

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

Monday, July 26, 2010  
3:00 pm – 5:00 pm

Multicultural Senior & Family Center | 515 Silver Street | Richmond, CA 94801

## Members:

Richmond City Councilmember Nathaniel Bates, **Chair**  
Unincorporated Area NRMAC Representative Dr. Henry Clark, **Vice Chair**  
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 – May 3, 2010*
4. Receive Reports
  - a. Summary of Expenditure to date – 2010/2011 Expenditure Plan
  - b. Tonnage & Revenue Update
  - c. Expenditure Plan Implementation Update – July 2010
5. CONSIDER funding proposals and provide direction to staff regarding selection of one or more activity(ies)/project(s) to be funded with the \$105,000 allocated under Strategy 13 - Capital Improvement Projects. Options the Committee may which to consider include, but are not necessarily limited to:
  - a. Allocate all funding (\$105,000) to Phase II of the Eco-Academy project proposed by Neighborhood of House of North Richmond (NHNR), which would begin in December 2010. *If allocating some or all of this funding to Phase II as proposed, direct staff to revise Strategy 13 wording to allow for purchase of trailer and/or interior improvements and recommend that City and County consider approving this change in a Second Amended 2010/2011 Expenditure Plan.*
  - b. Allocate a portion of funding (ranging between \$11,000 and \$47,500) to one or both of the flood control/creek projects proposed by the Contra Costa County Flood Control and Water Conservation District (FCD). *If one or both flood control projects are selected, there would be between \$57,500 and \$94,000 remaining under Strategy 13 to be allocated to other projects.*
  - c. Defer final decision about allocation of some or all of the Strategy 13 funding until the October Committee meeting, if the Committee is interested in receiving and considering proposal(s) for funding one or more joint City/County Public Works project(s).

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

6. RECEIVE report about services/resources available through the Contra Costa County Auditor's Office to audit actual expenditures of North Richmond Mitigation Fee revenue received by the County.

PROVIDE direction to staff regarding amount of funding, if any, the Committee would be willing to reallocate under the 2010-2011 Expenditure Plan to pay for financial review or audit services, and report back in October regarding the potential scope of the review/audit that could be performed based upon the funding amount being reallocated.

7. *Adjourn* - Next meeting date October 25, 2010

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

[www.cccounty.us/nr](http://www.cccounty.us/nr)

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](mailto:lashonda_wilson@ci.richmond.ca.us)) at least 72 hours before the meeting.*

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

**Meeting Minutes**

Monday, May 3, 2010

2:00 pm – 5:00 pm

Richmond City Hall – Council Chambers

440 Civic Center Plaza

Richmond, CA 94804

Members in Attendance:

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

Dr. Henry Clark, **Vice Chair** - NRMAC Representative: Unincorporated Area

Tom Butt, Alternate – Richmond City Councilmember

John Gioia – Member, Contra Costa County Supervisor

Joe Wallace, Member – NRMAC Representative

Johnny White – Member Representative: Incorporated Area

Gayle McLaughlin – City of Richmond Mayor

Members Absent:

Maria Viramontes, Member - Richmond City Councilmember

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**1. Welcome and Introductions**

Committee Chair Bates called the meeting to order

**2. Public Comment**

**3. Approve Meeting Minutes – October 26, 2009 & February 26, 2010**

Staff member Kelley presented the following corrections to the meeting minutes from October 26, 2009 and February 26, 2010.

October 26, 2009 Meeting Minutes:

Page 5, Item 7: Replace “Cece Selgram” with “Cece Sellgren”

February 26, 2010 Meeting Minutes corrections:

Page 1: Replace “Alternate” with “Member” before “Mayor Gayle McLaughlin”

Page 2, Item 3, Paragraph 1: Replace “March 1, 2009” with “March 1, 2010” and replace last sentence with “Committee staff member Wilson explained to the Committee that staff was requesting clarification as to the indented use of funding allocated under the North Richmond Green Outreach strategy.”

Page 3, Item 3, Paragraph 1, 3<sup>rd</sup> Sentence: Insert “Staff” between “Committee” and “member Wilson”.

Motion to approve minutes with recommended changes was made by Committee Member Gioia and seconded by Committee member Wallace. Motion was passed by the Committee.

**4. Actions to be taken pursuant to the Committee Bylaws:**

a. Nominate and elect Vice-Chairperson

Committee voted to elect Committee Member Clark as Vice-Chairperson

b. Establish regular meeting schedule for 2010/2011

Committee voted to have the regular meetings scheduled for the 4<sup>th</sup> Monday of July & October 2010 from 3-5pm and to hold the July meeting in North Richmond.

**5. Receive Reports**

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

Staff presented the report to the Committee

b. Tonnage & Revenue Update

Staff presented the report to the Committee.

c. Proportion of mitigation funded costs for County Code Enforcement Staff working Bay Point and North Richmond [OLD BUSINESS]

Staff presented report to the Committee explaining the funding differences between Code Enforcement assigned to North Richmond and Bay

**6. Provide direction regarding Johnny White's Letter addressed to the Committee and submitted at the February 26, 2010 meeting**

Staff presented report to the Committee and summarized attached letter that signed by Committee member White.

Committee member Supervisor Gioia made a motion, which was seconded by Committee member Wallace, to have the publicly elected County Auditor do a more detailed focused audit of the of the North Richmond Mitigation Fee expenditures and revenue so that it is clear to the public. ***Motion passed unanimously.***

Committee member Gioia made a motion, which was seconded by Committee member Clark, directing County staff to explore what would be required to have the County held Mitigation Fee revenue placed into an interest bearing account. ***Motion passed unanimously.***

**7. Approved recommended funding allocations for North Richmond Green Outreach and Community Services Programs in the 2010/2011 Expenditure Plan**

Staff presented report to the Committee outlining recommendations before the Committee.

Committee member Mayor McLaughlin motioned to approve Staff's recommendations, Committee member Gioia seconded the motion, and there was no opposition. ***Motion passed unanimously.***

**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

Staff member Wilson presented the staff report to the Committee and outlined what the Committee was to be voting on. Staff member Wilson indicated to the Committee that an Ad Hoc Committee was created to review the proposals submitted under Strategy 14 through the RFP process.

Committee member Gioia motioned to approve the expenditures as recommended and that he wanted to add an acknowledgement of the efforts of all the non-profits. The motion was seconded by Committee member Wallace.

***Motion passed unanimously.***

Committee member Bates directed staff to report back to the Committee at the July meeting with potential recommendations about Capital Improvement projects that are currently being considered by the City and County.

Motion made by Committee member Wallace to approve recommend Phase 2 allocations to the 2010/2011 Expenditure Plan and direct staff to make text and budget changes necessary in the recommended Amended 2010/2011 Expenditure Plan. Motion seconded by Committee member Gioia.

