

ORDINANCE No. 189486

*Authorize Joint Funding Agreement between the Bureau of Environmental Services and the U.S. Geological Survey, U.S. Department of the Interior to provide water quality modeling for Crystal Springs Lake in the Johnson Creek basin for \$75,000 (Ordinance)

The City of Portland ordains:

Section 1: The Council finds:

1. In 2014, the Bureau of Environmental Services (BES) entered into a Joint Funding Agreement (JFA) with the U.S. Geological Survey (USGS) to develop a CE-QUAL-W2 (W2) model to analyze the impacts of Crystal Springs Lake on temperature conditions downstream in Crystal Springs Creek and Johnson Creek (Ordinance 186767).
2. The information collected by USGS and its analysis of the W2 model results supported an effort by BES and Portland Parks and Recreation (PP&R) to agree to evaluate different alternatives to reduce the temperature inputs from Crystal Springs Lake into Crystal Springs Creek. BES and PP&R have entered into a design contract with Environmental Science Associates (ESA) (contract No. 30004944) to evaluate three alternative options.
3. BES and USGS wish to enter into a new Joint Funding Agreement (JFA) to modify and apply the existing W2 model to analyze impacts of different alternative designs to reduce temperatures in Crystal Springs Creek and continue to model the impacts and benefits of the preferred alternative through the design process.
4. The Oregon Department of Environmental Quality (DEQ) mandated that streams not exceed a 18° Celsius during warm summer month to ensure the health for rearing and migrating salmon. A joint USGS and BES study showed that Crystal Springs Creek exceeded the standard 42 percent of the calendar year from 2003 to 2013. In 2013, US Army Corps of Engineers and the City of Portland Environmental Services conducted a restoration project at Westmoreland Park to remove an in-stream pond and create a naturalized stream channel, and adjacent wetlands. Prior to the Westmoreland restoration, Crystal Springs Creek warmed 2.7°C (about 5°F) across the site. Post-restoration temperature data shows the temperature only increases 0.3°C (about 1.6°F) across the site, which is within the level of accuracy of our temperature probe. This restoration work reduced stream temperatures during the warm summer months by 2.5°C (about 4.5°F). Unfortunately, the Crystal Springs Creek temperature still exceed DEQ standard during most of the summer due to elevated temperatures in the headwaters.
5. The established cost is \$115,000. USGS will provide \$40,000 in matching funds. BES total cost will be \$75,000. Funds are available in the Sewer System Capital Fund, FY 19-20 Budget, Bureau of Environmental Services, Project Cost Code E10584.

6. Future funds will be requested by BES in future budgets. Both parties understand that the availability of funds is subject to annual budget appropriations. If funds available are less than the established cost, the scope of work will be adjusted to match available funds.

NOW, THEREFORE, the Council directs:

- a. The Commissioner -in -Charge or delegate, the Director of the Bureau of Environmental Services, is authorized to execute a contract with USGS, in substantially similar form to Exhibit A, for the purpose described in Section 1, in the amount of \$75,000. The Director of the Bureau of Environmental Services is authorized to execute amendments to this contract that do not increase the total contract amount owed by BES by more than 25% of the original project amount, exclusive of the USGS cost share.
- b. The Mayor and Auditor are hereby authorized to pay for the contract from the Sewer System Operating Fund Budget when demand is presented and approved by the proper authority.

SECTION 2.

* The Council declares that an emergency exists because of the time critical nature of the modeling analysis concurrent with the design process. Therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council:
Commissioner Nick Fish MAY 08 2019

Prepared by: Kaitlin Lovell
Date prepared: April 16, 2019

E10584 - ord

Mary Hull Caballero
Auditor of the City of Portland

By



Deputy

Agenda No.
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<p>INTRODUCED BY Commissioner/Auditor: <i>Fish</i></p> <p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Wheeler</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - <i>Fritz</i></p> <p>Position 3/Affairs - Hardesty</p> <p>Position 4/Safety - Eudaly</p> <p>BUREAU APPROVAL</p> <p>Bureau: Environmental Services Bureau Head: Michael Jordan <i>Michael Jordan</i></p> <p>Prepared by: Kaitlin Lovell Date Prepared: April 16, 2019</p> <p>Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document: Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>City Auditor Office Approval: required for Code Ordinances</p> <p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>hrs</i></p> <p>Council Meeting Date <i>5/8/19</i></p>	<p>CLERK USE: DATE FILED <u>APR 30 2019</u></p> <p style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <i>Heelan</i> Deputy</p> <p>ACTION TAKEN:</p>
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<p style="text-align: center;">AGENDA</p> <p>TIME CERTAIN <input type="checkbox"/> Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p> <p>CONSENT <input checked="" type="checkbox"/></p> <p>REGULAR <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 30%;">FOUR-FIFTHS AGENDA</th> <th colspan="2">COMMISSIONERS VOTED AS FOLLOWS:</th> </tr> <tr> <th></th> <th style="width: 35%;">YEAS</th> <th style="width: 35%;">NAYS</th> </tr> <tr> <td>1. Fritz</td> <td>1. Fritz ✓</td> <td></td> </tr> <tr> <td>2. Fish</td> <td>2. Fish ✓</td> <td></td> </tr> <tr> <td>3. Hardesty</td> <td>3. Hardesty ✓</td> <td></td> </tr> <tr> <td>4. Eudaly</td> <td>4. Eudaly _____</td> <td></td> </tr> <tr> <td>Wheeler</td> <td>Wheeler ✓</td> <td></td> </tr> </table>	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:			YEAS	NAYS	1. Fritz	1. Fritz ✓		2. Fish	2. Fish ✓		3. Hardesty	3. Hardesty ✓		4. Eudaly	4. Eudaly _____		Wheeler	Wheeler ✓	
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