

# ORDINANCE No. 187510

Authorize Intergovernmental Agreement with the Oregon Department of Environmental Quality for the Columbia Slough Sediment Program for \$275,000 (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Studies conducted by DEQ and BES in the early 1990's identified widespread, pervasive impacts to sediment and wildlife in the Slough. Based on the results of these early studies, the Oregon Department of Environmental Quality (DEQ) and BES entered into a Consent Order (1993 – 2005) to conduct a Remedial Investigation and Feasibility Study (RI/FS) to fully evaluate the nature and extent of impacts to sediment and wildlife. The City completed the RI/FS process in 2005 and was subsequently transitioned from the original Consent Order to the State Voluntary Cleanup Program.
2. The City owns or operates over 200 City outfalls that discharge stormwater to a 19 mile stretch of the Columbia Slough. In 2005, DEQ issued a Remedial Action Record of Decision (ROD) that identified the selected remedy to address impacted sediments in the Columbia Slough, including categories of remedial actions to be implemented by DEQ, the City acting through the BES, and other responsible parties. The intent of the ROD is to: identify, and reduce or eliminate ongoing source(s) of sediment contamination entering the Slough; treat stormwater runoff from public roadways and private properties as needed; perform long term monitoring to evaluate program effectiveness and guide adaptive management; and to perform targeted cleanup at locations that pose unacceptable risk to human health or wildlife.
3. In 2006, DEQ and the City entered into an Intergovernmental Agreement (IGA) to jointly implement elements of the ROD using a watershed approach (Contract #36553, Ordinance #180036). The purpose of the 2006 IGA was to formalize the partnership between DEQ and BES, to identify the actions each agency would implement, and to provide a funding mechanism for DEQ oversight of City compliance actions. The original IGA covered a four-year period (May 2, 2006 to June 30, 2010) with the expectation that it would be extended or reissued until ROD requirements pertaining to the City were satisfied. In 2010, the IGA and associated Scope of Work (SOW) were amended (Ordinance #184139) to extend the agreement through June 30, 2015. The Third Amendment to the 2006 IGA extended the agreement through December 31, 2015, to allow for development of a new IGA and contract.
4. The City and DEQ desire to continue cooperative efforts to improve sediment quality and watershed health in the Columbia Slough. Core tasks provided through the 2016 IGA include: evaluating and controlling potential upland sources of discharges to the City stormwater conveyance system; assessing and treating stormwater runoff from targeted City roadways; long term monitoring of sediment quality and fish tissue; compliance and closure decisions for City outfall basins; and collaboration on DEQ in-water cleanup actions.
5. The attached IGA covers a five-year period (January 1, 2016 to December 31, 2020). The established cost of the IGA is not to exceed \$55,000 per year for five years or \$275,000 total. This funding will provide for DEQ oversight and approval of City actions taken to address the impacts from City facilities or properties. Funds are available in the Sewer System Operating

Fund, FY2015-16 Budget, Bureau of Environmental Services, Cost Center ESWS000008, Account No. 529000, and will be requested in subsequent budgets as this agreement allows.

6. Actions identified in the 2016 IGA and Scope of Work are designed to comply with ROD requirements in a manner that addresses conditions in the watershed as a whole, rather than just the sediments in isolation. This approach will result in a healthier watershed overall.
7. Improving watershed health is a long-term effort. Over the life of this agreement, adaptive management will be incorporated to ensure that the most effective projects are being implemented for the least cost.

NOW, THEREFORE, the Council directs:

- a. The Director of the Bureau of Environmental Services is authorized to execute an intergovernmental agreement with the Oregon Department of Environmental Quality for the purpose described in Section 1 and substantially in the form of Exhibit A, in the amount of \$275,000.
- b. The Director of the Bureau of Environmental Services is authorized to execute future amendments to this agreement that do not increase the agreement amount by more than twenty five percent (25%) of the original agreement amount.
- c. The Mayor and Auditor are hereby authorized to draw and deliver warrants chargeable to the Sewer System Operating Fund Budget when demand is presented and approved by the proper authority.

Passed by the Council,  
Commissioner Nick Fish

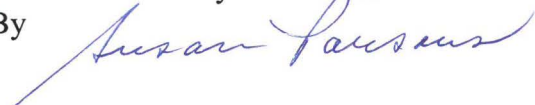
DEC 16 2015

[Mary Stephens]  
[October 15, 2015]

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**Mary Hull Caballero**  
Auditor of the City of Portland

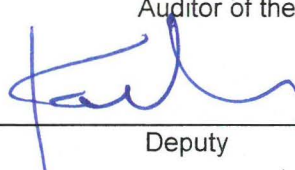
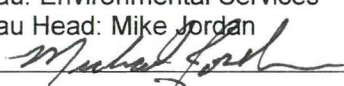

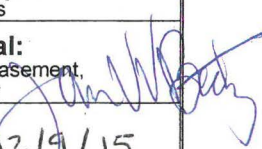
By



Deputy

~~1277-1317~~  
Agenda No.  
**ORDINANCE NO. 187510**  
Title

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<b>INTRODUCED BY</b> Commissioner/Auditor: <b>FISH</b>	CLERK USE: DATE FILED <b>DEC 01 2015</b>
<b>COMMISSIONER APPROVAL</b> Mayor—Finance and Administration - Hales Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Novick	Mary Hull Caballero Auditor of the City of Portland   By: _____ Deputy
<b>BUREAU APPROVAL</b> Bureau: Environmental Services Bureau Head: Mike Jordan  Prepared by: Mary Stephens Date Prepared: October 14, 2015 Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>  Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <b>City Auditor Office Approval:</b> required for Code Ordinances <b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter  Council Meeting Date <b>12/9/15</b>	<b>ACTION TAKEN:</b> <b>DEC 09 2015 PASSED TO SECOND READING DEC 16 2015 9:30 A.M.</b>

<b>AGENDA</b>
<b>TIME CERTAIN</b> <input type="checkbox"/> Start time: _____  Total amount of time needed: _____ (for presentation, testimony and discussion)
<b>CONSENT</b> <input checked="" type="checkbox"/>
<b>REGULAR</b> <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	1. Fritz <input checked="" type="checkbox"/>	
2. Fish	2. Fish <input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman <input checked="" type="checkbox"/>	
4. Novick	4. Novick <input checked="" type="checkbox"/>	
Hales	Hales <input checked="" type="checkbox"/>	