



Sacramento
Employment and
Training
Agency

GOVERNING BOARD

ILLA COLLIN
Board of Supervisors
County of Sacramento

DON NOTTOLI
Board of Supervisors
County of Sacramento

BONNIE PANNELL
Councilmember
City of Sacramento

SOPHIA SCHERMAN
Public Representative

ROBBIE WATERS
Councilmember
City of Sacramento

KATHY KOSSICK
Executive Director

925 Del Paso Blvd.
Sacramento, CA 95815

Main Office
916-263-3800

Head Start
916-263-3804

Website: <http://www.seta.net>

**REGULAR MEETING OF THE
SETA GOVERNING BOARD**

DATE: Thursday, January 20, 2005

TIME: 10:00 a.m.

LOCATION: SETA Board Room
925 Del Paso Blvd.
Sacramento, CA 95815

While the SETA Governing Board welcomes and encourages participation in the Governing Board meetings, it would be appreciated if you would limit your comments to five minutes so that everyone may be heard. Matters under jurisdiction of the SETA Governing Board and not on the posted agenda or any off-agenda matters may be addressed by the general public following completion of the regular agenda. The SETA Governing Board limits testimony on matters not on the agenda to five minutes per person and not more than fifteen minutes for a particular subject. Meeting facilities are accessible to persons with disabilities. Requests for Assisted Listening Devices or other considerations should be made through the Clerk's office at (916) 263-3827. This document and other Board meeting information may be accessed through the Internet by accessing the SETA home page: www.seta.net.

A G E N D A

- I. Call to Order/Roll Call/Pledge of Allegiance**
- II. Consent Items**
 - A. Minutes of the December 16, 2004 Regular Board Meeting
 - B. Approval of Claims and Warrants
- III. Action Items**
 - A. GENERAL ADMINISTRATION/SETA**
 - 1. Amendment of Rules of Procedure of the Governing Board (Legal Counsel)
 - B. WORKFORCE INVESTMENT ACT – No items.**

“Preparing People for Success: in School, in Work, in Life”

C. HEAD START

1. Approval of Out-of-State Travel for the Head Start Hispanic Institute (Brenda Campos)

D. COMMUNITY SERVICES BLOCK GRANT

1. Approval of Resolution to Accept Program Year 2005 Community Services Block Grant Funds (Cindy Sherwood-Green)

E. REFUGEE PROGRAMS- No items.

IV. Information Items

- A. Head Start Quarterly Report (Norma Johnson)
- B. Fiscal Monitoring Reports (Kim Peck)
 - Bach Viet Association, Inc.
 - Del Paso Heights School District
 - Women's Civic Improvement Club
- C. The Hire Hope Project (William Walker)

V. Reports to the Board

- A. Chair
- B. Executive Director
- C. Counsel
- D. Members of the Board
- E. Public

VI. Adjournment

DISTRIBUTION DATE: FRIDAY, JANUARY 14, 2005

ITEM II-A - CONSENT

MINUTES OF THE DECEMBER 16, 2004 REGULAR BOARD MEETING

BACKGROUND:

Attached are the minutes of the December 16, 2004 regular SETA Governing Board meeting for your review.

RECOMMENDATION:

That your Board review, modify if necessary, and approve the attached minutes.

**REGULAR MEETING OF THE SACRAMENTO EMPLOYMENT AND TRAINING
AGENCY GOVERNING BOARD**

Minutes/Synopsis

SETA Board Room
925 Del Paso Blvd.
Sacramento, CA 95815

Thursday, December 16, 2004
10:00 a.m.

- I. **Call to Order/Roll Call/Pledge of Allegiance:** Mr. Robbie Waters called the meeting to order at 10:16 a.m.

Members Present:

Robbie Waters, Chair, SETA Governing Board; Councilmember, City of Sacramento

Illa Collin, Vice Chair, SETA Governing Board; Member, Board of Supervisors

Bonnie Pannell, Councilmember, City of Sacramento

Sophia Scherman, SETA Governing Board; Public Representative

Don Nottoli, Member, Board of Supervisors

- ♦ **Recognition of Long Term Employees:** Mr. Waters presented the following staff a gift in recognition of their years of service: **Karen Gonzales**, Program Officer, **Connie Otwell**, Head Start Coordinator, **Julie Poirier**, Head Start Family Services Worker.

II. **Consent Items**

The consent calendar included approval of the December 2, 2004 regular board meeting minutes and approval of claims and warrants for the period 11/24/04 through 12/9/04. There were no questions or comments.

Moved/Scherman, second/Pannell, to approve the consent calendar.

Voice Vote: Unanimous approval.

III. **Action Items**

1. Approval of Workers' Compensation Insurance

Mr. Kim Peck reviewed this item and introduced Mr. Jim Toner from Arthur J. Gallagher. Mr. Toner informed the board of all of the options available. At the last Board meeting there were two quotes, projecting 18.5% savings this year or over \$300,000. There are two companies to consider with two types of programs: guaranteed loss and deductible.

Mr. Larsen stated that the board is not required to go with the lowest bid.

Ms. Kossick stated that staff is recommending Option C, the St. Paul Traveler's deductible cost plan.

Moved/Nottoli, second/Pannell, to approve Option C and authorize the Executive Director to procure Worker's Compensation coverage.

Roll Call Vote: Aye: 5, Nay: 0, Abstentions: 0

2. Approval to Release a Request for Proposals for Audit Services

There were no questions on this item.

Moved/Collin, second/Pannell, to approve the release of the Request for Proposals for Audit Services.

Voice Vote: Unanimous approval.

3. Approval to Revise Appendix A of the Conflict of Interest Code for the Sacramento Employment and Training Agency

There were no questions or comments on this item.

