



# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

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February 6, 2018

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Authorize the City Manager, or designee, to execute all documents necessary to issue a Right-of-Entry Permit to Tesoro Refining and Marketing Company, LLC, to install, maintain and sample a groundwater monitoring well at the Fleet Services Bureau, located at 2600 Temple Avenue. (District 5)

## DISCUSSION

City Council approval is requested to authorize the City Manager to execute a Right-of-Entry Permit with Tesoro Refining and Marketing Company, LLC (Tesoro), to grant access to the Fleet Services Bureau at 2600 Temple Avenue (Site) to install, maintain and sample a groundwater monitoring well. The purpose of this well is to monitor the groundwater below the location of the BP/ARCO E22 pipeline leak identified in 2004. The Los Angeles Regional Water Quality Control Board (LARWQCB) has approved the Groundwater and Soil Investigation Work Plan submitted by Tesoro related to the pipeline leak.

The Site is owned by the Board of Water Commissioners of the City of Long Beach (the Board), although the City has been renting at least a portion of the Site since 1986 for a monthly fee. Per a 1998 Memorandum of Understanding (MOU) between the City and the Board related to the City's use of the site, the City has the authority to issue a Right-of-Entry Permit to Tesoro to provide access. Since the MOU is effective until December 31, 2040, any Right-of-Entry Permit shall expire on or before such date, unless the MOU is terminated earlier at which point the Right-of-Entry Permit shall also terminate.

This matter was reviewed by Deputy City Attorney Monica J. Kilaita on January 5, 2018 and by Budget Operations Administrator Grace Yoon on December 28, 2017.

## TIMING CONSIDERATIONS

City Council action is requested on February 6, 2018, to ensure the Right-of-Entry Permit is in place expeditiously.

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FISCAL IMPACT

There is no fiscal or local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



JOHN GROSS  
DIRECTOR OF FINANCIAL MANAGEMENT

JG:DB:PM  
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APPROVED:

  
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PATRICK H. WEST  
CITY MANAGER