



## FRESNO AREA WORKFORCE INVESTMENT CORPORATION

Board of Directors Meeting  
April 15, 2020 @ 3:00 p.m.

Fresno Regional Workforce Development Board  
2125 Kern Street, #207  
Fresno, CA 93721

**Per Executive Order N-29-20, which allows local and state legislative bodies to hold meetings via teleconference and to make meetings accessible electronically, this regularly scheduled meeting will be held via conference call and can be accessed as follows:**

**Please call 877-668-4490 and follow all prompts.  
To access the call you will need to enter the attendee code as follows: 25045586.**

**The public may participate in the meeting as otherwise permitted under the Brown Act by calling into the number above.**

ROLL CALL

AGENDA CHANGES: REMOVAL OF ITEMS OR EMERGENCY ADDITIONS

ABSTENTIONS/RECUSALS/DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

BOARD CHAIR/STAFF COMMENTS

PUBLIC COMMENTS

Item	Description	Presented By	Enclosure	Action	Page #
1.	January 29, 2020, Special Meeting Minutes	Konczal	Yes	Approve	3
2.	Administrative Time Off Policy	Konczal	Yes	Approve	6
3.	Human Resources Consulting Services Contract Award	Konczal	Yes	Approve	8
4.	Extension of Fresno Area Workforce Investment Corporation Office Lease	Konczal	Yes	Approve	10
5.	Fresno Area Workforce Investment Corporation Personnel Manual Revisions	Konczal	Yes	Approve	13
6.	Special Meeting June 3, 2020	Konczal	No	Information	--
7.	July 15, 2020, Agenda Items	Konczal	No	Discussion	--

**FRESNO AREA WORKFORCE INVESTMENT CORPORATION  
BOARD OF DIRECTORS  
ATTENDANCE REPORT 2020**

	<b>Canceled</b>		<b>Special</b>		
	<b>1/15/2020</b>	<b>1/29/2020</b>	<b>4/15/2020</b>	<b>7/15/2020</b>	<b>10/21/2020</b>
Bauer	XX	A			
Hensley	XX	P			
Karbassi	--	--			
Miller	XX	A			
Montalbano	XX	P			
Quintero	XX	P			
Riojas	XX	P			
Zabrycki	XX	P			

P = Present

A = Absent

-- = Not a Member at Time of Meeting

# FRESNO AREA WORKFORCE INVESTMENT CORPORATION

AGENDA ITEM:	1
MEETING DATE:	April 15, 2020
ACTION:	APPROVE

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**TO:** Board of Directors  
**FROM:** Blake Konczal, Chief Executive Officer  
**SUBJECT:** January 29, 2020, Special Meeting Minutes

**RECOMMENDATION:**

Approve the minutes of the special January 29, 2020, Fresno Area Workforce Investment Corporation Board of Directors meeting.

**ATTACHMENT:**

January 29, 2020, Board of Directors Special Meeting Minutes



# FRESNO AREA WORKFORCE INVESTMENT CORPORATION

Board of Directors  
January 29, 2020

## SPECIAL MEETING

### SUMMARY MINUTES

The meeting was called to order at 1:29 p.m.

ROLL CALL: PRESENT - Jeff Hensley, Dennis Montalbano, Sal Quintero, Chuck Riojas, Lydia Zabrycki, and Legal Counsel Ken Price

ABSENT - Paul Bauer and Scott Miller

AGENDA CHANGES: None

ABSTENTIONS: None

BOARD CHAIR/  
STAFF COMMENTS: None

PUBLIC COMMENTS: None

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#### Item Description/Action Taken

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#### 1. April 17, 2019, Meeting Minutes

Blake Konczal, Chief Executive Officer, Fresno Area Workforce Investment Corporation (FAWIC) presented the April 17, 2019, meeting minutes for approval.

**RIOJAS/QUINTERO – APPROVED THE MINUTES OF THE APRIL 17, 2019, MEETING.  
(UNANIMOUS)**

#### 2. Items Referred by the Fresno Regional Workforce Development Board or Its Committees

There were no items referred by the Fresno Regional Workforce Development Board or its Committees.

#### 3. Specific Resolution of Signatory Authorization for Fresno Area Workforce Investment Corporation for Funding from the Forest Health Grant Program as Provided through California Climate Investments

Mr. Konczal reminded the Board that for over two (2) years, the FAWIC has been in the process of pursuing funding at the federal and state level to train valley and mountain residents to cut down dead trees in the sierras. The FRWDB did submit a proposal for funding, and California Department of Forestry (CalFire) has now requested a specific resolution of signatory authorization. This executed document will certify that the FAWIC will have sufficient funds to operate and maintain the project, that funds under the



of the FAWIC are available to begin the project, that FAWIC will finish the project within four (4) years, and authorizes Mr. Konczal to act as an agent of the Corporation to execute and submit documents, not limited to the agreement. The FAWIC does meet these criteria.

