



FRESNO AREA WORKFORCE INVESTMENT CORPORATION

Board of Directors
Special Meeting
December 1, 2021 @ 3:30 p.m.

Council of Fresno County Governments
2035 Tulare Street – 2nd Floor
Sequoia Room
Fresno, CA 93721

This will be a hybrid meeting with participation available in person and via Zoom.

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 meeting will be held via Zoom.

Use the information below to join this meeting:

<https://us02web.zoom.us/j/81742678706?pwd=OWRXR1ZDSys5WUVMRHV5TXBQRDJHZZ09>

Join Zoom Meeting

**Meeting ID: 817 4267 8706
Passcode: 361358**

REMINDER: PLEASE TURN OFF CELL PHONES OR PUT ON VIBRATE

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.	Resolution to Allow for Electronic Board Meetings Pursuant to AB361 and Making Requisite Findings of State of Emergency Due to COVID-19	Konczal	Yes	Adopt	3
2.	New Site Lease for Fresno City and County's Affiliate America's Job Centers of California Dislocated Worker and Business Services Center Office	Konczal	Yes	Approve	6

**FRESNO AREA WORKFORCE INVESTMENT CORPORATION
BOARD OF DIRECTORS
ATTENDANCE REPORT 2021**

	Canceled			
	1/20/2021	4/21/2021	7/21/2021	10/20/2021
Blunt	P	P	xx	P
Bumatay	P	P	xx	A
Hensley	P	P	xx	A
Karbassi	A	A	xx	A
Montalbano	P	P	xx	P
Quintero	A	A	xx	A
Riojas	P	P	xx	P
Silveria	P	P	xx	P
Zabrycki	P	P	xx	P

P = Present

A = Absent

-- = Not a Member at Time of Meeting

FRESNO AREA WORKFORCE INVESTMENT CORPORATION

AGENDA ITEM:	1
MEETING DATE:	December 1, 2021
ACTION:	ADOPT

2125 Kern Street, Suite 208 • Fresno, CA 93721 • (559) 490-7100 • Fax (559) 490-7199 • www.frwdb.net

TO: Fresno Area Workforce Investment Corporation

FROM: Blake Konczal, Chief Executive Officer

SUBJECT: Resolution to Allow for Electronic Board Meetings Pursuant to AB361 and Making Requisite Findings of State of Emergency Due to COVID-19

RECOMMENDATION:

Adopt resolution authorizing the agency to allow the Fresno Area Workforce Investment Corporation "FAWIC") to participate via teleconference so long as such actions comply with newly adopted AB 361.

REASON FOR RECOMMENDATION:

Governor Newsom's Executive Order No. N-29-20, which allows some or all Directors/Committee Members to participate in a public meeting via teleconference (phone or video) expired as of September 30, 2021.

On September 15, 2021, AB 361 was passed which includes the following:

Through December 31, 2023, AB 361 allows local agencies to continue to use COVID-19-era teleconferencing notice and meeting procedures as long as one (1) of the following specific types of emergency exists:

- A. The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.
- B. The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
- C. The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

The FAWIC must make specific findings every 30 days during the emergency when telephonic or virtual meetings are required. The Governor, through Order N-12-21, has extended the order declaring a State of Emergency due to the impacts of COVID-19 until the end of the year, so these findings must be made every 30 days beginning on October 1, 2021:

- A. The legislative body has reconsidered the circumstances of the state of emergency.
- B. Any of the following circumstances exist:
 - (i) The state of emergency continues to directly impact the ability of the members to meet safely in person; or
 - (ii) State or local officials continue to impose or recommend measures to promote social distancing.

The new law also prohibits local agencies from requiring public comments to be submitted prior to the meeting without *also* allowing real-time comment opportunities during the meeting. In addition, the new law allows third-party internet websites to collect names and other information from the public in order to participate in the meeting, but local agencies themselves are still prohibited from requiring the such information to participate. Finally, if there is an internet or telephonic service disruption that prevents the agency from broadcasting the meeting, the agency may take no action until the broadcast is restored. Normal posting timelines for agendas still apply, as well as the roll-call vote requirement.

Attached is a resolution authorizing meeting by teleconference. This resolution shall apply to the FAWIC meetings from December 1, 2021, through December 31, 2021.

