

RESOLUTION 2021-066

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE AMENDMENT NO. 13 TO PROFESSIONAL SERVICES AGREEMENT NO. 288 WITH LARRY WALKER ASSOCIATES (LWA) FOR SERVICE RELATED TO THE CITY'S WASTEWATER AND WATER TREATMENT PLANT OPERATING PERMITS, IN AN AMOUNT NOT TO EXCEED \$66,525

WHEREAS, the City of Calistoga Wastewater Treatment Plant Operates under a National Pollutant Discharge Elimination System (NPDES) Permit that includes certain monitoring and reporting requirements; and

WHEREAS, the City of Calistoga operates its Recycled Water Program under the State's General Water Reuse Permit which requires the City to monitor and report all recycled water activities within its jurisdiction; and

WHEREAS, the City of Calistoga operates its Water Treatment Plant under the Drinking Water System NPDES permit; and

WHEREAS, the City requires continued and additional professional services to assist in the monitoring and reporting requirements of these permits; and

WHEREAS, the City of Calistoga entered into an agreement on August 16, 2005, Amendment No. 1 on March 4, 2008, Amendment No. 2 on July 21, 2009, Amendment No. 3 on July 19, 2012, Amendment No. 4 on August 22, 2012, Amendment No. 5 on June 8, 2013, Amendment No. 6 on July 14, 2014, Amendment No. 7 on November 18, 2014, Amendment No. 8 on July 7, 2015, Amendment No. 9 on March 21, 2017, Amendment No. 10 on July 18, 2017, Amendment No. 11 on September 3, 2019, Amendment No. 12 on October 20, 2020, with Larry Walker Associates for Ongoing Permit Assistance associated with the NPDES Permit, Recycled Water User Permit, and Drinking Water System NPDES permit; and

WHEREAS, the City is in need of continued services from Larry Walker Associates for FY 2021/22; and

WHEREAS, Larry Walker Associates has submitted a proposal for these services in the amount of \$66,525 as reflected in the Scope of Services shown on **EXHIBIT A**; and

WHEREAS, staff has reviewed said proposal, found that the professional services proposed are reasonable and necessary, and recommends that Amendment No. 13 to the agreement with Larry Walker and Associates be approved; and

WHEREAS, the FY 2021/22 Budget includes funding in City budgets (02-4132-4402) and (03-4142-4402) which have sufficient appropriations for the recommended amendment to the professional services agreement, not to exceed \$66,525.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CALISTOGA DOES HEREBY find the flowing:

1. The City Council of the City of Calistoga authorizes the Interim City Manager to execute Amendment No. 13, to the Professional Services Agreement No. 288 with Larry Walker Associates in an amount not to exceed \$66,525, for a total contract amount of \$830,923 for ongoing and additional permit assistance related to the City of Calistoga Wastewater Treatment Plant NPDES Permit, the State's General Water Reuse Permit and the Drinking Water System NPDES permit.

PASSED, APPROVED AND ADOPTED this 17th day of **August 2021**. I, **MARNI RITTBURG, CITY CLERK OF THE CITY OF CALISTOGA, HEREBY CERTIFY** the foregoing resolution was introduced and passed at a regular meeting of the Calistoga City Council by the following roll call vote:

AYES: Councilmembers Gift, Kraus, and Williams, Vice Mayor Lopez-Ortega, and Mayor Canning
NOES: None
ABSENT: None
ABSTAIN: None

ATTEST:



Marni Rittburg, CMC, City Clerk

APPROVED:



Chris Canning, Mayor



EXHIBIT A
SCOPE OF SERVICES FOR
CITY OF CALISTOGA

Contract Amendment No. 13
Ongoing Permit Assistance

(September 1, 2021 to June 30, 2022)

The City of Calistoga (City) has requested a scope of services and cost estimate from Larry Walker Associates (LWA) for assistance with regulatory conditions specified by the Wastewater Treatment Plant (WWTP) NPDES permit, the Sanitary Sewer System Waste Discharge Requirements (WDRs), the Recycled Water Use permit, and the Drinking Water System permits. The following Scope of Services describes the activities predicted from September 1, 2021 through the end of Fiscal Year 2021/22 on June 30, 2022. The tasks include preparing regulatory compliance reports, consulting on regulatory issues, conducting permit-required special studies, assisting in the negotiation and adoption of the NPDES permit, and providing updates on new water quality policies/regulations.

Attachment A includes a cost estimate for the tasks noted below. The cost estimates are presented in terms of the specific tasks outlined in this scope and includes the number of hours for each LWA staff member that may assist with the project.

