

## Legislation Details (With Text)

**File #:** 20-428 **Version:** 1  
**Type:** Action Item **Status:** Passed  
**In control:** City Council  
**On agenda:** 11/9/2020 **Final action:** 11/9/2020  
**Title:** Intergovernmental Agreement with City of Portland for stormwater sample analysis.  
Ward(s): All Wards  
Councilor(s): All Councilors  
Neighborhood(s): All Neighborhoods  
Result Area(s): Natural Environment Stewardship; Safe, Reliable, and Efficient Infrastructure

**Sponsors:****Indexes:****Code sections:**

**Attachments:** 1. Intergovernmental Agreement with City of Portland

Date	Ver.	Action By	Action	Result
11/9/2020	1	City Council	approved	Pass

**TO:** Mayor and City Council

**THROUGH:** Steve Powers, City Manager

**FROM:** Peter Fernandez, PE, Public Works Director

**SUBJECT:**

Intergovernmental Agreement with City of Portland for stormwater sample analysis.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Natural Environment Stewardship; Safe, Reliable, and Efficient Infrastructure

**ISSUE:**

Shall the City Council authorize the City Manager to execute an Intergovernmental Agreement with City of Portland for the analysis of surface and stormwater samples for contaminants and to sign any additional supplements and amendments as needed to complete the work?

**RECOMMENDATION:**

Authorize the City Manager to execute an Intergovernmental Agreement with City of Portland (Attachment 1) for the analysis of surface water samples for contaminants and to sign any additional supplements and amendments as needed to complete the work.

## **SUMMARY:**

In order to continue to meet the monitoring requirements of the City of Salem's National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit, the City must contract with an outside laboratory that can meet the required reporting limits for total and dissolved zinc, copper, and lead.

## **FACTS AND FINDINGS:**

The City's laboratory at the Willow Lake Pollution Control Facility has been used for the for analysis. There is presently no one certified to conduct the required analysis. Certification of an employee on the specialized equipment is a long-term, time-consuming, and expensive process. Stormwater samples must be analyzed within a short timeframe to produce accurate results.

The cost for this analysis is up to \$25,606 per fiscal year. Staff contacted several analytical laboratories in the northwest and concluded that City of Portland Water Pollution Control Lab (WPCL) is the best and only option to conduct total and dissolved metals analysis. City of Portland WPCL is the only laboratory found capable of analysis using methods approved under the NPDES MS4 permit while simultaneously meeting or exceeding the reporting limits that are required to maintain permit compliance. For the City of Portland to contract with City of Salem to run these analyses, the City of Portland requires that an Intergovernmental Agreement be executed.

Significant terms of the Intergovernmental Agreement:

- Portland will provide Salem with all necessary sampling supplies and paperwork.
- Portland will provide a 14-day turnaround time on all sample analyses results, except in the event of delay caused by conditions beyond Portland's reasonable control.
- Portland will provide data reports listing the analytical results, detection limits, methods used, and routine quality assurance/quality control documentation as requested.
- Should a new MS4 permit require additional sample analysis, the cost will be based upon the fees per sample set in the agreement.

## **BACKGROUND:**

The federal NPDES MS4 Permit is required for the City to release stormwater runoff from the City's

stormwater system directly to local streams. The permit requires the monitoring of and testing for various water quality parameters and pollutants.

Mark Becketl, AICP  
Operations Division Manager

**Attachments:**

1. Intergovernmental Agreement