, the chief elected officials are unable to reach agreement as provided under clause (i), the Governor may appoint the members of the local board from individuals so nominated or recommended.

(C) Concentrated employment programs.--In the case of a local area designated in accordance with section 116(a)(2)(B), the governing body of the concentrated employment program involved shall act in consultation with the chief elected official in the local area to appoint members of the local board, in accordance with the State criteria established under subsection (b), and to carry out any other responsibility relating to workforce investment activities assigned to such official under this Act.

(2) Certification.-- (A) In general.--The Governor shall, once every 2 years, certify 1 local board for each local area in the State. (B) Criteria.--Such certification shall be based on criteria established under subsection (b) and, for a second or subsequent certification, the extent to which the local board has ensured that workforce investment activities carried out in the local area have enabled the local area to meet the local performance measures.

(C) Failure to achieve certification.--Failure of a local board to achieve certification shall result in reappointment and certification of another local board for the local area pursuant to the process described in paragraph (1) and this paragraph.

(3) Decertification.-- (A) Fraud, abuse, failure to carry out functions.-- Notwithstanding paragraph (2), the Governor may decertify a local board, at any time after providing notice and an opportunity for comment, for-- (i) fraud or abuse; or (ii) failure to carry out the functions specified for the local board in any of paragraphs (1) through (7) of subsection (d). (B) Nonperformance.--Notwithstanding paragraph (2), the Governor may decertify a local board if a local area fails to meet the local performance measures for such local area for 2 consecutive program years (in accordance with section 136(h)). (C) Plan.--If the Governor decertifies a local board for a local area under subparagraph (A) or (B), the Governor may require that a new local board be appointed and certified for the local area pursuant to a reorganization plan developed by the Governor, in consultation with the chief elected official in the local area, and in accordance with the criteria established under subsection (b).

(4) Single state area.--Notwithstanding subsection (b) and paragraphs (1) and (2), if a State described in section 116(b) indicates in the State plan that the State will be treated as a local area for purposes of the application of this title, the Governor may designate the State board to carry out any of the functions described in subsection (d).

(e) Functions of Local Board.--The functions of the local board shall include the following: (1) Local plan.--Consistent with section 118, each local board, in partnership with the chief elected official for the local area involved, shall develop and submit a local plan to the Governor. (2) Selection of operators and providers.-- (A) Selection of one-stop operators.--Consistent with section 121(d), the local board, with the agreement of the chief elected official-- (i) shall designate or certify one-stop operators as described in section 121(d)(2)(A); and (ii) may terminate for cause the eligibility of such operators. (B) Selection of youth providers.--Consistent with section 123, the local board shall identify eligible providers of youth activities in the local area by awarding grants or contracts on a competitive basis, based on the recommendations of the youth council. (C) Identification of eligible providers of training services.--Consistent with section 122, the local board shall identify eligible providers of training services described in section 134(d)(4) in the local area. (D) Identification of eligible providers of intensive services.--If the one-stop operator does not provide intensive services in a local area, the local board shall identify eligible providers of intensive services described in section 134(d)(3) in the local area by

awarding contracts. (3) Budget and administration.-- (A) Budget.--The local board shall develop a budget for the purpose of carrying out the duties of the local board under this section, subject to the approval of the chief elected official. (B) Administration.-- (i) Grant recipient.-- (I) In general.--The chief elected official in a local area shall serve as the local grant recipient for, and shall be liable for any misuse of, the grant funds allocated to the local area under sections 128 and 133, unless the chief elected official reaches an agreement with the Governor for the Governor to act as the local grant recipient and bear such liability. (II) Designation.--In order to assist in the administration of the grant funds, the chief elected official or the Governor, where the Governor serves as the local grant recipient for a local area, may designate an entity to serve as a local grant subrecipient for such funds or as a local fiscal agent. Such designation shall not relieve the chief elected official or the Governor of the liability for any misuse of grant funds as described in subclause (I). (III) Disbursal.--The local grant recipient or an entity designated under subclause (II) shall disburse such funds for workforce investment activities at the direction of the local board, pursuant to the requirements of this title, if the direction does not violate a provision of this Act. The local grant recipient or entity designated under subclause (II) shall disburse the funds immediately on receiving such direction from the local board. (ii) Staff.--The local board may employ staff. (iii) Grants and donations.--The local board may solicit and accept grants and donations from sources other than Federal funds made available under this Act.

(4) Program oversight.--The local board, in partnership with the chief elected official, shall conduct oversight with respect to local programs of youth activities authorized under section 129, local employment and training activities authorized under section 134, and the one-stop delivery system in the local area.

(5) Negotiation of local performance measures.--The local board, the chief elected official, and the Governor shall negotiate and reach agreement on local performance measures as described in section 136(c).

(6) Employment statistics system.--The local board shall assist the Governor in developing the statewide employment statistics system described in section 15(e) of the Wagner-Peyser Act.

(7) Employer linkages.--The local board shall coordinate the workforce investment activities authorized under this subtitle and carried out in the local area with economic development strategies and develop other employer linkages with such activities.

