

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

118



FROM: Department of Child Support Services

SUBMITTAL DATE:
November 23, 2005

SUBJECT: Approval of Memorandum of Understanding

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the Memorandum of Understanding between the Riverside County Department of Child Support Services (DCSS) and California Department of Child Support Services (CDCSS);
- 2) Authorize the Director of Child Support Services to sign the agreement on behalf of the County of Riverside.

BACKGROUND: The California Department of Child Support Services requires that local child support agencies execute this standard agreement in order to share in additional federal financial participation funding available for match by the counties. Matching funding has been previously authorized by the Board in the DCSS budget approved for FY 05/06. The agreement has been reviewed and approved as to form by County Counsel.

Departmental Concurrence

FORM APPROVED
COUNTY COUNSEL

DEC 07 2005

BY

John Replogle, Director

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 941,630	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 422,869	Budget Adjustment:	No
	Annual Net County Cost:	\$422,869	For Fiscal Year:	2005/2006

SOURCE OF FUNDS: Federal financial participation funding and County match approved in FY 05/06 Department budget.

Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

Dept's Recomm.: Consent Policy
 Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.:

District: All

Agenda Number:

3.10

MEMORANDUM OF UNDERSTANDING
BETWEEN
CALIFORNIA DEPARTMENT OF CHILD SUPPORT SERVICES
AND

RIVERSIDE COUNTY DEPARTMENT OF CHILD SUPPORT SERVICES

I. Recitals

- A. The California Department of Child Support Services (DCSS) is the single state agency responsible for administering the California child support program pursuant to Title IV-D of the Social Security Act.
- B. Riverside County Department of Child Support Services is the local child support agency (LCSA) responsible for administering child support services pursuant to state and federal law, and DCSS policy direction.
- C. DCSS provides 66% federal funds and 34% state funds to LCSA for its operation and administration of the local child support program.
- D. LCSA desires to increase the 66% federal fund amount allocated to it by DCSS for state fiscal year (SFY) 2005/06. The SFY 2005/06 budget includes additional federal funds for this purpose.
- E. DCSS is paying substantial penalties to the federal government for failure to have a single statewide automated system for child support enforcement. The penalties are based upon the annual federal expenditure for California's child support program. Increasing the expenditure in accordance with LCSA's request will increase the federal automation penalty by 30% of the amount requested. State general funds will not be appropriated to pay the increased penalty .
- F. This Memorandum of Understanding between DCSS and LCSA sets forth the agreement, rights, and responsibilities of the respective parties to acquire the additional federal funds on behalf of LCSA without incurring a liability or expenditure of state general funds. DCSS will absorb any administrative expenditures incurred to distribute these funds, and will not use these funds for its operations.

II. Agreement

- A. LCSA requests that DCSS obtain for LCSA \$ 518,761.00 of federal funds.

- B. LCSA will provide \$ 267,241.00, which represents the 34% match to the 66% federal funds. State general funds will not be provided by DCSS for any part of the 34% matching funds, and DCSS shall not incur any liability in relation to the 34% match.
- C. LCSA will pay the additional federal automation penalty resulting from its receipt of the federal funds; this amount is estimated to be \$ 155,628.00. No portion of federal funds received may be used to pay the automation penalty. State general funds received may not be used to pay the automation penalty. Payment of the automation penalty shall be made as follows:
1. Consistent with the schedule of the federal penalty payment, the LCSA shall pay to DCSS the full amount of the additional federal automation penalty no later than 30 days prior to the date DCSS is required to pay the FFY 2007 automation penalty to the federal government. DCSS will provide LCSA notice 60 days prior to the date that payment of the additional automation penalty by LCSA is due to DCSS.
 2. If LCSA does not pay to DCSS the full amount of the additional federal automation penalty within 30 days prior to the date DCSS is required to pay the FFY 2007 automation penalty to the federal government, LCSA understands and agrees that DCSS will reduce the LCSA allocation of state general funds for state fiscal year 2007/08 in the amount of the unpaid automation penalty .
- D. This Memorandum of Understanding constitutes the entire agreement between the parties. This Memorandum of Understanding may be amended only by written agreement signed by both parties.
- E. The Director of LCSA certifies by signature below that he/she has the authority to enter into this agreement; that such authority includes the actions to either make the additional federal penalty payment from separate funding sources other than State general or federal funds, or in the alternative to allow DCSS to reduce LCSAs allocation.

Dated: _____

Dated: _____

GRETA WALLACE
Director, Dept. of Child Support Services

DIRECTOR
Local Child Support Agency

FORM APPROVED
COUNTY COUNSEL

DEC 07 2005

BY 