Moved/Collin, second/Scherman, to approve the revised Appendix A of the Conflict of Interest Code and direct staff to forward it to the Sacramento County Board of Supervisors for ratification.

Voice Vote: Unanimous approval.

4. Approval to Enter an Agreement with Asian Resources, Inc. for Tax Preparation Services, Fiscal Year 2005

Mr. Roy Kim reported that an RFP was released on November 19 requesting tax preparation services. SETA received only one proposal, from Asian Resources. The Department of Human Assistance has approved SETA following on with a sole source finding that Asian Resources be funded. Mr. Roy Kim read into the record the sole source finding.

Moved/Collin, second/Pannell, that after solicitation of a number of sources, competition is deemed inadequate and approves an agreement with Asian Resources, Inc., in the amount of \$250,000 to provide income tax preparation services to CalWORKs and other low-income taxpayers.

Voice Vote: Unanimous approval.

B. WORKFORCE INVESTMENT ACT

1. Appointment of Economic Development Member to the Sacramento Works, Inc. Board

Moved/Pannell, second/Scherman, to continue this to the February 3 meeting.

Voice Vote: Unanimous approval.

C. **HEAD START:** No items.

D. **COMMUNITY SERVICES BLOCK GRANT** – No items.

E. **REFUGEE PROGRAMS:** No items.

IV. **Information Items**

A. Presentation of the 2004/2005 Regional Construction Careers Study: Mr. John Harden reviewed this report which includes 13 occupations in the construction trade.

B. Dislocated Worker Update: Mr. William Walker added that Internal Revenue Services laid off 35 staff.

V. **Reports to the Board**

A. Chair: Mr. Waters inquired whether it is legal and possible to go to one meeting per month, with special meetings called as needed. Mr. Larsen stated that the joint powers agreement stated that the board only has to meet quarterly. Legal Counsel will prepare a modification to the Rules of Procedure. It was suggested that perhaps the board could meet the third Thursday of the month with special meetings called as needed.

Ms. Collin stated that in light of this upcoming board item, reconsideration of action on Item III-B-1 be taken.

Moved/Scherman, second/Collin, to continue the Appointment of Economic Development Member to Sacramento Works to the first meeting in February, 2005.

Voice vote: Unanimous approval.

B. Executive Director: Ms. Kossick wished the board Happy Holidays and stated that SETA would be closed at noon on 12/23/04 and reopen 1/3/05. She also suggested that the January 6, 2005 Governing Board meeting be canceled.

C. Counsel: No report.

D. Members of the Board: No reports.

E. Public: No comments.

VI. **Adjournment:** The meeting was adjourned at 11:18 a.m.

ITEM II-B – CONSENT

APPROVAL OF CLAIMS AND WARRANTS

BACKGROUND:

Kathy Kossick, Executive Director, has reviewed the claims for the period 12/10/04 through 1/13/05, and all expenses appear to be appropriate.

RECOMMENDATION:

That the board approve the expenditures as appropriate.

ITEM III-A-1 - ACTION

AMENDMENT OF RULES OF PROCEDURE OF THE GOVERNING BOARD

BACKGROUND:

Governing Board Chairperson Robbie Waters has requested that the Board consider reducing the number of regular meetings per month from two to one. The time and dates for regular meetings are controlled by the Board's adopted Rules of Procedure, which currently provide for regular meetings of the Board on the First and Third Thursdays of each month. To accommodate this request, the Governing Board must amend its Rules of Procedure. The process for such amendment is set forth in Rule 28 of the Rules of Procedure, which provides for amendment at any time by resolution approved by a majority of the Board, with the effective date as specified in the Resolution.

Amendment of the Rules of Procedure to reduce the number of regular meetings per month will have no impact on the ability of the Governing Board to call for either Special or Emergency Meetings as permitted by the Brown Act. In addition to this substantive amendment, the implementing resolution recommended for adoption, also includes non-substantive, technical amendments to update the names of subordinate boards and councils and to update the physical address of SETA's administrative offices.

RECOMMENDATION:

Approve the attached Resolution, which re-adopts the current Rules of Procedure with non-substantive, technical amendments as described and with the following substantive amendment of Rule 6, effective immediately, [deleted language is in ~~strikeout~~ text]:

"REGULAR MEETINGS. Regular meetings of the Governing Board shall be held on the ~~first and third~~ Thursdays of each month at 10:00 a.m. The date and time of the regular meetings of other boards, councils and committees to which these rules apply shall be set forth in the bylaws or charter of each board, council, or committee, or shall be set by that board, council or committee or, unless otherwise prohibited, may be set by the Governing Board."

A RESOLUTION ESTABLISHING RULES OF PROCEDURE
FOR THE GOVERNING BOARD OF THE SACRAMENTO EMPLOYMENT AND
TRAINING AGENCY AND FOR BOARDS, COUNCILS, AND COMMITTEES
ESTABLISHED BY THE GOVERNING BOARD OF THE
SACRAMENTO EMPLOYMENT AND TRAINING AGENCY

BE IT RESOLVED by the Governing Board of the Sacramento Employment and Training Agency, a joint powers agency comprised of the County of Sacramento and the City of Sacramento, that the following are hereby adopted as the Rules of Procedure for said Board and for the boards, councils, and committees established by the Governing Board of the Sacramento Employment and Training Agency as identified in the following Rules of Procedure effective on and after the 20th day of January, 2005:

SACRAMENTO EMPLOYMENT AND TRAINING AGENCY
GOVERNING BOARD
RULES OF PROCEDURE

RULE 1. PURPOSE. These rules are adopted for the purpose of providing for the orderly and effective conduct of meetings of the Governing Board with full and reasonable opportunity for public participation. Except as otherwise expressly provided, these rules shall apply to all regular, special and emergency meetings of the governing Board and all regular, special and emergency meetings of the boards, councils and committees established by the Governing Board for which these rules apply as identified herein. These rules shall be interpreted as broadly as may be consistent with the foregoing stated purposes.

