

# City of Calistoga

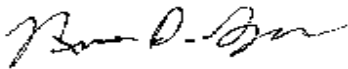
## Staff Report

**TO:** Honorable Mayor and City Council  
**FROM:** Derek Rayner, Deputy Public Works Director  
**VIA:** Michael Kirn, Public Works Director/City Engineer  
**DATE:** October 20, 2015  
**SUBJECT:** Consideration of a Resolution Accepting as Complete the Calistoga Recycled Water Storage Pond Constructed by Maggiora & Ghilloti, Inc. and Authorizing the Public Works Director to File a Notice of Completion

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APPROVAL FOR FORWARDING:



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RICHARD D. SPITLER, CITY MANAGER

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**ISSUE:** Consideration of a Resolution that:

1. Accepts as complete the Calistoga Recycled Water Storage Pond constructed by Maggiora & Ghilloti, Inc.
2. Authorizes the Public Works Director to file a notice of completion with the Napa County Recorder.

**RECOMMENDATION:** Adopt the Resolution.

**BACKGROUND/DISCUSSION:** On May 5, 2015 City Council awarded a contract to Maggiora & Ghilotti, Inc. to construct a new 16.4 million gallon recycled water storage pond required by the Cease and Desist Order (CDO) issued by the Regional Water Quality Control Board. The CDO requires the new storage pond to be complete by October 31, 2015.

On October 14, 2015 the construction of the new storage pond was determined to be substantially complete and constructed in conformance with approved plans and specifications.

October 20, 2015

Completion of the Recycled Water Storage Pond Constructed by Maggiora & Ghilotti, Inc.

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21 **FISCAL IMPACT:** The new storage pond was partially funded by a \$750,000 grant  
22 secured by the Public Works Department through Proposition 84 and the balance of the  
23 project funded by the Wastewater Enterprise Fund. The construction contract was  
24 approved in the amount of \$1,094,094. There were six change orders which resulted in  
25 an increase of \$3,283 or less than 1/3 of one percent. The change orders were within  
26 the amount authorized by the City Council for the Public Works Director to approve.

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28 **ATTACHMENTS:**

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30 1. Resolution

31 2. Notice of Completion

RESOLUTION NO. 2015-XXX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA,  
COUNTY OF NAPA, STATE OF CALIFORNIA, ACCEPTING AS COMPLETE  
THE CALISTOGA RECYCLED WATER STORAGE POND CONSTRUCTED BY  
MAGGIORA & GHILOTTI, INC. AND AUTHORIZING THE PUBLIC WORKS  
DIRECTOR TO FILE A NOTICE OF COMPLETION

WHEREAS, the City of Calistoga entered into a contract on May 5, 2015 with the firm of Maggiora & Ghilotti, Inc. for the construction of the 16.4 million gallon Calistoga Recycled Water Storage Pond; and

WHEREAS, Maggiora & Ghilotti, Inc. substantially completed the work required by the contract on October 14, 2015, to the satisfaction of the City Engineer; and

WHEREAS, the City Council now desires to accept the Project as complete.

NOW, THEREFORE BE IT RESOLVED THAT the City Council of the City of Calistoga hereby accepts as complete the contract work for the new 16.4 million gallon Calistoga Recycled Water Storage Pond constructed by Maggiora & Ghilotti, Inc.; and

BE IT FURTHER RESOLVED THAT the Public Works Director is authorized to file a Notice of Completion with the Napa County Recorder.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Calistoga at a regular meeting held this 20<sup>th</sup> day of October 2015, by the following vote:

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

\_\_\_\_\_  
CHRIS CANNING, Mayor

ATTEST:  
  
\_\_\_\_\_  
Kathy Flamson, City Clerk

**RECORDING REQUESTED BY AND  
WHEN RECORDED MAIL TO:**

**CITY OF CALISTOGA  
1232 WASHINGTON STREET  
CALISTOGA, CA 94515  
Attn: Public Works Department**

**Exempt From Recording Fees  
Section 27383 Gov't. Code**

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**NOTICE OF COMPLETION**

Notice is hereby given that:

1. The undersigned is the owner of the interest or estate stated below in the property described below.
2. The name of the undersigned is City of Calistoga.
3. The address of the undersigned is:  
1232 Washington Street  
Calistoga, CA 94515
4. The nature of interest or estate of the undersigned is fee ownership, as well as ownership of the certain improvements located thereon.
5. The full names and full addresses of all persons, if any, who hold title with the undersigned as joint tenants or as tenants in common are: None
6. The names of the predecessors in interest of the undersigned, if the property was transferred subsequent to the commencement of work of improvement herein referred to are: None
7. A work of improvement on the property hereinafter described was completed on October 14, 2015.
8. The name of the original contractor, if any, for the work of improvement was Maggiora & Ghilotti, Inc.
9. The kind of work done or material furnished was construction of the Calistoga Recycled Water Storage Pond Project.
10. The property on which the work of improvement was completed is in the City of Calistoga, County of Napa, State of California, and is described as follows:
11. The name of the surety on the bonds of the Calistoga Recycled Water Storage Pond construction contract is as follows: The Ohio Casualty Insurance Company.

Washington Street Extension, Calistoga, CA 94515  
APN's 011-050-018 and 019

City of Calistoga, Owner

Dated: October 21, 2015

Signed: \_\_\_\_\_  
Michael Kirn, Public Works Director

## VERIFICATION

I, the undersigned, say:

I am the person who signed the foregoing notice. I have read the above notice and know its contents, and the facts stated therein are true of my own knowledge.

I declare under the penalty of perjury that the above is true and correct

Executed at Calistoga, California, this 21<sup>st</sup> day of October, 2015.

City of Calistoga

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Michael Kirn, Public Works Director