

ORDINANCE NO. 28-18 N.S.

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF RICHMOND
AMENDING CHAPTER 2.52 OF THE MUNICIPAL CODE OF THE CITY
OF RICHMOND. THIS ORDINANCE ADDS A SECTION 2.52.995 WHICH
EXEMPTS THE CITY’S WASTEWATER AND STORMWATER
TREATMENT FACILITIES AND COLLECTION SYSTEMS FROM THE
CITY’S PUBLIC WORKS CONSTRUCTION DESIGN BUILD PROCESS
STATUTORY FRAMEWORK AND REPLACES IT WITH THE STATE OF
CALIFORNIA’S DESIGN BUILD PROCESS STATUTORY
FRAMEWORK SET FORTH IN CALIFORNIA PUBLIC CONTRACT
CODE SECTIONS 22160 THROUGH 22169**

The Council of the City of Richmond do ordain as follows:

Section I. Amendment of Chapter 2.52.

Chapter 2.52 of the Municipal Code of the City of Richmond is hereby amended by adding a Section 2.52.995 which reads as follows:

**“2.52.995 Exemption for Wastewater and Stormwater
Facilities**

“The construction of wastewater and stormwater facilities and collection systems located within the City of Richmond are hereby deemed exempt from the design build provisions of this chapter and shall instead be governed by the design build provisions set forth in California Public Contract Code Sections 22160 to 22169.”

Section II. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, subdivision, paragraph, sentence, clause or phrase.

Section III. Effective Date. This Ordinance becomes effective thirty (30) days after its final passage and adoption.

First introduced at a regular meeting of the City Council of the City of Richmond held November 13, 2018, and finally passed and adopted at a regular meeting held November 20, 2018, by the following vote:

AYES: Councilmembers Choi, Martinez, Myrick, Recinos, Vice Mayor Willis, 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 **Ordinance No. 28-18 N.S.**, passed and adopted by the City Council of the City of Richmond at a regular meeting held on November 20, 2018.



Pamela Christian, City Clerk of the City of Richmond