Purely for Public CAAs
CAPLAW 2010 National Training Conference

June 16, 2010
9:00 p.m. – 10:30 a.m.
Savannah, GA

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Handouts:
1. Lichtblau PowerPoint Slides
2. Carson PowerPoint Slides
Agenda

- What law governs?
- How should the tripartite board be composed and selected?
- What are the tripartite board’s roles and responsibilities?
- What unique challenges and opportunities do public CAAs encounter?

What Law Governs?

- Federal CSBG Act
  - Federal Office of Community Services (OCS) Information Memorandum 82 (IM 82) – guidance only, not binding
- State CSBG or Community Action laws, regulations, policies, contracts
- Delegation of authority from governing officials (for example – city council or county commissioners)
Tripartite Board Composition

• Exactly 1/3 public officials or their representatives
• At least 1/3 low-income representatives
• Balance from major groups or interests in the community served

Tripartite Board Selection

• Tripartite board members are to be chosen by gov’t entity (grantee)
  – Must use democratic selection process for low-income board members
  – Tripartite board can make recommendations to governing officials

Public Sector

• Under federal law, no longer required to include or be chosen by “chief elected officials”
  – Best to specify in bylaws that gov’t entity selects public official board members – but not to specify which public officials
  – Better not to include governing officials of city/county on tripartite board, since they already have input (and in some cases, final say) on decisions affecting CAA
• If elected officials not available, may include appointed
Public Sector cont.

• CSBG Act says “holding office at time of selection”
  – Many state CSBG laws say “currently holding public office”
  – IM 82 recommends that public officials serve only while they are in office
• If public official designates a representative to serve in his/her place, that person (and not the public official) is the board member

Low-Income Sector

• Must be representative of low-income individuals and families in service area
• Must live in service area
• Must be able to participate actively in development, planning, implementation and evaluation of CSBG programs

Do They Need to Be Low-Income Themselves?

• Should represent current low-income residents, but don’t need to be low-income themselves
  – CAA BEST PRACTICE: Have at least some low-income board members who are now or were in the recent past low-income themselves
Democratic Selection

- Low-income sector board members must be chosen via a democratic process such as:
  - Election by ballot or at community meeting
  - Elected by or designated from elected leaders of low-income groups (e.g. neighborhood ass’n, public housing tenants’ ass’n, community health center board, etc.)

Democratic Selection cont.

- Should not be chosen simply by CAA board or nominating committee
- Should not be staff of another low-income service provider unless democratically selected by low-income people
  - At community-wide election or
  - By membership or board of organization, where membership or board composed primarily of low-income people

Democratic Selection cont.

- Bylaws may, but do not need to, describe democratic selection procedure
  - If not described in bylaws, selection procedure should be described in a separate document referred to in the bylaws and approved by the gov’t entity
Private Sector

• Should be officials or members of business, industry, labor, religious, welfare, education, law enforcement, or other major groups and interests in the community served
  – May include both public and private sector groups and interests

Private Sector cont.

• Usually grantee may choose representatives from organizations or individuals
  – But some state CSBG laws/regs require CAAs to choose organizations to designate private sector board members
  – If choosing reps from organizations, have more flexibility if bylaws don’t specify which organizations

Petitions for Tripartite Board Representation

• CSBG Act: CAAs must establish procedures for low-income individuals, community organization, religious organization or representative of low-income individuals that considers its organization or low-income individuals to be underrepresented on the board to petition for representation
• If state CSBG law/regs don’t specify petition procedures, CAAs can develop their own
**Terms and Term Limits**

- Federal CSBG Act doesn’t address CAA board members’ terms or term limits
  - Some states’ CSBG laws/regs specify maximum term length and term limits
- CAA BEST PRACTICE: Specify board members’ terms in bylaws
  - May provide for staggered terms
  - Terms can be different lengths for different sectors
  - Good idea to have specific terms for public sector board members rather than permitting them to stay on board as long as public official is in public office
  - Can choose whether or not to have term limits (if not required by state CSBG law)