***Motion passed unanimously***

## North Richmond Waste and Recovery Mitigation Fee 2010-2011 Expenditure Plan Budget Summary

	#	Strategy	Amount Allocated in 2010-2011 Plan*	Total Actual Expenditures To-Date	Estimated Amount Remaining	
<b>Prevention &amp; Educator</b>	1	Bulky Item Pick-ups & Disposal Vouchers	\$ 10,000	\$ -	\$ 10,000	
	2	Neighborhood Clean-up Events	\$ 25,000	\$ -	\$ 25,000	
	3	Community Services Coordinator	\$ 144,262	\$ 16,220.03	\$ 128,042	
	4	Community Services Assistant	\$ 56,000	\$ -	\$ 56,000	
	5	North Richmond Green Outreach *	\$ 34,500	\$ -	\$ 34,500	
<b>Abatement &amp; Enforcement</b>	6	City/County Pick-up from Right-of-Way	\$ 75,000	\$ 16,834.75	\$ 58,165	
	7	Code Enforcement	\$ 258,000	\$ 88,209.98	\$ 169,790	
	8	Graffiti Abatement	\$ 30,000	\$ -	\$ 30,000	
	9	Law Enforcement ( <i>Investigation &amp; Patrols</i> )	\$ 375,000	\$ 34,265.89	\$ 340,734	
	10	Surveillance Camera System	\$ 60,000	\$ -	\$ 60,000	
	11	Illegal Dumping Prosecutor	\$ 65,149	\$ -	\$ 65,149	
<b>Community Investment</b>	12	Parks Rehabilitation Initiative	\$ 90,000	\$ -	\$ 90,000	
	13	Capital Improvement Projects ( <i>Infrastructure &amp; Creeks</i> )	\$ 105,000	\$ -	\$ 105,000	
	14	North Richmond Community-Based Projects	\$ 400,000	\$ -	\$ 400,000	
	15	North Richmond Green Community Service Programs *	\$ 45,000	\$ 8,099.43	\$ 36,901	
	<i>Strategies and allocations being carried over from the 2008/2009 Expenditure Plan (\$138,000)</i>					
	16A	<i>Community Gardening Project - Lots of Crops</i>	\$ 56,000	\$ 12,191.56	\$ 43,808	
	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	\$ 118,000	\$ -	\$ 118,000	
	<b>Contingency</b>	\$ 175,000	\$ -	\$ 175,000		

<b>Total Expenditure Plan Budget**</b>	<b>\$ 2,203,911</b>	<b>\$ 175,821.64</b>	<b>\$ 2,028,089</b>
<b>Total Projected Revenue **</b>	<b>\$ 2,203,911</b>		

\* 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).

## 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
5/27/2010	Apr-10	\$ 46,050.63	3,725	13,517
6/21/2010	May-10	\$ 44,457.39	3,681	13,026
7/19/2010	Jun-10	\$ 47,181.98	3,621	13,901
	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)	\$ 269,622.63	19,506	79,762
Total - Actual YTD (2011)	\$ -	0	0
<b>Total - Actual YTD (2010/2011)</b>	<b>\$ 269,622.63</b>	<b>19,506</b>	<b>79,762</b>
<b>Monthly Average - Actual</b>	<b>\$ 44,937.11</b>	<b>3,251</b>	<b>13,294</b>
Total - Projected (2010)	\$ 573,429.73	43,730	169,029
Total - Projected (2011)	\$ 604,231.41	48,393	177,480
<b>Total - Projected (2010 + 2011)</b>	<b>\$ 1,177,661.14</b>	<b>92,123</b>	<b>346,509</b>
<b>Monthly Average - Projected</b>	<b>\$ 47,785.81</b>	<b>3,644</b>	<b>14,086</b>

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**IMPLEMENTATION UPDATE**  
**North Richmond Waste & Recovery Mitigation Fee**  
**2010/2011 Expenditure Plan**  
**- July 2010 -**

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***PREVENTION & EDUCATION***

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**Strategy 1 - Bulky Clean-ups & Disposal Vouchers**

Bulky Clean-ups are available to residents with an active residential account with Richmond Sanitary Service (RSS), are limited to one per household per year, and will be disbursed on a first come first served basis. Eligible residents can 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).

Due to limited usage of these programs, the Bulky Clean-ups and the Voucher program were combined in order to increase effectiveness and program promotion and the allocated funding available in the current Expenditure Plan cycle was reduced by a substantial amount.

CHDC staff (in lieu of a Community Services Assistant) distributed 132 disposal vouchers between January and June 2010.

Month	Households	# of Vouchers
January	3	36
February	0	0
March	1	12
April	2	24
May	2	24
June	3	36
TOTAL	11	132

RSS submits request for payment to City staff a few times per year for vouchers redeemed by residents at RSS. Currently, City staff has not received invoices for vouchers redeemed during January – June 2010.

**Strategy 2 - Neighborhood Clean-up Events**

On Saturday, October 17, 2009, a community-wide neighborhood clean-up took place in which 33.23 tons of household trash was collected. The first community-wide clean-up for the 2010-2011 calendar years is tentatively scheduled for Saturday, December 4, 2010.

### **Strategy 3 – Community Services Coordinator**

The Community Services Coordinator (CSC) 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.

The CSC is responsible for and has accomplished the following tasks (information is based on the CSC's progress report):

- Received information, complaints, and concerns from personal observation, residents and/or others related to illegal dumping and blight and submitted referrals on a weekly basis to staff at the Community Housing Development Corporation (CHDC) for input into the Illegal Dumping Database.
- Received and tracked community feedback and input about mitigation strategies, the Mitigation Committee, and/or City/County issues related to the mitigation fee.
- Attended various community meetings to inform residents about the need for resident input to combat these issues in an effort to encourage their feedback.
- Conducted dumping patrols on a weekly basis in an effort to identify mitigation issues, and ensure that they are referred to the appropriate mitigation related agency. Also, sent referrals to Richmond Sanitary Service of residents in the funding area whom are suspected of not having garbage collection service.
- Made presentations regarding beautification efforts, code enforcement issues, illegal dumping, and blight to local businesses and at community meetings such as the Verde Elementary School "Coffee Club," the Verde Elementary School English as a Second Language Adult Class, the North Richmond Municipal Advisory Committee (MAC), the "Guardian Circle" club, and at the "North Richmond Green Steering Committee," and at community events through outreach.
- Ensured that Spanish speaking referrals are documented and referred to the appropriate agencies for follow up.
- Distributed information related to Prescreening Forms about bulky item pick-ups and/or disposal voucher programs to residents in an effort to increase awareness and usage of the services.
- Organized and led monthly "North Richmond Green Meetings" with community members, City/County representatives, and mitigation-funded staff, to discuss related issues affecting North Richmond, to develop ideas of prevention, and to provide updates and get input on current North Richmond Green programs/events.
- Supported the "Lots of Crops" community garden project by encouraging resident involvement and owners of vacant lots to donate their properties temporarily for the development of the gardens.
- Identified additional opportunities for collaboration and partnership with agencies such as, "Recycle More," "Cure Me," "Sims Metal," "Richmond Sanitary Service," "Regional Parks," "CHDC," "Shields Reid Community Center", the "Guardian Circle" club, and the "North Richmond Green Festival Planning Committee".

