RESOLUTION NO. 97-07

RESOLUTION OF THE COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA
AUTHORIZING THE ANNUAL APPROPRIATION, ADMINISTRATION AND
EXPENDITURE BY THE CITY MANAGER’S OFFICE OF FUNDS COLLECTED FROM
THE HAZARDOUS WASTE FACILITY LICENSE FEES PAID BY VEOLIA
ENVIRONMENTAL SERVICES IN AN AMOUNT NOT TO EXCEED TWENTY FIVE
THOUSAND DOLLARS ($25,000) AND TO AUTHORIZE THE CARRY-OVER OF ANY
UNEXPENDED LICENSE FEES FROM ONE FISCAL YEAR TO A SUBSEQUENT
FISCAL YEAR.

WHEREAS, Veolia Environmental Services (hereinafter “Veolia”), located at 1125 Hensley
Street in Richmond, California operates a storage and transfer facility for hazardous waste and is
therefore subject to Richmond Municipal Code Section 7.04.125, which authorizes the imposition
of a license fee on hazardous waste facilities; and

WHEREAS, the facility operated by Veolia is also subject to Conditional Use Permit 92-49 which
requires: (1) a minimum Hazardous Waste License Fee (“License Fee”) of $25,000 per year be
paid to the City of Richmond; (2) the License Fee be used for programs and/or projects within the
North Richmond and Iron Triangle areas, and (3) the establishment of a five member Community
and Information Panel (hereinafter the “Panel”); and

WHEREAS, pursuant to Section F.2 of the Conditional Use Permit 92-49, the Panel consists of
the following members: One (1) from North Richmond, one (1) from the Iron Triangle, two (2)
from adjacent businesses, and one (1) from the West County Toxic Coalition; and

WHEREAS, one role of the License Fee and Panel is to address some of the issues caused by the
facility being located in and transport vehicles having to drive through the North Richmond and
Iron Triangle neighborhoods; and

WHEREAS, City Council Resolution 19-93 provided for the disbursement of the License Fee
solely to fund programs and/or projects located in the North Richmond and Iron Triangle areas;
and

WHEREAS, an annual competitive grant process, entitled the Veolia Mitigation Fee Grant
Program, was established to allocate the License Fees to nonprofit and/or community based
organizations located in and/or serving residents of the North Richmond and Iron Triangle
neighborhoods; and

WHEREAS, as of January 2007, there was a total of $100,000 available to be used to fund local
programs and/or projects through grants; and

WHEREAS, pursuant to Resolution 138-06, the City of Richmond awarded grants to eight (8)
nonprofit and/or community based organizations located in and/or serving residents from the Iron
Triangle and North Richmond areas for an amount not to exceed $92,500; and

WHEREAS, $7,500 remains from FY 2006-07 and needs to be appropriated for use by the City
Manager’s Office in FY 2007-08 to fund programs and/or projects; and

WHEREAS, as of January 2008, there will be a total of $32,500 available to award to
organizations through a competitive grant process; and

WHEREAS, each year Panel members review grant proposals, select grant recipients and
recommend grant award approval to the Richmond City Council; and

WHEREAS, the Richmond City Council authorizes the City Manager’s staff to negotiate and
enter into contracts with the Panel-approved grantees and to provide contract oversight to assure
that contract deliverables are met and that activities and expenses are consistent with the intent of
each contract; and

WHEREAS, grantees will provide City Manager’s staff with adequate documentation related to
all activities for which any reimbursement is being requested under the specified agreements; and

WHEREAS, as long as this annual License Fee is paid to the City, the City Manager’s Office will continue to oversee the Veolia Grant Program for the sole purpose of funding programs and/or projects in the specified areas; and

WHEREAS, Panel members select grant recipients based on specific criteria and therefore, do not always award the total grant funds available each year; and

WHEREAS, extra grant funds may remain after each grant cycle, based on the calendar year, and will require authorization to be appropriated and expended in future fiscal years; and

WHEREAS, the City Council received and accepted a staff report dated September 11, 2007, with regard to this Resolution, and

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Richmond, California, authorizes (1) the annual appropriation, administration and expenditure of the $25,000 Hazardous Waste Facility License Fee paid annually by Veolia Environmental Services to be placed in a dedicated revenue account for the sole use of funding projects and/or programs within the Iron Triangle and North Richmond areas, (2) the appropriation of $7,500 of unencumbered License Fees from FY 2006-2007 to FY 2007-2008 and expenditure by the City Manager’s Office for projects and/or programs within the Iron Triangle and North Richmond areas, and (3) the appropriation and expenditure of any future unencumbered License Fees from one fiscal year to the subsequent fiscal year, for use by the City Manager’s Office, for the sole purpose of funding projects and/or programs in the Iron Triangle and/or North Richmond areas through a competitive grant process.
I certify that the foregoing Resolution was passed and adopted by the Members of the City Council of the City of Richmond, California at a regular meeting held on September 11, 2007, by the following vote:

**AYES:** Councilmembers Bates, Butt, Lopez, Marquez, Rogers, Sandhu, Thurmond, Viramontes, and Mayor McLaughlin

**NOES:** None

**ABSTENTIONS:** None

**ABSENT:** None

DIANE HOLMES  
Clerk of the City of Richmond

Approved:

GAYLE McLAUGHLIN  
Mayor

Approved as to form:

LOUISE RENNE, Interim  
City Attorney

State of California  
County of Contra Costa  
City of Richmond

I certify that the foregoing is a true copy of Resolution No. 97-07, finally passed and adopted by the Council of the City of Richmond at a meeting held on September 11, 2007.