



EARTHJUSTICE

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August 15, 2008

VIA FACSIMILE & EMAIL

Mayor McLaughlin and City Council Members
Richmond City Hall
1401 Marina Way South
Richmond, CA 94804

Re: Violation of Brown Act

Dear Mayor McLaughlin and City Council Members:

On behalf of the Asian Pacific Environmental Network ("APEN") and Communities for a Better Environment ("CBE"), we hereby provide notice that the City Council has violated the Brown Act, Cal. Gov't Code §§ 54950 *et seq.*, by taking action on July 17, 2008 to approve Chevron's self-named "Community Benefits Agreement" at a public hearing noticed for July 15, 2008 and continued to July 17, 2008, despite the fact that this item was not included in the publicly distributed agenda for that meeting. Action on a non-agenda item is prohibited by Section 54954.2 of the Brown Act, which explicitly directs that: "No action or discussion shall be undertaken on any item not appearing on the posted agenda."

Pursuant to Government Code section 54960.1, APEN and CBE demand that the City Council cure its violation by voiding its approval of the "Community Benefits Agreement." If the City Council does not remedy this violation of the Brown Act within 30 days, APEN and CBE will commence a suit in court to remedy the violation.

Sincerely,

Deborah S. Reames
William Rostov

cc: Louise Renne, City Attorney, lrenne@rshslaw.com
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