

City of Calistoga

Staff Report

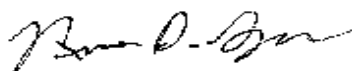
TO: Honorable Mayor and City Council

FROM: Michael Kirn, Public Works Director/City Engineer

DATE: January 20, 2015

SUBJECT: **Consideration of a Resolution Approving Amendment No. 2 to the Professional Services Agreement with David K. Tompkins for Ongoing Permit Assistance Services Related to the City's Wastewater Treatment Plant in the Amount of \$20,000 and Approving a Budget Adjustment.**

APPROVAL FOR FORWARDING:



Richard D. Spitler, City Manager

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2 **ISSUE:** Consideration of a Resolution approving Amendment No. 2 to the
3 Professional Services Agreement with David K. Tompkins ("Consultant") for ongoing
4 permit assistance services related to the City's wastewater treatment plant (WWTP)
5 in the amount of \$20,000 and approving a budget amendment in the amount of
6 \$20,000.

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8 **RECOMMENDATION:** Adopt the resolution.

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10 **BACKGROUND/DISCUSSION:** The City of Calistoga Wastewater Treatment Plant
11 (WWTP) was issued a revised NPDES Permit in November, 2010, by the San
12 Francisco Bay Regional Water Quality Control Board (RWQCB). Under this permit,
13 the City may discharge treated effluent to the Napa River during the wet season
14 (October 1st through May 15th) as long as dilution ratios are met. During the
15 remainder of the year, river discharge is prohibited and all effluent produced at the
16 WWTP must be stored or recycled.

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18 The monitoring and reporting requirements associated with the City's NPDES permit
19 continue to become more complex, and the RWQCB has imposed mandatory fines
20 for certain permit violations. David Tompkins is the former Utilities Director for the
21 City of Vacaville and has extensive experience in dealing with violation issues and
22 their resolution with the Regional Board. Recently the Regional Board issued a

23 cease and desist order for antimony and directed the City to prepare an engineering
24 report for monitoring of boron in the wastewater.

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26 The City previously entered into a professional services agreement with David
27 Tompkins for support services and the agreement was executed by the City
28 Manager in accordance with City policy and practice. Given the new level of effort
29 required to comply with the cease and desist order it is necessary to extend and
30 increase the authorized amount of this agreement.

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32 Mr. Tompkins will assist the City in developing the monitoring program and
33 coordinating field activities with Larry Walker and Associates to address various
34 discharge limitations and reporting requirements under the cease and desist order.
35 The recommended resolution extends the agreement through December 31, 2015,
36 increases the authorized amount of expenditures by \$20,000 for a total amount of
37 \$50,000, and approves a budget adjustment to cover the additional expenditures.

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39 **CONSISTENCY WITH CITY COUNCIL GOALS AND OBJECTIVES:** This
40 agreement is consistent with City Council Goal No. 3 – Establish, improve and
41 maintain City infrastructure; and the City Council Objective (Maintain the high level
42 of service and reliability of the City’s infrastructure systems and facilities).

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44 **FISCAL IMPACT:** The recommended resolution approves a budget adjustment in
45 the amount of \$20,000 under account number 03-4142-4402 from the
46 unappropriated Wastewater Enterprise fund balance for the additional services.

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48 **ATTACHMENTS:**
49 1. Resolution
50 2. Professional Services Agreement Amendment No. 2

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RESOLUTION 2015 - XXX

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA,
COUNTY OF NAPA, STATE OF CALIFORNIA, APPROVING AMENDMENT
NO. 2 TO PROFESSIONAL SERVICES AGREEMENT NO. 522 WITH
DAVID K. TOMPKINS IN AN AMOUNT NOT TO EXCEED \$20,000 FOR
PERMIT COMPLIANCE ASSISTANCE RELATED TO THE
DUNAWEAR WASTEWATER TREATMENT PLANT AND
APPROVING A BUDGET ADJUSTMENT**

Authorizing Agreement No. 522-2

WHEREAS, City and David K. Tompkins (Consultant) have previously entered into an Agreement (Agreement No. 522) to provide technical and professional assistance services in connection with water and wastewater plant operations of the Public Works Department and state regulatory agencies; and

WHEREAS, on October 1, 2013 the City and Consultant approved Amendment No. 1 to Agreement No. 522 for additional professional services associated with the City's utility systems; and

WHEREAS, in November, 2014 the Regional Water Quality Control Board issued a Cease and Desist Order and directed the City to conduct monitoring of boron and antimony and other constituents of concern derived from geothermal water discharges into the City's sewer collection system; and

WHEREAS, the City and Consultant desire to amend Agreement No. 522 for additional services related to the Cease and Desist Order.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Calistoga approves:

1. The expenditure of \$20,000 for additional services for development of monitoring plans, engineering reports and other related activities for compliance with the Cease and Desist Order.
2. A Budget Adjustment in the amount of \$20,000 increasing appropriations for Wastewater Treatment - Contract Services (Account 03-4142-4402) under account number 03-4142-4402 from the unappropriated wastewater enterprise fund balances.
3. The Second Amendment to Contract 522 with David K. Tompkins for additional services for development of monitoring plans, engineering reports and other related activities for compliance with the Cease and Desist Order in an amount not to exceed \$20,000, for a total contract amount not to exceed \$50,000.

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BE IT FURTHER RESOLVED that the City Manager is authorized to execute the Second Amendment to Contract No. 522 and staff is otherwise directed to administer the Project.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Calistoga at its regular meeting held this **20th day of January, 2015** by the following vote:

- AYES:**
- NOES:**
- ABSTAIN:**
- ABSENT:**

CHRIS CANNING, Mayor

ATTEST:

KATHY FLAMSON, City Clerk