

RESOLUTION NO. 138-06

**RESOLUTION OF THE COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA
AUTHORIZING THE CITY MANAGER'S OFFICE TO ALLOCATE FUNDS FROM THE
HAZARDOUS WASTE FACILITY LICENSE FEES PAID BY VEOLIA
ENVIRONMENTAL SERVICES AND TO NEGOTIATE AND ENTER INTO
CONTRACTS WITH NONPROFIT ORGANIZATIONS FOR USE OF LICENSE FEE
FUNDS FOR AN AMOUNT NOT TO EXCEED NINETY TWO THOUSAND FIVE
HUNDRED DOLLARS (\$92,500) FOR THE 2007 CALENDAR YEAR**

WHEREAS, Veolia Environmental Services (hereinafter "Veolia"), located at 1125 Hensley Street in Richmond, California operates as 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 Fees 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 to fund programs and/or projects located in the North Richmond and Iron Triangle areas; and

WHEREAS, a competitive grant process, entitled the 2007 Veolia Mitigation Fund Grant Program, was established to allocate the License Fees to nonprofit organizations located in and/or serving residents of the North Richmond and Iron Triangle neighborhoods ; and

WHEREAS, as of January 2007, there will be a total of \$93,750 available, to be used to fund local programs and/or projects through grants; the maximum grant award for 2007 was \$12,500; and

WHEREAS, the City of Richmond has provided nonprofit organizations with an adequate opportunity to apply for the 2007 Veolia Mitigation Fund Grant Program; and

WHEREAS, Panel members reviewed seventeen (17) grant proposals and recommended to City Council that grants be awarded to eight (8) nonprofit organizations, which are represented in Attachment A for City Council consideration, for an amount not to exceed \$92,500; and

WHEREAS, the Richmond City Council authorizes City Manager's staff to negotiate and enter into contracts with the eight (8) 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, the City Council received and accepted a staff report dated December 19, 2006, with regard to this Resolution;

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Richmond, California, adopts the Resolution to allocate License Fee funds to the grantees specified in Attachment A, and authorizes the City Manager's Office to negotiate and execute various agreements, such as a contract, memorandum of understanding, and all other documents required by the City of

Richmond for receipt of License Fee funds for the 2007 calendar year, as may be necessary to administer funds as required.

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 meeting held on December 19, 2006 by the following vote:

AYES: Councilmembers Butt, Griffin, Marquez, McLaughlin, Viramontes and Mayor Anderson
NOES: None
ABSTENTIONS: None
ABSENT: Councilmembers Bates, Rogers, and Thurmond

DIANE HOLMES
Clerk of the City of Richmond

[SEAL]

Approved:

IRMA L. ANDERSON
Mayor

Approved as to form:

JOHN EASTMAN
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. 138-06, finally passed and adopted by the Council of the City of Richmond at a meeting held on December 19, 2006.