



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: Community Services
Department No.: 057
For Agenda Of: October 18, 2022
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department George Chapjian, (805) 568-2467
Director
Contact Info: Dinah Lockhart, Deputy Director (805) 568-3523
Laurie Baker, Grants and Program Manager (805) 568-3521

SUBJECT: Approve and execute an Eighth Amendment to the Agreement with Cuyama Valley Recreation District increasing CDBG funding by \$113,621 for a total project funding of \$870,585 (First Supervisorial District).

County Counsel Concurrence

As to form: Yes

Other Concurrence:

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 an Eighth Amendment (Attachment A) increasing the amount of the CVRD Agreement by \$113,621 for a total maximum contract amount of \$870,585; and,
- B. Determine that the above recommended actions are not the approval of a project that is subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378(b)(4), finding that the actions are not a project as they are the creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant impact on the environment.

Summary Text:

On November 14, 2017, the Board of Supervisors executed an Agreement with CVRD (CVRD Agreement) awarding \$341,000 of CDBG funds to carry out Park Improvements Project (Project). The Project consists of two phases: 1) The purchase and installation of a skate ramp (Phase 1); and, 2) design, acquisition, and installation of a modular concession stand and restroom facilities serving Cuyama's

public athletic fields (Phase 2). The skate ramp was completed in 2018 at the cost of \$87,018. The Phase 2 of the Project is currently under construction, and is scheduled for completion on or about October 29, 2022.

During County Planning and Development plan review and as construction commenced, additional technical project requirements were identified by County Planning and Development and other internal agencies, such County Flood Control and the Fire Department. These requirements necessitated additional funding to complete the Project. HCD staff recommends that the Board approve \$113,621 in additional CDBG funds to ensure that the Project budget is sufficient to address the full Project scope of work and schedule. The Project is currently scheduled for completion on or about October 29, 2022, and, once complete, will provide Cuyama residents with a new concession stand and restrooms at the community recreational facility.

Background:

On July 11, 2017, the Board of Supervisors approved the FY 2017-18 Action Plan, which included the Project. Phase 1 was completed in 2018, at a cost of \$87,018. Phase 1 involved the procurement of a pre-fabricated skate ramp and its placement on an existing concrete pad.

As with many rural communities, CVRD staff serve multiple, diverse community roles. In addition to overseeing CVRD's day-to-day administrative operations, community recreation event and activity planning--up to and including teaching and coaching local youth--CVRD staff perform these functions and duties while working part-time. This has placed constraints on staff's ability to effectively oversee and manage what is a technically-nuanced construction project with many compliance elements and multiple Project interfaces.

As Phase 2 necessitated dedicated professional resources in April, 2020, County HCD facilitated and supported the Cuyama community in engaging experienced project management consultancy services to ensure that all Project requirements were being met, prior to and during the course of construction. In this context, completion of construction is now projected for October 29th, during a scheduled community event hosted by CVRD. For the first time, Cuyama residents will be afforded a local concession stand and restroom facilities to utilize and enjoy during community athletic and related events.

In terms of Project progression, as the Project management consultant (Consultant) has moved the Project through the design, permitting and construction phases, the Project has evolved to include additional Project requirements necessitating additional financial resources. As it moved forward in planning and design, on February 2021, the County Planning Commission approved a Land Use Permit for the Project.

On June 15, 2021, the Board of Supervisors approved a Sixth Amendment to the CVRD Agreement that added \$100,000 in CDBG funds to the Project, bringing the total Project budget to \$499,485, and extended the CVRD Agreement term to June 30, 2022. On May 3, 2022, the Board of Supervisors approved a Seventh Amendment to the CVRD Agreement that added \$257,479 in CDBG funds to the Project, for a total Project budget of \$756,964, and extended the term of the CVRD Agreement to June 30, 2023. Under the Consultant's project management, with final construction drawings, procurement of construction bids, and readiness to proceed issued, construction commenced.

