



Legislation Text

File #: 2019-0774, **Version:** 1

To: Board of Supervisors of Sonoma County
Department or Agency Name(s): Department of Health Services
Staff Name and Phone Number: Barbie Robinson, 565-7876
Vote Requirement: Majority
Supervisory District(s): Countywide

Title:

Charitable Feeding Operations Fee Waiver

Recommended Actions:

Approve a waiver of Charitable Feeding Operation fees during fiscal year 2019-2020 to allow these charitable organizations to continue to provide meal services to our community without paying local government fees to do so.

Executive Summary:

A recent state law required local agencies to modify their food facility regulation practices to create a separate registration process for charitable feeding operations conducted by a non-profit and recover the reasonable costs for providing that registration service. Limited Charitable Feeding Operations are now exempt from the definition of a Retail Food Facility and must register with Environmental Health to ensure best management practices are being utilized, with the goal of promoting the health and safety of our community. The Department complied with this new law by setting up a separate registration process and set a fee to recover the reasonable cost of this new program. However, this item requests approval to waive Charitable Feeding Operation fees during fiscal year 2019-2020 to allow these charitable services to continue in our community without paying a local government fee. No other fee payor will subsidize these services. The Department will use realignment funds to pay for these services provided to our community. In addition, in the next year, the Department of Health Services will conduct time studies and perform further analysis to insure that fees, if charged in the future, are appropriately set.

Discussion:

A Limited Service Charitable Feeding Operation is defined as an operation for food service to a consumer solely for providing charity, that is conducted by a non-profit charitable organization, and whose service is limited to no more than 4 hours a day. An example of charitable feeding is a church group providing meal services to the public in a park or similar location. Effective January 1, 2019, Assembly Bill 2178 (Limon - Limited Charitable Feeding Operations) amended the California Health and Safety Code (California Retail Food Code) to exempt Limited Charitable Feeding Operations from the definition of a Retail Food Facility. Charitable Feeding Operations must now register with Environmental Health to ensure best management practices are being utilized, with the goal of promoting the health and safety of our community.

Environmental Health is authorized to recover the reasonable regulatory costs of administration, implementation, investigation, inspection, and enforcement relating to Limited Charitable Feeding Operations. On May 14, 2019 the Board adopted a resolution setting new and amended Environmental Health fees

including multiple categories for Charitable Feeding Operations. Fee amounts were based on similar operations, maintaining equity of services and minimizing costs where applicable. The following new Charitable Feeding Operation fees, with descriptions, were established:

- **Limited Service Charitable Feeding Operation - Prepackage, No Prep, Non-PHF (\$154)** - Distribution of 100% prepackaged, shelf-stable foods
- **Limited Service Charitable Feeding Operation - Prepackage, No Prep, PHF (\$206)** - Distribution of 100% prepackaged, shelf-stable and perishable foods
- **Limited Service Charitable Feeding Operation - Minimal Preparation (\$310)** - Reheating/portioning commercially prepared foods with no further processing
- **Limited Service Charitable Feeding Operation - Moderate Preparation (\$413)** - Reheating and/or portioning commercially prepared foods - minimal preparation
- **Limited Service Charitable Feeding Operation - Extensive Preparation (\$517)** - Heating, portioning, or assembly of a small volume of commercially prepared foods or ingredients that are not prepackaged

The Department understands the benefit charitable feeding provides for our community. The Department is requesting Board approval of a waiver of all fees for the Charitable Feeding Operation program during fiscal year 2019-2020. This waiver will allow these charitable organizations to provide this valuable service to our community without paying a local government fee. Instead, the Department will use realignment funds to pay for the costs to provide this charitable feeding service. In addition, in the upcoming year, Environmental Health will implement the program and conduct time studies and further analysis to ensure that fees are set appropriately in future years if there is a decision to charge for these services. Without the ability to waive these fees, charitable organizations will be paying set fees for service, which will minimize the charitable contribution that can be provided to the community. For fiscal year 2019-2020, revenue of \$2,012 is anticipated as the program is implemented. The Department plans to utilize \$2,012 of realignment funds to cover program costs in fiscal year 2019-2020.

Prior Board Actions:

On May 14, 2019 the Board adopted a resolution establishing new and amended fees to recover the reasonable cost of providing services including fees associated with Environmental Health and Safety, Public Health Laboratory, and Sonoma County Animal Services for the Department of Health Services effective July 1, 2019. The Limited Service Charitable Feeding Operation fees for which a waiver is being requested were added as part of this resolution.

FISCAL SUMMARY

Expenditures	FY 18-19 Adopted	FY 19-20 Projected	FY 20-21 Projected
Budgeted Expenses		2,012	
Additional Appropriation Requested			
Total Expenditures	0	2,012	0
Funding Sources			
General Fund/WA GF			
State/Federal			

Fees/Other			
Use of Fund Balance		2,012	
Contingencies			
Total Sources	0	2,012	0

Narrative Explanation of Fiscal Impacts:

Estimated FY 19-20 revenue for Charitable Feeding Operations registration is \$2,012. The Department plans to utilize \$2,012 of realignment funds to cover program costs in FY 19-20. Appropriations will be added to the FY 19-20 budget via the consolidated budget adjustments process.

Staffing Impacts:			
Position Title (Payroll)	Monthly Salary Range (A - I Step)	Additions (number)	Deletions (number)

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

None

Related Items "On File" with the Clerk of the Board:

None