Task 1 – Preparation of Regulatory Compliance Reports

Periodic reporting of operational information, regulatory compliance, and monitoring data is required by the WWTP NPDES permit (Order No. R2-2016-0018, expected to be renewed in October 2021), the recycled water permit (Order WQ 2016-0068-DDW), and the Cease and Desist Order No. R2-2014-0043 (Amended by Order No. R2-2016-0019). Incident reporting is required to document the occurrence, cause, and response to effluent limit violations, spills, bypasses, and unauthorized discharges. WWTP effluent and receiving water monitoring data must be submitted online through the California Integrated Water Quality Management System (CIWQS). A cover letter and CDO progress report are provided with monthly data submittals to explain operational changes, identify violations of effluent limits or water quality objectives, and summarize CDO compliance activities. Annual reporting is required to document WWTP performance and recycled water program implementation.

As requested by City staff, LWA will prepare regulatory compliance reports or review draft reports prepared by City staff. Draft versions of all reports will be provided to City staff for review and comment prior to finalizing for submittal to the San Francisco Bay Regional Water Quality Control Board (Regional

Water Board) or the State Water Resources Control Board (State Water Board) Division of Drinking Water (DDW).

Task 2 – General Consulting

Under the General Consulting task, funds are allocated to assist the City with new or emerging issues that are not included under the other identified contract tasks. During previous years, this task has been used for evaluating compliance concerns, communicating with Regional Water Board staff, recycled water project planning, responding to Notices of Violation, and following regulatory developments. Upon request of City staff, LWA will utilize these funds for assistance with issues or special projects that arise during the contract term.

Task 3 – Pollution Prevention Assistance

As specified in the NPDES permit, the City must undertake pollution prevention activities to reduce the amount of pollutants received at the WWTP. Pollutants of concern (POCs) are identified by the City and the Regional Water Board and include those constituents that could cause or contribute to an exceedance of water quality objectives in the Napa River. The current POCs are mercury, geothermal pollutants, cyanide, disinfection byproducts (trihalomethanes), copper, ammonia, oil and grease, and PCBs. The POCs may change when the new NPDES Permit is adopted in late 2021 (estimate). LWA will provide advice to the City when identifying and implementing appropriate pollution prevention activities. LWA will also prepare the 2021 Annual Pollution Prevention Report. A draft version of the report will be submitted to City staff for review and approval before finalizing for submittal to the Regional Water Board. Under this task, LWA will also provide regulatory assistance to understand and prescribe requirements related to permitting and regulating of new industrial users in the City's sewer service area.

Task 4 – Disinfection Byproducts Compliance

Cease and Desist Order No. R2-2014-0043 (as amended by Order No. R2-2016-0019) contains a time schedule for compliance with final effluent limits for chlorodibromomethane and dichlorobromomethane (trihalomethanes or THMs). The City has been implementing activities to reduce the formation of THMs in the drinking water supply and tertiary effluent produced at the WWTP. For the past three discharge seasons, the City has been in compliance with the final THM effluent limits through chemical addition of ammonia into the treatment process. As a result, no activities are predicted during this contract period.

Task 5 – Napa River Collaborative Monitoring

Collaborative monitoring of upstream and downstream Napa River quality (a shared effort between Calistoga, Yountville, and St. Helena) was completed in 2019 under conditions specified in the 2016 NPDES permit. The Regional Water Board is using the findings from this monitoring event to inform requirements in the new NPDES permit anticipated in October 2021. As a result, no activities are predicted during this contract period.

Task 6 – Project Management

LWA activities under this task include managing budgets and schedules, implementing contract conditions, and preparing monthly progress reports for City staff.

Task 7 – Mixing Zone Study

A dye study and calibrated mixing zone modeling were conducted in 2009 to determine dilution, travel time, and mixing zone characteristics when discharging effluent at Outfalls 001 and 002. The results were used by the Regional Water Board to establish dilution credits in the 2010 and 2016 NPDES permits. In 2020, LWA re-evaluated the mixing zone characteristics at Outfalls 001 and 002 and determined mixing characteristics at Outfall 003 (old discharge outfall at the 20 million gallon effluent storage pond) if it will be used during the upcoming permit term. The 2020 mixing zone study report was submitted to the Regional Water Board in July 2020 as part of the NPDES permit application. As the Regional Water Board is working to reissue the NPDES permit, it is possible they will have follow-up questions on the recently-submitted study. As such, this task includes a minimal effort for addressing Regional Water Board comments and revising the 2020 study, if needed.