RULE 2. DEFINITIONS. For the purposes of these rules the following words have the following meanings:

(a) “Adjourned meeting” means a continuation of a preceding regular or special meeting scheduled for a particular time for later the same day or a subsequent day. An adjourned meeting is scheduled by board action at the preceding regular or special meeting by which that meeting is “adjourned to” or “adjourned until” the later specified time.

(b) “Adjourning a meeting” is the board action by which a regular or special meeting is formally closed.

(c) “Board” means the Governing Board as the governing body of the Sacramento Employment and Training Agency. “Board” shall also mean any board, council or committee established by the Governing Board of the Sacramento Employment and Training Agency to which these Rules of Procedure are made applicable as identified in these rules of Procedure as the context may so indicate.

(d) “Chair~~person~~” means the person elected to serve as chair~~person~~ or the person serving as chair~~person~~ in the absence of the chair~~person~~ as provided in these rules.

(e) “Clerk” means the *Executive* Director of the Sacramento Employment and Training Agency or the *Executive* Director’s designee.

(f) “Emergency meeting” means a meeting called as authorized by Government Code Section 54956.5.

(g) “Governing Board” means the Governing Board of the Sacramento Employment and Training Agency.

(h) “Meeting” means any regular, adjourned regular, special, adjourned special, emergency, or adjourned emergency meeting.

(i) “Recess” means a short intermission in a meeting of the Board which does not close the meeting and after which Board business will immediately be resumed at the point where it was interrupted.

(j) “Regular meeting” means any meeting of the Board which is automatically scheduled as required by these rules.

(k) “Special meeting” means a meeting called as authorized by Government Code Sections 54956.

RULE 3. OPEN MEETINGS. All meetings of the Board shall be open to the public except for such closed sessions as are authorized by law.

RULE 4. PLACE OF MEETINGS. Unless otherwise specified, all meetings of the Board shall be held in the board chambers of the Governing Board of the Sacramento Employment and Training Agency, ~~4247~~ 925 Del Paso Boulevard, Sacramento, California.

RULE 5. CANCELLATION OF MEETINGS. The clerk shall cancel any meeting for which a quorum is not expected to or does not appear. The meeting shall be cancelled in such manner as may be prescribed by law. Any business on an agenda for a cancelled meeting shall be scheduled for such subsequent meeting as the clerk may prescribe, and shall be conducted during the next regular meeting unless otherwise specified.

Regular meetings may be cancelled by the Board. The Board may schedule a series of cancellations during a particular period or periods of the year for the purpose of promoting improvement in the efficient conduct of business of the Sacramento Employment and Training Agency.

RULE 6. REGULAR MEETINGS. Regular meetings of the Governing Board shall be held on the third Thursday of each month at 10:00 a.m. The date and time of the regular meetings of other boards, councils and committees to which these rules apply shall be set forth in the bylaws or charter of each board, council, or committee, or shall be set by that board, council or committee or, unless otherwise prohibited, may be set by the Governing Board.

RULE 7. SPECIAL MEETINGS. Special meetings of the Board may be called in the manner prescribed by Government Code Section 54956.

RULE 8. EMERGENCY MEETINGS. Emergency meetings of the Board may be called in the manner prescribed by Government Code Section 54956.5.

RULE 9. ADJOURNED MEETINGS. Any regular, adjourned regular, special or adjourned special meeting may be adjourned from time to time to meet at a later specific time on the same day or a subsequent day. An emergency meeting or adjourned emergency meeting may only be adjourned if permitted under the provisions of Government Code Section 54956.5. If all members are absent, the clerk may adjourn any meeting to a specific time.

RULE 10. CHAIRPERSON. (a) The Governing Board shall elect a ~~chairperson~~ and a vice ~~chairperson~~ in accordance with the Joint Exercise of Powers Agreement established by the Sacramento Employment and Training Agency. Other boards, councils and committees established by the Governing Board shall select a ~~chairperson~~ in accordance with the bylaws or charter of that board, council or committee or, if not set forth in bylaws or charter, on the first meeting of the fiscal year of the grant or contract under which that board, council or committee is formed. In the ~~chairperson's~~ absence or inability to act, the vice ~~chairperson~~ shall preside. In the absence or inability to act of both the ~~chairperson~~ and the vice ~~chairperson~~, the members present shall select one of the members present to act as temporary ~~chairperson~~.

(b) The ~~chairperson~~ shall preside over the meeting, maintain orderly procedure in accordance with these rules and decide questions of procedure subject to appeal to the full board.

(c) The ~~chairperson~~ shall be entitled to vote on all matters before the Board, may participate in discussion relating to any matter, may make motions without relinquishing the chair, and may second any motion without relinquishing the chair.

(d) Subject to appeal to the full Board, the ~~chairperson~~ shall rule on all procedural matters or questions not specifically covered by these rules.

(e) Any member of the Board who desires to speak shall first be recognized by the ~~chairperson~~.

RULE 11. QUORUM. (a) A majority of the members of the Governing Board shall constitute a quorum for the transaction of business. A quorum for boards, councils, and committees established by the Governing Board shall be as determined in the bylaws or charter of each board, council or committee or, if not so identified, shall be defined as members possessing a majority of the votes.

(b) If a quorum is not present for any meeting and at least two board members are present, they may meet as a committee of the Board and submit their recommendations to the Board as a committee report either upon the arrival of a quorum, so that a quorum is present, or at the next regular meeting of the Board.

RULE 12. ADDRESSING THE BOARD. (a) Any member of the public desiring to address the Board shall first be recognized by the chair~~person~~. The person shall then step to the podium and give his or her name and address to the clerk.

