



## Legislation Text

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**File #:** RES PH 11-1086, **Version:** 1

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Authorizing a joint powers agreement with the State of Minnesota, Department of Agriculture, to provide \$60,000 for Emerald Ash Borer related costs; and authorizing the Department of Parks and Recreation and the proper City officials to adjust the 2011 Budget to reflect this additional funding.

WHEREAS, The Department of Parks and Recreation wishes to enter a joint powers agreement in which the State of Minnesota has made available funds of up to \$60,000 to aid in the removal of diseased ash trees in Saint Paul; and

WHEREAS, the State, through its Department of Agriculture, has engaged the City of Saint Paul, through its Department of Parks and Recreation's Forestry section to remove ash trees and perform other associated work within the City, where infested with Emerald Ash Borer; and

WHEREAS, this joint powers agreement between the City and State would act to remove and dispose of Emerald Ash Borer infested Ash trees between September 1, 2011 and June 30, 2012, with the City providing the necessary services and the State paying up to \$60,000 for the total work incurred, plus applicable tax, upon completion of service and receipt of invoice; and

WHEREAS, the joint powers agreement requires the City to indemnify the State; and

WHEREAS, therefore, Parks and Recreation wishes to increase the revenue in its Right of Way - Emerald Ash Borer fund, 375-33122 <tel:375-33122>, to reflect this additional funding, while also outlining a plan for the increase in available spending; and

WHEREAS, Minnesota Statute 471.59 authorizes governmental entities to jointly exercise governmental powers and functions; and

WHEREAS, such intergovernmental agreements must be authorized by the governing bodies of the participating entities; now therefore be it

RESOLVED, that the Saint Paul City Council hereby authorizes the proper City authorities to enter into the attached agreement with the State of Minnesota, which includes an indemnification provision, to allow removal of ash trees, and other associated work, infested with Emerald Ash Borer; and

WHEREAS, the Mayor, pursuant to section 10.07.1 of the Charter of the City of Saint Paul, does certify that there are available for appropriation funds of \$60,000 in excess of those estimated in the 2011 Right of Way Emerald Ash Borer budget; now therefore be it

FURTHER RESOLVED, by the City Council of the City of Saint Paul, upon recommendation of the Mayor, that an additional \$60,000 is available for appropriation in the 2011 Right of Way Emerald Ash Borer Budget, and said budget as therefore adopted by the Council, is hereby further amended as indicated in the attached fiscal analysis form.