

City, senior agency can't reach agreement on funds

By STEVE SHENDER

Watsonville could lose \$85,000 in state senior nutrition funds, secured for the city by state Sen. Henry Mello, unless city officials stop dragging their feet on a contract with the Area Agency on Aging, the Seniors Council of Santa Cruz and San Benito Counties warned the city this week.

But an official at the state Department of Aging indicated that the city will still get its money as long as it resolves its differences with the Area Agency no later than the end of the fiscal year, June 30. The official, Deputy Administrator Ed Gibson, also said that his department will intervene, if necessary, to settle a festering dispute between the city and the Area Agency over contract language.

The \$85,000 grant, to help underwrite the cost of a free-lunch program at the Watsonville Senior Center, was made available to the city under legislation written and pushed through the Legislature by state Sen. Henry Mello in December. The grant funds were to begin flowing by March 1, but they did not, because the city and the Area Agency had not come to terms on a contract for administration of the funds by the Area Agency.

Under the law, all state Department of Aging funds — which come first from the federal government — are chan-

neled to local governments and organizations through area aging agencies, which must account to the state for the manner in which those funds are used. Watsonville cannot begin receiving the money until it signs a contract with the Area Agency.

City officials, led by City Manager John Radin and City Attorney Don Haile, have been dickering with Area Agency Executive Director Jennifer Davis over contract terms since mid-February. The board of directors of the Seniors Council, a citizens group which nominally oversees the operations of the Area Agency, voted last week to give the city until May 10 to sign a contract with the agency.

Board vice-president Eliza-

beth J. Castro and Ms. Davis wrote to Radin and Mayor Bill Johnston this week to advise them of the vote. They noted that a previous deadline set by the state for completion of contract negotiations (April 22) had already passed and strongly suggested that the city's funds might be in jeopardy, stating, "since compliance was not attained by the state deadline date, the Dept. of Aging has expressed its right to retract the grant award ..."

They also took city officials to task for not involving the Assn. of Watsonville Area Seniors in the contract discussions. "Although the Watsonville Seniors themselves initiated the idea of a new senior center and of a nutrition project," they

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wrote, "they have not been involved at the negotiation or design levels. Our board feels that if the AWAS seniors had participated actively in this process, resolution might have been achieved earlier."

At issue between the city and the Area Agency is a contract clause which would require the city "to coordinate services (at the Watsonville Senior Center) with services provided by other subcontractors of (the) Area Agency," and which would empower the Area Agency to settle disputes between the city and other subcontractors over "service boundaries" at the Senior Center.

Radin said Monday that the clause was objectionable to the city because, "it puts them (the Area Agency) in control of our site."

"It means that all the subcontractors of the Area Agency can come into our (senior) center and we'd have to coordinate our use of our center with them," said Radin. "That's what we fought before," added the city manager, who said the Area Agency's other subcontractors included "Food and Nutrition Services, Golden Age Nutrition (run by FNS) — you name it."

The city opted to operate and pay for its own meals program at the new Senior Center on Fifth Street last fall, rather than contract with FNS for food service, after FNS Director Sam Karp demanded "programmatic

control" of the center during meal hours (10 a.m. to 2 p.m., daily).

Ms. Davis said Tuesday that the disputed contract clause did not mean that the Area Agency would try to force the city to welcome FNS into the Fifth Street senior center. "All we'd expect them to do is what they're already doing — coordinating with Senior Information Referral Services, Family Services Assn. and several other programs," she said.

But Radin called the clause "too open-ended."

"We don't know what we're agreeing to," he said. "I don't know who those subcontractors are. I don't have the foggiest idea, and to agree to an unknown — I'd be foolish."

Ms. Davis said Tuesday the city had no right to change the contract with the Area Agency. Noting that the Area Agency had sent the city "our standard nutrition contract," she said, "It's not within their authority to rewrite our contract. We're the contractor here, not the city."

Noting that she had made repeated efforts since mid-February to reach an agreement with the city, Ms. Davis suggested that Radin had been dragging his heels on the contract.

"I think," she said, "that Radin is still under the impression that even if this doesn't work out, they'll still get the money, because Henry (Mello)

will somehow see to it."

"If they (the Area Agency) don't agree on this thing," said Radin Tuesday afternoon, "we'll put it up to the Department of Aging and see how far we have to go."

"I don't think we'll lose our funds by a long ways," he said. "There's still some room for negotiations."

"What I said to John," Dept. of Aging Deputy Director Gibson said Tuesday, "was the main thing was, they had to be responsible for carrying out all the mandates of the Older Americans Act." Gibson called the dispute between the city and the Area Agency "an internal thing they've got to resolve at their level."

"I don't want to be involved in a confrontation between the Area Agency and the city," he said.

Gibson, who indicated the city could lose its \$85,000 if it does not sign an agreement with the Area Agency by the end of the fiscal year, said Tuesday that he did not expect to take the money back "at this stage of the game." But, he said, "It's important to get those funds out ASAP. You can't operate on a contract that hasn't been signed."

The Aging Dept. deputy director said that if the Area Agency and the city could not come to terms soon, "then the department will intervene and call all the parties together and get those issues resolved."