

BASSETT CREEK WATERSHED MANAGEMENT COMMISSION

RESOLUTION NO. 17-06

A RESOLUTION ORDERING THE 2018 IMPROVEMENT,
DESIGNATING THE MEMBER RESPONSIBLE FOR CONSTRUCTION,
MAKING FINDINGS PURSUANT TO MINNESOTA STATUTES, SECTION
103B.251, CERTIFYING COSTS TO HENNEPIN COUNTY, AND APPROVING
THE AGREEMENT FOR CONSTRUCTION OF THE IMPROVEMENT

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

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

WHEREAS, the CIP includes the following capital project for the year 2018:

- (a) Bassett Creek Park Pond Dredging Project (2018 BCP-2);

WHEREAS, the Commission approved completing Phase I of the project: Winnetka Pond Dredging at its May 18, 2017 meeting (hereinafter referred to as the “2018 Project”);

WHEREAS, the Plan specifies a county tax levy under Minnesota Statutes, section 103B.251 as the source of funding for the 2018 Project;

WHEREAS, the Commission also needs to include as part of the county tax levy the costs to complete the remaining portions of the approved 2017 projects, which include the Plymouth Creek Restoration Project (2017CR-P) and the Main Stem Channel Restoration (Erosion Repair) Project (2017CR-M) (collectively, the “2017 Projects”); and

WHEREAS, on September 21, 2017, 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 2018 Project.

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

1. The 2018 Project will be conducive to the public health and promote the general welfare and is 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 2018 Project is hereby ordered.
2. The estimated cost of the 2018 Project is One Million Dollars (\$1,000,000). Of this amount, One Million Dollars (\$1,000,000) 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 for the remaining portions of the 2017 Projects is Three Hundred Forty Six Thousand Eight Hundred and Fifteen Dollars (\$346,815), which is to 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 total amount certified to Hennepin County for collection in 2018 is One Million Three Hundred Forty Six Thousand Eight Hundred and Fifteen Dollars (\$1,346,815) for payment by the County in accordance with Minnesota Statutes, section 103B.251, subdivision 6.
5. The Commission has received, accepted, and approved the feasibility report for the 2018 Project.
6. The cost of the 2018 Project will be paid by the Commission up to the amount specified in paragraph 2 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 city constructing the 2018 Project, but no costs will be charged to other members of the Commission.
7. The City of Crystal is designated as the member responsible for contracting for the construction of the 2018 Project, and the engineer designated for preparation of plans and specifications is the Crystal City Engineer, or other engineers selected and retained by the City of Crystal. Contracts for construction shall be let in accordance with the requirements of law applicable to the City of Crystal. The Cooperative Agreement with the City of Crystal for the construction of the 2018 Project is approved, and the Chair and Secretary are authorized to execute the agreement on behalf of the Commission.

Adopted by the Board of Commission of the Bassett Creek Watershed Management Commission the 21st day of September, 2017.

Chair

ATTEST:

Secretary