ATTACHMENT:

A Resolution of the Members of the Fresno Area Workforce Investment Corporation

Agenda Item #1 2021 DEC 1

A RESOLUTION OF THE MEMBERS OF THE FRESNO AREA WORKFORCE INVESTMENT CORPORATION ("FAWIC") ACKNOWLEDGING A LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY N-12-21 ISSUED ON AUGUST 16, 2021 AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE FAWIC FOR THE PERIOD FROM DECEMBER 1, 2021 THROUGH DECEMBER 31, 2021 PURSUANT TO BROWN ACT PROVISIONS.

WHEREAS, the FAWIC is committed to preserving and nurturing public access and participation in meetings of the FAWIC; and

WHEREAS, all meetings of the FAWIC are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the FAWIC conduct its business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within FAWIC's boundaries, caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, such conditions now exist, specifically, by the Governor's Order N-12-21, the Governor has extended the order declaring a State of Emergency due to the impacts of COVID-19; and

WHEREAS, the County of Fresno has recommended continued social distancing to combat the imminent risk to the public health and safety due to COVID-19; and

WHEREAS, the FAWIC does hereby find that such conditions have caused, and will continue to cause, conditions of peril to the safety of persons within Fresno County that are likely to be beyond the control of agency services, personnel, equipment, and facilities, and desires to proclaim a local emergency and ratify the proclamation of state of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the local emergency, the FAWIC does hereby find that the legislative bodies of the District shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall comply with the requirements to provide the

FRESNO AREA WORKFORCE INVESTMENT CORPORATION

AGENDA ITEM:	2
MEETING DATE:	December 1, 2021
ACTION:	APPROVE

2125 Kern Street, Suite 208 • Fresno, CA 93721 • (559) 490-7100 • Fax (559) 490-7199 • www.frwdb.net

TO: Fresno Area Workforce Investment Corporation

FROM: Blake Konczal, Chief Executive Officer

SUBJECT: New Site Lease for Fresno City and County's Affiliate America's Job Centers of California Dislocated Worker and Business Services Center Office

RECOMMENDATION:

Approve new site lease for the City and County of Fresno affiliate America's Job Center of California (AJCC) Dislocated Worker site and Business Services Center, at 1455 E. Shaw Avenue, Fresno, CA 93726.

REASON FOR RECOMMENDATION:

In 2019, the Fresno Regional Workforce Development Board (FRWDB) adopted a new service delivery model for Adult and Dislocated Worker services, awarding two (2) separate contracts: one (1) for Adult and one (1) for Dislocated Worker to provide Workforce Innovation and Opportunity Act employment and training services throughout Fresno County. The new service model allows for services to be tailored to the specific population and ensures a consistent service delivery model is provided at all of the AJCCs for the City and County of Fresno.

In implementing the new service delivery model, it was determined to also shift from one (1) single AJCC center in Fresno, to two (2) separate specialized centers that focus on serving the Adult and Dislocated Worker populations. In order to maximize funding and consolidate services, the Dislocated Worker site will also house FRWDB Business Services Center staff and partner staff from the State of California Employment Development Department (EDD).

In September 2019, FRWDB staff developed the space requirements for the new affiliate AJCC with EDD. The collective work established a need of approximately 21,000 square feet of office space. After 18 months of site search, FRWDB staff was able to successfully negotiate terms with the owner of the new affiliate AJCC office in November 2021. A summary of the material lease terms is contained in Attachment I and the space layout in Attachment II. The target completion date for construction is November 2022.

Approval of the new site location will be presented to the FRWDB at its December 1, 2021, meeting.