**Roles & Responsibilities: Federal CSBG Act**

- Tripartite board administers CAA’s CSBG program
  - Except for public CAAs in cases where state specifies another mechanism that assures decision-making and participation by low-income individuals
  - In other words, board is not merely advisory

**Federal CSBG Act cont.**

- Tripartite board must fully participate in CAA’s CSBG program’s:
  - Development
  - Planning
  - Implementation
  - Evaluation
- See IM 82
**Development (from IM 82)**

- Needs assessment
  - Source of information/insight on conditions in community
  - Create outreach and communication strategies within each sector
  - Gov’t- or privately-sponsored studies, assessments of local economic, social, educational and other conditions
- Clarifying mission
  - In-house panel of “experts” on community needs, resources and opportunities

**Planning (from IM 82)**

- Long-range strategic planning
  - Identify broad goals
  - Mobilize programs and activities within and outside CAA
  - Establish and maintain procedures for gathering and presenting info on goals and results
- Annual planning
  - Identify what CAA hopes to accomplish each year
  - Help CAA establish performance expectations – qualitative and quantitative
  - Work with CAA staff to establish milestones used to track progress during year
  - Identify ways to strengthen operations

**Implementation (from IM 82)**

- Stay informed of CAA programs and activities throughout the year
  - Track progress toward milestones; ensure that CAA adjusts performance as necessary to meet milestones
- Receive financial information – budgets etc. – and monitor CAA’s finances; work with fiscal staff to ensure finances are on track
- Oversee compliance with funding source rules
- Be involved in preparing for and responding to monitoring by funding sources
Evaluation (from IM 82)

- Obtain information on results of CAA’s programs and activities
  - Actual changes or improvements in clients and community
- Compare outcomes with performance expectations developed during planning process
- Oversee data gathering for ROMA and similar evaluation tools for other grants

Roles & Responsibilities: State Law

- Check state CSBG/Community Action laws, regulations, policy manuals, contracts etc. re: role of tripartite board

Role within Local Gov’t

- Is CAA a separate department, division, agency or part of another?
  - Where does executive director (or other chief staff person) fit within local gov’t bureaucracy?
- What is relationship with governing officials?
- Is CAA subject to local gov’t procedures and policies – fiscal, personnel, procurement etc.
  - Note: In some cases, federal requirements (such as procurement rules) may trump local ones
Delegation of Authority

• Public CAA tripartite board’s powers depend on authority delegated to it by local gov’t
  – Should not be merely advisory
  – Should have power to:
    • Administer CSBG program
    • Make some decisions and provide meaningful input – especially from low-income sector – to gov’t officials
    • Fully participate in development, planning, implementation, evaluation

Example of Delegation – Role of Governing Officials

• Approve personnel, fiscal, administrative policies
• Supervise fiscal management of CAA, select auditor, be prime recipient of audit report
• Provide personnel for CAA
• Review and approve tripartite board bylaws
• Participate jointly and concur formally with tripartite board in:
  – Approving CAA’s program plans, priorities and policies
  – Hiring and firing CAA Executive Director

Delegation Example – Role of Tripartite Board

• Receives advance notice of, reviews and has opportunity to make recommendations to governing officials on matters not delegated to it
• Exercises powers specifically delegated to it
• Adopts and amends bylaws, subject to approval by governing officials
• Selects officers and committees
• Develops program plans, priorities and policies
Delegation Example –
Role of Tripartite Board cont.

- Participates jointly and concurs formally with governing officials in:
  - Approving CAA’s program plans, priorities and policies
  - Hiring and firing CAA Executive Director
- Supervises and evaluates Executive Director, works with governing officials to set ED’s compensation
- Oversees administration of CAA policies and rules
- Monitors (oversees implementation of) and evaluates CAA’s programs
- Selects delegate agencies and sub-grantees

Delegation Example cont.