(b) Subject to appeal to the Board, the chair~~person~~ may, in the interest of facilitating the conduct of business of the Board, limit the time which a person may expend in addressing the Board, or establish a uniform time limit for each person addressing the Board in relation to a particular matter.

(c) Members of the public desiring to exercise the right conferred by Government Code Section 54954.3 to address the Board during regular meetings respecting matters over which the Board has subject matter jurisdiction but which are not identified on the posted agenda for that meeting, may do so following the transaction by the Board of all business for that meeting identified on the posted agenda and all off-agenda matters acted upon pursuant to subdivision (b) of Government Code Section 54954.2. Unless otherwise ordered by the Board, no person desiring to exercise such right as to a matter which does not appear on the posted agenda may speak longer than five minutes at a particular regular meeting; provided that the chair~~person~~ may defer or limit such five minute speaking opportunities by:

(1) Scheduling a public hearing upon the matter during a future meeting at a time and date certain;

(2) Terminating comments that are repetitive or redundant in that they express thoughts that have been communicated by previous speakers;

(3) Terminating the comments of a person who has exercised the right conferred by Government Code Section 54954.3 at a previous regular meeting of the Board with respect to the subject matter upon which comment is attempted to be made; or

(4) Terminating such comment because for other reasons the intent of subdivision (a) of Government Code Section 54954.3 has been, or will within a reasonable period of time be, fulfilled.

Unless determined otherwise by the Board, the total time allocated during a particular regular meeting to provide an opportunity for all members of the public to address the Board upon matters which are not identified on the posted agenda for that meeting shall not exceed fifteen minutes.

RULE 13. LEGAL COUNSEL. (a) All questions of law shall be referred to Legal Counsel for opinion.

(b) All proposed resolutions shall be referred to Legal Counsel for approval as to form.

RULE 14. REFERRAL TO DIRECTOR. Communications, resolutions, or other matters coming before the Board may, if deemed necessary, be referred to the *Executive* Director or the *Executive* Director's designee.

RULE 15. BOARD ACTIONS. All actions of the Board shall be taken by motion made and duly seconded or by the adoption of a resolution.

RULE 16. REPORTING OF ACTION TAKEN IN CLOSED SESSION. The following actions of the Board, if taken in closed session, must be reported to the public in open session in the manner herein prescribed and should be reported by reconvening the open session at the time the closed session action is taken:

(a) Real Estate matters: Approval and substance of the agreement must be disclosed after the agreement is final;

(b) Commencing litigation: Approval to defend or initiate legal action must be reported during the meeting in which the closed session is held. Moreover, the particulars with respect to the adverse party must be disclosed as soon as practical after the action is initiated unless to do so will interfere with service of process or jeopardize current settlement negotiations;

(c) Settlement Agreements: Approval of a settlement agreement, including the substance thereof, must be reported as soon as settlement is reached;

(d) Employee Actions: Action taken with respect to appointing, employing, dismissing or accepting the resignation of an employee must be reported at the same meeting. It must include the title of the position and any change in compensation; and

(e) Collective Bargaining: Labor negotiations shall be reported after approval, identifying the other party(ies) to the negotiation.

All such reports of actions taken in closed session may be oral or written, but the public is entitled to receive and review copies of all contracts, settlement agreements or other documents finally approved in a closed session.

RULE 17. VOICE VOTE REQUIRED. In relation to all actions of the Board, each board member shall respond in one of the following ways:

(a) "Yes" or "Aye"

(b) "No" or "Nay"

(c) "Abstain"

RULE 18. MAJORITY VOTE REQUIRED. (a) No action may be taken by the Governing Board except upon the affirmative vote of three members of the Governing Board. Majority vote requirements for other boards, councils and committees to which these rules apply shall be in accordance with the bylaws or charter of each board, council or committee or, if not so identified, shall be a vote of not less than a majority of votes on that board, council or committee, regardless of the number of members present at any meeting where a vote is taken.

(b) An abstention from voting by a board member on any motion shall not count as a vote in favor of or against the motion and shall be recorded as an abstention.

RULE 19. RESOLUTIONS. No resolution shall be offered unless in writing.

RULE 20. AGENDA - FORMULATION. An agenda shall be prepared by the clerk for each regular and special meeting of the Board, and an abstract of all matters requiring action shall be set forth therein. The agenda shall include:

(a) A brief general description of each item of business to be transacted or discussed during the public session; and,

(b) A specific identification of the types of any matters to be considered in closed session, including the following agenda item information, which should be read into the record before commencing the closed session:

(1) With respect to every item of business to be discussed in closed session pursuant to Section 54956.8 (Real property):

“CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: (Specify street address, or if no street address, the parcel number or other unique reference, of the real property under negotiation)

Negotiating parties: (Specify name of party (not agent))

Under negotiation: (Specify whether instruction to negotiator will concern price, terms of payment, or both)”

(2) With respect to every item of business to be discussed in closed session pursuant to Section 54956.9 (litigation):

“CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Name of case: (Specify by reference to claimant’s name, names of parties, case or claim numbers)

or

Case name unspecified: (Specify whether disclosure would jeopardize service of process or existing settlement negotiations)”

“CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: (Specify number of potential cases)

Initiation of litigation pursuant to subdivision (c) of Section 54956.9: (Specify number of potential cases)”

(3) With respect to every item of business to be discussed in closed session pursuant to Section 54967 (public safety/employee evaluation, discipline):

“THREAT TO PUBLIC SERVICES OR FACILITIES

Consultation with: (Specify name of law enforcement agency and title of officer)”

“PUBLIC EMPLOYEE APPOINTMENT

Title: (Specify description of position to be filled)”

“PUBLIC EMPLOYMENT

Title: (Specify description of position to be filled)”

“PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: (Specify position title of employee being reviewed)”

“PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

(No additional information is required in connection with a closed session to consider discipline, dismissal, or release)”

(4) With respect to every item of business to be discussed in closed session pursuant to Section 54957.6 (collective bargaining):

“CONFERENCE WITH LABOR NEGOTIATOR

Agency negotiator: (Specify name)

Employee organization: (Specify name of organization representing employee)

Unrepresented employee: (Specify position title of unrepresented employee who is the subject of the negotiations)”

For regular meetings, the agenda shall also include a statement notifying members of the public of their right to directly address the Board on items of interest which are within the subject matter jurisdiction of the Board.

