



# AGENDA REPORT

Library and Community Services

<b>DATE:</b>	October 18, 2022
<b>TO:</b>	Mayor Butt and Members of the City Council
<b>FROM:</b>	LaShonda White, Interim Director of Library and Community Services Lori Reese-Brown, Project Manager
<b>SUBJECT:</b>	North Richmond Mitigation Fee Committee Bylaws Amendment
<b>FINANCIAL IMPACT:</b>	There is no financial impact for this item.
<b>PREVIOUS COUNCIL ACTION:</b>	April 1, 2008
<b>STATEMENT OF THE ISSUE:</b>	The Bylaws of the North Richmond Waste & Recovery Mitigation Fee Joint Expenditure Planning Committee (Committee) explain the purpose, structure, and operations of the Committee. An amendment to the Bylaws were recommended for approval by the Committee in May 2017, but were not taken to the Richmond City Council for action. City staff is bringing this item before City Council now to correct the previous oversight.
<b>RECOMMENDED ACTION:</b>	APPROVE the amended North Richmond Mitigation Fee Committee Bylaws - Library and Community Services Department (Lori Reese-Brown 510-620-6869).

## **DISCUSSION:**

The Waste & Recovery Mitigation Fee was established as a result of the Environmental Impact Report (EIR) for the West Contra Costa Sanitary Landfill (WCCSL) Bulk Materials Processing Center (BMPC) project that was approved in 2004. In July 2004, the City of Richmond and Contra Costa County entered into a Memorandum of Understanding (MOU) agreeing to jointly administer Mitigation Fee monies collected from the BMPC for the benefit of the incorporated and unincorporated North Richmond area.

The North Richmond Waste and Recovery Mitigation Fee Joint Expenditure Planning Committee (Committee) was formed in 2005 by the City of Richmond and County of Contra Costa to help prevent and combat illegal dumping in incorporated and unincorporated North Richmond through the preparation of annual expenditure plans which are subject to the approval by the County Board of Supervisors and the Richmond City Council. The expenditure plans include descriptions of the annual activities or strategies that are funded with North Richmond mitigation fees.

The bylaws set forth the regulations on the Committee's role and are amended periodically to support the Committee's advisory authority and role for implementing the Memorandum of Understanding (Adopted in 2004) between the City and County and providing oversight of the annual expenditure plans.

An amendment to the Bylaws were recommended for approval by the Committee in May 2017 but were not taken to the Richmond City Council for action, resulting in the original bylaws remaining in effect. The amended bylaws clarified the following:

1. The Committee is to provide the City and the County recommended spending plans describing allowable activities (strategies) and associated budgets during each Expenditure Plan cycle.
2. Each Expenditure Plan shall govern use of funding on a fiscal year cycle.
3. The Committee's authority and role is based on the MOU approved in 2004 and all suggested allocations of Mitigation Fee funding shall be consistent with the purposes specified in the MOU, the associated EIR, and use permits approved by the City and County.
4. Other minor clarifications and general updates related to Brown Act requirements and the County's Better Government Ordinance.

The County Board of Supervisors approved the amended bylaws on June 11, 2019. To rectify this oversight, City staff is bringing the amended bylaws before City Council for approval.

## **DOCUMENTS ATTACHED:**

Attachment 1 – Amended Bylaws: North Richmond Waste & Recovery Mitigation Fee / Joint Expenditure Planning Committee