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CITY OF SACRAMENTO  
CALIFORNIA

OFFICE OF THE  
CITY MANAGER

June 12, 1980

CITY HALL  
915 I STREET - 95814  
(916) 449-5704

City Council  
Sacramento, California

Honorable Members in Session:

SUBJECT: Modification of the Sacramento Employment and Training Agency  
Joint Powers Agreement - Review By Parties

SUMMARY

The City Council and Board of Supervisors approved our recommendation on May 13, 1980 to delay action for 30 days until David Martinez, the newly appointed Director of SETA had a chance to review the impact of amending the joint powers agreement deleting all review responsibilities of the City and County with the exception of the review authority on PSE matters.

Our recommendation is not to delete all review responsibilities, but to streamline the process in relation to the number of items that will come before you for review and approval. Exhibit "A" is our recommendation for the modification of the Joint Powers Agreement, #17 Review By Parties.

Exhibit "B" is attached for your information and comparison as to the changes proposed by the Governing Board of the Sacramento Employment and Training Agency.

The Director of SETA, David Martinez, the City Attorney and County Counsel all concur with our recommendation as outlined in Exhibit "A".

RECOMMENDATION

It is recommended that the City Council and Board of Supervisors approve the modification of the Sacramento Employment and Training Agency Joint Powers Agreement-- Review By Parties as outlined in Exhibit "A".

Respectfully submitted,

*Walter J. Slipe*

Walter J. Slipe  
City Manager

APPROVED  
BY THE CITY COUNCIL

*William H. Richter*  
for Brian H. Richter  
County Executive

JUN 17 1980 *Cont to*

OFFICE OF THE  
CITY CLERK *7-1-80*

Attachments

17. REVIEW BY PARTIES.

(a) Except as provided in Subparagraphs (b) and (c) herein, the PARTIES here shall review and must approve the following before such actions are considered final and authorized:

(1) The annual budget. \* ~~and any amendments thereto if such amendments exceed \$10,000.~~

(2) The annual comprehensive plan for employment and training services. \*

(3) Grant applications and agreements. \* ~~or modifications in said applications and agreements which involve new programs.~~ For purposes of this subparagraph the term "modifications" shall have the same meaning stated in the Employment and Training Act Regulations. [ \* Review and approval by the Parties of the annual budget, the Comprehensive Plan, and grant applications and agreements shall include "major modifications" of such documents as defined or as may hereafter be defined by the Regulations of the Department of Labor. Such "major modifications" are currently defined as modifications which meet the following criteria:

- / any one of
- i. Changes in the Master Plan, the Annual Plan or any subparts which significantly change the narrative description;
  - ii. Cumulative transfers among program activities or cost categories of 15 percent of the total plan budget;
  - iii. Significant changes in program design;
  - iv. Cumulative increases or decreases in funds equal to or more than 15 percent of the allocation for any Annual Plan Subpart for the current program;
  - v. Any extension of the Annual Plan or any Subpart for a period of more than 3 calendar months. ]

~~(4) Increases in Joint Powers Agency staff.~~

~~(4) (5) Contracts for goods or services the cost of which exceeds \$10,000- \$100,000.~~

~~(6) Terminations of grants and subgrants.~~

~~(5) (7) Agreements to settle or compromise rights of the Agency asserted in litigation in a Court of Law or before an administrative agency wherein the amount of potential liability exceeds \$10,000. \$25,000.~~

(b) Failure of a party to act, either affirmatively or negatively, including by way of modification, with respect to any matter presented to the party for review pursuant to Subparagraph (a) above, within thirty (30) calendar days of receipt of notice as provided in Paragraph 5(d) above, shall constitute approval of the action of the Governing Board of the Agency.

(c) Each party alone shall review and must approve its subgrants or agreements for the Employment and Training Act Sections II(d) and VI or "modifications" in said subgrants or agreements. For purposes of this subparagraph, the term "modifications" shall have the same meaning as stated in the CETA Regulations.

17. REVIEW BY PARTIES: The actions of the Governing Board shall constitute final Agency action on any matter except that

~~(a) Except as provided in Subparagraphs (b) and (e) herein, the PARTIES here shall review and must approve the following before such actions are considered final and authorized:~~

~~(1) The annual budget, and any amendments thereto if such amendments exceed \$10,000.~~

~~(2) The annual comprehensive plan for employment and training services.~~

~~(3) Grant applications and agreements or "major modifications" in said applications and agreements which involve new programs. For purposes of this subparagraph the term "major modifications" shall have the same meaning stated in the Employment and Training Act Regulations.~~

~~(4) Increases in Joint Powers Agency staff.~~

~~(5) Contracts for goods or services the cost of which exceeds \$10,000.~~

~~(6) Terminations of grants and subgrants.~~

~~(7) Agreements to settle or compromise rights of the Agency asserted in litigation in a Court of Law or before an administrative agency wherein the amount of potential liability exceeds \$10,000.~~

~~(b) Failure of a party to act, either affirmatively or negatively, including by way of modification, with respect to any matter presented to the party for review pursuant to Subparagraph (a) above, within thirty (30) calendar days of receipt of notice as provided in Paragraph 5 (d) above, shall constitute approval of the action of the Governing Board of the Agency.~~

<sup>e</sup>  
(g) Each party alone shall review and must approve its subgrants or agreements for the Employment and Training Act Sections II(d) and VI or "modifications" in said subgrants or agreements. For purposes of this subparagraph, the term "modifications" shall have the same meaning as stated in the CETA Regulations.