- Executive Director:
  - Implements decisions and runs CAA’s operations on a day-to-day basis and in accordance with city/county personnel, fiscal and other policies – with staffing and other assistance from city/county administration
  - City/county administration should work with ED in running CAA’s programs, not run CAA itself
  - Works closely with and reports regularly to tripartite board

SAVE THE DATE
We hope you will join us for CAPLAW’s 2011 National Training Conference!
Minneapolis Marriott City Center
Minneapolis, Minnesota
June 15-17, 2011
Community Action Partnership of Riverside County

- Organized/Designated July, 1979
- Jurisdiction covers 250 miles from the Orange County border to the Arizona border
- Population: 2.1 Million, 15.8% in poverty
- Main Office - 3 Satellites

Demographics

- Wealthiest city is Indian Wells, average income is $100,000 and the poorest city is Coachella - $10,000 average income.
- The county is 60% desert where temperatures can range from 100 to 120 degrees.
- There are 17 Indian reservations and rancheros, as well as 6 Indian Casinos.

Incorporated Cities of Riverside County

- Banning
- Beaumont
- Blythe
- Calimesa
- Canyon Lake
- Cathedral City
- Coachella
- Corona
- Desert Hot Springs
- Hemet
- Indio
- La Quinta
- Lake Elsinore
- Moreno Valley
- Murrieta
- Norco
- Palm Desert
- Palm Springs
- Perris
- Rancho Mirage
- Riverside
- San Jacinto
- Temecula

Indicates cities represented on the Community Action Board
**Community Action Promise:**

Community Action changes people’s lives, embodies the spirit of hope, improves communities, and makes America a better place to live. We care about the entire community, and we are dedicated to helping people help themselves and each other.

**Our Vision:**

The vision of the Community Action Board and Community Action Partnership of Riverside County is “Bliss County”, which is Riverside County without poverty.

**Our Mission:**

We, Community Action Partnership of Riverside County, with community will end poverty by offering opportunities for the poor through education, wealth building, advocacy, and community organizing.

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**FEDERAL LAW**

PUBLIC LAW 105-285—OCTOBER 27, 1998

Title II Community Services Block Grant Act

SEC 676 Designating requires a Plan and Public Hearing and an Application as part of the process.

SEC 678 B12

Assurance that the entity must participate in the Result Oriented Management and Accountability (ROMA) System for measuring performance and results.

SEC 676 b2

Assurance that the entity must participate in the Result Oriented Management and Accountability (ROMA) System for measuring performance and results.

“I don’t think the term “advisory” is correct; it is an administering board and members are supposed to have at least some decision making authority, as indicated in the statutory language”

– Anita Lichtblau, CAPLAW

**STATE LAW**

California Senate Bill #330 to recognize community action agencies as defined in Section 2790 of Title 42 in the Economic Opportunity Act of 1964 and superseded by the Omnibus Budget Reconciliation Act of 1981 to apply for, ADMINISTER and oversee the Community Service Block Grant.

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**Governance and Authority**

Public Community Action Agency

- Governing Board
- Administering Board
- Executive Director
- Agency

Private Community Action Agency

- Board of Directors
- Executive Director
- Agency

- Board of Supervisors – The bridge to State and Federal Governments
- Community Action Commission – The bridge between Local Government and Community
CHALLENGES FOR PUBLIC COMMUNITY ACTION AGENCIES (-)
- Community Action Board perception of authority and roles
- Location of CAA in government structure
- Visibility to Community
- No reference to “Community Action” in name
- Title and authority of principal agent
- Access of community to bureaucracy
- Tendency to serve only as “pass through” for funds
- Very little direct contact with the poor

ADVANTAGES FOR PUBLIC COMMUNITY ACTION AGENCIES (+)
- Governance is less arbitrary and capricious (two levels of review)
- Stability for employees (none are minimum wage earners)
- Access to power and contingency support pending receipt of contract funds
- Riverside County: Joint Meetings of Administering and Governing Boards

