

RESOLUTION NO. 40-21

RESOLUTION OF THE COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT TWO TO THE COOPERATIVE IMPLEMENTATION AGREEMENT, D43CIARI0002, WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION TO FUND THE CONSTRUCTION OF THE WATER CAPTURE FACILITY LOCATED ON CUTTING BLVD AND SOUTH 3RD STREET, AND SMALL INLET DEVICES IN THE CITY LIMIT

WHEREAS, the California Department of Transportation, hereinafter referred to as "CALTRANS", and the City of Richmond, hereinafter referred to as "the City", entered into a Cooperative Implementation Agreement, hereinafter referred to as the "CIA," on January 22, 2019 in the amount of three million dollars (\$3,000,000) for the installation of two water treatment facilities at Regatta Blvd and South 32nd Street.

WHEREAS, the completion of this project in Phase I allowed both CALTRANS and the City to come into compliance with the Trash Load Reduction requirements in their respective National Pollution Discharge Elimination Permits; and

WHEREAS, the term of the CIA expires in June, 2021; and

WHEREAS, Veolia Water is the general contractor to manage water treatment facility projects as agreed upon in its contract with the City; and

WHEREAS, Veolia Water, through the procurement process as required by the City, subcontracted the project to Harris & Associates for engineering design; Contech for the manufacturing of the water capture facility (the CDS units), as required by the CIA; and W.R. Forde for the installation of the CDS units.

WHEREAS, the project completed under budget with the total cost of \$676,707.40; and,

WHEREAS, on April 21, 2020, the Council of the City of Richmond adopted a resolution authorizing the City Manager to execute Amendment to the CIA, D43CIARI0002, with CALTRANS to utilize the remainder of the fund, \$2,323, 292.60, for construction of the water capture facility on Bayview Avenue under Phase II of the project; and

WHEREAS, on July 28, 2020, the Council of the City of Richmond approved the amendment to the construction task authorization for the construction of the water capture facility on Bayview Avenue with Veolia Water not to exceed the amount of \$2,285,614.

WHEREAS, the construction of the water capture facility on Bayview Avenue was deemed infeasible due to geotechnical constraints.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Richmond hereby approves of the amendment two to the CIA to construct a water capture facility on Cutting Blvd and South 3rd Street, and small inlet trash capture devices are also proposed to be installed, where feasible, at up to forty-two storm (42) storm drain inlets in the City where stormwater from CALTRANS right-of-way discharges to the City's stormwater conveyance system.

BE IT FURTHER RESOLVED that the construction of said water capture facility on Cutting Blvd and South 3rd Street, and the small inlet trash capture devices will also be managed by Veolia Water.

BE IT FURTHER RESOLVED that the City Council finds that the Water Capture Facility is exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15301(b) because it is a project constructing minor alterations to an existing publicly-owned utility involving negligible or no expansion of an existing use.

BE IT FURTHER RESOLVED that the City Manager of the City of Richmond, or said City Manager's designee, is hereby authorized to finalize the amendment two to the Cooperative Implementation Agreement and to execute same on behalf of the City.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held April 20, 2021, by the following vote:

AYES: Councilmembers Bates, Jimenez, Martinez, McLaughlin,
Willis, Vice Mayor Johnson III, and Mayor Butt.
NOES: None.
ABSTENTIONS: None.
ABSENT: None.

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:

THOMAS K. BUTT
Mayor

Approved as to form:

TERESA STRICKER
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. 40-21**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on April 20, 2021.



Pamela Christian, Clerk of the City of Richmond