

AGENDA COVER MEMO

W. 5. F. 6.

Memorandum Date: February 17, 2011
Order Date: February 23, 2011

TO: Board of County Commissioners
DEPARTMENT: Public Works
PRESENTED BY: Daniel Hurley
AGENDA ITEM TITLE: ORDER/In the Matter of Amending the Intergovernmental Agreement with the City of Eugene for Cooperative Services Regarding the National Pollutant Discharge Elimination System (NPDES) Phase II permit held by the County.

I. **MOTION**

Move approval of the Order extending the current agreement for an additional nine months and adding an additional \$20,000.

II. **AGENDA ITEM SUMMARY**

In order to meet our obligations under our NPDES Phase II stormwater permit, Lane County partners with the City of Eugene to help fulfill requirements related to stormwater discharges in the areas between the city limits and the urban growth boundary.

Under the agreement, the City of Eugene handles construction and post-construction runoff control and assists the County in public education and outreach, and illicit discharge detection and elimination. Costs to provide these services are reimbursed to the City under the terms of the agreement.

The current agreement is set to expire on February 28, 2011 and needs to be extended to insure uninterrupted service and compliance with our current permit.

An increase of \$20,000 to the total authorized not-to-exceed amount is needed to cover reimbursement for services anticipated during this extension period.

III. **BACKGROUND/IMPLICATIONS OF ACTION**

A. **Board Action and Other History**

Through Board Order No. 03-3-12-4, the Board of County Commissioners authorized staff to enter into the agreement with the City of Eugene for Cooperative Services Regarding

the National Pollutant Discharge Elimination System (NPDES) Phase II permit held by the County.

The agreement was executed in May 2004. There have been two amendments to the agreement that have increased the total authorized amount not-to-exceed \$170,000 and one amendment adding a three-year extension to the agreement.

The City has billed the County \$164,509 to-date under the agreement.

Staff is currently working on a new IGA with the City of Eugene that will outline new roles and responsibilities as well as new formulas for reimbursement.

Staff is asking that the current agreement be extended for nine months and to authorize an additional \$20,000 to allow sufficient time for the new agreement to be satisfactorily worked out between City/County staff and elected officials.

IV. TIMING/IMPLEMENTATION

Upon approval, staff will process a contract amendment through the County Administrator. County staff will continue to work with the City to work out a new IGA to be brought before the Board within the next nine months.

VI. RECOMMENDATION

Approve the order to amend the IGA to extend the expiration date for an additional nine months, and to authorize an additional \$20,000 to the total authorized not-to-exceed amount.

VIII. ATTACHMENTS

Board Order