



MINUTES

September 27, 2018

***Convened at the Workforce Assistance Center - Conference Room
2037 W. Cleveland Avenue, Madera, CA 93637
(559) 662-4589***

PRESENT: Debi Bray, Lindsay Callahan, Mike Farmer (2:19 p.m.), Zaven Kalebjian, Roger Leach, Gabriel Mejia

ABSENT: Bob Carlson, Mattie Mendez, Robyn Smith

GUEST:

OTHERS: Gail Lopez, Jessica Roche, Maiknue Vang, Nicki Martin, Sarahi Cuellar, Tracie Scott-Contreras

1.0 Call to Order

Meeting called to order by Chair Debi Bray at 2:10 p.m.

1.1 Pledge of Allegiance

2.0 Additions to the Agenda

None.

3.0 Public Comment

None.

4.0 Introductions and Recognitions

Roundtable introductions were done by everyone in attendance.

5.0 Adoption of Board Agenda

Roger Leach moved to adopt the agenda, seconded by Lindsay Callahan.

Vote: approved – unanimous

Debi Bray, Lindsay Callahan, Zaven Kalebjian, Roger Leach, Gabriel Mejia

6.0 Consent Calendar

6.1 Consideration of approval of the Madera County Workforce Investment Corporation (MCWIC) meeting minutes – August 23, 2018.

Lindsay Callahan moved to approve, seconded by Roger Leach.

Vote: approved – unanimous

Debi Bray, Lindsay Callahan, Zaven Kalebjian, Roger Leach, Gabriel Mejia

7.0 Action Items

7.1 Consideration of approval of the application of Mike Farmer, Fourth Street Church of God, to the MCWIC Board.

Tracie Scott-Contreras met with Mike and reviewed the mission and primary role of the MCWIC in the community and believes that Mike is a good fit for the corporation based on his work with the community. Roger Leach stated that he has known Mike for several years and has observed his work within the community. Mike shared that he has been in Madera for 13 years after coming down from Canada. His background includes the ministry as well as the construction field before that. He appreciates the opportunity. He works with the police department as the chaplain. This role gives him a better idea as to how to pray for the community and tries to participate in a ride along once a week.

Roger Leach moved to approve, seconded by Gabriel Mejia.

Vote: Approved – unanimous

Debi Bray, Lindsay Callahan, Zaven Kalebjian, Roger Leach, Gabriel Mejia

7.2 Consideration of approval of adding the MCWIC Chair as an authorized signer for MCWIC bank accounts, checks and procurement documents.

Adding the MCWIC Chair as an authorized signer was discussed at the August 23, 2018 meeting. Having the Chair as an authorized signer would be important in cases where staff may not be available to sign documents or checks. Many internal documents require 2 or 3 signatures for internal review and the chair could provide a signature in cases where staff are not available. The Director, Deputy Director and Fiscal Manager are the current authorized signors for the account.

Roger Leach moved to approve, seconded by Gabriel Mejia.

Vote: Approved – unanimous

Debi Bray, Lindsay Callahan, Mike Farmer, Zaven Kalebjian, Roger Leach, Gabriel Mejia

7.3 Consideration of approval to remove references to Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA) from the MCWIC Employee Handbook and HR Policies.

During the time that Workforce was operating under the Madera County Office of Education (MCOE), staff were able to participate in MCOE's extended leave program. The MCWIC employee handbook was initially developed based on MCOE's handbook after the separation and references to extended FMLA leave and CFRA were included within the handbook. Longer term FMLA leave is required for employers/businesses with 50 or more employees. MCWIC does not qualify to follow the FMLA mandate as they are under the 50 employee threshold. Staff became concerned with the possible liability related to the requirement to pay staff salary up to 12 weeks during their leave. Staff checked with SHRM and legal counsel and were advised that it would be beneficial to remove the reference to FLMA and CFRA in order to minimize the liability which it is not mandated to follow. Staff accrue sick leave and vacation. Sick leave accrual is unlimited. MCWIC pays into the State's disability insurance program so individuals have access to that program. Staff also has access to worker's compensation benefits should they injure themselves during work hours. Changes to the handbook will be reviewed with staff at the next staff meeting if approved. State disability taxes are paid by both the employee and the corporation as part of State payroll taxes. MCWIC currently employs 24 employees. Besides the more recent revision to the handbook in May, 2018 for the addition of whistleblower language, the handbook was last updated in January for the addition of mandatory allowable leave related to school activities in January, 2018. Staff will typically review and revise the handbook in January of each year as that is when most changes to labor laws occur. The content for the handbook has not changed since the initial writing that legal counsel reviewed other than to add required mandates required by the State of California. The Board suggested that staff have legal counsel review the handbook. Staff stated that Van Beurden offers an employee handbook builder that would contain all the state and federal mandates. The Board requested that staff plan on a thorough review of the handbook in January or February and plan on bringing it back to the

Board for their consideration. Staff and the Board had previously discussed going out to bid for legal services as well as other services vendors.

