



CITY OF CALISTOGA

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STAFF REPORT

TO: Honorable Mayor and City Council
FROM: Michael (Mike) Kirn
DATE: September 4, 2018
Consideration of a Resolution Awarding a Consultant Services Agreement to Environmental Science Associates for Phase I Design of the Riverside Pond Relocation Project in an Amount Not To Exceed \$475,000, Approving a Budget Adjustment in the Amount of \$273,396 and Designating the City Manager or Public Works Director as Agent's for the City and Authorizing Them to Execute and File the Necessary
SUBJECT: Documents with FEMA and Cal OES.

SIGNATURE:

DYLAN FEIK, City Manager

DESCRIPTION: Consideration of a Resolution Awarding a Consultant Services Agreement to Environmental Science Associates for Phase I Design of the Riverside Pond Relocation Project in an Amount Not To Exceed \$475,000, Approving a Budget Adjustment in the Amount of \$273,396 and Designating the City Manager or Public Works Director as Agent's for the City and Authorizing Them to Execute and File the Necessary Documents with FEMA and Cal OES.

RECOMMENDATION: Adopt Resolution.

SUMMARY:

Consideration of a Resolution that awards a Consultant Services Agreement (CSA) to Environmental Science Associates (ESA) for Phase I design of the Riverside Pond Relocation Project in an amount not to exceed \$475,000; authorizes a budget

adjustment in the amount of \$273,396; designates the City Manager or Public Works Director as the City's agent(s); and authorizing the Designated Agent(s) to file the necessary documents with FEMA and Cal OES.

ANALYSIS:

The Riverside Ponds were constructed in the early 1970s originally as percolation ponds for wastewater treatment and effluent disposal. The ponds were repurposed in early 2000 as part of the Wastewater Treatment Plant (WWTP) upgrades to tertiary treatment. In 2014 the San Francisco Bay Area Regional Water Quality Control Board issued a Cease and Desist Order mandating that the City either line or relocate the Riverside Ponds to eliminate subsurface discharge into the Napa River. Further, the ponds have suffered significant erosion and are heavily undercut to the point where their stability is marginal.

In June 2016 staff submitted an application for a Hazard Mitigation Grant (HMG) for relocation/replacement of the Riverside Ponds with an estimated cost of \$4 million. On July 17, 2018 we received notification that our project has been selected for funding and we have been authorized to proceed with Phase I design activities for a total amount of \$523,396. The grant will cover 75% of the total costs incurred for Phase I, with a maximum reimbursement of \$392,547 with the City responsible for a local match of \$130,849, plus any overages.

In April 2016, the City contracted with the team of Environmental Science Associates (ESA) and Kennedy/Jenks Consultants for grant application assistance. This work included an Engineering Report that discussed construction alternatives, cost/benefit analysis, maintenance and environmental issues.

Given the level of understanding ESA has with the Riverside Pond Relocation project, staff requested a design services proposal from them and after review has determined that their proposal meets our requirements. Staff recommends that a CSA for design through 50% construction documents in the amount not to exceed \$475,000 be awarded to ESA and the City Manager or Public Works Director be authorized to execute the same.

The grant requires certain forms, agreements, assurances and designation of applicant's agent. The recommended Resolution designates the City Manager or the Public Works Director as agents for Calistoga and grants approval to execute and submit necessary agreements and documents with Cal OES and FEMA and to otherwise administer the project.

FINANCIAL IMPLICATIONS:

Phase I activities are anticipated to cost \$523,396, which includes pre-award costs of \$47,468. The FY 2018/19 CIP Budget includes appropriations for the Riverside Ponds Restoration project under Account Number 13-5540 as follows:

Wastewater Connection Fees: \$ 62,500
HazMit Grant: \$187,500

The recommended Resolution approves a Budget Adjustment in the amount of \$273,396 to the existing CIP increasing appropriations to Account Number 13-5540 as follows:

Wastewater Connection Fees: \$ 68,349
HazMit Grant: \$205,047

The net resulting FY 2018/19 appropriations under Account 13-5540 will be:

Wastewater Connection Fees: \$130,849
HazMit Grant: \$392,547

CEQA REVIEW:

The recommended action is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) in that there is no possibility that the action may have significant effects on the environment.

