RESOLUTION 2018-04

RICE CREEK WATERSHED DISTRICT
BOARD OF MANAGERS

ORDERING THE LAMOTTE NEIGHBORHOOD BIOFILTRATION BASIN PROJECT
PURSUANT TO MINNESOTA STATUTES §103B.251

Manager Bradley offered the following Resolution and moved its adoption, seconded by Manager Walter.

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

WHEREAS Centerville Lake, located in Anoka County, is threatened by excessive phosphorus loading and subject to a Total Maximum Daily Load (TMDL) requiring reductions in phosphorus from internal and external sources;

WHEREAS the WRMP’s Capital Improvement Plan (CIP) identifies a cost-share program to improve and remedy stormwater management systems in developed urban environments and, on October 25, 2017, the Board of Managers (“Board”) authorized staff to initiate the program and solicit proposals;

WHEREAS the City of Lino Lakes’ “LaMotte Neighborhood Biofiltration Basin” (the “Project”) has been reviewed by District Staff, the District Citizen Advisory Committee and the Board and found to meet program criteria;

WHEREAS the WRMP CIP also identifies, for implementation, water quality treatment projects in the Anoka Chain of Lakes TMDL study area, including biofiltration practices, to remove phosphorus from stormwater runoff to the lakes;

WHEREAS in accordance with Minnesota Statutes §103B.251, subdivision 3, the District held a duly noticed public hearing on ordering of the Project on February 28, 2018, at the Shoreview City Council Chambers, at which time all interested parties had the opportunity to speak for and against the Project;

WHEREAS the RCWD Engineer has evaluated the Project, including its technical elements and its cost-effectiveness, in a technical memorandum dated January 25, 2018, and the Engineer’s views have been fully considered by the Board;

WHEREAS the Board has reviewed and approved a template cost-share agreement for use with the Project, providing generally that on the Board’s ordering of the Project and its construction by the City of Lino Lakes, the District will reimburse the City for 50 percent of the cost of its Project; and that the City will maintain its project in accordance with a maintenance plan approved by the District;
WHEREAS the Board finds that the Project, as constructed and maintained in accordance with the terms and responsibilities of the cost-share agreement, 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

BE IT FURTHER RESOLVED that the Board of Managers hereby authorizes the Administrator to execute a cost-share agreement between the Rice Creek Watershed District and the City of Lino Lakes with a reimbursement limit of $39,500, in accordance with the template agreement and on advice of counsel.

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.

Michael J. Bradley, Secretary

Dated: February 28, 2018

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I, Michael 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 28th day of February, 2018

Michael J. Bradley, Secretary