

Meeting of the North Richmond Waste & Recovery Mitigation Fee Joint Expenditure Planning Committee

Monday, May 3, 2010
2:00 pm – 5:00 pm

Richmond City Hall – Council Chambers | 440 Civic Center Plaza | Richmond, CA 94804

Members:

Richmond City Councilmember Nathaniel Bates, **Chair**
Unincorporated Area NRMAC Representative Dr. Henry Clark
Contra Costa County Supervisor John Gioia
Richmond Mayor Gayle McLaughlin
Richmond City Councilmember Maria Viramontes
Unincorporated Area NRMAC Representative Joe Wallace
Incorporated Area Representative Johnny White

Meeting Agenda:

1. Welcome and Introductions
2. Public Comment on any item not on the agenda (*not to exceed 2 minutes*)
3. *Approve Meeting Minutes - October 26, 2009 & February 26, 2010*
4. Actions to be taken pursuant to the Committee Bylaws:
 - a. Nominate and elect Vice-Chairperson
 - b. Establish regular meeting schedule for 2011
 - Consider request for different regular meeting schedule than 2009 due to Committee Member scheduling conflict(s) [2009 - 4th Wednesdays of January, April, July, and October]
 - Consider scheduling at least one Committee meeting in the evening and at a location in North Richmond
5. Receive Reports
 - a. Summary of Actual Expenditures - 2008/2009 Expenditure Plan
 - b. Tonnage & Revenue Update
 - c. Proportion of mitigation-funded costs for County code enforcement staff working Bay Point and North Richmond [*OLD BUSINESS*]
6. Provide direction regarding Johnny White's letter addressed to the Committee and submitted at the February 26, 2010 meeting
7. Approve recommend funding allocations for North Richmond Green Outreach and Community Services Programs in the 2010/2011 Expenditure Plan

Continued on next page

Meeting of the North Richmond Waste & Recovery Mitigation Fee Joint Expenditure Planning Committee

8. Provide direction needed to finalize preparation of recommended changes to the 2010-2011 Expenditure Plan
 - a. Approve recommended allocation of Phase II funding carried over from 2008-2009
 - b. Approve Ad Hoc Subcommittee's recommended allocation of Strategy 14 funding for proposed Community-Based Projects
 - c. Authorize staff to make text and budget changes necessary in the Amended 2010-2011 Expenditure Plan to reflect the Committee's official actions taken on Agenda Items 6, 7 & 8 and submit for final approval by the City and County

10. *Adjourn* - Next meeting date TBD

Agendas, meeting notes and other information regarding this committee can be found online at:

www.cccounty.us/nr -or- www.ccrecycle.org/committee

Meeting materials will be made available for public inspection, during business hours at 450 Civic Center Plaza in Richmond, within 96 hours of meeting date and time.

The North Richmond Waste & Recovery Mitigation Fee Joint Expenditure Planning Committee will provide reasonable accommodations for persons with disabilities planning to attend the Committee's meeting. Please call or e-mail Committee Staff (LaShonda Wilson, City of Richmond, (510) 620-6828, lashonda_wilson@ci.richmond.ca.us) at least 72 hours before the meeting.

**Special Meeting of the
North Richmond Waste & Recovery Mitigation Fee
Joint Expenditure Planning Committee**

Meeting Minutes

Monday, October 26, 2009

3:00 pm – 5:00 pm

Richmond City Hall

440 Civic Center Plaza

Richmond, CA 94804

Members in Attendance:

Nathaniel Bates, **Chair** - Richmond City Councilmember

Dr. Henry Clark, Member - NRMAC Representative: Unincorporated Area

Joe Wallace, Member - NRMAC Representative: Unincorporated Area

Luz Gomez, Alternate - Contra Costa County Supervisor John Gioia

Johnny White, Alternate - NRMAC Representative: Unincorporated Area

Members Absent:

Maria Viramontes, Member - Richmond City Councilmember

Richmond Mayor Gayle McLaughlin

Contra Costa County Supervisor John Gioia

1. Welcome and Introductions

2. Public Comment

Angela Moore, Center Director at Center for Human Development and Pilar Reber and Patricia Algera of Richmond Ranch spoke during open forum about the proposed and current projects and programs conducted in the North Richmond community.

3. Approve Minutes – September 24, 2009 Meeting

Minutes for the July 8th 2009 meeting were approved unanimously.

4. Receive Reports -

a. Expenditure Plan Implementation Update for October 2009

The Committee accepted the October 2009 Implementation Update.

b. Tonnage & Revenue Update

Staff reviewed the tonnage and revenue update and informed the Committee that the total actual revenue is expected to be less than the total projected revenue; however, staff will not know by exactly how much the total difference is until the final payment for 2009 is received sometime in early 2010. Staff informed the

Committee that the 2008-2009 budget was okay although actual revenue is lower than projected due to the number of strategies with unexpended funds. The Committee asked staff to provide them with a list of which unfunded projects are to be carried forward to the next Expenditure Plan cycle.

The Committee accepted the 2008-2009 Tonnage & Revenue update.

5. Action – Discuss and provide direction regarding the North Richmond Eco-Academy proposal

Barbara Becnel, Executive Director of the Neighborhood House of North Richmond (NHNR), provided additional information to the Committee about NHNR's request to receive funding from the Committee to support an upcoming grant opportunity from Chevron for vocational training for green jobs due on October 30, 2009. Ms. Becnel reviewed the summary of the draft proposal that was provided to the Committee in their agenda packets.

Ms. Becnel requested the following from the Committee:

- To collaborate with NHNR and other entities as partners in the proposal
- Requesting \$103,000 from Strategy #17i in the 2008-2009 Expenditure Plan. This money would cover some of the cost for rehabilitation work for Phase I of North Richmond Eco Academy
- Requesting \$38,610 from Strategy #17a in the 2008-2009 Expenditure Plan. This money would cover ½ of stipend cost with matching from Chevron for work & training.

Ms. Becnel envisioned that the Community Services Coordinator would be involved in this project and that he/she would provide progress reports to community and relay community feedback/input back to the Committee.

The project with Chevron can take longer than a year to implement, so NHNR is submitting it as an 18-month project just to be sure there is adequate time.

Ms. Becnel stated that this is only Phase I of the project. NHNR is not trying to obligate the Committee to any future phases or funding, but they may come back to the Committee in the future.

Chair Bates asked if NHNR intended to use mitigation funding to supplement the amount being sought from Chevron. Ms. Becnel stated that the intent was to pursue goals using some of the funding set aside by Committee several months ago.

Alternate Gomez asked if NHNR had talked to Redevelopment yet, since a portion of the project is a capital improvement project. Ms. Becnel informed the

Committee that discussion was started but that certain problems arose regarding the bidding/solicitation process.

Member Clark stated that the Committee approved the EcoAcademy concept at the meeting in May 2009 and that it had already been approved by the City Council & Board of Supervisors.

Mayor McLaughlin asked if the County Housing Authority already provided authorization for use of the buildings and stated that the City has solar & weatherization training programs already in place. Ms. Becnel stated that she is in conversation with the County Housing Authority regarding property acquisition and knows that it will take multiple months to go through detailed/involved process with Housing Authority, but that ideally concurrently youth can be going through some life skills, job readiness training, city solar panel, weatherization-type training, etc.

The Mayor also asked about Phase 2 of the project regarding youth involvement/training and what was the plan for operating/maintaining the training component after Phase 1. Ms. Becnel stated the plan to have youth involved in Phase 1 as trainers & mentors. Funding from other sources (i.e. NHNE has a mentoring grant with approximately 2 years left that could be leveraged from HEAL grant for stipends) can also be used for stipends to allow for continued youth involvement going forward.

Member White stated that the project sounded great and that something similar was attempted by YouthBuild. He asked if County Housing Authority wanted to sell the piece of property and if so, was NHNR offering to purchase it as part of the project. He also asked about funding for future years to keep the program moving forward. Ms. Becnel stated that NHNR wants County Housing Authority to donate and not sell the property and that listed partners would be providing funding or other in-kind services and that they would look for other funding opportunities to help keep the project moving forward. Member Clark added that he understood that the County Housing Authority has pretty much given the green light (tentative support) for this at conceptual level, but not officially signed off.

Member Wallace stated that it is Important to target youth in the community and that he was impressed to see how many youth turned out to work on greenhouses and see the trust that the community youth have for Angela Moore, Center Director at Center for Human Development. Ms. Becnel stated that she would connect with Ms. Moore to explore how she can be involved in the effort. Member Wallace also mentioned the need for the inclusion of a transportation element into the proposal and that Ms. Becnel should speak with Christine Agular.

Alternate Luz suggested that the Committee consider the funding requested be allocated contingent upon NHNR receiving the Chevron funding (which should be known by end of December 2009). Chair Bates mentioned that there may be some legal requirements that would need to be considered moving forward.

Motion:

- *Go into joint partnership with NHNR to go for the Chevron grant,*
- *Recommend that the funding set aside the \$103K in 2008-2009 be carried over into 2010-2011 for potential allocation contingent upon approval from Chevron (expected in December 2009) plus \$38,610 for stipend program*
- *Partners should include Center for Human Development youth (15-26 years old)*
- *Authorize the Chair to sign letter of support (NHNR offered to draft)*

The motion was approved without opposition.

6. Action – Provide direction regarding process for developing funding recommendations for new proposals under the 2010-2011 Expenditure Plan (Phase 2)

City staff gave overview of staff report and noted that there are bullets for considerations related to the recommendation to develop an official process for new proposals. Staff stated that a number of organizations have recently requested mitigation fees from the Committee through the 2010/2011 Expenditure Plan and that staff informed the requestors that if needed, there would be an opportunity to further refine their proposals in the upcoming months.

Staff directed the Committee to a table in their packets that lists the name of the requestor, provides a brief description of the proposed project, and lists the amount requested for each proposed project. The information provided was meant to assist the Committee in determining the amount of mitigation fees, if any, that could be allocated in Phase 1 or Phase 2 of the 2010/2011 Expenditure Plan.

Due to the increased interest in mitigation funds, staff recommended that the Committee consider the creation and implementation of an official process as a means of allowing organizations to officially apply for funding on a consistent and equal basis.

It was decided that an Ad Hoc Subcommittee would be created to review the proposals after submitted to staff. Based upon volunteers, the following Committee members would be selected to serve on the Ad Hoc Subcommittee - members Gioia, Wallace and Mayor McLaughlin.

Member Clark stated that there are some groups that have been waiting to hear whether funding is forthcoming for months so he does not want to see them have to wait again for several months.

Chair Bates recommended to (1) have a notice and process open for at least 30-45 days, (2) that the Ad Hoc Subcommittee would be empowered to review/approve staff's draft Request for Proposals to aid in a release as soon as possible, and (3) the Committee could consider funding recommendations for proposals by January or February.

Two public speakers signed up to speak on this item:

1. Andy Gains, Verde Partnership Garden

Do a lot of work with K-6, kids from Richmond love to come to the garden and learning/doing things. Develop at the school (meeting with kids/parents) and then select projects within the community

2. Pilar Reber and Patricia Algera, Sunnyside Organic

Sunnyside Organic is located on 3rd & Brookside. The organization acquired some greenhouses & open land recently which used to be lettuce farming before nursery/greenhouses. They want to partner with Verde Partnership Garden. Ranch Richmond is a start-up entity that is a non-profit interested in hiring local youth such as partnering with the Center for Human Development (CHD). There is a possibility that the youth would come from CHD and Richmond Ranch would provide the land/activity. Per Committee member Wallace's suggestion, Sunnyside Organic should pursue discussions about CHD possibly acting as Fiscal Sponsor/Agent.

