RESOLUTION NO. 2017-31

RICE CREEK WATERSHED DISTRICT BOARD OF MANAGERS

ACCEPTING PLANS AND SPECIFICATIONS AND DIRECTING THE SOLICITATION OF BIDS
FOR THE OASIS POND IRON-ENHANCED SAND FILTER PROJECT

Manager Nagamoni offered the following Resolution and moved its adoption, seconded by Manager Bradley:

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

WHEREAS, Little Lake Johanna, located in Ramsey County, is impaired for nutrients and subject to a Total Maximum Daily Load (TMDL) limit requiring reduction in phosphorus contributions to the lake;

WHEREAS, the District has completed its Southwest Urban Lakes Study (Study), containing a Management Action Plan that identifies capital improvements aimed at reducing the watershed phosphorus loading to Little Lake Johanna;

WHEREAS, the Study was used by the Minnesota Pollution Control Agency as the basis for the Southwest Urban Lakes TMDL, which includes Little Lake Johanna;

WHEREAS, on March 8, 2017, the District Board of Managers approved a project agreement with the City of Roseville (City) providing, generally, for construction of the Oasis Pond Iron-Enhanced Sand Filter (IESF) Project by the District and for operation and maintenance of the Project by the City for 25 years;

WHEREAS, in accordance with Minnesota Statutes section 103B.251, subdivision 3, the District held a duly noticed public hearing on March 8, 2017, at which the managers took and considered testimony for and against the Project from all interested parties, and after which the Board of Managers determined that implementation of the Project would be conducive to public health and promote the general welfare, and would comply with Minnesota Statutes sections 103B.205 to 103B.255 and the WRMP and ordered the Project in accordance with section 103B.251;

WHEREAS, on April 12, 2017 the Board of Managers entered into an agreement with Houston Engineering, Inc. for the development of plans and specifications and, after approval of the plans and specifications by the Board of Managers, the solicitation of bids for the Project; and

WHEREAS, after review, the Board of Managers determines that the plans and specifications for the Project are complete and realize the intent of the March 8, 2017 order.

WHEREAS, in conjunction with the development of plans and specifications, the District's staff and engineer have worked with various state and federal agencies to secure regulatory approvals for the project;

WHEREAS, regulatory approvals for the project are forthcoming and may affect minor design changes
which are not material to the overall function or construction of the project;

WHEREAS, time is of the essence in initiating construction of the project based on the substantial public investment and interest in the project and the substantial commitment of public resources by the State of Minnesota in the project;

THEREFORE BE IT RESOLVED, that the Board of Managers accepts the plans and specifications for the construction of the Project, dated December 12, 2017, and directs the solicitation of bids according to the Engineer’s recommendation for implementation of the project and as required by law.

THEREFORE BE IT FURTHER RESOLVED, that the Board of Managers directs its administrator to coordinate and take all subsequent actions necessary for implementation of the construction of the Project in a manner consistent and compliant with existing law. The Board reserves to itself, however, all subsequent actions required by law to proceed upon Board approval.

THEREFORE BE IT FURTHER RESOLVED, that the Board of Managers authorizes minor, non-material modifications of the construction plans and specifications by the engineer, including delay of bidding, contract award or notice to proceed, as may be required by ongoing regulatory approval review.

The question was on the adoption of the resolution and there were 4 yeas and 0 nays as follows:

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Upon vote, the President declared the Resolution **passed**

Dated: December 13, 2017

Michael J. Bradley, Secretary

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I, Michael J. Bradley, 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 13th day of December, 2017.

Michael J. Bradley, Secretary