

E Environmental Committee

Meeting date: July 14, 2009

For Metropolitan Council Meeting July 22, 2009

ADVISORY INFORMATION

Date: July 7, 2009

Subject: Authorization to Submit Phosphorus Reduction Grant Applications to the Public Facilities Authority (PFA), Resolution No. 2009-12

District(s), Member(s): All

Policy/Legal Reference: Minn. Stat. 446A.074; Council Policy 3-1-1 and 3-2-2

Staff Prepared/Presented: Jason Willett, MCES Finance Director (651-602-1196) Kay Dawson, MCES Budget Manager (651-602-1020)

Division/Department: MCES, William G. Moore, MCES General Manager (651-602-1162)

Proposed Action

That the Metropolitan Council approve the attached Resolution 2009-12 to authorize the Regional Administrator to submit phosphorus reduction grant applications to, and to execute any resulting grant agreements with, the Minnesota Public Facilities Authority (PFA).

Background

The Council has two projects already approved and underway to reduce phosphorus which qualify under the grant criteria: Blue Lake Plant Improvements (Project #8018) and the Seneca Disinfection & Phosphorus (Project #8019). Any grant funds awarded to the Council would reduce the debt service on these projects, reducing future increases in both the Wastewater Service Charge to current customers and Service Availability Charge (SAC) for new development.

Rationale

PFA Grant Applications require a Council resolution.

Funding

Voters passed the Clean Water, Land and Legacy Amendment in November 2008, to dedicate incremental sales tax, including a projected \$80 million per year to the Clean Water Fund, to protect, enhance and restore Minnesota water quality. The Phosphorus Reduction Grants program, managed by the PFA, is one of the recipients of these funds, for the state's fiscal year 2010. Grants up to \$500,000 will be awarded by the PFA to governmental units for up to 75% of the eligible capital costs for phosphorus treatment. The total amount to be awarded state-wide will be \$4,125,000.

Known Support / Opposition

None.

Metropolitan Council

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RESOLUTION NO. 2009-12

AUTHORIZING THE METROPOLITAN COUNCIL (COUNCIL) TO SUBMIT PHOSPHORUS REDUCTION GRANT APPLICATIONS TO THE MINNESOTA PUBLIC FACILITIES AUTHORITY (PFA) AND TO AUTHORIZE COUNCIL OFFICIALS TO EXECUTE GRANT AGREEMENTS

WHEREAS, under the provisions contained in Minnesota Statutes 446A.074, the Phosphorus Reduction Grant Program was established and funds subsequently appropriated;

WHEREAS, the COUNCIL has two wastewater treatment plant projects that include phosphorus reduction and will qualify for the grant, the *Blue Lake Plant Improvements* project and the *Seneca Disinfection and Phosphorus* project; and

WHEREAS, these two projects may be eligible for grants up to \$500,000 each.

BE IT RESOLVED that the COUNCIL has the legal authority to apply for the grants, and the financial, technical, and managerial capacity to ensure proper construction, operation and maintenance of the projects for their design lives.

BE IT FURTHER RESOLVED, that upon approval of its application by the PFA, the COUNCIL may enter into agreement(s) with the PFA for the above referenced projects, and that COUNCIL certifies that it will comply with all applicable laws and regulations as stated in all contract agreements described in the Compliance listing of the grant application.

NOW, THEREFORE BE IT FURTHER RESOLVED, that the COUNCIL's Regional Administrator, or successor in office, is hereby authorized to execute such agreements, and amendments thereto, as are necessary to implement the Phosphorus Reduction project(s) on behalf of the COUNCIL.

I CERTIFY THAT the above resolution was adopted by the COUNCIL on July 22, 2009.

SIGNED:

WITNESSED:

Peter Bell, Chair

Pat Curtiss, Recording Secretary

Date: _____

Date: _____

The COUNCIL has no S E A L