

**RESOLUTION 2015 - 011**

**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.

**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 **20<sup>th</sup> day of January, 2015** by the following vote:

**AYES:** Councilmembers Kraus, Lopez-Ortega and Barnes, Vice Mayor Dunsford and Mayor Canning  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None

  
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**CHRIS CANNING, Mayor**

**ATTEST:**

  
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**KATHY FLAMSON, City Clerk**