



COUNTY OF HUMBOLDT

For the meeting of: 9/12/2023

File #: 23-1188

To: Board of Supervisors

From: Public Works

Agenda Section: Consent

Vote Requirement: Majority

SUBJECT:

Professional Services Agreement with Abound Food Care, Regarding SB 1383 Edible Food Recovery Program Management for Humboldt County and Participating Jurisdictions and Multijurisdictional Memorandum of Understanding for Funding

RECOMMENDATION(S):

That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the attached professional services agreement with Abound Food Care, regarding State Bill (SB) 1383 Edible Food Recovery Program Management for Humboldt County and participating jurisdictions for the period of Aug. 18, 2023 through Aug. 8, 2024;
2. Authorize the Department of Public Works Director, or a designee thereof, to execute any and all subsequent amendments to the attached professional services agreement with Abound Food Care after review and approval by County Counsel, Risk Management and the County Administrative Office;
3. Direct the Clerk of the Board to return one (1) fully executed original copy of the attached professional services agreement with Abound Food Care, to the Department of Public Works - Solid Waste Division for further processing; and
4. Authorize the Director of Public Works to sign the attached Memorandum of Understanding (MOU) with participating jurisdictions establishing a proportional cost sharing program for Edible Food Recovery manager's work.

SOURCE OF FUNDING:

Solid Waste (3691-438)

DISCUSSION:

On Feb. 28, 2023, your Board approved and authorized the Department of Public Works - Solid Waste Division to issue a Request for Proposals (RFP) regarding management of a countywide edible food recovery program in order to comply with SB 1383. The attached professional services agreement with

Abound Food Care was developed to assist the county and all participating jurisdictions in developing, implementing, and managing edible food recovery program tasks and actions required by state law for the period of Aug. 18, 2023 through Aug. 8, 2024.

Accordingly, Department of Public Works - Solid Waste Division recommends that the Board approve, and authorize the Chair of the Board to execute, the attached professional services agreement with Abound Food Care, regarding SB 1383 Edible Food Recovery Program Management for Humboldt County and Participating Jurisdictions for the period of Aug. 18, 2023 through Aug. 8, 2024. It is also recommended that the Board authorize the Public Works Director, or a designee thereof, to execute any and all subsequent amendments to the attached professional services agreement with Abound Food Care, after review and approval by County Counsel, Risk Management and the County Administrative Office, in order to avoid unnecessary delays in the implementation of SB 1383 Edible Food Recovery Program Management.

FINANCIAL IMPACT:

| Expenditures (Fund, Budget Unit) | FY23-24 |
|--|------------------------|
| Budgeted Expenses | \$120,000 |
| Total Expenditures | |
| Funding Sources (Fund, Budget Unit) | FY23-24 Adopted |
| Fees/Other | \$56,371 |
| Use of Fund Balance | \$63,629 |
| Contingencies | |
| Total Funding Sources | \$120,000 |

**Projected amounts are estimates and are subject to change.*

Narrative Explanation of Financial Impact:

The attached professional services agreement with Abound Food Care, has a maximum amount payable of One Hundred Twenty Thousand Dollars (\$120,000) for the period of Aug. 18, 2023 through Aug. 8, 2024. In no event shall the maximum amount paid under the attached professional services agreement with Abound Food Care exceed the amount of One Hundred Twenty Thousand Dollars (\$120,000). However, the County of Humboldt may reduce the above-referenced maximum amount payable or terminate the attached professional services agreement with Abound Food Care in its entirety.

Participating municipalities within the county will be contributing financially toward this agreement through a cost share in order to also receive these same services for their jurisdictions through the attached MOU.

Participating Humboldt County jurisdictions will also contribute financially through a cost share based on population. The county's share of this project will be \$63,629. Expenditure appropriations related to the Edible Food Recovery Management Program will be incorporated into the proposed fiscal year 2023-24 Solid Waste budget unit 3691-438.

STAFFING IMPACT:

Narrative Explanation of Staffing Impact:

There will not be any impact to staffing.

STRATEGIC FRAMEWORK:

This action supports the following areas of your Board's Strategic Framework.

Core Roles: Create opportunities for improved safety and health

New Initiatives: Build interjurisdictional and regional cooperation

Strategic Plan: N/A

OTHER AGENCY INVOLVEMENT:

City of Eureka, City of Arcata, City of Blue Lake, City of Ferndale, City of Fortuna, City of Trinidad, City of Rio Dell, California Department of Resources Recycling and Recovery (CalRecycle).

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board may choose not to authorize the Chair of the Board to execute the attached professional services agreement with Abound Food Care regarding SB 1383 Edible Food Recovery Program Management for Humboldt County and Participating Jurisdictions for the period of Aug. 18, 2023 through Aug. 8, 2024. Similarly, the Board may choose not to work with the other jurisdictions through the MOU. This decision would result in non-compliance with the State of California mandates and the county and municipal jurisdictions could receive fines up to \$10,000 per day for non-compliance and could damage relationships with the other jurisdictions.

ATTACHMENTS:

1. Professional Services Agreement with Abound Food Care regarding SB 1383 Edible Food Recovery Program Management for Humboldt County and Participating Jurisdictions
2. Abound Food Care Insurance Documentation
3. Proposer Ranking Sheets
4. Memorandum of Understanding between the County of Humboldt and the City of Eureka, City of Arcata, City of Fortuna, City of Blue Lake, City of Rio Dell, City of Trinidad, and City of Ferndale for the Management of a Regional Edible Food Recovery Program

PREVIOUS ACTION/REFERRAL:

Board Order No.: D-31

Meeting of: 2-28-23

File No.: 23-197