

INTRODUCED: May 23, 2022

AN ORDINANCE No. 2022-154

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a Grant Contract between the City of Richmond and Urban Baby Beginnings for the purpose of providing relief services to WIC eligible families experiencing financial difficulty relating to the shortage of infant formula.

Patrons – Mayor Stoney, Mr. Jones, Ms. Lambert, President Newbille, Vice President Robertson, Ms. Jordan, Ms. Trammell, Ms. Lynch and Mr. Addison

Approved as to form and legality  
by the City Attorney

PUBLIC HEARING: MAY 31 2022 AT 2 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That the Chief Administrative Officer, for and on behalf of the City of Richmond, be and is hereby authorized to execute a Grant Contract between the City of Richmond and Urban Baby Beginnings for the purpose of providing relief services to WIC eligible families experiencing financial difficulty relating to the shortage of infant formula. The Grant Contract shall be approved as to form by the City Attorney and shall be substantially in the form of the document attached to this ordinance.

§ 2. This ordinance shall be in force and effect upon adoption.

A TRUE COPY:  
TESTE:  
*Carolin D. Reed*  
City Clerk

AYES: 8 NOES: 0 ABSTAIN: \_\_\_\_\_

ADOPTED: May 31 2022 REJECTED: \_\_\_\_\_ STRICKEN: \_\_\_\_\_



# City of Richmond

## Intracity Correspondence

**O&R REQUEST**

**DATE:** May 18, 2022 **EDITION:** 1

**TO:** The Honorable Members of City Council

**THROUGH:** The Honorable Levar M. Stoney, Mayor

**THROUGH:** J.E. Lincoln Saunders, Chief Administrative Officer

**THROUGH:** Sabrina Joy-Hogg, Deputy Chief Administrative Officer

**THROUGH:** Sheila White, Director of Finance

**THROUGH:** Jason May, Director of Budget and Strategic Planning

**THROUGH:** Reginald E. Gordon, Esq., Deputy Chief Administrative Officer

**THROUGH:** Caprichia Spellman, Director, Office of Community Wealth-Building

**FROM:** Eva Colen, Senior Policy Advisor and Manager, Office of Children and Families

**RE:** Grant Contract to Urban Baby Beginnings to Support Families Affected by the Formula Shortage

**ORD. OR RES. No.** \_\_\_\_\_

**PURPOSE:** To authorize the Chief Administrative Officer to execute a grant contract between the City of Richmond and Urban Baby Beginnings for the purpose of providing prepaid debit cards to economically disadvantaged families of infants who rely on formula

**REASON:** An ordinance is required to authorize the CAO to sign the grant contract on behalf of the City

**RECOMMENDATION:** Approval is recommended by City Administration

**BACKGROUND:** In February, Abbott Pharmaceuticals voluntarily recalled formula and then was directed by the FDA to close its largest formula factory. Abbott holds the single formula manufacturing contract with Virginia WIC. As a result of the recall and then the factory closure, which persists today, there is a nationwide formula shortage. WIC families are particularly hard-

hit by this shortage because their benefits only cover certain brands of formula and only some retailers are WIC vendors. In Richmond, pediatricians are reporting that they are overwhelmed by calls from families of infants who have been to over 10 stores without finding formula and are resorting to unsafe alternatives like Carnation Infant Breakfast and Karo syrup. Urban Baby Beginnings, which operates the Capital Region Diaper Bank, has reported parents showing up at their door with screaming, hungry babies in arms.

Robins Foundation has committed \$20,000 in addition to the City's \$25,000 so that Urban Baby Beginnings can purchase prepaid debit cards valued at \$125 each so that WIC-eligible families have greater options and greater access as they try to feed their babies. Additional private funders are in discussions to join this effort. Together, the private sector's contributions will allow the program to get off the ground while the City proceeds with the legislative process to approve the grant contract.

**FISCAL IMPACT / COST:** \$25,000

**FISCAL IMPLICATIONS:** This will reduce the Office of Community Wealth-Building's General Fund appropriation by \$25,000

**BUDGET AMENDMENT NECESSARY:** No

**REVENUE TO CITY:** None

**DESIRED EFFECTIVE DATE:** upon adoption

**REQUESTED INTRODUCTION DATE:** May 23, 2022

**CITY COUNCIL PUBLIC HEARING DATE:** May 31, 2022

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** N/A

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** None

**AFFECTED AGENCIES:** Office of Community Wealth-Building; Human Services

**RELATIONSHIP TO EXISTING ORD. OR RES.:** Ordinance Number 2021-040

**REQUIRED CHANGES TO WORK PROGRAM(S):** N/A

**ATTACHMENTS:** Grant Contract

**STAFF:** Eva Colen, Office of Children & Families, x5454, Eva.Colen@rva.gov

## GRANT CONTRACT

THIS GRANT CONTRACT is made this \_\_\_\_ day of May, 2022, between the City of Richmond, a municipal corporation and political subdivision of the Commonwealth of Virginia (the “City”), and Urban Baby Beginnings, a Virginia non-stock corporation, authorized to transact business in the Commonwealth of Virginia (the “Recipient”).

