



# Bassett Creek Watershed Management Commission

## AGENDA MEMO

Date: February 10, 2022

To: BCWMC Commissioners

From: Laura Jester, Administrator

RE: Background Information for 2/17/22 BCWMC Meeting

1. **CALL TO ORDER and ROLL CALL**
2. **CITIZEN FORUM ON NON-AGENDA ITEMS**
3. **APPROVAL OF AGENDA – ACTION ITEM with attachment**
4. **CONSENT AGENDA**
  - A. Approval of Minutes – January 20, 2022 Commission Meeting- ACTION ITEM with attachment
  - B. Acceptance of Financial Report – 2021 Fiscal Year End- ACTION ITEM with attachment
  - C. Approval of Payment of Invoices - ACTION ITEM with attachments (online) – I reviewed the following invoices and recommend approval of payment.
    - i. Keystone Waters, LLC – January 2022 Administrative Services
    - ii. Keystone Waters, LLC – January 2022 Meeting Expenses
    - iii. Barr Engineering – January 2022 Engineering Services
    - iv. Kennedy & Graven – December 2021 Legal Services
    - v. Redpath – January 2022 Accounting Services
    - vi. Stantec – WOMP Services
    - vii. HDR – Website Services
    - viii. CNA Surety – 2022 Bond Insurance
  - D. Approval of Payment for Friends of Bassett Creek for Restoration Project, Bassett’s Creek Park – ACTION ITEM with attachment – At their meeting in April 2021, the Commission approved a recommendation from the Education Committee to provide \$2,300 to the Friends of Bassett Creek (formerly Bassett Creek Volunteer Stewardship Group), for a long-term, science-based restoration management plan in Bassett’s Creek Park, Minneapolis. The group has been working with Friends of Mississippi River ecologists on the plan and coordinated two volunteer events in the park this year. They also received written support from Minneapolis Park and Rec Board (MPRB) (attached). They have kept me updated on their progress all year and I recommend approval of the financial contribution.
  - E. Approval of Administrative Services Agreement for Recording Secretary – ACTION ITEM with attachment – In November, Dawn Pape, the consultant preparing meeting minutes for the Commission ended her contract. Jan Voit, a current contractor for the MN Assoc. of Watershed Districts (MAWD) and former administrator for Heron Lake Watershed District has agreed to become the Commission’s Recording Secretary, working remotely. I recommend approval of the attached agreement, prepared by the Commission Attorney. Jan will be at this meeting and ready to take minutes upon approval.
  - F. Approval of Ridgedale Mall Sears Redevelopment Project, Minnetonka – ACTION ITEM with attachment – The proposed project is in the Crane Lake subwatershed in the Ridgedale Mall complex, Minnetonka. The project includes redevelopment of the existing Sears retail store, and parking lot improvements, resulting in creation of 3.51 acres of fully reconstructed impervious

surfaces and a decrease of 0.28 acres of impervious surfaces, from 6.81 acres (existing) to 6.53 acres (proposed). The project meets rate control requirements and utilizes a manufactured treatment device (MTD) to meet BCWMC water quality standards. Staff recommends approval with notes included in the attached memo.