COMMUNITY ACTION BOARD

<table>
<thead>
<tr>
<th>Low-income Sector</th>
<th>Public Sector</th>
<th>Private Sector</th>
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<tbody>
<tr>
<td>Ada Coleman</td>
<td>Deborah Franklin</td>
<td>Art Garcia</td>
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<td>Penny Newman</td>
<td>Emmanuel Martinez</td>
<td>Jenise Haskin</td>
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<td>Mary Morse</td>
<td>Dale Cook</td>
<td>Wraymond Sawyerr</td>
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<td>Debbie Walser</td>
<td>Rita Rogers</td>
<td>Shelagh Camak</td>
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<td>J. G. Walker</td>
<td>Andy Melendrez</td>
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<th>ALTERNATES:</th>
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<tr>
<td>Pamela Lancaster</td>
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<td>Amed Moore</td>
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<td>Martin Harrison</td>
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<td>Claudia Castorena</td>
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COMMUNITY ACTION COMMISSION
DUTIES OF SUB-COMMITTEES

- Administrative:
  - General Administration
  - Personnel
  - Finance
  - Public Information
  - Facilities

- Executive:
  - General Promotion
  - Community Development

- Legislative:
  - Public Hearing
  - Legislation

- Planning:
  - Planning
  - Resource Planning
  - Community Planning
  - Urban Renewal

- Finance:
  - Budgetary
  - Financial Administration

- Special Projects:
  - Special Projects
  - Community Development

- Bridge Year Focus
- Nurse
- Arts
Joint Board meetings are held annually

SUPPORT STAFF TO THE BOARD

Executive Committee
Lois Carson
Tamara Martin

Strategic Planning
Foundation for Economic Stability
Maria Y. Juarez
Kathryn Snyder

Planning, Evaluation, and Finance
Lois Carson
Maria Juarez
Godwin Aimua
Kathryn Snyder
Tamara Martin

Legislative
Lois Carson
Richard Lemire

Transportation
Richard Lemire

Human Relations
Maria Juarez
Management

Energy Task Force
Lois Carson
Maria Juarez
Godwin Aimua
Kathryn Snyder

Membership
Lois Carson
Richard Lemire
Tamara Martin

Economic Development
Lois Carson
Maria Juarez
Kathryn Snyder
Tamara Martin

Human Relations
Maria Juarez
Management

Racial Equity and Economic Security
Lois Carson
Maria Y. Juarez
Richard Lemire

Economic Development
Lois Carson
Maria Juarez
Kathryn Snyder
Tamara Martin

Planning, Evaluation, and Finance
Lois Carson
Maria Juarez
Debra Jackson
Janet Hough
Godwin Aimua
Kathryn Snyder
Tamara Martin

Human Relations
Maria Juarez
Management

SUPPORT STAFF TO THE BOARD

Transportation
Richard Lemire
COMMUNITY ACTION PARTNERSHIP STAFF

OUR CHARGE TO WORK

- Share the Resources
- Find new solutions to old problems
- Promote maximum feasible participation
- Give voice to the poor, preserve their dignity
- Be change agents; create change

Community is where we work; The office is where we get ready to go to work.

- Lois J. Carson

Strategies For Community Based Solutions

- Organizing
- Capacity Building
- Advocacy
- Programs
ADVOCACY

- Declaration to End Poverty
- Racial Equity & Economic Security
- Proclamations
- Community Dialogues

PROGRAMS

- Pre-Apprenticeship Program
- Project L.E.A.D.
- Project B.L.I.S.S.
- Asset Building Initiatives
- Childcare Center
- GREENTEAMWorks
- Weatherization & Energy Education
- Utility Assistance
- Dispute Resolution
- Racial Equity & Economic Security

