

*Appendix E*

*Resolutions*

RESOLUTION 2004-01

RESOLUTION DESIGNATING DEPOSITORIES FOR BASSETT CREEK WATER  
MANAGEMENT COMMISSION FUNDS

BE IT RESOLVED by the Bassett Creek Water Management Commission of the Cities of Crystal, Golden Valley, Medicine Lake, Minneapolis, Minnetonka, New Hope, Plymouth, Robbinsdale, and St. Louis Park that the following are named as depositories for funds on deposit as provided in the Laws of the State of Minnesota:

Wells Fargo Golden Valley  
Dain Rauscher

BE IT FURTHER RESOLVED that two following signatories or alternates are authorized to signatories on checks drawn on funds deposited:

General Checking:

Chair  
Treasurer  
Vice Chair  
Secretary  
Deputy Treasurer

BE IT FURTHER RESOLVED that the following shall be authorized to make investments of Bassett Creek Watershed Commission and shall be authorized to deposit the principal of said investments in the above named depositories and beneficial to the Bassett Creek Watershed Commission: Deputy Treasurer or Finance Director of the city of Golden Valley.

18th Adopted by the Board of the Bassett Creek Water Management Commission this day of March 2004.

John A. O'Toole  
John O'Toole, Chair,

ATTEST:

William J. Yaeger  
William Yaeger, Secretary

BASSETT CREEK WATERSHED MANAGEMENT COMMISSION  
STATE OF MINNESOTA

RESOLUTION NO. 04-02

RESOLUTION APPROVING WATERSHED PLAN

WHEREAS, the Commission is the Watershed Management Organization responsible for preparing a watershed plan for the Bassett Creek Watershed, pursuant to Minn. Stat. § 103B.231; and

WHEREAS, the Commission has prepared such watershed plan entitled, "Bassett Creek Watershed Management Commission, Watershed Management Plan, July 2004", (hereinafter the "Plan"); and

WHEREAS, the Plan has been reviewed in accordance with the requirements of Minn. Stat. § 103B.231; and

WHEREAS, the Commission finds that the adoption of the Plan is in accordance with the requirements of law and in the best interests of the public;

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

1. The Plan is hereby approved in accordance with Minn. Stat. § 103B.231, Subd. 10.
2. The Secretary is directed to transmit a copy of the Plan to the clerks of all member cities together with a letter expressing the gratitude of the Commission for the assistance of the cities in preparing and reviewing the Plan and advising the cities of their obligation to adopt and amend local watershed management plans in accordance with Minn. Stat. § 103B.235.

Adopted by the Board of Commissioners of the Bassett Creek Watershed Management Commission this 16<sup>th</sup> day of September, 2004.

John A. O'Soob 9/16/04  
Chair

ATTEST:

PL Schutrop  
Recording Secretary

BASSETT CREEK WATERSHED MANAGEMENT COMMISSION

RESOLUTION NO. 04-03

A RESOLUTION ORDERING 2004 AND 2005 IMPROVEMENTS,  
DESIGNATING MEMBERS  
RESPONSIBLE FOR CONSTRUCTION, AND MAKING FINDINGS  
AND CERTIFYING COSTS TO HENNEPIN COUNTY  
PURSUANT TO MINNESOTA STATUTES, SECTION 103B.251

WHEREAS, on September 16, 2004, the Commission adopted the *Bassett Creek Watershed Management Commission, Watershed Management Plan, July 2004* (the "Plan"); and

WHEREAS, the Plan includes a Capital Improvement Program ("CIP") listing capital projects in Table 12-2 of the Plan; and

WHEREAS, the CIP, as amended by Resolution No. 04-02 adopted on September 16, 2004, includes the following capital projects for the years 2004 and 2005:

Wirth Lake

- Dredging pond between Wirth Lake and France Avenue (subwatershed FR-5 detention pond, option 2 in Wirth Lake Plan)
- Highway 55 detention pond south of Highway 55 and west of Wirth Lake (option 3 in Wirth Lake Plan)
- In-lake alum treatment (option 1 in Wirth Lake Plan)  
(the "Wirth Lake Project")

Northwood Lake – construction of treatment pond east of 35<sup>th</sup> Avenue North and Ensign Avenue (pond NB-36A, option 5 in Northwood Lake Plan) (the "Northwood Lake Project")