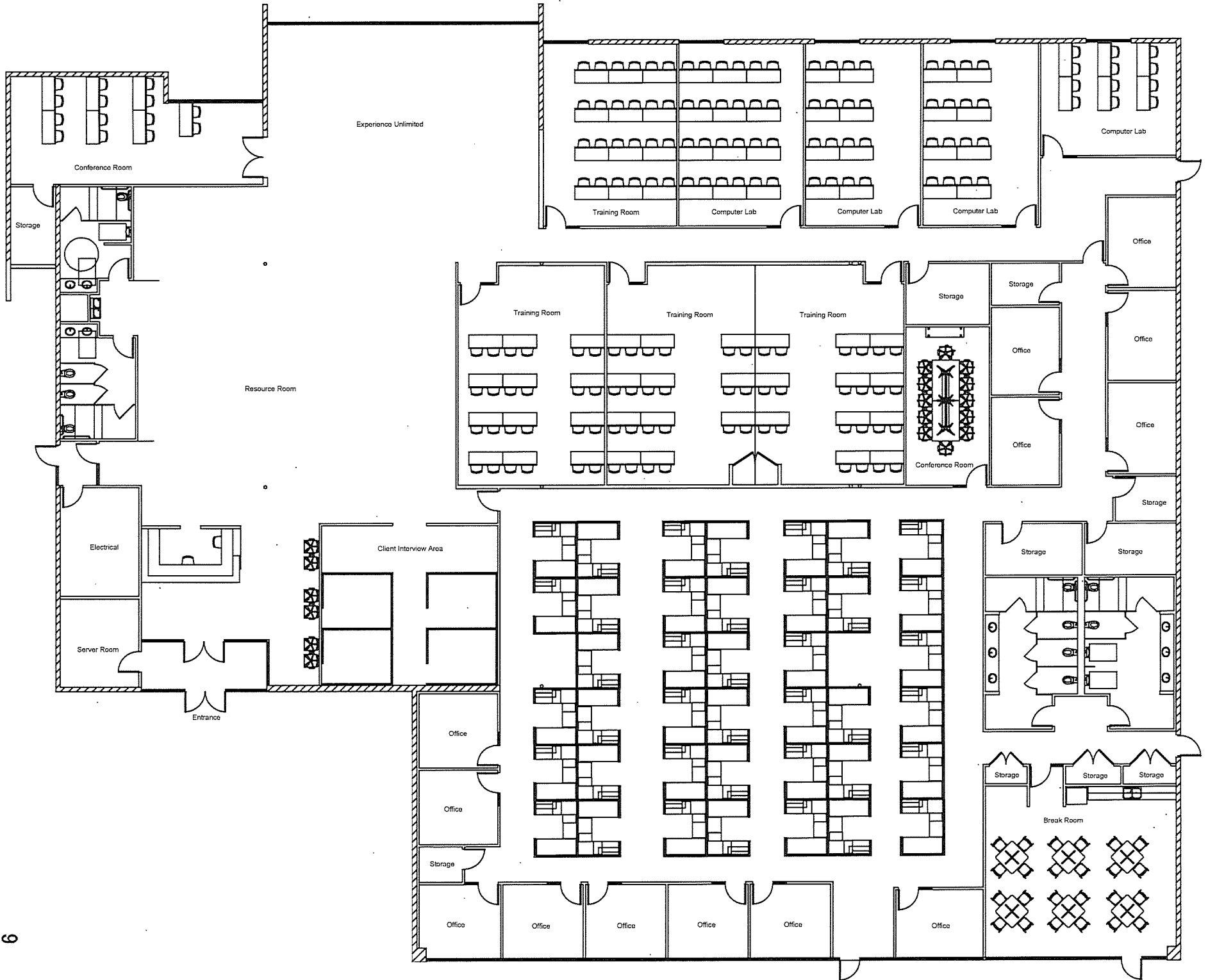
ATTACHMENTS:

ATTACHMENT I – Summary of Lease Terms
ATTACHMENT II – Space Layout, Site Plan, and Aerial Map