For special meetings, the agenda shall also include a statement notifying members of the public of their right to directly address the Board on items for which action is proposed to be taken prior to action on the item.

With respect to the Governing Board, subject to overriding approval by the Governing Board, the following officers shall be authorized to place matters on the agenda: The members of the Board, individually; the County Executive; the City Manager; the *Executive* Director; the Legal Counsel; and any department head through and with the approval of the *Executive* Director.

With respect to other boards, councils, and committees established by the Governing Board to which these rules apply, subject to overriding approval of the Board, the following officers shall be authorized to place matters on the agenda: The Governing Board; the members of the board, council or committee, individually; the *Executive* Director or the *Executive* Director’s designee; and Legal Counsel.

RULE 21. AGENDA - POSTING - DEADLINES. A consolidated agenda shall be prepared for meetings of the Governing Board and all other boards, councils, and committees to which these rules apply.

(a) Matters to be placed on the agenda for a regular meeting shall be filed in the office of the clerk with all supporting and other materials no later than 5:00 p.m. seven days preceding the meeting. The deadlines specified in this subdivision do not apply to supporting and other materials relating to the award of contracts or subgrants.

(b) The clerk shall have and make available for public inspection and copying, and publicly post, an agenda for each regular meeting not later than 72 hours preceding the commencement of the meeting. All agendas for regular meetings shall be posted ~~on the window or door~~ *in the lobby* of the ground floor of the Sacramento Employment and Training offices located at 925 Del Paso Boulevard, Sacramento, California, ~~so that they will be plainly visible to the public from the outside of the building,~~ and on the SETA web site located at www.seta.net. Additionally, all agendas for regular meetings shall be posted at locations in City Hall and the County Administration Building designated for the posting of such meeting notices.

(c) The Board shall not take action on an item of business which does not appear on the posted agenda for a regular meeting except as authorized by subparagraphs “(1)”, “(2)”, or “(3)” of subdivision “(b)” of Government Code Section 54954.2 and, as appropriate, following the determinations authorized by subparagraphs “(1)” or “(2)” of subdivision “(b)” of that Section.

Action shall not be taken on any item of business which does not appear on the posted agenda for a regular meeting unless either: (i) such action is authorized by subparagraph “(3)” of subdivision “(b)” of said Section 54954.2; or, (ii) a person authorized by Rule 20 to place matters on the agenda has filled out and executed that document entitled “Certification Form” stating the reasons for such off-agenda consideration, which form is attached hereto and made a part hereof.

(d) The clerk shall prepare and timely serve and post agendas for special meetings in accordance with the provisions of Section 54956 of the Government Code providing for at least twenty-four hours notice and posting preceding a special meeting. The waiver of notice provisions set forth in Government Code Section 54956 shall be applicable to special meetings of the board. The location for posting of agendas for special meetings shall be as set forth in subsection (b) of this Rule 20 for the posting of agendas for regular meetings. Only business identified on the agenda of a special meeting may be considered at such meeting.

(e) The clerk shall provide for notice of emergency meetings in accordance with the provisions of Section 54956.5 of the Government Code.

RULE 22. COMMUNICATIONS TO THE BOARD. (a) The clerk shall receive all correspondence and shall take one of the following actions:

- (1) Refer it to the appropriate officer or department.
- (2) Receive and file the item and so indicate on the next agenda.
- (3) Agenda the item under the appropriate category on the next agenda.

(b) The clerk shall also notify the chairperson of the Board in all instances of urgency.

(c) A Board member who individually receives correspondence of general interest shall provide a copy to the clerk to be handled as outlined under (a) and (b), above.

RULE 23. FINDINGS. Formal written findings shall be prepared for adoption by the Board as part of its decision regarding any matter in which formal written findings are required by statute or other law or regulation. After hearing and decision by the Board regarding any matter in which formal written findings are required, the hearing may be closed and the matter may be continued to a future meeting for the adoption of such findings. The decision shall not be final until the findings have been adopted. Prior to the adoption of findings, the decision may be changed or modified by the Board.

RULE 24. RECONSIDERATION OR RESCISSION. (a) A motion to reconsider may be made in relation to any prior Board action taken at the same or a prior meeting. If the motion to reconsider is approved, the prior Board action shall remain unaffected unless, after reconsideration, the Board acts to modify the prior action.

(b) A motion to rescind may be made in relation to any prior Board action taken at the same or at a prior meeting. If the motion to rescind is approved, the effect shall be to nullify and vacate the prior Board action.

(c) A motion to reconsider or a motion to rescind may not be made in relation to any prior Board action if the action involved is a matter over which the Board has lost jurisdiction or if for any other reason reconsideration or rescission of the action would not comply with any applicable legal requirement.

(d) A motion to reconsider or rescind may be made only by a member who has voted with the majority in acting on the matter to which the motion relates.

RULE 25. POSTPONEMENT. (a) The Board may postpone or continue any pending matter at any time, either on its own motion or at the request of any person interested in the matter.

(b) Every request for postponement shall include a statement of the reasons for the request.

(c) A request for postponement of a matter from a person interested in the matter shall be made in writing at the earliest opportunity prior to the time the matter is to be heard, if feasible.

