



**Contra
Costa
County**

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: December 19, 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 extending the term from December 31, 2017 through June 30, 2018, with no change to the current payment limit of \$1,080,055, to facilitate City's 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. Interagency Agreement costs will be funded with North Richmond Mitigation Fee revenue, which is solely received by the County but jointly administered by the City of Richmond and Contra Costa County 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 joint-control of the City and County. This Mitigation Fee was originally identified as a

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY

☐ RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **12/19/2017** ☒ 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: December 19, 2017

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

Contact: Demian Hardman,
(925) 674-7826

By: June McHuen, Deputy

cc:

mitigation measure in an Environmental Impact Report as a means of addressing the impacts of illegal dumping as a result of expanding the Bulk Material Processing Center in North Richmond . The requirement to collect this Mitigation Fee is a Condition of Approval in the Use Permits issued by the City and County, which allowed Republic Services to expand their waste processing operations at the Bulk Material

BACKGROUND: (CONT'D)

Processing Center located at the closed West Contra Costa Sanitary Landfill site in North Richmond. Since 2006 this Mitigation Fee has been collected on a per ton basis and paid directly to the County monthly.

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 for the purpose 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 Expenditure Plan for the 2017/2018 fiscal year was approved by the County on June 20, 2017 and City on July 11, 2017, as recommended by the NRMF Committee in May. An Amended 2017/2018 Expenditure Plan was subsequently approved by both the City Council and Board of Supervisors on September 26, 2017 to make time sensitive changes to the Expenditure Plan that were necessary to ensure certain funded strategies would continue to operate uninterrupted.

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. The agreement was subsequently amended to extend the term for a six month period through December 31, 2017. Due to the changes made in to the current amended 2017/2018 Expenditure Plan approved by both the City and County, 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 June 30, 2018.

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 NRMF funded services and programs authorized under the City/County approved Expenditure Plans which would be inconsistent with the terms of the MOU between the City and County.