Task 8 – Sanitary Sewer Management Plan (SSMP) Internal Audit

Provision D.13(x) of the Sanitary Sewer System WDRs (Order No. 2006-0003-DWQ) requires an internal SSMP audit every two years, at a minimum. The most recent audit was conducted in the spring of 2020 and the next audit will occur during the spring of 2022. LWA will review the City's current SSMP, as well as information available on CIWQS Public Reports, to assess program effectiveness. LWA will work with City staff to assemble any information which may not be publicly available in CIWQS. Per Provision D.13(x) of the Sanitary Sewer System WDRs, the internal audit needs to evaluate the SSMP effectiveness (e.g., compile metrics such as miles of televised pipe, number of spills/volumes from year to year, etc.) and the City's compliance status with each of the required SSMP elements. LWA will analyze, tabulate, and graph historical information on the program metrics and evaluate the SSMP for compliance with all the required elements.

LWA will prepare a draft audit report that includes deficiencies and opportunities for improving the SSMP. The audit report will be finalized following review by City staff. LWA will help the City revise the SSMP as recommended in the final audit report.

Task 9 – CIWQS Electronic Data Management Tool

No activities are predicted for this task during this contract term. LWA plans to continue to assist with the City's CIWQS submittals through activities described under Task 1, Preparation of Regulatory Compliance Reports.

Task 10 – WWTP NPDES Permit Application

The application for the current NPDES permit was submitted to the Regional Water Board in July 2020. As a result, no activities are predicted during this contract period. Other tasks associated with permit reissuance, such as review of draft permits and comment letters are included under Task 11 below.

Task 11 –WWTP NPDES Permit Adoption

At the time this Scope is provided, the Regional Water Board anticipates adoption of the new NPDES permit in October 2021.

Regional Water Board staff typically provides an Administrative Draft version of the NPDES permit to the Permittee to verify language and identify operational considerations. LWA will consult with the City and prepare comments on the Administrative Draft using Track Changes and embedded comments. The edited version of the Administrative Draft will be submitted to the Regional Water Board for consideration. After addressing the City's comments on the Administrative Draft, the Regional Water Board will issue a Tentative Order permit for public comment. LWA will review the Tentative Order and prepare a draft comment letter for the City's review and approval prior to submittal to the Regional Water Board.

If needed, LWA will help the City develop a presentation for the permit adoption hearing and attend the hearing to provide technical support. After adoption, LWA will proof the final version of the NPDES permit to ensure that any potential changes agreed upon at the hearing were made. LWA will develop an overall schedule and plan for the City to keep track of permit-mandated reports and deadlines as well as a summary table of monitoring requirements.

Task 12 – Drinking Water System Permit Activities

The City's Domestic Water Supply Permit includes requirements to monitor water quality, conduct technical studies, and submit reports to the State Water Resources Control Board Division of Drinking Water (DDW). When requested by City staff, LWA will assess monitoring results, consider compliance actions, provide notification of policy/regulatory changes, communicate with DDW , and review/edit draft reports prepared by City staff. The City also has monitoring and reporting requirements under the Statewide NPDES Permit for Drinking Water System Discharges to Waters of the U.S. (WQ Order 2014-0194-DWQ).

The Statewide permit is a general permit that covers some planned discharges and most emergency discharges from potable water pipelines, tanks, reservoirs, and water treatment plants. Based on operational data provided from City staff, LWA will prepare the Annual Report required by the Statewide permit to document all discharges from the potable water system during 2021. The report will be finalized after review by City staff and submitted to the State Water Board.

To comply with requirements specified in America's Water Infrastructure Act of 2018, the City is required to develop or update its Emergency Response Plan (ERP) by December 30, 2021. LWA prepared a draft ERP that is currently undergoing review by City staff. LWA will finalize the ERP to address City comments and then assist the City with certifying completion to the U.S. EPA.

Attachment A

City of Calistoga
Professional Services by Larry Walker Associates
Contract Amendment No. 13

Estimated Costs for Ongoing Permit Assistance through the end of FY 2021/22
(September 1, 2021 through June 30, 2022)