The project involves the replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity. As such staff believes the project is exempt from the provisions of the California Environmental Quality Act pursuant to Title 14, the California Code of Regulations, Section 15302(c). We anticipate that A Notice of Exemption for the Project pursuant to Section 15062 of the CEQA Guidelines will be filed in accordance with the requirements of CEQA. Because federal funds are being used NEPA review will also need to occur. We believe that the project will be eligible for a Categorical Exclusion with technical studies.

CONSISTENCY WITH CITY COUNCIL GOALS AND OBJECTIVES:

This project is consistent with Goal No. 3, Establish, improve and maintain City infrastructure; Priority Project 10, Begin planning and design of a project to drain and line the existing ponds to reduce underground flows into the Napa River.

ATTACHMENTS:

1. Draft Resolution
2. FEMA Notice of Award, July 10, 2018
3. ESA - Consultant Services Agreement

RESOLUTION NO. 2018- XXX

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3 **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF**
4 **NAPA, STATE OF CALIFORNIA, AWARDING A CONSULTANT SERVICES**
5 **AGREEMENT IN THE AMOUNT NOT TO EXCEED \$475,000 TO ENVIRONMENTAL**
6 **SCIENCE ASSOCIATES FOR PHASE 1 DESIGN OF THE RIVERSIDE POND**
7 **RELOCATION PROJECT, APPROVING A BUDGET ADJUSTMENT IN THE**
8 **AMOUNT OF \$273,396 AND DESIGNATING THE CITY MANAGER OR PUBLIC**
9 **WORKS DIRECTOR AS AGENTS FOR THE CITY AND AUTHORIZING THEM TO**
10 **EXECUTE AND FILE THE NECESSARY CONTRACT DOCUMENTS WITH FEMA**
11 **AND CAL OES.**

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13 **WHEREAS**, the Riverside Ponds were constructed in the early 1970s originally as
14 percolation ponds for wastewater treatment and effluent disposal; and

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16 **WHEREAS**, the ponds were repurposed in the early 2000s as part of the Wastewater
17 Treatment Plant upgrades to tertiary treatment; and

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19 **WHEREAS**, in 2014 the San Francisco Bay Area Regional Water Quality Control board
20 issued a Cease and Desist Order mandating that the City either line or relocate the Riverside
21 Ponds to eliminate subsurface discharge to the Napa River; and

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23 **WHEREAS**, in early 2016 the City commissioned a study prepared by Environmental
24 Science Associates and Kennedy/Jenks Consultants for grant application assistance which
25 included an engineering report that discussed construction alternatives, cost/benefit analysis,
26 maintenance and environmental issues; and

27
28 **WHEREAS**, in June 2016, staff submitted an application for a Hazard Mitigation Grant
29 (HMG) for relocation/replacement of the Riverside Ponds with an estimated cost of \$4 million;
30 and

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32 **WHEREAS**, staff has received notification that our project has been selected for Phase
33 I funding and that grant funds will cover 75% of the total costs incurred, up to the approved
34 amount with a 25% local match; and

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36 **WHEREAS**, Environmental Science Associates has a strong understanding of the
37 Riverside Ponds Relocation Project and staff requested a design services proposal from
38 them, reviewed the proposal and finds that it meets the need of the City; and

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40 **WHEREAS**, staff recommends that a contract for design through 50% construction
41 documents in the amount not to exceed \$475,000 be awarded to Environmental Science
42 Associates and the City Manager or Public Works Director be authorized to execute the
43 agreement; and

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45 **WHEREAS**, the action authorized by this Resolution is exempt from the provisions of
46 the California Environmental Quality Act pursuant to Title 14, the California Code of
47 Regulations, Section 15302(c); and.

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