(d) An oral request shall be promptly confirmed in writing.

(e) In ruling on a request for postponement, the Board may consider any relevant circumstances including, but not limited to, the reasons for the request, whether the request was made as much in advance as feasible, and any inconvenience to other persons interested in the matter which will be caused by postponement.

RULE 26. APPOINTMENTS. When a nomination is made for appointment to any board, council, committee or other office, the nomination shall not be acted upon by the Governing Board until at least one week after the nomination is made. This rule does not apply when by law the Governing Board is required to appoint a specific person to any such office.

RULE 27. OTHER BOARDS, COUNCILS AND COMMITTEES. (a) These Rules of Procedure shall apply to the following boards, councils, and committees established by the Governing Board:

(1) Head Start Policy Council

(2) Head Start ~~Policy Committee (PACK)~~ *Parent Advisory Committee (PAC)*

(3) Community Action Board.

(b) These rules shall also apply to any board, council or committee established by the Governing Board subsequent to the date of adoption of the resolution enacting these rules, unless

the Governing Board specifically provides otherwise or unless the Governing Board is precluded by law from so requiring.

(c) The Workforce Investment Board may, by action of its board of directors, adopt these Rules of Procedure for use by its board.

RULE 28. AMENDMENT OR SUSPENSION. (a) Any rule may be amended or repealed at any time by resolution approved by a majority vote of the Governing Board. Any such amendment or repeal shall be effective either immediately or at such later time as is specified in the resolution.

RULE 29. RULES ARE PROCEDURAL. These rules are adopted and intended to provide procedures for the conduct of Board business. Any board action which is taken by the required number of affirmative votes shall be effective for all purposes and shall not be invalidated or in any other manner limited in its effect because of a claim that the procedure followed by the Board in taking such action was not in accord with any provision or provisions of these rules.

On a motion by member _____, seconded by member _____, the foregoing resolution was passed and adopted by the Governing Board of the Sacramento Employment and Training Agency, this _____ day of _____, 2005, by the following vote, to wit:

AYES: Member

NOES: Member

ABSENT: Member

Chairperson of the Governing Board of
the Sacramento Employment and Training
Agency

ATTEST: _____
Clerk of the
Governing Board

ITEM III-C – 1 - ACTION

APPROVAL OF OUT-OF-STATE TRAVEL FOR THE HEAD START HISPANIC
INSTITUTE

BACKGROUND:

The Department of Health and Human Services is hosting a National Head Start Hispanic Institute conference. The National Head Start Hispanic Institute recognizes the increasing number of Hispanic children across the United States eligible for Head Start services and the obligation of Head Start programs to reach out to them. The institute provides an opportunity for the leadership and staff of Head Start and Early Head Start programs to come together to explore specific issues related to providing effective services to Hispanic children and families.

Staff is requesting approval for Brenda Campos, Head Start Manager, Yolanda Macias, Program Coordinator and Francisco Navarro, Head Start Social Worker to attend the conference to gain knowledge on providing effective, culturally appropriate services to Hispanic children and families.

The approximate cost for sending three staff is \$3,500. SETA has applied for available supplemental funding of \$3,000 to assist with costs.

RECOMMENDATION:

Approve out-of-state travel for three persons to attend the National Head Start Hispanic Conference in Albuquerque, New Mexico from January 31-February 4, 2005 at an approximate cost of \$1,167 per person for three individuals. Staff will be available to provide an oral report.

ITEM III-D-1 – ACTION

APPROVAL OF RESOLUTION TO ACCEPT PROGRAM YEAR 2005 COMMUNITY SERVICES BLOCK GRANT FUNDS

BACKGROUND:

The State Department of Community Services and Development (CSD) has not received an official notice of the final federal Community Services Block Grant (CSBG) award for the 2005 program year but has been authorized by the federal Office of Community Services (OCS) to expend 50% of its 2005 funding. Full expenditure will be authorized when the official grant award letter has been received from OCS.

SETA has been issued a new CSBG contract for the 2005 program year in the full amount of \$1,511,125. CSD requires a resolution from the SETA Governing Board prior to executing the 2005 contract.

RECOMMENDATION:

Review and approve the attached resolution.

RESOLUTION NO: 2005-1

WHEREAS, the Sacramento Employment and Training Agency is the designated Community Action Agency for Sacramento County;

WHEREAS, the Sacramento Employment and Training Agency has submitted a plan and request for Program Year 2005 Community Services Block Grant funds;

WHEREAS, The State Department of Community Services and Development requires a resolution from the Governing Board in order to execute a contract for Program Year 2005 Community Services Block Grant funds.

BE IT RESOLVED THAT, the Governing Board of the Sacramento Employment and Training Agency hereby adopts this resolution requesting Program Year 2005 Community Services Block Grant funds;

BE IT FURTHER RESOLVED THAT, the Executive Director of the Sacramento Employment and Training Agency shall sign Contract No. 05F-4634 and other necessary grant documents, including contract amendments, and that this resolution should be forwarded to the State Department of Community Services and Development.

Ayes:

Noes:

Absent:

Attest:

Clerk of the Boards

Chair of the SETA Governing Board

Date: January 20, 2005

ITEM IV-A – INFORMATION

HEAD START QUARTERLY REPORT

BACKGROUND

A quarterly report for the months of October, November and December 2004 will be provided under separate cover. Ms. Norma Johnson will be present at the meeting to answer questions.

ITEM IV-B - INFORMATION
FISCAL MONITORING REPORTS

BACKGROUND:

Attached for your information are copies of the latest fiscal monitoring reports.

Staff will be available to answer questions.

MEMORANDUM

TO: Mr. Jimmy Tran **DATE:** January 5, 2005
FROM: Greg P. Tayros, SETA Fiscal Monitor
RE: On-Site Fiscal Monitoring of Bach Viet Association, Inc.