(8) Connecting, brokering, and coaching.--The local board shall promote the participation of private sector employers in the statewide workforce investment system and ensure the effective provision, through the system, of connecting, brokering, and coaching activities, through intermediaries such as the one-stop operator in the local area or through other organizations, to assist such employers in meeting hiring needs. (e) Sunshine Provision.--The local board shall make available to the public, on a regular basis through open meetings, information regarding the activities of the local board, including information regarding the local plan prior to submission of the plan, and regarding membership, the designation and certification of one-stop operators, and the award of grants or contracts to eligible providers of youth activities, and on request, minutes of formal meetings of the local board.

(f) Limitations.-- (1) Training services.-- (A) In general.--Except as provided in subparagraph (B), no local board may provide training services described in section 134(d)(4). (B) Waivers of training prohibition.--The Governor of the State in which a local board is located may, pursuant to a request from the local board, grant a written waiver of the prohibition set forth in subparagraph (A) (relating to the provision of training services) for a program of training services, if the local board-- (i) submits to the Governor a proposed request for the waiver that includes-- (I) satisfactory evidence that there is an insufficient number of eligible providers of such a program of training services to meet local demand in the local area; (II) information demonstrating that the board meets the requirements for an eligible provider of training services under section 122; and (III) information demonstrating that the program of training services prepares participants for an occupation that is in demand in the local area; (ii) makes the proposed request available to eligible providers of training services and other interested members of the public for a public comment period of not less than 30 days; and (iii) includes, in the final request for the waiver, the evidence and information described in clause (i) and the comments received pursuant to clause (ii). (C) Duration.--A waiver granted to a local board under subparagraph (B) shall apply for a period of not to exceed 1 year. The waiver may be renewed for additional periods of not to exceed 1 year, pursuant to requests from the local board, if the board meets the requirements of subparagraph (B) in making the requests. (D) Revocation.--The Governor may revoke a waiver granted under this paragraph during the appropriate period described in subparagraph (C) if the State determines that the local board involved has engaged in a pattern of inappropriate referrals to training services operated by the local board. (2) Core services; intensive services; designation or certification as one-stop operators.--A local board may provide core services described in section 134(d)(2) or intensive services described in section 134(d)(3) through a one-stop delivery system described in section 134(c) or be designated or certified as a one-stop operator only with the agreement of the chief elected official and the Governor. (3) Limitation on authority.--Nothing in this Act shall be construed to provide a local board with the authority to mandate curricula for schools.

(g) Conflict of Interest.--A member of a local board may not-- (1) vote on a matter under consideration by the local board-- (A) regarding the provision of services by such member (or by an entity that such member represents); or (B) that would provide direct financial benefit to such member or the immediate family of such member; or (2) engage in any other activity determined by the Governor to constitute a conflict of interest as specified in the State plan.

(h) Youth Council.-- (1) Establishment.--There shall be established, as a subgroup within each local board, a youth council appointed by the local board, in cooperation with the chief elected official for the local area. (2) Membership.--The membership of each youth council-- (A) shall include-- (i) members of the local board described in subparagraph (A) or (B) of subsection (b)(2) with special interest or expertise in youth policy; (ii) representatives of youth service agencies, including juvenile justice and local law enforcement agencies; (iii) representatives of local public housing authorities; (iv) parents of eligible youth seeking assistance under this subtitle; (v) individuals, including former participants, and representatives of organizations, that have experience relating to youth activities; and (vi) representatives of the Job Corps, as appropriate; and (B) may include such other individuals as the chairperson of the local board, in cooperation with the chief elected official, determines to be appropriate. (3) Relationship to local board.--Members of the youth council who are not members of the local board described in subparagraphs (A) and (B) of subsection (b)(2) shall be voting members of the

youth council and nonvoting members of the board. (4) Duties.--The duties of the youth council include-- (A) developing the portions of the local plan relating to eligible youth, as determined by the chairperson of the local board; (B) subject to the approval of the local board and consistent with section 123-- (i) recommending eligible providers of youth activities, to be awarded grants or contracts on a competitive basis by the local board to carry out the youth activities; and (ii) conducting oversight with respect to the eligible providers of youth activities, in the local area; (C) coordinating youth activities authorized under section 129 in the local area; and (D) other duties determined to be appropriate by the chairperson of the local board.

(i) Alternative Entity.-- (1) In general.--For purposes of complying with subsections (a), (b), and (c), and paragraphs (1) and (2) of subsection (h), a State may use any local entity (including a local council, regional workforce development board, or similar entity) that-- (A) is established to serve the local area (or the service delivery area that most closely corresponds to the local area); (B) is in existence on December 31, 1997; (C)(i) is established pursuant to section 102 of the Job Training Partnership Act, as in effect on December 31, 1997; or (ii) is substantially similar to the local board described in subsections (a), (b), and (c), and paragraphs (1) and (2) of subsection (h); and (D) includes-- (i) representatives of business in the local area; and (ii)(I) representatives of labor organizations (for a local area in which employees are represented by labor organizations), nominated by local labor federations; or (II) (for a local area in which no employees are represented by such organizations), other representatives of employees in the local area. (2) References.--References in this Act to a local board or a youth council shall be considered to include such an entity or a subgroup of such an entity, respectively.