



**Contra
Costa
County**

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: July 11, 2017

Subject: Amend Interagency Agreement between the City of Richmond & Contra Costa County for Joint Administration of North Richmond Mitigation Fee funding

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to execute an amendment to the Interagency Agreement with the City of Richmond to extend the term from June 30, 2017 through December 31, 2017, with no change to the current payment limit of \$1,080,055, to facilitate the City's continued use of jointly-administered North Richmond Mitigation Fee (NRMF) funding to implement services and programs authorized in the City/County-approved expenditure plans and co-staff the NRMF Committee.

FISCAL IMPACT:

There is no impact to the General Fund. All costs associated with this Interagency Agreement are paid for with NRMF funding received by the County and jointly administered by the County and the City of Richmond in accordance with the Memorandum of Understanding between the City and County.

BACKGROUND:

The North Richmond Waste and Recovery Mitigation Fee (NRMF) was established by the City of Richmond and Contra Costa County in 2004. NRMF funding is subject to the

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/11/2017** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: July 11, 2017

David Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Demian Hardman,
(925) 674-7826

By: June McHuen, Deputy

cc:

joint-control of the City and County. This Mitigation Fee, which is to be used for the benefit of the North Richmond community, was originally specified as a Mitigation Measure in an Environmental Impact Report for the expansion of the Bulk Material Processing Center approved by the City and County as a means of addressing illegal dumping impacts. The requirement to collect this Mitigation Fee is included as Conditions of Approval in the County and City issued Use Permits, which allowed Republic Services to expand its waste processing operations at the Bulk Material Processing Center located at the

BACKGROUND: (CONT'D)

closed West Contra Costa Sanitary Landfill site in North Richmond. In 2006, Republic Services began collecting the NRMF and paying collected fees directly to the County on a per ton basis.

The City and County entered into a Memorandum of Understanding (MOU) in 2004 agreeing to establish a City/County Committee (known as the North Richmond Waste & Recovery Mitigation Fee Joint Expenditure Planning Committee) to prepare recommended spending plans subject to final City/County approvals, as the means of jointly administering this funding. These recommended spending plans are known as "Expenditure Plans", which must be approved by both the City Council and Board of Supervisors. The most recent Expenditure Plan was approved by the County on June 20, 2017 and is expected to be approved by the City on July 11, 2017 for the 2017/2018 fiscal year, as recommended by the NRMF Committee in May. The first Interagency Agreement between the City and County initially went into effect on January 16, 2007 and was amended four times. A new Interagency Agreement with a contract limit of \$1,080,055 took effect on June 30, 2015 which was estimated to be adequate to allow the County to share the proportion of NRMF revenue needed to cover the City's costs associated with the City's share of Expenditure Plan implementation and Committee co-staffing for the period through June 30, 2017. There is still an adequate amount of funding remaining under this Agreement to warrant an amendment that will extend the term for an additional six month period through December 31, 2017.

CONSEQUENCE OF NEGATIVE ACTION:

The County would not be able to reimburse the City of Richmond for their share of costs incurred for jointly administering the implementation of North Richmond Mitigation Fee funded services and programs authorized under the Expenditure Plans approved by the Richmond City Council and the County Board of Supervisors.