Member Clark stated that staff should contact Mr. Kevin Adkinson regarding the B.A.L.L. Project in order to address issues due to him abandoning a project he started.

7. Receive Presentation(s) – Verbal update(s) about mitigation funded strategies

Staff provided brief updates on a variety of strategies.

Cece Selgram from Flood Control reported that the FEMA mapping project was still in progress, Flood Control is engaging with FEMA to make sure they consider natural barriers, and that the County is trying to fight the good fight. A state grant is now moving forward in order to prove that the levees are up to specifications. There may be a need to employ youth through YAEC to conduct vegetative work using NRMF funds so that surveys can be conducted and to develop hydrological models.

Dr. Clark asked about the Community Flood Control report that was provided at the North Richmond MAC meeting regarding whether North Richmond is included in the flood plain. He stated that he wants clarity on the process.

Barbara Becnel from the Neighborhood House of North Richmond (NHNR) provided an update on the Community Services Coordinator (CSC) position. The CSC job opportunity was posted on Craigslist and also sent e-mails to various neighborhood organizations (copy will be provided to Committee members). Flyers planned to be distributed at Senior Center and other areas. NHNR is already receiving some interest and applications on the job announcement. The deadline to apply for the CSC job is 5pm on November 9, 2009. NHNR will do initial reviews of the applications to determine which applicants meet the minimum qualifications. Dr. Clark, Supervisor Gioia and Mayor McLaughlin were designated to participate on the final review panel.

8. Action – Consider approving recommended 2010-2011 Preliminary Expenditure Plan to be submitted for final approval by the City and County (Phase 1)

Staff gave a brief verbal report of this item based on the staff report provided in the agenda packets. Staff reminded the Committee that at their meeting on September 24, 2009 meeting, the Committee discussed a preliminary budget and listing of recommended strategies for the 2010/2011 Expenditure Plan and provided direction to staff regarding the allocation of funds to cover the entire cost of strategies involving mitigation-funded staff; however, a Committee member raised a concern that a large percentage of funding in Phase 1 is dedicated to staff positions.

Staff explained the phased approach to developing the 2010/2011 Expenditure Plan which involved:

Phase 1: Development of a Preliminary 2010-2011 Expenditure Plan budget based solely on the amount of Mitigation Fee funding expected to be collected in 2010 and 2011 projections (currently estimated to be a total of \$1,177,611) and does not include any funding received in 2008-2009.

Phase 2: Development of recommendations for allocation of any of the funding that may remain from the 2008-2009 Expenditure Plan would occur in Spring 2010, which would be treated as a proposed Amendment to supplement the initial budget established for the Preliminary 2010-2011 Expenditure Plan.

Staff informed the Committee that the Preliminary 2010/2011 Expenditure Plan would have to be brought before the Richmond City Council and County Board of Supervisors for approval before the end of 2009.

Staff shared with the Committee the remaining timeline for development of 2010/2011 Expenditure Plan which included consideration and final adoption of recommended amendments to 2010-2011 Expenditure Plan with additional funding allocations during one of these regularly scheduled Committee meetings in April or July 2010.

The Committee approved approving recommended 2010-2011 Preliminary Expenditure Plan to be submitted for final approval by the City and County prior to January 1, 2010 (Phase 1)

9. Action – Provide direction regarding meeting schedule for 2010

The next regularly scheduled meeting date was tentatively set for the week of January 25, 2010 with a possible meeting date for Wednesday, January 27, 2010 from 3:00pm – 5:00pm

10. Adjourn

The Committee adjourned the meeting at 4:59PM.

**Special Meeting of the
North Richmond Waste & Recovery Mitigation Fee
Joint Expenditure Planning Committee**

Meeting Minutes

Friday, February 26, 2010

3:00 pm – 4:00 pm

Richmond City Hall

440 Civic Center Plaza

Richmond, CA 94804

Members in Attendance:

Nathaniel Bates, **Chair** - Richmond City Councilmember

Dr. Henry Clark, Member - NRMAC Representative: Unincorporated Area

Tom Butt, Alternate – Richmond City Councilmember

Maricela Navarro, *Alternate* - NRMAC Representative: Unincorporated Area

Members Absent:

Maria Viramontes, Member - Richmond City Councilmember

Joe Wallace, Member - NRMAC Representative: Unincorporated Area

Richmond City Councilmember Alternate Mayor Gayle McLaughlin

Contra Costa County Supervisor John Gioia

Johnny White, Member -

1. Welcome and Introductions

2. Public Comment

A representative from Richmond Ranch, an organization that provides training to youth around food production and food systems, voiced his concern that their organization submitted a proposal in October 2009 but had not received any feedback regarding denial or acceptance of their proposal. The Richmond Ranch representative stated his desire to understand the process and receive feedback on the initial proposal submitted, and wanted the opportunity to work with the Committee. Committee staff explained the process for proposal submission which included the initial submission of brief proposals/statements of interest in October 2009, as well as the official process approved by the Committee with applications due in March 2010. Staff also stated their willingness to discuss proposals with organizations prior to final submission.

Gymme Crye from Communities United Restoring Mother Earth (C.U.R.M.E) representing the North Richmond “Lots of Crops” garden project addressed the Committee and asked about the contract process and availability of stipends for the “Lots of Crops” garden. City staff mentioned that there was no longer a specific strategy included in the 2010/2011 Expenditure Plan for stipends. Committee member Bates informed Mr. Crye that he should speak with Committee Staff member LaShonda Wilson after the meeting for more information regarding the proposal selection and contract process.

3. Discuss and provide direction to staff regarding intended use of funding allocated under the North Richmond Green Outreach strategy

Committee staff member LaShonda Wilson reminded the Committee of the phased approach approved by the Committee for the development of the 2010/2011 Expenditure Plan and stated that all strategies, with the exception of specific mitigation-funded staff positions, were not fully funded during Phase 1. The Committee planned on allocating additional funding during Phase 2 to the strategies that were either unfunded or under funded during Phase 1. Staff stated that amongst the strategies under funded in the Preliminary 2010-2011 Expenditure Plan (phase 1) was the North Richmond Green Outreach strategy (Strategy #5) for which a total of \$8,000 was allocated. Ms. Wilson informed the Committee that between January and February 2010, she received two proposals from the Community Services Coordinator (CSC) to fund banners and little league in North Richmond. Funding requests for both proposals totaled \$13,876.25 which is more than the \$8,000 allocated under the North Richmond Green strategy in the 2010-2011 Expenditure Plan. Staff stated that she informed the CSC of this issue via email stating that she did not have authority to fund both requests and asked clarifying questions on both proposals. Staff reported that she did not hear back from the CSC initially but did speak with Committee member Clark who expressed his concern that only \$8,000 was allocated and that action needed to be taken by March 1, 2009 to fund the little league proposal. Committee staff Wilson stated that after conversations with Committee member Clark and Chair Bates, staff was instructed by Chair Bates to schedule a Committee meeting to discuss the intended use of funds under the North Richmond Green Outreach strategy before expending any funding. Committee staff member Wilson explained to the Committee that staff was requesting clarification as to the intended use of funding allocated under the North Richmond Green Outreach strategy and if possible, for .

Committee member Clark addressed the Committee and acknowledged that there may have been confusion amongst the North Richmond representatives and the CSC in terms of the budget process. He stated that it was never his intention to reduce the \$50,000 allocated in 2008/2009 to \$8,000 in Phase 1 of 2010/2011 with the possibility of adding funds during Phase 2 and that he does not remember voting on the item. He stated his belief that for unknown reasons there has been and still is too much conflict around funding North Richmond Green and he is upset by this process in terms of having to go through different changes to try to access resources for North Richmond Green programming and that it was people in North Richmond that worked to make the mitigation funds available in the first place. He wants and looks forward to clarity on this issue because the community is in an uproar and does not want to accept this anymore. Committee member Clark requested that North Richmond Green be fully funded.

Committee Member Bates stated that the that in 2008/2009 the amount was \$50,000 but that collectively the Committee approved the Preliminary 2010/2011 Expenditure Plan budget which included \$8,000 during Phase 1 with the possibility of adding additional funding, which has not been voted on, in the amount of \$42,000 in Phase 2. He expressed that he was concerned with changing or overturning the Committees vote as to approval of the preliminary 2010/2011 Expenditure Plan without all members present. Committee staff member Wilson stated, for the record, that she never told the CSC that little league or banners would not be funded but that there was only a certain amount of funding available

so both could not be funded at this time. Committee member Tom Butt asked about the banners and what they were for. Staff tried to explain the idea behind the banners and directed Committee member Butt to the quote for banners provided in the packet. Committee member Butt also asked if there was anyone at the meeting available to answer questions about little league. Community Services Coordinator Carla Orozco addressed the Committee about the email sent by Committee member Wilson regarding the amount of funding available under the North Richmond Green strategy. In response, Committee member Wilson read the email to the Committee.

Committee member Bates asked how much it was going to cost to fund the North Richmond little league baseball. Staff stated that the Community Services Coordinator had asked for \$7,700. Committee member Bates suggested that \$7,700 be used now for little league and wanted to know what the significance about the banners was. Committee member Clark stated that the purpose of the banners was to uplift the moral of North Richmond and to beautify the area. A discussion occurred about the fiscal agent for North Richmond Green and where the funding goes once paid out. Staff informed the Committee that both Community Housing Development Corporation of North Richmond and Neighborhood House of North Richmond (NHNR) both have access to the funds but that funds would be paid to different entities depending on the type of expenditure. Committee member Clark stated that North Richmond Green is coordinated through the NHNR because that is where the CSC is located. There was discussion about the types of information being requested by City staff regarding the little league program.

A representative from North Richmond Residents for Change addressed the Committee about his concern that they cannot see the change that is supposed to take place in the community with mitigation funds. He showed the Committee a petition signed by the community.

Committee member Bates stated that the CSC should submit the proper application as stated in the Neighborhood House Contract to Committee Staff after phase 2 of the 2010/2011 Expenditure Plan is approved for possible funding of the proposed banners. Committee Member Butt moved to allocate \$8,000 to Neighborhood House of North Richmond for the funding of Little League Baseball under Strategy 5. Committee member Bates seconded the motion.

Committee member Bates stated that there was a motion and second to proceed with the allocation of up to \$8,000 for the baseball program. There was no opposition to the motion so the vote was unanimous.

Dr. Clark submitted one (1) signed letter from Committee Member Johnny White, who was not able to attend the meeting because he was in the hospital, to support what the North Richmond community stated at the meeting. Committee member Clark requested and Committee member Bates stated that the letter could be placed in the record.

4. Receive report from staff regarding the difference in amount of mitigation funding dedicated to pay for code enforcement staff working in Bay Point and North Richmond.

Chair Bates requested that this agenda item be continued to next meeting.

5. Adjourn

The Committee adjourned the meeting at 4:00PM.

STAFF REPORT
North Richmond Waste & Recovery Mitigation Fee
Joint Expenditure Planning Committee

MEETING DATE: May 3, 2010

AGENDA ITEM: 4a

SUBJECT: Nominate and elect Vice-Chairperson

RECOMMENDATION(S):

NOMINATE and ELECT Vice-Chairperson for the North Richmond Waste and Recovery Mitigation Fee Joint Expenditure Planning Committee for a two-year term pursuant to the terms of the Bylaws.

