

RESOLUTION NO. 87-09

**RESOLUTION OF THE COUNCIL OF THE CITY OF RICHMOND,
CALIFORNIA IN SUPPORT OF SAVING JOBS AND A SETTLEMENT OF THE
CHEVRON RENEWAL PROJECT BY ALL PARTIES**

WHEREAS, the East Bay is experiencing 17 months of job loss in the current recession and continuing to drop; and

WHEREAS, the City of Richmond is experiencing a near 16% unemployment rate as of June 2009; and

WHEREAS, this rate of unemployment does not reflect those already unemployed for more that a year or underemployed; and

WHEREAS, low income families and communities of color are disproportionately impacted by unemployment, underemployment; and

WHEREAS, the City of Richmond is experiencing foreclosures and loss of homeownership by 1,500 homes as of May 2009 and more could be lost;

WHEREAS, the City of Richmond is experiencing a summer rise of domestic violence and homicide requiring additional police overtime and social intervention with community services for families at risk; and

WHEREAS, the City Council of Richmond by tradition has not supported a policy of gentrification for housing planning and creating economic development diversity for upward mobility and sustainable wages; and

WHEREAS, the City of Richmond has maintained 55 parks, 12 play lots and supported since 1928 significant open space and conservation, regional parks in cooperation with the East Bay Regional Parks system; has secured over the past 16 years, 26 miles of trails and open space, with 19 miles completed and the balance funded and set aside for completion over the next seven years; and

WHEREAS, The City Council of Richmond has banned certain atmospheric testing, approved Industrial Safety Ordinances, provided significant Brown fields clean up, authorizes lawsuits against corporations and owners that pollute, repealed Chevron USA decades tradition of Self Inspection and Self Permitting; participated in the environmental state of emergency when oil spills hit our shores and works with federal, state and regional regulatory bodies to protect land, water, air and public health; and has insured that Chevron and other corporations pay their fair share of utility taxes; and

WHEREAS, our government functions with executive, legislative and judicial branches; and Citizens for Better Environment, et al., have acted within their right and option to appeal a legislative decision before the courts regarding the Chevron Hydrogen Renewal Project; and

WHEREAS, without immediate settlement between Chevron USA and Citizens for Better Environment, 1,100 workers will lose their jobs; and

WHEREAS, communities in Richmond will lose \$61.6 million of Community Benefit, secured by the Richmond City Council that would provide:

- \$11.250. million to increase police officers on the street for public safety and fund violence prevention in our neighborhoods; outreach workers and case management to high risk youth and adults
- \$6.0 million to extend health services to Richmond residents

- \$6.750 million for educational programs, job training and apprenticeships and job placement for the unemployed and underemployed
- \$10.0 million dollars for a Richmond Community Fund to assist non profits providing services to Richmond residents
- \$27.6 million dollars of environmental benefits like a Bay Trail, reducing Volatile Organic Compounds to zero, reducing Greenhouse gas emission with a model Green Print Project, a 12 Mega Watt solar/wind project providing greenhouse gas emissions for the region; providing a ground level community monitoring system beyond the fence line of the refinery, sustainable landscaping, diesel emissions reduction program, regulating and protecting floating tank lids on domes outside the project area; and other benefits

WHEREAS, the Conditional Use Permit, as approved by the City Council, July 2008 requires Chevron to mitigate Greenhouse Gas emissions as defined by the EIR to be below zero; and submit a Greenhouse Gas plan in consideration of regulations required by AB32; any encouragement to fulfill obligations under state law and by local requirements are fully supported by the City Council today; and

WHEREAS, the Conditional Use Permit, as approved July 2008, provided a technical crude cap by restricting the SDA unit to the capacity equivalent of API 28 as testified by city and consultant staff; any further crude caps to API 30 or other cap restrictions to limit heavy crude that may develop through settlement negotiations or by judicial requirements from the legal process will be respected; and

WHEREAS, the Community Benefit Agreement is considered suspended not terminated under the City writ of mandate as approved Friday, July 24, 2009, by the City Council and as reported to the community; and

WHEREAS, Chevron is preparing to exercise their right to appeal before the courts without requesting the removal of the injunction to stop work.

NOW THEREFORE BE IT RESOLVED, that the City Council of Richmond supports the immediate settlement of the Chevron Renewal project that is fair to all parties, which includes the return to work of 1,100 men and women of all trades; and confirms that the City of Richmond will meet the judicial deadline by authorizing the next legal step as required by July 30, 2009, and request Chevron's action to appeal the injunction that stops work.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held on July 28, 2009, by the following vote:

AYES: Councilmembers Bates, Ritterman, Rogers, Viramontes,
and Vice Mayor Lopez.
NOES: None.
ABSTENTIONS: Mayor McLaughlin.
ABSENT: Councilmember Butt.

DIANE HOLMES
Clerk of the City of Richmond

[SEAL]

Approved:

GAYLE MCLAUGHLIN
Mayor

Approved as to form:

RANDY RIDDLE
City Attorney

State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 87-09**, finally passed and adopted by the Council of the City of Richmond at a meeting held on July 28, 2009.