**MONTALBANO/QUINTERO – APPROVED THE SPECIFIC RESOLUTION OF SIGNATORY AUTHORIZATION FOR FRESNO AREA WORKFORCE INVESTMENT CORPORATION FOR FUNDING FROM THE FOREST HEALTH GRANT PROGRAM AS PROVIDED THROUGH CALIFORNIA CLIMATE INVESTMENTS. (UNANIMOUS)**

**4. Updated Resolution of Signatory Authorization for Fresno Area Workforce Investment Corporation**

Mr. Konczal presented for the FAWIC's approval, an updated Resolution of Signatory Authorization for FAWIC. Mr. Konczal indicated that 19 years ago, the FAWIC approved a general signatory resolution, authorizing the Chief Executive Officer to submit proposals, contracts and agreements for, and by virtue of his/her signature, bind FAWIC to contractual agreements. The document presented today is an update to the document approved on May 20, 2002.

**RIOJAS/QUINTERO – APPROVED THE UPDATED RESOLUTION OF SIGNATORY AUTHORIZATION FOR FRESNO AREA WORKFORCE INVESTMENT CORPORATION. (UNANIMOUS)**

**5. Financial Statements and Supplemental Data for Fiscal Year Ending June 30, 2019**

Cheryl Beierschmitt, Deputy Director Fiscal Services, FAWIC, presented the Financial Statements and Supplemental Data for Fiscal Year Ending June 30, 2019, (audit report) which was prepared by Moore Grider and Company. On January 15, 2020, the FAWIC Audit Committee met to review the audit report and recommended it for the FAWIC Board's acceptance. Ms. Beierschmitt noted that there were no findings or recommendations in the audit report and that the FAWIC received an unqualified opinion and qualified as a low risk auditee.

**MONTALBANO/ZABRYCKI – ACCEPTED THE FINANCIAL STATEMENTS AND SUPPLEMENTAL DATA FOR FISCAL YEAR ENDING JUNE 30, 2019. (UNANIMOUS)**

**6. Referral of Agenda Items to the Fresno Regional Workforce Development Board and/or Its Committees**

None.

**7. Information Sharing**

None.

**8. July 15, 2020, Agenda Items**

None.

The meeting was adjourned at 1:40 p.m.

# FRESNO AREA WORKFORCE INVESTMENT CORPORATION

AGENDA ITEM:	2
MEETING DATE:	April 15, 2020
ACTION:	APPROVE

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**TO:** Fresno Area Workforce Investment Corporation  
**FROM:** Blake Konczal, Chief Executive Officer  
**SUBJECT:** Administrative Time off Policy

**RECOMMENDATION:**

Approve the Fresno Area Workforce Investment Corporation (FAWIC) Administrative Time off Policy for Emergencies.

Approval of this item will authorize the FAWIC Chief Executive Officer to approve Administrative Time Off (ATO) for up to thirty (30) days during emergencies such as a local, state or federally declared state of emergency.

**REASON FOR RECOMMENDATION:**

This policy is needed in order to ensure uninterrupted critical services continued to be delivered to businesses and the community, especially in times of emergencies when program support is vital.

**ATTACHMENT:**

Administrative Time Off for Emergencies Policy



## ADMINISTRATIVE TIME OFF FOR EMERGENCIES

### INTRODUCTION

The Fresno Area Workforce Investment Corporation's Administrative Time Off Policy for Emergencies is a form of paid administrative leave authorized by the FAWIC to excuse employees from duty without loss of pay or charge to leave in appropriate circumstances such as during emergencies (i.e. local, state or federally declared emergencies).

### AUTHORITY

California Code of Regulations Title 2, Section 599.785.5 (State of Emergency)

### POLICY

The FAWIC appoints authorization to the Chief Executive Officer to approve Administrative Time Off (ATO) for up to thirty (30) days during emergencies such as a local, state or federally declared state of emergency. The need for additional ATO will be reviewed and authorized by the FRWDB considering all the conditions identified below. ATO may be approved for:

- (1) employees who can be spared of their usual responsibilities;
- (2) employees whose presence at work during an emergency is not required to assist FAWIC in meeting its immediate operational needs; and/or
- (3) all employees, in the event that the facility is completely shut down, whether by operation of law or by order of the Chief Executive Officer,

when funding sources have approved the use of allocated funds to pay for ATO and when at least one (1) of the following conditions exist:

- (1) the FAWIC is closed during normal work hours due to local, state or federal order;
- (2) the facility is no longer accessible due to severe damage;
- (3) employees are prevented from reporting for work because of the emergency;
- (4) the emergency presents an immediate and grave peril to the employee's own safety, that of an employee's immediate family member, or the employee's principal residence.

