

RESOLUTION NO. 135-24

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA, TO APPROVE A CONTRACT WITH VEOLIA WATER NORTH AMERICA FOR THE OPERATION, MAINTENANCE, AND REPAIRS OF THE STORMWATER COLLECTION IN AN AMOUNT NOT TO EXCEED \$750,000 TO BE PAID WITH THE USE OF AMERICAN RESCUE PLAN ACT FUNDING

WHEREAS, on February 13, 2019, the California State Water Resources Control Board issued Caltrans a Cease-and-Desist Order to clean up the Bay by removing trash; and

WHEREAS, the City of Richmond (the City) entered into several Cooperative Implementation Agreement with Caltrans to design, construct and install large Hydrodynamic Separators (HDS) also known as "Large Trash Capture Device" in the City's stormwater collection system to aid and assist with the removal of trash, sediment, pollutants and debris; and

WHEREAS, Caltrans funded the installation of these large trash capture devices at several locations throughout the City via grants; and

WHEREAS, after the HDS units were installed, the City would own, operate and maintain the large trash capture devices; and

WHEREAS, on May 15, 2002, Richmond City Council adopted an Agreement (the Agreement) between the City of Richmond and Veolia Water North America to assume operations and maintenance the Wastewater Treatment Plant located at 601 Canal Blvd; and

WHEREAS, Amendment Number One (1) to the Agreement adopted by City Council in 2004 required Veolia Water North America (previously U.S. Filter) to assume the operation and maintenance of the sanitary and storm sewer collection system and:

WHEREAS, in 2016, City Council adopted Amendment Number Four (4) to the Agreement between the City and Veolia that would include the operation and maintenance of two (2) of these large trash capture devices that are located at Hilltop and Seventh Streets; and

WHEREAS, Caltrans procured additional funding after the installation of the two (2) devices were installed at Hilltop and Seventh Street to add four (4) more trash capture devices at the following locations:

- Marina Bay Parkway
- South 8th Street
- Regatta Blvd
- Bayview and S. 3rd St.

WHEREAS, Section C.10 (Trash Management) of the City's National Pollutant Discharge Elimination System (NPDES) permit, Order No. R2-2022-0018, issued May 11, 2022 requires the City to have 100% trash removal by June 30, 2025; and

WHEREAS, the trash capture devices assist the City with trash removal from the stormwater collection system as long as they are properly maintained; and

WHEREAS, the Amendment Number Four (4) to the Agreement between Veolia Water North America and the City does not include the operation and maintenance of the four (4) additional trash capture devices; and

WHEREAS, until the Agreement with Veolia is amended to include the operation and maintenance of the trash capture device units, the City will require additional funding to provide these services; and

WHEREAS, in addition to the operation and maintenance of the trash capture devices, there are additional repairs that are required in several locations of the stormwater collection system; and

WHEREAS, the Stormwater Enterprise Fund does not currently have additional funds to procure for repairs and/or additional maintenance required for these items; and

WHEREAS, staff has reviewed the requirements of the American Rescue Plan Act ARPA (31 CFR § 35) and is of the opinion that the operation and maintenance of the fourh additional trash capture devices would qualify as a permitted use of funds to provide necessary water and sewer infrastructure.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Richmond hereby authorize the issuance of Task Authorizations with Veolia Water North America for the above required operation, maintenance and repairs of the stormwater collection system.

BE IT FURTHER RESOLVED this project will be funded by previously approved funding from the American Rescue Plan Act, and the FY 2024-25 Water Resource Recovery Budget to the extent necessary, in the amount of \$750,000 for costs associated with this project.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond, California at a regular meeting thereof held November 19, 2024, by the following vote:

AYES: Councilmembers Bana, McLaughlin, Robinson, Willis, Zepeda, Vice Mayor Jimenez, and Mayor Martinez.

NOES: None.

ABSTENTIONS: None.

ABSENT: None.

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:
EDUARDO MARTINEZ
Mayor

Approved as to form:
DAVE ALESHIRE
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. 135-24**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on November 19, 2024.


Pamela Christian, Clerk of the City of Richmond