

**RESOLUTION NO. 129-10**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND  
APPROVING BAY AREA WIDE TRASH CAPTURE DEMONSTRATION PROJECT  
AGREEMENT**

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**WHEREAS**, Section 402(p) of the federal Water Pollution Control Act (CWA), as amended by the Water Quality Act of 1987, requires National Pollution Discharge Elimination System (NPDES) permits for stormwater discharges from municipal separate storm sewer systems (MS4s); and

**WHEREAS**, in California, the NPDES Permits are issued through the California State Water Resources Control Board and the nine (9) Regional Water Quality Control Boards (RWQCB); and

**WHEREAS**, the San Francisco Bay RWQCB approved a Joint Municipal Regional Stormwater NPDES Permit (CAS612008) on October 14, 2009 requiring in provision C.10.a.iii minimum full trash capture devices to treat runoff from an area equivalent to thirty percent (30%) of it's commercial area by July 1, 2014; and

**WHEREAS**, the Association of Bay Area Governments (ABAG) and the California State Water Resources Control Board have entered into Project Finance Agreement No. 09-823-550 in the amount of \$5,000,000 (five million dollars) for the Bay Area-wide Trash Capture Demonstration Project (Project) from the Clean Water State Revolving Fund Project No. C-06-6441-110 (funding provided by the federal American Recovery and Reinvestment Act of 2009); and

**WHEREAS**, the Project will acquire trash capture devices, provide and/or install trash capture devices in existing storm drainage infrastructure, maintain installed trash capture devices, and monitor installed trash capture devices; and

**WHEREAS**, Richmond is one of many local government entities that are eligible to participate in the Project by facilitating installation of the trash capture devices in its existing storm drainage infrastructure and by maintaining and monitoring installed trash capture devices; and

**WHEREAS**, ABAG issued Requests for Proposals for small capacity trash capture devices and for high flow capacity trash capture devices and assembled a panel of vendors for devices in both categories that can meet minimum full trash capture permit requirements when properly installed and maintained; and

**WHEREAS**, ABAG has contracted with each vendor on the panel to furnish, and if requested, to provide, and if financially feasible install, trash capture devices; and for ABAG to pay the cost thereof; and

**WHEREAS**, ABAG has made an initial determination that City of Richmond will have access to a \$76,000 of the funds available;

**NOW, THEREFORE BE IT RESOLVED**, the City of Richmond shall participate in the Association of Bay Area Governments Bay Area-wide Trash Capture Demonstration Project; and

**BE IT FURTHER RESOLVED** the City Manager is hereby authorized to execute the Agreement for local agency participation in Grant-Funded Bay Area-wide Trash Capture Demonstration Project, as described in Attachment "A".

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I certify that the foregoing resolution was passed and adopted by the City Council of the City of Richmond at a joint regular meeting thereof, held on December 7, 2010, by the following vote:

AYES: Councilmembers Butt, Lopez, Rogers, Viramontes, Vice Mayor Ritterman, and Mayor McLaughlin

NOES: None.

ABSTENTIONS: None.

ABSENT: Councilmember Bates.

DIANE HOLMES  
Clerk of the City of Richmond

(SEAL)

Approved:

GAYLE MCLAUGHLIN  
Mayor

Approved as to form:

RANDY RIDDLE  
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.129-10, finally passed and adopted by the City Council of the City of Richmond at a joint regular meeting held on December 7, 2010.