All requests or orders for ATO require written approval by the Chief Executive Officer.



# FRESNO AREA WORKFORCE INVESTMENT CORPORATION

AGENDA ITEM:	3
MEETING DATE:	April 15, 2020
ACTION:	APPROVE

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**TO:** Board of Directors  
**FROM:** Blake Konczal, Executive Director  
**SUBJECT:** Human Resources Consulting Services Contract Award

## **RECOMMENDATION:**

Approve the award of the Human Resource Consulting Services contract to Sierra HR Partners for Program Year (PY) 2020-2021, with options for up to four (4) additional renewals, for a total term not to exceed five (5) years.

## **REASON FOR RECOMMENDATION:**

On February 6, 2020, the Fresno Regional Workforce Development Board released a Request for Proposals for Human Resource (HR), HR Development Organizational Development consulting services for the Fresno Area Workforce Investment Corporation (FAWIC). Three (3) proposals were received by the March 6, 2020, due date.

On March 20, 2020, a rating panel met to review the proposals and all three (3) received more than the minimum 70 points in order to be considered a competitive procurement. Sierra HR Partners received the highest number of points; therefore, the rating panel is recommending the contract be awarded to Sierra HR Partners.

## **FISCAL IMPACT:**

Approval of this item will allocate approximately \$36,000 for HR consulting services for Program Year 2020-2021. Funds are included in the FAWIC agency budget.

## **ATTACHMENT:**

Rating Panel Results



**FRESNO AREA WORKFORCE INVESTMENT CORPORATION  
REQUEST FOR PROPOSALS - PY 2020-2021  
FAWIC Human Resources Consulting Services  
QUOTE RATING SUMMARY**

**Name of Bidder:** California Employer's Association  
**Quote No.:** 415587

Evaluation Criteria	Possible Points	Points Awarded
References, Experience, Background	35.0	28.7
Scope of Services	40.0	34.0
Cost of Services	25.0	25.0
<b>Total Points</b>	<b>100.0</b>	<b>87.7</b>

**Name of Bidder:** CPS HR Consulting  
**Quote No.:** 415588

Evaluation Criteria	Possible Points	Points Awarded
References, Experience, Background	35.0	33.0
Scope of Services	40.0	24.3
Cost of Services	25.0	16.0
<b>Total Points</b>	<b>100.0</b>	<b>73.3</b>

**Name of Bidder:** Sierra HR Partners  
**Quote No.:** 415590

Evaluation Criteria	Possible Points	Points Awarded
References, Experience, Background	35.0	29.3
Scope of Services	40.0	40.0
Cost of Services	25.0	25.0
<b>Total Points</b>	<b>100.0</b>	<b>94.3</b>

# FRESNO AREA WORKFORCE INVESTMENT CORPORATION

AGENDA ITEM:	4
MEETING DATE:	April 15, 2020
ACTION:	APPROVE

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**TO:** Fresno Area Workforce Investment Corporation  
**FROM:** Blake Konczal, Chief Executive Officer  
**SUBJECT:** Extension of Fresno Area Workforce Investment Corporation Office Lease

**RECOMMENDATION:**

Approve the five (5) year lease renewal option with Summa Properties Corporation for the Fresno Area Workforce Investment Corporation (FAWIC) offices at the Hotel Virginia Building.

**REASON FOR RECOMMENDATION:**

FAWIC's lease with Summa Properties expires on November 30, 2020, with the option to renew for an additional five (5) year term. The renewal term has an annual rent increase of three percent (3%). The lease requires FAWIC to provide a six (6) months advance notification to Summa Properties of intent to exercise the renew option.

FAWIC's Chief Executive Officer (CEO) directed staff to evaluate the current lease renew option for the administrative office spaces at the Hotel Virginia Building. Staff began negotiating renewal terms with Summa Properties and directed real estate agent (Phil Souza with Newmark Grubb Pearson) to seek available offices in similar size and type in the downtown area.

Staff was able to negotiate the additional terms in the renewal option with Summa Properties.

- Abate one (1) month's rent for years one (1) through four (4) of the renewal period. This is equivalent to a \$.15 per square foot monthly savings.
- Install permanent heating to staff 2<sup>nd</sup> floor restrooms at Lessor's sole cost.

