



Board Agenda Item 29

DATE: August 23, 2022

TO: Board of Supervisors

SUBMITTED BY: Kirk Haynes, Chief Probation Officer

SUBJECT: American Rescue Plan Act - Coronavirus State and Local Fiscal Recovery Funds for the Probation Department

RECOMMENDED ACTION(S):

- 1. Approve the allocation of American Rescue Plan Act State Local Fiscal Recovery Funds in the amount of \$279,000 to the Probation Department, Org 3440, for the installation of outdoor fitness zones and improvements to recreational areas for the use of youth housed at the Juvenile Justice Campus; and**
- 2. Approve and authorize the Director of the Internal Services Department to potentially use annual Job Order Contracting agreements for the implementation of the proposed projects.**

There is no additional Net County Cost associated with the recommended actions. Approval of the recommended actions will allow the Probation Department to fund the installation of fitness zones and improvement of recreational areas for the use of youth housed at the Juvenile Justice Campus (JJC), with funds provided by the American Rescue Plan Act of 2021 (ARPA) - Coronavirus State Local Fiscal Recovery Funds (SLFRF). This item pertains to an area in Supervisorial District 4; however, the impact is countywide.

ALTERNATIVE ACTION(S):

If your Board does not approve the recommended actions, SLFRF will not be available to the Department to fund the installation of fitness zones and improvements to the recreational areas at the JJC, and the project will be delayed until another funding source is identified.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. Sufficient appropriations and estimated revenues have been included in the Recommended Budget for the Probation Department's Org 3440 in the amount of \$279,000 and will be reimbursed by the Auditor-Controller/Treasurer-Tax Collector ORG 1033 - Disaster Claiming, Fund 0026, Subclass 91021. After the procurement process is complete, if the project cost exceeds the \$279,000 SLFRF allocation, the Department will absorb the additional cost through the Department's existing savings, or use of the Department's Trust Funds to complete the project. If Trust Funds are utilized, the Department will return to your Board to appropriate the funds.

DISCUSSION:

ARPA established the SLFRF Program, which delivers \$350 billion to state, local, and Tribal governments across the country, to support their response to and recovery from the COVID-19 public health emergency.

The Department of the Treasury's 31 CFR Part 35 Coronavirus State and Local Fiscal Recovery Funds Interim Final Rule ("Interim Final Rule") (for expenditures before April 1, 2022) and Final Rule ("Final Rule") establish a framework for determining the types of programs and services that are eligible under the ARPA. SLFRF may be used for eligible activities under four general categories:

- A. Respond to the COVID-19 public health emergency or its negative economic impacts;
- B. Provide premium pay for essential workers;
- C. Replace public sector revenue loss, subject to certain limitations; and
- D. Make necessary investments in infrastructure investments in water, sewer, and broadband.

The Final Rule permits SLFRF to be used to cover costs for eligible activities within those four general categories for the period that begins March 3, 2021, and ends on December 31, 2024.

Recipients must return any funds to the U.S. Department of the Treasury which are not obligated by December 31, 2024, and any funds not expended to cover such obligations by December 31, 2026.

On February 1, 2022, your Board approved the Ad-Hoc Committee's expenditure plan which earmarked funds for proposals that may be funded either in whole or in part by the County's \$194,063,657 allocation of SLFRF. The approved expenditure plan earmarked funds for this project to be undertaken by the Department.

As a condition of receiving SLFRF, the County is required to annually submit a Recovery Plan by July 31st to the Treasury. On July 12, 2022, your Board received the 2022 Recovery Plan Performance Report on the American Rescue Plan Act of 2021 - State Local Fiscal Recovery Funds and directed staff to submit the Plan the U.S. Treasury by July 31, 2022.

The project is an enumerated Eligible Use of SLFRF under Category A, as it responds to the COVID-19 public health emergency or its negative economic impacts.

The Department operates the JJC, which is used primarily as a detention facility to hold minors who have committed law violations while they await processing through the Juvenile Court system. The JJC also provides secured confinement for minors awaiting delivery to the California Youth Authority, other juvenile and adult justice authorities, foster and group home placements, and court-ordered commitments. On average, the JJC houses an estimated average population of 90-125 youth at any given time.

Public Health Impacts (Eligible Use Category 1)

1. **Fitness Zones for Youth housed at Juvenile Justice Campus, Probation Department No. 1**
Project Expenditure Category: E.C. 1.4 Prevention in Congregate Settings, adaptation to a youth detention facility to mitigate the impacts of COVID-19.
Funding Amount: \$279,000
Total Expenditures to Date: \$0
Estimated Start Date:
Estimated Completion Date:

The SLFRF allocated for this project will fund the installation of outdoor fitness zones and improvements to recreational areas at the JJC, located at 3333 East American Avenue, Fresno, Ca 93725. The proposed project consists of purchasing fitness equipment that is designed for circuit type training that will allow the youth to perform both strength and cardio workouts at the JJC. The fitness equipment may include but is not limited to 10 different zones as follows: push up bars, bench dip, latissimus dorsi pull down machine, chest press machine, hand cycle machine, leg press machine, recumbent cycle, chin-up station, cardio walker machine, and a balance board station. The fitness equipment will be mounted into the ground, and will allow for circuit style training courses. Providing these youth access to fitness equipment and outdoor recreation space at the JJC will

reduce the spread of COVID-19, and provide an additional outdoor exercise opportunity for these youth.

The youth also engage in recreational activities in the grassy areas (fields) within the JJC. Improvements to these recreational areas will include eliminating gopher holes, installing new grass, and leveling out the field, in order to enable youth at the JJC to more safely engage in recreational activities, and reduce risk of potential injury.

The Interim Final Rule and Final Rule recognize that certain populations have experienced disproportionate health impacts during the pandemic, including disparities in public health outcomes in people who are low-income and in communities of color. The demographics of the youth located at the JJC are as follows: 28% Black, 1% Filipino, 63% Hispanic/Latin/Mexican, 2% Asian, and 6% White, with most, if not all, from families falling below the poverty line. At home, these youth and their family members often do not have access to health and fitness services, exercise equipment, or parks for extracurricular activities.

This project qualifies as an eligible use of SLFRF under the COVID-19 Mitigation and Prevention subcategory in the Public Health Impacts category. This is an adaptation to a congregate living facility, which will provide these incarcerated youth an opportunity to support healthy habits that are conducive to mental and physical wellness, thereby preventing the transmission of COVID-19, and mitigating the impacts of COVID-19.

If your Board approves the recommended action, staff will initiate the procurement process with the Purchasing Division of the Internal Services Department. After the procurement process is complete, if the project cost exceeds the \$279,000 SLFRF allocation, the Department will absorb the additional cost through the Department's existing savings, or use of the Department's Trust Funds to complete the project.

REFERENCE MATERIAL:

BAI #33, July 12, 2022
BAI #3, February 1, 2022

CAO ANALYST:

Samantha Buck