Summary of Lease Terms

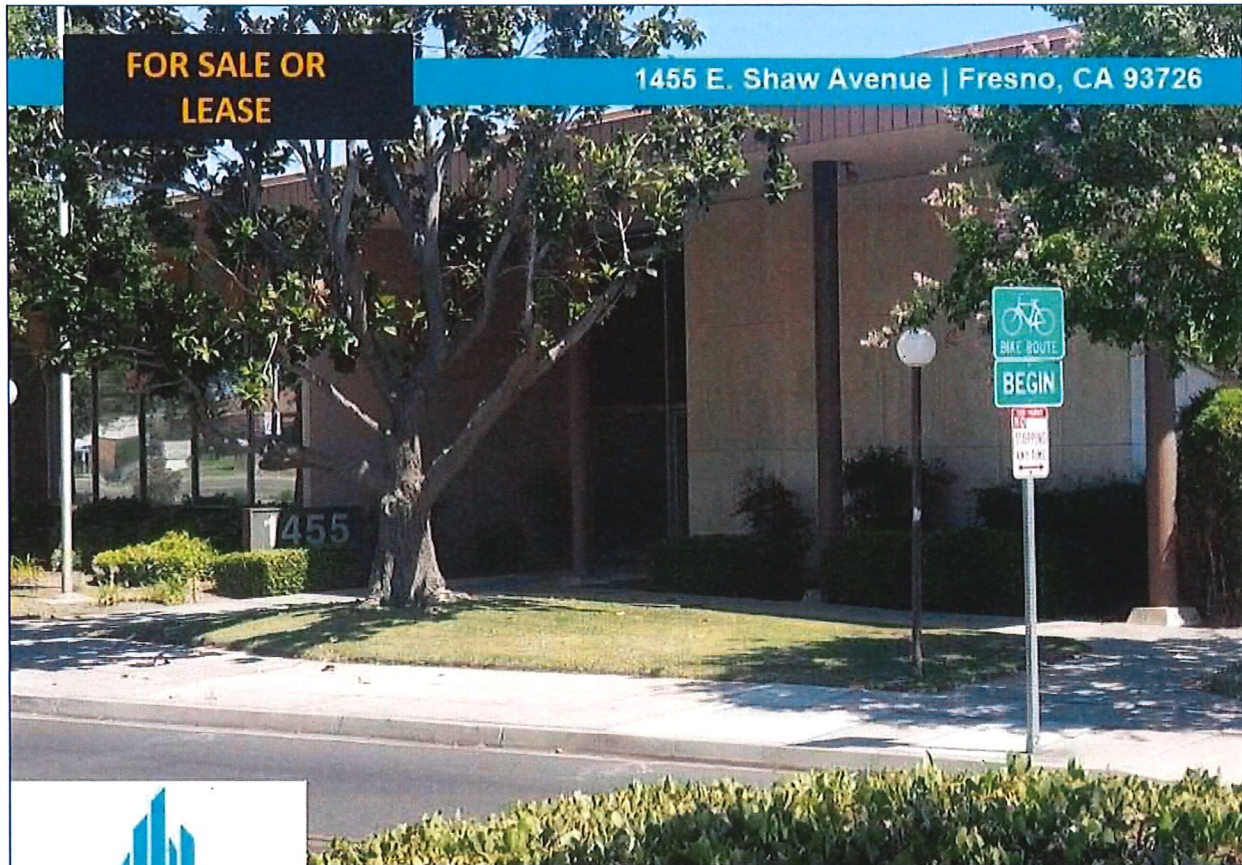
1) Building Information	Address: 1455 E. Shaw Avenue, CA 93726 Year Built: 1975 Lease Space: Approximately 20,301 rentable square feet																																	
2) Owner/Landlord	SLC-CO-Tenancy Group 1269 W. I Street Los Banos, CA, 93635																																	
3) Lease Terms	Initial Term: Ten (10) Years Renewal Options (may be /exercised by Workforce): Two (2) Five (5) Year Extensions Lease Type: Modify Gross																																	
4) Lease Commencement and Delivery Date	Estimated to be December 1, 2022																																	
5) Rent	Initial Rent and Operating Expenses: \$1.43/rsf. monthly Tenant Improvement Rent: Estimated at \$0.87/rsf. monthly (subject to change based on actual costs). Annual rent increase: 2.5% <table><thead><tr><th></th><th>Rate /s.f.</th><th>Monthly</th></tr></thead><tbody><tr><td>Year 1</td><td>\$1.43</td><td>\$29,030.43</td></tr><tr><td>Year 2</td><td>\$1.47</td><td>\$29,756.19</td></tr><tr><td>Year 3</td><td>\$1.50</td><td>\$30,500.01</td></tr><tr><td>Year 4</td><td>\$1.54</td><td>\$31,262.60</td></tr><tr><td>Year 5</td><td>\$1.58</td><td>\$32,044.16</td></tr><tr><td>Year 6</td><td>\$1.62</td><td>\$32,845.27</td></tr><tr><td>Year 7</td><td>\$1.66</td><td>\$33,666.40</td></tr><tr><td>Year 8</td><td>\$1.70</td><td>\$34,508.06</td></tr><tr><td>Year 9</td><td>\$1.74</td><td>\$35,370.76</td></tr><tr><td>Year 10</td><td>\$1.89</td><td>\$36,255.03</td></tr></tbody></table>		Rate /s.f.	Monthly	Year 1	\$1.43	\$29,030.43	Year 2	\$1.47	\$29,756.19	Year 3	\$1.50	\$30,500.01	Year 4	\$1.54	\$31,262.60	Year 5	\$1.58	\$32,044.16	Year 6	\$1.62	\$32,845.27	Year 7	\$1.66	\$33,666.40	Year 8	\$1.70	\$34,508.06	Year 9	\$1.74	\$35,370.76	Year 10	\$1.89	\$36,255.03
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6) Utilities and Janitorial Services	Workforce responsible for PG&E and janitorial to the lease premise.																																	
7) Maintenance	Landlord responsible for all maintenance to the site, building, and premise.																																	

