



**Contra
Costa
County**

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: July 24, 2018

Subject: Amended Interagency Agreement between City of Richmond and 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, effective June 30, 2018, to extend the term from June 30, 2018 through September 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

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/24/2018** ☒ 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 24, 2018

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

By: June McHuen, Deputy

Contact: Demian Hardman
(925)674-7826

cc:

joint-control of the City and County. This NRMF was originally identified as a 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

BACKGROUND: (CONT'D)

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 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 monthly, directly, to the County.

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 County Board of Supervisors. The Expenditure Plan for the 2018/2019 fiscal year was approved by the County on June 26, 2018, and will be considered for approval by the City on July 24, 2018.

The Interagency Agreement between the City of Richmond and Contra Costa County provides a means of facilitating disbursement of NRMF revenue to the City which the County receives as a result of conditions imposed in permits issued by the City and County. The first Interagency Agreement between the City and County 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. Since entering into the current Interagency Agreement in 2015, the amount of NRMF funded reimbursement requested by the City each Expenditure Plan cycle has been steadily decreasing. The remaining contract limit was sufficient to allow for two subsequent amendments, which each extended the contract term for an additional six month period. The last amendment extended the term through June 30, 2018. This proposed amendment would extend the Agreement for 90 days, with no change to the contract limit, to allow sufficient time for a new Interagency Agreement to be formally approved by both the Richmond City Council and the County Board of Supervisors.

CONSEQUENCE OF NEGATIVE ACTION:

Staff would not be authorized to facilitate reimbursement to 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.