



Agenda Item No: 1.i

PLACENTIA CITY COUNCIL AGENDA REPORT

Meeting Date: June 17, 2025

Submitted by: Gabriel Guerrero-Gabany

From: Public Works

Subject:

Professional Services Agreement with John L. Hunter and Associates, Inc. For National Pollutant Discharge Elimination System (NPDES) Consulting Services

Financial Impact:

Fiscal Impact:

Expense: \$200,000 Total Cost for Services Over 3 Years

Budgeted: \$25,000 FY 2025-26 Operating Budget (103593-6099)

\$87,500 Estimated for FY 2026-27 Operating Budget (103593-6099)

\$87,500 Estimated for FY 2027-28 Operating Budget (103593-6099)

Summary:

The most recent National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System ("NPDES/MS4") Permit for the Santa Ana Region ("SAR") of Orange County was adopted on May 22, 2009. The new permit is currently being reviewed by the SAR review board. The new iteration of the Santa Ana MS4 permit will include revisions to the current regulations. As a result of these regulations, the City will continue to be tasked with many regulatory program management and development compliance goals, all of which are currently unfunded State mandates.

John L. Hunter and Associates, Inc. ("JLHA") has been providing professional NPDES consulting assistance to many Orange County cities within the SAR for many years. Since 2013, the City has utilized the services of JLHA to conduct the City's Industrial/Commercial Facilities Inspection Program. In February 2014, JLHA services were expanded to assist in other NPDES/MS4 permit and program management tasks due to limited staffing resources. This included completing the annual report (known as the Program Effectiveness Assessment), conducting annual trainings, advising City Staff, and representing the City as necessary at Countywide meetings, along with conducting compliance inspections on behalf of the City. In addition, JLHA has been involved in the development of the new permit and has extensive experience managing the City's NPDES program. Lastly, JLHA provides plan reviews of Water Quality Management Plans for new private development projects, storm water protection plans for construction operations, as well as inspections of structural storm water capture systems installed by developers on private property.

Recommendation:

Recommended Action: It is recommended that the City Council take the following actions:

1. Approve a Professional Services Agreement with John L. Hunter and Associates, Inc., for a three-year contract not-to-exceed amount of \$200,000 for NPDES Consulting Services with one (1) two-year term extension, based on consultant performance and at the discretion of the City; and
2. Authorize the City Administrator to extend term of agreement based on consultant performance and at the discretion of the City; and
3. Authorize the City Administrator to increase contract amendments up to 10%; and
4. Authorize City Administrator to extend the term of agreement based on Section 4.1 of the Agreement; and
5. Authorize the City Administrator and/or her designee to execute all the necessary documents in a form approved by the City Attorney.

Strategic Plan Statement:

There is no specific strategic planning goal or objective associated with this agenda item.

Discussion:

In accordance with Federal and State clean water regulations, all cities and counties must comply with NPDES/MS4 permit requirements. The Federal Clean Water Act of 1972 created the NPDES for the purpose of reducing and preventing pollutants from discharging into streams, creeks, rivers and ultimately the ocean, which are all considered waters of the United States. The NPDES encompasses a regulatory permit program authorizing State governments through the Federal Environmental Protection Agency to regulate pollutant discharges into these waters. In accordance with these regulations, all cities and counties must comply with NPDES regulations as outlined by the State Regional Water Quality Control Board. The State is divided into multiple NPDES regions, and the City of Placentia falls within the SAR. Each region maintains its own NPDES/MS4 permit which provides the regulatory framework to which each city as a co-permittee must adhere. The current NPDES/MS4 permit for the SAR was adopted on May 22, 2009, and was amended on October 29, 2010. The next iteration of the Santa Ana MS4 permit is currently under review by the SAR Review Board. This next iteration will include modifications to existing regulations that will result in new regulatory requirements, which the City will need to enforce and comply with.

The regulations with which co-permittees must comply and enforce are extensive and burdensome and are an unfunded mandate. The City's NPDES program requires extensive management and development work. In addition to ensuring that the City's municipal activities comply with permit regulations, the City is required to conduct significant public outreach; review and analyze private development project impacts on storm water quality; inspect private, commercial and industrial activities; conduct water quality monitoring and reporting; investigate illicit discharges into the City's MS4 System; and inspect construction site activities.

As a result of the extensive regulatory burden that the NPDES program creates on City staffing resources, Placentia, along with many other cities rely upon professional consulting assistance to help manage their programs as well as provide inspection services. Staff prepared an RFP for NPDES Stormwater Program Management Services. A total of four (4) proposals were received from qualified consulting firms with extensive experience in NPDES Program Management. Staff reviewed the submitted proposals and the cumulative composite score for the firm's proposal is noted below:

Firm	Score
------	-------

John L Hunter & Associates	93
CWE	87
Charles Abbot	82
CASC	75

Staff recommends awarding the contract to John L. Hunter and Associates (JLHA). JLHA has extensive experience and expertise in providing professional NPDES services. They currently provide similar NPDES services to 48 agencies in Southern California. They have served the City of Placentia successfully for the past 12 years and are very familiar with every facet of the City's NPDES program. JLHA has also been involved with the development of the updated SAR MS4 permit due to be adopted in the near future and their understanding of the new permit will be a valuable resource to the City in ensuring full compliance with the new regulatory requirements.

The term of the proposed Professional Services Agreement will be for a total of 36 months from June 17, 2025 through June 17, 2028. One (1) contract term extension for two (2) years is also provided but is based upon consultant performance and is at the discretion of the City. Funds are budgeted in the FY 2025-2026 proposed Operating Budget to continue providing these services through the end of the proposed contract term ending on June 17, 2028.

Fiscal Impact Summary:

The recommended actions will award a proposed Professional Services Agreement with John L. Hunter and Associates Inc. for a three-year not-to-exceed contract amount of \$200,000. A total of \$25,000 has been allocated for these services in the FY 2025-26 Operating Budget to cover these services. As such, sufficient funds exist for the recommended actions.

Attachments

[Attachment_1_-_Professional_Services_Agreement_with_JLHA.pdf](#)