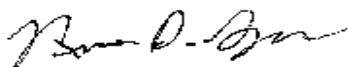


City of Calistoga

Staff Report

TO: Honorable Mayor and City Council
FROM: Michael Kirn, Public Works Director/City Engineer
DATE: March 17, 2015
SUBJECT: Establishing a City Council Wastewater Cease and Desist Order Sub-Committee and Defining its Role, Duties and Responsibilities

APPROVAL FOR FORWARDING:



Richard D. Spitler, City Manager

1 **ISSUE:** Consideration of a Resolution Establishing a Wastewater Cease and Desist
 2 Order Sub-Committee and defining its role, duties and responsibilities.

3
 4 **RECOMMENDATION:** Adopt Resolution and Appoint Two Councilmembers.

5
 6 **BACKGROUND/DISCUSSION:** In November 2014, the San Francisco Bay Regional
 7 Water Quality Control Board issued the City a Cease and Desist Order (CDO) directing
 8 the City to eliminate bypass releases from the irrigation fields, prepare a pollution
 9 prevention and control plan for reduction of antimony, and develop a plan to address
 10 seepage from the Riverside Ponds.

11
 12 Council adopted goals, objectives and priority projects for Fiscal Year 2014-15. Goal 3:
 13 Establish, improve and maintain City infrastructure. Objective #8 - Determine a feasible
 14 way to initiate the spa geothermal metering program in accordance with the spa
 15 settlement agreements.

16
 17 In order to achieve Goal #3 – Objective #8 it is recommended that a Wastewater CDO
 18 Sub-Committee be established as an advisory committee to the City Council to review
 19 issues associated with complying with the Regional Boards Order, including public
 20 outreach and education.

21
 22 The role of the Wastewater CDO Sub-Committee is to provide input to Council and staff
 23 regarding financial implications associated with complying with the CDO, to reach out to
 24 affected stakeholders for education, policy and process issues, such as the following:

- 25 • Review the form and content of reports to the Regional Water Quality Control
 26 Board.
- 27 • Review of possible solutions for compliance with the CDO.

- 28 • Conduct community outreach sessions with individual or group stakeholders
- 29 • Other matters that the City Council directs them to evaluate.

30 Staff suggests that the Wastewater CDO Sub-Committee consisting of two
31 councilmembers, the City Manager, the City Attorney and the Public Works Director be
32 created. The two councilmembers would have alternating two-year terms and would
33 meet monthly or as necessary to accomplish assigned tasks.

34

35 As such, staff recommends that the Council adopt the attached Resolution establishing
36 the Wastewater CDO Sub-Committee and defining its role, duties and responsibilities.

37

38 **FISCAL IMPACT:** There is no direct budget implication of establishing a Wastewater
39 CDO Sub-Committee, but subsequent implementation of corrective actions at the
40 WWTP may require that General Fund dollars and staffing be directed to those
41 compliance efforts. If so, the City Council will review and approve such subsequent
42 budget allocations at public meetings.

43

44 **ATTACHMENT:**

- 45 1. Resolution

RESOLUTION 2015-XXX

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF
NAPA, STATE OF CALIFORNIA, ESTABLISHING A CITY COUNCIL
WASTEWATER CEASE AND DESIST ORDER SUB-COMMITTEE AND
DEFINING ITS ROLE, DUTIES AND RESPONSIBILITIES**

WHEREAS, in November 2014, the San Francisco Bay Regional Water Quality Control Board issued the City a Cease and Desist Order (CDO R2-2014-0043) directing the City to eliminate bypass releases from the irrigation fields, prepare a pollution prevention and control plan for reduction of antimony, and develop a plan to address the Riverside Ponds; and

WHEREAS, the CDO requires public education and outreach with affected stakeholders; and

WHEREAS, given the importance of the CDO and the costs associated with compliance with the CDO it is recommended that a Wastewater CDO Sub-Committee be established as an advisory committee to the City Council to review compliance issues that can be reasonably addressed by the City of Calistoga.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Calistoga hereby establishes a Wastewater CDO Sub-Committee consisting of two councilmembers, the City Manager, the City Attorney and the Public Works Director. The two councilmembers would have alternating two-year terms and would meet monthly or as necessary to accomplish assigned tasks. The two councilmembers shall be appointed to this Sub-Committee by the City Council based upon a motion by the Mayor.

NOW THEREFORE BE IT FURTHER RESOLVED that the role of the Wastewater CDO Sub-Committee is to provide input to Council and staff regarding financial implications associated with complying with the CDO, to reach out to affected stakeholders for education, policy and process issues, such as the following:

- Review the form and content of reports to the Regional Water Quality Control Board.
- Review of possible solutions for compliance with the CDO.
- Conduct community outreach sessions with individual or group stakeholders
- Other matters that the City Council directs them to evaluate.

The councilmembers of this Sub-Committee shall not have authority to make financial decisions on any matter. However they can make recommendations to City staff or the City Council at public meeting for their consideration.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Calistoga at a regular meeting held this 17th day of March, 2015 following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

CHRIS CANNING, Mayor

ATTEST:

KATHY FLAMSON, City Clerk