- Provide input regarding changes and/or additions to the North Richmond Green website's current layout and content in an effort to develop a stronger connection amongst residents with the website, and to encourage the interest of learning about mitigation issues, and to increase usage of the mitigation related services that are included on the site. Identified the need for some materials/information to be translated into Spanish.

**Strategy 4 - Community Services Assistant**

The Bilingual Outreach Worker (now called the Community Services Assistant) resigned from the Community Housing Development Corporation (CHDC) in December 2009 and accepted a position with Neighborhood House of North Richmond as the Community Services Coordinator. CHDC posted the position and an initial screening was conducted by CHDC's Resident Services/Community Organizer. However, an administrative decision was made to have existing CHDC staff assume the responsibilities in the interim, as authorized in CHDC's contract.

CHDC receives referrals from the Community Services Coordinator for input into Comcate and database system (including date, location, type and amount of illegally dumped materials), receives information, complaints and concerns from community residents, and handles English and Spanish speaking incoming calls and walk-ins regarding illegal dumping.

Staff reviewed Comcate daily and followed up with departments as necessary to ensure that complaints resolved. Letters were sent to offenders based on evidence collected by Richmond Sanitary. No repeat offenders identified during this report period.

Month	Reported occurrences noted in database	Evident Letters Mailed
January 2010	260	3
February 2010	262	1
March 2010	303	3
April 2010	275	3
May 2010	297	2
June 2010	296	4
TOTAL	1,693	16

Staff conducted outreach/participated in several events providing information/materials on the mitigation program, City, County, Richmond Sanitary and other community recycling resources available to the community to reduce illegal dumping. An information table was held at the following events: Earth Day, Juneteenth Festival and Cinco De Mayo Festival.

Presentations on recycling, illegal dumping, Richmond Sanitary extra pick ups days made to tenant resident councils at Community Heritage Senior Housing and Chelsey Mutual Housing. Additionally, tenants were encouraged to use North Richmond Voucher Program and discouraged from illegal dumping on the streets.

### **Strategy 5 – North Richmond Green Outreach**

City and/or County staff are currently working with the CSC to ensure successful implementation of the following public outreach activities before December 2011:

- Placing banners on City and County-owned light pole banners along Filbert and 3<sup>rd</sup> Ave. (priority project)
- Providing stipends for community members (youth and adults) for door-to-door outreach to promote mitigation-funded strategies
- Sponsoring a North Richmond Green Festival in August 2010 which may include information booths, fun activities for kids, food, and information about community-beautification/mitigation-related projects
- 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

### **Strategy 6 – City/County Pick-up from Right-of-Way**

The City of Richmond's Code Enforcement abatement team currently picks-up 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. Code Enforcement responds to information/requests submitted into the City's COMCATE system and tracks the materials collected. Code Enforcement is reimbursed for personnel, mileage, administrative costs, and equipment rental as needed. Code Enforcement staff worked between 16 and 42 hours per month on illegal dumping abatement.

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## ***ABATEMENT & ENFORCEMENT***

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### **Strategy 7 – Code Enforcement**

Effective June 1, 2010 Eduardo Franco took over for Conrad Fromme as the full time County Building Inspector officially assigned to the dedicated Code Enforcement in North Richmond. The monthly status report submitted by Mr. Fromme and Mr. Franco for April 1, 2010 through June 2010 indicated they had had opened 96 cases, closed 69 cases and had 93 total cases active. Mr. Franco works with the Illegal Dumping Officer, City Code Enforcement and Contra Costa County Environmental Health staff to create a more comprehensive code enforcement system to address the illegal dumping problem in the North Richmond community.

### **Strategy 8 – Graffiti Abatement**

The City of Richmond's Public Works graffiti abatement team currently abates graffiti in the public right-of-way located within the unincorporated & incorporated Mitigation Fee Primary Funding Area. The graffiti abatement team responds to requests submitted into the City's COMCATE system and also via observation. Code Enforcement is reimbursed for personnel, mileage, administrative costs and equipment/materials.

### **Strategy 9 – Law Enforcement (*Investigation & Patrols*)**

The Sheriff's Office remains committed to providing excellent service to the community and is actively implementing changes recommended by Supervisor Gioia intended to maximize law enforcement resources in North Richmond using a new Resident Deputy Team approach.

The Resident Deputy Team approach was officially launched in North Richmond on April 27, 2009. The Team consists of three pairs of deputies assigned to one of three shifts, either the Day Shift, Swing Shift or Weekends. All 6 deputies will have the same overall "Roles & Responsibilities" which include but are not limited to:

- ✓ Conduct illegal dumping surveillance and investigations.
- ✓ Build & file cases specific to instances of commercial dumping which are suitable for prosecution.
- ✓ Conduct sting operations to catch illegal dumpers.
- ✓ Target specific locations and/or time frames where illegal dumping occurs most regularly.
- ✓ Attend and/or participate in community meetings and events.
- ✓ Exchange accurate information with residents about crime, the community and the goals of policing.
- ✓ Develop and/or assist in youth programs and activities.
- ✓ Work with the Richmond Police Department to monitor surveillance cameras to assist in illegal dumping, graffiti and other criminal cases.
- ✓ Develop operations to combat crime in North Richmond.

### **Strategy 10 – Surveillance Camera System**

There are currently 8 surveillance cameras located throughout North Richmond. The City's Police Department has captured a significant amount of criminal activity directly attributable to the camera system. Details regarding the criminal activity cannot be provided due to the fact that most of these activities are currently under investigation or prosecution. Richmond Police Department has helped the Sheriff's office on numerous video related investigations in the North Richmond Mitigation Area. The Richmond Police Department, along with Councilmember Viramontes, is currently evaluating electronic graffiti detection devices which may be included as well.

Below is a sampling of the type of crimes captured:

- Homicides
- Stolen Vehicles
- Probation violations
- Illegal dumpings
- Assaults
- Public Intoxication
- Illegal drug possession / sale
- Body dumping
- Weapons discharge

- Stabbings

Richmond Police Department's plans for the Mitigation Area this fiscal year (FY 10-11) include several major initiatives in order of priority:

- Remove all current aging cameras to 10 Mega pixel digital IP cameras to improve evidence capture and suspect apprehension.
- Install fixed license plate recognition systems. This newer technology has proven to be very helpful in providing law enforcement solid leads in most of the types of crimes listed above during our evaluations of the technology.
- Expand existing system to more "hot spots". We are currently evaluating several data sources for locations including crime stats, Sheriff's detectives, County Probation detectives, County and City public works, Code Enforcement, Mitigation Committee staff, etc.
- Create budget model for maintenance of existing and additions to system for three more years.
- Share data with local law enforcement agencies on suspects detained for illegal dumping.

