

RESOLUTION NO. 2021-081

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE A GEOTHERMAL IN-LINE METERING AND RIGHT OF ENTRY AGREEMENT WITH MICHAEL QUAST AND MICHAEL QUAST, TRUSTEE OF THE MAX QUAST AND GENOVEVA QUAST 1993 REVOCABLE TRUST — DATED MAY 11, 1993

WHEREAS, Calistoga is under a Cease-and-Desist Order No. R2 2016-0019 (CDO) requiring geothermal metering of the significant dischargers; and

WHEREAS, the city is responsible for installation and maintenance of the geothermal meters pursuant to the Spa Settlement Agreement from 2001; and

WHEREAS, Calistoga has four significant geothermal dischargers currently metered and Roman Spa is either the last or one of the last two meters needed for full compliance with the CDO and EKI engineers is updating the 2003 study to ensure full compliance

WHEREAS, City staff and the City Attorney's office have negotiated the terms of a Geothermal In-Line Metering and Right of Entry Agreement with Michael Quast, in the form attached hereto ("Agreement") that will allow the City to install wellhead meters on the Roman Spa property; and

WHEREAS, execution of the Agreement and installation of the meters are exempt under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 Existing Facilities; 15302 Replacement or Reconstruction; and 15303 Conversion of Small Structures, as the installation of the wellhead meters will take place on existing facilities with no expansion of the existing use, the existing geothermal lines will remain in place, and the new equipment will consist only of the metering equipment.

NOW, THEREFORE, BE IT RESOLVED that the Calistoga City Council hereby authorizes the City Manager to execute the Agreement.

BE IT FURTHER RESOLVED the agreement authorizes staff to proceed with having the geothermal well head meters installed for an estimated \$50,000 under budget account 13-5533-4915 that has \$80,000 available.

PASSED, APPROVED AND ADOPTED this 2nd day of November 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