Gabriel Mejia moved to approve, seconded by Zaven Kalebjian.

Vote: Approved – unanimous

Debi Bray, Lindsay Callahan, Mike Farmer, Zaven Kalebjian, Roger Leach, Gabriel Mejia

8.0 Information Items

8.1 Workforce Development Board (WDB) of Madera County Update

The WDB are scheduled meet on October 18, 2018. The Board previously approved increasing the cap amounts on ITAs and supportive services. It allows us to cover participants who may not qualify for financial aid or fee waivers. OJT and TJT benefits were increased as well. The Workforce Innovation Act (WIOA) as well as the previous federal law mandates that every local area that receives federal funds through the law establish a workforce development board for their area. That board must be comprised of specific representatives from the community with 51% of those representing the private sector. The WDB is the policy board for the local workforce area and oversees the Center and the Center partners. They are also responsible for procurements, the service provider and the local strategic plan for the area. They are responsible for administering and overseeing business services. Their role and responsibilities are defined within the contract with the chief local elected official. The MCWIC is the fiscal and administrative entity for the Center and is responsible for the workforce employees. The Executive Director reports directly to the MCWIC while the remaining staff fall directly under the Executive Director – not the MCWIC. The WDB reviews and approves the program budget and oversees how the funds will be spent while the MCWIC oversees the operation budget. There are specific formulas and mandates that must be adhered to for expenditures. Currently, 30% of allocated funds must be expended on Adult and Dislocated Worker training. 20% of youth funds must be spent on work-based learning i.e. paid work experience. The WDB must be comprised of 51% private sector representative as well as mandated representation from core program partners – EDD, DOR, Adult Education and Family Literacy and Workforce. Other public entities as well as mandated labor representatives are represented on the WDB. There are currently 24 members on the WDB. The WDB meets every other month. The Executive Committee is comprised of 8 members and meets on an as needed basis.

8.2 MCWIC Year-to-Date Financial Reports Update for the period ending August 31, 2018

The quarterly financials will be brought to the MCWIC for approval at their next meeting. Jessica Roche, Fiscal Manager, was able to upload financial information into the accounting system which is now available to share in a different format. The reports seem more clearly laid out than the previous reports. Previously, Jessica had to take the figures out of the accounting system and create spreadsheet to present the information to the Board. The budget is now in the system and this allows the reports to be generated from the program. A new document is now created that shows the allocations. The financial reports are now separated – encumbrances, actuals, budget balance expenditures and totals. These reports are now more easily obtainable for staff and more understandable for the Board. The Board stated that they liked the new format for the reports. The WDB sees a similar document but with program activities and not general ledger codes. Their reports are the same information but categorized differently. The new reports also allow staff easier access to information on budgets and balances for trainings. A cost-reimbursement system is used. Items must be expensed before cash can be drawn down from the State. Cash is drawn down from the State based on expenditures. The budget software now allows staff to pull independent reports such as budgets, actuals, monthly actuals, year-to-date actuals and encumbrances. The fund balance sheet is on page 85. There are very few outstanding checks.

8.3 Program Update

Information on an additional workforce accelerator grant was included in the program update. Staff have been working the Fresno State's Office of Community and Economic Development (OCED) since March on a program to provide financial capabilities orientations and digital and financial literacy classes to customers in the Center. OCED classes and orientations have been suspended until a finalized contract

can be provided by OCED. Madera connected with OCED through the California Partnership for the San Joaquin Valley. The previous Executive Director was a representative on their board.

8.4 MCWIC Executive Director Job Description Update

Per the previous meeting discussion. Staff revised the Executive Director job description to include language specific to the Director's role as liaison between the MCWIC and WDB boards. Also added was language specific to the director's role in developing the agreement between the Chief Local Elected Official (CLEO), the MCWIC and the WDB.

8.5 MCWIC Executive Director Ad Hoc Committee Update

The MCWIC ad hoc committee met with the WDB ad hoc committee regarding the recruitment of the MCWIC Executive Director. The committee is proposing that the job description will be revised and brought back for approval. The committee will also recommend that the Director's salary range be increased \$101,000 to \$115,000. Nicki Martin is providing administrative support to the committee. The committee discussed a timeline that included posting the job opening by November 1st for a 30 day time period and screening and interviews by the December 6, 2018 MCWIC meeting date in order to finalize a candidate by the end of 2018. Details as to who will sit on the interview committee and the screening process will be among the topics of discussion at the next ad hoc committee meeting. Staff are in agreement with the timeline that the committee has proposed. Lindsay Callahan inquired as to how the Board of Supervisor should be advised as to the hiring of the new Executive Director. The committee will send the Supervisors a memo letting them know about the process and that they will be informed as to the outcome of the recruitment. Brett Frazier is a Board of Supervisor and is also a member of the ad hoc committee.

