



Legislation Text

File #: 10-1272, **Version:** 1

Department of Human Services recommending the Board authorize the Chair to sign retroactive nonfinancial ongoing Memorandum of Understanding 481-M1011 with the Shingle Springs Band of Miwok Indians for the provision of Tribal Temporary Assistance for Needy Families (Tribal TANF) services to eligible American Indian recipients effective June 1, 2010, to remain in effect for one year and automatically renew for successive one-year terms unless terminated pursuant to the terms and conditions contained therein.

FUNDING: Non-financial Memorandum of Understanding (MOU).

Fiscal Impact/Change to Net County Cost: Nonfinancial. The Tribal TANF Program is directly funded by Federal and State sources, thus no local match is required to operate the program.

Compensation for Services: There is no remuneration associated with this MOU.

Termination: MOU includes the County's standard Fiscal Considerations termination language, as well as a provision for either party to terminate without cause with thirty (30) days written notice.

Retroactive Term: El Dorado County Department of Human Services (DHS) received notice from the State on April 14, 2010 informing them that the current provider of Tribal TANF services for the County of El Dorado, the Washoe Tribe of Nevada and California (Washoe), would no longer be providing these services effective May 31, 2010 and that the Shingle Springs Band of Miwok Indians (Shingle Springs) had received authority from the Administration for Children and Families to serve all eligible Native American Indian families in El Dorado, Placer and Sacramento counties effective June 1, 2010. Upon receiving this notice, the Department immediately began development of MOU 481-M1011 with Shingle Springs for the provision of Tribal TANF services. Delays were incurred due to lengthy negotiations, internal and external reviews of the MOU, awaiting state authorization and obtaining the necessary approvals and signatures on the final document.

Background: The 1996 enactment of the Personal Responsibility and Work Opportunity Reconciliation Act created the Tribal TANF program, which enabled American Indians to establish and operate culturally appropriate cash assistance and welfare to work programs for eligible families.

In 1997 the California legislature enacted the California Work Opportunity and Responsibility to Kids (CalWORKs) program, which delineated how program services could be transferred from counties to tribal governments. Native Tribes negotiated with Federal and State officials to determine service levels and county assignments. CalWORKs participants of American Indian ancestry have a choice to participate in their county's CalWORKs program or the Tribal TANF program.

As a result of the above legislation, each county in California is required to have an MOU in place to assure a smooth transition between county government and tribal government administrations as well as to ensure that no family will receive Tribal TANF and CalWORKs aid simultaneously. MOU 180-M0401 with the Washoe Tribe of Nevada and California was developed to conform to Federal

and State law as it applies to the delivery of Tribal TANF services to all eligible Native American Indian families residing in the County of El Dorado during the period of December 5, 2003 through May 31, 2010.

Reason for Recommendation: Nonfinancial MOU 481-M1011 with the Shingle Springs Band of Miwok Indians was created to allow for the continued provision of Tribal TANF services to eligible American Indian clients residing in the County of El Dorado beginning June 1, 2010 and automatically renews for successive one-year terms unless terminated pursuant to the terms and conditions contained therein.

Action to be taken following Board approval:

- 1) Chair to sign two (2) originals of MOU 481-M1011
- 2) Board Clerk's Office to return one (1) original Agreement to DHS at Briw Road
- 3) Department to distribute as appropriate.

Contact: Daniel Nielson, Director X7275

Concurrences: County Counsel and Risk Management have approved MOU 481-M1011