<u>PROGRAM</u>	<u>ACTIVITY</u>	<u>FUNDING</u>	<u>CONTRACT PERIOD</u>	<u>PERIOD COVERED</u>
RESS	VESL/ES	\$ 170,412	10/1/03-9/30/04	10/1/03-9/30/04
TAD	VESL/OJT	10,417	10/1/03-9/30/04	10/1/03-9/30/04
TAD	ES	6,945	10/1/03-9/30/04	10/1/03-9/30/04
TA	ES	72,000	10/1/03-9/30/04	10/1/03-9/30/04
TA	VESL/OJT	72,000	10/1/03-9/30/04	10/1/03-9/30/04
TAD	OLDER WORKER	9,200	10/1/03-9/30/04	10/1/03-9/30/04

Monitoring Purpose: Initial Follow-Up Special Final
Date of review: 11/19/04 & 11/29/04

<u>AREAS EXAMINED</u>	<u>SATISFACTORY</u>		<u>COMMENTS/RECOMMENDATIONS</u>	
	<u>YES</u>	<u>NO</u>	<u>YES</u>	<u>NO</u>
1 Accounting Systems/Records	X			
2 Internal Control	X			
3 Bank Reconciliation	X			
4 Disbursement Control	X			
5 Staff Payroll/Files	X			
6 Fringe Benefits	X			
7 Participant Payroll		N/A		
8 OJT Contracts/Files/Payment	X			
9 Indirect Cost Allocation		N/A		
10 Adherence to Budget	X			
11 In-Kind Contribution		N/A		
12 Equipment Records		N/A		

Program Operator: Bach Viet Association, Inc.

Findings and General Observations:

The total costs as reported to SETA from October 1, 2003 to September 30, 2004 have been traced to the subgrantee's records. The records were verified and appeared to be in order.

The bank reconciliation statement as of September 30, 2004 included checks which have been outstanding for over one year. The agency should contact the vendors to determine if replacement checks are needed, or else, these checks should be voided, the expenditures reversed and reimburse SETA the amount of the checks.

The agency billed the Refugee programs \$ 5,400 for audit cost for the fiscal year ended September 30, 2004. Pursuant to OMB Circular A-133 a single audit is not required if the non-federal agency incurred federal expenditures of less than \$500,000. However, pursuant to OMB Circular A-122, other audit costs (e.g. a financial audit) is allowable provided the audit cost is part of a cost allocation plan. In this case, the cost of \$5,400 should be allocated to all the funds being audited based on an acceptable cost allocation plan and any excess amount charged to the refugee programs should be returned to SETA.

The findings mentioned in our previous monitoring report dated July 1, 2004 have been corrected and are now considered closed.

Recommendations for Corrective Action :

Prepare a cost allocation worksheet showing the distribution of the audit cost of \$5,400 to all funds being audited (SETA-funded and non-SETA funded programs). SETA should only be charged with its fair share of the audit cost.

cc: Kathy Kossick
Governing Board

MEMORANDUM

TO: Mr. Dave Pascoa **DATE:** January 10, 2005
FROM: Greg P. Tayros, SETA Fiscal Monitor

RE: On-Site Fiscal Monitoring of Del Paso Heights School District

<u>PROGRAM</u>	<u>ACTIVITY</u>	<u>FUNDING</u>	<u>CONTRACT PERIOD</u>	<u>PERIOD COVERED</u>
Head Start	Basic, COLA, Quality	\$ 1,491,852	9/30/03-09/29/04	9/30/03-9/29/04
Head Start	T & TA	7,500	9/30/03-09/29/04	9/30/03-9/29/04
Head Start	Prog. Impv.	86,000	9/30/03-09/29/04	9/30/03-0/29/04

Monitoring Purpose: Initial Follow-Up Special Final
Dates of review: 12/6/04 & 12/17/04

AREAS EXAMINED	SATISFACTORY		COMMENTS/ RECOMMENDATIONS	
	YES	NO	YES	NO
1 Accounting Systems/Records	X			
2 Internal Control	X			
3 Bank Reconciliation	N/A			
4 Disbursement Control	X			
5 Staff Payroll/Files	X			
6 Fringe Benefits	X			
7 Participant Payroll	N/A			
8 OJT Contracts/Files/Payment	N/A			
9 Indirect Cost Allocation	X			
10 Adherence to Budget	X			
11 In-Kind Contribution	X			
12 Equipment Records	X			

Findings and General Observations:

The total costs as reported to SETA from September 30, 2003 to September 29, 2004 have been traced to the delegate's records. The records were verified and appeared to be in order. The school district was granted \$86,000 for Program Improvement but spent only \$18,800 or only 22% of the total budget. These funds are granted by ACF only after a careful consideration and review of the proposals because of limited funding. Therefore, it is incumbent upon each delegate to ensure that its proposal takes into account all the details of the work and accurately estimated so that the budget is utilized to the fullest.

The finding mentioned in our previous monitoring report dated June 8, 2004, was corrected and the record was adjusted. This is now considered closed.

