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MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee 18.00

CENTRAL IOWA EMPLOYMENT AND TRAINING CONSORTIUM

CERTIFICATION OF ADOPTION OF A JOINT EXERCISE OF POWERS AGREEMENT

FILED
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SECRETARY OF STATE
IOWA

STATE OF IOWA)
) SS.
COUNTY OF POLK)

I, Gary R. Evans, being first duly sworn do upon my oath state and certify that I am the duly appointed and acting Secretary of the Central Iowa Regional Association of Local Governments; that the attached "Central Iowa Employment And Training Consortium" agreement was duly adopted in September, 1980, by the City of Des Moines, Iowa, and the Counties of Boone, Dallas, Madison, Marion, Polk and Story, Iowa; and that this agreement is being herewith filed with the Secretary of State and recorded with the County Recorders pursuant to the provisions of Chapter 28E, Code of Iowa, 1979.

Gary R. Evans
Gary R. Evans

Subscribed and sworn to before me this 6 day of October, 1980.

MARY M. STARLIPER ★ Iowa ★ NOTARIAL SEAL

Mary M. Starliper
NOTARY PUBLIC IN AND FOR STATE OF IOWA

CENTRAL IOWA EMPLOYMENT AND TRAINING CONSORTIUM

This agreement is entered into as of the 1st day of October, 1980, by and between the County/City of _____, Iowa, hereinafter called "MEMBER," and the other members named herein, and revokes and supercedes any and all prior consortium agreements for the Central Iowa region relating to the Comprehensive Employment and Training Act of 1973, hereinafter called "CETA" that may have heretofore been entered into by the members to this agreement,

WITNESSETH

WHEREAS, the City of Des Moines, and the Counties of Boone, Dallas, Jasper, Madison, Marion, Polk, Story and Warren, Iowa, have heretofore entered into the "Central Iowa Consortium Agreement under the Comprehensive Employment and Training Act of 1973," designating the Central Iowa Regional Association of Local Governments, as the administrative agency for the consortium; and,

WHEREAS, the City of Des Moines and the County of Polk each having population in excess of 100,000 meet the requirements of the Comprehensive Employment and Training Act for Prime Sponsors; and,

WHEREAS, in order to make efficient use of their comprehensive employment and training powers the member governments desire to enter into this agreement.

NOW THEREFORE, IT IS AGREED THAT THE PARTIES SIGNATORY HERETO DO HEREBY ADOPT THE CENTRAL IOWA EMPLOYMENT AND TRAINING CONSORTIUM AGREEMENT AS FOLLOWS:

1. AUTHORITY. This consortium agreement is pursuant to the provisions of Chapter 28E, Code of Iowa, 1979 and the Federal Comprehensive Employment and Training Act of 1973, as amended, (CETA).

2. MEMBERS. The following units of general local government are the members of the consortium: the City of Des Moines, and the Counties of Boone, Dallas, Jasper, Madison, Marion, Polk, Story and Warren, Iowa. All of the cities, other than the City of Des Moines are units of general local governments which are within the area served by the consortium but have not joined the consortium inasmuch as the member counties represent their residents.

3. CERTIFICATION. Attached hereto is a letter of certification from the member's chief legal officer giving assurances required by CETA rules and regulations.

4. AREA. The geographic area served by the consortium is the area encompassed within the counties of Boone, Dallas, Jasper, Madison, Marion, Polk, Story and Warren, Iowa, which area is called the Central Iowa Region.

5. ADMINISTRATIVE AGENCY - POWERS - SIGNING. The Central Iowa Regional Association of Local Governments, hereinafter called "CIRALG", is the designated administrative entity to operate the CETA programs on behalf of the consortium. Except as hereinafter limited, CIRALG is delegated the power to enter into contracts, subgrants and other necessary agreements; to receive and expend funds, to employ personnel including CETA participants for the purpose of administering the CETA program, to organize and train staff, to develop procedures for program planning, operation, assessment and fiscal management; to evaluate program performance and determine whether there is need to reallocate resources, and to modify grant agreements. Grant agreements shall be signed by the executive director of CIRALG. The master and annual plans, as approved by the Department of Labor, shall govern the administration of the grants, programs, and any and all other matters related to implementation of the CETA programs.

6. CONSORTIUM BOARD - VOTING - BYLAWS. The member governments shall exercise the powers of the consortium through a board of directors composed of the representative or designated alternate of each representative appointed by the Mayor or the Chairman with the approval of the Council or Board of Supervisors of each member government which are parties to this agreement. The City of Des Moines shall be entitled to three representatives, Polk County shall be entitled to two representatives and each other county shall be entitled to one representative per county, each of which representatives or in such representative's absence the respective designated alternate shall be entitled to one vote. The board of directors may adopt bylaws for the regulation and management of its affairs not inconsistent with law or this agreement.

