



**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: County Executive Office
Department No.: 012
For Agenda Of: June 28, 2022
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Director(s) Contact Info: Mona Miyasato, County Executive Officer
Nancy Anderson, Assistant County Executive Officer

DocuSigned by:
Mona Miyasato
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SUBJECT: ARPA Subrecipient Agreement with the Foodbank of Santa Barbara County

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Risk Management: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Approve and authorize the Chair to execute a Subrecipient Agreement with Foodbank of Santa Barbara County (Foodbank) for American Rescue Plan Act (ARPA) program with a term ending June 30, 2024 in an amount not to exceed \$2,000,000 (Total Maximum Contract Amount), to be paid from ARPA funds;
- b) Delegate to the County’s Chief Executive Officer, or designee, the authority to make amendments to the Subrecipient Agreement per Section V, including amending the Budget set forth in Exhibit B and making administrative changes necessary to conform with the County’s ARPA grantmaking agreement, federal, state, or local governmental laws, regulations, ordinances, orders, rules, directives, circulars, bulletins, notices, guidelines, policies, and available funding amounts, all without increasing the Subrecipient Agreement’s Total Maximum Contract Amount and without requiring the Board’s approval of an amendment of the Subrecipient Agreement, subject to the Board’s ability to rescind this delegated authority at any time;
- c) Approve and authorize the Chair to execute a Third Amendment to the Lease Agreement with Foodbank of Santa Barbara County for the property located at 4554 Hollister Avenue, Santa Barbara, California, in the unincorporated area of the County of Santa Barbara, and also known as County Assessor Parcel Nos. 061-040-019, -020 and -021 (Property) to shorten the term of the Lease to terminate on June 28,

2024, with an option for the County to extend the term past June 28, 2024 at its sole discretion up to June 28 2026; and

- d) Determine that the proposed action is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15378(b)(4) and 15378(b)(5) because it consists of government administrative or fiscal activities that will not result in direct or indirect physical changes in the environment.

Summary Text:

On October 19, 2021, the Board approved \$2,000,000 in ARPA funding for the Foodbank of Santa Barbara County to provide Santa Barbara County residents who face food insecurity and who have been negatively impacted by the COVID-19 pandemic with programs, services, food, and fresh fruits and produce. Staff is now recommending the Board's approval of a Subrecipient Agreement for this project. Through its partner network and direct-to-client programs, Foodbank anticipates serving 200,000 unduplicated individuals with food; including 20,000 seniors and 68,000 children with families, the majority of whom live below/in poverty. Staff is also recommending the approval and execution of a Third Amendment to Lease Agreement to terminate the lease for the Foodbank's location on the County's Property at 4554 Hollister Avenue by June 28, 2024. The Foodbank has acquired and is in the process of improving a new location for its operations. The Amendment authorizes the Department of General Services Director the discretion to extend the Lease past June 28, 2024 should the Foodbank request an extension due to any unforeseen delays in relocating to its new location.

Background:

ARPA Subrecipient Agreement

U.S. Treasury guidance allows the use of ARPA funds for the following major categories:

- 1) Replace lost public sector revenue attributable to the COVID-19 pandemic;
- 2) To respond to the COVID-19 public health emergency or its negative economic impacts or services to disproportionately impacted communities;
- 3) To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to such eligible workers of the recipient, or by providing grants to eligible employers that have eligible workers who performed essential work;
- 4) For the provision of government services, to the extent of the reduction in revenue of such recipient due to the COVID-19 public health emergency, relative to revenues collected in the most recent full fiscal year of the recipient prior to the emergency;
- 5) To make necessary investments in water, sewer, or broadband infrastructure; and
- 6) For administrative expenses, evaluation and data analysis or transfer to other government units as necessary.

Food assistance and food banks have been specifically enumerated in the U.S. Treasury's guidance as eligible uses of ARPA funds for the response to the negative economic impacts of the pandemic. On October 19, 2021, the Board approved the \$2,000,000 in ARPA funding for this project.

Lease Amendment

The Foodbank has leased the Property since December 17, 1984 for use as a collection, storage, and distribution center for commodities, surplus, and donated food. The Lease Agreement, as amended by First Amendment to Lease Agreement on November 21, 2006, and Second Amendment to Lease Agreement on March 17, 2015, currently provides for a term through April 30, 2025 with two five-year extensions subject to the mutual agreement of Foodbank and County. The Foodbank has acquired a new building and is currently in the process

of permitting and building out the new facility. The recommended Third Amendment to Lease Agreement therefore shortens the Lease term to coincide with the Foodbank's relocation to its new facility.

Key Contract Risks:

The Subrecipient Agreement recommended for approval (Attachment A) can be terminated by the County for non-appropriation of funds, or for convenience upon 30 days written notice.

Fiscal and Facilities Impacts:

On October 19, 2021 the Board of Supervisors allocated \$2,000,000 of ARPA funding for Foodbank of Santa Barbara County to administer a pandemic response program for community health and wellbeing. The Subrecipient Agreement, Attachment A, recommended for approval by this Board Letter would allow the Foodbank to be reimbursed for providing food assistance services and supplies to County residents who faced food insecurity and were negatively impacted by the COVID-19 pandemic.

Fiscal Analysis:

Budgeted: Yes.

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
General Fund			
State			
Federal		\$ -	\$ 2,000,000.00
Fees			
Total	\$ -	\$ -	\$ 2,000,000.00

Eligible expenses will be reimbursed in accordance with Exhibit B to the Subrecipient Agreement, with a term expiring on June 30, 2024.

Special Instructions:

Please return one electronic copy of executed Subrecipient Agreement (Attachment A) to Ted Teyber at edteyber@countyofsb.org.

Please return one electronic copy of the executed Third Amendment to Lease Agreement (Attachment B) to achumney@countyofsb.org.

Attachments:

Attachment A – Subrecipient Agreement

Attachment B – Third Amendment to Lease Agreement

Authored by:

Ted Teyber, Fiscal & Policy Analyst