#### **Strategy 11 – Illegal Dumping Prosecutor**

The Illegal Dumping Prosecutor works closely with the City Police Department and the North Richmond Illegal Dumping Officer to discuss various strategies and important information needed to prosecute illegal dumping cases. The allocated funds cover 15% of the full-time salary for 2 years. The Illegal Dumping Prosecutor has filed cases on individuals found guilty of violating codes related to illegal dumping which have resulted in fines, jail time, and community service (details regarding some cases are included under Strategy 9).

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### ***COMMUNITY INVESTMENT***

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#### **Strategy 12 – Parks Rehabilitation Initiative**

The City of Richmond Parks Division has conducted the following tasks between January 1, 2010 and June 30, 2010 at the North Richmond Ballfield:

- Infield lighting repaired
- Electrical security enclosure installed.
- Various electrical vandal resistant device install - in progress.
- 30 Redwood trees planted on south side of park
- Vandal resistant devices placed on five remaining trees

Although strides were made to rehabilitate the park during the time period, there were a few set-backs. 25 of the 30 trees planted were removed by thieves and two irrigation valves and several sprinkler heads were vandalized.

The Parks Division plans to do the following tasks prior to the end of this Expenditure Plan cycle:

- Install security cameras and building alarm
- Repair vandalized bathrooms.

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**UPDATE: 2010/2011 Amended Expenditure Plan - North Richmond Waste & Recovery Mitigation Fee**

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- Install new fencing
- Install park lighting
- Re-landscape front of park.
- Install new vandal resistant score board

**Strategy 13 – Capital Improvement Projects (*Infrastructure & Creeks*)**

Committee directed staff to come back with recommendation on possible projects for these funds. No funds were initially allocated to specific capital improvement projects because City and County staff needed to determine the most efficient and effective use of the allocated funds within the Mitigation area. County staff has been approached by the County Flood Control District to explore whether any of this funding could be used for certain improvements and studies along Wildcat and San Pablo Creeks. Preliminary discussion with some committee members indicated a desire to possibly reallocate these funds to the Eco Academy project proposed by the Neighborhood House of North Richmond. This item will be discussed during the July 26, 2010 meeting.

**Strategy 14 – North Richmond Community-Based Projects**

The Mitigation Committee authorized staff to develop an application and guidelines for non-governmental entities to utilize in order to apply for mitigation funds for projects that would 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. It was also decided that an ad hoc subcommittee would provide recommendations to the entire Committee regarding funding allocations.

The ad hoc subcommittee, consisting of Committee members Gioia, Wallace and Mayor McLaughlin, met on April 12, 2010 to discuss and review nine (9) proposals submitted for mitigation funding by non-profit organizations. The ad hoc subcommittee made the following proposal funding amount recommendations to the full Committee for discussion and approval at their May 3, 2010 Committee meeting:

<b>Entity</b>	<b>Award Amount Recommended</b>
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
<b>TOTAL</b>	<b>\$400,000</b>

The full Committee approved the ad hoc subcommittee's recommendations and the Amended 2010-2011 Expenditure Plan, which included the aforementioned recommendations, went to City Council and the Board of Supervisors for final review in

June 2010. City or County staff is currently working with those organizations listed above to develop contracts and expects the contract approval phase and project go ahead dates to begin in August/September 2010.

### **Strategy 15 – North Richmond Green Community Service Programs**

City and/or County staff are working with the CSC to ensure successful implementation of the following North Richmond Green programs which were included in the Expenditure Plan:

- North Richmond Little League Baseball Program
  - The program was designed to increase the community support and involvement in beautification efforts, and blight reduction. The parents and community members who are apart of the “Guardian Circle” club, which was formed from support for the North Richmond Green Little League Teams, have learned the significance of North Richmond Green, and have set an example for the youth players of maintaining a clean environment, through the picking up of trash, and recyclable items at games and practices. The coaches, whom are also community members, have also encouraged sporadic cleanups at baseball games and practices amongst the youth players to remind them of the significance of North Richmond Green, and about their responsibility to improve the environment of North Richmond. (Information provided by the CSC)
- North Richmond Youth Eco Academy
  - The goal of the Academy is to serve as a environmental, hands on learning center for community members, especially for the youth in North Richmond. It will include education about recycling, creek restoration, and teach participants how to contribute to a cleaner, and healthier environment in North Richmond. It is planned for the North Richmond Green Little League players, which includes about 50 participants, to be the targeted group to participate in the Academy, although other youth and community members of all ages will be welcome from North Richmond. (Information provided by the CSC)
- North Richmond Adult Softball program

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## **STRATEGIES WITH FUNDING AND ACTIVITIES THAT HAVE BEEN CARRIED FORWARD FROM TE 2008/2009 EXPENDITURE PLAN**

### **Strategy 16A - Community Gardening Project – *Lots of Crops***

Lots of Crops is a community-oriented program designed to assist in the production of healthy food and medicine/native plants to residents of North Richmond by converting vacant lots to healing garden sites over a period of time. In addition, we want to encourage volunteerism, nutritious food preparation from the garden (including meatless dishes which are less expensive and healthier) and provide volunteer/employment opportunities for residents.

Below is an example of tasks that have been accomplished between October 2009 and June 2010:

- Met with different community-based organizations, residents, and other entities regarding involvement with the Lots of Crops program
- Discussions with private property owners regarding additional potential garden sites
- Met with Community Services Coordinator to discuss project coordination with North Richmond Green programs
- Conducted lot clean-up, debris removal, and land preparation at garden sites
- Conducted community outreach and education
- Organized a Garden Blessing Day in coordination with Little League parade
- Created a policy and procedures packet for garden site participants
- Construction and placement of raised bed planters
- Prepared 3<sup>rd</sup> Street garden site for irrigation and fence repair
- Work with interested community members to reserve garden beds for planting
- Supervised volunteers and work
- Started planting
- Created Lots of Crops community survey

The project manager plans to sponsor monthly workshops to encourage volunteerism. Workshop topics will range from healthy food preparation to making healing medicine from plants.

#### **Strategy 17A – Mentorship Project - YAEC**

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 – West County Watershedz Program**

Urban Creeks Council completed all proposed vegetation clearing efforts on the levees along Wildcat Creek in February 2010. UCC was able to clear all vegetation necessary to all the County Flood Control District to complete its survey work. UCC cleared vegetation from 20 survey transects between Giaramita Street and the Richmond Parkway, as well as the bridges at Giaramita and the Richmond Parkway. UCC utilized local Civicorps youth to help with the vegetation clearing efforts.

