

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

October 22, 2024

FROM

MELANIE OROSCO, County Librarian, County Library

SUBJECT

Adult Literacy Services Grant Agreement with the State of California, California State Library

RECOMMENDATION(S)

1. Approve **Grant Agreement No. 24-1025** (State Agreement No. CLLS24-70), including non-standard terms, with the State of California, California State Library to receive \$122,386 for the Adult Literacy Services Program for the period of July 1, 2024, through June 30, 2025.
2. Designate the County Librarian or the Library Regional Manager for Library Services, as required by the California State Library, to electronically execute and submit the grant documents, forms, and any subsequent non-substantive amendments on behalf of the County, subject to review by County Counsel.
3. Direct the County Librarian or the Library Regional Manager for Library Services, to submit the Grant Agreement and non-substantive amendments in relation to this grant award to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: Kristin Stevens, Assistant County Librarian, 387-2220)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Promote the Countywide Vision.

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

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

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). The total revenue for the Grant Agreement (State Agreement No. CLLS24-70) (Agreement) is expected to be \$122,386, as a reimbursement for staff support, collection materials, display materials and other ancillary needs. Adequate appropriation and revenue have been included in the County Library's (Department) 2024-25 budget.

BACKGROUND INFORMATION

The California State Library will provide grant funding for the Adult Literacy Services Program (Program). The Program allows the Department to provide individualized tutoring to illiterate adults by giving them tools to learn to read and write. The Program helps learners accomplish many goals through building self-confidence in applying for jobs, being able to vote, and much more. Additionally, the Program supports the County's Cradle to Career Road Map to achieve the Countywide Vision. Teaching illiterate adults to read, not only helps the individual, but also their children, as parents who read are able to give children the literacy support needed to succeed. The Program allows the Department to increase the literacy rate in the County. The

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Department has received grant funds from California State Library annually for this purpose since 1984.

On May 22, 2024, the Department submitted a grant application to the California State Library requesting grant funding for the period of July 1, 2024 through June 30, 2025 for Adult Literacy Services. For the application, the Department used the data from the 16 branches that provide Programs services, that were included in the 2022-2023 California Library Literacy Services (CLLS) Final Report. The data provided in the CLLS Final Report includes a total of 319 adult learners that received instruction, and one-on-one tutoring. There are a total of 76 tutors that provided a total of 2,649 hours of instruction. The Department also listed materials, equipment, costs for personnel, and other items detailing how the funding would be spent.

On August 22, 2024, the Department received the Agreement in the amount of \$122,386 for the period of July 1, 2024, through June 30, 2025. This item is being presented to the Board at this time as this is the first date available for presentation following the required operational, fiscal, and legal reviews.

This item will allow acceptance of a grant award from the California State Library, in the amount of \$122,386, thereby enabling the Department to continue to offer services related to the Program for 2024-25. Literacy programs in public libraries transform the lives of adults in the communities served by providing access to tools that support individuals to gain basic literacy skills.

The Program provides one-on-one literacy instruction and individualized tutoring for low-income illiterate adults and seniors. Library adult literacy services are free of charge to all learners participating in the program. Direct services and assistance are provided by Library staff, as well as trained literacy tutors. Dedicated tutoring space and special Program materials (leveled student readers, workbooks, dictionaries, etc.) are supplied to participating learners at no charge. The Department uses the grant funding to maintain the materials and balance the cost of salaries for the staff that run the Program. The Department purchases materials for the learners to take home, such as workbooks, flash cards, notebooks, pencils, highlighters, for learners to practice and maintain the skills they are taught during the one-on-one tutoring. Learners are strongly encouraged to attend free basic computer skills classes taught in the Library. Those with young children are encouraged to attend early learning and preschool story time activities to foster a love of reading and ensure school-age readiness.

The Agreement contains the following nonstandard terms, which require Board approval:

1. The California State Library may assign the Agreement without notice to the County and without the County's approval.
 - The County standard contract requires that the County must approve any assignment of the contract.
 - Potential Impact: The California State Library could assign the Agreement to a third party with which the County is legally prohibited from doing business due to issues of Federal debarment or suspension and conflict of interest, without the County's knowledge. Should this occur, the County could be out of compliance with the law until it becomes aware of the assignment and terminates the Agreement.
2. The County is required to indemnify the State of California, the California State Library from any and all claims, losses and liabilities accruing or resulting to any and all contractors,

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subcontractors, suppliers, laborers and any other person, firm, or corporation furnishing or supplying work services, materials, or supplies in connection with the performance of the Agreement, and from any and all claims and losses accruing or resulting to any persons, firm or corporation who may be insured or damaged by the County in performance of this Agreement.

- The standard County contract requires contracting parties to indemnify the County.
 - Potential Impact: By agreeing to the indemnity provision, the County may be subject to increased cost, expenditure and damages in the event of a third-party dispute. All parties to the Agreement, however, are public entities so governmental immunities will remain intact.
3. The Agreement does not require the California State Library to indemnify the County.
- The County standard contract indemnity provision requires the contracting party to indemnify, defend, and hold the County harmless from third party claims arising out of the acts, errors or omissions of any person.
 - Potential Impact: The California State Library is not required to defend, indemnify or hold the County harmless from any claims, including indemnification for claims arising from the California State Library's negligent or intentional acts. If the County is sued for any claim based on the State County Library's services, the County may be solely liable for the costs of defense and damages.
4. The Agreement does not require California State Libraries to meet the County's insurance standards as required pursuant to County Policy 11-07.
- The County Policy requires contracting parties to carry appropriate insurance at limits and under conditions determined by the County's Risk Management Department and set forth in the County standard contract.
 - Potential Impact: The County has no assurance that the California State Library will be financially responsible for claims that may arise from the Agreement.
5. The Agreement contains an informal dispute resolution clause which authorizes the State Librarian to settle disputes between the parties, if resolution cannot be achieved, and provides that the State Librarian's decision shall be final.
- The standard County contract provides for nonbinding informal dispute resolution.
 - Potential Impact: The County will be subject to binding dispute resolution. By agreeing to this provision, the County limits its remedies in the event of a dispute.

The Department recommends approval of the Agreement, including all nonstandard terms, as the grant award will allow the Department to improve literacy rates in San Bernardino County.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Daniella Hernandez, Deputy County Counsel, 387-3121) on September 24, 2024; Risk Management (Gregory Ustaszewski, Staff Analyst II, 386-9008) on October 9, 2024; Finance (Elias Duenas, Administrative Analyst, 387-4052) on September 30, 2024; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on September 30, 2024.

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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

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

Lynna Monell, CLERK OF THE BOARD

BY  _____
DATED: October 22, 2024



cc: Library - Ortiz w/agree for sign
Contractor - c/o Library w/agree
File - w/agree
CCM 10/25/2024