

BASSETT CREEK WATERSHED MANAGEMENT COMMISSION

RESOLUTION NO. 13-05

A RESOLUTION ORDERING 2014 IMPROVEMENTS,
DESIGNATING MEMBER
RESPONSIBLE FOR CONSTRUCTION, MAKING FINDINGS
PURSUANT TO MINNESOTA STATUTES, SECTION 103B.251,
CERTIFYING COSTS TO HENNEPIN COUNTY, AND APPROVING AGREEMENT
FOR CONSTRUCTION OF IMPROVEMENT

WHEREAS, on September 16, 2004, the Commission adopted the *Bassett Creek Watershed Management Commission, Water 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, includes the following capital projects for the year 2014:

The Schaper Pond Diversion Project (BCWMC Project SL-3) in the City of Golden Valley (the "Schaper Pond Project");

The Briarwood/Dawnview Water Quality Improvement Project (BCWMC Project BC-7) in the City of Golden Valley (the "Briarwood/Dawnview Project"); and

The Twin Lake In-Lake Alum-Treatment Project (BCWMC Project TW-2) in the City of Golden Valley (the "Twin Lake Project")

(hereinafter collectively referred to as the "2014 Projects"); and

WHEREAS, the Plan specifies a county tax levy under Minn. Stat., § 103B.251 as the source of funding for the 2014 Projects; and

WHEREAS, on September 19, 2013, 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 2014 Projects.


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

1. The 2014 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 2014 Projects are hereby ordered.


2. The estimated cost of the Schaper Pond Project is Six Hundred Twelve Thousand Dollars (\$612,000). Of this amount, Seventy-Eight Thousand Dollars (\$78,000) will be paid from the Commission's Capital Improvement Program Closed Project Account and up to Five Hundred Thirty-Four Thousand Dollars (\$534,000) will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, Section 103B.251, levied in 2013 for collection in 2014.
3. The estimated cost of the Briarwood/Dawnview Project is Two Hundred Fifty Thousand Dollars (\$250,000). Of this amount Thirty-One Thousand Two Hundred Dollars (\$31,200) will be paid from the Commission's Capital Improvement Program Closed Project Account and up to Two Hundred Eighteen Thousand Eight Hundred Dollars (\$218,800) will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, Section 103B.251 levied in 2013 for collection in 2014.
4. The estimated cost of the Twin Lake Project is One Hundred Sixty-Three Thousand Dollars (\$163,000). Of this amount, Twenty Thousand Eight Hundred Dollars (\$20,800) will be paid from the Commission's Capital Improvement Program Closed Project Account and up to One Hundred Forty-Two Thousand Two Hundred Dollars (\$142,200) will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, Section 103B.251, levied in 2013 for collection in 2014.
5. Of the costs of the 2014 Projects, the Commission hereby certifies costs to Hennepin County in accordance with Minnesota Statutes, Section 103B.251 of Five Hundred Thirty-Four Thousand Dollars (\$534,000) for the Schaper Pond Project, Two Hundred Eighteen Thousand Eight Hundred Dollars (\$218,800) for the Briarwood/Dawnview Project, and One Hundred Forty-Two Thousand Two Hundred Dollars (\$142,200) for the Twin Lake Project. The total amount certified to Hennepin County for the 2014 Projects is Eight Hundred Ninety-Five Thousand Dollars (\$895,000) for payment by the county in accordance with Minnesota Statutes, Section 103B.251, Subd. 6.
6. The Commission has received, accepted and approved the feasibility reports for the 2014 Projects.
7. The costs of each of the 2014 Projects will be paid by the Commission up to the amounts specified in paragraphs 2, 3 and 4 above from the Capital Improvement Program Closed Project Account and proceeds received from Hennepin County pursuant to Minnesota Statutes, Section 103B.251. 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 Golden Valley is designated as the member responsible for contracting for the construction of the Briarwood/Dawnview Project, and the engineer designated for preparation of plans and specifications is the Golden Valley City Engineer, or other engineers selected and retained by the City of Golden Valley.

Engineer, or other engineers selected and retained by the City of Golden Valley. Contracts for construction shall be let in accordance with the requirements of law applicable to the City of Golden Valley. The Cooperative Agreement with the City of Golden Valley for the construction of the Briarwood/Dawnview 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 19th day of September, 2013.


Chair

ATTEST:


Secretary