8.6 MCWIC Organizational Chart Update

The vacant Career Specialist position was filled by Elizabeth Millan and the organizational chart was revised to reflect the new hire. Elizabeth is an experience case manager. Esmeralda Benavidez resigned and there is a recruitment out to replace her. Many times, program participants are hired to fill vacancies.

8.7 Common Area Maintenance (CAM) Changes for Complex and Potential of Exceeding \$1.48 Cap Outlined in Lease Agreement

Jessica Roche, Fiscal Manager, previously took the average amount used by the County when they occupied the building as the previous tenant to help calculate the CAM fees and negotiated with the owner of the building to cap the fee at \$1.48. Due to various expenses through the complex, the CAM fees may exceed the cap amount and MCWIC may need to discuss the possibility that fees above the cap may not be paid to the owner. If that is the case, the owner would need to pay the difference to the complex. Staff may need to discuss the possible situation with the owner for the 4th quarter of the year. Every business in the complex pays into the CAM fees and are based on square footage. Unexpected expenses such as the re-paving of the parking lot have driven up the fees. The re-paving was originally supposed to be done over a period of approximately 2 years rather than all at once as was done recently.

8.8 Facility Update

The property management company has been concerned that our customers are taking up too much parking and impacting other businesses. This appears to be driven by at least one complaint from Sal's Restaurant. Tracie Scott-Contreras reached out to the owner of Sal's on September 4th to reassure her that the Center would do everything necessary to make sure the Center customers who stay for lengthier periods of time would not take up parking spots nearest the restaurant. The Center posts signs at the entrance regarding not parking nearest the building. Notices are also handed out to customers. Since the September meeting, the property manager, David Delawder, has spoken with Madera Adult School and various other partners about the parking. Mr. Delawder has also placed an item on the Madera City Council agenda in order to discuss with them the Madera Adult School conditional use permit as he feels that the City did not properly vet the permit request for the number of anticipated parking spots used by the School. The Center averages approximately 100 visitors a day but not all at once. Staff met with City staff to discuss the parking issue and were assured that the parking is sufficient. Mr. Delawder proposed that parking spots could be assigned and that security could be hired to enforce parking but wanted to pass the cost of doing so along to the Center. The building was made aware and is planning to speak with the owner of Sal's Restaurant before also speaking with Safeco Management. It has been proposed

that customers be allowed to park in the back of the building but staff emphasized that the back entrance is not appropriate for customers as there needs to be some control and counting of customers who enter the building both in regards to program mandates and security. Mr. Delawder will be at the October 13th City Council meeting. Staff are planning to attend the meeting and asked MCWIC Directors be present as well if possible. Staff have observed Mr. Delawder along with a security guard at the Center courtyard asking people who are passing by where they are going and where they parked. There is a concern that Center customers are being harassed as they enter the building. Staff are concerned that this could cause some customers to hesitate to come to the Center for the services they need. Staff also pointed out that according to the complex CCR, the back area is not a common area to be used by customers.

8.9 MCWIC Board Representation on the Workforce Development Board Executive Committee

It had been previously discussed that it would be beneficial to have a member of the MCWIC board join the WDB Executive Committee in order to strengthen their connection and so that both boards can be informed of the other's business. Staff are suggesting that a MCWIC member join the WDB instead as the Executive Committee only meets on an as needed basis when the WDB does not or cannot meet. A private sector MCWIC member would be preferable. The WDB meets every other month on the 3rd Thursday of the month beginning at 3:00 p.m. Debi Bray volunteered to join the WDB and will speak to Mattie Mendez about joining as well.

9.0 Written Communication

None.

10.0 Open Discussion/Reports/Information

10.1 Board Members

Roger Leach inquired as to Veteran services in the Center. Staff stated that EDD has assigned Veteran staff as well as MCWIC staff who are assigned to work specifically with Veterans.

10.2 Staff

Tracie Scott-Contreras asked the Board about when they would like to meet with MCWIC staff. The Board suggested that they could meet with staff at the next board meeting on October 25, 2018.

11.0 Next Meeting

October 25, 2018

12.0 Adjournment

Roger Leach moved to adjourn at 3:56 p.m., second by Gabriel Mejia.