

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY  
AND RECORD OF ACTION**

September 12, 2023

**FROM**

**TRACY REECE, Chief Probation Officer, Probation Department**

**SUBJECT**

Terminate Agreement with the California Department of Education, Nutrition Services Division to Discontinue the Child Nutrition Programs

**RECOMMENDATION(S)**

1. Terminate Permanent Single Agreement No. 22-756 with the California Department of Education, Nutrition Services Division to discontinue the Child Nutrition Programs for food services at juvenile detention and assessment centers.
2. Authorize the Chief Probation Officer or Assistant Chief Probation Officer to terminate Permanent Single Agreement No. 22-756 and execute the Letter of Termination and Exhibit A: Changes in Child Nutrition Program Operations, on behalf of the County, subject to review by County Counsel.
3. Direct the Chief Probation Officer or Assistant Chief Probation Officer to transmit the Letter of Termination and Exhibit A: Changes in Child Nutrition Program Operations to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: Tracy Reece, Chief Probation Officer, 387-5692)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Operate in a Fiscally-Responsible and Business-Like Manner.**

**Ensure Development of a Well-Planned, Balanced, and Sustainable County.**

**Provide for the Safety, Health and Social Service Needs of County Residents.**

**FINANCIAL IMPACT**

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). Appropriation and revenue for the cost of meals and the related state/federal reimbursements are included annually in the Probation Department's (Department) budget. The net loss in revenue of \$251,000 annually can be accommodated within the Department's current ongoing budget.

**BACKGROUND INFORMATION**

On August 9, 2022 (Item No. 28), the Board of Supervisors (Board) approved Permanent Single Agreement No. 22-756 (PSA) with the California Department of Education (CDE), Nutrition Services Division (NSD) for state and federal reimbursement for providing food services to detained juveniles at the Juvenile Detention and Assessment Centers (JDACs), effective July 1, 2022, until terminated by either party. The reimbursed food services were part of the Child Nutrition Programs (CNP).

**Terminate Agreement with the California Department of Education,  
Nutrition Services Division to Discontinue the Child Nutrition Programs  
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On February 7, 2023 (Item No. 25), the Board approved Amendment No. 1 to the PSA to add Addendum 3, Disclosure of Lobbying Activities, which was required to be filled out by the Department to continue to qualify for the state and federal reimbursement for providing food services. The Department's response to Addendum 3 reflected an entry of "Not Applicable".

The Department finds that the CNP is no longer cost effective to the operations of the JDACs. The CNP under the PSA generates annual revenues of approximately \$251,000 in Federal reimbursements that are included in the Department's ongoing budget. Compliance under the CNP, a program originally intended for youth up to the age of 18, is restrictive and limits the food intake for each youth per meal. The current detention population includes youth up to the age of 25. The discontinuation of CNP will allow the Department to appropriately apportion nutritional calorie intake relative to the demographics of the current population. Approval of this item will not compromise the Department's ability to meet the California Board of State and Community Corrections Title 15 minimum requirements and the State Meal Mandate in Education Code Section 49501.5.

The Department recommends approval to terminate the PSA and discontinue the CNP. The County will not incur any penalty as a result of the discontinuance and termination. The PSA may be terminated by either party to the agreement by giving 30 days written notice. If the Department opts to change or discontinue the CNP, then under the terms of the PSA, it must fill out form Exhibit A: Changes in Child Nutrition Program Operations and submit a Letter of Termination 30 days in advance to officially terminate the PSA.

Recommendation No. 2 delegates authority to the Chief Probation Officer or Assistant Chief Probation Officer to terminate PSA No. 22-756 and execute a Letter of Termination and Exhibit A: Changes in Child Nutrition Program Operations on behalf of the County, subject to review by County Counsel. This delegation will allow for expedited changes to operational processes.

**PROCUREMENT**

Not applicable.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Maria Insixiengmay, Deputy County Counsel, 387-5455) on August 3, 2023; Finance (Kathleen Gonzalez, Administrative Analyst, 387-5412) on August 25, 2023; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on August 25, 2023.

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Record of Action of the Board of Supervisors  
San Bernardino County

**APPROVED (CONSENT CALENDAR)**

Moved: Joe Baca, Jr. Seconded: Curt Hagman

Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: September 12, 2023



cc: File – w/agree  
CCM 09/20/2023