

RESOLUTION 2023-03

**RICE CREEK WATERSHED DISTRICT
BOARD OF MANAGERS**

**ORDERING 2023 STORMWATER MANAGEMENT GRANT PROJECTS
PURSUANT TO MINNESOTA STATUTES §103B.251**

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

WHEREAS the Rice Creek Watershed District ("District") has adopted a watershed management plan ("WMP") in accordance with Minnesota Statutes §103B.231; and,

WHEREAS the WMP's capital improvement program identifies a cost-share program to improve and remedy stormwater management systems in developed urban environments and, on September 28, 2022, the Board of Managers ("Board") authorized staff to initiate the program and solicit proposals; and,

WHEREAS the City of New Brighton's "2023 Storm Grant" and the City of Birchwood Village's "Birchwood Village Wildwood Lift Station Replacement" (together, the "Projects") each has been reviewed by District Staff, the District Citizen Advisory Committee and the Board and found to meet program criteria; and,

WHEREAS in accordance with Minnesota Statutes §103B.251, subdivision 3, the District held a duly noticed public hearing on ordering of the Projects on February 8, 2023, at the Shoreview City Council Chambers, at which time all interested parties had the opportunity to speak for and against any of the Projects; and,

WHEREAS the District Engineer has evaluated each of the Projects, including its technical elements and cost-effectiveness, and the Engineer's views have been fully considered by the Board; and,

WHEREAS the Board has reviewed and approved a cost-share agreement template for use with each of the entities proposing a project, providing generally that on the Board's ordering of a Project and its completion by the proponent, the District will provide reimbursement for 50 percent of approved project costs up to a specified amount through RCWD's Stormwater Management Grant Program, and that the proponent will maintain its project in accordance with a maintenance plan approved by the District; and,

WHEREAS the Board finds that each of the Projects, as completed 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 WMP adopted pursuant to §103B.231.

THEREFORE, BE IT RESOLVED that pursuant to Minnesota Statutes §103B.251 and the WMP, each of the Projects is ordered; and,

BE IT FURTHER RESOLVED that the Board of Managers hereby authorizes the Administrator to execute each of the respective cost-share agreements between the Rice Creek Watershed District and the

City of New Brighton and City of Birchwood Village, with any final non-material changes and on advice of counsel; and,

BE IT FINALLY RESOLVED that the limit of the District's contribution to each Project is as follows:

| | |
|---|-----------|
| City of New Brighton – Storm Grant 2023 | \$8,283 |
| City of Birchwood Village – Birchwood Village Wildwood Lift Station Replacement | \$100,000 |

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

| | Yea | Nay | Absent | Abstain |
|-----------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| BRADLEY | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| ROBERTSON | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| WAGAMON | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| WALLER | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| WEINANDT | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Upon vote, the President declared the Resolution passed.

Steve Wagoner
Steven Wagoner, Secretary Pro Tem

Dated: February 22, 2023

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I, Steven Wagoner, Secretary Pro Tem 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 22nd day of February, 2023.

Steve Wagoner
Steve Wagoner, Secretary Pro Tem