BACKGROUND:

Since the formation of the Mitigation Fee Committee, Lee Jones had served as Vice Chair until he resigned after May 2009 Committee meeting. The Committee approved the North Richmond Waste & Recovery Mitigation Fee Committee Bylaws at the February 25, 2008 meeting and subsequently the Bylaws were approved by the Contra Costa County Board of Supervisors and the Richmond City Council on April 1, 2008.

The Bylaws include the following provisions related to the nomination and election of the Vice-Chairperson:

- *The Committee shall elect a Chairperson and Vice-Chairperson for terms of two calendar years.*
- *The Chairperson and Vice-Chairperson may serve no more than two consecutive full terms in each position unless otherwise authorized by a majority vote of the Committee.*
- *The Vice-Chairperson shall serve in the absence of the Chairperson.*

An official copy of the approved Bylaws and updated Roster are attached.

**BYLAWS
NORTH RICHMOND WASTE & RECOVERY MITIGATION FEE
JOINT EXPENDITURE PLANNING COMMITTEE**

With consensus of the North Richmond Waste & Recovery Mitigation Fee Joint Expenditure Planning Committee, these Bylaws were submitted and approved by the Contra Costa County Board of Supervisors and Richmond City Council on February 25, 2008 for their approval.

I. Objectives of the Committee

The purpose of the Committee is to prepare and recommend a two-year Expenditure Plan to the Contra Costa County Board of Supervisors and the Richmond City Council. This Expenditure Plan provides a means to jointly administer the Mitigation Fee funding for the benefit of unincorporated and incorporated North Richmond

Other than the advisory and coordinating functions designated above, all decision-making authority is retained by the County and the City.

II. Structure and Operations of the Committee

- a) The Committee shall consist of seven (7) voting members: three (3) members of the Richmond City Council, one (1) member of the Contra Costa County Board of Supervisors, two (2) members of the North Richmond Municipal Advisory Committee appointed by the Contra Costa County Board of Supervisors (both of whom must reside in the unincorporated North Richmond area), and one (1) resident from the incorporated portion of North Richmond appointed by the Richmond City Council. The Committee will be governed by regulations in the Brown Act. An alternate, authorized by the representative agency, may attend and vote at meetings in lieu of the appointed member as necessary. Designated alternates shall be named upon the approval of these Bylaws and on an as-need basis thereafter.
- b) Committee members missing three consecutive regular meetings within any consecutive twelve (12) month period without notifying staff or Committee Chair, after due notice by staff, shall constitute an automatic resignation from the Committee. Replacements shall be authorized by the representative agency.
- c) Each Committee member may be considered for removal from the Committee upon recommendation of his/her respective nominating agency.

- d) The Committee shall establish regularly scheduled dates and times for the Committee meetings. Meetings may also be called by the Chair, 3 or more members of the Committee or Committee staff as deemed necessary. Committee staff will advise Committee members no less than three weeks in advance if regularly scheduled meeting should be cancelled due to lack of issues requiring their consideration or action.
- e) Establishment of standing and ad hoc committees shall be done on an as-need basis. The establishment of standing and ad hoc committees and selection of members for these committees requires the approval of a majority of the Committee.
- f) The Committee shall elect a Chairperson and Vice-Chairperson for terms of two calendar years.
- g) The Chairperson and Vice-Chairperson may serve no more than two consecutive full terms in each position unless otherwise authorized by a majority vote of the Committee.
- h) The Vice-Chairperson shall serve in the absence of the Chairperson.
- i) The Chairperson shall be responsible for:
 - i) Conducting all meetings of the Committee.
 - ii) Representing the Committee (or designating a person to represent the Committee) before the Board of Supervisors and Richmond City Council if needed.
 - iii) Notifying Committee Staff of his/her absence from a scheduled meeting.
- j) Final approvals and recommendations of the Committee shall require a quorum (4 members) present. However, the Committee may review and discuss items on the agenda without a quorum present. Staff may take recommendations to Board of Supervisors and City Council in the absence of Committee approval if due solely to lack of quorum being present at meeting and recommendations require final approval from City and County to avoid gaps in service or address other critical matters.
- k) The Committee's recommendations shall normally be in the form of letters, resolutions or reports to the Contra Costa County Board of Supervisors and Richmond City Council which shall be prepared and presented by Staff.

- l) The Committee shall submit an annual (calendar year) report to the Contra Costa County Board of Supervisors of the Committee's activities, accomplishments, attendance, and a proposed program for the forthcoming year.
- m) The Committee will receive primary staff support from the Contra Costa County Community Development Department and Richmond City Manager's Office. Staff is responsible for:
 - i) Preparing and distributing the agenda and agenda materials at least 96 hours prior to scheduled meetings.
 - iii) Arranging for Committee meetings.
 - iv) Preparing meeting minutes, reports, recommendations, and resolutions for information and/or approval of the Committee as requested or needed.
 - v) Representing the Committee with the exception of any instances where the Chair/Vice Chair does so.
 - vi)ii) Being the agent of the Committee to which requests for Committee action, correspondence, information, inquiries, etc., are directed.
 - vii)iii) Providing or coordinating staff services to committees.
 - viii)iv) Providing relevant information to the public, the County, the City and the Committee.
 - ix)v) Forwarding and taking the necessary actions on the adopted recommendations, findings, and actions of the Committee within designated timetables set by Committee.

III. Amendments to the Bylaws

An Amendment to these bylaws will be made upon approval of the majority of the Committee and then the County Board of Supervisors and Richmond City Council.

NORTH RICHMOND WASTE & RECOVERY MITIGATION FEE JOINT EXPENDITURE PLANNING COMMITTEE DIRECTORY

Name	Mailing Address	E-mail Address	Phone Number	Fax Number
<i>Committee Members</i>				
Nathaniel Bates, Chair	Richmond City Councilmember 450 Civic Center Plaza Richmond, CA 94804	natbates@comcast.net	510-620-6581	
Dr. Henry Clark	North Richmond MAC 305 Chesley Street Richmond, CA 94801	henryc11@prodigy.net	510-232-3427	510-232-4111
John Gioia	County Supervisor, District 1 11780 San Pablo Ave, Suite D El Cerrito, CA 94530	jpgio@bos.cccounty.us	510-374-3231	510-374-3429
Lee Jones, Vice Chair	North Richmond MAC 200 Willard Avenue Richmond, CA 94801	jones8821@yahoo.com	510-798-3322	
Gayle McLaughlin	Mayor, City of Richmond 450 Civic Center Plaza Richmond, CA 94804	Gayle_McLaughlin@ officeofthemayor.net	510-620-6503	
Maria T. Viramontes	Richmond City Councilmember P.O. Box 266, Suite A Richmond, CA 94808	mariatv@pacbell.net	510-236-5977	510-236-9260
Joe Wallace	North Richmond MAC 1753 First Street N. Richmond, CA 94801	Wallacej_1998@yahoo.com	510-589-4164	510-234-7689
<i>Committee Member Alternates</i>				
Luz Gomez <i>(County Supervisor)</i>	Supervisor John Gioia's Office 11780 San Pablo Ave, Suite D El Cerrito, CA 94530	lgomez@bos.cccounty.us	510-374-3231	510-374-3429
Maricela Navarro <i>(NRMAC - Unincorporated Area)</i>	North Richmond MAC 1862 2 nd Street Richmond, CA 94801	maricela.navarro@nhnr.org	510-236-1536	510-830-9965
Tom Butt <i>(City Council)</i>	Richmond City Councilmember 450 Civic Center Plaza Richmond, CA 94804	tom.butt@intres.com	510-620-6500	
Johnny White <i>(NR Resident - Incorporated Area)</i>	1410 Kelsey St. Richmond, CA 94801	White_johnny@yahoo.com	510-691-9483	
<i>Committee Staff</i>				
Matthew Kelley	County Department of Conservation & Development 651 Pine Street, 4th Flr – N Wing Martinez, CA 94553	mnkel@cd.cccounty.us	925-335-1238	925-335-1299
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Janet Schneider	Richmond City Manager's Office 450 Civic Center Plaza Richmond, CA 94804	janet_schneider@ci.richmond.ca.us	510-620-6697	510-620-6542
LaShonda Wilson		lashonda_wilson@ci.richmond.ca.us	510-620-6828	510-620-6542

STAFF REPORT
North Richmond Waste & Recovery Mitigation Fee
Joint Expenditure Planning Committee

MEETING DATE: May 3, 2010

AGENDA ITEM: 5a and 5b

SUBJECT: Summary of Actual Expenditures from the 2008/2009
Expenditure Plan and Tonnage & Revenue Update

RECOMMENDATION(S):

Receive attached reports titled "Summary of Actual Expenditures from the 2008/2009 Expenditure Plan" and "Tonnage and Revenue Update".

BACKGROUND:

5a. Summary of Actual Expenditures – 2008/2009 Expenditure Plan

The attached table is a close-out budget summary of amounts spent to-date on 2008/2009 Expenditure Plan strategies. The table contains the strategy, the amount allocated in the 2008/2009 Expenditure Plan, the actual amount spent or approved for the end of the 2008/2009 cycle, and the estimated amount remaining in each category. Total expenditures to date equal \$1,118,338.15.

5b. Tonnage and Revenue Update

The attached table showing the Mitigation Fee payments received to date for 2008/2009 and 2010/2011 includes total "actual" monthly revenue and tonnage as well as annual totals. The table also shows the amount of "projected" revenue and tonnage which was used to develop the budget in the approved 2008/2009 and 2011/2011 Expenditure Plans.

Attachment:

1. Summary of Actual Expenditures from the 2008/2009 Expenditure Plan
2. Tonnage and Revenue Update

North Richmond Waste and Recovery Mitigation Fee 2008-2009 Expenditure Plan Budget Summary

