RECOMMENDED ACTION AND JUSTIFICATION:

Resolution authorizing an amendment to the Memorandum of Understanding between First 5 of Mariposa and the County of Mariposa to change the rates charged for County services provided to support the First 5 Commission.

See attached Amendment to Memorandum of Understanding

BACKGROUND AND HISTORY OF BOARD ACTIONS:

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Financial Impact? ( ) Yes (X) No  Current FY Cost: $  Annual Recurring Cost: $  List Attachments, number pages consecutively
Budgeted In Current FY? ( ) Yes ( ) No ( ) Partially Funded
Amount in Budget: $  Amended MOU
Additional Funding Needed: $  Letter from County Counsel to First 5 Exec. Director
Source:
Internal Transfer
Unanticipated Revenue ------ 4/5's vote
Transfer Between Funds ------ 4/5's vote
Contingency ------ 4/5's vote
( ) General  ( ) Other
Existing MOU

CLERK’S USE ONLY:
Res. No. Ord. No. Absent: 4/5's vote
Vote – Ayes: Noes: 4/5's vote
Approved 4/5's vote
Minute Order Attached ( ) No Action Necessary

COUNTY ADMINISTRATIVE OFFICER:
☑ Requested Action Recommended
☐ No Opinion
Comments:

Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: Deputy

CAO:

Revised Dec. 2002
TO: TOM GUARINO, COUNTY COUNSEL
FROM: MARGIE WILLIAMS, Clerk of the Board
SUBJECT: AMENDMENT TO MOU WITH FIRST 5 OF MARIPOSA

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on October 18, 2005

ACTION AND VOTE:

1:00 p.m. Thomas Guarino, County Counsel;
Adopt a Resolution Approving an Amendment to the Memorandum of Understanding Between First 5 of Mariposa and the County of Mariposa to Change the Rates Charged for County Services Provided to Support the First 5 Commission and Authorizing the Chairman of the Board of Supervisors to Sign the Amendment

BOARD ACTION: Discussion was held with Tom Guarino. (M)Stetson, (S)Fritz, Res. 05-496 was adopted approving the amendment. Supervisor Turpin requested that information be provided at the end of the year relative to the status. Supervisor Bibby asked about tracking in-kind services as well. Ayes: Unanimous.

cc: Ken Hawkins, Auditor
Jeane Hetland, Executive Director
First 5 of Mariposa
P.O. Box 966
Mariposa, CA 95338

Re: Counsel Fees

Dear Ms. Hetland:

As you will kindly recall, we have been discussing for some time the current fees charged to First 5 of Mariposa for County services, including those of County Counsel.

In the original Memorandum of Understanding dated September 29, 2000, the fees were initially set at the following level:

Based upon our conversations, it would be my request that you ask your Commissioners at a Commission meeting whether they are amenable to modifying those fees to reflect something closer to the current cost to the County. The rates proposed below, while closer to the actual cost of providing such support, continue to be substantially below those that the Commission would have to pay if retaining private counsel. My proposal is as follows: County Administrative Officer $74.00; County Counsel $74.00; County Auditor $50.00; other costs (actual expense); and omit use of the County Health Department’s fax and copy machines.

If your Commission should approve revision of the fee structure it is my request that you have them grant you authority to sign a revised Memorandum of Understanding with the County to reflect the increase in fees and costs charged. Once this is done I will present it to the Board of Supervisors for them to adopt a Resolution authorizing the same revision.

Your courtesy and cooperation in this matter is appreciated.

Very truly yours,

Thomas P. Guarino
County Counsel

TPG/rs
October 1, 2005

Mr. Bob Pickard, Chairman
Mariposa County Board of Supervisors
5100 Bullion ST  (P.O. Box 784)
Mariposa, California  95338

Dear Chairman Pickard:

At the September 19, 2005 meeting of the First 5 Commission, I informed Commissioners that the rates for County services need to be increased as follows: Administrative Officer, $74.00; County Counsel, $74.00; and County Auditor, $50.00; other costs at actual expense; and omit use of the County Health Department’s fax and copy machines. The Commissioners voted to approve the increase in fees for services received through the County. I have attached a copy of the agenda and minutes with this letter.