Task	Description	LWA Labor Hours and Rates (1)						Total Hours	Total Labor Costs	Other Direct Costs	Total Costs
		Project Manager:	Senior Scientist:	Project Engineer IIA:	Project Engineer IA:	Contract Administrator:					
		Denise Conners	Mitch Mysliwiec Amir Mani	Alina Constantinescu Airy Krich-Brinton	Jenny Bayley Sebastian Bogner	Tina VanCarpels					
		\$279	\$249	\$215	\$180	\$133					
1	Preparation of Permit Compliance Reports Prepare monthly SMRs, annual reports, technical memoranda, or workplans specified by the Regional Water Board, NPDES permits, CDO, and recycled water permit.	16		88			104	\$23,384	0	\$23,384	
2	General Consulting Address questions from City staff, respond to compliance issues that may arise, and update City of new/projected regulatory requirements. Finalize planning document for potential project utilizing recycled water for groundwater replenishment.	16	6	8	8		38	\$9,118	0	\$9,118	
3	Pollution Prevention Assistance Assist with implementation of the pollution prevention program, revise program (as needed) to address identified constituents of concern, and prepare 2021 Annual Pollution Prevention Report. Assist with regulating potential new industrial users.	8	16				40	\$8,552	0	\$8,552	
4	Disinfection Byproducts Compliance No activities anticipated during this contract term since the WWTP has been in compliance with the final THM limits for the past three discharge seasons. As needed, assistance will be provided under Task 1.								0	0	
5	Napa River Collaborative Monitoring The collaborative monitoring occurred in 2019-2020. No activities anticipated under this task during this contract term.						0	0	0	0	
6	Project Management Prepare monthly progress reports, track budgets and schedules, ensure implementation of contract conditions.	2		8			30	\$4,938	0	\$4,938	
7	Mixing Zone Study Address Regional Water Board comments and revise the July 2020 Mixing Zone Study, if needed.	2	2	2	6		12	\$2,566	0	\$2,566	
8	Sanitary Sewer Management Plan (SSMP) Internal Audit Review SSMP and Sanitary Sewer Overflow (SSO) reports, evaluate effectiveness of the SSMP and compliance with WDR provisions, identify deficiencies and recommend revisions. Prepare internal audit report and assist the City with revising the SSMP.	1		16			17	\$3,719	0	\$3,719	
9	CIWQS Electronic Data Management Tool (EDMT) No activities anticipated under this task during this contract term. CIWQS and eSMR assistance to be provided under Task 1.						0	0	0	0	
10	WWTP NPDES Permit Application Permit application package was submitted in July 2020. No activities anticipated under this task during this contract term.						0	0	0	0	
11	WWTP NPDES Permit Adoption Activities such as reviewing and commenting on draft permits and support for the permit adoption hearing anticipated in October 2021.	20		40	16		76	\$17,060	0	\$17,060	
12	Drinking Water System Permit Activities Address questions from City staff, respond to compliance issues that may arise, and update City of new/projected regulatory requirements. Finalize Emergency Response Plan for compliance with federal America's Water Infrastructure Act requirements.	16	16	4	16		52	\$12,188	0	\$12,188	
TOTAL PROJECT COSTS (2)		81	24	182	62	20	369	\$81,525		\$81,525	
							ESTIMATED AVAILABLE FUNDS AS OF 7/31/2021				
									ADDITIONAL FUNDING REQUESTED (3)		
									\$15,000		
									\$66,525		

(1) LWA hourly rates for 2021/22 (attached). Rates are typically adjusted on July 1st of each year.

(2) The cost estimate is based on best available information and a projections of activities required through the end of FY 2021/22. If it appears the budget will be exceeded, LWA will notify the City and discuss approach before proceeding with additional work.

(3) The current contract balances, following July 2021 expenditures, is estimated at \$15,000. If the balance is rolled into Contract Amendment 13, the amount needed for Amendment 13 is \$61,525- \$15,000 = \$66,525



LARRY WALKER ASSOCIATES RATE SCHEDULE

EFFECTIVE JULY 1, 2021 – JUNE 30, 2022

TITLE	RATE \$/Hour
Administrative	\$ 96
Contract Coordinator	\$133
AR/AP Manager	\$133
Graphic Designer	\$123
Senior Graphic Designer	\$160
Project Staff I-C	\$128
Project Staff-1-B	\$155
Project Staff I-A	\$180
Project Staff II-B	\$192
Project Staff II-A	\$215
Senior Staff	\$249
Associate	\$279
Vice President	\$304
Executive Vice President	\$317
Senior Executive	\$333
President	\$333

REIMBURSABLE COSTS

Travel:

Local mileage	Current IRS rate
Transportation	Actual expense
Auto rental	Actual expense
Fares	Actual expense
Room	Actual expense
Subsistence ⁽¹⁾	\$55 per day

Breakfast	\$13.00
Lunch	\$14.00
Dinner	\$23.00
Incidentals	\$5.00

Report Reproduction and Copying:

Per color copy, in-house	\$0.89
The rate for each meal as follows: ⁽¹⁾	
Actual expense	
Per black and white copy, in-house	\$0.08
Per binding, in-house	\$1.95

Special Postage and Express Mail:

Actual expense

Other Direct Costs:

Actual Expense

Daily Equipment Rental Rates:

Single parameter meters & equipment	\$30.00
Digital flow meter	\$60.00
Multi-parameter field meters & sondes	\$100.00
Dye/tracer mapping or residence time	\$200.00
Multi-parameter continuous remote sensing	\$40.00

Subcontractors:

Actual Expense plus 10% fee

Note: ⁽¹⁾ Charged when overnight lodging is required.