However, during the course of construction, a fire access road that had not previously been contemplated was required by County Fire, adding engineering, drawings, cost of grading and construction, permitting, testing and underground utility trenching and extension costs. There were additional incremental costs but these represent the lion’s share. Such required improvements ensure the skate park and community amenities meet County Fire standards for community and regional recreational resources. Since the Consultant has been under contract with CVRD, the Consultant, along with HCD staff, CVRD management and support staff, and a CVRD board member, have met weekly to monitor and assess Project progress. These meetings have included weekly Project status updates, budget tracking, problem-solving, identification of potential opportunities for cost savings, value-engineering (to the extent possible), and working within administrative and district budget constraint limitations to pay Project costs subject to reimbursement.

BUDGET LINE ITEM	TOTAL PROJECT COSTS
Site work and infrastructure	\$519,765
Structure Cast – modular unit	\$133,500
Project Soft Costs	\$130,302
Total Phase 2 Budget	\$783,567

The Project continues to move forward and will be completed shortly with Board approval of the recommended allocation of additional CDBG funds to the Project. The Energy and Sustainability Division of the County Community Services Department has also completed a Greenway Project in the area adjacent to CVRD’s athletic fields that incorporate public trails, tree canopy and landscaping (Greenway Project). Some elements of the Project incorporate and reflect these adjoining improvements. The Greenway Project also provided excess soil to the Project in order to save costs of soil import. While not companion projects, the Project and the adjacent Greenway Project are complementary and will provide great benefit to Cuyama residents through future years.

Performance Measure:

The rate of CDBG expenditures is monitored by County HCD to assure that CDBG-funded programs and projects are progressing in accordance with established timelines and HUD regulations.

Fiscal and Facilities Impacts:

CDBG funds are allocated to the County on an annual basis from HUD. Federal CDBG funds are awarded to the County as grants. Twenty percent (20%) of the CDBG grant may be used to cover County costs to administer federal programs, and up to fifteen percent (15%) may be awarded to public services programs. County general funds are used for a portion of County HCD administrative expenses; however, no County funds are being used to fund the Project.

Fiscal Analysis:

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>CVRD Eight Amendment</u>	<u>Total One-Time Project Cost</u>
General Fund			
State			
Federal		\$113,621	\$113,621
Fees			
Other:			
Total	\$ -	\$ 113,621.00	\$ 113,621.00

Key Contract Risks:

HUD holds the County accountable for ensuring that federal funds expended are for eligible costs and could require repayment by the County, with non-federal funds, for ineligible expenses. CSD will make payments to the subrecipient on a reimbursement basis, and the subrecipient must provide documentation that supports eligible expenditures consistent with the CVRD Agreement budget and federal regulations. If a subrecipient does not meet performance measures or federal regulations, the County may withhold funds or terminate the contract. Real property improved, in whole or in part with CDBG funds, must continue to meet a CDBG National Objective for a period of at least five years. Failure to meet a CDBG National Objective for such five-year period may result in County repayment of the CDBG funds expended, plus a percentage of the increase in market value attributable to the investment of CDBG funds. County HCD monitors the use of real property improved with CDBG funds for the duration of the required periods.

Staffing Impacts:

The aforementioned federal programs are administered by existing County HCD staff.

Special Instructions:

1. Please have the Board Chair sign two copies of the Eighth Amendment to the CVRD Agreement (Attachment A). One copy of the Eighth Amendment, with original signatures, may be retained by COB.
2. Please return one copy of the executed Eighth Amendment (Attachment A) to Carlos Jimenez at HCD. Please call ext. 83529 or email cjimenez@countyofsb.org for pickup.

Please provide a copy of the Minute Order to cjimenez@countyofsb.org.

Attachments:

- Attachment A: Eighth Amendment to CDBG Agreement with CVRD
- Attachment B: Project/Site Photos

Authored by:

Carlos Jimenez, Housing Program Specialist, Senior

cc: