

Resolution No. _____, Second Series
A Resolution Amending Resolution 4430, Second Series
in Support of Chloride Reduction in Water
Discharged to the Redwood River

Whereas, the City of Marshall (City) operates a wastewater treatment facility that treats the community's wastewater prior to its discharge into the Redwood River, pursuant to a National Pollutant Discharge Elimination System (NPDES) Permit issued by the Minnesota Pollution Control Agency (MPCA). The City's NPDES permit contains a chloride (salt) limitation that must be achieved by 2024. The City and Marshall Municipal Utilities (MMU) have been in discussion about methods to attain the reduction in chloride (salt) discharged into the Redwood River; and

Whereas, City and MMU have each retained the services of qualified consultants to provide analysis and recommendations regarding the most cost-efficient methods to attain compliance with the required chloride limits as set forth by the MPCA permit. That analysis has included both a review of upgrades to the existing water treatment plant and has also included a review of retrofitting the City's wastewater treatment plant; and

Whereas, the City and MMU desire to coordinate the planning between the community's water utility and its wastewater treatment facility by developing a process to lower the wastewater treatment facility's chloride discharge. Based upon the consultant's analysis, it has been determined that the most significant measure to lower the chloride is to provide softer water from MMU's Water Treatment Plant. To achieve the permit's required result, upgrades to the existing Water Treatment Plant would have to occur at an estimated cost of \$10,606,000 based upon fully designed plans by MMU's water engineering consultant, AE2S. MMU applied for a \$7,000,000 Minnesota Public Facilities Authority Point Source Implementation Grant (PSIG) and has received notice the PSIG funding will be available for upgrades to MMU's Water Treatment Plant, the "project". With the "project" fully designed and with notice of the PSIG grant, the local funding must be put in place.

Now Therefore Be It Resolved, that the local funding for the "project" is set forth below:

With the local funding for the "project" estimated to be \$3,606,000, the City commits to funding 55.74% of the local portion of the "project" costs estimated to be \$2,010,000. The remaining local portion of estimated funding shall be paid by MMU providing 44.26% of the local portion of funding estimated to be \$1,596,000. To the extent the actual "project" costs are different than the estimated, \$10,606,000 the City and MMU will share said differences according to the stated percentages herein; and

Be it Further Resolved, the City hereby:

1. Commits to all measures required to attain NPDES Chloride compliance including the measures as outlined in the City's August 3, 2017 report prepared and submitted by their consultant, Bolton & Menk, as set forth below:
 - a. Support Marshall Municipal Utilities further softening of the community water supply quality to 5-8 grains using Lime/Soda Ash Softening to reduce Ion Exchange softening brine discharge.
 - b. Establish chloride surcharge on customers of the City of Marshall wastewater treatment facilities that have an industrial treatment agreement. Remit revenue collected from the surcharge to MMU in support of their further softening.
 - c. If it is determined by MMU to be required, authorize MMU adding chloride surcharge to the monthly utility bill for wastewater (sewer) customers invoiced by MMU. MMU is authorized to collect and retain said revenue. Currently, MMU is not contemplating the need for this type of surcharge.

- d. Public and Industry education to reduce chlorides at the source.
- e. Potential incentive program to set all softeners to the most efficient settings.
- f. Set industrial limits in SIU Agreements.
- g. Apply for MPCA Variance on chloride limit.
- h. If all of the above measures have been implemented and chloride limits are not met; the City should, by ordinance, end the practice of Ion Exchange softening, if needed to reach final limit.

If, after the “project” is bid on or about June 11, 2019, the amount of City’s commitment is greater than \$2,211,000 (110% of the estimated \$2,010,000), the City reserves the right to request that the MMU Commission not award the contract to construct.

Upon vote being taken thereon, the following Council Members voted in favor:

and the following voted against the same:

whereupon the resolution was declared passed and adopted this _____ day of _____, 2019.

Robert J. Byrnes, Mayor

ATTEST:

Kyle Box
Its: City Clerk

This Instrument Drafted by:
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