

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**ITEM: 3.6
(ID # 26248)**

MEETING DATE:
Tuesday, October 29, 2024

FROM : EXECUTIVE OFFICE

SUBJECT: EXECUTIVE OFFICE: Approve and Execute the First Amendment to Project Funding Agreement Between the County of Riverside and the Nuview Union School District for Delivery of Additional Scope Items Associated with the Nuview Bridge Early College High School Football Stadium Project, through Fiscal Year 25/26. District 5. [\$0 Total Cost - 100% ARPA Funds]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve and Execute the First Amendment to the Project Funding Agreement Between the County of Riverside and the Nuview Union School District for Delivery of Additional Scope of Work Items Associated with the Nuview Bridge Early College High School Football Stadium Project, through Fiscal Year 25/26; and
2. Authorize the Chair of the Board of Supervisors to Execute the Amendment on Behalf of the County.

ACTION:Policy

Juan C. Perez, Chief Operating Officer

10/23/2024

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel, seconded by Supervisor Gutierrez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Gutierrez
Nays: None
Absent: None
Date: October 29, 2024
xc: E.O.

Kimberly A. Rector
Clerk of the Board

By:
Deputy

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FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: 100% ARPA			Budget Adjustment: N/A	
			For Fiscal Year: 24/25 – 25/26	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

On March 11, 2021, President Biden signed into law a \$1.9 trillion economic stimulus bill also known as the COVID-19 Stimulus Package or the American Rescue Plan Act (ARPA). The intent of the bill is to accelerate the United States recovery from the economic and health impacts of the COVID-19 pandemic. ARPA includes \$362 billion in Coronavirus State and Local Fiscal Recovery Funds (ARPA Fiscal Recovery Funds) for eligible state, local, territorial, and tribal governments.

Riverside County’s share of the American Rescue Plan funding is estimated to be \$479 million, of which the first installment of \$239,937,299 was received on May 10, 2021, and the second installment in the same amount was received on June 6, 2022. The funds must be obligated by December 31, 2024, and expended by December 31, 2026.

On April 27, 2021, the Executive Office presented the Board of Supervisors with a preliminary ARPA funding allocation and on October 19, 2021, presented a revised funding allocation after the U.S. Treasury released the ARPA interim funding guidelines. The revised allocation included a new category for Child Care. The funding allocation obligates funds to 7 categories: Infrastructure, Housing & Homelessness, Economic Recovery, County Departments Response, Non-Profit Assistance, Child Care and Revenue Backfill.

On October 4, 2022, the Board of Supervisors approved the ARPA 2nd installment funding allocation which allocated \$33 million per district to be obligated towards infrastructure, housing and homelessness, workforce development, neighborhood revitalization, business revitalization, childcare facilities, and non-profits.

The unincorporated community of Nuevo is a disadvantaged community in need of additional investment. On August 27, 2024, (Agenda Item 3.9), at the recommendation of the County’s 5th District, the Board of Supervisors approved execution of an ARPA Project Funding Agreement with the Nuviev Union School District (District) for delivery of the District’s Nuviev Bridge Early College High School Football Stadium Project, in Nuevo. This Project involves a partnership with the District to replace the grass fields at Nuviev Bridge Early College High School with synthetic turf, and replace the stadium’s track surface, in addition to other site improvements. Together with a joint use agreement with the District included as a companion to the ARPA Funding Agreement, and approved on August 27, 2024, the County prioritized this investment to

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STATE OF CALIFORNIA**

expand recreational public use spaces available to the community, to enhance quality of life and promote public health and wellness. The joint use agreement specifies that community use is allowed for the project when it does not conflict with District use, in accordance with the education code, and also grants the County use for up to six events per year for public purposes.

Subsequent to execution of the ARPA Project Funding Agreement and joint use agreement, the District received additional Project scope of work requirements from the California Division of the State Architect, including requirements for improvements to the Project's path of travel, restroom upgrades and ADA parking stalls. Additionally, State of California adjustments to the District's fiscal year budget necessitates a revised District contribution to the Project budget, from \$2 million to \$1.23 million. The increased cost items and reduced funding from the District necessitates reducing the scope to remove certain items, such as entryway improvements and team seating, which will be done and funded by the District as a future phase. The attached First Amendment to the ARPA Funding Agreement reflects these changes to scope and funding. The County's Project budget contribution of \$2.5 million is unchanged, the Project schedule is unchanged, and all other terms memorialized in the original ARPA Funding Agreement remain in place.

The attached First Amendment to ARPA Funding Agreement was approved and executed by the Nuviev Union School District Board at their regular meeting on October 10, 2024.

Impact on Residents and Businesses

The unincorporated community of Nuevo is a disadvantaged community in need of additional investment, and recreational public use spaces to enhance quality of life and promote public health and wellness. The ARPA Project Funding Agreement, joint use agreement, and attached 1st Amendment to Project Funding Agreement will together allow for construction of a modern field and track for school use and for community recreational access.