Sincerely,

[Signature]

Jeane Hetland
Executive Director

Attachment
MINUTES OF MEETING
First 5 of Mariposa County
Monday, September 19, 2005

Commissioners Present: Phyllis Becker
Judy Freitas
Paul Jacobs
Lee Jorgenson
Janet Mankins-Bibby
Dr. Charles Mosher
Cheryl Rutherford-Kelly

Executive Director: Jeane Hetland

Administrative Assistant: Corinne Britt

County Counsel: Tom Guarino

Members of the Public: Lydia Woolsey
Sarah Matlock

I. Call to Order: Phyllis Becker called the meeting to order at 4:10 P.M. Janet Mankins-Bibby made a motion to go into closed session and Lee Jorgensen seconded the motion. Motion carried.

Ayes- Noes-0 Absent- Paul Jacobs Abstained-0

Closed Session: There was no report from closed session. Commissioner Paul Jacobs was not present for closed session.

II. Public Comment: Sarah Matlock spoke regarding the Acorn Preschool grant request. She shared the need for preschools in Mariposa County. Sarah addressed the grant application under item VIII-a on the agenda. She shared the parameters of the grant and the immediate plan for Acorn Preschool to use the Lutheran Church for classes until the Acorn Preschool is ready for instruction.

III. Minutes for August 8, 2005: Janet moved to approve the minutes with spelling changes and Lee seconded the motion. Motion carried.

Ayes-7 Noes-0 Absent-0 Abstained-0

IV. Discussion of School Readiness Program and Future Direction:
   a. Information and Discussion of Recent Developments
Paul informed the Commission about the status of the contract with the Mariposa County Unified School District for the School Readiness Program. The District decided against entering into a contract agreement to run the
School Readiness Program through the year 2008. Paul stated that there were changes in pay scales, insurance rates, staff payment requirements, and supply budget regulations that made it impossible for the District to assume the responsibility of the program. In addition, there were questions regarding litigation that Paul felt obligated to answer for the District cabinet.

Janet shared her concerns regarding the ownership of the Greeley Hill Preschool land and who is responsible for the preschool facility.

No Vote Was Taken

b. Discussion and Direction Regarding Interim Supervision and Management of School Readiness Program
There was discussion regarding the School Readiness Program. Jeane suggested that she be allowed to temporarily handle the School Readiness Coordinator’s responsibilities until the program is stabilized.

Ayes-7       Noes-0      Absent-0       Abstained-0

c. Discussion regarding Greeley Hill and Lake Don Pedro Land
Janet brought a map of the Greeley Hill Building Blocks location. County Counsel informed the Commissioners that he would be looking into the issue of the ownership of the land on behalf of the County. He would share his findings when his investigation was completed. It was requested by Janet that this item be placed on the agenda for the next Commission meeting. This will give the County time to investigate the ownership of the land and have the facts available at the October 10th meeting.

No Vote Was Taken

d. Discussion of Mariposa County Office of Education Agreements and Proposal to Operate Facility
Paul stated to the Commission that the MOU for the use of the Lake Don Pedro land is being reviewed by the District’s legal counsel. County Counsel recommended that the Executive Director be granted the authority to sign the MOU for the Commission. Lee made a motion that pending the approval of the School Board and County Counsel, the Executive Director be given the authority to sign the MOU with the District. Judy seconded the motion. Motion carried.

Ayes-7       Noes-0       Absent-0       Abstained-0

e. Update on Lake Don Pedro Building
The Lake Don Pedro facility is near completion. Phyllis Becker, Linda Sego, and Jeane will be attending the informational meeting on licensing on September 28, 2005.

According to Keith Sharp, Chief Water Operator for Mariposa County Unified School District, exceedance in lead and copper were found in the water at the Greeley Hill facility. A letter was sent home on September 16, 2005, informing the parents. The Mariposa County School Districts plans to have the corrosion control equipment in place on or before December 2005. The
Commission would like to know when the last water test was done at the Lake Don Pedro site.

No Vote Was Taken

f. Update on Greeley Hill Playground / Roof Repair
Greeley Hill Building Blocks Preschool is housed in a building which is owned by the Madera Community Action Agency. The Madera Community Action Agency did not have the funding to repair the roof. Jeane is making arrangements to have the roof repaired by a roofing company.

