

**CITY OF ALBANY
CITY COUNCIL AGENDA
STAFF REPORT**

Agenda Date: April 4, 2011
Reviewed by: BP

SUBJECT: Association Community Action Program of Alameda County
(ACAP)

REPORT BY: Beth Pollard, City Manager

STAFF RECOMMENDATION

1. Receive an oral report from Council Member Lieber on the Associated Community Action Program (ACAP).
2. Authorize execution of the Reimbursement and Joint Cooperation/Representation Agreement for Common Interests/Pooled Information by and among the County of Alameda and the Cities of Alameda, Albany, Dublin, Emeryville, Fremont, Hayward, Livermore, Newark, Piedmont, Pleasanton, San Leandro, and Union City, in connection with the winding down of the business affairs of the Joint Powers Agency known as ACAP.

BACKGROUND

The cities named above, along with Alameda County, are members of a Joint Powers Authority known as Associated Community Action Programs (ACAP). As previously reported to the City Council, this agency has been under financial and managerial distress, and is in the process of winding down in its current form. The cities and County and ACAP Board of Directors are taking certain immediate steps to minimize risks and costs related to the current condition of ACAP, past actions, and the winding down of the agency.

Chief among the steps is the hiring of former Dublin City Manager Rich Ambrose to step in as Interim ACAP director, and advise the members on future actions. Accomplishing this work required the payment of \$25,000 by each member agency, which will also fund obligations such as past due payroll. It additionally requires the full cooperation between and among the members in sharing information that is critical to understanding the present state and charting the best course for the members and the communities.

DISCUSSION

The cities and County recognize that after all the information is obtained and reviewed, there may be disparate interests between the member cities and/or County. To this end,

city attorneys drafted a cooperation agreement that calls upon members to share information while also reserving their rights to disagree later.

SUSTAINABILITY IMPACT

N/A

FINANCIAL IMPACT

The payment of \$25,000 was paid from the City Council discretionary funds line item in the Non-Departmental Budget. There are likely to be additional costs that Albany will be asked to pay. There is \$25,000 remaining in the discretionary fund s line item.

Attachments

1. Agreement
2. ACAP Board of Directors Press Release 3-24-11