(hereinafter collectively referred to as the 2004/2005 Projects); and

WHEREAS, the Plan specifies a county tax levy under Minn. Stat. § 103B.251 as the source of funding for the 2004/2005 Projects; and

WHEREAS, on September 16, 2004, following published and mailed notice in accordance with the Commission's Joint Power Agreement and Minn. Stat. § 103B.251, the Commission conducted a public hearing on the 2004/2005 Projects;

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

1. The 2004/2005 Projects will be conducive to the public health and promote the general welfare and is in compliance with Minnesota Statutes 103B.205 to 103B.255 (the "Act") and with the Plan as adopted and amended in accordance with the Act. The 2004/2005 Projects are hereby ordered.
2. The cost of the 2004/2005 Projects is estimated to be Four Hundred Thirty-Six Thousand Seven Hundred Dollars (\$436,700), such amount including the cost of the Wirth Lake Project of Two Hundred Fifty-Four Thousand Dollars (\$254,000) and the cost of the Northwood Lake Project of One Hundred Eighty-Two Thousand Seven Hundred Dollars (\$182,700).
3. Such cost of the 2004/2005 Projects (\$436,700) is hereby certified to Hennepin County in accordance with Minnesota Statutes, Section 103B.251 for payment by the County in accordance with Minnesota Statutes, Section 103B.251, Subd. 6 and the Commission's joint powers agreement. The Commission understands that the County may pay such costs with taxes certified in 2004 and paid in 2005. The Secretary is directed to transmit a certified copy of this resolution to Hennepin County prior to October 1, 2004.
4. The Commission receives, accepts and approves the feasibility reports for the 2004/2005 Projects.
5. The costs of each of the 2004/2005 Projects 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. Additional costs may be paid by the cities in which the Projects are constructed, but no costs will be charged to other members of the Commission.
6. The City of Minneapolis is designated as the member responsible for contracting for the construction of the Wirth Lake Project, and the engineer designated for preparation of plans and specifications is the Minneapolis City Engineer, or other substitute 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.
7. The City of New Hope is designated as the member responsible for contracting for the construction of the Northwood Lake Project, and the engineer designated for preparation of plans and specifications is the New Hope City Engineer, or other substitute engineers selected and retained by the City of New Hope. Contracts for construction shall be let in accordance with the requirements of law applicable to the City of New Hope.

Adopted by the Board of Commission of the Bassett Creek Watershed Management Commission  
the 16<sup>th</sup> day of September, 2004.

John A. O'Toole 9/16/04  
John O'Toole, Chair

ATTEST:

William Yager 9/16/04  
William Yager, Secretary

BASSETT CREEK WATERSHED MANAGEMENT COMMISSION  
STATE OF MINNESOTA

RESOLUTION NO. 04-04

RESOLUTION AMENDING CAPITAL IMPROVEMENT PROGRAM

WHEREAS, on September 16, 2004, the Commission adopted the Bassett Creek Watershed Management Commission, Watershed Management Plan, July 2004 (the "Plan"); and

WHEREAS, the Plan includes a Capital Improvement Program ("CIP") as Table 12-2 of the Plan; and

WHEREAS, Sections 12-2-3 and 12-6-2 of the Plan authorize the Commission to change the year of construction of projects listed in the CIP without following the formal plan amendment process; and

WHEREAS, the City of New Hope has requested that the construction of a treatment pond east of 35<sup>th</sup> Avenue North and Ensign Avenue, pond NB36A, option 5 in the North Lake Plan, (the "Northwood Lake Project") be constructed in 2004 rather than 2005 as shown on the CIP; and

WHEREAS, the Commission has determined that it would be reasonable and appropriate to adjust the CIP as hereinafter set forth;

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

1. The CIP of the Plan is adjusted by moving the Northwood Lake Project from 2005 to 2004.
2. Commission staff is directed to notify appropriate parties of the change to the CIP.

Adopted by the Board of Commissioners of the Bassett Creek Watershed Management Commission this 16<sup>th</sup> day of September, 2004.

John A. O'Toole 9/16/04  
Chair

ATTEST:

PL Schutrop  
Recording Secretary