- G. Approval of Plymouth 2022 Street Reconstruction Project – ACTION ITEM with attachment - The proposed linear project is in the City of Plymouth within the Plymouth Creek and Medicine Lake South subwatersheds. The proposed project includes reconstruction of city streets and utility improvements, including water main, sanitary sewer, and storm sewer, resulting in creation of 5.63 acres of fully reconstructed impervious surfaces and a decrease of 0.42 acres of impervious surfaces, from 6.05 acres (existing) to 5.63 acres (proposed). The project does not require water quality improvements but does include various treatment devices and is likely to include construction of raingardens on private properties. Staff recommends approval.
- H. Approval to Designate Finance and Commerce as the Official News Publication of the BCWMC - ACTION ITEM no attachment – Staff recommends continuing to designate Finance and Commerce as the only BCWMC official publication as it covers the entire watershed, and to continue the practice of sending notices to local news outlets (such as the Sun Post) and neighborhood newsletters when appropriate.
- I. Approval of Resolution 22-01 Designating Depositories for BCWMC Funds - ACTION ITEM with attachment – The Commission annually designates official depositories for its funds. Staff (including the Deputy Treasurer) recommends approval of the attached resolution.
- J. Approval of Resolution 22-02 to Transfer Funds from CIP Account to Administrative Account - ACTION ITEM with attachment – Per its fiscal policies, each year the Commission transfers up to 2.5% of the taxes levied for CIP projects to the Commission’s administrative account (annual operating funds) to offset the administrative costs of managing the CIP projects. In 2021, the Commission levied \$1,474,780 through Hennepin County. Staff recommends approving the resolution to transfer 2.0% of the levy amount or \$29,495 from the CIP account to the administrative account.
- K. Approval of Resolution 22-03 to Transfer Funds from Administrative Account to Channel Maintenance Fund, Long-Term Maintenance Fund, and Next Generation Plan Development Savings Account – ACTION ITEM with attachment Per its fiscal policies, each year the Commission transfers up to \$25,000 from the administrative account into the Channel Maintenance Fund and up to \$25,000 from the administrative account into the Flood Control Project Long Term Maintenance Fund. Additionally, the remaining funding in the Next Generation Plan budget line of \$8,000 should be set aside in the Plan Development long term account. Staff recommends approval of the attached resolution to transfer the funds accordingly.
- L. Approval of Resolution 22-04 Transferring Funds from Flood Control Project Long Term Account to Administrative Fund - ACTION ITEM with attachment – The Commission budget includes reimbursement to the Administrative Fund from the Flood Control Project (FCP) Long Term Maintenance Account for expenses related to that fiscal year’s FCP inspections including the annual inspections, double box culvert inspections, and deep tunnel inspections. Staff recommends approval of the resolution.

## 5. ORGANIZATIONAL MEETING (30 minutes)

- A. Elect Officers – **ACTION ITEM no attachment** - *The Commission should elect a Chair, Vice Chair, Secretary and Treasurer. Officers hold one-year terms and positions can only be held by commissioners. The Secretary and Treasurer can be combined into one position. More information on the duties of the officers can be found in the bylaws here:*  
<http://www.bassettcreekwmo.org/application/files/1314/4424/7360/BCWMC-Bylaws.pdf>.
- B. Review 2022 Commission Calendar and Areas of Work - **INFORMATION ITEM with attachment**  
*February 1<sup>st</sup> marks the beginning of the Commission’s business and fiscal year. The attached document shows items the Commission considers annually and/or will consider over the next 12 months. The document also lists the various Commission committees, the approximate timing of committee meetings, and work areas for the committees this year. Please mark your calendars with Commission meeting dates.*
- C. Appoint Committee Members - **ACTION ITEM see attachment 5B** - *Committees are an important part of the Commission. Commissioners and Alternate Commissioners should consider participating on at least one committee. TAC members and other non-commissioners can also sit on Commission committees. See the document in 5B for a description of committees and their work slated for this year. Current committee members are listed here:* <http://www.bassettcreekwmo.org/about/our-members>.
- i. Administrative Services Committee
  - ii. Budget Committee
  - iii. Education Committee
  - iv. Technical Advisory Committee Liaison
- D. Review Open Meeting Law - **INFORMATION ITEM with attachment** - *The attached document is included simply to remind Commissioners about key provisions of the open meeting law, ways in which the law can be easily broken, and links to further information. The document was updated last year by Legal Counsel Anderson.*
- E. Review Year End Financial Report (Feb 1, 2021 - Jan 31, 2022) – **INFORMATION ITEM see attachment 4B** - *Overall, the Commission is in good financial standing and ended the year in the black when expenses are adjusted with revenue (total revenue = \$686,700; total expenses = \$672,800). Additional revenue of approximately \$22,000 is also expected from review fee reimbursements and cost share with city of Minneapolis on North Loop Green Development technical assistance. I will walk through the year-end report at the meeting.*

## 6. BUSINESS

- A. Consider Approval of 50% Design Plans for Medley Park Stormwater Treatment Facility (ML-12) (30 min) – **ACTION ITEM with attachment (plan set available online)** - *At the September 2021 meeting, the Commission ordered [this project](#) and entered an agreement with Golden Valley to design and construct the project. Golden Valley is contracting with Barr Engineering for this work. City and Barr staff will present the attached 50% designs and cost estimates which are in line with Concept 3 from the feasibility study which was approved for implementation. Staff recommends approval and directing the city to proceed to 90% plans.*
- B. Consider Options for Funding Bryn Mawr Meadows Water Quality Treatment Project (20 min) – **ACTION ITEM with attachment** – *At the January meeting the Commission approved the 50% design plans for [this project](#) and directed me to develop options for funding the project given the \$580,000 gap between CIP funds budgeted and current estimated construction costs. The attached memo*

