RESOLUTION NO. 2020-03

RICE CREEK WATERSHED DISTRICT
BOARD OF MANAGERS

ACCEPTING PLANS AND SPECIFICATIONS AND DIRECTING THE SOLICITATION OF BIDS
FOR THE BALD EAGLE LAKE IRON-ENHANCED SAND FILTER PROJECT

Manager _Waller_ offered the following Resolution and moved its adoption, seconded by Manager _Magamon:

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

WHEREAS Bald Eagle Lake, located in Anoka, Ramsey and Washington Counties, 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 District has prepared a Bald Eagle Lake TMDL implementation plan that identifies capital improvements, including utilization of publicly-owned open spaces for phosphorus-reduction best management practices, and the implementation plan has been approved by the Minnesota Pollution Control Agency and is incorporated into the capital improvement program of the WRMP.

WHEREAS the District submitted a Clean Water Fund grant application to the Board of Water and Soil Resources for the Bald Eagle Lake Iron-Enhanced Sand Filter (IESF) Project, consisting of construction of an automatically-controlled lift station to divert Ramsey County Ditch 11 (RCD 11) runoff into an IESF system for treatment, and operation and maintenance of those facilities by the District for a period of 25 years (collectively, the “Project”), pursuant to which the District has been subsequently awarded a grant in the amount of $392,000 for the Project;

WHEREAS on June 12, 2019, the District Board of Managers approved a project agreement with White Bear Township (Township) providing, generally, for construction of the Project by the District on property owned by the Township, and for operation and maintenance of the Project by the District for 25 years;

WHEREAS in accordance with Minnesota Statutes section 103B.251, subdivision 3, the District held a duly noticed public hearing on June 26, 2019, 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 June 26, 2019 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 June 26, 2019 order.

RCWD Resolution 2020-03
WHEREAS in conjunction with the development of plans and specifications, the District’s staff and engineer have determined that no state or federal agency regulatory approvals are required to undertake construction of the project;

THEREFORE, BE IT RESOLVED that the Board of Managers accepts the plans and specifications for the construction of the Project, dated January 31 and February 12, 2020 respectively, and directs the solicitation of bids according to the Engineer's recommendation for implementation of the project and as required by law; and,

BE IT FURTHER RESOLVED that the Board of Managers directs the 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; and,

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 to complete the bid solicitation and contractor selection process.

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

<table>
<thead>
<tr>
<th></th>
<th>Yea</th>
<th>Nay</th>
<th>Absent</th>
<th>Abstain</th>
</tr>
</thead>
<tbody>
<tr>
<td>WALLER</td>
<td>☒</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>WEINANDT</td>
<td>0</td>
<td>☒</td>
<td>☒</td>
<td>0</td>
</tr>
<tr>
<td>BRADLEY</td>
<td>0</td>
<td>☒</td>
<td>☒</td>
<td>0</td>
</tr>
<tr>
<td>WAGAMON</td>
<td>☒</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>PREIMER</td>
<td>☒</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Upon vote, the President declared the Resolution passed.

John J. Waller, Acting Secretary

Dated: February 12, 2020

* * * * * * * * *

I, John J. Waller, 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 February, 2020.

John J. Waller, Acting Secretary

RCWD Resolution 2020-03