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## County to bolster Keller Canyon fund oversight

By Rick Radin  
Contra Costa Times

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MARTINEZ -- Contra Costa is trying to get better control of a multimillion-dollar mitigation fund used to disburse dumping fees raised by an East County landfill.

The county plans to expand the fund's review committee that prepares an annual report to the board of supervisors about how money is spent, broaden the panel's makeup and set an ethics policy.

It also plans to limit the annual distributions to charities and governing bodies to 80 percent of the revenue it expects to receive in a given year to prevent deficits that have to be made up in the following year.

The fund, which has distributed between \$800,000 and \$1.8 million annually over the past decade, is intended to offset the landfill's effects on traffic, open space, recreational facilities and agriculture in the Pittsburg-Bay Point area, where it is located.

A committee of staff from the county conservation and development department recommended the changes to the board's finance committee, made up of Supervisor Federal Glover of Pittsburg and Supervisor John Gioia, of Richmond. David Fraser, chief of staff to Glover, was consulted.

The move follows a critical report by former county auditor Steven Ybarra, who in November said that the mitigation fund's managing board had drawn nearly \$400,000 from the county's general fund to make up a deficit over four years, spent \$634,000 outside grant guidelines over 10 years and given out more money than it had collected in seven

out of the past 10 years, among other allegations.

All the annual deficits were made up in the following

year, Fraser said, but the criticisms inspired a push for greater clarity.

"The auditor's report was the catalyst for the discussion," Fraser said. "From now on, we only want to spend 80 percent of what we think we're going to take in to avoid the potential for an annual (shortfall)."

Glover, whose District 5 makes up most of East County, heads the Keller Canyon review committee, which also includes Fraser and county employee Robert Calkins.

Calkins will be dropped from that committee in favor of three members to be appointed by the Bay Point Municipal Advisory Council, the Bay Point Chamber of Commerce and the Mount Diablo Unified School District, which administers Bay Point schools.

The conservation and development committee recommended other steps, including making the public more aware of how to apply for grants by requiring the announcement of grant applications and making the forms available on the county's website as well as the District 5 website.

It also suggested more regularly updating the list of nonprofits interested in funding and more closely monitoring their tax-exempt status.

Separately, Pittsburg receives \$1.25 of the \$3-per-ton Keller Canyon dumping fees for its general fund with the other \$1.75 going to the mitigation fund.

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advisory council, will receive 70 percent of the mitigation money, with Pittsburg, Antioch and other East County areas eligible for the rest. Other municipal advisory councils will no longer receive money.

The ethics policy will require members of fund's review committee to recuse themselves from voting on funding for organizations in which they have an interest or control, Fraser said.

The finance committee endorsed taking money from the mitigation fund's 2011-12 revenue to pay down a \$167,000 deficit from 2009-2010

It ordered staff to further study the recommendation to end cash payments from the mitigation fund to organizations in favor of reimbursing them after they spend money.

Fraser said some of the smaller organizations don't have the cash available to run their programs.

"We don't want to require the ones that can't to do it," Fraser said.

Gioia and Glover will review a revised report at the May 2 finance committee meeting and plan to bring the reforms before the full board later in the month.

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