RESOLUTION NO. 2014-10

RICE CREEK WATERSHED DISTRICT
BOARD OF MANAGERS

ORDERING THE CLEAR LAKE
WATER QUALITY TREATMENT PROJECT
PURSUANT TO MINNESOTA STATUTES §103B.251

Manager Waller offered the following Resolution and moved its adoption, seconded by Manager Hagamen:

WHEREAS the Rice Creek Watershed District (District) has adopted a water resource management plan (WRMP) in accordance with Minnesota Statutes §103B.231;

WHEREAS Clear Lake, located in Washington County, is threatened by excessive phosphorus loading as noted in the Clear Lake Diagnostic Study, dated February 2012;

WHEREAS the Management Action Plan within the Clear Lake Diagnostic Study identifies capital improvements, including retrofitting treatment of impervious parking lot areas at the former Northland Mall site in Forest Lake, among others;

WHEREAS the City of Forest Lake (City) has purchased the former Northland Mall site and is currently in the process of redeveloping the site into a new City Hall and public services facility;

WHEREAS the WRMP capital improvement program (CIP) includes constructing additional water quality treatment practices in conjunction with the new City Hall redevelopment and identifies a cost of $530,000 for that purpose;

WHEREAS the City has received from the Minnesota Board of Water and Soil Resources a Clean Water Assistance Grant (CWAG) in the amount of $382,000 for the Clear Lake Water Quality Treatment Project, consisting of stormwater treatment with four biofiltration basins and a wet pond, and operation and maintenance of those facilities by the City for a period of 25 years (the “Project”);

WHEREAS as a condition of the grant agreement, the District and City are required to each contribute about $47,750 in cash and in-kind contributions to the Project, for a total estimated project cost of about $477,500;

WHEREAS in accordance with Minnesota Statutes § 103B.251, subdivision 3, the District held a duly noticed public hearing on March 12, 2014, at the Shoreview City Council Chambers, at which time all interested parties had the opportunity to speak for and against the Project;

WHEREAS the District engineer has evaluated the technical design of the Project and its cost-effectiveness in a technical memorandum dated September 17, 2013, and the engineer's views have been fully considered by the Board;
WHEREAS the Board finds that the Project, as constructed in accordance with the terms and responsibilities of the intergovernmental agreement attached hereto, will be conducive to public health and promote the general welfare, and is in compliance with Minnesota Statutes §§103B.205 to 103B.255 and the WRMP adopted pursuant to §103B.231;

THEREFORE BE IT RESOLVED that pursuant to Minnesota Statutes § 103B.251 and the WRMP, the Project is ordered and the District Administrator is authorized to execute the attached intergovernmental agreement with the City of Forest Lake, with any non-material changes to the agreement as he may find appropriate.

The question was on the adoption of the resolution and there were 3 yeas and 0 nays as follows:

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Upon vote, the Chair declared the Resolution passed.

Dated: March 12, 2014

Acting Secretary

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I, John Walker, Acting Secretary of the Rice Creek Watershed District, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcript thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 12th day of March, 2014.