In September, Greeley Hill water testing showed evidence of questionable levels of lead in the water. The Gold Country Water Company has agreed to deliver water with the initial set-up cost of $25.00 to include paper cups and cooler. The expected average monthly cost for drinking water at the preschool is approximately $12.00. The Commission agreed that it was a safe precaution.

No Vote Was Taken

g. Discussion and Possible Action to form a School Readiness Committee
Dr. Mosher made a motion that the Commissioners form a subcommittee to look into the School Readiness Program’s management, and this subcommittee bring back to the Commission recommendations for staffing, budgeting for the program, and maintenance. The subcommittee would be expected to provide a report of findings and potential solutions to the current problems with the School Readiness Program. Lee seconded the motion. Motion carried.

Ayes-7  Noes-0  Absent- 0  Abstained-0

h. Renewal of Steven Springer’s Contract for Greeley Hill and Lake Don Pedro Preschools for Maintenance
Jeane reported that Steven Springer has been working at the Greeley Hill Preschool as maintenance worker for approximately 6 hours a week. The increase in hours is due to the addition of the Lake Don Pedro facility. Paul made a motion to approve renewal of Steve’s contract and Lee seconded the motion. Motion carried.

Ayes-7  Noes-0  Absent- 0  Abstained-0

V. Commission Appointment by Board of Supervisors
a. Request Change in Ordinance and Bylaws
County Counsel explained that a letter should be sent to the Board of Supervisors by the Executive Director requesting changes in the Prop 10 Ordinance. The letter should state that the Commission is seeking approval to change the membership of the Commission from seven to nine members. Paul recommended that the Commissioners be listed in a roster with beginning date of terms served, expiration of term, and title. County Counsel suggested that the letter leave the drafting of the exact language to the Board of Supervisors. The letter should also request the approval of the name
change from Children and Families First Commission to First 5 Mariposa County. Janet made a motion to follow through with the suggestions of County Counsel and Paul seconded the motion. Motion carried.

Ayes-6  Noes-0  Absent- Cheryl Rutherford-Kelly  Abstained-0

b. Reappointment of Current Commissioners
Dr. Mosher stated that the names of those persons recommended by agencies to represent their agencies on the Commission be forwarded to the Board of Supervisors for consideration.

Concerns were discussed regarding Commissioners’ loyalties when dealing with issues of Commission business. Jeane expressed concerns about how the School Readiness staff was informed that the School District was not contracted for the program. She also stated that the dismantling of the office was not conducted appropriately, e.g., instructional materials and documents were piled on the floor of the School Readiness Office. Dr. Mosher made a motion that the Commission Chair, Phyllis Becker, and one other Commissioner meet with Paul to discuss the conduct in question and information shared during closed session. Paul moved to include in the motion a discussion around the issue of Commissioners telephoning work places and discussing Commission issues with a Commissioner’s employer. Dr. Mosher did not agree to amend his motion. It was requested by the Commission that Dr. Mosher be the one to accompany the Chair. Lee seconded the motion. Motion carried.

Ayes-5  Noes-0  Absent- Cheryl Rutherford-Kelly  Abstained-Paul Jacobs

c. Recommendations to Appoint Two Members-at Large: Lydia Woolsey and Marilyn Coppola
This item is to be placed on the agenda again. The Commission is waiting for the approval of the new language of the Ordinance and Bylaws as well as the approval by the Board of Supervisors. It was brought to the attention of County Counsel that Lydia Woolsey is currently receiving grant funds from the Commission through the Family Resource Center First 5 Grant. Lydia is the parent-to-parent support worker hired by the Family Resource Center through First 5 grant funds. The question is: May a Commissioner be employed through First 5 grant funds?

No Vote Was Taken

VI. Budget Reporting
a. Commission Budget Report through August 31, 2005
The Commission Budget Report was included in the Commissioners’ packets.