	#	Strategy	Amount Allocated in 2008-2009 Plan*	Total Actual Expenditures To-Date	Estimated Amount Remaining
Prevention & Education	1	Bulky Item Pick-ups	\$ 5,000	\$ -	\$ 5,000
	2	Neighborhood Clean-ups	\$ 25,000	\$ 23,479	\$ 1,521
	3	Voucher System	\$ 7,500	\$ 845	\$ 6,655
	4	Community Services Coordinator	\$ 144,262	\$ 76,857	\$ 67,405
	5	Bilingual Outreach Services Coordinator	\$ 56,000	\$ 52,802	\$ 3,198
	6	North Richmond Green Outreach Campaign	\$ 50,000	\$ 2,667	\$ 47,333
Abatement & Enforcement	7	City/County Pick-up from Right-of-Way	\$ 120,000	\$ 63,156	\$ 56,844
	8	Vacant Lot Clean-up	\$ 40,000	\$ -	\$ 40,000
	9	Vacant Lot Fencing	\$ 57,000	\$ -	\$ 57,000
	10	Code Enforcement Staff	\$ 313,504	\$ 223,043	\$ 90,461
	11	Graffiti Abatement	\$ 58,240	\$ 3,255	\$ 54,985
	12	Illegal Dumping Investigator/Officer	\$ 274,808	\$ 239,677	\$ 35,131
	13	Increase Nighttime Patrols	\$ 100,000	\$ -	\$ 100,000
	14	Surveillance Cameras	\$ 260,000	\$ 159,107	\$ 100,893
	15	Illegal Dumping Prosecutor	\$ 65,149	\$ 15,719	\$ 49,430
Community Investment	16	Beautification			
	16a	<i>Neighborhood Landscaping & Gardening Projects**</i>	\$ 68,000	\$ -	\$ 68,000
	16b	Servicing Additional Street Cans	\$ 3,962	\$ 1,714	\$ 2,249
	17	Community Involvement			
	17a	<i>Stipends and Mentorship Program**</i>	\$ 118,000	\$ 5,289	\$ 112,711
	17b	Parks Rehabilitation Initiative	\$ 175,000	\$ 117,073	\$ 57,927
	17c	North Richmond Greening Project	\$ 90,000	\$ -	\$ 90,000
	17d	New Street Can & Tile Art Project	\$ 8,000	\$ 1,821	\$ 6,179
	17e	Senior Center Improvements	\$ 15,000	\$ 14,584	\$ 416
	17f	Safe Routes Program & Community Mural Project	\$ 15,000	\$ 17,250	\$ (2,250)
	17g	<i>West County Watershedz Program**</i>	\$ 15,000	\$ -	\$ 15,000
	17h	<i>Wildcat and San Pablo Creek**</i>	\$ 20,000	\$ -	\$ 20,000
	17i	Capital Improvement Projects	\$ 103,707	\$ -	\$ 103,707
	X	Administrative Staff Cost	\$ 100,000	\$ 100,000	\$ -
TOTAL*			\$ 2,308,132.40	\$ 1,118,338.15	\$ 1,189,794.25
Actual Revenue & Remainder in 2008/2009 *			\$ 2,147,718.92		\$ 1,029,380.77

* Total amount allocated in the Plan was based upon the projected revenue for 2008/2009 (\$160,162 more than actual revenue) plus carry-over of remaining 2006/07 revenue which was off by \$250.88 (should have been \$946,425.31 and not \$946,676.19)

** Some or all of the activities and funding covered under these strategies have been carried over into 2010 and therefore are included in the recommended Amended 2010-2011 Expenditure Plan being considered in May 2010.

North Richmond Waste & Recovery Mitigation Fee Payments

Date Received	Time Period	Amount Received	Processible Tons	MSW Tons
2/25/2008	Jan-08	\$ 55,861.70	3,243	17,501
2/24/2008	Feb-08	\$ 52,518.79	3,471	16,340
4/18/2008	Mar-08	\$ 55,567.01	3,475	17,341
5/19/2008	Apr-08	\$ 55,278.11	4,612	16,939
6/16/2008	May-08	\$ 55,269.46	3,532	17,228
7/22/2008	Jun-08	\$ 52,402.14	2,803	16,482
8/19/2008	Jul-08	\$ 57,784.11	2,032	18,460
9/16/2008	Aug-08	\$ 52,759.81	1,694	16,898
10/17/2008	Sep-08	\$ 52,472.13	3,412	16,340
11/13/2008	Oct-08	\$ 56,883.78	3,667	17,723
12/15/2008	Nov-08	\$ 45,581.20	2,459	14,330
1/20/2009	Dec-08	\$ 46,769.68	2,328	14,757
2/20/2009	Jan-09	\$ 46,605.60	2,578	14,003
3/23/2009	Feb-09	\$ 43,473.96	2,097	13,145
4/21/2009	Mar-09	\$ 48,588.09	3,072	14,494
5/13/2009	Apr-09	\$ 48,116.89	3,594	14,204
6/23/2009	May-09	\$ 46,986.87	3,349	13,914
7/27/2009	Jun-09	\$ 48,104.57	3,324	14,273
8/24/2009	Jul-09	\$ 48,804.77	3,156	14,540
9/29/2009	Aug-09	\$ 46,584.42	2,814	13,932
10/22/2009	Sep-09	\$ 46,991.19	2,756	14,076
11/24/2009	Oct-09	\$ 47,287.90	3,208	14,047
12/29/2009	Nov-09	\$ 44,666.74	2,578	13,391
1/11/2010	Dec-09	\$ 45,934.69	2,313	13,863

Total - Actual YTD (2008)	\$ 825,932.46	48,069	256,185
Total - Actual YTD (2009)	\$ 562,145.69	34,839	167,882
Total - Actual YTD (2008/2009)	\$ 1,201,293.61	71,567	368,221
Monthly Average - Actual	\$ 50,053.90	2,982	15,343

Total - Projected (2008)	\$ 680,727.81	54,023	209,352
Total - Projected (2009)	\$ 680,727.81	54,023	209,352
Total - Projected (2008 + 2009)	\$ 1,361,455.61	108,045	418,703
Monthly Average - Projected	\$ 56,727.32	4,502	17,446

North Richmond Waste & Recovery Mitigation Fee Payments

Date Received	Time Period	Amount Received	Processible Tons	MSW Tons
2/24/2010	Jan-10	\$ 41,898.12	2,262	12,603
3/15/2010	Feb-10	\$ 41,406.60	2,531	12,375
4/19/2010	Mar-10	\$ 48,627.91	3,686	14,340
	Apr-10			
	May-10			
	Jun-10			
	Jul-10			
	Aug-10			
	Sep-10			
	Oct-10			
	Nov-10			
	Dec-10			
	Jan-11			
	Feb-11			
	Mar-11			
	Apr-11			
	May-11			
	Jun-11			
	Jul-11			
	Aug-11			
	Sep-11			
	Oct-11			
	Nov-11			
	Dec-11			

Total - Actual YTD (2010)	\$ 131,932.63	8,479	39,318
Total - Actual YTD (2011)	\$ -	0	0
Total - Actual YTD (2010/2011)	\$ 131,932.63	8,479	39,318
Monthly Average - Actual	\$ 43,977.54	2,826	13,106
Total - Projected (2010)	\$ 573,429.73	43,730	169,029
Total - Projected (2011)	\$ 604,231.41	48,393	177,480
Total - Projected (2010 + 2011)	\$ 1,177,661.14	92,123	346,509
Monthly Average - Projected	\$ 47,785.81	3,644	14,086

STAFF REPORT
North Richmond Waste & Recovery Mitigation Fee
Joint Expenditure Planning Committee

MEETING DATE: May 3, 2010

AGENDA ITEM: 5c

SUBJECT: Code Enforcement Staff funded by Different Mitigation Fees

RECOMMENDATION(S):

RECEIVE report from staff regarding the difference in amount of solid waste facility mitigation fee revenue currently dedicated to funding code enforcement staff working in Bay Point and North Richmond.

BACKGROUND:

The amount of North Richmond Waste & Recovery Mitigation Fee allocated under Strategy 7 of the Preliminary 2010/2011 Expenditure Plan funds the actual cost of a full-time code enforcement position, including salary, benefits and vehicle expenses. This level of mitigation fee funding is adequate for the County to guarantee that there will consistently be at least one staff person dedicated to working exclusively on code enforcement issues in the designated North Richmond area. Specifically, a total of \$258,000 is allocated under Strategy 7 of the Preliminary 2010/2011 Expenditure Plan, which reads as follows:

7. Code Enforcement Staff

Fund full-time County code enforcement position (including salary/benefits and related vehicle and equipment costs), to assist with vacant/abandoned lot abatements and fencing as well as other health/building/zoning violations related to illegal dumping and blight throughout the incorporated & unincorporated Mitigation Funding Area.

The funding allocated in 2010/2011 equates to an annual funding amount of \$129,000. The following table contains a breakdown of the actual salary, benefit and vehicle costs included in the most recent quarterly billing for the dedicated Code Enforcement Officer (Conrad Fromme).

Month/Year	Benefits	Salary	Vehicle	Total
Oct 2009	\$3,450.87	\$ 5,635.28	\$ 703.42	\$ 9,789.57
Nov 2009	\$3,538.43	\$ 6,324.85	\$ 691.88	\$ 10,555.16
Dec 2009	\$3,589.01	\$ 6,324.85	\$ 697.02	\$ 10,610.88
TOTALS	\$10,578.31	\$ 18,284.98	\$ 2,092.32	\$ 30,955.61

County staff's benefit amount includes actual costs for the following:

- FICA
- Medical / Dental
- Life Insurance
- SUI
- Workers Comp

County staff's vehicle amount is calculated based upon the following regular monthly expenses:

- Fuel / Oil
- Base Usage Fee
- Insurance
- Depreciation

When applicable, other intermittent vehicle expenses are incurred which are then also included in the amount due for vehicle costs (e.g. parts and labor for maintenance or repairs).

Currently, the County is funding the cost of an additional full-time staff member that has been assisting with code enforcement cases in the North Richmond area. Therefore, at the present time only 50% of the cost of handling code enforcement cases for the North Richmond area is mitigation funded. The amount of County funded code enforcement staff time dedicated to cases in North Richmond is subject to change as needed based upon changes in case load and staffing level (countywide).

Mitigation Fee funding received by the County from a separate solid waste facility (Keller Canyon Landfill) is used to cover code enforcement staff time for another unincorporated community. However, the level of Mitigation Fee funding, currently allocated, is not adequate for the County to guarantee that there will consistently be at least one full-time staff person dedicated to working exclusively on Code Enforcement issues in the target community (Bay Point). Specifically, the annual amount allocated for the current fiscal year is \$90,000, which is equivalent to approximately 70% of the salary, benefits and vehicle costs for a code enforcement position.

STAFF REPORT
North Richmond Waste & Recovery Mitigation Fee
Joint Expenditure Planning Committee

MEETING DATE: May 3, 2010

AGENDA ITEM: 6

SUBJECT: Letter Submitted by Committee Member Johnny White

RECOMMENDATION(S):

PROVIDE direction regarding Committee Member Johnny White's letter addressed to the Committee and submitted at the February 26, 2010 North Richmond Waste & Recovery Mitigation Committee meeting

BACKGROUND:

At the February 26, 2010, special meeting of the Committee, Committee member Henry Clark submitted one letter signed by Committee member Johnny White, in his absence, to be entered into the official record and minutes. The letter was acknowledged by the Committee but was not reviewed or discussed at the meeting due to the fact that only one letter was submitted to the Committee and the item was not agendaized for discussion or action.

Mr. White requests that the Committee vote on the following:

1. Detailed CPA endorsed closing statements for 2006-2007 and 2008-2009 Mitigation budget that have line item spending per strategy.
2. Financial statements from the account where Mitigation money is held without interest.
3. A complete investigation into staff who have been behind the scenes tampering with the community funds.

A detailed CPA endorsement of the closing statements from 2006/2007 and 2008/2009 may constitute the need to hire a 3rd party audit for Mitigation funds held in both the city and county coffers. If a financial review or an independent audit is desired and recommended by the Committee, funding will have to be allocated in the Amended 2010/2011 Expenditure Plan to cover the actual expenses. City Council and the Board of Supervisors would have to approve any actions recommended by the Committee.

Included in Agenda item #5a of the May 3, 2010 agenda packet, staff provided a summary of actual expenditures for 2008/2009 Expenditure Plan. Also discussion about the North Richmond Green Outreach strategy is included item #7. Committee staff reviewed the letter and due to the requests made by Mr. White in his letter, staff is bringing the item before the Committee for discussion and possible action.