8) Early Termination; Non-Appropriation	<p>Workforce shall have the right to terminate the lease due to a reduction of funds or a complete non-appropriation from the Department of Labor for Workforce Innovation and Opportunity Act.</p> <p>Upon electing to terminate early, Workforce shall pay any unamortized portion of the Tenant Improvements Cost to the Landlord.</p>
9) Subleasing and Assignment	Workforce shall have the right to sublease all or a portion of the Premises to State, County, and local agencies that provide similar services.
10) ADA Compliance	Landlord will deliver an ADA compliant premise upon delivery of premise using the State of California's current standards.
11) Parking: Public and Secured	Landlord will provide sufficient parking for staff and guests at no additional cost.
12) Signage	Landlord will provide appropriate signage as part of the Tenant Improvements Costs.

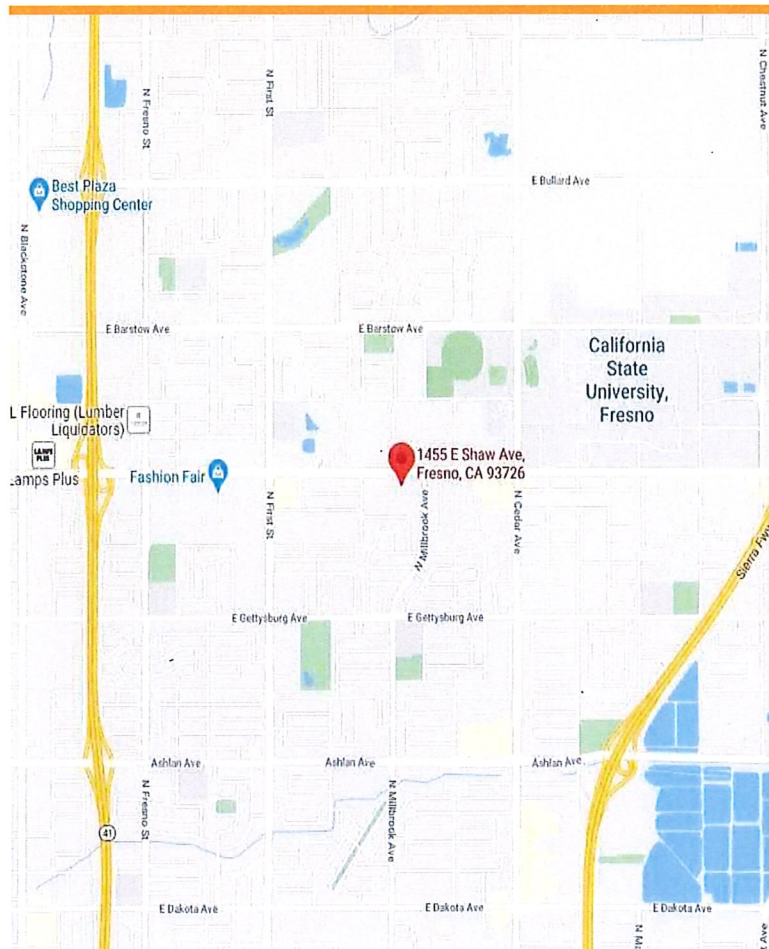


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