

BASSETT CREEK WATERSHED MANAGEMENT COMMISSION
RESOLUTION NO. 18-05

A RESOLUTION ORDERING THE 2019 IMPROVEMENTS,
DESIGNATING MEMBER CITIES 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 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 2019 (collectively, the “2019 Projects”):

- a) Medicine Lake Rd and Winnetka Ave Long Term Flood Mitigation Plan Implementation: DeCola Ponds B & C Improvement Project (BC-2,3,8); and
- b) Westwood Lake Water Quality Improvement Project (WST-2); and

WHEREAS, the Plan specifies a county tax levy under Minnesota Statutes, section 103B.251 as the source of funding for the 2019 Projects; and

WHEREAS, on August 16, 2018, 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 2019 Projects; and

WHEREAS, the 2019 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 2019 Projects are hereby ordered.
2. The estimated cost of the Medicine Lake Rd and Winnetka Ave Long Term Flood Mitigation Plan Implementation: DeCola Ponds B & C Improvement Project is Three Million Eight Hundred Thousand Dollars (\$3,800,000). Of this amount, One Million Thirty One Thousand Five Hundred Dollars (\$1,031,500) will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2018 for collection in 2019. Additional funds of up to Five Hundred Thousand (\$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. Additional funds of Sixty Eight Thousand Five Hundred Dollars (\$68,500) will come from a State Grant to the Bassett Creek Watershed Management Commission. Remaining funds will come from State grants, local grants and city funds.

3. The estimated cost of the Westwood Lake Water Quality Improvement Project is Four Hundred Four Thousand Five Hundred Dollars (\$404,500). Of this amount, Four Hundred Four Thousand Five Hundred Dollars (\$404,500) will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2018 for collection in 2019.
4. The total amount certified to Hennepin County for the 2019 Projects is One Million Four Hundred Thirty Six Thousand Dollars (\$1,436,000) 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 reports for the 2019 Projects.
6. The costs of the 2019 Projects will be paid by the Commission up to the amount specified in paragraphs 2 and 3 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.
7. The City of Golden Valley is designated as the member responsible for contracting for the construction of the Medicine Lake Rd and Winnetka Ave Long Term Flood Mitigation Plan Implementation: DeCola Ponds B & C Improvement 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. 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 Medicine Lake Rd and Winnetka Ave Long Term Flood Mitigation Plan Implementation: DeCola Ponds B & C Improvement Project is approved, and the Chair and Secretary are authorized to execute the agreement on behalf of the Commission.
8. The City of St. Louis Park is designated as the member responsible for contracting for the construction of the Westwood Lake Water Quality Improvement Project, and the engineer designated for preparation of plans and specifications is the St. Louis Park City Engineer, or other engineers selected and retained by the City of St. Louis Park. Contracts for construction shall be let in accordance with the requirements of law applicable to the City of St. Louis Park. The Cooperative Agreement with the City of St. Louis Park for the construction of the Westwood Lake Water Quality Improvement 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 16th day of August, 2018.

Chair

ATTEST: _____
Secretary