Letter to be entered into the official record and minutes:

1. July 2008 Proposal for North Richmond Green Outreach campaign to benefit the residents of North Richmond was given to staff. (dated document)
2. March 2009 - Letters of Support from North Richmond MAC and Shields-Reid Neighborhood Council given to staff to show unanimous City and County community support for North Richmond Green (dated and recorded documents)
3. March 2009 – Staff, and CHDC supervisor again receive copies of July 2008 North Richmond Green Campaign programs. (Emailed and date stamped)
4. April 2009 Official Staff Mitigation Report states that North Richmond Green is a Community owned and driven program. (Currently available online at NRGreen.org)
5. May 2009 Committee votes unanimously to fully fund all North Richmond Green Programs and rename Strategy 6 to “North Richmond Green Outreach Campaign” to specifically give staff the flexibility the ability to fully fund all NRGreen Programs.
 - a. Staff calls committee member Clark, and attempts to overturn Committee unanimous vote as violation of the Brown Act (Fails)
 - b. NRMAC and Shields-Reid NC received detailed NRGreen report stating fully funded
 - c. North Richmond Green Programs were, and then the CSC who helped develop them was fired.
6. July 8th 2009 - Due to a huge community uproar, the 1st “special mitigation meeting” is called to rectify CSC firing by taking contract away from CHDC.. Specific agenda item results in Committee vote of 4-1 to take contract. (Ratified by County and City)
7. August 5th 2009 – Staff’s #1 recommendation is to return contract to CHDC in direct contradiction to 7/8/09 mitigation 4-1 vote, Board of Supervisor and Council approval. (Again staff is reproached about the countering will of community and mitigation committee)
8. September 24th 2009 staff again was directly instructed via the information that was re-entered into the official record by former community committee member Lee Jones as read by community committee member Dr. Clark to ...
 - a. Fully fund all North Richmond Green programs
 - b. Change name of Strategy 6 to “North Richmond Green Campaign ”specifically so staff can fully fund NRGreen with returning to the Mitigation committee (need again today)
 - c. Staff failed to fully and correctly document a public meeting in failing to recognize a unanimous vote by the mitigation committee supporting to fully fund North Richmond Green programs.
9. October 24th – Staff
 - a. Again failed to fully enter in the correct minutes regarding the unanimous vote of the committee supporting to fully fund North Richmond Green programs, which was highlighted in the letter from former committee member Lee Jones, and presented via Dr. Clark in this meeting.

- b. Removed all North Richmond Green funding via line item without discussing with the committee about the removal of the funding for Strategy 6, after they were specifically instructed in an open public meeting to fully fund North Richmond Green Programs.
- c. Cut funding for North Richmond Little League, which jeopardized the season and the safety of 50 North Richmond youth by putting them on the street at a time of high violence.

In conclusion, there is a pattern of these staff members usurping the will of the residents of North Richmond as represented by both the unincorporated and incorporated sides of the community unanimously as well as the Mitigation committee, the Board of Supervisors and the Richmond City council.

Can two people stop progress and waste all of our valuable time? I say no, as president of Shields- Reid Neighborhood Council and community Mitigation member...

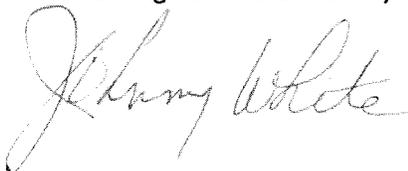
I demand that justice is served and that the legally binding votes of the Mitigation committee, the Board of Supervisors, and the Richmond City Council be upheld in FULLY FUNDING ALL NORTH RICHMOND GREEN PROGRAMS, RENAMING STRATEGY 6 "NORTH RICHMOND GREEN OUTREACH CAMPAIGNS SPECIFICALLY TO GIVE FLEXIBILITY FOR STAFF TO FULLY FUND THESE PROGRAMS WITHOUT RETUNING TO THE MITIGATION COMMITTEE FOR APPROVAL.

I am requesting the committee vote on the following:

Because this is public money and transparent

- A. Detailed CPA endorsed closing statements for 2006 -2007 and 2008-2009 Mitigation Budgets, that have line item spending per strategy.
- B. Financial statements from the account where Mitigation money is held without interest.
- C. A complete investigation into staff who have been behind the scenes tampering with the community funds.

Let this be the last time we say the same thing to the same people, specifically LaShonda Wilson and Diedra Dingman as staff to fully comply...period.



Johnny White

President of Shields-Reid

Community Mitigation Committee Member

STAFF REPORT
North Richmond Waste & Recovery Mitigation Fee
Joint Expenditure Planning Committee

MEETING DATE: May 3, 2010

AGENDA ITEM: 7

SUBJECT: 2010/2011 Expenditure Plan and “North Richmond Green”

RECOMMENDATION(S):

1. APPROVE recommended Phase 2 funding allocation in the amount of \$34,500 and associated description of potential activities intended to be authorized under Strategy 5 “North Richmond Green Outreach Campaign” in the 2010/2011 Expenditure Plan.
2. APPROVE recommended shift of Phase 1 funding in the amount of \$8,000 from Strategy 5 to a new Strategy 15.
3. APPROVE recommended Phase 2 funding allocation in the amount of \$37,000 and associated description of potential activities intended to be authorized under a new Strategy 15 “North Richmond Green Community Services Programs” in the 2010/2011 Expenditure Plan.

BACKGROUND:

Staff has identified the need for clarification of the term “North Richmond Green” in the context of the 2010/2011 Expenditure Plan because it has been interpreted in different ways resulting in potential confusion and contention with respect to the intended expenditures authorized by the City and County under the 2010/2011 Expenditure Plan. The only activities that have ever been classified as “North Richmond Green” in the Expenditure Plan pertain directly to outreach efforts (as specified in strategy 5 in the 2010/2011 Plan and strategy 6 in the 2008/2009 Plan), which are expected to be predominantly lead by the Community Services Coordinator (CSC). Currently, strategy 5 reads as follows:

5. North Richmond Green Campaign

Fund public relations campaign, including the purchase of education and outreach materials intended to:

- o inform the community about Mitigation funded programs/efforts,
- o increase participation in Mitigation funded programs/efforts,
- o reduce illegal dumping and blight in the Mitigation Fee Funding Area, and

o promote beautification in the Mitigation Fee Funding Area.

2008/2009 Expenditure Plan

On May 6, 2009, the Committee approved use of the “North Richmond Green” title as the new label/identity for the mitigation funded outreach campaign and related materials under the 2008/2009 Expenditure Plan; however, the Committee did not officially approve recommended changes to the Expenditure Plan language to incorporate the name until July 2009 when the matter was included on the agenda.

The portion of the May 6th meeting minutes regarding North Richmond Green initially approved by the Committee on July 8, 2009, did not match some Committee member’s and the CSC’s recollection of what occurred at that meeting. At the August 5, 2009 meeting, Committee member Clark made a motion to amend the meeting minutes of the May 6, 2009 Committee meeting based upon a written statement distributed by Committee member Clark which was signed by former Committee member Lee Jones (see portion of the statement and request to the Committee below).

Statement

“We recognize that very Important items left out or inaccurately documented in the ‘official’ meeting minutes submitted by mitigation staff [and previously approved on July 8, 2009 by the Committee] regarding:

- *The instructions by the Chairman to staff to fully fund all North Richmond Green programs*
- *To rename Strategy 6 to “North Richmond Green Outreach Campaign” **specifically** so that staff has the flexibility to fully fund these programs without returning to committee for every individual expenditure related to NR Green programs (unanimous vote)*
- *To explore copyrighting North Richmond Green for the benefit of the North Richmond community (Committee member Joe Wallace request)*

We request that these items be accurately chronicled in the official meeting minutes by staff and resubmitted for a revote of approval at the next convened Mitigation Committee meeting.”

The motion to amend the May 6, 2009 meeting minutes was approved unanimously by the Committee and the action was captured in the August 5, 2009 meeting minutes. An amended 2008/2009 Expenditure Plan was approved by the City in July 2009 and County in August 2009, which renamed Strategy 6 as requested at the May 6th meeting.

Between May 6, 2009 and December 31, 2009 (the end of the 2008/2009 Expenditure Plan cycle), the only request and expenditure under strategy 6 was for sponsorship and uniforms of adult baseball. No other projects mentioned at the May 6th meeting were pursued or funded at this time.

Aside from activities falling under the outreach strategy, two other community project concepts were proposed for funding consideration by the previous Community Services Coordinator during the May 2009 meeting – (1) the Lots of Crops community gardening project concept and (2) the Eco-Academy concept. The Lots of Crops gardening project was fully funded under a separate strategy in the 2008/2009 Expenditure Plan for one year. Although not listed on the May meeting agenda, the Committee received a report from the CSC and expressed support for the Eco-Academy concept as described; however, the Committee indicated a need for more detailed information including proposed description, budget, schedule and other resources/partners needed (e.g. funding commitments, property rights, etc.) upon which to base their final decision or recommendation. No further information was provided to the Committee until Neighborhood House of North Richmond requested support of the concept for purposes of pursuing a Chevron grant at the September 24, 2009 meeting. At its October 26, 2009 meeting, the Committee authorized the allocation of mitigation funds for the project contingent upon the receipt of the Chevron grant. NHNR did not receive the grant.

It is staff's understanding that any decisions made and/or direction provided by the Committee prior to the end of December 31, 2009, regarding North Richmond Green Outreach strategy only pertained to the 2008/2009 Expenditure Plan cycle. Any direction or decisions regarding this strategy that should be included in the 2010/2011 Expenditure Plan cycle need to be recommended by the Committee and approved for inclusion in the amended 2010/2011 Expenditure Plan.

2010/2011 Expenditure Plan

Staff seeks to understand and specify the Committee's intended meaning of "North Richmond Green" within the Expenditure Plan because of concerns and problems that may arise from inconsistent use of the term to describe activities/projects which may or may not be mitigation-funded or directly associated with a City/County approved project/program. Since the term was initially presented to the Committee in May 2009, North Richmond Green has also been used as a title for monthly community meetings and other projects/activities undertaken or proposed by the Community Services Coordinator.

During Phase 1 development of the 2010/2011 Expenditure Plan, the Committee allocated \$8,000 to Strategy 5 – North Richmond Green Outreach (was strategy 6 in 08/09), with the possibility of increasing the allocated amount during Phase 2. On February 26, 2010, the Committee directed staff to allow use of up to the entire amount allocated under Phase 1 to pay for costs associated with sponsoring North Richmond Little League teams and launching the new season, which included costs for registration, uniforms, stipends for outreach, as well as food and other items associated with a kick-off event.

To identify the anticipated scope and range of proposed North Richmond Green activities for consideration by the Committee and City/County related to Phase 2 funding allocations, staff requested that the Community Services Coordinator (CSC) submit a description of programs/projects and associated funding amounts being requested, which if funded in 2010/2011, would be undertaken as a part of "North Richmond Green". Per a conversation with the CSC, staff was able to obtain more descriptive information from the CSC related to each item which helped staff provide a recommendation to the Committee about possible funding allocation.

