

CITY COUNCIL RESOLUTION NO. 105-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND AUTHORIZING THE CITY MANAGER TO EXECUTE A LETTER OF AGREEMENT BETWEEN THE CITY OF RICHMOND AND VEOLIA WATER NORTH AMERICA FOR THE OPERATION AND MAINTENANCE OF THE WET WEATHER STORAGE FACILITY

WHEREAS, the City of Richmond entered into a settlement agreement with San Francisco Baykeeper in 2006 due to the fact that the City experiences significant sanitary sewer overflows during wet rainy weather due to the condition of the City's sanitary sewer collection system; and

WHEREAS, the City of Richmond agreed within the settlement agreement with San Francisco Baykeeper to make improvements to the City's sewer collection system that the City would eliminate all capacity related sewer overflows by 2014; and

WHEREAS, the City of Richmond identified that the construction of a wet weather storage project was the least costly and most effective method of resolving capacity related sanitary sewer overflows in compliance with the provisions of the City's settlement agreement with San Francisco Baykeeper; and

WHEREAS, the City of Richmond's Design Review Board approved both the design of a wet weather storage project and a Mitigated Negative Declaration at their January 22, 2014 meeting; and

WHEREAS, the City Council of the City of Richmond directed staff to utilize the 2010 Wastewater Bond proceeds to address compliance with the City's agreement with San Francisco Baykeeper; and

WHEREAS, the City of Richmond utilized the most time and cost effective method of administration and completion of the wet weather storage project in order to comply with the timelines established within the City's settlement agreement with San Francisco Baykeeper; and

WHEREAS, the construction of the wet weather storage facility was deemed complete on October 2, 2015 and is now operational; and

WHEREAS, the City of Richmond's waste water system operator, Veolia Water North America, has requested that the City of Richmond amend its contract to authorize its operation and maintenance of the wet weather storage facility; and

WHEREAS, the City of Richmond has entered into negotiations with Veolia Water North America concerning a comprehensive contract amendment that includes other items in addition to the operation and maintenance of the wet weather storage facility; and

WHEREAS, both the City of Richmond and Veolia Water North American agree that the negotiations to finalize the comprehensive contract amendment should not take longer than six months; and

WHEREAS, both the City of Richmond and Veolia Water North America desire to have Veolia Water North America operate and maintain the wet weather storage facility during the time that the City of Richmond and Veolia Water North America work to finalize the comprehensive contract amendment.

NOW, THEREFORE, BE IT RESOLVED that the City of Richmond hereby authorizes the utilization of Veolia Water North America to maintain and operate the Wet Weather Storage Facility.

BE IT FURTHER RESOLVED that the cost to operate and maintain the Wet Weather Storage Facility shall not exceed \$23,446 per month without prior approval by the City Council.

BE IT FURTHER RESOLVED that the duration of this authorization to utilize Veolia Water North America shall not exceed six months.

BE IT FURTHER RESOLVED that the City Manager of the City of Richmond is authorized to execute and administer the Letter of Agreement between the City of Richmond and Veolia that is attached hereto as Exhibit A.

I CERTIFY that the foregoing resolution was adopted at a regular meeting of the City Council on November 3, 2015, by the following vote:

AYES:	Councilmembers Bates, Martinez, McLaughlin, Pimplé, Vice Mayor Myrick, and Mayor Butt.
NOES:	None.
ABSTENTIONS:	None.
ABSENT:	Councilmember Beckles.

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:

TOM BUTT
Mayor

Approved as to form:

BRUCE GOODMILLER
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. 105-15**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on November 3, 2015.

Pamela Christian
Pamela Christian, City Clerk of the City of Richmond