

BASSETT CREEK WATERSHED MANAGEMENT COMMISSION
RESOLUTION NO. 24-06

A RESOLUTION ORDERING THE 2025 IMPROVEMENT, DESIGNATING ENTITY
RESPONSIBLE FOR CONSTRUCTION, MAKING FINDINGS PURSUANT TO MINNESOTA
STATUTES, SECTION 103B.251, CERTIFYING COSTS TO HENNEPIN COUNTY, AND
APPROVING AGREEMENT FOR CONSTRUCTION OF THE 2025 IMPROVEMENT

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 project for the year 2025: Plymouth Creek Restoration Project, Dunkirk Lane to 38th Ave. North (2025CR-P) (“2025 Project”);

WHEREAS, the Plan specifies a county tax levy under Minnesota Statutes, section 103B.251 as a source of funding for the 2025 Project and three previously ordered projects: Cost Share Purchase of High Efficiency Street Sweeper (BC-12); Bassett Creek Main Stem Restoration Project - Regent Ave to Golden Valley Rd (2024-CRM); and Sochacki Park Water Quality Improvement Project (BC-14);

WHEREAS, on September 19, 2024, 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 2025 Project; and

WHEREAS, the 2025 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 Plymouth Creek Restoration Project, Dunkirk Lane to 38th Ave. North (2025CR-P) is hereby ordered.
2. The total estimated cost for the Plymouth Creek Restoration Project, Dunkirk Lane to 38th Ave. North is \$2,600,000. Of this amount, \$1,300,000 will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2024 for collection in 2025. Additional funds of up to \$1,300,000 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.
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 totaling \$434,000. 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 2024 for collection in 2025. The remaining amount of \$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 Sochacki Park Water Quality Improvement Project was partially paid from a county tax levy collected in 2024 totaling \$300,000. The remaining estimated cost of the project is \$2,000,000. Of this amount, \$1,700,000 will come from federal and local (non-Commission) funds. The final \$300,000 will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2024 for collection in 2025.
5. The cost of the Cost Share Purchase of High Efficiency Street Sweeper was partially paid from a county tax levy collected in 2024 totaling \$100,000. The remaining cost share amount of 50,000 will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2024 for collection in 2025.
6. In light of the above, the total amount certified to Hennepin County for the 2025 Project and the three previously ordered projects referenced above is \$2,303,500 for payment by the County in accordance with Minnesota Statutes, section 103B.251, subdivision 6.
7. The Commission has received, accepted, and approved the feasibility report for the Plymouth Creek Restoration Project, Dunkirk Lane to 38th Ave. North (2025CR-P).
8. The costs of the aforementioned projects will be paid by the Commission up to the amount specified in paragraphs 2 - 5 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.
9. The City of Plymouth is designated as the member responsible for contracting for the construction of the Plymouth Creek Restoration Project, Dunkirk Lane to 38th Ave. North, 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 Plymouth Creek Restoration Project, Dunkirk Lane to 38th Ave. North (2025CR-P) 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.

Adopted by the Board of Commission of the Bassett Creek Watershed Management Commission the 19th day of September 2024.

Chair

ATTEST: _____
Secretary