Staff reviewed comparable office spaces provided by the real estate agent and found rents (per square foot) being offered for suitable sites was higher (\$1.75/NNN compared to \$1.68/modified gross with Summa Properties).

Staff determined and recommended to the CEO it was more cost effective to remain at the Hotel Virginia Building for the next five (5) years due to lower rents terms while avoiding all the move costs associated with moving to a new building.

**ATTACHMENT:**

Second Amendment to Office Lease

## SECOND AMENDMENT TO OFFICE LEASE

### (Summa Properties Fresno Area Workforce Investment Corporation)

THIS SECOND AMENDMENT TO OFFICE LEASE (this "Amendment") is effective as of this 1<sup>st</sup> day of December, 2020 (the "Effective Date"), by and between SUMMA PROPERTIES CORPORATION, a California corporation, as Lessor ("Lessor"), and FRESNO AREA WORKFORCE INVESTMENT CORPORATION, a California public benefit corporation, as tenant ("Tenant"). Lessor and Tenant are sometimes collectively referred to herein as the "Parties" or singularly by their individual names or as a "Party."

#### RECITALS:

- A. On March 9, 2015, Lessor purchased certain real property located at 2125 Kern Street, Fresno, California, 93721 (the "Real Property") from Banner Bank (the "Prior Lessor").
- B. Lessee is a party to that certain Office Lease dated July 29, 2015, by and between Tenant and Prior Lessor located at the Real Property (the "Lease").
- C. Lessor and Tenant now desire to amend the Lease, subject to the terms and upon the conditions of this Amendment.

#### AGREEMENT

NOW, THEREFORE, for valuable consideration and in consideration of the above Recitals and the mutual covenants contained herein, the Parties hereto agree as follows:

1. Definitions. Capitalized terms used but not defined in this Amendment shall have the meaning given to them in the Lease.
2. Amendment to Paragraph 4

"Rental payments ("Rent") shall be paid by the Tenant, from legally available funds in arrears on the 5<sup>th</sup> day of each month during said term as follows, with rent abated in Months 1, 13, 25 & 37 of the Lease:

5 Year Lease Extension	Date Range	Monthly Rent
Year 1	12/01/2020-11/30/2021	\$19,336.07
Year 2	12/01/2021-11/30/2022	\$19,916.16
Year 3	12/01/2022-11/30/2023	\$20,513.64
Year 4	12/01/2023 -11/30/2024	\$21,129.05
Year 5	12/01/2024-11/30/2025	\$21,762.92

3. Restroom Heating. Lessor at its sole cost and expense and install permanent heating to the 2nd floor restrooms.

4. Amendment to Paragraph 15 Section v. Lessor shall periodically provide Tenant lightbulbs for the Premises. Tenant shall be responsible for the installation of any burned out bulbs. Lessor shall remain responsible for any defective fixtures or burned out ballasts.

5. Effect of Amendment. Except as provided in this Amendment, all of the terms and conditions of the Lease shall remain in full force and effect.

6. Counterparts. This Amendment may be executed in counterparts, each of which when so executed shall be deemed an original, but all such counterparts together shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the Parties of this Amendment have caused the Lease to be amended on their behalf by their respective officers as of the Effective Date hereof.

TENANT:

LESSOR:

FRESNO AREA WORKFORCE  
INVESTMENT CORPORATION, a  
California Public Benefit Corporation

SUMMA PROPERTIES CORPORATION,  
a California Corporation

By: \_\_\_\_\_  
Blake Konczal, Chief Executive  
Officer

By: \_\_\_\_\_  
William Dyck, President

Date: \_\_\_\_\_

Date: \_\_\_\_\_



# FRESNO AREA WORKFORCE INVESTMENT CORPORATION

AGENDA ITEM:	5
MEETING DATE:	April 15, 2020
ACTION:	APPROVE

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**TO:** Board of Directors  
**FROM:** Blake Konczal, Chief Executive Officer  
**SUBJECT:** Fresno Area Workforce Investment Corporation Personnel Manual

**RECOMMENDATION:**

Approve the updated Fresno Area Workforce Investment Corporation (FAWIC) Personnel Manual.

**REASON FOR RECOMMENDATION:**

Certified HR Consultants (Sierra HR Partners), with Baker, Manock & Jensen, updated the FAWIC Personnel Manual with new legal requirements.

**Policy 305 – Dress Policy**

Employees may wear hair in ways historically associated with race. (SB 188)

**Policy 525 – Lactation Accommodation**

Accommodation will include the use of a location that is clean, safe, other than a bathroom; have charging outlet and surface area; and have access to refrigerator and sink in close proximity to work area. (SB 142)

**ATTACHMENT:**

FAWIC Personnel Manual