#### **Strategy 17H – Wildcat and San Pablo Creek Enhancements**

The Contra Costa County Flood Control District completed its topographic survey work and hydrological model in March of 2010. The FCD had planned to have its work completed in the Fall of 2009, however, due to the winter rains, that work was delayed. Thanks to the efforts of UCC, County Surveyors were able to conduct a topographic survey of each of the cross sections of the levees and the areas around each of the bridges. FCD was then able to take this information and develop a detailed hydrologic analysis to determine how much vegetation that could be allowed to grow within the overall stream channel and near the bridges. This information was also used to convey the 100-year flood areas as required by the US Army Corps of Engineers for levee recertification.

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

**MEETING DATE:** July 26, 2010

**AGENDA ITEM:** 5

**SUBJECT:** Funding for Capital Improvement Projects allocated under Strategy 13 in the 2010/2011 Amended Expenditure Plan

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**RECOMMENDATION(S):**

CONSIDER funding proposals and provide direction to staff regarding selection of one or more activity(ies)/project(s) to be funded with the \$105,000 allocated under Strategy 13 - Capital Improvement Projects. Options the Committee may want to consider include, but are not necessarily limited to:

- a. Allocate all funding (\$105,000) to Phase II of the Eco-Academy project proposed by Neighborhood of House of North Richmond (NHNR), which would begin in December 2010. *If allocating some or all of this funding to Phase II as proposed, direct staff to revise Strategy 13 wording to allow for purchase of trailer and/or interior improvements and recommend that City and County consider approving this change in a Second Amended 2010/2011 Expenditure Plan.*
- b. Allocate a portion of funding (ranging between \$11,000 and \$47,500) to one or both of the flood control/creek projects proposed by the Contra Costa County Flood Control and Water Conservation District (FCD). *If one or both flood control projects are selected, there would be between \$57,500 and \$94,000 remaining under Strategy 13 to be allocated to other projects.*
- c. Defer final decision about allocation of some or all of the Strategy 13 funding until the October Committee meeting, if the Committee is interested in receiving and considering proposal(s) for funding one or more joint City/County Public Works project(s).

## **BACKGROUND:**

At the May 3, 2010 meeting, Staff was directed by the Committee to explore potential projects for consideration under Strategy 13, Capital Improvement Projects and report back during the July 26, 2010 meeting. The Capital Improvement Project strategy and funding amount is similar to what was originally included in the previous Expenditure Plan, which was based upon needs that had been expressed by a prior Committee Member in 2008. The funding was not expended in the prior two-year Plan cycle and instead was carried over into this 2010-2011 Expenditure Plan. Strategy 13 reads as follows currently:

### ***Capital Improvement Projects***

*Fund various capital improvement projects<sup>1</sup>, including infrastructure and creek related improvements, within the Mitigation Fee Primary Funding Area.*

*Projects could include but are not limited to:*

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

## **A. ECO-ACADEMY PROJECT – PHASE II**

The Eco-Academy project is a "green" vocational training and community infrastructure improvement project that would provide green job training for residents of North Richmond. The proposed Eco-Academy project would potentially involve improving a vacant publicly owned building to improve its appearance and convert it into a useful community asset that beautifies the community. The Eco-Academy renovation is proposed to incorporate green building techniques that would ultimately result in a "green" state-of-the-art educational facility offering much needed job training infrastructure in North Richmond.

The Eco-Academy project concept was originally discussed in early 2009 during several meetings held at the North Richmond Senior Center which were attended by one of the previous Committee members. At that time, the unused funding allocated under the Capital Improvement Project strategy in the 2008-09 Expenditure Plan was identified as a potential funding source. Community participation in these meetings was very strong, likely due in part to the anticipated discontinuation of North Richmond Youth Build in the summer/fall 2009 resulting from budget cuts. Youth Build served as the only job training program in the community and served young adults ages 17-24 (the most at risk for violence and death age range in our community). The intense need for a replacement job training program in North Richmond led to the development of the original proposal concept presented to this Committee orally during the May 2009 meeting, in conjunction with other North Richmond Green activities. At the May 2009 meeting, the Committee

expressed support for the Eco-Academy project concept and indicating their willingness to agendize consideration of funding the Eco-Academy project upon submission of a written proposal with project details. Funding for the Eco-Academy project was also discussed by the Committee at the October 2009 meeting, the outcome of which is included in a footnote to Strategy 13 in the 2010/2011 Expenditure Plan (see below<sup>1</sup>).

Following the Committee meeting in May 2010, the City and County approved the Amended 2010/2011 Expenditure Plan which includes an allocation of \$70,000 under Strategy 14 – Community Based Projects for the proposed North Richmond Eco-Academy project. The \$70,000 allocated is just about 30% of the total amount requested in the Eco-Academy proposal submitted earlier this year by NHNR (total budget of \$238,000). As a result of the reduce amount of funding allocated, NHNR has now proposed to use a phased approach to establishing the Eco-Academy. Phase I proposal and budget, totaling \$70,000, has been submitted for review by staff involving hiring a project manager to conduct tasks needed to negotiate and secure use of a site and building/trailer for the Eco-Academy at no charge. Phase I proposal presumes tasks would begin in September 2010 and be completed by the end of December 2010. Additional funding needs to be secured to fund the next Phase of the project, including the actual permitting and placement/rehabilitation of building/trailer to serve as the Eco-Academy facility. It is important to note that there is a slight overlap in the schedules for Phase I and Phase II, specifically they include tasks which are proposed to occur within the month of December 2010.

Following the May 2010 Committee meeting, City and County staff to the Committee were asked to meet with Committee Member Henry Clark and representatives from NHNR to discuss the Eco-Academy project. Staff met with the interested parties in early June and was asked about having a proposal to fund Phase II of the Eco-Academy considered in conjunction with the agenda item pertaining to Strategy 13 at the next Committee meeting. On June 23, 2010 NHNR submitted a proposal and budget (\$105,000) for Phase II of the Eco Academy, which presumes a start date in December 2010 following completion of Phase I. The Phase II budget includes cost for either renovating an existing building (presumably interior & exterior) or purchasing and placement of a trailer on a vacant lot (as well as job readiness training).

The City and County would have to approve a Second Amended 2010/2011 Expenditure Plan with revised Strategy 13 language in order to allow some or all of the funding to be used for Phase II of the Eco-Academy, as proposed since currently it only

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<sup>1</sup> At the October 2009 meeting, the Committee voted to modify Strategies as needed so that when the 2010-2011 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) for the Eco-Academy project proposed by the Neighborhood House of North Richmond (NHNR). However, this funding was only to be made available for this proposed project contingent upon receipt of the grant amount that NHNR 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.

provides for “beautification and/or structural enhancement to the exterior of specific community identified structures”.