### STATEMENT OF PURPOSE

- A. Section 15.2-953(A) Code of Virginia authorizes the City to make gifts and donations to any charitable institution or association, located within their respective limits or outside their limits if such institutions or association provides services to residents of the locality.
- B. Recipient provides services to clients experiencing financial difficulty relating to the shortage of infant formula. WIC eligible clients need funds to purchase infant formula not covered by WIC in order to expand available options for feeding infants or need funds to replace personal funds used to purchase infant formula that is not WIC approved. Low income clients in general face the financial stress of the increased cost of infant formula caused by the shortage and need assistance to ease the burden placed on those clients by such shortage and as exacerbated by inflation generally.
- C. Ordinance No. 2022-\_\_\_\_ adopted \_\_\_\_\_ appropriated funds in the amount of \$25,000.00 (the “Grant Funds”) for a gift to the Recipient for the purpose of providing assistance to infant caregivers experiencing financial difficulty related to the shortage of infant formula.

The City and the Recipient, intending to be legally bound, agree as follows:

#### 1. **Contact Information.**

- A. The City’s point of contact for purposes of this Contract is:

Eva Colen  
Senior Policy Advisor and Manager, Office of Children & Families  
900 East Broad Street, Room 501  
Richmond, Virginia 23219  
[Eva.Colen@rva.gov](mailto:Eva.Colen@rva.gov)  
804-646-5454

- B. The Recipient’s point of contact for purposes of this Contract is:

Stephanie M. Spencer  
Executive Director  
Urban Baby Beginnings  
P.O. Box 4255, Richmond, VA 23223  
[SSpencer@urbanbabybeginnings.org](mailto:Sspencer@urbanbabybeginnings.org)  
833-782-2229

- C. Either party may change the contact information set forth in this section by submitting a written statement that the party is making such a change and setting forth the contact information of the party's new point of contact to the other party's point of contact.
2. **Payment of Grant Funds.**
- A. Payments of the Grant Funds to the Recipient shall be made in one lump sum as soon as practicable following full execution of this Contract.
- B. The Recipient shall return to the City all of the Grant Funds received by the Recipient if the requirements set forth in Section 3 below are not fulfilled.
3. **Scope of Services.** In consideration of the City's grant of the Grant Funds to the Recipient, the Recipient shall:
- A. Purchase 200 prepaid debit cards in the amount of \$125 each to unique households with no duplication of assistance to any given household.
- B. Manage distribution of prepaid debit cards to households with infant caregivers who meet the following criteria:
- i. Documented WIC participation, OR
  - ii. Documented TANF participation, OR
  - iii. Self-attestation of low-income status
4. **Performance Measures.** The City will use the following performance measures to evaluate whether the Recipient has performed the services required by this Contract in a manner that achieves the City's purpose in providing the Grant Funds to the Recipient:
- A. Did the Recipient distribute 200 prepaid debit cards in the amount of \$125 each to eligible households with infant caregivers with no duplication of assistance within any given household?
5. **Reporting.** The Recipient shall furnish the City's point of contact with a written report on its use of the Grant Funds no less frequently than once per Quarter and upon the expenditure of all of the Grant Funds. The Recipient shall submit the following reports:
- A. Receipts for prepaid debit card purchase
  - B. Documentation of caregiver eligibility
  - C. Documentation that 200 unique households with infant caregivers received only one gift card each in the amount of \$125.
6. **Acknowledgement of Donation.** The Recipient shall, in connection with any programs, events, or other matters funded in whole or in part with the Grant Funds, acknowledge the City of Richmond as a donor, contributor, or sponsor. This acknowledgement must be included on any promotional materials, brochures, publications, websites, or other visible locations. The

City has the right, upon request, to review and approve any such acknowledgement. Further, the City has the right, in its sole discretion, to require the removal of its name from any such promotional materials, brochures, publications, websites, or other visible locations.

7. **Compliance Monitoring.** The City's point of contact shall monitor the Recipient's compliance with this Contract. In addition to the reports required by Section 5, the Recipient shall furnish the City's point of contact with any information reasonably requested by the City's point of contact in order to enable the City's point of contact to determine whether the Recipient is meeting or has met the performance measures set forth in this Contract.
8. **Recipient's Representations and Warranties.** The Recipient represents and warrants as follows:
  - A. The Recipient is and will be for the duration of this Contract a charitable institution or association as detailed in a Section 15.2-953(A) of the Code of Virginia.
  - B. The Recipient's signatory below is duly authorized by the Recipient to enter into this Contract and thereby bind the Recipient to this Contract's terms and conditions. This Contract is signed when a party's signature is delivered by facsimile, email, or other electronic medium. These signatures must be treated in all respects as having the same force and effect as original signatures.
9. **Audit.** Pursuant to Section 2-187 of the Code of the City of Richmond, the Recipient shall, as a condition of receiving monies from the City, be subject to periodic audits of its finances and expenditures of such City monies by the City Auditor on demand and without notice.

Effective as of the date first written above.

**RECIPIENT:**

By: \_\_\_\_\_  
Barbara Couto Sipe  
President & CEO

**CITY:**

By: \_\_\_\_\_  
J. E. Lincoln Saunders  
Chief Administrative Officer

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Deputy City Attorney