

RESOLUTION NO. 22-031
Riley-Purgatory-Bluff Creek Watershed District
Board of Managers

April 6, 2022

Authorizing Barr Engineering to provide expert report to City of Eden Prairie counsel

WHEREAS the Riley-Purgatory-Bluff Creek Watershed District (RPBCWD) Board of Managers reviewed and approved Permit Application 2021-012 for the Noble Hills project, in which Barr Engineering (Barr) provided technical analysis;

WHEREAS Spring Valley Friends LLC sued the City of Eden Prairie concerning the Noble Hills project, and Greene Espel PLLP, counsel for the City in that lawsuit have requested in a later dated March 31, 2022, that Barr provide its analysis and advice to the City concerning the Noble Hills Project;

WHEREAS Section 2 of Barr’s professional services agreement with the RPBCWD provides that Barr may not represent another governmental jurisdiction within the RPBCWD’s jurisdiction on work that requires RPBCWD review or approval without written approval of the Board of Managers or administrator;

WHEREAS the Board of Managers finds that approving the City of Eden Prairie’s request would not result in any prejudice to the interests of the RPBCWD or Barr’s ongoing ability to provide professional advice in this matter;

NOW THEREFORE BE IT RESOLVED that RPBCWD Board of Managers hereby approves the March 31, 2022 request of Greene Espel for Barr to provide the requested services to the City of Eden Prairie and its counsel.

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

Yea **Nay** **Abstain** **Absent**

CRAFTON
KOCH
PEDERSEN
ZIEGLER

Upon vote, the president declared the resolution _____.

* * * * *

I, Dorothy Pedersen, secretary of the Riley-Purgatory-Bluff Creek Watershed District, hereby certifies that I have compared the above resolution with the original thereof as the same appears of record and on file with RPBCWD and find the same to be a true and correct transcription thereof.

IN TESTIMONY WHEREOF, I set my hand this _____ day of _____, 2022.

Dorothy Pedersen, Secretary