Recommendations for Corrective Action:

- 1) None.

cc: Kathy Kossick
Governing Board
Policy Council

MEMORANDUM

TO: Ms. Edenausageboye Davis **DATE:** January 5, 2005
FROM: Greg P. Tayros, SETA Fiscal Monitor
RE: On-Site Fiscal Monitoring of WCIC

<u>PROGRAM</u>	<u>ACTIVITY</u>	<u>FUNDING</u>	<u>CONTRACT PERIOD</u>	<u>PERIOD COVERED</u>
Head Start	Basic, COLA, Quality	\$ 540,263	9/30/03-9/29 /04	9/30/03-9/29/04
Head Start	T & TA	7,500	9/30/03-9/29/04	9/30/03-9/29 /04
Head Start	Prog. Imprv.	135,000	9/30/03-9/29/04	9/30/03-9/29/04

Monitoring Purpose: Initial Follow-Up Special Final
Date of review: Various dates

AREAS EXAMINED	SATISFACTORY		COMMENTS/ RECOMMENDATIONS	
	YES	NO	YES	NO
1 Accounting Systems/Records	X			
2 Internal Control	X			
3 Bank Reconciliation	X			
4 Disbursement Control	X			
5 Staff Payroll/Files	X			
6 Fringe Benefits	X			
7 Participant Payroll		N/A		
8 OJT Contracts/Files/Payment		N/A		
9 Indirect Cost Allocation		N/A		
10 Adherence to Budget	X			
11 In-Kind Contribution	X			
12 Equipment Records		N/A		

Program Operator: WCIC

Findings and General Observations:

The total costs as reported to SETA from September 30, 2003 to September 29, 2004 have been traced to the subgrantee's records. The records were verified and appeared to be in order.

The amount of \$8,339.00 claimed for the payment of incentive pay is disallowed as it did not meet the conditions of OMB Circular A-122 for the payment of incentive compensation; which are, a) the overall compensation is determined to be reasonable, b) such costs are paid or accrued pursuant to an agreement entered into in good faith between the organization and the employees before the services were rendered, and c) it is paid pursuant to an established plan followed by the organization so consistently as to imply, in effect, an agreement to make such payment. However, the amount of \$8,339 is allowable as COLA payment provided WCIC follows the COLA payment plan, which means that each staff receives a 1.5% pay plus the corresponding payroll taxes. Any amount in excess of the COLA payment plan should be returned to SETA. All documents related to this compensation should refer to COLA and all references to incentive pay should be deleted.

Recommendations for Corrective Action:

Delete all references to incentive pay in the documents pertaining to the payment of COLA and return to SETA any amount in excess of the amount required by the COLA payment plan.

cc: Kathy Kossick
Governing Board
Policy Council

ITEM IV-C – INFORMATION

THE HIRE HOPE PROJECT

BACKGROUND:

In May 2004, the Governing Board approved an agreement between the County Department of Human Assistance (DHA) and Sacramento Employment and Training Agency (SETA) to continue to provide One-Stop Services to CalWORKs customers. In June 2004, DHA requested that SETA utilize a portion of the funding to provide Job Club/Job Search targeting Limited-English Proficient (LEP) individuals and Ex-Offenders.

SETA staff identified several career centers in the Sacramento Works Career Center system that serve a high number of LEP and ex-offenders. The SWCC-South County Career Center was identified as one of the key centers that provides specialized services to ex-offenders. The Elk Grove Adult and Community Education in cooperation with the Sacramento County Sheriff's Department, have provided services at the Rio Cosumnes Correctional Center —RCCC pronounced "R Triple C"—for thirty years. Using the CalWorks funding the Elk Grove and SETA SWCC staff located at RCCC developed the "Hire Hope Project."

Hire Hope provides training in the skills of getting and keeping a job for incarcerated adults enrolled in the Adult Education classes. Once the individuals are released, case management and job placement support is provided at the Sacramento Works South County Career Center.

The Project staff of Edward Johnson (instructor), Warren Murphy (case manager), and Jennifer Grove (resource teacher) collectively provide a unique perspective in offering services at RCCC that creates an energy that is transported with the individual upon release. Mr. Johnson has an extensive background in law enforcement, the military and with the Job Corps. Mr. Murphy provides a profound insight into the needs of those individuals seeking his counsel. Long-time resource teacher, Jennifer Grove, provides curriculum development and community resource services. Each person entering the Project is treated with respect and dignity. Students set realistic, professional goals and are expected to maintain a positive, respectful attitude while learning the skills necessary to reintegrate into society. When released from RCCC, these individuals continue the process of showing up at the Career Center dressed for success, producing and faxing professional resumes and cover letters and calling prospective employers for interviews.

Since the Hire Hope inception in June of 2004, over 100 people have earned certificates of completion. This does not include the over 500 additional individuals served during the early stages of the Project.

ITEM V - REPORTS TO THE BOARD

- A. CHAIR'S REPORT: The Chair of the SETA Governing Board, on a regular basis, receives numerous items of information concerning employment and training legislation, current programs, agency activities, and miscellaneous articles about human service programs throughout the nation, and attends meetings pertinent to SETA business.

The important information from the material received and meetings attended will be shared with the entire Board and the method proposed by the Chair is to give a verbal report at each regular meeting. It will also allow time for the Board to provide input on items that may require future action.

- B. EXECUTIVE DIRECTOR'S REPORT: This item is set aside to allow the SETA Executive Director to report to the Board on any items of important information or to deal with special requests which need to be addressed but, because of time constraints, were not included in the formal SETA Governing Board Packet. The Executive Director's Report also allows the opportunity for the SETA Executive Director to apprise the Board of upcoming events, significant agency activities, or conferences.

- C. COUNSEL REPORT: The SETA Legal Counsel is the firm of Gregory D. Thatch, Attorney at Law. This item provides the opportunity for Agency Counsel to provide the SETA Governing Board with an oral or written report on legal activities

- D. MEMBERS OF THE BOARD: This item provides the opportunity for SETA Governing Board members to raise any items for consideration not covered under the formal agenda. It also provides the opportunity for Board members to request or to ask that certain items be placed on the next Governing Board agenda.

- E. PUBLIC PARTICIPATION: Participation of the general public at SETA Governing Board meetings is encouraged. The SETA Governing Board has decided to incorporate participants of the audience as part of its agenda for all meetings. Members of the audience are asked to address their requests to the Chairperson, if they wish to speak.