NHNR will be required to submit proof that building location has been secured, in the form of a signed and notarized MOU, contract and/or lease agreement, in North Richmond and that all Phase I work has been completed consistent with the scope of work included in the contract, prior to the release of funds for Phase 2 of the project.

## **B. FLOOD CONTROL/CREEK PROJECTS**

The Contra Costa County Flood Control and Water Conservation District (FCD) recently submitted a proposal requesting the Committee consider funding three projects with some of the \$105,000 that is currently allocated for Capital Improvement Projects (Strategy 13) in the North Richmond Waste & Recovery Mitigation Fee Expenditure Plan. Two<sup>2</sup> of these projects are summarized below, which together total \$47,500.

The North Richmond Mitigation Funding Area covers both the Unincorporated and Incorporated sections of North Richmond and contains both Wildcat and San Pablo Creeks. The FCD owns, manages, and operates a portion of Wildcat and San Pablo creeks in North Richmond. The FCD has been actively engaged in a variety of efforts to minimize the potential impact on North Richmond that may result from various federal regulatory changes and initiatives related to flood zones and levees. The District works cooperatively with the Wildcat-San Pablo Watershed Council to continually develop guidelines to manage the stream facility to provide flood protection for North Richmond, habitat for plants and wildlife, and opportunities for the community to enjoy and learn from this natural resource and watershed.

### 1. San Pablo Creek Topographic Surveys for FEMA Levee Recertification *Amount Requested = \$11,000 (10% of Total Estimated Cost)*

Both Wildcat and San Pablo Creek are confined by levees to protect the North Richmond community. The Federal Emergency Management Agency (FEMA) has updated their flood maps and has determined that North Richmond would be in flood zone if the levees are not re-certified. This would require all North Richmond residents to purchase flood hazard insurance on their properties.

Certain trees and vegetation will have to be removed to provide the line of sight needed to conduct a detailed cross section survey as basis for developing the required comprehensive hydraulic mode of the stream facility. The FCD requests 10% of the anticipated costs associated with surveying San Pablo Creek be funded by Mitigation Fees. The 2008/2009 Expenditure Plan allocated some Mitigation Fee

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<sup>2</sup> Staff is not recommending consideration of the third proposed project involving the purchase, servicing and maintenance of public trash receptacles adjacent to the bridge over Wildcat Creek, because the trash cans placed for public use which were funded under the 2008/2009 Expenditure Plan proved to be quite problematic and unsustainable.

funding to cover similar vegetation removal that was needed for the topographic surveys of Wildcat Creek. The FCD expects to partner with the Urban Creeks Council (UCC), as was done for a similar mitigation fee funded endeavor completed earlier this year for Wildcat Creek. To the extent possible, FCD/UCC would hire local youth to remove vegetation.

2. Environmental Studies in Support of Variance for Vegetation Management on Corps Levees

*Amount Requested = \$36,500 (10% of Total Estimated Cost)*

The US Army Corps of Engineers (Corps) has begun to enforce its rules regarding the placement of trees atop levees. The Corps is requiring that all trees and vegetation on the top and 15 feet from the back and front of all levees be removed. This will greatly impact the State of California due to its large number of levees that are surrounded by vegetation and trees. Both Wildcat and San Pablo Creek have extensive levees designed to support riparian trees and shrubs.

Many states on the west coast, including California, are banning together to fight this rule enforcement and obtain a variance. Variances, which used to be approved at the District level, will now be approved at the national level. In order to apply for a variance, a number of studies need to be conducted to demonstrate the vegetation will not impact flood protection and to document the impacts of vegetation removal. The amount requested would help fund a series of studies needed to determine the impact of removing these trees and vegetation. The results of these studies, the Mitigation Fee funded topographic surveys for Wildcat Creek that were previously approved and completed, as well as the above-mentioned funding being requested for topographic surveys on San Pablo Creek would provide information required to complete and support FCD's variance application.

**C. CITY/COUNTY JOINT PUBLIC WORKS PROJECT(S)**

Considering the North Richmond Mitigation Fee funding area includes land within both City and County jurisdiction, road/lighting projects solely within the City or County would not be as appropriate as one or more joint projects. The Committee may wish to defer final decision on allocation of some or all of this Strategy 13 funding until the October meeting, to allow additional time for City and County Public Works to collaborate and identify one or more proposed joint projects that could be completed with the amount of time and funding available. Otherwise, any such joint Public Works projects could be considered for funding during the next Expenditure Plan cycle which will not begin until in January 2012.

Mitigation Committee  
North Richmond Eco-Academy  
Phase II: Scope of Work  
\$105,000 Budget Allocation

Project Overview

The North Richmond Eco-Academy is a Green vocation training school designed to give North Richmond residents the job skills that are—and will be—in demand in the new Green economy. The first-choice plan is to take boarded-up public housing units that are currently crime magnets and eyesores in North Richmond, and invest in turning them into productive parts of the community. The second-choice plan is to explore erecting a trailer on a lot owned by either City or County government that has become an eyesore in the community and a dumping ground. The investment would build community infrastructure capacity while eliminating blight and increasing community property values. Such an investment would also reduce crime and increase safety in the community.

Phase II: Project Objectives

Objectives for Phase II of the North Richmond Eco-Academy Project include opening up the Eco-Academy after repairing and cleaning up an abandoned public housing facility or a used trailer and providing five North Richmond young adults (18-27 years old) with job-readiness training and jobs repairing and cleaning up the Eco-Academy structure. .

Phase II: Scope of Work

Phase II of the North Richmond Eco-Academy Project will leverage the funding provided by Phase I of this project to hire a Project Coordinator who will continue working on the Eco-Academy Project throughout Phase II. However, this phase will primarily serve as the repair and clean-up as well as resident-training phase of the project that includes the following activities and timeframe:

<b>Task</b>	<b>Who</b>	<b>When</b>
Several local community-based organizations assist Project Coordinator in identifying five young adults to participate in repair and clean-up of facility	Project Coordinator Several Community-Based Agencies	Dec. 2010
Local community-based agency provides job-readiness training for five selected young adults	Community-Based Agency	Jan. – Feb. 2011

Determine extent of repairs and clean-up needed to meet building Inspector requirements	Contractor Project Coordinator Lead Agency	Dec. – Jan. 2011
Begin repair and clean-up of Eco-Academy structure	Contractor Five Young Adults Project Coordinator	Jan. – Mar. 2011
Seek office furniture and computer donations within Bay Area community for Eco-Academy facility	Project Coordinator Lead Agency	Feb. – Mar. 2011
Plan ribbon-cutting ceremony for opening of North Richmond Eco-Academy	Project Coordinator Lead Agency Mitigation Committee	Feb. – Mar. 2011

Phase II: Budget

**Salaries and Benefits**

Executive Oversight	10,000
Benefits @ 25%	<u>2,500</u>
<b>Total Salaries and Benefits</b>	<b>12,500</b>

**Operating Expenses**

Contracted Services – Job-Readiness Training	15,000	
Construction Contractor	7,500	
Stipends for 5 Young Adults	20,000	\$1000/month for 4 months
Materials for Cleanup and Repair and possible trailer purchase	33,805	
Permits	<u>2,500</u>	
<b>Total Operating Expenses</b>	<b>78,805</b>	

Admin @ 15%

13,695

**Total Budget**

\$105,000

**Contra Costa County Flood Control and Water Conservation District**  
**Request for Funding from**  
**North Richmond Waste Recovery Mitigation Fee Grant Program**

Contra Costa County Flood Control and Water Conservation District (FCD) requests financial assistance from the North Richmond Waste Recovery Mitigation Fee Grant Program (Grant Program) to implement three projects.