Recommended by staff to be included under Strategy 5:

North Richmond Green Outreach = \$34,500

- **Banners** – light pole banners with pictures of native flowers, nrgreen.org website, a few pictures or names of NR churches/organizations/institutions = \$7,500
- **Stipends** for community members (youth and adults) for door-to-door outreach to promote mitigation-funded strategies = \$10,000 (requested \$50,000)
- **NR Green Festival** – plan to hold in Spring/Summer 2010 with information booths, fun activities for kids, food, community-beautification projects, etc. = \$7,000
- **Printing** – flyers; brochures = \$4,500
- **T-Shirts** - \$1,250/year for t-shirts with NRGreen.org website = \$2,500
- **Signage** – other banners for educational purposes = \$3,000

Recommended by staff to be included under new Strategy 15:

North Richmond Green Community Services Programs = \$37,000

- **Little League** - \$12,000
Additional \$2K for 2010 and \$10K for 2011 to fund the cost of registration, full uniforms, season kick-off event/parade, equipment, stipends for game monitoring and oversight, food, transportation, etc. (Staff is recommending the \$8,000 allocated during Phase 1 and spent in 2010 for little league will be moved from Strategy 5 – North Richmond Green Outreach to a new strategy entitled North Richmond Green Sponsored Sports and Youth Eco-Academy)
- **Adult Softball** - \$10,000
Men's Team - \$2,500/year to cover the cost of jerseys and hats and registration
Women Team - \$2,500/year to cover the cost of jerseys and hats and registration
- **Youth Eco Academy** - \$15,000 (requested \$20,000)
Projects to include school gardens, recycling efforts, habitat restoration, creek/bay/ocean water quality monitoring, and beach/creek/neighborhood clean-ups; coordination and supervision ecological field trips; utilize rooms in Shields-Reid Community Center; essential location for green academy; serve entire community but will revolve services around youth ; funds may be used to support the cost of materials, transportation, fees, etc. associated with relevant community beautification projects such landscaping and murals.

Reasons and Notes: Pursuant to the terms of the contract between the City and NHNR, staff expects to follow-up with the CSC to request submittal of a written outreach implementation plan which would include more detailed description of the proposed project(s) with prioritization of activities. This written plan would also include a list of organizations, individuals and businesses that will be approached, list of meetings that will be attended, and proposed mechanisms to distribute information. This written plan will provide framework for staff to provide the CSC with input and guidance related to all outreach activities (expenditures) prior to implementation. Staff will only approve the written outreach plan if the activities listed align with those listed above and only those activities included in the approved outreach plan will potentially be eligible for funding/reimbursement.

Staff recommended reduced allocations for both stipends and the youth eco-academy because we recommend that the CSC instead collaborate and partner with other mitigation-funded activities/programs intended to promote beautification and serve local youth in order to maximize the potential benefit, effectiveness and efficient use of the limited amount of funding available. Also, there is the possibility of duplication or competition with efforts proposed by other organizations that submitted proposals which are being recommended for funding under Agenda Item 8.

Not recommended by staff to be included under Strategy 5:

Community Projects = \$12,000

- Art – include ceramics, murals
- Landscaping – rocks, flagstones
- Planting – shrubs and flowers, drought-resistant plants
- Painting – buildings, painting both private and public properties

Reason: Some projects can be incorporated into activities conducted at the Youth Eco-Academy. Staff recommends that the CSC collaborate and partner with other mitigation-funded activities/programs intended to promote beautification and serve local youth in order to maximize the potential benefit, effectiveness and efficient use of the limited amount of funding available.

Community soup kitchen = \$20,000

Renovation/remodel of kitchen at the Senior Center (owned by the Neighborhood House of North Richmond) to bring up to code (including cost of new appliances and permitting, licenses, etc.) in order to distribute foods grown and harvested through Lots of Crops

Reason: Interior improvements were previously determined to be ineligible for mitigation funding as they are not consistent with the intended purpose and

allowable uses of mitigation funding which is used to reduce illegal dumping/blight and related City and County costs. Mitigation funds were allocated in 2008/2009 Expenditure Plan for some exterior improvements.

Eco-Academy = \$200,000

Staff recommends that specific funding allocations for the Eco-Academy be considered in conjunction with all similar proposed projects described as Community-Based Projects in Strategy 14, to be considered for allocation of Phase 2 funding under Agenda Item 8b.

Proposal submitted under

Reason: Regardless of the funding allocation, the Committee can determine under which strategy the North Richmond Green Eco-Academy is located. Staff does not believe it is appropriate to combine the Eco-Academy Project with the “North Richmond Green” outreach activities strategy under the Expenditure Plan, in order to be consistent with existing practice of itemizing expenditure plan strategies by type and category.

Notes/Conclusion

Per a conversation with Committee member Clark, staff is sharing his recommendation that the Committee should allow for the carry-forward of the \$103,707 allocated in the 2008/2009 Expenditure Plan for capital improvement projects and allocate an additional \$96,293 for the Eco-Academy.

Staff recommends that any items not reviewed and determined by the Committee to align with North Richmond Green Outreach strategy and the intended use of mitigation fees must be reviewed by the Committee prior to implementation.

STAFF REPORT
North Richmond Waste & Recovery Mitigation Fee
Joint Expenditure Planning Committee

MEETING DATE: May 3, 2010

AGENDA ITEM: 8

SUBJECT: Recommended Allocations of Phase 2 Funding

RECOMMENDATION(S):

1. DISCUSS and APPROVE recommended allocation of Phase 2 funding carried over from the 2008/2009 Expenditure Plan and budget cycle.
2. DISCUSS and APPROVE Ad Hoc Subcommittee recommended allocation of Strategy 14 funding in the amount of \$400,000 based upon the Community-Based Project proposals submitted.
3. DIRECT staff to make text and budget changes necessary in the recommended Amended 2010-2011 Expenditure Plan to be brought before the City and County for approval to reflect the Committee's official actions taken on Agenda Items 6, 7 and 8.

BACKGROUND:

A. Phase 2 funding allocations for Amended 2010/2011 Expenditure Plan

The North Richmond Waste and Recovery Mitigation Fee Joint Expenditure Planning Committee (Committee) approved utilizing a phased approach to developing the 2010/2011 Expenditure Plan. The Committee considered and approved the Preliminary 2010/2011 Expenditure Plan and budget at their meeting on October 26, 2009 (Phase 1). Development and approval of a Preliminary 2010-2011 Expenditure Plan budget (Phase 1) was based solely on the amount of Mitigation Fee funding expected to be collected in 2010 and 2011 projections which was estimated to be a total of \$1,177,611.

Phase 2 included the development and approval of a Amendment to the Preliminary 2010-2011 Expenditure Plan based on the allocation of funding remaining from the 2008/2009 Expenditure budget, which is \$1,029,381. Phase 2 allocations would allow for strategies that were either unfunded or underfunded during Phase 1 to receive new or additional funding.

Staff received input from Committee members, City and County staff, as well as from mitigation-funded staff regarding the activities and associated funding

amounts desired to be included under specific strategies. Staff was not able to recommend fully funding the majority of the activities at the requested allocation amount for Phase 2 due to the limited amount expected to be available through 2011. Factors that impact the amount of funding expected to be available include:

- (1) Carry over of certain strategies and associated funding from the 2008/2009 Expenditure Plan which together total **\$138,000**
- (2) Need to budget some contingency reserve funding to account for potential revenue shortfall resulting from difference between projected and actual revenue. Contingency reserve amount of **\$185,000** is based upon variation between the monthly average projected and actual for the first three months of the 2010/2011 cycle, the budget shortfall during the 2008/2009 cycle totaled \$160,162.
- (3) Assumed funding amount of **\$350,000** expected to be needed to fund creation of North Richmond Community-Based Projects Strategy #14

The total of the three constraints/items above equates to utilizing \$673,000 of the \$1,029,381 remaining from 2008/2009. Additional detail on #1-2 is provided below and item #3 is discussed in Agenda Item #8b. This only left \$356,380 of Phase 2 funding available to allocate to the remaining strategies. Based on this information, committee staff recommends the allocation of the \$1,029,381 as noted in the attached proposed budget.

Carry Forward of Strategies and Funding from the 2008/2009 Expenditure Plan

Consistent with the approach suggested by staff in late 2009, certain unexpended funding collected in 2008/2009 is not being treated as unexpended for the purposes of Phase II funding allocations being recommended to allow implementation of several specific 2008/2009 Expenditure Plan strategies. As previously reported to the Committee, staff and entities responsible for the below described activities had identified circumstances relative to the strategies listed below which potentially warranted allowing for an extension of the respective implementation timeframe (ranging between June and September 2010) in order to most effectively complete implementation or activities described in their respective proposals using the respective 2008/2009 funding allocated to each respective strategy. In order to adequately document intended approach in the official Expenditure Plan being recommended for approval by the City and County, staff has incorporated relevant language and funding amounts for these strategies in the Amended 2010/2011 Expenditure Plan to be considered by the City and County which is intended to document exactly what activities and dollar amounts are intended to be carried over for these 2008/2009 Expenditure Plan strategies.

- **Strategy 16A** - Funding for the North Richmond Lots of Crops Gardening Project through September 2010 (\$56,000)
- **Strategy 17A** – Funding to implement a Mentorship Program at the Young Adult Empowerment Center (\$47,000). As reported to the Committee in October 2009, a draft proposal was submitted by the County Housing Authority to establish a Mentorship Program at the Young Adult Empowerment Center (YAEC). At that time, staff reported potential need

for an extension through June 2010 the Mentorship Program. Staff from the YAEC and Supervisor Gioia's office may request that the Committee extend the timeframe beyond June 2010 because unfortunately staffing and workload issues have hindered YAEC staff from finalizing changes to their proposal, suggested by County staff. Staff identified changes were necessary in order to ensure the program design incorporates efforts to address and combat illegal dumping and blight in the community consistent with the language in the Expenditure Plan and the overall purpose for the mitigation fee.

- **Strategy 17G** – Funding for vegetation clearing along Wildcat Creek under the West County Watershedz Program vegetation through June 2010 (\$15,000)
- **Strategy 17H** – Funding for topographic surveys related to flood control along Wildcat Creek through June 2010 (\$20,000)

Contingency Reserve Funding

Staff recommends that the Committee place \$185,000 in reserves in the Amended 2010/2011 Expenditure Plan to account for potential shortfall from between the actual versus projected revenue all interest revenue accrued by City would be treated as reserves. The recommended amount is based in part on the \$6,133 per month difference between actual average revenue received in the first two months of 2010 (\$41,652) and the projected average revenue (\$47,785). The reserves will provide the Committee with a cushion in the event that all of the allocated funds are expended during the 2010/2011 calendar years. During the later part of calendar year 2011, the Committee will have the opportunity to review the amount of funds expended in the Expenditure Plan, as well as compare the projected to the actual revenue and then make a determination as to the use of the funds held in reserves.

Actual revenue versus projected revenue for 2008/2009

The revenue for 2008/2009 was projected to be \$1,361,456. The actual revenue received from Republic Sanitary Services, Inc. by the County was \$1,201,294. The difference between actual and projected revenue from 2008-2009 necessitates the need for an adjustment in the amount of funding that can be carried forward from 2008/2009 for use in the 2010/2011 Expenditure Plan.

Projected Revenue for calendar years 2008/2009:	\$1,361,456
Actual Revenue to date for calendar years 2008/2009:	\$1,201,294
Difference between projected and actual revenue:	\$ 160,162

B. Allocation of funding under Strategy 15 – Community Based Projects

A number of non-profit and community-based organizations showed interest in accessing mitigation funds through the 2008/2009 and 2010/2011 Expenditure Plan. Due to this increased interest, staff recommended that the Committee consider the creation and implementation of an official process as a means of

allowing organizations to officially apply for funding on a consistent and equal basis.

