

RESOLUTION NO. 2018-052

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA,
COUNTY OF NAPA, STATE OF CALIFORNIA, AUTHORIZING A
CONSULTANT SERVICES AGREEMENT WITH MBK ENGINEERS FOR AN
AMOUNT NOT TO EXCEED \$79,500 FOR PROFESSIONAL SERVICES
RELATED TO PREPARATION OF NEW INUNDATION MAPS AND
UPDATED EMERGENCY ACTION PLAN FOR KIMBALL RESERVOIR DAM,
APPROVING A BUDGET ADJUSTMENT IN THE AMOUNT OF \$25,000 AND
AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT**

WHEREAS, the City owns Kimball Reservoir Dam which is subject to regulatory oversight by the California Department of Water Resources, Division of Safety of Dams (DSOD) and Cal OES; and

WHEREAS, in response to the near catastrophic failure of the Orville Dam in February, 2017 Senate Bill 92 was adopted amending Sections 6160 and 6161 of the Water Code requiring dam owners to update their inundation maps and emergency action plans by specific dates; and

WHEREAS, DSOD has classified Kimball Reservoir Dam as a “high” hazard facility setting a deadline of January 1, 2019 for the City to revise its inundation maps and emergency action plans; and

WHEREAS, to meet this statutory requirement staff recommends hiring a consultant with expertise in inundation map and emergency action plan preparation; and

WHEREAS, the City has previously contracted with MBK Engineers on Kimball Reservoir issues including preparation of the Interim By-Pass Plan and other regulatory issues associated with operation of Kimball Reservoir, and they have extensive knowledge of the Kimball Reservoir hydrology and staff believes MBK Engineers is best suited to provide the required technical and consulting services; and

WHEREAS, Staff has reviewed the proposal from MBK Engineers and recommends that a Consultant Services Agreement for an amount not to exceed \$79,500 be authorized; and

WHEREAS, the recommended action is not a Project under CEQA pursuant to Section 15378(b) (2) of CEQA which provides that a “...Project does not include: Continuing administrative or maintenance activities such as ...general policy and procedure making” and it can clearly be demonstrated that the recommended action will not result in a direct physical change in the environment; and

WHEREAS, a budget adjustment in the amount of \$25,000 is required to cover the anticipated expenses that will be incurred in FY 2017/18 for the professional services requested.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Calistoga as follows:

1. Finds that the recommend action is exempt from CEQA pursuant to Title 14, the California Code of Regulations, Section 15378(b) (2).
2. A Consultant Services Agreement is authorized with MBK Engineers to provide professional services to prepare new inundation maps and emergency action plans for Kimball Reservoir Dam for an amount not to exceed \$79,500.
3. Creates a new FY 2017/18 CIP Project – Kimball Dam Inundation Map Study, Account No. 12-5567-4915.
4. Approves a Budget Adjustment in the amount of \$25,000 derived from Water Connection Fees to fund anticipated expenses incurred in FY 2017/18.
5. The City Manager is hereby authorized to execute the Agreement on behalf of the City of Calistoga, subject to receipt of required insurance documents from MBK Engineers.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Calistoga at a regular meeting held this **15TH day of May 2018**, by the following vote:

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



CHRIS CANNING, Mayor

ATTEST:



KATHY FLAMSON, City Clerk