



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Public Works
Department No.: 054
For Agenda Of: 6/28/2022
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Scott D. McGolpin, P.E., Director, (805) 568-3010
Director(s)
Contact Info: Leslie Wells., Deputy Director, (805) 882-3605

SUBJECT: Edible Food Recovery MOU with the cities of Buellton, Carpinteria, Goleta, Lompoc, Santa Barbara and Solvang - All Supervisorial Districts

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Approve and authorize the Chair of the Board to execute a Memorandum of Understanding (MOU) with the cities of Buellton, Carpinteria, Goleta, Lompoc, Santa Barbara, and Solvang for the development and implementation of the Santa Barbara County Regional SB 1383 Food Recovery Plan (Attachment A);
- b) Approve and authorize the Chair of the Board to execute the Clarification of Memorandum of Understanding (MOU) (Attachment B); and
- c) Find the proposed Agreement and Memorandum of Understanding do not constitute a "Project" within the meaning of the California Environmental Quality Act, pursuant to 14 CCR 15378 (b)(5) (administrative activity of government).

Summary Text:

To meet the food recovery implementation requirements of Senate Bill 1383 (SB 1383), County staff proposes to establish the Santa Barbara County Regional SB 1383 Food Recovery Plan in partnership with the cities of Buellton, Carpinteria, Goleta, Lompoc, Santa Barbara and Solvang. The County will direct the network; provide outreach to local food recovery organizations and services; develop a data

collection tool available for use by jurisdictions, food recovery organizations, and businesses; create outreach materials; and complete all other deliverables listed in the MOU in Attachment A. The partnering cities will be responsible for reimbursing the County for the services completed.

Background:

SB 1383 Food Recovery Requirements:

SB 1383 requires that jurisdictions establish a food recovery program to divert edible food from landfill disposal. Businesses that meet identified thresholds are required to donate their edible food, and jurisdictions must coordinate with local food recovery organizations and services to determine current capacity for recovered food and plan for expanded capacity, as needed.

Food Recovery Efforts Prior to the Food Recovery Plan:

County staff has been working with local jurisdictions to refine the needs of our region to maximize edible food recovery and meet the goals of SB 1383. This included contracting with the Community Environmental Council to complete a Needs and Capacity Assessment (NCA) for our region. The NCA determined the estimated number of tons of edible food that could be potentially recovered in our region; provided a list of organizations that are currently or could potentially recover edible food; provided a list of businesses that are required to donate under the new law; and estimated the capacity of certain organizations to accept more recovered food from identified businesses. The NCA helped identify next steps needed to be compliant with SB 1383.

Using the NCA as a starting point, County staff and local jurisdictions published a Request for Proposals in search of a contractor to help the region meet its edible food recovery goals. Given the extremely high price point of the one proposal that was submitted and wanting to have a more hands-on approach to developing a regional food recovery program, County staff decided to present its own proposal to the local jurisdictions. The partner cities agreed to the terms of the proposal and signed the attached MOU to corroborate their participation.

Description of the Food Recovery Plan:

The County's food recovery program focuses on assisting non-profit and local government partners, and offers tools and resources for a cohesive network that supports non-profits' current operations, as well as their growth. Food recovery compliance is dependent on current food recovery initiatives, and the new Food Recovery Plan aims to ease and expedite the work of non-profits in our network. Additionally, through this network, the County, in coordination with the participating cities, can create and distribute uniform outreach and recordkeeping tools that streamline reporting and the collection of data needed for compliance with SB 1383. Standardized documents also help others recognize and build familiarity with the new network.

The cost of services will be shared by the participating city partners and the County, as outlined in the MOU. Pursuant to the MOU, the County will act as Project Director, organizing the network and providing deliverables. Funding contributions are proportional based on population size. Please note that the cities of Santa Maria and Guadalupe chose not to participate in the network.

Clarification of Memorandum of Understanding

The Clarification of Memorandum of Understanding was created to address concerns raised by the City of Lompoc. This document serves to clarify that the intent of Section 3.1 is to limit the costs to the Partner Cities so that no Partner City shall be responsible for any amount exceeding 10% above the estimated cost listed for that Partner City in Section 3.1 of the MOU.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

Narrative: This Agreement and its associated costs are included in the proposed FY 22-23 budget for the Resource Recovery & Waste Management Division.

Key Contract Risks:

N/A

Special Instructions:

Please provide a copy of the executed Memorandum of Understanding and a minute order to the Public Works Department, Resource Recovery & Waste Management Division, Attn: Kaitlyn C. Haberlin.

Attachments:

Attachment A: Santa Barbara County Regional SB 1383 Food Recovery Plan Memorandum of Understanding (MOU), including:

- Santa Barbara County Regional SB 1383 Food Recovery Plan
- Resource Recovery and Waste Management Division Tasks
- Jurisdiction Tasks
- List of Priority Agencies
- Hourly Details
- Budget Details
- Needs and Capacity Data

Attachment B: Clarification of Memorandum of Understanding

Authored by:

Kaitlyn Haberlin, Program Specialist, Resource Recovery & Waste Management Division, Department of Public Works, ext. 23603.