At the October 26, 2009 Mitigation Committee meeting, it was decided that an ad hoc subcommittee, consisting of Committee members Gioia, Wallace and Mayor McLaughlin. The ad hoc subcommittee was empowered to review and approve the application and guidelines created by staff and to provide recommendations to the entire Committee regarding funding allocations. Proposals accepted for funding will come out of the amount allocated to Strategy #14 – Community-Based Projects in the 2010-2011 Expenditure Plan.

The approved guidelines stated that “proposed projects may address issues such as anti-littering, environmental stewardship, blight reduction, beautification and/or other improvements that contribute to the quality of life in the specified Mitigation Funding Area.” Applicants were instructed that all projects must be aligned with the intended uses of the Mitigation Fee and details listed within Strategy #14. This program is open to all not-for-profit entities (includes non-profits, community-based organizations, governmental agencies, etc.) providing services benefiting the North Richmond community. Non-governmental entities applying were required to have either a 501(c)(3) tax status or must apply using a fiscal sponsor (an organization with a 501(c)(3) tax status).

The ad hoc subcommittee met on April 12, 2010 to discuss and recommend accepted proposals for funding. A total of nine (9) proposals were received by the March 22, 2010 deadline. Although the guidelines stated that “there are no exceptions for application and /or required documentation postmarked or delivered after the deadline. Late or incomplete applications will not be considered”. The subcommittee is recommending consideration of the two proposals that were submitted incomplete, and that they warranted some funding, but to a lesser extent due to their being submitted incomplete.

Two (2) incomplete proposals were submitted – one (1) organization submitted an updated proposal after the deadline. Staff accepted the incomplete and/or updated applications with the understanding that the Ad Hoc Committee would make the final decisions regarding acceptance and review since the guidelines clearly stated that “There are no exceptions for applications and/or required documentation postmarked or delivered after the deadline. Late and incomplete application will not be considered.”

The following organizations submitted complete applications:

- Athletes United for Peace
- Center for Human Development
- Golden gate Audubon Society
- Harold Beaulieu
- Social Progress, Inc.
- Verde Partnership Garden/Tides Center
- The Watershed Project

The following organizations submitted incomplete applications:

- Urban Tilth [Submitted an incomplete application by the deadline but turned in a completed application to staff after the deadline. Both applications are included. Please refer to the memo provided by staff before reading the updated application.]
- Neighborhood House of North Richmond

Guidelines for Scoring

The ad hoc subcommittee received a score sheet with each proposal submitted for the purposes of evaluation (included in packets before each proposal). The ad hoc subcommittee members collectively decided not to utilize the score sheet provided by staff but instead ranked each proposal with a score of 1 for the lowest and 3 for the highest. For partial funding awarded, notes are provided to indicate specific aspects of the proposal that was recommend for funding.

Ad Hoc Committee Recommendation

The Ad Hoc Committee is recommending a total of \$400,000 be given to the Nine (9) proposals submitted under Strategy 14, Community Based Projects. The Ad Hoc Committee is recommending the following amounts of funding be given to each organization for funding:

Entity	Award Amount Recommended
Athletes United for Peace	\$30,000
Center For Human Development	\$100,000
Communities United Restoring Mother Earth / Urban Tilth	\$100,000
Golden Gate Audubon Society	\$8,000
Harold Beaulieu / CHDC	\$30,000
Neighborhood House of North Richmond	\$70,000
Social progress Inc.	\$8,000
Verde Partnership Garden / Tides Center	\$14,000
The Watershed Project	\$40,000
TOTAL	\$400,000

Please see the attached table for a more detailed break down of the funding amounts allocated to each organization as well as addition notes and ranking information from the Ad Hoc Committee.

Attachment:

1. Subcommittee Scoring Table
2. Recommended 2010/2011 Amended Expenditure Plan

Organization	Project Title	Requested Amount	Total Score (out of 9 pts)	Subcommittee			Amount Recommended	Notes
				Ranking (High, Medium or Low)				
Verde Partnership Garden/ Tides Center	Verde Elementary School Garden	\$14,000	9	3	3	3	\$14,000	Great program and well established
Center for Human Development	Carbon Footprint Tree Planting and Trash Abatement Project	\$133,400	8	2	3	3	\$100,000	Believes organizations has ability to complete projects. Hourly stipend rate should be \$10/hour consistent with prior practice and level recommended in other similar proposals. Proposals needs to be modified to ensure inclusion of incorporated and unincorporated North Richmond. Additional project details need to be worked out.
Harold Beaulieu / CHDC	Popsicle Project (Phase II) Tile Art & Mural Painting	\$38,947	8	3	3	2	\$30,000	North Richmond Mitigation Committee is familiar with the proposed projects and applicant; believes that the proposed amount of youth served is good
The Watershed Project	North Richmond Clean and Green	\$42,124	7	3	2	2	\$40,000	Great program and well thought out proposal.
Communities United Restoring Mother Earth /Urban Tilth	Lots of Crops	\$307,023	6.8	2	3	1.8	\$100,000	Proposal/application submitted prior to deadline was incomplete. Revised (completed) application/proposal submitted within a week from the deadline. Supportive of project but initial application was late.
Athletes United for Peace	North Richmond Digital Technology Academy	\$47,175	6	3	2	1	\$30,000	Believes project has value; Organization has completed projects in North Richmond in the past; overhead costs are too high
Neighborhood House of North Richmond	North Richmond Eco - Academy	\$237,050	4.5	1.5	2	1	\$70,000	Proposal/application submitted prior to deadline was incomplete. Supportive of concept, however additional details needed (including other committed funding) to determine feasibility/viability to accomplish inteneded purpose with level of funding available.
Social Progress Inc.	Trash Removal/Lawn Mowing/Blight Reduction	\$143,100	4	1	2	1	\$8,000	Significantly scale back and streamline to reduce contracting agency's cost to negotiate/oversee.
Golden Gate Audubon Society	ECO - Richmond Environmental Stewardship	\$40,000	3	1	1	1	\$8,000	Want to localize program to Verde Elementary School
Total Amount Requested/ Recommended		\$1,002,819					\$400,000	

Subcommittee recommended amounts based upon estimated total of \$400,000 available for awards. The total amount available for awards to be recommended for consideration by the full Committee dependant upon the actual amount of unexpended funding from the 2008-2009 Expenditure Plan cycle.

North Richmond Waste & Recovery Mitigation Fee Amended 2010/2011 Expenditure Plan

INTRODUCTION

The Waste & Recovery Mitigation Fee was established as a result of the Draft Environmental Impact Report (EIR) dated November 2003 for the WCCSL Bulk Materials Processing Center (BMPC) and Related Actions (Project). The Project involved new and expanded processing and resource recovery operations on both the incorporated and unincorporated area of the Project site, which the EIR concluded would impact the host community. To mitigate this impact Mitigation Measure 4-5 called for a Mitigation Fee to benefit the host community, described as follows:

“Mitigation Fee. The facility operator shall pay a Mitigation Fee of an amount to be determined by the applicable permitting authority(ies) to defray annual costs associated with collection and disposal of illegally dumped waste and associated impacts in North Richmond and adjacent areas. The mitigation fee should be subject to the joint-control of the City and County and should be collected on all solid waste and processible materials received at the facility consistent with the existing mitigation fee collected at the Central IRRF.”

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. This North Richmond Waste & Recovery Mitigation Fee Joint Expenditure Planning Committee (Committee) was formed pursuant to the terms of the MOU for the specific purpose of preparing a recommended two year Expenditure Plan. This Expenditure Plan provides a means to jointly administer the Mitigation Fee funding for the benefit of the host community, as described in the EIR. The Expenditure Plan is subject to final approval of the Richmond City Council and the Contra Costa County Board of Supervisors.

By approving this Expenditure Plan, the City Council and Board of Supervisors authorize the use of Mitigation Fee funding for only the purposes and in the amounts specified herein. The City and County have each designated their respective staff persons responsible for administering the development and implementation of the approved Expenditure Plan, which includes responsibility for drafting and interpreting Expenditure Plan language. However, the City and County have not delegated to the Committee or to staff the authority to expend funding for purposes not clearly identified in the Expenditure Plan document officially approved by their respective decision-making bodies.

BUDGET

The funding allocations shown on the Expenditure Plan Budget table are based on revenue estimates that are dependant upon multiple variables (e.g. number of tons of recovered materials vs. solid waste, per ton gate rate charged and amount of CPI-adjusted per ton Mitigation Fee). Revenue projections may deviate from those provided by Republic and used to prepare this Budget. It is likely that some adjustments will be necessary to accommodate variations between estimated and actual revenue as well as

disparity between estimated and actual costs for non-fixed cost strategies. Adjustments may be needed due to under-utilization of a particular program if estimated expenditure was based on per unit cost. If the number of units allocated to a particular line item is not determined to be needed based upon usage, the remaining funding could be redistributed by officially amending the Expenditure Plan..

The Budget includes some line items that are based on fixed costs, however generally there are other line items which are scalable and/or dependant on utilization thereby providing flexibility to adjust amount allocated if and when a significant need is identified. This Expenditure Plan may only be adjusted upon official action taken by both the City and County. Although there has been some interest in allowing flexibility for staff to adjust funding allocations under specific circumstances, the authority to approve or modify the Expenditure Plan rests solely with the City Council and Board of Supervisors.

The two-year Expenditure Plan cycle was established by the City and County to minimize the administrative burden and costs associated with having to go through a joint budget approval process more than once every two years. In order to minimize the amount of funding needed to cover staff costs incurred to amend the Expenditure Plan, staff will only recommend changes to the Expenditure Plan when necessary to address a significant and time-sensitive need.

North Richmond Waste and Recovery Mitigation Fee Expenditure Plan

	#	Expenditure Plan (EP) Strategy	Adopted Preliminary 2010-2011 Budget (Phase 1)	Potential Additional Funding Allocations (Phase 2)	Estimated Combined 2010-2011 Allocations
Prevention & Education	1	Bulky Item Pick-ups & Disposal Vouchers	\$ 2,000	\$ 8,000	\$ 10,000
	2	Neighborhood Clean-up Events	\$ -	\$ 25,000	\$ 25,000
	3	Community Services Coordinator	\$ 144,262	\$ -	\$ 144,262
	4	Bilingual Outreach Services Coordinator	\$ 56,000	\$ -	\$ 56,000
	5	North Richmond Green Outreach *	\$ -	\$ 34,500	\$ 34,500
Abatement & Enforcement	6	City/County Pick-up from Right-of-Way	\$ 70,000	\$ 5,000	\$ 75,000
	7	Code Enforcement	\$ 258,000	\$ -	\$ 258,000
	8	Graffiti Abatement	\$ 20,000	\$ 10,000	\$ 30,000
	9	Law Enforcement (<i>Investigation & Patrols</i>)	\$ 375,000	\$ -	\$ 375,000
	10	Surveillance Camera System	\$ 10,000	\$ 50,000	\$ 60,000
	11	Illegal Dumping Prosecutor	\$ 65,149	\$ -	\$ 65,149
Community Investment	12	Parks Rehabilitation Initiative	\$ 19,250	\$ 70,750	\$ 90,000
	13	Capital Improvement Projects (<i>Infrastructure & Creeks</i>)	\$ -	\$ 105,000	\$ 105,000
	14	North Richmond Community-Based Projects	\$ 50,000	\$ 350,000	\$ 400,000
	15	North Richmond Green Community Service Programs *	\$ 8,000	\$ 37,000	\$ 45,000
	Strategies and allocations being carried over from the 2008/2009 Expenditure Plan (\$138,000)				
	16A	<i>Community Gardening Project - Lots of Crops</i>		\$ 56,000	\$ 56,000
	16B	<i>Mentorship Project - YAEC</i>		\$ 47,000	\$ 47,000
	17G	<i>Wildcat Creek - Urban Creeks Council</i>		\$ 15,000	\$ 15,000
	17H	<i>Wildcat Creek - County Flood Control District</i>		\$ 20,000	\$ 20,000
	X	Committee Administration/Staffing	\$ 100,000	\$ 11,131	\$ 111,131
	Contingency		\$ 185,000	\$ 185,000	

Total Projected Revenue **	\$ 1,177,661	\$ 1,029,380.77	\$ 2,207,042
Total Expenditure Plan Budget**	\$ 1,177,661	\$ 1,029,381	\$ 2,207,042

* The Phase I funding in the amount of \$8,000 was originally allocated under Strategy 5 and allowed to be used for Little League related expenses, these type of NR Green programs are now being proposed to fall under new Strategy 15.

