

BASSETT CREEK WATERSHED MANAGEMENT COMMISSION
RESOLUTION NO. 23-06

A RESOLUTION ORDERING THE 2024 IMPROVEMENTS,
DESIGNATING ENTITIES RESPONSIBLE FOR CONSTRUCTION,
MAKING FINDINGS PURSUANT TO MINNESOTA STATUTES, SECTION
103B.251, CERTIFYING COSTS TO HENNEPIN COUNTY, AND APPROVING
AGREEMENT FOR CONSTRUCTION OF PONDEROSA WOODS STREAM RESTORATION PROJECT

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, as amended since its adoption, 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 2024 (collectively, the “2024 Projects”):

- a) Bassett Creek Main Stem Restoration Project - Regent Ave to Golden Valley Rd (2024-CRM);
- b) Ponderosa Woods Stream Restoration Project (ML-22);
- c) Sochacki Park Water Quality Improvement Project (BC-14); and
- d) Cost Share Purchase of High Efficiency Street Sweeper (BC-12)

WHEREAS, the Plan specifies a county tax levy under Minnesota Statutes, section 103B.251 as a source of funding for said 2024 Projects and two previously ordered 2021 projects, SEA School – Wildwood Park Flood Reduction Project (BC-2, 3, 8, 10) and Medley Park Stormwater Treatment Facility (ML-12);

WHEREAS, on September 21, 2023, 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 2024 Projects; and

WHEREAS, the 2024 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 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 2024 Projects are hereby ordered.
2. The total estimated cost of the Bassett Creek Main Stem Restoration Project - Regent Ave to Golden Valley Rd project is \$2,241,000. Of this amount, \$434,000 will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2023 for collection in 2024. Additional funds of up to \$1,307,000 will be paid from funds received from county tax levies pursuant to Minnesota Statutes, section 103B.251, levied in years 2024 and 2025 for collection in 2025 and 2026, respectively. Another \$200,000 will come from the BCWMC Closed Project Account. The City of Golden Valley will contribute up to \$300,000 toward the project.

3. The total estimated cost of the Ponderosa Woods Stream Restoration Project is \$352,000. This amount will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2023 for collection in 2024.
4. The total estimated cost of the Sochacki Park Water Quality Improvement Project is \$2,300,000. Of this amount, \$300,000 will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2023 for collection in 2024. Additional funds of up to Three Hundred Thousand Dollars \$300,000 will be paid from funds received from county tax levies pursuant to Minnesota Statutes, section 103B.251, levied in 2024 for collection in 2025. Additional funds will be sought from local partners and grants.
5. The total estimated cost of the Cost Share Purchase of High Efficiency Street Sweeper is \$150,000. Of this amount, \$100,000 will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2023 for collection in 2024. Additional funds of up to Fifty Thousand Dollars \$50,000 will be paid from funds received from county tax levies pursuant to Minnesota Statutes, section 103B.251, levied in 2024 for collection in 2025.
6. The cost of the Medley Park Stormwater Treatment Facility Project was partially paid from county tax levies collected in 2022 and 2023 totaling \$550,000. Another \$300,000 will come from grants. Additional funds of up to \$500,000 will come from the City of Golden Valley. The remaining estimated cost of the project is \$800,000, which will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2023 for collection in 2024.
7. The cost of the SEA School – Wildwood Flood Reduction Project was partially paid from county tax levies collected in 2022 and 2023 totaling \$1,048,000. Another \$1,300,000 will come from grants. Additional funds of up to \$500,000 will come from the City of Golden Valley. The remaining estimated cost of the project is \$252,000, which will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2023 for collection in 2024.
8. In light of the above, the total amount certified to Hennepin County for the 2024 Projects and the two 2021 projects referenced above is \$2,238,000 for payment by the County in accordance with Minnesota Statutes, section 103B.251, subdivision 6.
9. The Commission has received, accepted, and approved the feasibility reports for the 2024 Projects.
10. The costs of the aforementioned projects will be paid by the Commission up to the amounts specified 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 public entities constructing the particular project, but no additional costs will be charged to the Commission or other members of the Commission.
11. The City of Golden Valley is designated as the member responsible for contracting for the construction of the Bassett Creek Main Stem Restoration Project - Regent Ave to Golden Valley Rd. The engineer designated for preparation of plans and specifications is the Golden Valley City Engineer, other engineers selected and retained by the City of Golden Valley, or the Commission Engineer. Contracts for construction shall be let in accordance with the requirements of law applicable to the City of Golden Valley.

12. The City of Plymouth is designated as the member responsible for contracting for the construction of the Ponderosa Woods Stream 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 Ponderosa Woods Stream Restoration Project presented to the Commission on the date of this Resolution is approved, and the Chair and Secretary are authorized to execute said agreement on behalf of the Commission.

13. The City of Golden Valley is the member responsible for the implementation of the Cost Share Purchase of High Efficiency Street Sweeper. Contracts for purchase of the street sweeper shall be let in accordance with the requirements of law applicable to the City of Golden Valley.

14. Three Rivers Park District is designated as the entity responsible for contracting for the construction of the Sochacki Park Water Quality Improvement Project. The engineer designated for preparation of plans and specifications are engineers selected and retained by Three Rivers Park District. Contracts for construction shall be let in accordance with the requirements of law applicable to Three Rivers Park District.

Adopted by the Board of Commission of the Bassett Creek Watershed Management Commission the 21st day of September 2023.

Chair

ATTEST: _____
Secretary