*outlines two options for funding.*

**BREAK** (at Chair's discretion)

- C. Consider Approval of Scope and Budget for 2025 Watershed Management Plan Development (30 min) – **ACTION ITEM with attachment** – *At the January meeting the Commission reviewed and discussed the draft scope and budget for development of the 2025 Watershed Plan. Staff revised the scope and budget based on discussion at the meeting. The revised budget reflects additional tasks including an initial Commission workshop to identify issues (Phase 1), gathering and summarizing input from cities (Phase 1), additional complex issues to consider (Phase 2), and additional interaction with MN Board of Waters and Soil Resources (BWSR) staff (Phase 3). Staff recommends establishing a Plan Steering Committee and considering approval of the scope and budget so that work can get started.*
- D. Review Bassett Creek Main Stem Erosion Repair Project Final Report (2017CR-M) (15 min) – **INFORMATION ITEM with attachment (additional photos available online)** – *At their meeting in September 2016, [this project](#) was officially ordered and the Commission entered an agreement with the City of Minneapolis to design and construct the project. The plans were approved in 2017 but various conditions delayed construction until late 2020. Aside from vegetation establishment and management, the project is complete and the final report is attached for your review.*
- E. Consider Approval of Reimbursement Request for Bassett Creek Main Stem Erosion Repair Project (2017CR-M) (5 min) – **ACTION ITEM with attachment** – *As noted above, this project is complete aside from vegetation establishment and management. Environmental Response Fund grant funds from Hennepin County will be received in the coming months. I reviewed the documents submitted by the city and recommend approval of the request for reimbursement of \$595,535.42 for design and construction of the project.*
- F. Consider Request from City of Medicine Lake for Analysis of Alternatives to Jevne Park CIP Project (20 min) – **DISCUSSION ITEM with attachment** – *At their meeting in September 2019, the Commission officially ordered [this project](#). However, the city decided against implementation and no agreement was developed for design and construction. The funds for this project remain in the CIP budget with a balance of \$443,609. At this time, the city is requesting an analysis of alternative practices that may have the same or similar benefits as the original project such as installing raingardens on certain properties, improving shoreline buffers, adopting a robust street sweeping schedule, updating winter maintenance equipment to lower salt use, or other structural or non-structural practices. Commission Engineers estimate this additional analysis to cost \$35,000 - \$40,000. I recommend directing Commission Engineers to perform the analysis as requested so that CIP funds can be utilized to for improvements to the lake. In particular, I believe that improved shoreline buffers and street sweeping practices may reduce pollutants and improve habitats as much or more than the original project.*

**7. COMMUNICATIONS (10 minutes)**

- A. Administrator's Report – **INFORMATION ITEM with attachment**
  - i. Reminder to Submit Conflict of Interest Statements
  - ii. Equity in Watershed Management Workshop Update
  - iii. Update on Discussions with Minneapolis on Tunnel Responsibilities
  - iv. Grant Application to MnDNR for AIS Control & Medicine Lake Vegetation Management Plan
  - v. Criteria for Returning to In Person Meetings
- B. Chair

- C. Commissioners
- D. TAC Members
  - i. Bassett Creek Paddling Map, Golden Valley
  - ii. SEA School/Wildwood Public Open House, Golden Valley
  - iii. Media Event on Preparing for Climate Change, St. Louis Park
- E. Committees
- F. Legal Counsel
- G. Engineer
  - i. Update on North Loop Green Development, Minneapolis
  - ii. MN Stormwater Manual Updated with Manufactured Treatment Devices (MTD) Credits & Guidance

**8. INFORMATION ONLY (Information online only)**

- A. BCWMC Administrative Calendar
- B. CIP Project Updates <http://www.bassettcreekwmo.org/projects>
- C. Grant Tracking Summary and Spreadsheet
- D. WCA Notices, Plymouth
- E. Letters to MPCA on MTD Work

**9. ADJOURNMENT**

**Upcoming Meetings & Events**

- Medley Park Stormwater Treatment Project Open House: Thurs March 3<sup>rd</sup>, 5:00 – 7:30 p.m., Brookview
- MAWD Legislation Event and Day at the Capitol: Wed/Thurs, March 16<sup>th</sup> and 17<sup>th</sup>, Double Tree Hilton Hotel and Capitol Building, St. Paul <https://www.mnwatershed.org/legislative-breakfast-day-at-the-capitol>
- BCWMC Regular Monthly Meeting: Thursday March 17<sup>th</sup>, 8:30 a.m., location TBD