

RICHMOND, CALIFORNIA, April 28, 2009

The Special Meeting of the Richmond City Council was called to order at 7:10 p.m. by Mayor McLaughlin.

ROLL CALL

Present: Councilmembers Bates, Ritterman, Rogers, Viramontes, Vice Mayor Lopez and Mayor McLaughlin. **Absent:** Councilmember Butt.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

Mayor McLaughlin read and presented Diane Holmes, City Clerk, with a proclamation recognizing the week of May 3 through May 9, 2009, as Municipal Clerks' Week. Ms. Holmes thanked the Mayor and City Council for the opportunity to serve and expressed appreciation to her staff. Councilmember Viramontes commended the City Clerk's Office for their hard work.

Mayor McLaughlin read and presented proclamations to David Bacon and Pam Aguilar, Central Labor Council, recognizing May Day 1886 as the beginning of the eight-hour work-day struggle, and honoring local labor leaders. William Lucy was also honored but was not present. Mr. Bacon and Pam Aguilar thanked the Mayor and City Council for the proclamation. Jovanka Beckles and Corky Booze gave comments.

In the matter to adopt a resolution proclaiming May 2009 as a month to recognize the benefits of bicycling and to recognize bicycling promotional activities such as the Team Bike Challenge and May 14, 2009, as Bike-to-Work Day. Craig Murray, Redevelopment Agency, stated that there will be various energizer stations located throughout Richmond.

Jonathon Botkin, SunPower Corporation will host an energizer station. Dave Campbell, East Bay Bicycle Coalition, thanked the City for the financial support for Bike to Work Day event. Mr. Campbell also stated that there will be free bike-to work safety classes at Kaiser Richmond on Thursday, April 30th. Interested persons can register at www.ebbc.org. A motion made by Councilmember Viramontes, seconded by Vice Mayor Lopez, adopted **Resolution No. 32-09**, by the unanimous vote of the Council.

CONSENT CALENDAR

Approval of the purchase of 15 hybrid sedans, six hybrid SUV's and 20 police Ford Crown Victorias to replace existing aged and worn vehicles presently in Richmond's fleet, in an amount not to exceed \$1,122,000 was presented. A motion by Councilmember Viramontes, seconded by Councilmember Butt, approved the item, by the unanimous vote of the Council.

A proposed adoption of an ordinance amending The Business Opportunity Ordinance to extend the sunset date from April 30, 2009, to January 29, 2010, in order to provide additional time for discussions, planning, and recommendations to the City Council for policy Considerations was presented. A motion by Mayor McLaughlin, seconded by Councilmember Viramontes, adopted **Ordinance No. 9-09**, by the unanimous vote of the Council.

OPEN FORUM FOR PUBLIC COMMENT

Tom Waller stated that the 2nd Annual Green Expo will be held on May 14, 2009 at the Craneway Pavilion at 4:00 p.m.

Simms Thompson stated that there are homeless encampments under the Central Avenue overpass and workers abating the encampments should have hazmat training.

Jackie Thompson stated that there is no street sweeping on Stege Avenue between 37th Street and Cutting Boulevard. Ms. Thompson also reported that there is a trailer on 37th Street which is obstructing the view of vehicles attempting to turn.

Corky Booze thanked the Mayor and City Council for his appointment to the Recreation and Parks Commission. He also thanked City Clerk Diane Holmes for her exemplary service to the community. Mr. Booze also gave comments regarding the garbage on the railroad tracks in front of a Diane's home on Espree Avenue. Mr. Booze also commented that assistance is needed for the development of a plan for a bike bridge on 23rd Street.

Eleanor Thompson stated that City Clerk, Diane Holmes deserved the proclamation she and the City Clerk's Office received this evening.

The Council heard received a PowerPoint presentation from Jim Sandoval, Project Manager for CH2MHILL, entitled Masdar City-Building, the first carbon neutral/zero waste city in Abu Dhabi. Mr. Sandoval stated that the proposed city will have zero carbon emissions and zero waste. Fossil fuel consumption will be zero on site, all waste will be recycled, and consumption of desalinated water will be reduced by 80%. Cycling, biking, and light rail will be the mode of travel. (*Councilmember Butt arrived at 9:05 p.m.*) Councilmember Bates asked what the cost to build the City is. Mr. Sandoval replied that it will cost \$23 billion over the next 7 years. Councilmember Viramontes stated that Richmond could utilize the UC Field Station to assist in the investigative and planning components of the core economic base structure that can be applied in Richmond.

STUDY & DIRECTION TO STAFF SESSION

The City Council received a report on the environmental impacts of to-go foodware and the effectiveness of foodware ordinances at reducing those impacts; provide staff direction regarding the development of a prepared-food-packaging ordinance that (a) prohibits the use of expanded polystyrene foodware by Richmond