** Total 2010/2011 projected revenue (\$2,207,402) based upon the amount of funding projected to be received in 2010/2011 (\$1,177,661) + actual funding received and not spent under the 2008/2009 Expenditure Plan (\$1,029,381).

DESCRIPTION OF STRATEGIES RECOMMENDED FOR FUNDING
Funding allocations for each strategy is specified on the attached Budget Table.
The funding allocation amounts are for the two-year Expenditure Plan period.

PREVENTION & EDUCATION

1. Bulky Item Pick-ups & Disposal Vouchers

Provide residents in the Mitigation Fee Primary Funding Area, who prove eligibility consistent with City/County procedures, with the option of choosing to:

- request up to one on-call pick-up service per calendar year for bulky items that are not accepted in the current on-call clean-ups through Richmond Sanitary Service (RSS); must have an active account with RSS, or
- request up to twelve \$5 vouchers for disposal at Republic's transfer station on Parr Blvd. per calendar year (vouchers expire after six months, Mitigation Fees only pay for vouchers that are actually redeemed).

2. Neighborhood Clean-ups

Provide at least one neighborhood and/or creek clean-up event in the Mitigation Fee Funding Area; additional clean-up event may be scheduled as funding allows.

3. Community Services Coordinator

Fund full-time Community Services Coordinator position to be staffed on a contract basis through a non-profit or public entity (including salary/benefits/overhead). The CS Coordinator shall serve as a link between the community of North Richmond, the City of Richmond, and Contra Costa County for issues related to beautification, illegal dumping, and blight; assist the City and County in implementing specified strategies from the Expenditure Plan; and coordinate specified activities related to illegal dumping and beautification within the North Richmond Primary Mitigation Funding area.

4. Community Services Assistant

Fund a part-time Community Services Assistant to assist community members interested in claiming Vouchers or Bulky-Item Pick ups, reporting illegal dumping, seeking referral/resources as well as track data related to illegally dumped waste collected by Republic Services Hot Spot Crew (including salary/benefits/overhead) on a contract basis through a non-profit or public entity. If Community Services Coordinator is not bilingual, Assistant shall be bilingual or related services shall be provided in order to assist with translation services on a contract basis through a non-profit or public entity.

5. North Richmond Green Campaign

Fund public outreach activities of the below specified types upon where the specific details related to each activity has been submitted to staff and determined to align with the purpose of the Mitigation Fee and Expenditure Plan:

- Banners (light pole banners, which may include pictures of native flowers, nrgreen.org website, pictures or names of North Richmond churches/organizations/institutions, and will include “jointly funded by City of Richmond and Contra Costa County”
- Stipends for community members (youth and adults) for door-to-door outreach to promote mitigation-funded strategies
- NR Green Festival – plan to hold in Spring/Summer 2010 (which may include information booths, fun activities for kids, food, and information about community-beautification projects)
- Printing – flyers; brochures (which will include “jointly funded by City of Richmond and Contra Costa County” and subject to committee staff approval)
- T-Shirts - t-shirts with NRGreen.org website (which will include “jointly funded by City or Richmond and Contra Costa County” and design subject to committee staff approval)
- Signage – other banners for educational purposes (which will include “jointly funded by City or Richmond and Contra Costa County” and design subject to committee staff approval)
- Design and printing of staff approved Banners, Signage and/or T-Shirts which include NR Green website and local phone number for Community members to learn more about Mitigation funded programs/efforts
- Design, printing and/or distribution of staff approved education and outreach materials which include “Funded by City of Richmond & Contra Costa County” and are clearly intended to directly:
 - Inform the community about Mitigation funded programs/efforts, increase participation in Mitigation funded programs/efforts,
 - Reduce illegal dumping and blight in the Mitigation Fee Funding Area, and
 - Promote beautification in the Mitigation Fee Funding Area.

ABATEMENT & ENFORCEMENT

6. City/County Pick-up from Right-of-Way

Fund consolidated pick-up program (including personnel, mileage, administrative costs and equipment rental as needed) for illegal dumping in the public right-of-way located within the unincorporated & incorporated Mitigation Fee Primary Funding Area to remove items not collected by the designated RSS Hot Spot Route crew.

7. Code Enforcement Staff

Fund full-time County code enforcement position (including salary/benefits and related vehicle and equipment costs), to assist with vacant/abandoned lot abatements and fencing as well as other health/building/zoning violations related to illegal dumping and blight throughout the incorporated & unincorporated Mitigation Funding Area.

8. Graffiti Abatement

Fund consolidated graffiti abatement program (including personnel, mileage, administrative costs and purchase/rental of equipment and materials) for graffiti on public property and/or visible from the public right-of-way located within the unincorporated & incorporated Mitigation Fee Primary Funding Area.

9. Illegal Dumping Law Enforcement (Investigations & Patrols)

Fund approximately 94% of the equivalent of a full-time Sheriff Deputy (including salary/benefits, overtime, uniform and related cell phone, equipment, and vehicle costs) to assist with law enforcement investigations and patrols to combat illegal dumping within the Mitigation Fee Primary Funding Area.

10. Surveillance Cameras

Fund the purchase of cameras, camera infrastructure, and costs related to maintenance, repair & relocation of surveillance camera program equipment within the Mitigation Fee Primary Funding Area to target specific locations where illegal dumping occurs most regularly.

11. Illegal Dumping Prosecutor

Fund quarter-time of community prosecutor position in order to ensure some time can be dedicated to prosecuting cases for violations that occur within the Mitigation Fee Primary Funding Area with special emphasis on instances of commercial dumping as well as other quality of life issues (e.g. alcohol abatement, environmental crimes).

COMMUNITY INVESTMENT

12. Parks Rehabilitation Initiative

Fund various park and related projects and maintenance at Third Street Ball field, Shields-Reid Park and other areas within the Mitigation Fee Primary Funding Area.

13. Capital Improvement Projects

Fund various capital improvement projects , including infrastructure and creek related improvements, within the Mitigation Fee Primary Funding Area.

Projects could include but are not limited to:

- Street & sidewalk improvements at railroads and railroad crossings
- Beautification and/or structural enhancements to the exterior of specific community identified structures
- Lighting
- Street medians
- Creek-related improvement or rehabilitation

14. North Richmond Community-Based Projects

Fund the development, implementation and oversight of a variety of community-based projects¹ with specific focuses on anti-littering, environmental stewardship, blight reduction and/or beautification (including personnel/labor, administrative oversight, materials, equipment and related maintenance costs). Rather than funding stipend programs separately (including stipends, administrative oversight and related materials/equipment), new community-based projects/programs should include component for stipends, where appropriate, to pay local youth and/or other community members for assisting with illegal dumping prevention/abatement or beautification activities within the Mitigation Fee Primary Funding Area.

Community-Based Projects could include but are not limited to:

- Neighborhood Landscaping & Gardening Projects
- Greening Project
- Community Art Programs (e.g. Tile Art, Murals or Safe Routes/Popsicle Project)
- Mentorship Programs

¹ At the October 2009 meeting, the Committee voted to modify Strategies 13 and 14 as needed so that when the Expenditure Plan is amended to incorporate remaining 2008-2009 Mitigation Fee funding (during Phase 2 in early 2010), up to \$103,707 of the potential funding to be allocated to Strategy 13 may be used to cover costs associated with the rehabilitation of the Eco-1 Educational Center (Housing Authority building) that has been proposed by the Neighborhood House of North Richmond (NHNR) and up to an additional \$38,610 of future allocations made to Strategy 14 to fund up to half of the cost of stipends paid to North Richmond residents for time spent assisting Eco Academy building and site rehabilitation (includes work and training). However, this funding was only to be made available for this proposed project contingent upon receipt of the grant amount that NHNR has requested from Chevron for the "North Richmond Eco Academy Project." Subsequently, in early December 2009 Chevron announced their selected grant recipients which did not include NHNR.

The process for soliciting and potentially allocating funding for Community-Based Project proposals is recommended to be undertaken to prepare recommendations for consideration by the Committee in early 2010 during Phase 2 (to include the allocation of remaining 2008-2009 Mitigation Fee funding to listed strategies within the Expenditure Plan).

15. North Richmond Green Community Services Programs

Fund the following North Richmond Green programs to the extent the specific details submitted are determined to align with the purpose of the Mitigation Fee and Expenditure Plan:

- North Richmond Little League Baseball Program (which includes cost of registration, jerseys with customized North Richmond Green patches, hats, pants, season kick-off event/parade, and equipment)
- North Richmond Adult Softball program (which includes cost of registration, jerseys with customized North Richmond Green patches, and hats)
- North Richmond Youth Eco Academy (which may include projects to include school gardens, recycling efforts, habitat restoration, creek/bay/ocean water quality monitoring, and beach/creek/neighborhood clean-ups; coordination and supervision ecological field trips; utilize rooms in Shields-Reid Community Center; essential location for green academy; serve entire community but will revolve services around youth ; funds may be used to support the cost of materials, transportation, fees, etc. associated with relevant community beautification projects such landscaping and murals.)

Strategies with funding and activities that have been carried forward from the 2008/2009 Expenditure Plan

16A. Neighborhood Landscaping and Gardening Projects

- Fund the Lots of Crops project involving the establishment of a new community garden on a previously vacant lot that had been subject to dumping or blight. This community garden project:
 - relies on partnerships with local residents, non-profit and community based organizations, school groups and other community groups to start and maintain projects
 - provides the community with educational/outreach opportunities, healthy foods, and community building

16B. Servicing and Moving/Removal of Street Cans

- Fund cost of collection services provided and not yet billed in late 2009 and relocation/removal of four street cans in 2010 within the Mitigation Fee Primary

17A. Stipends and Mentorship Program

- Fund the proposed Mentoring Program at the Young Adult Empowerment Center to aid in efforts to combat illegal dumping and blight within the Mitigation Fee Primary Funding Area

17G. West County Watershedz Program

- Fund the cost of vegetation clearing in order to provide visibility needed for County Flood Control District to conduct topographic surveys in locations to be surveyed as identified by the County.
- Strive to hire local youth to assist with the trimming and removal of vegetation.

17H. Wildcat and San Pablo Creek Enhancements

- Topographical surveys of riparian forest and hydrologic modeling to develop a vegetation management plan for Wildcat Creek.

STAFF COSTS

Due the staff time necessary for staffing this committee and Expenditure Plan development, administration, oversight and implementation, \$100,000 is allocated to accommodate staff costs for both the City and County for calendar years 2010 and 2011.