**1. Trash Cans at Wildcat Creek Fish Ladder – Requested Amount: \$16,000**

The FCD manages a portion of Wildcat Creek from just upstream of the BNSF and UPRR railroads to the mouth of the creek at San Francisco Bay. The portion of the creek under the two railroads has been modified into a concrete U-shaped channel. The channel walls have become a favorite place for young artists to paint murals using spray paint. The FCD does not object to the artistic endeavors of the local youth. However the artists routinely dispose of the used spray paint cans into the stream channel. These cans float into the fish ladder, compromising its function, and eventually flow into the sediment basin, where removal is all but impossible. The truth is that there is no place nearby to dispose of the used paint cans; and most people are not motivated enough to carry the cans to a safe disposal location blocks away.

The FCD proposes installing two metal mesh trash cans at the top of the channel wall for the artists to dispose of their used spray paint cans. The trash cans must be placed at the top of the channel to avoid any conflicts with flood flows. The FCD proposes to install a sign approximating the dimensions of a basketball hoop backboard, with a message encouraging the artists to “*Shoot 2 points for the creek! Toss your used spray paint cans here.*” The artists (mostly young men) can have a little fun attempting to toss their used cans into the cans at the top of the wall. The message will also convey the importance of creek stewardship.

The proposal includes the purchase of four metal mesh trash cans, creation of four signs, and weekly trash service from the County’s General Services Administration. This proposal will allow for the trash cans and backboard signs to be replaced once in the event of vandalism or extreme flood flows. The trash service includes cleaning the area around the trash can of spray paint cans which were tossed out of the stream channel, but failed to “hit the basket”. The Grant Program is the sole source of funding for this project, as the FCD does not have any matching funding mechanism for this project. See Table 1 for a detailed cost estimate.

**Table 1: Wildcat Creek Fish Ladder Trash Can Cost Estimate**

<b><u>Item</u></b>	<b><u>Estimated Cost</u></b>	<b><u>Requested Amount</u></b>
Trash Cans X4	\$ 1,000.00	\$ 1,000.00
Signs X4	\$ 1,000.00	\$ 1,000.00
Installation X2	\$ 1,000.00	\$ 1,000.00
Trash Service (weekly for 1 yr)	\$ 13,000.00	\$ 13,000.00
<b>TOTAL</b>	<b>\$ 16,000.00</b>	<b>\$ 16,000.00</b>

**2. San Pablo Creek Topographic Surveys for FEMA Levee Recertification – Requested Amount: \$11,000**

In 2008, the Federal Emergency Management Agency (FEMA) required all flood protection agencies to recertify all levees providing 100-year level of protection or risk remapping of adjacent communities into the 100 year flood plain. In order to complete the recertification process the FCD must survey the levees along the top of the levees and in multiple cross sections. Both Wildcat and San Pablo Creek are confined by levees to protect the North Richmond community. The FCD requests at 10% of the anticipated costs associated with surveying San Pablo Creek be funded by the Grant Program. See Table 2 for a complete cost estimate. In 2009 the Grant Program funded a portion of the costs for the topographic surveys of Wildcat Creek.

To complete the topographic surveys, line of sight must be established along the top of the levees and at cross sections at 200 foot intervals. San Pablo Creek, like Wildcat Creek, were designed and built to include a riparian woodland on one or both levees and into the floodplain adjacent to the low-flow channel. The FCD will once again use the expertise of the Urban Creeks Council to trim the vegetation in such a way to minimize damage to the vegetation, and encourage appropriate growth. County surveyors will survey the levees and cross sections of the stream channel. The topographic surveys will also be used in an upcoming application for a variance to a revised US Army Corps of Engineers Policy regarding vegetation on levees (which is discussed in the next funding proposal).

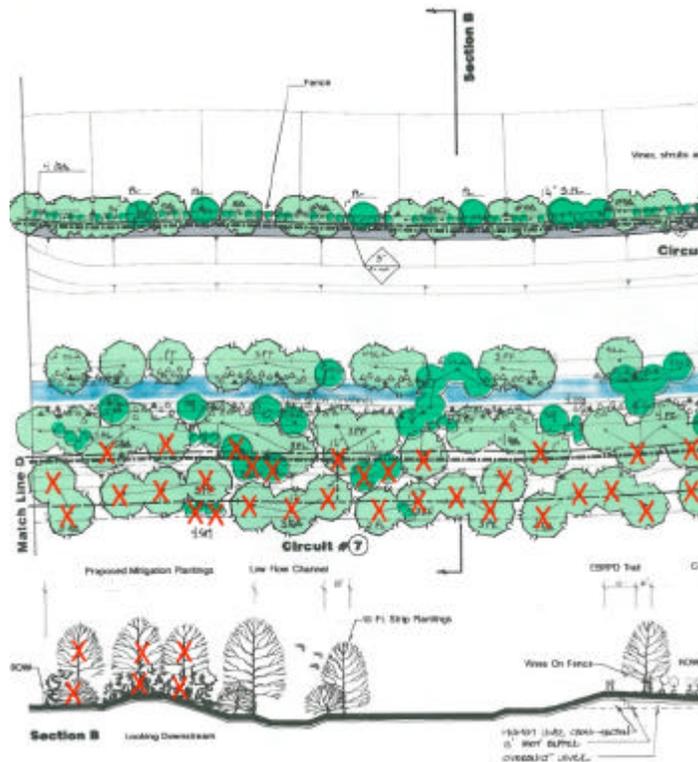
**Table 2: San Pablo Creek Topographic Surveys Cost Estimate**

<u>Item</u>	<u>Estimated Cost</u>	<u>Requested Amount</u>
Vegetation Trimming	\$ 67,000.00	\$ 6,700.00
Survey	\$ 33,000.00	\$ 3,300.00
Hydrologic Model	\$ 10,000.00	\$ 1,000.00
<b>Total Amount</b>	<b>\$ 110,000.00</b>	<b>\$ 11,000.00</b>

**3. Environmental Studies in Support of Variance for Vegetation Management on Corps Levees – Requested Amount: \$36,500**

Earlier this year, the Army Corps of Engineers (Corps) announced a new policy for variances to the Corps vegetation management policy on Corps-built levees. This policy requires all vegetation (except grasses) to be removed from all levees and 15 feet on either side of the levee. Variances, which used to be approved at the District level, will now be approved at the national level. Both Wildcat and San Pablo Creek have extensive levees designed to support riparian trees and shrubs. Under this new policy, the vast majority of the riparian trees will have to be removed - see Figure 1. The FCD intends to apply for a variance from the vegetation policy.