ATTACHMENTS:

- First Amendment to Project Funding Agreement Between the County of Riverside and the Nuviev Union School District


Scott Bruekner 10/18/2024


Stephanie Perez, Deputy Director of Admin. Services 10/18/2024


Aaron Gettis, Chief of Deputy County Counsel 10/16/2024

1 FIRST AMENDMENT TO FUNDING AGREEMENT BETWEEN
2 THE COUNTY OF RIVERSIDE AND THE NUVIEW UNION SCHOOL DISTRICT FOR
3 NUVTEW BRIDGE EARLY COLLEGE HIGH SCHOOL FOOTBALL STADIUM PROJECT
4

5 THIS FIRST AMENDMENT to a Funding Agreement for the Nuview Bridge Early College High School
6 Football Stadium Project effective August 27, 2024, by and between the County of Riverside, a political
7 subdivision of the State of California (hereinafter the "County"), and the Nuview Union School District
8 (hereinafter "Subrecipient"), (collectively referred to as the "Parties"), amends the Agreement as follows:

9 **RECITALS**

10 WHEREAS, on March 11, 2021, the American Rescue Plan Act (ARPA) was signed into law,
11 amending Section 9901 of Title VI of the Social Security Act which establishes the Coronavirus State and
12 Local Fiscal Recovery Funds (Fiscal Recovery Funds) to provide state, local and Tribal governments with
13 the resources needed to respond to the pandemic and its economic effects and to build a stronger, more
14 equitable economy during the recovery; and

15 WHEREAS, to respond to the negative effects of the pandemic, which in turn affect our community
16 as a whole, on October 4, 2022, by Minute Order 3.44, the Board of Supervisors of the County of Riverside
17 approved the distribution framework of the second allocation of ARPA funds to support eligible ARPA
18 efforts within Riverside County, including, but not limited to: infrastructure (water, sewer, broadband),
19 housing and homelessness, business revitalization, neighborhood revitalization, childcare facilities, and
20 non-profits; and

21 WHEREAS, on January 6, 2022, the U.S. Department of the Treasury (U.S. Treasury) adopted a
22 final rule implementing the Fiscal Recovery Funds which took effect on April 1, 2022 (Final Rule); and

23 WHEREAS, the County desires to reimburse and the Subrecipient desires to accept ARPA Fiscal
24 Recovery Funds in a total amount not to exceed \$2,500,000, for expenditures identified in Attachment A
25 related to the Nuview Bridge Early College High School Football Stadium Project ("Project"); and

26 WHEREAS, due to requirements for project scope additions mandated by the Division of the State
27 Architect, and State of California adjustments to Subrecipient's facilities budget, the Parties desire to amend
28 the Agreement to reflect a revised project scope, budget, and schedule for the Project.

1 NOW, THEREFORE, for good valuable consideration, the receipt and adequacy of which is hereby
2 acknowledged, providing that all other sections not amended remain in full force and effect, the Parties
3 agree to amend the Agreement as follows:

- 4 1. Recitals. The above recitals are true and correct and are incorporated herein by reference.
- 5 2. Attachment A - Project Scope. Attachment A of the Agreement is hereby amended to delete in its
6 entirety the “Scope of Work”, “Project Budget” and “Schedule” sections of the Nuvview Bridge Early
7 College High School Football Stadium Project provisions and replace them with:

8 **Scope of Work**

9 The Subrecipient will complete all planning, design, and procurement necessary to complete the
10 Project. In compliance with Subrecipient’s facility use policies, the Project will highlight an
11 enhanced focus on opportunities for community joint use of the football stadium located at Nuvview
12 Bridge Early College High School, 30401 Reservoir Avenue, in Nuevo. Football stadium
13 improvements will include State required upgrades to path of travel, ADA parking lot stalls, and
14 upgrades to existing restrooms, conversion of natural grass on the football/soccer green fields 100%
15 to fully recyclable green fields/synthetic turf system, conversion of the existing cinder running track
16 to an all-weather synthetic surface running track, field landscaping and drainage improvements, and
17 a field graphics package.

18 **Project Budget**

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ITEM	DESCRIPTION	COUNTY OF RIVERSIDE ARPA PROJECT FUNDING AMOUNT (Not to Exceed)	SUBRECIPIENT NON-FEDERAL FUNDING AMOUNT	ESTIMATED PROJECT COST
20 1	Planning	\$0	\$33,825	\$33,825
21 2	Design	\$0	\$159,900	\$159,900
22 3	Spec Review, Bid/Award	\$0	\$43,025	\$43,025
23 4	Construction	\$2,500,000	\$1,238,650	\$3,738,650
24 5	Admin Closeout	\$0	\$24,600	\$24,600
25	TOTAL:	\$2,500,000	\$1,500,000	\$4,000,000

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2 **Schedule**

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ITEM	DESCRIPTION OF SUBMITTAL	ESTIMATED DUE DATE
1	Planning	April 30, 2024
2	Design	June 25, 2024
3	Spec Review, Bid/Award	September 26, 2024
4	Construction	April 30, 2025
5	Admin Closeout / DSA Project Certification	August 1, 2025

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- 7 3. Entire Understanding. The Agreement and this First Amendment contain the entire understanding
8 and agreement of the Parties. There are no oral or written representations, understandings or
9 ancillary covenants, undertakings, or agreements that are not contained or expressed referred to
10 within this First Amendment and Agreement.


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1 IN WITNESS HEREOF, the parties hereto have caused this Amendment to the Agreement to be duly
2 executed on October 29, 2024


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4 COUNTY:
5 COUNTY OF RIVERSIDE, a political subdivision
6 of the State of California

7 By: 
8 **CHUCK WASHINGTON**
9 Chair, Board of Supervisors

SUBRECIPIENT:
Nuview Union School District


By: 
Superintendent

10 ATTEST:
11 Clerk of the Board
12 Kimberly Rector

13 By: 
14 Deputy

(Seal)

15
16 APPROVED AS TO FORM
17 County Counsel

18 By: 
19 **Kristine Bell-Valdez**
20 Deputy County Counsel