vendors, City facilities and departments, and vendors doing business with the City, (b) requires that Richmond vendors, City facilities and departments, and vendors doing business with the City use foodware that is biodegradable or compostable, and (c) includes funding for City staff to develop a comprehensive outreach and education program to educate and assist food vendors in the procurement of biodegradable or compostable food ware; and (3) support the development of a residential and commercial food waste collection and processing program in the City of Richmond. Janet Schneider, Administrative Chief, stated that the City Council directed City staff to recommend policies that incentivize the use of biodegradable food ware and explore the feasibility of implementing a Styrofoam ban on prepared food packaging the City of Richmond food vendors. Jennifer Ly, Sustainability Intern, stated that expanded polystyrene, also known as Styrofoam is a valuable commercial material because of its good insulation capabilities. There is growing public concern about the environmental impacts, such as litter, marine pollution, and human health. Many cities have prohibited the use of styrofoam and have required that foodware be biodegradable, recyclable, or compostable. The alternatives to Styrofoam are plastic, paper, and plant-based biodegradable plastics. Alan King, President, Excellent Packaging Supply, spoke about and brought samples of styrofoam alternative foodware. Councilmember Bates stated he will not support the ban until surrounding cities and possibly the State adopt similar bans. Tom Waller, Simms Thompson, Kathy Neal, Jovanka Beckles, and Johnnie Downs gave comments. Some speakers expressed concern that purchasing alternatives to Styrofoam are expensive and costs will be passed on to the consumer. A motion by Councilmember Ritterman, seconded by Mayor McLaughlin, to adopt the following staff recommendations: 1) Prior to the implementation of a food ware ordinance, develop a comprehensive educational campaign geared towards residents and businesses that includes: a) Mailings to restaurant owners with information about the upcoming food ware ordinance, b) Brochures that list alternative food ware suppliers and detail products, c) Site visits to food vendors before and after implementation of the food ware ordinance, d) presentations to the community, including

the Chamber of Commerce, e) information on the City website about the food ware ordinance, potential health effects of expanded polystyrene products and problem of marine litter. 2) Prior to the implementation of a food ware ordinance, prepare a Negative Declaration for the food ware ordinance in compliance with the California Environmental Quality Act. 3) Implement a food ware ordinance that a) prohibits the use of expanded polystyrene food ware by Richmond vendors, City facilities and departments, and vendors doing business with the City, and b) requires that Richmond vendors, City facilities and departments, and vendors doing business with the City use food ware that is biodegradable and/or compostable. 4) Include in the food ware ordinance an affordable alternative clause to ensure that restaurants for which the ordinance inflicts undue economic hardship are temporarily exempted. 5) Designate City staff to assist food vendors in switching to biodegradable, compostable, or recyclable food ware products. 6) Develop a food waste collection and processing program for Richmond residents and businesses immediately. A substitute motion by Councilmember Viramontes, seconded by Vice Mayor Lopez, to allow 90 days for community input on a draft ordinance and direct staff to develop a comprehensive organic diversion composting program and business education plan. Councilmember Rogers made a friendly amendment directing staff to research greenhouse gas emissions for paper products, estimated business loss, what percent of waste stream pollution comes from boxes, and research a process for recycling styrofoam. Councilmember Viramontes accepted the friendly amendment. City Manager, Bill Lindsay, suggested that Councilmember Viramontes' motion should state that public outreach will be conducted prior to the presentation of an ordinance to the City Council. Councilmember Butt stated that he does not support continuing this matter for 90 days. The substitute motion passed by the following vote: **Ayes:** Councilmembers Bates, Rogers, Viramontes, and Vice Mayor Lopez. **Noes:** Councilmembers Ritterman, Butt, and Mayor McLaughlin. **Abstentions:** None. **Absent:** None.

The City Council received an update on the progress of the City of Richmond for either applying and/or receiving American Recovery and Reinvestment

Act (ARRA) project funding. Janet Schneider, Administrative Chief, stated that the City has been notified that it has been allocated \$7.8 million mostly from Housing and Urban Development (HUD), Department of the Treasury (DOT) and the Department of Justice (DOJ). The City applied for \$61 million in funding. A motion made by Councilmember Viramontes, seconded by Councilmember Lopez, accepted the report by the unanimous vote of the Council.

The City Council received a proposed amendment to the FY 2008-09 operating budget: (1) increasing the budget from \$20,000 to \$45,000 (\$25,000) for each of the Cinco de Mayo and Juneteenth activities, and (2) transferring unspent funds for the emergency non-profit grant program in the amount of \$32,000, and unspent funds for the internal audit program in the amount of \$18,000, to fund these increases; or provide alternative funding direction. Eleanor Thompson, Jovanka Beckles, and Amanda Elliot gave comments. Mayor McLaughlin asked that the \$32,000 non-profit emergency fund not be used to fund the festivals and suggested that the funds be taken from the funds proposed for Item E-1 and suggested purchasing 41 vehicles instead of purchasing 40. City Manager, Bill Lindsay, replied that this cannot be done because the funding for the vehicle purchases are from the revolving equipment services vehicle replacement fund, not the general fund. Councilmember Bates requested on how much money is expended on police overtime coverage and Public Works during the festivals. A motion was made by Councilmember Rogers, seconded by Councilmember Viramontes, approved the funding by the following vote: **Ayes:** Councilmembers Bates, Butt, Ritterman, Rogers, Viramontes, and Vice Mayor Lopez. **Noes:** None. **Abstentions:** Mayor McLaughlin. **Absent:** None.

ADJOURNMENT

There being no further business, the meeting adjourned at : p.m. in memory of Anne Hoppy, founder of the Richmond Annex Senior Center Board of Directors and member of the Recreation and Parks Commission, to meet again on Tuesday, May 5, 2009, at 7:00 p.m.

City Clerk

(SEAL)

Approved:

Mayor

DRAFT