**Figure 1: Effects of Crops Required tree removal on Wildcat & San Pablo Creeks**



As part of the application for a variance, the FCD is expected to conduct a number of studies to demonstrate the vegetation will not impact flood protection and to document the impacts of vegetation removal. The previously Grant Program funded topographic surveys on Wildcat Creek, and the requested funding for topographic surveys on San Pablo Creek will assist the FCD's application. But the FCD will also need to conduct a number of environmental studies to document the current conditions and demonstrate the potential environmental impacts of the required vegetation removal. The FCD requests the Grant Program provide 10% match funding to conduct a wetland delineation, tree survey, wildlife habitat assessment, and focused surveys for federally listed wildlife. See Table 3 for a complete cost estimate.

**Table 3: Cost Estimate for Environmental Studies in Support of Vegetation Management Variance Application**

<b>Item</b>	<b>Estimated Cost</b>	<b>Requested Amount</b>
Wetland delineation	\$ 120,000.00	\$ 12,000.00
Tree survey	\$ 75,000.00	\$ 7,500.00
Wildlife Habitat Assessment	\$ 120,000.00	\$ 12,000.00
Listed Species Surveys	\$ 50,000.00	\$ 5,000.00
<b>TOTAL</b>	<b>\$ 365,000.00</b>	<b>\$ 36,500.00</b>

**San Pablo Creek Topographic Surveys for FEMA Levee Recertification**

<u>Item</u>		<u>Est. Cost</u>		<u>Requested Amount</u>
Vegetation Trimming	\$	67,000.00	\$	6,700.00
Survey	\$	33,000.00	\$	3,300.00
Hydrologic Model	\$	10,000.00	\$	1,000.00
<b>Total Amount</b>	<b>\$</b>	<b>110,000.00</b>	<b>\$</b>	<b>11,000.00</b>

**Environmental Studies in Support of Variance for Vegetation Management on Corps Levees**

<u>Item</u>		<u>Est. Cost</u>		<u>Requested Amount</u>
Wetland delineation	\$	120,000.00	\$	12,000.00
Tree survey	\$	75,000.00	\$	7,500.00
Wildlife Habitat Assessment	\$	120,000.00	\$	12,000.00
Listed Species Surveys	\$	50,000.00	\$	5,000.00
<b>TOTAL</b>	<b>\$</b>	<b>365,000.00</b>	<b>\$</b>	<b>36,500.00</b>

**Trash Cans at Wildcat Creek Fish Ladder**

<u>Item</u>		<u>Est. Cost</u>		<u>Requested Amount</u>
Trash Cans X4	\$	1,000.00	\$	1,000.00
Signs X4	\$	1,000.00	\$	1,000.00
Intsallation X2	\$	1,000.00	\$	1,000.00
Trash Service (weekly for 1 yr)	\$	13,000.00	\$	13,000.00
<b>TOTAL</b>	<b>\$</b>	<b>16,000.00</b>	<b>\$</b>	<b>16,000.00</b>

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

**MEETING DATE:** July 26, 2010

**AGENDA ITEM:** 6

**SUBJECT:** Provide direction regarding options for verifying actual Mitigation Fee revenue and expenditure figures

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**RECOMMENDATION(S):**

RECEIVE report about services/resources available through the Contra Costa County Auditor's Office to audit actual expenditures of North Richmond Mitigation Fee revenue received by the County.

PROVIDE direction to staff regarding amount of funding, if any, the Committee would be willing to reallocate under the 2010-2011 Expenditure Plan to pay for financial review or audit services, and report back in October regarding the potential scope of the review/audit that could be performed based upon the funding amount being reallocated.

**BACKGROUND:**

A letter was submitted to staff by Committee member Dr. Henry Clark, on behalf of Committee member Johnny White, at the February 26, 2010 Committee meeting. The letter called for detailed CPA endorsed closing statements for 2006/2007 and 2008/2009 Mitigation budgets, with line item spending per strategy.

The North Richmond Waste & Recovery Mitigation Fee Committee briefly discussed Mr. White's letter at the meeting on May 3, 2010. Staff explained that a listings of actual expenditures incurred by the City and County already exists for the 2006/2007 and 2008/2009 Expenditure Plan cycles, which is the basis for the amounts included in the Summary of Actual Expenditures included in prior Committee meeting packets and posted on the website ([www.cccounty.us/nrmfc](http://www.cccounty.us/nrmfc)). At that meeting, Committee member John Gioia asked that staff explore available auditing services available through the office of the publicly elected County Auditor-Controller and report back to the Committee in July.

County staff contacted the Auditor-Controller's Office to determine the feasibility and timeliness of having an audit performed on the 2006/2007, 2008/2009, and the 2010/2011 Expenditure Plans. The County Auditor's Office could perform an expenditure audit, involving reconciliation of expenses/transactions included in the expenditure tracking tables maintained by staff against the actual charges reported in the official centralized accounting system. Staff in the Auditor-

Controller's Office advised they would not be able to start the audit until 2011 and only if such were requested relatively soon so that it is incorporated into their 2011 work plan and scheduled accordingly. Furthermore, their Office expects to employ cost recovery efforts utilizing the existing time and materials cost plan. The current cost per hour for auditing services performed by Auditor's Office staff is \$83.00 per hour (including overhead).

If a financial review or 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. The City Council and the Board of Supervisors would have to approve any changes to the budget actions recommended by the Committee in order to allocate funding for an audit.

If the Committee opts for a detailed CPA endorsement of the closing statements from 2006/2007 and 2008/2009, that may necessitate hiring a 3<sup>rd</sup> party auditor for Mitigation funds held, in both the City and County accounts. An audit performed by a 3<sup>rd</sup> party may be significantly more expensive, because the CPA would likely charge more than \$83.00 per hour. According to the City of Richmond Finance Department, it could cost a minimum of \$10,000 to have an outside auditor look over just the City expenditures. In order for an outside independent auditor to be used, the applicable solicitation (e.g. Request for Proposals) and contracting processes would need to be followed. Additional Board of Supervisors and/or City Council approval(s) may also be required.