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# CITY OF POMONA

## COUNCIL REPORT

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June 5, 2023

To: Honorable Mayor and Members of the City Council

From: James Makshanoff, City Manager

Submitted By: Rene Guerrero, Public Works Director

**SUBJECT: AMENDMENT NO. 2 WITH PINNACLE ENVIRONMENTAL TECHNOLOGIES FOR THE “UNDERGROUND STORAGE TANKS” PROJECT**

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### **RECOMMENDATION:**

It is recommended that the City Council take the following actions subject to City Council approving and adopting the Capital Improvement Program (CIP) Budget for Fiscal Year 2023-24:

- 1) Approve Amendment No. 2 to the purchase order with Pinnacle Environmental Technologies in the amount of \$85,721 (for a total of \$158,600 for professional services to abandon and install new monitoring wells for Brackett Field Pomona Police Heliport and Fire Station 182) for the CIP Project “Underground Storage Tanks – Work and Removal Plans,” Project No. 428-2590-XXXXX-71061 to be processed after July 1, 2023; and
- 2) Authorize the City Manager, or designee, to execute any documents necessary to execute Amendment No. 2.

### **EXECUTIVE SUMMARY:**

Approval of the recommended actions will amend the purchase order to install additional groundwater monitoring wells for “Underground Storage Tanks – Work and Removal Plans,” Project No. 428-2590-XXXXX-71061 (Project) as identified in the established work plans (February 2023) as required by the Los Angeles Regional Water Quality Control Board (LARWQCB) to ensure protection of human health, safety, and the environment. The LARWQCB is one of nine regional bodies that exercise rulemaking and regulatory activities in their respective basins under the State Water Resources Control Board (SWRCB).

### **FISCAL IMPACT:**

There will be available funding in the Project effective July 1, 2023 upon approval of the FY 2023-24 CIP Budget. The table below summarizes the fiscal impact of this action:

<b>Project / Funding</b>	<b>“Underground Storage Tanks – Work and Removal Plans,” Project No. 428-2590-XXXXX-71061</b>
Beginning Budget	\$150,000
Pending City Council Adoption of CIP Budget on 6/5/2023, Effective on 7/1/23	\$75,000
Revised Budget Effective 7/1/23	\$225,000
Expenditures/Encumbrances (as of May 10, 2023)	(\$127,073)
PO#202388 Amendment No. 2 to be processed after 7/1/23	(\$85,721)
<b>Ending Available Budget</b>	<b>\$12,206</b>

### **PREVIOUS RELATED ACTION:**

On March 16, 2020, City Council adopted a resolution to create CIP Project “Underground Storage Tanks – Work and Removal Plans,” Project No. 428-2590-XXXXX-71061, and appropriated \$50,000 of General Funds to the Project.

On March 22, 2021, City Council appropriated an additional \$50,000 of General Funds to the Project.

On March 7, 2022, City Council appropriated an additional \$50,000 of General Funds to the Project.

On May 2, 2022, City Council approved Amendment No. 1 with Pinnacle Environmental Technologies in the amount of \$18,054 (for a total of \$72,879) for professional services to abandon and install new monitoring wells.

### **DISCUSSION:**

In 2019, the LARWQCB met with City Staff to discuss mandatory corrective actions for existing underground storage tanks at four identified locations. The City of Pomona (City) is directed to take corrective action to ensure the protection of human health, safety, and the environment (pursuant to Health and Safety Code Section 25296.10). Any person who violates any corrective action requirement established by, or issued pursuant to, Health and Safety Code Section 25296.10 is liable for civil penalty of not more than ten thousand dollars (\$10,000) for each underground storage tank for each day of violation.

In 2020, the Project was created (Attachment No. 2) in response to the LARWQCB requirement to prepare and submit technical work plans. The City worked with Pinnacle Environmental Technologies (Pinnacle) to submit work plans and testing data to the LARWQCB for all four sites.

In 2022, based on the submitted work plans, the LARWQCB recommended the closure of cases (Case R-12421; Case R-66210) at two of the four identified sites; required six new groundwater monitoring wells at the Brackett Field Pomona Police Heliport (Case No. R-02777); and notified the City of pre-closure at Fire Station No. 182 (SCP No. 1577). Pinnacle was the lowest responsive bidder selected to install the new monitoring wells and submitted all testing results based on

LARWQCB-approved work plans.

In January 2023, the LARWQCB sent the City a letter requiring additional subsurface environmental assessment for Fire Station No. 182 (SCP No. 1577).

In February 2023, the LARWQCB sent the City a letter denying the City's request to close the case at the Brackett Field Pomona Police Heliport (Case No. R-02777) and required one additional monitoring well to verify the extent of the soil contamination. Pinnacle provided cost proposals to address the items listed in LARWQCB letters for both sites. Due to additional work required by LARWQCB, the amendment for this Project exceeds 25% and requires City Council approval to proceed.

Prepared by:

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