No Vote Was Taken

b. School Readiness Budget Report through August 31, 2005
The School Readiness Budget will be updated and available at the October 10th meeting. Jeane is working on a budget plan and the annual fiscal report for the State First 5.
c. Report from Budget Committee (Dr. Mosher, Janet Mankins-Bibby, Ken Hawkins and Jeane Hetland)
Dr. Mosher presented a proposal to the Commission based from the budget committee. Included in the discussion was a letter presented by Jeane discussing the School Readiness Program and the long term goals of the Commission. Both the letter and proposal delineated the current status of the budget and made suggestions for a five-year plan. Both documents are attached to the minutes.

d. Request to Hire Part-time Financial Assistant (8 – 12 hours a week)
Jeane proposed hiring a part-time financial assistant. She stated that Kathy Albright was recommended by the Mariposa County Auditor’s office. Cheryl had questions regarding Ms. Albright currently serving part-time with the Department of Human Services. Dr. Mosher and Phyllis raised questions as to the legal requirements for job posting. County Counsel informed the Commission that they were not legally required to advertise a position if they were hiring an independent contractor to provide a service. Decisions regarding this matter were postponed until the budget findings were completed and there was a chance to gather input from the Director of the Department of Human Resources.

e. Information, Discussion and Possible Approval to Increase County Counsel, Administrative Officer, and County Auditor Rates
Jeane informed the Commission that the rates for the County Auditor and County Counsel services need to be increased as follows: Administrative Officer, $74.00; County Counsel, $74.00; and County Auditor, $50.00; other costs (actual expense); and omit use of the County Health Department’s fax and copy machines. Lee moved to approve the increase and Paul seconded the motion. Motion carried.

Ayes-6  Noes-0  Absent- Cheryl Rutherford-Kelly  Abstained-0

VII. Update Visiting Nurse Program
Dr. Mosher informed the Commission that the Visiting Nurse Program was receiving patients. They have had several referrals as well as requests from the community through the advertisements in the Parent Magazine.

VIII. Executive Director Report
a. Review of Grant Spreadsheet
Jeane Hetland shared that the reading of the grant requests (read in Merced) had been completed. Sarah Matlock addressed questions during the Public Comment section of the meeting regarding the grant expenditures for the Acorn Preschool. The Commission will take the month of September to
personally view the grant requests. Prior to the October 10th meeting, the Commissioners may review and score the grant requests at the First 5 office.

No Vote Was Taken

   Jeane presented a spreadsheet detailing the three Parent Magazine proposals to the Commission. Prior to the October 10th meeting, the Commissioners may view the proposals in their entirety at the First 5 office.

   No Vote Was Taken

IX. **Proposal for Benefits**
   a. **Salary / Benefit Package**
      Jeane asked the Commission if they would require her to pay back the deferred compensation received from December 2004 through September 2005. Dr. Mosher moved, considering the long delay in the evaluation process, to not have the Executive Director return the deferred comp payment and Lee seconded the motion. Motion carried.

      Ayes-6         Noes-0         Absent- Cheryl Rutherford-Kelly    Abstained-0

X. **Parent Magazine Update**
   a. **Update**
      The latest edition of the Parent Magazine in a new glossy format was shared with the Commission. The Commissioners liked the print and the look of the formatting.

      No Vote Was Taken

XI. **Report on Family Resource Center Committee**
   No report at this time

      No Vote Was Taken

XIII. **Adjournment**
   Meeting adjourned at 7pm.
Agenda

Public Notice

Who: First 5 of Mariposa County
What: Commission Meeting
When: Monday, September 19, 2005
@ The Commission Office, 5065 Jones Street

Public comment periods: Matters under the jurisdiction of the Board, and not on the posted agenda, may be addressed by the general public at the beginning of the regular agenda and any matters on the agenda before the Board for consideration. However, California law prohibits the Board from taking action on any matter, which is not on the posted agenda unless it is determined to be an emergency by the Board. Any member of the public wishing to address the Board during the Public Comment period will be limited to a maximum of 5 minutes.

Attachments

4:00

I. Call to Order

Closed Session: Significant exposure to litigation pursuant to subdivision (b) of Government Code Section: 54956.9

Closed Session: Conference with Legal Counsel Relative to Liability Claim
Claimant Name: Michele Johnson; Claim # 1001; Name of Agency Sued: First 5 of Mariposa County (Continued from June 13, 2005) (County Counsel)

Negotiation: Executive Director, Jeane Hetland, pursuant to Government Code 54954.5

