

SECOND AMENDMENT (2019) TO THE JOINT POWERS AGREEMENT TO PROTECT AND MANAGE THE VADNAIS LAKE AREA WATERSHED

This Second Amendment (“Amendment”) to the Joint Powers Agreement to Protect and Manage the Vadnais Lake Area Watershed (“Joint Powers Agreement”) is entered into by and among the Cities of Gem Lake, Lino Lakes, North Oaks, Vadnais Heights, and White Bear Lake and the Township of White Bear (collectively, the “Members”), all of which are parties to the Joint Powers Agreement.

WHEREAS, the Vadnais Lake Area Water Management Organization (“VLAWMO”) is interested in obtaining a loan (the “Loan”) from the Minnesota Pollution Control Agency (the “MPCA”) to finance a portion of the construction of VLAWMO’s Bacteria, Sediment, & Nutrient Reduction Project (the “Project”); and

WHEREAS, the MPCA requires that the Loan be secured by a bond issued by VLAWMO; and

WHEREAS, certain amendments are needed to the Joint Powers Agreement to allow VLAWMO to issue a revenue bond as security for the Loan.

NOW, THEREFORE, the parties hereto hereby agree as follows:

1. Amendments. Section VIII of the Joint Powers Agreement is hereby amended by adding Subdivision 9 below:

Subdivision 9. Revenue Bonds to Secure MPCA Loan. VLAWMO is given express authority to issue revenue bonds in a principal amount not to exceed \$800,000 (the “Bonds”) to secure the Loan to finance the Project. The term “Bonds” shall also include bonds issued to refund and refinance the Bonds. As provided in Minn. Stat. § 471.59, subd. 11, the Bonds shall be revenue obligations of VLAWMO which are issued on behalf of the Members, and shall be issued subject to the conditions and limitations set forth in Minn. Stat. § 471.59, subd. 11. The Bonds shall be payable solely from VLAWMO’s revenues including its storm water utility fees. VLAWMO may not pledge to the payment of the Bonds the full faith and credit or taxing power of the Members. No bonds, obligations or other forms of indebtedness other than the Bonds may be issued by VLAWMO without the prior consent of the Members.

2. Limited. No other changes to the Joint Powers Agreement are intended as a result of this Amendment.

3. Authorizations. Once this Amendment is approved and executed by all of the Members, VLAWMO is authorized to do each of the following:

- a) Incorporate the amendments into the Joint Powers Agreement, which shall serve as the official Joint Powers Agreement between the Members;

- b) Provide each Member a copy of the fully executed Amendment and of the updated Joint Powers Agreement; and
- c) Post a copy of the updated Joint Powers Agreement on VLAMO's website.

IN WITNESS WHEREOF, the parties, by action of their governing bodies, have agreed and entered into this Amendment effective as of _____, 2019.

CITY OF GEM LAKE

Dated 8/20/2019

By *Robt L. Clym*
 Mayor

Attest *[Signature]*
 City Clerk

CITY OF LINO LAKES

Dated ___/___/___

By _____
 Mayor

Attest _____
 City Clerk

CITY OF NORTH OAKS

Dated ___/___/___

By _____
 Mayor

Attest _____
 City Clerk

CITY OF VADNAIS HEIGHTS

Dated ___/___/___

By _____
 Mayor

Attest _____
 City Clerk

CITY OF WHITE BEAR LAKE

Dated ___/___/___

By _____
 Mayor

Attest _____
 City Clerk

- b) Provide each Member a copy of the fully executed Amendment and of the updated Joint Powers Agreement; and
- c) Post a copy of the updated Joint Powers Agreement on VLAMO's website.

IN WITNESS WHEREOF, the parties, by action of their governing bodies, have agreed and entered into this Amendment effective as of _____, 2019.

CITY OF GEM LAKE

Dated ___/___/___

By _____
Mayor

Attest _____
City Clerk

CITY OF LINO LAKES

Dated 8 / 12 / 19

By  _____
Mayor

Attest  _____
City Clerk

CITY OF NORTH OAKS

Dated ___/___/___

By _____
Mayor

Attest _____
City Clerk

CITY OF VADNAIS HEIGHTS

Dated ___/___/___

By _____
Mayor

Attest _____
City Clerk

CITY OF WHITE BEAR LAKE

Dated ___/___/___

By _____
Mayor

Attest _____
City Clerk



IN WITNESS WHEREOF, the parties, by action of their governing bodies, have agreed and entered into this Amendment effective as of 6/20, 2019.

CITY OF GEM LAKE

Dated ___/___/___

By _____
Mayor
Attest _____
City Clerk

CITY OF LINO LAKES

Dated ___/___/___

By _____
Mayor
Attest _____
City Clerk

CITY OF NORTH OAKS

Dated 6/20/19

By [Signature]
Mayor
Attest [Signature]
City Clerk

CITY OF VADNAIS HEIGHTS

Dated ___/___/___

By _____
Mayor
Attest _____
City Clerk

CITY OF WHITE BEAR LAKE

Dated ___/___/___

By _____
Mayor
Attest _____
City Clerk

WHITE BEAR TOWNSHIP

Dated ___/___/___

By _____
Chair
Attest _____
Town Clerk



- b) Provide each Member a copy of the fully executed Amendment and of the updated Joint Powers Agreement; and
- c) Post a copy of the updated Joint Powers Agreement on VLAMO's website.

IN WITNESS WHEREOF, the parties, by action of their governing bodies, have agreed and entered into this Amendment effective as of _____, 2019.

CITY OF GEM LAKE

By _____
Mayor

Dated ___/___/___

Attest _____
City Clerk

CITY OF LINO LAKES

By _____
Mayor

Dated ___/___/___

Attest _____
City Clerk

CITY OF NORTH OAKS

By _____
Mayor

Dated ___/___/___

Attest _____
City Clerk

CITY OF VADNAIS HEIGHTS

By  _____
Mayor

Dated 7/16/19

Attest  _____
City Clerk

CITY OF WHITE BEAR LAKE

By _____
Mayor

Dated ___/___/___

Attest _____
City Clerk

- b) Provide each Member a copy of the fully executed Amendment and of the updated Joint Powers Agreement; and
- c) Post a copy of the updated Joint Powers Agreement on VLAMO's website.

IN WITNESS WHEREOF, the parties, by action of their governing bodies, have agreed and entered into this Amendment effective as of _____, 2019.

CITY OF GEM LAKE

Dated ___/___/___

By _____
Mayor

Attest _____
City Clerk

CITY OF LINO LAKES

Dated ___/___/___

By _____
Mayor

Attest _____
City Clerk

CITY OF NORTH OAKS

Dated ___/___/___

By _____
Mayor

Attest _____
City Clerk

CITY OF VADNAIS HEIGHTS

Dated ___/___/___

By _____
Mayor

Attest _____
City Clerk

CITY OF WHITE BEAR LAKE

Dated 8/28/19

By Jo Emerson
Mayor

Attest Kara Coe
City Clerk

WHITE BEAR TOWNSHIP

Dated 7/1/19

By  _____
Chair

Attest  _____
Town Clerk