



**Contra
Costa
County**

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: September 25, 2018

Subject: 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 Interagency Agreement with the City of Richmond with a term from October 1, 2018 through September 30, 2020 and a payment limit not to exceed \$200,000 to facilitate City's use of jointly-administered North Richmond Mitigation Fee (NRMF) funding to co-staff the NRMF Committee and implement services and programs authorized in the City/County-approved expenditure plans.

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 ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **09/25/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor
Candace Andersen, District II
Supervisor
Karen Mitchoff, District IV
Supervisor

ABSENT: Diane Burgis, District III
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: September 25, 2018

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

By: June McHuen, Deputy

Contact: Deidra Dingman,
925-674-7203

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

BACKGROUND: (CONT'D)

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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 by the City on July 24, 2018.

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 second Interagency Agreement in 2015, the amount of NRMF funded reimbursement requested by the City has been steadily decreasing each Expenditure Plan cycle. The remaining contract limit was sufficient to allow for three subsequent amendments which together extended the contract term through September 30, 2018. This new Interagency Agreement is intended to provide for continued issuance of NRMF-funded payments to the City of Richmond to facilitate on-going joint administration of funding and reimburse the City for costs incurred to implement Expenditure Plan strategies through September 30, 2020.

CONSEQUENCE OF NEGATIVE ACTION:

If the recommended Agreement is not approved and executed, County staff will not have the authority needed to issue NRMF funded payments to the City of Richmond, which would make it impossible to jointly administer this funding as agreed upon in the MOU between the City and the County. This would also compromise County staff's ability to reimburse the City for the costs they incur for co-staffing the NRMF Committee or the costs incurred to implement the strategies assigned to the City in the City/County-approved Expenditure Plan.