

BASSETT CREEK WATERSHED MANAGEMENT COMMISSION

RESOLUTION NO. 16-08

A RESOLUTION ORDERING 2017 IMPROVEMENTS,
DESIGNATING MEMBERS
RESPONSIBLE FOR CONSTRUCTION, MAKING FINDINGS
PURSUANT TO MINNESOTA STATUTES, SECTION 103B.251,
CERTIFYING COSTS TO HENNEPIN COUNTY, AND APPROVING AGREEMENTS
FOR CONSTRUCTION OF IMPROVEMENTS

WHEREAS, on September 17, 2015, the Commission adopted the *Bassett Creek Watershed Management Commission, Water Management Plan, September 2015* (the “Plan”); and

WHEREAS, the Plan includes a Capital Improvement Program (“CIP”) listing capital projects in Table 5-3 of the Plan; and

WHEREAS, the CIP includes the following capital projects for the year 2017:

- (a) Plymouth Creek Restoration Project (2017CR-P); and
- (b) Main Stem Channel Restoration (Erosion Repair) Project (2017CR-M)

(hereinafter collectively referred to as the “2017 Projects”); and

WHEREAS, the Plan specifies a county tax levy under Minnesota Statutes, section 103B.251 as the source of partial funding for the 2017 Projects; and

WHEREAS, on September 15, 2016, following published and mailed notice in accordance with the Commission’s Joint Power Agreement and Minnesota Statutes, section 103B.251, the Commission conducted a public hearing on the 2017 Projects.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Bassett Creek Watershed Management Commission as follows:

1. The 2017 Projects will be conducive to the public health and promote the general welfare and are in compliance with Minnesota Statutes, sections 103B.205 to 103B.255 (the “Act”) and with the Plan as adopted and amended in accordance with the Act. The 2017 Projects are hereby ordered.
2. The estimated cost of the Plymouth Creek Restoration Project is Eight Hundred Sixty Three Thousand Five Hundred Seventy-three Dollars (\$863,573). Of this amount, Five Hundred Eighty Thousand Nine Hundred Thirty Dollars (\$580,930) will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2016 for collection in 2017. Remaining funds of up to Two Hundred Eighty Two Thousand Six Hundred

Forty-three Dollars (\$282,643) will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251, levied in 2017 for collection in 2018.

3. The estimated cost of the Main Stem Restoration Project is One Million Sixty Four Thousand Four Hundred Seventy-two Dollars (\$1,064,472). Of this amount, Four Hundred Thousand Dollars (\$400,000) will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2016 for collection in 2017. Remaining funds of up to Six Hundred Sixty Four Thousand Four Hundred Seventy-two Dollars (\$664,472) will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251, levied in 2017 for collection in 2018.
4. The cost of Northwood Lake Improvement Project (NL-1) was partially paid from a county tax levy collected in 2016 totaling Four Hundred Eleven Thousand Seventy Dollars (\$411,070), State grants totaling Seven Hundred Thousand Dollars (\$700,000), and contributions from the City of New Hope totaling Two Hundred Seventy-six Thousand Four Hundred Dollars (276,400). The remaining estimated cost of the project is Three Hundred Twenty-two Thousand, Six Hundred Seventy Dollars (\$322,670) to be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2016 for collection in 2017.
5. Of the costs of the 2017 Projects, the Commission hereby certifies costs to Hennepin County in accordance with Minnesota Statutes, section 103B.251 of Five Hundred Eighty Thousand Nine Hundred Thirty Dollars (\$580,930) for the Plymouth Creek Restoration Project, Four Hundred Thousand Dollars (\$400,000) for the Main Stem Channel Restoration Project, and Three Hundred Twenty-two Thousand Six Hundred Seventy Dollars (\$322,670) for the remaining costs of the Northwood Lake Improvement Project. The total amount certified to Hennepin County for these Projects is One Million Three Hundred Three Thousand Six Hundred Dollars (\$1,303,600) for payment by the county in accordance with Minnesota Statutes, section 103B.251, subdivision 6.
6. The Commission has received, accepted and approved the feasibility reports for the 2017 Projects.
7. The costs of each of the 2017 Projects will be paid by the Commission up to the amounts specified in paragraphs 2 through 4 above from proceeds received from Hennepin County pursuant to Minnesota Statutes, section 103B.251 and grant funding, if awarded. Additional costs may be paid by the cities constructing the Projects, but no costs will be charged to other members of the Commission.
8. The City of Plymouth is designated as the member responsible for contracting for the construction of the Plymouth Creek Restoration Project, and the engineer designated for preparation of plans and specifications is the Plymouth City Engineer, or other engineers selected and retained by the City of Plymouth. Contracts for construction shall be let in accordance with the requirements of law applicable to the City of Plymouth. The Cooperative Agreement with the City of Plymouth for the construction of the Plymouth Creek Restoration

Project is approved, and the Chair and Secretary are authorized to execute the agreement on behalf of the Commission.

9. The City of Minneapolis is designated as the member responsible for contracting for the construction of the Main Stem Channel Restoration Project, and the engineer designated for preparation of plans and specifications is the Minneapolis City Engineer, or other engineers selected and retained by the City of Minneapolis. Contracts for construction shall be let in accordance with the requirements of law applicable to the City of Minneapolis. The Cooperative Agreement with the City of Minneapolis for the construction of the Main Stem Channel Project is approved, and the Chair and Secretary are authorized to execute the agreement on behalf of the Commission.

10. The City of New Hope remains designated as the member responsible for construction of the Northwood Lake Project, the New Hope City Engineer remains the engineer designated, and the cooperative agreement entered into with the City of New Hope remains in effect.

Adopted by the Board of Commission of the Bassett Creek Watershed Management Commission the 15th day of September 2016.

Chair

ATTEST:

Secretary