II. Public Comment

I/D/A*

III. Minutes 8/8/05

I/D/A

IV. Discussion of School Readiness Program and Future Direction
a. Information and Discussion of Recent Developments
b. Discussion and Direction Regarding Interim Supervision and Management of School Readiness Program
c. Discussion regarding Greeley Hill and Lake Don Pedro Land
d. Discussion on Mariposa County Office of Education Agreements and Proposal to Operate Facility
e. Update on Lake Don Pedro Building
f. Update on Greeley Hill Playground/Roof Repair
g. Discussion and Possible Action to form a School Readiness Committee
h. Renewal of Steven Springer's Contract for Greeley Hill and Lake Don Pedro Preschools as Maintenance

I/D/A V. Commission Appointment by Board of Supervisors
a. Request Change in Ordinance and Bylaws
b. Reappointment of Current Commissioners
c. Recommendations to Appoint Two Members-at Large: Lydia Woolsey and Marilyn Coppola
d. Other

I/D/A VI. Budget Reporting
a. Commission Budget Report through August 31, 2005 (B1)
b. School Readiness Budget Report through August 31, 2005
b. Report from Budget Committee (Dr. Mosher, Janet Mankins-Bibby, Ken Hawkins and Jeane)
d. Request to Hire Part-time Financial Assistant (8-12 hrs. a week)
e. Information, Discussion and Possible Approval to Increase County Counsel, Administrative Officer, and County Auditor Rates

I/D/A VII. Update Visiting Nurse Program

I/D/A VIII. Executive Director Report
a. Review of Grant Spreadsheet (C1)
b. Review of Parent Magazine Bids 2005-2006 (C2)

I/D/A IX. Proposal for Benefits
a. Salary/Benefit Package

I/D X. Parent Magazine Update
a. Update

I/D XI. Report on Family Resource Center Committee

I/D/A XII. Adjourn the Meeting

Next Meeting: October 10, 2005  4:00 p.m. @ The Commission Office

* I/D/A  Information, Discussion and Action
MEMORANDUM OF UNDERSTANDING
BETWEEN THE COUNTY OF MARIPOSA
AND THE MARIPOSA COUNTY CHILDREN AND
FAMILIES FIRST COMMISSION

THIS MEMORANDUM OF UNDERSTANDING is entered into on the most recent
date below written, by and between the County of Mariposa, a political subdivision of the State
of California, hereinafter referred to as "County," and the Mariposa County Children and
Families First Commission, established pursuant to California Health and Safety Code Section
130140 in June of 1999, hereinafter referred to as "Commission."

WHEREAS, Commission was formed pursuant to California Health and Safety Code
Section 130140, and

WHEREAS, Commission is a body independent of County, and

WHEREAS, Commission's work and efforts will benefit the citizens of Mariposa
County, and

WHEREAS, Commission desires to enter into a Memorandum of Understanding with
County, wherein County can provide needed services to Commission, and

WHEREAS, County desires to enter into a Memorandum of Understanding with
Commission, wherein County will provide services to Commission that Commission would
otherwise be required to pay substantially more than from County.

NOW, THEREFORE, in consideration of the mutual covenants and promises
hereinafter contained, the parties hereto agree as follows:

1. County shall provide to Commission services of various County departments as requested
   by Commission from time to time and as described in Exhibit "A," attached hereto and by
   this reference incorporated herein, as amended from time to time.
2. This Memorandum of Understanding shall become effective upon the most recent date of the
   signatures contained below.
3. This Memorandum of Understanding may be amended from time to time by written
   agreement of the parties hereto.
4. This Memorandum of Understanding may be terminated by either party hereto with ninety
   (90) days prior written notice to the other party.
5. The services to be provided hereunder by County shall be performed by County on behalf of
   Commission as promptly as possible given due consideration to the appropriate department's
   workload.
6. County shall invoice Commission on a monthly basis for services rendered hereunder and the invoices shall be due upon receipt by Commission.

MARIPOSA COUNTY CHILDREN AND FAMILIES FIRST COMMISSION

[Signature]
, Chairperson

Date: 9-26-00

COUNTY OF MARIPOSA

[Signature]
Garry R. Parker, Chairman
Mariposa County Board of Supervisors

Date: 9-29-00

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

[Signature]
Jeffrey S. Green
Mariposa County Counsel

Date: 9-28-00

[Signature]
Margie Williams
Clerk of the Board

Date: 10-2-00
## EXHIBIT "A"

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<td>1. County Administrative Offices</td>
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