

**BASSETT CREEK WATERSHED MANAGEMENT COMMISSION
RESOLUTION NO. 19-09**

A RESOLUTION ORDERING THE 2020 IMPROVEMENTS,
DESIGNATING ENTITIES RESPONSIBLE FOR CONSTRUCTION,
MAKING FINDINGS PURSUANT TO MINNESOTA STATUTES, SECTION
103B.251, CERTIFYING COSTS TO HENNEPIN COUNTY, AND APPROVING
AGREEMENTS FOR CONSTRUCTION OF THE IMPROVEMENTS

WHEREAS, on September 17, 2015, the Bassett Creek Watershed Management Commission (“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 projects for the year 2020 (collectively, the “2020 Projects”):

- a) Bryn Mawr Meadows Water Quality Improvement Project (BC-5)
- b) Jevne Park Stormwater Improvement Project (ML-21)
- c) Crane Lake Improvement Project (CL-3)
- d) Sweeney Lake Water Quality Improvement Project (SL-8); and

WHEREAS, the Plan specifies a county tax levy under Minnesota Statutes, section 103B.251 as the source of funding for the 2020 Projects; and

WHEREAS, on September 19, 2019, 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 2020 Projects; and

WHEREAS, the 2020 Projects will be conducive to the public health, 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.

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

1. The 2020 Projects are hereby ordered.
2. The estimated cost of the Bryn Mawr Meadows Water Quality Improvement Project is Nine Hundred Four Thousand Nine Hundred Dollars (\$904,900). Of this amount, One Hundred Thousand Dollars (\$100,000) will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2019 for collection in 2020. Additional funds of up to Eight Hundred Four Thousand Nine Hundred Dollars (\$804,900) will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251, levied in 2020 for collection in 2021.
3. The estimated cost of the Jevne Park Stormwater Improvement Project is Five Hundred Thousand Dollars (\$500,000). Of this amount, Five Thousand Hundred Dollars (\$500,000) will

be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2019 for collection in 2020.

4. The estimated cost of the Crane Lake Improvement Project is Five Hundred Eighty-two Thousand Eight Hundred Thirty Seven Dollars (\$582,837). Of this amount, Three Hundred Eighty Thousand Dollars (\$380,000) will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2019 for collection in 2020. The remaining funds will come from the City of Minnetonka.
5. The estimated cost of the Sweeney Lake Water Quality Improvement Project is Five Hundred Fifty Thousand Dollars (\$550,000). Of this amount, Twenty Thousand Dollars (\$20,000) will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2019 for collection in 2020. Additional funds of up to Two Hundred Thousand Dollars (\$200,000) will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251, levied in 2020 for collection in 2021. Additional funds will be paid through a Federal Clean Water Act Section 319 grant.
6. The cost of Medicine Lake Rd and Winnetka Ave Long Term Flood Mitigation Plan Implementation: DeCola Ponds B & C Improvement Project was partially paid from a county tax levy collected in 2019 totaling One Million Thirty One Thousand Five Hundred Dollars (\$1,031,500), a State Clean Water Fund grant totaling Sixty Eight Thousand Five Hundred Dollars (\$68,500), and contributions from the City of Golden Valley, and other State and local grants.. The remaining estimated cost of the project is Five Hundred Thousand Dollars (\$500,000) to be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2019 for collection in 2020.
7. The total amount certified to Hennepin County for the 2020 Projects is One Million Five Hundred Thousand Dollars (\$1,500,000) for payment by the County in accordance with Minnesota Statutes, section 103B.251, subdivision 6.
8. The Commission has received, accepted, and approved the feasibility reports for the 2020 Projects.
9. The costs of the 2020 Projects will be paid by the Commission up to the amount specified in paragraphs 2 - 6 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 particular project, but no costs will be charged to other members of the Commission.
10. The Minneapolis Park and Recreation Board is designated as the entity responsible for contracting for the construction of the Bryn Mawr Meadows Water Quality Improvement Project, and the engineer designated for preparation of plans and specifications is an engineer selected and retained by the Minneapolis Park and Recreation Board. Contracts for construction shall be let in accordance with the requirements of law applicable to the Minneapolis Park and Recreation Board.
11. The City of Medicine Lake is designated as the member responsible for contracting for the construction of the Jevne Park Stormwater Improvement Project, and the engineer designated for preparation of plans and specifications is the Medicine Lake City Engineer, or other engineers selected and retained by the City of Medicine Lake. Contracts for construction shall be let in accordance with the requirements of law applicable to the City of Medicine Lake.

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

13. The Commission is the entity responsible for contracting for the implementation of the Sweeney Lake Water Quality Improvement Project. Contracts for construction shall be let in accordance with the requirements of law applicable to the Commission.

Adopted by the Board of Commission of the Bassett Creek Watershed Management Commission the 19th day of September, 2019.

Chair

ATTEST: _____
Secretary