7. PLAN APPROVAL. The CETA master and annual plans for this area, including the administrative structure, staffing patterns and manner of delivery of activities and services, and modifications thereof, shall be adopted or modified by a majority vote of the board of directors and approved by the governing bodies of all the member governments. If no action is taken for or against such plan, or amendment thereto, within thirty days after its receipt by such government, it shall be deemed that such government has given its approval to such plan or modification. Notwithstanding the preceding, (a) modifications of either plan required by the CETA regional administrator or (b) modifications of the annual plan involving an increase or decrease of less than fifteen percent in the cumulative number of individuals to be served, planned enrollment levels for program activities, planned placements, terminations, or individuals to be served within significant segments, may be adopted by a majority vote of the board of directors only. Notice of such modification shall be mailed immediately after such adoption by the board of directors to the member governments. Requests for proposals for the delivery of services, the selection of service delivery agents and contracts for delivery of services, except individual contracts for public service employees and on the job training positions, shall be approved by the board of directors prior to their execution or termination. The consortium reserves the right of evaluation and the decision to reprogram funds.

8. ADVISORY COMMITTEE. The board of directors shall be assisted in carrying out its responsibilities herein by an advisory committee, called the Central Iowa Employment and Training Planning Council. The Council shall consist of persons as defined in §676.7(b) appointed by the chairman of the board of directors and approved by the board of directors. The Council shall advise the board of directors in the formulation of the Plan for delivery of CETA programs, requests for proposals, the selection of service delivery agents, budget allocations and the need for reallocation of resources. The Council may adopt bylaws for the regulation and management of its affairs subject to approval of the board of directors.

9. FINANCING AND BUDGETING. The financing for the undertaking, pursuant to this agreement shall be in accordance with the provisions of the Articles of Agreement and the Bylaws of CIRALG, relating to special projects except that such shall be only those member governments of CIRALG which are parties to this agreement. If any Federal regulation, memorandum, or directive of the Department of Labor conflicts with the Consortium Agreement or the Articles of Agreement or the Bylaws of CIRALG, such Federal requirements shall prevail. The allocation of resources and the final budget for the operation of CETA programs shall be approved by the board of directors of the consortium.

10. DURATION - FUNDS - PROPERTY.

a. This agreement shall be in effect for CETA programs for fiscal year 1981, (October 1, 1980 through September 30, 1981) and may be perpetual provided that each governing body approves this Agreement and the Mayor and Chairman of each member government attests thereto each fiscal year thereafter, and each of the member governments hereby agree to be bound to this agreement during any fiscal year for which such approval and attestation has been given.

b. The Central Iowa Employment and Training Consortium is a separate legal entity.

c. This joint and cooperative undertaking is to be financed by Federal funds allocated under the Comprehensive Employment Training Act of 1973, as amended.

d. The property acquired shall be in the name of the consortium.

11. RESPONSIBILITY FOR OPERATION OF PROGRAMS. By approval of this agreement each member government jointly and separately accepts responsibility for the operation of the programs to the extent consistent with state and local laws.

12. AMENDMENTS. The terms and provisions of this agreement may be amended by a majority vote of the board of directors at any regular or special meeting and approved by resolution by the governing bodies of all the member governments and approved by the Department of Labor.

We, the undersigned, as the chief elected official of our respective jurisdictions upon approval of our respective boards or council of an identical agreement hereby execute and enter into this consortium agreement with each other and the Central Iowa Regional Association of Local Governments as Administrative Entity for the Consortium.

CITY/COUNTY OF _____, IOWA

Date: _____

By _____
Mayor/Chairman

ATTEST:

_____
Clerk/Secretary

The Central Iowa Regional Association of Local Goverments as the Administrative Entity for the Consortium hereby approves this agreement and agrees to the terms thereof.

CENTRAL IOWA REGIONAL ASSOCIATION OF LOCAL GOVERMENTS

Date: _____

By _____
Chairman

ATTEST:

_____
Secretary

LETTER OF CERTIFICATION

TO WHOM IT MAY CONCERN:

This is to certify that I am the chief legal officer of the County/City of _____, Iowa; and that in such capacity I make the following assurances.

1. The member has the legal authority to enter into the Consortium Agreement;

2. State and local law permit the provision of services within the entire geographical area covered by the agreement; and

3. Pursuant to state or local law, this consortium member jointly and separately accepts responsibility for the operation of the program.

Dated this _____ day of _____, 1980.

Yours very truly,

_____
Chief Legal Officer
County/City of _____, Iowa