FINANCIAL STATEMENTS
Community Action Partnership of Riverside County
Community Blueprint to End Poverty
Vision: Ending Poverty in Riverside County
Mission: We, Community Action Partnership of Riverside County, with community, will end poverty by offering opportunities for the poor through education, wealth building, advocacy and capacity building.
Four High Impact Strategies
1. Education/Wealth Building
   - Family Economic Security
2. Advocacy
   - Leadership Enhancement
3. Community Organizing
   - Community Mobilization/Revitalization
4. CAP Riverside
   - Financial Management & Data Collection
Wealth building: Increasing self-sufficiency of low-income people
Education: Increasing resources, increasing citizen participation, increasing new stakeholders, increasing potential of low-income people to strengthen family & other support systems, increasing staff & board development for effectiveness

ROMA Goal 1 - Low-income people become self-sufficient.
ROMA Goal 2 - Conditions in which low-income people live are improved.
ROMA Goal 3 - Low-income people own a stake in their community.
ROMA Goal 4 - Partnerships among supporters & providers of services to low-income people are achieved.
ROMA Goal 6 - Low-income people achieve their potential by strengthening family & other support systems
ROMA Goal 5 - Agencies increase their capacity to achieve results.

2006-2007 Programs
(H) High Impact - Activities that achieve self-sufficiency for low-income people
(M) Medium Impact - Activities that demonstrate progress towards self-sufficiency for low-income people
(L) Low Impact - Activities that respond to crisis and initiate stabilization for low-income people

Programs/Services
- RivCo.IDA (H)
- CIC [a CDFI] (H)
- EITC (H)
- Joint IDA (H)
- Pre-Apprenticeship Program (M)
- SAPFP (M)
- Pre-Apprenticeship Program (M)
- Project LEAD (M)
- Dispute Resolution Center
  - Community (M)
  - School-based (M)
- DA-Tools for Tomorrow
- DA - Nuview School (M)
- Grant Development (M)
- Energy/Financial Literacy Education (M)
- Energy Task Force (M)
- Community Declaration (H)
- Community Dialogues (H)
- Grandparents Raising Grandchildren (M)
- Volunteer Recognition (H)
- Developing Transformational Leaders (H)
- Grant Development (M)
- Training/Technical Assistance (M)
- RCMC (H)
- Coalitions (M)
- Partnerships (H)
- Volunteers (H)
- Project B.L.I.S.S. (H)
- Self-Sufficiency Calculator (H)
- Healthy Communities (L)
  - Food Distribution
  - Health Care
  - Nutrition
- Notary Services (L)
- Dispute Resolution Center (M)
- Weatherization Programs (M)
- Energy Assistance Programs (L)
- Disaster Prevention & Relief (M)
- Developing Transformational Leaders (H)
- Professional Development & Degrees (H)
- Data Collection Systems (H)
- Customer Satisfaction Surveys (H)
- Marketing/Publications (H)
- Fund Development (H)
- DA = Delegate Agency (sub-contractor)

Board approved 1-19-06; revised 5-18-06
an MtM Innovator
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<tr>
<th>Agency</th>
<th>County/Counties</th>
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Nationally, there are 962 Community Action Agencies, of these, 146 are Public Community Action Agencies.

Statewide (California), there are 52 Community Action Agencies, of these, 25 are Public Community Action Agencies.

**Community Action Partnership**

**Riverside County**

**Recommendations for Public Community Action Agencies**

1. USE “ADMINISTRATOR” VS. “ADVISORY” TO DESCRIBE THE COMMUNITY ACTION BOARD.
2. NEGOTIATE FOR AUTHORITATIVE POSITION OF ADMINISTRATOR IN GOVERNMENT ORGANIZATION.
3. IDENTIFY “VALUE” ACTIVITIES FOR THE AGENCY BEYOND PASS-THROUGH FUNDING.
4. CREATE OPPORTUNITIES FOR BOARD AND STAFF TO INTERACT WITH TARGET POPULATION.
5. USE ANNUAL MEETING OF THE GOVERNING AND ADMINISTRATIVE BOARDS TO ACHIEVE SHARED VISION.