

RESOLUTION 25-045

RILEY PURGATORY BLUFF CREEK WATERSHED DISTRICT
BOARD of MANAGERS

**Authorizing the president to enter a cooperative agreement with Chanhassen for the
Upper Riley Creek Ecological Enhancement Project**

Manager Duevel offered the following resolution and moved its adoption, seconded by Manager Stovring:

Whereas after a duly noticed public hearing, the RPBCWD Board of Managers adopted a resolution ordering the Upper Riley Creek Ecological Enhancement Project on January 5, 2022 (the Project), and directing the RPBCWD administrator to develop, with the assistance of RPBCWD legal counsel, agreements securing land-use rights necessary for successful completion of the Project;

Whereas the City of Chanhassen and its Economic Development Agency own several parcels of real property necessary for successful construction of the Project, and staff representing these entities and RPBCWD have developed a draft cooperative agreement;

Whereas at its December 7, 2022, the RPBCWD Board of Managers adopted resolution 22-093, authorizing the RPBCWD engineer to prepare plans and designs for a decanting facility to be operated by the City of Chanhassen on Economic Development Agency property that would support Chanhassen's compliance with state stormwater-management requirements and will reduce migration of pollutants to Riley Creek and downstream waterbodies adjacent to the Project to enhance the effectiveness of the Project (the Decanting Facility);

Whereas RPBCWD and Chanhassen collaborated on the development of plans for the Decanting Facility, and while Chanhassen staff have approved design, plans and specifications for the Decanting Facility, Chanhassen cannot presently commit to construction of the Decanting Facility but will endeavor in good faith to pursue future construction of the Decanting Facility in accordance with the design, plans and specifications from RPBCWD;

Whereas, notwithstanding, the RPBCWD administrator and engineer recommend that RPBCWD enter the attached cooperative agreement attached hereto and incorporated herein as Exhibit A, which provides land-use rights for the Project, cost-sharing, and the assignment of responsibilities for construction, maintenance and

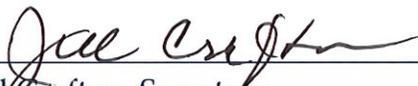
operation of the Project, to facilitate initiating the Project as soon as all additional land-use rights have been obtained.

Now therefore be it resolved that the Riley-Purgatory-Bluff Creek Watershed District Board of Managers authorizes and directs the president, with advice of legal counsel, to enter the cooperative agreement with the City of Chanhassen and Chanhassen Economic Development Authority in Exhibit A for the Upper Riley Creek Ecological Enhancement Project.

The question was on the adoption of the resolution and there were 5 yeas and 0 nays as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Crafton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Duevel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nelson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pedersen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stovring	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Upon vote, the president declared the resolution adopted, August 6, 2025.



Jill Crafton, Secretary

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I, Jill Crafton, secretary of the Riley Purgatory Bluff 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 transcription thereof.

IN TESTIMONY WHEREOF, I set my hand this _____ day of August, 2025.

Jill Crafton, Secretary