BASSETT CREEK WATERSHED MANAGEMENT COMMISSION
RESOLUTION NO. 25-08

A RESOLUTION ORDERING THE 2026 IMPROVEMENT, DESIGNATING ENTITY RESPONSIBLE FOR CONSTRUCTION, MAKING FINDINGS PURSUANT TO MINNESOTA STATUTES, SECTION 103B.251, AND CERTIFYING COSTS TO HENNEPIN COUNTY

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; and

WHEREAS, the CIP includes the following capital project for the year 2026: Flood Control Project Double Box Culvert Repair Project (FCP-1) ("2026 Project"); and

WHEREAS, the Plan specifies a county tax levy under Minnesota Statutes, section 103B.251 as a source of funding for the 2026 Project and two previously ordered projects: Bassett Creek Main Stem Restoration Project - Regent Ave to Golden Valley Rd (2024-CRM) and Plymouth Creek Restoration Project: Dunkirk Lane to 38th Ave. N. (2025CR-P); and

WHEREAS, on September 18, 2025, 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 2026 Project; and

WHEREAS, the 2026 Project 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 Flood Control Project Double Box Culvert Repair Project (FCP-1) is hereby ordered.

2. The total estimated cost for the Flood Control Project Double Box Culvert Repair Project is $1,504,000. Of this amount, $950,000 will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2025 for collection in 2026. Additional funds of approximately $554,000 will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251, levied in 2026 for collection in 2027.

3. The cost of the Bassett Creek Main Stem Restoration Project - Regent Ave to Golden Valley Rd Project was partially paid from a county tax levy collected in 2024 and 2025 totaling $1,087,500. Another $500,000 will come from the City of Golden Valley and BCWMC closed project funds. Of the remaining estimated cost, $653,500 will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2025 for collection in 2026.

4. The cost of the Plymouth Creek Restoration Project: Dunkirk Lane to 38th Ave. N. Project was partially paid from a county tax levy collected in 2025 totaling $1,300,000. The remaining estimated cost of the project is $1,300,000. Of this amount, $400,000 will come from a Clean Water Fund Grant from the State of Minnesota. The final $900,000 will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2025 for collection in 2026.

5. In light of the above, the total amount certified to Hennepin County for the 2026 Project and the two previously ordered projects referenced above is $2,503,500 for payment by the County in accordance with Minnesota Statutes, section 103B.251, subdivision 6.

6. The Commission has received, accepted, and approved the feasibility report for the Flood Control Project Double Box Culvert Repair Project (FCP-1).

7. The costs of the aforementioned projects will be paid by the Commission up to the amount specified in paragraphs 2 - 4 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 additional costs will be charged to the Commission or other members of the Commission.

8. The Commission is the entity responsible for contracting for the construction of the Flood Control Project Double Box Culvert Repair Project (FCP-1). 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 18th day of September 2025.

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Chair

ATTEST: _____
Secretary